Statement on the UPR Pre-session on Thailand

of Center for Protection and Revival of Local Community Rights

25 August 2026, Geneva

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This statement is delivered on behalf of the Center for Protection and Revival of Local Community Rights (CPCR), the Foundation for Environment and Natural Resources (FENR), and five communities affected by planned mining projects in the North of Thailand.

This submission focuses on the human rights impacts of mining on local communities, Indigenous Peoples and ethnic groups, as well as environmental human rights defenders (EHRDs) in Thailand.

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During Thailand's third UPR cycle, there was no specific recommendation concerning mining projects or the right to public participation. However, Indonesia recommended that Thailand "Continue to enhance the participation of local communities in land conservation and forest management, including by recognizing the local community's role in the global climate action agenda."

Thailand accepted this recommendation. However, this commitment has not translated into meaningful participation in decisions concerning mineral resources and mining, particularly where mining areas overlap with community and indigenous lands.

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Thailand's First and Second Mineral Management Master Plans were developed without meaningful public participation. The plans identify 5,956 areas with mineral potential, approximately 40% of which are located in Northern Thailand, where most of these areas are mountainous and home to Indigenous communities.

The right to public participation has been violated in various cases. For example, in the coal mining project in Ka Boe Din Village, Omkoi District, Chiang Mai Province, the EIA report failed to cover communities that may be affected, and false information was included in the EIA report. Public consultation meetings were also conducted without interpreters for Indigenous languages. Villagers' signatures were also forged to indicate their participation in public consultations.

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In addition, mining projects operated by foreign companies in Myanmar have resulted in arsenic and other heavy metal contamination in the Kok, Sai, and Ruak Rivers, which flow through Chiang Mai and Chiang Rai provinces, as well as the Salween River, which flows through Mae Hong Son province. This has affected local and indigenous communities that depend on these rivers for agriculture, fishing, drinking water, and other domestic uses. More than 100,000 rai (approximately 39,500 acres) of agricultural land in Chiang Rai Province relies on water from these affected rivers, raising concerns about the safety of crops, fish, and water used by local

communities.[1] Some communities have avoided consuming fish and riverside crops, while others continue to depend on these water sources due to limited alternatives. The contamination has also undermined public confidence in the safety of water and agricultural products and raised concerns about potential long-term health impacts.[2] At present, there are still no effective measures in place to address the contamination, including effective remediation and remedies for affected communities.

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Therefore, we recommended that the Thai government to:

1. Reform the Mineral Act B.E. 2560 (2017) and the Mineral Management Master Plans within one year to establish a rights-based framework
2. Guarantee the full and effective participation of communities that may be affected by mining and other large-scale projects at every stage, and ensure their meaningful participation in the laws and HRDD bill.
3. Address arsenic and other heavy metal contamination exceeding permissible standards in the Kok, Sai, Ruak, and Salween Rivers in Thailand, and establish effective measures for environmental rehabilitation, and remediation for affected persons within one year.

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Nepal and Romania made recommendations on the protection of the rights of ethnic minorities. This includes ensuring that the Ethnic Groups Act is drafted and implemented in accordance with relevant international human rights law and standards.

In September 2025, Thailand enacted the Promotion and Protection of Ethnic Groups' Ways of Life Act B.E. 2568 (2025). The Thai government is currently in the process of developing secondary legislation and establishing mechanisms required under the Act.

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However, this law does not recognize the status of Indigenous Peoples, but instead uses the term "ethnic groups."

In addition, the principle of Free, Prior and Informed Consent (FPIC) has not yet been fully recognized under Thai law. This means that Thailand's legal framework remains inconsistent with international human rights standards, despite Thailand's endorsement of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

As a result, Indigenous communities living in forest areas do not have secure land rights. In addition, many communities still lack access to basic infrastructure, such as roads and electricity, because they must first obtain permission from the government authorities responsible for managing those areas.

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Therefore, we recommended that the Thai government to:

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[1] **BBC Thai**, *Research Finds Fish Sickened by Toxic Contamination: How Dangerous Is the Kok River Now for Humans and Aquatic Life?*, 2025, available at: https://www.bbc.com/thai/articles/c39z41j77rdo (Thai-language article).

[2] **Mongabay**, *Asia's longest free-flowing river contaminated by arsenic linked to Myanmar mines*, 2026, available at: https://news.mongabay.com/2026/04/asias-longest-free-flowing-river-contaminated-by-arsenic-linked-to-myanmar-mines/

1. Ensure that all actions affecting Indigenous Peoples are subject to the principle of Free, Prior and Informed Consent (FPIC), in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
2. Recognize and protect the rights of Indigenous Peoples under Thai law, and ensure they are not subjected to discrimination and are able to maintain their traditional ways of life and cultural practices.

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More than 6 countries made recommendations on human rights defenders to ensure the protection of human rights defenders.

Despite these recommendations, Indigenous and local community leaders continue to face threats and pressure from individuals and authorities to accept mining projects. For example, authorities may summon community leaders to meetings and attempt to persuade communities to accept mining projects by offering infrastructure development or other benefits to the community.

In addition, the mining industry is one of the sectors most frequently associated with the use of SLAPPs, accounting for more than 34% of all such cases between 1997 and 2022.

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Considering the above situation, we recommended the Thai government to:

1. Enact legislation, including an anti-SLAPP law within one year, to prevent the misuse of judicial processes against environmental human rights defenders.
2. Provide regular and mandatory human rights training to public officials at all levels, including on the protection of environmental human rights defenders.

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Thank you.