

Appendix

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Appendix A

Question Guideline of In-depth Interview for Stakeholders

For the dissertation associated with the concept of operation-level co-management and Variance in Protected Area: Case study of Ob Luang National Park, Chom Thong, Chiang Mai

Description

1. This questionnaire is used to interview 4 groups of stakeholders including
 - 1.1 Ob Luang National Park Officer, Protected Area Management Regional Office 16 and Relevant organizations in District, Provincial level and Department of National Parks
 - 1.2 Community Leader Group such as village head , District Chief and Natural Resource Management Committee in village/ watershed level.
 - 1.3 Sub-district Administration Organization including Doi Kaew SAO, Mae Pae SAO and Mae Soi SAO etc.
 - 1.4 Private Development Organization that works in area such as Sustainable Development Foundation and IMPECT etc.

2. The data gained from the questionnaire would be used to understand concept of co-management or participatory natural resource management and consider the possible variance with spatial-level operations of Ob Luang National Park having protected area participatory management program (JoMPA) operating during 2005-2009 and it partially succeeded solving the problems of conflict.

3. The question guidelines of in-depth interview are to answer questions according to opinions and understanding consisting of 5 parts as follows:

Part1: General Information of the Respondent

Part 2: Information of opinion about policy and concept along with approaches of participatory natural resource management

Part 3: Information of opinions about participation in spatial-level operation.

Part 4: Information of opinions about result of the operation and implementation

Part 5: Information of the opinions about problems, obstacles and approaches of sustainable mutual resolution.

Part 6: Additional suggestions.

Part1: General Information of the Respondent

Name of Respondent **Age** **Year**

Current Position 1 **Since**

2 **Since**

3 **Since**

Main Occupation

Educational Level

Status

Current Address

Current Workplace

Work Experience(Past 5-10 years)

1 **Since** to

2 **Since** to

3 **Since** to

Training and Study Trip Experience(past 5-10 years)

1 **Year**

2 **Year**

3 **Year**

Part 2: Information of the opinions about policy and concept and natural resource participatory management in Ob Luang National Park Area

No	Topic/Issue/ Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
1	<p>Having knowledge and understanding about law and policy related to natural resource management in national park</p> <p>1.1 Forest Act B.E. 2005 and National Park Act 1961</p> <p>1.2 Rating quality of watershed and policy of water resource management</p> <p>1.3 Resolution of the cabinet on 14 June 1998</p> <p>1.4 Policy of sustainable national park management</p> <p>1.5 Policy of administration power decentralization to local area such as SAO and participation in natural resource management</p>					
2	<p>Having knowledge and understanding about difference of conceptual base and exploitation from natural resources between the state and community</p> <p>2.1 Right system</p> <p>2.1 property and Ownership system</p>					
3	Having knowledge and understanding about concept of natural resource participatory management					

No	Topic/Issue/ Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
	<p>3.1 Developing potential through meeting, exchanging, learning and training</p> <p>3.2 Transmitting existing knowledge and new knowledge to</p> <ul style="list-style-type: none"> - Village level - Watershed Level - National Park Level 					

Part 3: Information of the opinions about Spatial- Level Operational participation

No	Topic/Issue/ Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
1.	<p>Participation in spatial- level natural resource management</p> <p>1.1 having knowledge and understanding about watershed ecosystem among water source- Middle part –River mouth</p>					
	<p>1.2 Natural Resource Management in terms of utilizing soil, forest and water differently in each watershed among the water source- middle part and river mouth.</p>					
	<p>1.3 Having knowledge and understanding about right, community right system, land tenure and exploitation</p>					

No	Topic/Issue/Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
	1.4 Having knowledge and understanding about social system, culture and community economy in different context and in different watershed such as ethnicity, production system and ideology					
	1.5 Building participatory work process by assembling as the committee in village, watershed and national park level.					
	1.6 Building participatory work process by arranging the meeting to summarize the problematic issues, exchanging, learning, planning to find the resolution and mutual operation.					
	1.7 Driving participatory natural resource management through many supporting activities in the community such as patrolling, building firebreaks, preventing wildfire, constructing check dam and promoting careers to increase income.					
	1.8 Using existing/ new knowledge to manage natural resources in community level					

