

Summary of the meeting
The Committee on Considering the Draft Constitution of the Kingdom of Thailand
Amendment (No. ..) Buddhist Era
2nd meeting
Thursday 1st March 2012
At the Budget meeting room, 3rd floor, Parliament Building 3

The Committee commented on consideration of the Draft Constitution of the Kingdom of Thailand. Amendment (No. ..) Buddhist Era in various issues, summarized as follow.

Issue 1: Direction of the Committee's Consideration.

The Committee expressed opinions about direction of its consideration which divided into 2 ways, as follow.

The 1st Way: Each member of the Committee may be allowed to comment on issues related to the Draft Constitution of the Kingdom of Thailand Amendment (No...) BE.... so that the meeting could take each member's opinion along with discussions of the Members of Parliament's issues in the first reading, "accepting the principle" of the Parliament consideration, and compile all comments in each issue as supporting information for the Committee's consideration. In this purpose, the Committee may consider each article of the draft Constitution, in order that the consideration of the draft Constitution can run quickly

The 2nd Way: The Committee may divide the consideration into 3 sequential steps as follow. 1) The committee may consider issues noted from various sectors towards the content of the draft Constitution drafted by the Constitution Drafting Assembly (CDA). Such as **Chapter I: the King, Chapter X: The Courts, and Chapter XI: Constitutional Organs**. In this matter, the Committee may invite knowledgeable people to join the council and recommend the intention/ process of drafting the Constitution. Due to crystallize the Committee's concept to be mutual agreement, the Committee will compile all information to the consideration of the council. 2) The origin of the CDA: How many members, how to acquire its members, and prohibited characteristics. 3) Considering each article after the 3 drafts of amendment, which their principles were accepted in the 1st agenda of the Parliament meeting.

Issue 2: Scope of Content in the Consideration.

The Committee commented on the scope of content in the consideration of the draft Constitution amendment, concluded into 2 ways as follow.

The 1st Way: The Committee should consider the contents of the draft Constitution amendment which submitting to amend specifically on article 291, "to establish the CDA" only. Not to deliberate in detail or in components of the "draft Constitution" proposed by the CDA otherwise, it may surpass the Committee's authorities which were assigned by the Parliament.

The 2nd Way: The Committee should make a framework of the CDA in amending article 291 of the Constitution of the Kingdom of Thailand Buddhist Era 2550. Forbidding any change (retain) of **Chapter I: General Provisions/ Chapter 2: The King/ Chapter X: The Courts/ and Chapter XI: Constitutional Organs**, as to make clear to various sectors that the new draft Constitution of the CDA would not dismiss or interfere the work of the courts and constitutional organs. Moreover, the new draft Constitution would not be beneficial for any person or particular group, which counts a good image to the CDA in the future. Hence, when the Parliament assigns the CDA to draft the Constitution, the Parliament and the Committee should be able to determine the scope of content in the consideration of drafting the Constitution to the CDA in the above issue, and not to count as surpassing the CDA's authority.

The Council has agreed on the following issues.

The 1st issue: Appointment of the Committee's advisers. The meeting agreed to appoint advisers of the Committee from representatives of the people who proposed the 3 civic drafts constitution amendment. The Committee will request the civic group who proposed the 3 drafts constitutional amendment to send their representatives who will be appointed as advisers to the Committee, 1 person per 1 draft. The case that the Committee proposed to invite the President of the CDA Buddhist Era 2540 and 2550 as advisers of the Committee, the council agreed that when the Committee has doubts about the constitutional drafting issues or other issues, the Committee would invited the 2 of them to attend the meeting, to give useful suggestions occasionally.

The 2nd issue: Participation. The meeting agreed about broadcasting the Committee's meeting and press release to the public to inform the progress of the Committee's work on considering the draft Constitution of the Kingdom of Thailand Amendment (No. ...) BE

The Commission will allow the media to attend the meeting in the auditorium to report news and allow public sectors and civic who are interested to send their representatives to attend the meeting. Anyway, the Committee will allow only people who are in the list which was informed to attend the meeting in advance.

In addition, the council agreed that the Committee's minute must be clear, with the contents of subject matters of the Committee's consideration in each article. Including issues related to the amendments, must have detail of all issues which were commented, in order to be database for the search of each article's intention in the future

Mr. Rattapoom Kamsri
Legal Officer Professional
Summarized

Mr. Anothai Rodmui
Assistant Secretary of the Committee
Reviewed



(Mr. Samart Kumpiranon)

Director of the Bureau of Committee 2