

Thesis Title : The Legal Impacts of the Bi-lateral Free-Trade Agreements  
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### ABSTRACT

This research on the legal effects of the bi-lateral free-trade agreements (FTA) had the objectives of studying and analyzing the legal principles and issues in relation to the establishment and development of the free-trade area projects such as the concordance between the FTAs and the international laws under the framework of GATT or World Trade Organization (WTO). The researcher picked up the FTA negotiations between Thailand and the US as the case study owing to the latter's economic power position which wants to expand its free trade area with other nations including Thailand. At the time of the research making, Thailand and the US was being in the said negotiation process and it was likely that the US would want Thailand to liberalize the trade, investment and services as well as to increase the intellectual rights protection to a higher level than those permitted by the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). In case Thailand accepts the negotiation results in such topics, more legal issues will get involved and come into consideration -- WTO's international trade rules and regulations or certain parts of Thailand's domestic laws, which will be affected and revised thanks to the effects of the negotiations, for example.

As an FTA is an international agreement that can affect the sovereignty of the countries and will influence the governmental administration including the legislation, its legal impacts, in the researcher's viewpoint, are significant enough to be studied. Despite the future unnecessary to revise such laws owing to the possible failing consequences of the US-Thailand FTA negotiations, this research can still educate and prepare the researchers and others in regard to the

FTA-relevant laws for their further development and amendments. Besides, the research can make known that the FTA principles are not only economically but also statutorily oriented.

This research was conducted on the basis of the FTAs' foundation papers and documents such as Thai and English meeting reports, essays, textbooks as well as articles published on Internet web sites. The research found that the US-Thailand FTA negotiations had involved international and domestic laws in the concerned fields such as the intellectual property law as well as trade and other laws. Revisions of Thailand's intellectual property law will, certainly, take place in case the US can persuade the Thai side to adopt a higher level of the intellectual property rights protection. And so will Thailand's trade, investment and service law be corrected if the negotiation ends up with Thailand's acceptance of the US' adherence to the principles of its FTAs earlier signed with Singapore or Chili.

Whether Thailand will achieve or lose from the FTA to be made with the US will depend on how much advantage the Thai side's negotiating competency can attain given that legal issues will still be a crucial instrument that will push the implementations and enforcement of the judicial measures for the economic and social interests. The researcher hopes that this research will enrich more knowledge to those wanting to study the FTA issues further.

