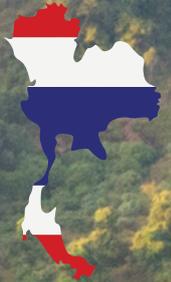


# THE PEOPLE'S DECLARATION FOR A JUST, FEMINIST, GREEN AND INCLUSIVE TRANSITION ON ENERGY, ENVIRONMENT, NATURAL RESOURCES, AND FORESTS

18 November 2022

## #WEAREJUSTTRANSITION



We want a Just, Feminist, Green and Inclusive Transition!

## People's Declaration for a Just, Feminist, Green and Inclusive Transition on Energy, Environment, Natural Resources, and Forests

18 November 2022

**We are the people of Thailand, local communities, indigenous peoples, including indigenous women, forest-dependent communities, farmers, human rights defenders, environmental and climate activists, youth, representatives of Thailand's Muslim population, LGBTIQ+ persons, migrant workers, and sex workers united as the Just Transition Movement.**

We come from different backgrounds, yet, we are deeply concerned about the devastating impacts of the climate crisis which poses a great threat to every life on the Planet as well as to our society, here in Thailand. At the same time, we note with worry the international and national climate action, designed and implemented without our direct participation and disregarding our inalienable human rights. **Instead of empty promises, greenwashing, and false climate solutions, we are calling to COP27, APEC2022, the Thai government, and business enterprises, for the Just, Feminist, Green, and Inclusive Transition with human rights and affected communities at the center.**

### Climate Crisis

We have been closely observing the impacts of climate change with fear. Extreme weather events such as floods, droughts, heatwaves, biodiversity loss, food insecurity, health risks, and many more are intensifying as days go by. Its impacts will be even more devastating for people who have been **historically pushed to the margins** and who have neither enough resources nor choices to adapt. Meanwhile, Thailand is among the top 10 countries in the world impacted by the climate crisis, ranking ninth in terms of vulnerability to the global climate crisis.<sup>1</sup>

As the climate crisis worsens, we see no constructive contributions to climate change policies on the global level, nor from our Thai government. According to the latest report of The United Nations Environment Programme in 2022, **State parties to the Paris Agreement's targets to reduce greenhouse gas emissions are far from achieving the goal to stay below 1.5 °C of global warming.**<sup>2</sup> At last year's COP26, based on the business-as-usual (BAU) levels, Thailand announced its updated Nationally Determined Contributions (NDC) to cut down up to 40% of carbon emissions by 2030,<sup>3</sup> reach carbon neutrality by 2050 and net-zero carbon emissions by 2065.<sup>4</sup> However, it is an overpromising ambition that makes almost no difference from the current emissions levels. Thailand's Power Development Plan (PDP) with a working period of 2018-2036 contains significant gaps between its insufficient focus on renewable energies and the ambitious carbon emission targets of the government.<sup>5</sup>

In the meantime, the energy crisis triggered by the war in Ukraine and soaring prices of fossil fuels have pushed many into energy poverty,<sup>6</sup> while the fossil fuel companies continue to make record profits at the expense of the people.<sup>7</sup> However, this model of 'infinite growth in a world of finite physical resources'<sup>8</sup> already has a solution: renewable energies that lead to a green energy transition. There is no future for fossil fuels.

We recognize the main obstacle to reducing greenhouse gas emissions being the national and global **development models still bowing to the interests of the Big Polluters such as energy, including fossil fuel, heavy Industry and agriculture corporations.** Through corporate capture, business enterprises continue to unduly influence decision-making processes on the national and global levels, in order to obtain further benefits and maximize their financial gain. Profit is still put over People and the Planet.

### **False climate solutions**

Despite its new updated climate mitigation targets, Thailand's energy sector is still heavily based on fossil fuels, with gas, oil, and coal constituting around 80% of its total energy supply with renewables counting for only 21%.<sup>9</sup> **New coal and gas facilities are still being planned,** however.<sup>10</sup> On the other hand, the superficial commitments of corporate actors to reduce greenhouse gas emissions and taking responsibility for the exploited ecosystems and destroyed livelihoods, lead to false climate solutions: green capitalism supported by governments, using the carbon market mechanism to promote its token sustainability.

