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ROLE OF PUBLIC PARTICIPAITON IN ENVIRONMENTAL IMPACT ASSESSENT IN THAILAND

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ABSTRACT: An integration of public participation in Environmental Impact Assessment (EIA) is significant in terms of its implication for sound decision and a sustainability of development projects. Accordingly, the Thai EIA system provides a public participation process for stakeholders in an assessment and review of the EIA study process. There are a number of different participatory techniques to facilitate public participation. However, in Thailand traditional public participation methods like public hearing is preferred. The public hearing process in the Thai context, stakeholders including the project proponents and the opponents are brought together in a forum to express their view points and recommendations for the proposed projects in order to influence the decision-making process. Frequently, this process leads to violent conflict among stakeholders. This study aimed at trying to close the gap between regulators and civil communities with respect to public participation in the Thai EIA system. A case study approach was applied for this study. The study revealed that appropriate public participation is essential and may lead to enormous benefits for the proponents and stakeholders. Where public participation is ignored and ineffective conducted, environmental conflicts and problems may be created for project implementation and sustainability.

Keywords: Public Participation, Environmental Conflict, EIA, Power Plant, Thailand

INTRODUCTION

Moving from an agricultural base to more industrialization, Thailand is now facing many environmental problems and conflicts. (Chaisomphob *et al*, 2004; Chompunth, 2013). In particular, the impacts from the coal-fired power plant were serious. Either the construction period or the operation period, the communities surrounding the power plant are directly impacted from the pollutants. The cumulative impacts from the power plants were also critical to local communities. In the past, many coal-fired power plant projects had been implemented by the authorities without appropriate public involvement or public participation. In particular, a previous coal-fired power plant, Mae Moa, in the North of Thailand has a bad reputation for its environmental impacts. These rules will rely upon proven and widely available emissions control technologies to level that all power plants follow the same systems (Chesoh, 2011; Chompunth & Chomphan, 2012).

In Thailand, many projects were cancelled or delayed by the local people or the protestors. These projects have faced the problem of public protest due to their impacts and the NIMBY syndrome (Not in My Back Yard) resulting in more expenditures and time delay (Chompunth, 2013). This might because the public participation process has not been taken appropriately in the development of these projects until the conflicts among stakeholders in particular the government/project proponent and the local community occurred (Chompunth, 2013; Creighton, 2005). To solve the problem, the participation in the planning and decision-making process of the project should be carried out in a proper manner. Presently, Thai people demand greater participation in the decision-making processes concerning highly controversial issues of development activities, in particular the sitting of coal-fired power plants. They recognize that public participation should play a substantial role in environmental development projects and the Environmental Impact Assessment (EIA) in order to resolve environmental conflict.

SIGNIFICANCE OF THE STUDY

Immediately, Thailand needs an effective approach to deal with air pollution problem; particularly, air pollutants from coal-fired power plants. However, Thailand has a very limited expert and specialists; this is then still an on-going problem that still needs to be solved. Another problem is that the authorities usually stand by at central government centre. Presently, the government recognizes the importance of public participation to play a substantial role in the Environmental Impact Assessment (EIA) of coal-fired power plants in order to prevent their severe impact. Thai citizens also demand greater participation in the decision-making process concerning highly environmental problems

(Chompunth, 2013).

To deal with environmental conflict issue, Thai government encourages the public to involve in preserving and conserving the environment though many mechanisms, in particular legal framework. Thus, public participation in EIA process is expected to be an effective tool to solve these environment impacts and conflicts from the power plants. This study aims to identify the problems of enhancing public participation in solving environmental conflict in EIA process and to investigate strong and weak points of the EIA system in Thailand. A case study of the Khao Hin Son Coal-fired Power Plant Project was studied and analyzed. Finally, recommendations on how to enhance public participation in environmental conflict resolution in the Thai context are presented.

METHODOLOGY

A case study approach Controversy of the Case Study: The Khao Hin Son Coal-fired Power Plant Project

In this study, qualitative approach was applied to examine the current state of EIA of power plant projects and adequacy of public participation in the EIA system. The case study approach is chosen as a key research strategy to explain and conduct an in-depth study of a public participation process in the EIA system in Thailand. In-depth interview and documental reviews were employed to collect data. Stakeholders who or played important roles in the public participation process were identified and interviewed. In this study, key informants were people who have specific knowledge and experience about the studied issue, a public participation process. Indeed, there was no clear sampling frame or list of the members of these stakeholders groups, government organisations, project proponents, NGOs, and academics and experts. The samples of target groups in this study are summarised in Table 4.2.

Additionally, snowball sampling was used throughout the data collection process to make interviews with key affected citizens and stakeholders combined with other approaches as a way to contribute a potential network of interviewees. Initially identified participants were asked to recommend other people who also played an important role in the participation process of the project and met the selection criteria.

The secondary data were collected from relevant source including publications, substantive document on public participation, government publications, conference proceedings, research, books and journals.

