

PFII Kittisak 317

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**Agenda Item 4(a):  
Implementation of the United Nations Declaration on the Rights of Indigenous Peoples  
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**Delivered by:**

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Madam Chair, distinguished members of the PFII, Indigenous Brothers and Sisters, State delegations, ladies and gentlemen.

The indigenous peoples of Thailand are commonly referred to as "hill tribes" or Chao Khao in Thai, sometimes as "ethnic minorities". There are 10 ethnic groups that are officially recognized as "hill people" who live in the north and west of the country. They are: the Akha, Hmong, H'tin, Karen, Khmu, Lahu, Lisu, Lua, Mien and Mlabri.

The official term "chao khao" has been used since the late 1950s, which was used to refer to the non-Thai minority groups and generally meant to distinguish them from the "civilized." Most of them live in the remote highland forests. They were divided and separated when national boundaries in Southeast Asia were drawn during the colonial era and continued up to the period of decolonization.

The negative stereotyping of the hill tribes as forest destroyers, opium cultivators and communist sympathisers, was instituted in Thai society, thus making the "chao khao" as being "non-Thai", underdeveloped, uncivilized and environmentally destructive. These stereotyping and discrimination have been reinforced directly and indirectly in the national education curriculum from primary education to university level.

In opposition to these negative connotations of the official designation "chao khao" and other commonly used derogatory terms, indigenous organizations and indigenous rights advocacy groups began to promote the term "chon phao phuen mueang" as the translation of "indigenous peoples" over a decade ago. This was our way of expressing our right to self-identification.

However, the government of Thailand has rejected the application of the term "indigenous peoples", and stated that these groups are as much Thais as the other Thai citizens and are able to enjoy the fundamental rights and are protected by the laws of the Kingdom. However, until today the indigenous peoples of Thailand continue to suffer from the same historical stereotyping and discrimination like other indigenous peoples elsewhere in the world.

Madam Chairperson, Thailand has ratified and adopted several international human rights and environmental instruments such as the Convention on the Elimination of Racial Discrimination (CERD), International Convention on Civil and Political Rights (ICCPR), International Convention on Economic, Social and Cultural Rights (ICESCR), Convention of the Elimination of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT), Convention on Biological Diversity (CBD). Thailand also voted in favour of the adoption

of the United Nation Declaration on the Rights of Indigenous Peoples (UNDRIP) by the UN General Assembly. These international legal commitments oblige the Thai Government to recognize, respect and protect the rights of indigenous peoples through national laws, policies and programs.

However, for the indigenous peoples of Thailand, the reality on the ground has hardly changed.

The historical and institutionalized discrimination against the indigenous peoples of Thailand have shaped the policies, laws and programmes developed by the Thai government in relation to its indigenous peoples. Thus, there are no laws recognizing and protecting indigenous peoples rights. The recent Constitution, passed in 2007 does not explicitly recognize indigenous peoples and their distinct identity.

Indigenous Peoples in Thailand are confronted with various problems, such as: lack of citizenship, lack of land rights, rights over their forests and natural resources continue to be denied, The practice of traditional livelihood systems, such as shifting cultivation, has been criminalized. All these serve as threats to their livelihood and food security, cultural survival and their continued existence as distinct peoples. All of these are in violation of the UNDRIP.

To address these problems, we ask the UNPFII to request the Thai government to:

- Review and amend laws and regulations related to forests and lands with the full and effective participation of indigenous leaders and communities, such as the National Park Act, the National Forest Reserve Act, the Wildlife Conservation and Protection Act, and others that are related to the management of natural resources to fully respect and recognize the collective rights of the communities;
- Respect, protect and promote the traditional occupations and livelihood systems and practices of indigenous peoples (e.g. the shifting cultivation, forest gathering and hunting) in accordance with Article 26 of the UNDRIP, and ensure their livelihood security.

We also invite the UNPFII members and the special rapporteur to visit Thailand and jointly organize a workshop with the concerned agencies to discuss and find common solutions to the issues faced by the indigenous peoples.

Thank you.

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<sup>1</sup> UNHCR, Sub-Commission on Prevention of Discrimination and Protection of Minorities. WGIP 10th session. E/CN.4/Sub.2/AC.4/1992/4.