

# The Impact of the Asean Charter on Thailand's Domestic Law

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**Abstract:** This paper discusses the impact of the ASEAN Charter on the domestic laws of Thailand. The article first introduces the background, purpose, and significance of the study. Then it outlines the relevant content and development process of the ASEAN Charter, as well as an overview of Thailand's domestic laws. Next, the paper analyzes in detail the influence of the ASEAN Charter on the Thai Constitution, administrative law, and civil law, and elucidates the position of the ASEAN Charter in Thailand's domestic legal system. Finally, by drawing insights from the ASEAN Charter's impact on Thailand's domestic laws, the importance of legal consistency, the application and alignment of international law, and the construction of the rule of law are emphasized. The paper concludes with a summary of the research findings and identifies areas for further research and prospects.

**Keywords:** ASEAN Charter; Thai Domestic Laws; Administrative Law; Civil Law

## 1. Introduction

### 1.1 Research Background

As an important legal framework among ASEAN member states, the ASEAN Charter has had a profound impact on Thailand's domestic law. With the continuous development and expansion of ASEAN in regional cooperation, Thailand, as one of the countries with important influence in Southeast Asia, has played a key role in the formulation and implementation of the ASEAN Charter.

In the context of the research, we need to have an in-depth understanding of the background and purpose of the ASEAN Charter and its impact on the legal systems of ASEAN member states. In recent years, the cooperation among ASEAN countries has been increasingly deepened, and the ASEAN Charter has been formulated to further strengthen the political,

economic and security cooperation among the member states. A careful study of the ASEAN Charter reveals that it contains a series of principles and provisions aimed at promoting mutual trust, mutual benefit and reciprocity among ASEAN countries.

As one of the founding members of ASEAN, the ASEAN Charter has had a crucial impact on Thailand's domestic law. In the process of building Thailand's legal system, there is a certain correlation between the ASEAN Charter and the Thai Constitution. The provisions of the ASEAN Charter have had a significant impact on the establishment and development of Thailand's legal system. In addition, the ASEAN Charter has had an impact on Thailand's administrative and civil law. In the area of administrative law, the provisions of the ASEAN Charter are combined with the relevant provisions of Thai administrative law to enhance cooperation and coordination among administrative bodies. In the field of civil law, the provisions of the ASEAN Charter provide certain guidance and reference to the Thai civil law, so as to strengthen the civil cooperation between ASEAN countries.

It is of great significance to study the influence of ASEAN Charter on Thai domestic law. An in-depth study of the status and role of the ASEAN Charter in Thai domestic law will help us better understand the development and evolution of the Thai legal system. At the same time, it also provides reference for other ASEAN member states in the process of implementing the ASEAN Charter.

In the future research, we will discuss the specific impact of the ASEAN Charter on Thailand's domestic laws by combining and in-depth analysis of relevant literature and regulations, and further study the status and role of the ASEAN Charter in Thailand's domestic laws. At the same time, we will also find out the importance of legal consistency, the application and docking of international law, and the promotion of the rule of law, and put forward some inspirations and suggestions.

This study will provide theoretical and practical support for the development and improvement of Thailand's legal system through an in-depth study of the relationship between the ASEAN Charter and Thailand's domestic law. By understanding the impact of the ASEAN Charter on Thailand's domestic laws, we can better promote cooperation and development among ASEAN member states.

### 1.2 Research Objectives

The impact of the ASEAN Charter on Thai domestic law is an area for further study. The purpose of this study is to explore the extent of the influence of the ASEAN Charter on Thailand's domestic law, and to analyze its impact on Thailand's constitution, administrative law and civil law. By studying the relationship between the ASEAN Charter and Thailand's domestic laws, we can reveal how Thailand, as an ASEAN member state, ADAPTS and applies the provisions in the ASEAN Charter.

Specifically, this study will:

1. Analyze the relevant contents of the ASEAN Charter and reveal its impact on the Thai Constitution. This includes exploring how the ASEAN Charter has influenced the formulation and revision of the Thai Constitution, as well as its impact on the legal principles and rights protection mechanisms enshrined in the Thai Constitution.
2. Examine the impact of the ASEAN Charter on Thai administrative law. This includes exploring how the ASEAN Charter affects administrative cooperation between Thailand and other ASEAN member states, as well as its specific impact on Thai administrative law.
3. Discuss the impact of the ASEAN Charter on Thai civil law. This includes an analysis of how the ASEAN Charter affects Thailand's civil legal system in areas such as transnational contracts, intellectual property protection and dispute settlement mechanisms.

Through the realization of the above research purposes, it can provide in-depth understanding and valuable reference for the mutual relationship between Thailand's domestic laws and the ASEAN Charter, and provide guidance for Thailand's legal practice and rule of law construction under the ASEAN legal framework. The results of this study can also provide reference and inspiration for the legal practice and legal construction of other ASEAN member states, and promote the construction of

legal consistency in the whole ASEAN region.

### 1.3 Research Significance

Research significance is the key part to determine the value and importance of the paper research. As for the research topic of this paper, "The Impact of the ASEAN Charter on Thailand's domestic law", the significance of the research is as follows:

The study of the impact of the ASEAN Charter on Thai domestic law is of great significance for the in-depth understanding of the ASEAN legal system and the interrelationship between ASEAN member states. As the largest comprehensive international organization in Southeast Asia, ASEAN cooperates in many fields such as politics, economy and society, and the ASEAN Charter is the core document of ASEAN's legal framework. By studying the influence of the ASEAN Charter on the domestic laws of Thailand, the overall influence of the ASEAN Charter on the laws of Thailand can be revealed, so as to better understand the legal norms and organizational operation of ASEAN [1].

