

# **SOUTHERN THAILAND: THE IMPACT OF THE COUP**

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## SOUTHERN THAILAND: THE IMPACT OF THE COUP

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

The September 2006 coup in Thailand, despite its damage to democratic development, opened the way for improved management of the conflict in the Muslim South. Prime Minister Surayud Chulanont's interim government has overhauled some of its predecessor's worst policies and signalled willingness to address longstanding grievances. But verbal commitments in Bangkok have been difficult to translate into changes on the ground, and relations between security forces and local communities continue to be strained while violence mounts. Thais outside the South have exerted pressure for a return to heavy-handed crackdowns on suspected militants. The government must respond to the escalating attacks, but with care – widespread arbitrary arrests and civilian casualties would only increase support for insurgents.

Barely a month in office, Surayud made an historic apology to southern Muslims for past abuses, announced an end to blacklisting of suspected insurgents leading to a significant decrease in arbitrary arrests, and revived key conflict management institutions disbanded by Thaksin Shinawatra in May 2002.

These steps, together with the acquittal of 56 Muslims detained for over two years on trivial charges, and the granting of bail in several conflict-related cases, were welcomed in the South. However, some of the justice measures designed to assuage Muslim grievances have alienated the local Buddhist population, raising communal tensions and frustrating police. The restructuring of the security forces, designed to improve interagency cooperation, also appears in some cases to be exacerbating rather than easing tensions.

Efforts to accommodate Malay Muslim identity, particularly in the education system, may help undercut militant claims the government is trying to destroy or dilute Malay culture and Islam. However, attempts to introduce the Patani Malay dialect as an additional language in state primary schools and to promote its use in government offices have fallen flat in the absence of high-level political support.

Insurgent groups have responded to the government's new approach by stepping up violence and propaganda aimed

at undermining conciliation efforts. There are also strong indications they have contrived a rash of protests demanding the release of separatist suspects and the withdrawal of security forces from some areas. The insurgents' village-level political organisation has improved significantly in the last eighteen months but it is not clear how much this reflects an increase in local support. Many villagers fear both the insurgents and the security forces and are caught between the two.

Daily killings of civilians and security forces by well-armed insurgents clearly necessitate a military response but the clandestine nature of the groups and their tendency to shelter among civilian populations mean a purely military strategy is bound to fail. The government needs to balance providing security with protecting human rights.

Martial law is still in force, alongside an unpopular Emergency Decree granting police and military officers immunity from prosecution. The interim government has made almost no progress on providing justice for past abuses, and credible reports of torture and extrajudicial killings persist. Arming civilians to defend themselves in village defence volunteer programs is no solution either, as the arms are as likely to fall into the hands of insurgents and increase the possibility of violence.

On the other hand, anything seen as appeasement would be politically suicidal for Thai leaders dependent for support on voters outside the South, most of whom had no problem with Thaksin's get-tough approach.

Coup leader General Sonthi Boonyaratglin and Prime Minister Surayud have taken the critical step of backing negotiations as the ultimate solution to the conflict but acknowledge that meaningful talks with insurgent leaders are a long way off. Preliminary discussions with exiled separatists faltered in 2006 when it became clear they had little influence on the ground. Ultimately, some form of negotiated autonomy may be the only answer, but the conditions that would make dialogue possible are not in place:

- The government has been unable to identify the leadership of the insurgency. Indeed, it is not clear that there even exists an overall leadership capable

of controlling the various groups committing the violence.

- The Thai public is largely hostile to the idea of negotiations, and the embattled interim government does not have a lot of political capital to spare.
- Meaningful negotiations require a government with a democratic mandate.

The Surayud government's ability to focus on the conflict has been limited by competing priorities in Bangkok, and pressure is mounting to deliver on the core issues used to justify the coup: restoring stability, getting the economy back on track and prosecuting former Prime Minister Thaksin for alleged corruption and *lèse majesté*. The combined impact of bombings in Bangkok on New Year's Eve, a series of economic blunders and divisions within the government and the coup group has undermined public confidence and pushed the South further down the agenda.

With only six months remaining before democratic elections are scheduled to be held, there are obvious limits on what the interim government can achieve. But it can and should still initiate a number of measures to set the course for its successor.

## RECOMMENDATIONS

### To the Thai Government:

#### On dialogue and negotiations

1. Continue to identify possible dialogue partners among insurgent groups.
2. Lay the groundwork through the national media for public acceptance of negotiations with insurgent leaders.

#### On justice and security

3. Re-establish a security presence with active patrols in all "red zones" – areas dominated by rebels.
4. Address rising communal tensions by deploying mixed Buddhist-Muslim security teams to work with communities in religiously divided areas so as to curb the perception that security forces are deployed to protect Buddhist residents from Muslims.
5. Avoid releasing suspects accused of violent crimes under pressure from protesters.
6. Amend the Emergency Decree to permit accountability of the security forces, ideally by repealing Sections 16 and 17.

7. Empower the Southern Border Provinces Administrative Centre's justice maintenance centre (*Soon Damrong Tham*) to make decisions on complaints against officials without seeking approval from the Internal Security Operations Command.

#### On education

8. Redesign the Malay language curriculum for primary schools, using the local Patani Malay dialect instead of standard Malay.
9. Address the segregation of Buddhist and Muslim youth by establishing joint science and language labs for students of private Islamic and state-run schools.
10. Tackle the alienation of religious studies graduates by:
  - (a) allowing students who attain *zanawiyah* (high school) level to enrol for Islamic studies degrees at Thai government universities; and
  - (b) offering bridging courses to enable them to enter secular degree programs.
11. Introduce bridging courses and equivalency certificates to enable local graduates of foreign universities to enter their chosen professions.

Jakarta/Brussels, 15 March 2007

## SOUTHERN THAILAND: THE IMPACT OF THE COUP

### I. BACKGROUND: THE THAKSIN GOVERNMENT AND THE MILITARY

The quiet toppling on 19 September 2006 of the government of Thaksin Shinawatra, the controversial businessman turned prime minister, provided an opportunity to overhaul a range of counterproductive policies toward the conflict in southern Thailand. Thaksin's failure to diagnose the problem resulted in a series of inappropriate responses which exacerbated the crisis.<sup>1</sup> His government relied on security measures and failed to address the underlying political grievances driving the conflict. Policy was imposed from Bangkok with very little local consultation – including with military forces and police on the ground whose assessment of the situation was often at odds with that of Thaksin and his close advisers.

Tensions between the Thaksin government and the military establishment had long been an obstacle to formulating effective policies to contain the violence. Thaksin's repeated appointment of loyalists to senior command posts against the express wishes of top brass and restructuring of security and governance arrangements to consolidate his personal control alarmed traditional elites. But it was policy as well as politics that fuelled the antagonism. As it became clear that Thaksin's preference for harsh crackdowns was exacerbating the violence, senior military officers, privy councillors and even King Bhumibol himself spoke out.<sup>2</sup>

Thaksin began in mid-2001 by nudging out the serving Southern Border Provinces Administrative Centre (SBPAC) director, Palakorn Suwannarath, a close associate of Privy Council President Prem Tinsulanond. Then, in May 2002, he dismantled the entire Centre along with its security arm, the joint Civilian-Police-Military task force, and handed overall control for security to the

police.<sup>3</sup> This move, though primarily designed to consolidate his power, also reflected the differences in perception of the conflict between him and his (mostly police) allies on the one hand, and (mostly military) officials close to the palace on the other, who continued to work quite independently of each other.

Taken aback by the sophistication of the arms raid by insurgents on 4 January 2004 that triggered the current round of conflict, Thaksin declared martial law, in effect handing control back to the military's fourth region command. In an attempt to exert greater control from Bangkok, he rotated senior personnel with unprecedented frequency and reorganised the southern security structures several times. The Southern Border Provinces Peace Building Command (SBPPC) had five different commanders between April 2004 and October 2006, as military policy failed to contain the violence, and blame was shifted from one general to the next.<sup>4</sup> In November 2005 Thaksin handed control over security budgets to provincial governors appointed by the interior ministry and in May 2006 subjugated the Southern Border Provinces Peace Building Command to a Bangkok-based Peace Building Committee led by his deputy and close ally, Chidchai Vanasatidya.<sup>5</sup>

Thaksin also tried repeatedly to appoint allies to top national command positions but was often outmanoeuvred by the military establishment. General Sonthi Boonyaratglin was not Thaksin's first choice for commander-in-chief. He had pushed for the appointment of his close ally, General Lertrat Rattananich, in the 2005 reshuffle, so when retiring Commander-in-Chief Pravit Wongsuwan proposed his

<sup>1</sup> See Crisis Group Asia report N°98, *Southern Thailand: Insurgency Not Jihad*, 18 May 2005; and Crisis Group Asia report N°105, *Thailand's Emergency Decree: No Solution*, 18 November 2005.

<sup>2</sup> See Crisis Group report, *Thailand's Emergency Decree: No Solution*, op. cit., pp. 5-6.

<sup>3</sup> The new structure weakened the roles of the National Security Council and the military and strengthened police control. See Prime Ministerial Order no. 123/2002; [โครงสร้างการบริหารราชการ จชต. ตามคำสั่ง นร.ที่ ๑๒๓/๒๕๔๕]. See also Duncan McCargo, "Thaksin and the Resurgence of Violence in the Thai South", *Rethinking Thailand's Southern Violence* (NUS Press, 2007).

<sup>4</sup> Current Fourth Army commander Viroj Buacharoon, replaced Ongkorn Tongprasom, after Kwanchart Klaharn, Sirichai Tunyasiri and Pisarn Wattanawongkhiri.

<sup>5</sup> "Chidchai to lead SBPPC policy panel", *Bangkok Post*, 27 May 2006.

former classmate, Sonthi, for the post, Thaksin attempted to block it, asking him to rethink his nomination.<sup>6</sup>

Pravit refused, and as soon as Sonthi took up his post in October 2005, he openly questioned Thaksin's harsh tactics. On a visit to the South in April 2006, he criticised the policy of blacklisting suspects and in June commented that "the improvement of local security hinge[s] on the ability of the authorities to forge community relations and win over the hearts and minds of residents".<sup>7</sup> Sonthi actively supported the National Reconciliation Commission (NRC), pursuing discussions with the body Thaksin had reluctantly established and then ignored.<sup>8</sup>

The tension between Thaksin and Sonthi became increasingly apparent in the three months leading up to the coup. Thaksin publicly chided Sonthi for failing to prevent a wave of bombings on 15 June, claiming "I have repeatedly told him to respond quicker and make the needed adjustments".<sup>9</sup> In July Thaksin tried to oust Sonthi in the annual military reshuffle and replace him with classmate General Pornchai Kranlert but was thwarted by senior military officers.<sup>10</sup>

One of their most serious policy disagreements was over the question of dialogue. General Sonthi vocally supported talks with militants, a measure Thaksin and the hardliners around him consistently rejected.<sup>11</sup> Former Prime Minister and NRC President Anand Panyarachun had actually initiated a dialogue with exiled separatist leaders in late 2005 with the support of the military establishment and the king but against the wishes of Thaksin and his defence and interior ministers.<sup>12</sup> The

talks fell apart primarily because the participants on the separatist side were mostly exiled leaders from a previous generation with little influence on the ground but senior military and civilian officials are actively pursuing alternative channels.<sup>13</sup>

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<sup>6</sup> "Thammarak asks Pravit to rethink top picks", *Bangkok Post*, 7 August 2005. All members of the Thai security forces, police and military attend pre-cadet preparatory school together in mixed classes. Bonds formed in year groups often translate into important alliances in later careers.

<sup>7</sup> "Army chief admits agencies are using 'blacklists' in South", *The Nation*, 26 April 2006; "Army chief backs NRC's plans", *Issara*, 10 June 2006.

<sup>8</sup> The National Reconciliation Commission (NRC), a 50-member body of local and national civil society and government leaders, was convened under the leadership of former Prime Minister Anand Panyarachun in April 2005 to devise a peaceful solution to the conflict. It was established by Prime Minister Thaksin under intense pressure from the palace but Thaksin ignored its report and recommendations. General Sonthi and Prime Minister Surayud have pledged to give it more serious consideration.

<sup>9</sup> "Force alone won't win the battle against insurgents", *The Nation*, 4 July 2006.

<sup>10</sup> "Brass unhappy with rumours Pornchai will get army job", *Bangkok Post*, 17 July 2006.

<sup>11</sup> "Army backs unarmed peace units", Thai News Agency, 10 June 2006.

<sup>12</sup> Crisis Group interview, senior security official, Bangkok, September 2006. Defence Minister Thammarak attacked the

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initiative in the press but without mentioning it by name when he accused Mahathir of sponsoring meetings of separatist militants on Malaysia's Langkawi island (where the secret talks were held). "Rebels 'plotted on Mahathir's island'", *The Nation*, 10 September 2005. Although Thaksin had made clear his opposition to dialogue ("Govt closes door to talks with separatists", *Bangkok Post*, 25 January 2006), he dared not challenge Anand on the Langkawi initiative. He charged his deputy prime minister for security, Chidchai Vanasadiya, with overseeing the talks. Thammarak's bitterness over being sidelined reportedly prompted his remarks. "Peace talks facing myriad problems", *The Nation*, 11 October 2006. Interior minister Kongsak Wantana also strongly opposed dialogue with separatist leaders. "Kongsak opposes talks with PULO", Thai News Agency, 4 September 2006.

