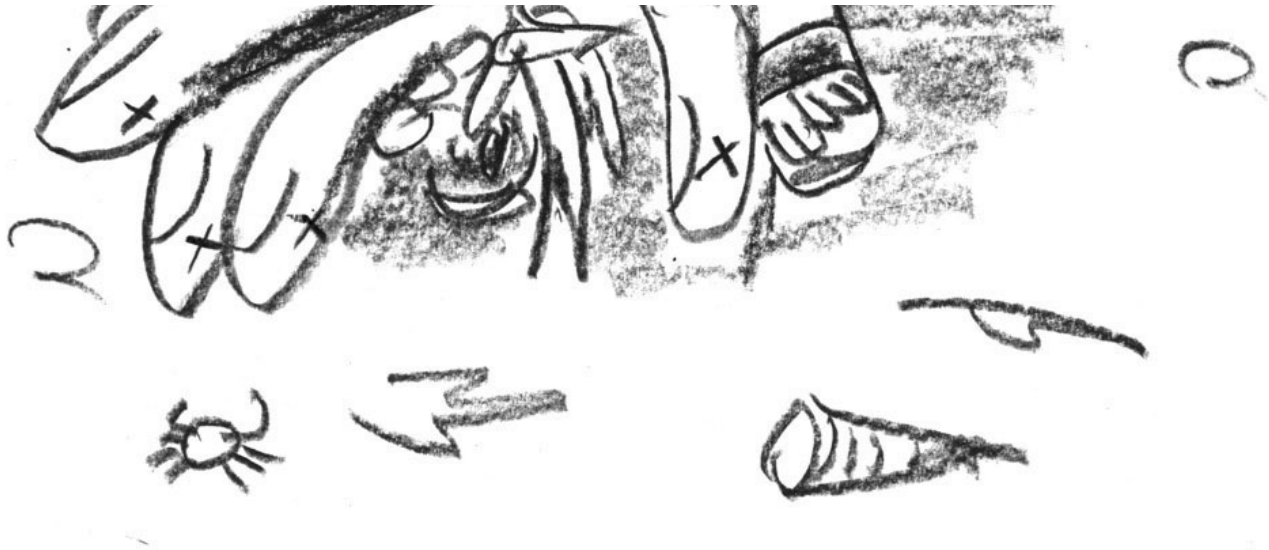
MekongReview

Vietnam

Formosakill

Calvin Godfrey



Every Sunday morning in May 2016 saw an atmosphere of martial law in downtown Ho Chi Minh City. State telecom companies blocked transmission of the words “Formosa”, “dead fish” and “protest”. Police seemed to be everywhere, and the few die-hards who turned up to protest got bundled away before they could march a single block.

A 100-ton wave of dead fish had crashed into the beaches of Vietnam’s impoverished central coast and driven the nation into a frenzy. Millions of fingers soon pointed to an enormous steel plant financed by the Formosa Plastics Group — a petrochemical octopus based in Taipei. No one in Vietnam knew much about Formosa’s history, but they feared and loathed it all the same.

The Taiwanese connection triggered memories of the last national environmental scandal in 2010. Then, a Taiwanese firm called Vedan got fingered for wiping out all life in the Thi Vai River by funnelling toxic waste through an underwater pipe for an un-interrupted fourteen years. It came to a head when the river began eating through the steel hulls of Japanese ships docked downstream. State-owned supermarkets and media organisations declared jihad on Vedan-brand MSG. But beyond that brief and successful

boycott, the city generally ignored the Möbius strip of factory strikes, land battles and environmental deprivations that colour life in rural Vietnam.

Formosa's fishkill changed all that last year. That spring, grumblings on social media gave way to street protests. Vietnam's cloistered urban class suddenly cared again about dead fish; the shift caught the authorities unawares.

During the first protest march on May Day, a small contingent of uniformed police and plainclothes spooks stuck to the sidewalks while civilians filled Dong Khoi ("total uprising") Street. Chanting "Protect the environment!" the crowd marched all the way to the baroque Hotel de Ville from where the Communist Party has ruled the southern capital since 1975. They dispersed as peaceably as they had assembled.

