



State of the World's Minorities and Indigenous Peoples 2015 - Thailand

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Thailand's fragile democracy suffered a serious blow during 2014 when its military seized power from the democratically elected Pheu Thai government on 22 May. The military swiftly established its ruling National Council for Peace and Order (NCPO), led by coup leader General Prayuth Chan-ocha, stifling all dissent by imposing martial law, taking control of the media and repealing the 2007 Constitution. By late July, the NCPO had pushed its own interim Constitution into force. As the year drew to a close, Prayuth's regime had overseen the widespread suppression of dissent and a crackdown on journalists, political opponents and activists – with a number of policies directly affecting Thailand's minorities and indigenous peoples.

Shortly after seizing power the NCPO set about instituting a series of reforms, including a 'Return Forest Policy' in June and a reforestation 'Master Plan' two months later, with the goal of increasing forest cover throughout the country. Since many of Thailand's indigenous territories are in protected forests, these policies carried the threat of judicial action for the communities living there. In July, three indigenous Pakayaw Karen families had their lands reclaimed by the Royal Forest Department in Thung Pa Ka village, northern Mae Hong Song province. The move followed the arrest of 39 Pakayaw Karen in May for cutting down trees in the surrounding forest as timber to build their homes: they now face imprisonment or fines after they were sentenced for encroachment and illegal logging in October. More land confiscation and evictions continued, many in Isan, the north-eastern Lao-speaking region that has faced discrimination from the Thai administration in Bangkok since its incorporation into the modern state of Thailand. Indeed, by December *Prachatai* news had reported that nearly 1,800 families had been affected by the order, mostly in the north and north-east, home to large minority and indigenous populations. A newly proposed Mining Bill – shot down during the previous government – was also revived and will soon be up for approval by the National Legislative Assembly, causing concern for minority communities in mineral-rich areas as the new bill has weakened impact assessments.

Conflict between officials and local communities over land and natural resources has led to the death or disappearance of numerous activists in recent years. One of the most high-profile cases occurred during 2014 when a leading Karen land rights activist, Porlajee Rakchongcharoen, also known as Billy, was reportedly last seen with the chief of Kaengkrachan National Park and three park officials when he was detained for carrying 'illegal honey' on 17 April. Kaengkrachan Park is the largest of Thailand's national parks and home to Billy's indigenous S'gaw Karen community. Billy was one of the key witnesses in a lawsuit against park officials for burning and looting the

homes of more than 20 families. The park chief, Chaiwat Limlikhitaksorn, had already been under investigation for the killing of another Karen activist in 2011. He claimed to have released Billy after his arrest. In July, the provincial court cleared Chaiwat of involvement in Billy's disappearance, but by December a representative from the National Human Rights Commission (NHRC) publicly stated that their investigation into the case has found that Billy was never released by the officers.

A community of indigenous Moken 'sea gypsies' have also been struggling to resist eviction from their ancestral territory, occupying highly prized lands in Phuket whose title deeds are owned by several businessmen. A lower court ordered the eviction of over 100 people, but the Department of Special Investigations has found that these lands have been occupied by the community for at least 100 years through DNA analysis of burial grounds, though they lacked any formal title deeds. In November it was reported that the Justice Ministry had asked the Department of Lands to revoke the title deeds.

The year 2014 marked the ten-year anniversary of both the Tak Bai massacre, where at least 78 Muslim protesters were killed after being pushed into overcrowded police trucks, and the disappearance of Muslim human rights lawyer Somchai Neelapaijit. Both were key events in the timeline of the Thai state's conflict with the separatist movement in the ethnic Malay dominated provinces in the south of the country: in neither case has justice been served. Nevertheless, in December, Prayuth travelled to Malaysia to restart peace talks with the Barisan Revolusi Nasional Melayu Patani (BRN) after negotiations stalled in 2013, amid promises that the south would be free of violence by the end of 2015. Nevertheless, conflict continued in the region throughout the year, bringing the death toll to more than 6,000 people since 2004, with regular killings and bombings, including increasing attacks against 'soft' targets like hospitals. Both the Thai military and separatists have been responsible for serious human rights violations; no members of the security forces have been successfully prosecuted, which has led to a climate of impunity. The separatists have particularly targeted teachers and schools; after the killing of three teachers since the beginning of 2014, HRW noted in March that at least 171 teachers had been killed and 300 schools had been attacked. In response to ongoing violence, in November the military bolstered its programme of arming civilian 'volunteers' with military weapons, despite reports emerging two months earlier of one such volunteer killing an unarmed 14-year-old Muslim boy in August, then planting a gun in his hand to frame him as an insurgent. Security forces in general have been responsible for numerous human rights abuses in the region: three-quarters of the 134 torture allegations reported to the NHRC between 2007 and 2013 occurred in the south.