<sup>13</sup> Crisis Group interviews, exiled former separatist leaders, Kelantan, September 2005, April 2006, and senior government and military officials, Bangkok, April, September, October 2006.

## II. POST-COUP POLICY CHANGES

Although it was not a major factor in the coup calculus, the conflict in the South became an important priority for the interim government.<sup>14</sup> Prime Minister Surayud immediately set out to distinguish his approach from the heavy-handedness of the Thaksin government. At a press conference an hour after his appointment, he described the southern violence as having its roots in “historical injustice” and said its resolution would depend on addressing this problem.<sup>15</sup> He moved quickly to restructure government and security institutions in the South and announced a number of justice measures designed to rebuild trust with the local Muslim population.<sup>16</sup> These gestures met with cautious optimism but also with recognition of the serious constraints posed by conservatives in the security forces and the bureaucracy. Early optimism faded as the government became preoccupied with political and security problems in Bangkok.

In his first month, Surayud had issued two orders laying out a new policy framework for conflict management. One set out guiding principles for peaceful conflict resolution and restoration of justice; the other reestablished the SBPAC and the joint Civilian-Police-Military Task Force (CPM).<sup>17</sup> The new structures come under the newly-bolstered Internal Security Operations Command (ISOC) headed by General Sonthi, thus restoring the army’s primacy over both police and civilian officials in the South. The subordination to ISOC is not unique to the South, and perhaps not surprising for a military-appointed government but it was a step backwards.<sup>18</sup> In March, Sonthi, without seeking the cabinet’s approval, also appointed military officers as additional deputy governors in charge of security in every province in the country.<sup>19</sup>

<sup>14</sup> The main rationales for the coup were allegations that Thaksin had caused divisions in Thai society, and allegations of corruption and *lèse majesté* (insulting the king).

<sup>15</sup> “Government reaches out to the South”, *The Nation*, 1 October 2006.

<sup>16</sup> Surayud announced the planned revival of the SBPAC on 12 October, less than a fortnight after taking office. “สนธิ”สั่งศึกษาฟื้นฟู.บต” [Sonthi orders SBPAC to be revived], *Matichon*, 13 October 2006, p. 1.

<sup>17</sup> คำสั่งนายกรัฐมนตรี ๒๐๖/๒๕๔๙ T(206/2549 [2006]); คำสั่งนายกรัฐมนตรี ๒๐๗/๒๕๔๙ T(207/2549 [2006])T ลงนามโดย นายกรัฐมนตรี พณฯ สุรยุทธ์ จุลานนท์ ๓๐ ตุลาคม ๒๕๔๙ เรื่อง การบริหารงานในสามจังหวัดชายแดนภาคใต้ [Prime Ministerial Orders 206 and 207], 30 October 2006.

<sup>18</sup> When the SBPAC was first established in 1981, it came under the Fourth Army Region commander but in 1996 was brought under the direct control of the interior ministry.

<sup>19</sup> “Sonthi defends move to extend army’s role”, *Bangkok Post*, 5 March 2007.

Surayud’s revival of the conflict management institutions was followed by two important trips to launch reconciliation initiatives. On 2 November in Pattani he made an historic apology to the people of the South for the abuses and injustices they had suffered under the previous government,<sup>20</sup> specifically for the deaths of 78 protesters in army custody in October 2004, and announced he would instruct the Narathiwat prosecutor to withdraw the charges against 56 protesters still in detention.<sup>21</sup> Families of victims in the audience were reportedly moved to tears.<sup>22</sup>

On a second trip south on 8 November, Surayud announced an end to the policy of blacklisting suspects. Significantly, he did this at Thamma Witthaya School, up to 80 per cent of whose teachers were on official watchlists and periodically questioned. Before a large crowd of teachers and students, Surayud vowed that he would “tear up and burn” the lists.<sup>23</sup>

Five Thamma Witthaya teachers arrested in December 2004 and January 2005 on separatism charges and detained in Bangkok were released on bail on 9 January 2007 as part of a program to review several conflict-related cases. The government agreed, at the urging of the National Human Rights Commission and the National Legislative Assembly’s committee on the South, to examine bail status in a number of high-profile, conflict-related cases as part of its reconciliation policy.<sup>24</sup> This prompted review of

<sup>20</sup> “ประกาศต่อหน้าผู้นำศาสนา นายกฯ”ขอโทษ  
รบ.แก่พลาตใช้รุนแรงแก้ไขได้” [PM announces apology before religious leaders and that violent measures of the previous government failed to solve Southern problem], *Matichon*, 3 November 2006, p. 1; “รัฐผิดพลาต” [Government made mistakes], *Thai Rath*, 3 November 2006, p. 5.

<sup>21</sup> 58 people had been arrested and charged but two died, so there were only 56 in custody. Charges against them and another 40 suspects who were never arrested will be withdrawn. “Case to be closed in a month”, *The Nation*, 7 November 2006.

<sup>22</sup> ถอนฟ้องแล้ว [The charges have been dropped], *Thai Rath*, 4 November 2006, p. 14; “ยุติธรรมกถอัยการถอนฟ้องคดีตกไป” [Justice Minister discusses with Attorney-General regarding Tak Bai charge drop], *Khao Sod*, 31 October 2006, p. 1.

<sup>23</sup> The director of the school, Spae-ing (Syafii) Basoe, on the run since 2004, is accused of being the leader of BRN-Coordinate. Surayud also announced that rewards for arrests of key suspects – among them many Thamma teachers – would be dropped. “สุรยุทธ์”ให้เลิกค่าหัวเกณฑ์นำป่วนใต้ เผาบัญชีดำ” [Surayud orders bounties cancelled and blacklists destroyed], *Matichon*, 9 November 2006, p. 1; “Blacklists of suspects scrapped”, *The Nation*, 9 November 2006.

<sup>24</sup> The SBPAC, Ninth Police Region Commander Lt. General Adun Saengsinghkaew and Fourth Army Region Commander General Viroj Buacharoon approved bail for fifteen suspects in three cases (including the religious school teachers) and had planned to review a further 57 cases previously refused bail but after the Thamma Witthaya teachers fled, that review was shelved.

the unspoken rule that bail is never granted in security cases.

Police and courts have released suspects on bail with increasing regularity since December 2006. The new policy has been broadly welcomed by Malay Muslims but in some cases has been manipulated by militants, creating new problems. The five teachers released in January did not attend their 2 February court hearing and are presumed to have fled Thailand.<sup>25</sup> Insurgents also appear to be systematically organising protests to demand the release of arrested suspects – and regularly succeeding.

Despite sincere efforts to reach out to southern Muslims, the government has made no serious attempt to address the key substantive issues – language, education and justice for past abuses – laid out in the NRC’s June 2006 report.<sup>26</sup> This is partly a problem of competing priorities. The government is also up against a reluctant bureaucracy and a conservative, nationalist mood among Thais outside the South, but the failure to tackle these issues ultimately comes down to an absence of high-level political support.

Sonthi and Surayud have both steadfastly supported dialogue with militants, acknowledging that a negotiated settlement is the only way the government can hope to end the violence, but meaningful negotiations with militant leaders remains a distant prospect. It is not clear that the various insurgent groups are able to present a unified position, or indeed whether a majority is inclined to negotiate at all. And there are no indications the government is willing to make concessions in genuine negotiations. Persevering with dialogue continues to offer the best hope for resolving the conflict but it is perhaps a task best left to a government with a democratic mandate, since bringing the rest of the country along will be a critical challenge.<sup>27</sup>

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Crisis Group interviews, human rights lawyer, Bangkok, January, March 2007.

<sup>25</sup> Crisis Group interview, human rights lawyer, 2 March 2007.

<sup>26</sup> The report is available in English at [http://thailand.ahrchk.net/docs/nrc\\_report\\_en.pdf](http://thailand.ahrchk.net/docs/nrc_report_en.pdf).

<sup>27</sup> Following a meeting between Prime Minister Surayud and Malaysian Prime Minister Badawi on 13 February 2007, there was a flurry of inaccurate press reports in both countries asserting that Thailand had accepted a Malaysian proposal to mediate negotiations with separatist militant leaders. Spokesmen of both governments later announced that the prime ministers had been misquoted, and there were no such plans. Other, less formal avenues for dialogue between the Thai government and separatist leaders are being quietly pursued, however. Crisis Group interviews, February 2007.

### III. NATIONAL POLITICS

Although the coup was initially welcomed by over 80 per cent of Thais, the interim government’s popularity has steadily declined.<sup>28</sup> A February 2007 poll showed its approval rating down to 48.2 per cent from 70.5 per cent in November 2006, while Thaksin’s popularity was up from 15.8 per cent to 21.6 per cent.<sup>29</sup> The nine bombs that exploded on New Year’s Eve in Bangkok, killing three and wounding more than 40 dealt a serious blow. Cracks began to emerge in the popularity – and unity – of the coup leaders and interim government.<sup>30</sup> Council for National Security (CNS, the coup group) hardliner General Saprang publicly criticised Surayud’s approach as “too gentlemanly”, and tensions between Sonthi and Surayud have become increasingly apparent.<sup>31</sup> Popular frustration with the perceived indecisiveness relates mostly to the slow pace of corruption investigations but disillusionment with government inability to stem violence in the South has also been a factor, producing a nationalist backlash against its reconciliation policies.

The government has come under constant criticism on the economic front, from the disastrous decision to impose capital controls in December 2006 and proposed amendments to the Foreign Business Act the next month, to the ongoing debate over Thaksin-style free market populism versus King Bhumibol’s philosophy of the “sufficiency economy”.<sup>32</sup> Surayud attempted to reconcile the approaches and deal a blow to the former prime minister by appointing Thaksin’s chief economist, Somkid Jatusripitak, as economic spokesman. But Somkid resigned six days later amid a storm of criticism, and a week later Deputy Prime Minister and Finance Minister Pridiyathorn Devakula likewise left.<sup>33</sup> The episode also

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<sup>28</sup> “A step back so as to move forward”, *Bangkok Post*, 21 September 2006.

<sup>29</sup> “Surayud has yet to show his decisiveness”, *Bangkok Post*, 6 February 2007. The article cited polling data from Assumption University’s Social Innovation in Management and Business Analysis, which surveyed 4,334 people in eighteen provinces.

<sup>30</sup> Prime Minister Surayud’s approval rating dropped from 90 per cent to 48 per cent in the wake of the bombs. “Explosives, the rumour mill and a war of nerves”, *The Nation*, 7 January 2007.

<sup>31</sup> On 26 February 2006, Sonthi criticised the government for failing to gather evidence quickly enough to prosecute Thaksin; Surayud replied back that Sonthi’s Internal Security Operations Command had failed to quell the violence in the South. “PM, Sonthi must get on with the job”, *The Nation*, 27 February 2007.

<sup>32</sup> See “Thailand which way ahead?”, *The Straits Times*, 22 February 2007; “Somkid debacle an embarrassment”, *The Nation*, 22 February 2007.

<sup>33</sup> Pridiyathorn had been at the centre of controversies involving the assets of Thaksin’s wife and his membership on multiple state enterprise boards. He also presided over the capital controls



highlighted divisions within the CNS, with General Saprang supporting and General Winai opposing Somkid's appointment.<sup>34</sup>

The government has embarked on ambitious plans for national police and judicial reform, while overseeing a constitutional drafting process and preparing for elections. This leaves it little room to focus on the South and even less room to make bold or unpopular decisions. Every step taken to reach out to southern Muslims has been questioned in the popular press. Influential *Thai Rath* columnist Mae Look Chan wrote several articles in October 2006 arguing against the government's attempts "to reconcile with these evil killers".<sup>35</sup>

Many readers' opinions were also very negative. One called Surayud's apology "the action of a person who's lost [his] mind, stupid, crazy, retarded. Apologise and you give them a separate country, the country's theirs now". Another complained: "I'd rather have Thaksin. I'd rather someone who says 'damned bandits'... how many soldiers have been killed but you say sorry".<sup>36</sup> Reactions to the award of compensation to families of protesters killed by the army were also hostile. One complained:

I really don't agree, in that they were really obstructing the work of officials, and they ended up with compensation. Who's really the injured party? I think the number of dead wasn't enough if you compare it to the many incidents that have happened.<sup>37</sup>

In November 2006, even the relatively liberal dailies, *Khom Chad Leuk* and *Matichon*, carried opinion pieces questioning the merits of the reconciliation policy, since it seemed to lead to more violence.<sup>38</sup> Surayud has generally

responded by appealing for patience but his own patience appears to be wearing thin.<sup>39</sup>

In January 2007, the death of a 24-year old Buddhist teacher, Juling Pangamoon, who had been beaten into a coma in May 2006 by militants in the rural Narathiwat village where she had been working, highlighted the government's inability to protect civilians. She had come to symbolise the plight of Buddhists in the southern provinces. Queen Sirikit took a strong personal interest, making several visits to her hospital bedside and sponsoring her cremation. At the 16 January funeral attended by Crown Prince Maha Vajiralong-korn, Princess Maha Chakri Sirindhorn and Prime Minister Surayud,<sup>40</sup> the government presented a special Idealistic Teacher Award to her family, and a popular band played a specially composed song, "Teacher Juling".

