

3.3 Hygeinic behaviors of highland Thais studied by Associate Professor Kusol Soonthornthada

3.4 Control and treatment of diseases of the minority groups studied by Dr.Somboon Kiatinand ,M.D.. and Assistant Professor Dr. Kammal Kumal pava , M.D.

3.5 Status of occupations of the hill tribers in Thailand studied by Mr.Phusak Dhammasan and Mr.Preeda Kunama

3.6 Occupation problems of the hill tribers and minority groups in Thailand studied by Assistant Professor Pisawat Sukonthaphan and Archan Dr. Pattamaporn Busapathamrong

3.7 Hill tribers and the conservation of natural resources: forest and water studied by Assistant Professor Phanipha Burapacheep, Assistant Professor Vilasinee Anomasiri and Associate Professor Narong Jaihan

3.8 Prostitutes from the hill tribes and minority groups and national and transnational trade in women studied by Assistant Professor Krittiya Archavanichkul

3.9 Effectiveness and assessment of hill triber and minority group development projects conducted by public and private sectors in Thailand studied by Associate Professor Narong Jaihan.

3.10 Rights of the minority groups in international law studied by Dr. Pornchai Darnviwat.

3.11 Living condition and problems of Karen hill tribe in Amphur Ta-songyang , Tak Province studied by Associate Professor Narong Jaihan.

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#### **4. Methods of Study**

Data for this reseach are obtained from two sources namely documentary research and field research.

##### **4.1.Documentary research**

The purposes of this type of research are to collect and analyse the research works, reports, books and documents relating to the study of rights and living of the hill tribers and minority groups in Thailand from the past until now and to analyse any such significant and reliable studies.

##### **4.2.Field research**

This type of research, on the other hand , is aimed at collecting the views and opinions of scholars, relevant researchers as well as experiences and opinions of those who are involved with the hill tribers and minority groups both from the public and private sectors including those of the hill tribers and minority groups themselves in order to learn about the methods of treatments relating to the hill tribers and minority groups with

respect to practices which are compatible with their rights as well as to various services rendered to such hill tribes and minority groups on the topics studied by each researcher.

Due to limited period of this study , the research team has invited all persons concerned to participate in two seminars held on 5-6 February 1998 at Chiang Mai Phukum Hotel , Chiang Mai and on 3-4 June 1998 at S.D.Avenue Hotel , Bangkok in which views and opinions of those involved in these matters are gathered. In addition, the research team visited Dhamma Jarik (religious pilgrimage) Project at Ban Tonlung , Hill Tribes Development Center , Chiang Mai and had an interview with Pra Prasit Pawattago on 6 February 1998. The data collected from those who have been interviewed and those concerned with the matters including summaries of said seminars have been processed , analysed and summarized in order to present in 11 reports and 1 synopsis.

## 5. Conclusion drawn from the studies

### 5.1. Status of rights of the hill tribes and minority groups in Thailand

There are four reports relating to the status of rights of the hill tribes and minority groups in Thailand namely Report no.1 on the personal status of the minority groups in Thailand , Report no.6 on the occupation problems of the hill tribes and minority groups in Thailand , Report no. 10 on the rights of the minority groups in international law and Report no.11 on the living condition and problems of Karen hill tribe , Amphur Ta-songyang , Tak province.

Report no.1 examines the problems of registration of Thai nationality and handling of personal status of the minority groups in Thailand by considering legal problems and law enforcement including cabinet resolutions and operations relating to registration of Thai nationality for the minority groups in Thailand. Report no.11 , on the other hand , focuses on the registration of Thai nationality for Karen hill tribes in Amphur Tasongyang, Tak Province and the impacts of denial of Thai nationality and of registration in a household register on education , health and occupation of the hill tribes. Report no.6 studies the problems of hill tribes , seafarers , and Phuthais who are included as minority groups under the law and denied nationality or experiencing problems with respect to occupation , land holding and exploitation of natural resources affecting environment. The study is conducted both in legal and economic aspects. Report no.10 investigates the guarantees of rights of the minority groups accorded under international law and the extent to which the minority groups should be treated under such international law.

