THAILAND: THE EVOLVING CONFLICT IN THE SOUTH

Asia Report N°241 – 11 December 2012

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

After a decade of separatist violence in Thailand's Malay/Muslim-majority southern provinces, insurgent capabilities are outpacing state counter-measures that are mired in complacency and political conflict. While Bangkok claims to make a virtue of patience, more sophisticated and brutal insurgent attacks increase the death toll. Successive governments have opted to muddle through South East Asia's most violent internal conflict, their responses hostage to outmoded conceptions of the state, bureaucratic turf battles and a bitter national-level political struggle. In 2012, a new security policy for the region acknowledged for the first time the conflict's political nature and identified decentralisation and dialogue with militants as components of a resolution. But fulfilling this policy demands that Thai leaders depoliticise the South issue, engage with civil society, build a consensus on devolving political power and accelerate efforts toward dialogue. Dialogue and decentralisation may be difficult for Bangkok to implement, but the necessary changes could become even more challenging over time.

The intractable power struggle between supporters of former Prime Minister Thaksin Shinawatra, deposed in a 2006 coup d'état, and his opponents in the army, bureaucracy and palace has overshadowed the conflict in the South. Yet, the region remains another arena for political gamesmanship. Civilian officials there and in Bangkok have been hamstrung by the need to respect military prerogatives and have searched in vain for a formula that can tamp down the violence without committing to political reforms. Deployment of some 60,000 security forces, special security laws and billions of dollars have not achieved any appreciable decline in casualties or curbed the movement.

For the past two years, violence has largely persisted below a threshold that might have generated public pressure for new approaches. Periodically, though, spectacular attacks thrust the conflict into national consciousness. A number of these have taken place in 2012, including the 31 March coordinated car-bombs in Yala and Hat Yai. Media broadcast of closed-circuit television (CCTV) video showing an audacious daylight strike that killed four soldiers in July in Mayo District, Pattani Province, confronted the public with brutal images that challenged official assurances that the government was on the right track. As overt political turmoil in Bangkok receded, the Deep South again became a hot topic for editors, bureaucrats and politicians, but this renewed attention has not yet prompted fresh thinking or new will to tackle the problem.

The Yingluck Shinawatra administration, which came to office in August 2011, placed its hopes for progress on Police Colonel Thawee Sodsong, a Thaksin loyalist chosen to lead the reinvigorated Southern Border Provinces Administrative Centre (SBPAC). Through determination and unstinting cash hand-outs, Thawee won a degree of personal approval within in the region. But the 31 March bombings coincided with first reports of Thaksin's fumbled attempt to start a peace process with exiled militant leaders and allegations that the two events were linked. With Thaksin denying he talked with rebel leaders and violence and recriminations mounting, the dialogue process appeared to be back at square one. Faced with continued insurgent violence, the cabinet approved a high-level "war room" to coordinate the work of seventeen ministries with responsibilities in the Deep South. This did not blunt the bureaucratic impulse to tinker with organisational charts, however, as security officials called for re-subordination of the civilian SBPAC to the military-dominated Internal Security Operations Command (ISOC).

The contours of a political resolution to the conflict in southern Thailand have long been in the public domain, but Bangkok has been unable to commit to a comprehensive and decisive approach. A promising three-year policy issued by the National Security Council in early 2012 recognises a political dimension of the violence and codifies decentralisation and dialogue as official strategy, but its implementation is likely to be impeded by political and bureaucratic infighting. The government should reverse the militarisation of the Deep South, lift the draconian security laws and end the security forces' impunity, all of which help stimulate the insurgency. Thai leaders should also forge a broad national consensus for bold action to resolve the conflict, including decentralisation of political power, earnest engagement with civil society and sustained efforts to cultivate a peace dialogue with the insurgency. Talking to its representatives, changing the way the Deep South is governed, delivering justice, and recognising the region's unique culture are all elements of a comprehensive approach to reducing the violence.

As Bangkok dithers, the insurgents are growing bolder and more capable. They are conducting attacks that are attracting, if not deliberately seeking, more attention. Thailand has been fortunate that the militants have considered it in their strategic interest to contain the fight within their proclaimed territory, but the violence has evolved at a pace that is starting to challenge the ability of the government to respond on its own terms. Without more creative thinking and deft action, Bangkok risks losing the initiative.

RECOMMENDATIONS

To the Government of Thailand:

1. Develop a unified approach to transforming the conflict based on full implementation of the National Security Council (NSC) Administration and Development Policy for Southern Border Provinces, 2012-2014, by undertaking to:
    a) create a cross-party consensus, possibly embodied in a national accord, that resolution of the conflict is a national priority;
    b) establish a durable non-partisan mechanism mandated by the prime minister's office and including respected individuals, in and out of government, to pursue dialogue with insurgent representatives;
    c) commit to serious consideration of political decentralisation, consistent with the principle of a unitary state as enshrined in the constitution, with the aim of drafting legislation; and
    d) engage with civil society initiatives that seek to foster more representative government and peaceful conflict resolution.
2. Lift the emergency decree and martial law in those districts where they remain in effect and, until further reforms are feasible, rely on the Internal Security Act (ISA) instead, ensuring that all regulations invoked are consistent with the preservation of human rights.
3. Ensure accountability for human rights abuses committed by security forces, including past incidents.

To the Separatist Movement:

4. Acknowledge that the protracted violence is detrimental to the well-being and development of the population in the southernmost provinces.
5. Observe obligations of non-state armed actors under international humanitarian law and abide by the rules of engagement issued by the Patani United Liberation Organisation, which prohibit attacks on civilians, displacement of the civilian population and acts of retribution.
6. Recognise that self-determination and maintenance of Thailand's territorial integrity and sovereignty are compatible and prepare to respond to initiatives by state representatives and civil society to pursue dialogue on peaceful conflict resolution.

To Civil Society Organisations:

7. Expand bases of popular support through continued community outreach, while maintaining channels of communication with officials and militants.
8. Avoid advocating preconceived political agendas and instead inform debate on political reform and conflict resolution by identifying and expressing popular concerns and preferences.

