



Inter-Mountain Peoples' Education and  
Culture in Thailand Association



IKAP - Indigenous Knowledge and  
Peoples Network Thailand



Forest Peoples Programme

## **BRIEFING FOR MEDIA - THAILAND**

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### ***Indigenous Peoples and Protected Areas in Thailand: A Review***

*Indigenous Peoples and Protected Areas in Thailand* (to be published in 2011) was carried out by the Inter-Mountain Peoples Education and Culture in Thailand Association (IMPECT). The information has been gathered from the Director of the National Parks Department, the Superintendent of Ob Luang National Park, forestry officials, academics, lawyers working with indigenous peoples in protected areas, indigenous representatives and indigenous and other NGOs.

#### **Key findings**

*Indigenous Peoples and Protected Areas in Thailand* explains that Thailand's new Constitution in 2007 includes policies of prior consultation and public consent before a protected area could be established. In reality however indigenous and tribal voices remain unheard due to lack of participation, and where communities disagree with boundaries of protected areas, threats, arrests and forced resettlement ensue. There are presently over ten million people including indigenous peoples and Thai lowlanders living in protected areas in Thailand, in contravention of the law, since people are not legally allowed to live in protected areas.

On a more positive note, a pilot project in the Ob Luang National Park, organised by the Thai and Danish governments under the Joint Management of Protected Areas project (JoMPA), involving Karen and Hmong communities, resulted in participatory management of protected areas. Udom Charoenyomphrai, a Karen representative, relates: "One result of the project was the mapping of the area with the final maps being accepted both by the communities and by the park's authorities and demarcation of community farmland. Although the JoMPA project has expired, the communities and the park continue a successful collaborative management approach. However, collaborative projects like JoMPA are singular experiences and unfortunately this has not been adopted as a national policy. In other areas, forced relocation of communities to make way for protected areas is still a frightening reality that can end in arrests and little compensation."

Despite having signed and ratified the Convention on Biological Diversity, the Thai government has not changed laws in order to adhere to those recommendations emphasising respect for the rights of indigenous peoples and their full and effective participation in protected areas management and policy-making. On a policy level, there is still a great deal to change, since laws strip indigenous peoples of any land rights, leaving them powerless and marginalised.

#### **Recommendations from IMPECT**

##### ***The Thai government should:***

- Take active measures to implement the various laws to which Thailand is a signatory and other relevant international processes, such as the Convention on Biological Diversity and the Durban Action Plan and recommendations;
- Disseminate information on the Convention on Biological Diversity concerning the articles related to indigenous peoples – especially Articles 8(j) and 10(c) – and the Programme of Work on Protected

Areas, as well as the Durban Action Plan and recommendations. A mechanism should be created to support indigenous peoples' and non-governmental organisations to be able to manage this data and disseminate it to indigenous peoples and local communities;

- Review and reform, with full and effective participation of indigenous peoples and local communities, its policies and laws that are obstacles to the development of indigenous and tribal communities in protected areas;
- Promote and support the activities of local communities and indigenous peoples in maintaining and revitalizing their traditional laws, customary practices, and cultures so that they can manage natural resources themselves in an appropriate and sustainable manner.

***IUCN should:***

- Establish a mechanism to monitor and inspect the implementation of the Durban Action Plan and its recommendations by IUCN members;
- Support research and action-oriented projects in indigenous and tribal peoples' areas to implement the Durban Action Plan and the Convention on Biological Diversity;
- Allocate resources to support indigenous peoples in protected areas planning and management.

***Non-governmental organisations should:***

- Become actively involved in implementation and monitoring of CBD and Durban Action Plan commitments;
- Support communities in coordinating both intra- and inter-community cooperation in protected areas.

***Indigenous and tribal communities should:***

- Build alliances and develop cooperation networks with various sectors, including the government and non-governmental organisations, that support the approach that people can live in harmony with nature (as opposed to policies that aim to remove people from the forest);
- Develop concrete model sites with good examples of protected area managed by community organisations based on indigenous knowledge, and create a process of learning and sharing of experiences with other indigenous and tribal communities and the wider society;
- Develop a strategy to use key text of the Convention on Biological Diversity, the Durban Action Plan and related recommendations, and the Thai Constitution to support indigenous and local communities' management of biodiversity.

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