



2021 CIVIL SOCIETY ORGANIZATION SUSTAINABILITY INDEX

THAILAND
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2021 CIVIL SOCIETY ORGANIZATION SUSTAINABILITY INDEX

For Thailand

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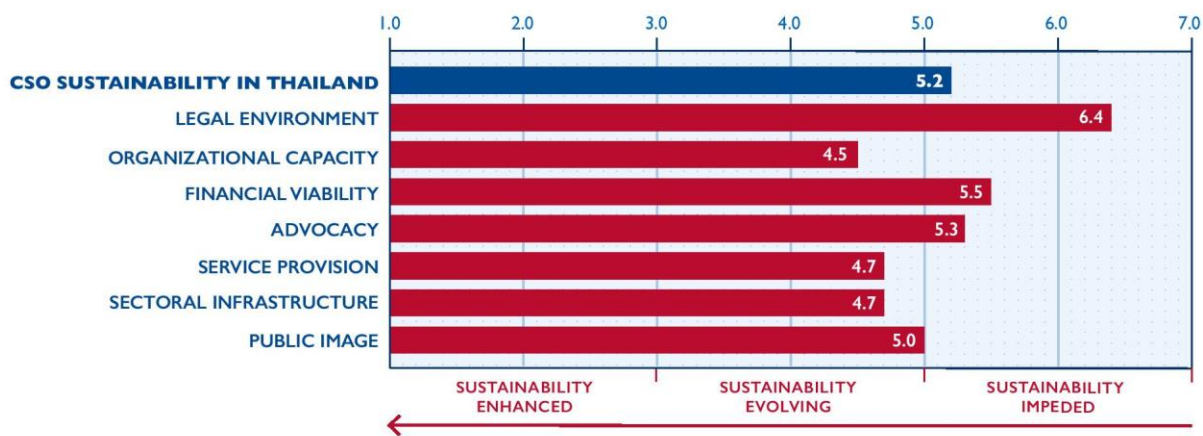
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THAILAND

Capital: Bangkok
Population: 69,648,117
GDP per capita (PPP): \$17,300
Human Development Index: Very High (0.800)
Freedom in the World: Not free (29/100)

OVERALL CSO SUSTAINABILITY: 5.2



Faced with the continuation of the COVID-19 pandemic, a weakening economy, and ongoing waves of pro-democracy protests, Thailand's political environment remained highly unstable in 2021. The country has become increasingly authoritarian as existing laws continued to have a chilling effect on the public sphere by restricting expression, association, assembly, and privacy. Additionally, the executive and legislature regularly signaled an intention to increase the severity of these measures and the discretion of enforcement bodies in ways that do not comply with international norms.

The Emergency Decree on Public Administration in the State of Emergency, put in place to limit the spread of COVID-19, was repeatedly extended in 2021. The government imposed a series of lockdowns and restrictions across the country, including curfews and limitations on travel and public gatherings, with tighter restrictions on those areas experiencing higher rates of infection. In response to a rise in cases in July, gatherings were capped at five people in Bangkok and four southern border provinces. By July 17, this expanded to a nationwide ban on all public gatherings, but three days later was adjusted to a nationwide ban on gatherings and activities with more than five people. By mid-October, restrictions eased nationwide to allow for assemblies of up to fifty people. COVID-19 vaccinations began in March but progressed slowly over the course of the year. By the end of the year, the country had recorded a total of 2,223,435 cases and 21,698 deaths due to the virus.

The restrictions had a heavy impact on the economy, particularly damaging the crucial tourism industry. The resulting job losses were most prominent in urban areas and among low-income groups occupying the more precarious jobs, many of whom were already struggling with the flagging economy. This, combined with the government's use of COVID-19 to justify increasing repression and two draft laws that further threatened the democracy movement, spurred increased dissatisfaction with the government and a resurgence of anti-government protests.

In addition to demanding improvements in the government's response to the pandemic, demonstrations across the country, which were especially prevalent in Bangkok, called for constitutional amendments, reform of the monarchy to ensure greater accountability, and the resignation of Prime Minister Prayuth Chan-o-cha. These protests were most prominent in late July and August, marking a year since the large-scale student protests in 2020. According to reports by Amnesty International, riot police used excessive force in response to the demonstrations, firing rubber bullets and tear gas canisters at short range towards protesters, bystanders, and journalists. Some demonstrators were restrained for hours in tight plastic wrist cuffs, and authorities often refused to disclose where they were detained, delayed or denied them access to legal representation, and in some cases denied bail. According to Thai Lawyers for Human Rights (TLHR), in August 2021 alone, at least 260 protesters were arrested for allegedly violating the Emergency Decree, including at least 70 children and youths under the age of 18. Dozens of protesters, including children, were reportedly injured during the August anti-government protests; although police denied using live rounds, according to Amnesty International, at least three boys under

the age of 16 suffered gunshot wounds, one of whom later died from the injury. From July 2020 to September 2021, at least 1,341 individuals faced criminal charges for joining protests.