The following Sunday, I rose early and wandered past a line of sunburnt traffic police leaning on flimsy iron barricades that blocked the main road to the city's colonial core. The cafes and restaurants where expats and the rich typically gathered to brunch and bullshit sat shuttered. Ho Chi Minh City always feels like a downed power line in the last sun-bleached weeks of the dry season, but the fishkill had cranked up the voltage.

"Don't go out there," shouted Linh, a thirty-nine-year old graphic designer, from a stone bench. "Most of the people there are police. I want to join, but it could be a real problem for me. If someone gets hurt, it's going to be a mess."

As the red bricks of Notre Dame Cathedral came into focus, so did an emphatic public service recording demanding calm and order. Fear blew through Paris Square as loose lines of officers picked at a mass of protesters they had pinned to the spiked iron fence of the Hoa Binh Primary School. The crowd of over a thousand held A4 paper signs emblazoned with black

fish skeletons — a symbol that would be banned in the days to come. One man had painted SILENCE TODAY, DEATH TOMORROW in big block letters.

Squads of green-uniformed rent-a-cops did their best to arrest protesters reeling with sunstroke. These volunteer policemen spent most of their days helping foreign tourists through the traffic, and it took nearly half-a-dozen of them to separate a middle-aged woman from her friends. Porcine plainclothes heavies barked orders from the shade. When she dragged her feet, they jumped in to help shove her onto a municipal bus they'd commandeered as a paddy wagon.

A narrow line of protesters and spooks stood across the road, just outside the reach of sprinklers switched on to discourage them from gathering around a statue of the Virgin Mary. Thanh, a twenty-seven-year old engineer, clicked away with a digital camera as the bus pulled away. A prisoner waved to those still stuck in the sun, eliciting a roar of solidarity.

"You can read about this story on the BBC, the *Guardian*, but you can't read about it in any Vietnamese newspaper," Thanh said, as stocky middle-aged men in sunglasses leaned in to listen. "I'm here taking pictures and uploading all of this information so people in my country will know what happened here."

When I could feel the spooks at my elbows, I rushed into an air-conditioned convenience store opposite the central post office. A young woman who had sweated through her kitten T-shirt asked the clerk for the wifi password. Her name was Thuy, a proud daughter of Quang Binh Province, where demonstrators had stopped traffic on the national highway the previous month.

"We want President Obama to raise the issue with our government," said Thuy, who makes her living selling cosmetics on Facebook.

Petitioners like Thuy would file over a hundred thousand signatures on the White House website, demanding Obama do something about the fishkill when he came to town that month. But the demand seemed to evaporate the moment he stepped out of Air Force One. Streets once choked with aggrieved protesters filled with delighted gawkers. Obama never publicly raised the fishkill; instead he handed Hanoi an all-American goody basket of Peace Corps volunteers and arms contracts.

Among the prisoners bussed to a suburban soccer stadium that day was a retired editor from the Women's Union — an approved organ of the Communist Party. A furious Facebook post describing her arrest included a tirade directed at the officers who had made her and others kneel in the sun without water or access to toilets.

Do your families dare to eat fish? How many fishermen have lost their livelihoods? The sea is dead, the fishermen hungry, the environment has been threatened. The Paracel Islands are gone, the Spratly Islands have been partially taken from us. Are you aggrieved by this? Don't you want revenge?

Her outrage began with dead fish and ended with archipelagoes lost and doomed to be stolen. Even in the minds of marginal Party members, the actions of a Taiwanese steel plant had become muddled with 'Chinese' geopolitical designs.

Two months before Formosa's troubles began, ten times as many fish went belly-up in two delta provinces along the Cai Vung River. The afflicted catfish farmers told the state media they blamed a state-owned rice processing plant upstream. The government offered them pennies on the dollar for their dead fish, before provincial scientists inevitably blamed the

farmers themselves for the sudden die-off. Months after the incident, an official report concluded that drought and bad practices had starved the fish of oxygen.

This money-for-quiescence prescription worked in February but failed in May, perhaps because the entire country knew and despised Formosa Ha Tinh Steel. Party planners no doubt believed the steel plant would be a feather in their cap when they laminated its investment license in 2008. After all, hadn't they brought the region's largest steel plant to the doorstep of the nation's largest iron ore deposit? Hadn't they delivered massive foreign investment to a backwater best known for peanut candy and doomed peasant uprisings?