The tragic story of this young teacher gripped the Thai nation but some Muslims quietly lamented that while the majority of civilians killed are Muslim, none had received anything like this attention.<sup>41</sup> The more typical response Juling's death elicited, however, was a call for stepped-up military operations.<sup>42</sup>

The coordinated bomb and arson attacks across the South on 18-19 February 2007 prompted renewed calls in the popular press for a review of the reconciliation policy.<sup>43</sup> In early March Defence Minister Boonrawd Sontas complained the counter-insurgency campaign was failing because security forces were too defensive and needed to take a harder line.<sup>44</sup> They have proven incapable of stemming the violence and are beginning to lose control of areas where support for separatists is strong. Reestablishing a security presence in these

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and stock market crash in December 2006 and the proposed revisions to the Foreign Business Act. The appointment of Somkid, his arch enemy, was a blow, but the last straw came on 27 February 2007, when the prime minister's office granted media giant Sondhi Limthongkul, with whom he also had long feuded, permission to air his talk show on state-owned Channel 11. "Departure not totally unexpected, given recent controversies", *The Nation*, 28 February.

<sup>34</sup> See "Somkid: a sign of divisions within the military?", *The Nation*, 25 February 2007.

<sup>35</sup> *Thai Rath*, 25 October 2006, p. 2; 31 October 2006, p. 2.

<sup>36</sup> Reactions to article on Surayud's apology in national daily *Kom Chad Leuk*, 3 November 2006, at [http://news.sanook.com/politic/politic\\_44665.php](http://news.sanook.com/politic/politic_44665.php).

<sup>37</sup> Reactions from *The Nation* website, [http://www.nationchannel.com/xnews/index.php?news\\_id=4037](http://www.nationchannel.com/xnews/index.php?news_id=4037).

<sup>38</sup> "ขอโทษ, โปรดคืนอีกครั้ง! ไทยเรา...เรามาถูกทางหรือ?" [My apology, please listen again! Southern violence ... Are we heading in the right direction?], *Kohm Chad Luk*, 13 November

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2006; ขอโทษแล้ว ทำไมไม่หยุด [Already apologised, why doesn't it stop?], *Matichon*, 24 November 2006, p. 6.

<sup>39</sup> "สุรยุทธ์รับบีมีพระสะเทือนใจ ย้ำต้องอดทน" [Surayud admits he's saddened by bomb attack on monks, but stresses patience] *Matichon*, 24 October 2006, p. 1. Although many Thais receive most of their information from television, television stations run popular programs each morning on which announcers read and comment on newspaper articles from the major dailies.

<sup>40</sup> "Buddhist monk wounded in Narathiwat bombing", *The Nation*, 17 January 2007.

<sup>41</sup> Crisis Group interviews.

<sup>42</sup> "Juling's death must not be in vain; Schoolteacher's tragic end should serve as a catalyst for the military to properly engage insurgents", *The Nation*, 10 January 2007.

<sup>43</sup> "Interim govt unable to stop southern violence", *Thai Post* editorial reproduced in *Bangkok Post*, 22 February 2006. There were also readers' comments on news websites calling for "non-Thais" to be driven out of the country or attacked with nuclear bombs, "so the three provinces terrorists wanted to liberate would become a living hell". [www.news.sanook.com](http://www.news.sanook.com); [www.innews.co.th](http://www.innews.co.th).

<sup>44</sup> "Government to adopt harder line on insurgency", *Bangkok Post*, 3 March 2007.

areas and stepping up patrols would increase pressure on insurgents but security operations will backfire if they involve widespread human rights abuses or many civilian casualties.

#### IV. THE INSURGENT GROUPS

More than three years and 2,000 deaths after the current phase of the conflict began, the militants and their motives remain little understood. The extent to which the violence is centrally directed remains unclear, as does the extent of cooperation between field commanders and exiled political leaders purporting to speak on their behalf. Small, village-based cell clusters operating fairly autonomously carry out almost daily attacks and come together in northern Malaysia periodically to plan larger, coordinated operations.<sup>45</sup> If there is one lead organisation, it is Barisan Revolusi Nasional-Coordinate (BRN-C), which spearheaded the resurgence of separatism in the early 1990s, when it began to infiltrate religious schools and villages in the South to indoctrinate, recruit and train a new generation of militants.

BRN-C has continued to build its support base over the last three years by appealing to anti-government sentiment, traditional Malay nationalism and Islam. Two smaller Islamic separatist groups, the Patani United Liberation Organisation (PULO) and the Patani Islamic Mujahidin Movement (Gerakan Mujahidin Islam Patani, GMIP), operate in a loose alliance with BRN-C but tend to be focused more on military than political activity.<sup>46</sup>

No one is sure who represents BRN-C or whether those who claim to speak on its behalf have any real authority over those committing the violence. Before he fled Thailand in late 2004, Sapae-ing (Syafii) Basoe functioned as its spiritual leader in Yala town but he is no longer important in its day-to-day activities. Masae Useng, who fled the country in 2003, was a key commander but reportedly does not wield much operational control now. Military intelligence officials identify Hase (Hassan) Toyib, based in Malaysia's northern state of Trengganu, as one of the most important BRN-C commanders. Although some civilian and military officials in the South claim to have links with lower-level leaders in their areas, the government's only formal contacts have been through the old separatist leaders from the 1980s.

Preliminary talks were initiated by Former Thai and Malaysian Prime Ministers Anand Panyarachun and Mohammad Mahathir in late 2005 but very few of the participants on the separatist side – mostly exiled PULO, BRN-Congress (a much smaller faction of the original BRN) and Bersatu leaders from the 1980s – were able to represent, let alone control, the insurgents active on the

<sup>45</sup> Crisis Group interviews, intelligence officials, independent analysts and exiled leaders.

<sup>46</sup> "Inside Thailand's southern insurgency", *Jane's Terrorism and Security Monitor*, 13 September 2006.

ground. Some Malaysia-based exiles do have links with the new generation and may have been able to play an intermediary role. However, rather than an open dialogue aimed at reaching out to the more radical groups with the hope of eventually brokering a compromise, the meetings in Langkawi and Kuala Lumpur during late 2005 and 2006 appeared to be an attempt to extract a politically acceptable statement from the exiled separatist leaders to present to the Thai government. Many participants only attended under pressure from Mahathir, via the former Malaysian police chief Tan Sri Norian Mai and the Special Branch, and only reluctantly signed the “Joint Peace and Development Plan for Southern Thailand” in which they renounced any aspiration for independence or even autonomy – thereby alienating the harder-line leaders in Thailand.<sup>47</sup>

With every new wave of violence, observers are quick to claim that insurgents have reached a new level. After six bombs were detonated in Hat Yai on 16 September 2006, for example, the English language daily *The Nation* ran a front-page story asserting the insurgency had crossed a new [geographical] threshold because most previous attacks had been concentrated in Yala, Pattani and Narathiwat provinces.<sup>48</sup> In fact, Songkhla province, including Hat Yai town, has long been part of its area of operation.<sup>49</sup> The threat that violence may spread further north, particularly to Bangkok, has long been a source of concern. The government was quick to dismiss suggestions the nine bombs detonated in Bangkok and Nonthaburi on New Year’s Eve 2006/2007 were the work of southern militants. Investigations immediately focused on allies of former Prime Minister Thaksin. The composition of the bombs was remarkably similar to those commonly used in the South, and a key suspect accused of planting one is a southerner, Thawalsak Paenae, but this says nothing about who ordered the attack.<sup>50</sup>

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<sup>47</sup> Crisis Group interviews, Yala, Kelantan and Bangkok, April and September 2006.

<sup>48</sup> “Insurgency ‘has crossed a new threshold’”, *The Nation*, 19 September 2006.

<sup>49</sup> Since 2004, insurgents have regularly launched attacks in the Songkhla district of Saba Yoi and periodically hit Thepa and Chana districts. Hat Yai town has also been the site of periodic attacks. In April 2005, separatist militants detonated bombs at its international airport, a department store and a hotel. Hat Yai railway was also bombed in April 2001, April 1993, August 1992. See “Bomb Blasts in Southern Thailand Raise Insurgency Concerns”, *The Irrawaddy*, 10 April 2001; “Patterns of Global Terrorism: 1992, Asia Overview”, at [http://www.fas.org/irp/threat/terror\\_92/asia.html](http://www.fas.org/irp/threat/terror_92/asia.html).

<sup>50</sup> The type of explosives, the metal box into which they were packed, the wiring and detonation by Casio digital wristwatch were identical to bombs used in the South. In fact the only major difference was the type of shrapnel, The Bangkok bombs

The day after the 18 February 2007 attacks in which militants detonated 37 bombs and mounted 26 arson attacks and seven shootings, the *Bangkok Post* proclaimed it was the “the biggest wave of coordinated bombings, terrorism and murders ever reported across the four southernmost provinces”,<sup>51</sup> though a three-day campaign in mid-June 2006 was bigger.<sup>52</sup> But the capacity to systematically produce and deploy bombs has steadily improved as the insurgency has gathered pace. February 2007 showed a dramatic spike, with 81 bomb incidents: 37 on 18 February and 44 over the rest of the month, compared with 30 or less in each of the three previous months.

Most bombs throughout 2006 and early 2007 remained in the 3- to 10-kilogram range. However, there has been a perceptible increase in the number of larger devices packed into fire-extinguisher tanks and weighing around 15-kilogram. Buried under road surfaces to target security force vehicles, this type of device has been repeatedly deployed to lethal effect. In January 2007 eight such bombs were used – the highest number of any month in the conflict to date.<sup>53</sup> Insurgents are now able to carry out bombings more systematically throughout the South but there has been no quantum leap in technological capacity. Despite fears, there is also no evidence of involvement of outside terrorist groups.

It is the insurgents’ village-level political organisation rather than their technological sophistication that has really improved in the last eighteen months. Village- and sub-district-level networks, many recruited over several years, have been mobilised much more assertively since mid-2005. In some areas, particularly remote mountainous districts such as Bannang Sata and Than To in Yala and Ranage, Ruesoh, Chanae and Sungai Padi in Narathiwat, militants have either persuaded or terrorised villages to cooperate. Networks of informers and watchmen have been recruited to report on outsiders or officials.<sup>54</sup> Villagers refuse to help police and they sometimes guard hostages or prevent officials from entering their villages by forming

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contained ball bearings, whereas bombs in the South more commonly contain cut metal shards. Crisis Group interview, southern intelligence official, Bangkok, January 2007. “Police set to arrest suspects”, *The Nation*, 15 February 2007.

<sup>51</sup> “Extremists launch overnight wave of violence”, *Bangkok Post*, 19 February 2007. The *Post* story reported 29 bombs and eleven arson attacks. In fact 37 bombs were detonated and 26 arson attacks took place, but this was still smaller than the June attacks.

<sup>52</sup> Over 60 bombs were detonated across the four provinces, 50 of them in 28 districts in a single day. “Bomb Wave Rocks Thailand”, *Jane’s Terrorism & Security Monitor*, 12 July 2006.

<sup>53</sup> Jane’s Information Group, March 2007.

<sup>54</sup> Crisis Group interviewed several villagers who were recruited for this purpose.

human shields. Militants mobilise protesters to demand release of suspects or withdrawal of security forces. Under Thaksin, insurgent propaganda focused on manipulating resentment against heavy-handed tactics. It now also aims to undermine attempts at conciliation.

Within a week of Prime Minister Surayud's visits to the South leaflets questioning the sincerity of the government's gestures began to appear. Protests apparently organised by militants also occurred with increasing regularity, and violence escalated significantly. The combined effect has been to highlight the government's inability to control the situation, sow doubt among local Muslims about its intentions and provoke outrage in Buddhist communities locally and nationally.

## A. SURGE OF VIOLENCE

The period directly following Surayud's apology saw a dramatic increase in violence. The number of conflict-related deaths in November and December 2006 was higher than any time since the Tak Bai protest in October 2004. The day after the apology, 3 November, produced 46 separate violent incidents, compared with a daily average of around nine the previous month. The overall level has remained high. In November 208 incidents resulted in 81 deaths, and in December 193 incidents caused 78 deaths, compared with an average for the previous twelve months of around 56 casualties. In January 2007 incidents dropped to 132, with 50 deaths, but violence surged again in February with 70 incidents (37 bombs, 26 arson attacks and seven shootings) on Chinese New Year alone and a monthly total of 243 incidents including 81 bombings and 80 shootings involving 54 deaths – the most violent month yet.<sup>55</sup>

The rise in violence has been accompanied by a pattern of provocative attacks on teachers, monks and other civilians, often involving burning or mutilation of corpses. On 10 October 2006 militants remotely detonated a roadside bomb injuring five monks accompanied by soldiers on their morning alms-collecting round in Sungai Padi, Narathiwat.<sup>56</sup> On two occasions in November and December, Buddhist teachers were shot, then burned alive, the first case prompting all government schools in the

three provinces to close in protest for more than a week.<sup>57</sup> In villages in Yala's Than To district, systematic attacks forced Buddhist civilians to flee the area.

Attacks targeting teachers, monks and Buddhist civilians are not new, nor are the gruesome tactics. The rate was not even significantly higher but the first waves of post-coup attacks against Buddhists elicited strong reactions from the Teachers' Federation and Narathiwat monastic council and thus increased media attention.