The ongoing conflict in Thailand's Deep South again abated in the first half of 2021, partly due to a unilateral ceasefire announcement by Barisan Revolusi Nasional (BRN) to facilitate humanitarian assistance for people affected by the COVID-19 pandemic. However, as in 2020, the ceasefire was short-lived and insurgent attacks on military targets and civilians have since increased. Communities also expressed concerns that the region remains over-regulated and the Muslim community was subjected to continued state surveillance, including CCTV surveillance, ethnic profiling, disproportionate stops at security checkpoints, and biometric data collection through the government's facial recognition system.

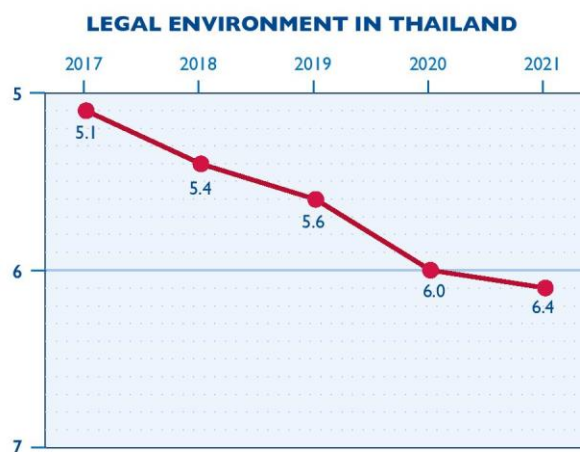
Due to its lack of transparency and serious questions around its independence and neutrality, the National Human Rights Commission of Thailand (NHRCT) was again given a "B" rating from the Sub-Committee on Accreditation of Global Alliance of National Human Rights Institutions and thus can only participate in the work of the United Nations Human Rights Council (UNHRC) as an observer.

As Freedom House reported in Freedom in the World 2022 (which covers 2021 developments), the Thai judicial system continued to suffer from politicization and corruption. Most notably, in November 2021, the Constitutional Court ruled that the demands of activists for royal reform were an attempt to overthrow the monarchy, setting a dangerous precedent of using the legal system to suppress opposition and intimidate dissidents.

Overall CSO sustainability in Thailand deteriorated in 2021, driven by deteriorations in four dimensions. The legal environment underwent extreme deterioration due to increasing state oppression and restrictions on civic space, highlighted in the threat of a draft law intended to regulate the sector. Organizational capacity and service provision both recorded slight declines, primarily due to the effects of COVID-19 restrictions and limited capacity, further spurred by the slight deterioration in financial viability. At the same time, however, the infrastructure supporting the CSO sector improved slightly as CSO collaboration increased. Though the government continued to discredit CSOs' activities in 2021, the overall public image of the sector also improved slightly, thanks to notable improvements in public perceptions of CSO work, while advocacy remained relatively unchanged overall.

The CSO sector in Thailand is made up of both registered and unregistered organizations. Foundations are the most common type of registered organization; others include associations, clubs, social enterprises, community-based organizations (CBOs), grassroots movements, and international non-governmental organizations (INGOs). According to a May 2021 estimate by the Bangkok Post, there are more than 25,000 local CSOs and about 86 international CSOs operating in the country. This estimate suggests relatively little change since a 2019 count of 13,572 foundations and 12,973 associations registered with the Department of Provincial Administration, as reported by CIVICUS in 2020.

LEGAL ENVIRONMENT: 6.4



The legal environment for CSOs again recorded extreme deterioration in 2021. CSOs worked within an increasingly difficult and unpredictable regulatory environment, and the government regularly abused current laws to assess, monitor, and impede CSOs—particularly those working on democracy and governance issues—while it also prepared a severely restrictive new draft law. The government also enhanced its efforts to restrict freedom of expression and peaceful assembly. The massive youth-led protests that began in 2020 continued throughout 2021, but dwindled over time due to systematic harassment, intimidation, imprisonment of activists, and restrictions imposed under COVID-19.