The result from such four reports reveals that treatments of the minority groups are not compatible with the provisions of the Constitution, nationality law and international standards. In particular, there remain certain minority groups who were born or have domicile in the Kingdom but are devoid of Thai nationality or even of any nationality whatsoever.

In addition, under certain legislations or official regulations and state policies as well as practices of certain state organs, the rights as Thai nationals of the minority groups as well as the services to which they should be entitled are still restricted such as rights with respect to education, land holding or occupation. These problems are caused mainly by state policies, coordination among state organs or even the minority groups themselves.

The next issue to be presented further by this research is the study of the compatibility of laws and their enforcement as to the extent of application such laws have accorded to the hill tribes and minority groups as the groups of ethnic tribe or communities which have and preserve their own unique characteristics with respect to their cultures, languages, religious and faith. Most importance of all is the equal treatment accorded to such hill tribes and minority groups under Thai laws.

## 5.2. Living condition of the minority groups in Thailand

This research project also studies the impacts of acquisition of rights by the hill tribes and minority groups with and without Thai nationality as well as examines the practices of officials with respect to services and impediments of education, health, occupation both in agricultural and industrial sectors, restriction on the use of land, forest and hill tribe development project. In addition, this research examines the problems which involve the hill tribes and minority groups in narcotic drugs, prostitution and destruction of natural resources.

### 1.) Education

Report no.2 investigates the education system both in contents and form provided by state to the hill tribes. The study shows that education provided for the hill tribes is not independence and incompatible with their ways of life, culture and lifestyle. Moreover, education is used by state as a means to integrate the hill tribes with other Thais and to develop their lifestyle as that of the people on the plain land. The effect of such education impairs family relation among them and deter their traditional learning method and thereby creating economic change and value among them.

### 2.) Health and medical treatment

Reports no.3 and 4 emphasize the health and prevention and treatment of diseases among the hill tribes by focusing on the study of diseases

among the hill tribes and their impact of their labor movement into Thailand on disease control as well as the study on the process of health care and services provided for them. These two reports reveal the comparative studies of diseases among the hill tribes in foreign countries and in Thailand. The reports also find that the problems faced by Thailand's hill tribes are sickness and death of babies especially respiratory disease and diarrhea, malnutrition in babies, health care of pregnant women from pregnancy until after delivery, drug addiction and AIDS infection. With respect to the behavior of health care practices of highland people, report no.4 covers the study of the entire system of public health, economic and social system, culture and community. The report indicates that at present, highland communities adopt modern health care and medical treatment and also reveals that their health problems arise from social factor, belief, value, poverty, migration of minority groups across the borders and remoteness from health care service centers.

In dealing with these health problems, state organs and private sectors should be given access to them to provide medical services and the hill tribes themselves should at the same time adapt their behavior with respect to health care.

### 3.) Occupation of the hill tribes

Reports no.5 and 6 reveal the occupational condition of the hill tribes and minority groups both in agricultural and industrial sectors. Report no.5 illustrates the facts in order to establish the ratio and form of occupation of the hill tribes comparing between agricultural and industrial aspects. Report no.6, on the other hand, examines legal problems involving the occupation of the hill tribes and minority groups as to its restrictions.

Both reports indicate that the hill tribes or some minority groups have experienced some occupational problems as a result of change of agricultural production method and needs of labor in industrial sector. As a result, the hill tribes are forced to engage in more labor and faced with language problem and the status of having no Thai nationality. Likewise, their agricultural occupation has experienced the problem of lack of right to land.

### 4.) Hill tribes and the conservation of natural resources

Report no.6 also examines the causes and law enforcement of the conservation of natural resources with an emphasis on the forest and water. This report takes note of the assumption of negative attitudes towards the hill tribes regarding narcotic drugs and conservation of catchment forest and reserved forests and thereby treating them as violators of forest laws and controlling or moving them from the catchment areas to the plain land. This

report points out the shortcomings of economic development project and hill triber development project as well as strict enforcement of law and national policies aiming at segregating people from the forest without examining the probability of the harmonization of some hill tribes with the forest. As a result, national policies vis-a-vis hill tribers affect the lifestyle of the latter. Such policies should therefore be reexamined and reviewed as to their possibility to allow the hill tribers to take part in the conservation of environment by taking into account their culture, faith and participation in the management of environment especially the principles of community forest law which emphasizes the cohabitation of man and forest.