It is of positive significance to study the influence of the ASEAN Charter on Thailand's domestic law to promote the cooperation and exchange of ASEAN countries in the field of law. The formulation and revision of the ASEAN Charter is a joint decision-making process among ASEAN member states, which includes the influence and adjustment of the domestic laws of member states. Through in-depth research on the influence of ASEAN Charter on Thailand's domestic law, it can provide reference and reference for the legal cooperation among ASEAN countries and provide practical experience for promoting the integration process of ASEAN countries in the legal field.

The study of the influence of ASEAN Charter on Thailand's domestic law has an enlightening effect on the improvement and development of Thailand's domestic legal system. The ASEAN Charter is a common commitment document of ASEAN member states, which sets out the obligations and rights among member states. By studying the impact of the ASEAN Charter on Thailand's domestic laws, we can assess the reform and improvement of Thailand's laws in the constitution, administrative law and civil law, and provide suggestions and guidance for the further improvement of Thailand's domestic legal system.

It is of great theoretical significance to study the influence of ASEAN Charter on Thai domestic law for deepening the combination and integration of international law and domestic law. The ASEAN Charter, as the core document of the international organization, plays a guiding role in the laws and regulations of ASEAN member states. By studying the impact of the ASEAN Charter on the domestic law of Thailand, the application and operation mechanism of international law in the domestic legal system can be further understood, and theoretical and practical exploration can be provided for the docking of international law and domestic law [2].

It is of great academic value and practical significance to study the influence of ASEAN Charter on Thai domestic law. Through the analysis and research of the relationship between the ASEAN Charter and the domestic law of Thailand, it can provide experience and reference for the legal cooperation and development of ASEAN countries, and also help to promote the combination and development of international law and domestic law. Therefore, the research significance of this paper is to deeply understand the impact of the ASEAN Charter on Thailand's domestic law, and to provide theoretical basis and practical guidance for further research and promotion of ASEAN countries' cooperation and development in the legal field.

## 2. Overview of the ASEAN Charter

### 2.1 Establishment and Development of ASEAN

The Association of Southeast Asian Nations (ASEAN) is a regional international organization formed by Southeast Asian countries in 1967, which marks the beginning of these countries to solve regional problems through cooperation and consultation, and seek common development and prosperity. ASEAN's founding background dates back to the 1950s and early 1960s, when the region was in a tense international situation, with the effects of the Cold War making these countries face competition and interference from the two superpowers in the West and the East. In this context, Southeast Asian countries have decided to maintain peace and stability in the region through cooperation and solidarity.

There are several important stages in ASEAN's

development that deserve attention. In 1967, ASEAN was founded by Indonesia, Malaysia, the Philippines, Singapore and Thailand. This was followed by Vietnam in 1995, Laos and Myanmar in 1997, Cambodia in 1999, and finally East Timor in 2002. The inclusion of these countries has expanded ASEAN's influence and reach.

The formation of the ASEAN Community is an important milestone in the development of ASEAN. The ASEAN Community is divided into three areas: the political and security community, the economic community and the socio-cultural community. The formation of this community is one of ASEAN's most significant achievements since its inception, demonstrating the countries' strong commitment to regional cooperation and development. The close ties and cooperation between ASEAN countries in the political, economic, social and cultural fields have been established.

The establishment and development of ASEAN is not only the development course of an international organization, but also has a profound impact on the international status and domestic laws of Southeast Asia. The establishment of ASEAN has provided a platform for political mutual trust and cooperation among Southeast Asian countries, and promoted exchanges and cooperation among member states through joint cooperation projects and mechanisms. At the same time, the development of ASEAN has also promoted the reform of the legal system and the construction of the rule of law of the member states to a certain extent, and promoted the legal development of Southeast Asia [3].

The establishment and development of ASEAN is an important milestone in the development of international cooperation and law in Southeast Asia. The establishment of ASEAN marked the vision of Southeast Asian countries to solve problems in the region through cooperation and consultation and achieve common development and prosperity. In the course of ASEAN's development, the ASEAN Community has been formed, which has promoted the close ties and cooperation among the member states in politics, economy, society and culture. This development has also had a profound impact on domestic law in Southeast Asia, promoting the reform of national legal systems and the construction of the rule of law.

## 2.2 Formulation and Revision of the ASEAN Charter

The Association of Southeast Asian Nations (ASEAN) is a cooperative organization of Southeast Asian Nations that seeks to achieve common goals, purposes and principles among its members by working together. In order to regulate the cooperation between member states and their internal functioning, the ASEAN Charter was created. As an important link in the development process of ASEAN, the formulation and revision of the ASEAN Charter not only has a decisive impact on the cooperation within ASEAN, but also has a profound impact on the domestic laws of each member state.

The process of drafting and revising the ASEAN Charter has gone through many stages. In 1967, when ASEAN was first established, the Bangkok Declaration established the purposes and principles of ASEAN. With the development of ASEAN and the deepening of cooperation among its member states, the formulation of the ASEAN Charter has become more urgent. Finally, in 2007, ASEAN member states formally adopted and signed the ASEAN Charter.

In order to adapt to changes in ASEAN's internal and external environment, the revision of the ASEAN Charter is necessary. The revised ASEAN Charter can better adapt to new challenges and development needs, ensuring that its content and provisions keep pace with The Times. Amendments usually require consensus and consultation among member countries and are adopted at ASEAN summits.