Local steel manufacturers complained that the sheer size of Formosa's projected output would flood the domestic market and wipe out their business. Those unconcerned with steel economics knew just one thing about Formosa: the company had committed the cardinal sin of lodging thousands of mainland Chinese workers just a short drive from the bucolic boyhood home of the father of the nation, Ho Chi Minh. The paranoid belief that the steel plant was, in fact, a giant Chinese Trojan horse exploded in 2014, days after Beijing dispatched a massive oil rig into Vietnamese-claimed waters.

For years, reporters had been prohibited from criticising China. If local stories referred to Vietnam's big northern neighbour at all, they tended to use the term "other countries". Suddenly, a taboo ended. One of the Party's big empty suits sprang to life to articulate Vietnam's right to exist and not have its islands stolen like so many after-dinner mints. Addressing the nation with a smile and coiffed pompadour, then-Prime Minister Nguyen Tan Dung seized the moment by offering a slow speech on the nature of sovereignty.

Old men and women were nodding to the nightly news. I received an email from my boss (a ladies' magazine publisher) urging all of her employees to help buy the Vietnamese navy a new battleship. An old woman in Saigon and an old man in Florida set themselves on fire. Uncles spoke fatalistically, over beer, about imminent war. The Chinese, they said, had ruled Vietnam for a thousand years and still disdained them as a mere breakaway province — a poor man's Taiwan.

On the streets, I encountered groups of teenagers marching in the direction of China's consulate holding maps. These kids looked like the weedy types one might find at a Communist Youth Union talent show, and seemed willing enough to follow directions from cops posted along their route. These stage-managed downtown demonstrations were soon followed by large riots in Ho Chi Minh City's hinterlands.

In two days, factory workers ripped up the engine of the nation's southern export economy like so many gremlins. Before anyone could figure out what had happened, Formosa's Vietnamese employees rioted in Ha Tinh, killing an unknown number of their Chinese co-workers. Early reports said twenty; subsequent reports cut it down to four. China held up the riots as evidence of Vietnam's mania and sent transport ships to evacuate survivors. Hanoi cracked down hard on all forms of protest, begged foreign manufacturers not to flee and offered compensation to some of those caught up in the violence.

Formosa, which lacked any insurance against such an event, seemed to be holding all the cards. In addition to the murders, the Ha Tinh rioters had looted the bejeezus out of Formosa's $11 billion construction site. Hanoi offered hundreds of millions of dollars to the company to stay and rebuild, while state-owned papers wrote cheerful stories about the police's enthusiastic post-riot hooligan hunt. But it was all rather beside-the-point.

Formosa Plastics Chairman Lee Chih-Tsuen told the Taiwanese *China Daily* that it really had nowhere else to go.

"According to Lee, plant construction cannot be carried out in industrialised countries due to their restrictions on carbon dioxide emissions," the paper reported. "Vietnam is an exception … since the country has little industrial investment, establishing steel manufacturing plants would not cause much of a problem."

Two years later, the fishkill made Lee eat his words.

Before the company and the Party could stop them, Vietnam's supposedly state-controlled press gathered all the rope necessary to hang Formosa for dumping toxic waste into the ocean during April of 2016. A diver who went looking for fish discovered a waste pipe buried under sandbags and rocks; he told reporters that a faceful of noxious yellow discharge left him dizzy and ill. Reporters also published the names of a sick and dying dive team — Formosa sub-contractors who had been working in the area before the fishkill. As the evidence piled up, the steel plant's tubby Taiwanese director, Chou Chun Fan gave a televised interview that bordered on the Trumpian.

"I admit that the discharge of wastewater will affect the environment to some extent, and it is obvious that the sea will have less fish," he told a female television reporter in perfectly patronising Vietnamese, "but before we built the plant, we had got the permission from the Vietnamese government … To be honest, we must lose some to win some. You want the fish, or the steel plant? You have to choose."

Formosa forced Fan to offer personal apologies to reporters all over the country before firing him. It all came too late; the myopic middle-manager had already given Vietnam its rallying cry.

"We choose fish!"

In reality, Vietnam chose anything but fish.

