

## **Statement of the People's Network for Sustainable Development**

### **A call to revoke the Orders of the Head of the National Council for Peace and Order (NCPO) no. 3/2559 and 4/2559**

On 20 January 2016, the Order of the Head of the National Council for Peace and Order (NCPO) no. 3/2559 was published in the Government Gazette for a waiver of the enforcement of the city and town planning law and building control law in areas slated for the development of the Special Economic Zones (SEZs) and the publishing of the Order no. 4/2559 for a waiver of the enforcement of the Ministerial Regulation on the comprehensive city and town planning for certain industries. The two orders have led to the dismantling of assurances which uphold various environmental rights of the community as provided for by normal laws. The People's Network for Sustainable Development and other signatories would like to share our opinions and submit the following demands to the National Council for Peace and Order (NCPO) and the government as follows;

1. Section 44 of the Constitution of the Kingdom of Thailand (Interim), B.E. 2557 (2014) is meant to use for the benefits of reform and to forge unity and reconciliation of people in the nation, as well as to prevent, or preempt, or suppress any act which is detrimental to the maintenance of peace and order in the country, the monarchy, the economy or the administration of state affairs. However, it is deemed by the Network that the Orders of the Head of the National Council for Peace and Order (NCPO) no. 3/2559 and 4/2559 issued by virtue of Section 44 shall pave the way for the management and development of area in the SEZs by waiving the enforcement of the town and city planning and building control laws. It will have led to the dodging of safeguards meant to ensure the right kind and appropriate developments for the community. It will also compromise the safeguards for the protection of community rights to the environment.

2. The development of SEZs should proceed based on prudent consideration of the unique potential of each of the local communities and the people. However, the model of development pushed forward by the current government tends to give favors and privileges to

the rich investors. The NCPO Orders in this case shall make it possible for the investors to develop their projects with no consideration of the existing city and town plan at the expense of the environment, natural resources, and health of people in Thailand. Such arrangements shall not pave the way to a reform as claimed by the government.

3. Previously, Thailand's development direction has been set along the course of sustainable development based on sustainable economic development. The city and town planning has been geared toward enhancing the effort to maintain and protect natural resources for sustainable use. The city and town plans are meant to ensure proper development in each area and sets out the zoning of different areas appropriate for different uses based on the geographical nature of each province. It strives to strike the balance in the use of natural resources. Such planning is pivotally important for Thailand and its importance is universally recognized. However, by issuing the NCPO Order no. 4/2559, it is looking like Thailand is digressing and failing to catch up the trend of other countries by opting to waive the enforcement of city and town planning countrywide for certain industries such as power plants, waste disposal plants, etc. The Network, therefore, deems that such implementation by the NCPO shall bring about chaos in the country; it will increase arbitrary use of power and will elicit conflicts between the local community and the business entrepreneurs investing in various areas throughout the country. This is certainly a grave mistake by the government and the NCPO.

Based on the aforementioned reasons, the declaration of the Orders of the Head of the National Council for Peace and Order (NCPO) fails to comply with the intent as provided for in the Constitution's Section 44. It was indeed an excessive use of power and shall never benefit the effort to reform or to forge unity and reconciliation among the people per Section 44. It is imperative for the NCPO to revoke the two orders to immediately resolve the looming crisis.

In the name of the People's Network for Sustainable Development and other undersigning organizations, we demand the National Council for Peace and Order (NCPO) and the government to rescind the Orders of the Head of the National Council for Peace and Order (NCPO) no. 3/2559 and 4/2559 immediately. Our Network shall follow up and demand justice from you again on 23 February 2016.

Thailand belongs to the people, not a particular group of individuals.

The People's Network for Sustainable Development

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