

THAILAND CONSTITUTIONAL REFERENDUM 2016

A Brief Assessment Report



Asian Network for Free Elections 2016

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ASIAN NETWORK FOR FREE ELECTIONS (ANFREL)

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BACKGROUND

Thailand democratic rule has been forcibly retaken by military through successful coup *d'état* that happened on May 22nd 2014 led by *General Prayut Chan-o-cha*, Commander of the Royal Thai Army (RTA), against the caretaker government of Thailand, following six months of the crisis in the country. The military justified its action to solve the political deadlock and to avoid bigger crisis that may end up serious division due to rivalries of two loyal supporters of government vs the opposition camp called People's Democratic Reform Committee (PDRC) led by former vice Prime Minister of democrat party, Suthep Thegsuba. He together with his supporters has occupied the street in Thailand for months.

The conflict worsening after the snap elections called by the Phue Thai party ruled government in 2014 as a peaceful solution does not work as expected. The election was obstructed by the PDRC who were forcibly blocked the elections. The total disruption happened in 69 of 375 constituencies in the country¹. Eventually, the Thailand's Constitutional court ruled the elections invalid on 2 February 2014, because its "were not held on the same day across the nation". It is unclear when a new election will be called. Week and months after the failure of the polls are entered dramatic period where the PM could not effectively run their government, and there is no parliament on place as well as PDRC growing crowd and continuing occupied the street.

Following the coup, the military established a junta called the National Council for Peace and Order (NCPO) to govern the nation. The junta declared martial law and curfew in nationwide, banned political gatherings, arrested and detained politicians and anti-coup activists, imposed internet censorship and took control of the media. Simultaneously the Junta assigned executive, legislative power and judicial branch to operate under its directives. The NCPO also dismissed the 2007 constitution and issued an interim constitution granting itself amnesty and sweeping power. The NCPO also established a military dominated national legislature which later unanimously elected General Prayut as the new prime minister of the country.

¹ "Election Commission proposes royal decree to declare new polls in 8 provinces". *MCOT*. 8 February 2014. Retrieved 1 September 2016, <http://www.mcot.net/site/content?id=52f5a921be047050ac8b462f#.V-Dw3oVOIaG>

The referendum is eventually called after the military appointed drafting committee secure the final draft of constitution which drafted by the Constitution Drafting Committee (CDC) led by Meechai Ruchupan who are successfully to includes provision that comfort the NCPO for further push for referendum. Despite criticism of academes, civil liberties and human rights activist on content, time frame for people to really understood the essences of the Draft Constitution, and restriction on the civil freedom that suppressed by military, however the referendum is continuing to pushed thru for 7 August 2016.

Given the prevailing climate of fear and uncertainty during the time of build-up to the referendum, ANFREL decided to conduct an assessment based on a process of observing and interviewing different stakeholders, voters, the election commission of Thailand and the news media. This helped understanding the challenges that were thrown up during the pre-referendum period and how it would impact the voters' turnout and the voting pattern on the referendum day.

SUMMARY

The referendum held for adopting a new constitution in Thailand passed off peacefully without reports of any major untoward incidents. The process of polling and counting was smooth and was largely open and transparent. The modest turnout of 59 per cent was perhaps an indication that there was unwillingness on the part of many in Thailand to come out and vote, especially given the fact that the build-up to the process was marked by restricted environment. Another factor is the apparent lack of information dissemination and debates on the subject were largely restricted.

Clearly most pro-democracy and human rights entities were unhappy with the way the military junta led regime control on the referendum environment by crackdown on expression of free opinion on the constitution and arbitrary arrests of people who tried raise their voice against it. The Prime Minister's insistence that people should campaign only for a "yes/acceptance" for the constitution and the warnings to those that dared to speak out against it certainly vitiated the whole atmosphere from the very beginning. This is laying the first and utmost argument the pre polls environment was restricted and question the integrity of the entire process despite the polls was conducted smooth with good polls administration.

