

Mandates of the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of human rights in the context of climate change; the Special Rapporteur on the right to food; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders

Ref.: AL THA 13/2025

(Please use this reference in your reply)

22 October 2025

Excellency,

We have the honour to address you in our capacities as Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the promotion and protection of human rights in the context of climate change; Special Rapporteur on the right to food; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 53/3, 57/31, 58/10, 52/9 and 52/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the alleged **misuse of law against the human rights defender Mr. Witoon Lianchamroon, Secretary-General of the BioThai Foundation (BIOTHAI), following the dissemination of information regarding the alleged adverse human rights and environmental impacts of the Thailand-based agribusiness Charoen Pokphand Foods Public Company Limited (CPF)**. In particular, the Thai foundation BIOTHAI publicly raised concerns about the negative environmental consequences of the release of blackchin tilapia, an invasive non-native fish species that threatens aquatic biodiversity and disrupts ecosystem balance and could undermine the right to a healthy environment, into Thailand's rivers and canals. These releases were reportedly linked to CPF's aquaculture operations at its Yi San Aquatic Research Center in Samut Songkhram province. Subsequently, the company filed a defamation complaint against Mr. Witoon Lianchamroon, who has since been formally indicted.

According to the information received:

Mr. Witoon Lianchamroon is a recognized environmental human rights defender, serving as Secretary-General of BIOTHAI, a Thai foundation whose mission is to protect biodiversity, the environment, and the public interest.

Charoen Pokphand Foods Public Company Limited (CPF) is a major Thailand-based agribusiness and a company of the Charoen Pokphand Group. As an agro-industrial and food conglomerate, CPF operates primarily in two sectors – livestock and aquaculture – producing and selling swine, chicken, duck, shrimp, and fish domestically and internationally.

Recent developments

On 26 July 2024, Mr. Witoon Lianchamroon presented information at a public seminar titled "*Environmental Disaster: the Case of the Blackchin Tilapia –*

Compensation and Remediation for Damages, Ecosystem Restoration and Reform of the Biosafety System” at Grand Richmond Hotel in Nonthaburi province. The seminar addressed the spread of blackchin tilapia in local waterways. This non-native species that is known to outcompete native fish populations, degrade water quality, and reduce ecosystem resilience impacts that directly affect biodiversity and the environmental conditions necessary for the enjoyment of human rights and which allegedly originated from CPF’s aquaculture operations. At the seminar, Mr. Lianchamroon spoke on the topic “*Observations and Recommendations from Lessons on Biosafety.*” On the same day, he also gave an interview to Thai PBS on the matter. The information presented reportedly relied on publicly available sources, including data from State agencies, members of Parliament, and testimonies from communities.

In response, CPF filed separate criminal complaints against Mr. Lianchamroon and BIOTHAI Foundation at Rattana Thibet Police Station and Bang Sri Muang Police Station in Nonthaburi Province, even though both complaints arose from the same incident – that is, Mr. Lianchamroon’s disclosure during an academic forum of evidence regarding the spread of blackchin tilapia.

Each police station pursued separate charges of defamation by publication, resulting in two distinct investigation files being submitted to the Nonthaburi Provincial Prosecutor’s Office. Different prosecutors have also been assigned to handle each case. Subsequently, on 10 September 2025, two prosecutors filed separate lawsuits before the Nonthaburi Provincial Court.

This procedural separation has, however, increased both the legal and financial burdens borne by this environmental human rights defender and BIOTHAI Foundation. It has reportedly led to additional costs, the prolongation of judicial proceedings, and the duplication of witnesses and evidence. Mr. Lianchamroon is currently released on bail at the cost of THB 30,000 per case (a total of THB 60,000). The first hearing is scheduled for 22 October 2025.

Without prejudging the information received, we express our serious concerns regarding the alleged misuse of the law against Mr. Witoon Lianchamroon by CPF, in an attempt to silence him and punish him for exercising his freedom of expression by denouncing potential environmental risks. Such actions may be perceived as part of a broader strategy to intimidate, silence and/or prevent human rights defenders and whistleblowers from raising legitimate concerns about business-related human rights impacts, including environmental harm.