Relations between the small Buddhist minority and the Malay Muslim majority in two neighbouring villages in Bannang Sata and Than To districts had become increasingly strained since 2004. In July 2006 the Buddhist village headman of Santi 1 was shot dead by an unidentified gunman. On 18 August, Nongyou Phiyavorachai, a Buddhist member of the sub-district administrative office from Santi 2, was gunned down as she rode her motorcycle home.<sup>58</sup> In early October militants began to scatter anti-Buddhist leaflets, initially protesting the arrival of landless Buddhists from outside the area. In mid-October, much more explicit leaflets appeared, warning that any means necessary would be used to drive Buddhists out of the area and that if one Muslim died, three Buddhists would be killed in retaliation.<sup>59</sup>

On 11 November, armed men drove up to the house of a Buddhist family in Santi 2, sprayed it with bullets, then entered, shot the two people inside and set it alight. For many locals this was warning enough. In small groups over the next fortnight, the entire Buddhist population of the two villages, 227 people, took shelter in a temple in Yala town.<sup>60</sup> The attacks provoked outrage among Buddhists well beyond Yala. After a rash of fiery editorials, Crown Prince Maha Vajiralongkorn visited the displaced Buddhists at the temple.<sup>61</sup> The October bomb attack on monks

<sup>55</sup> Statistics provided by Dr Srisompob Jitpiromsri, political scientist at Prince of Songkhla University's Pattani campus, based on data from police, Narcotics Bureau and local press sources. His team's statistics are periodically posted (in Thai) on the www.deepsouthwatch.org site. On the night of 18 February 2007, there were 38 bombs, 26 arson attacks and seven shootings across four provinces. One of the 38 bombs did not explode. "Three arrested over weekend attacks", *The Nation*, 21 February 2007..

<sup>56</sup> "Buddhist monk wounded in Narathiwat bombing", Thai News Agency, 10 October 2006.

<sup>57</sup> All 912 government schools and at least 100 private schools closed. "Over 1,000 schools closed", *The Nation*, 28 November 2007; "School head shot, burned alive", *The Nation*, 25 November 2006.

<sup>58</sup> Crisis Group interview, villagers in Santi 1, 24 February 2007.

<sup>59</sup> Crisis Group interviews, Buddhist villagers in Santi 2, Than To, Yala, 20 January 2007 and Buddhists from Santi 1 sheltering at Nirottsangkana temple in Yala town, 19 January 2007; "ชาวบ้านหนีตายขอหลบภัยในวัด" [Villagers fled from death to take refuge in the temple], *Khao Sod*, 10 November 2006.

<sup>60</sup> Crisis Group interviews, villagers in Santi 2 and at Nirottsangkana temple, *ibid*.

<sup>61</sup> See, for example, "ยอด120คนแล้วหนีโจรใต้เข้าวัด" [The total number of refugees fleeing Southern insurgents to the temple has reached 120], *Khao Sod* 11 November 2006, p.1; "พระบรมมหาราชวังเสด็จถึงนราธิวาส" [The Crown Prince arrived in Narathiwat, met Buddhist refugees; Monks of 78 temples stop morning alms-receiving], *Matichon*, 12 November 2006, p. 1; "เผารธงชาติ-ยางรถยนต์-วางบั้ง" [National flags were burned

collecting alms under army protection, combined with the flight of these villagers, prompted monks in all thirteen districts of Narathiwat province to temporarily halt morning alms rounds in November.<sup>62</sup> This, coming after the displacement, caused a national outcry.<sup>63</sup>

In early December, 33 of the displaced Buddhists returned to their villages. The next month the army trained 26 of them to become village defence volunteers. They are also being protected by approximately 40 soldiers and more than 100 paramilitary rangers. This large military presence to protect a small number of Buddhist villagers has created a potentially explosive situation, and local Muslims are fearful that any small incident could provoke a major clash and indiscriminate reprisals. Armed Buddhist and Muslim civilians guard their local areas, and teashops are full of rumours about armed Buddhist vigilante gangs in the area.<sup>64</sup>

The spate of bombings on Chinese New Year (18-19 February), in which hotels, shopping centres, karaoke lounges and other businesses were attacked, both continued a trend of targeting economic infrastructure and establishments seen as places of vice and appeared to be an attempt to drive non-Malays from the region.<sup>65</sup> A Chevrolet showroom and a rubber-processing factory owned by local Chinese Thais were torched, causing hundreds of millions of Baht worth of damage (approximately \$14 million), and three local ethnic Chinese were shot.<sup>66</sup>

## B. PROPAGANDA

Separatist leaflets disseminated in villages and towns throughout the three provinces are the movement's main form of propaganda. They are often handwritten but

sometimes typed and either pinned on village or mosque notice boards or photocopied and distributed, usually anonymously. They tend to communicate a mixture of Malay nationalist, separatist and Islamist ideologies, but also more specific messages, such as blaming killings on authorities; claiming assassinations as retaliation for Muslims killed or arrested; demanding Buddhist residents leave an area or businesses close on Fridays; urging local Muslims to help oust government "invaders"; or threatening people with violence if they cooperate with the government. They sometimes address specific policy initiatives such as the Emergency Decree.<sup>67</sup>

A spate of leaflets featuring sophisticated satirical cartoons appeared very quickly after the new government's apology and announcement of justice measures. One depicted Surayud announcing the end to blacklists and the acquittal of Tak Bai detainees while thinking, "I give you this first and do away with you later!" The same cartoon showed a religious leader giving a speech with a soldier's bayonet at his back.<sup>68</sup>

A leaflet entitled "Satan's Devil Policy" appeared around the same time, showing Prime Minister Surayud holding a flower and General Sonthi holding a devil's pitchfork. Sonthi was depicted with a half-woman-half-dog on a chain attacking a Muslim villager; the caption underneath read: "Joint Civilian Police Military task force". Surayud was shown with a bare-breasted she-devil tempting an imam with a poisoned chalice, while another imam vomited on a sign reading "Southern Border Provinces Administrative Centre". The message was clear: the government will either attack you directly or try to tempt you but the result is the same. Beside the images was text describing a "secret [government] policy" of using the people to fight against each other.<sup>69</sup>

A third leaflet from mid-November showed Surayud leading a Muslim official, a *ponoh* (religious boarding school) student and an imam by chains through their noses like buffaloes.<sup>70</sup> The official was dreaming of a house and a pick-up truck, the imam of bags of money, while Muslim villagers looked on in shock. Below the cartoon, passages from the Koran stated Allah would

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and explosion], *Khao Sod*, 12 November 2006, p.1; "โจรใต้ยิงหัว" [Southern insurgents shot at village head], *Thai Rath*, 12 November 2006, p. 9.

<sup>62</sup> [...Monks of 78 temples stop morning alms-receiving], *Matichon*, *ibid*.

<sup>63</sup> "ไทยพุทธหวา" [Thai Buddhists are fearful], *Thai Rath*, 13 November, p. 19; "โจรมีมพระใต้" [Rebels bomb Southern monks], *Thai Rath*, 11 October, p. 15.

<sup>64</sup> Local Muslims are convinced that border police stationed in the area killed one Muslim resident, and the military killed another. Crisis Group interviews, Muslim villagers in Santi 1 village, 24 February 2007.

<sup>65</sup> Karaoke lounges often double as brothels. Attacks against economic infrastructure include arson attacks against over 100 phone booths and mobile phone stations across Pattani, Yala, Narathiwat and Songkhla on 18 January 2006 and bombs in 22 branches of commercial banks in Yala on 31 August 2006.

<sup>66</sup> "Sunday bombers bolstered by drugs", *The Nation*, 21 February 2007.

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<sup>67</sup> For example a leaflet appeared in Yala in November 2005 declaring that "as long as the Emergency Decree is still in place in the Muslim village, there's no hope for peace in this land". Another was found in September 2005 by the body of a former army ranger, who had been killed and burned in Yala, stating "if you continue to use the emergency laws, don't hope that this land will be safe and peaceful". Examples from leaflets systematically collected by a local researcher.

<sup>68</sup> Leaflet circulated in November 2006, see Appendix C.

<sup>69</sup> *Ibid*.

<sup>70</sup> To call someone a buffalo [*kwai*] in Thai is to call that person stupid and docile.

reject the struggle of non-believers and punish their helpers, implying that those who aid the government are motivated by greed, traitors to religion and their people, and deserve to be punished.<sup>71</sup>

The campaign undercuts the government's efforts to win hearts and minds. Although much of the urban Muslim elite was at least initially encouraged by Surayud's initiatives, villagers in more remote areas who have borne the brunt of government repression over the last three years are susceptible to insurgent propaganda. Especially in "red zones" (areas classified by the army as rebel strongholds), the perception is strong that state killings have surged since the coup. Crisis Group has been unable to obtain hard evidence of extrajudicial executions since September 2006 but on 23 November 2006, angry villagers in Than To district protested, carrying the body of a local teenager they claimed was shot by government forces.<sup>72</sup> Two other suspected cases in Narathiwat have concerned local rights monitors.<sup>73</sup> Even Pranai Suwannarath, chief of the SBPAC, admitted the government was losing the propaganda war.<sup>74</sup>

### C. PROTESTS

Protests organised by militants have long been a feature of the conflict in the South but a new pattern has emerged in the last twelve months of women leading actions to demand the release of suspects.<sup>75</sup> The tactic has been used to particularly good effect since December 2006, when the government reviewed its policy of refusing bail for suspects in conflict-related cases and became more responsive to

public pressure. Groups of women and children have blocked officials' access to villages or forced security forces to withdraw.<sup>76</sup> Intelligence officials believe an active women's wing of the separatist movement has cells in hundreds of villages and is deployed systematically for these protests.<sup>77</sup>

On 9 November 2006 around 11am, six youths attacked local officials working on a house-building project for the poor in Village 5 of sub-district Prong Hoi in Kapho, Pattani. The youths, who were not disguised, were armed with M16 and AK assault rifles. They drew up to the project on three motorcycles and shouted "We will kill everyone!", causing villagers to flee, then sprayed over 100 bullets at five officials working there, killing a district security volunteer (Or Sor) and seriously injuring Maroning Sani, the village headman, who nevertheless tried to fire back. Three other security volunteers ran for their lives. The youths escaped unharmed with two M16s, a shotgun and a mobile phone, and as a parting gesture set fire to a pickup truck belonging to one of the Or Sor.<sup>78</sup>

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<sup>71</sup> Leaflet circulated in November 2006. Copy on file at Crisis Group.

<sup>72</sup> "Locals parade body", *The Nation*, 24 November 2006.

<sup>73</sup> See discussion of suspected extrajudicial killings in Tak Bai (Hassan Yamalae) and Rangae (Muhammad Dunai Taneeyo) in fn. 124 below.

<sup>74</sup> "Muslim clerics to debate use of Islam; SBPAC chief plays down expectations of fatwa, saying onus on Islamic leaders", *The Nation*, 17 February 2007.

<sup>75</sup> The October 2004 protest at Tak Bai police station was the first clear example, and due to the government's appalling mishandling, the most notorious. During 2005, there were many similar protests, often all-women. In Lahan and Tanyong Limo (both in Rangae, Narathiwat) in August and September, for example, women and children formed human shields to prevent authorities entering their villages. In Kuching Lupa village in Rangae in May 2006, burqa-clad women from outside the area barricaded the local *tadika* (religious kindergarten attached to a mosque) demanding release of two youths arrested in the area while a Buddhist teacher who had been kidnapped by militants was beaten to death inside. Crisis Group interviews, Kuching Lupa, September 2006. On the Tak Bai protest, see Crisis Group report, *Insurgency not Jihad*, op. cit., pp. 27-31. On the protests in Rangae in 2005, see Crisis Group report, *Thailand's Emergency Decree*, op. cit.

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<sup>76</sup> Around 300 women and children, mostly trucked in from outside the area, protested at Ban Bajoh school in Bannang Sata, Yala, accusing the border patrol police stationed there of killing a local man. Nails were scattered on the road. After 200 security personnel failed to control the crowd, authorities agreed to withdraw the 30 border patrol police from the village. "Police unit withdrawn after crowd surrounds Yala school", *The Nation*, 6 November 2006. On 15 February 2007, around 200 women and children blocked the Raman-Ban Tha Tong road with felled trees and demanded the military withdraw after a local youth was allegedly shot by soldiers. "Villagers demand army's removal", *Bangkok Post*, 16 February 2007. Repeated protests at the primary school in Pakaluesong village demanding security forces leave the area forced the school to close. "No students at school to force troop withdrawal", Thai News Agency, 8 February 2007. In early March only two of 223 students had returned. "Militant trainers among five killed in camp raid", *The Nation*, 5 March 2007. On 21 November 2006 in Kororamae village in Yala's Yaha district, 200 villagers blocked a road demanding withdrawal of volunteer ranger units. A similar protest against border patrol police in nearby Mabae village took place on the same day. "Yala villagers demanding forces removal disperse temporarily", *Bangkok Post/Thai News Agency*, 21 November 2006.

<sup>77</sup> Crisis Group interviews, military and civilian intelligence officials, Yala and Bangkok, January 2007. A Thai newspaper, *Daily News*, reported on 9 January 2007 that a women's movement, Permudi, was led by Che-Aning in Narathiwat's Cho Airong district.

