



## Statement

**The National Human Rights Commission of Thailand (NHRCT) urges all parties to respect human rights principles during the public assembly; the use of crowd control equipment likely to cause serious injury must be under the principle of necessity; and the rights of children in conflict with the law should be protected.**

During 20-21 March 2021, the people named REDEM and their networks carried out political demonstrations in various areas of Phra Nakhon District, Bangkok. There were reports of offenses, violence and clashes between protesters and police officers as well as the use of weapons. Things such as bricks, firecrackers, hand catapults with glass or metal balls were used by protesters. Some protesters and people concealing their identity in black incited violent clashes. The police officers used various measures and equipment such as batons, water mixed with tear gas and rubber bullets to control and disperse crowd, arrested offenders including children and youth. There were a number of injuries including protesters, people passing by, journalists and the police officers.

The National Human Rights Commission of Thailand (NHRCT) has closely and continuously monitored the situations by assigning staff members to observe the demonstrations. The NHRCT is deeply concerned with the escalating violence and; therefore, urges all parties the following:

1. The right to peaceful assembly is a basic right of people in a democratic society. The government has duty to respect and protect the right of people to freely exercise if lawfully. The protesters are required to avoid committing illegal acts, inciting or persuading others to do so. This may cause the police officers to enforce laws resulting in the restriction the right of other demonstrators.

2. In controlling the situation and using the anti-riot equipment which is likely to cause serious injury as rubber bullets, the police officers must adhere to the United Nations Human Rights Guidance on the Use of Less-Lethal Weapons in Law Enforcement, which requires the use of such weapons or equipment only in the circumstance of necessity to address an imminent threat of injury to either a member of the public or a police officer. Therefore, the government should review the use of rubber bullets only in the extremely necessary situation that other counter-measures may not be effectively used. It must also be used with specific case and must not target indiscriminately to minimize the risk of casualties. The government should provide appropriate and adequate remedies for the damage to the affected persons.

3. In the case of the arrest of juvenile perpetrators, the government should consider the rights of children and youth in the justice process in accordance with principles under the Convention on the Rights of the Child (CRC), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), and the Juvenile and Family Court and Juvenile and Family Procedure Act, B.E. 2553 (2010) and other relevant laws. The government should consider the best interests of the child, welfare of children and youth in conflict with the law by giving assistance so that they can achieve rehabilitation not to repeat offences and to normally return to the society.

4. In criminal proceedings against persons based on the situation of political demonstrations or expressions that are sensitive and affect the public sentiment and national reconciliation, the government may consider implementing restorative justice as another solution which aims to compensate the damage of the injured persons and general public and their reintegration. Constructive dialogues may be allowed to create mutual understanding and find a peaceful solution to the opinion differences.

The NHRCT sincerely hopes that all parties will exercise tolerance; and any action needs to take into account the respect of human rights principles and the rule of law so that the nation can pass through the political crisis peacefully.

National Human Rights Commission of Thailand  
23 March 2021