



**PERMANENT MISSION OF THAILAND  
TO THE UNITED NATIONS**

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**Statement**

**by**

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**before the Sixth Committee**

**of the 69<sup>th</sup> Session of the United Nations General Assembly**

**Agenda Item 78: Report of the International Law Commission on  
the work of its sixty-sixth session (Part I)**

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Building Bridges for Partnership  
THAILAND 2017-2018  
Candidate for the UN Security Council

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Mr. Chair,

At the outset, my delegation wishes to congratulate the International Law Commission on the successful conclusion of its sixty-sixth session. The Thai delegation would like to express our appreciation to Mr. Kirill Gevorgian for his excellent chairmanship, as well as other members of the Bureau for their accomplishment during the current session. Thailand also takes this opportunity to commend and thank all members of the Commission for their contribution to the legal community.

Thailand wishes to share its view on the current work of the Commission, especially on Chapter IV (Expulsion of aliens), Chapter V (Protection of persons in the event of disasters), and Chapter XIV (Other decisions and conclusions) of the ILC report.

#### Chapter IV: Expulsion of aliens

Mr. Chair,

On the topic of “Expulsion of aliens”, the Thai delegation commends Mr. Maurice Kamto, Special Rapporteur, for his outstanding contribution to the preparation of the draft articles, and congratulates the Commission for the completion of the second reading of the draft articles.

Thailand shares the view that the draft articles well capture the principles of international law on sovereign rights of States, as well as the rights of an alien subject to expulsion and the rights of the expelling State in relation to the State of destination of the person expelled. Nevertheless, the articles do not entirely reflect universal practices, as state practices are still limited in some areas. The draft articles involve the progressive development of the rules of international law on this issue and those that relate extensively to the sovereign rights of States, which could be somewhat sensitive. In particular, not all the draft articles are consistent with Thailand’s and several other Asian States’ current State practice.

#### Chapter V: Protection of persons in the event of disasters

Mr. Chair,

With regard to Chapter V of the report, on the topic of “Protection of persons in the event of disasters”, my delegation commends the progress made by Mr. Eduardo Valencia-Ospina, the Special Rapporteur, as well as the Commission, and congratulates them on the conclusion of the first reading of the draft articles.

My delegation would like to register that the term “external assistance” defined in subparagraph (d) of the newly introduced draft Article 4 on “Used of terms” should be treated with great caution. In particular, it is Thailand’s position that the “other assisting actors” in the provisions shall not include any domestic actors who offer disaster relief assistance or disaster risk reduction.

Lastly, Thailand wishes to touch upon the draft Article 20 on “Relationship to special or other rules of international law” which clarifies the way that the draft articles should interact with certain rules of international law. The provision contains the reference to both “special rules” (*lex specialis*), which apply to the same subject matter of the draft articles, and “other rules”, which apply to the matter not directly concerned but would nonetheless apply in the situations covered by the draft articles. However, besides the provisions regarding the law of treaties and the rules on the responsibility of both States and international organizations exemplified in paragraph 5 of the commentary to the draft article, the “other rules” should also be illustrated.

#### Chapter XIV: Other decisions and conclusions of the Commission

Mr. Chair,

Thailand commends the efforts of the Commission to promote the rule of law through its work, by means of both codification and progressive development of international law. We attach great importance to the promotion of the Commission’s works among international lawyers, especially the younger generations who are the future of our legal society. Therefore, we would like to express our sincere congratulation on the 50<sup>th</sup> session of the International Legal Seminar in which our successive generations of international lawyers were able to follow the debates and advance their understanding of the Commission’s work.

For our part, Thailand successfully hosted a United Nations Regional Course in International Law for participants from Asia-Pacific in Bangkok in November 2012. We adhere to our firm commitment, as stated in our statement on the agenda item 77: “United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law”, to host the regional course for the Asia-Pacific region again in 2015. We understand that the programme is currently subject to sufficient funding on the part of the UN. Thailand is therefore of the view that, in order to further promote capacity building in the field of international law, the UN Programme of Assistance should be funded by a regular budget, instead of a voluntary contribution.

Finally Mr. Chair, the Thai delegation wishes to stress the importance of the linkage between the rule of law and the three pillars of the United Nations, namely peace and security, development, and human rights. In this connection, Thailand reaffirms its view that the rule of law should play indispensable role in the Post-2015 development agenda.

I thank you, Mr. Chair.