

# **THE KINGDOM OF THAILAND**

## **Public Administration Country Profile**

Division for Public Administration and Development Management (DPADM)

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# THAILAND

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## Government type

Constitutional monarchy

## Independence

1238 (traditional founding date)

## Constitution

New constitution signed by King PHUMIPHON on 11 October 1997 ([in brief](#))

## Legal system

Based on civil law system, with influences of common law; has not accepted compulsory International Court of Justice jurisdiction

## Administrative divisions

76 provinces

Source: [The World Factbook - Thailand](#)

On 6 January 2001, the first general election under the 1997 Constitution was held. The Thai Rak Thai Party, established in 1999 received a landslide victory, winning a total of 248 seats (out of 500). On 9 February 2001, Dr. Thaksin was appointed by His Majesty the King as Thailand's 23rd Prime Minister. He leads a coalition government comprised of his Thai Rak Thai Party, the Chart Thai Party and the New Aspiration Party.

Source: [Royal Thai Embassy \(USA\)](#) (edited)

# 1. General Information

1.1 People	Thailand	Philippines	Viet Nam	1
<b>Population</b>				a
Total estimated population (,000), 2003	62,833	79,999	81,377	
Female estimated population (,000), 2003	31,985	39,719	40,827	
Male estimated population (,000), 2003	30,848	40,280	40,550	
Sex ratio (males per 100 females), 2003	96	101	99	
Average annual rate of change of pop. (%), 2000-2005	1.01	1.79	1.35	
<b>Youth and Elderly Population</b>				b
Total population under age 15 (%), 2003	25	36	31	
Female population aged 60+ (%), 2003	10	6	8	
Male population aged 60+ (%), 2003	8	5	7	
<b>Human Settlements</b>				c
Urban population (%), 2001	20	59	25	
Rural population (%), 2001	80	41	75	
Urban average annual rate of change in pop. (%), '00-'05	2.12	3.19	3.06	
Rural average annual rate of change in pop/ (%), '00-'05	0.9	-0.19	0.71	
<b>Education</b>				d
Total school life expectancy, 2000/2001	..	11	10.4	1
Female school life expectancy, 2000/2001	..	..	..	1
Male school life expectancy, 2000/2001	..	..	..	1
Female estimated adult (15+) illiteracy rate (%), 2000	6.1	5.2 <sup>i</sup>	9.3 <sup>ii</sup>	2
Male estimated adult (15+) illiteracy rate (%), 2000	2.9	4.9 <sup>i</sup>	5.5 <sup>ii</sup>	2
<b>Employment</b>				e
Unemployment rate (15+) (%), 2000	2.4 <sup>iii</sup>	9.8 <sup>iv</sup>	..	1
Female adult (+15) economic activity rate (%), xxxx	65	53 <sup>iv</sup>	74 <sup>v</sup>	2
Male adult (+15) economic activity rate (%), xxxx	81	82 <sup>iv</sup>	82 <sup>v</sup>	2

Notes: <sup>i</sup> 1990; <sup>ii</sup> 1999; <sup>iii</sup> Third round (Aug.) of each year, Persons aged 13 years and over; <sup>iv</sup> 2001, Month of October; <sup>v</sup> 1989

1.2 Economy	Thailand	Philippines	Viet Nam	2
<b>GDP</b>				a
GDP total (millions US\$), 2002	126,407	77,076	35,110	
GDP per capita (US\$), 2002	2,052	964	436	
PPP GDP total (millions int. US\$), 2002	418,222	321,495	180,344	
PPP GDP per capita(int. US\$), 2002	6,788	4,022	2,240	
<b>Sectors</b>				b
Value added in agriculture (% of GDP), 2003	8.8	14.5	23.0 <sup>i</sup>	
Value added in industry (% of GDP), 2003	41.4	32.3	38.5 <sup>i</sup>	
Value added in services (% of GDP), 2003	49.8	53.2	38.5 <sup>i</sup>	
<b>Miscellaneous</b>				c
GDP implicit price deflator (annual % growth), 2003	2.1	3.7	5.4	
Private consumption (% of GDP), 2003	61.6	72.3	66.0	
Government consumption (% of GDP), 2003	8.9	11.4	6.9	

Notes: <sup>i</sup> 2002

<sup>1</sup> [United Nations Statistics Division](#):

<sup>a</sup> [Statistics Division and Population Division of the UN Secretariat](#); <sup>b</sup> [Statistics Division and Population Division of the UN Secretariat](#); <sup>c</sup> [Population Division of the UN Secretariat](#); <sup>d1</sup> [UNESCO](#); <sup>d2</sup> [UNESCO](#); <sup>e1</sup> [ILO](#); <sup>e2</sup> [ILO/OECD](#)

<sup>2</sup> [World Bank - Data and Statistics](#):

<sup>a</sup> [Quick Reference Tables](#); <sup>b</sup> [Data Profile Tables](#); <sup>c</sup> [Country at a Glance](#)

1.3 Public Spending	Thailand	Philippines	Viet Nam	
<b>Public expenditures</b>				3
Education (% of GNP), 1985-1987	3.4	2.1	..	a
Education (% of GNP), 1995-1997	4.8	3.4	3	a
Health (% of GDP), 1990	0.9	1.5	0.9	
Health (% of GDP), 1998	1.9	1.6 <sup>i</sup>	0.8	
Military (% of GDP), 1990	2.2	1.4	7.9	b
Military (% of GDP), 2000	1.6	1.2	..	b
Total debt service (% of GDP), 1990	6.2	8.1	2.7	
Total debt service (% of GDP), 2000	11.5	9	4.2	

