

-Unofficial Notes-

**Briefing for the Diplomatic Missions and International Organizations
on the Current Situation in Thailand
by Mr. Krit Garnjana-Goonchorn,
Permanent Secretary for Foreign Affairs,
and General Winai Phattiyakul,
Secretary-General of the Council for Democratic Reform,
25 September 2006 at 16.00 hrs.
Narathip Room, Ministry of Foreign Affairs**

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PS Krit

Overall context

- These are dramatic times for Thailand. It is dramatic and crucial as well as critical for all of us in the wake of the military takeover on 19 September. It has been some days since then, and most of you must have formed views on the takeover and those views from the Diplomatic Missions would have been conveyed to your governments. This is quite within your prerogative and sovereign rights.
- There can be no two minds or no two things about it. From the point of view of Thailand for the past 15 years, it is a black and white situation: coups d'états are wrong, an undesirable state of affairs. We had a thriving, working democracy. But in the wake of 19 September, things are not so clear as they were then. Is it black or white, or are there shades of grey in between? In recent days, we are seeing the debate shifting to the grey area.
- Why? Because people, especially friends overseas, are witnessing something peculiar to the Thai context, and unique to the present stage of our history. The grey area is the fact that the populace as a whole seemed to have come up and welcomed the military intervention. This is a spontaneous and unplanned response from the population, not only in Bangkok but in the rural areas also.
- It is not merely the reaction of the populace, but also the action of the Council itself since then. It is the Council professing not to wish to keep the reins of power for long, and that it wished to pass the reins to civilian control of a kind at the earliest opportunity. A timeline of 2 weeks has been specified by the Chair of the Council, which is closely watched and monitored. The timeline is not definitive, but tentative, and under consultations on a broad basis which is not confined to the Council itself. It will start from the point of the Interim Constitution being promulgated within 2 weeks. The timeline will be indicative in nature, but indicative of the line of governance the country will be taking.

What do we expect from the diplomatic corps at this point?

- We realize the importance of Diplomatic Missions as a channel of communications to your government. You play an important part in the flow of information to your headquarters and peoples.

- We are also acutely conscious of our own part to give you as complete a picture as we can.
- The shifting debate is reflected in the first page of today's International Herald Tribune. The views you are forming are your prerogative. We are not asking that these positions should be altered without changes on the ground. What we are trying to put on record is that the debate seems to indicate that the jury is still out - that things are not so black and white as they seemed at the beginning. We ask friends to reserve judgement for the moment to give your friends here a chance. For those who have pronounced judgement, we ask that you keep this under review, and to consider the judgement in light of new indications on the ground.
- Given the peaceful transition, we hope to win back the **trust and confidence** of the international community in Thailand's economic and social fundamentals, in our social resilience, in our deep commitment to the democratic process and in democracy itself.
- I wish to take this opportunity to give you a clarification on the English translation of the Council's title.
- The previous translation had given rise to misunderstanding in other countries and for the press. It was a literal translation of the Thai title which was misleading and has caused confusion. It was falsely suggestive of the role of His Majesty the King in the intervention. We therefore wish to omit the reference to "under the Constitutional Monarchy" from now on. So, the English translation is the "**Council for Democratic Reform**", or **CDR**.

What are the Thai authorities offering now?

- We are establishing better access to information, including through websites such as the Council's at www.vrcu.com, the Ministry of Foreign Affairs' at www.mfa.go.th, on which one can access an icon on "Update on Political Situation".
- The Ministry of Foreign Affairs remains at disposal for clarifications are we receive them. Documentation will be translated as soon as they are received from the Secretariat of the Council.

What has been done?

- All but a few of the main mechanisms have already been revived to ensure speedy reestablishment of the workings of the democratic system.
- Accordingly, the reformed **Election Commission of Thailand** has been reinstated, and is already making preparations for free and fair elections.
- **The National Counter Corruption Commission (NCCC)** has also been reinstated, so as to pursue corruption cases. **An assets examination body** has also

been established to deal with the allegations of impropriety in connection with various projects implemented by the previous administration.

