



Security Council

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Letter dated 22 September 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 9 May 2003 (S/2003/534).

The Counter-Terrorism Committee has received the attached third report from Thailand, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(Signed) Inocencio F. Arias
Chairman

Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism



Annex

Letter dated 18 September 2003 from the Permanent Representative of Thailand to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

With reference to your note, dated 14 May 2003, informing me that the Counter-Terrorism Committee has agreed on further questions and comments for the consideration of the Government of Thailand with regard to the implementation of Security Council resolution 1373 (2001), I have the honour to enclose herewith the second supplementary report to the Counter-Terrorism Committee on Thailand's implementation of Security Council resolution 1373 (2001), submitted in response to the questions and comments raised in the aforementioned note (see enclosure).

(Signed) Chuchai **Kasemsarn**
Ambassador
Permanent Representative

Enclosure

Second supplementary report to the Counter-Terrorism Committee on Thailand's implementation of Security Council resolution 1373 (2001)

1.1 The CTC has agreed on further questions and comments for the consideration of the Government of Thailand with regard to the implementation of the Resolution, as set out in this section.

1.2 The CTC would be grateful if it could be provided with a progress report on the enactment of the Anti-Money Laundering Act B.E. 2542 (1999) and the amendments to the Penal Code as mentioned at page 1 of the supplementary report.

The amendments to both the Anti-Money Laundering Act B.E.2542 (1999) and Section 135 of the Penal Code have entered into force after their publication in the *Royal Gazette* on August 11, 2003. Both became laws by Emergency Decree, as stipulated in Section 218 of Thailand's Constitution. The details of the two laws are as stated below:

The Amendment to Section 135 of the Penal Code

Section 135/1

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 behavior 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.

The Amendment to Section 3 of the Anti-Money Laundering Act B.E. 2542 (1999)

Added a terrorist related offences as stipulated under Section 135/1, 135/2, 135/3, and 135/4 of the Penal Code as Section 3 (8) of the Anti-Money Laundering Act B.E. 2542 (1999).

1.3 The CTC would be content to know how the banking system is equipped to track and report suspicious transactions to the relevant authorities. Has there been any instance of any bank being penalized for not reporting a suspicious transaction?

Under the Anti-Money Laundering Act B.E. 2542 (1999), the Anti-Money Laundering Office (AMLO) is the official authority that oversees suspicious transactions. To date, the Information Center of AMLO developed a program that receives and records all bank transactions for archival and investigative purposes. Through this program all bank transactions are monitored for unusual and suspicious activity. Thus, with the newly amended Anti-Money Laundering Act B.E. 2542 (1999) in force, all financial institutions, government units under the Department of Lands, and traders engaging in the business

involving the operation of, or the consultancy in a transaction related to investment or mobilization of capital, are required by law to report any suspicious transactions to AMLO.

Furthermore, all financial institutions must report any cash transaction over 2,000,000 Baht (approximately US\$ 50,000) and any property transaction over 5,000,000 Baht (approximately US\$ 125,000), as well as any suspicious transaction, whether it is one of the aforementioned transactions or not, to AMLO for examination.

Moreover, AMLO has held routine meetings, seminars, and training programs for those involved (i.e. financial institutions) in tracking and reporting transactions to improve their ability to identify different kinds of suspicious transactions. Thus, AMLO is curbing the financing of terrorist activity by strengthening its anti-money laundering procedures. To date, there have been no instances of banks failing to report, and thus, no instances of bank penalization.

1.4 The CTC would welcome an update on the strengthening of the border control machinery of Thailand effectively to check cross border movements of terrorists.

Thailand is taking a concerted effort to effectively monitor border control through information-sharing with neighboring countries. The National Intelligence Agency is entrusted with coordinating intelligence and counter-intelligence matters and is the principal mechanism for information-sharing that is crucial for cross border movements of terrorists. Thailand is currently coordinating its information-sharing efforts with neighboring countries through the Agreement on Informational Exchange and Establishment of Communication Procedures among Cambodia, Indonesia, Malaysia, and the Philippines.

On a more technical level, Thailand has been working with the United States to implement the Personal Identification Secure Comparison and Evaluation System (PISCES) to track movement of persons along the border and within Thailand. Recently, the Prime Minister assigned a working group to conclude Memorandum of Intent (MOI) with the United States for PISCES. Furthermore, Thailand has been negotiating with Australia in regard to the Advanced Passenger Information System (API) that is designed to track passengers traveling to, from, and within Thailand. The Airport Authority of Thailand (AAT) and API officials have discussed the feasibility of implementing API in Thailand. The AAT is currently considering an implementation plan in developing the system.

