

## ANNEX II: Impact of NCPO Order 64/2557 on rural, forest communities

Source: NHRC translated by Protection International

The National Human Rights Committee (NHRC) has recently received 38 petitions linked to National Council for Peace and Order (NCPO) Order 64/2557. Promptly following NCPO Order 64/2557, the NCPO promulgated Order 66/2557 that seeks to limit the impact of NCPO Order 64/2557 settled around forestland. Below is the list of the rural communities who were affected by this order including the 38 communities which have sent petitions to the NHRC, and other communities we have been able to gather information on.

| Name of community  | Number of People/Households affected              | What happened after the 22 May coup d'état (eviction or threat of eviction, what was told to them by the authorities)  | Remark  |
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| <b>1. Khao Pu- Khao Ya National Park</b><br>(Pa Payom district, Pattalung Province)                                      |   | The villagers were greatly affected after the order 64 was issued.   | The villagers sent <a href="#">a</a> petition (No. 323/2557) to the National Human Rights Commission on 13 July 2014. |
| <b>2. Khao Bat Village</b><br>(Dong Yai Wildlife Sanctuary, Khao Bat Village, Noan Din Daeng District, Buriram Province) | Over a thousand villagers or about 174 households | On 8 July 2014, the army ordered the villagers to leave their land where they have been settled since the Cold War era. They were relocated to an area where the community lives without electricity, and depends on the rain and community well for water. Some of villagers who refused to leave are now facing violent evictions and continuing intimidation. When the local activists came to Bangkok to plead with the NCPO to stop the land eviction, the military detained them up to seven days without giving any reason. | The villagers sent <a href="#">a</a> petition (No. 331/2557) to the National Human Rights Commission on 17 July 2014. |
| <b>3 Ban Kaew Village</b><br>(Khon San district, Chaiyaphum)   | 277 villagers or more                             | On 26 August 2014, the villagers received a thirty-day eviction notice issued by the Forest Industry Organization (FIO). In 1987, the same FIO had ordered villagers to be removed from their land in Samphaknam Mountain Reserve Forest, which was later replanted with eucalyptus  | The villagers sent <a href="#">a</a> petition (No. 448/2557) to National Human Rights Commission on 28 August 2014.   |

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| Province)  |  | trees used in <a href="#">the</a> paper industry. There was no financial assistance or compensation for the relocation of the villagers. The villagers who refuse to leave their land will likely <a href="#">to</a> face arrest.  |  |
| <b>4 Jratapi Village</b><br>(Sakon Nakorn)   | 37 villagers were arrested and held on bail  | Large areas of the villagers' rubber tree plantation were cut <a href="#">down off</a> after NCPO Order 64/2557 was issued. There is reportedly a high possibility that the authorities have a plan to clear-cut more rubber trees in the area by the end of the year. This would mean income deprivation of over a thousand households.   |  |
| <b>5 Ban Tub Kuea - Prung Moo</b><br>(บ้านทับเขือ ปลักหม)<br>(Trung Province and Pattalung Province) | 3 villagers were asked to destroy their rubber trees and 1 was charged with a criminal lawsuit | The park authorities had given warrants <a href="#">s</a> to the villagers to clear-cut their rubber trees and destroy their houses. Yet, authorities then filed a criminal lawsuit against one villager. These actions by the authorities were done in line with the NCPO Order 64/2557, which <a href="#">places causes</a> a greater impact on the poor and the landless <a href="#">rathermore</a> than <a href="#">wealthy the</a> investors. | The villagers sent <a href="#">a</a> petition (No. 359/2557) to the National Human Rights Commission on 23 July 2014   |
| <b>6 Song Phi Nong Sub-District</b><br>(Tha Sae district, Chumpon)                                   |  | On 23 July 2014, the park authorities clear-cut a rubber tree plantation totaling of 3 Rai (1.19 acres), in an area where villagers have been settled since 1974; there are some rubber tree plantations in the same area owned by different people which were not destroyed.  | The villagers sent <a href="#">a</a> petition (No. 361/2557) to the National Human Rights Commission on 23 July 2014   |
| <b>7 Phu Hin Rong Kla National Park</b><br>(In Nakorn Thai district, Phitsanulok province)           |  | In 2007, forest authorities launched a project that allowed villagers to grow agricultural plants in an area of 1,200 rais (474 acres). Following the coup, the forest authorities, police officers, and government officials came to arrest those villagers who are under this project.   | The villagers sent <a href="#">a</a> petition (No. 388/2557) to the National Human Rights Commission on 1 August 2014. |
| <b>8 Ban Num Pi</b><br>(Thungchang sub district, Thungchang  | 101 household were affected by land eviction   | On 17 July 2014, <a href="#">the</a> government officials, soldiers, <a href="#">and</a> forest authorities forcibly evicted villagers from the land, claiming that the community has illegally occupied it; this has resulted in income deprivation for 101   | The villagers sent <a href="#">a</a> petition (No. 421/2557) to the National Human Rights Commission on 4 August       |

