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European Union

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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

To: Delegations

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Subject: Thailand
- Council conclusions (11 December 2017)

Delegations will find in the annex the Council conclusions on Thailand, as adopted by the Council at its 3587th meeting held on 11 December 2017.

Council conclusions on Thailand

1. The Council reaffirms the importance it attaches to EU relations with Thailand. The Council is appreciative of the constructive role which Thailand plays as the current country coordinator for EU - ASEAN Dialogue Relations.
2. The Council reiterates its call for the urgent restoration of the democratic process in Thailand through credible and inclusive elections and the respect for human rights and fundamental freedoms.
3. The Council recalls with concern that political and civil rights and liberties have been severely curtailed in Thailand following the 2014 military coup. Freedom of expression and assembly remains highly restricted through a number of laws and Orders of the NCPO. Furthermore, civil society activists and human rights defenders continue to face judicial harassment. The Council stresses the importance of such basic freedoms being restored as Thailand proceeds towards democracy, and reiterates the importance it attaches to the role of civil society in a functioning democracy. In this regard, the EU will continue to support civil society organisations and human rights defenders.
4. The Council encourages the Thai authorities to implement the recommendations accepted during the second universal periodic review of Thailand (May 2016).

5. The Council notes the promulgation on 6 April 2017 of Thailand's new Constitution which states that general elections shall take place within 150 days after four required organic laws are promulgated. Furthermore the Council notes that the legislative preparations for holding elections are progressing. In this context the Council welcomes the statement of the Head of the National Council for Peace and Order (NCPO) on 10 October 2017 that the general election would be held in November 2018. The Council urges that the remaining organic laws be adopted as soon as possible and that the Constitutional timetable for holding the election be respected.
6. The Council notes the decision of the Thai military leadership to phase out the practice of prosecuting civilians before military courts for a number of offences since 12 September 2016, including for offences against internal security and *lèse majesté* offences. The Council urges the Thai authorities not to prosecute civilians before military courts including for *lèse majesté* offences committed before 12 September 2016.
7. The Council recalls its June 2014 Conclusions which stated that the EU would keep its relations with Thailand under review and would consider further possible measures, depending on circumstances. In the light of the afore mentioned developments, the Council considers it appropriate to pursue a gradual political re-engagement with Thailand.
8. The Council has decided therefore to resume political contacts at all levels with Thailand in order to facilitate meaningful dialogue on issues of mutual importance, including on human rights and fundamental freedoms, and the road towards democracy. The EU and its Member States will make full use of such contacts to raise these issues of concern.
9. The Council looks forward to the progressive deepening of relations with Thailand following the holding of credible and inclusive elections and improvements in the human rights situation. The EU looks to the Thai authorities to ensure a political environment in which opposition parties and civil society can function freely.

10. In this context, the Council invites the Commission to explore with Thailand the possibilities for resuming talks on an EU-Thailand Free Trade Agreement (FTA).
 11. The signing of a Partnership and Cooperation Agreement (PCA) and the full resumption of Free Trade Agreement (FTA) negotiations with Thailand, may then be pursued with a democratically elected civilian government under the new Constitution.
 12. The Council reiterates that it will continue to keep its relations with Thailand under review with particular emphasis on the following areas:
 - the lifting of restrictions on freedom of expression and media as well as on freedom of assembly and association, the lifting of restrictions on activities of political parties and civil society organisations including the respect and support for the activities of human rights defenders;
 - the holding of credible and inclusive elections in line with international standards leading to fully functioning democratic institutions;
 - the installation of a democratically elected civilian government under the new Constitution.
 13. The European Union is ready to assist Thailand in attaining these objectives, in the spirit of partnership.
 14. The Council invites the High Representative together with the Commission to monitor and keep the Council informed about progress achieved.
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