



Thailand: Government Gives Human Rights Award to Abusive Company

(Bangkok, 13 October 2020) – The recent Thai Ministry of Justice’s decision to grant a human rights award to a company currently facing trial for human rights abuses casts serious concerns on the government’s commitment to upholding human rights especially in the in the context human rights and business, said the Asian Forum for Human Rights and Development (FORUM-ASIA), Article 19, Business and Human Rights Resource Centre (BHRRC), the Cambodian Center for Human Rights, EarthRights International, Extraterritorial Obligations-Watch and Human Rights Watch in a joint statement today.

On 25 September 2020, Thai multinational company Mitr Phol Co. Ltd (Mitr Phol), Asia’s largest sugar producer, received Thailand’s Human Rights Award 2020.¹ According to the Ministry of Justice, the award commends those who ‘demonstrate outstanding compliance with human rights principles’.

The decision to confer this award to Mitr Phol has failed to take into consideration the many evidence-based allegations of human rights abuses in Cambodia against Mitr Phol – including a class action lawsuit against the company filed by Cambodian plaintiffs representing more than 700 farming families allegedly disposed of their land by Mitr Phol and its partners.

The lawsuit alleges that Mitr Phol was complicit in the forced displacement of Cambodian families to make way for an industrial sugarcane plantation in the Oddar Meanchey province. It has been widely reported that between 2008 and 2009, families’ land was seized, crops and livestock looted, and homes demolished and burnt. Some of those who have stood up against the company and defended their rights were jailed.²

This transboundary class action suit, *Hoy Mai & Others vs. Mitr Phol Co. Ltd*, is the first of its kind in Southeast Asia. On 31 July 2020, the Bangkok South Civil Court allowed the Cambodian families to bring forward the case as a group, effectively categorising the suit as a class action.

The company was found responsible in a 2015 report by the National Human Rights Commission of Thailand, which after conducting an investigation explicitly stated that systematic rights abuses were committed against the families. The Commission further called upon the company to ‘provide remedies and compensation’ for the damages suffered by the villagers in Oddar Meanchey province.³

To date, Mitr Phol has not genuinely engaged in any attempts to reach a resolution with, nor has provided adequate compensation to the Cambodian families.⁴

¹ <https://www.thaigov.go.th/news/contents/details/35558> [Thai]

² <https://www.forum-asia.org/?p=32339>

³ <https://www.inclusivedevelopment.net/mitr-phol/>

⁴ Ibid.

The Thai Ministry of Justice, which – through the Protection of Rights and Liberties Department (RLPD) – is the focal agency tasked with developing Thailand’s National Action Plan on Business and Human Rights. The agency is also Chair of the National Committee in charge of monitoring and evaluating that National Action Plan’s implementation.

‘Awarding a multinational company that is under investigation for human rights abuses committed abroad defeats the very essence of such an award. Authorities should place attention on the current trial, as this would strongly determine Thailand’s commitment to its own National Action Plan on Business and Human Rights, especially its provisions on protection and remedy for communities and defenders vis-à-vis the company’s extra-territorial obligations,’ said the groups.

Signatories:

The Asian Forum for Human Rights and Development (FORUM-ASIA)

Article 19

Business and Human Rights Resource Centre (BHRRC)

Cambodian Center for Human Rights

EarthRights International

Extraterritorial Obligations-Watch

Human Rights Watch

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The Asian Forum for Human Rights and Development (FORUM-ASIA) is a regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity-development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu. www.forum-asia.org

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