ABSTRACT

One of the reasons that renders arbitration popular as an efficient alternative dispute resolution is that arbitral awards can be enforced almost around the globe. Therefore, this thesis aims to study the rules and importance of separation domestic and foreign arbitration in order to allow clarity and suitability in applying arbitration law in Thailand.

The finding is that arbitration law should be applied in separate manner to govern international trade matters as appears in UNCITRAL Model Law, which is adopted in certain countries and domestic matters in separate acts. The recognition and enforcement of domestic arbitral award is somewhat different from the method uses with foreign arbitral award. Therefore a good resolution is to amend Thai law to become modernized and universalized in order to compete with those of developed countries in pursuant of the concept and reasoning of the law for promoting international commercial arbitration in Thailand.

The recommendation is to apply two legislations which are necessary in order to promote and support international commercial arbitration processes in Thailand and pay close attention to administration of justice under Thai law. In other words, having an efficient arbitration system that meets international standards allows Thailand to compete with other countries.