**6.) Prostitutes from the hill tribes and minority groups and national and transnational trade in women**

Report no.7 studies the situations of national and transnational trade in women with an emphasis on the prostitutes from the hill tribes and minority groups by proposing the causes and pressure of consumerism economy and the vulnerability of female hill tribers and minority groups as well as the seriousness in enforcing the law by officials concerned with the prevention and suppression of national and transnational trade in women despite the existence of law with grave penalty on the matter.

In addition, report no.7 presents the shortcomings of law enforcement as well as its modification and prevention by emphasizing the strict enforcement of law and the encouragement of private sector to play a role in dissemination of information to such female victims as well as seriously punishing state officials who have taken part in the promotion or failed to take legal action against any broker.

**7.) Effectiveness and assessment of hill triber and minority group development projects conducted by public and private sectors in Thailand**

Report no. 9 examines and points out the problems and obstacles of effectiveness of hill tribe development project from the beginning of the project by surveying the problems which affect the living of the hill tribers and hill triber development projects as well as development of state and private policies towards the hill tribers. Another problem concerns the method of assessment of such hill triber development project as to whether and to what extent such project meet the needs of the hill tribes.

The study reveals that hill triber development projects conducted by state organs aims at encouraging the hill tribers to avoid any occupation that involves in narcotic drugs by emphasizing cash agriculture, control of settlement of the hill tribers and control of destruction of forest and

environment. Private development projects aim mainly at assisting and developing the hill tribes. However, the assessment of effectiveness of development projects by way of the number of finished projects and non-continuity of such projects without encouraging the hill tribes to take part in the assessment process and to formulate the objectives of the project cause problems of and obstacles to the implementation of such development projects particularly state projects.

With respect to the problems of project assessment, it is found that the assessment emphasizes the achievement of the determined objectives which, in some projects, may not meet the needs of the hill tribes. These problems are caused by the lack of understanding of the nature of the hill tribes and of participation of the hill tribes in a decision-making process as to what direction they should be developed. In addition, the application of development method of people on the plain land to those on the high land or of single form of development for all hill tribes certainly create incompatibility with the needs and the development of the hill tribes according to their living condition.

This report proposes the guidelines for improvement of development projects and assessment of said projects with an emphasis on the possibility of allowing the hill tribes to take part in the formulation of the objectives and project assessment in order to ensure compatibility with needs of such hill tribes.

The study of the above six topics reveals the living condition of the hill tribes and minority groups in that most of them remain subject to limited services and assistance. The sources of the problems include differences of culture, belief, value and living condition of such hill tribes and minority groups. The major sources of the problems, however, lie in state policies and practices of certain groups of officials who have not understood or had sufficient information about the hill tribes. As a result, law enforcement, assistance and services from state are made or rendered on an unequal basis. These problems should be solved. New approach should also be initiated with respect to treatments of the hill tribes and minority groups by emphasizing their participation and pushing forward the projects or education in order to preserve their unique characteristics as well as to strengthen their communities to allow them to choose and make decision about their social, economic and political formation on their own in accordance with their lifestyle.

## **6. Issues and questions for further researches**

6.1 Study of process of nationality determination and permanent residence of the minority groups and of solutions to eliminate the problem of statelessness of the minority groups in Thailand.

**6.2 Comparative study of the impacts of acquisition and non-acquisition of nationality on the living of the minority groups with respect to**

- (1) right to education**
- (2) occupation and employment**
- (3) land holding , land right and exploitation of natural resources and environment.**
- (4) health condition , hygiene , health behavior and public health services**

**6.3. Possibility for the minority groups to take part in education**

**6.4. Cooperation of various parties , state organs and non-government organizations with respect to minority group problem**

**6.5. Problems of development projects and project assessment for hill tribes and minority group development.**

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