14

# Indigenous Peoples and Electoral Politics in Thailand and Cambodia

## One Strategy to Secure Land Rights in Contested Spaces

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### Introduction

Over the last few decades, Indigenous Peoples' movements in both Cambodia and Thailand have expanded and received increased recognition. While the modern concept of Indigeneity is relatively new to mainland Southeast Asia, and is still not officially recognized by many governments in the region, there is no doubt that the idea of Indigeneity is gradually gaining traction (Baird, 2016, 2019c).

The Government of Thailand has so far refused to recognize Indigenous Peoples, instead adopting what has become known as the "salt-water theory" (Erni, 2008; Baird, 2011), a position that many governments in Asia have adopted, and which Ben Kingsbury (1998) has referred to as "the Asian controversy." That is, the Thai Government recognizes that there are Indigenous Peoples in the Americas, Australia, and New Zealand, but because Thailand was not colonized by large numbers of Europeans, they deny that anyone in Thailand should be considered Indigenous, since the vast majority of those living in Thailand are of Asian descent (Morton & Baird, 2019).

The concept of Indigeneity has, however, received more legal recognition in Cambodia, especially since it was legally legitimized with the passing of the Land and Forestry Laws of 2001 and 2002, respectively (Baird, 2011, 2019a), and through various other community organizing efforts in the 2000s. In particular, registered Indigenous communities are eligible to apply for communal land titles, designed to support rotational swidden agriculture (Baird, 2013, 2019a, 2023). However, recently agrarian change has led to a greater emphasis on cash crops, and the increased



https://doi.org/10.1017/9781009521581.018 Published online by Cambridge University Press

prevalence of microfinance loans to farmers, collateralized by private land titles, is reducing the attractiveness of communal land titles for many Indigenous communities (Baird, 2023).

Until a few years ago, the Indigenous Peoples' movements in both Thailand and Cambodia were largely centered on non-government organizations (NGOs) and other civil society groups. However, the situation is changing. This chapter considers the intersection between Indigenous movements and mainstream electoral politics, and demonstrates how, over the last few years, some Indigenous activists in both Cambodia and Thailand – including those who have advocated for Indigenous rights over land and resources – have become more involved with mainstream electoral politics. However, this shift has not always been smooth and uncontested within Indigenous movements themselves.

## Methods

This chapter is based on a series of English, Thai, and Lao language key informant interviews conducted in June and July 2019 with self-identifying Indigenous activists, academics, and members of civil society in northeastern Cambodia and northern Thailand. Interviews were also completed in both countries in relation to Indigenous Peoples over the last number of years. Social media posts were also utilized – mainly from Facebook and other media from both Thailand and Cambodia – to help make sense of how ethnic minorities, and particularly people who self-identify as Indigenous, have become more involved in electoral politics in their respective countries. This change is partially a new strategy for gaining mainstream recognition and more control over land and resources, as well as more rights to protect Indigenous languages and cultures.

The following sections provide basic information about the history of the Indigenous Peoples' movements in both Thailand and Cambodia, with the goal of presenting necessary background information for framing the material that follows.

## A Brief History of Indigeneity in Cambodia

In Cambodia, discrimination against upland ethnic minorities is not new. For example, they were referred to using the pejorative "*phnong*," which Indigenous Peoples dislike (Baird, 2011). Indicative of the circumstances,

https://doi.org/10.1017/9781009521581.018 Published online by Cambridge University Press

Cambodia's 1993 Constitution does not explicitly mention Indigenous Peoples, instead only referring to "the Khmer people" residing in the country (Baird, 2020). However, in the 1990s the concept of Indigeneity was introduced to Cambodia via foreigners working for various NGOs. In 2001, the concept was included in Cambodia's new Land Law, specifying that only those designated as Indigenous Peoples are eligible for communal land titles. The 2002 Forestry Law also acknowledged the existence of Indigenous Peoples in Cambodia (Baird, 2011). NGOs played critical roles in getting this legislation passed. There were also NGO-organized consultations in various parts of the country in 2003 (Swift, 2019). In 2009, a sub-decree was adopted that specified the process for designating certain communities as Indigenous, thus making them eligible for communal land titles (Baird, 2013, 2019a, 2023; Milne, 2013). Historically, the Indigenous Peoples of northeastern Cambodia conducted rotational swidden on territory controlled by villages. There was no sense of private land ownership, and only members of particular villages were allowed to do swidden cultivation on village communal lands. However, these boundaries did not apply to fishing, hunting, and non-timber forest product collection, which could occur across village boundaries.

In recent years, the laws and sub-decrees related to Indigenous Peoples that have been passed in Cambodia have been crucial for increasing legitimacy of the concept of Indigeneity. For example, there are now a number of Cambodian NGOs that engage with and provide support on Indigenous issues, including the Highlanders Association (HA), the Cambodian Indigenous Youth Association (CIYA), the Conserve Indigenous Peoples Languages Organization (CIPL), the Cambodian Indigenous Peoples Organization (CIPO), the Cambodian Indigenous Women Working Group (CIWWG), the Indigenous Rights Active Members (IRAM), and others.

In recent years, some Indigenous activists from Cambodia have increased their international strategizing. This has included the annual participation of different Indigenous Peoples and their allies at the United Nations Permanent Forum on Indigenous Issues (UNPFII) in New York City. Indeed, Keating (2020) has argued that while this forum can be frustrating for activists, and does not typically lead to recognizable or immediate changes in home countries, it can serve to socialize activists in certain ways, thus contributing to the legitimatization of Indigenous struggles and potentially expanding the Indigenous movement. In 2006, the first non-Indigenous Cambodian attended the UNPFII (Swift, 2019)

and in 2007 the first Indigenous person from Cambodia – an ethnic Kuy woman – presented there. Part of this transformation has involved ethnic Bunong people from Cambodia and Bunong from the United States traveling to the UNPFII to express their concerns about social and environmental issues affecting the Bunong in Cambodia and Vietnam (Keating, 2020).