Notes: <sup>i</sup> 1999

1.4 Public Sector Employment and Wages						
<i>Data from the latest year available</i>		Thailand 1991-1995	Thailand 1996-2000	East Asia & Pacific average <sup>4</sup> 1996-2000	.. average <sup>4</sup> 1996-2000	Low income group average <sup>4</sup> 1996-2000
<b>Employment</b>						
Civilian Central Government <sup>5</sup>	(,000)	711	1,529.8			
	(% pop.)	1.24	2.56	0.63	..	0.59
Sub-national Government <sup>5</sup>	(,000)	499	..			
	(% pop.)	0.87	..	0.63	..	0.59
Education employees	(,000)	343	..			
	(% pop.)	0.59	..	0.76	..	1.20
Health employees	(,000)	81	..			
	(% pop.)	0.14	..	0.16	..	0.70
Police	(,000)	..	71			
	(% pop.)	..	0.12	0.26	..	0.30
Armed forces	(,000)	259	306			
	(% pop.)	0.44	0.51	0.53	..	0.46
SOE Employees	(,000)	..	257.3			
	(% pop.)	..	0.43	1.18	..	3.61
Total Public Employment	(,000)	..	..			
	(% pop.)	..	..	..	..	6.05
<b>Wages</b>						
Total Central gov't wage bill	(% of GDP)	5.2	5.4	9.4	..	8.5
Total Central gov't wage bill	(% of exp)	33.8	25.7	24.4	..	21.6
Average gov't wage	(,000 LCU)	336	..			
Real ave. gov't wage ('97 price)	(,000 LCU)	375	..			
Average gov't wage to per capita GDP ratio		4.7	..	2.9	2.9	4.2

Source: [World Bank - Public Sector Employment and Wages](#)

<sup>3</sup> UNDP - [Human Development Report 2002](#)

<sup>a</sup> Data refer to total public expenditure on education, including current and capital expenditures.

<sup>b</sup> As a result of a number of limitations in the data, comparisons of military expenditure data over time and across countries should be made with caution. For detailed notes on the data see SIPRI (2001).

<sup>4</sup> Averages for regions and sub regions are only generated if data is available for at least 35% of the countries in that region or sub region.

<sup>5</sup> Excluding education, health and police – if available (view [Country Sources](#) for further explanations).

## 2. Legal Structure

### 2.1 Legislative Branch

Bicameral National Assembly or Rathasapha consists of the Senate or Wuthisapha and the House of Representatives or Sapha Phuthaen Ratsadon.<sup>6</sup>

*women in parliament:* 46 out of 500 seats: (9%). 21 out of 200 seats (11%).<sup>7</sup>

Thailand's legislative branch is bicameral. The 500 members of the House of Representatives (MPs) are elected popularly. Four hundred are district MPs, directly elected in each constituency and each representing approximately 150,000 people. The remaining hundred are party-list MPs, who are elected indirectly by the percentage of vote the party receives.

Originally, members of the Senate (the Upper House) were appointed by the King on the recommendation of the Council of Ministers. But, under the 1997 promulgated Constitution, Thailand's senators were directly elected for the first time on 2 March 2000, although the Constitution requires all senatorial candidates to be an independent with no party affiliations.

**Fact box:**

*elections:* Senate - last held 4 March, 29 April, 4 June, 9 July, and 22 July 2000 (next to be held March 2004); House of Representatives - last held 6 January 2001 (next to be held January 2005)

*election results:* House of Representatives - seats by party - TRT 248, DP 128, TNP 41, NDP 29, other 54

The term of office for members of the House of Representatives and the Senate is four and six years, respectively.<sup>8</sup>

Source: [Royal Thai Embassy \(US\) - Government and Politics](#)

### 2.2 Executive Branch

*cabinet:* Council of Ministers

*elections:* President and vice president elected on the same ballot by popular vote for five-year terms; election last held 29 Oct 2000 (next to be held Oct 2005); prime minister appointed by the president.

The executive branch is headed the Prime Minister, who, since the amendment of the 1992 constitution, must be an MP. The cabinet is responsible for the administration of fourteen ministries, and the Office of the Prime Minister. Each ministry is headed by a politically appointed minister, and in most cases, at least one deputy minister. The Prime Minister is assisted by Deputy Prime Ministers as well as a number of ministers holding the portfolio of "Minister to the Prime Minister's Office." The constitution of 1997 limits the number of cabinet members to 36.

Smaller cabinet committees have been set up to help screen proposals from the various ministries before submission to the full cabinet. This process enables the government to ensure that no incompatible policies are made. The committees may also be assigned by the Prime Minister to thoroughly examine the merits of each project or policy for the cabinet so that the latter will not have to go into such details before deciding on proposals, thus streamlining its work.

<sup>6</sup> Source of fact boxes if nothing else stated: [The World Factbook - Thailand](#)

<sup>7</sup> [Inter-Parliamentary Union - Women in National Parliaments](#)

<sup>8</sup> [National Assembly of Thailand](#)

The Office of the Prime Minister is a central body, which in itself ranks as a ministry, whose responsibility is largely concerned with formulating national policy. Some of its primary subdivisions are the Budget Bureau, the National Security Council, the Juridical Council, the National Economic and Social Development Board, the Board of Investment, the Civil Service Commission and several other organisations vital to the formulation of national policy.