No	Topic/Issue/Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
	1.9 Having knowledge and understanding about Geographic Information System, mapping and Global Positioning System Etc.					
2.	Knowledge and understanding about how to use instrument 2.1 Topographic Map 2.2 IKONOS Map 2.3 Aerial Photograph 2.4 Satellite photograph 2.5 The map identifying the boundary line of land utilization in village and watershed levels. 2.6 GPS 2.7 Participatory Natural Resource Management Plan 2.8 Participatory Action Research (PAR)					

Part 4: Information about the result of spatial level action and exploitation

No	Topic/Issue/Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
1.	Using the map about boundary line of land use in village and watershed levels to manage natural resources sustainably					

No	Topic/Issue/Details	Opinion Level			No Comment	Remark
		High	Medium	Low		
2.	Using information of natural resource in village and watershed levels to manage natural resources sustainably					
3.	Making an agreement, regulations in village level and arranging public meeting					
4.	Making an agreement in Sub-district level or the agreement as municipal law					
5.	Using empirical data to solve the problems of natural resources and using it in activity of preservation/ protection and maintenance					

Part 5: information of opinions about problems and obstacles along with approaches for sustainable participatory natural resource management

1.What do you think about the problems and obstacles to operate activities supporting the community to mutually manage natural resources in national park, watershed, village/community and network levels (Please Identify by ordering the problems)

2.For participatory problem resolution, what is the process of management and duty of each group?

Part 6: Additional Suggestion: Currently, there are various kinds of participatory natural resource management in Ob Luang National Park, What are they? (Please identify mutual activities, major undertaker and supporting budget)

Appendix B

(Draft) Ban Luang Municipal Law associated with Participatory Natural Resource and Environment Management

By
Working Group of Ban Luang Municipal Law Associated with Natural Resource and Environment Management in Ban Luang Sub District.

Draft

Ban Luang Municipal Law associated with Participatory Natural Resource and Environment Management

Principle and reasons

As the current crisis of natural resources and environment is likely to get intense beyond the capacity of any party to solve the problems on their own and the existing approach to solve the problem separated by the duty and power of the sectors cannot be used to deal with the problems and there has not been public participation to define the trend and pattern of solution along with lacking of opportunity to apply the rule and customs as the legal regulations. They also lacked of budget to do so. Thus, they did not have power to cope with the problem seriously.

Previous initiation to develop the participatory management system was successful in many terms such as solving the problems of land trespassing with participation of every sector that brought about the mechanism of spatial-level dispute reconciliation resulting in systematical coordination between the organization and supporting sectors. This brought about effective resource management by separating responsibility between state, community, locality and relevant sectors.

Therefore, there was development of municipal law associated with natural resource and environment management of Ban Luang Municipality as the legal instrument to support and develop participatory management system to succeed in terms of sustainability of natural resources and environment and fairness of the relevant based on cooperation of every sector by relying on other legal powers for proper operation.

Objectives

- (1) To make conservation, utilization and revival of natural resources and environment effective, balance and sustainable
- (2) To promote collaboration and reduce the conflict about natural resource and environmental management
- (3) To upgrade community rights to respond natural resource and environment management sustainably along with related laws.
- (4) To strengthen the community organization and network member as the essential mechanism to manage natural resources continually.

Subject matter in section1-5

Section 1	Purpose of municipal law and approaches to manage resources (Item 1-6)
Section 2	Committee (item 7-19) Part 1 Watershed Committee (Item 7-11) Part 2 Village Environment Committee (12-16) Part 3 Advisory Committee (17-19)
Section 3	Watershed Fund (Item 10-23)
Section 4	Measures and Method to make the operation consistent with municipal law (Item24)
Section 5	Transitory Provision (Item 25-29)