Some Bunong people have also tried to increase their profiles and expand networking with Bunong people from Vietnam in the United States (Keating, 2016, 2020). Activists have started working to bring together Bunong people living in different nation-states. Recently, one ethnic Bunong activist from Cambodia argued that change is necessary, stating that, "We have been divided by nation states and associated different ideologies, and this needs to change (Indigenous Bunong activist, 2019). Indeed, the land and forest laws differ among Bunong areas in Cambodia and Vietnam.

## A Brief History of Indigeneity in Thailand

Thailand has a long history of ethnic inequality and racialized Othering (Draper et al., 2019; Vandergeest, 2003; Winichakul, 2000), and those upland minorities characterized as "hill tribes" have frequently been imagined as not belonging in Thailand (Morton & Baird, 2019; Toyota, 2005, 2007; Vandergeest, 2003).

The concept of Indigeneity was first introduced to Thailand in the late 1980s by people from outside of the country, and in 1992 the Asian Indigenous Peoples' Pact (AIPP) – a regional NGO that supports Indigenous Peoples across Asia – was founded in Bangkok by an ethnic Naga man originally from an area now included in northeast India. Since the 1990s, however, the Indigenous movement has expanded considerably in Thailand, especially in the northern part of the country (Morton & Baird, 2019). While Indigeneity is not legislatively or judicially recognized in Thailand, the Thai Government cabinet did establish, in 2010, "Special Culture Zones" for the Moken (sea gypsies) and Pwakanyaw (Karen) peoples in order to protect their cultures (Morton & Baird, 2019). In addition, in 2015 the military government in Thailand seriously considered recognizing Indigenous Peoples (which they called *chon pheun muang*) in its new constitution. However, the military later changed its mind and decided to oppose the recognition of the concept of Indigeneity within the 2017 Thai Constitution (Baird et al., 2017). In addition, the military government readopted the antiquated term "hill

https://doi.org/10.1017/9781009521581.018 Published online by Cambridge University Press

tribes" (*chao khao* in Thai) (Indigenous Activist, 2019), after it was dropped during the Thaksin era along with the Tribal Research Center in northern Thailand (Buadaeng, 2006).

Despite the lack of legal recognition, the concept of Indigeneity has become increasingly accepted in Thai society, and some ethnic minorities have come to self-identify as Indigenous (Leepreecha, 2019). However, the meaning of "Indigenous Peoples" remains confusing and contested in the country, even amongst minorities in Chiang Mai Province, northern Thailand, a place considered to be the center of the country's Indigenous movement (Baird et al., 2017). Indeed, *chattiphan* is better known in Thailand, although it means "ethnic group" rather than Indigenous Peoples, and without any acknowledgement of self-determination as a foundational concept.

Historically, there were a number of land tenure systems in place in the uplands of Thailand. Some Austroasiatic–language-speaking ethnic groups conducted rotational swidden cultivation. However, other Tibetan-Burman and Hmong-Iu-Mien–language-speaking ethnic groups migrated into northern Thailand from China over the last few hundred years. Each had their own land tenure systems, including both rotational and pioneering forms of swidden cultivation (Leepreecha et al., 2008; Premsrirat et al., 2004). At present, the government does not issue private land titles for the uplands of Thailand. In addition, communal land titles based on ethnicity or Indigeneity do not exist in Thailand (Morton & Baird, 2019). However, in recent years, the Thai government has begun granting some non-ethnicity-based communal land titles in northern Thailand (Witthayaphak & Baird, 2018).

## From Indigeneity to National Politics in Cambodia

The concept of Indigeneity has been gradually taking root in parts of Cambodia for a couple of decades now. Recently, however, some Indigenous Peoples, led by ethnic Bunong people in Mondulkiri Province, have established a political party called the Cambodia Indigenous Peoples' Democracy Party (CIPDP) (*pak prachathipitai chun cheat doem pheak dich*), which was officially registered with the Ministry of Interior on January 30, 2017. However, its office in Sen Monorom – the capital of Mondulkiri Province – was actually established in 2016, and party organizing began at least as early as mid-2015. At that time, three or four mini buses were occasionally hired to transport Indigenous activists from Ratanakiri Province to join party meetings at Sen Monorom. One of

those activists was an ethnic Tampuon man named Tan Phly. He was the former leader of Indigenous People for Agriculture Development in Cambodia (IADC), an NGO based in Ratanakiri that was forced to close down a few years ago due to poor financial management. While he was originally focused on the CIPDP, he later switched over and joined the Cambodian People's Party (CPP), the ruling party. He is now a member of Yak Loam Commune's Commune Council, in Banlung District, Ratanakiri Province. Many other mainly younger Indigenous Peoples went to the CIPDP meetings in 2015, including Indigenous intellectuals, some of whom worked for the government as schoolteachers as well as in other positions. The people in Ratanakiri who initially took an interest in the CIPDP were ethnically Tampuon, Kreung, and Jarai (Hubbel, 2019). However, according to one Bunong observer, most Indigenous Peoples in Ratanakiri dared not challenge the CPP (Bunong CIPDP advisor, 2019), as Ratanakiri has long been dominated by the CPP, particularly the ethnic Tampuon/Lao former Minister of Defense, Bou Thang, who worked with the Vietnamese who ousted the Khmer Rouge from power (Baird, 2020), and retained considerable power until he passed away in 2019.