We further express our concern at the ongoing lack of adequate State measures in Thailand to protect, *inter alia*, human rights defenders, journalists, social activists, affected communities and civil society organisations from judicial harassment, including strategic litigation against public participation (SLAPP), and to prevent SLAPPs from being filed against them. Under their obligations to ensure the enjoyment of the rights recognized by the ICCPR, including freedom of expression under article 19, States have a duty to take measures to prevent and avoid the instrumentalization of the judicial system to chill critical reporting and encourage a culture of self-censorship.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what measures your Excellency's Government has taken to ensure that human rights defenders are able to exercise their rights to freedom of expression and to expose business-related human rights abuses, with compounded environmental and climate change related negative impacts, and voice concerns without fear of judicial harassment and other acts of intimidation and reprisals.
3. Please highlight the steps that your Excellency's Government has taken, or is considering to take, to protect against adverse human rights impacts, including environmental and climate change negative impacts, in the context of business activities, and to ensure that companies domiciled in its territory and/or within its jurisdiction conduct effective human rights due diligence to identify, prevent, mitigate and account for how they address their impacts on human rights throughout their operations, including the rights of human rights defenders, as set forth by the UN Guiding Principles on Business and Human Rights (UNGPs).
4. Please provide information on how the National Action Plan on business and human rights that your Excellency's Government has published addresses the concerns raised here, including in relation to judicial harassment in the form of strategic litigation against the public participation of human rights defenders who speak out against the adverse human rights impacts of business activities.
5. Please indicate what measures your Excellency's Government has done or is planning to take to prevent and discourage companies from engaging in strategic litigation against public participation (SLAPP), in view of how such acts constitute an abuse of the legal process and are not a legitimate tool for a business to use to secure its own interests. Please also include any measures taken or planned by your Excellency's Government to raise awareness and enhance understanding among judges and prosecutors of SLAPPs, as well as establish procedures to address and respond to them, including early dismissal mechanisms.
6. Please provide information on the measures taken or planned by your Excellency's Government to ensure that the victims in this case, including any affected community, receive effective remedies through judicial or non-judicial mechanisms. In particular, please indicate any plan to investigate the alleged adverse human rights impacts of CPF's

aquaculture operations and the reported use of SLAPPs against human rights defenders and whistleblowers in the context of the business activities in Thailand.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please be informed that a letter on this subject matter has also been sent to the Charoen Pokphand Group and to Charoen Pokphand Foods Public Company Limited (CPF).

Please accept, Excellency, the assurances of our highest consideration.

Pichamon Yeophantong
Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Elisa Morgera
Special Rapporteur on the promotion and protection of human rights in the context of climate change

Michael Fakhri
Special Rapporteur on the right to food

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to draw your attention to the applicable international human rights norms and standards, as well as authoritative guidance on their interpretation. With regard to the allegations stated above, we refer Your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), acceded to by Thailand on 29 October 1996.

We would like to remind your Excellency's Government of the obligation to investigate gross human rights violations, punish them and provide reparations to the victims. Article 2 of the ICCPR states that states must take measures to ensure that persons whose rights or freedoms are violated have an adequate remedy and that competent authorities ensure the enforcement of such a remedy when granted. Article 6 states that everyone has “the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.” Further, article 9 protects the right to liberty and security of a person. The right to freedom of opinion and expression is enshrined in article 19 of the ICCPR and includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. It includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. Any restriction on the right to freedom of expression must be provided by law; be necessary and proportionate and pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals.

Human rights defenders

We would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on the Rights of Human Rights Defenders. Article 5 guarantees the right to meet or assemble peacefully for the purpose of promoting and protecting human rights. Article 6 affirms that everyone has the right to know, seek, obtain, receive and hold information, including having access to information as to how rights and freedoms are given effect. Article 8 provides for everyone's right to participate in the conduct of public affairs, including the right to submit to governmental bodies criticism and proposals drawing attention to aspects of their work that might hinder or impede the promotion, protection and realization of human rights. Article 9 recalls the right to an effective remedy. Finally, article 12 reaffirms the right to participate in peaceful activities against violations of human rights and requires States to take all necessary measures to ensure the protection of human rights defenders against “any violence, threats, retaliation, de facto or *de jure* adverse discrimination, pressure or any other arbitrary action”.

Right to liberty and security of a person

Further, the right to liberty and security of person is protected under the UDHR (article 3), the ICCPR (article 9) and the UN Declaration on the Rights of Peasants and

Other People Working in Rural Areas (UNDROP) (article 6). The later document also states in article 8 that “States shall take all necessary measures to ensure protection by the competent authorities of everyone, individually and in association with others, against any violence, threat, retaliation, de jure or de facto discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise and defense of the rights described in the present Declaration”. General comment No. 35 on the right to liberty and security of person clarifies that security of person concerns “freedom from injury to the body and the mind, or bodily and mental integrity”.

