

Attaporn Johnjamras : Revision of Treaties in the Practice of
Thailand. Thesis Advisor : Asso. Prof. Chumhorn Pachusanond, 214 pp.

This study was aimed to identify problems concerning 'revision of treaties in the practice of Thailand' at both international and domestic levels. Although, at present, social atmosphere between countries shows a more balanced acceptions of rights; Thailand still has a disadvantage position against the so-called power countries in many respects such as economics, politics, and security. Hence Thailand is always an underdog when making treaties. In international relationship, Law of Treaties is observed, thus a state can not hold problems by municipal law as reasons not to comply by inter-state obligations. It is so recommended that amendments or abrogations to those treaties are made for Thailand to gain its benefits.

It was found that in the 'pacta sunt servanda' law there is a fundamental principle controlling amendments and abrogations of treaties. It is laid out that such improvements can be made only when consents from all concerned parties are received, except when it comes to laws of exceptions clearly mentioned in the principle such as law of subsequent conduct, rule of 'clausula rebus sic stantibus', rule of 'debellatio', and rule of 'lex posterior derogat priori'. In Thailand's case it is extremely difficult to negotiate with the party who has advantages over treaties to let go of its benefit because the most important factor to make possible the revision of any treaties is the 'bargaining power' between the parties.