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Details in Each Section

Content/Section
<p style="text-align: center;">Draft Ban Luang Municipal Law associated with Participatory Natural Resource and Environment Management B.E-----</p> <p>By virtue of Constitution of the Kingdom of Thailand B.E. 2550 section 3 associated with right and independence of Thai civilian; part 12: Community Right in article 66 and 67 section 5 associated with the state basic policy in article 85 section 14 associated with local administration in article 281 and 290 along with the Act of Planning and Procedures of Decentralization to Local B.E. 2542 article 16 and article 50 (7)(8)(9) of Municipality Act B.E. 2496 (Amended Version) copy 13 as well as natural resource and environmental management of Ban Lunag Local Community with an agreement of Ban Luang Municipality Council as follows</p>
<p style="text-align: center;">Section 1 Purpose of Municipal Law and Approach of Resource Management</p> <p>1. This municipal law has purpose to promote and support natural resource and environmental management from every sector including activities as following</p> <ol style="list-style-type: none">1) Supporting the creation of information database of resources, land, water source, forest and biodiversity2) Promoting and supporting participatory process to manage and utilize natural resources and environment sustainably of every sector.3) Promoting and supporting natural resource and environment Revival4) Developing eco-tourism businessfairly5) Developing the system of patrolling and monitoring by local community together with the relevant sectors for balanced and sustainable use of natural resources <p>2. Natural resource and environmental management in Ban Luang Sub-district shall be conducted for following objectives</p> <ol style="list-style-type: none">1) Initiating awareness for the community to realize conserving resources such as soil, water and forest and building up the collaboration to reduce conflict of natural resource and environmental management

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<p>2) Promoting and maintaining environmental quality of Ban Luang Community Allowing the community to manage and utilize soil, water and forest resources fairly and sustainable</p> <p>3) Building the network with any sectors to conserve and maintain soil, water and forest resources.</p> <p>4) Strengthening and developing potentials of management according to the principle of good governance to manage resources for people, group and community organization to develop and support rights of the community to conserve and use natural resources and environment sustainably together with the relevant law.</p>
<p>3. This municipal law is enforced from the date next to the announce date at Ban Luang Municipality Office for 15 days</p>
<p>4. The mayor of Ban Luang Municipality has duty to take action following this municipal law and gives power to issue the regulations, notice or orders to comply with this municipal law.</p>
<p>5. To manage natural resource and environment under this municipal law, there must be the committee to comply with municipal law</p> <ol style="list-style-type: none"> 1) Mae Ya-Mae Pon watershed Committee 2) Mae Klang watershed committee 3) Village Environment Committee 4) Advisory Committee <p>The coordinator officer has duty to monitor and coordinate and operate under this municipal law</p>
<p>6. Definition</p> <p>Natural Resources and Environment means land, water source, forest including biodiversity in the area of Ban Luang Municipality (See the attached map)</p> <p>Land means the area that the committee mutually surveys and defines as the productive or beneficial land in area of Ban Luang Municipality (See attached map)</p> <p>Water Source means Mae Klang River, Mae Ya, Mae Pong, Mae Hoi, branches along with mine, dam, pond, reservoir including existing water sources of the community and water supply system of the community in area of Ban Luang Municipality</p> <p>Watershed means a unit consisting of physical resources, biological resources, man-made resources (Utility Value of human) and life quality resources (society and</p>

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environment). Watershed system comprises of these resources assembling variedly and harmoniously resulting in uniqueness and joint behavior and it is the watershed that has specific aspect and role-play. Thus, watershed is referred to as watershed resources or resource system.
<u>Watershed Area</u> means a unit of area surrounded by boundary supporting the rainwater of major rivers around that watershed. When the rain falls, water in the watershed area will flow out to sub-order and converge in to the mainstream and flow to the outlet finally.
<u>Forest</u> means forest area in Ban Luang Municipality that the community and relevant sectors mutually maintain and utilize with following borders. North adjoining to Mae Win Sub-district, Mae Wang and Santisuk Sub-district, DoiLor District in Chiang Mai South Adjoining to DoiKaee Sub-district, Jomthong, Chiang Mai Province East Adjoining to KuangPao Sub-district, Jomthong, Chiang Mai West Adjoining to Changkeng Sub-district, Wang Thapa Sub-district and Kong Kaek Sub-district, Mae Jaem District, Chiang Mai
<u>Biodiversity</u> means various kinds and species of organism in the ecosystem as the habitat which is substantial and diverse all around the world. Simply, there are various species, genetic and ecosystem on earth such as plants, wildlife and bio organism in area of Ban Luang Municipality etc.
<u>Watershed Committee</u> means watershed-level natural resource and environment committee consisting of Mae Ya- Mae Pon Watershed and Maeklang Watershed as appointed according to this municipal law
<u>Village Environment Committee</u> means village-level natural resource and environment committee consisting of people elected by the village-level meeting and appointed according to this municipal laws
<u>Advisory Committee</u> means the group of people appointed as the advisory committee and watershed-level natural resource and environment committee according to this municipal law.
<u>Village environment members</u> means people who reside in that village in area of Ban Luang Sub-district
<u>Village</u> means the villages located in Ban Luang Sub-district, consisting of 29 villages according to the enclosure.

