



No. 52101/315

PERMANENT MISSION OF THAILAND
GENEVA

14 August B.E. 2569 (2026)

Dear Sir and Madam,

I wish to refer to your joint communication ref. AL THA 1/2026 dated 21 April 2026 concerning alleged transboundary environmental and human rights violations stemming from mining-related contamination in the Mekong subregion, and to our letter No. 52101/137 dated 23 April 2026 acknowledging its receipt.

In this connection, I am pleased to transmit herewith the response of the Royal Thai Government to the allegations raised in the joint communication, based on information provided by the relevant agencies.

In reiterating Thailand's commitment to cooperating with the Special Procedures under the Human Rights Council to promote and protect human rights of all people, I remain,

Yours sincerely,

(Usana Berananda)

Ambassador and Permanent Representative

Ms. Elisa Morgera,

Special Rapporteur on the promotion and protection of human rights in the
context of climate change;

Mr. Robert McCorquodale,

Chair-Rapporteur of the Working Group on the issue of human rights and
transnational corporations and other business enterprises;

Mr. Surya Deva,

Special Rapporteur on the Right to Development;

Ms. Astrid Puentes Riaño,

Special Rapporteur on the human right to a clean, healthy and sustainable environment;

Mr. Michael Fakhri,

Special Rapporteur on the right to food;

Mr. Albert K. Barume,

Special Rapporteur on the rights of Indigenous Peoples;

Ms. Kelley Eckels-Currie,

Special Rapporteur on the situation of human rights in Myanmar;

Mr. Carlos Asturo Duarte Torres,

Chair-Rapporteur of the Working Group on the rights of peasants and other people working in rural areas;

Mr. Marcos A. Orellana,

Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes;

Mr. Pedro Arrojo-Agudo,

Special Rapporteur on the human rights to safe drinking water and sanitation;

Office of the United Nations High Commissioner for Human Rights,

GENEVA.

**Thailand's Response to the Joint Communication by Special Procedures
of the Human Rights Council
Concerning Alleged Transboundary Environmental and Human Rights Violations
Stemming From Mining-Related Contamination in the Mekong Subregion**

* * * * *

Thailand reiterates its commitment to safeguard human rights, advance environmental sustainability, and promote responsible business conduct, and wishes to provide the following information and clarifications:

1. Measures to Protect Human Rights and Support Affected Communities

- Thailand maintains rigorous monitoring of water supply systems and health surveillance in Chiang Rai and Chiang Mai Provinces. When limited exceedances were noted in 2025, the Department of Health immediately addressed the issue and upgraded water supply systems of affected villages. The 2026 monitoring confirmed that water quality meets all national drinking standards, with no exceedances of arsenic or lead detected. To ensure long-term protection, Thailand, through the Pollution Control Department, installed **21 environmental monitoring stations** by April 2026 and, through the Department of Fisheries, adopted a **five-year monitoring plan (2027-2031)** to track heavy metal contamination in aquatic animals across 19 regional sites. This is supported by the Provincial Waterworks Authority, which has enhanced treatment processes to effectively remove heavy metal contaminants.

- To empower the communities, Chiang Rai Province launched the **“AIM” (Awareness Information Monitoring)** platform, providing real-time water quality data and safety guidance for local produce. This digital infrastructure is complemented by **nanotechnology-based arsenic detection tools**, developed by the National Nanotechnology Center, to ensure rapid response capabilities for village water systems near the Kok, Sai, and Ruak rivers.

- Thailand continues to conduct comprehensive risk communication in partnership with provincial authorities through village-level outreach, educational exhibitions, and the **“Safe Fish” application**, enabling citizens to make informed decisions about aquatic produce. To further support local livelihoods, a fish restocking program has been initiated in the Kok River basin in 2026.

- A high-level **Subcommittee on Surface Water Quality Management**, chaired by a Deputy Prime Minister, is established to coordinate a four-pillar framework focusing on pollution management, remediation, monitoring, and overall governance. Ongoing oversight is provided by a multi-stakeholder working group that delivers regular situation updates on transboundary river health.

- The Subcommittee has adopted a comprehensive set of measures to address contamination exceeding applicable standards in the Kok River, its tributaries, the Sai River, and the Mekong River. The measures comprise four key areas: (i) management of pollution sources; (ii) remediation of contamination in water bodies and mitigation of its impacts;

(iii) environmental quality and public health surveillance; and (iv) governance and coordination.

