

THESIS TITLE	DEVELOPMENT OF IMMIGRATION LAW TO COUNTER TRANSNATIONAL CRIME
KEYWORDS	IMMIGRANT/IMPLEMENTATION OF THE IMMIGRATION LAW/DRAFTED DOCUMENT OF THE IMMIGRATION ACT
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ABSTRACT

In the year of 2558, Thailand is moving forward into an ASEAN community which there will be many tourists, investors and foreign workers traveling in and out of Thailand. As a result, the aforesaid event will lead to the mobility of the population traveling from one to another country freely without concerning with the border between two or more countries. In addition, this incident causes transnational organized crime which the root of the issue is the ineffectiveness of the existing Immigration Act 2522. Therefore, it is reasonably clear that the aforementioned Immigration Act need to be revised in order to combat and deter misconducts in the form of transnational organized crime.

In fact, the research aims to study the problems and limitations of the Immigration Act 2522 in respect of the offense in the form of transnational organized crime. Furthermore, another important aims of the research are to seek for the guidelines for screening the foreigners entering the border of Thailand as well as practical operations of combating transnational organized crime for related organizations and authorities. Moreover, the research also seeks for the implementation of the Immigration Law of Thailand and the revision of the Immigration Act 2522. The aforementioned aims of the research will be utilized by the use of the methodology of the qualitative research including documentary

research, in-depth interviews, the brainstorming of specific groups (Focus group) and the hearing.

The significant findings of the research are comprised of the guidelines for the implementation of the international law which are related to the smuggling of immigrants by land, sea and air as well as the delivery of the immigrants to their countries with regard to human rights. In fact, one of the most important points in drafting the revised Immigration Act...is the abolishment of visa and deny entry to offenders convicted of smuggling immigrations and forged passports. In addition, other significant points of the revision of the Immigration Act are to deny sending illegal immigrants to a country where there is a reason to believe that the person will be under the danger of being tortured as well as deny sending illegal immigrants who are under 18 years old if the children did not receive any benefits. Furthermore, two of the most significant points of the research are to add the definition of the term “the smuggling of immigrants” as well as drafting the ministerial rules, procedures and conditions related to the probation of foreigners by Section 12 (No.). Essentially, there are five main elements of the aforementioned points including the significant aspects of the committee for notes and changes of the data of aliens, the authority of the board of the directors, the criteria of the probation of aliens, the guidelines for recording the data of aliens with prohibited aspects in case that there is the changes of aliens and the preparation of training with regard the law mentioned above.

The recommendation of this study is to present a draft amendment of the Immigration Act to the legislative process so that the applicable laws will be complied with protocols on combating the smuggling of immigrants by land, marine and air in 2000, convention on the rights of the children in 2009, convention against torture and inhuman punishment in 1987. Then, ministerial rules, procedures and conditions related to the prohibition of aliens based on the enacted Act 12 are needed to be prepared. In addition, the research studies related to the cross border cooperation in accordance with the principle of special economic development zone of the ASEAN Community are needed to be suggested.