

## **Thailand's Civil Society Statement: The oil spill and the leaked pipeline**

The leaked pipeline of PTT Global Chemical PLC has caused an emission of massive oil spill in Rayong's Gulf of Thailand since 27 July 2013. More than 13,000 gallon of crude oil was leaked into the marine environment covering a large area and the oil spill was eventually flooded ashore in Koh Samet's Prao Bay. The incidence has brought adverse impacts on marine ecology, tourism and the livelihood of local residents. In a long run, the dispersants used for treating the oil spill will certainly leave damages on the environment, natural resources, the ecology and people's health.

Since the incidence has occurred, PTT GC has insisted that the situation is not worrying and is containable. Little information has been disclosed as to impacts of the oil spill on the environment, natural resources, the ecology and people's and the chemicals used to dissolve it. This is yet to mention the short term and long term plans and measures to solve the contamination which have virtually been shrouded in secrecy. It has made it impossible for people to project what will occur and to feed in their input regarding any existing plans and measures meted out by the corporation. It has also impeded efforts to monitor and ensure that the plans and measures are being properly executed.

State agencies are obliged to protect public interest and civil rights during the crisis. The lack of disclosure as to potential impacts on the environment and people has left public in the dark as far as the harmful situation is concerned. The denial of the right to know has also made it impossible for public sector to monitor any mitigations and solutions by both the private enterprise and the state.

We the undersigned individuals and organizations have the following demands to tender to parties involved in the solutions of the oil spill.

### **To PTT GC**

1. The corporation has to be held promptly and fairly liable for all damages inflicted on the environment, natural resources, the ecology and people's properties and health.
2. The corporation has to disclose publicly any plans and mitigation measures to deal with environmental contamination in the short term and long term and consultation with concerned people and experts should be carried out.
3. The corporation is obliged to explain the real reasons of the pipeline leakage to public as well as detail of the impacts on the environment, natural resources, the ecology and people's health as a result of the oil spill and the use of the chemical dispersants. Concrete proposals must be made to ensure no repetition of such incidence and systematic plans and measures should be meted out to deal with the problem should there be any leakage again in future.

### **To concerned state agencies**

1. State agencies are obliged to ensure public disclosure regarding the potential impact of the oil spill and the types of chemicals used as dispersant. Any impacts that befall the environment, natural resources, the ecology and people's health must be expounded.
2. State agencies have to provide oversight of the execution of the corporation's short term and long term plans and measures to cope with the oil spill and leakage to ensure that they are executed properly and in compliance with acceptable standards. The corporation must come up with measures to ensure its non-repetition and to put forward plans and measures to deal with a similar oil spill and leakage in future.

The plans and measures have to be developed based on consultation with independent experts proposed by the state and their execution must be closely monitored.

3. State agencies have to ensure that the corporation pursues complete public disclosure as to the reasons of the leakage and any solutions in the short term and long term.
4. State agencies have to accelerate efforts to assess damages inflicted on the environment, natural resources, the ecology and people and to ensure that the corporation provide for compensation and remedies in a fair and prompt manner.
5. State agencies have to investigate to find out the reasons and the amount of the oil leakage and to enforce applicable criminal and civil provisions to bring the perpetrators to justice and to ensure that such incidence shall not happen again.
6. State agencies have to develop prevention plan and measures to eradicate water pollution with regard to oil spill as prescribed in the Office of Prime Minister's Regulation regarding the prevention and eradication of water pollution with regard to oil spill B.E. 2547 (2004). Such master plan should be urgently developed and put into place to tackle the leakage.

We deem that the leaked pipeline and oil spill are an expensive lesson caused by industrial sector. The lessons should be learned and well heeded to and demands must be made to ensure that industrial sector is held accountable for any impacts on society and the environment. As more investments are to be made, it is important that preventive measures be meted out to protect society and the environment. Should the industrial sector is not willing to invest in prevention; the state and society have to review if they should be allowed to continue their operation in Thailand. It should be ensured that the operations of any industries that are necessary and are allowed to continue are conducive to better security of human beings and the ecology. There is no good reason to protect business interest at the expense of human well being and human lives as the right to live is one of the fundamental rights of human beings.

Signed

ENLAWTHAI Foundation (EnLAW)

GreenPeace Southeast Asia

Thai Sea Watch Association

Ecological Alert and Recovery Thailand (EARTH)

Human Rights Lawyers Association (HRLA)

Legal Center for Human Rights

Center for Protection and Recovery of Local Community Rights (CPRLCR)

Andaman Foundation

Foundation for Ecological Recovery

Social and City Planning Network

Foundation for Consumers

Union for Civil Liberty (UCL)

Thai Climate Justice Working Group

Friend of The Asian Elephant

Stop Global Warming Association

NIDA Environmental Management Association

Sustainable Development Foundation (SDF)

Association of Organizations for the Protection of Thailand's Constitution

Forest and Sea for Life Foundation

Foundation for Integration of Water Management (Thailand)

FTA Watch

Consumers International (CI)

Board of Directors of the Assembly of NGOs for the Protection and Conservation of the Environment and Natural Resources (Env.NGOs)