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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on the situation in Thailand
(2014/2551(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the situation in Thailand
(2014/2551(RSP))**

The European Parliament,

- having regard to its previous resolutions on Thailand, in particular the one of 20 May 2010,
 - having regard to the statements by the Spokesperson of EU High Representative Catherine Ashton of 26 November 2013 on the political situation in Thailand, of 13 December 2013, of 23 January 2014 on the recent events in Thailand and of 30 January 2014 on the coming elections,
 - having regard to the statement issued by the European Union Delegation in agreement with the EU Heads of Mission in Thailand of 2 December 2013,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966 to which Thailand is a state party,
 - having regard to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas in November 2013, the Thai Parliament passed a controversial amnesty bill that could pave the way for return of the former Prime Minister Thaksin Shinawatra from the exile; whereas this has provoked mass anti-government protests that continued despite the fact that the draft law was subsequently rejected by the Senate;
- B. whereas Deputy PM Suthep Thaugsuban, leader of the protestors group People's Democratic Reform Committee (PDRC) accused the government of being illegitimate and proposed that the Parliament should be replaced by an unelected "People's Council" to carry out political and institutional reforms;
- C. whereas on 20 November 2013, the Constitutional Court rejected a proposed amendment to the Constitution transforming the Senate in a fully elected body and also rejected an opposition petition to dissolve the Pheu Thai Party, which increased anti-government protests;
- D. whereas after a failed [motion of no-confidence](#) against Prime Minister Yingluck Shinawatra the Prime Minister dissolved the Parliament on 9th December 2013 and called for snap elections on 2 February 2014;
- E. whereas the Constitutional Court ruled on 24 January 2014 that elections could be postponed due to unrest; whereas following a meeting with the Election Commission on

28 January 2014 the Prime Minister confirmed that the elections would take place on 2 February 2014;

- F. whereas on 24th January 2014 the Thai Government declared a 60-day state of emergency in the capital Bangkok and surrounding provinces, giving the government *inter alia* the power to control public gatherings and media; whereas there is no sufficient justification for suspending the human and civil rights under the ICCPR;
 - G. whereas the main opposition party, the Democrat Party, decided to boycott the elections; whereas on 26 January 2014 protesters forced a number of polling stations to close: according to the Election Commission voting was disrupted in 69 out of 375 constituencies while the advanced voting on 26th January was largely prevented by obstruction of polling stations by the protesters;
 - H. whereas another day of voting is foreseen on 23rd February because of the disruption to the advance voting; whereas by-elections will be necessary in 28 constituencies where no candidates could register because of the action of anti-government protestors;
 - I. whereas at least 95 percent of the 500 lawmakers must be present for the Parliament to open and then proceed to the election of a Prime Minister; whereas the delays with candidate registration means that the elections will not deliver the necessary quorum;
 - J. whereas in the political turmoil that has shaken Thailand in the past three months 10 people were killed and 550 were reported to be injured;
 - K. whereas Kwanchai Praipana, a leader of Thailand's pro-Government "red shirt" movement, was shot and wounded on 22 January 2014 in a drive-by shooting in the north-eastern town of Udon Thani in what police said appeared to be a politically motivated attack;
 - L. whereas Suthin Tharatin, a Thai anti-government movement leader, was shot dead in Bangkok by unknown assailants on 26 January 2014;
 - M. whereas on the day preceding the vote another seven people were wounded by gunshots and explosions during a standoff between supporters and opponents of Prime Minister Yingluck Shinawatra in Bangkok;
 - N. whereas the government issued an arrest warrant against the Deputy PM Suthep Thaugsuban, and 16 other protest leaders of the PDRC;
1. Expresses deep concern about the violent conflict between demonstrators and security forces in Thailand, which poses a threat to democracy in the country; calls on the Thai authorities to fully investigate the recent cases of violence that led to several deaths and injuries and to prosecute those responsible;
 2. Welcomes the peaceful holding of general election on 2nd February; regrets, however, that the main opposition party has boycotted the poll and that the voting process was obstructed

in many constituencies;

3. Strongly criticises anti-democratic actions of protesters who prevented voters from casting advance ballots on 26th January as a serious violation of national laws and international human rights standards;
4. Calls on the Thai authorities to ensure the protection of freedom of expression as well as of peaceful assembly and association; appeals to the authorities to immediately revoke the state of emergency as the existing laws are adequate to deal with the current situation;
5. Appeals to all concerned to avoid escalation, to show the utmost self-restraint, to halt political violence and to resolve differences through peaceful means and with a full respect of the rule of law;
6. Recalls that the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials provide that authorities must, as far as possible, apply non-violent means before resorting to the use of force and firearms and, whenever the lawful use of force and firearms is unavoidable, must show restraint and act in proportion to the seriousness of the offence;
7. Calls on all parties to respect the rule of law and to abide by democratic principles; urges all parties to engage immediately in a constructive dialogue in order to seek a swift negotiated settlement and to solve the current crisis by peaceful and democratic means;
8. Calls on the Democrat Party and their leaders to stop their campaign against democratically elected institutions and refrain from putting further obstacles to the electoral process;
9. Underlines that the proposal of the People's Democratic Reform Committee for an unelected "People's Council" that should replace the Government and rule the country for up to two years is unacceptable; believes that only free, fair and inclusive elections could provide the mandate for political and institutional reforms in Thailand;
10. Welcomes the National Human Rights Commission's calling of a consultative meeting of intellectuals, representatives of social movements, religious leaders and the four former Prime Ministers Anand Panyarachun, Banharn Silapa-acha, Chavalit Yongchaiyudh and Chuan Leekpai to look for and put forward a solution to end this crisis;
11. Stresses its will to support democracy in Thailand taking into account the excellent nature of EU-Thai relations and Thailand's driving role in the region;
12. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Government and Parliament of Thailand, the Secretary-General of ASEAN and the Secretary-General of the United Nations.