Fishwives piled the rotting remains of the disaster along National Highway 1A — an act that incited panic. Even while pretending not to know what

killed the fish, officials assured the public they wouldn't allow a single fry to be eaten by man nor beast.

The government remained in abject denial of Formosa's responsibility, even after Fan's admission that the company didn't give a shit about fish. At one point, government scientists blamed the whole thing on a toxic red tide and offered comically doctored photographs of a crimson bay as evidence. A few weeks later, pudgy Party men dined on seafood in Danang; others stripped to the waist to splash around in the waves off Quang Tri Province.

One official claimed it would take a decade for the afflicted fishery to recover, without really articulating how, or from what. The year I arrived in Vietnam, the BBC described the country's coastal fisheries as being in a state of "serial depletion — meaning that even if fishing were banned [in 2010] it is unlikely that stocks would recover."

Formosa ultimately told Reuters that a power cut caused untreated wastewater to escape into the sea. Formosa further claimed it would upgrade the plant to protect the environment. The Vietnamese government refused to comment, but Reuters cited an official report that listed fifty-three violations at the plant, most of which Formosa claimed it had or would resolve.

It took eighteen months for even this thin narrative to emerge.

In the mad, hot days after the spill, the Party and Formosa offered an aggrieved public nothing but bumbling denials and shrill demands for patience. In the midst of all this, I found myself cracking open a collection of Edgar Allen Poe stories in a vegan restaurant set beneath a yoga studio. Even before the spill, moneyed Vietnamese women came here to avoid the ill effects of the meat and cheap vegetables consumed by the *hoi polloi*.

The heavy hardcover fell open to *The Masque of the Red Death*, in which a decadent aristocracy settles in for a fancy dress party while a gruesome plague ravages the peasantry beyond the walls. The story ends (spoiler alert) when a mysterious guest marches into their midst and dooms them all to the illness. Poe ends the story on a high note: "And Darkness and Decay and the Red Death held illimitable dominion over all."

Weeks after the protest had died down, I landed in Taipei, just days before the Democratic Progressive Party took power. They had beaten the mighty Kuomintang on a platform that included environmental reform. I quickly learned that Formosa's excesses had played a key role in galvanising a whipped Taiwanese electorate to toss the incumbent overboard.

"We must not endlessly expend natural resources and the health of our citizens as we have done in the past," said the Tsai Ing-Wen, the island's first female president, in her inaugural address. "Therefore we will strictly monitor and control all sources of pollution."

During the rainy week that followed, I drank tea in offices across Taipei with do-gooder attorneys who lamented that feckless industrialists continued to wield far too much economic power on the island.

"Formosa's the biggest polluter in Taiwan," said Echo Lin, the secretary-general of the Environmental Jurists Association. "It's totally unwelcome here, particularly among our group, but Formosa contributes about two per cent or more to the country's GDP; that's why the Taiwanese government will not hold Formosa accountable."

The Democratic Progressive Party's response to the incident cast doubt on their ability to do so. Su Chih-Fen, a lawmaker from Tsai's DPP, flew to Hanoi following the spill, only to have her passport seized by an airline official. After nine hours spent sitting in the airport, Vietnamese officials

permitted her to visit Formosa's factory, but cancelled the lawmaker's other plans.

"Su claimed she had intended to visit a local church and not so-called anti-government elements as claimed by Vietnam," the Taiwanese *China Post* reported. Perhaps not surprisingly, the offices of Legislator Su and President Tsai expressed no interest in my queries about the affair.

But Robin Winkler did. The sixty-two-year old environmental attorney welcomed me in shorts, Birkenstocks and a T-shirt with a shore bird emblazoned on its front. We decamped to a dark sushi bar where Winkler is a regular.

"Before I came over to the other side, I spent over twenty years helping companies structure their investments to limit their exposure and liability," he said, before ordering us stewed tofu and sashimi in perfect Mandarin.

In 2001, Winkler founded the Wild at Heart Legal Defense Association, which continues to file lawsuits and organise rallies on behalf of the island's environment. Ultimately, he gave up his US citizenship and became a Taiwanese national. The government, he said, had a tendency to deport foreigners it deemed "troublesome".

