Chapter IV

Capacity Building for Meaningful Public Participation in Environmental Management

<u>Category A:</u> Efforts of the Government to Build Its Own Capacity to Provide Information, Utilize Public Participation and Ensure Justice

Introduction

Rationales of the Indicators

Public participation in environmental decisions by the government can be possible when general public has knowledge and understandings in the following issues:

- 1) Operational system of governmental agencies responsible for environmental problems;
- 2) Responsible Officials in such agencies;
- 3) Regulations and duties of the agencies and their staff; and
- 4) Procedures in information access and public participatory

Public participation principle will be successful only when general public can truly participate in governmental activities, can access information on environment and can efficiently use such data. Consequently, participatory approach of the nation shall be a process that gives opportunities for genuine participation from the general public.

At the international forum, governments from several countries are aware of Capacity Building in environmental management and sustainable development. The Rio Declaration on Environment and Development, Agenda 21, and Bio-Diversity Convention are all stress the importance of Capacity Building. The definition of "Capacity Building" in this study refers to "efforts to enhance social, educational, technological, legal, and institutional infrastructure for providing public access to decision making that affects the environment." (Source: The Access Initiative How-to Guide) In this study, Topic A will focus on assessment of capacity building level, evaluated from efforts and Capacity Building level of the government to provide public access to information and participate in decision makings.

Assessment in Capacity Building of the governmental agencies to promote public participation is crucial since if the government does not take steps to build its own capacity, its officials may lack the knowledge and incentive to provide the public with access to information, and true participation. Capacity building through training and providing resources encourages government officials to provide information and open opportunity for public participation in decision making.

General Situation

Currently, the Constitution of the Kingdom of Thailand B.E. 2540 enhances and opens more opportunities for public participation in natural resources and environmental management (as in Section 58, 59, 60, 76 and 79). In addition, the Strategic Plan for Thai Public Sector Development (B.E. 2546–2550) which was later implemented under the Royal Decree on Criteria and Procedures on good management B.E. 2546 (2003) prescribes that government agencies shall provide opportunities for general public to participate in decision making of public policies,

plans, and several legislations. The general public shall receive information and enjoy the benefits in accessing administration of justice. As a result, government agencies and state organizations must change their roles and develop their working style into the manner that support public participation including information dissemination, listening to public opinions and facilitate information access for the general public.

However, in the past Thai society lacks of clarity in principle and format of public participation which in turn, causes several conflicts. Example of such is an interpretation on "Public Participation". The governmental sector generally considers "Public Hearing" as Public Participation. Nevertheless, experiences in public hearings of several projects such as in case of, Thai-Malaysian gas-pipeline project, indicates that public hearing is only a method used to legitimate the project which had been decided by the government.

Consequently governmental agencies shall improve capacity of their officials to able to response to public participation. There shall be a strong attempt to create knowledge and understandings of relating agencies in their roles and responsibilities.

Case Selection

Study of Topic A emphasizes on an assessment of governmental agencies' efforts to build capacity of their officials to promote Public Participation. In this regard, indicators IV.A.1-IV.A.2 will access managerial agencies while indicator in IV.A.3 will evaluate juridical agencies.

With regard to selection of the agencies, the research team considers the organizations' roles in promotion of public participation or an organization which has a major role in conservation of natural resources and environment. The selected 3 administrative agencies are:

- 1) Department of Environmental Quality Promotion (DEQP), Ministry of Natural Resources and Environment;
- 2) Department of Industrial Works (DIW), Ministry of Industry;
- 3) Tan Diew Tambon (Sub-District) Administrative Organization (TAO), Lomsak District, Petchaboon Province.

The former 2 organizations are in the central government agencies.

The research team selected the DEQP since its mission are to publicize environmental issues in order to raise public awareness as well as conduct research, compile environmental information and assist in technology transfer (http://www.degp.go.th/know/index.html).

In term of the DIW, though there are no missions as such, but it is an agency controlling, monitoring environmental management of factories, promoting public access to information on pollution emission, and it takes part in an approval of factory establishment in the local areas. This will benefit the monitoring process, health prevention and security as well as reduce conflicts between public and private sector.

With regard to Tan Diew TAO, the research team views an importance and role of local administration in promoting public participation of local persons. This TAO was selected to be in line with the case study in assessment of participation in decision making appeared in Chapter 3 of this report.

Regarding juridical organizations for an assessment of indicators IV.A.3, the study team selected the Appeal Court and Administrative Court to be evaluated on their capacities in promotion of personal rights in information access, public participation in decision making process and access to juridical process. In this case, the study team selected Appeal Court³⁶ from the court system which has juridical power on criminal and civil cases since environmental case³⁷ is very complex and usually overlaps between these two types of cases. Most environmental disputes are not finalized at the first level court. When compared with Supreme Court, the study team found that number of cases at the Appeal Court outnumbers that of Supreme Court; therefore, officials at Appeal Court will have more opportunities to contact with general public. Apart from Appeal Court, the study team selected Administrative Court³⁸ to be assessed since it has juridical power on administrative cases or disputes between government and the public regarding the use of power by administrative office against public sector. Capacity Building in these courts will create knowledge, understanding, and awareness in encouragement of public participation in environmental management via exercising legal rights in damage claims in civil cases and prosecution for public benefits.

Assessment Method

Since Category A involves assessments in many agencies with various study team members, the report shall explain evaluation method and detail of study team member in each section as followed: Indicators IV.A.1 –IV.A.2 assess Capacity Building of government officials from 3 managerial organizations, namely, DEQP, DIW, and Tan Diew TAO of Petchaboon Province.

For the first agency, researchers from Sustainable Development Foundation and Thailand Environment Institute jointly reviewed information on the website of Department of Environmental Quality Promotion (www.deqp.go.th) and interviewed officials form Environmental Information Center, DEQP on 15 March 2005. Furthermore, the study team has received opinions and recommendations on evaluation method and results of preliminary assessment from Director of Office of Public Participation Promotion Office (Ms. Rachanee Emaruchi), Department of Environmental Quality Promotion on 10 May 2005.

