



INDIGENOUS PEOPLES' RIGHTS IN THAILAND

Brief Assessment of the Implementation of the 3rd Cycle UPR Recommendations

Approximately 6.1 million Indigenous Peoples, or 9.7% of Thailand's total population, belong to over 60 ethnic groups. Although Thailand voted in favour of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, the 2017 Constitution still refers only to "ethnic groups" (Section 70). Indigenous Peoples remain unrecognised as distinct rights-holders and Thailand has not ratified ILO Convention No. 169. During the 3rd UPR cycle in November 2021, Thailand received 278 recommendations, of which it supported 218. Recommendations relevant to Indigenous Peoples clustered around: legal recognition, land and resource rights, meaningful participation in conservation and climate policy, protection of Indigenous defenders, ending statelessness, non-discrimination, and access to education, healthcare and basic services.

Since the 3rd UPR, Thailand adopted the **Protection and Promotion of the Way of Life of Ethnic Groups Act B.E. 2568 (2025)**, which entered into force on 19 September 2025. While formally recognising ethnic groups' rights to culture, language and livelihood, the Act does not use the term "Indigenous Peoples", guarantee Free, Prior and Informed Consent (FPIC), or resolve conflicts with forest conservation laws. Alongside this partial reform, Thailand enacted two **2024 Royal Decrees** under Section 64 of the **National Parks Act B.E. 2562 (2019)** and Section 121 of the **Wildlife Preservation and Protection Act B.E. 2562 (2019)**. They establish 20-year conservation programmes and restrict eligible households' land use to 20 rai, subject to specified conditions. More than 1.8 million people live in areas overlapping protected areas and conservation zones; in April 2025, the Asia Indigenous Peoples Pact reported that affected communities faced more than **30,000 legal cases**.

This assessment shows that Thailand has partially implemented a small number of 3rd cycle UPR recommendations and persistently failed to implement most recommendations relevant to Indigenous Peoples. Since 2014, Thai authorities have launched more than **48,000 forest-encroachment cases nationwide**, amid the forest-reclamation policy. Sea Indigenous (Chao Lay) communities face forced evictions and criminal prosecutions in Koh Lipe. The Bang Kloi Karen situation remains unresolved. An estimated 80% of poor Indigenous children dropped out of school between the COVID period and 2026. Enforced disappearances and killings of Indigenous defenders remain unpunished, and 11 Indigenous defenders face charges under the Public Assembly Act for a March–April 2025 protest. Transboundary rare earth mining in Myanmar is contaminating rivers in northern Indigenous territories. (For gender-specific dimensions across these challenges, please refer to the companion factsheet on the Rights of Indigenous Women in Thailand.)



1.8 million
people live in areas overlapping
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48,000+
forest-encroachment cases
nationwide since 2014



REALITIES ON THE GROUND

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Challenge 1: Continued legal non-recognition of Indigenous Peoples, despite the 2025 Ethnic Way of Life Act

Thailand does not recognise Indigenous Peoples as distinct rights-holders in the Constitution or in domestic legislation, and has not ratified ILO Convention No. 169. Section 70 of the 2017 Constitution protects only "ethnic groups" and does not recognise collective rights to self-identification, ancestral lands, customary tenure, or FPIC.

The UN Human Rights Regional Office for South-East Asia urged Thailand to explicitly recognise Indigenous Peoples.

On 24 September 2025, Cynthia Veliko, OHCHR Regional Representative for South-East Asia, stated that "explicit recognition of Indigenous Peoples, distinct from ethnic groups or minorities, is essential to acknowledge their deep connection to lands



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The Protection and Promotion of the Way of Life of Ethnic Groups Act B.E. 2568 (2025), passed on 6 August 2025 and entered into force on 19 September 2025, omits legal recognition of Indigenous Peoples. On 8 January 2025, the House of Representatives voted 252 to 153 to remove the phrase “including ethnic tribes” from Article 3, citing national security concerns. The Act guarantees rights to culture, language and livelihood but conditions the protection of “ethnic way of life protection areas” on agreement with State agencies (Section 37), does not resolve conflicts with existing forest conservation laws, and does not guarantee FPIC.

and resources and the legal rights that come with them” and to implement the Act in line with international standards on Indigenous Peoples’ rights.