The formulation and revision of the ASEAN Charter mainly includes the following aspects. First, clarify the purpose and principles of ASEAN, including the core values of mutual respect, mutual trust, cooperation and common prosperity. Second, define ASEAN's institutions and decision-making processes to ensure that the framework and rules for internal cooperation are clear. At the same time, the Charter also deals with ASEAN's relations with other countries and regional organizations as well as ASEAN's cooperation with the international community.

The formulation and revision of the ASEAN Charter has had a direct and far-reaching impact on Thailand's domestic law. The formulation and revision of the ASEAN Charter provides a reference for the formulation of the Thai Constitution. The principles and values of

cooperation enshrined in the ASEAN Charter can be embodied and implemented in the Thai Constitution. Secondly, the contents and provisions of the ASEAN Charter can also affect Thailand's administrative and civil law. The Thai Government needs to take into account and comply with the provisions of the ASEAN Charter in implementing its policies and administrative decisions. Similarly, the principles and rules of the ASEAN Charter can be applied in Thai civil law. [4]

In conclusion, the formulation and revision of the ASEAN Charter has an important impact on Thailand's domestic law. It has promoted the development and improvement of the Thai legal system by providing reference and reference for the Thai Constitution, administrative law and civil law. At the same time, the contents and principles of the ASEAN Charter have also provided important guidance for the construction of the rule of law in Thailand, and promoted the cooperation and exchanges between Thailand and ASEAN member states and the international community. However, although the ASEAN Charter has a certain status and influence in Thailand's domestic law, there is a need to further strengthen legal consistency, the application and alignment of international law, and the promotion of the rule of law.

## 2.3 Main Contents of the ASEAN Charter

As a legal framework and norm among ASEAN member states, the ASEAN Charter has had a profound influence on Thailand's domestic law. The Charter sets out the objectives, principles and institutions of ASEAN and details areas and modalities of cooperation among ASEAN member states.

The ASEAN Charter makes clear ASEAN's objective of strengthening cooperation and solidarity among its member states. It sets out ASEAN's aspirations and efforts to achieve mutual benefit and common development.

The Charter reaffirms ASEAN's principles and values, such as the principle of mutual respect for sovereignty, non-interference and win-win cooperation. These principles and values are crucial to maintaining regional peace and stability and promoting common development and cooperation.

The ASEAN Charter also sets out the principles and mechanisms of ASEAN, such as the principle of consensus and consensus. These principles and mechanisms ensure equality and

mutual respect among member States and provide the basis for effective cooperation.

In addition, the Charter clarifies ASEAN's institutional and leadership responsibilities, including the ASEAN Secretariat and the ASEAN Chair. These bodies are responsible for coordinating and managing the day-to-day affairs of ASEAN and promoting cooperation and development among member states.

In terms of areas and ways of cooperation, the ASEAN Charter defines the areas and ways of cooperation among member states, including political security, economic cooperation, social and cultural cooperation. The Charter emphasizes the spirit of mutual assistance and common development among member states, encourages countries to strengthen policy coordination and promote mutual benefit and win-win results in the region.

The main elements of the ASEAN Charter have had an important impact on Thai domestic law. The process of drafting and amending the charter requires legal review and authorization by member States, and this process has led to the review and reform of domestic laws in Thailand. The Charter provides a legal framework for Thailand and sets out the areas and modalities of cooperation between Thailand and other ASEAN member states. In accordance with the principles and mechanisms set out in the Charter, Thailand can cooperate with other ASEAN member states to jointly address regional and global challenges.

In addition, the main elements of the ASEAN Charter have also had an impact on Thailand's legal system and legal practice. The principles and values emphasized in the Charter, such as mutual respect for sovereignty and win-win cooperation, have affected the building of the rule of law in Thailand and international legal integration.

To sum up, the main elements of the ASEAN Charter have had a wide and far-reaching impact on Thai domestic law. The Charter not only provides a legal framework and cooperation platform for Thailand, but also promotes cooperation and development between Thailand and other ASEAN member states. At the same time, the ASEAN Charter has also influenced Thailand's legal system and practice, and promoted the construction of the rule of law and international legal integration.

### 3. Overview of Thai Domestic Law

#### 3.1 Overview of the Thai Legal System

Thailand, as a country in Southeast Asia, has a legal system covering traditional law, constitutional law, civil law, criminal law, administrative law and commercial law. These legal systems are based on the Thai Constitution and are enforced and overseen by the National Assembly, the courts and government agencies.

In the Thai legal system, the Constitution occupies a crucial position as the basis and guiding legal document for other laws and regulations. It defines the authority of the State, the rights and duties of citizens, and the organizational structure of the State, and provides the basic framework for the formulation and enforcement of other laws and regulations.

Civil law is also very important, mainly influenced by French civil law, covering the areas of contract law, property law and inheritance law. Criminal law is mainly used to stipulate criminal acts and corresponding penalties, which plays a key role in maintaining social order and public safety.

Administrative law is another important area of the Thai legal system. It sets out in detail the duties and powers of government agencies and specifies the remedies that citizens can have against government actions. Administrative law plays an important role in balancing public power and protecting citizens' rights and interests, and plays an indispensable role in maintaining social stability and realizing just governance.

Commercial law is also an important part of Thailand's legal system. It regulates commercial activities and transactions, including corporate law, trademark law, and patent law. The development and implementation of commercial law is of great significance for promoting economic development and attracting foreign investment.

In general, Thailand's legal system is a large and complex one, covering multiple areas such as constitutional, civil, criminal, administrative and commercial law. These legal systems are interrelated and interact with each other to provide legal guarantees for social governance and civic life in Thailand. Under the influence of the ASEAN Charter, Thailand's legal system may be adjusted and reformed in some aspects to adapt to the development trend of ASEAN legal integration and integration [5-6].

