



Community W/HRDs in Nong Bua Lamphu Province declaring Victory in uprooting the last remnant of the exploitative and illegitimate quarry mining and they continue to blockade the mining site.

The threats against Mr.Lertsak Kumkongsak and PPM team arise from a struggle against this mining operation. Four HRDs have previously been killed in the struggle against the same mining operation.

On September 25th over 150 Community W/HRDs of Khao Lao Yai- Pha Jun Dai Community Forest Conservation Group and their supporters marched by foot to reclaim the 50-Rai stone mill area, part of the 225-Rai quarry mining project that has impacted the community's health and environment for the past 26 years. Reclaiming the 50-Rai land in order to turn it back into community forest came one day after the mining permit expired on 24 September 2020.

Earlier on 4 September 2020, the community W/HRDs successfully reclaimed 175-Rai of the mining area of which its forest utilization permits expired on 3 September 2020.

The Community members performed the traditional ceremony Baisri Sukhwan asking for forgiveness from the forest by sowing and planting seedlings to restore the area to be mountain forests in the mill area. The ceremony emphasized the community's intention to restore the extracted land into the lush forest that has served as the community's source of food and livelihood.

Ms. Long Chinsaeng, a villager and WHRD representative said the day is the victory of the 26 years that community members have been waiting for and fought together.

"We should be proud of our history. And from now on we will come together to sow our victory fill the rocks with plants, soil and sand to turn the stones into beautiful plants and flowers that will be developed as community tourist attraction sites"

After the ceremony of sowing the seeds was completed, Ms.Wilai Anuwet, WHRD and representative of Khao Lao Yai- Pha Jun Dai Community Forest Conservation Group, read the statement calling for the permanent shut down of Dong Mafai quarry mining.

"Today we have taken the stone mill following the seizure of the quarry mining on 3 September. We are turning the quarry mining and the stone mill into a flower garden and community forest. We'll sow the seeds, flowers, and flower gardens here today. In the next rainy season, we will bring the perennial plant seedlings to a full area of 225 rai that used to be for extractive mining."

"We have planned the short, medium and long term with a strong ambition. Even if it takes another ten years, our determination will never fade. In order to transform the forest into a beautiful and peaceful land, we ask the government and related agencies to realize that the area can no longer be used for the

mill on 24 September 2020. Do not distort any law in order to serve a mining capitalist who is involved in the murder of four of our Dong Mafai fighters.”

Ms. Wilai said further that the group will take the action against civil servants and corrupt officials who have used false documents to allow mining capitalists to obtain a license to use the Pa Kao Kloy and Naklang national forest area for the quarry mining and the stone mill.

“Today we will allow the opportunity for the mining company to remove all machinery, equipment, vehicles, buildings, and materials to get out of this area immediately. We do not want to own any assets in the mining and stone milling on the land.”

The statement further reads "In the face of intimidation and even the killing of our advisor and the leader of the Commoners' Party or anyone else, carried out in attempt to stop us taking the quarry and the mill, we would like to declare to the mine capitalist, government officials and anyone that cooperates with this act of violence, know that your guns can only achieve revenge. It will not stop us in occupying the quarry and the stone mill and turning into a community forest area.”

“We will never stop dreaming. And you can never destroy our dreams. Even if you try to bury us into the soil and rocks, you don't know that we are the seeds that can always spring to the top of the soil and the rocks. Our inspiration and determination is so overwhelming that we can already see the beautiful and peaceful grove in front of us. Soon, the quarry and the mill will be ended on our generation. “

Reclaiming and proclaiming the extinct mining zone as a community zone

The members from the Khao Lao Yai- Pha Jun Dai Community Forest Conservation Group joined together to place three pillars on the stone piles proclaiming it the 'Community Forest zone' and performed Baisri Sukhwan ceremony to ask for forgiveness from Mother Earth. The ceremony is to symbolize the restoration of a limestone quarry and a stone mill 225 rai into a community forest. It is also for the remembrance of the Dong Mafai fighters that lost their lives.

The community members, their network together with the Women Human Rights Defenders Collective then donned masks with the face of Mr. Lertsak Khamkongsak, the environmental HRD, advisor to the Community W/HRDs and the leader of the Commoners' Party in a symbolic action that defied the threats and perpetrators targeting to kill Mr. Lertsak. They held a sign that read: "If you kill Lertsak, there will be hundreds and thousands more" with the hashtag #StayWithDefenders to express solidarity for Mr. Lertsak who was targeted to be killed in the past few weeks.

There were about 8-10 workers of the mining company present. There was no confrontation between the workers and the Community W/HRDs. However, it was observed that one company worker had a gun and used binoculars to closely monitor the villagers and take pictures of the villagers.

National Human Rights Commission staff commit to take actions for safety of the HRD

Two officials from the National Human Rights Commission (NHRC) also made the visit to the mining site during the activities following the information received from Protection International on the death threats made against Mr. Lertsak and community.

