



International Indigenous Peoples' Forum on World Heritage (IIPFWH)
International Work Group for Indigenous Affairs (IWGIA)
Indigenous Peoples of Africa Co-ordinating Committee (IPACC)
Asia Indigenous Peoples Pact (AIPP)

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UNESCO World Heritage Committee tramples on human rights

The UNESCO World Heritage Committee on 26 July 2021 passed a decision inscribing the Kaeng Krachan Forest Complex (KKFC) in Thailand on the World Heritage List, ignoring repeated pleas of Indigenous peoples, the National Human Rights Commission of Thailand and the UN human rights system to defer listing.

We strongly object both to the decision to inscribe the KKFC and the way this decision has come about. We consider that the decision to list the KKFC under the given circumstances represents one of the lowest points in the history of the World Heritage Convention, and indeed in the history of UNESCO.

The decision tramples upon the dignity and human rights of the Karen Indigenous communities in the KKFC, as well as some of the most fundamental principles, purposes and values of UNESCO, such as the furthering of respect for human rights, the protection of cultural heritage, the safeguarding of cultural diversity, the fostering of sustainable development, and the promotion of a culture of peace. It also tramples upon the purposes and principles of the United Nations according to the UN Charter.

We are extremely concerned about the dangerous precedent that the decision sets in terms of the World Heritage Committee disregarding human rights violations committed in the implementation of the World Heritage Convention.

The nomination process of the KKFC was accompanied by blatant human rights abuses against the Karen, which were strongly denounced by multiple human rights bodies. The human rights violations included violent forced evictions of the Karen communities from their traditional lands, burning of Karen houses, unlawful arrests and prosecutions, and even murder and enforced disappearance of human rights defenders. The problems are ongoing.

The Karen communities were never able to meaningfully participate in the nomination process, and no efforts were made to reflect and recognize their relationship with the land and their cultural values within the "Outstanding Universal Value" of the site. On the contrary, some of the actions during the nomination process amounted to an intentional destruction of Karen cultural heritage.

The manner in which the nomination process was carried out is clearly not in accordance with the provisions of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), application of which UNESCO and the World Heritage Committee are required to promote, nor is it in accordance with the UNESCO Policy on Engagement with Indigenous Peoples. It also

conflicts with the Operational Guidelines for the Implementation of the World Heritage Convention and the World Heritage Sustainable Development Policy (adopted by the General Assembly of States Parties to the Convention in 2015), which call on States to adopt a human rights-based approach in the nomination and management of World Heritage sites, respect Indigenous peoples' rights, develop equitable governance arrangements and collaborative management systems, and effectively involve Indigenous peoples in decision-making affecting them.

The Karen communities, as well as multiple UN human rights bodies, repeatedly urged the Committee not to approve the nomination until the human rights concerns had been resolved, the Karen had been able to meaningfully participate in the nomination process, their land rights had been recognized, their traditional livelihoods protected, and a truly collaborative management system established.

However, the Committee chose to ignore these pleas and decided to inscribe the KKFC in spite of the ongoing human rights abuses. Only one Committee Member, Norway, spoke up against the decision during the Committee's debate, whereas the other 20 States¹ members of the Committee either endorsed the decision or kept silent.

Indigenous representatives were not even allowed to take the floor and express their concerns before the Committee adopted its decision, in spite of the obligation of UN system agencies and intergovernmental organizations to establish ways and means of ensuring participation of Indigenous peoples on issues affecting them (Art. 41, UNDRIP). The UN Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali, was also not given the floor to present his views before the decision was adopted.

The decision to inscribe the KKFC is not the result of sound expert judgment based on the purposes of the World Heritage Convention, good heritage practice and the overarching principles affirmed by the States Parties to the Convention in the Sustainable Development Policy. It is the result of highly politicized lobbying and horse-trading based on the economic interests of Committee members.

The decision-making culture of the World Heritage Committee strongly undermines the credibility of the World Heritage Convention and UNESCO, as well as the effectiveness of protection strategies for World Heritage sites.

We therefore urge the General Assembly of States Parties to use the upcoming 50th Anniversary of the World Heritage Convention as an occasion to take steps to bring the decision-making of the World Heritage Committee in line with the principles and standards of the United Nations and UNESCO, good governance, a human rights-based approach, and the aims of the World Heritage Convention.

¹ Australia, Bahrain, Bosnia and Herzegovina, Brazil, China, Egypt, Ethiopia, Guatemala, Hungary, Kyrgyzstan, Mali, Nigeria, Oman, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, South Africa, Spain, Thailand, Uganda.