<sup>78</sup> The stolen mobile phone was used to detonate a bomb in the area a week later. The following case study is based on in-depth Crisis Group interviews with a village official in Kapho, the local police commander, Colonel Piyapong Ponwanit, and the following press sources: "Four killed, 13 hurt in bombings, shootings", *The Nation*, 10 November 2006; "Massive roadside blast hurts ten soldiers", *The Nation*, 5 January 2007; "School

Two of the youths, Sama-ae (Ismail) Jeha and Masalan (Ruslan) Mali, were identified as locals; a third, Sormulee Salae, was from nearby Saiburi district. When police arrested Masalan on 7 December, approximately 70 women surrounded the district police station, demanding his release. Members of his family were present but police estimated that only 20 per cent of the protesters were locals, and the others had come from neighbouring districts including Raman (Yala), Bacho (Narathiwat) and Saiburi (Pattani).<sup>79</sup>

The local police knew the strength of the separatist movement in the area – the police station had come under M79 rocket attack in the past – and were concerned protests might spiral out of control. They called Maroning Sani and the Kapho district chief to negotiate with the protesters and eventually agreed to release Masalan on bail of 300,000 Baht (\$8,800). Masalan's mother used her land as collateral to raise more than half but the shortfall was 120,000 Baht. To ensure Masalan was released, the district police commander requested the headmen of villages 5 and 8 to guarantee an additional 60,000 Baht (\$1,753) each, even though in Maroning Sani's case, it meant underwriting the release of the man who probably had shot him.<sup>80</sup> Later that night, a women's development centre and a phone booth in the village were torched. Masalan, who was to report to police every fortnight as a condition of bail, disappeared six weeks later, during which time militants distributed leaflets in the village warning locals not to cooperate, police were able to rearrest him.<sup>81</sup>

On 4 January 2007, Kapho police arrested Sama-ae Jeha, sparking a protest of about 100, mostly women. The group, which included his mother, father and sister, followed the police back to the district station. The women had set up a roadblock and a tent with electric lights, showing that they planned a long stay if necessary, but when officers explained that the family could visit, the crowd dispersed. Later that night, there was an arson attack on the local nursery school.<sup>82</sup>

The following morning, police from the same station on a foot patrol encountered a few men cutting down trees and

scattering spikes on the road into Prong Hoi to prevent vehicles from entering. The men shot at police – injuring one – and then fled. As soon as the police had left the station, women began to pour into the area, leading the police to believe that the men may have been a diversionary tactic. The women had come on motorcycles and in pick-up trucks but parked a kilometre away, then walked in small groups, presumably to avoid detection. Around 200 converged on the Kapho police station. Officers moved quickly to seal off the area, preventing hundreds more from entering the sub-district.

The women who managed to enter Prong Hoi held banners reading "Release him without conditions". They came with food and water, prepared to stay all day. They were not locals and had not consulted with Sama-ae's family. Police tried to reason with the crowd, explaining that the Pattani court was handling the case, and they did not have the authority to grant bail, but the women refused to leave until Sama-ae was released.<sup>83</sup> His father, who did not support the protest, addressed the crowd, explaining his son was held in decent conditions but this had no effect. Finally the chairman of the Pattani Islamic Council told the crowd (without consulting the police) that Sama-ae would be freed the following day, and it dispersed satisfied.

On 9 January, when it had become clear that Sama-ae had not been released, women from outside the area returned to Prong Hoi with a banner reading: "The police lied to us". The police had been warned and sealed off the area around the station and the district office, so the protesters congregated at the mosques of nearby villages 7 and 4. The village headmen managed to disperse the crowds but as the women left, a health centre was set alight.

At this point, local officials felt they had no option but to release Sama-ae, despite the risk he would skip bail. On 10 January Pattani court set the bail at 700,000 Baht (\$20,400). His family raised it, and Sama-ae was released that afternoon on condition he report every fifteen days. He remains in his village awaiting trial.<sup>84</sup>

In at least seven cases since December 2006, suspects (including Masalan and Sama-ae) have been freed on bail under pressure from groups of women.<sup>85</sup> These

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hit by arson attack, police shot at", *Bangkok Post*, 6 January 2007; "Third stand-off over suspect", *The Nation*, 10 January 2007.

<sup>79</sup> Crisis Group interview, Colonel Piyapong Ponwanit, police commander for Kapho district, Kapho, Pattani, 20 January 2007.

<sup>80</sup> Village headmen as civil servants of rank C7 can guarantee bail up to 60,000 Baht. Crisis Group interview, village official, Kapho, 22 January 2007.

<sup>81</sup> Crisis Group interview, village official, Kapho, 20 February 2007.

<sup>82</sup> Crisis Group interview, Kapho police commander, 20 January 2007.

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<sup>83</sup> Having learned from the Masalan case, the police transferred Sama-ae's file (and thus any bail decisions) to the Pattani court, *ibid*.

<sup>84</sup> Crisis Group interviews, village official, 21 January and 20 February 2007, police commander 20 January 2007.

<sup>85</sup> Isma-ae Kuteh was arrested in Yarang, Pattani on 17 December 2006 and released on 19 December after two days of protests; police arrested Masayuki Mama on 20 December in Sungai Padi but released him the same day following protests; Muhammad Mubarak Do from Ban Rae and Jekah Braheng from Than To were arrested by the military on 26 December

protests, almost certainly organised by militants, also secure a psychological victory against the government and, in some areas, contribute to communal tensions.<sup>86</sup>

On 26 December, soldiers arrested Mahamamubarak in Santi 1 village in Yala's Than To district, accusing him of murdering a local Buddhist. At around 9am the following morning, approximately 50 local Muslim women and children protested on the road outside Than To hospital demanding his release. Military officers in the area wanted to use force to break up the crowd but the Yala deputy governor, Grisada Boonrach, and SBPAC officials called in from Yala town (around two-hours drive away), negotiated with the crowd and agreed to release Mahamamubarak on bail. The protesters dispersed around noon.

At 1pm, some 300 local Buddhists (from Santi 2 and Me Wad villages), frustrated with the frequent capitulation to Muslim protests, held their own demonstration, blocking the Yala-Betong highway near Me Wad village for several hours. They demanded the government stop giving in to demands of Muslim villagers and instead make decisions based on the rule of law. The same group of Yala officials was able to placate the crowd at 4pm, but the villagers vowed to hold more counter-demonstrations, sparking fears of Buddhist-Muslim clashes.

A similar confrontation occurred in Pattani's Khok Po district on 11 March 2007. 100 Muslim women blocked the Khok Pho-Na Pradu road outside Na Pradu police station demanding the release of three men detained at Inkayuthborihan military camp for suspected separatist links. In response 100 Buddhist villagers held a counter-protest demanding the Muslim women disband and criminals be punished. 200 police and paramilitary rangers guarded barricades erected to keep the two groups apart. The Pattani Islamic Council president, Waeduramae

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and released the next day following protests; Masalan (Ruslan) Mali was arrested 7 December in Kapho and released on bail the same day; Isma-ae Jeha was arrested on 4 January 2007 and released on bail on 10 January after three days of protests; Mahuseng Samoh was arrested in Lamai, Yala on 26 January but released six hours later after protests. "Ex-defence volunteer shot dead in south", *The Nation*, 21 December 2006; "Authorities to release suspect after agreement negotiated", *The Nation*, 19 December 2006; "Women, children protest against arrest of Muslim man", *The Nation*, 27 January 2007; "Demonstrations in Yala dispersed peacefully", Thai News Agency, 29 December 2006; Crisis Group interviews, Kapho, January, February 2007; Than To, February 2007.

<sup>86</sup> A second case of Buddhist protesters confronting Muslim demonstrations occurred in Pattani on 11 March. "Muslim protesters clash with Buddhists", *The Nation*, 11 March 2007.

Mamingji, was able to defuse the protests after three hours by promising the detainees' families could visit.<sup>87</sup>

Villagers may be frustrated by how easily police succumb to pressure but police are frustrated by their inability to respond more effectively to the protests.<sup>88</sup> They often explain the decision to release suspects with reference to "the new reconciliation policy" but in other cases they just feel they have no option.<sup>89</sup> Fearing another Tak Bai-like situation, they are reluctant to call in the army or attempt to break up the protests themselves, particularly in light of the taboos involved with touching Muslim women.<sup>90</sup> Sixty-five female police officers in Pattani received special crowd-control training in late January 2007 so they could be deployed to handle the protests, as have almost 100 women among the new paramilitary ranger units recently deployed in red zones. Whether this will have any impact remains to be seen.<sup>91</sup>

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<sup>87</sup> "Demonstrators spark security scare", *Bangkok Post*, 12 March 2007; "Muslim protesters clash with Buddhists", *The Nation*, 11 March 2007.

<sup>88</sup> Crisis Group interviews, villagers in Santi 1, 24 February 2007; "Buddhists vent anger; Protest after detainees set free", *Bangkok Post*, 28 December 2006. There was a third demonstration that day by Muslim villagers demanding the release of another local, Jekah Braheng, arrested with Muhamamubarak for suspected membership of and fundraising for BRN's military group, RKK. The crowd dispersed around 5pm, when the same delegation of Yala officials promised Jekah's family they could visit him at Inkayuthaboriharn camp and he would be released before Idul Adha holiday (31 December). He was released on 30 December.

<sup>89</sup> Some army officers feel police are adopting a hands-off attitude, deliberately allowing the situation to get out of control now that the army again has primary responsibility. Crisis Group interview, source close to senior fourth army region officers, January 2007.

<sup>90</sup> Crisis Group interviews, police and sub-district officials in Kapho district, Pattani and Rangae and Muang districts in Narathiwat.

<sup>91</sup> "Thai policewomen to get training to defuse female-led protests in south", Associated Press, 24 January 2007.



## V. THE SBPAC

The Southern Border Provinces Administrative Centre (SBPAC) was originally established in 1981 to help contain the local communist insurgency but it became effective in managing separatist tensions. It was responsible for designing and implementing political, social and economic policies to improve community relations and draw support away from insurgents. Arguably its most useful aspect was its broad patronage network. Many staff were local Malays, and it had an active advisory board of religious and community leaders whose own networks often reached down to the village level and served as a useful source of intelligence. Its role in local dispute resolution, and more particularly its mandate to remove wayward officials through a complaint mechanism known as Soon Damrong Tham (justice maintenance centre), gave southerners some legal recourse against government abuses.<sup>92</sup>

When Prime Minister Thaksin dismantled the SBPAC in May 2002, he removed this channel of communication and robbed the government of one of its few effective conflict management institutions. The SBPAC's reestablishment should help to integrate the strategies of the eighteen government agencies in the South and oversee implementation, but the complexity of this round of violence far outweighs its capability, particularly in its current form.<sup>93</sup> It is impeded by a weak mandate and subordination to the (military) Internal Security Operations Command (ISOC), whose approval it needs for all program and budget decisions, as well as disciplinary procedures for civilian and military officials found to have committed abuses.<sup>94</sup>

The SBPAC ostensibly began work on 1 November 2006 but in early 2007 still had less than half its complement of staff and was struggling to explain its policy plans.<sup>95</sup> Part of the problem is technical. The SBPAC has the status of an "office" under the prime minister's office and the ISOC but is not a permanent institution and must seek approval

from the interior ministry to initiate policies.<sup>96</sup> Officials from Bangkok ministries (mostly interior, justice and education) who volunteer to work at the Centre are replaced at their permanent posts and made responsible for finding their own replacements at SBPAC when they wish to leave. None of this is a recruitment incentive, though it does mean that staff tend to be committed and idealistic.

Many local Muslims would have liked a Malay Muslim as director but assumed Bangkok would never accept that. Still, they were disappointed that the Surayud government appointed a career interior ministry official with little experience in the region. Prannai Suwannarath, the younger brother of former SBPAC Chief and Privy Councillor Palakorn Suwannarath, served as deputy district chief of Saiburi, 1982-1985, but had no senior appointments in the southern provinces.<sup>97</sup> A number of SBPAC staff are locals, however, albeit at lower levels, and many non-local senior staff at least have extensive experience in the South.<sup>98</sup>

### A. FORGING COMMUNITY LINKS

SBPAC officials have begun to make contacts with important locals and build networks in the region but the community and religious leaders who were critical in forging links between the Centre and Malay Muslim villagers in the 1980s are no longer able to perform the same function. Three factors work against them. The first is the damage wrought by the Thaksin government. Relations between Bangkok and southern Malay Muslims have always been strained but the combined impact of the heavy-handed military operations, Thaksin's callous response to human rights abuses, widespread use of blacklisting, arbitrary arrest and torture and the persistent allegations of extra-judicial killings and disappearances have resulted in unprecedented alienation and mistrust.<sup>99</sup>

<sup>92</sup> See Crisis Group report, *Insurgency Not Jihad*, op. cit., pp. 11-12, 33-35, and Ornanong Noi Wong, "Political integration policies and strategies of the Thai government toward the Malay-Muslims of southernmost Thailand (1973 - 2000)", Ph.D dissertation, Northern Illinois University, 2001.

<sup>93</sup> Every national government ministry except defence and the prime minister's office is represented at the Centre, which is under the prime minister's office. Crisis Group interview, SBPAC official, 23 January 2007.

<sup>94</sup> Article 4(2) of Prime Ministerial Order 207, 30 October 2006 [คำสั่งนายกรัฐมนตรี ๒๐๗/๒๕๕๕ ลงนามโดย นายกรัฐมนตรี ชวน หลีกภัย สุรยุทธ์ จุลานนท์ ๓๐ ตุลาคม ๒๕๕๕ เรื่อง การบริหารงานในสามจังหวัดชายแดนภาคใต้].

<sup>95</sup> Crisis Group interviews, SBPAC staff, Yala, 18, 19, 23 January 2007.

