**Statement of**

**Mr. Francisco Cali-Tzay**

**Special Rapporteur on the rights of indigenous peoples**

**UNESCO World Heritage Committee**

**26 July 2021**

**Item 8B.7 – Kaeng Krachan Forest Complex**

Mr. Chair, distinguished delegates and indigenous peoples’ representatives,

I thank you for the opportunity to speak today.

As the Special Rapporteur on the rights of indigenous peoples, I have a global mandate to promote the United Nations Declaration on the Rights of Indigenous Peoples.

This is the purpose of my presence today- to remind UNESCO and State members of its World Heritage Committee of your commitments and responsibilities to respect the rights of indigenous peoples in the important decisions you take.

It is regrettable that your current working methods do not allow indigenous peoples to participate in decision making processes which clearly affect their rights and the future of their lands and resources. To ensure credibility, your working methods need to be brought in line with the United Nations Declaration on the Rights of Indigenous Peoples.

Specifically, I requested to speak today regarding concerns that my mandate has expressed on repeated occasions over the nomination of the Kaeng Krachan Forest Complex. Sustainable and human rights-based conservation cannot be carried out when indigenous peoples continue to be harassed, criminalised, displaced and their land rights, traditional practices and culture are denied. No good-faith consultations can ever be carried in such circumstances. Concerns over the Kaeng Krachan have escalated this year as new allegations of violations against the Karen continue to be reported.

In line with the IUCN’s recommendation, I have strongly urged the Committee to ***defer*** its decision until the nomination complies with the United National Declaration on the Rights of Indigenous Peoples and your own Operational Guidelines. This requires the Government of Thailand to *inter alia:*

- Halt ongoing violations against the Karen and ensure accountability for past abuses;

- Undertake good-faith consultations based on recognition of the Karen’s land rights, traditional practices and culture. This is essential in order to seek their free, prior and informed consent.

- Ensure that future conservation of the Kaeng Krachan is based on effective participation of the Karen through co-management and equitable benefit sharing;

- Provide independent monitors access to the park.

I regret that, contrary to express request, ***I was not given the opportunity to speak until after the decision to nominate the park was made.***

I reiterate the willingness of my mandate to undertake an official country visit to Thailand to advise on the situation.

I thank you for your attention.

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