

# Sorrows of Jana residents: The seizure of Wakaf land by the Thai- Malaysian Separation Gas Plant

*Wanchai Buddhathong, Songkhla Youth Citizen Centre*

"Whatever happens, we will not stop demanding justice. Our rights were violated by state officials and by the Thai-Malaysian Gas Pipeline and Separation Gas Plant project for nearly ten years. At present, the project has had severe effects on the community and the environment. Finally, the villagers marched to submit a complaint to the new Shiekhul Islam, Thailand's most senior Islamic spiritual leader to request that he investigate the Wakaf land, which the project has seized. But the Shiekhul Islam would not accept the complaint. When we returned home, we received threatening phone calls warning us to end the movement, or we would face danger. This is a terrible story, one in which villagers call for justice but instead our rights are violated."

This is the heartfelt voice of Mrs Sulaida Toa-lhi, a villager from the Jana district of Songkhla province, southern Thailand, who demanded justice in the case of the Thai- Malaysian Gas Pipeline and Separation Gas Plant project. Her rights have been violated by state officials for nearly ten years, beginning on 20 December 2002, when hundreds of police beat villagers from Jana district and their colleagues in nongovernmental organizations (NGOs). The villagers and NGO workers had rallied to submit a petition to then prime minister Thaksin Shinawatra. The events occurred close to the JB Hotel in Hat Yai district of Songkhla province, where there was a traveling meeting of the cabinet taking place.

Mrs Sulaida is one of the people who has been prosecuted for exercising her rights to fight against the Thai-Malaysian Gas Pipeline and Separation Gas Plant project. According to her, on 20 December 2002, the police beat the villagers and the NGO workers, many of whom were injured. Twelve NGO workers, including both men and women, were then arrested and detained in a border patrol police camp in Sadao district of Songkhla province. Information about their detention was not provided to their families.

The reason for the petition was to ask the government to review effects on the community and environment of the gas project being constructed in Jana district. The response to such an exercise of people's democratic rights by an elected government was to get uniformed police officers to beat them with wooden batons and place them under detention.

Mrs Sulaida further explained that the problem of the gas plant project seriously began during the Democrat Party government of Chuan Leekpai. In 2000, prime minister Chuan Leekpai traveled to Malaysia to sign a cooperation agreement with prime minister Mahathir Muhamad of Malaysia on the Thai-Malaysian Gas Pipeline and Separation Gas Plant project. Thai citizens were quite upset with this action, as it was a significant international agreement with potential effects on communities and environment, which should have been discussed with the people first. The government should have had a public hearing. Instead, at the time of the agreement, the people who were going to be affected did not even know all the details of the project.

In fact, when people learned that the prime minister had crossed the border in Sadao district to go to Malaysia, many went to the border to meet him, demanding to review the cooperation agreement. They reported that the prime minister was being protected by a large number of police, who were attempting to take him past where people were gathered. The people who went to meet him were waiting in the

area of the customs office in Sadao district. The police were successful, and when they crossed the border into Malaysia, in his interview to the press, prime minister Chuan said that, "The people don't have to worry. If the people don't want [the project], the government will not construct it." At the time, this statement was very reassuring. But at present, one would like to ask him, what happened? When you told the people that if the people did not want the project, then the government would not construct it, what did it mean? Now what happened, who has constructed the Gas Separation Plant?

In the perspective of Mr Prakob Lham-soa, a villager from Talingchan sub-district, Jana district, Songkhla province, who has been directly affected by the project, the Thai-Malaysian Gas Pipeline and Separation Gas Plant project is a chronicle of people's pain and suffering. After signing the first cooperation agreement in Malaysia, Chuan Leekpai signed a second agreement in the Tinnasulanond Hall in Muang district of Songkhla province. This time, students and people also came to challenge him and call for justice, but the prime minister went ahead and signed the agreement without hearing their voices and demands. After that, the Thai-Malaysian Gas Pipeline and Separation Gas Plant project was considered passed and approved by both cooperating governments.

Mr Prakob further explained that the Petroleum Authority of Thailand Company (PTT), which is the owner of the project, set up two public hearings in one year. The problem was how these were carried out: PTT made a list of the people who could attend the meeting, and those on the list were only those who supported the gas plant project. People with different or dissenting opinions were not allowed to attend. In reality, the PTT's claim of holding public hearings was just propaganda. Many intellectuals and observers have noted that there is no such thing as a public hearing when participants are limited to only those who agree with the project. If those who are able to join the hearing are those who agree with the project, why bother setting up a public hearing at all, other than to cheat the people?

Mr Prakob also noted that when PTT--in charge of the Thailand segment of the Thai-Malaysian Gas Pipeline and Separation Gas Plant project--and the Thai government denied people the right to access information about the project, people could not accept the public hearings. This created unrest and people were injured, resulting in the failure of both public hearings. Meanwhile, PTT and the government claimed that the public hearings were carried out appropriately and that people supported the project's proceedings. This reflects the shame and dishonor of a private company supported by the government.