CSOs in Thailand generally operate as foundations and register with the Ministry of Interior in accordance with

the Thai Civil and Commercial Code. According to current laws, foundations must work for the public benefit,

have at least three Thai nationals on their boards of directors, provide bank statements showing a balance of at least THB 200,000 (approximately \$6,400), and not violate the law, good morals, or national security. The complicated registration process can take over two years, especially for organizations based outside of Bangkok. In 2021, CSOs experiencing the most problems with registration were those defending human rights, since they tend to be critical of the government. Once registered, CSOs must submit regular reports and financial audits. This continued to present challenges to many CSOs, which have limited access to financial specialists trained in the public sector and often must hire additional administrative and financial staff to meet the requirements.

Many organizations—especially those working on issues deemed politically sensitive, such as land tenure and peace and security—have chosen not to register in recent years, in part because registered CSOs may be inspected by government authorities at any time and government reporting requirements and license renewals are burdensome.

The future of CSO registration and operations requirements became highly uncertain in February 2021, when the Thai cabinet approved a proposal to prepare a Draft Act on the Operations of Not-for-profit Organizations (NPOs). The draft was prepared with little to no public consultation, made available for comments through an online platform for just two weeks in March 2021. The draft law would require all NPOs (which it does not clearly define) to register with the Ministry of Interior, which it also authorized to approve NPO activities. In practice, this would empower the Thai government to shut down any organization it considered to be working against the government's interest. Anyone operating an unregistered NPO could be jailed for up to five years, fined up to THB 100,000 (approximately \$3,200), or both.

The draft NPO law particularly threatened increased restrictions on organizations receiving foreign funds, which the government has previously accused of working in support of foreign interests and trying to destabilize the country. Section 6 of the draft law permitted NPOs to accept money or materials from foreign donors only for “activities in the Kingdom as permitted by the Minister,” giving the Minister of Interior full discretion to authorize or block any foreign funding. The draft law also authorized invasive inspections of any NPO office without prior notice or warrant and did not allow for any process of appealing decisions taken, including suspension or termination.

In June 2021, the Cabinet further released a set of principles laying out a number of anti-money laundering and counter-terrorism concerns and connecting them to NPO activity in what appeared to be an attempt to justify the draft NPO law under security concerns. The government had an open comment period for the Cabinet principles in the following weeks.

In December 2021, a new draft NPO law created by the Office of the Council of State was leaked. Although significantly revised from the February 2021 version, the new draft was still significantly restrictive and contained a catch-all provision (Section 20) allowing the government to prohibit CSOs from engaging in an extremely broad range of activity. The revised draft was approved by the Cabinet in January 2022.

In November 2021, foreign funding was further restricted through an amendment to the 1999 Anti-Money Laundering Bill (AML Bill). In particular, section 16/1 of the amendment requires all CSOs to maintain records of all transactions, detailed annual statements, and information on the directors or those in charge as well as the beneficiaries of funds for five years, unless otherwise directed. If an organization fails to maintain these records, the authorities may conduct warrantless searches of its office. Importantly, this section does not apply to foundations under Royal Patronage, a stamp of approval for foundations that have been recognized by the monarchy as transparent and operating for the greater good of the country.

New regulations issued under the Emergency Decree in July 2021 added to the weight of COVID-19 restrictions—which, as described above, were also used to arrest numerous peaceful protesters over the course of the year. Regulations No. 27 and 29 broadly prohibited the dissemination of false or potentially misleading content that could incite fear among the public during emergency situations. Under Regulation No. 29, internet service providers (ISPs) were required to identify IP addresses accused of producing content deemed illegal, report the details to the government, and immediately suspend internet service to that IP address. Petitioned by Thai media and a group of human rights lawyers, in August, the Civil Court suspended Regulation No. 29, determining that such internet censorship and the potential suspension of media organizations excessively restricted rights. However, Regulation No. 27 remained in place at the end of 2021 and provided for up to two years' imprisonment for dissemination of “fake news.”

On September 21, the Thai Cabinet approved draft amendments to the 2015 Communicable Diseases Act (CDA) as the government prepared for the eventual end of the Emergency Decree, at which point the CDA will become the primary legislation governing the country's response to COVID-19. The amendments had not yet been introduced to the parliament for endorsement by the end of the year. In the meantime, in 2021, several Thai and international CSOs issued a statement to express their concern over the law's repressive provisions, which, like the Emergency Decree, could provide the government with broad and unchecked powers and enable continued restrictions on freedoms of expression and assembly.