The terms "Carbon Neutrality" and "Nature-based Solutions" are **invented to simply greenwash,** hiding the fact that companies should rapidly reduce carbon emissions activities and work towards the carbon emissions reduction targets. These companies turn to afforestation and new technologies for climate change mitigation, even though **there is no certainty that such methods guarantee decarbonization.** They could be harmful to the ecosystems or even used to aid the theft of natural resources of indigenous peoples and other communities closely dependent on them. Those who will bear the most serious consequences of such greenwashing are the most marginalized groups, often facing intersecting forms of discrimination and living a struggle within a struggle, such as indigenous women. At the same time, **the tonnes of greenhouse gas emissions from these companies remain the same.**

Instead of supporting community-led renewable energy projects that respond to real needs on the ground while promoting the transition to a green economy, the government spearheads large-scale power plant projects that pose a serious threat to the communities' natural environment, health and livelihoods. Thailand's Southern Border Provinces have been particularly targeted, with plans for a coal-fired power plant in Thepa, the Chana Industrial Estate,<sup>11</sup> and a biomass-burning power plant in Nabon.<sup>12</sup>

The false climate solutions are further propagated by the Thai government at international fora such as APEC2022 and COP27, in the form of the **Bio-Circular-Green (BCG) Economy Model.** Under the seemingly 'green' name, the BCG gives even more power to corporations to pursue carbon market projects, monopolize natural resources such as seeds, and opens the door to genetic engineering. The model represents **yet another scheme promoted by the government that excludes community voices and community-led solutions.**

### **Loss and damage**

The challenges of loss and damage, and adaptation to climate change are overlooked and left unaddressed by the international community as well as Thailand itself. This is visible in the finance devoted to carbon emissions mechanisms while people and groups such as children, women, the elderly, indigenous peoples, small farmers, laborers, and the poor around the world continue to

suffer from health risks, socio-economic impacts and severe loss and damage that comes along with the climate crisis. **Thailand has already witnessed unpredictable weather patterns induced by climate change having devastating effects on the poorest rural communities in the country.**

We, our families, and our communities belong to the majority of the global population who contribute to the foundation of the world's economy. As 'Guardians of the Forest', we contribute the least carbon emissions and have vital roles in ecosystem protection and restoration through our environmentally-friendly practices. **Yet, due to colonialism, nationalism, patriarchy, racism, discrimination, oppression and caste systems, we have been denied a seat at the table and thus excluded from global and national governance on climate change.**

**We have been following the Conference of Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) but we feel hopeless seeing this mutual admiration club where big words are followed by little action.** The COP27 held in Egypt this year, turns out to be a mere platform assisting states and big corporations to "greenwash" themselves for the sake of their own interests. While the fossil fuel industry representatives at COP<sup>13</sup> came in larger numbers than delegations of 10 countries most affected by climate change<sup>14</sup> combined, concerned communities still struggle to become a part of the official negotiations. While the establishment of the Santiago Network<sup>15</sup> to provide technical assistance for Loss and Damage at this year's COP has been a first step, appropriate finance and human rights approach in its implementation must be further ensured.

### **Situation in Thailand**

Meanwhile, policies issued by the Thai government primarily serve the private sector responsible for producing most of the greenhouse gas emissions. Thailand's overall climate performance to reduce emissions lacks ambition and the national Power Development Plan (PDP)<sup>16</sup> continues to allow the energy and heavy industry companies to carry on their carbon-emitting operations, using fossil fuels. At the same time, the carbon market policies grant such companies even more benefits.

**Under the guise of energy security, the transnational investment and business in the Mekong and Salween regions have caused grave ecological and human rights impacts.** Thai investors, including state-owned enterprises, have financed large-scale hydropower projects domestically and in Cambodia, Myanmar, and especially Laos, which is quickly becoming the 'unsustainable battery of Southeast Asia'<sup>17</sup> with its plans for numerous dams built around the country, destined for energy exports to neighboring Thailand. While not doing anything to advance climate change mitigation, Lao communities have already suffered detrimental impacts on their lives, livelihoods, and the environment.<sup>18</sup>

The Thai government also encourages private companies to have leading roles in proposing policies or developing carbon credit mechanisms to assist and benefit themselves. For instance, on 5 October 2022, the Thai cabinet approved private companies to lease national reserved forest land. This development comes after years of the government-led push to evict indigenous peoples and forest-dependent communities from their lands within conservation areas in the name of the 'Forest Reclamation Policy'. The cases in point are the Karen Indigenous Bangkloi<sup>19</sup> and Sab Wai villagers,<sup>20</sup> and many others around the country, criminalized under Thailand's forest conservation laws, evicted from their ancestral lands, and facing intimidation, harassment, and physical and mental violence from government officials.

