

PERSPECTIVE

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Thai Junta Militarizes the Management of Natural Resources

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EXECUTIVE SUMMARY

- The ambitions of Thailand's military junta, the NCPO, go far beyond establishing a new political system. It is also obsessed with reorganizing society with military-style measures.
- Military-style enforcement of law and order has taken place in several provinces in all four regions of Thailand. The measures in question are a result of the NCPO's plan to resolve disputes over national forest areas, and exemplifies the result of the 2014 coup allowing the military to extend its power and control far into the social, economic and political life of common people.
- The livelihoods of thousands of people are threatened by the NCPO's Forest Master Plan and related suppressive measures.

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- Representatives of small-scale peasants and the Thai Lawyers for Human Rights argued that those who have been arrested, prosecuted and forcibly displaced from their homes and communities were mainly poor people who had been dwelling in the areas involved before they were declared forest areas, and people who have ways of life that have long depended on forest resources or who are small-scale peasants or landless peasants.
- Efforts to seek solutions to conflicts over the management of natural resources have been highly militarized as well, as the NCPO's totalitarian rule of law has quashed local people's rights to participate in the settlement of disputes.

INTRODUCTION

When the Thai military junta, styled the National Council for Peace and Order (NCPO), seized power from the government of the Phuea Thai party on 22 May 2014, it claimed to have an obligation to end Thailand's escalating political crisis. The confrontation between the masses of the anti-Thaksin movement and those of the pro-Thaksin movement looked set to lead the country to bloodshed. The NCPO's long-term objective, it claimed, was to return happiness to the Thai people by restoring order, bringing comprehensive reform and subsequently achieving genuine democracy. It turned to rewriting the constitution as a way to establish a pro-elite political system through limiting majoritarian electoral rule.¹ Fifteen months after the coup d'état, it is still uncertain how long the NCPO will hold on to power. As of August 2015, no election date has been promised. However, it is increasingly obvious that the junta's ambitions go far beyond establishing a new political system. It is also obsessed with reorganizing Thai society in an orderly fashion with military-style measures.

One of the first projects that the NCPO launched in the capital and in other big cities immediately after it seized power was to address issues of order affecting urban life. Several plans launched just over a month after the coup continued until recently. The junta promised to achieve in a fast and effective way goals that other elected governments would take years to complete. Plans included reorganizing and regulating motorcycle taxis, vans, taxi, street vendors, unskilled foreign workers, fixed lottery-ticket prices. Fast and effective measures implemented by the military included forcing vans and thousands of street vendors from the streets, arresting and repatriating foreign workers, fining small retailers of lottery tickets.² The negative effects appeared to fall on the urban poor trying to make ends meet rather than on organized offenders, which the junta had claimed that it was eradicating.

Meanwhile, military-style enforcement of law and order has also taken place in several provinces in all four regions of Thailand. A higher number of people are affected and the impact has very serious, although little attention has been paid to this by the mainstream media. The enforcement measures in question stem from the NCPO's plan to resolve disputes over national forest areas. This article examines the role of the military in the conflict over natural resources management as exemplifying the outcomes of the 2014 coup allowing the military to extend its power and control far into the social, economic and political life of common people.

THE NCPO'S FOREST MASTER PLAN

One of first schemes the military junta prioritized was the reclaiming of forest areas. Less than one month after the coup, on 14 June 2014, NCPO leader General Prayuth Chan-ocha issued

¹ See Puangthong Pawakapan, "The Thai Junta's Interim Constitution: Towards and Anti-Electoral Democracy", *ISEAS Perspective*. #45, 12 Aug 2014.

² "NCPO sets out targets for cab crackdown", *Bangkok Post*. 25 June 2014; "Do we really want to be just like Singapore?", *Bangkok Post*. 12 July 2015; "NCPO promises better public transport regulation within month", *MCOT*. 12 June 2014, <http://www.mcot.net/site/content?id=5399647f8e04705e078b4588> (accessed on 6 August 2015).

NCPO Order No. 64/2014 regarding the suppression and cessation of encroachment on and the destruction of forest resources. The order stipulates that related state agencies are to carry out suppression and to arrest people who encroach on, seize, possess, destroy, or act in ways that cause damage to forests. It authorizes state agencies to remove any encroachers on national reserve land.³

In addition, the Internal Security Operations Command (ISOC), together with the Ministry of Natural Resources and Environment, will determine a strategy and introduce a Master Plan to resolve the problems of forest destruction. The principle objective of this effort is to increase the forest cover from 31.57 percent of the country's area to 40 percent within ten years; this means that state agencies must add more than 27.2 million rai (20.5 million hectares) to the existing forest area. To achieve such an ambitious goal, state agencies are obliged to implement the following measures.⁴

1. Stop forest degradation and reclaim illegally used forest lands as stated in the objectives within one year.
2. Establish efficient, effective and sustainable forest management systems within two years
3. Re-establish healthy forests in the country during the next 2-10 years.