1.5 The Effective implementation of sub-paragraph 1(b) of the Resolution requires a State to have in place provisions specifically criminalizing the willful provision of collection of funds by its nationals or in its territory, by any means directly or indirectly, with the intention that the funds should be used, or in the knowledge that they are to be used to carry out terrorist acts. For an act to constitute an offence as described above it is not necessary that the funds be actually used to carry out a terrorist offence. The acts sought to be criminalized are thus capable of being committed even if:

- **The only related terrorist act takes place or is intended to take place outside the country;**
- **No related terrorist act actually occurs or is attempted;**
- **No transfer of funds from one country to another takes place;**
- **The funds are of a legal origin.**

The proposed amendments to the Penal Code of Thailand, in particular Section 135/2 does not seem to adequately cover all the requirements mentioned above. Could Thailand please explain what steps it proposes taking to comply fully with the requirements of the sub-paragraph?

The amendment to the newly enacted Penal Code does in fact cover the aforementioned aspects of participation in a terrorist offence as defined by the International Convention for the Suppression of the Financing of Terrorism. First, although the amendment in Section 135/1 covers any person within Thailand or any Thai national abroad who intends to commit a terrorist offence within the Kingdom, Section 7 of the Penal Code has been amended to include terrorist offences as stated in Section 135 of the Penal Code. As amended, Section 7 gives the Thai Court authority to prosecute terrorist offences that occur outside the Kingdom by stating that such terrorist acts are offences relating to the security of the Kingdom. The amended Penal Code now reads:

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.

With regard to the Committee's concern about Section 135/2 that Thai law does not seem to adequately cover all the requirements mentioned in sub-paragraph 1(b) of the Resolution, it should be stressed that Section 135/2(2) of the Penal Code covers a terrorist act that does not in fact occur as well as is attempted by comprehensively stating that any person who "provides or compiles any assets, gives or receives training relating to terrorism, makes preparations or conspires to commit a terrorist act" shall be deemed to have committed the terrorist offence, whether or not any related terrorist offence occurs. Furthermore, Section 135/3 clearly states "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 of the Penal Code also gives power to the Thai Government to prosecute member of groups, as designated by a United Nations Security Council resolution or declaration as a group committing an act of terrorism, thereby making such a person an offender under the terrorist offence

stipulated in the Penal Code. Thus, persons will be prosecuted in the same manner, regardless of any occurrence of a terrorist act or the specification of a transfer of funds.

1.6 The CTC would welcome a progress report on Thailand becoming a party to the International Instruments relating to the prevention and suppression of International Terrorism to which it is not yet a party and an indication of the time frame within which it expects the process to be completed. Could Thailand please indicate the steps which it has initiated in order to incorporate the provisions of the relevant Conventions and Protocols into its domestic laws, with particular reference to the penalties which it intends to establish in relation to the offences provided for under the Conventions and Protocols.

As stated before, the Committee on Considering Thailand becoming a Party to International Conventions and Protocol Relating to Terrorism has been diligently working to amend its domestic laws in order to fully comply with laws as outlined in the international instruments. With the enactment of recent legislation, Thailand will be able to become party to the International Convention for the Suppression of Financing of Terrorism and the other International Conventions and Protocols much more easily. According to Section 224 of the Thai Constitution, any signing or ratification of a treaty that changes jurisdiction of the State requires approval through the implementation of legislation. Thus, the Emergency Decree that amended both the Penal Code and Anti-Money Laundering Act B.E. 2542 (1999) fulfills the obligation set out in Section 224. In addition, Thailand is expected to become party to the Convention on the Marking of Plastic Explosives for the Purpose of Detection within this year once the Ministerial Regulation under the Firearms, Ammunition, Explosive Articles and Fireworks and Imitation of Firearms Act of 1947 has been issued.

1.7 The effective implementation of sub-paragraph 2(d) of the Resolution requires States to prevent persons who finance, plan, facilitate, or commit terrorist acts from using their respective territories for those purposes against other States or their citizens. The proposed amendments to the Penal Code of Thailand do not seem fully to meet the requirements of the sub-paragraph. Could Thailand please indicate the steps which it proposes taking to comply in full with the requirements of the sub-paragraph?

Section 135/1 of the amended Penal Code states that the commission of a terrorist act is the conduct "intends to threaten or coerce the Royal Thai Government, or any government, or an international organization, to do or abstain from doing any act which causes serious damages, or intends to raise unrest so as to intimidate a population." Thus, by this section, the use of Thai territory for the commission of terrorist acts outside Thailand is prohibited. Section 7 of the Penal code also gives the Thai Court jurisdiction over cases that involve terrorist offences that have been committed outside of Thailand.

1.8 The CTC would appreciate receiving a report from Thailand on the progress which it has made towards ratifying and implementing the eight international conventions and protocols relating to terrorism to which it is not yet a party. Could Thailand provide an outline of the legal measures which it is taking to prescribe penalties for each of the offences provided for under the relevant Conventions and Protocols?

See response to 1.6 as to the progress which it has made towards ratifying and implementing the eight international conventions and protocols relating to terrorism. Under the four Conventions and Protocols relating to terrorism that Thailand already signed, the prescribed penalties for offences made against air navigation range from five years of imprisonment to a death sentence. Concerning the other eight Conventions and Protocols, Thailand is considering the next step of legal measures after the amendments to the Penal Code to provide due punishment for the those who commit terrorist offences.

