

THESIS TITLE	THE DEVELOPMENT APPROACHES OF CRIMINAL PROCEEDINGS OF THE SUPREME COURT OF CRIMINAL DIVISION FOR HOLDERS OF POLITICAL POSITIONS
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ABSTRACT

The objective of this thesis is to examine the legal prosecution against political figures by exploring related concepts and theories such as criminal activity controlling principle, legal process righteousness principle, legal prosecution by state, principle of prompt and just legal prosecution and guarantee rulings. It also includes studies of ruling in accusatorial and inquisitorial systems and comparative studies of legal prosecution cases against political figures in Thailand and in other countries in light of finding any similarities, differences, advantages, disadvantages, problems and obstacles towards legal prosecution against political figures in Thailand as well as the solutions.

The study revealed that there were three major problems and obstacles to legal prosecution against political figures in the Supreme Court, namely related problems with the legal prosecution's prior processes, related problems with ruling by judge of the Supreme Court's Criminal Division for Holders of Political Positions and related problems with legal prosecution's post processes after the Supreme Court's Criminal Division for Holders of Political Positions had presented their sentences. These problems were caused by the inconsistency between Legal

Prosecution against Political Figures Act 2542 BE and Regulation on Operation of the Supreme Court's Criminal Division for Holders of Political Positions of 2543 BE. Some of the articles in the act were not properly and consistently drafted, against the prosecution regulation and hence the act and the regulations are incoherent. Also, the implementation of inquisitorial system instead of the accusatorial system, without specifying the details or guideline for prosecution, and the fact that the law does not specifically designate any specific organizations which will be responsible for enforcing the court's sentence are the causes of such problems and obstacles.

Regarding the solution of these problems, we may start by amending the Legal Prosecution against Political Figures Act 2542 BE and Regulation on Operation of the Supreme Court's Criminal Division for Holders of Political Positions of 2543 BE so that they are consistent with the court's legal prosecution processes. This can be done by using the Criminal Procedure Code, legal prosecution processes for political figures of other countries, opinions of related parties to legal prosecution of political figures to amend and improve the law. Doing so will reduce many problems and obstacles with legal prosecution of political figure, as well as successfully bring justice to the offender, truly in accordance with the law's intent.