NCPO Order No. 66/2014 indicated that the primary targets of these measures would be the capitalists or large-scale encroachers, while impoverished people, landless people and people who dwelled in the forest area before the area was declared to be forest reserve area, must not be affected by the Order.⁵

However, in April 2015, the Thai National Police proudly presented the result that in the first six months of the implementation of the Orders, 1,622 people were accused in 2,758 cases of destruction of forest, 235 people were accused in 265 cases of the sale of prohibited wild animals or forest products, 110 people were accused in 108 cases of destruction of natural resources and the environment, and 602 people were accused in 1,920 cases of forest and public-land encroachment.⁶ NCPO Orders have been carried out in several provinces nationwide. Areas particularly affected are in the provinces of Buriram, Chaiyaphum, Nan, Roi-et, Kalasin, Sakon Nakhon, Nongbua Lamphu, Chanthaburi, Surat Thani and

³“คำสั่ง คสช. 64/2557 ปราบปราม-หยุดยั้งการทำลายป่าไม้” [NCPO Order 64/2014 on the Suppression and Cessation of Deforestation] *Prachatai*. 15 June 2014, <http://www.prachatai.com/journal/2014/06/54015> (accessed on 30 July 2015).

⁴ แผนแม่บทพิทักษ์ทรัพยากรป่าไม้ของชาติ [Master plan for the protection of the nation's forest resources], http://www.dnp.go.th/info_protect/แผนแม่บท/แผนแม่บทพิทักษ์ทรัพยากรป่าไม้ของชาติ.pdf (accessed on 30 July 2015).

⁵ “คำสั่ง คสช. 64, 66 กระทบหนัก ฟ้องชาวบ้าน 500 คดี อีสานอ่วม-นัดถก ‘ดาวพงษ์’ พรุ่งนี้” [Negative impact of NCPO Orders 64, 66, 500 cases filed, meeting with “Daophong” tomorrow] *Prachatai*, 17 December 2014, <http://www.prachatai.com/journal/2014/12/57041> (accessed on 30 July 2015).

⁶ “ผ.ตร.แถลงผลงาน 6 เดือน คดีหมิ่นแล้วเสร็จ 239 คดีจากค้างปีก่อน 443 คดี” [Police Chief announces results of lèse majesté cases, 239 cases out of 443 are concluded] *Prachatai*, 25 April 2015, <http://prachatai.org/journal/2015/04/58968> (accessed on 30 July 2015).

Maehongson. A majority of these areas were the object of disputes between villagers and state agencies prior to the coup.⁷

Representatives of small-scale peasants and the Thai Lawyers for Human Rights argued that those who have been arrested, prosecuted and forcibly displaced from their homes and communities were mainly poor people who had been dwelling in the areas involved before they were declared forest areas, and people who have ways of life that have long depended on forest resources or who are small-scale peasants or landless peasants. Representatives of small-scale peasants from four regions of the country urged the NCPO to revoke Orders 64/2014 and 66/2014 and the Master Plan immediately, criticizing the lack of public consultation and participation in drafting the plans. Besides, state agencies clearly applied double standards. Only small-scale peasants were targeted, while big companies and major encroachers were left unscathed.⁸

THE MILITARIZATION OF DISPUTE RESOLUTION

Conflict over land use and natural resources in Thailand has been going on for decades, but elected governments were in the past pressured by rural voters and civic groups to play by participatory rules, allowing local people to explain their ways of life, the history of their land use, their culture and needs, and to offer alternative solutions. Land is a sensitive and complicated issue involving thousands of lives, something which military leaders are not familiar with. They are instead inclined to employ strong and decisive measures to combat problems, with an aim to gain fast and effective results. Moreover, putting the ISOC in charge of the matter indicates military leaders' perception that conflict over natural resources management is in part a national security problem. Armed with martial law and Article 44 of NCPO's interim constitution, which legalizes NCPO chief General Prayuth Chan-ocha's totalitarian power, soldiers have been bold and aggressive in implementing NCPO's policy. Consequently, one year after the coup, military measures and threats have been widely used, as reported by Thai Lawyers for Human Rights.⁹

- In many cases, large numbers of armed soldiers and police have raided villages and arrested people, including the elderly and women with small children.
- Some families have had more than one member arrested and charged in separate cases.
- Military methods have resulted in an increase in the number of arrests and prosecutions.

⁷ Thai Lawyers for Human Rights, *Human Rights One Year After the 2014 Coup: A Judicial Process in Camouflage Under the National Council for Peace and Order*, June 2015, <https://tlhr2014.wordpress.com/2015/06/05/report-human-rights-one-year-after-the-2014-coup-a-judicial-process-in-camouflage-under-the-national-council-for-peace-and-order/>; “คำสั่ง คสช.64, 66 กระทบหนัก ฟ้องชาวบ้าน 500 คดี อีสานอ่วม-น้ดลค ‘ดาวพงษ์’ พรุ่งนี้” [Negative impact of NCPO Orders 64, 66, 500 cases filed, meeting with “Daophong” tomorrow].

⁸ “คำสั่ง คสช.64, 66 กระทบหนัก ฟ้องชาวบ้าน 500 คดี อีสานอ่วม-น้ดลค ‘ดาวพงษ์’ พรุ่งนี้” [Negative impact of NCPO Orders 64, 66, 500 cases filed, meeting with “Daophong” tomorrow].

