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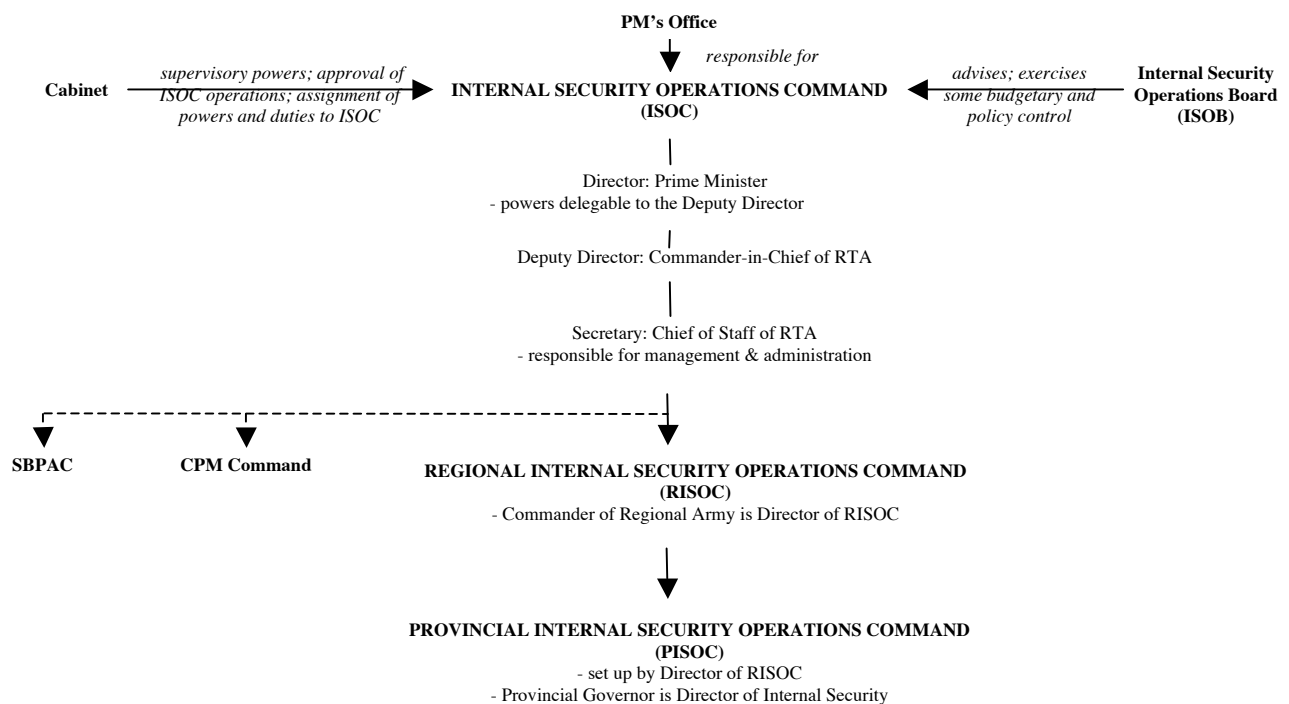
UNDERSTANDING THE INTERNAL SECURITY ACT

There are four divisions to the ISA:

(i) **ss 1-4 : General provisions**

(ii) **ss 5-14 : Chapter 1 – The Internal Security Operations Command**

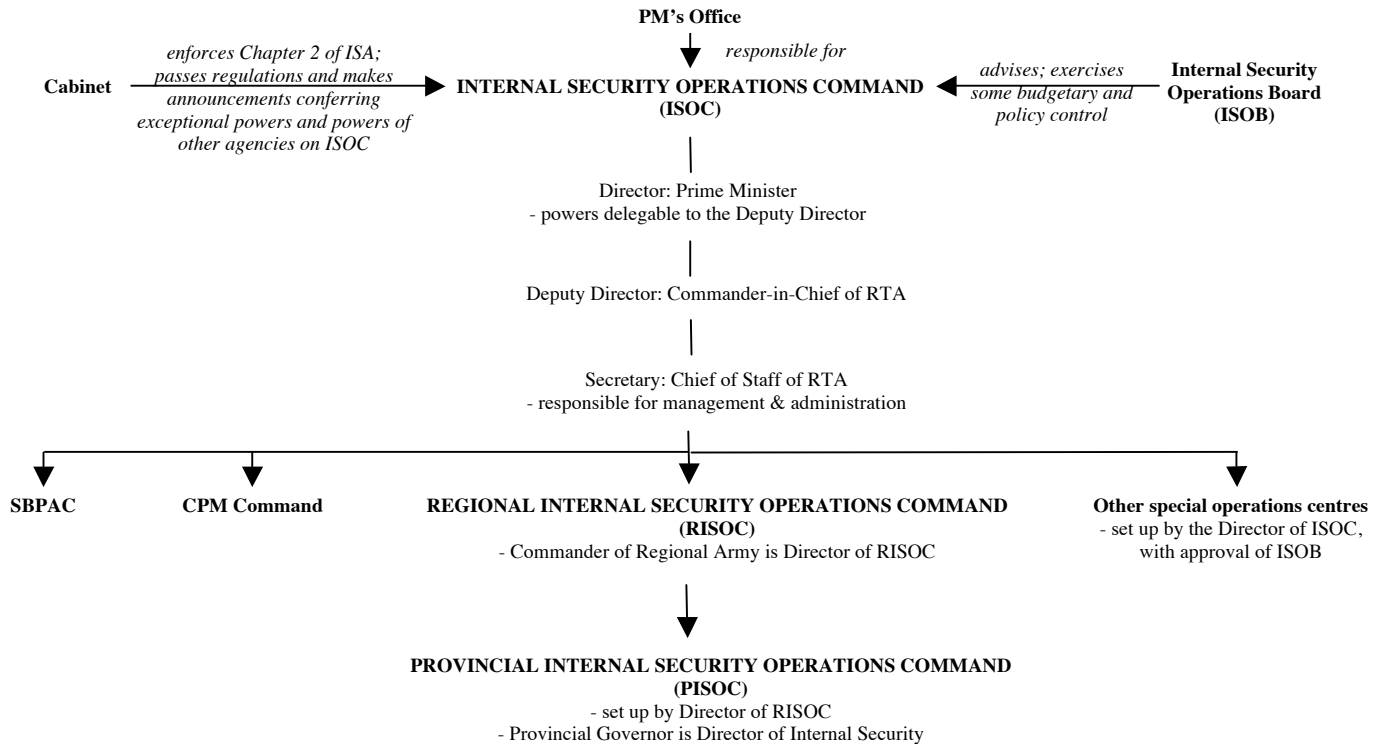
- This part of the Act sets out an internal security administrative structure at the national, regional and provincial levels – staffed primarily by military officers, with potential to command civilian agencies – responsible for the maintenance of internal security, and empowered with intelligence gathering and law enforcement powers.
- This framework is in force at all times throughout Thailand, including in the Deep South.



(iii) **ss 15-23 : Chapter 2 – Duties in Maintaining Internal Security**

- This part of the Act only comes into force following a Cabinet resolution – triggered by an occurrence that (i) affects internal security; (ii) persists for a long time; (iii) but which does not yet meet the threshold for the declaration of a state of emergency; and (iv) requires efforts by several agencies to effect its resolution.
- Cabinet can designate ISOC officials as competent officials under civilian legislation, and/or transfer wholesale the powers and duties of parts of the civilian bureaucracy to ISOC.
- Designated officials are conferred higher-level law enforcement powers.
- The Director of ISOC, with Cabinet approval, can set out regulations under which ISOC will operate when Part 2 is in force. Regulations may require relevant government officials to implement (or withhold the implementation of) “any action”; prohibit entry or exit from designated areas, localities or buildings; impose curfews; and, regulate the use of communication routes, vehicles, electronic equipment or tools considered a possible security

- risk.
- This part of the ISA also sets up a regime of administrative detention in the form of training camps.
- Action and regulations carried out under this part of the Act fall within the jurisdiction of the Courts of Justice, which translates to exclusion from the jurisdiction of the Administrative Courts.



(iv) ss 24-26 : Chapter 3 – Liability & Special Provisions

- Any violation of the regulations set out under sub-sections 18(2)-(6) of the Act amounts to a criminal offence, attracting either a maximum one-year jail sentence and/or maximum 20,000 Baht fine.
- Creation of SBPAC and Civilian-Police-Military Command as special operations centres under ISOC.

