

*Unofficial Translation*

**First National Health Assembly  
Agenda 3.11**

**Main 1/11  
20 November 2008**

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**The System and Mechanism for Health Impact Assessment in Thai Society**

*Health impact assessment in the context of Thai society*

1. In the past, in Thailand, health impact assessment was seen as part of environmental impact assessment done to consider various development projects for approval. But since the health system reform in 2000, the evaluation of health effects was seen as a process of social learning in order to build up public policy to promote health.

*Problems in the implementation of health impact assessments*

2. Presently, the implementation of health impact assessment still lack an organization to perform the function of co-ordination and pushing for a systematic development of ways and procedures to assess health impacts, even there exist many agencies actually doing such assessment work:

2.1 The Office of the National Committee on Natural Resources and Planning has prepared broad guidelines to evaluate health impact as part of environmental impact assessment, and is at the stage of specifying the type and scale of projects, the type of activities seriously impacting on environment and health that need to be assessed.

2.2 The Bureau of Environmental and Occupational Diseases, Department of Disease Control, Ministry of Public Health is in the process of preparing concepts specifically for the assessment of health impacts as part of the process of environmental impact assessment in a case involving mines.

2.3 The Department of Environmental Quality Promotion, the Ministry of Natural Resources has drafted an Act setting up an independent organization on environment and health.

2.4 The Community Sanitation and Health Impact Assessment Division of the Department of Health has supported health impact assessment at the community level and has organized workshops to develop capacities of a large number of staff in the Department to understand of health impact assessments.

Thus, it can be seen that work on health impact assessment presently is done separately by various agencies according to their functions. Although there has been loose co-ordination but an organization to perform the function of co-ordination and drive to develop a systematic approach to health impact assessment is still lacking.

3. In addition, the system of environmental impact assessment in Thailand still faces many problems, for example, participation by stakeholders is still slight, issues of health are not seen as important, the scope of health as defined is not broad enough, the anxieties of those adversely affected and the local knowledge base are not taken into account sufficiently. Other problems include: the fact of allowing project owners to contract environmental impact assessment work has resulted many times in such studies being seen as favorable to the project owners; the definition of projects specified as needing assessment still leaves an opening that allows project owners to easily avoid doing environmental impact assessment; some environmental impact assessments do not have terms of reference covering some activities that actually have an impact on environment and health, as can be seen in the case of a large-scale orange orchard project that uses large quantities of agricultural chemicals. Another problem is that no opening is provided for the public to participate in what is called public scoping, which is a key step in the process. Furthermore, no public review is tasked prior to approval of the expert committee. There was a large scale attempt to reform the environmental impact assessment system in 2003, but up to now it has not been successful. Problems still remain and many projects have triggered conflict in the communities, with the result that confidence in the current assessment system is undermined.

### ***Related laws***

4. Thailand has 3 laws directly connected with health impact assessment:

4.1 *The 2007 Thai constitution*, Section 67 says The rights of a person to participate with the state and community in the conservation, preservation and utilization of natural resources and biological diversity; and in the protection, promotion and preservation of the quality of the environment for maintaining a normal and continuous life in an environment which is not hazardous to his or her health and sanitary condition, welfare or quality of life; shall be appropriately protected.

Any project or activity which may seriously affect the community in terms of the quality of environment, natural resources, and health shall not be permitted, unless its impact on the quality of the environment and health condition of people in the community have been studied and evaluated; and public hearing(s) by the people and those affected are held prior to the operation of such project or activity. Also, studies in the environmental, natural resources, and health field must be conducted by an independent organization, consisting of representatives from private environmental and health organizations and from higher education institutions prior to project operation.

The rights of a community to sue a government agency, state agency, state enterprises, local government organization, or other state agencies which are juristic persons, to perform the duties as provided by this Section of the Act shall be protected.

4.2 *The National Health Act*, Section 10 says that in the case where there exists an incident affecting health of the public, a state agency having information related to such incident shall expeditiously provide and disclose such information. Also, Section 11 of the Act says an individual or a group of people has the right to request for an assessment and the right to participate in the assessment of health impacts that results from a particular public policy. Also, an individual or a group of people shall have the right to acquire information, explanation of underlying reasons from a state agency prior to its giving out permission or prior to its

implementation of a programme or activity which may affect his or her health or the health of a community, and shall have the right to express his or her opinion on such matter. And Section 25(5) assigns the National Health Commission to prescribe rules and procedure on monitoring and evaluation with respect to the national health system and the impact on health resulting from public policies.

4.3 *The Act on Promotion and Preservation of the Quality of the Environment of 1992* is in the process of being amended, one issue under amendment is the analysis of environmental impact assessment.

***Action by the National Health Assembly***

The National Health Assembly is invited to consider the *Draft Resolution 1/11*.