The fourteen ministries are divided on a functional basis. After the financial crisis, the Ministry of Finance, the Ministry of Commerce, the Ministry of Industry and the Ministry of Agriculture and Co-operatives have assumed an increasingly important role in the Thai Government.

The head of career civil servants in each ministry is the Permanent Secretary, who has administrative control over all the departments of the ministry, each of which is headed by a director-general, also a career civil servant.

**Fact box:**

*chief of state:* King PHUMIPHON Adunyadet (since 9 June 1946)  
*head of government:* Prime Minister THAKSIN Chinnawat (since 9 February 2001) and Deputy Prime Ministers Gen. (Ret.) CHAWALIT Yongchaiyut, KON Thappharansi, SUWIT Khunkitti, CHATURON Chaisaeng, VISHANU Kruangam, and PROMMIN Lertsuridej (since 18 February 2001)

Source: [Royal Thai Embassy \(US\) - Government and Politics](#)

## 2.3 Judiciary Branch

Supreme Court or Sandika (judges appointed by the monarch).

The Thai judiciary has a three-tier system; The Supreme Court (Sarn Dika) at the top of the hierarchical pyramid, followed by the Appeal Courts of first instance and the Courts of First Instance below this. There is only one Supreme Court, the highest and the final court of the realm, and only one Appeal Court. With regards to the Courts of First Instance, classification is to be made in accordance with the nature of their jurisdiction.

- The first category of the Courts of First Instance consists of the Civil Court, the Criminal Court and the Minburi Provincial Court, all of which are situated in Bangkok. Each has civil or criminal jurisdiction according to the name given. The first two possess a high status, in that not only do they have original jurisdiction over parts of Bangkok, but also discretionary power to accept for trial those cases outside Bangkok.
- The second category is the Provincial Courts. Each province outside Bangkok has at least one Provincial Court whose jurisdiction is both Civil and Criminal. There may be more than one Provincial Court in some provinces owing to their sizeable population and vast area of land.
- The third category is the District Courts. District Courts are additional courts with jurisdiction over small cases i.e. civil cases in which the value of the claim does not exceed 300,000 Baht and criminal cases in which the offense carries a maximum punishment of no more than 6 months imprisonment and/or a fine not exceeding 10,000 Baht.

Government agencies may be sued in the courts, and can not raise a defense of sovereign immunity. However, state property is not subject to execution. There is a Thai civil service that administers laws and regulations with a high degree of consistency, and is largely free from political influences. There are four basic codes Civil and Commercial code, Criminal Code, Civil Procedure Code, Criminal Procedure Code. In adopting these codes early in this century, Thailand selected features from

the two Western legal systems (common law and civil law), and adapted them to circumstances in Thailand. Decisions and rulings of the judiciary and civil service are not binding but have considerable force as precedents. In additions, there are the Land Code, the Revenue Code and hundreds of special laws and regulations governing most areas of commercial activity. The legal and accounting professions are regulated under professional licensing systems, which encourage high standards of service.

Source: [thailandlaw.com](http://thailandlaw.com) - SCM International Law Office

## **2.4 Local Government**

The structure of local authorities in Thailand consists of one centrally-located urban region (Bangkok), and several classifications of secondary towns and cities, according to their size, population, importance to economic development of the nation, and other socio-economic indicators, as noted below:

- City (*Tesabahn Nakhon*)
- Town (*Tesabahn Muang*)
- Small Town (*Tesabahn Tambon*)

The New Thai Constitution of 1997 and decentralization by-laws of 1999 outlined the foundation for increasing devolution of duties and responsibilities to local authorities, and set in motion a decentralization process expected to continue for about two decades. Significantly, the smallest town classification (*tesabahn tambon*) experienced a tremendous upsurge in numbers in May 1999, when the upgrading of the traditional sanitary district - *sukhaphibahn* - to municipality status suddenly added 980 small towns to the roster of thai cities. Therefore, whereas there used to be about 150 cities in Thailand, there are now over 1100.

Source: [thungsong.com](http://thungsong.com) - Thailand Local Government Context

## 3. The State and Civil Society

### 3.1 Ombudsperson

On the first of April 2000, His Majesty the King granted the Royal appointment of the Ombudsman. The whole process of development and establishment of the Ombudsman has been fulfilled after 25 years of political evolution.

According to the Organic Law on Ombudsmen 1999, the mandate of the Ombudsmen is as follows:

- Consider and investigate complaints when: 1) A civil servant, member or employee of a government body, state agency, state enterprise or local government violates the law or exceeds the jurisdiction of his or her authority; 2) When an action or inaction by civil servant, member or employee of a government agency, state enterprise or local government causes harm, damage or injustice to an individual or to the general public, whether or not this action or inaction is within his or her jurisdiction; or 3) The law warrants investigation.
- To submit reports, comments, and recommendations to the National Assembly.
- If, in the opinion of the Ombudsman, a law, regulation, or action of an individual under Section 16(1) is in violation of the Constitution, the Ombudsman shall refer the matter to either Constitutional Court or an Administrative Tribunal, as appropriate, for further review.
- Any complaint not within the jurisdiction of the Ombudsman or not accepted for consideration by the Ombudsman under Section 25 may be referred by the Ombudsman to the appropriate government body,
- Notify the authorities concerned in government departments, independent agencies, and state enterprises about the suggested procedures and provisions so that the agency concerned will be able to adjust and amend the related laws, regulations, orders, or Cabinet Resolution. If it is a Cabinet Resolution, the Ombudsman has to report to the Cabinet.
- If the evidence found indicates that an officer, who was the source of the complaint, is guilty of criminal, disciplinary, or corruption charges, notify the agency of the officer concerned in order for them to undertake further investigation. The chief of the agency has to report on progress of the investigation to the Ombudsman, every three months.
- Request government departments, independent agencies, and state enterprises to submit facts, evidence, witnesses, and related documents to the Office of the Ombudsman in order to support an investigation. Request the Attorney General's Officer, investigating officer to fulfill examination by providing information.
- Issues related to the rules and regulations under the Organic Law on Ombudsmen 1999.

