

ABSTRACT

Title Environmental Administrative Cases

Field Politics

Name Mr. Pornchai Manussiripen Course NDC (JSPS) Class 24

This research aims to study theories, principles, concepts of environmental administrative cases, the procedures of the administrative courts on environmental cases and the categories of environmental cases which are in the jurisdiction of the administrative courts. In addition, the preconditions for administrative case litigation including locus standi, exhaustion of administrative remedies, time limit of litigation, provisional remedial measures before delivery of judgment, and the judgments of the administrative courts on the environmental cases, are included. The researcher determines scope of the research by studying the meanings of environmental administrative cases, the principles of administrative laws relevant to the environmental issues both in Thailand and other countries. This research employs the comparative analysis of the judgments made by the administrative courts and the Conflict of Jurisdiction Committee. The qualitative research is introduced through documentary research, analysis of relevant legal provisions, law text books, theses both in Thai and foreign languages, books, and journal articles. The study provides the understanding about which cases should be reviewed by the administrative courts, the meanings of the environmental administrative cases, the principles related to the environmental cases, the precondition for litigation in the administrative environmental cases, the request of provisional remedial measures, and the guideline of resolving the environmental disputes provided by the administrative courts. The researcher suggests that for the trial of the administrative environmental cases, the administrative courts decide and provide the reasons for every claim, every issue raised in the cases. Moreover, the administrative courts should make a decision for the sake of establishing the good governance, grounding social norms, and protecting the public interests, by taking into account the economic, social, and administrative impacts.