1.9 The CTC is aware that Thailand may have covered some or all the points in the preceding paragraphs in reports or questionnaires submitted to other organizations involved in monitoring international standards. The CTC would be pleased to receive a copy of any such report or questionnaire as part of Thailand's response to these matters as well as details of any efforts to implement international best practices, codes and standards which are relevant to the implementation of Resolution 1373.

Please see attached documents.

Unofficial Translation

The Amendment to Section 135 of the Penal Code

Section 135/1

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 behavior 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.

THAILAND**A. ENHANCING SECURE TRADE IN THE APEC REGION**

Asia Pacific Economic Cooperation (APEC) economies will work together to secure the flow of goods and people through the following measures.

Contact Point: Name: Customs Department Title: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

A.1 Protect Cargo:

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (Indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Implementing by 2005 wherever possible the common standards for electronic customs reporting developed by the World Customs Organization that provide data to target high-risk shipments and facilitate trade.</p>	<ol style="list-style-type: none"> 1. Computerized customs clearance system adopted. 2. Risk management system in operation 3. Analysis of current data requirements conducted against WCO Customs Data Model – version 1. 4. World Customs Organization (WCO) Customs Data Model adopted 	<ul style="list-style-type: none"> • Automate Clearance System will be fully implemented at Bangkok seaport and private seaports, Bangkok airport, Laem Chabang, and Maptapat seaports. • E-Manifest measurement system will be built to connect with ship agents by EDI technology system which have transmitted the information before the ships leave from the port within 24 hours. • Risk Management Unit and Risk Management Committee are responsible for developing risk management policy using risk management techniques to develop computerized profiling system under EDI. • The Leverages inspection manpower is used in manual search of only high risk and suspected cargoes. • E-manifest has already been implemented while non-intrusive cargo inspection measures using x-ray technology will be installed by the end of 2003. Priority is given to the installation of 2 x-ray equipments at Laem Chabang Port for examination of high-risk Cargo which has the capability to identify terrorist threats. • The current Thai Customs data is analyzed and compared with WCO data Model-version 1 (about 25% matched) 	<ul style="list-style-type: none"> • Profiling system for risk management is planned to be fully implemented by 2003-2005 • E-Manifest, non-Intrusive Cargo Inspection Measurement and Cargo Inspection Technologies will be implemented by the end of 2003. 	<ul style="list-style-type: none"> • Training courses to improve operational skills about WCO Data Model for Customs officers should be developed.

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Implementing expeditiously a container security regime that assure in-transit integrity of containers; identify and examine high-risk containers, and working within international organizations to require the provision of advance electronic information on container content to customs, port, and shipping officials as early as possible in the supply chain, while taking into consideration the facilitation of legitimate trade.</p>	<ol style="list-style-type: none"> 1. Security criteria for identifying high-risk containers established 2. Containers pre-screened at the earliest possible point 3. Containers (or goods) secured at the earliest possible point and the integrity of the security is maintained 4. Technology used to pre-screen high-risk containers 5. Use of secure and "smart" containers 6. Legal basis for advance electronic information established 	<ul style="list-style-type: none"> • Foreign Minister of Thailand and US Secretary of the Department of Homeland Security signed the Declaration of Principals for the Container Security Initiative (CSI) on 11 June 2003 in Washington D.C. Thailand is in the process of purchasing x-ray container equipment to detect high-risk containers. • The Port Authority of Thailand has established a training center to protect hazardous incidents within 13 acres of the ports. • Thailand and US will jointly organize a demonstration of the Bangkok/Laem Chabang Efficient and Secure Trade (BEST) project during the APEC CEO Summit in October 2003. There will be a real-time tracking of secured container from Laem Chabang Port to Seattle Port using the e-seal technology that ensures supply-chain security. 	<ul style="list-style-type: none"> • Thailand will complete a construction of the new terminal at Laem Chabang Port to house the new x-ray equipments. 	<ul style="list-style-type: none"> • The Port Authority of Thailand is seeking cooperation with the private sector to expand the activity of its training center on port security.
<p>Promoting private-sector adoption of high standards of supply chain security, as developed by the private sector and law enforcement officials.</p>	<ol style="list-style-type: none"> 1. Cooperative arrangements with the private sector implemented and monitored 2. Supply chain security standards based upon the WCO task force work in place 3. Liaison channels Established between private sector and law enforcement officials. 	<ul style="list-style-type: none"> • The Customs Department has organized meetings and seminars to raise awareness on STAR and CSI participated by the Customs officials and the private sector. • The standards have not yet been approved by WCO. Once it is finalized, the Customs Department will study the possibility to introduce the standards for the implementation. • The Customs Department has assigned the Office of Secretary to be the Liaison channel between customs and the business community. 		