As of 26 June 2003, the Office of the Ombudsman had closed 1918 cases and had 1417 cases under consideration.

Source: [The Ombudsman of Thailand](#)

### **3.2 NGOs**

Source: Institution - Title

### **3.3 Civil Society**

Organizational membership in Thai society is low. Only 39.1 percent of Thai respondents claim membership in any formal organization. When informal associations in groups are the subject of discussion, only 13.5 percent claim to socialize with others in group activity. The overwhelming proportion of formal memberships are accounted for by residential associations (21.7%) and agricultural associations (17.0%). Trade association, labor union, volunteer group, and citizen movement activity is negligible. Political memberships appear among the lowest of the possible associations. The profile of Thai citizens represented by this indicator suggests that civil society in Thailand is relatively weak. Very few Thais are members of more than one association, whether of informal or formal groups, and that most of these are members by virtue of residency or agricultural necessities. The results show significantly higher levels of civil society in rural areas, steadily declining as the society becomes more urban.

Source: King Prajadhipok's Institute - Civil Society and the Consolidation of Democracy in Thailand (edited)

## 4. Civil Service

### 4.1 Legal basis

The legal authority for administration of the Thai civil service is based on three principal acts: 1) Organization of State Administration Act, 2) The Government Organization Act, and 3) The Civil Service Act (revised 1992).

The Organization of State Administration Act sets down the bureaucratic structure and its administration. The original Act was promulgated in 1932, and was later superseded by the Act of 1991. Under the Act, Thai civil service administration is a combined system of centralized, de-concentrated and decentralized functions divided into three levels:

#### *Central administration*

These functions rest in 14 ministries, each under the supervision of a permanent secretary, and 125 departments. Offices at this level are located mainly in Bangkok and concentrate on centralized functions.

#### *Provincial administration*

This is headed by the provincial governor and undertakes de-concentrated functions. While policy and primary execution remain centralized in the ministries, certain decision-making responsibilities and authority are authorized, within guidelines and directives, to their units in the provinces.

#### *Local administration*

This is self-governing and is characterized by a decentralization of functions. There are two different categories under this type of administration: 1) provinces, municipalities and sanitary districts; and 2) Bangkok Metropolis and Pattaya City.

The Government Organization Act defines in detail the structure and operations of government organizations, specifying the number and names of ministries, the function of each, and the names of departments within each ministry. The Government Organization Act of 1991, the current law, provides for 15 ministries - 14 civilian ministries and the Ministry of Defence - and 125 departments. The Civil Service Act describes the rights and responsibilities of public servants, and establishes compensation levels, career advancement procedures and disciplinary action. It further provides for developing and encouraging effective and motivated work performance. In short, the Act deals with all aspects of personnel management in the public sector. The original Civil Service Act of 1928 introduced the public personnel system and career service concepts into the civil service and specified the establishment of a central personnel agency to take responsibility for managing the civil service.

Organizations other than the Civil Service Commission that are involved in public administration at the policy level include the National Economic and Social Development Board (NESDB) and the Bureau of the Budget (BoB). These three central organizations are attached to the Office of the Prime Minister, and their respective heads report directly to the Prime Minister. Their main functions are oriented towards policy development, manpower planning, and financial and budgetary management. Each agency has its own specific functions and responsibilities. The work of the Civil Service Commission is undertaken through its Secretariat, the Office of the Civil Service Commission ([OCSC](#)).

In 1996, in an attempt to promote greater transparency, accountability, and customer orientation in public service administration and practice, two major legislative acts were promulgated, the "Administrative Procedures Act" and the "Official Liabilities Tort Act." The first Act is mainly concerned with work procedures, the scope of authority of government officials, the right to ascertain the reasons behind approval or rejection decisions and the right to appeal decisions and request reconsideration. The latter Act enables affected citizens to claim compensation from government agencies if it is found they have been mistreated.

Source: [UNDESA/IIAS - Administrative Reform Efforts in Thailand](#)

## 4.2 Recruitment

Source: [Institution - Title](#)

## 4.3 Promotion

Source: [Institution - Title](#)

## 4.4 Remuneration

In 1993 improved compensation levels were approved by a revising the salary schedule of civil servants. This work was done by the National Compensation Committee (NCC) in accordance with its compensation reform mission of. To cope with the problems of attracting and retaining personnel, the NCC had set a goal to reform public compensation levels and practices, through a set of policy directions to:

- Improve the internal equity of public sector compensation within the same and across various public service agencies;
- Raise compensation levels to the point where public personnel need not be concerned about making ends meet, so they can dedicate their efforts and spirit to working for the public benefit;
- Bring public sector compensation closer to that offered in the private sector for positions requiring equivalent knowledge, abilities, and experience, for the sake of social justice and to ensure a continual flow of persons of high calibre to the public sector, as well as to facilitate the future exchange of personnel between the public and private sector.