Mr Mhad Sangkaew, a person affected by the Thai-Malaysian Gas Pipeline and Separation Gas Plant project, spoke about the negative effects of the project. He noted that it was initially supported by the Democrat Party, and after the change of governments, the government of prime minister Thaksin Shinawatra and the Thai Rak Thai party came to power. But the new government was no different to the old one, and proceeded with the project as planned. In fact, to worsen matters, the new government announced a policy to transform PTT from a state enterprise into a private company; it was the government's cronies and network who would now control all the company's stock holdings. After PTT was privatized, on 4 January 2002, Thaksin Shinawatra traveled to listen to the demands of the villagers and academics in Hoi Siab field, alias Lan Hoi Siab, in Jana district of Songkhla province. This is where villagers who opposed the project gathered to protest.

Mr Mhad further explained that Hoi Siab field was the place where the gas pipeline comes out of the ocean and above ground in order to send gas to the gas separation plant that was to be built in Talingchan subdistrict, Jana district, Songkhla province. After Thaksin listened to the information from

the villagers and academics, he gave an interview to the press stating that he had learned information unknown to him before, and that, "Whether this project is constructed or not, we must answer every question raised by the villagers and academics." However, Thaksin never answered any of their questions. This sums up the worthlessness of politicians, who claim throughout their election campaign that they are democratic; in fact, their 'democracy' is mere rhetoric.

Mr Mhad noted that many months passed after Thaksin came to visit the villagers and academics without them receiving any answers. Meanwhile, the work on the Thai-Malaysian Gas Pipeline and Separation Gas Plant project proceeded. At the same time, propaganda regarding the good effects of the project was making its rounds, in an attempt to build support for the project. This even included the distribution of scholarships for their children's education to those supporting the project. Additionally, local gangsters began threatening villagers who opposed the project, leading to divisions in the community. When the villagers learned that Thaksin was going to hold a traveling cabinet meeting at JB Hotel in Hat Yai district of Songkhla province on 20 December 2002, villagers and NGO workers decided to rally to Hat Yai to submit a petition. At the heart of the petition were the following three lines: "For PM Thaksin Shinawatra to review the Thai-Malaysian Gas Pipeline and Separation Gas Plant project and related industries, as a result of the effects of this project on communities and environment. Signed by the Network Against the Thai-Malaysian Gas Pipeline and Separation Gas Plant Project and Related Industries." But they were unable to submit the petition to the prime minister due to the police beatings and detention.

Mrs Jantima Chaiyabutri is a villager from Sakom sub-district, Jana district, Songkhla province who has been affected by the project. She explained that after the events of December 20, there was a large group of heavily-armed, uniformed policemen who came to create a special base in the community in order to protect PTT. Many times the policemen have come face-to-face with the villagers assembled at the point where the gas pipeline was to come out of the water, and many times the policemen have arrested them.

Once there were approximately 100 policemen in the area, PTT began preparing the area to build the Gas Separation Plant and to bring the gas pipeline out of the water. That area is only 800 meters away from Hoi Siab field instead of the three kilometers announced by Thaksin. This is the time when PTT seized the Wakaf land to build the Gas Separation Plant. Wakaf land is land donated for Islamic religious purposes. The villagers opposed the seizure of such land, and submitted petitions to many involved agencies, including the Songkhla Islamic Affairs Committee and the Shiekhul Islam, all to no effect. It is a disgrace that not even any religious organizations protested against the unjust actions of PTT. This violation of religious tenets is a stain of history that must be remembered.

After construction of the gas plant began, Mrs Jantima noted that negative effects were seen everyday. Contaminated water from the plant came affected a group of villagers who had raised cows in the swamp forest for 40-50 years; between 20-30 cows died after drinking the contaminated water. No one came forward to accept responsibility. Nothing like this had ever happened in the community before. Similarly, many villagers who raised chickens for meat or eggs had to stop doing so, because the chickens were dying or not laying any more eggs, disturbed by the loud noises from the Gas Separation Plant. The bright lights at



every hour of the day and night also had negative effects on the chickens. There were also terrible smells which came out of the Plant. According to Mrs Jantima, this is the worst thing she has ever faced in her life. The air is worsening everyday and people in the community feel like they are living in hell. The fish are starting to disappear from the sea, as are the shrimp, and soon there will be none to catch. This is the gift that a terrible government gives to people in a supposedly democratic system.

These are the voices of marginalized people from Jana district in Songkhla province. Their voices reflect the power of the state to commit disgraceful acts in the name of progress and development, without listening to people in the community at all. For the community severely affected by this project, it is as though they are living in hell. This not a hell that they created themselves, but one constructed by the state and PTT for them.