³⁶ Appeal Court or a court authorized to try a case on appeal cases, judgments, or decisions of first level court, or demurrer on decisions of the first level court, or cases of Appeal Court under the law (The Law for Organization of Court of Justice B.E. 2477 Section 19) currently composes of Appeal Court and Regional Appeal Court 1-9

³⁷ Environmental Case is Civil cases and Criminal cases which affect natural resources and the environment according to group of environmental law concerning natural resources and pollution totaling 24 issues. Environment cases also have distinctive characteristics differed from Civil and Criminal cases in that there are impacts on natural resources which are public property, affects to a large number of people and need time and expert to identify damages. This kind of case involves in a numerous of parties and witnesses, the establishment of damage is difficult and it creates burden to aggrieved party or litigants. (Report of the meeting of Court Management Commission 21/2547, 14 July 2004)

³⁸ Administrative Court is an organization exercises juridical authority to judge administrative disputes. It is responsible for trying a case, dispute between administrative organization or public officials and the private; or between administrative organizations of the public. Furthermore, it has duty to review the use of authority by administrative and managerial bodies. Administrative Court was established under the Constitution B.E. 2540 and the Act on Establishment of Administrative Court and Procedures B.E. 2542. It commenced the task on 9 March 2001. (http://www.admincourt.go.th/)

Assessment of the DIW was done by a jointly evaluation between researchers from Thailand Environment Institute and Deputy-Director General of DIW (Dr. Prasert Tapaneeyangkul) with a research assistant from Office of Water Technology and Industrial Pollution Management (Mr. Rintawat Sombatsiri). The study team reviewed relating documents and information/data from website of Department of Industrial Works (www.diw.go.th). Regarding the Tan Diew TAO, researchers from Thailand Environment Institute interviewed Mr. Uthai Suwannarat, Chief of Tan Diew TAO, on 9 March 2005.

With respect to indicators IV.A.3 relating with trainings for officials of administration of justice, the researcher (Prof. MD. Wanchai Watanasap) interviewed judges from: Appeal Court (the Honourable Chotchuang Tapawong), Supreme Court (the Honourable Nopporn Potirangsiyakorn), and Administrative Court (the Honourable Chachiwat Srikaew and the Honourable Vichit Raktin). In this regard, the researcher conducted an interview each court for one time and later held a meeting to clarify results from these indicators on 15 March 2005.

<u>Case Study</u>: Department of Environmental Quality Promotion, Department of Industrial Works, Tan Diew Tambon Administrative Organization of Petchaboon Province, Appeal Court, and Administrative Court

Table of Indicators

Indicators	
IV.A.1 Government investment in compliance with laws and regulations on access to information and participation*	
Values	Explanation and Justification
(0) Not applicable/not assessed	Review of information on website and
(i) No individual, office, or group at any of the three selected agencies is expressly responsible for ensuring compliance with laws and regulations on access to environmental information and public participation	interviews officials from 3 agencies (See box 3) found that both DEQP and DIW have attempted to appoint officials or establish divisions to provide information for the general public, while the Tan Diew TAO did not appoint any officer for this purpose. However, every member of the Tan Diew TAO made efforts in information dissemination.
(ii) At least one individual or office at one or two of the three selected agencies is expressly responsible for ensuring compliance with laws and regulations on access to environmental information and public participation (iii) At least one individual or office at all three of the selected	It was found that only DEQP delegates officials or establish divisions to promote Public Participation, while Department of Industrial Works appoints ad-hoc working groups. The Tan Diew TAO has no appointment of any officer or division. Consequently, if follows the indicators as specified, the result is that there is only one organization (DEQP) from 3 selected organizations which has special officials/division to provide information and promote Public Participation.
agencies is expressly responsible for ensuring compliance with laws and regulations on access to environmental information and public participation	Comments: Differences in role and responsibilities of agencies as a major factor in promotion of Public Participation shall be key indicators judging that 2 agencies (DEQP and DIW) place importance on promotion of Public Participation at different degrees, or different dimensions.
	Assessment of 3 agencies with different roles to promote public participation by same indicators may not truly reflect efforts or intentions of the organizations. In addition, criteria regarding specific officials or division might not appropriate for applied with small agencies.

<u>Box 3:</u> Assessment Results in Capacity Building of Officials from 3 selected managerial agencies

Department of Environmental Quality Promotion (DEQP)

The review of information on the website and interview with officials from the DEQP found that the DEQP has an internal division, namely, Public Education and Extension Division, responsible for providing information, public relation and create public awareness on the matter of environmental issues to related parties. The study team telephoned to Environmental Information Division 2 times, requesting information on the environment. The first attempt was under the name of private development organization, while the second one was under the name of a personal. It was found that information prepared in this division mainly services for public organizations and educational institution. Private organizations and individuals must send a request in writing and wait for an approval. There is no definite timeframe in such approval process.

Regarding the officials with role in promotion of public participation, the missions of DEQP are to promote, publicize and conduct public relation programs to create public awareness and participation in the environment, human resource development, and to develop environmental network to enhance environment quality. Therefore, DEQP established a special division to promote public participation called Public Participation Promotion Bureau which is responsible for supporting establishment of organizations on environment, creation of environmental network among private organizations, individual organizations and volunteers on environment, as well as promotion of public participation in conservation of natural resources and environment. Example of activities or projects undertaken in 2004 were public participation program in bio-diversity rehabilitation, project on establishment of local organization network for Ping River Basin Natural Resources and Environmental Rehabilitation Program, Public Participation Promotion in conservation and rehabilitation of natural resources and environment of Pak Panag River Basis, Volunteer Network of safe environment, Youth Network on Environment, etc.

Department of Industrial Works (DIW)

Review of information on the website and interview officials from the DIW found that Office of Information Technology and Communication under the DIW has approximately 35 officials, Office of Water and Environmental Management has 10 officials, and Office of Air Pollution has 5 officials. In this regard, operations and outcomes of some project were summarized and published the report. When the study team tried to ask for information both by postal mail and telephone, it found that there were need to consult 2 officials in order to locate the officer who collects data. Information was received within 1 week.

Regarding officials who has role in promotion of public participation in operation and decision making of the Department of Industrial Works, it was found in some cases. Most of them were problem solving of issues strongly effect to the public health, for example, in solving bad odor from Map Ta Phut Industrial Estate which Department of Industrial Works established a committee to monitor such issue, comprising representatives from relating governmental agencies and public. However, with respect to public participation in solving normal problem, the general public still can not participate since there are no supporting legislations. (If a person entrance in a premise, he will be charged on intruding action.)