The leader of the CIPDP is a seventy-year-old ethnic Bunong man named Plang Sin. He was an activist in the royalist FUNCINPEC Party in the 1990s and 2000s. More recently, he became involved in community forestry work with NGOs in Mondulkiri Province (Bunong CIPDP advisor, 2019). As an indication of this, he was quoted in an article published in the *Phnom Penh Post* in 2016 with regard to a lawsuit that activists were pursuing against a large agri-business company, Socfin, which had grabbed a large amount of Indigenous land near Bou Sra, and converted the land into a large rubber plantation. Expressing frustration about the slow pace of progress to improve the situation, Plang Sin was quoted as saying, "We have been waiting for negotiations and justice since 2008, when our hair was black ... But now our hair is gray." Indeed, the legal system in Cambodia and internationally has so far not shown any tendency to support Indigenous struggles, as affirmed in the other chapters of this book. Although the leadership of the CIPDP is mainly ethnic Bunong, including Plang Sin himself, the CIPDP has tried to expand its base of support amongst other Indigenous groups in the country, as indicated above in relation to Indigenous Peoples in Ratanakiri Province, and in Kratie Province.

The slogan of the CIPDP is "ownership, self-determination, protection and justice," and the party's flag depicts an Indigenous man from

Cambodia riding a male elephant, along with a full moon in the center on a green background.

The party is not having an easy time. First, the Indigenous movement is apparently not strong amongst all Bunong, with many not wanting to create a conflict with the government, and often many have a long history of supporting the ruling party. In addition, according to an ethnic Bunong advisor to the party, during the 2017 commune elections and 2018 national elections, the CPP and its supporters in government tried to retain Indigenous support, while watching the CIPDP carefully to see if the party was really independent, or if there was something nefarious going on behind the scenes. However, the Vietnamese and Cambodian governments have apparently been claiming that the CIPDP is linked with political dissidents aligned with the Front Uni de Lutte des Races Opprimées (Unified Front for the Struggle of the Oppressed Races) (FULRO) (Bunong CIPDP advisor, 2019) a group of upland ethnic minorities from the Central Highlands of Vietnam. It was considered pro-United States and anti-communist Vietnam, and later became allied with the Khmer Rouge after it was forced to flee Vietnam and stay in northeastern Cambodia. They fought against the communist Vietnamese after Vietnam was unified in 1975 (Baird, 2020; Branigan, 1992; Central Intelligence Agency, 1981; Duiker, 1984; Human Rights Watch, 2002, 2011; Ngon, 1983).

Whether the government truly believes that the CIPDP is somehow connected to FULRO or not, the CPP was able to use this alleged connection effectively during the 2017 commune election and the 2018 national election campaigns, causing many voters to become doubtful of the CIPDP and their true motives. According to a Bunong CIPDP advisor, the CPP used this strategy in all Bunong-populated areas during the 2017 and 2018 election campaigns (Bunong CIPDP advisor, 2019), even though FULRO is now defunct, and most of the Bunong once allied with FULRO now disavow the group (Keating, 2019).

Another obstacle that the CIPDP has faced is a lack of financial resources, which has limited its ability to campaign effectively and widely, or to attract strong candidates to run for office. The original goal of the CIPDP was to operate nationwide, but due to limitations in representation in different areas, and insufficient financial resources, the party had to focus its efforts in parts of the country where there are larger concentrations of Indigenous Peoples. There was initially some hope that the CIPDP could win some seats in the commune elections. The party managed to get 4,000 thumbprints to establish itself, but it only received 1,272

votes during the June 4, 2017, commune elections. The CPP's strategy weakened the CIPDP, resulting in support for the party wavering at the ballot box (Bunong CIPDP advisor, 2019; Swift, 2019). Later, the government offered to give the party some of the court-dissolved Cambodia National Rescue Party (CNRP) Commune seats, but the CIPDP declined the offer, as the party leadership felt that it was not right for it to fill those seats, since the people did not democratically elect the party.

During the 2018 election campaign, the party's signs were seen in Kampong Thom Province (Ashish John, 2019). However, the ruling CPP won all the seats in the National Assembly. Although the CIPDP only garnered 10,197 votes in the 2018 national elections in Cambodia, the establishment of this political party is significant for various reasons, especially because it is the first time in Cambodia that a political party has ever been established that is particularly oriented toward upland minorities. Cambodia uses a first-past-the-post electoral system, and the CPP won all 125 seats in Parliament. After the election, the CPP decided to reach out to other smaller parties, such as CIPDP, inviting them to join the National Supreme Consultative Council. Along with various other small parties, the CIPDP agreed to join this body (Bunong CIPDP advisor, 2019), although it is unclear how seriously the government is willing to take recommendations from the group.

Some Indigenous activists in Cambodia are quite concerned about the establishment of the CIPDP. They do not want their non-political efforts to become entangled in party politics, as they fear this could decrease the credibility of the movement, and levels of support for Indigenous issues. For example, one long-time Indigenous leader in Ratanakiri Province told me that she feared that politicians might claim that the CIPDP had separatist tendencies, and that this could hurt the Indigenous movement broadly in Cambodia (Indigenous leader from Ratanakiri, 2019). She also expressed some concern about efforts to bring ethnic groups divided by national borders together, fearing that could open up those groups to attacks that they are not truly loyal to the nation. As she put it, "We need to be careful about politics, as it could shut down opportunities for Indigenous Peoples." She also said, "The Bunong in the United State are FULRO, the enemies of Cambodia; they were with the Khmer Rouge. We need to be careful with them" (Indigenous leader from Ratanakiri, 2019, also for information about the links between FULRO and the Khmer Rouge, see Voice of Democratic Kampuchea, 1980; Branigan, 1992). This narrative is similar to the discourse used by the CPP in the 2017 and 2018 elections campaigns to discredit the CIPDP.