A.2 Protect Ships Engaged in International Voyages:

Contact Point: Name: Port Authority of Thailand/Department of Marine Safety and Environment Bureau Title: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Ship and port security plans (by July 2004)</p> <p>Automatic identification systems installed on certain ships (by December 2004)</p> <p>Enhancing cooperation on fighting piracy in the region between APEC fora and organizations such as the International Maritime Bureau Piracy Reporting Center and International Maritime Organization (IMO).</p>	<ol style="list-style-type: none"> 1. Ship and port security plans in operation. 2. Automatic identification systems installed on certain ships <p>Cooperative measures established between APEC fora and private and government organizations to fight piracy in the region.</p>	<ul style="list-style-type: none"> • Since November 2002, the Port Authority of Thailand has worked closely with the Ministry of Transport and other relevant agencies on ship and port security plans to protect, prevent, and restore after a fatal incident. These measures in progress included preparing personnel, equipment, national intelligence; ensuring compliance with international standards by thoroughly checking passengers, officers, and vehicles traveling in and out of the country; and increasing surveillance for 24 hours within the port parameters. • Thailand will introduce laws and/or amend the existing laws for implementation of ship and port security plan in compliance with the ISPS Codes • Thailand has already begun installation of AIS on certain new ships and will enforce laws that requires all ships that engaged in international voyages to install AIS. • Thailand also continues to promote strengthening of domestic coordination and international cooperation to suppress piracy and armed robbery in accordance with the regulations set by IMO. • Exchange intelligence and information on piracy attack to a vessel between national contact agencies, among APEC economies, IMO and IMB-Piracy Reporting Center. 	<ul style="list-style-type: none"> • On-going process to implement the ship and port security plans and as well as installment of AIS on certain ships. 	<ul style="list-style-type: none"> • Thailand welcomes technical and financial assistance to help with installing AIS on certain ships and also to develop the needed facilities at the ports. • Need technical cooperation or experts assistance from IMO or APEC economies, especially, the US who has written the ISPS Codes.
			<ul style="list-style-type: none"> • Thailand is working on implementation of the Safety of Life at Sea Agreement (SOLAS Convention) on International Ship and Port Facility Security Code: ISPS Code by July 2004. 	

A.3 Protect International Aviation:

Contact Points: Name: Airports of Thailand Public Company Limited/Department of Aviation/Thai Airways
 1. Airport of Thailand Public Company Limited Tel. No.: 662-535-1610 Fax No.: 662-535-4117 Email Add.:
 2. Flt. Lt Nakorn Raksapolmuang, Director of Control Production Planning & Control Dept., Tel No. 662-563-9426 Fax No. 662-504-3399
 Email Add. nakorn.r@thairways.com

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Improving airline passenger and crew safety by introducing highly effective baggage screening procedures and equipment in all APEC international airports as soon as possible, and in any case by 2005; accelerating implementation of standards for reinforced flight deck doors for passenger aircraft by April 2003 wherever possible; and supporting International Civil Aviation Organization (ICAO) mandatory aviation security audits.</p>	<ol style="list-style-type: none"> 1. Installation of highly effective baggage screening procedures and equipment in all APEC international airports. 2. Implementation of standards for reinforced flight deck doors for passenger aircraft 3. Support for International Civil Aviation Organization (ICAO) mandatory aviation security audits 	<ul style="list-style-type: none"> • All international and some major domestic airports have already installed effective baggage screening equipment. • Thailand is currently in the process of revising its security program, measures, and procedures to provide tighter civil aviation security systems in airports and the screening of passengers' luggage by the end of the year 2002. • Thailand has installed the reinforced flight deck doors, particularly on passenger aircrafts, in accordance with the regulations set by the FAA on all flights flown to the US after the September 11, 2001 • Thai Airways has drawn a 2003 workplan on Thailand's Flight Deck Door Modification Program depending on its model type and all modifications will be completed before the end of 2003. • Thailand and Canada plans to jointly organized a seminar on ICAO Universal Security Audit Program (USAP) by the end of year 2003. • Thailand is in the process of formulating the national regulations on air cargo security. 	<ul style="list-style-type: none"> • All international airports will have effective baggage screening equipment by 2005. • To the extent practicable, Thailand plans to install new x-ray machines using the latest Computerized Tomography X-Ray (CTX) technology in some major international airports. This measure will enable authorities to expeditiously and accurately detect explosive materials hidden inside the baggages. • Thailand wants to develop the Civil Aviation Training Institute in Bangkok into an ICAO Training Center and eventually expand to become a regional center. 	<ul style="list-style-type: none"> • Thailand still needs additional training and technical assistance in completing the ICAO mandatory aviation security audits and to develop into a center to train the trainers and also a center of excellence. • Thailand would be interested in setting up joint simulation-type activities on crisis management during emergency situations.
<p>Enhancing air cargo security by promoting adoption of the guidelines developed by ICAO.</p>	<p>Adoption of the guidelines developed by ICAO.</p>	<ul style="list-style-type: none"> • Thailand is in the process of formulating the national regulations on air cargo security. 	<ul style="list-style-type: none"> • Implementation of a regime to regulate agents on air cargo security. 	