Tan Diew Tambon Administrative Organization

Interview with Tambon chief found that this local organization is small, with 22 members and regular annual budget of 4-5 million baht; therefore, these is no specific officer on information dissemination or promotion of public participation. However, work procedures were determined in accordance with Public Participation principle such as organizes public hearing for gather opinions of general public in preparing development plans and all of its members have duty to disseminate information together with their routine tasks.

IV.A.2 Training for government staff*

Values

(0) Not applicable/not assessed

- (i) No guidelines or training on access to information and public participation have been offered in the past 2 years to staff at any of the three selected agencies
- (ii) Guidelines or training on access to information and public participation have been offered in the past 2 years to staff at one of the three selected agencies
- (iii) Guidelines or training on access to information and public participation have been offered in the past 2 years to staff at two of the three selected agencies
- (iv) Guidelines or training on access to information and public participation have been offered in the past 2 years to staff at all three of the selected agencies

Explanation and Justification

Review of information on the website and interview with officials from Department of Environmental Quality Promotion found that there are 2 main division relating with promotion of Public Participation:

- 1) Public Participation Promotion Office: this is a sector on coordination for participation and promotion of sustainable development which provide consultancy services on conducting training program relating to participatory approach conflict and management for relating agencies and public. This division general also responsible for preparation of human resource development plan for regional environmental provincial offices and environmental and natural resource offices.
- 2) Environmental Training and Research Center. One of its responsibilities is to develop training programs, seminars, meeting, relating with technology and environmental management to relating parties in public and private sectors. Searched on its website, the study team found that in the past 2 years_(2003-2004) there were training programs on public participation in environmental management and on creation of awareness and public participation in natural resource and environmental management. Attendees were officials from Ministry of Natural Resources and Environment, Regional and local administrations, etc.

The study team inquired officials from both divisions above and found that training programs relating with participation promotion

were arranged mainly for external organizations/general public. They intended to promote coordination between officials and community and private organization more than to train internal officials of the Department of Environmental Quality Promotion.

Review of information on the website and interview with officials from Department of Industrial Works found that there was no manual published, but internal training programs on responding to inquiries and providing information to the public by telephone were conducted in January 2005. The training was also broadcasted internally for officials who did not attend the training.

Interview with Tan Diew Chief found that there was no manual or training program on this issue.

IV.A.3 Training for judicial officials *

Values

(0) Not applicable/not assessed

- (i) No guidelines or training on access principles have been offered to judges or other judicial staff of the selected courts in the last 2 years
- (ii) Guidelines and training on access principles have been offered to judges or other judicial staff in the last 2 years at one of the selected courts
- (iii) Guidelines and training on access principles have been offered to judges or other judicial staff in the last 2 years at both of the selected courts

Explanation and Justification

Interview with judges from Appeal Court found that this court is under juridical system. The study team reviewed training programs of the overall juridical system and discovered that there was one training program for assistant-judges, 9 training programs for juridical officials. From these training in the past 2 years, it was found that only in the training for assistant judge that topic on Information Laws was included. (Under the technical section, chapter 4: information on laws used in work performances)

The reason that such topic was included in the training program for assistant judge could be that the Official Information Act was enforced and the work functions of the juridical system were under this law. There is an observation that in the Mediation process, the court appointed external parties of general public to be a mediator. Such action can be considered as promotion of public participation in the course of justice as well.

There is no topic covering public access to information and public participation included in the training programs for judges in Appeal Court of Regional Appeal Court.

<u>Interview with judges from Administrative</u> <u>Court</u> found that in the past 2 years, the Administrative Court provided 3 training programs³⁹ for officials on administrative cases who assist judges with regard to the trial and those in the general affairs. Furthermore, the court issued Regulations of Administrative Court on Official information on Administrative Court Office B.E. 2544 which provided guideline for its officials. At the judge level, however, there was no training on Information Laws or public participation law. There was only a publication of laws relating with information and distributed among judges for their work duties.

Conclusion of Indicators:

The result shall fall into (iii) since it was found that in the past 2 years, there were seminars among judges of Appeal Court regarding information laws. In addition, even though the Administrative Court did not provide training programs on information law to its judges, but it arrange the training programs on this issue to administrative staff.

Analysis

Assessment results show that all 3 administrative organizations and 2 juridical agencies attempted to enhance capacity building for the staff to promote public access to information and public participation in environmental management. However, degrees of efforts differ by authority and responsibility of each agency whether it relates with public participation. Department of Environmental Quality Promotion which has direct role in promoting public participation has appointed officials and established specific divisions to provide information to the public and to conduct activities promoting public participation

The Department of Industrial Works, who has a major role in regulation and monitoring factories, focuses on information services rather than appointing officials or establishing a specific division to promote public participation in decision makings. Local administrative organization, such as the Tan Diew TAO, even there was no appointment of officials or establishment of specific division to disseminate information due to its budget and human resource constraints, the TAO already integrates this duty in members and officials work functions.

Though the study team found more efforts in information dissemination, the data distributed via website (which is the fastest and most convenient channel for communication between government and general public) is mainly about the governmental agencies and their responsibilities. There is no detailed information of

³⁹ 3 training programs are: Training for junior juridical staff (3-6), junior officials administrative court (1-2) and middle administrative court staff (3-8)

activities, operations of the agency, and positive and negative outcomes of some projects. Consequently, information appeared on the website can be viewed as data in only one aspect.

Regarding local administrative organization, the Tan Diew TAO is one example that applies the principle of public participation in its operations. There was public union, gathering general public opinions in local development plan, allowing public to listen to the TAO's meeting, publicize information on local budget and report of budget used, and announcements of progress on project and achievements via local radio stations. However, this case is only one administration from total TAO of 6,744 nationwide.(http://www.tambon.net) Therefore, it can not reflect overall picture of progress in Capacity Building to promote public participation. Nevertheless, there were attempts to promote Good Governance principle in TAO, for example, Project on Local Good Governance Promotion by local networks⁴⁰ and establishment of TAO Society of Thailand to develop TAO in accordance with guideline and process in promotion of participation from general public and local stakeholders. This includes promotion of Good Governance in Tambon with regard to natural resource and environmental management. With respect to the Court System, strong efforts were shown in promotion of public participation from the policy of the President of Supreme Court. Currently, there is a clear policy in application of Mediation, using external persons who are not judges to assist in mediate between 2 parties, instead of only judges as in the past. This process allow 2 parties to discuss and find solutions together (win-win situation) which differs from the judging by court that creates winlost situation.