There are also other types of concerns. Some Indigenous activists fear that the CIPDP was coopted by the government through agreeing to join the National Supreme Consultative Group. Therefore, some Indigenous activists are choosing to organize and strategize behind the scenes. Some of these people have formed an informal and unnamed national network of Indigenous activists. They deal with all kinds of Indigenous issues, but due to the new NGO law that is intended to exert more control over NGOs in the country, and the generally oppressive political climate in the country, which has worsened since the CNRP was dissolved by the Cambodian courts, they have chosen to keep low profiles. The group is skeptical about what the CIPDP can do considering the present political environment in Cambodia. However, it sometimes cooperates with officially registered organizations, including NGOs (Paterson, 2019).

## From Indigeneity to National Politics in Thailand

In Thailand, unlike in Cambodia, a political party specifically oriented toward supporting Indigenous Peoples has not yet been established. However, a number of Indigenous Peoples – including some who have worked with the Indigenous movement in the past – joined various political parties and ran for office during the March 24, 2019, national elections, the first election since the 2014 coup d'état and military takeover of the government. They have particularly run as party-list candidates, due to doubts that they could win seats straight up (Sirivunnabood, October 24, 2019).

In 2004–2005, Anek Laothamatas, who was the head of the Great Group Party (*phak mahachon)* at the time, tried to convince Kert Phanakamneut to join them as a key vote mobilizer. Kert was particularly attractive to them, as he was both linked to Indigenous Peoples' activism in northern Thailand, and is also closely connected with former followers of the Communist Party of Thailand (CPT), known as *phu ruam phatthana chart thai* ["those joining to develop the Thai nation"] (Baird, 2021). However, mainstream politicians' efforts to gain the minority vote did not result in much at the time (Suebsakwong, July 2019). Much more recently, party activists again tried to recruit Kert to join them when the Palang Pracharat Party (*phak palang pracharat*) was first being formed, but he decided not to join them (Suebsakwong, July 2019).

One of the first serious efforts by ethnic minorities or Indigenous Peoples in northern Thailand to gain political representation was after the Thaksin government established the Tambon Administration

Organization (TAO) in 1994. Prior to this change, the central government appointed most subdistrict leaders, or *kamnan*, who were mainly ethnic Thais. There were, however, some exceptions. For example, in 1989, Khek Noi Subdistrict was established in Khao Khor District, Phetchabun Province, and since the population was almost all Hmong, a Hmong man named Prajuab Ritnetikul (Chaw Tua Lee) was appointed as the first *kamnan* for Khek Noi (Suebsakwong, October 2019). In any case, the new TAO system gave local people a chance to vote for local leaders at the subdistrict level, which represented an important opportunity. Many Indigenous Peoples with NGO ties were elected to local government. However, several of those who stood for local elections were initially not closely linked to particular political parties. This has, however, gradually changed. For example, in 2018, Phonsupharak Sirijanthranont, a TAO elected leader in Lamphun Province, who is himself from northeastern Thailand but is married to an ethnic Yong woman, established the Thai Ethnic Party (*phak chattiphan thai*),[1] with the hope of winning a party-list seat during the national Parliamentary elections that occurred on March 24, 2019. Most of those in the party are ethnic Lue and Yong peoples, although at least one ethnic Chong person from Chanthaburi Province in eastern Thailand joined (Leepreecha, July 2019). The leader of the party did not emerge from nowhere. He was previously a member of the Assembly of Indigenous and Tribal Peoples in Thailand (AITT), where he worked with Kert Phanakamneut and Yongyuth Seubtayat, Hmong Indigenous activists. Later, however, he left the network due to disagreements over financial management. However, the party was not able to garner enough votes to win any seats in 2019 (Leepreecha, July 2019).

The author first heard of Indigenous activists becoming seriously involved with mainstream electoral politics in Thailand in June 2018, even before official party-political activities were allowed. Kert Phanakamneut and Yongyuth Seubtayat had joined the Thai Local Power Party (*phak phalang thongthin thai)*, a small political party established in 2012. The party is led by Chatchewal Kong-udom, also known as Chat Taopoon, a Chinese Thai businessman and former gambling godfather. He was also previously a Bangkok Senator and because he had a relationship with Kukrit Pramoj, he was able to become the executive editor of the well-known Thai language daily newspaper, *Siam Rath*,

[1] *Chattiphan* refers to "ethnic group." The term differs from *chon phao phuen muang*, which specifically refers to indigeneity in Thailand (Morton & Baird 2019).

https://doi.org/10.1017/9781009521581.018 Published online by Cambridge University Press

which Kukrit founded before he became prime minister of Thailand from 1975 to 1976. Crucially, Kert became deputy leader of the party, and Yongyuth was elected on June 2, 2018, as ethnic minority coordinator for the party. Notably, Yongyuth was previously the director of an NGO called the Hmong Association for Development in Thailand (MDT), with Kert as the vice-chair. Moreover, Yongyuth played a key role with regards to the Indigenous movement in Thailand, as MDT worked closely with the Association for Inter-Mountain Peoples' Education and Culture in Thailand (IMPECT), with staff moving between the two organizations, and MDT and IMPECT sometimes organizing joint activities (Suebsakwong, October 2019). Moreover, Yongyuth has defended Indigenous activists in court, and has written draft legislation in support of recognizing Indigenous rights in Thailand (Phanakamneut, 2018). Both Kert and Yongyuth were apparently sufficiently impressed with the policy of the party to decentralize power to the local level. In the Khek Noi area, the most populous ethnic Hmong community in Thailand, the Thai Local Power Party candidate was a Hmong man named Da Songsawatwong (Xiong).[2] The party-list candidate for the Thai Local Power Party in the same area was Yotying Senyakul (Chua Po Yang), who is also Hmong. A Thai retired military general in Bangkok, Sittideth Wongpratya, introduced Yongyuth and Kert to Chatchewal, and later indirectly promoted the party through his Thai language television show about ethnic minorities in Thailand.

