

C270508 : MAJOR LAW

KEY WORD: NATIONAL MACHINERY/ THE PROMOTION AND PROTECTION OF HUMAN

RIGHTS IN CRIMINAL JUSTICE PROCESS

RUTCHANEEKORN CHOTCHAISATHIT : NATIONAL MACHINERY FOR THE
PROMOTION AND PROTECTION OF HUMAN RIGHTS IN CRIMINAL JUSTICE PROCESS.

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Thailand has for long recognized human rights since Sukhothai period until now. Human rights in criminal matter has been treated as part of civil rights and specified in many legislations. Protection of the rights of those who entering the criminal justice administrative system is aimed at the rights of the alleged person, the accused, and the detainee. At present, providing of the said protection is made through the already existed bodies namely : the court; the legislative branch; the executive branch. Of course, protection through the existing machineries like this can cover only certain categories of the rights due to inherent restriction of the scope of competence and function of particular authorities who render the protection. Likewise, those rights beyond the said scope or not fall within the authority of any sector are inaccessible to remedy.

So far there is no national institution for direct promotion and protection of human rights exists in Thailand.. The Cabinet, therefore, passed its resolution on 10 September 1992 to set up a national institution exclusively responsible for the more effective promotion and protection of human rights similary to those already existed in various countries. The national institution that suitable for Thailand should be "The Human Rights commission" which is an independent body directly responsible to the Prime Minister. The majority of its members will be the official from various executive bodies and representatives of NGOs. The Commision will entrusted with power and function to promote and protect human rights in accordance with the laws as well as to investigate and inquire to complaint lodged, domestically or internationally, against the violation of human rights including to make a recommendation as how to remedy the situation. The national institution will not be duplicate to but supporting the already existed machineries for the more effective works.