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INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS  
NEW YORK, 16 DECEMBER 1966

THAILAND: NOTIFICATION UNDER ARTICLE 4 (3)

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 14 April 2010.

(Original: English)

No. 56101/242

“The Permanent Mission of Thailand to the United Nations presents its compliments to the Secretary-General of the United Nations and, pursuant to Paragraph 3 of Article 4 of the International Covenant on Civil and Political Rights (ICCPR), and has the honour to inform the latter that the Royal Thai Government has declared a severe emergency situation in the areas of Bangkok; Nonthaburi Province; Muang, Bang Phli, Phra Pradang, Phra Samut Chedi, Bang Boh and Bang Sao Thong Districts, Samut Prakan Province; Thanyaburi, Lad Lumkaew, Sam Kok, Lam Luk Ka and Khlong Luang Districts, Pathumthani Province; Phutthamonthon District, Nakhon Pathom Province; and Wang Noi, Bang Pa-in, Bang Sai and Lat Bua Luang Districts, Ayutthaya Province, since 7 April 2010.

The Declaration of a Severe Emergency Situation was promulgated by Mr. Abhisit Vejjajiva, Prime Minister of Thailand, in accordance with Sections 5 and 11 of the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005), as well as Section 29 in conjunction with Sections 32, 33, 34, 36, 38, 41, 43, 45 and 63 of the Constitution of the Kingdom of Thailand, to deal effectively with the actions of a group of persons that caused grave disturbances and led to disorder in certain parts of the country. The Emergency Decree was invoked in order to quickly resolve and put an end to the situation of turmoil as well as to restore normalcy in the country.

In light of the above-mentioned reasons, the Royal Thai Government has exercised its right to derogation under Paragraph 1 of Article 4 of the Covenant, specifically in relation to its obligations under Articles 12 (right to liberty of movement), 19 (freedom of expression and freedom of the press) and 21 (right of peaceful assembly) of the Covenant for the duration of the Emergency Situation in the aforementioned areas.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are issued in electronic format only. Depositary notifications are made available to the Permanent Missions to the United Nations in the United Nations Treaty Collection on the Internet at <http://treaties.un.org>, under "Depositary Notifications (CNs)". In addition, the Permanent Missions, as well as other interested individuals, can subscribe to receive depositary notifications by e-mail through the Treaty Section's "Automated CN Subscription Service", which is also available at <http://treaties.un.org>.

The Permanent Mission would further like to inform the Secretary-General that the non-derogable rights as set forth in Articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 of the Covenant, which are guaranteed by the Constitution of the Kingdom of Thailand, have been kept intact.

The Permanent Mission is forwarding herewith a copy of the unofficial translation of the Declaration of a Severe Emergency Situation of 7 April 2010 and would appreciate it if the Secretary-General could notify other States Parties to the Covenant of the foregoing information as required by Article 4 of the Covenant.

The Permanent Mission of Thailand avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

The Permanent Mission of Thailand  
to the United Nations

14 April 2553 (2010)

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(Unofficial Translation)

Declaration of a Severe Emergency Situation in the Areas of Bangkok;  
Nonthaburi Province; Muang, Bang Phli, Phra Pradang, Phra Samut Chedi, Bang Boh and Bang Sao  
Thong Districts, Samut Prakan Province; Thanyaburi, Lad Lumkaew, Sam Kok, Lam Luk Ka and  
Khlong Luang Districts, Pathumthani Province; Phutthamonthon District, Nakhon Pathom Province;  
and Wang Noi, Bang Pa-in, Bang Sai and Lat Bua Luang Districts, Ayutthaya Province

It appears that a group of persons has taken actions causing disturbances and leading to disorder within the country through incitement and instigation by verbal and other communicative means – which is inconsistent with the purposes of the Constitution and the law – in order to cause turmoil or defiance amongst the public to the extent that it has resulted in unrest in many locations and encourage the carrying out of unlawful actions by instigating the public to rally unlawfully, thereby obstructing the normal way of life of the general public and causing the majority of the public to be distressed, affected and anxious over possible danger to their lives, bodies and properties; using force to resist the enforcement of laws by state officials, as well as using certain facilities to disseminate distorted information to cause misunderstanding so as to instigate actions to cause unrest in various locations.

Furthermore, certain groups of persons have been continuously causing disturbing incidents with the purpose of causing damage and danger to life, body and property.

Given such a protracted situation with increasing breaches of the law, there are reasons to believe that violent actions will be carried out, which will more seriously affect national security so as to cause unrest in the country and inflict harm or danger to the lives, bodies and properties of innocent people.

Such actions by these groups of persons are not peaceful assembly and contravene the provisions of the law and the Constitution of the Kingdom of Thailand, having impact on the administration of the state and confidence in the economy and affecting public order, state security as well as democratic development process and the exercise of rights and liberties of innocent people. It is therefore of urgent necessity to quickly resolve and put an end to these problems.

By the power vested under Sections 5 and 11 of the Emergency Decree on Public Administration in Emergency Situation of B.E. 2548 (2005), a law which contains certain provisions relating to the restriction of individual rights and freedoms, permissible under Section 29 in conjunction with Sections 32, 33, 34, 36, 38, 41, 43, 45 and 63 of the Constitution of the Kingdom of Thailand by virtue of powers given in accordance with the law, the Prime Minister, with the consent of the Council of Ministers, therefore declares a severe emergency situation in the areas of Bangkok; Nonthaburi

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Province; Muang, Bang Phli, Phra Pradang, Phra Samut Chedi, Bang Boh and Bang Sao Thong Districts, Samut Prakan Province; Thanyaburi, Lad Lumkaew, Sam Kok, Lam Luk Ka and Khlong Luang Districts, Pathumthani Province; Phutthamonthon District, Nakhon Pathom Province; and Wang Noi, Bang Pa-in, Bang Sai and Lat Bua Luang Districts, Ayutthaya Province.”

To become effective forthwith.

Announced on 7 April B.E. 2553 (2010)

(signed)

Abhisit Vejjajiva  
Prime Minister

10 June 2010



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