The ultimate goal of Thai public sector compensation reform is to achieve par with private sector compensation, with greater emphasis being placed on take-home pay. Means of curbing or controlling public personnel costs while raising the salaries of the civil service workforce are under consideration. In the main, they involve controlling the size of the government workforce and selectively raising public sector salaries.

To facilitate the selective salary increases, the Thai public service salary scale is undergoing a shift from the currently used 'single-pay-scale structure,' where every occupation in the same public service organization uses the same pay scale, to a 'multiple-pay-scale structure,' where different occupations or schemes of service have their own pay scales.

Source: [UNDESA/IIAS - Administrative Reform Efforts in Thailand](#)

#### **4.5 Training**

The Civil Service Act of 1992 contains four sections related to Human Resource Development:

- All new recruits must attend an orientation course during their probationary period. The content comprises basic knowledge about the civil service, basic skills and practice in performing necessary jobs which are commonly assigned positive attitudes towards public service;
- Human resource development must be a prime concern of all superior officers vis-à-vis their subordinates;
- Participation in supervisory or managerial courses is compulsory for civil servants who are promoted to supervisory or managerial positions;
- Civil servants are allowed to further their study, to attend training programs, to undertake observation visits, or to do research within the country and abroad in accordance with the rules and procedures prescribed by the Civil Service Commission.

The Civil Service Training Institute (CSTI) is one of the 'bureaus' (positioned above 'division' level) of the Office of the Civil Service Commission (OCSC). It is responsible for human resource development in the civil service through its own training programs and curricula, as well as through provision of consultancies on training and development to various government agencies. CSTI aims to develop civil servants to be moral and competent in driving the Thai civil service towards the same direction of government policies.

Source: Civil Service Training Institute (CSTI)

#### **4.6 Gender**

Source: Institution - Title

## 5. Ethics and Civil Service

### 5.1 Corruption

2003 CPI Score relates to perceptions of the degree of corruption as seen by business people and country analysts and ranges between 10 (highly clean) and 0 (highly corrupt).

Corruption Perceptions Index							
Rank	Country	2003 CPI Score	Surveys Used	Standard Deviation	High-Low Range	Number Inst.	90 percent confidence range
1	Highly clean	9.7	8	0.3	9.2 - 10.0	4	9.5 - 9.9
70	Thailand	3.3	13	0.9	1.4 - 4.4	9	2.8 - 3.6
133	Highly corrupt	1.3	8	0.7	0.3 - 2.2	6	0.9 - 1.7

Source: [Transparency International - Corruption Perceptions Index 2003](#)

**Surveys Used:** Refers to the number of surveys that were used to assess a country's performance. 17 surveys were used and at least 3 surveys were required for a country to be included in the CPI.

**Standard Deviation:** Indicates differences in the values of the sources. Values below 0.5 indicate agreement, values between 0.5 and c. 0.9 indicate some agreement, while values equal or larger than 1 indicate disagreement.

**High-Low Range:** Provides the highest and lowest values of the sources.

**Number Institutions:** Refers to the number of independent institutions that assessed a country's performance. Since some institutions provided more than one survey.

**90 percent confidence range:** Provides a range of possible values of the CPI score. With 5 percent probability the score is above this range and with another 5 percent it is below.

In 1975, Thailand passed its first Anti-Corruption Act and established the Counter Corruption Commission (CCC) to deal with the problem of corruption in the public sector. However, for a number of reasons, mainly a lack of investigative powers, the CCC remained a paper tiger. The vested interests in the Parliament ensured that the law as well as the commission remained weak. In addition, in 1992, Thailand promulgated the Civil Service Act, which organizes the conduct of government employees in office.

Under the 1997 Constitution, Thailand seeks to curb corruption through a system for the declaration of assets and liabilities (Section 291-296), and through the creation of an independent and stronger counter-corruption agency (Section 297-302). The Organic Act on Criminal Procedures for Persons Holding Political Positions B.E. 2542 (A.D. 1999) describes the procedures for those officials that are subjected to follow-up before a special commission of the Criminal Court. This Act's promulgation was required by the Constitution and established the National Counter Corruption Commission (NCCC) to regulate the powers and duties of its members as well as different procedures for the investigation and punishment of corrupt officials. However, the administration recently (3/2003) disregarded a decision by the NCCC to dismiss a senior civil servant from office for corruption and reinstated him in the same position. The NCCC now plans to seek a ruling from the Constitutional Court.

There are numerous laws in place that regulate the conduct of public employees including the procedures for investigations into allegations of corrupt practices, liabilities, and penalties. They include:

- The Civil Service Act B.E. 2535 (A.D. 1992).

- The Act Governing Liability for Wrongful Acts of Competent Officers B.E. 2539 (A.D. 1996).
- The Act Regulating the Offense Relating to the Submission of Bids or Tender Offers to Government Agencies.
- The Act on the Management of Partnerships and Securities Owned by Ministers B.E. 2543 (A.D. 2000).
- The Thai Official Information Act (OIA) B.E. 2540 (A.D. 1997).

In addition, the Organic Law on the Election of Members of the House of Representatives and Senators B.E. 2541 (A.D. 1999) as amended up to No. 3 B.E. 2543 (A.D. 2000) contains regulations on electoral fraud and corruption. A Whistle Blower Protection Bill is currently being drafted.