ANFREL has been voicing its concern on the one-sided way of dissemination of information of the draft constitution. The people's right to an informed choice was denied of them and voters were not familiar of the pros and cons of the draft constitution. The only way for the process to be credible was for the junta to allow the people to debate and exchange their views on the draft constitution. This certainly does not violate any rules or laws whatsoever but is in fact in conformity with the international elections principles and international laws.

In fact, a pall of gloom has been cast on the whole process owing to the way the military junta has prevented people from expressing their honest views or taking part in a meaningful debate or public discussion on the draft Constitution. Notwithstanding the outcome of the referendum it raises serious concerns on as civil society and ordinary citizens continue to face repression and their opinions and interpreted as "false information," and threat to national security.

The decision of Thai government to ban election monitors together with the restrictions on free speech is an affront to human rights and the basic principles of electoral democracy. Though most people were allowed to observe the process, the reluctance of the Election Commission to recognize citizen monitors from Thailand and the also the dilly dally in according official recognition to other observation groups raises doubts over the integrity of the whole process. The absence of political party agents and political parties in monitoring the process too has cast doubts on the process especially as it failed to promote transparency nor strengthen the credibility of the process and its outcome.

While the process had ended and the results have been declared, there remains a number of important considerations that need to be address both the Thai military authorities and the election commission of Thailand. First the election commission must come up with a clear answer for the anomalies and the mix-ups of ballots especially during the counting process in a number of polling stations. For a number of independent observers and news media groups that closely monitored the balloting and the counting process, there were discrepancies even though unintentionally.

Thus, the election commission of Thailand have to come out and provide a clear answer as to what were the reasons for the discrepancies and whether it had any impact on the process. There is no doubt that 62 percent of the voters accepted the draft and this knowing fully well about provisions that provide a

predominant political role to the armed forces firstly to hand pick a senate of about 250 persons and then for the potential selection of non-elected prime minister. The acceptance by the voters have now given an opportunity to the military regime to deliver on his promises such as:

1. To hold general elections in 2017 in line with the so-called military drafted “roadmap to democracy”.
2. Provide a realistic timeline for the election so that political parties and the voters can prepare themselves to restore Thailand back to democracy.
3. Clear up the climate of fear that was created by remove all bans on freedom of speech and expression, restore civil rights and not impose any arbitrary suppression on political parties that want to campaign freely.
4. A level playing field must be created so that all Thais get to air their opinion and all opposing views are listened to by the military authorities nay close down avenues for free speech.

The military regime under its current leader must remember that the voters who favored the constitution and all those that participated in the process would now want to play part in taking the country forward toward democracy through an election. The peacefully held elections were a reflection that while the military leaders trusted Thai citizens to ensure a peacefully held referendum, the latter too now want the military to deliver to all the promises it made to restore democracy in Thailand.

ANFREL conducted an unofficial assessment of the conduct of the Thai referendum held on 7 August 2016 by performing pre-elections assessment on the environment and governing laws of referendum as well as spot checks of polling stations in 8 provinces, 19 districts, and in at least 401 polling stations from opening of poll to closing and counting. ANFREL secretariat also closely followed reports from the media. ANFREL team deployed members of its secretariat office in lieu of a full mission of long-term observers (LTOs) that ANFREL was unable to deploy due to technical challenges.

The assessment was carried out to document the conduct of the referendum processes and highlight major concerns and discrepancies around its implementation. The report will be useful for future references on the level of compliance with international principles and standards. To utmost important conclusion to see whether the referendum result was reflected the people's sovereign will

LEGAL FRAMEWORK ASSESSMENT

The Thailand Constitution referendum 2016 was govern by the “Organic Act on Referendum B.E. 2559 (2016)”² for the Draft Constitution 2016³. The Act was structured by the Elections Commission of Thailand (ECT) when the path to the polls is appear clearly. In general, the Referendum Act is considered adequate to cover all aspect related elections administration, people franchise, voting and counting procedures and transparency, and electoral offences. The assessment team view that the laws was comprehensive enough to installed a good poll with exception on the section 61 that could rise arbitrary interpretation and abuse which eventually will harm the sanctity of the vote itself.

