

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

351 EAST 52ND STREET · NEW YORK, NY 10022

TEL (212) 754-2230 • FAX (212) 688-3029

Statement

Mr. Chairman,

My delegation wishes to congratulate the International Law Commission on the success of the sixty-fourth session. Thailand highly appreciates the contribution made by the International Law Commission to the codification and progressive development of international law.

Today, the Thai delegation wishes to make statements on Chapter IV (Expulsion of aliens) and Chapter V (Protection of persons in the event of disasters).

Regarding *draft Article 6*, my delegation sincerely appreciates the untiring effort of Mr. Maurice Kamto, Special Rapporteur. In this respect my delegation wishes to share the following comments:

First, my delegation expresses the gratitude to the members of the ILC who have tried to take into account various views of Member States, especially exclusion of aliens whose status is regulated by special norms; and expulsion in relation with other specific regimes namely immigration procedure and extradition. In this regard, Thailand wishes to put on record that Thailand is not party to any of the conventions or protocols on refugees. Therefore, we would like to reserve our position on the draft Article 6 entitled *Expulsion of aliens*. Moreover, as a country which is a host for more than 1,000 displaced persons and 3 million legal and illegal migrants, we continue to face practical challenges. Notwithstanding this, Thailand has been working closely with the UN and many other humanitarian organizations in providing basic human rights protections to those people based on humanitarian considerations.

Secondly, looking at the outcome document presented to us in the form of a set of draft articles, some part of these draft articles are the codification of international law while others reflect the effort of the Commission to go beyond the existing norms and embark on progressive development. Looking from this perspective, my delegation believes that the draft Articles should take into account a better balance between rights of aliens in a third State and the sovereign rights of that State. My delegation, therefore, reiterates our preference to adopt the draft articles as only guidelines in this matter.

Mr. Chairman,

On *draft Article 6*, my delegation wishes to express its appreciation to the members of the Commission, especially Special Rapporteur Valencia-Ospina, for their valuable efforts in deepening understanding on the basic role of *draft Article 6* in providing relief and in clarifying the obligations of assisting States. This work is timely and is of practical importance to the international community, at a time when natural disasters continue to affect States around the world.

Mr. Chairman,

In recent years, Thailand has been both an affected and an assisting State. Throughout this experience, we have been conscious of our duty to take good care of persons within our jurisdiction.

