

<b>THEMATIC TITLE</b>	PROBLEMS IN CRIMINAL LAW REGARDING TO STALKING HARASSMENT
<b>KEYWORDS</b>	HARASSMENT/STALKING
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### **ABSTRACT**

This independent study had purposes for; studying the meaning, the form, the behavior aspects of threat of stalking offense; studying the idea, the theory of protecting persons being stalked; study the law measurement about the threat case as stalking in Thailand and foreign countries; analyzing the problem in terms of forced law about the threat case as stalking in Thailand; offering the suggestions of adjusting, improving, adding the criminal code about the threat case as stalking affecting to privacy rights.

Today, Thailand was encountering the problem of the threat as stalking affecting to the privacy rights which was certificated by the constitution as the highest law of Thailand. The referred action caused the trouble, the annoyance, the shame, the fear, and the suspicion about the victims' safe in life, body, and asset. They made the victims not be able to live peacefully. In Thailand, there was not the specific law being forced to convict the stalking offense as the threat. Even though, there would be the provision in criminal code in the section 392 and the section 397, there were some cases which could not convict because the action did not complete all aspects according to those sections; and both sections were only minor offense according to the criminal code. Therefore, the rate of punishment was not appropriated enough for restraining the offense and protecting those offenses in the future.

From the study, it was found that in Thailand, the existent law did not cover, was not proper and enough to force the law if the case of stalking offense happened. Meanwhile, in foreign countries,

the stalking offense was determined to have the provision law as the specific punishment and was determined the proper and proportional punishment which protected those offenses not to occur in the society. It could be seen that it could be the guidance for adding the enactment and correcting the criminal code of Thailand in order to convict about the above offenses.

Therefore, in order to protect the victims from those offenses properly and effectively, there were some suggestions; the stalking offense should be defined clearly for forcing the law covering the behavior of every kinds of stalking; the convicting law should be provided specifically for the threat in form of the stalking offense as the convict being separated from other convicts including the serious incident where the offender must be punished more seriously in case of the youth under 18 years old; the punishment should be determined for those offenses properly and proportionally according to the danger of those offenses.