The Article 61 of the Referendum Act stipulate *“any persons who disseminates texts, pictures, sound in newspaper, radio, television, electronic media or any other channels that are distorted from the fact or having violent aggressive, rude, inciting, or threatening characteristics aiming to induce eligible voters refrain from voting or vote in a certain way or abstain from voting. Such person shall be regarded as a person who instigates trouble in order to cause disorder in the voting”*⁴. The content may cause arbitrary interpretation, this may perhaps just an inappropriate article, but as what it is written now, this can have caused a person imprisonment by comment or express their opinion that viewed as distortion of the fact by

² Referendum Act Part 1; Part 2

³ <http://www.icj.org/wp-content/uploads/2016/06/Thailand-Draft-Constitution-EnglishTr-Advocacy-2016-ENG.pdf>

⁴ Unofficial translation of the Organic Act on Referendum 2016. By Office of the elections Commission of Thailand.

the authority. This caused a harm to the fairness of pre-polls environment, event to express the differences on the draft constitution (2016) could be prosecuted. Somehow the articles have been brought to the Constitution Court (CC) to be reviewed whether the Act is violating freedom of expression as alleged by the activists of I-Law Reform Dialogue, a legal reform advocacy group which brought the challenge. But after long awaited period the SC ruled to reject the petition. This was the biggest loop hole in the legal arrangement of the Thai Constitution referendum 2016.

The controversial Article 61 of the referendum Act is deliberately used to hit the groups and individuals who were conducted activities or expressed their opinion to campaign 'no' or 'reject' vote. The incident was experienced to multiple stakeholder from the political party supporters, rights and democracy activist, academes, press and even the villagers. Under the controversial Article 61 of the Draft Referendum Act, anyone who consider publishes or distributes content about the draft constitution which deviates from the facts, contains rude and violent language, or threateningly discourages voters from participating in the referendum, could face up to 10 years' imprisonment, a fine of up to 200,000 baht and loss of electoral rights for five years.⁵

It is undoubtedly the vague articulation of the Article 61 was designed in non-contradiction to the interim Constitution of the Kingdom of Thailand⁶ which is civilian unfriendly, and now has been used to amplify and extending the restriction and oppression that has preserved under the NCPO Order Number 3/2558 (3/2015) of the Head of the NCPO on Maintaining Public Order and National Security⁷. that existed under the virtue of Section 44 of the Interim Constitution of the Kingdom of Thailand of 2014. The NCPO order No. 3 has imposed to suppress such actions That intended to undermine or destroy peace and national security. This including to prohibit the political gathering of five or more persons with less than 6 months' imprisonment or a fine 10,000 Baht fine, or both, unless permission has been granted by the Head of the NCPO or an authorized representative (Article 12). The order also allows appointed military officers to detain people without charge or trial in unofficial places of detention for up to a week without judicial oversight (Article 6).

⁵ <http://www.prachatai.com/english/node/6375>

⁶ http://asean-law.senate.go.th/files/Thailand_2014.pdf

⁷ <http://prachatai.org/english/node/4933>

Other unfriendly law and regulation was imposed by NCPO Announcement 41/2559 (2016), which empowers the independent National Broadcasting and Telecommunications Commission (NBTC) to shut down television or radio stations for violations of NCPO orders. Authorities recently used this decree to shut down Peace TV, a television station affiliated with a political party that has opposed the draft constitution.

