

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Myanmar: Sulphuric acid factory behind health fears must be relocated**

The Myanmar government must immediately order the relocation of a sulphuric acid factory built dangerously close to a village, which is continuing to operate despite grave concerns over its health and environmental impact, said Amnesty International today.

Residents of Kankone village told Amnesty International on a recent research mission to Myanmar that they are suffering from strong-smelling factory emissions that are causing respiratory, skin and eye problems.

The emissions, the residents said, have also damaged crops in the area. Soil samples examined by a government department and an environmental NGO in 2013 revealed high levels of sulphates in the soil. The test results, while limited, are a cause for serious concern about the factory and its impacts.

“Myanmar’s government must intervene immediately and stop the operations of the sulphuric acid factory. The factory must be relocated to an area where it can’t endanger anybody’s health,” said Amnesty International Business and Human Rights researcher Mark Dummett, who visited Kankone village in the country’s northwest Sagaing Region last month.

The Moe Gyo Sulphuric Acid Factory, built in 2007, was the subject of an investigation committee led by Aung San Suu Kyi in 2013. The committee found that the company that runs the factory had built it without securing permission from local authorities.

The company, Union of Myanmar Economic Holdings Limited (UMEHL), which is owned by the Myanmar military, subsequently obtained permission to operate the factory in July 2013.

It is a criminal offence in Myanmar to operate a factory without permission but the government failed to open an investigation into this matter, and imposed no sanction on the owners of UMEHL for illegally operating the factory from 2007 to 2013.

Last month, the newly elected municipal authorities decided not to renew the factory’s annual licence to operate pending an assessment of its health and environmental impacts, officials said. According to residents, the factory did not

function for more than one month, however it has since resumed its operations without renewing its license to operate. A local official said that despite the lack of a license from the municipal authorities, a central government body is still allowing the factory to run.

“UMEHL shouldn’t ignore the concerns of the local authorities and must listen to the very serious complaints of the affected population. The central government now needs to stop the operations of this factory and move it to a safe location,” Mark Dummett said.

Villagers reported that following the resumption of operations on 15 June, the air became so polluted that most students stopped attending school, which sits just 50 metres from the factory.

Amnesty International has been monitoring the situation closely, recording longstanding complaints from residents.

“Every time we smell the acid it is really bad. We tell the factory to stop it, but they say that’s not possible” a male resident told Amnesty International in 2014.

“People cannot stay in the village at those times. Our eyes tear up and we cough,” another man told Amnesty International on the same visit.

International best practice calls for a buffer zone between residential areas and a facility manufacturing hazardous chemicals to ensure human safety.

Before any relocation of the factory, the government needs to ensure that its operator, UMEHL, conducts an adequate Environmental and Social Impact Assessment in consultation with affected people and discloses all safety measures to be taken prior to, during and after the move, Amnesty International said.

“The Myanmar government must also ensure that any negative impacts caused by the factory are fully assessed, disclosed and remediated,” Mark Dummett said. “The authorities must also investigate potential breaches of the Factories Act by UMEHL from 2007 to 2013.”

## **Background**

The Moe Gyo Sulphuric Acid Factory supplies sulphuric acid to two copper mines, the Letpadaung and Sabetaung and Kyisintaung (S&K) mines. These are joint ventures between UMEHL and China’s Wanbao Mining. The giant Letpadaung mine officially started producing copper for the first time in May 2016.

Amnesty International’s 2015 report *Open for Business? Corporate Crime and Abuses at Myanmar Copper Mine* detailed serious human rights abuses linked to these two mines. They have a long history of forced evictions and thousands of people remain at risk of forced eviction.

The report also documented how largely peaceful protests were met with excessive use of force by police. On 22 December, 2014, Daw Khin Win, a woman villager who was protesting against the expansion of the Letpadaung mine was shot and killed by the police. In 2012, police used white phosphorus, a highly toxic and explosive substance, against peaceful protesters - an act amounting to torture, which is a crime under international law.

Amnesty International has ongoing concerns about the human and environmental impacts of the S&K and Letpadaung mines. An expert analysis of Wanbao's Final Environmental and Social Impact Assessment of the mine revealed that serious deficiencies continue to exist. This analysis included concerns that the construction of embankments along the side of the mine may have worsened flooding in the areas next to and downstream of the embankments during August 2015.

On 15 June, 2016, Amnesty International wrote to the company, raising its concerns, and asking it to share what assessments it has collected, but has not received a response. The newly elected government must ensure that the operations of the Letpadaung mine are halted until the environmental and human rights concerns about the project are resolved in genuine consultation with all affected people.

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