

May 24, 2021

Attention: The World Heritage Committee, UNESCO

Subject: Thai authorities disregard for human rights by arresting and prosecuting members of the Karen community and excluded them from participating in the World Heritage site proposal.

Following the proposal from the Thai government to UNESCO to list the Kaeng Krachan and the surrounding forests as a natural World Heritage site, the World Heritage Committee suggested that the Thai government must first resolve the issues of human rights, land rights, and cultural rights through a participatory process with the Karen community who have been suffering the repercussion of the proposal before the upcoming 44th session of the World Heritage Committee slated for July in China.

We, the undersigned, are members of the Karen community, who have been living in the Bang Kloi Bon (Upper Bang Kloi) Village, the source of the Phetchaburi River in the Kaeng Krachan forest situated in Phetchaburi Province in the west of Thailand - bordering Myanmar, have been arrested and accused by the Thai authorities. We would like to voice our plight to the World Heritage Committee that:

1. Until now, the Thai authorities have not organized any consultation with the Karen community or provided information regarding the World Heritage proposal. The State never recognizes the rights of the Karen community to land and livelihood of our culture and tradition. We have been living in this forest for hundreds of years, long before it was declared a national park.
2. The Karen community has been forced to relocate the Kaeng Krachan National Park. On Friday, March 5, 2021, the officials of the Kaeng Krachan National Park and more than ten armed officials from other agencies arrived at the Bang Kloi Bon Village on helicopters and forced 87 men, women, children, people with disabilities, and the elderly from 36 families, who returned to the village to resume their traditional livelihoods to come back down to the Ban Pong Luek Village and the Bang Kloi Lang (Lower Bang Kloi) Village. Twenty-eight members of the Karen community have been accused of encroaching the national park. If the court rules that we are guilty, we can face up 4 to 20 years of imprisonment and 400,000 – 2 million baht fine as stated in the National Park Act B.E. 2562 (2019), Article 19 (1)(2)(3), and Articles 41 and 42. The case is now being reviewed by the public prosecutor.
3. The arrest and prosecution have violated our human rights and liberty and the laws, including our rights to fair trial. When we were brought in for investigation, the officials did not allow us to see and consult with our lawyer for advice, nor our relatives who were waiting for us, nor to consult our trusted interpreter. We were subjects of forced confession. Furthermore, our DNA sample of 87 of us, including children, were taken without our consent by the officials who did not have the authority to do so. We were not informed of the purpose of the sample collection, how they would be stored or used, and

by whom. We were forced to sign many documents that we did not understand because we could not read the language.

4. Although we have been on a temporary release since March 7, 2021 by the virtue of the Phetchaburi Provincial Court's bail order, we are not allowed to return to the Bang Kloi Bon Village and go into the Kaeng Krachan National Park area without permission. We are ordered by the court to report every 12 days to the village chief who is appointed to monitor our activities. If the bail conditions are breached, a security deposit of 50,000 baht per person must be placed at the court as collateral. In case of any communication concerning the lawsuit, we have to travel 30 kilometers which takes more than three hours from the village to the court. Even after the #SaveBangkloiNetwork - our compassionate compatriots who rallied for us demanding the Thai government to address the issue - the committee appointed by the Prime Minister has not made any progress in resolving the conflict with the Karen community of Bang Kloi.

Despite the abovementioned situation, the Thai government has not yet taken any step to resolve the problem as suggested by the World Heritage Committee. Worse yet, they continue to arrest and prosecute us without justifiable reasons, and violate our rights and dignity as human beings and as member of the Karen community who have been, for hundreds of years, living in the area which is about to be listed as a World Heritage site.

We call for the World Heritage Committee to consider delaying their decision on listing the Kaeng Krachan forest in the World Heritage site as proposed by the Thai government. The Thai government must take action to solve the problem and allow the Karen community to participate in the World Heritage site proposal, recognize and respect our human rights, stop prosecuting us, and let us return to the Upper Bang Kloi Village. All of these requests should be met before the Committee declares the Kaeng Krachan forest and its vicinity as a natural World Heritage site.

Yours sincerely,

Signatures (petitioners)

[The letter has been signed by a large number of members of the Karen community. Their names have been removed for security reasons]