

**THE JOINT STATEMENT ON THE
CASE OF THE KILLING OF THAI INDIGENOUS HUMAN RIGHTS DEFENDER –
MR. POLAJEE RAKCHONGCHAROEN (BILLY)**

**BY THE NETWORK OF INDIGENOUS PEOPLES IN THAILAND (NIPT)
AND ASIA INDIGENOUS PEOPLES PACT (AIPP)**

The Network of Indigenous Peoples in Thailand (NIPT) and Asia Indigenous Peoples Pact (AIPP) have followed-up on the enforced disappearance of Mr. Polajee Rakchongcharoen (or Billy), an indigenous-Karen human rights defender in Kang Krachan Forest Complex (KKFC), Petchaburi Province, Thailand since 2014. The NIPT and AIPP would like to express their deepest condolences to family members, relatives and all colleagues of Billy after the official press release of the Department of Special Investigations (DSI) of Thailand on 3 September 2019 confirming the death of Billy.

And although there was no announcement in detail concerning the root-cause(s) of the execution and person(s) responsible in this case, the findings and evidence collected indicate that torture and enforced disappearance were involved. The result was severe and explicit human rights violation against Billy, as well as considerable doubt and uncertainty among all relevant persons, including our indigenous communities Peoples. This is in contravention of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) which Thailand is a state signatory (ratified since 2007) and the International Convention for the Protection of all Persons from Enforced Disappearance (CPED), which Thailand expressed its willingness to support and sign since 2012 and is now under the ratification process as agreed by the Thai Government and the Parliament.

The NIPT, together with AIPP, and all indigenous communities in fourteen Asian countries would like to express their strong support and echo the concerns and suggestions raised in the previously released Public Statement jointly made by the Cross Cultural Foundation, the Karen Network for Culture and Environment and all relevant civil society groups, and now would like to suggest that the Thai state authorities and government officers to undertake actions as follows:

1. The DSI shall proceed and further secure its investigation in seeking the offender(s) to be judged and penalized in the due course and the relevant officers, especially in the Department of National Parks, Wildlife and Plant Conservation, are requested to give full cooperation and support to the carrying-out of duties of competent officers, without the specter of any influence and interventions.
2. The DSI and all relevant agencies shall provide redress and protection for witness(es) and relevant persons, especially family members of Billy from all forms of threats and intimidations.
3. Regarding proof of incidents and evidence causing the death of Billy, if such acts were made by any government officer or employee, the affiliated government agency (ies) shall remove or suspend work and duties carried-out by such officer or employee immediately. This would be for the avoidance and refrain of intervention and interference in the investigation and interrogation in the case and once his/her guilt is proved with confirmation of actions undertaken, the disciplinary and criminal punishments upon relevant laws shall be considered and made without exemption in all

means. This would help to strengthen and regain trust of the public towards judiciary processes in Thailand.

4. Proof of incidents and evidence causing the death of Billy, with confirmation of any government officer (s) or employee (s) being responsible for his death, collaborator (s) or conspirator (s), the Thai Government shall pay and make redress and other appropriate actions for family members of Billy in compensating their loss, grievance and suffering during the past five years.
5. The Thai Government and all relevant agencies shall make all efforts to implement concrete actions under the Cabinet Resolution, dated 3rd August 2010 on Karen livelihood revitalization, particularly with respect to solutions and guidance in solving forest and land conflicts in indigenous and ethnic communities, as this resolution was designed for active roles and meaningful participation of local and ethnic communities concerning resettlement disputes.
6. The Thai Government and Parliament shall accelerate the enactment of domestic laws with implementation of the CAT and CPED for ensuring protection from and prevention of all threats, intimidation, harmful actions, and executions incurred by all human rights defenders.
7. The Thai Government shall respect the merit and spirit of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which Thailand expressed its willingness to support and sign since 2017 in concrete terms. This Declaration is recognized as the strongest, united and clear guidance for paving rights protection and promotion for indigenous peoples worldwide.

This Statement is made with our sincere and heartfelt commitment with spirit in upholding and respecting truth, legitimacy and fairness for all on the date of 6 September 2019.

The Network of Indigenous Human Rights Defenders;
The Network of Indigenous Peoples in Thailand;
The Asia Indigenous Peoples Pact (AIPP); and
All indigenous communities in fourteen Asian countries.