The government also used other preexisting laws to hamper CSO activities and freedom of speech online and offline. As in 2020, those laws included the Public Assembly Act of 2015, which regulates freedom of assembly, and the Computer Crimes Act (CCA), which authorizes the Ministry of Digital Economy and Society to request and enforce the removal of "false content" online and to punish those who spread the information. Several sections of the Penal Code were also used to obstruct free speech and CSO activities: Section 112 on royal defamation, known as *lèse majesté*; Section 116 on sedition; Section 198 on contempt of court; Sections 326 through 328 on defamation; Section 110 on violations of the Queen's liberty; and Section 368, which punishes those who refuse to comply with an official's order without reasonable cause or excuse.

In May 2021, the government established an anti-fake news center to investigate information about the pandemic deemed to be false or undermining the government's efforts to mitigate it. The authorities also invoked the CCA and Section 112 of the Criminal Code to prosecute individuals criticizing the government's COVID-19 response.

After a two-year pause in cases of *lèse majesté*, the use of Section 112 was revived in November 2020 in the midst of ongoing pro-democracy protests and government criticism. According to Amnesty International, between January and November 2021, at least 116 people were charged with *lèse majesté*. Among them was one of the harshest sentences ever handed in such a case: Anchan Preeleert, a former civil servant, was sentenced to eighty-seven years in prison for uploading twenty-nine audio clips of "Banpot," a radio host critical of the Thai monarchy, to YouTube. Her sentence was reduced to forty-three years after she pleaded guilty. In November 2021, the Thai Constitutional Court also ruled that calls for royal reform are an attempt to overthrow the monarchy, setting a legal precedent that could be applied to *lèse majesté* cases and spurring further self-censorship among activists.

INGOs were also impacted by the 2021 crackdown on civil society. Following Amnesty International's campaign to bring an end to criminal charges against protesters calling for monarchical reform, in November, an ultra-royalist group sent a letter to the government urging the authorities to revoke Amnesty International's license and expel it from the country. The prime minister ordered an investigation into the organization, about twenty government officials visited the office, and Seksakol Atthawong, a vice-minister in the office of the prime minister, launched a petition to expel the CSO. The petition gained one million signatures from pro-royalists and the investigation remained ongoing at the end of the year.

As described above, 2021 also recorded continuing and increasing crackdowns on pro-democracy protests, and the authorities pursued demonstrators and protest leaders on multiple charges. Beyond the protest arrests described above, according to Amnesty International, in 2021, criminal and civil proceedings were initiated against at least 1,460 individuals for expressing views perceived to be critical of government actions; several protest leaders face sentences up to life imprisonment if convicted. Authorities also harassed perceived dissidents through house visits, forcing individuals to pledge not to talk about the monarchy, intimidating their families, and taking individuals to police stations without arrest warrants. Reports of torture and ill-treatment also surfaced in 2021: in August, pro-democracy activist Parit "Penguin" Chiwarat was extensively beaten by police officers for his involvement in a protest, and Jeerapong Thanapat died after being suffocated with a plastic bag by police officers at Muang Nakhon Sawan police station. In September 2021, the Thai parliament approved a bill criminalizing torture and forced disappearances but failed to address other significant concerns, such as cruel and degrading treatment by law enforcement personnel.

Government agencies use a variety of surveillance technologies that may impede or deter CSO work. In November, some human rights activists were notified by Apple regarding a possible state-sponsored spyware, Pegasus, surveilling their electronic devices; the government later confirmed the use of the Pegasus spyware for national security purposes.

In 2021, CSOs were still permitted to accept funds from domestic and foreign donors, engage in fundraising campaigns, and earn income; the draft NPO law, however, threatens to severely restrict foreign funding, as discussed above. As in previous years, any profit earned by foundations and associations is taxed at a rate of 1

percent. CSOs are able to apply for tax-exempt status but most are unaware of this possibility and unfamiliar with the process. Foundations may receive tax-free donations from companies, but to do so, the foundation must be registered with the Ministry of Finance and produce monthly reports. Individuals and corporations that donate to foundations and associations can receive tax deductions at a maximum of 10 percent of income for individuals and 2 percent for corporations.