In 2005, Winkler began a two-year term on the Environmental Protection Agency's Impact Assessment Committee. When the Formosa Plastics Group sought permission to build a $4.1 billion steel plant astride its notorious offshore petrochemical plant in Yunlin County, Winkler and his fellow commissioners raised questions.

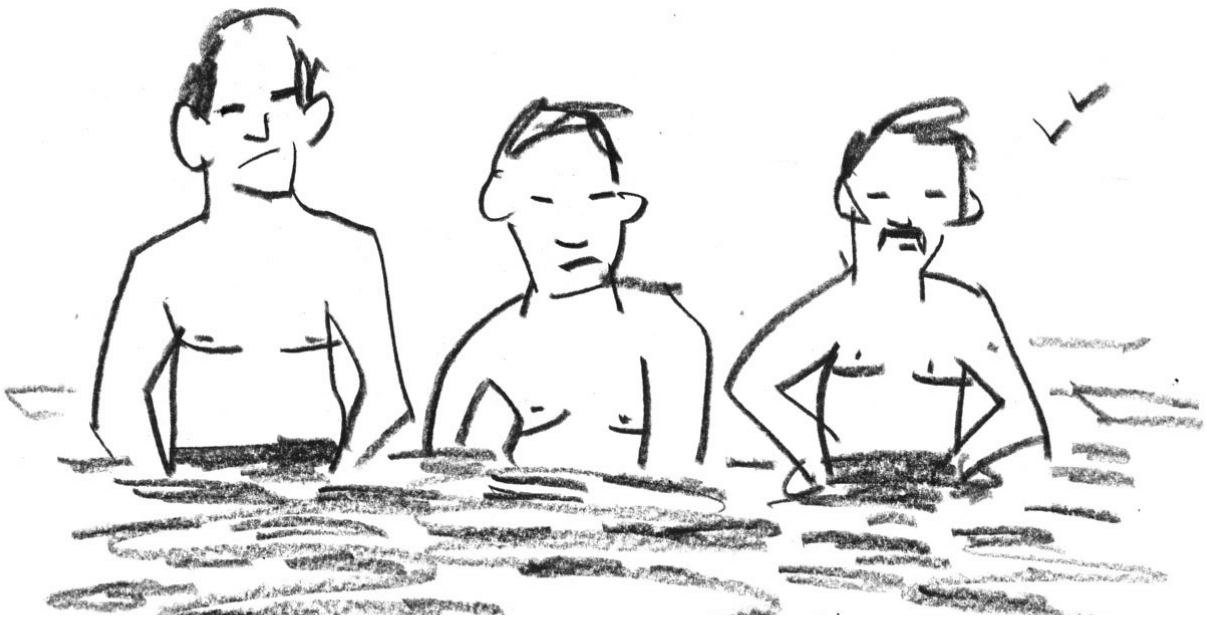
"We were asking for information that they wouldn't provide," he said. "We wanted commitments on emissions and full disclosure of everything that went in and out; it was a level of accountability they were unwilling to meet."

Winkler and his fellow commissioners succeeded in demanding further hearings, only to learn their terms wouldn't be renewed. On a rainy day in November 2007, Winkler recalls, Formosa's representatives waded through hundreds of residents bussed in from Yunlin County for a hearing at the EPA building.

"There were the supporters on one side, detractors on the other and police in the middle," Winkler remembered. "It was really tense."

During a presentation on the surrounding dolphin population's potential for ecotourism, the brother of a Yunlin County commissioner leapt over a table to menace the biologist giving testimony. Winkler jumped into the fray. After police broke up the shouting match, the honourable councilman from Yunlin followed Winkler into the EPA's tearoom and began to pound him in the face. Winkler sued. The councilman, who had an ugly rap sheet, ultimately paid a US$6,000 fine. Photos of a bruised Winkler ran in papers. Months later, Formosa announced it would build the plant in Vietnam.

"It's just textbook economic colonialism," Winkler said, after we'd finished eating. "Formosa went to a place where the people are the weakest and the government is the most corrupt."



Formosa paints itself more as an economic pilgrim than a colonialist — a persecuted believer forced to roam the earth in search of loose regulation and profit. The firm's 2017 shareholders' handbook laments: "The investment environment in Taiwan has deteriorated and business investments are impacted because of the rising ideology of environmental protection overriding the industry development." The book holds up the state of Texas as a shining example of industrial efficiency.