A.4 Protect People in Transit:

Contact Point: Name: Immigration Bureau/ Airports of Thailand Public Company Limited/Thai Airways/Tourist Police Division

Title: _____

Telephone Number: _____ Fax Number: _____ Email Address: _____

Cooperation to develop electronic movement records systems that will enhance border security while ensuring movement of legitimate travelers is not disrupted.

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED	CAPACITY BUILDING NEEDS
<p>Implementing as expeditiously as possible a common global standard based on UN EDIFACT or XML for the collection and transmission of Advance Passenger Information.</p> <p>(continue on API/APP implementation)</p>	<ol style="list-style-type: none"> 1. Identify which governmental department should serve as the point of contact, such as the customs administration or the immigration authority. 2. Participation in the APEC pathfinder initiative on Advanced Passenger Information Systems. 3. Adoption of APEC standards for the collection and transmission of API. 	<ul style="list-style-type: none"> • The Immigration Bureau will serve as the contact point for the implementation of the Advance Passenger Information/Advance Passenger Processing system. It is in the process of finalizing the system design for an implementation in the near future. • The Immigration Bureau and the Airport of Thailand PLC completed the joint feasibility study on API/APP system with Australian DIMIA. • The Thai government has already approved the projects to develop information systems of the Immigration Bureau worth of 249 million Baht and 175 million Baht for nationwide deployment and for the new Bangkok International Airport. These systems shall be readily interoperable with API/APP. 	<ul style="list-style-type: none"> • Thailand will proceed on with implementing the API/APP system. • Thailand – US bilateral cooperation on installing the Personal Identification Secure Comparison and Evaluation System (PISCES) system. Both Parties are still in the process of negotiating the Memorandum of Intent. This system will complement the API/APP system to be developed. 	<ul style="list-style-type: none"> • API/APP system should be implemented on a reciprocal basis in order to effectively control the terrorism. Therefore, capacity-building to ensure that all economies equally benefit from the usage of the API/APP system should be vigorously pursued.

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED	CAPACITY BUILDING NEEDS
<p>Adopting standards for application of biometrics in entry and (where applicable) exit procedures and travel documents such as those being developed by the ICAO and the International Standards Organization.</p>	<ol style="list-style-type: none"> 1. Adoption of APEC standards for biometrics in entry and (where applicable) exit procedures and travel documents such as those being developed by the ICAO and the International Standards Organization. 2. Action Plan established 3. Action Plan implemented 	<ul style="list-style-type: none"> • The Immigration Bureau and Thai Airways have embarked upon a pilot implementation of an outbound API/APPP system for Bangkok International Airport. • The Immigration Bureau and Thai Airways have entered into the preliminary phases of study aiming at adopting standards for biometrics into the entry and exit procedures. • The Thai Airways already formed an internal task force to develop usage of biometrics. 	<ul style="list-style-type: none"> • Link the biometrics system with other economies, such as Australia and USA and eventually expand to include all airlines within the region. • Include biometrics information into the next phase of API/APPP system implementation as part of passengers' bio-data. 	<ul style="list-style-type: none"> • Technological transfer and other cost-effective ways to ensure effective usage of biometrics. • Development of a passenger biometrics technology and database.
<p>Assuring the highest possible integrity of all government officials who are involved in border operations.</p>	<ol style="list-style-type: none"> 1. Code of Conduct established 2. Integrity and Professional Services Action Plan established 3. Integrity and Professional Services Action Plan implemented and monitored. 	<ul style="list-style-type: none"> • The Ministry of Foreign Affairs and other relevant authorities conducted training for personnel to ensure that the procedure of issuing visas for entry and exit meets international standards and has taken steps to improve passport security. • The Immigration Bureau has continuously trained and monitored front-line officers working at immigration checkpoints nationwide including all international airports and seaports to ensure that the highest level of service integrity is maintained. 		<ul style="list-style-type: none"> • The periodical exchange of knowledge, know-how and experience among Immigration officers of different economies in terms of seminars, conferences or workshops.

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED	CAPACITY BUILDING NEEDS
<p>To ensure the safety and security of tourists by developing a standardized strategic safety and security master plan; a crisis management model and promoting the development by industry of simple-to-use safety and security measures for tourism businesses.</p>	<ol style="list-style-type: none"> 1. Develop a standardized strategic safety and security master plan. 2. Develop a crisis management model 3. Promote the development by industry of simple-to-use safety and security measures for tourism businesses 	<ul style="list-style-type: none"> • The National Security Council has developed and exercised the search and rescue including Aircraft Sabotage and hijacking. • Thai Airways has conducted hypothetical study on passengers/transit evacuation plan. • The Royal Thai Police Headquarter has assigned both undercover and uniformed tourist police to highly-populated tourist areas. Moreover, Thailand has established the Tourist Assistance Center in Bangkok in which tourists will be able to make emergency inquires and request for assistance. 	<ul style="list-style-type: none"> • The crisis plan and exercise during hijacking and emergency situations should be discussed and shared with other economies. • Actively introduce the tourist hotline number 1155 for tourists to call for information and to report emergency nationwide. The hotline is manned by tourist police. • The Royal Thai Police to develop an on-going plan to promote safety for tourists by requiring more police to stand by and take care of tourists. This will ensure that well-trained police on duty will be able to support the travel industry. 	<ul style="list-style-type: none"> • Ensure that relevant training can be transferred to all parties concerned.