CSOs' access to legal representation was increasingly important in petitioning courts to drop lawsuits against CSOs. Thanks to collaboration among CSOs and the availability of relevant information online, experts reported that CSOs were less reliant upon assistance from lawyers in 2021 as they increased their internal legal capacities. This greater capacity is particularly important because lawyers tend to be a costly investment, which many CSOs cannot afford.

ORGANIZATIONAL CAPACITY: 4.5

In 2021, the organizational capacity of CSOs in Thailand declined slightly due to challenges brought on by COVID-19 restrictions, coupled with increased restrictions on CSO operations; this particularly impacted organizations' ability to adjust and follow strategic plans.

As in the first year of the pandemic, while some CSOs were able to better leverage digital space and make use of new technologies, most grassroots organizations continued to struggle to move activities online and adapt to new ways of working. In this way, COVID-19 restrictions on in-person gatherings continued to emphasize the digital divide and hamper some CSOs' ability to directly engage and communicate with their constituents.



Large, well-established CSOs typically have websites and reports that clearly set out their visions, missions, and successes; established missions and strategic plans are often necessary in order to win grants. Large organizations also generally have dedicated funds to support their organizational development and find it easier than small and local CSOs to manage their human resources. Such well-established CSOs typically have internal management structures, accounting systems, and written policies and procedures in place.

Smaller (and often unregistered) CSOs, however, continued to face challenges in conducting their work or establishing clear long-term missions. Broadly, this is due to their lack of resources, such as administrative or technical expertise; insecure and primarily short-term, project-based funding; and difficulty in gaining donor trust and support. In 2021, small and local CSOs experienced additional challenges in setting out and following strategic plans, largely due to the shifting nature of COVID-19 restrictions and the resulting impact on their ability to carry out activities.

Volunteers continued to play a key role in many CSOs, particularly due to limited resources and challenges in maintaining paid staff. However, according to the Charities Aid Foundation World Giving Index 2022, which covers 2021 developments, just 19 percent of survey respondents in Thailand reported having volunteered their time to an organization in the past year. Though this was slightly higher than the 17 percent reported in 2020, it shows the continuing impact of COVID-19 restrictions on CSOs' ability to benefit from active volunteer engagement.

Overall, CSO technical capacity and digital adaptability somewhat improved in 2021, though as in previous years, there remained a clear difference in capacities within the sector. Some larger CSOs, such as Amnesty International, placed a high priority on technology, while other CSOs, especially in more rural areas, continued to struggle to access the internet due to lack of funds or infrastructure. In 2021, some CSOs were also able to provide training for their members and constituents to be more adept online, including the use of online meeting platforms like Zoom, recognizing the growing importance of online engagement. During the 2021 pro-democracy protests, for

instance, activists used social media to gain support, raise awareness, and inform communities of the protest strategies and places of assembly.

FINANCIAL VIABILITY: 5.5



The financial viability of the CSO sector in Thailand continued to slightly deteriorate in 2021. This was largely due to ongoing decreases in foreign funding since the start of the COVID-19 pandemic and CSOs' limited ability to fundraise online, though some CSOs reported that funding was more easily accessible for COVID-19-related work.

The disbursement of funds within Thailand also continues to be a large challenge for the financial sustainability of CSOs in the country. Often, local CSOs receive only project funding, and therefore a small portion of the total funding to the sector, while INGOs retain general management fees, allowing them to bolster their core funding. Smaller CSOs and subgrantees, on the other hand, struggle to sustain operations in the long-term.

Although Thailand has received increasingly less support from foreign donors in recent years, as noted in 2020, a number of foreign donors continued to provide support to Thai CSOs in 2021, particularly for health-related projects. USAID, for instance, continued to provide foreign aid to Thailand in 2021, covering health, environment, and governance issues, and the European Union funded TLHR in 2021. As in previous years, however, most foreign support was provided to international organizations in Thailand, such as the United Nations Children's Fund (UNICEF) and Winrock International, which then sub-granted a small amount of the funding to national CSOs and local groups.

CSOs continued to experience fluctuations in foreign funding due to the shifting priorities of international donors, and in 2021, as in previous years, some CSOs struggled to access foreign funds, impeded by the stringent requirements, language barriers, or difficult application formats and time constraints. As a result, foreign funding available at the country level, such as through embassies providing small grants, continued to be the more accessible and attractive option for local CSOs because they present no language barriers and tend to have less complex funding requirements.

