

**NATIONS UNIES  
HAUT COMMISSARIAT DES NATIONS UNIES  
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**PROCEDURES SPECIALES DU  
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS  
OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL**

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

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

16 June 2011

Excellency,

I have the honour of addressing you in my capacity as Special Rapporteur on the Rights of Indigenous Peoples pursuant to Human Rights Council resolution 15/14.

In this connection, I would like to refer your Excellency's Government to the situation concerning the **exhumation of Hmong graves at Wat Tham Krabok in December 2005**. This matter has been the subject of ongoing communications with your Government, as reflected in my 2008 and 2009 annual reports to the Human Rights Council (A/HRC/9/9/Add.1; A/HRC/12/34/Add.1). I again brought this matter to the attention of your Government in a letter dated 17 December 2010, to which regrettably I have not received a response.

In my last communication, I made reference to the information I have continued to receive regarding the ongoing harm experienced by the relatives of the deceased Hmong individuals whose graves were exhumed. These relatives alleged the ongoing absence of any action by your Excellency's Government to remedy that harm despite their repeated efforts to dialogue with Government representatives and representatives of the Thai organizations involved in the exhumations of 2005.

As I have stated in previous communications, the return and reburial of the exhumed bodies in accordance with Hmong religious customs would constitute an important remedy to the harms they experienced in terms of their religious and cultural rights. Therefore, I respectfully urge your Excellency's Government again to give special attention to the requests that Hmong representatives have made as set forth in my communication of 17 December 2010. These requests include the return of the 691 bodies confirmed to have been exhumed to the original temple site, where they can be reburied in accordance with Hmong beliefs and traditions. I would like to encourage your Government to take the necessary steps to carry out a positive and meaningful communication with the affected Hmong people to address this matter in a manner consistent with international human rights standards.

I welcome any comments your Government may have regarding any relevant developments and the steps it has taken or may take in the future to address the requests made by Hmong representatives regarding this situation. I intend to include the contents of this letter in my report to the Human Rights Council for its consideration. If I receive comments by your Excellency's Government prior to 19 July 2011, I can make assurances that these will be included alongside my observations in my next public report to the Council.

Please accept, Excellency, the assurances of my highest consideration.

James Anaya  
Special Rapporteur on the rights of indigenous peoples