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This study aims to analyze International Humanitarian Law as it applies to protect and assist victims in non-international armed conflicts. Common Article 3 of the four 1949 Geneva Conventions establishes basic rules on this issue but it was brief and vague. It has been developed and supplemented by Protocol II of 1977 relating to the protection of victims of non-international armed conflicts to promote greater clarity. However, the scope of Protocol II is confined to armed conflicts with a level of severity that dissidents, must control some territory permanently. However, some states fear that this Protocol would jeopardize national security. Consequently, those states, including Thailand, are reluctant to accede to it. The question whether or not Thailand should decide to accede to Protocol II and what principles for taking action should be addressed. This thesis studies the applicability of International Humanitarian Law in Thailand concerning the situation of Muslim Separatism in the Southern provinces of Thailand in comparison with the situation of the New People's Army and Moro National Liberation Front in the Philippines.

The thesis finds that both Thailand and the Philippines do not accept these situations as falling under the scope of armed conflicts which would call into play common Article 3, but they regard them as being internal disturbances to apply domestic law such as criminal law. In the opinion of this researcher, Thailand should ratify Protocol II because it would not jeopardize national security. For the present, as Thailand is not a party to Protocol II, it should apply the Red Cross Fundamental Rules of Humanitarian Law for the protection of victims. For the Philippines, although it is a party to the 1949 Geneva Convention and the 1977 Protocol II, it has not treated the issue mentioned as falling under the scope of "armed conflict" to qualify for application of these instruments. This thesis finds that the Philippines should at least apply common Article 3 of the Four Geneva Convention to the situation.