The decreased availability of foreign funding has pushed CSOs to depend more on domestic support. In 2021, for instance, Migrant Workers Federation received funding and food assistance from Buddhist temples, which it then distributed to over 300 families in need. Organizations also continued to rely heavily on non-financial support and volunteers. For example, individuals offer the use of their cars as needed, or provide certain services to support organizations, such as cooking for CSO staff.

Unregistered CSOs particularly continued to struggle to raise funds, but by avoiding registration were able to secure and disburse their own funding without being curtailed by the government. To do so, however, CSOs need to be well connected and have strong and trustworthy networks, which is less feasible for new, small, or remote CSOs.

Limited internet access and lack of familiarity with online platforms hindered CSOs' ability to fundraise online in 2021. As in 2020, those CSOs that had earned some income by selling handmade clothes and textiles in markets before the health crisis were limited by COVID-19 restrictions, as were CSOs that previously generated income through social enterprises.

As in previous years, the government was not a reliable source of funding for most CSOs; government funding amounts are typically minimal or delayed, come with numerous restrictions, and are available only to CSOs perceived to align with the government agenda. No official information regarding government funding in either 2020 or 2021 was made publicly available.

Most CSOs continue to lack skilled finance specialists and financial management systems. CSO employees, especially in smaller organizations, often have numerous responsibilities, including taking care of human resources, finances, and administrative tasks. This can cause further issues regarding audits and a CSO's status with the government, especially if the organization is already under investigation.

ADVOCACY: 5.3

CSOs' ability to carry out advocacy remained unchanged overall in 2021. CSOs better utilized social media platforms to advocate for their causes and engage with members of parliament and other decision makers. This increased utilization of online platforms was especially important as COVID-19 restrictions and government crackdowns continued to hamper in-person demonstrations and activities. At the same time, however, CSO advocacy around sensitive topics such as democratic rights and monarchical reform was restricted by several laws and regulations, as discussed above.

Compared to 2020, the level of government interaction with civil society on some specific issues increased, particularly within the legislative branch, facilitating CSO activism and campaigning. One expert highlighted, for instance, greater government engagement with civil society in working to ensure the safety of lesbian, gay, bisexual, and transgender (LGBT) individuals. CSOs also saw some success in the September 2021 adoption of a bill criminalizing torture and forced disappearance, though some crucial provisions were left out, as mentioned above; the bill had emerged largely from the work and advocacy of CSOs like the Cross Cultural Foundation.

The Ordinance on Public Opinion Act requires the prime minister to ensure that all central and local government agencies operate transparently and hold public discussions. However, CSOs reported that they were rarely invited to public consultations. Such consultations, including those addressing the draft NPO law and climate change, were held online in 2021 due to COVID-19 precautions, but CSOs found it difficult to get involved as they were either unaware, not invited, or unable to attend due to limitations on participant numbers. Experts also reported that CSOs led by young people, women, or members of the LGBT community faced greater difficulties in having their voices heard when engaging with some government authorities.

In 2021, CSOs were particularly well placed to conduct advocacy and hold the government accountable around two UN review processes: Thailand's Third Universal Periodic Review (UPR), which reviews the human rights records of all UN Member States and was prepared in November 2021, and the Committee on the Elimination of Racial Discrimination (CERD) Review. Manushya Foundation, together with local community members and partner CSOs like Young Pride Club, capitalized on the opportunities to voice concerns from their beneficiaries and marginalized groups through both processes, and led online advocacy campaigns around both reviews. Following the publication of the Concluding Observations of the CERD Review in December, CSOs integrated them into their ongoing advocacy activities, thereby strengthening long-term advocacy objectives.

COVID-19 restrictions limited in-person events in 2021, particularly in the south. Instead, CSOs successfully made use of social media in 2021 to promote their advocacy agendas; online platforms also played a vital role in mobilizing youth in the pro-democracy protests.