Another important political party to consider is the Prachachart Party (*phak prachachart*), led by Wan Muhammad Noor Matha, better known as Wan Noor. He formally headed up the Wadah faction of the New Aspiration Party (*phak khwam wang mai*), led by General Chavalit Yongchaiyudh. He joined the Thaksin Shinawatra's Thai Rak Thai Party (*phak thai rak thai*) in the early 2000s. The Prachachart Party is particularly strong amongst Muslim voters in the deep south of Thailand, where it won six seats in the 2019 election. It also gained a single party-list seat, thus giving it seven seats for the 481,490 votes (1.35 percent of national vote) it gained. Crucially for this chapter, the party not only vied for the Muslim vote in the deep south, but also Indigenous Peoples' support in other parts of the country. For example, the Hmong 18 Clan Council of Thailand, which became interested in promoting Hmong candidates during the 2019 election, became particularly aligned with

[2] Da Songsawatwong (Xiong) was involved in Hmong transnational filmmaking in Khek Noi Subdistrict, Khao Khor District, Phetchabun Province (see Baird, 2014, 2019b).

the Prachachart Party after the party agreed to provide the 18 Clan Council with funding to support the activities of the Council. The Hmong 18 Clan Council claimed they could deliver 200,000 Hmong votes for the party, but they did not even get close to doing so. This resulted in some of the leadership of the Prachachart Party claiming that the Hmong cannot be believed, as they could not deliver the promised votes. In addition, some Hmong in Wieng Pa Pao District of Chiang Rai Province joined the Prachachart Party, but not until less than ninety days before the election, thus resulting in those Hmong not being eligible for party-list seats (Leepreecha, July 2019). The Prachachart Party also tried to create alliances with other Indigenous groups in Thailand apart from the Hmong.

In the end, the Thai Local Power Party only garnered about 800 of the many thousands of potential Hmong votes in the Khek Noi area, despite running strong Hmong candidates there, and Khek Noi is also Yongyuth's community. According to one observer, Yongyuth tried to attract support for the Party by promising to try to get the land in Khek Noi from the government and officially given to the Hmong people in Khek Noi. But this strategy only attracted interest from some elders. Some believe that he did not investigate the interests of younger people sufficiently. Younger Hmong people are apparently less likely to vote along ethnic lines than older people. The Prachachart Party chose a Hmong man named Adisak Bamrungkheeree (Hang Tsua Khang), who lives in Lao Lue Village, in Khao Khor Subdistrict, Khao Khor District to be an electoral candidate of Phetchabun Section 1, with the support of the Hmong 18 Clan Council. This caused serious disagreements between Hmong people in the Thai Local Power Party and in the Prachachart Party (Suebsakwong, October 2019). The Prachachart Party candidate only obtained about 500 votes.

The Palang Phracharat Party, with a non-Hmong candidate, ended up with the most votes in Khek Noi. They had the support of the provincial government structure, and the former Pheu Thai Member of Parliament (MP) in the area switched over to join the Palang Phracharat Party (Suebsakwong, October 2019). He is a member of the controversial Thammanat faction of the party (Sirivunnabood, October 19, 2019). The next most popular was the Future Forward Party (*phak anakhot mai*), which fielded an ethnic Thai candidate, but attracted the support of many young Hmong voters, who were attracted by the party leader. The party effectively used social media to connect with younger voters (Suebsakwong, July and October, 2019).

Nationally, the Thai Local Power Party did not do very well, gaining only 214,189 votes, or 0.60 percent of the total vote. It only ended up with three party-list seats, with none given to Hmong in the party. After the election, the party joined a coalition with the military Palang Pracharat Party, which has tarnished the party's reputation among some people.

The Hmong Thai Business Association became increasingly involved in electoral politics during the 2019 national elections, based in Chiang Mai. Two prominent leaders, Dr. Chanvit and Pho Luang Amnuay (Dou Jeng Sheng Yang in Hmong), and others, worked closely with the 18 Clan Council, and used clan leaders to mobilize votes. They worked to encourage Hmong people to run as candidates in all Hmong-populated areas (Yangcheepsujarit, 2019). However, one Hmong observer from Khek Noi believed that endorsements from the 18 Clan Council had very little impact on Hmong voters between eighteen and thirty years old, and that they did insufficient homework about what young voters were looking for (Suebsakwong, July 2019).

Yet, younger Hmong voters were attracted to the Future Forward Party, which promised to end the military draft in Thailand (Suebsakwong, July 2019). The party was also viewed as being pro-ethnic minority (Vaddhanaphuti, 2019), and has a strategy for promoting minorities (Yangcheepsujarit, 2019). Many people who were initially with the AITT, established in 1998, and later with the Network of Indigenous Peoples in Thailand (NPIT) (*kheua khai chon phao phuen muang*),[3] established in 2007, ended up campaigning in 2019 for the Future Forward Party. Initially some Indigenous leaders sided with the Thai Raksa Chart Party (*phak thai raksa chart*), led by well-known former Pheu Thai politician and student leader and CPT ally, Chaturon Chaiseng, but when the party was dissolved by the Thai Constitutional Court on March 7, 2019, many supporters switched to campaigning for the Future Forward Party. Younger Indigenous activists – and younger people more generally – ended up strongly supporting the Future Forward Party, not because they were linked to a particular ethnic group, or Indigenous Peoples more generally, but because their policies were generally more attractive (Vaddhanaphuti, 2019; Yangcheepsujarit, 2019).

Hmong voters still have a lot of interest in gaining political representation in Thailand. Za Xong Moua, the leader of the 18 Clan Council of Thailand, put it this way, "We, Hmong, have been in Thailand for almost

[3] This was the first time that an NGO in Thailand explicitly used the phrase Indigenous Peoples (*chon phao phuen muang*) in its name (Leepreecha, 2019).

