

Thesis Title : The Impacts of Thai Law upon Ratification of International Treaty
on Plant Genetic Resources for Food and Agriculture

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ABSTRACT

The objective of this Thesis is to research the impacts of Thai Law upon ratification of The International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR) and to suggest the guidelines for implementation and to reduce the negative sides of the impacts to comply with the obligation of ITPGR.

The research analyzed the impacts of Thai Law to comply with the obligation of ITPGR. The result of the research has shown that in considering ratifying ITPGR, the study shows that it could have the apparent impact to execution of Thai laws governing management, especially to use the Multilateral System instead of the Plant Variety Act B.E. 2542, the access and benefits of sharing of plant genetic resources under control of the Thai Government and in public domain for those plant genetic resources covered by Annex 1, especially exsitu collections in Thailand. That is a reduction of Thai sovereignty. The acting on behalf of the Governing Body of the ITPGR and the Standard Material Transfer Agreement, that is not apparent. The negative issues to the Treaty are that Thailand will lose the benefits of sharing from the use of her plant genetic resources and in a sense that it is a justified pilferage if it is done to obtain an exclusive right such as intellectual property right.

This Thesis suggests that should accelerate the guidelines for implementation and to reduce the negative sides of the impacts to comply with the obligation of The International Treaty on Plant Genetic Resources for Food and Agriculture.