<sup>96</sup> Article 3 of Prime Ministerial Order 207. The cabinet approved a draft bill on 12 February 2007 to strengthen the SBPAC by making it a permanent agency with the status of a government department. It would continue to report to the ISOC and the prime minister's office but its director would have the power to initiate policies without prior approval from the interior ministry. The bill would also introduce a range of incentives to attract staff. The National Legislative Assembly appointed a 24-member committee to examine it. "PM: Hearts and minds not being won in South", *Bangkok Post*, 14 February 2007; "Deep south bill gets provisional NLA green light", *The Nation*, 22 February 2007.

<sup>97</sup> Crisis Group interviews, community leaders in Pattani and Narathiwat, January 2007.

<sup>98</sup> Crisis Group interviews, SBPAC staff, op. cit.

<sup>99</sup> See Crisis Group report, *Thailand's Emergency Decree*, op. cit.

The second problem has been described as a crisis of leadership in Malay Muslim society.<sup>100</sup> Many local leaders have been compromised by electoral politics. The moral authority of traditional village leaders – the *tok guru* (head teacher of a traditional religious school), the imam and the village headman – has steadily diminished over two decades. Although introduction of direct local elections in the 1990s was designed to make officials more representative and accountable, they were drawn into patronage networks that ultimately robbed them of legitimacy.<sup>101</sup>

The religious authority of imams had already been weakened by the return of increasing numbers of foreign-trained *ustadz* (religious teachers) and, in many villages, the proliferation of multiple mosques, pitting imams of different religious orientations against each other. More damaging, however, were the reforms introduced, largely at the behest of local politician Den Tohmeena, to the Islamic Council system in the late 1990s. Elections for imams at the village level and the imams' subsequent election of Provincial Islamic Council chairmen incorporated these religious leaders into political networks that eroded their moral authority.<sup>102</sup>

The third problem is intimidation. In the more than 200 militant-dominated villages, headmen, sub-district officials and imams generally have three options: support the movement, flee or be killed.<sup>103</sup> Local leaders in separatist strongholds are warned, either by anonymous leaflets, specific threats or example, that those who cooperate with government agencies will be killed. Headmen and sub-district officials are pressured to resign. Even imams and *khatib* (Friday prayer leaders) regarded as too close to state interests have been targeted.

In a village visited by Crisis Group in Sungai Padi, virtually the entire local administration had been wiped out. After receiving several warnings, the village headman and one of the two sub-district administrative organisation representatives were assassinated; no one dared replace them.<sup>104</sup> The (state-sponsored) village defence volunteers, two of whom were seriously injured in the attack on the headman, resigned, and the imam and *khatib* fled.<sup>105</sup> Few cases are this dramatic but local leaders tread a difficult line between the state and the movement. If they cooperate too closely with the government, they risk being killed by insurgents but if they refuse to condemn the violence or to participate in government programs, they come under suspicion from authorities. As a village headman explained, “we are the state, yet we’re not trusted by it ... some still turn to us, but many feel we have no power anymore”.<sup>106</sup>

SBPAC staff have begun to reach out to *ustadz* in private religious schools and grassroots social welfare organisations, realising the importance of their networks. In order not to compromise their credibility and hence their usefulness to the Centre, officials should avoid involving them in activities too obviously linked to the government. The SBPAC is in the process of selecting members for an advisory council, which would meet monthly to discuss strategy and provide input from sectors of society the SBPAC itself may not be able to reach.<sup>107</sup> This would be an ideal forum in which to hold quiet consultations with groups which have reach into villages that would be compromised by any public role.

## B. THE COMPLAINTS MECHANISM

The SBPAC's other potentially useful function is the Soon Damrong Tham (complaints mechanism). Anyone who has a negative experience with a government official, police officer or soldier can lodge a complaint by telephone, email, post or in person. Eleven full-time staff receive complaints,

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<sup>100</sup> Duncan McCargo, “Explanations: A Crisis of Leadership in Malay Muslim Society?”, paper presented at an East-West Centre Washington (EWCW) and Institute for Defence and Strategic Studies Singapore (IDSS) workshop, Pattani, 30-31 October 2006.

<sup>101</sup> *Tok gurus* at some of the larger PSTIs (Private Schools Teaching Islam) have also been drawn into political networks but those at smaller PSTIs and *ponohs* continue to command considerable respect.

<sup>102</sup> *Ibid*; Duncan McCargo, “Co-optation and Resistance in Thailand's Muslim South: The 2005 Islamic Council Elections”, paper presented at the Asia Research Institute (Singapore) conference, “The Unravelling of Civil Society: Religion in the Making and Unmaking of the Modern World”, 22-24 March 2006.

<sup>103</sup> Military intelligence believes 216 of around 2,000 villages in the three provinces are heavily infiltrated by separatists and another 500-600 have some presence, Crisis Group interview, January 2007.

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<sup>104</sup> Headmen Makta Tohwaeayi and two village defence volunteers were walking home from a gathering in the village on 21 February 2005 when they were attacked by armed gunmen. Makta died, and Sufunni Masakileng and Muhamadnustori Masakileng were seriously injured. Two members of the sub-district administrative council were killed when militants walked into a teashop and shot them on 5 June 2005. Crisis Group interview, Aibatu village, Sungai Padi, Narathiwat, April 2006; “Two killed, four injured in fresh spate of attacks”, *The Nation*, 22 February 2005; “Three more shot dead in South”, *The Nation*, 6 June 2005.

<sup>105</sup> Crisis Group interview, Aibatu village, Sungai Padi, Narathiwat, April 2006

<sup>106</sup> Crisis Group interview, Pattani, January 2007.

<sup>107</sup> Crisis Group interviews, SBPAC officials, op. cit.

seven of whom speak the local Malay dialect.<sup>108</sup> The bulk of the complaints they handle concern arrests (including bail), detention and trials, cultural insensitivity and corruption.<sup>109</sup>

The first step after receiving a complaint is for the Soon Damrong Tham to instruct the agency where the officer works to conduct an internal investigation. It then cross-checks the information in its own parallel enquiry. The results of the two investigations are passed to the Complaints Centre Committee, which listens to both parties and decides whether the officer is at fault. For relatively minor offences, it recommends internal disciplinary procedures by the official's department. Criminal offences are forwarded to the police and courts. The third option is a transfer out of the area.<sup>110</sup>

To recommend this third option, other than for very junior officials, however, the committee must seek approval from both the prime minister's office and the ISOC, meaning it is difficult in complaints involving military officers.<sup>111</sup> A credible allegation of torture in military custody reported to the SBPAC in mid-January 2007 will be an important test case.<sup>112</sup>

If the Soon Damrong Tham responds quickly and transparently to complaints, of which it had received some 150 by early 2007, it could be effective in gradually restoring faith in the government. It has distributed 10,000 stickers with contact information to villages throughout the three provinces and made announcements on local radio to publicise its services.<sup>113</sup> The Complaints Centre Committee is expected to be up and running by April.<sup>114</sup> The sooner this mechanism begins to function – particularly in view of the fact that villagers have no

other recourse for human rights abuses while the Emergency Decree is in force – the better.

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<sup>108</sup> Complaints specifically relating to the judicial system are passed to a separate 25-strong justice ministry section within the SBPAC. Crisis Group interview, Somsak, director of the Soon Damrong Tham, Yala, 23 January 2007.

<sup>109</sup> It also receives suggestions and handles queries and complaints relating to compensation for victims of violence and problems concerning drugs and organised crime, which it passes on to the narcotics bureau or police. Ibid.

<sup>110</sup> Handbook [Receiving Complaints to Facilitate Justice] from the justice maintenance centre of the SBPAC. Figure (1), The Complaints Centre, กระบวนการรับเรื่องราวร้องทุกข์ ศตว.จขต.ศอบต (1).

<sup>111</sup> Ibid; Crisis Group interview, Somsak, op. cit.

<sup>112</sup> This case is discussed in more detail below.

<sup>113</sup> Stickers were also distributed in four conflict-affected districts of Songkhla province: Saba Yoi, Thepa, Na Thawee and Chana. Crisis Group interview, Somsak, op. cit.

<sup>114</sup> It will be comprised of Islamic judges, public prosecutors, religious leaders, academics and retired senior officials and have no more than 30 members. Crisis Group interview, Somsak, op. cit.; "SBPAC promises clear strategy for South", Thai News Agency, 25 February 2007.

## VI. RESTRUCTURING THE SECURITY APPARATUS

The government has also revived SBPAC's security counterpart, the Civil Police Military Joint Task Force (CPM), which helped harmonise the security policies of the police, military and civilian intelligence agencies in the South during the 1980s and 1990s. Inter-agency rivalries, particularly police-military, have always impeded effective conflict management, but under the old CPM there were at least clearer lines of command and a joint centre to help manage tensions.

The old CPM had its shortcomings – it completely failed to detect the brewing conflict that re-emerged in the early 2000s. But when Thaksin dismantled it and handed overall control to police in 2002, tensions between the police and military exploded.<sup>115</sup> The establishment of a new joint centre, the Southern Border Provinces Peace Building Command, in April 2004 and several subsequent restructuring exercises helped improve relations between senior officials but the agencies continued to work independently, with police tending to take their cues from Thaksin and his security chief Chidchai Vanasatidya (both former police), while soldiers looked to their regional commander for guidance.

The coup leaders hoped that by taking Thaksin and Chidchai out of the picture and reestablishing the CPM, they could at least streamline command. A joint intelligence centre bringing together the (civilian) National Intelligence Agency (NIA), police and military intelligence may improve information sharing and analysis but there have been no demonstrable gains since it began operations, and there are indications the agencies are using informants against each other.<sup>116</sup> Intelligence also continues to be hampered by the frequency of troop rotations. As soon as officers start to get a handle on the situation, they are transferred out of the area.

The new CPM, like the SBPAC, has been revived under the ISOC, making it clear who is ultimately in charge. Subordinated again to the military, police feel marginalised; senior officers in the area complain they have been shut out of planning and instructed to pull back operationally and let the military take charge. One lamented: "Police are really sidelined at this point. It's almost as if we're being punished because Thaksin was a former policeman".<sup>117</sup>

This perception is reinforced by the government's professed willingness to investigate and prosecute extrajudicial killings alleged to have been committed by police during the 2003 war on drugs and the disappearance of a prominent Muslim human rights lawyer, while it refuses to pursue charges against soldiers who have used excessive force, in the Tak Bai case for example.<sup>118</sup>

While police complain they feel sidelined, some army officers have argued police are deliberately adopting a "hands off" policy, leaving the military, which now has primary responsibility, to clean up the mess. Whatever the truth of the accusations, it is clear that interagency cooperation has not been improved by the new government's restructuring.

<sup>115</sup> See Crisis Group report, *Insurgency Not Jihad*, op. cit., pp. 34-35; Supalak Ganjanakhundee and Don Pathan (eds), *Peace Amidst the Fire* (Nation Books International, 2004), in Thai.

<sup>116</sup> Crisis Group interview, January 2007.

<sup>117</sup> Crisis Group interview, senior police official, Narathiwat, January 2007.

<sup>118</sup> On 23 February 2007, Prime Minister Surayud instructed the justice ministry to establish a committee to reexamine alleged human rights violations and extra-judicial killings during the Thaksin administration, focusing on the 2003 war on drugs but also with a mandate to review the Tak Bai and Krue Se cases. These incidents have already been investigated by government-appointed independent commissions, which concluded that the military used excessive force and recommended the prosecution of several officers. "Surayud orders renewed enquiry", *The Nation*, 5 March 2007.

## VII. JUSTICE AND HUMAN RIGHTS

Southern Muslims welcomed Surayud's announcement of justice measures. Police and soldiers in the region have been instructed to follow the reconciliation approach (*samanachan*). In practice this appears to mean two things: only arresting suspects against whom there is solid evidence, and releasing suspects on bail whenever possible.<sup>119</sup> Martial law and the Emergency Decree are still in force throughout Pattani, Yala and Narathiwat, however, as well as four districts of Songkhla, and concerns remain about the conduct of officers in the field.<sup>120</sup>

Local human rights groups attested that arbitrary arrests have decreased significantly under the new government. Suspects brought in by police for questioning under the Emergency Decree, which stipulates that police hold them in "places other than a police station, detention centre, penal institution or prison", were routinely kept at the Yala police training college in late 2005-2006, often dozens at a time. A local activist expressed shock to find only five detainees there on a December 2006 visit and none when he returned the next month.<sup>121</sup> This could simply mean that other places of detention are being used but no reports have reached the social welfare and human rights organisations to which villagers usually turn.

Police said they have been instructed not to call suspects for questioning unless they are confident of an arrest, in other words, not to use the Emergency Decree. Military officials, however, may be continuing to use unacknowledged detention. A fourth (southern) region ISOC official explained that his unit had a policy of inviting people for questioning at the "peacebuilding school" (*Wor Sor Wor*) at Inkayuthaboriharn camp rather than making arrests.<sup>122</sup> Local lawyers and human rights monitors have generally been refused access to the camp, while some Bangkok officials deny anyone is held there. A client detained there until mid-January told his local lawyer that close to 100 were in custody when he left.<sup>123</sup> Credible reports of suspected extrajudicial killings and disappearances have not abated under the new government.<sup>124</sup>

<sup>119</sup> Crisis Group interviews, police and military officers, Pattani and Narathiwat, January 2007.