The company remains Taiwan's largest investor in the United States and announced plans to ramp up its operations following the election of Donald Trump. Formosa left huge red flags in Delaware, Illinois, Louisiana and (of course) the south Texas coast where a third-generation shrimper named Diane Wilson has spent three decades fighting the company and writing about it.

"We're fixing to sue them tomorrow," Wilson told me with a laugh over the telephone from Texas. Sure enough, Wilson sent out a press release co-signed by Texas RioGrande Legal Aid (TRLA) and a local law firm.

"Formosa's pollution of Lavaca Bay and surrounding waterways endangers the wildlife, the fish, and the beauty of the environment that are the foundation of our community's life here," Wilson stated in the release. "Formosa has been discharging its plastics wastes since at least 2004, even though it's completely against state and federal laws."

One need not go all the way to Texas to learn about the political risks of getting in bed with the plastics group. Just before the start of the millennium, Cambodia forced the company to remove a mountain of mercury waste from a dumpsite outside Sihanoukville. One man supposedly

died unloading the waste, which the firm had imported in bricks labelled "cement." A false rumour spread through the beach town that the waste was radioactive, inciting a stampede toward Phnom Penh that supposedly killed four.

After months of wrangling, Formosa paid a battalion of Cambodian soldiers and a team of American engineers to pack up 7,000 tons of waste and contaminated topsoil. During a ceremony held after the job's completion, local officials apologised for their failure to govern and pledged to punish those who had accepted bribes. Formosa's founder and chairman took the opportunity to insist the waste was harmless. No one seemed to believe him.

A California-based waste disposal company ultimately admitted the waste was "more complex than initially believed" after the US government blocked its efforts to import and treat it. The "cement" idled for over a year in Kaoshing harbour before Taiwanese authorities allowed Formosa to truck it down the road to their factory in Jenwu. A decade later, Winkler and the Wild at Heart Legal Defense Association took out bus ads trumpeting reports that the groundwater beneath the Jenwu plant contained 300,000 times the permitted level of pollutants. The ads, Winkler said, stayed up for only one day.

This year in Vietnam, on the anniversary of the spill, Catholics massed on the beaches of Ha Tinh. Reports continue to stream in from the Vinh diocese about assaults on priests, bloggers and activists still concerned with the welfare of their parishioners living along the coast. Formosa, for its part, announced it would toss another $350 million into the plant, which is now several years behind schedule. A recent test of its blast furnace resulted in a major explosion that the company later blamed on dust that had gathered on its machinery.

The new prime minister, Nguyen Xuan Phuc, saw fit to throw a few government ministers under the bus, including the chairman of Ha Tinh's people's committee. His replacement has lately expressed concern about the large Thach Khe ore mine up the road from Formosa. On the one hand, it will create jobs. On the other, he recently told reporters, it will lead to "severe pollution problems, desertification, sandstorms and declining groundwater." His statement reflects a new anxiety in Hanoi, which has pledged to give the people breakneck economic growth without poisoning them — or their fish.

Various members of the business community scoffed at the idea of abandoning Thach Khe, which belongs to a consortium of state-owned firms who seem to lack the capital necessary to get digging. "This project is difficult, no doubt, but it should beckon [sic] to simply be careful during implementation," a German consultant said at the start of the year. Anyone who has spent time in Vietnam knows that "careful" isn't something a corrupt, closed system does well.

Illustrations by **Oslo Davis**

Calvin Godfrey is the winner of the 2017 MFK Fisher Distinguished Writing Award.

Tags: **Calvin Godfrey**, **Formosa Plastics Group**, **Ha Tinh**, **Issue 8**, **Lavaca Bay**, **Nguyen Tan Dung**, **Robin Winkler**, **Thach Khe**, **Vedan**, **Vietnam**

‹ PREVIOUS ARTICLE
Gash of shame

NEXT ARTICLE ›
The past isn't past

More from the Mekong Review

Agent Monsanto

Mick Grant

Marginal Countries

Mario Del Pero

Smuggling the bodacious

Hans van Leeuwen