

ABSTRACT

Thesis Title : Conflicting Claims to Overlapping Area of The Exclusive Economic Zone between Thailand - Malaysia : Mean of Solution for Co-operation and Development.

Student 's Name : Mr. Prakit Torteeka

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Advisor Committee :

1. Asst. Prof. Dr. Gomes Kwanmuang

Chairperson

2. Assoc. Prof. Dr. Poom Chokmoh

Geographically, Thailand and Malaysia are neighboring states with adjacent coasts in The Gulf of Thailand and Andaman Sea. Both countries have unilaterally claimed their Exclusive Economic Zones (EEZ), with presumably the same area as their continental shelves. Under these EEZs' claims. The Joint Development Area (JDA), which has been prior agreed upon by Thailand and Malaysia on the basis of The Continental Shelf, will become the area that is under the jurisdiction of these countries. Unfortunately, these overlapping EEZs will cover an area of approximately 7,300 kilometers. Based on the legal regime of the EEZ, Thailand and Malaysia try to maximize their jurisdictional claims over all natural resources in The overlapping EEZs. As a result, conflicting national interests arise : This situation will after the long-time friendly relations and the effort of joint development programs between Thailand and Malaysia.

This thesis will study the conflicts arising from the overlapping EEZ areas of both countries and also will recommend a practical means to solve the problem. Based on researcher's findings, Thailand and Malaysia should cooperate on the basis of mutual in order to develop these overlapping claims. Presently, there is only the Chaingmai Memorandum of 1979 that contains an agreement on joint development of non-living natural resources in the conflicting claims area. Other natural resources have never been included in any kind of agreement, especially fishery resources. This issue should be taken into serious consideration of both Thailand and Malaysia. In

order to solve this problem; A bilateral agreement between these countries should be the practical means to remedy the situation. Some forms of joint fishery developing program that is based on mutual interests and equity should be developed as soon as possible.