2. Impact Assessment and Public Health Response

- The Department of Health, in collaboration with local authorities, has conducted environmental health surveillance of village water supply systems and monitored the health of communities in Chiang Rai and Chiang Mai Provinces. It has also provided local public health authorities with simple field test kits for arsenic to support ongoing surveillance and preliminary risk assessments. In addition, the Department continues to monitor the situation and conduct health surveillance of populations at risk of exposure to arsenic through water and food.

- Surveillance of village water quality in 2025 detected elevated lead concentration in village water supply systems in Chiang Rai and Chiang Mai Provinces, ranging from 0.012 to 0.021 mg/L, exceeding the national standard. In response, provincial authorities upgraded village water supply systems in accordance with technical standards and continued regular water quality monitoring. As a result, surveillance conducted in 2026 found no arsenic or lead concentrations exceeding the applicable standards in village water supply systems.

- Thailand conducted a **Rapid Health Impact Assessment (Rapid HIA)** that integrated primary survey data from 424 residents in Chiang Mai and Chiang Rai Provinces with secondary environmental, agricultural, and epidemiological data compiled by government and academic partners.

- While no acute clinical toxicity has been identified to date, biomonitoring has confirmed arsenic exposure among the local population. Consequently, health authorities have designated the affected communities as being in a “risk accumulation phase,” necessitating continued long-term monitoring.

- Community surveys indicate a significant strain on livelihoods. Nearly half of the respondents reported limited access to clean water, and over 50 per cent have stopped consuming certain locally sourced fish and vegetables due to safety concerns. Furthermore, 63 per cent of households reported a decline in income, with 47 per cent of parents expressing concern regarding the potential long-term health effects on their children.

- The contamination has imposed a direct financial burden, with households incurring an average of THB 2,600 in monthly additional expenses for clean bottled water and healthcare. This increased expenditure has led to a cycle of rising debt and further income instability for affected families.

3. Implementation of Action Plan and Stakeholder Engagement

In response to the comprehensive monitoring and findings above, Thailand has strengthened existing response mechanisms as well as developed new ones as follows:

- The National Health Commission Office (NHCO) facilitated an **Issue-based Health Assembly** and a parallel Health Impact Assessment (HIA) process in accordance with

the National Health Act B.E. 2550. This collaborative framework enabled network partners to contribute directly to policy response.

- Based on these participatory mechanisms, the following strategic priorities were identified for government actions: (1) Addressing contamination as a cumulative, systemic risk that requires precautionary and cross-sectoral responses; (2) Establishing a transparent and accessible open-data system to ensure public trust and informed decision-making; (3) Strengthening national biomonitoring and health surveillance systems while continuously improving risk communication strategies; and (4) Promoting coordinated action across the environmental, health, economic, and social sectors to ensure a holistic response to transboundary issues.

- Pursuant to Order No. 4/2568 (2025), dated 11 June 2025, the Subcommittee on Surface Water Quality Management established a **Working Group on Sediment Trapping Measures for the Kok River and Sai River** to examine appropriate approaches and methods for sediment interception in the two rivers.

- The Working Group endorsed measures to address water quality issues in the Kok River and Sai River and convened two public consultation meetings to review the proposed approaches in addressing these issues. The consultations resulted in recommendations on a number of urgent measures, including: ensuring the availability of raw water for water supply systems; providing assistance to businesses located along the Kok River; supplying safe drinking water to affected communities; communicating information on the impacts on agricultural produce and fisheries; and coordinating with relevant agencies and international organizations to pursue long-term solutions.

- The consultations also produced recommendations for additional remedial measures, including the identification of alternative sources of clean water, the installation of water quality monitoring stations and CCTV cameras to enable continuous monitoring and public dissemination of water quality data, and engagement with upstream countries to promote the treatment of wastewater prior to its discharge into the Kok River.

4. Regional and International Cooperation to address Transboundary Pollution

- **Engagement with Myanmar**

Thailand has consistently pursued technical cooperation with Myanmar to address the root causes of contamination. Key developments include a technical-level dialogue in July 2025 and a consultative meeting in April 2026 between the Deputy Permanent Secretary of the Ministry of Natural Resources and Environment, Governor of Chiang Rai Province, and the Governor of Tachileik to develop integrated mitigation strategies for shared waterways.