200 years and we do not have the position to voice our rights to get support to maintain our culture and customs. If the election goes the way we planned, we will have a voice with other groups to get support to maintain our culture and customs" (Suab Hmong News, 2019). This statement articulates the key reasons motivating Hmong people to run for political office.

In 2019, the first ethnic Hmong person ever was elected to the Parliament in Thailand, winning a party-list seat in Tak Province for the Future Forward Party. Nattaphon Suebsakwong (Keng Sae Yang) is a fifty-three-year-old man born in northern Phetchabun Province, who now lives in Tak Province, where many Hmong from Phetchabun moved at the end of the Communist Party of Thailand (CPT) (*phak communit thai*) in the early 1980s (Baird, 2021). His wife is from Khek Noi, and he acted there in transnational Hmong films about the Hmong in the CPT (see Baird, 2019b), which convinced the party to take him on as a candidate (Suebsakwong, July 2019). Moreover, Nattaphon's older brother Lu Yang is also a well-known Hmong singer (Leepreecha, July 2019). Nattaphon appears committed to his people. He declared that, "I want to introduce laws that guarantee land ownership and citizenship for my people, create a body that represents ethnic minorities and establish cultural protection zones for the minorities in which, for example, we are able to freely perform our funerary rites" (Galache, 2019). He is concerned about addressing citizenship problems for some ethnic minorities in Thailand (see Toyota, 2005, 2007; Vandergeest, 2003). He is also looking for similar broad protections agreed to by the Thai Cabinet in 2010 for the Moken and Pwakanyaw peoples (Morton & Baird, 2019). However, as the first Hmong MP ever, there is apparently a lot of pressure on him from the Hmong community in Thailand (Suebsakwong, July 2019); only time will tell what he is actually able to achieve.

Nattaphon was not, however, the first Indigenous person to become an MP in Thailand. A Pwakanyaw man held a seat in Maehongson Province for one term, but he was deemed to have not been very successful as a politician, thus leading him to serve just one term in office (Vaddhanaphuti, 2019).

Another Indigenous politician, an ethnic Pwakanyaw man, Nawaphon Keereeraksakul, almost got a party-list seat with the Democrat Party in the 2019 election. He too has a strong NGO and Indigenous Peoples' activism background, having previously worked for IMPECT in Chiang Mai. In 2019, the Democrats and the Future Forward Party both campaigned for elected rather than central government–appointed governors

in the province, a position that minorities might well support. However, Nawaphon missed out, as the Democrat Party generally did not perform well, and the Democrats did not list minorities high on their party-list (Sirivunnabood, October 19, 2019).

Somchart Lalaem is another ethnic Pwakanyaw TAO chief who entered politics after previously playing a big role in supporting community forestry and land titles for communities in northern Thailand. He used his network in northern Thailand to support his political career, but he was not elected in 2019. Crucially, however, he is not linked with NPIT, but rather with a different NGO network in northern Thailand, the Northern Farmers Federation (Vaddhanaphuti, 2019).

Some ethnic Pwakanyaw activists in Phetburi Province, in western Thailand, have also become involved in party politics through supporting the Green Party (*phak see khieo*) in Thailand (Leepreecha, 2019). However, the Party is new and is not well known, and thus only received 22,568 votes, which amounts to 0.06 percent of the national vote.

Other minority politicians have also moved up from being elected to Tambon Administrative Organizations (TAO). The Future Forward Party, in particular, promised to put up candidates to contest these local positions. In the past, political parties in Thailand tended to stay out of local politics, but this may be changing. Future Forward particularly strove to support politically marginalized groups, such as ethnic minorities, Indigenous Peoples, and the LGBTQ community (Vaddhanaphuti, 2019). However, the military apparently saw Future Forward as a threat, and the Constitutional Court of Thailand dissolved the party on a technicality on February 21, 2020. The former Future Forward MPs joined other parties, but the majority became MPs for a new Move Forward Party (*phak kao kai*), including the Hmong MP from Tak, Nattaphon Suebsakwong.

One of the main reasons that more ethnic minorities or Indigenous Peoples have become involved in electoral politics is that previously it was a requirement that all MPs have at least a university bachelor's degree, but the constitution in 2017 removed that requirement, thus opening up more opportunities for minorities to engage in electoral politics. In addition, in recent years Indigenous Peoples have become more knowledgeable about national politics, and social and business networking (Leepreecha, 2019). In addition, some political parties in Thailand have considered allocating a certain percentage of their candidates to ethnic minority candidates, and the Elections Council of

Thailand has expressed interest in finding ways to encourage more women and minority candidates in elections, although it remains unclear how this might be done (Sirivunnabood, October 19, 2019).

Some Indigenous leaders also moved around between different political parties. For example, a retired ethnic Lisu police general was initially aligned with Kert and the Thai Local Power Party, but later decided to change alliances and move to another party (Leepreecha, 2019).

Crucially, however, as with Cambodia, some key Indigenous movement leaders in Thailand, such as Kittisak Rattanakrajangsri (ethnic Iu-Mien) and Sakda Saenmi (ethnic Lisu), the director of IMPECT, have chosen to stay out of electoral politics. They fear that becoming engaged in party electoral politics could damage the credibility of the movement, cause division within the Indigenous community, or otherwise work against the interests of Indigenous Peoples in Thailand (Leepreecha, 2019).

## Conclusion

This chapter has focused on how Indigenous activists in both Cambodia and Thailand have variously and recently become more involved with electoral politics, although not in the same ways, or with the same results. In Cambodia, a new explicitly Indigenous Peoples' political party was established, and contested the 2017 commune elections and the 2018 national elections, although with various limitations. In Thailand, however, Indigenous activists have become involved with electoral politics, but not through setting up an Indigenous political party as occurred in Cambodia. Instead, some Indigenous Peoples, both those connected with the Indigenous Peoples' movement and those connected with other activist networks, have joined various political parties not explicitly linked with the movement and stood as candidates during the 2019 national election. This has led to some disappointments but has also resulted in the first Hmong person gaining a party-list seat in the Thai Parliament.