Recommendations

For Thailand

- 1) The government agencies shall improve their information services by preparing websites which show details and procedures to contact internal offices and specify time period in responding inquiries from the general public, both by email and official mails.
- 2) The government agencies shall increase their capacity to allow general public to participate in decision makings. Example of such is training program on personal rights to participate under the Constitution B.E. 2540. Furthermore, there shall be a training program for officials in various format of public participation. This will enable officials to understand the issue and start to apply several forms of public participation in public policy planning.

For development of Indicators

- 1) Indicators shall be more variety to cover other dimensions of the work of governmental agencies.
- 2) Indicator IV.A.2 shall separate the evaluation on Manual or Training Programs on "Information Access" from the evaluation that of "Public Participation".

⁴⁰ Grass Root Development Institute under the LIFE-UNDP, in collaboration with Society of TAO of Thailand and Ramkamhaeng University (http://www.thaitessaban.com/)

Furthermore, range of indicators shall be altered since manual or training program for relating officials on public access in information or public participation depend on role and responsibility of selected agencies, which differ level of the emphasis on creation of participation.

- 3) There shall be indicators to assess whether every officer involves in information dissemination, apart from assessment on whether there is specific officials or information providers.
- 4) Interview or consideration only on medium level court (Appeal Court) and Administrative Court may inhibit accuracy of indicators. Therefore, it shall consider on the overall picture of juridical court system whether there is a manual, promotion, or training on laws regarding public participation.
- 5) Indicators on juridical court shall consider the overall picture of the system. They shall not evaluate only manual preparation or training programs, but shall cover other practical processes that create public participation. Example of such is Mediation between 2 parties by a mediator who can be a judged or a trained person. In addition, in such case, if the court supports outside Mediation, the cost of such process will be minimized, which in turn, enable low-income persons to access in the juridical process in Restorative Justice Manner.
- 6) The indicator shall assess Mediation system whether the court attempt to apply such system of Interest-based Negotiation or not. This system enables equal authority judging, and shall be regarded as a promotion of public participation and access to Juridical Process.

<u>Category B:</u> Government Efforts to Build the Capacity of the Public to Exercise the Access Principles

Introduction

Rationales of the Indicators

Capacity Building for general public and Non-Governmental Organizations as well as development of environmental information resources are very crucial in creation of public awareness in rights and opportunity to access information, participation, and knowledge and understanding on the environment. These will create genuine public participation in environmental management.

Context in this section are assessments on capacity building under 3 aspects.

- 1) Establishment of information dissemination sources by 3 selected agency under Category A
- 2) Capacity building of non-governmental organizations focusing on environmental issues, and
- 3) Development of environmental education in schools

Indicators in an establishment of governmental information dissemination sources cover information sources, procedures in contacting with government agencies, manual/guideline for public access to official information, procurement of information sources and efforts to inform public on information access.

Capacity building of non-governmental organization focusing on environmental issues is also an important element in promotion of public participation in environmental management. Roles of Non-Governmental Organizations cover many aspects such as collect and transfer environmental information in easy language to the general public, stimulate public interest in environmental problems and propose solutions and assist groups/persons affected by environmental problems. Therefore, conditions in favor with establishment of such organizations and their operations are necessary factors in meaningful public participation.

Indicators on an attempt of government to promote environmental education in secondary schools is one of the issues selected to be researched since Environmental Education is an important foundation to create conscious on environmental problems, and effective solutions.

<u>Case Study</u>: Point of Contact of Department of Environmental Quality Promotion, Department of Industrial Works, Tan Diew Tambon Administrative Organization of Petchaboon Province

Introduction

General Situation

Presently, government agencies and organizations have altered their roles and work styles in the way that support more public participation process. This can be seen from information dissemination, listening to public opinions and attempts to enable fast and convenient public access to official information. Such changes conform to Strategic Plan for Thai Public Sector Development (2003-2007) which was implemented by Royal Decree on Criteria and Procedures on Good Management 2003 which stresses that government agencies shall open opportunities for public to participate in determining public policies, plans and legislations. General public shall receive information, benefit from it, and access to juridical process.

One concrete change is every Ministry, Bureau, and Department have prepared website to introduce their organizations, provide general information and contact address such as telephone number and email address of every officials, etc. However, problem encountered when search information from these website is outdated data, namely, details of policy, plan and project are mostly from project already concluded. Opportunity of general public to express opinions on draft policies, plans, or projects is still limited. Even though the information dissemination via internet is the good attempt to create public access on environmental information, statistics from 2003 shows that internet users in Thailand were only 6 million, accounting for 9.5% of total population. Most of them are those in urban society with proper education. (Information from website of National Statistic Office, http://www.nso.go.th/nso/graph/graph/graph file/graph07/07/06.html)

Assessment Method

The study team evaluates this case study from 3 governmental agencies assessed in Topic A, including Department of Environmental Quality Promotion, Department of Industrial Works and Tan Diew Tambon Administrative Organization, Lomsak District, Petchaboon Province. The Evaluation Method includes interviews and review of agencies' websites.

Table of Indicators

Indicators	
IV.B.1 Information about	
mandate and point of contact*	
Values	Explanation and Justification
(0) Not applicable/not assessed	Review of information on the websites of Department of Environmental Quality
(i) No administrative information about mandate and point of contact is publicly available on websites, in literature, or upon request for any of the three selected agencies	Promotion and Department of Industrial Works found that there were clear information on role and responsibilities of the agencies, covering contact information of each division: email address, telephone numbers, and addresses.
 (ii) Administrative information about mandate or point of contact can be obtained on website, in literature, or upon request from at least one of the three selected agencies (iii) Administrative information about mandate or point of contact is available on website, in literature, or upon request from all three selected agencies 	In case of Tan Diew Tambon Administrative Organization, the interview with Chief of Tan Diew TAO found that it has no website since the organization is very small (only 22 members) and most residents do not have internet access. However, information and news are regularly disseminated via Notifications affixed at the TAO office and broadcasted via local radio stations.

