

THAILAND

Last updated: 8 December 2016

RULES/GENERAL LAWS

General	<p>All Thai soldiers who are deployed for peacekeeping or other operations overseas are subject to Thai criminal laws, applicable to both civilians and military.</p> <p>http://jag.mod.go.th/Home.aspx</p> <p>Thai military personnel when deployed on mission under operational orders are considered to be on duty twenty four hours.</p> <p>The United Nations rules on Sexual Exploitation and Abuse are implemented in the field through pre-deployment briefing on laws, rules, regulations, code of conduct and the Commanding Officer's mission order which they must abide to during their deployment. Violators of any law, rule or order will be punished accordingly.</p>
SEA: military offence?	<p>Offences that are considered sexual exploitation and sexual abuse are either crimes under Thai Penal Code or offence for violation of military discipline under Thai Disciplinary Act. Both laws are applied to Thai military personnel when deployed overseas.</p>
Powers of the Commanding Officer (CO)	<p>The Commanding Officer of Thai forces has the authority to issue orders governing the conducts of his/her subordinates during deployment which is called Code of Conduct and is in compliance with the United Nations rules.</p> <p>The commanding Officer of the unit has power to command and control the unit and its personnel including giving punishment, initiate a criminal or disciplinary investigation and take administrative actions if deemed necessary.</p>

INVESTIGATION

Who can investigate?	<p>Judge advocate, Military Prosecutor or a commissioned officer (personnel staff - S1) appointed by the Commanding Officer as an investigation officer.</p>
National Investigation Officer (NIO)	<p>It depends on the level of the force deployed, if it is a battalion size unit a judge advocate is deployed with the unit and the Commanding Officer appoint him/her as the investigation officer. If it is a smaller unit the Commanding Officer is authorised to appoint any commissioned officer (from personnel staff) as Investigation Officer or request for a judge advocate from the HQ in Thailand.</p>

PROSECUTION

Referral	<p>National Investigation Officers refer completed criminal investigations to the military prosecutor for prosecution in military courts. Completed disciplinary investigations are referred to the Commanding Officer for disciplinary punishment or administrative action.</p>
-----------------	--

Who can charge? The Commanding Officer or the Military Prosecutor.

JUSTICE

Military justice	<p>Thailand has a military justice system applicable for both peace and in war time (i.e declaration of Martial Law).</p>
Deployable Court Martial?	<p>Thailand has a deployable court martial system both in peace and war time. Criminal cases that occurred during peace operations overseas are normally handled in military courts in Thailand. However an exception can be made if a military unit court is convened when a battalion size unit is deployed overseas.</p>

DISCLAIMER

While the information contained in the Member State (MS) fact sheet is periodically updated, the United Nations does not guarantee that the information provided is correct, complete or up to date. The fact sheet reproduces content received from the Member State, and therefore, the United Nations is not responsible for the content nor can it guarantee its accuracy.