

[Below is an English translation of the T-BAN Declaration issued on May 10, 2012; for the original document see: [Thai language version of T-BAN Declaration.](#)]

Thailand Ban Asbestos Network (T-BAN)
Declaration of Occupational Rights of Thai Labor:
No More Neglected Safety, No Workplace Accidents and No Asbestos Exposure

The 19th Anniversary commemorating Thailand's worst-ever workplace accident, the Kader toy factory fire in which 188 workers died and 469 were injured on May 10, 1993, should be the ideal opportunity to consider the important issue of safety for Thailand's workers. Unfortunately, as we have seen by a tragic series of workplace accidents at the beginning of May, occupational safety in this country is still a largely neglected matter.

First on May 5, 2012 came the explosions of 7.4 cubic metre toluene-filled container and the subsequent fire in the synthetic rubber process operations at the Bangkok Synthetics Co petrochemical factory in Map Ta Phut Industrial Estate, Rayong province in which 12 workers died and 140 were injured. This disaster led to the mass evacuation of 12 communities nearby the factory.

A day later a chemical leak at the Aditya Birla Chemicals (Thailand) factory in the Hemaraj Industrial Estate sent more than 100 workers, who had inhaled the toxic fumes, to hospital; their symptoms included tightness of the chest, difficulty breathing, dizziness, vomiting, nasal irritation and rhinitis symptoms from inhaling sodium hypochlorite; people nearby were evacuated to Amphur Banchang for safety.

Then three contract workers from Q Advertising company plunged to a terrifying death and two were injured when a frayed cable on the platform they were using to erect a billboard outside the 68th floor of the Baiyoke Tower snapped. This frightened the life out of Thai people and has worsened the image of Thailand.

The tragic series of almost simultaneous workplace accidents in Thailand demonstrated that the government does not prioritize the importance of occupational or environmental health and safety. Many workers are still at high risk of injury and disease due to the unsafe machinery and hazardous chemicals they work with. This situation clearly shows the on-going inefficiency in the prevention and development of occupational safety and health protocols which are afforded a very low priority by a government more concerned with rapid industrial development than workplace safety.

The Labour, Academic and Non-Governmental Organization (NGO) network has called for the establishment of an "Institute Promoting Occupational Health and Safety in the Work Environment" ever since the tragic Kader accident. The call led to the adoption of the "Occupational Health and Safety in the Work Environment Act B.E. 2554," according to which the Ministry of Labour agreed to set up "The Institute Promoting

Occupational Health and Safety in the Work Environment” within 1 year, that is by July 14, 2012.

It is disappointing that in the Draft for setting up “The Institute Promoting Occupational Health and Safety in the Work Environment” which was circulated to the Royal Decree Bureau prior to the cabinet consideration of the proposal, there is no information about establishing a Complaint Center and recruiting the Institute Committee by nomination. The proposal was considered only once during the one tripartite public hearing held on February 14, 2012 which was attended by fewer than 40 workers’ representatives from the Labour Council; the rest of the delegates at the February 14 meeting were government officials. The lack of workers’ participation meant that the input from this sector was of minimal impact in the formulation of the proposal.

It is hoped that by setting up “The Institute Promoting Occupational Health and Safety in the Work Environment,” fatal workplace accidents, such as those which killed so many workers at the beginning of May 2012, will not occur because the Institute will encourage, prevent and prioritize issues relating to occupational health and safety including the prevention of exposures to hazardous substances used in manufacturing and the raising of public and occupational awareness of the toxicity of chemicals and materials used in the workplace.

In the case of chrysotile asbestos, many countries have already banned its import due to the links between exposure to chrysotile and the diseases of: mesothelioma, cancers of the lung, larynx and ovary. Workers have the fundamental human right to work in a healthy environment; as there is no safe way to work with chrysotile, its use should be banned to ensure that workers do not die from avoidable diseases. The 3rd National Health Assembly considered the issue of chrysotile asbestos and issued a resolution calling for a Thai Society Free from Asbestos. On April 12, 2012, the Cabinet resolved to ban the import of chrysotile and all chrysotile-containing products. Unfortunately, this resolution has been ignored by the Ministry of Industry which has chosen not to implement the Government’s stated policy of banning the use of asbestos.

Therefore, Thailand Ban Asbestos Network (T-BAN) which is comprised of representatives from the labor network, academic institutions, private organizations, NGOs, the Council of Work and Environment Related Patient’s Network (WEPT), the Federation of Occupational Health, Safety and Environment at Work, the Thai Labor Solidarity Committee (TLSC), the Health Consumer Protection Program (HCP), the Foundation for Consumers (FFC), the Federation of Consumer Organizations and the Federation of Building and Wood Workers in Thailand would like to request that the Thai Government:

1. **accelerate the establishment of “The Institute Promoting Occupational Health and Safety in the Work Environment”** which includes a Complaint Center and Institute committee recruited by nomination and consider the conclusion report prepared by the Enactment Reform Commission (ERC), the organization set up according to Constitution of Thailand Kingdom B.E. 2550. ERC which agreed to the tripartite proposal that the Draft must include a

Complaint Center and that the Institute Committee must be recruited by nomination and not by appointment by the Minister of Labor as suggested by the Draft by governmental officials.

- 2. speed up the implementation of legislation to provide workers the legal right of redress for injuries and diseases contracted at work including occupational asbestos-related diseases.**
- 3. promptly ban the import of chrysotile and chrysotile containing products** as specified by the Cabinet's resolution of April 12, 2012 and the 3rd National Health Assembly's resolution
- 4. adopt the resolution of The 4th National Health Assembly on "Accessibility on Occupational Health Service and Safety in the Workplace of Workers in Industrial and Service Sector."**

In addition, we would like to urge the media to uphold their professional ethics as unbiased reporters by reporting accurately and without bias on the asbestos issue. The truth regarding the asbestos hazard has been documented by eminent international authorities including the World Health Organization (WHO), the International Agency for Research on Cancer (IARC) and the International Labor Organization (ILO) all of which have clearly indicated that chrysotile can cause mesothelioma, lung cancer, larynx cancer and ovarian cancer; all these organizations believe that the most effective way to eliminate asbestos-related diseases is to ban the use of asbestos. When reporting on asbestos, the media should defer to these authorities and aforementioned facts on asbestos and not to propaganda released by Thai or other asbestos lobbyists which promotes the discredited view that chrysotile asbestos can be used safely or promotes the discredited view that exposure to chrysotile asbestos is not harmful to human health.

Declare on May 10, 2012, National Safety
Day

Ratanakosin Hotel, Rachadamnern Bangkok