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| district, Nan province)   | practices | households.   | 2014   |
| <b>9 Tung Sum Village</b><br>(Ban Hun sub district, Kasetsumboon district, Chaiyaphum province)   |           | Sub district Administrative Organization (SAO) used NCPO Order 64/2557 against the villagers who have been settled and made their means of living in the area where it is not considered a forested or protected area.  | The villagers sent <a href="#">a</a> petition (No. 426/2557) to the National Human Rights Commission on 27 July 2014     |
| <b>10 Mai Fat sub district</b><br>(Sikao district, Trang province)  |           | On 8 July 2014, National Park sent warrants to some people in the area of Pak Meng Beach and filed a <a href="#">legal</a> lawsuit against them.  | The villagers sent <a href="#">a</a> petition (No. 434/2557) to the National Human Rights Commission on 19 August 2014   |
| <b>11 Ban Khao Phu, Bang Pa Kaeh</b><br>(Bangsak ,Kantang District, Trang Province)   |           | The forest authorities have ordered the villagers from three villages who are the members of Rak Jao Mai Network to destroy their houses in an area totaling 58 rais (around 23 acres). Most of them are considered to be poor and have been residing there for generations.  | The villagers sent <a href="#">a</a> petition (No. 456/2557) to the National Human Rights Commission on 28 August 2014   |
| <b>12 Tham Pha Thai National Park</b><br>(Jae Hom district, Lumpang province)<br><b>Royal Reforestation Project Area</b><br>(Na Khae sub district, Ngao district, Lumpang province) |           | Northern Peasants Federation sent a petition to the National Human Rights Commission complaining that<br><br>(1) On 17 August 2014, the forest authorities had come to cut down rubber trees, palm oil trees, and other fruit trees grown by the villagers.<br><br>(2) It is reported that the forest authorities have a plan to evict a land area totaling 2,500 rais (approximately 988 acres) in an attempt to proceed with the royal project. | The villagers sent <a href="#">a</a> petition (No. 466/2557) to the National Human Rights Commission on 4 September 2014 |

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| <p><b>13 Baan Tung Pa Ka</b><br/>(Moo 8, Mae La Luang sub district, Mae La Noi District, Mae Hong Son province)</p> | <p>Authorities filed lawsuits against 39 villagers.</p> | <p>On 28 August 2014, authorities filed <a href="#">a</a> legal suit against 39 villagers; all of them are indigenous hill tribe Karen and are low-income earners.</p>   | <p>The villagers sent <a href="#">a</a> petition (No. 462/2557) to the National Human Rights Commission on 4 September 2014</p>  |
| <p><b>14 Ban Huai Ma Kang</b><br/>(Mae Suai District, Chiang Rai Province)</p>                                      |   | <p><del>The S</del>soldiers and forest authorities issued a warrant in the area claiming that <del>it the area</del> was trespassed by investors despite the governor having said that the area was rightfully allocated for agriculture.</p>  | <p>The villagers sent <a href="#">a</a> petition (No. 463/2557) to the National Human Rights Commission on 5 September 2014</p>  |
| <p><b>15 Ban Dong Yen Pattana</b><br/>(Non Din Daeng, Buriram)</p>  |   | <p>The villagers were ordered to vacate land that is under a community land title.</p>   | <p>The villagers sent <a href="#">a</a> petition (No.464/2557) to the National Human Rights Commission on 8 September 2014</p>   |
| <p><b>16 Ban Non Jaroean</b><br/>(Puphan district, Sakon Nakorn province)</p>                                       | <p>6 villagers were evicted from their land</p>         | <p>On 10 August 2014, government officials and forest authorities evicted 6 villagers who own land which totals 150 rais (60 acres). They demanded that those who have legal claim to the land must present their documents otherwise all constructions on the land will be destroyed.</p> | <p>The villagers sent petition (No.478/2557) to the National Human Rights Commission on 1 September 2014</p>                     |
| <p><b>17 Ban Dan Mec</b><br/>(Sam Chai district, Kalasin Province)</p>  |   | <p>On 25 July 2014 police officers, government officials, and soldiers collected the villagers' identity cards and investigated the villagers' houses. A lawsuit was filed against the villagers by the authorities on the charge of illegally claiming the land.</p>                      | <p>The villagers sent <a href="#">a</a> petition (No. 479/2557) to the National Human Rights Commission on 1 September 2014.</p> |
| <p><b>18 Tha Ma Phai</b><br/>(Chaiya Phum province)</p>   |   | <p>The villagers were ordered to leave their land.</p>   | <p>The villagers sent <a href="#">a</a> petition (No. 480/2557) to the National Human Rights Commission on 9 September</p>       |

