

## Thai laws and regulations implementing Article 2 of ICSANT

1. Nuclear Energy for Peace Act, B.E.2559 (2016)
2. Penal Code

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<p><b>Article 2</b></p> <p>1. Any person commits an offence within the meaning of this Convention if that person unlawfully and intentionally:</p> <p>(a) Possesses radioactive material or makes or possesses a device:</p> <p>(i) With the intent to cause death or serious bodily injury; or</p> <p>(ii) With the intent to cause substantial damage to property or to the environment;</p> <p>(b) Uses in any way radioactive material or a device, or uses or damages a nuclear facility in a manner which releases or risks the release of radioactive material:</p> <p>(i) With the intent to cause death or serious bodily injury; or</p> <p>(ii) With the intent to cause substantial damage to property or to the environment; or</p> <p>(iii) With the intent to compel a natural or legal person, an international organization or a State to do or refrain from doing an act.</p>	<p><b>Nuclear Energy for Peace Act, B.E.2559 (2016)</b></p> <p><b>Section 129</b> Any person without lawful authority who possesses or uses radioactive material, a radiation generator, or nuclear material, which is likely to cause death, injury, or damage to health or property of any person or to the environment, shall be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding one million baht or to both.</p> <p>If such offence in paragraph one results in death, injury, or damage to health or property of any person or to the environment, the offender shall be liable to imprisonment for a term not exceeding twenty years or to a fine not exceeding two million baht or to both.</p> <p><b>Section 134</b> Any person, who commits an act directed against radioactive material, nuclear material, or a nuclear facility for the purpose to cause dispersal or to likely cause dispersal of radioactive material or nuclear material with an intent to cause death, injury, or damage to health or property of any person or to the environment, shall be liable to a penalty of death, life imprisonment or to</p>

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	<p>imprisonment for a term of three to twenty years and to a fine of three hundred thousand to twenty million baht.</p> <p><b>Section 141</b> Any person, who conducts a test on, produces, possesses or uses in any way an explosive device containing radioactive material or nuclear material within the Kingdom, shall be liable to imprisonment for a term of three to twenty years and to a fine of three hundred thousand to two million baht.</p> <p>Any person who commits the offence in paragraph one in order to cause dispersal of radioactive or nuclear material with the following intentions shall be liable to life imprisonment:</p> <p>(1) causing death, injury, or damage to health or property of any person or to the environment;</p> <p>(2) compelling other person, the government of Thailand, the government of a foreign state or any international organization to do or to refrain from doing any act.</p> <p><b>Penal Code</b></p> <p><b>Section 135/1</b> Whoever, performing the Criminal Offence, as follows:</p> <p>Commit an act of violence or exercise any act to cause a danger to life or a body</p>

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	<p>harm or any person's freedom harm seriously;</p> <p>Commit any act to cause seriously injury to transportation-system, communication-system or structure base of public interest;</p> <p>Commit any act to cause injury to any State's property or any person's property or an envelopment to cause likely cause an important economic injury;</p> <p>If such act is made by the aim to treated or enforce Thai Government, Foreign Government or International Organization make or not to make any act to cause seriously injury or for making a disorder by causing the people to be terrified, such person committing an offence of terrorization must be punished with death, imprisonment for life or imprisonment from three years to twenty years and fine from six ten thousands Baht to one million Baht;</p> <p>Doings by demonstration, convocation, protestation, argument or movement for demanding Government aid or to be received Justice is not offence of terrorization.</p>
<p>2. Any person also commits an offence if that person:</p> <p>(a) Threatens, under circumstances which indicate the credibility of the threat, to commit an offence as set forth in paragraph 1 (b) of the present article; or</p> <p>(b) Demands unlawfully and intentionally radioactive material, a device or a nuclear</p>	<p><b>Nuclear Energy for Peace Act, B.E.2559 (2016)</b></p> <p><b>Section 133</b> Any person, who threatens to commit the offence under section 130 in order to compel other person to do or to refrain from doing any act, shall be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding one</p>