Source: [Tilleke & Gibbins - Thailand Legal Basics \(3/2003\)](#)

Household heads rank corruption in the public sector as the third most serious national problem, following the poor economy and cost-of-living, and closely followed by drugs. They view politicians as more corrupt than bureaucrats. They believe corruption is getting worse, especially among politicians.

Among public institutions, the police and MPs are rated as the least honest, followed by the Ministry of Interior, and Customs Department. Among public offices, the customs, police and land offices are ranked lowest for quality of service.

One tenth of households are solicited for bribes by some public office each year.

The offices where visitors are most likely to be solicited for a bribe are land offices, customs, police and automobile licensing. The average bribe solicited is highest at the police, followed by customs, tax offices, and land offices.

Three offices - land, police, and tax - account for 88 percent of the total value of bribes solicited.

The average amount asked from each solicited household is just under ten thousand baht (US\$250). However, this is very unevenly spread. The vast majority of solicited households are asked for only small amounts under a thousand baht (US\$25). Less than 1 percent of total households account for two-thirds of the total value of bribe solicitation in amounts of 100,000 baht (US\$2,500) or more. Most of these large amounts are solicited by the police, customs, land offices, and tax offices. Most of the households solicited for these large amounts are own account workers in commerce, i.e. private businessmen.

The offices providing households with utilities and public services are generally rated well for quality of service. The likelihood of being asked for a bribe at these offices is low, and the amounts asked are small.

Some 3 percent of households with children are asked to pay some amount for gaining admission to public schools, and some 4 percent are asked for other extra payments at school. The amounts are usually small.

The judicial system is little used and fuzzily perceived, but almost a third of households who had been to court in the past two years had been asked for some payment. The average amount solicited (around 30,000 baht or US\$750) is roughly equal to the legitimate court expenses. It is usually small in relation to the value of the case, but can be a large imposition on low-income families. These payments are most likely to be solicited by public prosecutors or by intermediaries (such as police) not directly connected to the court.

In all some 2.1 million households (13 percent of the total) are solicited for some payment by a government office or school or in connection with a court case. In total these payments amounted to 25 billion baht (US\$625 million). Around half of this total value is solicited from less than one percent of total households.

People are generally confident that bribes paid to government offices will ensure a better service or result. Those solicited for bribes are very confident. Among the small number of people solicited for bribes over a court case, opinion is more divided on whether the bribe will ensure the desired outcome.

In sum, corruption at the government offices which provide households with utilities and services is relatively small in scale and extent. However, corruption is large at offices which have a role in monetary transactions including land, tax, customs and the courts. Corruption is also large among the police. Corruption is also perceived to be a major problem among politicians.

These distinctions are reflected in the vocabulary of corruption. Petty payments made to bureaucrats are still called 'gifts of good will', implying some sense of willingness and gratitude on the part of the payee. Larger payments made as a contract between an individual and an official for some significant gain are termed 'bribery'. And very large amounts extracted through political power are termed 'corruption'.

Almost one third of households were offered money to buy votes at the last general election, with an average offer of 678 baht per household. Vote-buying was also widespread in municipal elections. Bangkok is the focus of vote-buying, with higher average amounts at the general election, and greater frequency in local elections.

There is a general feeling that government should make combating corruption a priority. However people are generally unclear on the channels to report corruption, and reluctant to report cases of corruption as they fear reprisals and doubt reporting would be of any use. The most effective institution for combating corruption at present is seen to be the media, followed by the Counter Corruption Commission, and academics or teachers.

Source: [Chulalongkorn University - Corruption in the Public Sector in Thailand \(2000\)](#)

## **5.2 Ethics**

On March 8, 1994, the Government announced the first Code of Professional Ethics for Civil Servants in the Royal Gazette. This Code of Ethics was developed and submitted to the government by Office of the Civil Service Commission (OCSC) as part of the Civil Service Reform and Development Project.

The Code consists of 15 categories which are divided into 4 groups of ethical conduct i.e. 1) Personal conduct, 2) Conduct relations with the agency, 3) Conduct relations with colleagues, superiors and subordinates, and 4) Conduct relations with the public and with society.

In order to be able to implement the code of Professional Ethics for Civil Servants effectively, the OCSC submitted a plan to the Cabinet which was approved in June, 1995.

Source: [Office of the Civil Service Commission \(OCSC\) - Disciplinary Proceeding in the Public Sector](#)

## 6. e-Government

### e-Government Readiness Index:

The index refers to the generic capacity or aptitude of the public sector to use ICT for encapsulating in public services and deploying to the public, high quality information (explicit knowledge) and effective communication tools that support human development.

The index is comprised of three sub-indices: Web Measure Index, Telecommunications Infrastructure Index and Human Capital Index.

### Web Measure Index:

A scale based on progressively sophisticated web services present. Coverage and sophistication of state-provided e-service and e-product availability correspond to a numerical classification.