IV.B.2 Guidelines for public on how to access information	
Values	Explanation and Justification
(0) Not applicable/not assessed	Department of Environmental Quality Promotion provides information on
(i) None of the selected agencies provides instructions or guidelines on how to access environmental information	environment via its website where general public can search from Environmental Information Center and can request additional information of internal division from Service Center.
(ii) One or two of the selected agencies provide instructions or guidelines on how to access environmental information	In term of Department of Industrial Works, there is a website providing its role and responsibilities. Most information displayed is on industrial factories, statistics of industrial factories, production information, machinery
(iii) All three agencies provide instructions or guidelines on how to access environmental information	and related laws. However information on environment found is usually a big picture in form of short articles such as those on Lead and Lead Toxin, Problems of Used-Lubricant Oil, and Clean Technology, etc. Specific information of factory on environmental management such as Report on Pollution Emission is not published on the website, but interested person can request such information directly from responsible agencies. Tan Diew Tambon Administrative Organization does not have website due to its size (22 members) and limited budget.

Analysis

Assessment on efforts of the government to provide information sources and contact points for public access to information found that governmental agencies in Central Administration attempted to disseminate information about organization and contact information via their websites. However, other channels for access information for non-internet users were not clear. There were operational documents of each agency. In addition, information dissemination via other media such as newspaper, radio and television, was not regularly seen. Consequently, governmental agencies shall place emphasize on these public medias.

In term of local administration, especially small organization, there is no website. In any cases, creation of website to disseminate local information does not comply with the fact that most of local residents do not have internet access. Therefore, information is publicized via other efficient channels such as announcements on local radio station, notification affixed at TAO office or in front of the house of village chief, and announcements in the public hearing and meetings. Nevertheless, internet system development is still vital for network creation among TAO, enabling wide spread and fast knowledge sharing as well as news exchanges between TAO and other local administrations.

Recommendations

For Thailand

- 1) Every government agencies shall publish an easy to understanding manual on how to contact the agency and distribute it to general public, especially to those in the rural areas.
- 2) Government agencies shall create understanding of public participation among their officials. This may be done by training programs on manual usage in order for officials to understand the process and their work scope, which in turn will promote truly public access to the agency.
- 3) Since information service of government agencies are still limited to the website channel, which might not able to reach the majority of the population, the government organizations shall increase other public relation channels via several media. In this case, Department of Public Relations, who has a direct role in promotion and dissemination of information, shall initiate public relation programs on personal rights to access information and rights to participate decision making as prescribed by the Constitution. The general public will be aware of process to access public information, and of their basic rights.

<u>Case Study</u>: Environmental Non-Governmental Organizations

Introduction

General Situation

Presently, governmental agencies place an emphasis on coordination with Non-Governmental Organizations to carry out activities in natural resource and environment management. Some agencies established a division to directly coordinate with Non-Governmental Organizations to create participation between each other, especially at the community level which is closest to the general public. While Non-Governmental Organizations is one of the organizations work closely with the community and the government agencies have limitation on human resource which can not reach to the community lever, therefore, promotion of Non-Governmental Organizations to work with the community is another effort to enable public organization to reach the truly need of the community. At the same time, the community can access governmental agencies through operations of Non-Governmental Organizations. Therefore, this is an attempt from both sides to jointly work in natural resource and environmental management.

Assessment Method

Regarding the case study on governmental financial aids to Non-Governmental Organizations focusing on environment issues, the study team reviewed detail of Environment Fund from the website of Office of Natural Resources and Environmental Policy and Planning (http://www.onep.go.th/) and interviewed a representative from Non-Governmental Organizations (Khun Praween Chulapakdi), a coordinator on a Project "Forest-Sea for Life", Surat Thani Province, which received a funding support from Environment Fund.

Table of Indicators

Indicators	
IV.B.1 Government funds and	
earmarked subsidies to support	
non-government organization	
(NGO) activities*	
Values	Explanation and Justification
(0) Not applicable/not assessed	Review of information on the website of Office of Natural Resources and Environmental
(i) No funds or earmarked	Policy and Planning (http://www.onep.go.th/)
subsidies exist to support non-	found the page providing details on
government organizations	Environment Fund, comprising background of
(**) = 1	the Fund, Fund Mangers, Basic Criteria on
(ii) Funds and subsidies exist at	Project Approval, Scope of Project Approved,
either the local or national level	Eligibilities of Fund Applicant, Project Preparation and Application Form. This
(iii) Funds and subsidies exist at	information can be downloaded from the
both the local and national level	website. Furthermore, the agency deliver
	documents to Non-Governmental Organizations
	registered with the Ministry of Natural
	Resources and Environment to propose their
	projects. Such method is another channel to
	communicate with Non-Governmental
	Organizations. However, interview with a
	However, interview with a representative from a Non-Governmental
	Organizations, Khun Prawn Chulapakdi who
	received funding support from Environment
	Fund, found that the approval process took
	long time and in some cases, the regulations
	on budget usage do not correlate with the
	actual situation of some geographical areas.
	The Environment Fund has operational
	regulations similar to those of government
	process, but in some remote areas, these
	regulations can not be applied. Therefore
	supporting agencies shall adjust their
	regulations to be in line with the actual
	situation, in order to facilitate work
	performances of both parties.

Analysis

Analysis on indicators demonstrates that governmental agencies have increased Non-Governmental Organizations' participation in activities regarding environmental management by providing financial aids for these organizations. However, there are difficulties to access these funds since some governmental agencies have limitations in unclear rules, regulations, conditions and approval process. Information regarding available funds is still limited to some media and most of information is displayed on the website, which might not applicable to all Non-Governmental Organizations.

Recommendations

For the Country

- 1) The Office of Natural Resource and Environmental Policy and Planning shall adjust rules, regulations, and conditions on funding support to be in line with actual situations. This may be done by distribute a questionnaire or a survey, requesting opinions of Non-Governmental Organizations on funding application to the Environment Fund.
- 2) Office of Natural Resource and Environmental Policy and Planning shall increase the public relations channels to acknowledge Non-Governmental Organizations on details of funding resources and application process via several media.

<u>Case Study:</u> Environmental Education in Secondary Schools

Introduction

Definition

Environmental Education is an assistant process for the people through education programs both formal and informally to create understanding, skills and values to promote Public Participation, to aware and receive information in social development for ecological sustainability and equality. Environmental Education aims for creation of knowledge and skill to sustainable protect, conserve and use natural resource and environment. The education involves learning of new technologies, production enhancement, avoidance of environmental exploitation, solving of drought and poverty, creation of new opportunities for correct decisions. (US. Environmental Protection Agency, 2003)

UNESCO defines Environmental education as a learning process that increases people's knowledge and awareness about the environment and associated challenges, develops the necessary skills and expertise to address the challenges, and fosters attitudes, motivations, and commitments to make informed decisions and take responsible action (UNESCO, Tbilisi Declaration, 1978).