CERD (2022) and CEDAW (2025) both urged legal recognition.

In its 2022 Concluding Observations, the CERD Committee urged Thailand to uphold the right of individuals and communities to self-identify, including as Indigenous, and to recognise and protect Indigenous Peoples’ rights over lands, territories and resources. The CEDAW Committee (2025) called for legal recognition of Indigenous Peoples and for an intersectional approach.



Challenge 2: Denial of citizenship and structural exclusion from basic services, education and child protection



Thailand has not ratified the Convention relating to the Status of Stateless Persons and does not define statelessness in domestic law. Nationality is regulated by the Nationality Act B.E. 2551 (2008) but the process is lengthy, complex and not accessible in Indigenous languages. In mid-2025, the government announced a fast-track process for ethnic minority citizenship, with an estimated backlog of around 480,000 people awaiting verification.

Lack of legal status is a gateway violation that restricts access to healthcare, education, employment, social protection, public utilities, freedom of movement, and inclusion in development planning. Barriers include geographic isolation, unaffordable DNA testing, corruption (illegal fees), and the absence of culturally and linguistically appropriate outreach. Indigenous sea communities in Koh Chang, Koh Lao, Koh Phayam and the Surin Islands face particularly acute exclusion, and many communities still lack electricity, clean water, sanitation and adequate health services.

Indigenous children and youth face compounded barriers to education. Small community schools have been closed, forcing children to travel long distances or leave home. Poverty, legal insecurity, language obstacles and weak public investment produce cascading dropout, child labour and protection risks.



The Indigenous Women Network of Thailand (IWNT) carried out participatory research with the Omkoi community. Following training from Manushya Foundation in 2018, community members and IWNT document statelessness and corruption plaguing their region.

The Omkoi case shows both the scale of exclusion and remedy where corruption is exposed.

In August 2022, following sustained advocacy by the Indigenous Women Network of Thailand (IWNT) and Manushya Foundation, 227 Indigenous persons in Omkoi district obtained legal status. Their joint community-led research “Raising Our Voices to Save Our Future” launched in 2019 documented that local officials had demanded illegal fees of THB 2,000 in exchange for processing nationality applications. Following the exposure of corruption, and a joint submission to the National Human Rights Commission of Thailand, an investigation took place resulting in the granting of citizenship to 227 Omkoi villagers.

80% of Indigenous children dropped out of school between COVID and 2026.

80% of poor and disadvantaged children from Indigenous communities dropped out of school between the COVID period and 2026, entering labour markets early. In many villages, children older than 14 are leaving school altogether. Indigenous leaders reported six young people have died in connection with unsafe labour, night work in Thailand and abroad, and related violence. In some areas, one to two people die each year due to murder.

CEDAW (2025) on birth registration and inclusive education.

The CEDAW Committee (2025) expressed concern about the absence of birth registration among Indigenous women and girls, leading to statelessness (paras 35(b) and 36(b)), and about limited access to education for Indigenous and ethnic minority girls, and recommended sufficient resources to ensure quality inclusive education in rural areas.



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Challenge 3: Systemic violation of Free, Prior and Informed Consent (FPIC) in extractive, tourism and infrastructure projects

Thailand does not legally recognise the right to FPIC. Section 41 of the 2017 Constitution provides only rights to information and Section 58 requires Environmental and Health Impact Assessments (EHIA) with prior public hearings, falling short of international standards for Indigenous Peoples. Communities are systematically excluded from decisions affecting their territories.

Indigenous Peoples excluded from business due diligence safeguards. The 2025 draft **Act on the Promotion of Responsible Business Conduct** does not explicitly protect Indigenous Peoples or require companies to address **free, prior and informed consent (FPIC)** in due diligence. Initial consultations were invitation-only and excluded affected communities, weakening their ability to shape safeguards against projects affecting their lands, waters and livelihoods.