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<p>Co-management means managing natural resources and environment in Ban Luang Sub-district as the committee according to the notice of this municipal law operates as per the plan and mutual agreement.</p> <p>Fund means watershed-level natural resource and environment fund under this municipal law</p> <p>Coordinating Officer means people appointed by the municipality to be or to appoint as the coordinating officer to operate according to this municipal law</p>
<p>Section 2 Committee</p> <p>Part 1 Watershed Committee (Item 7-11)</p> <p>7. There are watershed committee consisting of the president and other committees as the elected representatives by the village environment committee or appointed according to the origin and components of the committee</p> <p>Committee Structure President, Vice-president, committee, secretary and advisor</p> <p>Background and component of the committee</p> <ul style="list-style-type: none"> 1) Village Headman by position 2) Headman assistant by position 3) Municipality members by position 4) Mine and Dam Chief by position 5) Other committee recruited by the village headman 6) Other experts recruited by the watershed committee <p>Nevertheless, number of committee depends on the discretion and suitability of the watershed recognizing female representatives with proper number.</p>
<p>8. Watershed-level committee shall have following qualifications</p> <ul style="list-style-type: none"> (1) According to the background and component of the committee in item 7 Part 1 section 2 or village environment committee or village environment members (1) Minimum age 18 years old (2) Having concepts and conscious in terms of participatory natural resource management
<p>9. Watershed-level committee has action term of four years</p> <p>10. Watershed committee will be discharged on case</p> <ul style="list-style-type: none"> (1) Death

Content/section
<p>(2) Resignation</p> <p>(3) Reaching the term of action</p> <p>(4) Being absent to work of watershed-level natural resource and environment network more than 3 consecutive times without notifying the watershed-level committee</p> <p>(5) The watershed-level committee has a resolution not less than 2/3 of the whole committee to discharge due to corruption or acting severely contrary to the regulations of the village-level environment committee and watershed-level committee</p>
<p>11. Watershed-level committee has following duties and responsibility</p> <ul style="list-style-type: none"> (1) Supporting the operation of village-level environment committee (2) Making the strategic operation plan and coordinating natural resource and environment management plan in watershed and village-level to be consistent with the three year development plan of the municipality and municipal law with annual budget of Ban Luang Municipality (3) Supporting works of Village-level environment committee (4) Coordinating and publishing the information about natural resources and environment to village and watershed-level <p>Suggesting and monitoring the operation of natural resource and environment management of the village-level environment committee and other relevant sectors including the audit.</p>
<p>Operation of Fund Committee</p> <ul style="list-style-type: none"> (1) Coordinating with people, sectors and relevant organizations to support natural resource and environment management in both village and watershed levels (2) Considering agreeing the operations relevant to natural resources and environment for villages and Ban Luang municipality to operate. (3) Conciliating the dispute, conflict and finding the settlement in village or inter-village level or with any cases happening in the area according to the request of village environment committee or watershed committee or people, sectors and organizations in the area (4) Coordinating with the public authorities to operate according to the law in case the watershed committee is unable to enforce the regulations (5) Making an operation report in terms of watershed-level natural resources and environment for at least once a year and presenting to the council meeting of Ban Luang Municipality (6) Making the proposal to improve and amend the municipal law to Ban Luang Municipality

