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ICJ calls for amendments to Thailand's new Emergency Decree

The International Commission of Jurists (ICJ) today called on the Thai Government to amend their new Emergency Decree to ensure it complies both with the Constitution and Thailand's international human rights obligations.

"A large part of the political legitimacy of emergency measures flows from both their effectiveness and their compliance with the law", said Nicholas Howen, Secretary-General.

The Emergency Decree was approved by the Government on 15 July 2005 and on 19 July the Prime Minister declared a state of emergency in three southern provinces of Thailand.

In a report released today, *More power, less accountability: Thailand's new Emergency Decree*, the ICJ finds that the Emergency Decree provides far-reaching powers that are often only vaguely defined, while at the same time reducing the accountability of the Government.

"There have been a significant number of violent attacks in the south of Thailand, however, this combination of increased executive powers with a weakening of the usual democratic checks and balances including oversight by parliament and the courts and open discussion in the media will make abuse of power more likely and deepen the conflict," said Nicholas Howen.

The report calls for the immediate repeal of Section 17 of the Decree that gives legal immunity from criminal and civil actions against those who misuse their powers under the Emergency Decree. "Such impunity does not improve the security situation, but exacerbates political and social tensions," said Nicholas Howen.

The report urges the authorities to ensure that anyone detained under the Emergency Decree be promptly brought before a judge, have immediate access to a lawyer and be able to challenge the legality of their detention in the courts. The report also calls for the repeal of the vaguely-worded powers in the Decree that restrict the media and freedom of expression.

The ICJ urges the parliament to take into consideration these concerns when reviewing the Decree on 24 August 2005.

For more information please contact the International Commission of Jurists, +4122 979 3809.

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

81A, avenue de Châtelaine, P.O. Box 216, 1219 Châtelaine, Geneva, Switzerland
Tel: +41(0) 22 979 3800 – Fax: +41(0) 22 979 3801 – Website: <http://www.icj.org> - E-mail: info@icj.org