While the Thai cabinet has been working towards a draft Climate Change Act, the **bill does not envision direct support for victims of climate-induced disasters or their meaningful participation on national climate governance.** The cabinet plans to introduce the draft legislation to the parliament next year,<sup>21</sup> although now already the government uses it to promote greenwashing tools such as carbon credits.<sup>22</sup>

We see that the climate change policies, whether enacted on the global level or in Thailand, are limited to the narrow interests of groups and entities leaning towards and benefiting from green capitalism. In this process, the breadth of knowledge of local communities and their deep understanding of the multi-dimensional climate crisis impacts is disregarded. **Our voices are silenced and decisions about our lives are made without our meaningful participation.**

Indeed, our communities face the triple planetary crisis of climate change, pollution and biodiversity loss. **However, the crisis of democracy and shrinking civic space in Thailand makes our fight even more challenging.** The Government criminalizes courageous environmental human rights defenders, intimidates and harasses them through SLAPP (Strategic Lawsuits Against Public Participation) charges, and is unwilling to provide justice for the most serious crimes committed against them.

### **Our demands**

As the **Just Transition Movement**, an intersectional coalition of grassroots communities, civil society groups, environmental human rights defenders, indigenous peoples, women, migrant workers, LGBTIQ+ persons, sex workers, youth, and representatives of Thailand's Muslim population, we propose the following demands to COP27, APEC2022, the Thai government and the private sector as follows:

### **Demands for COP 27**

1. Declare the Climate Crisis an emergency and make it a policy of utmost priority. Set unconditional targets to reduce greenhouse gas emissions in order to control the increase in global temperature to be lower than 1.5 °C by 2030. Take concrete steps to move away from fossil fuels and shift to clean and renewable energy solutions.
2. Developed countries and transnational companies must pay climate reparations immediately by budgeting 100 billion USD as promised in 2009.<sup>23</sup> The budget should support communities and civil society to compensate for their loss and damage, and the cost of their adaptation, without tying it to the government agencies, conglomerates, or large civil society organizations.
3. Establish adequate and comprehensive policies, measures, and loss & damage finance facility, targeting victims and preparing people at risk to secure their adaptability, in times of flooding, storms, and other climate-induced disasters. Such new tools must adopt a human rights-based approach and adhere to principles of transparency, non-discrimination, substantive equality, and meaningful participation.<sup>24</sup>

4. Reconsider carbon offsets, carbon neutrality, carbon market, and carbon credit policies. Ensure that they do not facilitate developed countries' and conglomerates' greenwashing and that, if implemented, they contain safeguards in accordance with International Human Rights Law, including the UN Declaration on the Rights of Indigenous Peoples and the UN Guiding Principles on Business and Human Rights.
5. Integrate human rights language into all multilateral decisions adopted at COP, including the recognition of the indigenous peoples' right to self-determination and the consequent free, prior, and informed consent; protection of environmental and climate human rights defenders; robust provisions ensuring meaningful consultation of all people and concerned communities in climate mitigation and adaptation measures; and ensuring an intersectional feminist approach guaranteeing substantive equality to all women and recognizing their leadership role.

#### **Demands for APEC2022**

1. Denounce the Bio-Circular-Green (BCG) Economic Model that is only focusing on growth and profits of corporations without taking into consideration our Mother Nature, that is also being used as a greenwashing tactic by polluters and corporations. Instead, BCG Economic Model must be decentralized and should be led by the people and local communities on the ground. APEC must design and implement mechanisms truly addressing people's needs arising from the climate crisis and centering their human rights, in all areas of climate action such as climate change mitigation, adaptation, and addressing loss and damage. To have a positive impact, BCG Economic Model should improve the livelihoods of grassroots economics, while economically profiting them, rather than solely enriching corporations destroying our environment.
2. Ensure APEC is open and is a democratic space in order for civil society to move from the receiving end to lead climate change solutions nationally and internationally.

#### **Demands for the Thai government**

1. Ensure that the national policy and legislative frameworks related to climate change, energy, the environment, natural resources, and forests, such as the draft Climate Change Act, are in accordance with Thailand's international human rights obligations<sup>25</sup> and are built around basic human rights principles of non-discrimination and meaningful participation. In accordance with the five recommendations of Thailand's Third Universal Periodic Review related to climate action,<sup>26</sup> in particular, the recommendations received from Fiji, Cyprus, Maldives, and Costa Rica, ensure the effective participation of concerned communities, including women, in climate action. Protect the crucial role of environmental human rights defenders and proactively prevent the use of SLAPPs through new stand-alone anti-SLAPP legislation. Assign robust roles for the soon-to-be established "Climate and Environmental Change Department".
2. Ensure a swift just energy transition from fossil fuels to renewable and clean energy solutions. Develop an energy system with good governance and transparency. Reconsider the Power Development Plan and the distributing system to guarantee people's accessibility and power. Reduce excess power capacity and its financial burden on people. Stop investing