B. HALTING TERRORIST FINANCING:

We will jointly work to deny terrorists access to the world's financial system and use the money trail to locate and apprehend terrorists, in line with the comprehensive approach adopted by our Finance Ministers in September, including through measures to:

B. 1 Implement UN and Other International Instruments:

Contact Point: Name: _____ Title: _____

Telephone Number: _____ Fax Number: _____ Email Address: _____

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Endeavoring to ratify the International Convention for the Suppression of the Financing of Terrorism no later than October 2003.</p>	<p>Ratification of the International Convention for the Suppression of the Financing of Terrorism.</p>	<ul style="list-style-type: none"> • On December 2002, the Foreign Minister of Thailand has signed the International Convention for the Suppression of the Financing of Terrorism. • The Royal Thai Government issued the two Executive Decrees on 11 August 2003 for amendments to the criminal code and anti-money laundering law. • The first amendment to the Criminal Code defines the scope of terrorism and prescribes the terrorist act as any violent act that causes damage to life, personal freedom, public infrastructure or state or private properties, as well as causing serious harm to the economy. • Significantly, the changes allow Thai authorities to arrest foreign suspects instead of deporting them. • The second amendment to the Money-laundering laws have been modified to permit the authorities to freeze transfer or conversion of funds or property-involved with the person or entities suspected of committing or facilitating the commission of terrorist acts. 		

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (Indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Implementing quickly and decisively all measures needed to prevent terrorists and their supporters from accessing the international financial system, as called for in U.N. Security Council Resolutions 1373 and 1390. These measures include:</p> <ul style="list-style-type: none"> • effective blocking of terrorist assets; • criminalization of the financing of terrorism; • increased efforts to investigate and prosecute money launderers and terrorist financiers; • preventive steps to protect the integrity of the financial system by regulating and supervising the financial sector consistent with international standards; • joint identification and designation of targets of regional interest. 	<p>Implementation of all measures needed to prevent terrorists and their supporters from accessing the international financial system, as called for in U.N. Security Council Resolutions 1373 and 1390. Specifically:</p> <ol style="list-style-type: none"> 1. terrorist assets blocked 2. the financing of terrorism made a criminal offence 3. efforts to investigate and prosecute money launderers and terrorist financiers increased 4. regulation and supervision of the financial sector consistent with international standards 5. joint identification and designation of targets of regional interest. 	<ul style="list-style-type: none"> • The two draft amendments on the Penal Code and the Anti-Money Laundering Act were initiated to empower the relevant authorities particularly the Anti-Money Laundering Office in taking effective counter-measures against money laundering and other illegitimate financing. <p>The Bank of Thailand has taken measures as follows.</p> <ol style="list-style-type: none"> 1. Issued the circulated letter to request the Thai Bankers' Association, to send the list of the blacklisted names and terrorist groups issued by the UN to all commercial banks and financial institutions to promptly report their suspicious transactions that may be linked, or related to, used for terrorism, terrorist acts or terrorist organizations. 2. Issued the notification letter to financial institutions regarding the practices in accepting deposits in opening accounts, and prohibits the use of an assumed name or alias to comply with "Know Your Customer" Policy by having their customers identify themselves. 3. In accordance with the existing Thailand's exchange control law. <ol style="list-style-type: none"> 3.1 Transfer of fund into or out of Thailand has to be reported to the Bank of Thailand. 3.2 Foreign exchange must be supported by relevant documents of the underlying transactions. 		<ul style="list-style-type: none"> • Training courses to be in compliance with UN resolutions on the suppression of the Financing of Terrorism.

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (Indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Supporting the FATF's [Financial Action Task Force] Eight Special Recommendations on terrorist financing and pledging to comply as quickly as possible with the recommendations; calling on the IMF [International Monetary Fund] and World Bank, in coordination with FATF, to begin conducting integrated and comprehensive assessments of countries' efforts to implement these recommendations and identifying jurisdictions which need technical assistance.</p>	<p>1. Compliance with the FATF's Eight Special Recommendations on terrorist financing</p> <p>2. Integrated and comprehensive assessments of countries' efforts to implement these recommendations and identification of jurisdictions that need technical assistance by the IMF and World Bank, in coordination with the FATF.</p>	<ul style="list-style-type: none"> Thailand has already completed the self-assessment against the FATF's eight special recommendations on the suppression of terrorist financing and will comply with the recommendations. 		