PRE-POLLS ENVIRONMENT

The pre-polling environment saw severe restrictions on the people's freedom of speech and right to information. There are clear signs of frustration among many of Thailand citizens for not being able to express themselves freely and without fear of retribution. Lending credence to this is perhaps the recent arrest and restrictions imposed on "Vote No" campaigners supposedly under the Organic Act on Referendum for the Draft Constitution B.E. 2559 (2016).

Over hundreds of people were arrested or detained for allegedly trying to distort the contents of the draft in their campaign for either raising awareness among the people or some others for urging people to reject the constitution. The build up to the referendum was marked by reports of arrests in the news media of activists, students, teachers and warning to universities and other groups which was extremely worrying as it was clearly tantamount to going against the fundamental principles of free expression and choice in the conduct of any democratic exercise.

For example, the arrests of 13 people on June 23 in Bangkok for handing out leaflets that urged people to vote against the charter was enough indication to suggest that participation by way of campaigning during the run-up to the referendum day would be pretty much one-sided.

The other glaring example of the crackdown against voices of dissent or those opposed to the charter was the arrest of three activists, a journalist and another pro-democracy activist on July 10 from the Ban Pong district in Ratchaburi province. In fact all these actions were taken under the rules on the referendum banning criticism of the charter that were released by the Thai military junta as early as May. A violation of the rules that were laid would be up-to 10 years in prison.

International rights based organizations like the Amnesty International had voiced concern against attempts by the Thai military junta to “muzzle dissent,” and had said that “If a small group of activists cannot hand out leaflets, then what hope is there that the rights to freedoms of expression and assembly will be respected in the run up to the referendum?” The Human Rights Watch too had questioned the Thai military junta for “disregarding international human rights law protections,” that provide people the rights to express their views on the draft charter and to vote freely. The critic also came from European delegation on May 2016, that said by Werner Angen, Chair of the EU Delegation for relations with the countries of Southeast Asia and the ASEAN. The EU was concern by junta laws that criminalize criticism of the draft constitution, saying that political reconciliation cannot happen if the junta does not listen to everyone’s voice. EU earlier freeze the negotiations on the Thailand-EU Free Trade Agreement following the 2014 coup⁸. The Chief of UN High Commissioner on Human Rights Zeid Ra’ad Al-Hussein in Geneva, 13 June 2016 has also express “The people of Thailand have a right to discuss – and to criticize – decisions about their country, and free, fair and dynamic public debate on the draft constitution is vital if the country is to return to sustainable democracy,”⁹The similar concerns was expressed by the United Nations Special Rapporteur on freedom of opinion and expression, David Kaye on July 2016 has expressed condemnation by the alarmingly high number of arrests and charges over public and social media expression have been criminalized and brought under military orders and the Constitutional Referendum Act in Thailand. Mr. Kaye’s call has been endorsed by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina

⁸ <http://www.prachatai.com/english/node/6174>

⁹ <http://www.khaosodenglish.com/politics/2016/06/14/un-rights-chief-urges-thailand-allow-debate-draft-charter/>.

Kiai; the Special Rapporteur on the situation of human rights defenders, Michel Forst; and the Working Group on Arbitrary Detention¹⁰.

Despite all criticism, however the response of the Thailand Military junta is firm to dismiss all criticism by saying freedom of expression is unnecessary. The deputy junta head, Gen Prawit Wongsuwan expressing if now is not a proper time to demand freedom of expression since the country is in a 'transition period,' adding that the arrests of the anti-junta activists were not human rights violations¹¹. On Wednesday, 29 June 2016.

Public Awareness and Information Dissemination

The public information regarding the referendum was mainly managed by the elections commission of Thailand (ECT) in accordance of their duty stipulates in the referendum Act (2016) The office claim deployment of the material that mainly rely on printed and electronic media. This time around the ECT introduce an online information system by the use of social media and smart phone application called 'referendum smart info application' served for youth and technology friendly community to obtain information on their phone. Other meaning of the public information through awareness campaign with multi-stakeholder's participation. The ECT further claimed has delivered the information dissemination by promotes people participation through Sub-District Democracy Development Center (SDDC) that has completed training for 7,424 centers with 74,240 committee that conducted in public areas. The ECT tend to creates volunteer citizen that involve general citizens, village committee, volunteer group, DJ democracy, monk, teacher and student, non-formal education student, Army Reserve Force Students Volunteers (ARFSV), ETC Boy scouts¹².