Mr. Chanin Ketprach, director of the Bureau of Standards and Human Rights Defenders of the National Human Rights Commission expressed concerns over the intimidation made against the HRD.

He stated that the NHRC has coordinated with the Nong Bua Lamphu Provincial Police, the Department of Rights Protection under the Ministry of Justice including the legal department on witness protection to take actions on the concerns.

The NHRC representatives stated that they were committed to look into the concerns and directly coordinated with the Internal Security Operations Command and the Nong Bua Lamphu Provincial Governor to take actions to ensure protection and security of Mr. Lertsak.

There was also a public forum on "Mines - the severity of resource hijacking under state-dictatorship" which had a number of speakers who participated in this discussion, such as Ms Supaporn Malailoi, EnLaw Foundation, and People Go Network, Mr. Suraphan Rujichaiyawat, Khon Rak Ban Kerd Group of six villages around a gold mine in Loei Province, Mr. Jatuphat Boonphatraksa, Human Rights and Democracy activist, Mrs. Oranuch Pholpinyo, representative of the Isan Land Reform Network and Mrs. Lamduan Wongkhamjan, representative of the Khao Lao Yai- Pha Jun Dai Community Forest Conservation Group.

Provincial ISOC and Deputy Provincial Governor slam the actions, calling W/HRDs as troublemakers

Pol.Col. Chalong Wiphan, Deputy Head of the Intelligence Unit, Provincial ISOC, said that on Sept. 24 is the expiration date of the mining company's concession certificate but the forest utilization permit applying to the 50 Rai of the stone mill area will remain until 2024. On this contentious point, the Community W/HRDs stated that it depends on the legal interpretation as they argue that the expiration date of the stone mill area also be expired when the mining permit expires.

Col. Chalong commented on the Community W/HRDs activities that such action was incited by the NGOs from the central area. He further commented that the NGO has caused the trouble as the local residents do not want to struggle against the mining anymore but they were used by the NGO.

Mr. Santi Laoboonsaeng Deputy Governor of Nong Bua Lam Phu Province commented that the mining operations were done according to the law to use the forest area to conduct mining.

However, the statement contradicted the facts that the permit for forest utilization was repeatedly a forgery by the local authorities and the community has all along opposed the mining project.

Mr. Santi also argued

that the mining construction does not cause environmental impact as the Environmental Impact Assessment does not show any irregularity.

"As the provincial authority, I am waiting for academic evidence. What information is there that says the mining destroys natural resources? This is not an academic evidence. If it is true that people can harvest hundreds of tons of mushrooms a year, wouldn't they be all rich in that area?"

Lertsak filed a police report at Suwannakuha Police Station, hoping to prevent a repeat of violence and calling for justice on the four community HRDs killed previously.

On 26 September 2020 at Suwankuha Police Station, Nong Bua Lam Phu Province, Mr. Lertsak went to file police report regarding multiple incidents that have led to belief that he is the next target for killing for his role in opposing the mine.

Mr. Lertsak said that the police report will provide official documentation that will make the investigator's work easier. He added that he has analyzed the threat events in the past two weeks, and found the patterns to be similar to the rights defenders that were previously assassinated in 1995 and 1999. He said that the group also intended to revive the case of the four people previously assassinated. "Even though I am threatened with death I won't stop fighting. The movement's goal remains the same. I will continue to fight alongside the villagers as before," said Mr. Lertsak.

Lertsak and PPM has committed their work to support women and men in grassroots community against the destructive mining in Thailand. Their work especially with women who are caring for land and environmental justice is extremely important and has been a great support for women's leadership on struggling against mining and for environmental justice .

Protection International calls on you to contact the Thai authorities and National Human Rights Commission to ensure the safety and protection of Mr.Lertsak Kumkongsak and other staff of the Campaign for Public Policy on Mineral Resources (PPM) as well as other community W/HRDs in Dongmafaï who continue to defend their community and environment.

Please write to Thai authorities , especially the Royal Thai Police , the Ministry of Justice , ISOC and The Provincial Governor of Nong Bua Lamphu. They must ensure that both administrative and security authorities exercise their utmost power to provide safety and protection to the Khao Lao Yai-Pha Jun Dai Forest Conservation Group during the blockade and their activities. They are simply exercising their rights according to the Constitution and they must be able to do so without fear of reprisals.

Protection International calls on The United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), UNOHCHR ,*UN Working Group on business and human rights* , and all stakeholders to take urgent and concrete action to ensure the Thai government and its agencies protect Lertsak Kumkongsak while there is still time.

In the longer term they must use their resources to ensure the Thai Government and all relevant enterprises immediately end practices which encourage killings, intimidations and judicial harassment.

We urge all stakeholders to strengthen their methods of work and develop a more proactive strategy to reach out to human rights defenders in need of protection. The diplomatic community and UN agencies should be more vocal and publicly call for action when human rights defenders are at risk or are murdered.

