



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I would like to refer to your communication received on 24 April 2019 containing information in response to the Committee's letter of 17 May 2017 adopted under its early warning and urgent action procedure in accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure, and regarding the situation of indigenous peoples in the Kaeng Krachan National Park ("KKNP"), in Thailand.

The Committee's letter follows previous letters of 3 October 2016 and of 9 March 2012, and the State party reply of 9 January 2017. In 2012, the Committee expressed concerns about allegations of forced evictions and harassment and reported continuous and escalating violence against indigenous peoples in the Kaeng Krachan National Park.

In 2016, the Committee requested the State party to urgently halt the eviction of the Karen indigenous peoples from the Kaeng Krachan National Park and to take steps to prevent any irreparable harm to the livelihood of Karen as well as to ensure that they enjoy their rights, including by effectively implementing the relevant provisions of the Constitution.

In 2017, the Committee reiterated its previous concerns regarding forced evictions of Karen indigenous peoples, continuing harassment against them and the failure to ensure adequate consultation with the aim to obtain free, prior and informed consent and to implement the Cabinet Resolution of 3 August 2010 on the restoration of the livelihoods of the Karen.

The Committee would like to thank your Government for its reply of 24 April 2019, submitted along with its fourth to seventh combined periodic reports, under article 9 of the Convention. The Committee takes note of the additional information provided by your Government in relation to the situation of indigenous peoples in the Kaeng Krachen National Park, in particular regarding a) the Community Forest Act adopted on 15 February 2019 by the National Legislative Assembly, b) measures taken to investigate cases of attacks against the Karen Communities; c) information on the witness protection programmes; d) measures to ensure the protection of indigenous human rights defenders and e) measures taken to comply with the decision 39 COM 8B.5 of the World Heritage Committee, including on the right to consultation and free, prior and informed consent.

The Committee notes that the State party's reply is also the response the State party provided to the Communication of special procedures of 21 February 2019 (AL THA 2/2019). The Communication refers to allegations of attacks and renewed harassment of the indigenous

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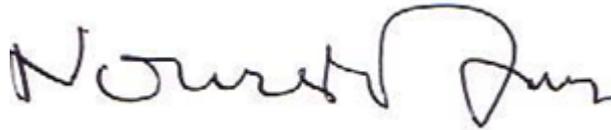
Karen peoples in the Kaeng Krachan Forest Complex by officials of the National Park, Wildlife and Plant Conservation Department and over the failure to ensure accountability for these violations. The Communication also refers to allegations regarding the Thai Government's reactivation of its nomination of the Kaeng Krachan Forest Complex to be designate as a UNESCO World Heritage site in 2019 without consultation with affected indigenous peoples and the failure to seek their free, prior and informed consent.

In spite of the information received, the Committee reiterates its previous concerns and, accordingly, requests the State party to provide further and detailed information in response to its letter of 17 May 2017. Besides, the Committee requests information on the interim measures taken by the State party as requested by the above-mentioned Communication.

In accordance with Article 9 (1) of the Convention and article 65 of its Rules of Procedures, the Committee would be grateful to urgently receive information on all issues and concerns as outlined above, before **18 November 2019**. The Committee will consider such replies during the dialogue with the State party in the context of its periodic review.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Thailand, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,



Nouredine Amir  
Chair

Committee on the Elimination of Racial Discrimination