

Thailand 2011



Total: 49.49

Quick facts

Population:	66.72 million
Population growth:	0.57 %
Unemployment rate:	1 %
GDP:	586.9 billion \$
GDP growth rate:	7.8 %
GDP per capita:	8700 \$

Political Freedom

Free and Fair Elections : 2.86

General elections took place in July 2011 and swept the populist Puea Thai Party to a majority of 265 seats in the 500 member parliament. Yingluck Shinawatra, Puea Thai's leader and sister of controversial Ex-Prime Minister Thaksin Shinawatra, became Thailand's first female Prime Minister. By and large, the last elections can be classified as free and fair.

In theory, the Thai constitution provides for universal suffrage. In practice, there are exceptions; Buddhist monks do not have the right to vote. Members of some ethnic minorities, (such as the hill-tribes in northern Thailand), as they are not acknowledged as Thai citizens, also are deprived of their right to vote. Similar restrictions apply to the right to stand for office: Government officials, for example, are generally excluded. Furthermore, only citizens with a Bachelor's degree or higher may stand for election. This effectively excludes about 95 percent of Thailand's population.

In addition, the constitution of 2007 introduced the undemocratic provision of an only half-elected Senate – the other half of Senate members are appointed by a special committee.

Political pluralism and participation are largely unrestricted - a host of NGOs address the interests of farmers, women, students, and workers. However, reports suggest that NGOs working on sensitive political subjects face harassment.

Absence of Unconstitutional Veto Players : 3.33

The army - though not vested with any constitutional or electoral mandate - is still of great political importance, and certainly qualifies as an unconstitutional veto player. The clout of the army was made obvious on several occasions during the last few years. In late 2008, the military leadership refused to disperse protesters of the People's Alliance for Democracy (PAD), a royalist political group, who had hi-jacked Bangkok's two airports and the Government House in order to oust then- PM Samak Sundaravej. By contrast, in 2010, during the anti-government protests of the United Front for Democracy against Dictatorship (UDD), Thailand's rowdy Thaksin supporters, the army intervened on request of the then Prime Minister Abhisit Vejjajiva. This shows not every Thai government can rely on the armed forces to follow their orders. The army may interfere if they think it's necessary, regardless of their constitutional mandate (or lack thereof).

Freedom of Press : 3.8

A great diversity of media, including radio, television, newspapers, and internet forums, makes up one of the most developed media structures in all of Asia. Yet, the freedom of the press is restricted. Reporters Without Borders, in their most recent report, have ranked Thailand number 153 of 178 surveyed countries - this is a considerable diminution of press freedom compared to last year's ranking.

The strict *lèse-majesté* law forbids any criticism or sign of disrespect towards the royal family. Unfortunately, this law is misused frequently to target scholars, activists, and journalists who report on sensitive issues. In some cases, it is used simply to rid political competition.

Rule of Law

Independence of the Judiciary : 5.53

The 2007 constitution restored judicial independence and an independent Constitutional Court. The latter, however, delivered some controversial judgments in 2008, when they ruled two Prime Ministers, Samak Sundaravej and Somchai Wongsawat, out of office and dissolved the then governing People's Power Party on charges of electoral fraud. After forming a government in late 2008, the Democrat Party, in turn, was accused of financial irregularities, but the case was dropped in December 2010 due to procedural mistakes.

Apart from political cases, the judiciary seems to be sufficiently independent and well-balanced, though bribery remains a problem.

Corruption : 3.5

Corruption permeates all levels of Thai society. The most common forms of corruption include bribery, nepotism and conflicts of interest. There are several state agencies dedicated to fight all types of corruption. The National Corruption Commission, for example, initially was established

under the 1997 constitution, and was given the power to investigate independently and to prosecute. It was re-established again under the 2007 constitution, and in those cases involving politicians or state officials its powers even have been broadened. Nevertheless, these efforts have proven to be largely ineffective. The latest Corruption Perceptions Index ranks Thailand 78 of 178 countries, a rating that shows corruption continues to remain at rather high levels.

Protection of Human Rights : 3.9

Regarding the legal framework, nearly all conditions are met: Thailand is party to the International Covenant on Civil and Political Right, the International Covenant on Economic, Social and Cultural Rights, and it accepts the Universal Declaration of Human Rights as international customary law. Thailand is not, however, party to the Convention Relating the Status of Refugees.

Regardless of this framework, arbitrary arrests and detentions are not unheard of occurrences, and undue delays between the arrest and trial of suspects do happen. The presumption of innocence until proven guilty does not always apply. The death penalty exists, which is unacceptable from our liberal point of view. Ethnic minorities are not sufficiently protected. People in border areas, especially ethnic Cambodians, Burmese, Lao and Malay, often are discriminated against. Members of the hill- tribes in the northern regions are denied Thai citizenship and a proper education. The Thai government has repatriated refugees from Myanmar and Laos, despite their status, and occasionally has prevented the UNHCR from processing fugitives.

Economic Freedom

Security of Property Rights : 5.64

Private property is generally adequately protected but the legal process can be lengthy, and judgements are often influenced by illegal means. The protection of intellectual property is deficient; product piracy is vibrant, despite the efforts of the Central Intellectual Property and International Trade Court. Another concern is the possibility of government disclosure of trade secrets to protect any public interest that has no commercial objective. It is questionable to what extent the related data is protected against unfair use.

Size of Government: Expenditures, Taxes, and Enterprises : 7.08

Government spending, which includes consumption and transfer payments, is low, equal to about 17.7 percent of the GDP. Interventions by the government have brought setbacks to privatisation.

At 37 percent, Thailand has a relatively high top income tax rate. The corporate tax rate of 30 percent is at a comparatively average level. Other taxes include VAT and property tax. Overall tax revenue is about 16 percent of the GDP.

Regulation of Credit, Labour, and Business : 7.01

14 commercial banks, of which two are owned by the government, were operating in Thailand as of 2009. Capital markets are well developed; the stock exchange is vibrant and open to foreign investors. Credit is usually given on market terms.

The freedom to start, run, and close a business is well protected. Starting a business takes 32 days, and getting a business license takes less than the world average of 11 procedures and 156 days. Declaring bankruptcy is an uncomplicated process.

Labour regulations are flexible. The non-salary cost of a worker is low; firing an employee is easy. Regulations on working hours are business-friendly.

Freedom to Trade Internationally : 6.84

Thailand's weighted average tariff rate is about 4.6 percent. As one of the founding members of the ASEAN Free Trade Area, Thailand has negotiated FTAs with Australia, China, India, Japan, and New Zealand. Yet since the 2006 coup, the dismantling of certain trade barriers has come to a stop. As of now, prohibitive tariffs, import bans and restrictions, opaque customs valuations and weak enforcement of intellectual property rights pose obstacles to international trade.