

Abstract

This research aimed to develop a Human Rights Impact Assessment (HRIA) tool and system that can be applied appropriately in the Thai context, drawing on international human rights standards and the Human Rights-Based Approach (HRBA). This research focused on examining HRIA knowledge and gaps in existing legal impact assessment systems in Thailand, along with developing HRIA implementations based on international HRIA guidelines. The study also highlighted the potential of HRIA as a preventative tool to enhance the protection of the rights of citizens, particularly those affected by the actions of public and private sector agencies.

The research utilized qualitative methodologies, including document study, in-depth interviews, focus group discussions, and piloting HRIA through participatory action research in two locations: the Land Bridge project in Ranong and Chumphon provinces, and the Mae Moh Pleasant City project in Lampang province. The results indicated that HRIA facilitated comprehensive human rights assessments, particularly the economic and social dimensions, which are often neglected at the project activity level, including the local community level. Furthermore, it facilitated stakeholder participation at every stage of the assessment, complementing current impact assessment tools.

The research suggests that HRIA is an important mechanism for protecting and promoting human rights in the development of various policies, projects, and activities in Thailand. Therefore, it recommends the following developments for HRIA: (1) policy and legal aspects: review and improve laws and mechanisms related to the impact assessment system. This involves establishing a legal base that supports HRIA and linking it with the existing impact assessment system. (2) institutional and mechanism aspects: establish a central, independent agency to develop and oversee HRIA, such as the role of the National Human Rights Commission (NHRC) in advocating for policy and issuing standards, as well as fostering collaboration with academics and civil society.

In HRIA development and implementation; and (3) tools and processes: HRIA takes into account diverse users. The HRIA manual should be adapted to suit each context. This includes developing data collection tools and developing human rights indicators that cover environmental, health, social, participation, and community rights. Capacity building for all stakeholders is also essential, through training and knowledge exchange on the application of HRIA.

Keywords: human rights / impact assessment tool / human rights impact assessment/ participation process /human rights based-approach