It is noteworthy that these developments have occurred in Cambodia and Thailand as Indigenous Peoples in both countries are trying to gain more control over land and other natural resources. In Cambodia, the CIPDP was established during a time when smaller political parties were being promoted by the ethnic Khmer activist Kem Ley, a well-known member of civil society who was assassinated on July 10, 2016. He had direct contact with some Bunong leaders before he was killed, and

encouraged them to set up a political party. Since then, the CNRP, the main opposition party, has been dissolved. This dissolution has resulted in increased domination of the CPP in Cambodia politics, and the general decline of democracy in Cambodia. In Thailand, however, increased involvement of Indigenous Peoples in party politics followed the coup d'état in May 2014, and a period of strong military control of the country, including the writing of a new constitution that ensured the strong role of the military in politics through Senate appointments.

Moreover, the electoral approach adopted in Thailand uses a proportional representation system that is particularly advantageous for smaller political parties. Indeed, about 100 parties tried to register in Thailand, with over seventy eventually being successful in doing so. Undoubtedly, the particular political circumstances in both Cambodia and Thailand have been important factors in the rise of Indigenous Peoples in party electoral politics in both countries.

Crucially, however, the movement of Indigenous activists into national electoral politics has been criticized by some. Certain Indigenous activists have expressed concerns that mixing of Indigenous movements with electoral politics could be detrimental to the Indigenous movements in both Cambodia and Thailand. So, do Cambodia and Thailand represent a trend in the region? This may be the case. In the Philippines an Indigenous Peoples' party, Sulong Katribu, contested the 2016 national elections. However, it failed to gain a party-list seat as hoped. This is not because of a lack of votes but because the Elections Commission and the Supreme Court refused to accredit Sulong Katribu to participate in the elections (IWGIA, 2019). There were also indications that Indigenous activists in Myanmar were considering their future involvement in electoral politics in the country (Vaddhanaphuti, 2019), but since the February 2021 coup d' état electoral politics has become less of a focus.

Does the involvement of Indigenous Peoples in electoral politics represent a step forward for the Indigenous movements in each country, and the securing of more rights over land and natural resources? Or does their direct involvement in electoral politics jeopardize the Indigenous movements? It is probably still too early to answer decisively, but the shifts that have occurred in both Cambodia and Thailand – in the latter there has not been a supportive institutional framework for Indigenous Peoples' rights – have been significant nonetheless. More attention and consideration are required, although the particular contexts in each country require particular attention.

## Acknowledgements

Thanks to all those in Thailand and Cambodia who agreed to be interviewed for this study, particularly Prasit Leepreecha, Chayan Vaddhanaphuti, Urai Yangcheepsutjarit, Dave Hubbel, Neal Keating, Yutthapong Suebsakwong, Phunchada Sirivunnabood, Dam Chanty, Peter Swift, and Gordon Paterson. Thanks to others who asked me to remain anonymous. Thanks also to Neal Keating, Peter Swift, Yutthapong Suebsakwong, Urai Yangcheepsutjarit, Phunchada Sirivunnabood, John Draper, and William Nikolakis for comments on earlier drafts of this chapter. Ultimately, however, I remain responsible for the chapter's content.

## References

Ashish John, personal communication, June 27, 2019.

Baird, I. G. (2011). The construction of 'Indigenous Peoples' in Cambodia. In L. Yew (ed.), *Alterities in Asia: Reflections on identity and regionalism* (pp. 155–176). Routledge, London.

(2013). 'Indigenous peoples' and land: Comparing communal land titling and its implications in Cambodia and Laos. *Asia Pacific Viewpoint*, 54(3), 269–281.

(2014). Chao Fa movies: The transnational production of Hmong American history and identity. *Hmong Studies Journal*, 15(1), 1–24.

(2016). Indigeneity in Asia: An emerging but contested concept. *Asian Ethnicity* 17(4), 501–505.

(2019a). The politics of indigeneity in Southeast Asia and Cambodia: Opportunities, challenges, and some reflections related to communal land titling in Cambodia. In N. Gombay, & M. Palomino-Schalscha (eds.), *Indigenous places and colonial spaces: The politics of intertwined relations* (pp. 176–193). New York: Routledge.

(2019b). Hollywood movies: 1.5 generation Hmong Americans and transnational film production in Thailand. *Sojourn: Journal of Social Issues in Southeast Asia*, 34(3), 366–396.

(2019c). Introduction: Indigeneity in 'Southeast Asia': Challenging identities and geographies. *Journal of Southeast Asian Studies*, 50(1), 2–6.

(2020). *Rise of the Brao: Ethnic minorities in Northeastern Cambodia during Vietnamese occupation*. Madison: University of Wisconsin Press.

(2021). The Hmong and the Communist Party of Thailand: A transnational, transcultural and gender relations-transforming experience. *TRaNS: Trans-Regional and National Studies of Southeast Asia*, 9(2), 167–184.

(2023). Indigenous communal land titling, the microfinance industry, and agrarian change in Ratanakiri Province, northeastern Cambodia. *The Journal of Peasant Studies*. 51(2): 267–293.https://doi.org/10.1080/03066150.2023.2221777

Baird, I. G., Leepreecha, P., & Yangcheepsujarit, U. (2017). Who should be considered "Indigenous"? A survey of ethnic groups in northern Thailand. *Asian Ethnicity*, 18(4), 543–562.

Branigan, W. (1992, October 11). Montagnards end fight against Hanoi. *Washington Post*.