### Telecommunications Infrastructure Index:

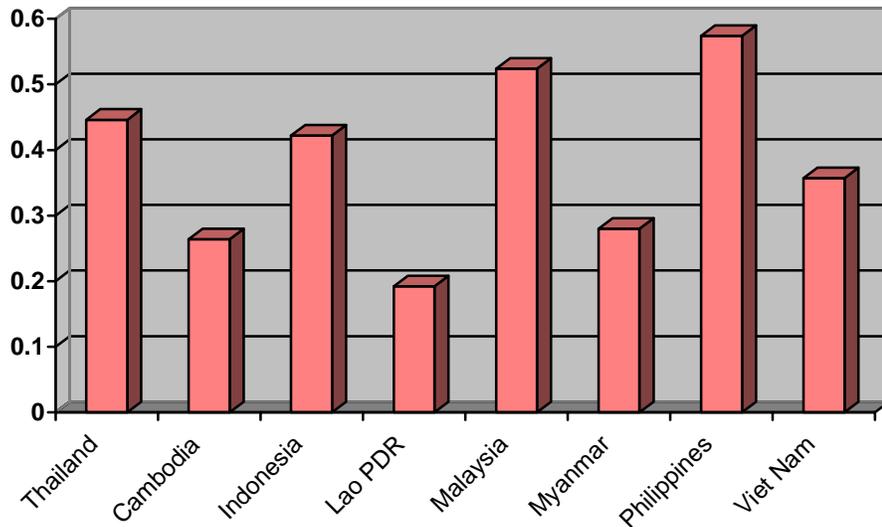
A composite, weighted average index of six primary indices, based on basic infrastructural indicators that define a country's ICT infrastructure capacity.

Primary indicators are: PC's, Internet users, online population and Mobile phones. Secondary indicators are TVs and telephone lines.

### Human Capital Index:

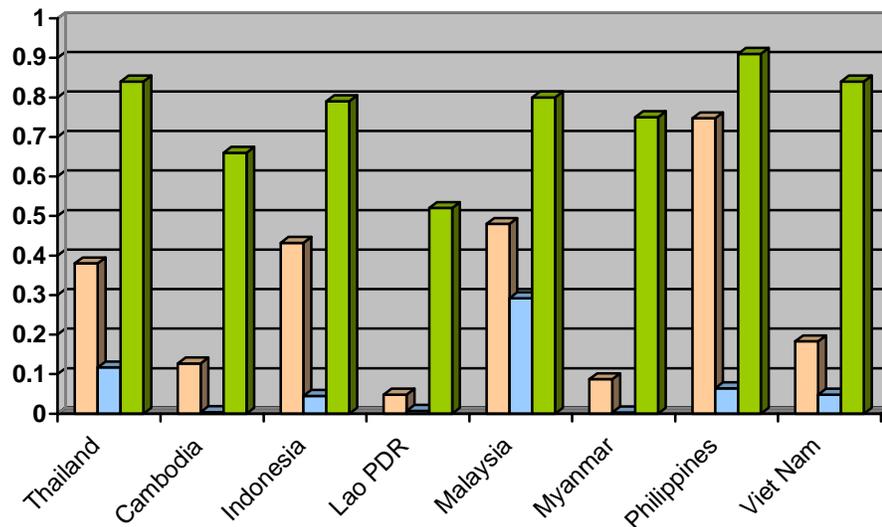
A composite of the adult literacy rate and the combined primary, secondary and tertiary gross enrolment ratio, with two thirds of the weight given to adult literacy and one third to the gross enrolment ratio.

### e-Government Readiness Index



Source: United Nations – World Public Sector Report 2003

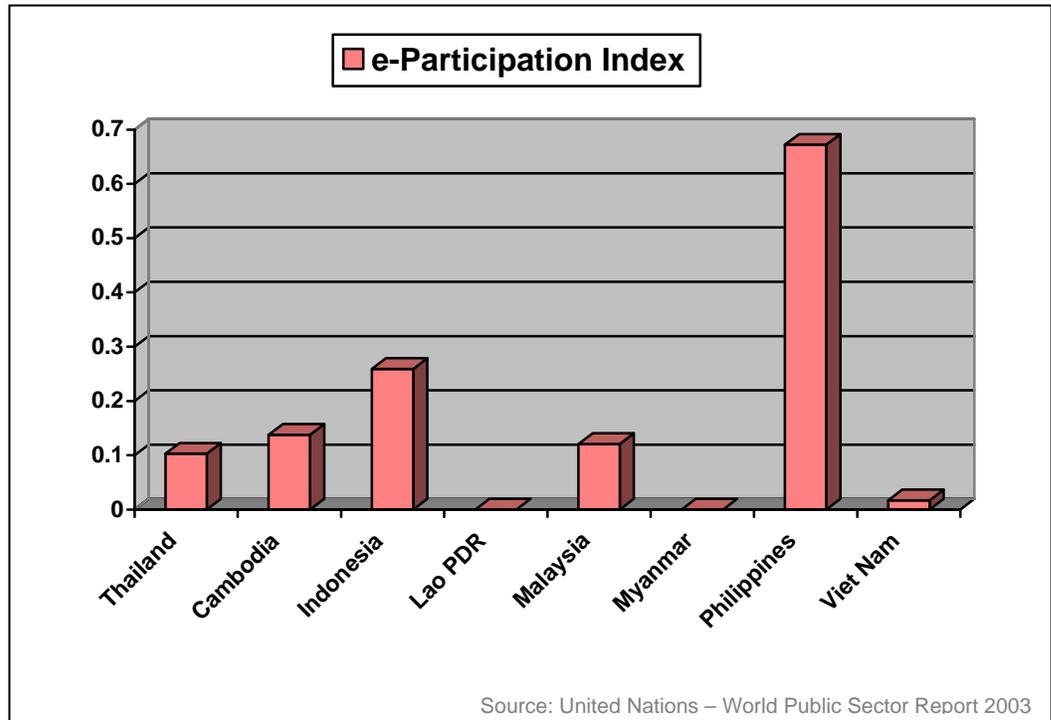
### Web Measure Index | Telecom. Infrastructure Index | Human Capital Index



