

## ABSTRACT

Thesis Title : A Standing for Civil Litigation in  
Environmental Case : A Study on the  
Damages Arising from Water Pollution

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The purpose of this research is to study the standing of the person who is injured from environmental pollution to sue for damages, especially the standing to bring a civil case in court in reliance on the Civil Procedure Code and the Promotion and Preservation of National Environmental Quality Act B.E. 2535 as applicable at present. This research also places an emphasis on the efficiency in compensating the public for damages arising from pollution.

This research finds out that despite the fact that there are a large number of private persons, who are injured from environmental pollution, very few injured people bring

civil cases in court due to the ineffectiveness of law enforcement from the starting point of the civil case onwards, i.e. the standing to sue and the regular practices by relevant authorities. This hinders the development of legal principle and concept to be in line with the current problem. The development, therefore, will bring about justice to the injured private persons. As a result, this research recommends a revision and improvement of legal principles relating to the injured person's standing to bring a civil case in court in accordance with Section 55 of the Civil Procedure Code. Moreover, the Promotion and Preservation of National Environmental Quality Act B.E.2535 should be amended in order that public prosecutor has the authority to bring action on behalf of the injured person. All legal expenses and court fees should be paid by the Government because pollution causes damages to the public as a whole, and to encourage private enforcement. The revision and amendment will help bring about justice to the society, which is in line with the purpose of law.