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| <b>19 Um Mao sub district</b><br>(That Phanom, Nakorn Phanon province)                           |  | The villagers were considered to be land encroachers by authorities after NCPO Order 64/2557 was issued.   | The villagers sent a petition (No. 459/2557) to the National Human Rights Commission on 9 September 2014 |
| <b>20 Ban Huay Hok</b><br>(Mueang Haeng Sub-district, Wiang Haeng District, Chiang Mai Province) |  | The forest authorities launched the forest crackdown against the villagers who have been using the land for rice paddy fields. The land eviction conducted by the authorities rendered the villagers jobless and unable to pay for their children's education and support their families as a result. The villagers sent a petition (No. 511/2557) to the National Human Rights Commission on 25 September 2014. |                       |
| <b>21 Ban Haeng</b><br>(Rak Ban Haeng, Ngo District, Lampang Province)                           | Villagers have been summoned by the soldiers. <sup>1</sup> | The villagers have submitted the document to the Chiang Mai Administrative Court to revoke the permit that allows Kiew Lueng Co. to use the forest area for lignite mining. The operation has been done without public participation and proper Environmental Impact Assessment (EIA). <sup>2</sup>  |  |

<sup>1</sup> Protection International field visit December ,2013

<sup>2</sup> <http://www.prachatai.com/journal/2014/11/56397>

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| <p><b>22 Ban Huaynamtuen Mae Pong National Reserve Forest</b><br/>(Ngao District, Lampang Province)</p> | <p>Authorities filed a lawsuit against an indigenous hill tribe man.</p>                   | <p>On 30 October, provincial prosecutors filed three lawsuits against a villager, who is <a href="#">an</a> indigenous hill tribe man, on the charge of illegally claiming the National Reserve Forest where he has been living for 30 years. Prior to that, soldiers, forest authorities, and government officials had come to the land and <a href="#">had</a> clear-cut his rubber trees and other fruit trees. Their action is in line with the NCPO Order 64/2557. The interrogation process against him has been done outside a courtroom without proper translation services or his lawyers' presence. Mr. Amae Maa, who has limitations in communicating in Thai, pleaded guilty to the charges. <sup>3</sup></p> |    |
| <p><b>23 Pakayaw Karen</b><br/>(Tung Pa Ka District, Mae Hong Son Province)</p>                         | <p>39 Pakayaw Karen were convicted on charges and sentenced to imprisonment and fines.</p> | <p>The 39 Pakayaw Karen were arrested by the soldiers and charged with illegal logging and forest encroachment. The court decided that 24 of them would be sentenced with one to seven years' imprisonment. Fifteen others were fined 10,000- 20,000 baht. Two died before the verdict was read. (Areeerat, 2014)<sup>4</sup></p>   |    |
| <p><b>24 Plai Phraya District</b><br/><br/><b>Krabi Province</b></p>                                    | <p>Lawsuits were filed against 85 villagers, and more than 500 households are affected</p> | <p>On 15 September, soldiers, forest authorities, and police came to remove the houses of villagers. The villagers are also prevented to enter the area and are now attempting to find new jobs in order to earn a living.</p>  | <p>The villagers sent <a href="#">a</a> petition (No. 512/2557) to the National Human Rights Commission on 29 September 2014.</p> |

