

## Abstract

Owing to the Thai Family Law, since in the former times to the present, express the unique of social Thailand, especially discriminate human being on the ground of sexual orientation. Despite the Thai Constitution ordain all Thai citizens fundamental human rights and freedoms, in the dignity and worth of human being and in the equal rights of men and women. However, a grounds for divorce in accordance with the former section (1) of the Thai Civil and Commercial Code always appear unequal right between men and women.

Bearing in mind that Section 1516 (1) is so substantial provision on the grounds for divorce. The reconsideration for amending Section 1516 (1), the Family Provision of the Civil and Commercial Code took place in B.E. 2550. To solve the problem about the unequal rights, discrimination on the ground of sexual orientation.

This theses intend to study about the problem and confine of applicable law on accordance with grounds for divorce, adultery case, both of the Thai Family Law and the Foreign Law ,namely United Kingdom, United State of America, Canada, German, Switzerland, France, The Republic of China, Japan and Iran, to compare and analyse for the viewpoint and defect of applicable law. To be advantageous for the Thai Family Law.

Nevertheless, despite the amendment of Section 1516(1), the problem on statutory interpretation still remains. This theses will offer the choice of resolution on this incomprehensible point.