### 3.2 Provisions of the Thai Constitution on Laws

The Constitution of Thailand is an important part of the legal system in Thailand. The Constitution of Thailand is the supreme law of Thailand and has the highest legal force. According to the Constitution of Thailand, the sovereignty of the country belongs to the people, and the Constitution is the basic legal document for the people to exercise sovereignty according to law. The Constitution defines the political system of the country, the rights and duties of the people, and the duties and organization of state organs. In the Thai legal system, the Constitution is regarded as the foundation and guiding principle of law.

The Constitution of Thailand plays an important role in stipulating and guiding the laws of Thailand. The Constitution provides for the procedure and effect of laws, as well as the scope of application and interpretation of laws. The Constitution also stipulates the basic principles and mechanisms for safeguarding people's rights and protects citizens' basic freedoms and rights and interests. The Constitution also stipulates the duties and powers of state organs, and makes clear provisions on administrative management and the independence of judicial organs.

The legal provisions of the Thai Constitution play an important role in the influence of the ASEAN Charter on Thai domestic law. As a member of ASEAN, the ASEAN Charter has a guiding and binding effect on Thailand's legal system and legal practice. According to the ASEAN Charter, ASEAN member states should abide by the principles of international law and international human rights law, strengthen the construction of legal systems and legal protection. The provisions of the Thai Constitution on laws are an important basis for Thailand to fulfill its obligations under the ASEAN Charter [7].

According to the provisions of the Thai Constitution on laws, Thailand's domestic legal system and legal practice should meet the requirements of the ASEAN Charter on the construction of the rule of law and legal protection. The Constitution of Thailand stipulates that state organs and civil servants shall exercise their functions and powers in accordance with the law to protect and respect the rights and freedoms of the people. The Thai

Constitution also provides for the principle of trial according to law and rules for the application of law to ensure justice and impartiality of the law.

The provisions of the Thai Constitution play an important role in Thailand's domestic legal system. The Constitution defines the political system of the country, the rights and duties of the people, and the duties and organization of state organs. In the influence of the ASEAN Charter on Thailand's domestic law, the provisions of the Thai Constitution are an important basis to ensure the justice of the law and protect the rights of the people. Thailand should, in accordance with the provisions of the Constitution, strengthen legal system building and legal protection, promote the construction of the rule of law and maintain social stability and development.

### 3.3 Other Relevant Laws and Regulations of Thailand

As a member of ASEAN, Thailand's domestic legal system consists of various laws and regulations, including the Constitution, laws, administrative regulations, judicial precedents and customary law. In addition to the legal provisions of the Thai Constitution, there are a number of other relevant laws and regulations that have an impact on domestic law in Thailand. Thailand's criminal code clearly defines the offence and its punishment. The criminal law provides for various types of criminal acts, such as murder, theft, embezzlement, etc., and provides corresponding penalties. These criminal laws have played a vital role in maintaining social order and legal justice.

Secondly, Thailand's commercial law provides detailed regulations on business activities and the operation of enterprises. Commercial law, including company law, contract law, intellectual property law, etc., provides legal protection for commercial transactions and economic development. These laws and regulations have played a positive role in promoting the development of Thailand's economy.

Thailand also has a range of environmental protection and natural resource management laws and regulations. These laws and regulations aim to protect Thailand's natural environment and resources, limit acts that damage the environment, and provide corresponding penalties. These laws and regulations have

played an important role in protecting the ecological environment and promoting sustainable development.

In addition, Thailand's labor law regulates and protects employment relations and workers' rights and interests. The labor law regulates matters such as employment contracts, wage systems, labor insurance and labor dispute resolution, ensuring the basic rights and interests of workers and maintaining the stability of labor relations.

Thailand also has a series of social welfare laws and regulations, including the Social Insurance Law, the health care law, and the Education law. These laws and regulations aim to protect the basic rights and interests of citizens, provide social welfare security, and promote social fairness and justice.

Other relevant laws and regulations in Thailand play an important role in maintaining social order, promoting economic development, protecting the environment, safeguarding workers' rights and interests, and providing social welfare. These laws and regulations, together with the ASEAN Charter, have had an impact on Thailand's domestic laws and promoted the continuous improvement and development of the Thai legal system.

#### **4. The impact of the ASEAN Charter on Thai Domestic Law**

##### **4.1 Implications for the Constitution of Thailand**

The implementation of the ASEAN Charter has had a certain impact on the Thai constitution. The Constitution of Thailand is the supreme legal document of Thailand and the basic legal code of the country, which stipulates the organizational structure of the country and the distribution of power. The formulation of the ASEAN Charter aims to promote cooperation and development among countries in the region, and its influence on Thailand's constitution is mainly reflected in the following aspects.

The ASEAN Charter clearly stipulates that member states respect each other's sovereignty, equality and independence. This principle has played a certain role in the formulation and amendment of the Thai Constitution. The Thai Constitution should fully respect national sovereignty, safeguard the equal status of the country, and fully respect the legal systems and legislative powers of other ASEAN member

states.

Secondly, the ASEAN Charter also stipulates that member states shall enact laws in accordance with the provisions and principles of the ASEAN Charter to ensure the implementation and implementation of the ASEAN Charter. The formulation of the Thai Constitution also needs to take into account the relevant provisions and principles of the ASEAN Charter to ensure consistency and coordination between national laws and the ASEAN Charter. In drafting the constitution, Thailand needs to pay attention to regulating the establishment of state institutions and the distribution of powers in accordance with the law to ensure that national laws are consistent with the requirements of the ASEAN Charter.