B. 2 Promote Better Monitoring of Alternative Remittance Systems and Non-Profit Organizations:

Contact Point: Name: Bank of Thailand Title: _____

Telephone Number: _____ Fax Number: _____ Email Address: _____

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Supporting the work of APEC finance officials and regional bodies on alternative remittance systems, including an analysis of the economic and structural factors that encourage their use.</p> <p>Protecting non-profit organizations and well-meaning donors from having their funds misused by terrorist financiers, and endorsing and taking steps to implement at members highest level FATF's recently announced best practices for preventing abuse of charitable institutions by terrorists. Encouraging taking similar endorsement and implementation steps with regard to regulation of alternative remittance systems, according to FATF standards embodied in FATF's Eight Special Recommendations, and the more detailed standards now being developed by FATF and FATF-like regional organizations.</p>	<ul style="list-style-type: none"> • Better understanding of the economic and structural factors that encourage the use of alternative remittance systems. <ol style="list-style-type: none"> 1. Protection of non-profit organizations and well-meaning donors from having their funds misused by terrorist financiers 2. Implementation of the FATF's recently announced best practices for preventing abuse of charitable institutions by terrorists. 3. Implementation of steps to regulate alternative remittance systems, according to FATF standards. 	<ul style="list-style-type: none"> • Purchase of foreign currencies inconsistent with exchange control law is illegal. • Upon purchasing foreign currencies, non-profit organizations must submit supporting documents of the underlying transactions. 		

B. 3 Enhance Law Enforcement and Regulatory Capabilities:

Contact Point: Name: _____ Title: _____

Telephone Number: _____ Fax Number: _____ Email Address: _____

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Establishing or identifying by October 2003 a financial intelligence unit (FIU) in each member economy, and taking steps to enhance information sharing with other FIUs.</p>	<ol style="list-style-type: none"> 1. The establishment or identification by October 2003 of a financial intelligence unit in each member economy 2. Enhanced information sharing with other FIUs 	<ul style="list-style-type: none"> • The Anti-Money Laundering Office (AMLO) is now acting as the Thai national financial intelligence unit (FIU) and has become a member of the EGMONT Group of Financial Intelligence Unit since 2001. • AMLO is ready to sign an MOU with all 69 members of the EGMONT to help facilitate the exchange of information on terrorist financing and tracking of blacklisted groups. 		
<p>Supporting private sector initiatives such as the Wolfsberg Statement on the Suppression of the Financing of Terrorism and endorsing cooperation between financial institutions and governments.</p>	<ol style="list-style-type: none"> 1. Support for private sector initiatives such as the Wolfsberg Statement on the Suppression of the Financing of Terrorism 2. The endorsement of cooperation between financial institutions and governments. 			

C. PROMOTING CYBER SECURITY

Contact Point: Name: _____ Title: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Endeavor to enact a comprehensive set of laws relating to cybersecurity and cybercrime that are consistent with the provisions of international legal instruments, including United Nations General Assembly Resolution 55/63 (2000) and Convention on Cybercrime (2001), by October 2003.</p>	<ul style="list-style-type: none"> A comprehensive set of substantive, procedural, and mutual assistance laws to fight cybercrime. 	<ul style="list-style-type: none"> Thailand has already in place the Computer Crime Bill, relating to cybersecurity and cybercrime, yet it is still not as comprehensive of all the provisions agreed in the UN and Convention on Cybercrime. Thailand and US co-hosted the Cybercrime Conference of Experts and Training Seminar that was held in Bangkok from 21-25 July 2003. The aim of the workshop was to develop legal frameworks to combat computer crime; to promote law enforcement investigative units; and to enhance understanding and cooperation between industry and law enforcement. 	<ul style="list-style-type: none"> Expand the set of laws that incorporate all the provisions of international legal instruments agreed by other international organizations. 	
<p>Identify national cybercrime units and international high-technology assistance points of contact and create such capabilities to the extent they do not already exist, by October 2003.</p>	<ol style="list-style-type: none"> Identify international high-technology points of contact. Join in the international 24/7 cybercrime information exchange arrangement. 	<ul style="list-style-type: none"> National Electronics and Computer Technology Center (NECTEC) and the Royal Thai Police will serve as the points of contact. 	<ul style="list-style-type: none"> The Thai government will establish the National Information Security Center to take action in cybersecurity violations and to serve as the point of contact for other agencies. 	
<p>Establish institutions that exchange threat and vulnerability assessment (such as Computer Emergency Response Teams) by October 2003.</p>	<ol style="list-style-type: none"> Institutions and assessment capability established Information exchange arrangements established. 	<ul style="list-style-type: none"> In April 2001, NECTEC established ThaiCERT as an electronic discussion forum among experts, governmental agencies, and the private sector on cybersecurity. 	<ul style="list-style-type: none"> Thailand will expand the ThaiCERT into a national level body and intends to expand operating hours for surveillance to 24 hours. 	

