

## **Experiences and Challenges of EIA Litigation in Thailand**

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### **ABSTRACT**

Environmental impact assessment (EIA) was first introduced in Thailand by the 1975 Enhancement and Conservation of the National Environmental Quality Act. After two amendments, the 1975 Act has been replaced by the 1992 Enhancement and Conservation of the National Environmental Quality Act.

Despite the introduction of participation of non-governmental organisations in enhancing and conserving environmental quality, it is only when the recent Amendment entered into force in mid-July 2018 that public participation has been adopted as part of the EIA process within the Thai EIA law, ie the 1992 Enhancement and Conservation of the National Environmental Quality Act. Nevertheless, due to the transitional provision, a new set of subordinated laws providing details of public participation in the EIA process would not be issued until mid-October 2018.

This report will discuss the development of public participation in the Thai EIA process prior to the 2018 Amendment and possible forthcoming process. In addition, it will discuss the development of access to justice regarding EIA process in Thailand. Lastly, this report will discuss selected experiences and challenges of EIA litigation in Thailand.