⁹ Thai Lawyers for Human Rights, *op.cit.*

- Forestry officials and soldiers have carried out information surveys of every family in areas of dispute. They took photographs of people and communities, and overflew and patrolled some areas with helicopters. These actions created fear among villagers.
- Forced evictions of people from their homes and communities for allegedly encroaching on forest reserve or public land have occurred.
- In order to prevent people from returning to their land, authorities have uprooted and destroyed their crops. Many houses have been demolished.
- The military undertook surveillance of villagers' campaigns, meetings and seminars relating to natural resources management. Many participants have been summoned and forced to sign agreements that they would not carry out any further activity.
- The NCPO has entirely neglected the methods of examining and verifying the land rights of communities, including examining the historical, traditional, and cultural context of the affected communities.

In fact, the army's current role in natural resources management is a recurrence of what happened in 1991-1992, when Thailand was under the rule of a military junta called the National Peace Keeping Council (NPKC), which toppled the elected government of Chatchai Chuhavan on 23 February 1991. In 1990, the ISOC launched the project called the "Land Distribution Programme for the Poor Living in Degraded National Forest Reserves in the Northeast of Thailand" abbreviated in Thai to *Khor Jor Kor* (คจค.) The chairman of the *Khor Jor Kor* board was General Suchinda Kraprayun, the Army Commander and deputy commander of the ISOC. General Issarapong Nunpakdi, Deputy Army Commander and Assistant Director of ISOC, was the project director. Both of them were key drivers in the 1991 coup.¹⁰

The project claimed to have as its aim the reorganization of land use in all 1,253 National Forest Reserves in the northeastern region of Thailand in the name of protecting the environment and helping the poor. In practice, it evicted several thousand families from their homes to make way for commercial eucalyptus plantations. The plan was clearly in the hands of the military, with ISOC being the key enforcer of the measures. Interestingly, before the 1991 coup, the government of Chatchai allocated only 270 million to the project, instead of the 2.7 billion baht requested. But soon after the coup, over a billion baht was granted for the project for 1992. Forced eviction of people from their homes and communities took place soon after. Threats, intimidation, and violence were common methods, as were the using of false information and tricking villagers to sign documents agreeing to resettlement, stationing troops in villages for weeks at a time, beating villagers, and destroying of houses and crops with tractors.¹¹

Another similarity between policies of the NPKC and NCPO is that they both benefit big companies. In the former case, evacuated areas were prepared for large-scale commercial plantations of eucalyptus. In the latter case, there is evidence indicating NCPO assistance to large-scale business groups that have projects in various areas. For example, villagers in Khon Kaen province's Ban Namun have long opposed the petroleum-drilling survey undertaken by

¹⁰ Oliver Pye, *Khor Jor Kor Forest Politics in Thailand*. (Bangkok: White Lotus Press, 2005, chapters 6, 7.

¹¹ Ibid.

Apiko Limited Company. But after the coup, military and police helped guard and facilitate the company's transport of drilling equipment. They threatened villagers with the use of martial law if they put up opposition. A similar event took place at Wang Sapung district in Loei province, where local people oppose gold mining for its harmful environmental effects. Not only did the military prohibit people from organizing meetings or campaign activities, they also pressured people to allow the company to transport ore out of the mine in exchange for the withdrawal of criminal cases against villagers participating in the movement. In the end, people had to accept the military's demand since the latter could use martial law to facilitate transport of the ore.¹²

The difference between NPKC and NCPO is that the former had a lesser degree of authoritarian control, while NCPO employed martial law and later Article 44 to suppress all kinds of political and academic activities throughout the country. In 1992, affected peasants were able to organize a network of large-scale protests in Bangkok and some provinces to inform the public of their version of the truth and of their suffering.¹³ Finally, the military government of General Suchinda was toppled by the middle-class uprising in Bangkok on 17-19 May 1992. Soon afterward, in July 1992, the interim government of Anand Panyarachun terminated the *Khor Jor Kor* project.

CONCLUSION

It remains an intriguing question why reorganizing forest land has been one of the top priorities for the Thai military. It is hard to believe that it is deeply concerned about the environmental impact of forest loss. Yet, at this stage, it is hard to pinpoint whether the current military leaders have a conflict of interest in their extension of state support to big private companies. What is certain is that the coup d'état has paved the way for military rule and control to extend far into the socio-economic lives of people, even in the remote areas. The military's security-oriented perceptions, strong-arm measures, and use of military law have violated local people's rights to participate in dispute settlement, resulting in widespread grievances among the poor and under-privileged. Military rule has in effect quashed the negotiating power of local people, which had gradually been developing under elected governments.

¹² Thai Lawyers for Human Rights, op.cit., p. 14; “เหมืองแร่ทองคำ สองทศวรรษไม่เคยมีประชาชนในสายตา” [In two decades of gold mining, there has never been any consideration for the people] *Prachatai*, 13 February 2015, www.prachatai.com/journal/2015/02/57911 (accessed on 5 August 2015).

¹³ Ibid.

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