Buadaeng, K. (2006). The rise and fall of the Tribal Research Institute (TRI): "Hill Tribe" policy and studies in Thailand. *Southeast Asian Studies*, 44(3), 359–384.

Bunong CIPDP advisor, personal communication, June 28, 2019.

Central Intelligence Agency. (1981). Antigovernment resistance in Vietnam. Langdon: National Foreign Assessment Center, Central Intelligence Agency.

Draper, J., Sobieszczyk, T., Crumpton, C.D., Lefferts, H. L., & Chachavalpongpun, P. (2019). Racial "Othering" in Thailand: Quantitative evidence, causes, and consequences. *Nationalism and Ethnic Politics*, 25(3), 251–272.

Duiker, W. J. (1984). The legacy of history in Vietnam. *Current History*, 409–412, 432–433.

Erni, C. (Ed.) (2008). *The concept of Indigenous Peoples in Asia: A resource book*. Copenhagen: International Work Group for Indigenous Affairs.

Galache, C. S. (2019, May 24). Ethnic minorities represented for 1st time in Thai parliament with Hmong MP. EPA-EPE, Madrid, Spain.

Hubbel, Dave, communication, Banlung, July 4, 2019.

Human Rights Watch. (2002). *Repression of the Montagnards: Conflicts over land and religion in Vietnam's Central Highlands*. New York: Human Rights Watch.

(2011). *Montagnard Christians in Vietnam: A Case Study on Religious Repression*. New York: Human Rights Watch.

Indigenous activist, personal communication, October 7, 2019.

Indigenous Bunong activist, personal communication, June 28, 2019.

Indigneous Leader from Ratanakiri Province, personal communication, Banlung, July 1, 2019.

International Work Group on Indigenous Affairs (IWGIA) (2019). Indigenous Peoples in Philippines. https://www.iwgia.org/en/philippines

Keating, N. B. (2016). Kites in the Highlands: Articulating Bunong Indigeneity in Cambodia, Vietnam and abroad. *Asian Ethnicity*, 17(4), 566–579.

(2020). Traversing the scales of rights: Interventions from indigenous peoples of Cambodia at the United Nations. In I. Bellier and J. Hays (eds.), *Scales of governance and Indigenous Peoples* (pp. 105–136). New York: Routledge.

personal communication, October 7, 2019.
Kingsbury, B. (1998). Indigenous Peoples in international law: A constructivist approach to the Asian controversy. *American Journal of International Law*, 92(3), 414–57.
Leepreecha, P. personal communication, Chiang Mai, July 14, 2019.
(2019). Becoming Indigenous peoples in Thailand. *Journal of Southeast Asian Studies* 50(1), 32–50.
Leepreecha, P. McCaskill, D., & Buadaeng, K. (2008). *Challenging the limits: Indigenous Peoples of the Mekong region*. Chiang Mai: Silkworm.
Milne, S. (2013). Under the leopard's skin: Land commodification and the dilemmas of Indigenous communal title in upland Cambodia. *Asia Pacific Viewpoint*, 54(3), 323–339.
Morton, M., & Baird, I.G. (2019). From Hill Tribe to Indigenous Peoples: The localization of a global movement in Thailand. *Journal of Southeast Asian Studies*, 50(1), 7–31.
Ngon V. (1983). *FULRO: Tap doan toi pham [FULRO. A criminal organization]*. Ho Chi Minh City, Vietnam: Cong An Nhan Dan.
Paterson, G. personal communication, Banlung, July 4, 2019.
Phanakamneut, Pho Luang Kert. personal communication, Khunklang Village, Chom Thong District, Chiang Mai Province, June 8, 2018.
Premsrirat, S., Dipadung, S., Suwannaket, E., Buasuang, A., Chusri, I., Srichampa, S., Thavornpat, M., Thawisak, A., & Damsa-art, P. (2004). *Ethnolinguistic maps of Thailand*. Bangkok: Office of the National Culture Commission.
Sirivunnabood, Punchada. personal communication, October 24, 2019.
personal communication, October 19, 2019.
Suab Hmong News. (2019, February 3). Hmong 18 Clan in Thailand supports candidates to get elect in public offices.
Suebsakwong, Yutthapong. personal communication, Bangkok, July 18, 2019.
personal communication, October 7, 2019.
Swift, Peter. personal communication, October 8, 2019.
Toyota, M. (2005). Subjects of the nation without citizenship: The case of 'Hill Tribes' in Thailand. In W. Kymlicka & B. He (eds.), *Multiculturalism in Asia* (pp. 110–135). Oxford: Oxford University Press.
(2007). Ambivalent categories: Hill tribes and illegal migrants in Thailand. In P. K. Rajaram & C. Grundy-Warr (eds.), *Borderscapes: Hidden geographies at territory's edge* (pp. 91–115). Minneapolis: University of Minnesota Press.
Vaddhanaphuti, Chayan. personal communication, Chiang Mai, July 14, 2019.
Vandergeest, P. (2003). Racialization and citizenship in Thai forest politics. *Society & Natural Resources*, 16(1), 19–37.
Voice of Democratic Kampuchea. (1980, February 4). FULRO appeal to DK Government. *BBC Summary of World Broadcasts.*

Winichakul, T. (2000). The others within: Travel and ethno-spatial differentiation of Siamese subjects 1885–1910. In A. Turton (ed.), *Civility and Savagery: Social Identity in Tai States*, (pp. 38–62) Curzon, London.

Witthayapak, C. & Baird, I. G. (2018). Communal Land Titling dilemmas in Northern Thailand: From community forestry to beneficial yet risky and uncertain options. *Land Use Policy* 71, 320–328.

Yangcheepsujarit, U. personal communication, Chiang Mai, July 16, 2019.