Bangkok/Brussels, 11 December 2012

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I. INTRODUCTION

The conflict in the Malay/Muslim-majority southernmost provinces of Thailand is more than a decade old.[1] It has roots in earlier waves of Malay nationalist resistance to Thai rule, instituted after Siam annexed the region in 1902, but has drawn most attention since 2004.[2] Violence has been largely confined to the provinces of Pattani, Narathiwat, and Yala and four south-eastern districts of Songkhla: Chana, Na Thawi, Saba Yoi and Thepa.[3] This region of roughly 13,500 sq km is home to 1.8 million Thai citizens. Close to 80 per cent of the population are Muslims who speak Malay as their first language, the remainder almost entirely Thai or Sino-Thai Buddhists. Although the region is poor, only Pattani ranks in the bottom half of all provinces in household income.[4]

The authorities have struggled to devise an effective counter-insurgency strategy. Their failure to come to grips with the insurgency is due in part to a highly centralised administrative structure, the persistence of rigid conceptions of national identity and an old-fashioned bureaucratic outlook. These influence analyses of the problem as well as policy formulation and implementation, thus making it difficult for Thai leaders to acknowledge the political dimension of the conflict. To do so would call into question state legitimacy based on the three pillars of nation, religion and monarchy.[5] The intractable national-level political struggle between former Prime Minister Thaksin Shinawatra and his establishment opponents that has gripped the country since 2005 has also inhibited Bangkok's response.[6]

Successive governments, beginning with that of Thaksin (2001-2006), have proved unable to control the insurgency in the Deep South, where violent incidents have claimed more than 5,000 lives since 2004. Abhisit Vejjajiva, Democrat Party leader, came to office in December 2008 pledging to make resolution of the conflict a priority, but the administrative changes he pushed through failed to check the violence.[7] Following the 3 July 2011 general election, a Thaksin-aligned Pheu Thai party (PTP)-led government came to office, with Thaksin's sister, Yingluck Shinawatra, as prime minister. Her initial approach to the South was unpromising. After campaigning in the region on a pledge to implement political decentralisation, the PTP failed to gain a single parliamentary seat in the three southernmost provinces.[8] Like its predecessors,

[1] Previous Crisis Group reporting on Thailand's southern insurgency includes: Asia Briefing N°113, *Stalemate in Southern Thailand*, 3 November 2010; Asia Report N°181, *Southern Thailand: Moving Towards Political Solutions?*, 8 December 2009; Asia Report N°170, *Recruiting Militants in Southern Thailand*, 22 June 2009; Asia Briefing N°80, *Thailand: Political Turmoil and the Southern Insurgency*, 28 August 2008; Asia Report N°140, *Southern Thailand: The Problem with Paramilitaries*, 23 October 2007; Asia Report N°129, *Southern Thailand: The Impact of the Coup*, 15 March 2007; Asia Report N°105, *Thailand's Emergency Decree: No Solution*, 18 November 2005; and Asia Report N°98, *Southern Thailand: Insurgency, Not Jihad*, 18 May 2005.

[2] The renewed insurgency may be traced to 24 December 2001, when militants staged simultaneous attacks on five police checkpoints across Narathiwat, Pattani and Yala provinces, killing five policemen and a defence volunteer. The 4 January 2004 raid on an army base in Narathiwat Province, in which militants killed four soldiers and stole more than 400 small arms, inaugurated the current phase of heightened violence.

[3] In this report, "South" and "Deep South" are used interchangeably to refer to the three provinces and four Songkhla districts. "Southernmost provinces" refers to Pattani, Narathiwat and Yala. "Southern border provinces" is a translation from Thai and by convention signifies the southernmost provinces, although Pattani shares no land border with Malaysia.

[4] Among Thailand's 76 provinces, Pattani ranks 54th, Narathiwat, 36th, Yala, nineteenth and Songkhla, fourteenth in household income. Narathiwat ranks fifth among Thai provinces for incidence of poverty. "2009 Thailand Human Development Report", UN Development Programme (UNDP) (Bangkok, 2010), pp. 123-124.

[5] Duncan McCargo, *Tearing Apart the Land: Islam and Legitimacy in Southern Thailand* (Ithaca, 2008), pp. 16, 183.

[6] Thaksin has been in self-imposed exile since 2008, when the Supreme Court convicted him of corruption and abuse of power, but continues to influence politics. He travels frequently from Dubai to countries near Thailand to meet with officials and politicians, and sometimes with throngs of rank-and-file supporters. For previous Crisis Group reporting on Thailand's political crisis, see Asia Report N°192, *Bridging Thailand's Deep Divide*, 5 July 2010; Conflict Risk Alert, "Thailand", 30 April 2010; and Asia Briefing N°82, *Thailand: Calming the Political Turmoil*, 22 September 2008.

[7] Marc Askew, "The Spectre of the South: Regional Instability as National Crisis", in Marc Askew (ed.), *Legitimacy Crisis in Thailand* (Chiang Mai, 2010), p. 260.

[8] The Democrat Party won nine of eleven constituency seats (many narrowly) and 55 per cent of the party-list vote. The Matubhum and Bhum Jai Thai parties each won a constituency in Pattani Province. Sources in the region said the Democrats pre-

it promised change for the Deep South, but the treacherous national political environment has constrained its actions, and her administration has little to show from its southern policies.

Widely perceived as a Thaksin proxy, Yingluck has not been vocal on the Deep South. Her chief accomplishment has been to sustain the modus vivendi between Thaksin and his establishment opponents by maintaining an imperturbable public persona, steering clear of contentious issues and placating senior army officers. She has adhered to precedent by insisting that government policies in the South embody the king's advice to "understand, access and develop" local communities. Meanwhile, harder-hitting militant attacks have raised anxieties about the insurgency and increased pressure on policymakers to produce results.

