

**Regulation of the National Human Rights Commission**  
**on Rules and Procedures for Factual Explanation and Reporting**  
**in Response to Incorrect or Unfair Report on Human Rights Situation in Thailand**  
**B.E. 2564 (2021)**

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Whereas it is expedient to have a regulation of the National Human Rights Commission on rules and procedures for factual explanation and reporting in response to incorrect or unfair report of Human Rights situation in Thailand;

By virtue of Section 5 paragraph two, Section 26 (4), Section 27 (5), Section 35, Section 39, Section 44, Section 48 paragraph two and Section 49 (9) of the Organic Act on the National Human Rights Commission B.E. 2560 (2017), the National Human Rights Commission hereby issues the regulation as follows:

Clause 1 This regulation shall be called the “Regulation of the National Human Rights Commission on Rules and Procedures for Factual Explanation and Reporting in Response to Incorrect or Unfair Report of Human Rights Situation in Thailand B.E. 2564 (2021)”.

Clause 2<sup>1</sup> This regulation shall come into force as from the day following the date of its publication in the Government Gazette.

Clause 3 In this regulation:

“Commission” means the National Human Rights Commission;

“Office” means Office of the National Human Rights Commission;

Clause 4 The Chairperson of the National Human Rights Commission shall have charge and control of the execution of this regulation.

In the case where there is a question concerning the execution of this regulation, the Commission shall make a ruling.

Chapter 1

General Provisions

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Clause 5 An incorrect or unfair report on human rights situation in Thailand must be a report on human rights situation in Thailand containing human rights violation issues by which the Commission considers to have a broad impact, inaccurate or incomplete

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<sup>1</sup> Government Gazette Volume 138/Special Section 34 Ngor/Page 1/11 February 2021

information, and falls within the Commission's capacity to investigate such human rights violation.

The report under the first paragraph must not hold any of the following characteristics:

(1) Being an academic paper, research paper, or any other document of similar nature;

(2) Being an issue in the report prepared by the United Nations or the United Nations mechanisms, or other reports related to the United Nations' meeting;

(3) Being an issue that relevant state agency has already clarified;

(4) Being an issue that the Commission has already considered and prepared a report in accordance to its duties and powers, or that is under the Commission's investigation;

(5) Being an issue with characteristics as defined in Section 39 of the Organic Act on the National Human Rights Commission B.E. 2560 (2017).

If it appears later that the matter resolved by the Commission to accept for investigation holds any of the characteristics under the second paragraph, the Office shall submit to the Commission for consideration that the investigation shall be terminated according to this regulation.

Clause 6 The Commission may reduce or extend the period of time provided in this regulation as it deems appropriate.

## Chapter 2

### Investigation

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Clause 7 When the Commission has resolved to initiate an investigation of any matter presented in the incorrect or unfair report on human rights situation in Thailand, the Office shall conduct and complete such investigation within the period of time specified by the Commission.

Clause 8 The provisions of Chapter 3 Human Rights Violation Investigation of the Regulation of the National Human Rights Commission on Rules and Procedures for Investigation of Human Rights Violation B.E. 2561 (2018) shall be applied mutatis mutandis, to the investigation under Clause 7, insofar as they are not contrary to or inconsistent with this regulation.

## Chapter 3

### Preparation and Dissemination of

### Investigation Report

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Clause 9 Upon completion of the investigation, the Office shall prepare an investigation report and submit it to the Commission within the period of time and in the form prescribed by the Commission.

Clause 10 The investigation report approved by the Commission's resolution is deemed an explanation and report pursuant to Section 26 (4) and Section 44 of the Organic Act on the National Human Rights Commission B.E. 2560 (2017) and the Office shall disseminate it to the public without delay.

The dissemination under paragraph one shall, at a minimum, be made via the Office's information technology system so that the general public can conveniently access it.

#### Transitory Provisions

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Clause 11 Any actions carried out prior to the date of entry into force of this regulation and have not been completed shall be deemed valid. Any actions thereafter shall be in accordance with this regulation unless otherwise resolved by the Commission.

Announced on 26 January B.E. 2564 (2021)

Prakairatana Thontiravong

National Human Rights Commissioner

Acting Chairperson of the National Human Rights Commission