On the information regarding draft of constitution, the ECT official claimed for distribution of Approximately a millions printed copies of draft constitution which distributed to multiple institution. The ECT however admitted such figure and effort would not be enough to touch the awareness of the 50,071,589

¹⁰ <http://www.prachatai.com/english/node/6397>

¹¹ <http://www.prachatai.com/english/node/6308>

¹² Presentation of Mr. Chanatip Bunyaket, Director of Electoral Campaign and information dissemination department during briefing for the international referendum visitor program, Bangkok 5th August 2016.

registered voters across the countries without intervention of other non-state entities to help for information dissemination and the public interest to seeks information on the available channel on smart info application. A few immediate complained has occurred as reported Mangsot Mate, President of Referendum Monitoring Groups in the Southern Border Provinces, if the voter have yet to receive a full copy of the draft charter, 3 days' prior the polls¹³

The inadequacy in quantity that admitted by the ECT is somehow rising concern on the quality of consciousness obtained by the voters. The awareness is not stop until administration and technical knowledge but shall be touch the most essential subject of vote which is 'drat of constitution', this concern was rose by the electoral stakeholder like civil society, academes and media. However, with the recent restriction where the no/reject campaign was prohibited, this prevent the people to have better understanding on the importance of the constitution from various angle. This automatically risen could lead to the probability to voters who had cast their vote were not fully concern on what the consequences of their vote.

Political Environment: Restriction on People's Freedom and Fear Environment

The political environment leads up to the referendum has covered with restriction and fear for the public to directly have their opinion heard. The Junta curtail a basic freedom for people to speech, assembly and association, as well as right to information. In the lead up to the referendum, ANFREL and a number of international human rights organizations have raised serious concerns over the strict restrictions on the people's freedom of speech. The ban imposed against holding of information awareness activities greatly limited the people's access to information therefore denied them also of their right of making informed choices. In a statement that ANFREL issued before referendum day, it expressed its concerns on the restrictions and urged the junta-led government to lift the ban and allow discussions on the draft constitution.

The Thai Lawyers for Human Rights (TLHR) has issued a report based on their record in cases monitored prior to the poll Referendum day. As of 6 August 2016, at least 142 persons were charged relating to their involvement in the opposition to the draft constitution and/or campaign for vote 'No'. the TLHR sum the

¹³ <http://www.prachatai.com/english/node/6436>

NCPO has been used all means of suppression against opposition of academes, democracy and human rights activist, political party and even other innocence ordinary people such as peasant, shop keeper, etc. The NCPO has been using a NCPO order no. 3/2015 and article 61 of the Referendum Act to prosecute activist who voiced out criticism of the draft constitution.

The report includes a list of cases of suppression on opposition party like United Front for Democracy Against Dictatorship (UDD), a group that established Referendum Watch Centers across Thailand. UDD has been associated with the Red shirts. To democracy activist with arrest of the 13 members of the New Democracy Movement in Samutprakan for distributing materials related to the Referendum. Student activist by arrest of 7 Kasetsart University students for distributing campaign materials; 4 activists and 1 journalist were charged for possession of campaign materials; 17 persons charged because of sending letters criticizing the draft charter; 4 persons were charged because of their criticism of the draft on Facebook; and more cases recorded.¹⁴

