



United Nations
Educational, Scientific and
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World Heritage

44 COM

AMENDMENT

Item of the Agenda	WHC/21/44.COM/8B.7
Amended Draft Decision	44 COM 8B.7 Kaeng Krachan Forest Complex (Thailand)
Amendment submitted by the Delegation of ...	The Russian Federation, China, Oman, Saudi Arabia, Ethiopia, Saint Kitts and Nevis, Mali, Spain, Nigeria and Thailand
Date of submission	22 July 2021

TEXT

Decision: 44 COM 8B.7

The World Heritage Committee,

1. Having examined documents WHC/21/44.COM8B.Add and WHC/21/44.COM/INF.8B2.Add;
2. Recalling Decisions 39 COM 8B.5, 40 COM 8B.11 and 43 COM 8B.5 adopted at its 39th (Bonn, 2015), 40th (Istanbul/UNESCO, 2016) and 43rd Session (Baku, 2019) sessions respectively;
3. ~~Taking note that the nomination was referred three times, that the only evaluation mission for the nominated site took place in 2014, and that the maximum time foreseen for a referral procedure is three years, and also taking note that the boundaries proposed for the nominated property have been significantly modified throughout this period, including the removal of a buffer zone,~~
4. ~~Defers the nomination of **Kaeng Krachan Forest Complex, Thailand**, under criterion (x), in order to allow the State Party to:~~

- ~~a) Develop a new nomination, presenting a fully updated analysis of the current conservation status, integrity and protection and management of the nominated property relating to its revised boundaries, and justifying potential Outstanding Universal Value under criterion (x),~~
 - ~~b) Fully resolve concerns regarding rights, in line with paragraph 123 of the Operational Guidelines, and Decisions **39COM8B.5**, **40COM8B.11** and **43COM8B.5**, demonstrating that consensus of support for the nomination of the property has been obtained from all affected indigenous peoples and local communities, fully consistent with the principle of free, prior and informed consent,~~
 - ~~c) Work closely, and in full consultation, with the affected indigenous peoples and local communities, and with the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights (UNOHCHR) in order to fully and satisfactorily resolve issues raised by the Special Rapporteur on the rights of indigenous peoples; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; and the Special Rapporteur on the situation of human rights defenders,~~
 - ~~d) Assess and provide the results of actions related to community engagement including completion of land ownership surveys, mapping of new “management boundaries for conservation” and providing security of land tenure and livelihoods as provided for under amendments to the National Park Act and Wildlife Conservation and Protection Act,~~
 - ~~e) Improve representation of local communities in Protected Area Committees, consistent with the outcomes of consultation and independent arbitration processes concerning the rights of affected indigenous peoples and local communities;~~
3. **Inscribes the Kaeng Krachan Forest Complex**, the Kingdom of Thailand, on the World Heritage List on the basis of **criterion (x)**;
 4. **Adopts** the following Statement of Outstanding Universal Value:

Brief Synthesis

The Kaeng Krachan Forest Complex (KKFC) lies in the Tenasserim Range near the border between Thailand and Myanmar. The Forest complex covers vast forest areas encompassing parts of three (3) provinces in the western part of Thailand, namely

Ratchaburi, Phetchaburi, and Prachuap Khiri Khan, and covers four protected areas which are three national parks and one wildlife sanctuary. Located in the Indo-Malayan ecoregion, the nominated property encompasses a total area of 408,940 ha. At the macro scale, the complex has rich and varied biological diversity as a result of the amalgamation of four zoogeographical sub-regions (Sundaic, Sino-Himalayan, Indochinese and Indo-Burmese), as well as four floristic provinces (Indo-Burmese or Himalayan, Indo-Malaysian, Annamatic, and Andamanese). In addition to the macro-diversity, at the micro scale, the diverse geological characteristics and highly variable topography contribute to exceptionally high habitat diversity per unit area. Tangible evidence for exceptional biodiversity values is also clearly demonstrated with the presence of endemic and endangered species. The KKFC also maintains significant populations of key and valuable species that are recognised as being globally significant and endangered. IUCN identifies the nominated complex as a regional important area for tiger conservation landscape, important bird habitats, as well as an important area for elephant conservation and priority site for Indo-Burma hotspots.