<sup>3</sup> The same as No. 12 in the list, Petition No. 466/2557

<sup>4</sup> This is the same as No. 13 in the list, Petition No. 462/2557

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| <p><b>25</b> the Phu Pan Mount , in Ban Non Charoen, Phu Pan District, Sakon Nakhon.</p> |   | <p>There were violent incidences on the Phu Pan Mount in June 2014, one month after the military coup. Combined forces of forestry, military and police officials destroyed rubber trees grown by 18 families covering <a href="#">an the</a> area of 153 acres in Ban Non Charoen, Phu Pan District, <a href="#">and</a> Sakon Nakhon. And later in October 2014, 37 villagers were arrested and pressed with charges concerning the occupation of a Forest Reserve area in the same district and province as in the first case.</p>  | <p>The villagers sent <a href="#">a</a> petition (No. 73/2556) to the National Human Rights Commission on 12 Feb 2556</p>   |
| <p><b>26.</b> Kok Yao community in Tambon Thung Luilai, Chaiyaphum,</p>                  |   | <p>About 33 families or 100 people, are being pressured to accept a deal to be resettled in a plot about 45 kilometers from their existing land.<sup>5</sup></p>   |   |
| <p><b>27.</b> Moo 5, Huayton Sub-district, Mueng District, Chaiyapum</p>                 | <p>11 villagers arrested by authorities</p> | <p>Villagers who stay in Moo 5, Baan Kamnoi, Huayton Sub-district, Mueng district, <a href="#">and</a> Chaiyapum were being threatened by the Forest rangers (guns were fired around the village and at the villagers) in the Tadtone and Pu Lae Ka National Parks. 11 villagers were arrested. They requested help from many authorities but <a href="#">have received none. to no avail.</a></p>   | <p>The villager sent <a href="#">a</a> petition (No. 269/2556) to the National Human Rights Commission on 11 June 2013</p>  |
| <p><b>28.</b> Moo 5, Sanien Sub-district, Mueng District, Nan</p>                        |   | <p>The authorities seized agricultural equipment and land from Baan Songkaew villagers. Later the villagers and Nan Governor had a meeting at the provincial police station and they all agreed that the police would not seize the agricultural equipment and land from villagers until the land problem is solved. On 4<sup>th</sup> June 2013, the head of village and the authorities came to the community again and seized the villager's agriculture equipment. The authorities claimed that the villagers had <a href="#">use</a>d the land of Nam Yao-Nam Soud Conservation Forest and Tam Pa Tuub Conservation Forest, even though they had made an agreement.</p> | <p>The villager sent petitions (No. 304/2556, 469/2557, 338/2556 and 538/2557) to the National Human Rights Commission on 1 July 2013, 8 July 2013, 4 September 2014 and 8 October 2014</p> |

<sup>5</sup> The same as No. 3 in the list, Petition No. 448/2557

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|   |  | After the NCPO order, the villagers were ordered to leave the land. Another case was that the forest rangers (NorNor10) and 1 officer had expelled a villager from the land even though he/she had shown land usage permission to the officers but they refused to accept it. The authorities threatened this villager saying that they will file a lawsuit against him/her if he/she had not moved out of the land. This villager was so afraid, signed the paper accepting that he/she was trespassing <a href="#">into</a> the forest and returned the land back to the Forest Department. He/she feels that this action was against the NCPO order 66/2557. |  |
| <b>29.</b> Moo 3, Thonglang Sub-district, Houykod District, Uthaitanee                        |  | The Forest rangers arrested villagers and put a sign-board to <del>bar</del> <a href="#">ring</a> the villagers from staying on/using the land. Authorities claimed that this land <del>belonged</del> <a href="#">ed</a> to the Forest Department. The villagers <del>claimed</del> <a href="#">ed</a> that they have stayed here since 1977 (B.C. 2520) and paid local maintenance <del>taxes</del> <a href="#">es</a> every year even though they do not have any supporting documents. Later the villagers <del>were</del> <a href="#">are</a> ordered to leave according to NCPO Order 64/2557.  | The villager sent <a href="#">a</a> petition (No. 268/2557) to the National Human Rights Commission on 24 June 2014      |
| <b>30.</b> Klongsai Pattana Community, Saithong Sub-district, Chaiyaburi District, Suratthani |  | The villagers filed a petition with NHRC saying that 50 officers from ISOC came to their community <del>and</del> <a href="#">in</a> search <del>ed</del> <a href="#">ing</a> <del>of</del> their houses and tried to convince the villagers to leave the community by claiming that the owner of this land had bought it from Mr. Sunthorn and Mr. Wisit. <del>I</del> <a href="#">t</a> hey also ordered the villagers to submit their support <del>ing</del> <a href="#">ing</a> documents <del>for</del> <a href="#">or</a> using this land to ISOC.  | The villager sent <a href="#">a</a> petition (No. 305/2557) to the National Human Rights Commission on 26 September 2014 |
| <b>31.</b> N/A  |  | Request NHRC to investigate all authorities who work according to NCPO order.   | Petition No. 334/2557 was filed on 23 July 2014  |
| <b>32.</b> Moo 2, Namnao District, Petchaboon   |  | On 28 April 2014, the rangers from Pupahman National Forest had ordered villagers to cut their rubber trees and leave the land. The villagers <del>a</del> filed a complaint to <a href="#">the</a> Namnao police station. Later the police set up a committee to study and solve this problem but <a href="#">there has been</a> no further process. The villagers then filed a complaint to the   | The villager sent <a href="#">a</a> petition (No. 373/2557) to the National Human Rights Commission on 31 July 2014      |

