

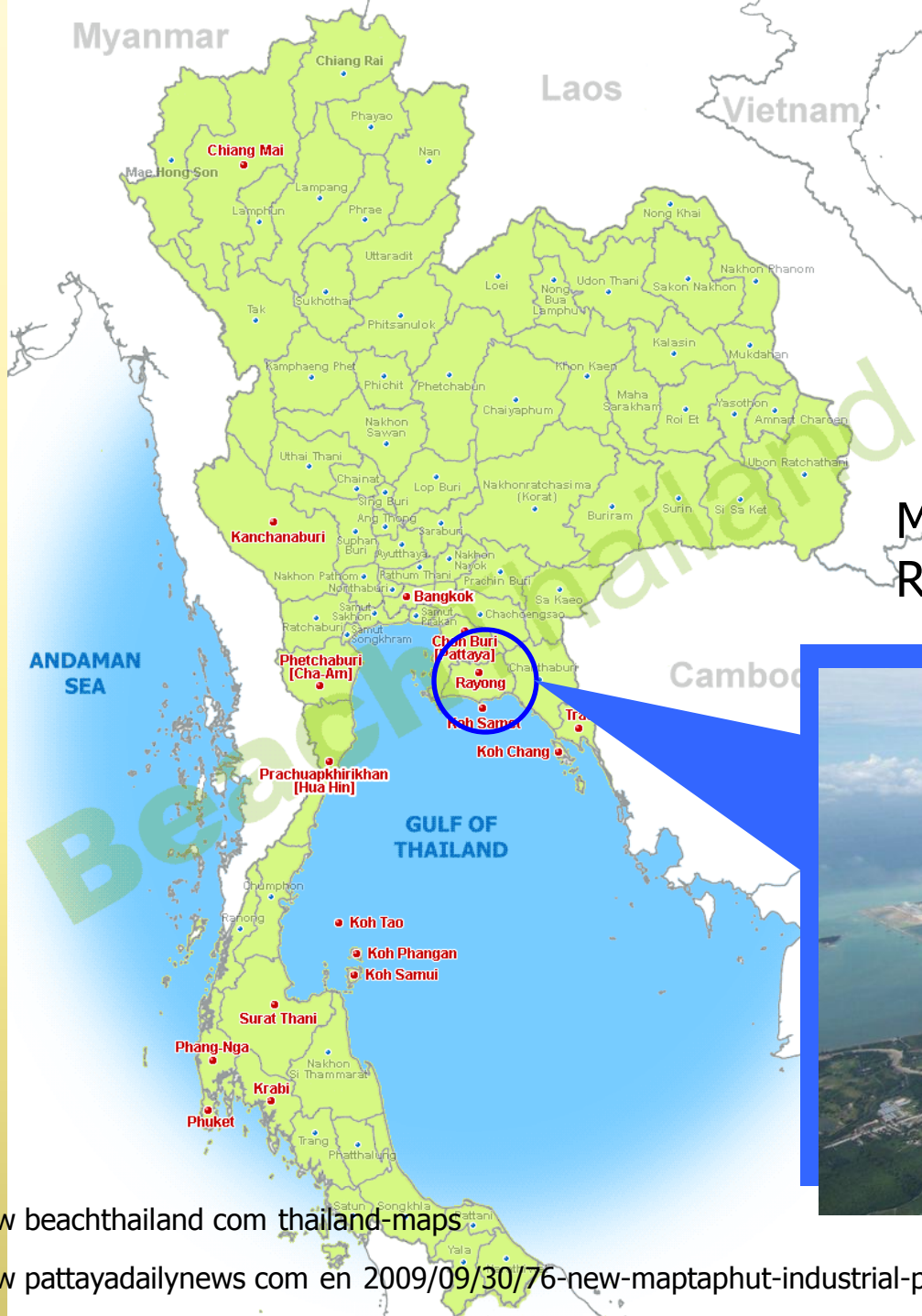


# **THAILAND PROJECT FINDINGS AND CHALLENGES**

**Strengthening the Right to Information for People  
and the Environment**

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# Case Study



Map Ta Phut Municipality  
Rayong Province, Thailand



Photo by Aerospace

[http www beachthailand com thailand-maps](http://www.beachthailand.com/thailand-maps)

[http www pattayadailynews com en 2009/09/30/76-new-maptaphut-industrial-projects-halted-by-court-injunction](http://www.pattayadailynews.com/en/2009/09/30/76-new-maptaphut-industrial-projects-halted-by-court-injunction)

# MAP TA PHUT MUNICIPALITY

- 33 communities
- Population: 45,646 people (2008)
- Area: 144.575 km<sup>2</sup>
- Map Ta Phut Complex:
  - Map Ta Phut Industrial Estate
  - Hemaraj Eastern Industrial Estate
  - Padaeng Industrial Estate
  - Asia Industrial Estate
  - IRL Industrial Estate
  - + Map Ta Phut Industrial Port