Following a high-level visit by the then Deputy Prime Minister and Minister of Digital Economy and Society to Nay Pyi Taw, Myanmar, in August 2025, in his capacity as Chair of the Subcommittee on Surface Water Quality Management, Thailand proposed the establishment of a Joint Technical Working Group to strengthen water quality cooperation. A draft Terms of Reference (TOR) with a broad mandate covering all shared rivers, including the Kok, Sai, Ruak, and Mekong, was transmitted to Myanmar in December 2025. Thailand has

also maintained its dialogue with Myanmar, including through the Deputy Prime Minister and Minister for Foreign Affairs' visit to Nay Pyi Taw in April 2026, during which he consulted with the President and Minister for Foreign Affairs of Myanmar on transboundary pollution issues and by proposing interim cooperation measures in May 2026.

Most recently, during the official visit to Thailand by the President of Myanmar on 6-7 August 2026, The Myanmar side expressed its readiness to fully cooperate with Thailand to address this issue. Thailand and Myanmar, through the environmental authorities of both sides, also signed the Terms of Reference (TOR) for the Thailand-Myanmar Joint Working Group on water quality management in rivers along the border and rivers flowing between the two countries, with the primary objective of safeguarding the safety and well-being of people in affected areas.

- **Engagement with China**

Thailand has actively engaged with China both at the technical and policy levels to facilitate fact-finding and information sharing. Since May 2025, the matter has been raised through multiple channels, including ministerial meetings on the sidelines of the ASEAN Summit and discussions with the Chinese Special Envoy for Asian Affairs. In June 2025, Thailand provided satellite imagery and intelligence to the Chinese Embassy to support their internal investigations on the reported water quality concerns.

During the official visit to China by the Prime Minister of Thailand from 16-20 July 2026, Thailand raised the issue of transboundary water pollution with the President of China and sought China's support in facilitating technical cooperation and encouraging Myanmar to work closely with Thailand on addressing the issue.

Thailand remains committed to engaging with regional partners to establish facts, address environmental concerns, and promote effective transboundary responses for the affected communities.

5. Business and Human Rights Measures

- **The National Action Plan on Business and Human Rights (NAP)** serves as Thailand's policy framework for promoting responsible business conduct and respect for human rights. Currently in its second phase (2023-2027), the NAP focuses on: (1) Labour; (2) Community, Land, Natural Resources, and Environment; (3) Human Rights Defenders; and (4) Transboundary Investment and Multinational Enterprises. The NAP is implemented primarily through voluntary participation by the business sector.

- With regard to allegations on transboundary environmental and human rights impacts arising from mining activities in the Mekong subregion, **the Action Plan for Community, Land, Natural Resources, and Environment** under Thailand's National Action Plan on Business and Human Rights encourages state enterprises and businesses to comply with applicable laws, standards, and human rights principles relating to communities, land, natural resources, and the environment, including throughout their supply chains. The Action Plan further promotes the establishment of accessible grievance mechanisms, the provision of remedies for adverse human rights and environmental impacts, the conduct and public

disclosure of Human Rights Due Diligence (HRDD) assessments, and meaningful stakeholder participation, including by affected communities and ethnic groups through inclusive and accessible consultation processes.

- **The Action Plan on Transboundary Investment and Multinational Enterprises**, also under the National Action Plan on Business and Human Rights, promotes awareness of relevant laws and human rights standards among state enterprises and businesses, as well as the implementation of Human Rights Due Diligence (HRDD) processes. It also encourages consideration of legislative measures to strengthen corporate HRDD practices.

- To strengthen enforcement, Thailand is developing the **Draft Responsible Business Conduct Promotion Act**. This legislation marks a critical shift from voluntary participation to a **mandatory framework**, requiring state enterprises and businesses to perform comprehensive HRDD, including risk assessments and remediation, across their value chains.

- Since March 2026, the Ministry of Industry has enhanced its existing monitoring of industrial operations by introducing proactive testing for heavy metal concentrations in industrial facilities in Chiang Rai Province. The results indicate that no heavy metal concentrations exceeded the effluent standards prescribed under the Ministry of Industry Notification dated 7 June B.E. 2560 (2017), Re: Prescribing Effluent Standards for Factories, B.E. 2560 (2017).

- Thailand acknowledges the concern that measures undertaken by relevant authorities have, to date, largely focused on addressing the consequences of contamination, such as monitoring surface water quality and testing for heavy metals in the environment, the food chain, and human health. Thailand recognizes that such measures alone are not consistent with the Hierarchy of Controls principle in occupational health, which emphasizes controlling risks at their source as the first priority. Accordingly, Thailand supports the implementation of pollution control measures at the source, including strengthened oversight and monitoring of mining operations to prevent and minimize the release of heavy metals and hazardous chemicals into the environment, particularly surface water bodies.

* * * * *