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|   |  | Office of the Ombudsman. Then on 8 July 2014 they had an agreement to allow the villagers to stay in the forest according to NCPO order No. 66/2557.   |  |
| <b>33.</b> Moo 10 and Moo 11, Arjsamart Sub-district, Mueng District, Nakhonpanom         | 14 villagers were arrested and later 300 villagers were arrested | On 29 July 2014, the police from Nakhonpanom Provincial Police station, military officials and Nakhonpanom administrative officers investigated the land in Pu Kratae Baan Hom, Moo 10 and Moo 11. Authorities arrested 14 villagers claiming that these villagers were trespassing on to forestland, burned trees in the forest and built buildings on forestland. Later, the officers had seized another 300 villagers who stayed in the same area. Villagers claimed that they have <a href="#">a</a> land pre-emption certificate (Nor Sor 2) issued by the government in 1958 and they lived there since their ancestors. They feel that the authorities <a href="#">have</a> treated them <a href="#">very</a> <a href="#">unjustly</a> <a href="#">fairly</a> . | The villager sent <a href="#">a</a> petition (No. 413/2557) to the National Human Rights Commission on 14 August 2014    |
| <b>34.</b> Moo 16, Samrongprasart Sub-district, Prangkoo district, Srisaket               |  | The authorities withdrew the community's permission to use the land and were expelled from this area according to NCPO Order 64/2557.  | The villager sent <a href="#">a</a> petition (No. 443/2557) to the National Human Rights Commission on 16 August 2014    |
| <b>35.</b> Siengsawan community, Lamnangrong Sub-district, Non Dindaeng District, Buriram |  | On 1-25 July 2014, 100 National Forest officers removed houses and destroyed the villagers' crops. They claimed that they had to do <a href="#">it</a> according to NCPO order 66/2557.  | The villager sent <a href="#">a</a> petition (No. 482/2557) to the National Human Rights Commission on 8 September 2014  |
| <b>36.</b> Baan Laowoo, Moo 11, Haeng Sub-district, Vienghaeng, Chiangmai                 | Lawsuits were filed against 110 families who stayed at Moo 11    | <del>O</del> <a href="#">The</a> officers from <a href="#">the</a> Department of National Parks, Wildlife and Plant Conservation used the National Park Act B.C. 2504, article No. 16 (1) to expel villagers from Pahdaeng National Park and destroy their houses and crops. Authorities also filed lawsuits against 110 families. The villagers claimed that they had received permission from the government dated 11 May 1999 (B.C. 2542) to stay in this area.   | The villager sent <a href="#">a</a> petition (No. 509/2557) to the National Human Rights Commission on 29 September 2014 |

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| <p>37. Koh Samed, Rayong</p>  |  | <p>This community even asked NHRC to investigate this case and submit its report to Prime Minister. Prime Minister ordered the Samed provincial authorities to issue the land deed to villagers but no further action occurred. The Rayong Governor still states that Koh Samed land belongs to the Treasury Department but in fact only the land around 2 lighthouses <del>actually that</del> belongs to the Treasury Department. Villagers lived here before the government declared it to be a national park. NHRC, villagers and Pe Sub-district Administrative Organization had a meeting and concluded that they will measure the boundary where the villagers can live and establish a map. Now the process of making <u>the</u> map is finished and Pe Sub-district Administrative Organization has delivered this map to the Land Deed Department as supporting evidence. The Pe Sub-district Administrative Organization agreed to allow villagers to continue living on this land.</p> | <p>The villager sent <u>a</u> petition (No. 510/2557) to the National Human Rights Commission on 29 September 2014</p> |
| <p>38. Moo 19, Mae Win Sub-district, Mae Wang District, Chiangmai</p> |  | <p>On 15 September 2014, the forest rangers from Mae Wang National Park had put up a signboard threatening villagers with taking their land <del>from villagers</del> and expelling <del>them villagers</del> from their land using NCPO Orders 64/2557 and 66/2557. The villagers claimed that this land is under the process of receiving <u>a</u> community land deed. But, since the authorities are using <del>the over-arching all-powerful</del> NCPO orders to expel them from the land, the community needs NHRC to step into this case.</p>  | <p>The villager sent <u>a</u> petition (No. 539/2557) to the National Human Rights Commission on 9 October 2014</p>    |
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Source:

National Human Right Commission

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