The ASEAN Charter also stipulates that member states should strengthen cooperation to maintain regional peace and security. The Thai Constitution should enact corresponding laws in accordance with the provisions of the ASEAN Charter to promote peace and security in the region. As a member of ASEAN, Thailand should work closely with other member states to jointly safeguard regional peace and stability.

The ASEAN Charter also provides the basis for the establishment and operation of the ASEAN Constitutional Court. The role of the Constitutional Court is to hear disputes between ASEAN member states and issue opinions on the interpretation of the ASEAN Charter. The Thai Constitution should provide the necessary legal basis for the operation of the ASEAN Constitutional Court and ensure the effective implementation of the functions of the ASEAN Court.

The influence of the ASEAN Charter on the Thai constitution is mainly reflected in the emphasis on national sovereignty, equality and independence, the maintenance of regional peace and security, and the strengthening of cooperation. The formulation and amendment of the Constitution of Thailand should take full account of the relevant provisions and principles of the ASEAN Charter, so as to ensure that national laws are consistent with the requirements of the ASEAN Charter and further promote cooperation and development in the ASEAN region.

##### **4.2 Impact on Thai Administrative Law**

The implementation of the ASEAN Charter has had a wide impact on Thai administrative

law. The ASEAN Charter sets out the principles and mechanisms for cooperation among ASEAN member states, which is of great significance to the development of administrative law in Thailand. According to the ASEAN Charter, ASEAN members are supposed to settle disputes by consensus rather than using force or other coercive means. Therefore, Thai administrative law needs to comply with the provisions of the ASEAN Charter when dealing with administrative disputes with other ASEAN member states.

Secondly, the ASEAN Charter also sets out the objectives of ASEAN cooperation in the political, economic, social and cultural fields, which puts forward new requirements for the formulation and implementation of Thailand's administrative law. Thai administrative law needs to formulate corresponding laws and policies in accordance with the requirements of the ASEAN Charter to ensure the smooth progress of ASEAN cooperation. For example, in the process of promoting the construction of the ASEAN Economic Community, Thailand's administrative law needs to formulate relevant economic regulations to meet the needs of ASEAN's economic integration [8-10].

The ASEAN Charter also stipulates the human rights protection mechanism among ASEAN member states, which puts forward new requirements for the development and perfection of Thailand's administrative law. According to the ASEAN Charter, ASEAN member states should respect and protect human rights and strengthen cooperation in the field of human rights. Therefore, Thai administrative law needs to strengthen the protection of human rights, establish and improve relevant laws and mechanisms to meet the requirements of the ASEAN Charter.

The ASEAN Charter also provides for regional security mechanisms among ASEAN member states, which has also had an important impact on Thai administrative law. According to the ASEAN Charter, ASEAN member states should strengthen cooperation in the field of security and jointly safeguard regional peace and stability. Therefore, Thai administrative law needs to strengthen the protection of national security and public safety, formulate and implement relevant laws and policies to address security challenges.

The implementation of the ASEAN Charter has exerted many influences on Thai administrative

law. Thai administrative law needs to comply with the provisions of the ASEAN Charter, strengthen cooperation with other ASEAN member states, formulate and implement corresponding laws and policies to promote the smooth progress of ASEAN cooperation. At the same time, Thai administrative law also needs to strengthen the protection of human rights and security in order to meet the requirements of the ASEAN Charter. All these present new challenges and opportunities for the development and improvement of Thailand's administrative law.

### 4.3 Impact on Thai Civil Law

The ASEAN Charter has had some influence on Thai civil law. As an important ASEAN member state, Thailand has actively adopted the relevant principles and provisions of the ASEAN Charter in the development and reform of the field of civil law. The following is a discussion of several aspects of Thai civil law that have been affected by the ASEAN Charter.

In terms of dispute resolution and mutually beneficial cooperation, the ASEAN Charter requires member states to actively handle disputes among themselves and resolve them by peaceful means. Thailand has introduced legal reforms in this regard, emphasizing the importance of civil dispute resolution and international reciprocity. Thailand's civil law system has also actively adopted the principles and rules of international commercial arbitration mentioned in the ASEAN Charter to promote mutually beneficial cooperation and legal consistency.

Secondly, the formulation and revision of the ASEAN Charter has provided reference for the development of Thailand in the field of civil law. The contents and ideas of ASEAN Charter have positively influenced Thailand's civil law system and promoted the renewal and reform of civil law. Thailand is constantly revising and improving its civil regulations to improve the adaptability of the legal system and the normative nature of the law.

The ASEAN Charter emphasizes the importance of human rights and fairness and justice, and it has also had a positive impact on civil law. Thailand's civil law focuses on the protection of citizens' human rights and the realization of social justice, and through legal and institutional reforms, the implementation of the principle of equity in civil law has been



strengthened. This is consistent with the principles of protecting the rights of citizens and promoting social justice, which are emphasized in the ASEAN Charter.

The ASEAN Charter also requires member states to strengthen their support and promotion of international cooperation under the legal framework. This has also had an impact on Thailand's civil law, promoting legal cooperation and exchanges between Thailand and other ASEAN member states. Thailand has actively participated in the legal cooperation mechanism within ASEAN, learned from the experience and practices of other member states, and strengthened international cooperation and docking in the field of civil law.