Naowwanit Chaemphit, Indigenous woman human rights defender from the Moken peoples. She has fought against the aggressive tourism industry of Koh Lao, Thailand which profits off compounding violence against her community who have called it home for generations.

Omkoï coal mine: Karen land and water threatened without meaningful participation. The Indigenous Plong Karen community of Kaboe Din, Chiang Mai, learned in 2019 that a coal mine whose environmental impact assessment (EIA) had been approved in 2011 would take farmland and divert streams used for irrigation. In 2020, the National Human Rights Commission of Thailand found that false villagers' names had been used in the EIA process. Community members challenged the EIA approval in 2022, naming the expert review committee and the Office of Natural Resources and Environmental Policy and Planning (ONEP) in their lawsuit. They secured a temporary injunction, which the Supreme Administrative Court upheld in February 2026. Separately, in 2024, community members joined a Supreme Administrative Court challenge to Thailand's Second Mineral Management Master Plan over inadequate public participation.

Mae La Noi: Fluorite mine pursued without Indigenous Peoples' consent. Nearly 30 years after a fluorite mine in Mae La Noi, Mae Hong Son, closed without remedying water contamination, health harms and lost livelihoods, the company began seeking to reopen it in 2021. The proposed mine lies in the La River watershed and could affect at least 500 people across five villages. Indigenous Karen and Lua communities have opposed its reopening, yet the company has continued pursuing the project without their free, prior and informed consent (FPIC).

Chao Lay coastal dispossession and exclusion from development decisions. Tourism, shrimp farms, housing and infrastructure have fragmented the ancestral coastal and marine areas of the Moken, Moken and Urak Lawoi. Moken communities have lost access to beaches used for temporary camps; Moken communities have been pushed inland; and Urak Lawoi communities have faced displacement from beachfront areas needed for fishing and ceremonies. The proposed Land Bridge project poses further risks to coastal livelihoods. A more than 1,000-page environmental and health impact assessment (EHIA) was made public only 18 days before a public hearing, denying affected communities adequate time to scrutinise the project and participate meaningfully.

Mani forest land rights obstructed by local interests. The Mani (Maniq), a forest-dwelling Indigenous People in Southern Thailand, face barriers to securing land and maintaining access to the forests on which their lives and livelihoods depend. Efforts by central authorities and civil society networks to secure land for Mani communities have been obstructed by local officials and tourism operators. Community members have faced intimidation and pressure to leave land designated for them, while businesses profit from their culture without their free, prior and informed consent (FPIC).

Mining pollution threatens Indigenous communities across Thailand's borders.

Thai authorities began testing the **Kok and Sai rivers** in March 2025, finding unsafe arsenic levels amid concerns about unregulated mining upstream in Myanmar. In September 2025, the Stimson Center reported that Thaton subdistrict, where the Kok River enters Thailand, is home to 12 Indigenous groups, and that residents said



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Inadequate protection from transboundary pollution.

Indigenous communities in Northern Thailand face risks to their health, water and livelihoods from mining pollution crossing the Myanmar border and from the Hongsa coal mine and power plant in Lao PDR. Responses have yet to provide communities with reliable, accessible pollution information, sustained health monitoring and effective avenues for remedy. The Hongsa project also illustrates the need to hold Thai companies involved in projects abroad accountable for cross-border impacts.

fishing on the Kok had stopped, depriving communities of food and income. Subsequent reporting by the Associated Press in April 2026 and the Stimson Center in May 2026 documented wider heavy metal pollution and continuing cross-border risks.

In **Nan Province**, Indigenous Lua communities have raised concerns about pollution from the Hongsa coal mine and power plant in Lao PDR. Community health research detected mercury in residents' hair, although the measured levels did not exceed the applicable standard. In January 2026, Thailand's National Human Rights Commission found a high risk of cross-border health and environmental impacts and called for continuous mercury monitoring and project-specific human rights due diligence.



