

Trading Away Health and the Environment – Executive Summary

Trading Away Health and the Environment provides an overview of the devastating impacts on the health and well-being of communities in Thailand where industrial waste processing facilities are being developed as part of an ongoing expansion of the transnational business of plastic and used Electronics waste and scraps.

Among key findings of this report are the following:

- After 2017, when China proceeded with phasing in a ban on a wide range of plastics, metal, and paper-based scrap products and waste from docking at the country's ports, the import of these types of used materials into Thailand rose exponentially. The majority of countries complicit in the trade are located within the region (in particular, Japan, Hong Kong, Australia, New Zealand, Singapore and China), but also include non-regional OECD countries, notably including the USA, UK and Canada. In effect, Chinese investors and companies involved in this sector appear to have managed to continue business as usual by establishing their own or joint ventures with Thai business partners for scrap recycling, especially in provinces with direct access to seaports, not far from the central urban district of Bangkok. The industrial parks in Thailand's Eastern Economic Corridor may provide a new focal area for companies seeking to establish waste processing facilities, corresponding investment privileges to accelerate land use approval, provide tax and import exemptions, and permit amendments of applicable environmental, health and safety and labour standards to ensure the greatest degree of efficiency.
- Although the primary countries exporting hazardous plastics and e-waste into Thailand have committed to uphold the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal*², by re-categorizing waste as used goods this toxic trade continues unabated.
- The Basel Convention Secretariat and Parties to the Convention have taken note of the major risks posed to health and the environment by e-waste and plastics. As a result, as of May 2019, an additional restriction on the transboundary trade in hazardous and non-recyclable plastics will be implemented as an amendment to the agreement. Parties also came closer to agreeing upon voluntary guidelines related to minimizing the trade in e-waste. Nevertheless, given the leverage of the chemical lobby within the Convention's subsidiary working groups, opportunities for corporate capture and subsequent weakening of outcomes in practice remain of concern among civil society groups.
- Thailand is a signatory to the *Basel Convention*, but due to a patchwork of applicable environmental, land acquisition and social protection standards, in practice, the channels for the development of businesses importing and processing hazardous plastics and used electronics scraps remain open. Following public pressure from civil society, the government has-in principle-committed to ban imports of hundreds of hazardous substances present in plastics and electronic waste, though timelines for implementation phase-in and final chemical specifications remain undisclosed.
- Although high profile one-time spot-checks of industrial sites by Thai authorities where e-waste and plastics from abroad were being illegally handled for domestic processing received headline media attention in 2018, no information about follow-up procedures to ensure legal compliance has ever been disclosed. Systematic efforts to undertake such investigations of facilities remain to be established.
- Under the current lack of legal framework available to be leveraged in the public's interest, communities' access to information and opportunities to seek justice for harm wrought by toxic effluent or emissions where industrial sites are located remains minimal.

- In each of the three profiled communities that are affected by plastics and/or e-waste processing facilities, it is notable that investigations by authorities were sparked by repeated reports by residents to respective local, district and provincial authorities. On no occasion were investigations reported as a result of proactive state strategies to systematically ensure compliance with applicable regulations. Nevertheless, all three situations also illustrate a pattern of authorities concluding facilities are in violation of the law and/or respective operating permits. Although authorities have ordered operations to be temporarily suspended until corrective changes are implemented, companies regularly flout such orders. Instead, communities commonly testify to repeatedly recalling authorities for follow-up investigations, submitting petition letters to line ministries, and calling for companies to be held accountable for damages wrought. Significantly, all continue to mobilize respectively to achieve justice with outcomes still to be determined.