

Country File
THAILAND



Last updated: **June 2009**

Region	Asia Pacific
Legal system	Civil law
UNCAT Ratification/ Accession (a)/ succession (d)	2 October 2007 (a)
Relevant Laws	<ul style="list-style-type: none"> • Constitution of 24 August 2007 • Criminal Code of 1956 (as amended in 2008)
Relevant Articles	<ul style="list-style-type: none"> • Prohibition of torture: Section 32 of the Constitution • Definition of torture: • Penalties: Sections 289, 295 and 296 of the Criminal Code • Others: <ol style="list-style-type: none"> 1. Lawful Sanctions: Section 32 of the Constitution 2. Compensation and reparation: Section 32 of the Constitution
Languages Available	<ul style="list-style-type: none"> • English
Other Relevant Information	Legislations in Thai are available at www.krisdika.go.th or www.lawreform.go.th

Relevant Articles – THAILAND

ENGLISH (Translation)

Constitution of 24 August 2007

Section 32

A person shall enjoy the right and liberty in his life and person.

Torture, brutal acts or punishment by cruel or inhumane means shall not be inflicted; but a punishment imposed pursuant to a Court judgment or by virtue of law shall not be deemed as punishment by cruel or inhumane means under this paragraph.

Arrest and detention of person shall not be made except by order or warrant issued by the Courts or on other grounds as provided by law.

Search of person or any act affecting the right and liberty under paragraph one shall not be made except by virtue of law.

In the case where there is an act affecting the right and liberty under paragraph one, the injured person, public prosecutor or any person acting for the benefit of the injured person shall have the right to file a motion to the Courts to restrain or withdraw such act, which may also include the imposition of an appropriate measure, or a remedy for losses occurred therefrom.

Criminal Code of 1956 (as amended in 2008)

Section 289

Whoever commits murder on:

1. an ascendant;
2. an official in the exercise of his functions or by reason of exercising or having exercised his functions;
3. a person who assists an official in the exercise of his functions, or by reason of the fact that such person will assist or has assisted the said official;
4. the other person by premeditation;
5. the other person by employing torture or acts of cruelty;
6. the other person for the purpose of preparing or facilitating the commission of the other offence; or
7. the other person for the purpose of securing the benefit obtained through the other offence, or concealing the other offence or escaping punishment for the other offence committed by him, shall be punished with death.

Section 295

Whoever, causes injury to the other person in body or mind is said to commit bodily harm, and shall be punished with imprisonment not exceeding two years or fined not exceeding four thousand Baht, or both.

Section 296

Whoever, committing bodily harm, if such offence having any circumstance as prescribed by Section 289, shall be imprisoned not out of three years or fined not out of six thousand Baht, or both.