This report, based primarily on field research and interviews conducted between May and November 2012 in Bangkok, Pattani, Narathiwat, Songkhla and Yala provinces, as well as Malaysia, examines the evolution of the conflict in southernmost Thailand and Bangkok's policy responses over the past two years. While the conflict has two sides, access to the insurgent movement remains difficult and limited. Those fighting the government are resolutely clandestine, deliberately concealing their political program, and this secrecy has restricted the sourcing of information for this report.

vailed by spending much money and with army pressure on village and sub-district chiefs to deliver votes. Crisis Group interviews, Pattani, Narathiwat, Yala, May-July 2012.

II. STATE OF THE INSURGENCY

Given its intensity and duration, the insurgency should worry Thailand and the region more than it does. Since 2004, the conflict has already cost more lives than the first nine years of the insurgency mounted by the Communist Party of Thailand between 1965 and 1986.[9] The government, security forces, Thai public, and neighbouring countries have become largely inured to the steady pace of violence. The peripheral and geographically-contained nature of this small war has allowed Thai leaders to factor in costs and risks, desensitising them and the wider society to a conflict that has been marginalised on the national political agenda. The conflict is worsening, and this complacency is unjustified. The insurgents kill on an almost daily basis. Some high-profile attacks by larger units using increasingly sophisticated techniques show that the militants are growing more capable.

A. THE INSURGENT MOVEMENT

Bangkok faces a determined, capable and ruthless opponent. The militants' unwillingness to assert an organisational identity, claim direct responsibility for attacks or issue formal demands has fostered uncertainty about their aims and strategy. Though it is opaque in many respects, understanding of the movement is becoming slightly clearer. The Thai military maintains that the Barisan Revolusi Nasional – Coordinate (BRN-C, National Revolutionary Front – Coordinate) is the main insurgent organisation, though security officers acknowledge that a variety of armed groups operate in the region.[10] An alternative conception is of a formless movement comprised of autonomous cells operating without centralised command.[11]

These two images of the movement – one as a traditional military structure, the other as an amorphous network – appear to reflect different aspects of a hybrid clandestine organisation.[12] The movement's structure, shaped in part

[9] Communist and military combat fatalities totalled 4,269 between 1966 and 1974. Saiyud Kerdphol, *The Struggle For Thailand: Counter-Insurgency, 1965-1985* (Bangkok, 1986), p. 186.
[10] Crisis Group interview, Lt. General Samret Srirai, Pattani, 3 July 2012; see also Crisis Group Report, *Recruiting Militants in Southern Thailand*, op. cit., pp. 18-19.
[11] McCargo, *Tearing Apart the Land*, op. cit., pp. 174-175; Joseph Chinyong Liow and Don Pathan, *Confronting Ghosts: Thailand's Shapeless Southern Insurgency* (Sydney, 2010), pp. 8-10.
[12] Sascha Helbardt, "Deciphering Southern Thailand's Violence: Organisation and Insurgent Practices of BRN-Coordinate", Ph.D. thesis (University of Passau, 2011), pp. 24, 58-66; Marc Askew and Sascha Helbardt, "Becoming Patani Warriors: Individuals and the Insurgent Collective in Southern Thailand", *Studies in Conflict and Terrorism*, vol. 35, no. 11 (2012), p. 786; Benjamin Zawacki, "Politically Inconvenient, Legally Correct: A Non-international Armed Conflict in Southern Thailand", *Journal of Conflict & Security Law* (2012), pp. 9-19.

by state repression of earlier separatist groups, most likely combines formal hierarchy with a dispersed network of village-based cells.[13] Thai military intelligence asserts a structure consisting of a party leadership council and a division of labour between military and political wings.[14] The local-level political wing, called *ayoh* (village committee), is responsible for recruitment, finances, propaganda, intelligence collection and logistics.[15] It supports the militant wing, which at the village level is organised as six-man units, known to the military as *runda kumpulan kecil* (RKK, small patrol group). This fragmented form makes for an elusive enemy that conventional military forces such as Thailand's find hard to fight.

The movement casts its cause as self-determination, a struggle to liberate Patani from Thai rule and establish an independent Islamic state.[16] Recruitment appeals emphasise a history of Siamese conquest and oppression.[17] The struggle is couched in religious terms as a jihad that is an obligation for Muslims to support. The religious justifications are linked to a local Malay ethnic identity, which serves to underscore differences with Thais, Sino-Thais and non-local Muslims. Recruits swear oaths to keep the movement's secrets on penalty of death. Although various exiled militants use "BRN", most rank-and-file insurgents appear to identify themselves simply as "fighters" (*juwae*) in a national-liberation movement, not as members of BRN-C or other groups.[18] But despite the shared religion of those opposing the Buddhist-dominated Thai state, it remains a local insurgency, not part of a transnational jihad or connected to international terror networks.[19]

Security officials maintain the militants practice a form of people's war. The movement does not intend to prevail in a military contest, however, but uses violence to undermine the state, provoke repression and gain cooperation from Malay Muslim villagers. Insurgent leaders are said to be familiar with classic revolutionary warfare works by Mao Zedong and Vo Nguyen Giap.[20] Militants strive to win cooperation, or at least acquiescence, from Malay Muslims, in part by calibrating the use of violence, selectively targeting those who cooperate with the state and blaming security forces for insurgent attacks that displease locals.[21] They actively target civilians. Leaflets threatening shop owners if they open on Friday have been used recently to intimidate traders from all religious communities into closing.[22] In October 2012, the Patani United Liberation Organisation (PULO), a separatist group that came to prominence in the late 1970s and whose exiled leaders serve as the movement's public face, issued rules of engagement prohibiting attacks on civilians, but there is little expectation the militants will take heed.[23]

While official Thai estimates consistently indicate about 3,000 trained fighters and 10,000 active supporters, a 2006 independent estimate put the number of those "who view the struggle favourably and may be prepared to provide logistical and intelligence support" at 100,000 to 300,000.[24] The number of those disinclined to cooperate with the authorities and security forces is likely greater still. Whatever the actual numbers, the movement has a steady supply of recruits with which to conduct increasingly active operations and replace those who are killed, captured or who surrender or opt out.[25]

