

Report of Investigation Results No. 118/2561 in case of a claim that permission given for a waste dumpsite/landfill affected communities in the area

Background

The complainant petitioned the National Human Rights Commission of Thailand (NHRCT) claiming that in 2014, Pak Nam Tha Rue Subdistrict Municipality gave a permission to a company named A Limited Partnership to do business of waste dumpsite or landfill, using an area of 5 rai 2 ngan (about 0.83 hectare) in area of village no. 5, Pak Nam Subdistrict, Mueng Ranong District, Ranong Province. The complainant saw that Limited Partnership's waste management had not been done correctly according to sanitary principle because there was no wastewater treatment pond, resulting in bad smell of decomposition with the pond being a source of diseases, and wastewater flowed into natural rivers and mangrove forest nearby, creating impacts on natural resources and environment and also health and living of the complainant. The complainant had petitioned related agencies, that were Pak Nam Tha Rue Subdistrict Municipality, Ranong Province Damrongtham Center, the 25th Infantry Regiment's Special Unit and Thepsatri Force, but the problem had not been solved yet.

Measures/guidelines for solving the problem

Ranong Provincial Authority should take the following actions:

1. Pak Nam Tha Rue Subdistrict Municipality, being local official according to the Public Health Act B.E. 2535 (1982), should check and solve the problem A Limited Partnership's waste dumpsite that is not up to standards required by law, and when it is going to consider giving permission to any business of waste collection, transportation or elimination in the next time, it should act according to the Public Health Act B.E. 2535 (1982) and Department of Pollution Control's Announcement on Criteria for Selection of Waste Dumpsites and conduct public hearing for affected persons or stakeholders strictly according to Prime Minister Office's Regulation on Public Hearing B.E. 2548 (2005).

2. Ranong Provincial Authority together with local administrative organizations should prepare a waste management plan for Ranong Province to systematically cope with the produced amount of waste correctly according to academic principle, taking into consideration guidelines in the handbook on criteria, standards and guidelines for management of waste in communities, and give opportunities for participation of a wide range of people and stakeholders for long-term sustainable prevention of waste problems in Ranong Province.

3. Ministry of Interior should enjoin Ranong Provincial Authority to take care and manage waste according to standards and academic principle, including measures for solving problems in any contract related to the business of waste collection, transportation or elimination.