The ASEAN Charter has had a positive impact on civil law in Thailand. Through the emphasis on dispute resolution and mutually beneficial cooperation, the reference to law formulation and revision, the emphasis on human rights and equity and justice, and the promotion of international cooperation, the ASEAN Charter has promoted the development and reform of Thai civil law. Under the guidance of the ASEAN Charter, Thailand has further improved the standardization and adaptability of the civil law system to realize the construction of a society ruled by law and promote the settlement of civil disputes. For other ASEAN member states and the international community, Thailand's experience and practice also have certain reference significance and reference value.

## **5. Status of the ASEAN Charter in Thai Domestic Law**

### **5.1 Endorsement of the ASEAN Charter by the Constitution of Thailand**

The ASEAN Charter is an important legal document since the founding of ASEAN, which stipulates the purpose, principles, institutional setup of ASEAN and the direction and mode of cooperation among the member states. As one of the founding members of ASEAN, Thailand's recognition and implementation of the ASEAN Charter is of great significance.

The Thai Constitution clearly stipulates and endorses the ASEAN Charter. According to the Thai Constitution, the ASEAN Charter is part of the Thai Constitution and has the same legal effect. Thailand's constitution defines the ASEAN Charter as the country's basic reference

document and requires the country's legal system to be consistent with the ASEAN Charter. This means that Thailand recognizes the ASEAN Charter as an important legal basis that cannot be ignored in the legal system. [11]

Second, Thailand's constitution requires the government to take into account the principles and objectives of the ASEAN Charter when formulating domestic policies and laws. Under the Thai Constitution, the Government is required to ensure that domestic laws are consistent with the purposes, principles and provisions of the ASEAN Charter. This means that Thailand's legislation and policy making must follow the spirit of cooperation and objectives set out in the ASEAN Charter and not violate its provisions.

The Thai Constitution also provides for the legal effect and scope of application of the ASEAN Charter in the domestic legal system. According to the Thai Constitution, the provisions of the ASEAN Charter can be directly applied in Thailand and are legally binding. This means that Thai courts can refer to and apply the provisions of the ASEAN Charter to resolve ASEAN-related disputes and cases. At the same time, the laws and regulations in the Thai legal system should be consistent with the ASEAN Charter to ensure the implementation of international commitments and the consistency of domestic laws.

The endorsement of the ASEAN Charter by the Thai Constitution is clear. Through the provisions of the Constitution, Thailand establishes the ASEAN Charter as the basic national reference document and requires the national legal system to be consistent with the ASEAN Charter. The Thai government must take into account the principles and objectives of the ASEAN Charter when formulating policies and laws. At the same time, the ASEAN Charter is directly applicable and legally binding in Thailand, providing a legal basis for the settlement of ASEAN-related disputes and cases. Therefore, it can be said that the endorsement of the ASEAN Charter by the Thai Constitution is positive and powerful, and has played an important role in promoting cooperation and integration among ASEAN member states.

### **5.2 Application of Thai Administrative Law to the Asean Charter**

As a legal framework among ASEAN countries,

the ASEAN Charter plays an important role in Thailand's legal system, especially in the field of Thai administrative law, which sets out a series of administrative law provisions and provides guidance for Thailand. This section will examine the impact of the ASEAN Charter on Thai administrative law.

The ASEAN Charter has had a significant impact on Thai administrative law in harmonizing and regulating the exercise of executive authority. According to the ASEAN Charter, member states should strengthen coordination to ensure joint action in international and regional affairs. This means that the Thai executive is required to abide by the provisions of the ASEAN Charter when dealing with ASEAN-related matters. At the same time, the ASEAN Charter emphasizes the importance of transparency and accountability in the executive, and these principles are also adopted and implemented in the Thai Administrative Law.

The application of the ASEAN Charter to Thai administrative law also involves the regulation of administrative procedures and administrative decision-making. The ASEAN Charter requires member states to establish fair, transparent and effective administrative procedures to ensure that administrative decisions are in accordance with the law, fair and reasonable. In Thailand, these principles are incorporated into the system and practice of administrative law. Thai administrative law provides for various administrative legal procedures, including the establishment of administrative decision-making norms and a grievance system, to ensure that the executive acts in accordance with the requirements of the ASEAN Charter.

The ASEAN Charter provides guidance on the application of Thai administrative law. The ASEAN Charter emphasizes that member states should strengthen cooperation, respect and uphold their respective rule of law systems, and ensure the harmonization of national laws with ASEAN's legal framework. For Thai administrative law, this means that the executive body should implement the provisions of the ASEAN Charter in line with national law, ensuring seamless alignment of the ASEAN Charter with Thai domestic law.

In short, the application of the ASEAN Charter in Thailand's administrative law is of great significance. It sets out the relevant administrative law provisions for Thailand and

provides guiding principles. The influence of ASEAN Charter on the administrative law of Thailand is very significant in the exercise of administrative authority, administrative procedure and administrative decision-making. For Thailand, adherence to and application of the provisions of the ASEAN Charter will help enhance the legitimacy and transparency of the executive branch and promote cooperation and common development within ASEAN.

### **5.3 Application of Thai Civil Law to the ASEAN Charter**

With the formulation and revision of the ASEAN Charter, Thailand, as an ASEAN member state, has naturally been affected. In Thailand's domestic law, especially in the civil law, the application of the ASEAN Charter has had a certain impact and changes.

The application of the ASEAN Charter is clearly defined in Thai civil law. According to the Thai Constitution, the ASEAN Charter is legally binding and generally recognized in Thai judicial practice. According to the provisions of the ASEAN Charter, Thailand, as a member of ASEAN, should fulfill and carry out the obligations and responsibilities stipulated in the Charter. In Thai civil law, relevant legal provisions clearly stipulate the scope and mode of application of the ASEAN Charter, which provides a legal basis for the implementation of the ASEAN Charter in Thailand.

