



## *Press Release*

### *Constitution Drafting Committee Constitution Drafting Assembly*

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**Issue No 2** Monday January 29 2007

On Friday January 26 and Monday January 29 2007, the Constitution Drafting Commission had its 2<sup>nd</sup> and 3<sup>rd</sup> meetings respectively in the Budget Meeting Room on the 3<sup>rd</sup> floor of Parliament Building 3. Since at this stage many issues inevitably overlapped, it was decided that both be reported in one single issue, Issue No 2. Below is the progress to date.

#### **1. Implementation schedule** (discussed at the 2<sup>nd</sup> meeting on Friday January 26)

Section 29 of the Interim Constitution requires that the Draft Constitution be completed within 180 days and the Referendum conducted within 30 days but no sooner than 15 days after the Draft Constitution is completed. The following implementation schedule is based on that requirement.

<b>Activity</b>	<b>Until or Completed by (2007)</b>
(1) Discussion of broad principles and issues by CDC	February 8
(2) Discussion at Subcommittee level	February 23
(3) CDC vetting the Subcommittee's proposals	March 10
(4) Preliminary Draft Constitution by the Secretary	March 20
(5) First Draft with section listing by CDC	April 19
(6) Documentation of differences vs 1997 Constitution	April 26
(7) Public hearings	May 26
(8) Final Draft Constitution to CDA for review	June 10
(9) Approval by CDA	July 5
(10) Constitution drafting process	July 6
(11) Publication of Draft Constitution for dissemination	August 4
(12) Drafting organic bills (to begin August 5)	August 18
(13) Referendum	September 3

#### **2. Work guidelines** (discussed at the meeting on Monday January 29 2007)

CDC agreed to divide into three working groups or Subcommittees, each with a clearly defined area of responsibilities.

- (1) **Group 1** Rights, liberties, participation by the people [in administration and inspection of the exercise of state power], and distribution of power.  
**Chair:** Mr Chuchai Suphawong with 12 other members;

- (2) **Group 2** Political institutions: Parliament, Council of Ministers, relations between politicians and bureaucrats, and ethics of politicians and bureaucrats.

**Chair:** Mr Charan Phakdithanakul with 9 other members.

- (3) **Group 3** Independent agencies (to scrutinize the exercise of state power), state audit, and parliamentary ombudsman.

**Chair:** Prof Vicha Mahakhun with 14 other members.

A special unit to coordinate with the Constitution Drafting Assembly working on data from public hearings has also been appointed. Mr Pairoj Promsan and Assoc Prof Wutisan Tanchai have been put in charge of the unit and are currently working on the guidelines, involving 12 Committees of the Constitution Drafting Assembly, which include:

1. Committee (Special Task Force) to coordinate activities concerning public participation and the Referendum
2. Committee concerned with listening to public opinions and with public participation for the Central Region
3. Committee concerned with listening to public opinions and with public participation for the North-Eastern Region
4. Committee concerned with listening to public opinions and with public participation for the Northern Region
5. Committee concerned with listening to public opinions and public participation for the Southern Region
6. Committee overseeing 76 province-based Special Task Forces
7. Committee seeking opinions of non-government organizations and other social groups
8. Committee for public relations and dissemination
9. Committee (Special Task Force) to vet the Draft Constitution and organic bills
10. Committee (Special Task Force) recording intentions and remarks, and checking minutes of meetings
11. Committee to draft the rules and voting procedures for the Referendum
12. Committee (Special Task Force) concerned with the general operations of the Constitution Drafting Assembly

### 3. **Decision on the guiding principles of the new Constitution**

The CDD meeting agreed to the following 10 basic guiding principles:

- (1) Thailand is an indivisible Kingdom.
- (2) Thailand is democratically governed with the King as Head of State and as commander-in-chief of the Royal Armed Forces.
- (3) The King shall be held in a position of high reverence, inviolate, not to be exposed to any kind of accusation, and exempt from legal action.
- (4) Thailand is governed by the rule of law.
- (5) Thailand is governed by a parliamentary system.

- (6) The democratic or sovereign power belongs to the Thai people with the King as Head of State. The King as Head of State shall exercise such power through the National Assembly, the Council of Ministers, and the Courts.
- (7) The Constitution is the supreme law of the State. The provisions of any law, rule or regulation, which are contrary to or inconsistent with this Constitution, shall not be enforceable.
- (8) In cases where no provision under the Constitution is applicable, judgement shall be based on the tradition [widely accepted practice] of a democratic system of government with the King as Head of State.
- (9) Human dignity, rights, civic duties, liberties, equality, participation by the people, and community powers shall be recognized and protected.
- (10) Judges and Supreme Courts shall be free to adjudicate cases put before them impartially and justly as provided by the Constitution and law.

The above basic principles will be debated further in the coming meetings. The next one is on Wednesday January 31 2007 at 9:30am at the same venue.

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Produced by CDD Spokesmen Team  
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