

with an inter-State treaty. This situation makes it impossible for persons who have committed a crime in the territory of another State to go into hiding in the territory of the Republic of Tajikistan.

Pursuant to article 15, of the Penal Code, nationals of the Republic of Tajikistan, and also stateless persons who reside permanently therein, are liable under the Code for crimes committed in the territory of another State if they have not been sentenced in another State for that crime.

Pursuant to part two, article 15, of the Penal Code, foreign nationals and stateless persons who do not reside permanently in the Republic of Tajikistan are liable under the Code for crimes committed outside Tajikistan in the following cases:

- (a) If they committed a crime envisaged under the norms of international law recognized by the Republic of Tajikistan or under inter-State treaties and agreements;
- (b) If they committed a particularly grave or a grave crime (the commission of terrorist acts falls within the category of particularly grave crimes, under article 18 of the Penal Code) against nationals of Tajikistan or the interests of the Republic of Tajikistan.

Pursuant to part three of article 15, these rules apply if foreign nationals and stateless persons who do not reside permanently in the Republic of Tajikistan have not been sentenced in another State.

CXVIII. THAILAND¹⁹⁶

SUMMARY OF LEGISLATION OF THAILAND RELATED TO TERRORISM

(a) Penal Code

The amendments to section 135 of the Penal Code entered into force after their publication in the Royal Gazette on 11 August 2003. They became law by Emergency Decree, as stipulated in section 218 of Thailand's Constitution. Section 135/1 provides:

¹⁹⁶ Transmitted to the Secretariat by that Government on 2 January 2002 (S/2002/10, enclosure), on 23 July 2002 (S/2002/882, enclosure), and on 18 September 2003 (S/2003/915, enclosure). Information was also provided in respect of amendments to the Anti-Money Laundering Act B.E.2542 (1999) which entered into force after their publication in the Royal Gazette on 11 August 2003. They became laws by Emergency Decree, as stipulated in Section 218 of Thailand's Constitution.

Whoever commits any of the following criminal offences:

- 1. an act of violence or any act to cause death or serious injury to the life and freedom of an individual;**
- 2. an act causing serious damage to a public transportation system, a telecommunication system, or an infrastructure facility of public use,**
- 3. an act causing damage to property belonging to a State or an individual, or the environment, resulting or likely to result in major economic loss,**

if the commission of the offence is intended to threaten or coerce the Royal Thai Government, or any foreign government, or an international organization, to do or abstain from doing any act which causes serious damages, or is intended to raise unrest so as to intimidate a population, that person is said to commit a terrorist act and shall be punished with death, imprisonment for life, or imprisonment of three to twenty years and fine of sixty thousand to one million baht.

Any demonstration, gathering, protest, objection or movement that calls for the government's assistance or for fair treatment, as an exercise of their freedom under the Thai Constitution, shall not be regarded as a terrorist offence.

Section 135/2:

Whoever

- 1. threatens to commit a terrorist act by demonstrating behaviour which leads to a reasonable belief that the person will do as threatened;**
- 2. collects forces or arms, provides or compiles any assets, gives or receives training relating to terrorism, makes preparations or conspires to commit a terrorist act or commits any offence which is part of the plot to commit a terrorist act, or instigate the people to partake in committing a terrorist act or does any act to conceal the knowledge of the commission of a terrorist act,**

shall be punished with imprisonment of two to ten years and fine of forty thousand to two hundred thousand baht.

Section 135/3:

Whoever being a supporter to commit any offence mentioned in Section 135/1 or 135/2, shall be liable to the same punishment as a principal in such offence.

Section 135/4:

A person who is a member of a group designated by a United Nations Security Council resolution or declaration as a group committing an act of terrorism, which resolution or declaration has been endorsed by the Royal Thai Government, shall be liable to imprisonment not exceeding seven years and to fine not exceeding one hundred forty thousand baht.

Section 7:

Whoever commits the following offences outside the Kingdom shall be punished in the Kingdom, namely:

1. Offences relating to the Security of the Kingdom as provided in Section 107 to 129;
 - i. Offences relating to terrorism as provided in Section 135/1, 135/2, 135/3, and 135/4;
2. Offences relating to Counterfeiting and Alteration as provided in Sections 240 to 249, Section 256, Section 257, and Section 266/3 and 266/4;
3. Offence relating to Robbery as provided in Section 339, and Offence relating to Gang-Robbery as provided in Section 340. which is committed on the high seas.

(b) The Amendment to Section 3 of the Anti-Money Laundering Act B.E. 2342 (1999)

The Amendment to section 3 added terrorist-related offences as stipulated under sections 135/1, 135/2, 135/3, and 135/4 of the Penal Code as section 3 (8) of the Anti-Money Laundering Act 1999.