[13] Helbardt, "Deciphering Southern Thailand's Violence", op. cit., p. 69.
[14] Ibid, p. 34; Crisis Group interview, Lt. General Samret Srirai, Pattani, 3 July 2012.
[15] Crisis Group interview, police colonel, Yala, 26 July 2012; Helbardt, *Deciphering Southern Thailand's Violence*, op. cit., pp. 36-41.
[16] "Pattani", with two "t"s, is the transliteration of the Thai spelling of the province name; "Patani" is the Malay spelling and refers to the region that constituted the Sultanate of Patani, which corresponded roughly to Pattani, Narathiwat and Yala provinces.
[17] อาทิตย์ เทียนศิริ, การปลูกฝังความคิดทางการเมืองของผู้ก่อความไม่สงบในสามจังหวัดชายแดนภาคใต้: ศึกษาเฉพาะกรณีจังหวัดนราธิวาส (มหาวิทยาลัยสุโขทัยธรรมาธิราช 2551) [Arthit Theansiri, "Political Indoctrination of Delinquents in the Three Southern Border Provinces: A Case Study of Narathiwat Province", MA thesis (Sukhothaithammatirat University, 2008)], pp. 90-95.
[18] Crisis Group interviews, former separatist leader, Malaysia, 9 September 2012; Don Pathan, analyst, Bangkok, 22 September 2012; Askew and Helbardt, "Becoming Patani Warriors", op. cit., p. 784.
[19] Crisis Group Report, *Southern Thailand: Insurgency, Not Jihad*, op. cit.
[20] Crisis Group interviews, Lt. General Samret Srirai, Pattani, 3 July 2012; senior police officers, Yala, 26 July 2012; Prasit Meksuwan, chairman, Civil Society Council of the Southernmost Provinces, Yala, 3 July 2012.
[21] Crisis Group interview, Lt. General Samret Srirai, Pattani, 3 July 2012; Helbardt, "Deciphering Southern Thailand's Violence", op. cit., pp. 155-162; McCargo, *Tearing Apart the Land*, op. cit., p. 165.
[22] "Vendors close shops in southern Thailand fearing 'punishment'", *The Nation*, 29 September 2012.
[23] "List of Core Principles of Pulo's engagement rules", PULO, 4 October 2012, www.puloinfo.net/Statements. asp?ID=40. The fifteen rules are expressed as international humanitarian law principles matched with Islamic teachings.
[24] Crisis Group interview, police colonel, Yala, 26 July 2012; "Army chief says Thailand facing 3,000 militants", *The Bangkok Post*, 3 April 2012; "Thailand holds 'peace talks' with Muslim militants", Agence France-Presse (AFP), 15 August 2012; "10,000 named in insurgency handbook", *The Bangkok Post*, 25 August 2012. Anthony Davis, "Shifting Battle: Understanding the Southern Thai Insurgency", *Jane's Intelligence Review*, May 2006.
[25] Crisis Group interviews, army colonel, Bangkok, 19 July 2012; police colonel, Yala, 26 July 2012; Askew, "The Spectre of the South", op. cit., p. 260.

The physical and possibly generational gaps between *juwae* and leaders in exile may work to the movement's advantage. First, they allow leaders to disavow violence against civilians and may give them a plausible way to avoid commitments in talks with Thai authorities. Secondly, the compartmentalised structure enhances operational security.[26]

Though officials minimise the level of popular support among ordinary Malay Muslims for the militant movement, its resilience over a decade of armed conflict is telling. It has not articulated a credible agenda beyond resistance to Thai rule or established a parallel administration, but this does not appear to be an impediment to recruitment. Indeed, the ambiguity of its identity and goals, beyond broad appeals to communal and religious solidarity, may be an organisational asset, minimising potential disputes among members over interests and resources.

B. PATTERNS OF VIOLENCE

Between 4 January 2004 and 30 November 2012, violent incidents in the southernmost provinces killed 5,473 people and injured 9,693.[27] How much of this violence is directly attributable to separatist militancy is a topic of debate; common criminality and extrajudicial killings by state (or state-backed) forces account for some portion.[28] Motivations for participation in violence are diverse; the conflict is conducive to pursuit of myriad personal, commercial and political interests. Officials and villagers alike recognise criminal enterprises, especially drug trafficking and oil smuggling, as serious problems for the region.[29] There is little consensus about how much criminal violence is related to the insurgency and what role the illicit economy may play in militant funding.[30] Most attacks and killings take place with no claims of responsibility, but the political implication of many incidents is clear, such as when Malaysian flags were raised across the region on 31 August 2012, Malaysia's national day.[31]

Security operations beginning in mid-2007 reduced the number of militant attacks. However, those attacks have grown bolder in scope and more deadly.[32] Monthly incidents dropped to a low of 48 in October 2008, but climbed again thereafter, tending to fluctuate between 50 and 100 per month. During the first six months of 2012, violent incidents declined from an average of almost three per day in 2011 to fewer than two and half per day, but casualties increased. In the first ten months of 2012, there were 1,647 casualties, surpassing the 2011 total of 1,464.[33] Viewed in this way, the conflict is escalating, but the casualty rate seems not to alarm policymakers.

Civilians have borne the brunt of the violence. From January 2004 to November 2012, civilians not employed by the state accounted for 49.8 per cent of casualties, followed by soldiers (16 per cent), insurgents (10 per cent), and sub-district chiefs (*kamnan*), village chiefs and assistant village chiefs (3.3 per cent).[34] More Muslims than Buddhists have been killed. Muslims are less likely to be targeted, but more likely to be killed when they are. They are more often victims of assassination, whereas Bud-

[26] Crisis Group interviews, independent analyst, Yala, 25 July 2012; former separatist leader, Malaysia, 9 September 2012.

[27] Statistics compiled by Deep South Watch. The Internal Security Operations Command (ISOC) Region 4 Forward Command Emergency Notification Centre recorded 4,884 people killed and 8,850 injured from 4 January 2004 to 30 September 2012. "สถิติเหตุรุนแรงปีงบฯ55 พุ่ง 843 ครั้ง ตาย-เจ็บ 1,541 ราย!", สำนักข่าวอิศรา, 14 ตุลาคม 2012 ["Statistics for fiscal year '12: 843 incidents, 1,541 killed and injured", Isra News Service, 14 October 2012].