Challenge 4: Criminalisation of Indigenous Peoples under forest conservation laws

Indigenous Peoples are treated as "forest encroachers" under the National Park Act B.E. 2562 (2019), the Wildlife Conservation and Protection Act B.E. 2562 (2019), the National Reserved Forests Act B.E. 2507 (1964), and the Forest Reclamation Policy (2014) based on NCPO Orders 64/2557 and 66/2557. The National Park Act increased maximum prison sentences for "encroachment" to 20 years and fines up to THB 2 million.

On 15 November 2024, the Cabinet approved two Royal Decrees under Section 64 of the National Parks Act and Section 121 of the Wildlife Conservation and Protection Act. The decrees limit forest residents to 20 rai for a maximum of 20 years and grant officials the authority to evict and fine "violators" without judicial oversight, affecting over 3,000 Indigenous communities.

Traditional practices such as rotational farming continue to be criminalised. A draft Amnesty Act for Indigenous and forest communities unfairly criminalised under the Forest Reclamation Policy remains contested. The Peaceful Society Promotion Act B.E. 2569 (2026) that entered into force on 24 August 2026 provides amnesty only for qualifying political acts between January 2005 and July 2025 and does not cover forest reclamation cases.

Since 2014, Thai authorities have launched more than 48,000 forest-encroachment cases nationwide. Over 1.8 million people live in areas overlapping with protected areas and conservation zones, facing over 30,000 legal cases.



SOURCE: Jack Taylor / AFP (15 February 2021)

#SaveBangKloi: The Indigenous Karen community of Bang Kloi lived in the Kaeng Krachan forest long before its designation as a forest reserve in 1965 and a national park in 1981. Since 1996, they have faced repeated evictions, including the burning of homes and rice barns in 2011. In 2021, the year Kaeng Krachan gained UNESCO World Heritage status, more than 100 community members were forcibly removed from ancestral lands, and 22 were arrested and imprisoned for trying to return. UN experts raised concerns about their land tenure rights. A committee was established after a 15-day Karen protest in 2022, but the dispute remains unresolved despite the Prime Minister's approval of its proposals in April 2023.

Indigenous communities mobilise against forest land restrictions.

From 24 March to 2 April 2025, more than 10,000 Indigenous people and forest-dependent community members joined an encampment outside Chiang Mai Provincial Hall. They opposed the two Royal Decrees approved by the Cabinet in November 2024 under Section 64 of the National Parks Act B.E. 2562 (2019) and Section 121 of the Wildlife Conservation and Protection Act B.E. 2562 (2019). The measures threatened to further restrict communities' use of ancestral land without recognising their customary land rights. Protesters called for the measures to be halted while the forest laws were revised with community participation.



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Challenge 5: Racial discrimination, land dispossession, and reprisals against Indigenous human rights defenders

Indigenous Peoples face systemic racial discrimination that helps justify their exclusion and criminalisation. They are portrayed by State agencies, public discourse and development narratives as “illegal settlers”, “forest destroyers”, “backward communities”, or “obstacles to conservation and progress”. One particularly harmful stereotype accuses Indigenous communities of causing forest fires and PM2.5 air pollution because of rotational farming, scapegoating them while obscuring the roles of commercial agriculture, industrial burning and extractive projects.

Indigenous human rights defenders face surveillance, harassment, arbitrary arrests, judicial harassment through Strategic Lawsuits Against Public Participation (SLAPPs), enforced disappearances and killings. Thailand has not decriminalised defamation and has no standalone anti-SLAPP law. Impunity for past killings and enforced disappearances of Indigenous defenders remains the norm.

CEDAW (2025) on Indigenous defenders and CERD (2022) on stereotypes. The CEDAW Committee (2025) called for protection of Indigenous women defenders from judicial harassment and reprisals. The CERD Committee (2022) called on Thailand to combat racial discrimination and stereotyping through targeted measures.



Young Karen land defender “Billy” Porlajee Rakchongcharoen

He disappeared after being detained by park officials in 2014, with his remains discovered inside a submerged oil barrel five years later. His case remains a glaring symbol of state impunity after the former park chief was acquitted of murder in 2023 and sentenced to just three years for dereliction of duty.