Another visible curtail on freedom of expression incidents caused by the section of 61 was happened when the ECT accused few pro-democracy advocates committed an electoral offence by distributes material related to civic education. Dr. Eakpant Pandivinija, a director of Institution Human Right and Peace Studies (IHRP) Mahidol University was accused breach the law by produce an info-graphic on Draft Constitution (DC), which he denied the claims of the ECT, saying that the infographics explaining about the draft constitution do not contain distorted or biased information as alleged. "It's not likely to violate the Draft Referendum Act, for it does not contain information, which deviate from facts," said Eakpand. "It depends on the understanding and judgement of readers. We will continue to publish the infographics until Chapter 6 as initially planned."¹⁵

These suppression, arrests and charges filed against individuals and groups who have tried to participate in the process and promote information whether for or against the draft constitutions have been curtailed of their freedoms to free speech. These have also significantly affected the pre-polling environment that should have been characterized by free campaigning.

¹⁴ <http://www.tlhr2014.com/th/?p=1508>

¹⁵Matichon Online reported.

The restrictions are considered an affront to human rights and the basic principles of electoral democracy. The incidents that have been recorded by various groups working on human rights and reported by local and international media have shown that the pre-election environment have been greatly. This report attempts to put together all reported incidents that may have directly or indirectly affected the integrity of the overall process by on the one hand depriving the voters of information to make an informed choice and on the other hand creating an environment of fear to free speech.

Polling Days Assessment

ANFREL conducted random polling station checking during the polls. The assessment covering 401 polling station that spread at 19 districts of *Bangkok, Nonthaburi, Supanburi, Prachimburi, Buriram, Nakom Phatom, Samut Prakan and Samut Songkran*. The random sampling is cover the polling station in rural, urban, suburb, including the Army camp in Prachimburi, as well as the area which piloted to use biometric identification system. The assessment shows almost similar pattern of the poll conduct, but found it was smooth and peacefully, without any significant incidents. The polls management was commendable, and the polling staff were performing their duty professionally, although some minor glitches also been reported e.g., uniformity in the polling set up and the voting proceeding, and rejection of voter due to unlisted at the voter role.

The observers acknowledged the openness of the overall proceeding since the opening, voting, closing and counting process. The public were allowed to witness anytime and anywhere they want as long they are not obstruct the process. Its somehow difficult to denied if the polls were run very well, in contrast with the pre-elections which fully restricted, and fear for expression.

The observation widely notices mood of voter was differing from ordinary polling stations for the civilian with slow/low enthusiasm, while the special polling station provided for army personnel shows a high turnout. The observation from Prachimburi's 12th Infantry Division, we witness a big group of army personnel (mostly in junior rank) line up in different platoons, wearing gym/training uniform, heads to the polling station which located beside the camp. They are seemed well-prepared this day.

The modest turnout of voters was not surprising given the limited access to information about the polling process and the contents of the lengthy draft constitution. Moreover, it did not go unnoticed that government resources were utilized to promote support for the junta-drafted document. The climate of uncertainty over the entire process that prevailed in the run-up to the referendum may also have contributed to the lack of interest among many eligible voters who declined to vote. Nevertheless, the presence of regular election monitors would have certainly strengthened the entire process and enhanced its overall credibility.

RESULT

The result is quite predictable for the favor of the new draft constitution (figure is below). In-depth interview indicates the people were not in the mood to make political opposition to the junta, every coup arises which followed with constitutional referendum, its ended up with the endorsement. The people willing to have new experiences, and less care on the democracy and human rights. The result also may cause by less information received by the voter as the government prohibited and prosecute attempt for discussion, deliberation and debates on the content of referendum.

Question	For		Against		Invalid/ blank	Total	Registered voters	Turnout
	Votes	%	Votes	%				
Draft Constitution	16,820,402	61.35	10,598,037	38.65	2,322,238	29,740,677	50,071,589	59.40
Election of the Prime Minister	15,132,050	58.07	10,926,648	41.93	3,681,979			

Source: [Bangkok Post](#)

CONCLUSION

It is undoubtedly the August 7th August 2016 polls was a successful one, it was conducted in generally peaceful, transparent and efficient with a commendable performance of the polls workers. The success polls mark the result of acceptance of 62 % acceptance for the Draft Constitution from a low voter turnout that reach 59% of the registered voters. This figure can be easily predicted since there is inadequacy in public awareness, debates on the referendum, and restrictions.

