



HUMAN RIGHTS COUNCIL
12TH SESSION OF THE WORKING GROUP ON THE
UNIVERSAL PERIODIC REVIEW
INTERNATIONAL COMMISSION OF JURISTS SUBMISSION TO THE
UNIVERSAL PERIODIC REVIEW OF THAILAND - OCTOBER 2011

ANNEX I: TABLE – POWERS PURSUANT TO NATIONAL SECURITY LAWS FRAMEWORK

I. Restrictions	Martial Law	2005 Emergency Decree	Internal Security Act
1. Curfew	✓	✓	✓
2. Prohibition of the use of communication devices	✓	✓	✓
3. Right to order civilians to vacate designated areas	✓	✓	✓
4. <i>Assembly:</i> Prohibition on any form of public assembly in any location	✓	✓	None
5. <i>Expression:</i> Prohibition on the distribution, dissemination, or publication of news, television and radio broadcasts.	✓	✓	None explicit
6. The right to occupy, alter or demolish buildings or dwellings for military purposes	✓	✓	None explicit
II. Arrest & Detention	- Permitted to detain without a warrant for the purposes of interrogation for up to 7 days - No right to be brought before a court to challenge detention - Detained by military in non-disclosed location No right to legal counsel	Detention pursuant to a Court Order – no criminal charge required – for 7 days for up to 7 days After 7 days, the suspect has the right to be brought before a court to challenge the legality of the detention. The Order for detention may be renewed for an additional 7 days up to a maximum of 30 days.	Detention in training camp for up to six months or imposition of any other conditions with Court approval.

I. Restrictions	Martial Law	2005 Emergency Decree	Internal Security Act
	No contact to outside		
III. Accountability and Right to Effective Remedy and Reparations	<p>Broad scope of Military Court jurisdiction, which may be used to exclude the possibility of trying military personnel in civilian courts.</p> <p>No compensation claims permitted against individual officials.</p>	<p>Competent officials not subject to civil, criminal, disciplinary liabilities for acts in good faith, that are non-discriminatory and not unreasonable.</p> <p>Jurisdiction of Administrative Courts removed. Jurisdiction of Courts of Justice and Military Courts. Law on Administrative Procedures does not apply.</p>	<p>Where enforcement action results in loss to a “person in good faith”, appropriate compensation to be provided according to Cabinet provided principles/conditions.</p> <p>Jurisdiction of Courts of Justice over any actions. Jurisdiction of Administrative and Military Courts apparently removed.</p> <p>Application of Civil Procedure Code and Criminal Procedure Code to court cases related to enforcement actions, but inapplicability of Law on Administrative Procedures.</p>