Invocations of the ISA

To date, Part 2 of the ISA has been invoked seven times:

When	Where	Rationale <i>(unofficial translations)</i>	Delegated Legislation <i>Powers under which are delegated to ISOC officials</i>
10 – 24 July '09	Phuket province	<p><i>"(...) In view that for the upcoming Summits, there appear to be attempts from some group of people to instigate obstruction or disorder or sabotage with a view to causing disruptions in the area where the Summits will be held, similar to the incidents in Pattaya, and given that Phuket province is a major tourist destination and attempts may be made by perpetrators from both inside and outside the country to instigate incidents during the Summits in a view to causing damage to Thailand's tourism and economic image (...)"</i></p>	<ol style="list-style-type: none"> 1. The Ministry of Defence Act B.E. 2551 (2008); 2. The Special Investigation Act B.E. 2547 (2004); 3. The Immigration Act B.E. 2522 (1979); 4. The Arms Control Act B.E. 2530 (1987); 5. The Disaster Prevention and Mitigation Act B.E. 2550 (2007); 6. The Public Advertisement by Sound Amplifier Control Act B.E. 2493 (1950); 7. The Land Traffic Act B.E. 2522 (1979); 8. The Motor Vehicle Act B.E. 2522 (1979); 9. The Hazardous Substance Act B.E. 2535 (1992); 10. The Firearms Act B.E. 2490 (1947); 11. The Civil Code – only with regard to the provisions concerning foundations and associations; 12. The Criminal Code; 13. The Criminal Procedure Code – only with regard to the provisions concerning the exercise of investigative and interrogative powers, and the exercise of powers of administrative officials or the police
29 Aug – 1 Sept '09	Dusit district, Bangkok	<p><i>"As it appears that the political situation from 30 August 2009 onwards has a tendency to cause political disturbances due to the declared intention of certain groups of persons to incite the public to join protests and besiege Government House and its surrounding locations with a view to obstructing the Prime Minister, the Council of Ministers and public officials from carrying out their duties, as well as to pressuring the Prime Minister to dissolve the House of Representatives or resign; and as such acts will have direct impact on the administration of the state and the peace and order within the country, may affect the confidence of foreign leaders scheduled to attend the ASEAN Summit which Thailand will host from 23 to 25 October 2009, and have a tendency to escalate into incidents of unrest, thereby affecting the Kingdom's internal security (...)"</i></p>	13 laws as above

When	Where	Rationale (unofficial translations)	Delegated Legislation Powers under which are delegated to ISOC officials
18 – 22 Sept '09	Dusit district, Bangkok	<p><i>“As it appears that the political situation from 18 September 2009 onwards has a tendency to cause political disturbances due to the declared intention of certain groups of persons to incite the public to join protests and besiege Government House and its surrounding locations with a view to obstructing the Prime Minister, the Council of Ministers and public officials from carrying out their duties, as well as to pressuring the Prime Minister to dissolve the House of Representatives or resign; and as such acts will have direct impact on the administration of the state and the peace and order within the country, may affect the confidence of foreign leaders scheduled to attend the ASEAN Summit which Thailand will host from 23 to 25 October 2009, and have a tendency to escalate into incidents of unrest, thereby affecting the Kingdom’s internal security (...)”</i></p>	13 laws as above
12 – 27 Oct '09	In and around the resort towns of Hua Hin and Cha-am	<p><i>“(...) when Thailand was entrusted to host the ASEAN Foreign Ministers Meeting and Related Meetings from 17 to 23 July 2009 in Phuket Province, the Council of Ministers approved the announcement designating the area where the Meetings were held as an area where events occurred that affected internal security, which enabled effective implementation of security measures, thereby contributing to the smooth and successful convening of the Meetings and enhancing confidence in the security among other countries;</i></p> <p><i>In view that for the upcoming Summits, there appears to be attempts to instigate obstruction or disorder or sabotage with a view to causing disruptions in the area where the Summits will be held, similar to the incidents in Pattaya, and given that this area is a major tourist destination and attempts may be made by perpetrators from both inside and outside the country to instigate incidents during the Summits in a view to causing damage to Thailand’s tourism and economic image;</i></p> <p><i>In this connection, in order to ensure that the maintenance of security and safety during the Summits by the various agencies concerned be carried out in a unified manner, it is imperative that measures be drawn up to prevent and resolve situations that may impede the successful convening of the Summits, or should a situation arise, to enable public officials to put an early end to the problem without affecting internal security.”</i></p>	<p>13 laws as above, as well as:</p> <ol style="list-style-type: none"> 1. The Navigation in Thai Waters Act B.E. 2456 (1913); 2. The Hotel Act B.E. 2547 (2004); 3. The Civil Registration Act B.E. 2534 (1991); 4. The Computer Crime Act B.E. 2550 (2007)

