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KEY WORD: ASSISTANCE IN CRIMINAL MATTERS \ INTERNATIONAL CRIMES

VITOON SATTAYHATEVAR, POL. COL. : A CASE STUDY ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS BETWEEN THE KINGDOM OF THAILAND AND THE UNITED STATES OF AMERICA. THESIS ADVISOR : ASSO. PROF. DR. CHUMPHORN PACHUSANOND. 200 pp. ISBN 974 - 636 - 819 - 2

The very reason that causes Thailand to enter into a bilateral treaty on assistance in criminal matters with the United States of America to cooperate in the curbing of international crimes which more and more increase their violence and thereby cause severe damage. These incidents of international crimes have been hinged upon the limitation of the application of criminal law within a country's jurisdiction; whereas the crimes are transborder. The criminal procedure in each particular country alone seems to be unable to suppress them efficiently. Therefore, the international cooperation comes into play.

The study shows that the above mention treaty still has gaps that allow interpretation. Certain limitations such as the one on politics seem to be a broad brush that can sweep away the request for cooperation. In addition, the less than prompt and efficient enforcement, and the lacking of garnishment, a prerequisite to ensure non-removal or destruction of important material evidence for the incumbent procedure, cause problems. All in all, the offender seems to take his chance for being insufficiently deterred by the weak law enforcement.

It is thereby necessary to call for a revision of the treaty to allow garnishment as well as to define certain limitations which in itself limits the chance to fend away the required mutual assistance. Once the limitations are well defined and the garnishment is put into action, the seizure of property of the offender will become certain. This, in turn, will result in a more efficient suppression of crimes.

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