Criterion (x): The nominated property meets this criterion because of its specific location reflecting the unique mixture of different zoogeographical realms and floristic provinces. It is the northernmost point for many species from the south and it is the southernmost point for species from the north. This macro diversity is complemented by a highly variable topography that brings about many different habitats per unit. The area's rich biodiversity is also indicated by the presence of at least 720 known wild animal species, as well as rare and endemic plant species.

Of flora species, there is *Prunus kaengkrachanensis* which is a new species reported in 2015 and is found only in the KKFC. Critically endangered species (CR) such as *Kamettia chandeei*, *Magnolia gustavii*, and *Aquilaria malaccensis* are also found in this complex. For *Magnolia gustavii*, it was first reported in 1891 and found in India's Assam region and the northern part of Myanmar. Since then, there had been no report of the species for more than 100 years and it was believed that the species was extinct in the wild. However, it was discovered again in 1998 in KKNP, which is located around 2,000 km. away from the original discovery area. *Geostachys smitinandii* (VU) is found only in the KKFC and the Dong Phrayayen – Khao Yai Forest Complex Natural World Heritage site of Thailand. The complex is also the world's only home to the plant species *Trichosanthes phonsenae*, first discovered there in 2003.

In addition, the complex maintains healthy populations of globally important endangered wildlife species. Of fauna species, one of the most important evidence is the presence of the critically endangered species, Siamese crocodile (*Crocodylus siamensis*), in Kaeng Krachan National Park (KKNP). The KKNP is one of a few locations in only five countries worldwide where such species still exist in the wild. This can allow for the natural and pure breed of the species. Critically endangered species (CR) such as Sunda pangolin (*Manis javanica*), Elongated tortoise (*Indotestudo elongata*), and Asian giant tortoise (*Manouria*

emys) are also found in this complex. In addition, there are also important populations of other endangered species such as Banteng (*Bos javanicus*), Asian elephant (*Elephas maximus*), tiger (*Panthera tigris*), Asiatic wild dog (*Cuon alpinus*); and vulnerable species such as Asian black bear (*Ursus thibetanus*), Asian tapir (*Tapirus indicus*), southern serow (*Capricornis sumatraensis*), Gaur (*Bos gaurus*) and stump-tailed macaque (*Macaca arctoides*). A complete suite of top carnivores has been identified in the area including eight species of Felidae.

Integrity

The KKFC protects the head watersheds of many important rivers such as Phetchaburi, Kui Buri, Pranburi, Phachi, and Mae Klong Rivers. Some of these rivers provide water to the Sam Roi Yod National Park (Ramsar Site), which is one of Thailand's most well-known areas for water birds. The nominated property encompasses an area of 408,940 ha located in Ratchaburi, Phetchaburi, and Prachuap Khiri Khan provinces. It is connected to a forest area in Myanmar with the Tenasserim Ranges as a natural border between the two countries spanning approximately 292 kilometers from the north to the south of the property.

There are six forest types which cover more than 96% of the nominated area. Dry evergreen forest covers a majority of the area, about 65%. Other types of the forest are Mixed Deciduous Forest, Montane Evergreen Forest, Moist Evergreen Forest, Secondary Forest, and Dry Dipterocarp Forest. The area's topography is rugged with high mountains in the west and rolling hills to the east. Elevation ranges between 37 and 1,231 meters above sea level. The climate is influenced by the north-eastern and south-western monsoon winds. The rainy season generally starts in mid-May and ends in mid-October. The winter season spans from mid-October to mid-February while the dry season goes from mid-February to mid-May.

As a result of complex topography, climate and ecosystems, there are more than 700 animal species reported in the complex, including 4 CR species, 8 EN species, and 23 VU species. This is an indicator of high habitat suitability for fauna. The biodiversity of flora and fauna is extremely rich, safe, and sufficient for the species to thrive. The integrity is very much intact with full protection of the KKFC area under a sound management plan with all relevant laws and regulations.