SOURCE: Mue Nor Pinnapa Prueksapan / Family archive (April 2014)

Dispossession and legal reprisals against Chao Lay communities. Failure to recognise Chao Lay ancestral land rights leaves communities exposed to overlapping private land claims, eviction proceedings and blocked access to fishing and ceremonial sites. Community members who contest these claims have also faced criminal charges, including defamation. These harms compound the racial discrimination and stereotyping faced by Indigenous Peoples.

State-sponsored labelling of Indigenous Peoples as “drug traffickers”.

Lahu villagers were subjected to discriminatory DNA collection during a drug investigation. On 22 July 2021, officials collected DNA from more than 50 Lahu villagers, including three children, in Ban Kae Noi and Ban Nong Khiao, Chiang Mai. The National Human Rights Commission of Thailand found that villagers had not given genuinely voluntary consent and that the operation unfairly targeted people with no connection to the drug case. It called for their DNA data to be deleted.

Extrajudicial killing of Chaiyaphum Pasae (Lahu, 2017).

17-year-old Lahu defender killed by two military officers in a shooting allegedly connected to drug possession. In autumn 2020, the Civil Court in Bangkok dismissed the case against the officers, ruling that they acted in self-defence, despite missing CCTV records. Nawa Ja-ue, advocating for justice, was arrested, wrongly accused of drug possession, and spent a year in prison.

Impunity for the killing of “Billy” Porlajee Rakchongcharoen (Karen).

Billy, a young Karen land defender, was last seen on 17 April 2014 after being stopped by Kaeng Krachan National Park officials. His bone fragments were found in an oil barrel at the bottom of a reservoir in 2019. On 28 September 2023, the Central Criminal Court for Corruption and Misconduct Cases acquitted former park chief Chaiwat Limlikhit-aksorn of murder, unlawful detention, concealment of a corpse and intimidation, convicting him only of dereliction of duty (three years). Three subordinates were acquitted of all charges. Chaiwat is appealing.

11 land and forest-rights defenders SLAPPED over peaceful protests.

In March and April 2025, Indigenous and forest-dependent communities mobilised in Bangkok and Chiang Mai to challenge conservation measures affecting their land rights. On 26 May 2025, 11 P-Move and forest-community representatives reported to police after being charged under the Public Assembly Act B.E. 2558 (2015) in connection with four protests, three in October 2024 and one outside Government House on 1 April 2025. Seven faced charges arising from the April demonstration. On 4 September 2026, the Dusit District Court ended the April case and one October 2024 case under the Act on Promoting a Peaceful Society B.E. 2569 (2026). The available reporting does not establish the outcome of the other two cases.

Koh Lipe: Defending school land amid legal reprisals. In December 2022, 15 Indigenous Chao Lay people faced prosecution after protesting a developer's blockage of a route to the school, health centre and beach. In April 2025, the company claiming the disputed land cut down trees and partly demolished the school wall while seeking to remove its canteen and restrooms. The Urak Lawoi community maintains that it donated 6 rai 3 ngan for the school in 1958; a later survey recorded 5 rai 3 ngan, leaving one rai unaccounted for. When villagers and school committee members sought clarification, five people, four women and one man, faced criminal charges, including defamation.



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Challenge 5: Racial discrimination, land dispossession, and reprisals against Indigenous human rights defenders



Saluai Hantale, Indigenous woman human rights defender from the Urak Lawoi peoples

Saluai has worked for years to defend Chao Lay communities' land and livelihoods while herself facing prolonged litigation linked to a land dispute.

Saluai Hantale and four other Chao Lay defenders prevail after years of SLAPP litigation over ancestral land. Saluai Hantale, an Indigenous Chao Lay woman defender and member of the Indigenous Women's Network of Thailand (IWNT) and the Indigenous Women's Association for Development (IWAD), faced an eviction lawsuit over land where her family had lived for generations. She described selling her boat to cover the costs of defending the case. By July 2026, the Supreme Court had dismissed the claim against her and four other defenders and ordered the return of appellate court fees. Their victory did not resolve the wider land disputes on Koh Lipe, where Chao Lay communities continue to face litigation and restrictions on access to their land and fishing areas.