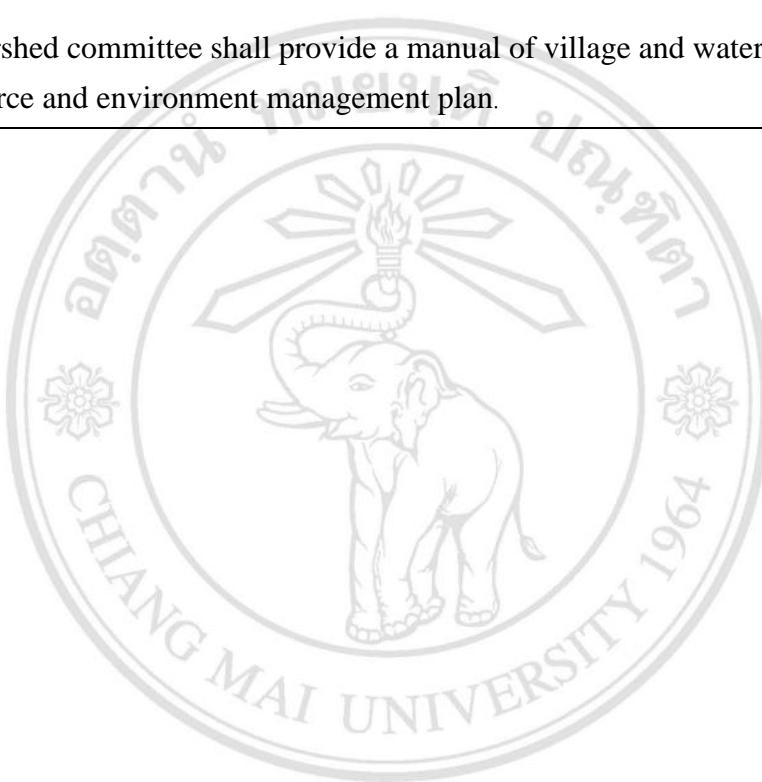
Content/section
<p>(7) Defining the approaches to utilize watershed-level natural resources and environment</p> <p>(8) Considering, supporting and promoting activities of youths and housewife group to manage and transmit learning process to manage watershed-level resources</p>
Part 2: Village environment committee (item 12-16)
<p>12. There is a village environment committee consisting of the president and other committees with at least five people by realizing the proportion of women and youth. People will be nominated and elected from the resolution of the meeting of village environment member community.</p>
<p>13. Village environment committee shall have following qualifications</p> <ul style="list-style-type: none"> (1) Must have domicile in that village (2) Being a reliable person and having virtue or knowledge that the community members accept (3) Minimum age 18 years old
<p>14. Village environment committee has action term of 4 years</p>
<p>15. The village environment committee will be discharged in case of</p> <ul style="list-style-type: none"> (1) Death (2) Resignation (3) Reaching term of action (4) Failing to work as appointed by village-level environment committee or watershed-level committee without proper reasons. (5) Taking actions not consistent with the objectives of village natural resource and environment management (6) The village environment committee has a resolution not less than 2/3 of the whole committee to discharge due to corruption or having intention contrary to the regulations of village natural resources and environment management (7) In case the position is not occupied whatsoever, there shall be additional recruitment within thirty days
<p>16. Village environment committee has following duties and responsibility</p> <ul style="list-style-type: none"> (1) Managing and maintaining natural resources and environment with community participation (2) Making the strategic plan and operation plan along with coordinating the village-level natural resources and environment management plan to be in accordance with the three-year development plan of the municipality and municipal law with annual budget of Ban Luang Municipality

Content/section
<p>(3) Making the strategic plan and operation plan along with coordinating the village-level natural resources and environment management plan to be in accordance with the three-year development plan of the municipality and municipal law with annual budget of Ban Luang Municipality</p> <p>(4) For benefit of managing controlling and utilizing to prevent land expansion making the boundary of community forest and distributing the area for management as well as defining productive plots of each village clearly</p> <p>(5) Providing the regulations of community-level natural resources and environment utilization, conservation and revival</p> <p>Such regulations shall be based on the good governance principles to manage, maintain and utilize natural resources and environment including biodiversity with balance and sustainability</p> <p>In case if natural resources and environment use, there must be corresponding with the framework and approaches defined by the watershed committee.</p> <p>(6) Initiating the conscious to natural resource and environment members to realize values, maintain and cherish it and mutually manage natural resources and environment in the village</p> <p>(7) Coordinating and publishing the information about natural resources and environment to the community members</p> <p>(8) Collaborating with people, sectors and relevant organizations to support natural resource and environment management</p> <p>(9) Making the report of village natural resource and environment overall operation and presenting to the village meeting and watershed committee meeting for at least once a year</p> <p>(10) Having power to regulate the law and enforce it to be consistent with the regulations of village natural resource and environment management</p> <p>(11) Making a proposal to revise the regulations and municipal law to be corresponding with circumstances</p> <p>(12) Presenting to the watershed committee to comply with the regulations and procedures of the watershed in case the village environment committee is unable to solve the problems of village regulation enforcement</p>
<p>Part 3: Advisory Committee (17-19)</p> <p>17. The advisory committee consists of in-area public sectors, religious leaders, seniors, private development officials. Academicians, businessmen according to the proposal of Watershed Committee</p> <p>18. The advisory committee will be discharged in case of</p> <ul style="list-style-type: none"> (1) Death (2) Resignation (3) Reaching the term of action in four years