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
Develop closer cooperation between law enforcement officials and businesses in the field of information security and fighting computer crime.	Closer cooperation established between law enforcement officials and businesses in the field of information security and fighting computer crime.	<ul style="list-style-type: none"> ThaiCert, a 5-year plan, provides online services of the computer emergency response team with up-to-date bulletin/ announcements on outbreaks of virus, new security threats, cybersecurity laboratory, and training courses. ThaiCERT is now a well recognized body in Thailand. The Ministry of Information, Communications, and Technology was established in 2002 after the Bureaucratic Reform and now is in charge of coordinating and overseeing all ICT developments and also links information on IT security among NECTEC and other relevant agencies. 	<ul style="list-style-type: none"> Set up IT Laws Training for legal personnel and Cyber Security Training Program for security personnel by multi agencies. Develop guidelines and measures for response to cyber security threats. 	

D. ENERGY SECURITY

Contact Point: Name: Mr. Sittichod Wantawin Title: Director, Petroleum Division

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Strengthening of energy security in the region through the mechanism of the APEC Energy Security Initiative, which examines measures to respond to temporary supply disruptions and longer-term challenges facing the region's energy supply.

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
<p>Implement the recommendations of the Energy Security Initiative, in the areas of: the Joint Oil Data Exercise; sea lane security; real time emergency information sharing; oil supply emergency response plans; and non-petroleum and longer term concerns.</p>	<ol style="list-style-type: none"> 1. Participation in and timely submission of data to the Monthly Oil Data initiative 2. Consider proposals for a real-time emergency information sharing system 3. Emphasize the importance of maintaining energy flows in any sea lane-related counter terrorism activities and communicate this to other relevant APEC fora. 	<ol style="list-style-type: none"> 1. Thailand regularly submits the monthly demand and supply oil data together with the quarterly data to the APEC Expert Group on Energy Data & Analysis (EGEDA) who will be responsible for compiling the data and making analysis and report to the APEC Energy Working Group(EWG). 2. The EWG now starts an interim practice of real-time emergency sharing system using the existing EWG Contacts List for informal sharing of information regarding the oil and petroleum situation in APEC Member Economies. EWG Members has already discussed such a system at its meeting in June 2003 3. Thailand is aware of the importance of the sea lane disruption and emphasizes this concern to other related agencies. 		

OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
	<p>4. Encourage member economies to have energy emergency preparedness plans in place, and facilitate sharing of experiences and best practices.</p>	<p>4. Thailand has developed its own contingency plan for an emergency situation and this plan is subject to revision, in line with changing circumstances. Thailand is ready to share this with other economies.</p>		
	<p>5. Consider the feasibility of joint stockpiles by net oil importing member economies.</p>	<p>5. Thailand is considering to establish the national strategic oil stockpiles and will discuss this issue with other member economies in relevant forums.</p>		
	<p>6. Consider energy security from a long term perspective.</p>	<p>6. Thailand has also developed other long-term measures to strengthen energy security, including promotion of energy conservation, energy efficiency, new and renewable energy utilization and technology development, as well as international energy cooperation.</p>		

E. PROTECTING THE HEALTH OF COMMUNITIES

Contact Point: Name: Dr. Ampon Kittiampon Title: Director

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OBJECTIVE	EXPECTED OUTPUTS	MEASURES UNDERTAKEN OR TO BE COMPLETED IN 2003	FURTHER MEASURES PLANNED (indicate timeframe)	CAPACITY BUILDING NEEDS TO MEET AGREED TARGETS
To strengthen cooperation in counter-terrorism related to food safety through the formation of an association of disease surveillance networks.	Nomination of a Point of Contact to share information on disease surveillance.	<ul style="list-style-type: none"> Ministry of Public Health will serve as the point of contact on disease surveillance. 	<ul style="list-style-type: none"> Continuously promote public awareness on the quality of Thai food products and other agricultural goods that food production is controlled by the "From Farm to Table" System, "GAP System," or the "HACCP System." This includes pre-checking the food quality on SPS before issuing the export manifest. 	<ul style="list-style-type: none"> Thailand welcomes financial assistance, needed technology and the latest equipment from APEC members to succeed effectively in a timely fashion.
To ensure the secure trade of perishable food products through the use of electronic sanitary certification between government agencies	Participation in the APEC electronic SPS pathfinder initiative.	<ul style="list-style-type: none"> Thailand is not ready to begin with the APEC electronic SPS pathfinder initiative. 	<ul style="list-style-type: none"> Development of the e-SPS Certification and also the retrieval system of the e-SPS certificate for APEC economies that are major exporters of food and agricultural products could possibly take as long as the year 2010 due to the relatively high investment costs on hardware and software. 	<ul style="list-style-type: none"> Thailand still needs financial resources to invest in the hardware and software for e-SPS initiative and personal to operate the system.

POSSIBLE ASSISTANCE AND EXPERTISE TO OFFER

Contact Point: Name: _____ **Title:** _____

Telephone Number: _____ **Fax Number:** _____ **Email Address:** _____

Economies with particular expertise and resources to offer could indicate this here and/or refer members to relevant websites.