# Industrial Estates and Surroundings







# Protests by Local Communities



Oct 2009

**To stop coal-fired power plant**

<[http://www.maptaphutcity.go.th/default.php?modules=items&data=answer&item\\_id= &board\\_id=](http://www.maptaphutcity.go.th/default.php?modules=items&data=answer&item_id= &board_id=)>



30 Sept 2010

**Demonstrators protested against industrial pollutions** <<http://news.mthai.com/general-news/89011.html>>



# ACTIVITIES CONDUCTED UNDER THIS PROJECT

## Stakeholders Engagement

Community workshops  
23 & 29 May 2011

FoI request exercise

Meeting with resource persons from National Environmental Board, ONEP, PCD, STU on the list of indicators  
9 Aug 2011

Meetings between OIC, TEI and the coalition on a directory of environmental and health information  
30 Jan & 16 Feb 2012



# ACTIVITIES CONDUCTED

- 1<sup>st</sup> Community training workshop  
(23 May 2011)

## *Topics :*

- The principles of the *right to know* relating to environmental and health risks
- Civil right to information according to Thailand's Official Information Act, 1997
- Fundamentals of good environmental conditions, environmental rights and environmental democracy







**1<sup>st</sup> Community Training Workshop  
Klong Num Hoo Community, Map Ta Phut  
23 May 2011**



# ACTIVITIES CONDUCTED

- 2<sup>nd</sup> Community training workshop  
(29 May 2011)

## *Topics :*

- How to exercise the right to information
- How to request information
- Follow-ups on information requests
- Appeal process



# ACTIVITIES CONDUCTED

- Indicator workshop  
(9 Aug 2011)

- ▶ Each indicator must be relevant to addressing the environmental issues at MTP (community perspective and national policy perspective)

- ▶ Focusing on the water & air pollution control systems

- ▶ Do we need to set new standards?

- ▶ What information in the pollution control systems would we like to see improved ?

- ▶ What information do we need to know?





# PRELIMINARY RESULTS OF FOI REQUEST

	Air	Water	All pollutions	Others*	Total
<u>FOI REQUESTS</u>					
Total number of requests made	7	17	11	14	49
Number granted	5	12	7	11	35
Number refused			1	1	2
Number appealed	0	3	2	2	7
-appeals successful		3		1	4
- appeals pending			2	1	3
Number ignored	2	2	1		5

\* e.g., commissioning of experts, EIA, HIA, city plan, buffer zone, factory license

# PRELIMINARY RESULTS OF FOI REQUEST

	Air	Water	All pollution	Others*	Total
<u>FOI RESPONSES</u>					
Number complete answers received	4	8	6	8	26
Number incomplete/not-in-writing answers received	1	4		4	9
Number incomprehensible answers received		2	1		3
Number still in process		1			1
No response / no information received	2	2	4	2	10



\*E.g., commissioning of experts, EIA, HIA, city plan, buffer zone, factory license

# PRELIMINARY RESULTS OF FOI REQUEST

	Air	Water	All pollution	Others*	Total
<u>TYPES OF INFO RECEIVED</u>					
1. Standard setting	1	2		1	4
2. Initial assessment	4	4	1	1	10
3. Pollution reduction planning	1	2	2	1	6
4. Permitting	1	1	1	3	6
5. Monitoring		7	4	5	16
6. Enforcement and review		1	3	3	7

\* E.g., commissioning of experts, EIA, HIA, city plan, buffer zone, factory license



# FINDINGS:

- **Provision of info** is not consistent throughout all agencies included in this study, ie some agencies provided info more than the others, one agency never provided any info requested, some agencies did provide info at time and did not provide info at other times
  - >no rules or regulations on how agencies shall provide info when requested
- When provided, the information sometimes do not address the requester's question directly and is often too technical for villagers to understand
  - >Inadequate effort to address the questions
  - >No effort to make the info comprehensible to a layman



# FINDINGS:

- One agency does not provide info as requested but suggests the villagers to visit the agency in Bangkok to obtain the info by themselves and at their own costs, citing its lack of budget and fear for being sued by the company
- **Means of communication:**
- villagers are not keen on writing requests or making appeals in writing
- Officials do not always respond in writing either



# FINDINGS:

## **Preliminary Conclusions:**

- No proactive release of info
- Providing info, even when requested, is not deemed priority by some agencies/officials
- Obtaining info is the requester's responsibility
- Officials do not have responsibility to provide info when requested
- No or not enough budget to support agencies' release of info





# CHALLENGES TO THE STUDY:

- Villagers feel uncomfortable contacting officials
- Villagers are not keen on writing requests or appeals
- Villagers lose interest in following up with requests made
- Villagers do not believe that writing to officials will bear fruits
- Some community leaders hold the view that demonstration or showing up in number is the most effective means to get the info (other cases)



# WILL PROTESTS CONTINUE ?