Right to freedom of expression

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including “political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse” (CCPR/C/GC/34, para. 11). The Committee further asserts that there is a duty of States to put in place adequate measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that “all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress” (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving “in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat” (CCPR/C/GC/34, para. 35). The Human Rights Committee recalled that the relation between right and restriction and between norm and exception must not be reversed. In this regard, the Human Rights Committee stated that the restrictions must be “the least intrusive instrument among those which might achieve their protective function”. (CCPR/C/GC/34, para. 34).

The right to access information of citizens is an essential component of the right to freedom of expression. As provided for in article 19 ICCPR, the right to freedom of opinion and expression encompasses the right to seek and receive information of all kinds. The Human Rights Committee in its general comment No. 34 affirmed that freedom of expression, including therefore the right to access information, “is a necessary condition for the achievement of the principles of transparency and accountability which, in turn, are essential for the promotion and protection of human rights” (CCPR/C/GC/34, para. 3) The Committee reaffirmed that “article 19 sets out a right of access to information held by public bodies” and, accordingly, “to give effect to the right of access to information, States parties should actively pursue the incorporation into the public domain of government information that is in the public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information” (paras. 18 and 19).

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has repeatedly stressed the importance of access to information and transparency as fundamental pillars for peace, democracy and development, as well as the fundamental role this right plays in the enjoyment of other rights (A/68/362, paras. 18, 19, 20 and 89; E/CN.4/1998/40, para. 12; E/CN.4/1995/32, para. 135). Along these lines, the Special Rapporteur has recommended and encouraged States to review their regulatory and institutional frameworks, mechanisms and tools to guarantee and promote the right of access to information and transparency as fully and completely as possible. The action of the States should tend in this direction and, in any measure adopted, consider the impact on this right that may be caused by any measure that may be adopted, in order to avoid setbacks in this area.

Article 8 of the United Nations Declaration on the rights of peasants and other people working in rural areas protects the rights of stakeholders to have freedom of expression. The Article further provides that States shall take all necessary measures to ensure protection by the competent authorities of everyone against any threat, retaliation, pressure or any other arbitrary action as a consequence of expressing this right.

UN Guiding Principles on Business and Human Rights

We would like to highlight the UN Guiding Principles on Business and Human Rights, which were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) after years of consultation with governments, civil society, human rights defenders and the business community. The guiding principles have been established as the authoritative global standard for all States and businesses to prevent and address business-related adverse human rights impacts. These guiding principles are based on the recognition of:

- a) "The existing obligations of States to respect, protect and fulfil human rights and fundamental freedoms.
- b) The role of business enterprises as specialized bodies or corporations performing specialized functions, which must comply with all applicable laws and respect human rights.

- c) The need for rights and obligations to be matched by appropriate and effective remedies when they are violated".

The guiding principles also make clear that companies have an independent responsibility to respect human rights. Principles 11-24 and 29-31 provide guidance to companies on how to meet their responsibility to respect human rights and to provide remedies where they have caused or contributed to adverse impacts. The guiding principles have identified two main components of the corporate responsibility to respect human rights, which require “business enterprises to:

- a) Prevent their own activities from causing or contributing to adverse human rights impacts and address those impacts when they occur.
- b) Seek to prevent or mitigate adverse human rights impacts directly related to operations, products or services provided through their business relationships, even where they have not contributed to those impacts” (guiding principle 13).

To meet their responsibility to respect human rights, companies should have in place policies and procedures appropriate to their size and circumstances:

- a) A political commitment to uphold their responsibility to respect human rights.
- b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their human rights impact.
- c) Processes to redress any adverse human rights impacts they have caused or contributed to (guiding principle 15).

According to guiding principles 16-21, human rights due diligence involves:

- a) Identifying and assessing actual or potential adverse human rights impacts that the enterprise has caused or contributed to through its activities, or that are directly related to the operations, products or services provided by its business relationships.
- b) Integrate the results of impact assessments into relevant business functions and processes and take appropriate action in accordance with their involvement in the impact.
- c) Monitor the effectiveness of the measures and processes adopted to address these adverse human rights impacts in order to know whether they are working.
- d) Communicate how adverse effects are addressed and demonstrate to stakeholders - particularly those affected - that appropriate policies and processes are in place to implement respect for human rights in practice.