Somboon Silproongdham has defined Environmental Education in his dissertation titled "The Future of Environmental Education curriculum in Basic Education Level in the next ten year (B.E. 2547-2557: 2004-2014)" as followed:

Environmental Education means educational process organized to create knowledge and understandings of learners in natural environment, environment created by humans, relationships between humans and the environment, conservation and development of the environment, and arising environment problems, in order for learners to aware of an importance of environment, to concern of environment problems, to have values, attitudes and stimulus to participate in prevention and improvement of the environment. Learners shall acquire skills to identify problems and can identify appropriate solutions, as well as coordinate in protection and solve pollution problem at the personal, group, and social levels, in order to develop quality of life and quality of environment to sustain forever. (Somboon Silproongdham, 2547:11)

General Situation

Environmental Education results from the trend on sustainable development that aims to solve worn natural resource and environment problems by capacity building and creation of conscious in human who is a cause of problem, in order to create changes in human behaviors in the manner that seriously promote and conserve natural resources and environment. Several countries stress Environmental Education as one of the measures in solving environment problem. In the meeting "Human and Environment" in 1975 at Stockholm, Sweden, the participants agreed on application of Environmental Education as one of the mechanisms in management of long-tem environmental problem. In 1978, UNESCO and UNEP established International Environmental Education Programme and arrived on Belgrade Charter,

determining goal of Environmental Education as "To develop a world population that is aware of, and concerned about, the environment and its associated problems, and which has the knowledge, skills, attitudes, motivations and commitment to work individually and collectively toward solutions of current problems and the prevention of new ones." (UNESCO, 1976: 2 referred in Somboon Silproondahm, 2547: 2) In 1980 World Environment Meeting was arranged at Tbilisi, Russia with the objective to receive agreement in recommendation on improvement of Environmental Education and carry it as a policy in country's development. From that time, Environmental Education has been consecutively included in the agenda of international meeting on the environment until present.

For Thailand, Environmental Education has entered into Thai educational system for more than 25 years under the awareness of environmental problem at international level (as specified above). Seriousness of environment impacts in Thailand and awareness of environment by the society have pressured the government to integrate Environmental Education into policies and national development plans through relating agencies. Example of such are National Economic and Social Development Plan (No. 5-9-present) by National Economic and Social Development Board, Office of the Prime Minister; National Master Plans and Action Plans on Environmental Education (national level) 1997-2001 and National Policy and Plan on enhancement and promotion of environment quality 1997-2006 of Department of Environmental Quality Promotion, Ministry of Natural Resources and Environment; and policies, directions, and Master Plan on Environmental Education B.E. 2544 – 2539 of Ministry of Education, etc. The policy directions on Environmental Education above have made relating agencies, specifically, Ministry of Education, Ministry of Natural Resources and Environment and Ministry of Sciences and Technology to arrange training, workshops, and activities on Environmental Education in several formats through school and non-school education systems.

Regarding Environmental Education in the school system, the Ministry of Education, responsible for determining education to the population of the country, has arranged curriculum on Environmental Education by integrating this subject in various Learning Clusters both in primary and secondary education levels in these clusters: sciences, social studies, religion and culture, hygienic studies and physical education. At the Bachelor, Master and Doctorates Level, Environmental Education is included in core and elective courses of some universities in relevant subjects such as sciences, engineering and agriculture (King Prajadhipok's Institute, 2003: 5-23)

There are 3 approaches in Environmental Education in Thailand (U-bonpong Watanaseri, 2535: 333-339 referred in Somboon Silproongdham, 2547: 44-54), namely

- 1. Environmental Education in non-school system. This is the learning process through public and private agencies, individual organizations, religious groups and media group. The learning can be publicized via several media such as radio, TV, books, exhibitions, campaigns and technical meetings, etc.
- 2. Environmental Education in school system. This is the learning process via education system and Thailand has incorporated the Environmental Education in curriculums of primary education, secondary education and in higher-level education as mentioned above.
- 3. Environmental Education of by several agencies. This is an arrangement of Environmental Education through public, private organizations and Non-Governmental Organizations in form of projects or programs such as Green School Program, Water Detective Program, Roong-Arun Program, Project on Strengthening Environmental

Education in Thailand, Project on Environmental Education Center and Green Study Room Program, etc.

In term of scope of Environmental Education, UNESCO has defined that it shall include 1) Vision of Environmental Education 2) Structure and Role of Ecology System 3) Energy Circulation in the Atmosphere 4) Food Cycle in the Biological System 5) Population Dynamics 6) Impact of Human Activities Toward the Environment 7) Pollution 8) Forestry Deterioration 9) Impact of Ecology System to Water Resources and Marine Biology 10) Impact of Energy Consumption and Mining 11) Environmental Management under the Sustainable Development and 12) Environmental Management and Evaluation (UNESCO, 1990 referred in Somboon Silproondham, 2547: 61)

Case Selection

The study team selected Environmental Education at the secondary education level since it viewed that if there is an effective Environmental Education among youngsters who will become important resource of the country, it will create concerns among youth in environmental conservation, which will equilibrate the balance of natural resources and environment in the future. However, in order to create awareness of the environment in this target group to have efficient environment system, it is crucial that the government shall provide educational materials, improve capacities of teachers and develop a sound Environmental Education curriculum.

Assessment Method

- 1) Primary data source: The study team interviewed educators of secondary-level schools and officials from agencies relating with an establishment of Environmental Education in these schools:
 - (1) Ms. Supannee Metes, Educational Supervisor 9, Office of Nonthaburi Educational Service Area 1, previously served as a director of Strengthening Environmental Education in Thailand Project: SEET, Bureau of Innovate Development in Education, Ministry of Education
 - (2) Mr. Alongkot Srivichitkamol, Officer 6 w, Environmental Education Section, Public Educaiton and Extension Division, Department of Environmental Quality Promotion Ministry of Natural Resources and Environment
 - (3) Ms. Malee To-sakul, Educational Supervisor 9, Office of Bangkok Educational Service Area 2
 - (4) Ms. Kuntonrat Ratanasing, Educational Expert 9 w, Basic Education Commission, Ministry of Education
 - (5) Ms. Piyawan Charoensuk, Educational Expert 7 w, Basic Education Commission, Ministry of Education
 - (6) Mr. Suchin Boonpen, Director, Toong Tako Wittaya School, Toon Tako District, Chumporn Province
- 2) Secondary data source: The study team collected information from manuals, documents, research papers and websites relating with Environmental Education at basic education level in Thailand such as Basic Educational Curriculum, Learning Clusters (Secondary School Year 1-6), operational manual on Environmental Education, report on Environmental Education in Thailand, Dissertation on the Future of Environmental Education curriculum at the basic education level in the next 10 years 2004-2014 and website of Ministry of Education (www.moe.go.th) and Ministry of Natural Resources and Environment (www.monre.go.th).

