

Independent Research Title: Problems Associated With The Law On Controlling
Genetically Modified Plants.

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ABSTRACT

The process of Genetic Modification was discovered in around 1970. Biologists found out that DNA is interchangeable among animals, plants, bacteria, and other organisms by using a substance called “restriction enzyme”. Instead of using traditional methods of breeding to improve plants and animals through crossbreeding and selection, biologists can now transfer the genes that contain many desirable traits from one plant or animal to another. They can even transfer the genes between species that otherwise would not be capable of mating. Those organisms, including animals and plants, that have been genetically modified are called Genetically Modified Organisms or GMOs, and the plants that have been genetically modified are called Genetically Modified Plants or GM Plants.

GMOs have been widely used in the agricultural fields because the plants that have been genetically modified will be more nutritious, longer lasting and better tasting and pest resistible. GMOs have also been used in the food industry in order to fulfill the increasing demand for food in the world today. However, people know very little about the long-term effects of the GMOs on both human and environment and nobody has yet to prove whether GMOs are safe for human and environment or not. Therefore, for the safety reasons, many countries have issued specific regulations to control GMOs to protect its citizens’ health and safety and also to protect the environment from being harmed by the GMOs.

Thailand is now trying its best to apply and issue some laws and regulations to control GM Plant and GM products. The existing law such as Plant Quarantine Act has been applied to control the importation of GM Plant and the newly imposed the Notification of Ministry of Public Health (No. 251) B.E. 2545 (2002) has been issued to control the labeling of GM Plant and products. However these laws and regulations are not sufficient to cover all the problems about GM Plants. From this case, the author has been studied on the Plant Quarantine Act B.E. 2507 (1964) amended in B.E. 2542 (1999), the Notification Ministry of Public Health (No. 251) B.E. 2545 (2002) and the Thai biosafety guidelines, to find out the problems and solutions of such. For this issue the author suggests that Thailand should adapt the existing biosafety guidelines by taking the Philippines biosafety guidelines, which from the study found out that they are very efficient in controlling GM Plants, as the model.

Another problem that makes the system of controlling GM Plant in Thailand less effective is the problem about the government units that have authorization to control GM Plants. These units are not working together and there are sometimes the overlapping of authority from each government units, for example, one unit issues a regulation that conflict with the regulation issued by another government unit. From this case, the author has been studied on the working system of controlling GM Plant in Thailand, including the government units such as Ministry of Agriculture and Co-operatives, Ministry of Public Health, Ministry of Commerce and The National Center for Genetic Engineering and Biotechnology (BIOTECH), and suggests that the BIOTECH should be the particular authority to be the center to control the GM Plants issues and that authority should has power to control other authorities on the issues that involves the GM Plants issues.

The author has also studied and analyzed the system of controlling GM Plants, including legal measures and the government units involved, in other 4 countries namely the United States, the European Union, Australia and Philippines.