In addition, Principle 18 emphasizes the critical role of civil society and human rights advocates in identifying the potential adverse human rights impacts of business. The commentary to principle 26 emphasizes that States, in order to ensure access to remedy, must ensure that the legitimate activities of human rights defenders are not impeded. In its 2021 guidance for ensuring respect for human rights defenders (A/HRC/47/39/Add.2), the Working Group on Business and Human Rights stressed the urgency of addressing the negative impacts of business activities on human rights defenders. It highlighted the normative and practical implications of the UNGPs for States and companies to protect and respect the vital work of human rights defenders.

The Working Group highlighted in its guidance illustrative steps that States should take to ensure that strategic litigation or lawsuits against public participation (SLAPPs) are not used to silence the voices of human rights defenders, for example by:

1. Introducing legislative reforms to prevent human rights defenders from being sued for criminal defamation and commercial companies from claiming large sums of money for alleged damage to their reputation through criminal defamation.
2. Sanctioning companies that bring strategic lawsuits against public participation, as they are an abuse of process and not a legitimate tool for a company to use to achieve its own objectives.
3. Ending the collusion between States and companies, where companies use the police to demand action against human rights defenders, who then end up in detention for an alleged criminal offence, which is actually designed to silence their protests about company activities.
4. Introducing stronger laws and institutions to protect human rights defenders and whistleblowers, and to prevent SLAPPs through strong anti-SLAPP laws.
5. Ensuring that judges and prosecutors are trained to recognise SLAPPs, to identify frivolous complaints against human rights defenders and to establish procedures to manage and respond to this situation.
6. Giving courts the power to dismiss a case if they consider that the intention of the complaint/charge is to misrepresent the facts about a human rights defender's work, or to harass or take advantage of the defendant. In this case, the plaintiff/complainant could be barred from bringing the same case again.

The Working Group also stated that companies should not expose human rights defenders to undue risk, for example by engaging in frivolous litigation, including SLAPPs, or reporting them to the authorities as a means of intimidation. They should recognise that SLAPPs are not only wrong in principle, as they are incompatible with responsible business conduct under the guiding principles, but also that engaging in them makes poor strategic sense, as they destroy any credibility of the company's commitment to respect human rights generally.

Where a business enterprise causes or is likely to cause an adverse human rights impact, it should take the necessary steps to end or prevent that impact. This includes the establishment of operational-level grievance mechanisms for those potentially affected by corporate activities can be an effective means of redress provided they meet certain requirements listed in principle 31 (guiding principle 22).

Furthermore, business enterprises should remedy any actual adverse impact that they cause or to which they contribute. Remedies can take a variety of forms and may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political and other attempts to influence the outcome (commentary to guiding principle 25).

Right to adequate standard of living and right to land

The right to adequate standard of living guaranteed under the UDHR (article 25) and the ICESCR (Article 11) encompasses among others, the right to adequate food and housing general comment No. 4 on the right to adequate housing states that the right to housing “should be seen as the right to live somewhere in security, peace, and dignity”. Therefore, for instance, “housing should not be built on polluted sites nor in immediate proximity to pollution sources that threaten the right to health of the inhabitants”. General comment No. 12 on the right to adequate food states that food must be free from adverse substances and requires means to prevent contamination of foodstuffs, for instance, through bad environmental hygiene. UNDROP protects the right to adequate food which includes the right to produce food (article 15), the right to an adequate standard of living (article 16), and the right to adequate housing (article 24).

The spread of invasive alien species such as blackchin tilapia poses serious risks to native species, aquatic food systems, and the livelihoods of communities dependent on healthy ecosystems. States and businesses have a duty to prevent such harm through biosafety safeguards, environmental monitoring, and remediation measures. These obligations are reinforced by the 2025 general comment No. 27 of the Committee on Economic, Social and Cultural Rights, which affirms that biodiversity loss and ecosystem degradation constitute violations of economic, social and cultural rights.

Although land is not mentioned in the ICESCR, it plays an essential role in the realization of a range of human rights under the Covenant such as the right to adequate food, the right to adequate housing, the right to water, the right to the highest attainable standard of physical and mental health, the right to take part in cultural life, and the right to self-determination. General comment No. 26 on land and economic, social, and cultural rights stresses that “the sustainable use of land is essential to ensure the right to a clean, healthy, and sustainable environment and to promote the right to development, among other rights”. Communities must be “properly informed about and allowed to meaningfully participate in decision-making processes that may affect their enjoyment of rights under the Covenant in land-related contexts, without retaliation”.