The NCPO and subsequent authorities has ignored the fact if the referendum was conducted with serious concern on restriction to the 3 basic freedoms (expression, association and assembly),and follow by prosecutions against those who are oppose the draft of constitution and campaign for vote ‘no’, it is creates fear atmosphere to the civilian and incompilance of human rights principles that affected to the integrity of the referendum.

The polls could have been more democratic with the compliance of the principles that stipulate within the UDHR (1948), ICCPR (1967), which Thailand is the signatory of the documents, as well as other existing international laws like United National Human Rights and Elections (64), and other principles that constitute to the democratic elections establishment.

The referendum likely serve desire for the military junta to extending their “mandate” as the result of the referendum will not provide good option for returning the power to the civilian rule. The draft constitution 2016 is designed to have unelected senate, and provide provision for non-Member of Parliament to be nominated as Prime Minister. In another side, the rejection of the draft constitution will bring the game to the square one was military junta will be decided what is the next. Extreme criticism arises from different pro-democracy personalities but attempt to express opinion were resulted with repression, dismissal and arrest.

RECOMMENDATION

By understanding to Thailand electoral challenges is not mainly sourced to the electoral administration and its management but more affected from the political dynamic surrounding the electoral processes. ANFREL hope the politic can be resolve first in order to established a good election, and hopefully the elections can also be used to resolve the political division where the result shall be respected by the people. ANFREL therefore provide the following recommendation to enhance the future elections, with main reservation if the political stability and freedom shall be included

- a. **Respect to the freedoms of expression, Association, and Association:** The polls will never credible with the absence of these three-basic freedom in overall conduct of the polls that includes pre, during and post poll. The internationally recognized human rights and democracy value and principles shall be guidance of the conduct of free, fair and credible elections.
- b. **Fear Free Environment Assurance:** it is important to assure everyone can make expression and guarantee by the law. Therefore, any repressive law shall be suspense or seized prior the polls to increase freeness and fairness of the polls.
- c. **Arbitrary interpretation on misconduct/referendum offences** shall be avoided. The EC and authorized institution shall not interpret any act conducted by the people or political group as violation, unless it is guided by clear and precise guidance. This act can be misuse to be arbitrary accusation that can harm the freeness of elections.
- d. **Equal Level Playing Field:** Providing equal opportunity for both voting option shall be provided to increase people's consciousness. The current distorts the fact, impolite. Any repressive law shall be seized prior to the polls.
- e. **Greater and meaningful public awareness, voter/civic education:** Voter consent is critical before casting the ballot. Giving referendum is considered important that directly affected to the people's

livelihood. The voters deserve to get better and quality information on the content and consequences for each option questioned served in the ballot.

- f. Elections Monitor:** Thailand is need to seriously consider and regulate the present of elections monitor to enhance the credibility of the polls, especially in highly contested elections event. The effort could include partisan and nonpartisan group with clear code of conduct to make a robust democratic exercise and people participation in the democratic process and channel the
- g. Access to audit aggregation processes:** Thailand Public trust on the elections result elections is invested to the openness of the polling stations based counting, as well as aggregation processes in the district and the province level. It is however, provide a mechanism for audit by independent organization will enhance transparency and acceptable level even higher.
- h. More training and enhance supervision to the polls officers:** Thailand polls administration including the polls staff is rated fairly good. However, field observation was notice uniformity in managing the polls. Some isolated mis-procedure such as sealing process, announcement of the opening of the polls which is not announced publicly, appreciation of the valid/invalid ballot during counting which is varies. Although it is not directly harm the recent polls but effort to increase compliance to the poll procedure nation-wide will reduce public question.

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