The application of Thai civil law to the ASEAN Charter involves many aspects. According to the provisions of the ASEAN Charter, ASEAN member states should strengthen cooperation in law, exchanges and mutual assistance to promote peace and stability in the ASEAN region. In the civil law of Thailand, through the formulation of relevant legal provisions and provisions, it clearly stipulates the resolution mechanism of the ASEAN Charter for transnational civil disputes, and provides solutions for civil legal disputes between ASEAN member states. At the same time, according to the provisions of the ASEAN Charter, Thai civil law also actively promotes the improvement and innovation of the civil legal system to adapt to the process of ASEAN economic integration.

The application of Thai civil law to the ASEAN Charter also involves the field of private international law. According to the provisions of

the ASEAN Charter, ASEAN member states should strengthen cooperation in the field of private international law and strengthen coordination and cooperation in civil justice. In Thai civil law, relevant legal provisions stipulate the scope and mode of application of the ASEAN Charter in the field of private international law, which provides the basis and basis for the settlement of civil legal disputes between ASEAN member states.

Thai civil law is of great significance to the application of the ASEAN Charter. Through the application of the ASEAN Charter, Thailand actively promotes legal cooperation and coordination in the area of civil law in the ASEAN region. At the same time, the application of the ASEAN Charter also provides opportunities for the development and innovation of Thailand's civil legal system. However, although Thailand's legal framework on the application of the ASEAN Charter has been initially improved, there are still some problems and challenges in practice. Therefore, to further study and improve the mechanism and way of applying Thai civil law to the ASEAN Charter will help promote legal consistency and mutual assistance and cooperation in the ASEAN region.

## **6. Implications of the ASEAN Charter for Thai Domestic Law**

### **6.1 Importance of Legal Consistency**

Legal consistency means that laws within the same scope have consistent provisions and interpretations to ensure the stable and effective operation of the legal system. In the impact of the ASEAN Charter on Thailand's domestic law, the importance of legal consistency cannot be ignored. This section will explore the importance of legal coherence to Thai domestic law and analyze the role of the ASEAN Charter in promoting legal coherence.

Legal consistency helps ensure the stability and predictability of the legal system. When there are differences in legal provisions and interpretations, it may lead to uncertainty and unfairness in the application of laws. In Thailand, the ASEAN Charter promotes legal coherence through its alignment with the Thai Constitution and other relevant domestic laws. The influence of the ASEAN Charter on Thailand's domestic law has made the application and interpretation of the law more uniform, thus enhancing the

stability of the legal system.

Secondly, legal consistency helps to promote international exchanges and cooperation. In today's globalization, the exchanges and cooperation between countries are becoming more and more frequent. The consistency of laws can reduce conflicts and frictions between different legal systems and provide a better legal basis for international exchanges and cooperation. As a regional cooperation organization, the formulation and revision of the ASEAN Charter fully considered the legal systems and legislative needs of member states, thus promoting the legal consistency among ASEAN member states [12].

In addition, legal consistency is essential to maintain a level playing field and promote economic development. Within Thailand, the ASEAN Charter has influenced legal provisions such as the Thai Constitution, administrative law and civil law. The consistency of these laws ensures fair market competition and the maintenance of legal order, and provides better legal protection for enterprises and individuals. The promotion of legal consistency will also provide investors with greater legal predictability and protection, increase trust in Thailand, and further promote economic development and cooperation.

In the inspiration of the ASEAN Charter to Thailand's domestic law, the importance of legal consistency cannot be ignored. In order to achieve legal consistency, Thailand needs to strengthen the docking and implementation of the ASEAN Charter, further improve the legal system, and enhance the level of legal construction. Thailand should also strengthen exchanges and cooperation with ASEAN member states and promote the application and alignment of international law so as to better safeguard national interests and international cooperation.

Legal consistency is of great significance to the influence of domestic law in Thailand. Through the influence of the ASEAN Charter, Thailand has made some progress in legal consistency, but there are still some deficiencies. Therefore, further strengthening the construction of legal consistency, promoting the stability and predictability of the legal system, and promoting international exchanges and cooperation are of great significance for the legal development and cooperation between Thailand and ASEAN countries.

## 6.2 Application and Docking of International Law

The application and alignment of international law is an important aspect of the influence of the ASEAN Charter on Thailand's domestic law. International law, as a legal system involving inter-state relations, has gained more application and recognition in Thailand's domestic legal system under the impetus of the ASEAN Charter.

The ASEAN Charter requires member states to strengthen cooperation in various fields and resolve disputes through consultation and cooperation. This makes the application of international law between Thailand and other ASEAN members all the more important. As a member of ASEAN, Thailand needs to abide by the provisions of international law when dealing with cooperation and conflicts with other member states. For example, when resolving trade disputes with other member countries, Thailand needs to refer to the provisions of international trade regulations and base its judgments on international law.

Secondly, the ASEAN Charter emphasizes the principle of mutual trust and mutual benefit among member states, which is also reflected in the application and alignment of international law. Thailand needs to cooperate with other member States within the framework of international law to ensure that the rights and interests of all parties are equally and impartially protected. At the same time, Thailand also needs to align the principles and provisions of international law with domestic law to ensure the consistency and effectiveness of the law.

The ASEAN Charter also advocates exchanges and cooperation among member states in the field of law. This means that Thailand needs to share legal experience and expertise with other member states to promote the application of international law in Thailand's domestic legal system. Such exchanges and cooperation can be achieved by holding seminars on international law and establishing professional exchange mechanisms.