Koh Lipe: Eviction cases and blocked access to Chao Lay land. Private actors have brought eviction cases against Chao Lay households built on their ancestral indigenous lands. A court ordered the demolition of Rampaeng Hantalay's family home. Despite court victories for other households, private actors continue to assert overlapping land claims using Nor Sor 3 and Sor Kor 1 documents. They have blocked one road used to reach the sea for fishing and another leading to the school and a floating boat ritual site. In a separate case, the Subdistrict Administrative Organization filed charges against Saijai Hantalay under the Building Control Act B.E. 2522 (1979), although the authority had itself issued her building permit incorrectly. Investors have also occupied beaches, cemeteries, monastic sites, wells and watershed forests used by the community.



RECOMMENDATIONS



1. On Challenge 1: Legal recognition of Indigenous Peoples

1.1

In line with the 2022 CERD Concluding Observations and the September 2025 OHCHR Regional Office statement, amend national law and the Ethnic Way of Life Protection and Promotion Act B.E. 2568 (2025) to explicitly recognise Indigenous Peoples as distinct rights-holders, in accordance with UNDRIP.

1.2

In line with the 2022 CERD Concluding Observations, ratify ILO Convention No. 169 on Indigenous and Tribal Peoples (1989).

1.3

In line with the 2017 Concluding Observations of the Human Rights Committee, revise the 2017 Constitution to explicitly recognise Indigenous Peoples' rights, including collective rights to self-identification, ancestral lands, customary tenure and FPIC.



RECOMMENDATIONS

1.4

Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, and define statelessness in domestic legislation.



2. On Challenge 2: Citizenship, basic services, education and child protection

2.1

In line with the 2025 CEDAW Concluding Observations (paras 35(b) and 36(b)) and 2012 CERD Concluding Observations, ensure universal birth registration and equal access to nationality for Indigenous persons, including through simplified procedures, mobile registration mechanisms, interpretation services and proactive outreach in remote highland and coastal areas.

2.2

In line with the 2017 Human Rights Committee Concluding Observations, conduct an effective nationwide inquiry into citizenship challenges faced by Indigenous communities, including corruption and abuse of authority by local officials, and take action against wrongdoing officials.

2.3

Ensure access to healthcare, clean water, sanitation, electricity, and culturally appropriate services in Indigenous languages, particularly in remote and coastal Indigenous communities.

2.4

In line with the 2025 CEDAW Concluding Observations, ensure equal access to quality, inclusive and culturally appropriate education for Indigenous children and youth in rural and remote areas, adopt and adequately resource mother-tongue based multilingual education (MTB/MLE), prevent school closures without viable alternatives, and adopt targeted measures to reduce the 80 per cent dropout rate documented between the COVID period and 2026.

2.5

Adopt effective child protection measures to prevent unsafe labour, night work, violence and murder affecting Indigenous children and youth pushed out of education, in coordination with Indigenous communities and organisations.



3. On Challenge 3: Free, Prior and Informed Consent and corporate accountability

3.1

In line with the 2022 CERD Concluding Observations, guarantee FPIC in all legislative, administrative, conservation, climate, infrastructure, tourism, mining and other development measures affecting Indigenous lands, territories and resources.

3.2

In line with the 2021 UPR recommendation by Bahrain, advance the Act on the Promotion of Responsible Business Conduct and ensure it includes mandatory human rights and environmental due diligence obligations, the obligation to respect FPIC, meaningful and gender-sensitive consultation with Indigenous Peoples and rightsholders, and coverage of transboundary impacts.



RECOMMENDATIONS

3.3

In line with the 2022 CERD Concluding Observations, ensure access to effective remedies, prioritising restitution of Indigenous Peoples' lands, territories and resources, and provide just compensation and culturally appropriate relocation where restitution is materially impossible.

