The Permanent Mission of Thailand presents its compliments to the Secretariat of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC), United Nations Office on Drugs and Crime and, with reference to the latter's Note No. CU 2011/211(A) dated 9 December 2011, has the honour to transmit herewith pertinent information on Thailand's initiatives and best practices with reference to articles 5, 7, 8, 10, 12 and 13 of the UNCAC.

The Permanent Mission of Thailand avails itself of this opportunity to renew to the Secretariat of the Conference of the States Parties to the UNCAC, United Nations Office on Drugs and Crime, the assurances of its highest consideration.

Permanent Mission of Thailand,
Vienna,
June & E. 2575 (2012)

The Secretariat of the Conference of the States Parties to the UNCAC,
United Nations Office on Drug and Crime (UNODC),
VIENNA.
Thailand’s initiatives and best practices in the field of Anti-Corruption

As a State Party to the United Nations Convention against Corruption (UNCAC), the Royal Thai Government has made utmost efforts to implement the Convention. Enactments and amendments of relevant legislation are either under consideration or already implemented. In addition, the National Anti-Corruption Commission (NACC), which was established as an independent national agency tasked with combating corruption, continues to work in tandem with the government and other sectors to ensure the progressive implementation of the Convention.

Key initiatives and best practice of the Royal Thai Government include:

1. On “awareness raising policies and practices, with special reference to articles 5, 7, 12 and 13 of the UNCAC”

Policies and implementation strategies to prevent corruption by political office holders

a) The NACC could propose recommendations or make requests regarding measures to promote transparent administration by the Cabinet as follows:

- request the Secretariat of the Cabinet to arrange a joint meeting of the Cabinet and other political appointees with the agencies under the Constitution tasked with monitoring the exercise of public authority by political office holders. Such agencies include the Election Commission of Thailand (ECT), the Office of the Ombudsman of Thailand, the NACC, the Office of the Auditor General, the Office of the Attorney General (OAG), the National Human Rights Commission of Thailand (NHRC) and the National Economic and Social Advisory Council (NESAC). The objectives of such meetings, which are usually held in the early days of the Cabinet taking office, are to underline the spirit of transparency as provided for in the Constitution, to provide information involving anti-corruption measures, and encourage ethical standards among all political office holders; and

- request the Cabinet to arrange a public briefing when accusations of corruption, abuse of power, or double standards by the Prime Minister or members of the Cabinet arise. Such public briefings, carried out by legal agencies in tandem with academic or other impartial entities, would disclose some facts or information regarding the accusation along with the related legal and ethical standards. This is aimed not only at keeping the public informed, but also to promote ethical standards, rule of law, transparency, accountability, and public participation.

b) To ensure free and fair elections from the local to the national level, the Election Commission of Thailand (ECT) has implemented the following policies and actions:

- launched media campaigns to encourage the public to vote for a “clean candidate”;
- awarding ethically outstanding election officers or provincial offices since 2010;
- amending existing legislation regarding the ethical standards of the election commission at every level; and
- declaring the ECT ethical standard as a standard to be adhered to by all election officers, and following up on implementation.

c) On the legal front, Thai law clearly indicates that all political office holders are required to publicly declare their assets and bank accounts. Moreover, the Organic Law on Political Parties B.E. 2550 (2007) chapter 3 has established criteria relating to governance of the financial aspects of political parties, such as criteria for donation to political parties.

2. On "the public sector and prevention of corruption: codes of conduct (article 8) and public reporting (article 10)"

2.1 Promoting ethics and proper attitude against corruption in the public sector

The Monitoring Commission on the implementation of ethical standards of public officials has adopted an action plan to implement the aforementioned standards annually. Such action plan comprises of awareness-raising campaigns which encourage active the participation of all concerned in implementing and fostering better understanding of such ethical standards. The main target groups of such campaigns are public servants and public employees.

2.2 Public procurement system

The E - Government Procurement (e-GP) system overseen by the Comptroller General's Department, Ministry of Finance serves as a major tool to ensure transparency in the public procurement process. The system is composed of two component systems:

a) The Electronic Procurement Information Center (EPIC) provides access to procurement-related information such as: the Terms of Reference for the public hearing process, procurement announcements and results, and procurement regulations. In addition, the system also keeps records of procurement bids and registrations. It therefore acts as a decision-supporting system for both the public agencies and private sector. It also encompasses a "Help Desk" interface that provides answer for FAQs and other related topics; and

b) E-Auction is an online bidding system for the use of private companies competing for public procurement projects. It allows the procurement system to be more transparent, as well as easily monitored by the public.
2.3 Public Reporting

Thailand's Official Information Act, B.E. 2540 (1997) allows public access to official information regarding organizational structures, operating procedures and public decision-making process of public agencies. Those provisions include, for example:

a) section 7 of the Act states that public agencies are required to provide officials information as printed and circulated in the Royal Decree; such as authorities of the agencies; and

b) section 9 states that public agencies are required to allow public access to certain official information including budgetary information, and concession agreements.

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