[28] Marc Askew, "Fighting with Ghosts: Querying Thailand's 'Southern Fire'", *Contemporary Southeast Asia*, vol. 32, no. 2 (August 2010), pp. 121-23; Srisompob Jitpiromsri and Duncan McCargo, "The Southern Thai Conflict Six Years On: Insurgency, Not Just Crime", *Contemporary Southeast Asia*, vol. 32, no. 2 (August 2010), pp. 178-179; Desmond Ball and Nicholas Farrelly, "Interpreting 10 Years of Violence in Thailand's Deep South", *Security Challenges*, vol. 8, no. 2 (Winter 2012), pp. 1-18.

[29] Crisis Group interviews, Detrat Simsri, governor, Yala Province, Yala, 10 July 2012; Anukul Awaeputeh, director, Muslim Attorney Centre, Pattani, 24 July 2012.

[30] Srisompob Jitpiromsri, "The Protracted Violence Amidst the Unstable Political Situation after 2011 Elections", Deep South Watch/Centre for Conflict Studies and Cultural Diversity, 5 October 2011, p. 9.

[31] ISOC Region 4 Forward Command Emergency Notification Centre reported 296 incidents on 31 August 2012, ranging from anti-state graffiti to bombings, in 32 of 37 districts in the three southernmost provinces and four districts of Songkhla Province. Militants raised Malaysian flags, often in place of Thai flags, and placed scores of hoax bombs. Nine bombs across Narathiwat Province injured twelve people. In the monthly incident total, it counted the flag raisings and hoax devices as one incident per province. "ใต้วุ่นไม่หยุด บึ้มสวนยางโผล่อีก ระเบิดเพลิงเผาห้างดังนราฯวอด", สำนักข่าวอิศรา, 1 กันยายน 2012 ["South turmoil continues, more bombs in rubber plantation, firebomb razes famous Nara store", Isra News Service, 1 September 2012].

[32] Crisis Group interviews, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 31 May 2012; police officers, Southern Border Provinces Police Operations Command, Yala, 26 July 2012. Srisompob Jitpiromsri, "The Obvious Trend of Violence's Intensification in the Deep South over 7 Years", Deep South Watch, 31 March 2011.

[33] "หน่วยปฏิบัติการสถิติไฟใต้…ยันไม่เลวร้ายอย่างที่คิด!!!", สำนักข่าวอิศรา, 29 กรกฎาคม 2555 ["South violence statistical unit … not as bad as you think!!!", Isra News Service, 29 July 2012]. Statistics from Deep South Watch, op. cit.

[34] The remainder of casualties are classified in other categories, such as teachers and school employees, local administrative-organisation members and foreigners. Statistics provided by Deep South Watch.

dhists are usually the targets for less discriminate bomb attacks.[35]

C. More Capable Militants

The past two years show that militants are growing bolder and more capable. Some senior officials dismiss damaging insurgent attacks as acts of desperation in the face of successful policies to win the trust of locals.[36] Lt. General Udomchai Thammasarorat, commander of the Fourth Army Region, said, "it's like a little man who has to make loud noises in order to scare other people or to get attention".[37] But the increasing sophistication of attacks is making those who watch the conflict take notice. There is a trend toward an increase in vehicle-borne improvised explosive devices (VBIED), as well as coordinated bombings involving several devices.[38] Large bombs of 50kg or greater are becoming more frequent, raising questions about the efficacy of security operations that remain unable to detect such devices as they are assembled, transported and deployed.

Militants are also becoming more aggressive in their targeting. On 26 April 2011, a bomb concealed in a motorcycle targeted a vehicle carrying the Pattani governor but caused no injuries. On 16 September 2011, a trio of bombs – two in motorcycles and the third, weighing 50kg, in a pickup parked near a restaurant – killed six people and injured more than 100 in the border town of Sungai Kolok in Narathiwat. On 25 October 2011, more than twenty bombs exploded across Yala town, killing three people, including two insurgents, injuring scores and causing a blackout. The political nature of this attack was clear, as it coincided with the seventh anniversary of the Tak Bai incident.[39] A 30kg car bomb in front of the Pattani provincial health office killed one person and injured eight on 8 February 2012. On 31 July 2012, a VBIED exploded at the rear of the CS Pattani Hotel, causing minor injuries to four people.[40] These attacks show an ability to evade detection and strike while avoiding widespread security cordons and checkpoints.

Although civilians constitute the single largest group of victims, militants have stepped up attacks on security forces. On 14 May 2012, a roadside bomb in Pattani town wounded seventeen, including ten female rangers and a defence volunteer. On 20 June, a 50kg bomb targeted a V150 armoured car, killing a border patrol police officer in Narathiwat's Sri Sakhon District. On 20 July, a 50kg car bomb exploded in Sungai Kolok, targeting a passing police vehicle and injuring eight people. On 25 July, a car bomb killed five police officers on teacher-protection duty in Raman District, Yala. It was followed by small-arms fire from insurgents hiding nearby, who then took weapons and equipment from the slain police.[41] The pattern of stealing guns and ammunition suggests that the movement does not rely on outside sources.

Often these attacks are isolated from the wider community, but the increased tempo of violence and its political nature are affecting the lives of those who live in the southernmost provinces. On 21 September, a 50kg bomb in

[35] According to ISOC statistics, between 4 January 2004 and 30 September 2012, 2,056 of those killed were Buddhist, 2,697 Muslim, and 131 of unknown religion. "สถิติเหตุรุนแรงปีงบฯ55 พุ่ง 843 ครั้ง ตาย-เจ็บ 1,541 ราย!", สำนักข่าวอิศรา, 14 ตุลาคม 2012 ["Statistics for fiscal year '12: 843 incidents, 1,541 killed and injured", Isra News Service, 14 October 2012]. The annual risk for Muslims is 46 per 100,000, for non-Muslims 121 per 100,000. Watcharin Komolmala, Metta Kuning, and Don MacNeil, "Muslim Victims of Terrorism Violence in Southern Thailand", *International Journal of Business and Social Science*, vol. 3, no. 13 (July 2012), p. 117.

