

# Thailand Journal of International Law

Volume 1  
No. 1 2015



# Thailand Journal of International Law

Volume 1 • Number 1 • 2015

---

## Contents

### EDITOR'S NOTE

#### **Thailand Journal of International Law**

Kamalinne Pinitpuvadol 1

### SPEECH

#### **One Hundred Years (1914) Retrospect – A Hundred Days (2014) Prospect – A Hundred Years (2114) Prospects: Public International Law**

Vitit Muntarbhorn 3

### INVITED ARTICLES

#### **Private International Law and Law of Integration**

Adriana Dreyzin de Klor 14

#### **Law's Legitimacy in Distress: The Changing Structure of International Law-Making and Its Impact on the Domestic Legal Order**

Kaku Shun 23

#### **Making ASEAN a Rule-Based Community: Revisiting the Legal Fundamentals**

Akawat Laowonsiri 45

#### **Foreign Affairs in Thai Constitutional Provisions: A Comparative and International Study**

Prasit Pivavatnapanich 64

#### **Thai NGO as a Watchdog: Is It Barking Loud Enough in Thailand's Environmental Litigation? A Comparative Perspective**

Aschara Chinniyompanich 94

### THAILAND FEATURES

#### **Cancellation of a Foreign Arbitral Award**

Jayavadh Bunnag 112

**Keeping Law and Order of Slavery in Thai Fishing Industry: Towards International Recognition**

Tanongsak Mahakusol 115

**Incentives and Obstacles to the Implementation of ILO Convention No. 87: Labour Relations Provisions in the Thai Public Sector**

Panthip Pruksacholavit 121

**Corporate Social Responsibility Guidelines and Mandatory Information Disclosure in Thai Listed Companies: A Struggle to Comply with International Standards?**

Sinee Sang-Aroonsiri 126

CASE REVIEW

***Whaling in the Antarctic (Australia v Japan; New Zealand intervening)* ICJ Judgement of 31 March 2014**

Phattharaphong Saengkrai 131

NOTES

**The Right to Freedom of Expression under Article 10 of the European Convention on Human Rights**

Jompon Pitaksantayothin 136

**Developing country's sui generis options: Thailand's sui generis system of plant variety protection**

Pawarit Lertdhamtewe 148

BOOK REVIEWS

**Vitit Muntarbhorn, *Unity in Connectivity? Evolving Human Rights Mechanisms in the ASEAN Region* • Martinus Nijhoff Publishers, Leiden-Boston 2013.**

Sirichai Mongkolkiatsri 155

**Tashmai Thongurai, *ASEAN Community in perspectives of Professor Dr. Surakiart Sathirathai* • Chulalongkorn University Printing House, Bangkok 2014 (in Thai).**

Tirayu Songdacha 157