Table of Indicators

Indicators	
IV.B.1 Teacher training and materials for environmental education *	
Values	Explanation and Justification
(0) Not applicable/not assessed (i) No teacher training or	With regard to capacity building for instructors of Environmental Education in the secondary schools, the Ministry of Education
environmental education materials are provided by the government, and none are in development	and Ministry of Natural Resources and Environment conducted training programs for directors of school, educational supervisors and instructors/teachers for each province in the Project SEET (details of SEET can be found in
(ii) Teacher training or environmental education materials are in development, or training and materials exist but are optional	annex 5). In some cases, Environmental Education centers (Department of Environmental Quality Promotion) were conducted under the seminar programs and short workshops such as Workshop Seminar and short training programs such as Seminar on
(iii) Teacher training and supporting materials for environmental education exist but lacks of continuity and operational extensions still limited.*	Environmental Education principle, Workshop for Educational Institution Administrator, Educational Advisors and Instructors of Environmental Education, training workshops, conferences on Environmental Education and analysis of past experiences for further expansions, etc. Both Ministries allocate a
(iv) Teacher training and supporting materials for environmental education exist	certain amount of budget specifically for Environmental Education trainings.
and are required in a continuing term and the activities extended to all educational levels.*	Nevertheless, in term of operational extensions of Environmental Education, Thailand still lack of continuity in the context among educational levels. Furthermore, there
* The values are revised to better fit the national context and situation. Originally, the range of values is (i)- (iii), of which value (iii) described as "Teacher training and supporting materials for environmental education exist and are required".	are no appropriate supplement activities, limited budget and lack of efficient coordination while the teachers also lack of instructing skills. (Piya Wongsukarm, 1996: 75-79 referred in Somboon Silproongdham, 2004: 5)

With regard to educational medias and supplements in Environmental Education, Department of Environmental Quality Promotion publishes technical documents Environmental Education such as Environmental Education Series, Green Bridge to Environmental Education and Manual learning of Bio-Diversity, etc. and distributes to existing Environmental Education centers. The project SEET produces medias Environmental Education in form of website, posters, newsletter, brochures, exhibitions, supplementary document as well as publishes a manual supporting Environmental Education in local areas, and distributes them to targeted groups, Non-Governmental Organizations, and relating persons.

Source:

- -Report of SEET project (Complete version)
- -Interview with Mr. Alongkot Srivichitkamol
- -Dissertation Somboon Silproongdham

IV.B.2 Curriculum for environmental education

Values

(0) Not applicable/not assessed

- (i) No environmental curriculum for students in the selected grade or level exists and none is planned.
- (ii) An environmental curriculum for students in the selected grade or level is in development or exists but not fully operative.**
- (iii) An environmental curriculum for students in the selected grade or level exists and is fully operative and classes are required.**

** The values are revised to better fit the national context and situation.

Explanation and Justification

The government stresses importance of Environmental Education and integrates policies and plans on Environmental Education to National Development Plan. Ministry of Education then prepares action plans resulting in Environmental Education Plan and curriculum on Environmental Education. This reflects intention of the government in development of Environmental Education in the country.

Ministry of Education has prepared a curriculum on Environmental Education at the secondary educational level, integrating context on Environmental Education in several Learning Clusters which is the approach in curriculum arrangement of Infused Model (Temdaung Ratanatasanee, 1989: 58-59 referred 2004: Somboon Silproonadham, 78-79). Therefore, it can he concluded Environmental Education appears in the basic educational system. However, though Thailand has curriculum on Environmental Education integrated in the learning subject, but transfer

of knowledge in Environmental Education curriculum to instructors of this subject is not widely dispersed due to limited budget. The capacity building of teachers occur in some targeted schools and not able to expand across the country. (Interview with Ms. Kultholrat Ratanasingha and Ms. Piyawan Chareonsuk, 5 April 2005)

Apart from budget limitation that is a constraint on improvement of Environmental Education in the schools, the teaching style is also another problem hinders the penetration of Environmental Education into students and not able to create conscious in this topic. This is because the information provided was rather abstract which can not apply in the real life situation and contexts contained in several Learning Clusters are not related. (Orapin Iam-Siri, 1978:112-113 referred in Somboon Silproondham, 2004: 4)

Source:

- -Report of SEET project (Complete Version)
- -Interview with teachers: Ms. Kultholrat Ratanasingha and Ms. Piyawan Chareonsuk
- -Dissertation of Somboon Silproongdham

Analysis

The results of assessments found that both Ministry of Education and Department of Environmental Quality Promotion provide training programs and produce instructional media on Environmental Education through SEET project by Ministry of Education, and an establishment of Provincial Environmental Education Centers by Department of Environmental Quality Promotion (details of both projects can be found in Annex 5). Before completion of SEET project (31 December 2004), Environmental Education has permeated into Educational Institution Administers, Educational Supervisors, and instructors of Environmental Education in targeted schools both at primary and secondary level of approximately 800 persons, and affiliated schools of approximately 1,500 persons (47 Pilot schools and 92 affiliated schools). Presently (February 2004), Department of Environmental Quality Promotion is able to establish Environmental Education Centers in public secondary school of totaling 59 places. In term of service in instructional media on Environmental Education, both Ministries prepare instructional media on Environmental Education in printed and electronic formats. These materials were publicized in targeted areas and were included in the website of agencies, which clearly reflects the government's intention to establish Environmental Education in Thailand.

Since there is no specific curriculum on Environmental Education in the secondary schools in Thailand, rather this subject was included in several Learning Clusters prepared by Ministry of Education, therefore Environmental Education curriculum in Thailand seems to be integrated in Basic Educational Curriculum 2001

and the knowledge of Environmental Education was transferred by training programs to instructors of Environmental Education. However, such usage of the curriculum is still limited in some schools and the subject is not widely applied to every school throughout the country. Consequently, the study team views a capacity of the government in promotion of Environmental Education at the school level as still limited.