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<p>facility by threat, under circumstances which indicate the credibility of the threat, or by use of force.</p>	<p>million baht or to both.</p> <p>If the threatening under paragraph one corresponds to threatening to commit the offence under section 134 to compel other person to do or to refrain from doing any act, shall be liable to imprisonment for a term of two to ten years.</p> <p>If the offence under paragraph one or paragraph two is committed to compel the government of Thailand, the government of a foreign state, or any international organization to do or to refrain from doing any act, the offender shall be liable to life imprisonment or to imprisonment for a term of thirty to forty years.</p> <p><b>Penal Code</b>  <b>Section 135/2</b> Whoever:  Treated to make a terrorization under circumstances advisable to be believed that such person will do as treatment really; or  Collect forces or arms, procure or gather property, give or receive a training terrorization, prepare any other act or conspire each other to terrorize or commit any offence in a part of plan to terrorize or abet people into a part of terrorization or ones know the terrorists and commit any act to be covered;  Such person shall be imprisoned as from two years to ten years and fined as from</p>

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	four ten thousands Baht to two hundred thousands Baht.
<p>3. Any person also commits an offence if that person attempts to commit an offence as set forth in paragraph 1 of the present article.</p>	<p><b>Nuclear Energy for Peace Act, B.E.2559 (2016)</b></p> <p><b>Section 139</b> Any person who attempts to commit the offence under section 130 shall be liable to the same penalty as that prescribed for the offender who has accomplished such offence.</p> <p><b>Penal Code</b></p> <p><b>Section 80</b> Whoever commences to commit an offence, but does not carry it through, or carries it through, but does not achieve its end, is said to attempt to commit an offence. Whoever attempts to commit an offence shall be liable to two-thirds of the punishment as provided by the law for such offence.</p> <p><b>Section 135/3</b> Whoever to be supporter in committing offence under Section 135/1 or Section 135/2 shall be liable to the same punishment as principal in such offence.</p>
<p>4. Any person also commits an offence if that person:</p> <p>(a) Participates as an accomplice in an offence as set forth in paragraph 1, 2 or 3 of the present article; or</p>	<p><b>Penal Code</b></p> <p><b>Section 83</b> In case of any offence is accrued by commission of the person as from two persons upwards, such accomplices deemed to be principals shall be punished as provided by the law for such offence.</p>
<p>(b) Organizes or directs others to commit an offence as set forth in paragraph 1, 2 or 3 of the present article; or</p>	<p><b>Penal Code</b></p> <p><b>Section 84</b> Whoever, whether by employment, compulsion, threat, hire,</p>

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	<p>asking as favor or instigation, or by any other means, causes another person to commit any offence is said to be an instigator.</p> <p>If the employed person commits the offence, the instigator shall receive the punishment as principal. If the offence is not committed, whether it be that the employed person does not consent to commit, or has not yet committed, or on account of any other reason, the instigator shall be liable to only one-third of the punishment provided for such offence.</p>
(c) In any other way contributes to the commission of one or more offences as set forth in paragraph 1, 2 or 3 of the present article by a group of persons acting with a common purpose; such contribution shall be intentional and either be made with the aim of furthering the general criminal activity or purpose of the group or be made in the knowledge of the intention of the group to commit the offence or offences concerned	<p><b>Penal Code</b></p> <p><b>Section 86</b> Whoever does for any reason whatsoever as assist or facility to any other person committing an offence before or late time of committing the offence, even though such assistance or facility is not known by the offender, such assistant deemed to be supporter in committing such offence shall be punished by two-thirds of the punishment as provided for such offence.</p> <p><b>Section 209</b> Whoever to be a member of a body of persons whose proceedings are secret and whose aim to be unlawful, is said to be a member of a secret society, shall be punished with imprisonment not exceeding seven years and fined not exceeding fourteen thousand Baht.</p>

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	<p>If the offender be the chief, manager or office-bearer in such body of persons, such person shall be punished with imprisonment not exceeding ten years and fined not exceeding twenty thousand Baht.</p> <p><b>Section 213</b> Whenever an offence is committed by any member of a secret society or criminal association in prosecution of the common aim of such society or association, every member who was present at the time of the commission of such offence, or who was present at the meeting where the commission of such offence was decided upon, and the chief manager or office-bearer of such society or association, shall be liable to the punishment prescribed for such offence.</p>