Management and protection requirements

The four components comprising the KKFC are well protected under relevant legislations. The four components include a wildlife sanctuary (Mae Nam Phachi) protected under the Wildlife Protection and Preservation Act B.E.2535 (1992) and its amendment and three national parks (Chaloem Phrakiat Thai Prachan, Kaeng Krachan and Kui Buri) protected under the National Park Act B.E. 2504 (1961) and its amendment. The Kaeng Krachan and Kui Buri National Parks are connected by Kui Buri Forest Reserve and the Army Reserve Zone. This corridor is also regarded as a protected area under the Forest Reserve

Act B.E. 2507 (1964) and the Military Reserve Zone Act B.E. 2478 (1935). The total area of the nominated property is 408,940 ha. The main purpose of the protected area designations is to safeguard and preserve the overall ecological integrity of the area, including the outstanding wildlife and species values and forested watersheds for Phetchaburi and Prachuap Khiri Khan provinces. The protected area administration consists of a Superintendent Unit with one or more deputies for each component as well as patrol stations located in and around the boundaries.

The adoption of the National Park Act B.E. 2562 (2019) and Wildlife Conservation and Protection Act B.E. 2562 (2019) represents a significant paradigm shift in Thailand's environmental conservation policy to strike a balance between natural conservation and sustainable utilization of resources. The Acts aim to legally permit local communities to reside in the property's protected areas while also being able to make use of forest products for their sustainable livelihoods. Moreover, the legislations will help promote the participation of local communities in important decision-making processes related to the KKFC, including protected area management plan, land tenure survey, and legal mechanisms to enhance understanding between the local communities and the Thai Government officials concerning land use.

The management and protection regime continue to apply across the protected areas comprising the forest complex, regardless of the reduced nominated area, which remains subject to the same legislation. This also applies to patrols for which the additional information by the State Party provided details on patrolling areas and frequencies. The patrols cover about half of KKFC, whilst being concentrated on areas of vulnerability to threats as well as high biodiversity areas. Less accessible areas are patrolled from the air with targeted drop-in patrol as well as foot patrols.

Thus, the natural values of the nominated property are provided with adequate legal protection so that protection requirements continue to be met. In addition, the management capacity and conservation effectiveness of the nominated property also meet the requirements of the *Operational Guidelines*.

- ~~5. Recommends the State Party to establish an independent, third-party, arbitration process, in consultation with UNESCO, and working closely with the Special Rapporteurs, via the Special Procedures Branch Office of the United Nations High Commissioner for Human Rights (UNOHCHR), to address equitably the continued concerns of local communities in relation to the nominated property, and to respond effectively to the eventual recommendations of that process, prior to proceeding further with the nomination;~~
5. Notes that the decision to inscribe the property is made on the understanding that the State Party has addressed the issues of the Committee according to its **43 COM 8B.5** decision, thus fulfilled the

requirements of the Operational Guidelines, and will continue the work in progress on the following issues:

- a) mutual understanding on the revised boundaries of the property based on agreement between the States Parties of Thailand and Myanmar;
 - b) ensuring related conditions of integrity, protection and management;
 - c) ensuring consultations with the local communities on their livelihoods and their active engagement in management of the property;
6. Notes with appreciation the commitment and continued efforts by the State Party in working with local authorities and communities in safeguarding the inscribed property;
 - ~~6. Encourages the State Party to continue enhancing collaboration with the State Party of Myanmar in transboundary conservation and management of the highly significant nature conservation values of the region, with a view to improving the integrity of the nominated property, and considering the opportunities for extending the nominated property and a future possible transboundary nomination.~~
 7. Encourages the State Party to identify opportunities to collaborate with the State Party of Myanmar in transboundary conservation and management of the highly significant nature conservation values of the region, with a view to consider a future extension of the nominated property;
 8. Also encourages the State Party to strengthen dialogue and consultation with IUCN in preparation for a regular review of the general state of conservation, including expert missions;
 9. Requests the State Party to report the progress and the results of related actions in implementing the Decision 44 COM 8B to the World Heritage Centre by 1 December 2022.

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