When	Where	Rationale <i>(unofficial translations)</i>	Delegated Legislation <i>Powers under which are delegated to ISOC officials</i>
15 – 25 Oct '09	Dusit district, Bangkok	<p><i>“Whereas it appears that the political situation from 11 October 2009 onwards has a tendency to cause political disturbances due to the declared intention of certain groups of persons to incite the public to join protests with a view to making demands in accordance with the approach and interests of such groups, and to move to besiege the Government House and surrounding government offices, as well as to prolong their demonstrations if their demands are not met; and given that there are ill-intentioned persons planning to instigate incidents during the said demonstrations with a view to escalating the situation towards violence, which would have direct impact on the administration of the state and the peace and order within the country and affect the confidence of foreign leaders scheduled to attend the ASEAN Summit and Related Summits to be held from 21 to 25 October 2009 – both before and during the Summits – leading to the possibility of the situation escalating into incidents of unrest, thereby affecting the Kingdom’s internal security (...)”</i></p>	<p>13 laws as above, as well as:</p> <ol style="list-style-type: none"> 1. The Computer Crime Act B.E. 2550 (2007)
28 Nov – 14 Dec '09	Bangkok	<p><i>“Whereas it appears that the political situation from 28 November 2009 onwards has a tendency to cause political disturbances due to the declared intention of certain groups of persons to incite the public to join protests with a view to making demands in accordance with the approach and interests of such groups to pressuring the Prime Minister to dissolve the House of Representatives or resign, by setting to protest and move in important roads and places of Bangkok; and as such act will have direct impact on the living of general people and the administration of the state; the demonstrations intend to prolong and occurring in the period of H.M. The King’s Birthday Celebrations; and may have ill-intentioned person planning to instigate incidents during the said demonstrations with a view to escalating the situation towards violence.”</i></p>	<p>13 laws as above, as well as:</p> <ol style="list-style-type: none"> 1. The Computer Crime Act B.E. 2550 (2007)

When	Where	Rationale (unofficial translations)	Delegated Legislation <i>Powers under which are delegated to ISOC officials</i>
1 Dec '09 – 30 Nov '10	Chana, Thepa, Nathawi, Sabayoi districts, Songkhla province	<p><i>“Whereas it appears that the situation in southern border provinces has the violent continuously since B.E.2547; in which the occurrence has a tendency to persist for a long time and falls under the power and responsibility for solving problems of several government agencies, and as such situation will have direct impact on the administration of the state and the peace and order within the country.</i></p> <p><i>In order to ensure that the maintenance of peace and safety be carried out in a unified manner, it is imperative that measures be drawn up to prevent and resolve situations so that they would not escalate into incidents of unrest, or should a situation arise, to enable public officials to put an early end to the problem without affecting internal security.”</i></p>	<p>13 laws as above, as well as:</p> <ol style="list-style-type: none"> 1. The Deportation Act B.E. 2499 (1956); 2. The Alien Registration Act B.E. 2493 (1950); 3. The Commodities Control Act B.E. 2495 (1952); 4. The Narcotics Control Act B.E. 2519 (1976); 5. The Measure for Suppression of Offences Relating to Narcotics Act B.E. 2534 (1991); 6. The Narcotics Act B.E.2522 (1979); 7. The Narcotics Addict Rehabilitation Act B.E.2545 (2002); 8. The Private School Act B.E.2550 (2007); 9. The Private Tertiary Education Act B.E.2546 (2003); 10. The Ministry of Education Administration Act B.E.2546 (2003); 11. The Teacher and Education Person Service Act B.E.2547 (2004); 12. The National Culture Act B.E.2485 (1942); 13. The Highway Act B.E.2535 (1992); 14. The Correction Act B.E.2479 (1936); 15. The Navigation in Thai Waters Act B.E.2456 (1913); 16. The Hotel Act B.E.2547 (2004); 17. The Registration of Residential Inhabitant Act B.E.2534 (1991); 18. The Computer Crime Act B.E. 2550 (2007); 19. The Money Laundering Control Act B.E.2542 (1999)