

Abstract

This independent research has its objective for studying Wreck Removal Convention, the Thai legal problem relating to wreck removal, considering and comparing with the existing of the legal problems of Thailand and the benefit of Convention that Thailand will obtain. At present, Thailand does not have a specific law to apply for wreck removal particularly the exclusive economic zone. Such an absence of a specific law inevitably raises many problems with respect to the application of law to wreck removal. Therefore, the studying Wreck removal Convention may be the guideline to be the party of such convention. In addition it ensures the prompt and effective removal of wreck. It also helps the economic expansion and promote the national maritime affairs.

The problem of wreck removal is the international problem. International Maritime Organization (IMO) commences to study and draft the Wreck Removal Convention more than 30 years for the benefit among parties concerned relating to wreck removal. Furthermore, Thailand is the member of such organization.

This independent research will study of problems and the necessity of wreck removal law, the source of WRC including the details of WRC such as the principle of wreck removal, the scope of application, exclusion, right and liabilities of shipowner including the problem of Thai law relating to wreck removal and the summary.

After studying, it found that WRC provided the authorities to affected state from wreck, the duty of shipowner relating to wreck removal and the liabilities of costs of wreck removal including the duty of shipowner to take out the compulsory insurance or financial security for ensuring the compensation of the incurring costs from wreck removal. Upon consideration of WRC, such convention is suitable and systematic. It is likely to apply such convention with wrecks in Thailand. It also suggests that Thailand should sign such convention to be a state party and to study the draft of convention for drafting the sui generis law.