RESULTS AND DISCUSSION

Lesson from the Case Study: The Khao Hin Son Coal-fired Power Plant Project

The Khao Hin Son coal-fired power plant is one of a large-scale project in Thailand which having significant environmental impacts and conflicts with a high level of controversy among stakeholders. According, the Khao Hin Son coal-fired power plant is appropriate to investigate how, in Thai experience, a public participation program in managing environmental conflict did not succeed. Accordingly, the Khao Hin Son coal-fired power plant is suitable to be examined how public participation process in managing environmental conflicts did not succeed since the project is having conflicts with a high level of controversy among stakeholders.

The villagers protesting against the construction of a coal-fired power plant claimed that the EIA report was conducted without appropriate public participation. They claimed that the authority, the Office of Natural Resource and Environmental Policy and Planning (ONEP), approved the EIA study even though the company had not held public hearings or conducted a health impact assessment study as required by law, Section 67 of the 2007 constitution. However, the officer claimed that the office had considered the EIA report cautiously and the study complied with all legal requirements.

The protestors also believed that the power plant would cause massive environmental and social impacts. Importantly, the affected people did not trust the environmental monitoring and mitigation program of the project and still opposed the project. The local communities did not believe that the project's monitoring programmes could control any impacts to the environment from its operation. They believed that the government and the project owner were not honestly attempting to solve their problems and did not pay attention to their concerns. Thus, the Khao Hin Son power plant project was delayed and conflicts among stakeholders still exist. Similarly finding is found in the study of Tippett et al. (2005). The study found that mistrust has severed impacts to public participation in the EIA process. A lack of trust among stakeholders could hinder effective public participation and lead to conflict among stakeholders.

Public Participation in EIA in Thailand

The EIA process is an essential component of environmental legislation in many countries

including Thailand (Harding, 1998). In Thailand, public participation is required to be held in three main stages of the EIA process including screening, scoping, and EIA review. However, public participation as part of the site evaluation and selection processes, which are arguably sub-stages, is not compulsory and this potentially leads to conflict among stakeholders. This might be because project sitting has always been a key issue that created problems for project implementation in Thailand. Indeed, there were several factors that contributed to the conflicts, but the fact that people who lived near the proposed site did not know or have a chance to participate at the beginning stage of the project implementation, in particular the site selection process, is viewed as a key factor that caused the problems (Nuntavarn & Vajanapoom, 2011). Indeed, public participation must be integrated in all steps.

Although the EIA process was established more than 30 years in Thailand, it is still controversial; many developers regard EIA as an undesirable barrier, some seek to avoid the EIA process, and also some government administrators in charge of EIA view the process as a heavy burden. Moreover, political and financial support for EIA study is low in many developing countries, and environmental agencies are practically powerless compared with economic development agencies. Two key reasons for poor quality of EIA reports are lack of qualified environmental experts, and insufficient time and money (Ogunlana et al., 2001), and Thailand is no exception in this regard.

A coal-fired power plant is cited as one of the largest sources to particulate pollution, ozone, and global warming. In this case, the affected villagers claimed that hazardous air pollutions emitted by coal-fired power plant could influence environmental quality and health on local, regional, and continental scales. One research participant claimed that “Their air pollutions blow across state lines into states thousands of miles away”. The protesters said they did not want the power plant in their communities as they feared environmental impacts, particularly air and water pollution. One villager claimed that, “if the coal-fired power plant is established, it may result in the acid rain that will damage agriculture and cause mercury and heavy metal contamination in the air and food chains”.

The villagers protesting against the construction of a coal-fired power plant in Chachoengsao called for a revised environmental impact assessment report of the project. They claimed that the existing report was conducted without appropriate public participation. The authority, the Office of Natural Resource and Environmental Policy and Planning (ONEP), approved the EIA study even though the company had not held public hearings or conducted a health impact assessment study as required by law, Section 67 of the 2007 constitution. One project opponent said that "The project's EIA has been done without appropriate public participation". A coordinator of a network monitoring the impact of the power plant also stated that "This means the EIA study does not cover all well-rounded information”. However, one officer claimed that the office had considered the EIA report cautiously and the study complied with all legal requirements.

Many scholars have commented on ineffective public participation process in Thailand on environmental issues and, particularly in the EIA process (Chompunth, 2013; Ogunlana et al., 2001). The draft EIA does not have to be released to the public, public comments are not asked for, and, critically, the government does not have to officially respond to public concerns. The EIA review is made by the authority in charge of the EIA approval only. Local expert panels and local administrative organization officers are not authorized to take part in the process. Usually after the EIA report is sent to the authority for review, the public could not get access to it. Moreover, the EIA reviewers themselves are not experts in all areas, they work under pressures of time limits.

Clearly, public participation in the EIA process is crucial, particularly in Thailand. Weak public participation and unsatisfied communication produce many limitations, both legally and in practice, and result in limited knowledge and uneven distribution the project information to the local community. Finally, then the local communities distrust the EIA report and violent protests have been happened, like in this case.