Overall picture of government's effort in establishment of Environmental Education for students at the secondary level to create conscious on environment in Thailand can be concluded that, currently (2005), Environmental Education is only integrated in the schools where the educational institution administrators and instructor interest and aware of an importance of Environmental Education. This is because the public sector relating with curriculum planning is still not stress an importance of Environmental Education as a compulsory subject. Therefore, the good governance in promotion of Environmental Education by the government is still minimal. Nevertheless, it is expected that current educational reform that decentralize the authority into responsible geographical areas and continuous capacity building of educators will enhance the Environmental Education in schools, which in turn, will benefit to the general public in the near future.

Recommendations

For Thailand

- 1) Government agencies responsible for policy planning shall determine clear and continuous policy and development plan for Environmental Education. This will enable Office of the Educational Service Areas and educational institutions to implement such policies and plan effectively. Furthermore, it will promote capacity building for personals relating with Environmental Education management such as Director of the Educational Service Area, Instructors, Basic Educational Institution Administrator, Educational Supervisors, community leaders and relating agencies to acquire knowledge and understanding in this subject and create coordination among these parties. In addition, the government shall promote Environmental Education for those who want to become an instructor.
- 2) Promote and support every relating agency to participate in curriculum development. Such agencies include Offices of Educational Service Area, Educational Institutions, Community, Local Administrations, Public Sector, Private Sector and Parents.
- 3) Promote development of learning network by establishment of a database network or organizations/working groups concerning with Environmental Education at every level, covering promotion of Environmental Education in schools, non-school education, social organizations, and communities to create coordination and create joint learning path among these organizations.
- 4) Promote coordination among agencies concerning Environmental Education including Ministry of Education, Ministry of Interior, Ministry of Natural Resources and Environment and other relating organizations, in order to develop Environmental Education in the same direction.

- 5) Integrate curriculum of Environmental Education to be applicable in the real life activities and to have a linkage in dimension of school years (primary to secondary education) and Learning Clusters dimension.
- 6) Every context of Environmental Education shall aim for the objective of Education for Sustainable Development.
- 7) Support educational institutions to use local learning sources to benefit the Environment Education. This will create Environmental Education that is in line with local insights in natural resource and environmental management of such local area. Furthermore, it shall publicize Environmental Education in the local area, both in the school and non-school system. This will create awareness of the community in Environmental Education in the future.
- 8) Encourage an establishment of monitoring and evaluation system in development of Environmental Education. This system shall assess achievement of Environmental Education at school level, community level, organization and national level. It will create continuous operations of Environmental Education.

For Development of the Indicators

- 1) The indicators evaluating government's efforts in promotion of Environmental Education shall assess the Environmental Education in Thailand as a system (total educational system), not only limited to one aspect (secondary education), which will limit the operational framework and can not cover all aspects of Environmental Education. Therefore, indicators shall focus on the overall promotion of Environmental Education by the government, for example, numbers of government agencies responsible for Environmental Education, officials who responsible for Environmental Education, budget allocated for Environmental Education, public policy/operational approach in Environmental Education by the government, characteristics/numbers of media from public sector promoting Environmental Education and efficiency/effectiveness from operations of Environmental Education by the government, etc.
- 2) Indicators shall include evaluating dimensions on public policy and quality of curriculum of Environmental Education, in order to assess source of curriculum whether or not it resulted from multi-lateral approach, and to improve public participation. Moreover, it shall evaluate the application of the curriculum in order to adjust the curriculum to be in accordance with time, location, and other contexts. Indicators shall also assess efficiency in application of the curriculum whether it helps generate moral in environmental management.

<u>Capacity Building for Meaningful Public Participation:</u> <u>Synopsis and Overall Recommendations</u>

Synopsis

- The study team found that there is an appointment of officials or establishment of divisions specifically responsible for providing environmental information to the public and to promote public participation in some agencies, especially in large organizations (Ministry, Bureau and Department) of Central Administration. The local administration can not allocate its personals for this purpose due to limited human resources.
- 2) There are training programs on how to provide information services for the public arranged for the officials. However, these programs only occur in some agencies, depending on duty of such agency whether it relates to public participation.
- 3) Public agencies demonstrate attempts to provide information on regulations and contact address to the general public via several kind of media (under the Public Sector Reform Policy), depending on capacity and context of each organization.
- 4) There is a manual on how to access official information in some agencies, but it can not be widely distributed to general public. This is because majority of population does not have internet access. Therefore, variety of information channels which are easy to understand will be more beneficial to information access for people in the local areas.
- 5) Non-Governmental Organizations received funding support from the government but still face the problems in lengthy approval process, abundant and unclear regulations and limited public relations.
- 6) Creation of skills for instructors on Environmental Education and support of instructional media on Environmental Education lack of continuity.
- 7) There is a development of Environmental Education curriculum. However it was integrated in several Learning Clusters which does not lead to creation of united and concrete knowledge. Furthermore, effective instructors are also in some former pilot schools/targeted schools and not expand to other schools throughout the country.

Overall Recommendations

The government shall have clear intentions to promote public participation by creation of conditions in policy planning, comprising measures below:

- 1) Create multi-lateral participation (several relating agencies including public and private sectors, society, Non-Governmental Organizations and general public).
- 2) Have information for policy planning from several concerning agencies and researches.
- 3) Allocate appropriate and sufficient resources (e.g. human resources and budget, etc.)

- 4) Restructure basic utilities in information access such as radio, local radio, TV, notice boards, libraries, and electronic networks to wholly serve general public. This shall be taken into account the location and need of population.
- 5) Arrange training programs for officials to have skills in using different media, create service mind, to have knowledge on participatory approach and create the trend of participation. Issue rules and regulations to create attitude in information services for the general public.
- 6) Ministry of Education and Ministry of Natural Resources and Environment shall jointly arrange curriculum on Environmental Education that provides knowledge on public participation, appropriate for community, by multi-lateral participation and practicality. There shall be curriculum both in formal and non-formal education system of every education level and for general public.
- 7) Ministry of Education and Ministry of Natural Resources and Environment shall arrange training programs for instructors and relate officials to efficiently provide knowledge to students and general public.
- 8) All relating agencies shall publicize their missions and steps to access their information to the general public via several media with full coverage, sufficient and up-to-date information.