[36] Crisis Group interview, senior civilian official, Narathiwat, July 2012.

[37] "Violence justifies state of emergency in Deep South", *The Bangkok Post*, 22 December 2011. The Fourth Army Region, headquartered in Nakorn Sri Thammarat, covers the fourteen southern provinces of peninsular Thailand. The First, Second and Third Army Regions are responsible for central, north-east, and north Thailand, respectively.

[38] Anthony Davis, "The professionals: Separatism in Southern Thailand", *Jane's Intelligence Review*, 10 August 2011; and "Explosive escalation of Thai insurgency", *Asia Times Online*, 6 April 2012.

[39] "Pattani governor escapes blast unscathed", *The Bangkok Post*, 27 April 2011; "Confusion over bombing motive", ibid, 18 September 2011. Roughly 50 insurgents carried out the October attack. "New RKK recruits blamed for Yala bomb attacks", Isra News Service, 1 November 2011. On 25 October 2004, security forces broke up a demonstration against the arrest of six Muslim men in Tak Bai, Narathiwat. Seven protestors were shot and killed. Some 1,300 men were arrested and transported on trucks to an army base in Pattani; 78 died of asphyxiation while in custody after being stacked atop each other for hours in the trucks. Crisis Group Report, *Southern Thailand: Insurgency, Not Jihad*, op. cit., pp. 27-29.

[40] "Massive car bomb hits Pattani", *The Bangkok Post*, 10 February 2012. "Car bomb attack hits Pattani hotel", *The Bangkok Post*, 1 August 2012. A car bomb targeted that hotel in March 2008. Militants intended that attack (two 15kg explosive devices) to coincide with a car-bombing in Yala. The Yala bomb exploded prematurely, killing the driver. Crisis Group Briefing, *Political Turmoil and the Southern Insurgency*, op. cit., pp. 7-8.

[41] "Roadside bomb injures 17 in southern Thailand", AFP, 14 May 2012. Crisis Group interview, Muhammad Ayub Pathan, Deep South Watch, Pattani, 2 July 2012; "Policeman dies as blast hits armoured car", *The Bangkok Post*, 21 June 2012. This attack followed a similar one in the same district that targeted a six-man Special Forces patrol travelling in two pickup trucks. The explosives were packed in a 20kg cooking-gas cylinder. There were no injuries. "Close call in Narathiwat", *The Bangkok Post*, 7 April 2012. "Police say CCTV footage may shed light on car bomb blast in South", *The Bangkok Post*, 22 July 2012.Crisis Group interview, Police Major General Anurut Kritsanakaraket, deputy commissioner, Southern Border Provinces Police Operations Center, Yala, 26 July 2012.

a pickup truck killed six people in a main street in central Sai Buri, Pattani, and injured almost 50 others. A shooting at a gold shop, staged to lure security forces to the area, preceded the bombing. Markets and shops closed on Fridays for several weeks following the Sai Buri bombing and after leaflets threatened violence against traders and shops owners who conducted business on the Muslim holy day.[42]

D. 31 March Bombings

The single deadliest insurgent attack to date was on 31 March 2012. Just before noon, a car bomb exploded on Ruam Mit Road in Yala, a busy commercial area. A second exploded about twenty minutes later, targeting rescue workers and onlookers. These killed twelve people and injured more than 100. A short time later, a car bomb in the underground garage of the Lee Gardens Plaza Hotel in Hat Yai, the largest city and commercial hub of the lower South, killed four, including a Malaysian, and ignited a gas line that caused a fire in the hotel and adjacent shopping centre. More than 400 people sustained injuries, mostly glass cuts and smoke inhalation. A third attack took place the same day in Mae Lan District, Pattani, where a motorcycle bomb injured a police officer.[43]

The 31 March attacks were unusual in that they targeted crowded commercial districts at mid-day and were apparently intended to cause high numbers of civilian casualties. The Hat Yai attack, though less deadly than that in Yala, garnered greater media attention because the city is outside the conflict zone of the three southernmost provinces and four south-eastern districts of Songkhla. Although Hat Yai had suffered three earlier bomb attacks since 2005, the Lee Gardens Hotel bombing encouraged speculation that the militants might be embarking on a new phase of insurgency involving mass-casualty attacks "out of area"; given that no similar incidents took place over the following eight months, however, this does not appear to be the case.[44]

The Hat Yai car bombing does illustrate the ambiguity of violence in the context of the insurgency. Various motivations have been adduced for the incident, which was carried out by the same cell responsible for the Yala attack.[45] One theory, according to well-placed sources, is that militants staged the attack to convey contempt for Thaksin Shinawatra's effort to start a dialogue process, in which exiled separatist leaders were reportedly coerced into attending a mid-March meeting with the former prime minister in Kuala Lumpur (see Section V.B.2 below). Some suggest that the two-week span between the reported Thaksin meeting and the attack was not sufficient to plan and execute it, but others argue that it was already in the works, and its execution was advanced. Other theories circulating in the region contend the attack was a freelance job undertaken at behest of a local criminal enterprise; aimed at discrediting Yingluck's administration; or simply another incident in the ongoing campaign.[46]

In response to these bombings, the authorities stepped up security measures in Hat Yai, Yala and other cities in the region, establishing "safety zones" in downtown areas. The Pattani Provincial Islamic Committee, joined by the Muslim Attorney Centre and other civil society organisations, issued a statement condemning the violence and calling for peaceful resolution of political problems.[47] But the attacks did not prompt any shift in government policy. The security forces could not stop them, and their enhanced vigilance has not been sustained. The militants can apparently strike a similar blow where and when they wish to send another ambiguous but deadly message.

