

## Call for Applications

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# Impact of Thailand's Use of Covid-19 and other Emergency Measures on Civic Freedoms

The International Center for Not-for-Profit Law (ICNL) seeks individuals or organizations to produce a study examining Thailand's ongoing and past use of Covid-19 emergency measures, including the Emergency Decree and Communicable Diseases Act, to limit civic space (i.e. the legal and operational space within which individuals and organizations are able to exercise their civic freedoms). The study is aimed at collecting data around the misuse of emergency laws and public health measures to suppress civic freedoms – especially the freedoms of association, assembly, and expression, as well as public participation – and promoting alternative governance approaches that safeguard rights. The consultancy period is from August 15, 2023 through November 30, 2023. Applications are due by August 10, 2023, and will be accepted on a rolling basis.

### Scope of Research

Thailand, like many countries around the world, faced significant challenges in managing the Covid-19 pandemic. In response, the Thai government implemented the Covid Emergency Decree, granting extensive powers to the government to tackle the public health crisis. While the initial intention of the decree was to safeguard public health and safety, concerns have been raised regarding its impact on civic space and civil society.

Since the implementation of the Covid Emergency Decree in March 2020, the Thai government has frequently invoked its provisions and other public health measures to suppress protests and detain activists. Numerous peaceful demonstrations calling for democratic reforms, political freedom, and social justice have been met with arrests, charges, and prosecution under the emergency decree. Examples of high-profile arrests include prominent activists like Parit “Penguin” Chiwarak and Arnon Nampa, who have been detained for their involvement in organizing and participating in protests. Reportedly, more civil society activists have been charged and detained under the Covid Emergency Decree than under laws that have traditionally restricted free expression, such as the controversial lese-majeste law. As the pandemic wanes, hundreds of young protesters and members of civil society are still facing charges under Covid-19 emergency measures.

ICNL is seeking an individual or organizational researcher to do a ‘deep-dive’ into Thailand's use of Covid-19-related measures to restrict civic space, focused on the Emergency Decree, with coverage of other policies that were misused during the pandemic to restrict free civic freedoms. Although the study does not need to be long, it should include at least two of the following components:

1. Overview of the Covid Emergency Decree and other laws used to suppress civic space during the pandemic
2. Analysis of restrictions on civic space and their impact
  - Investigate the specific provisions within the decree and other laws and how they were used to limit civic space, freedom of expression, assembly, and association.
3. Case studies of suppression of civil society activities
  - Examine specific cases where civil society organizations faced obstacles, restrictions, or persecution under the Covid Emergency Decree and other measures.
  - Assess the implications of these restrictions on civil society's ability to contribute to public health initiatives, advocacy, and community support.
4. International standards and legal frameworks
  - Analyze the Thai government's actions during the pandemic against international human rights standards and legal frameworks.
  - Examine international best practices for balancing public health emergencies with the protection of civic space and civil society.

Outline and study methodology can be finalized in consultation with ICNL.

### **Scope of Work**

The individual or organizational consultant will be responsible for:

1. Compiling research on Thailand's use of C19 emergency laws and the impact on civic space, including on the freedom of association, assembly, expression, and public participation for civil society. Research may include both qualitative and quantitative data, focused on civil society actors.
2. Developing a short report or study highlighting the key findings of the research, including an executive summary, introduction, conclusion, and some international legal analysis.
3. Potentially participating in a webinar or event to discuss the report findings.

### **Content of Proposal**

Interested applicants should submit a proposal, of no more than 3 pages, addressing the following topics:

- Describe the scope of the research to be undertaken, including research methodologies to be employed. Please include any revisions to the Scope of Research presented above and the timeline, including interim benchmarks and drafts of the report as well as any supplemental activities, recognizing that activities must be completed no later than November 30, 2023.

- Describe applicant’s experience dealing with the laws, policies, and regulations affecting civic space, as well as undertaking legal and case study research and writing reports.
- If more than one person will be involved in this project, describe who will undertake different aspects of the project. ICNL reserves the right to approve or reject the use of any personnel.
- The cost proposal/line-item budget for this consultancy. The pricing for the cost proposal must be in USD and fully itemized. For personnel costs, please list each person to be involved in this project, the proposed day rate(s) and number of days. All other costs, if any, should be listed and explained. The proposed price should be inclusive of all taxes. ICNL expects to issue one Firm Fixed Price contract.

## Selection Criteria

Applications will be evaluated based on the following factors:

- Compliance with eligibility requirements and application procedures
- Demonstrated experience of the applicant in conducting quantitative and qualitative research
- Quality of proposed study, including the study’s comprehensiveness and proposed methodology/design
- Proposed budget and value for money
- Inclusion of reasonable indicators to measure project success.

## How to Apply

To apply for this consultancy, applicants must submit the following items by **August 10, 2023**:

- Proposal of not more than three pages, including line-item budget;
- Resume or curriculum vitae (cv) for individuals undertaking the research and writing the report; and/or
- Background information about the applicant organization if relevant (e.g., website links, informational materials, and/or writing sample).

Applications should be sent to [asia@icnl.org](mailto:asia@icnl.org), with reference made to “Thailand Consultancy Application” in the subject line. Application materials should be submitted in English. Questions related to this consultancy can be emailed to [asia@icnl.org](mailto:asia@icnl.org).

## Deadline

Applications will be accepted on a rolling basis until August 10, 2023. Please note that only shortlisted candidates will be contacted.