3.4

Address transboundary rare earth mining contamination and pollution in the Kok and Sai rivers linked to mining upstream in Myanmar through sustained testing, public disclosure of results, safe water provision and support for affected fishing and farming communities. Separately, investigate and prevent cross-border health and environmental impacts in Nan Province from the Hongsa coal mine and power plant in Lao PDR, including through cooperation with Lao authorities and accountability for Thai companies involved.

3.5

Halt the Omkoi coal mine and Mae La Noi fluorite mining projects pending genuine FPIC, and revoke any authorisations issued without FPIC.



4. On Challenge 4: End criminalisation under forest conservation laws

4.1

In line with the 2022 CERD Concluding Observations, amend or repeal the National Park Act B.E. 2562, the Wildlife Conservation and Protection Act B.E. 2562, the National Reserved Forests Act B.E. 2507, and the Forest Reclamation Policy to recognise customary land rights and prevent criminalisation of Indigenous Peoples.

4.2

Repeal the two 2024 Royal Decrees issued under Section 64 of the National Parks Act B.E. 2562 (2019) and Section 121 of the Wildlife Preservation and Protection Act B.E. 2562 (2019), which establish 20-year conservation programmes and generally restrict eligible households' land use to 20 rai. Ensure that any replacement measures recognise Indigenous Peoples' customary land rights and are developed with their free, prior and informed consent.

4.3

Adopt a dedicated Amnesty Act granting amnesty to Indigenous Peoples and forest-dependent communities unfairly criminalised under the Forest Reclamation Policy, ensuring that companies and investors are not granted amnesty.

4.4

Legally recognise and protect Indigenous traditional practices, including rotational farming, as sustainable environmental management systems, and end the scapegoating of Indigenous communities for PM2.5 pollution.

4.5

Resolve the Bang Kloi Karen land dispute by recognising the community's rights to its ancestral lands, dropping charges against villagers for returning to those lands, and implementing the proposals approved by the Prime Minister in April 2023.

RECOMMENDATIONS



5. On Challenge 5: End racial discrimination, land dispossession and protect Indigenous defenders

5.1

In line with the 2022 CERD and 2025 CEDAW Concluding Observations, adopt targeted measures to eliminate racial discrimination and harmful stereotypes against Indigenous Peoples, including public awareness campaigns and mandatory training for State officials, healthcare providers, teachers and law enforcement.

5.2

End State-sponsored profiling of Indigenous Peoples as “drug traffickers”, including through discontinuing practices such as the 2021 DNA collection in Ban Kae Noi, and ensure security forces perform duties in accordance with law and international human rights standards.

5.3

Adopt a standalone, effective and gender-responsive anti-SLAPP law, including decriminalisation of defamation, clear definitions of SLAPPs, early dismissal mechanisms, and protection of public participation.

5.4

Review charges brought against Chao Lay land rights defenders on Koh Lipe, withdraw those found to be retaliatory, and protect their right to raise land claims and protest peacefully.

5.5

Ensure prompt, independent and effective investigation of violence, intimidation, enforced disappearance and reprisals against Indigenous defenders, and prosecute those responsible where the evidence warrants, including by pursuing accountability in the cases of Porlajee “Billy” Rakchongcharoen and Chaiyaphum Pasae. Withdraw charges under the Public Assembly Act B.E. 2558 (2015) against the 11 Indigenous and forest rights defenders charged in May 2025 for peacefully protesting outside Government House.

5.6

Review disputed private land claims and eviction proceedings affecting Chao Lay communities on Koh Lipe with their meaningful participation; prevent evictions while claims are resolved; and restore and protect the road used to reach the sea for fishing and the route leading to the school and floating boat ritual site. Review the charge against Saijai Hantalay under the Building Control Act B.E. 2522 (1979) in light of her community’s land claims.

5.7

Ensure access to justice for Indigenous Peoples, including access to the Justice Fund, legal aid, interpretation in judicial proceedings, and effective implementation of national and international human rights decisions.



Scan to access the
**Joint UPR submission on
the Rights of Indigenous
Peoples in Thailand**



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