

THAILAND UPDATE

FM Kasit reiterates stance on intellectual property and CL issues

- Foreign Minister Kasit reiterated Thailand's stance on March 4, 2009, in an economic ministers meeting that Thailand has established a national committee to oversee the protection of intellectual property and enforcement of related laws, and that compulsory licensings (CLs) already issued do not violate Thailand's WTO obligations.

- Thailand encourages more and close consultations between the government and private sectors, including patient networks, in resolving the problem of access to medicines. CL will only be used as a last resort as there are other measures that are available in resolving the issue, which may include, but is not limited to, collaborative efforts in the purchase of medicines, regional cooperation, and the conduct of research and development.

Deputy Commerce Minister Alongkorn Ponlaboot explains the government's strategy for national unity

- In his remarks at a meeting with heads of offices of the Royal Thai Embassy on March 12, 2009, Deputy Commerce Minister Alongkorn viewed that the government's strategy is not to allow the government to be a source of political conflict itself. The government will not take side in the political conflict. While at the same time, it continues to uphold the rule of law and will not allow laws to be violated when it may have economic impacts on the country such as the closing of airports.

- This strategy is achieving its goals thereby gradually bringing back stability to Thailand. The hosting of ASEAN Summit met with success and proceeded without major incidents. The government is enjoying widening support in all regions of the country.

PM Abhisit's responds to the call for reform of Thailand's lèse-majesté law

- Prime Minister Abhisit responded to the call for reform of Thailand's lèse-majesté law on March 5-6, 2009 that the law was necessary to provide mechanism to protect the monarchy, a highly respected institution that is placed above all conflict, from being violated.

- PM explained that the problem with the law had to do with its enforcement and the fact that the political situation has become involved. When the law allows anyone to file a complaint with the police and when there are many complaints, police would have to proceed with them in order to be on the safe side. PM had discussed with the Police Chief about the necessity of enforcing the law with caution so that the law would not be abused. However, PM would disagree if there are those who deliberately attack the monarchy but refuse to be held accountable by claiming their rights to freedom of expression.

Facts behind revocation of former Prime Minister Thaksin's diplomatic passport

- Mr. Thaksin has been convicted on charges of corruption and conflict of interests relating to the purchase of land plots in the Bangkok's downtown by his wife, Khunying Pojaman Shinawatra, during his tenure as Prime Minister.

- The Supreme Court ruled that, when Mr. Thaksin was Prime Minister, he had the authority to supervise the Financial Institutions Development Fund (FIDF), a state agency. The fact that the former Prime Minister knew about the purchase of government-owned land by his wife from FIDF constituted conflict of interests on his part as a state official. The Supreme Court therefore found the former Prime Minister guilty under the National Counter Corruption Act (NCC), an organic law of the Thai Constitution of 1997. The NCC stipulates that "government officials, including Prime Minister, and their spouses are prohibited from entering into or having interests in contracts with state agencies under their supervision."

- The Supreme Court sentenced Mr. Thaksin to two years imprisonment, without giving him a suspended sentence on the ground that he acted in violation of the laws despite his position as the head of government, who should have set a good example of being honest and having good political ethics in accordance with the honored position entrusted to him. Mr. Thaksin, however, fled the country, eluding his sentence. The revocation of Mr. Thaksin's diplomatic passport is a result of the verdict in line with relevant passport regulations.

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