Source: United Nations – World Public Sector Report 2003

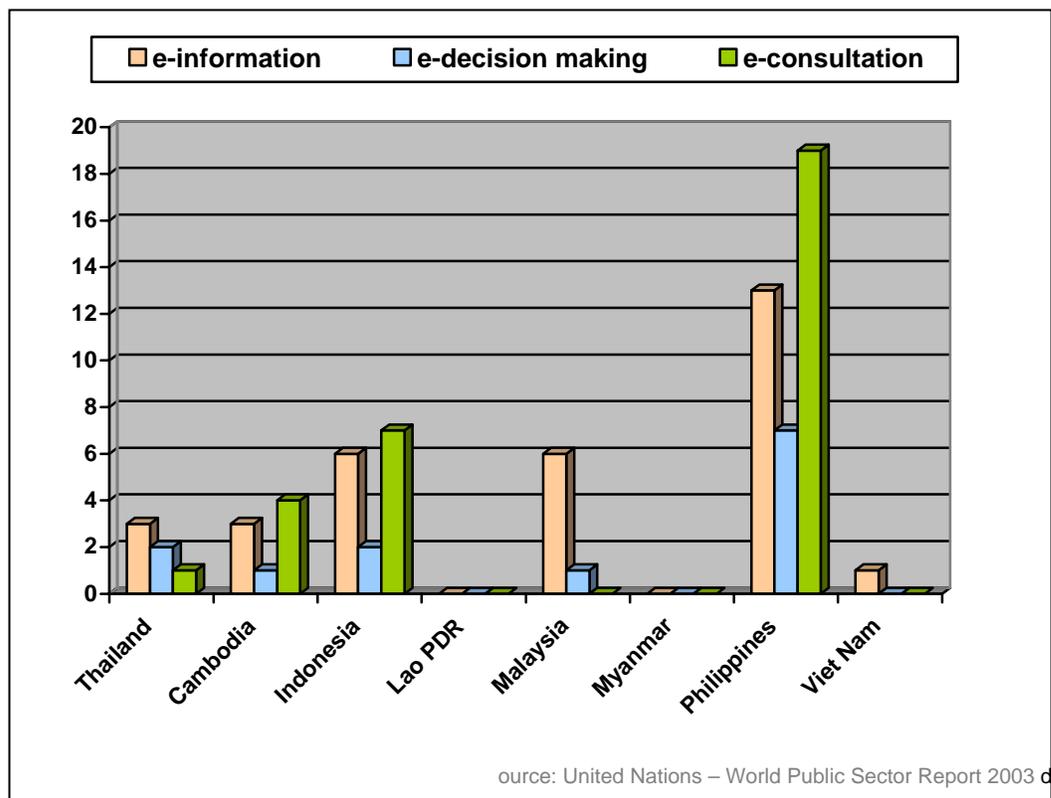
**e-Participation Index:**

Refers to the willingness, on the part of the government, to use ICT to provide high quality information (explicit knowledge) and effective communication tools for the specific purpose of empowering people for able participation in consultations and decision-making both in their capacity as consumers of public services and as citizens.



**e-information:**

The government websites offer information on policies and programs, budgets, laws and regulations, and other briefs of key public interest. Tools for disseminating of information exist for timely access and use of public information, including web forums, e-mail lists, newsgroups and chat rooms.



**e-decision making:**

The government indicates that it will take citizens input into account in decision making and provides actual feedback on the outcome of specific issues.

**e-consultation:**

The government website explains e-consultation mechanisms and tools. It offers a choice of public policy topics online for discussion with real time and archived access to audios and videos of public meetings. The government encourages citizens to participate in discussions.

## 7. Links

7.1 National sites	
Authority	Topic
Parliament	<a href="http://www.parliament.go.th/files/mainpage.htm">http://www.parliament.go.th/files/mainpage.htm</a>
Royal Thai Government	<a href="http://www.thaigov.go.th/index-eng.htm">http://www.thaigov.go.th/index-eng.htm</a>
Ministry of Finance	<a href="http://www.mof.go.th/">http://www.mof.go.th/</a>
Office of the Civil Service Commission	<a href="http://www.ocsc.go.th/">http://www.ocsc.go.th/</a>
Office of the Public Sector Development Commission	<a href="http://www.opdc.go.th/">http://www.opdc.go.th/</a>
Constitutional Court of Thailand	<a href="http://www.concourt.or.th/">http://www.concourt.or.th/</a>
The Ombudsman of Thailand	<a href="http://www.ombudsman.go.th/">http://www.ombudsman.go.th/</a>
Civil Service Training Institute	<a href="http://203.170.253.231/english/intro.htm">http://203.170.253.231/english/intro.htm</a>

7.2 Miscellaneous sites	
Institution	Topic
Asian Development Bank (ADB)	<a href="http://www.adb.org/Thailand/default.asp">http://www.adb.org/Thailand/default.asp</a>
European Union (EU)	<a href="http://europa.eu.int/comm/external_relations/thailand/...">http://europa.eu.int/comm/external_relations/thailand/...</a>
United Nations Development Programme (UNDP)	<a href="http://www.undp.or.th/">http://www.undp.or.th/</a>
World Bank (WB)	<a href="http://www.worldbank.org/th">http://www.worldbank.org/th</a>