Content/Section
<p>19. The advisory committee has following duties and responsibility</p> <ul style="list-style-type: none"> (1) Giving opinions to define the strategy of watershed committee and village environment committee (2) Coordinating to make an operation plan of the sectors to be consistent with the operation of watershed committee (3) Operating and supporting the undertaking of the village environment committee and watershed committee (4) Coordinating to solve policy-level problems with the relevant sectors
<p>Section 3 Fund (20-23)</p> <p>20. There are 2 watershed-level natural resource and environment funds including Mae Klang Watershed Resource Fund and Mae Ya-Mae Pon Watershed Resource Fund consisting of money and following properties</p> <ul style="list-style-type: none"> (1) Budgetary support from Ban Luang Municipality (2) Fund Raising within the community and from outside (3) Damages from those who violates the regulations of natural resources and environment that agree to compensate to the watershed-level natural resource and environment committee (4) Money or property donated for the community to operate activities of natural resource and environment conservation and revival (5) Budgets supported by the sectors, organizations from the government and private sector (6) Interest from item 1-5
<p>21. Watershed-level Natural resource and environment Fund has following objectives</p> <ul style="list-style-type: none"> (1) To manage watershed-level natural resources and environment effectively (2) To support resource operation and management of watershed committee and village-level environment operation (3) To be the welfare for watershed committee and village-level environment committee including village environment members
<p>22. Both watershed-level natural resource and environment fund committee consist of 3 watershed committee and sector representatives, membership organization, the government agreed by the watershed committee not over 4 people and Ban Luang Municipality official appointed by Ban Luang Mayor becomes the fund secretary. Nevertheless, the discharge of fund committee shall follow item 10 of the municipal law mutatis mutandis.</p>

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<p>23. Duty and responsibility of watershed committee</p> <ul style="list-style-type: none"> (1) Defining regulations, terms, rules and methods of watershed-level natural resource and environment fund use (2) Considering watershed-level natural resource and environment fund use to achieve the objectives (3) Monitoring, reporting and evaluating watershed-level natural resource and environment use for at least twice a year and presenting at the watershed committee meeting (4) Seeking budget to support watershed fund
<p>Section 4</p> <p>Measures and Procedures to Operate According to Municipal Law</p>
<p>24. To achieve the intention of Ban Luang Municipal Law associated with supporting participatory natural resource and environment management, the committee shall operate according to the resource management plan</p> <p>In case there are problems or conflicts of compliance with municipal law, the committee shall discuss and consult and define the approaches to solve the problems or settle the conflicts according to the purpose of this municipal law.</p> <p>In case there are any disputes related to natural resources and environment management in are of Ban Luang Municipality, the committee as per this municipal law shall find the ways and measures to settle such disputes under peaceful method, mercy and good governance principles and sustainability of natural resources and environment.</p>
<p>Section 5</p> <p>Transitory Provision 25-30</p>
<p>25. To revise or amend this municipal law can be conducted by the resolution of watershed-level natural resource committee or by the proposal of village natural resource committee through watershed committee</p> <p>26. The regulations of forest, water and land management of the community and watershed committee that are enforced before this municipal law is regulated shall be continued until the committee has a resolution about additional revision or amendment</p> <p>27. Ban Luang Municipality announces to certify village environment committee and watershed committee within sixty days after Ban Luang Municipal Law associated with natural resource and environment management is enforced in.....</p>

Content/Section
28. Ban Luang Municipality shall operate supporting and collaborate with the village headman, district chief, watershed committee and village environment committee along with community leader and proper people or sectors to mutually make and revise the natural resource and environment management plan in many appropriate formats to be in accordance with the fact in area within one hundred and eighty days after Ban Luang Municipal Law associated with Natural resource and environment management is enforced in.....
29. The watershed committee shall provide a manual of village and watershed level natural resource and environment management plan.



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Nittaya, Wongweerapan. 2000. **Assessment Report about Urban Community Welfare in Northern Thailand**. Research Project for Social Investment Fund (Menu 5).

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2001-2002 Research Assistant
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2004- 2015 Educational officer, Sustainable Land Use and Natural
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Management Center (RMDC) and Faculty of Social Sciences

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2002 Commission on Folk Law and Legal Pluralism, International
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