Public participation as a conflict management approach

In Thailand, public participation is a key component of the government’s administration. The requirements for public participation in Environmental Impact Assessment system have been promoted noticeably by the 2007 Thai Constitution. Public participation is also granted The Official Information Act, and many clauses in the environmental legislation. However, the current status of public participation in environmental impact assessment in Thailand has not been effectively implemented. Thai government prefers a top-down approach to handle environmental conflicts and this lead. There are many limitations to these laws, both legally and in practice. Within these laws and regulations, the public right to information is often subject to the judgment of the government officials in charge. In

this case, it was found that public participation of Thai citizens did not comply with a real concept of public participation; direct impacted people in the project did not have an opportunity to be informed and express their views from the very beginning and their concerns were not appropriately influence the decision.

From the case study, it could be seen that the implementation of public participation in Thailand is now reaching an impasse. Many stakeholders, in particular the impacted communities, were reluctant to participate in many participatory forums provided by the government or the developer. Many public hearings or other activities were ignored by affected groups. The protestors did not accept them because they believed that these activities, particularly public hearing should have been processed before the decision-making process was completed. The Khao Hin Son coal-fired power plant is obviously demonstrated for the problem of lack of appropriate public participation in the right stage. Moreover, many mega development projects in Thailand cause conflict because the location of the proposed project had already been selected. In this case, land was already selected for proposed project without informing local people. There is no alternative for the public. Only the chosen location of the project is introduced and presented to the public during the hearing forum.

Public participation in the EIA process is important. Without the public being participated there is too much of a tendency to hide things, which can eventually lead to corruption and conflict among stakeholders (Persson, 2006). Keeping the EIA study (or related documents) secret completely defeats the purpose of the EIA system. This can especially be a problem where the local communities are adversely impacted. Particularly in this case study, violent protests have been set up.

Although public participation process is possible to express a government's willingness to share all perspective with stakeholders, in many cases in Thailand, public participation has been simply employed to ratify a decision that had already been made (Chompunth & Chomphan, 2012). Furthermore, despite public participation arrangements, to accept these programs does not mean that the final outcomes of participation processes will be accepted and influenced the authority's final decision.

A significant problem is that when opportunities to be involved are distorted and blocked by political structures and processes, affected people may employ direct action to increase their level of participation and power (Thanh & Lefevre, 2001). In Thailand, this direct action is often resulted in direct violence. The foregoing consideration and finding are fully supported by this case study. Similarly, Stampe's (2009) and Vantanen and Marttunen's (2005) studies found that trust was closely related to openness and transparency. If trust is lacking, the public then are difficult to see the decision is transparent and led to protest and antagonism among stakeholders. When the stakeholders did not trust each other, conflict was likely to be more aggressive. One academic suggested that, "to deal with this issue, the developers should provide effective mechanism such as call centres or hotlines to respond to the public complaints and concerns. Thus, the developer could take prompt action to alleviate the problem".

Importantly, in Thailand, the public has a limited role in the monitoring process, including either the constructing or operating stages. Indeed, the project proponents should be provided assurances over the running and maintenance of the power plant in order to increase the public's confidence that the project is of good quality with social, health and environmental soundness. Otherwise, it will be difficult to get support from the public. This is because the participation of local people and NGOs in monitoring the operational impacts of a project can lead to the early identification of environmental and social problems, and can increase public acceptance. Importantly, public participation must be continued throughout the project to prevent failure of the power plant's operation.

CONCLUSION

Enforcement of the EIA requirements is a compulsion. Having an appropriate review and approve a project's EIA report could help reduce the conflicts among stakeholders. However, mitigation of industrial air pollution, particularly from the coal-fired power plant, is not only the responsibility of the developers, but it also involves the diverse stakeholders including the government, experts, local communities and NGOs to participate in brainstorming of finding the desirable and accepted alternatives for air pollution abatement. Effective monitoring should be based on constant public participation. The government needs to ensure that the public could access to monitoring center information of the project. The authority and the developer need to get a variety of viewpoints from the affected citizens, particularly different ideas how to improve environmental quality, suggestions and comments. If this kind of two-way communication with society is ensured, it will help not only to increase the efficiency of monitoring problems, but also involve the public into active participation in environmental problems, air pollution management in particular.

Public participation is supposed as a wise strategy for a developing country, like Thailand. The public participation process should be started in the earliest stage of project planning to enhance the trust and create good relationship in cooperation between the project owner and local people. Public participation also can prevent argument and conflict between the authority/project proponents and the affected communities and can reach a higher level of support for the decisions during all phases the project's development including planning, construction, and implementation. It could be said that effective public participation can lead to a desirable and acceptable outcome, resolve conflicts, establish cooperation and collaboration among stakeholders, and improve the process and outcome of the environmental decision-making.

It could be said that the public participation process was not yet appropriately established in the Thai context. Consequently, Thai people demand greater participation in the decision-making processes concerning highly controversial issues. They recognize that public participation should play a significant role in environmental conflict management. Thus, there is an urgent need to create a sound approach and conditions of effective public participation which can assist in resolving environmental problems and conflicts.

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