



Calls for Stronger Legal Safeguards to Prevent Environmental Harm from Critical Mineral Projects

The recent Thai-US MoU on critical minerals has raised concern regarding transparency and environmental protection. Although the government may view the MoU as beneficial for economic cooperation, academics note that it was signed without public consultation, which may conflict with the constitutional principle of public participation in projects affecting natural resources.

From a legal standpoint, mining activities—particularly rare earth extraction—require strict oversight due to high pollution risks. Existing laws, such as the Enhancement and Conservation of National Environmental Quality Act, allow the state to impose Environmental Impact Assessments and monitoring duties. However, experts suggest that additional safeguards are necessary, including restrictions in Class 1A water basins and ecologically sensitive zones, and mandatory inspections before granting any mining licences.

Establishing a national committee to supervise the MoU's implementation would help ensure that legal, environmental, and community interests are balanced. Clear regulations, transparency measures, and public engagement will reduce potential disputes and reinforce the state's responsibility to protect the environment while pursuing strategic cooperation with foreign partners.

Should you have any question, please do not hesitate to contact us via info@bgloballaw.com