The NCPO announced that it had made a deal with neighbouring Burma to repatriate over 130,000 refugees who have settled along the border over decades of fighting. Most are minority communities who have reason to doubt guarantees of their safe return. The same applies to the 1,300 Rohingya asylum seekers – an ethno-religious community that is among the most persecuted on earth – deported back to Burma in February, having fled the country due to targeted violence and mass displacement. This followed shortly after a raid by Thai security forces on illegal 'human smuggling camps' located over 500 Rohingya who had reportedly been held hostage en route to other countries. Other migrant groups are also vulnerable to deportation, with rumours of a planned crackdown by the military government on Cambodian migrants triggering an exodus of more than 120,000 Cambodians in June.

Many migrants and ethnic minorities in search of employment have relocated to urban areas, particularly Bangkok, where Thailand's economic and political activity is mostly concentrated. This has contributed to enduring underdevelopment and a lack of economic opportunity in cities elsewhere in the country, including the Muslim south and the north-east Isan region, despite periodic attempts to encourage more investment in smaller urban areas, such as the Isan cities of Khon Kaen and Korat. While the capital has been a beacon of opportunity for people all over the

country, the largest numbers of incomers are Isan, spurred by poor crop fertility, flooding, drought and population pressures. Thailand's economic boom in the 1970s was largely sustained by the Isan labour force, who still comprise a significant proportion of the urban working poor today, transiting between Bangkok and their homes. Remittances form a significant part of Isan family incomes. It has been suggested that this experience of urban life in Bangkok has not only helped create a sense of distinct Isan ethno-regional identity but also bolstered their political engagement; they form a significant cohort of the modern Red Shirt movement.

Because of evictions, drought and resettlement out of natural parks into villages with little land to farm, many of Thailand's indigenous peoples are driven to migrate to cities such as Mae Sot, Chiang Mai and Bangkok. Many Karen youth engage in daily agricultural labour or factory work in smaller cities like Ratchaburi, with some migrating to Bangkok more permanently. However, for the more than 100,000 indigenous people who lack formal Thai citizenship – the result of complicated and discriminatory registration procedures – movement outside their areas of residency is illegal. Without legal status, they are denied access to education and end up concentrated in informal and low-wage labour in urban or peri-urban areas. A significant proportion of Thailand's northern indigenous women, for example, enter domestic labour or the sex trade, mostly in urban areas. Many migrant workers from surrounding countries, many of whom are minorities in their home countries, similarly lack legal status, despite ongoing government efforts to implement migrant worker registration. This makes migration to and residency in cities extremely precarious, and leaves them vulnerable to traffickers and exploitative working conditions.

However, some minorities have fared well in urban areas and successfully resisted attempts to evict or displace their communities. The settlement of the Cham Muslim community in the canalside area of Ban Krua, for instance, dates back at least 200 years and is an exceptional example of old Bangkok, with wooden stilt houses and fruit trees in the midst of malls and highway overpasses. Its continuing strength is no accident, however. Starting in the 1980s, Bangkok's transport division was keen to build an expressway through their neighbourhood, with the intention of demolishing houses, evicting residents and destroying their mosque and cemetery. Residents successfully defied the project with a cohesive campaign of resistance and advocacy that has been attributed to the community's relative autonomy and the strong Islamic identity tied to the land, empowering the community to oppose aggressive city planning. While plans for an expressway on-ramp were abandoned in 2001, successive attempts continued in 2012, with Ban Krua again uniting against the urban administration's plans.

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