- in new fossil fuels, coal, and gas facilities as well as false climate solutions negatively impacting people and the environment such as hydropower dams, both nationally and abroad. Stop the operation of power plants that cause livelihood and environmental destruction and refrain from opening such new plants. Support community-led renewable energy projects that respond to the real needs of the people as opposed to business enterprises.
3. Complete transition from monoculture farming driven by conglomerates to agroecology within 2030. Promote small-scale farmers, indigenous peoples, local communities, and urban residents to have roles in reducing GHG emissions, preserving local and diverse seeds, and advancing adaptability, food security, and biodiversity.
  4. In line with the 2021 CERD Committee's Concluding Observations to Thailand, recognize, as a matter of law, the indigeneity of groups who self-identify as indigenous and ensure the full exercise of their rights embedded in the UN Declaration on the Rights of Indigenous Peoples. Promote and protect the indigenous peoples' traditional way of agriculture such as rotational farming and recognize and promote their contributions as the 'Guardians of the Forest' and 'Guardians of the Sea'. Ensure that free, prior, and informed consent is sought for all policy and legislative measures and projects related to climate change that concern indigenous peoples and local communities.
  5. Reconsider Forest Reclamation Policy and ensure that any national policies aiming at increasing the total forested area must respect the human rights of the population living or making a livelihood in these areas. Respect, protect, and promote community rights to manage forests, coasts, and other ecosystems sustainably. Reform all forest-related laws and regulations to acknowledge community land rights and repeal provisions criminalizing indigenous peoples and forest-dependent communities living in conservation areas. Reconsider the Cabinet Resolution of 5 October 2022 and regulations of the Department of Forestry and Department of Marine and Coastal Resources, in order not to facilitate the private sector's carbon credit / greenwashing in public and community forest areas. Prioritize phasing out fossil fuels to reach the carbon emissions targets as opposed to reliance on reforestation.
  6. End greenwashing by reconsidering policies related to carbon market, carbon neutrality, and carbon credits. These policies only contribute to greenwashing without lowering the impact of climate change in a meaningful way. Policies on Common But Differentiated Responsibilities (CBDR) should also be reformed to be diverse and push for reduction of each company's emission rates. If the aim is to reduce greenhouse gases, or to aid in loss and damage, the government should enact policies that encourage these practices without carbon credits or any other conditions that negatively impact GHG reduction targets or allow corporations to generate profit from GHG reduction.
  7. Strengthen strategic environmental assessment process for government and private sector projects, be it development, conservation, or disaster relief projects, or any other projects claiming climate solutions or connections, both domestically and transnationally. Enact the mandatory human rights due diligence legislation that obliges all business enterprises,

including state-owned enterprises, to identify, prevent and mitigate potential and existing negative human rights impacts of their projects.

8. Develop transboundary cooperation among citizens in the region, e.g. Mekong or ASEAN, to learn and mobilize policies and actions, to withstand and remediate from disasters, and increase adaptability.
9. Develop future forecasts, design, and plan immediately, with broad and meaningful participation of the concerned population, to prepare for and adapt to climate change impacts, especially floods, drought, disaster-prone areas, impacts on health, housing, sustenance vulnerability, etc. This must be conducted in a sustainable manner and in accordance with Thailand's international human rights obligations, such as provisions of the International Covenant on Economic, Social and Cultural Rights.
10. Develop urban and countryside infrastructure appropriate to the times of climate change, e.g. town planning, public transportation, renewable energy system, food security system, rewilding areas, climate adaptation, resource management, education, etc. Develop these as a public welfare system where people are protected and benefit fairly and equally.
11. Reduce the inequality gap and create economic, gender, social, and political justice because the climate crisis does not exist in a vacuum but occurs in relation to the economic, social, and political system that is docile to power, resource, economic, and social monopoly. Adopt a definition of 'Just, Feminist, Green and Inclusive Transition' that acknowledges the role of grassroots communities in finding and implementing solutions to the climate crisis and take steps in this regard.

#### **Demands to the private sector**

1. The private sector shall stop exploiting natural resources and shall stop violating our environment. Instead, the private sector must respect internationally recognized human rights and adjust its practices to be compliant with the UN Guiding Principles on Business and Human Rights, Thailand's National Action Plan on Business and Human Rights, and must establish an effective human rights due diligence process, as well as a grievance mechanism open to the public seeking remedy for human rights impacts of business operations.
2. Private sector responsible for emitting the most GHG in the country must account for their actions by reducing and ending the GHG emissions in the production processes and economic activities, reducing at least 50 percent by 2030 and to 20 percent by 2050 from 2020 baseline, without using carbon market or carbon capture to deviate from the targets and without creating risks over society and ecosystems. Organize fundraising for aid, rehabilitation, and adaptability funds for climate victims.

This statement is not only a demand to government agencies and other sectors, it is also a pledge to state our will to ACT. We invite everyone to be a part of this action and move this agenda for our shared goals, in anticipation of the irreversible approaching climate collapse.

## ENDNOTES

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