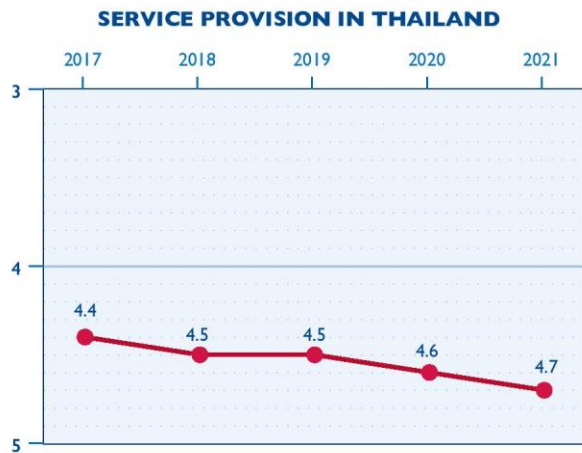
CSOs engaged in several lobbying efforts in 2021 to oppose development projects impacting communities' livelihoods and the environment. For instance, in December, the Chana community peacefully protested in front of the Government House, calling on the prime minister to keep the promise made in 2020 to revoke all cabinet resolutions involving the industrial mega-project in Songkhla, Southern Thailand, and conduct a community-led Strategic Environmental Assessment. The campaign was amplified by CSOs like Manushya Foundation, which posted on social media and campaigned relevant UN experts to bring attention to the case. Protesters were dispersed and some were arrested, but soon after, the Cabinet agreed to defer the project in Songkhla until the resolution and evaluation of the project's Strategic Environmental Assessment.



In 2021, civil society actors increasingly reached out to the international community to call upon the Thai government to respect its human rights obligations, further bolstered by the findings of the UPR and CERD reviews. In several cases, this succeeded in drawing greater international attention. In June, for instance, CIVICUS sent a letter to the Thai Minister of Justice urging Thailand to end prosecution of pro-democracy activists and protesters, and in October, a large rally attracted further international attention and support. Three civil society representatives also submitted a letter opposing absolute monarchy to the Germany Embassy, as the king has spent most of his time in Germany since taking the throne in 2016.

Over the course of 2021, CSOs were also very actively engaged regarding the draft NPO law, and on December 27, forty-seven CSOs released a joint open letter expressing their concern.

SERVICE PROVISION: 4.7



CSOs' ability to provide services deteriorated slightly in 2021, largely due to COVID-19 restrictions. CSOs working on issues beyond COVID-19 relief were also hampered by the continuing decline of available funding.

The CSO sector in Thailand provides services in a variety of areas, ranging from human rights and community rights to labor issues, education, women's empowerment, and sexual and reproductive health. In 2021, for example, SHero began to build a network of lawyers to support survivors of domestic violence, while TLHR continued to provide legal aid to human rights defenders facing charges.

Restrictions on travel and in-person activities for the majority of the year especially impacted those providing on-the-ground services, such as CSOs working with

migrant workers, impoverished communities, indigenous peoples, and farmers. For instance, Green World Network, a community network in southern Thailand that fights to protect community rights and natural resources, reported that its work in 2021 was limited to online advocacy campaigns, which it found to be only marginally effective.

Many CSOs continued to refocus or adapt their work to help those affected by COVID-19, as they had in 2020. For example, Childline Thailand provided 19,900 counseling sessions via social media and received 7,047 calls from children who were particularly affected by the third wave of COVID-19. Additionally, in 2021 alone, 6,465 children made use of Childline Thailand's services for homeless children (Hub Saidek), which provides daily meals, showers, and mental health support.

Despite ongoing challenges of both logistics and limited resources, CSOs remained responsive to community needs in 2021. For instance, Covid-Thailand Aid, a volunteer-based organization, particularly helped vulnerable groups during the pandemic, and in March provided 100 families in the Samut Sakorn province with essential care packages, including food. In May, the organization provided care packages to 600 individuals in the Klong Toey area. As mentioned above, however, those CSOs not working on COVID-19 relief saw continuing declines in their funding, and, faced with ongoing travel restrictions, were forced to limit their activities in 2021.

CSOs offer their services without discrimination with regards to race, gender, or ethnicity. CSO services are also typically free of charge, given that they frequently serve local and marginalized communities with low incomes.

Despite some engagement from the legislative branch on specific issues, as mentioned above, broadly, the government showed neither appreciation nor support for CSOs' work and role in the country. Given the increasing lack of trust in public institutions, some CSOs also did not actively seek support of any kind from the government.

SECTORAL INFRASTRUCTURE: 4.7

The infrastructure supporting the CSO sector slightly improved in 2021 as a result of increased cooperation within the CSO sector, despite some deterioration in available assistance from intermediary support organizations (ISOs).

As financial resources continued to decrease in 2021, ISOs were less able to provide direct support to CSOs. COVID-19 restrictions on in-person activities also impeded ISO activities and support until the lifting of most restrictions in October, particularly impacting grassroots organizations with limited internet access. Instead, as in 2020, many CSOs received support from larger organizations that do not identify themselves as ISOs or resource centers. For instance, in 2021, Migrant Workers Federation provided training sessions to local CSOs and community groups on social media platforms and video editing.