Reliance of rural communities on the land is crucial. Article 17 of UNDROP protects the right to land, both individually and collectively, which includes the right to

have access to, sustainably use, and manage land and the water bodies and forests to achieve an adequate standard of living as well as to have a place to live in security. Peasants have “the rights to be protected against arbitrary and unlawful displacement from their land or place of habitual residence, or from other natural resources used in their activities and necessary for the enjoyment of adequate living conditions”.

Right to health

The right to health is protected under the UDHR (article 25.1) and the ICESCR (article 12) and it includes the enjoyment of the highest attainable standard of both physical and mental health. General comment No. 14 on the right to health interprets the right “as an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions (...)”. “A further important aspect is the participation of the population in all health-related decision-making at the community, national and international levels.” The right to health also comprises the prevention and reduction of the population’s exposure to harmful substances, such as harmful chemicals or other detrimental environmental conditions that directly or indirectly affect human health. Moreover, under UNDROP, article 23 protects the right to health.

The right to a healthy environment

We also wish to refer to Human Rights Council resolution 48/13 of 8 October 2021 and General Assembly resolution 76/300 of 29 July 2022, which recognize the right to a clean, healthy and sustainable environment as a human right. A safe climate is one of the substantive elements of the right to a clean, healthy and sustainable environment together with safe drinking water, clean air, a healthy biodiversity, sustainable food system and non-toxic environment.

We would also like to bring to the attention of your Excellency’s Government the Framework Principles on Human Rights and the Environment as detailed in the 2018 report of the Special Rapporteur on human rights and the environment (A/HRC/37/59). The principles state that States should ensure a safe, clean, healthy and sustainable environment in order to respect, protect and fulfil human rights (principle 1); States should respect, protect and fulfil human rights in order to ensure a safe, clean, healthy and sustainable environment (principle 2). Finally, we would like to refer to principle 4, which provides, that “States should provide a safe and enabling environment in which individuals, groups and organs of society that work on human rights or environmental issues can operate free from threats, harassment, intimidation and violence.”

In addition, the Special Rapporteur on human rights and climate change highlighted in A/79/176 that “States have heightened obligations to protect climate activists, scientists and journalists as environmental human rights defenders (see A/HRC/54/25)” and that “States should urgently develop, in coordination with civil society, positive narratives on the contributions of environmental human rights defenders to the protection of human rights in the context of climate change (see A/HRC/56/50).”

We also highlight the Special Rapporteur on the right to a clean, healthy and sustainable environment's report A/79/270, which outlines the substantive and procedural elements of this right, including biodiversity protection, access to environmental information, and the obligation of businesses to prevent environmental harm. In this regard, we emphasize that biodiversity, including the prevention and control of invasive alien species is a critical pillar of a healthy environment. Invasive non-native species severely disrupt ecosystems, poses serious threats to native biodiversity, aquatic food systems, and the livelihoods of small-scale fishers and undermined the resilience of local communities who depend on these ecosystems for their livelihoods.

We also wish to refer to the Committee on the Rights of the Child's general comment No. 26 on children rights and a healthy environment, with a focus on climate change, which underscores that business activity are a source of significant environmental damage, contributing to child rights abuses, notably due to unsustainable agriculture practices. The impacts of business activities and operations may undermine the ability of children and their families to adapt to the impacts of climate change, thereby exacerbating climate stress.

Right to water

We also recall to your Excellency the explicit recognition of the human rights to safe drinking water and sanitation by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of ICESCR.

General comment No. 15 on the right to water stresses that the right to water “clearly falls within the category of guarantees essential for securing an adequate standard of living” enshrined in article 11 of the ICESCR, acceded by Thailand on 5 September 1999, and that it is also “inextricably related to the right to the highest attainable standard of health” guaranteed under article 12. A sufficient and continuous water supply must be available for personal and domestic use, and “water is necessary to produce food (right to adequate food) and ensure environmental hygiene (right to health).”

Moreover, water required for personal or domestic use must be safe, i.e., free from micro-organisms, chemical substances, and radiological hazards that constitute a threat to a person's health. Water facilities and services must be accessible to everyone, both physically and economically, and must be free from discrimination. Such accessibility includes the right to seek, receive, and impart information on water issues. Further, “access to traditional water sources in rural areas should be protected from unlawful encroachment and pollution”.

In addition, considering the importance of water for rural communities, UNDROP protects the right to safe and clean drinking water under article 21. Peasants have the right to water for personal and domestic use and farming. They also have the right to equitable access to water and water management systems and to be free from the contamination of water supplies. Accordingly, states are required to prioritize water

for human needs before other uses.