In the influence of ASEAN Charter on Thailand's domestic law, the application and docking of international law plays an important role. While promoting cooperation and development among ASEAN member states, Thailand needs to comply with the provisions of international law and align them with domestic

laws to ensure the consistency and effectiveness of the law. Thailand should also actively participate in exchanges and cooperation in the field of international law in order to enhance its professional capacity and status in the application of international law.

## 6.3 Advancing the Construction of the Rule of Law

As a key aspect of national legal construction, the rule of law has also been deeply influenced by the ASEAN Charter in Thailand. As a member of ASEAN, Thailand is not only regulated by domestic laws but also guided and constrained by the ASEAN Charter in the process of promoting the construction of the rule of law. This part will discuss the role of ASEAN Charter in promoting the rule of law in Thailand from the following three aspects.

First of all, the ASEAN Charter has played an important role in promoting the unification and standardization of Thailand's legal system. As an agreement among ASEAN member states and a common rule to abide by, the ASEAN Charter has promoted the integration and standardization of Thailand in the field of law. This means that in formulating and amending laws, Thailand will take into account the relevant provisions and standards of the ASEAN Charter to achieve consistency with the laws of other member states. This not only ensures the stability and predictability of Thailand's legal system, but also improves the quality of the rule of law environment.

Secondly, the ASEAN Charter has played a positive role in promoting the reform and construction of Thailand's legal system. The ASEAN Charter sets out the principles and objectives of ASEAN member states' cooperation in the political, economic and social fields, including the requirement to promote the rule of law. Thailand has actively participated in this process and has made a number of achievements in the reform of its legal system. The ASEAN Charter has provided guidance and reference for legal reform and rule of law construction, and promoted the modernization and improvement of Thailand's legal system.

Finally, the ASEAN Charter has played a role in promoting international cooperation and exchanges in promoting the construction of the rule of law in Thailand. As a member of ASEAN, Thailand has extensive legal exchanges and

cooperation with other member countries. Through the ASEAN Charter, Thailand and other member states have established a mechanism to learn from each other and conducted cooperation and exchanges in the rule of law experience and legal system building. Such international cooperation has helped Thailand make faster progress in building the rule of law, improving the quality and effectiveness of Thai laws.

To sum up, the ASEAN Charter has had a profound impact on Thailand's domestic law, especially in the construction of the rule of law. It has promoted the unification and standardization of Thailand's legal system, positively influenced the reform and construction of Thailand's legal system, and promoted the development of Thailand's international cooperation and exchanges. Therefore, further deepening the understanding and application of the ASEAN Charter will help promote the construction of the rule of law in Thailand, thus bringing a brighter future to the rule of law environment in Thailand.

## 7. Conclusion

In this study, we explore the impact of the ASEAN Charter on domestic law in Thailand. Through an overview of the ASEAN Charter and Thai domestic law, we find that the ASEAN Charter has an important place in the Thai legal system and has had a profound impact on the Thai Constitution, administrative law and civil law.

In terms of the Thai Constitution, the ASEAN Charter is recognized and endorsed by the Thai Constitution. The ASEAN Charter emphasizes the spirit of mutual respect, equality and cooperation among member states, which is consistent with the provisions of the Thai Constitution for international cooperation and friendly relations. The Thai Constitution also stipulates the scope of application of the ASEAN Charter in Thailand and ensures the status and role of the ASEAN Charter in Thai law.

In the area of Thai administrative law, the ASEAN Charter has had a positive impact on Thai administrative law. The ASEAN Charter encourages greater administrative cooperation among member states and establishes ASEAN institutions such as the ASEAN Secretariat and the ASEAN Human Rights Commission. The establishment and operation of these institutions

provide an opportunity for the Thai administrative departments to learn from and promote the development and improvement of administrative law.

In the aspect of Thai civil law, the ASEAN Charter has played a positive role in protecting civil rights and promoting transnational civil cooperation. The ASEAN Charter emphasizes legal cooperation and judicial cooperation among member states, which provides reference and guidance for the development of Thai civil law. In the settlement of transnational civil disputes, Thai courts have also drawn on the principles and mechanisms of arbitration and conciliation in the ASEAN Charter.

The ASEAN Charter has had a wide and far-reaching influence on Thai domestic law. Through the endorsement and application of the ASEAN Charter, Thailand has made remarkable progress in the construction of the rule of law, international cooperation and protection of civil rights. However, we are also aware that there are some shortcomings in this study.

Limited in time and resources, this study can only conduct a preliminary discussion on the impact of the ASEAN Charter on Thailand's domestic law. Future research could further deepen the study of various legal areas and specific cases to gain a comprehensive understanding of the specific impact of the ASEAN Charter on Thai domestic law.

Although Thailand's recognition and application of the ASEAN Charter has been more positive, there are still some legal and institutional challenges that need to be addressed. For example, there are still some obstacles in the consistency of judicial practice and the effect of law enforcement. Future studies could focus on ways and means to address these issues to further advance the effective application of the ASEAN Charter in Thai domestic law.

This study can also be extended to other ASEAN member states to compare the recognition and application of the ASEAN Charter in different countries, so as to comprehensively understand the overall impact and role of the ASEAN Charter on the ASEAN region. Through this study, we recognize that the ASEAN Charter has had a profound impact on Thailand's domestic law, promoting Thailand's development in the construction of the rule of law, international cooperation and protection of civil rights. However, many issues remain to be

further studied and resolved in order to promote the effective application and development of the ASEAN Charter in Thai domestic law.

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