- Meanwhile, **the Auditor-General** will continue to pursue cases under her purview.
- Also reinstated is **the Ombudsman**, who will, among others, receive complaints about any abuses occurring under the administration of the Council.
- Meanwhile, other institutions established in accordance with the 1997 Constitution and other laws (that are not organic laws) retain their authority to provide the proper checks and balances. Thus, **the National Human Rights Commission (NHRC)** will help ensure the continued promotion and protection of human rights in Thailand. In this regard, Thailand reaffirms adherence to the UN Charter and remains committed to obligations under international treaties and agreements, under the basis of the equality of states.
- Similarly, **the National Economic and Social Advisory Council (NESAC)** will continue its important consultative role.
- A ban on telephone eavesdropping has been introduced, with stiff penalties against who violate this ban.
- **4 Advisory Groups** have been established to advise the Council, namely the *Advisory Group on Economic Affairs; the Advisory Group on Foreign Affairs; the Advisory Group on the Promotion of Ethics, Good Governance and the Prevention of Corruption and Malfeasance; and the Advisory Group on the Promotion of Reconciliation and Social Justice*. Ambassador Vitthaya Vejjajiva, former Permanent Secretary for Foreign Affairs, will head the Advisory Group on Foreign Affairs that will be composed of a number of former Permanent Secretaries for Foreign Affairs and former senior diplomats.

General Winai Phattiyakul

What will be done?

- Some of those present may have heard from the Army Commander-in-Chief when he seized power – that he sincerely did not hope to retain power for the Council. It is intended to hand over power to a civilian government as soon as possible, namely within 2 weeks.
- A legal advisory group was involved in producing the first draft of the Interim Constitution, which is now under examination by the deans of the law departments of the famous universities of Thailand. The Council intends to announce this Interim Constitution on Friday, 29 September 2006, and then to turn administrative power over to a civilian government under the Interim Constitution.
- The Council for Democratic Reform will turn itself into a **security council**, a high-level body on security matters.

- Over the next couple of days, a respected and honest **Prime Minister** will be selected by the security council. He will immediately form a civilian government for the purposes of running the country.
- After the interim Cabinet is sworn in, the security council will then transfer power to the new civilian government.
- Thus, over the next 2 weeks, the role of the Council would be gradually reduced to certain specific matters.

Drafting a new Constitution

- As the next step, a clear process for the drafting of a *new Constitution* will be set down.
- A **legislative body** (*of around 250 persons*), responsible for legislation, will be established.
- A “**people’s assembly**” (*of around 2,000 persons*) will be appointed, and then select a **constitution drafting council** to draft the new Constitution. This body will comprise legal experts and representatives of all professions.
- The process of drafting the new Constitution will be specified in the Interim Constitution and will take 6 months. The draft Constitution will then be the subject of consultations with the government, the legislative body, and the security council which will take 1 month. Following the consultations, the draft will undergo a correction process taking 15 days. The final draft will then undergo a popular referendum over a period of 1 month. The whole process of approving the new Constitution is therefore expected to take **8 months and 15 days**. We will try to our best to finish earlier than that.
- Thus, work towards a new Constitution will lead to **free and fair general elections within one year**.

Other important actions

- Many of you are doubtless concerned about **freedom of expression and the right of assembly**. Let me assure you that these are fundamental rights and freedoms that all Thais hold dear. **The law on political parties** has already been reconfirmed, and political activities can be resumed when the situation attains normalcy. The full restoration of media freedoms will come in due course.

Trust and Confidence

- As of now, minimal economic impact has been detected. The Thai Baht has only depreciated slightly. Sentiment in the Stock Exchange of Thailand (SET) remains healthy, with the index retreating by just over 1.5% on 22 September.

- Thailand's investment policy remains unchanged. Ongoing major projects, including the inauguration of the new Suvarnabhumi International Airport on 28 September, will proceed as scheduled. The Council will visit Suvarnabhumi International Airport on 26 September.
- Thailand's international economic policy, including multilateral trade negotiations and free trade agreements, will be continued.
- Thailand also remains a safe place for tourists. Foreign tourists have reaffirmed that they do not feel in anyway threatened by the events.
- Everything is therefore on track to return to normalcy. At the same time, let me reiterate that the **trust and confidence** of our international partners is vital to support Thailand's quick return to normalcy. Let me therefore seek your cooperation, and invite questions if there are any.

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