

CONFIDENTIAL



No. 52101/411

PERMANENT MISSION OF THAILAND
GENEVA

11 July 2011

Dear Mr. Ananya,

I wish to refer to your letters dated 17 December 2010 and 16 June 2011, requesting additional information concerning the allegations involving the exhumation of Hmong graves in Wat Tham Krabok in Thailand.

I wish to reiterate that, in principle, Thailand does not have any indigenous people. However, given the importance Thailand attaches to cooperation with the Special Procedures of the Human Rights Council, we appreciate your relentless efforts to engage with the Royal Thai Government and your expressed willingness to help in the resolution of this matter. I wish to also reaffirm our readiness to continue our cooperation to clarify concerns on this matter as best as we can.

With regard to the matter of concern raised in the aforesaid letters, the facts and position of the Royal Thai Government have been clearly explained in Note No. 52101/479 dated 9 July 2008 and Note No. 52101/884 dated 17 December 2008.

In particular, it is important to note that Laotian Hmongs had migrated from the Lao PDR to Thailand only from 2003 and thus could not be considered as indigenous people. They were allowed to take refuge in Wat Tham Krabok, a Buddhist Monastery in Saraburi Province, only for humanitarian reasons. Nevertheless, I wish to reaffirm a few additional points received from the authorities concerned at provincial level regarding the result of their examination of this matter.

According to Thai law, the management of Buddhist monastery, its property and conducts within the monastery grounds are under the authority of an abbot, who may be assisted by an administrative committee consisting of representatives of local communities in the area. However, it appeared that the deceased Hmongs were buried by their relatives on the monastery grounds without any permission from the abbot or the administrative committee of Wat Tham Krabok.

Mr. James Ananya,

Special Rapporteur on the rights of indigenous peoples,
Special Procedures Branch,

Office of the High Commissioner for Human Rights
Geneva.

HCHR REGISTRY

12 JUL 2011

Re: AL Indigenous (2001-8) THA 8/2010
AL Indigenous (2001-8) THA 6/2011

Recipients : *SPD, Erel*
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When the monastery came up with a plan to convert parts of its land into a place for various religious facilities, the Hmong community was informed in advance of the necessity to relocate the graves from the monastery grounds. Some Hmongs came to reclaim their relative's bodies for relocation, while representatives of the Hmong community had given their consent to the monastery to proceed with the relocation of the rest.

Consequently, unclaimed bodies were exhumed and provided with a public cremation ceremony with full respect of the deceased as well as consideration for their families. As per practice in Buddhism, such kind of mass grave exhumation and cremation ceremony were accompanied by a merit making for the deceased and thus served to honour them rather than to imply any disrespect.

Though there was no official involvement in the exhumation of Hmong graves in Wat Tham Krabok, in July 2008, the National Hmong Grave Desecration Committee (NHGDC) from the United States had a meeting with the government authority of Saraburi Province and later in August 2009, representatives of NHGDC revisited Thailand to meet with Hmong peoples residing in various areas. It is our earnest hope that these on-going dialogues would serve to allay the concerns expressed by the Hmong families.

I sincerely hope that this information would help to clarify the concerns which have been raised and that this matter would be reflected in a balanced and constructive manner in your annual report and statement to the Human Rights Council.

Yours sincerely,



(Sihasak Phuangketkeow)
Ambassador
Permanent Representative