E. Platoon-sized Attacks

Most violence in the conflict has taken the form of drive-by shootings and IED attacks, but insurgents have increased the frequency of larger, complex assaults on more difficult targets.[48] They routinely seize weapons and ammunition from slain security forces, and some attacks have targeted armouries. They demonstrate growing capabilities to mount well-planned platoon-sized assaults on security-

[42] "6 die, 50 hurt in Pattani blast", *The Nation*, 22 September 2012. "Southern shopkeepers jittery over rumoured violence on Friday", MCOT News, 28 September 2012; "South trading returns to almost normal", *The Bangkok Post*, 20 October 2012.
[43] "Yala blasts kill 10", *The Bangkok Post*, 31 March 2012; James Hookway, "Deadly Thai blasts follow tense weeks", *Wall Street Journal*, 1 April 2012; Anthony Davis, "Explosive escalation of Thai insurgency", *Asia Times Online*, 6 April 2012.
[44] "Bombings may be designed to maximise casualties: source", *The Sun Daily* (online), 3 April 2012.
[45] Crisis Group correspondence, regional analyst, May 2012; interview, former separatist leader, Malaysia, 9 September 2012.
[46] Crisis Group interviews, journalists, academics, police and military officers, Pattani and Yala, July 2012.
[47] The safety zones entail checkpoints for vehicles entering commercial districts. Vehicle inspections are often cursory. In Yala, SBPAC funds construction of concrete blast walls that line large sections of streets within the safety zone. "Govt must now take lead in peace dialogue", *The Bangkok Post*, 22 May 2012. Provincial Islamic Committees, elected bodies that oversee mosque committees and application of Islamic family and inheritance laws, are embedded in a state-sponsored administrative hierarchy under the National Islamic Council and royally-appointed *chularajamontri* (national Islamic leader and adviser to the king on Islamic affairs).
[48] Anthony Davis, "Insurgents flex their muscles", *Asia Times Online*, 1 January 2011; "Better-armed, better-trained Thai insurgents", ibid, 12 January 2012; "Explosive Escalation of Thai insurgency", ibid, 6 April 2012; Brian McCartan, "Thailand's Southern Insurgency: Cracks in Bangkok's Message", RSIS Commentaries, no. 76/2012, 27 April 2012. The 4 January 2004 raid on the 4th Development Battalion, Cho Airong District, Narathiwat, that marked the new phase of insurgency was well planned and executed, but also atypical.

force outposts, often using multiple vehicles, explosive charges, diversionary attacks, and coordinated efforts to delay or ambush reinforcements. Previously risk-averse fighters seem increasingly willing to engage in relatively lengthy gun battles with security forces. These attacks reveal the ineffectiveness of existing security cordons in restricting militants' mobility. Nine incidents in diverse locations in the last two years illustrate a growing confidence:

- On 19 January 2011, 30-40 insurgents attacked an army base in Rangae District, Narathiwat, firing at least twenty 40mm grenades. Four soldiers were killed, including the base commander (a captain), and six wounded. The insurgents took some 50 weapons, including assault rifles, four Uzi sub-machine guns and two M-249 light machine guns.[49]
- On 24 August, fifteen to twenty insurgents arrived in two pickups and assaulted an outpost manned by rangers and defence volunteers in Thepa District, Songkhla Province, killing two.[50]
- On 25 August, 30-40 insurgents attacked the home of a Muslim ex-village headman in Yaha District, Yala, ambushed rangers sent as reinforcements and fought a three-hour battle, killing two and injuring four.[51]
- On 13 December, 40-50 insurgents carried out two attacks on military outposts in Suvaree Sub-district, Reusoh, Narathiwat. One group planted explosives on a wall of a Sub-District Administrative Organisation compound where a military unit was based in a failed attempt to breach it. Another fired grenades from an M79 into an outpost about 2km away. They also cut down a tree to block the road linking the outposts.[52]
- On 6 January 2012, 30-50 insurgents stormed a government-employment project and killed two defence volunteers, wounded three others and seized five assault rifles. A diversionary attack pinned down police at a station 800 metres away.[53]
- On 9 March, 50-60 militants attacked two Marine Corps posts on the Pattani-Narathiwat highway in Bacho District, Narathiwat, wounding eleven.
- On 9 May, about twenty militants raided an army base in Ban Kado, Reusoh District. In the 30-minute battle, two insurgents were killed and one soldier injured.[54]
- On 17 July, 25-30 militants launched simultaneous attacks on a military outpost and a mostly Buddhist village in Reusoh District. They arrived on two pickup trucks and four motorcycles and fired more than 100 rounds at soldiers and volunteers. One soldier was killed and four wounded; two civilians died. Police said two assailants were killed, but the insurgents removed the bodies. Burning tyres and logs about 1.5km from the site delayed police reinforcements.[55]
- On 20 October, 30-40 militants, divided into several teams, launched simultaneous attacks at five locations across Tak Bai District, Narathiwat. The largest, of ten to twelve militants, landed in small boats at the Taba Port area on the Kolok River, about 3km from the town centre, to attack Marine Police offices and patrol boats. With security forces at the port pinned down, militants staged IED attacks on three Buddhist-owned targets: a 50kg VBIED targeted the Taba Plaza Hotel, a 5kg device on a motorcycle targeted a karaoke parlour, and three small devices exploded at a shop. Militants also fired on another karaoke parlour elsewhere in the town. Authorities discovered and disarmed a second VBIED outside town, apparently intended to hit reinforcements responding to the incidents. One militant was killed at the port, and three civilians were wounded in the bomb blasts.[56]
- Before dawn on 7 December, 30-40 militants raided a defence volunteer base on Kapho District, Pattani, and stole five assault rifles, body armour, a radio and more than 100 rounds of ammunition. Militants bound and gagged the five volunteers on duty, but did not harm them.[57]