As in previous years, and as referenced above, sub-granting of foreign funds remained a limited but important source of funding for some local CSOs and grassroots movements.

Thailand still does not have strong centralized CSO networks, given that CSOs work on various issues, become more or less active over time, and are relatively decentralized. CSOs working on the same issues compete for funding between themselves, and unregistered CSOs particularly face difficulties forming alliances or formal networks. Instead, informal and person-to-person connections continue to be important in civil society networks. In 2021, CSOs also increasingly used social media platforms and online communication tools to gain community support and exchange knowledge. Though grassroots communities faced some obstacles in online networking, in terms of both access and staff capacities, digital platforms were especially successful in engaging youth in CSO collective work and activities.

Increasing concern around government restrictions in 2021 also encouraged greater cooperation among CSOs, as like-minded CSOs—particularly those working on human rights—mobilized to collaborate on activities and outreach. This was evident, for instance, in the joint statement issued by forty-seven CSOs regarding the draft NPO law. Similarly, the UPR and CERD reviews processes both required CSO collaboration during the year and provided an important opportunity for improvement in long-term cooperation in the sector, owing to the relationships forged to inform the two processes and hold the government accountable. CSO coalitions contributed thirty-four reports to the UPR process, and a total of twenty-five reports were submitted by CSOs individually. For the CERD review, twelve CSOs and two CSO coalitions—the Thai CSO Coalition for the UPR, formed in 2016, and the Thai BHR Network, formed in 2018—submitted four reports.

CSOs continued to struggle to develop partnerships with the government, and they rarely formed partnerships with businesses in 2021, as in previous years.

SECTORAL INFRASTRUCTURE IN THAILAND



PUBLIC IMAGE: 5.0

Overall, the public image of CSOs slightly improved in 2021 as the public increasingly supported CSOs, particularly in the face of government restrictions and the poor handling of the pandemic. At the same time, however, the government continued to discredit CSOs that did not align with their agenda.

Throughout 2021, as in 2020, media covered a variety of CSO issue areas and activities, including, for instance, freedom of expression, human rights, and same-sex marriage and LGBT issues. However, the extent of media coverage of CSOs and their work continued to vary according to the issues they address. Media were somewhat more hesitant to cover pro-democracy protests, and numerous journalists were injured or arrested while covering the protests. News outlets gave increasing attention to CSOs working to provide COVID-19 relief, while other



issues areas, such as the environment, tended to be overlooked. CSOs with limited resources and connections also received less media coverage.

Public perceptions of CSOs also depend on a CSO's focus area but improved overall in 2021. CSOs working on humanitarian relief and providing support during the pandemic especially saw improvement in public perceptions, and CSOs campaigning for human rights improved their reputation and benefited from increased public support and participation in their activities. At the same time, some ultra-royalist figures continued to discredit CSOs in 2021. This was evident, for instance, when a petition to revoke Amnesty International's license and expel them from the country amassed one million signatures. Broadly, however, the public was

increasingly aware and appreciative of CSOs' role in society.

As in 2020, the government continued to discredit human rights defenders, and evidence again suggested that the government was running an illegal propaganda campaign and promoting harassment of civil society actors, financed by taxpayer money. For instance, the founders of Justice for Peace Foundation and the Duay Jai Group filed a lawsuit against the Prime Minister's Office and the Royal Thai Army for allegedly promoting disinformation in 2020 to discredit CSOs working to expose government wrongdoings and human rights violations. That lawsuit was ongoing in 2021.

Continuing these concerns in 2021, as part of the Information Operations (IO) of the Internal Security Operations Command (ISOC), a coordinated network of military-linked social media accounts promoted pro-government narratives and worked to discredit the legitimacy and reputation of human rights defenders and CSOs. For instance, a video of a protest by Karen peoples, posted on Facebook, was overwhelmed with negative comments from IO accounts. In February 2021, Facebook's Coordinated Inauthentic Behavior Report confirmed the detection and removal of 185 social media accounts and pages linked to ISOC propaganda, which had targeted audiences in the country's Deep South.

In 2021, CSOs' increasingly effective use of online platforms enabled them to better disseminate information about their work. However, most CSOs still lack a strong communications strategy, and due to limited resources and staff, CSOs typically do not produce annual reports.

Disclaimer: The opinions expressed herein are those of the panelists and other project researchers and do not necessarily reflect the views of USAID or FHI 360.

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