<sup>120</sup> Saba Yoi, Thepa, Na Thawee and Chana are also considered conflict areas.

<sup>121</sup> Crisis Group interviews, human rights monitors, Pattani and Yala, January, February 2007.

<sup>122</sup> Crisis Group interview, Sirinthorn military camp, Yala, January 2007.

<sup>123</sup> Crisis Group interview, January 2007.

<sup>124</sup> One example is the case of Hassan Yamalae, a village headman in Rangae district who was shot dead on 16 October 2006 by an unidentified gunman two days after meeting

One incident of torture at a military camp in Ruesoh illustrates the blurred lines between police and military, the scanty information on which security forces sometimes act and the importance of a mechanism to investigate complaints quickly and transparently.

### A. THE CASE OF MUHAMMAD ARMING YUSOH

On 30 October 2006, soldiers arrested Muhammad Arming Yusoh, a 42-year old rubber tapper, in Bo Ngor in Narathiwat's Rangae district. Handcuffed and blindfolded, he was taken to what he later learned was an army base in neighbouring Yala province, where he was interrogated about the 4 January 2004 arms raid on Rachanakarin camp and tortured when he denied knowledge. Among other things, he was kicked in the face, hit on the head with a steel bar and burned with cigarettes. He was then chained to a dog for the night.<sup>125</sup>

The next day, soldiers took him to Inkayuthaboriharn camp in Pattani, where he was interrogated for a further five days, sometimes at gunpoint. His family was permitted to visit on 2 November but he was not provided with either a doctor or lawyer. On 6 November, soldiers asked him to sign documents but when they realised he was illiterate, an army officer signed on his behalf, then transferred him to Rangae police station.

Muhammad claims police accused him not of involvement in the 2004 raid but on the basis of the information from the army, of murdering a man called Maroseh in his village in February 2006. He remained in custody until 13 November, when he was transferred to Narathiwat court. On 20 November, he was released on bail of 600,000 Baht (\$17,520).

Human rights workers armed with extensive documentation reported the case to the SBPAC and to senior military

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representatives of the National Human Rights Commission to testify about assaults committed by soldiers during a raid on his village. In a similar case, Muhammad Dunai Taneeyo, a village headman in Tak Bai district active in assisting families of victims of violence, was shot dead on 20 October after going out to meet a mystery caller. "Stop killing human rights defenders", *Charged!*, November 2006. *Charged!* is the newsletter of a working group on justice for peace and a network of local and international non-governmental organisations monitoring human rights in the southern provinces. Crisis Group follow-up telephone interview, network staff, February 2007.

<sup>125</sup> Some local youths from Muhammad's village who happened to be in Padummak sub-district by the Li-gae River saw him being taken away in a green and white pickup truck. Crisis Group interview, Muhammad Arming Yusoh, Narathiwat, 23 February 2007.

officers at the ISOC in January 2007.<sup>126</sup> Muhammad personally reported the torture to the Soon Damrong Tham on 23 January but he continued to be treated more as perpetrator than victim. On 30 January, Rangae police summoned him and in the presence of ten soldiers and five men in plain clothes, asked why he had alleged torture. They then interrogated him again about the raid and the murder.

Colonel Akorn Tiproth, head of the CPM's information section, claimed on 12 February that Muhammad had in fact submitted a complaint about the Rangae police but Muhammad insists it was soldiers who tortured him.<sup>127</sup> Both the fourth army region and the Soon Damrong Tham are investigating.

## B. JUSTICE FOR PAST ABUSES

Accountability of the security forces remains a major problem. The Emergency Decree – granting police and military officers immunity from prosecution and suspending the jurisdiction of the administrative courts in human rights cases – was renewed on 20 January 2007 for three months and is likely to remain in force for some time.<sup>128</sup> There has been no progress on providing justice for past abuses – including the well-documented use of excessive force by the military and police in response to the 28 April 2004 attacks and 25 October 2004 demonstration at Tak Bai resulting in a total of 191 deaths.<sup>129</sup>

Although the 56 protesters detained since October 2004 were released and charges (all trivial or based on weak evidence) dropped, and the families of 78 of the victims have finally been awarded compensation, not a single

officer has been brought to trial.<sup>130</sup> In fact, the 42 million Baht (just over \$1.25 million) awarded to the families came at the cost of an agreement that they would not pursue any further civil or criminal suit against the government.<sup>131</sup> The November 2006 address of the fourth army region commander, Lt. General Viroj Buacharoon, to religious leaders demonstrates the limits of justice for military abuses: “I am not here to right the wrongs but I would be willing to compensate where possible for the sake of unity”.<sup>132</sup>

The government has made progress in the probe into the March 2004 disappearance of Muslim human rights lawyer Somchai Neelaphaijit, appointing a new chief investigator, Police Lt. General Thane Somboonsap. He has established a new team from the Department of Special Investigation to work on the case. This has already led to the arrest of five Crime Suppression Division officers but the team should ensure it has adequate evidence before attempting to prosecute so as to avoid an acquittal, as happened with the four police tried in 2006.<sup>133</sup>

Ensuring justice for past abuses, particularly the Tak Bai and Krue Se deaths and Somchai Neelaphaijit's disappearance, which have become symbols of brutality and injustice, would be the single most effective way to rebuild trust with local Malay Muslims.

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<sup>126</sup> Crisis Group interviews, human rights workers who assisted Muhammad, Yala, February 2007.

<sup>127</sup> “Army spokesman denies it was army, says it was Rangae police”, *Matichon*, 13 February 2007.

<sup>128</sup> Crisis Group interviews, Bangkok and Yala, January 2007. Section 16 of the decree suspends the jurisdiction of the administrative courts in human rights cases, while Section 17 grants enforcement officers immunity from civil and criminal prosecution for any action taken on duty.

<sup>129</sup> Government-appointed fact finding teams investigated both the Krue Se (one of ten cases on 28 April 2004) and Tak Bai incidents and named several senior military officers deemed to have command responsibility for excessive use of force in each case. See Crisis Group report, *Insurgency Not Jihad*, op. cit., pp. 27, 31. A new post-mortem inquest report on the Krue Se incident released in December 2006 makes it clear beyond doubt that General Panlop Pinmanee had command responsibility for at least 29 of the 32 deaths that day. A similar inquest into the deaths of nineteen youths in Saba Yoi, Songkhla the same day is underway, with results expected in mid-2007.

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<sup>130</sup> The families of the 78 protesters who died in army custody, mostly of asphyxiation, have settled for compensation. The families of the seven victims shot on site are still negotiating with the department of defence. Crisis Group interview, legal team, Pattani, February 2007.

<sup>131</sup> ไกลเกลียด “ตากใบ” จ่ายเงินชดเชยกว่า 42 ล้านบาท [Settlement for ‘Tak Bai’ pays out over 42 million baht in compensation], Nation channel, 7 November 2006; Crisis Group interview, victim support group representative, Pattani, November 2006.

<sup>132</sup> “Army chief in south reaches out”, *The Nation*, 2 November 2006. See also fn. 111 above.

<sup>133</sup> See February 2007 edition of *Charged!* at: [www.nonviolenceinternational.net/seasia](http://www.nonviolenceinternational.net/seasia).

## VIII. EDUCATION

Education is a policy area the interim government has barely touched. The state school system has always been at the centre of the separatist conflict, viewed by Malay nationalists as a vehicle for assimilation and cultural domination since the 1920s.<sup>134</sup> One of the seven core demands made by 1940s nationalist leader Haji Sulong was that Malay be the language of instruction for primary education.<sup>135</sup> BRN's formation in the 1960s was also spurred by a program that required traditional *ponoh* (Islamic boarding schools) to adopt the national secular curriculum or face closure.<sup>136</sup> As symbols of hated assimilation policies, government schools have been targeted by separatist groups since the 1970s. The coordinated 4 January 2004 raids that marked the beginning of this campaign of violence included arson attacks against twenty schools across Narathiwat province. The government faces four important education policy issues in the Muslim South: school security; finding space for Malay Muslim identity in the state system; radicalisation and recruitment in some private Islamic schools; and the alienation of religious school graduates.

### A. SCHOOL SECURITY

At least 73 teachers and school officials have been killed since January 2004.<sup>137</sup> In July 2006, a teacher was executed in front of his class of fourth grade students by two young militants dressed in school uniforms.<sup>138</sup> As noted above, attacks in late 2006 led schools across the three provinces to close for a week in protest.<sup>139</sup> Teachers (especially Buddhists) in militant strongholds are regularly threatened

with violence.<sup>140</sup> The government has attempted several strategies to enhance teachers' security, including providing armed protection and weapons, but these measures have become as much a part of the problem as the solution. Travelling with soldiers and carrying guns make teachers an even more attractive target. Muslim teachers who refuse armed escort tend to be suspected, leading some to accept though they feel less secure.<sup>141</sup> The education ministry declined the government offer of armed soldiers as substitute teachers.<sup>142</sup>

Many teachers feel the best security is good relations with Muslim villagers in their areas. The government has dropped leaflets urging locals to protect teachers, but faced with insurgent threats, few are prepared to risk their lives. When Juling Pangamoon was kidnapped by militants in May 2006 and beaten to death, villagers did not dare intervene. According to her colleagues and local Muslims, she enjoyed warm relations with many villagers. Although the *tadika* (kindergarten) where she was being held was guarded only by unarmed women, no one attempted to rescue her.<sup>143</sup>

There are no simple solutions to this problem. In the short term, the government should follow up on the Thaksin cabinet's agreement in principle in July 2005 (based on NRC recommendations) to give all schools radio communications and involve teachers in planning security arrangements for their own schools.<sup>144</sup>

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<sup>134</sup> Malay Muslim children who had until this point been educated in the traditional *ponoh* (religious boarding school) system, were obliged to enter the national, Thai-language system, which included lessons in Buddhist ethics, often taught by monks. See Moshe Yegar, *Between Integration and Secession* (Boulder, 2002).

<sup>135</sup> See Crisis Group report, *Insurgency Not Jihad*, op. cit., pp. 5-6.

<sup>136</sup> Ustadz Haji Abdul Karim Hassan, the head teacher (*baboh*) of a *ponoh* in Ruesoh, Narathiwat saw the 1961 Educational Improvement Program as another attempt to assimilate Muslims and dilute Malay culture. He founded BRN and took to the jungle to fight for an independent Patani state.

<sup>137</sup> "Saimah Mayamae the 73<sup>rd</sup> teacher murdered since 2004", *The Nation*, 11 January 2007.

<sup>138</sup> "Teacher shot dead in front of students in Narathiwat", *Thai Day*, 25 July 2006.

<sup>139</sup> Letter from the Teachers' Federation of Yala, 27 November 2006, available with English translation at [www.2bangkok.com](http://www.2bangkok.com).

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<sup>140</sup> See an example of a threat letter with English translation at [www.2bangkok.com](http://www.2bangkok.com). Anonymous letters and phone calls from militants warn teachers to leave the Malay Muslim villages where they work. Crisis Group interviews, Prasit Meksuwan, former board member of the Teacher's Federation of the Five Southern Border Province and National Reconciliation Commissioner, education officials in Yala, September 2006 and January 2007; "Teachers feel unsafe after officers forced out", *Bangkok Post*, 7 November 2006.

<sup>141</sup> Crisis Group interview, Muslim teacher, Pattani, January 2007.

<sup>142</sup> Border patrol police have already been teaching in some remote border areas – not only in the South – for decades, largely because civilian teachers were not willing to take up assignments in these areas.

<sup>143</sup> Crisis Group interview, teachers and villagers in Kuching Lupa village, Rangae, Narathiwat, September 2006.

<sup>144</sup> See "Overcoming Violence Through the Power of Reconciliation: Recommendations of the National Reconciliation Commission to the government", April-September 2005, p. 23. Currently security is overseen by education committee members, guards, and village- and sub-district heads. "Cabinet sets security measures for teachers in far south", Thai News Agency, 28 February 2007. The Surayud cabinet agreed in November 2006 to increase teachers' pay by 1,000 Baht (\$30) a month, beginning retroactively in October 2006. "สวนราชการเจ้าของเรื่อง คมช" (Thai cabinet website).

## B. ACCOMMODATING MALAY MUSLIM IDENTITY

Instituting reforms that address longstanding grievances related to the education system may also help undercut militant claims that the government is trying to destroy or dilute Malay language and Islam. A leaflet found in August 2005 reads: "Oh! All Malayan nationals, you should not educate your child to be blind from the language of Malaya, which is recorded in the Koran. You are destroying the religion..."<sup>145</sup> Malay language education has long been a demand of the separatist movement. During 2005 the NRC consulted extensively with locals on the issue and found strong support for Malay language education among Muslim parents and students.<sup>146</sup>

On the NRC's recommendation, the ministry of education agreed in July 2005 to introduce some Malay language teaching. NRC member and education minister at that time Chaturon Chaisang asked education officials in the region to follow up. Pattani-based NRC colleagues accompanied Chaturon on meetings with local officials, who enthusiastically embraced the proposal, but when the southern NRC members returned without the minister, the same officials were disdainful.<sup>147</sup> The ministry did design and distribute a curriculum in Malay for kindergarten and early primary school education, but from the outset local officials were reluctant to implement it.

In its June 2006 final report, even the NRC defined the problem as the need for "the effective teaching of the Thai language to children who use Malay in their daily lives", rather than the recognition or promotion of Malay language in local education.<sup>148</sup> The ministry appointed a committee of 25 teachers and ministry officials, some half of whom were Buddhist, to design a curriculum for using Malay to teach Thai. According to a Muslim member, some of his Buddhist colleagues were opposed from the start and resented the project. They had no interest in learning a new language and felt uncomfortable making any concessions to Malay culture or Islam. For example, when a Muslim teacher proposed the sentence "Aminah loves

Allah" as a text book example, some Buddhist members asked why "a normal Thai name" could not be used and why Allah had to come into it.<sup>149</sup>

Another major conceptual problem was the decision to use standard Malay rather than the local Patani Malay dialect. The overwhelming majority of Muslim government school teachers are graduates of government schools who grew up speaking the dialect but never studied standard Malay. Thai Buddhist teachers, who cannot speak Malay, have not received any language training, leaving only a small minority of teachers who are actually able to teach the optional curriculum.<sup>150</sup>

Regional education officials in Yala, with funding from the Southern Border Provinces Peace Building Command, also designed a religious education syllabus that would provide an additional six to eight hours of Islamic education per week (to supplement the two hours currently available). A pilot project in 142 schools in Yala, Pattani, Narathiwat and Songkhla began teaching the curriculum in mid-2006.<sup>151</sup>

## C. THE PRIVATE ISLAMIC SCHOOL SYSTEM

After traditional *ponoh* were proscribed in 1961, the majority eventually converted to become "private schools teaching Islam" (PSTIs, *rongrian ekachon son satsana Islam*), offering the national curriculum in the mornings and three to four hours per day of religious instruction in the afternoon. The government subsidises PSTIs with 10,000 Baht (\$300) per student. Many also receive donations from foundations in the Middle East but compared with government schools, they tend to have inferior facilities.<sup>152</sup> Nevertheless, an estimated 70 to 80

<sup>145</sup> Leaflet collected by local researcher in August 2005 and made available to Crisis Group.

<sup>146</sup> Crisis Group interviews, NRC members on the education sub-committee, including Worawit Baru, Ahmad Somboon Bualuang, Prasit Meksuwan, Abdulrahman Abdulsamat and Surin Pitsuwan, September 2005, April and September 2006. See also "Overcoming Violence", op. cit., April-September 2005, pp. 24-25.

<sup>147</sup> Crisis Group interviews, Worawit Baru and Ahmad Somboon Bualuang, September 2005.

<sup>148</sup> "Overcoming Violence", op. cit., June 2006, p. 28. The final report is available in English at [http://thailand.ahrchk.net/docs/nrc\\_report\\_en.pdf](http://thailand.ahrchk.net/docs/nrc_report_en.pdf).

<sup>149</sup> Crisis Group interview, member of the committee to design a Malay curriculum for teaching Thai, Pattani, January 2007.

<sup>150</sup> Ibid.

<sup>151</sup> Approximately twenty schools in each of seven education zones (two each in Pattani, Yala and Narathiwat, one in Songkhla) are participating in the pilot project. Crisis Group interviews, Samrit from the Yala education office, September 2006, Pradit Rasitanin, director, SBPAC education section, which has taken over the project, 19 January 2007.

<sup>152</sup> Ordinary government schools receive 2,900 Baht (\$90) per student plus the cost of buildings and teachers' salaries. Crisis Group interview, Pradit Rasitanin, director, SBPAC education section, 19 January 2007. Students at PSTIs score lower on average than government school students on every subject but English. รายงาน ของคณะกรรมการศึกษาวิจัยทาง การพัฒนา เพื่อความมั่นคงของมนุษย์ เสนอต่อ คณะกรรมการอิสระเพื่อความสมานฉันท์แห่งชาติ, เมษายน 2549. [Report of the sub-committee on development studies for human security to the National Reconciliation Commission, April 2006], p. 42.



per cent of secondary school students in the three majority-Malay Muslim southern provinces opt for this system.<sup>153</sup> Muslim parents tend to prefer PSTIs to state schools for four reasons. They want their children to have a solid religious education; PSTIs are generally cheaper;<sup>154</sup> they usually provide transport; and there is a strong perception that they protect children from the ills of secular modern society.<sup>155</sup>

Whereas Malay nationalists see government schools as a threat to Malay Muslim identity, the Thai state has tended to view private Islamic schools as a threat to national unity. The overwhelming majority of private Islamic schools are benign but a significant minority of PSTIs and traditional *ponoh* have been infiltrated by the separatist movement. Hundreds of young militants have been recruited and in some cases given military training by teachers at PSTIs and *ponoh*.<sup>156</sup> After violence erupted in 2004, the government attempted to register unofficial *ponoh* (technically illegal since 1961) that had proliferated with the return of graduates in Islamic studies from the Middle East and Pakistan.<sup>157</sup> Efforts to regulate the traditional religious education system (both *ponoh* and weekend religious schools for young children known as *tadika* – taman pendidikan kanak-kanak) have met with fierce resistance in the past, so Bangkok has sensibly opted for voluntary registration and incorporation of government

curricula, combined with efforts to make state schools more attractive to Malay Muslims.<sup>158</sup>

Due to the relatively poor quality of secular education in many PSTIs, few Malay Muslim students earn places in Thai universities.<sup>159</sup> Many, therefore, pursue higher education abroad. Students are also attracted by the availability of scholarships in some Middle Eastern countries and the lower cost of education in Pakistan and Indonesia. In addition, those who graduate in religious studies at the *zanawiyah* (high school) level are qualified to pursue tertiary religious studies in some foreign countries but not Thailand.<sup>160</sup>

Providing assistance to PSTIs to improve secular education teaching would enable more local Muslim students to pursue higher education in Thailand. One way to improve teaching of science and language in PSTIs that would also address the segregation of Muslim and Buddhist students would be to develop joint labs at government and PSTI schools.<sup>161</sup> The government should also consider developing a system for recognising religious education qualifications for entrance into Islamic studies programs at Thai universities.

#### D. ALIENATION OF FOREIGN GRADUATES

Anywhere between 2,000 and 10,000 students from the southern provinces are currently pursuing higher education abroad. The majority attend universities in Pakistan, Egypt, Saudi Arabia, Syria and Malaysia.<sup>162</sup> Some have pursued

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<sup>153</sup> The remainder attend government schools (*rongrian rat*) for at least the three compulsory years of secondary education. Very few students attend traditional *ponoh* schools, which are still technically illegal. No precise data is available but education officials interviewed by Crisis Group in Yala in September 2006 and January 2007 estimated that between 70 and 80 per cent of students attend PSTIs. The NRC estimated two thirds. See its final report, "Overcoming Violence", op. cit., p. 27.

<sup>154</sup> Government schools are supposed to be free but in practice rarely are, Crisis Group interviews.

<sup>155</sup> Crisis Group interviews, education officials, academics and students, 2004-2006.

<sup>156</sup> Crisis Group interviews, active and surrendered militants; interrogation documents of insurgents arrested by police, 2004-2006. A mid-2005 military intelligence document viewed by Crisis Group listed 78 schools suspected of organising separatist activities.

<sup>157</sup> By May 2004 an additional 214 *ponoh* had signed up with the ministry of education. See "School system forms the frontline in Thailand's southern unrest", *Jane's Intelligence Review*, 1 November 2004. Schools and lists of teachers and students were registered (and had their backgrounds scrutinised) in exchange for government assistance. 53 remain unregistered. See Joseph Liow, "Islamic Education in Thailand: Negotiating Islam, Identity, and Modernity", *Southeast Asia Education Survey*, National Bureau of Asian Research, Washington DC, June 2005, pp. 10, 15.

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<sup>158</sup> Crisis Group interviews, education officials in Yala, ministry of education and SBPAC education section, September 2006, January 2007. Crisis Group has argued in its reporting on Pakistan that voluntary registration of madrasas is inadequate to curb radicalism there, Crisis Group Asia report N°36, *Pakistan: Madrasas, Extremism and the Military*, 29 July 2002, but the situation in southern Thailand is quite different. First, only a very small proportion of children attend unregistered traditional *ponoh*, and most of them have already attended government, Thai-language primary schools and three years of lower secondary. Secondly, the bulk of the recruitment and indoctrination takes place in registered PSTIs and state universities. Obligatory registration of the remaining unofficial *ponoh* would probably not curb radicalisation and would almost certainly exacerbate tensions.

<sup>159</sup> "Overcoming Violence", June 2006, op. cit., p. 92.

<sup>160</sup> They can, however, attend private religious colleges such as the Yala Islamic College run by Dr Ismael Lutphi. Crisis Group interview, religious studies graduate from Pattani, January 2007.

<sup>161</sup> This recommendation was also made in the NRC report, *ibid*, p. 91.

<sup>162</sup> The Association of Community Religious Schools (Persatuan Sekolah Agama Rakyat) estimates that just over 2,000 Thai Malay Muslims are currently studying abroad. The Thai military puts the figure at 10,000. Information made available by Dr

studies in Islam and others in professions such as medicine, engineering or architecture or more general business or social science degrees. Most return home to find their qualifications not recognised, and they struggle to get jobs. Deprived of other options, many go back to the PSTIs or *ponoh* system to teach (a notoriously badly-paid profession) while others remain unemployed.<sup>163</sup> Graduates returning from Muslim countries other than Malaysia also come under immediate suspicion. Raids on PSTIs and arbitrary arrests of religious teachers have further alienated communities around the schools.

There is some evidence that students in Syria in particular, where the Patani United Liberation Organisation (PULO) has its headquarters, but also in Egypt, Indonesia, Pakistan, Sudan and elsewhere, are targeted for recruitment by separatist groups, but this does not justify the systematic harassment that Muslim graduates claim they have suffered.<sup>164</sup> If a proportion of the returning graduates have been exposed to separatist ideology abroad, it is even more important that the Thai government reach out to assist them.

The education ministry has tried to help some graduates find positions in Thai consulates in the Middle East, where their language skills are helpful. The army has also made an effort to reach out to foreign graduates for its administrative needs but a large proportion of those with foreign degrees are still unable to work in their chosen professions.<sup>165</sup> The NRC cooperated with the Public Health System Research Institute to help establish a program to assist with preparations for the medical license examination.<sup>166</sup> The medical faculty at Prince of Songkhla University is running a special course during the 2006-2007 academic year to assist seven foreign medical graduates but it is a one-off

project. The SBPAC should consider institutionalising this program and looking at ways to assist overseas graduates in other sectors with bridging courses and equivalency certificates.

Unless it addresses education issues, any program of reconciliation in the South is bound to fall short.

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Joseph Liow from the Institute for Defence and Strategic Studies at Nanyang University, Singapore.

<sup>163</sup> Crisis Group interviews, graduates from schools in Sudan, Pakistan and Indonesia, Narathiwat and Pattani, 2005-2007; Crisis Group interviews, NRC members Worawit Baru and Ananchai Thaipratan, September 2005, April and September 2006, and National Legislative Assembly member Waemahadi Waedo, Jakarta, November 2006.

<sup>164</sup> Intelligence officials insist that Patani students' organisations in Indonesia (PMIPTI), for example, are linked to the separatist movement and conduct military training around Bandung and Medan, and that a handful of suspects interrogated by police have admitted to being recruited there. Crisis Group interviews, Bangkok, Yala and Bandung. Crisis Group has not been able to obtain independent verification.

<sup>165</sup> Crisis Group interview, Lt. General Niphath Thonglek, Bangkok, January 2007.

<sup>166</sup> Crisis Group interviews, Worawit Baru, Arya Adun Pakun and Ananchai Thaipratan, September 2006, January 2007; "Overcoming Violence", op. cit., April-September 2005, pp. 21-22.

## **IX. CONCLUSION**

The post-coup government gets high marks for its initial efforts on the South but it has failed to sustain momentum. The danger is that the upsurge in violence in response to its conciliation efforts will increase pressure for a return to Thaksin-style tactics and an approach more focused on the use of force than on addressing grievances. The security threat is all too real, as is the prospect of communal violence.

Security forces have lost control over areas where militants have either persuaded or intimidated villagers to resist state authority. Reestablishing a government presence and some semblance of legitimacy in these areas is critical, though no one pretends it will be easy. Protecting civilians in red zones calls for a balance between security and human rights that does not include succumbing to organised protests to release known criminals.

The government has to be seen by the Thai public to be doing more to prevent attacks, while at the same time doing more to address justice concerns of Malay Muslims, but it is constrained by its limited mandate. Its main priority must be to organise elections and work itself out of office as soon as possible, not to explore long-term solutions. The bureaucracy is well aware of this, making the return to democratic government all the more important.

That the separatist movement enjoys some genuine support also underscores the importance of a political settlement. The security forces have proved incapable of defeating the insurgency, despite numerous arrests and some arms seizures. Talking with the leaders of the insurgency seems more important than ever, highlighting the need for more information about who they are.

Persevering with attempts at dialogue through the old guard continues to offer the best hope of making contact with the insurgent leaders who control the violence. The other critical task for this government is to initiate a sensible debate in Thai society on the need for negotiations and the contours of an eventual political settlement, so as to help set the course for its democratic successor.

**Jakarta/Brussels, 15 March 2007**

## APPENDIX A

### MAP OF THAILAND



## APPENDIX B

### MAP OF THE THREE SOUTHERN PROVINCES



## **APPENDIX C**

### **SEPARATIST LEAFLETS**

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To access this Appendix, [please click here](#).

## APPENDIX D

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with over 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

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**March 2007**

## APPENDIX E

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