A brutal ambush, a widely-distributed video recording of which produced reverberations in Bangkok and beyond, illustrated the heightened threat. A CCTV camera caught the attack in Mayo District, Pattani, on 28 July in which four soldiers were killed and two wounded; television news broadcast the video for several days. It showed at least sixteen militants in two pickup trucks pull beside four soldiers on two motorcycles; opening fire with assault rifles and shotguns, they killed the soldiers, then stripped them of weapons, body armour and other equipment. A third pickup truck entered the frame, while gunmen, faces uncovered, exchanged fire with two soldiers off camera. The attackers escaped in two directions, better armed, more

[49] Davis, "Insurgents flex their muscles", op. cit.
[50] "รัฐซิ่ง นครปัตตานี ปะทะ เทพา อส.ดับ", กรุงเทพธุรกิจ, 25 สิงหาคม 2555 ["State backtracks on Nakorn Pattani, volunteer killed in Thepa clash", *Krungthep Thurakit*, 25 August 2011].
[51] "Father, daughter killed in three-hour shootout in Yala", *The Nation*, 26 August 2011; Davis, "Better-armed", op. cit.
[52] Police believed that these attackers also staged the 19 January raid in Rangae District. "Insurgents attack military outposts", *The Bangkok Post*, 14 December 2011.
[53] "Two defence volunteers killed in South attack", *The Nation*, 7 January 2012; Davis, "Better-armed", op. cit.
[54] "Army post attacked, 2 militants killed", *The Bangkok Post*, 10 May 2012.
[55] "Five killed in Narathiwat clash", ibid, 18 July 2012.
[56] Anthony Davis, "Thai separatists demonstrate tactical evolution", *Jane's Terrorism and Security Monitor*, 7 November 2012.
[57] Parez Lohasan, Santhiti Khorjitmet, "Armed men storm volunteer base", *The Nation*, 8 December 2012.

experienced and ready to strike again. The video brought the insurgency home to many Thais, raising questions about the performance of the military and the government.[58]

Relatively large coordinated attacks are not new in this conflict, but these recent assaults demonstrate that militants have adequate training, intelligence and other resources to mount more ambitious operations. Raids on military targets yield weapons, ammunition and other equipment, as well as combat experience. They are also more likely to receive approval from the militants' ostensible constituents than assassinations of Malay-Muslim "collaborators" or other civilians.[59] Finally, successful attacks serve to discredit the state, undermining official assertions that the militants are on the defensive and lack popular support.

III. THE SECURITY RESPONSE

Bangkok's strategies for the Deep South reflect classical ideas of counter-insurgency as a contest for support from the local population, based on provision of security, material welfare and effective administration. The Office of the National Security Council (NSC), the Internal Security Operations Command (ISOC) and the Southern Border Provinces Administrative Centre (SBPAC) are the main agencies responsible for devising and implementing policy in the region. The prime minister formally leads each of these but in practice exercises little direct oversight. Inter-agency and political rivalries are rife.

ISOC, with roots in the Cold War-era anti-communist struggle, is responsible for security within the kingdom. The 2006 coup reversed the erosion of its power; the 2008 Internal Security Act grants it broad authority to identify and counter an array of internal-security threats. The prime minister commands ISOC, lending a veneer of civilian control, but the military dominates its board. The army commander-in-chief serves as deputy commander, and the army chief-of-staff, as the secretary, controls personnel decisions and the budget. ISOC is staffed mainly by officials seconded from the military, police and civilian agencies. The army's control is strengthened by a structure of four regional branches, corresponding to the four army regions, directed by the regional army commanders. Since 2007, military operations in the Deep South have come under the jurisdiction of the Region Four Forward Command, led by the Fourth Army Region commander.[60]

SBPAC oversees civilian administration in the five southernmost provinces. Established in 1981, it coordinates civilian agencies, monitors policy implementation and trains and disciplines officials posted to the region. In May 2002, Thaksin dissolved the agency, considered by many a part of the Democrat Party's machine. This step was widely criticised as fanning the insurgency.[61] In October 2006,

[58] "Security hits a low in South", ibid, 30 July 2012. The video is at http://2bangkok.com/video-thai-southern-separatists-shooting-and-looting.html. CCTV also captured an attack by militants in a pickup truck that killed two soldiers guarding a Buddhist monk gathering alms on 18 December 2010. That video was not broadcast. "Slaying of soldiers caught on security video", *The Bangkok Post*, 19 December 2010.

[59] The growing proportion of attacks on security forces could be an indication that some militants are worried about local perceptions of insurgent violence against civilians. Crisis Group interview, independent analyst, Yala, 25 July 2012; Muslim academic, Pattani, 26 July 2012; Helbardt, "Deciphering Southern Thailand's Violence", op. cit., pp. 155-159.

[60] ISOC's origins are in the Communist Suppression Centre, established in 1965. It was renamed the Communist Suppression Operations Centre in 1969 and ISOC in 1974. Its six divisions are responsible for illegal drugs; illegal migration; terrorism and transnational crime; special security; security in specific areas; and royal development projects. Paul Chambers, "Understanding Civil-Military Relations Today: The Case of Thailand with Implications for Emerging Democracies in Asia", *Asia-Pacific Social Science Review*, vol. 10, no. 2 (2010), p. 11. ISOC Region Four Forward Command was established by Prime Ministerial Order 205/2549 on 30 October 2006 and became operational on 1 January 2007.

[61] See Crisis Group Report, *Insurgency, Not Jihad*, op. cit., pp. 11-12, 33-35. Prime Minister Prem Tinsulanond established the SBPAC by Prime Minister's Order 8/2524. It replaced the Coordination Centre for the Administration of the Southern Border Provinces, set up in 1964 to train officials and improve governance. The controversy surrounding its dissolution by Thaksin is examined in Duncan McCargo, "Thaksin and the Resurgence

Prime Minister Surayud Chulanond reestablished it by executive order. Staffed largely by interior ministry officials, it was under ISOC, and its director reported to the Fourth Army Region commander. Subordination to ISOC was an impediment to its efforts to build local trust.

Under Prime Minister Abhisit Vejjajiva, the Democrat Party sponsored legislation designed to elevate SBPAC. The Southern Border Provinces Administration Act, which came into force in December 2010, removed it from the ISOC chain of command, granted it greater authority and provided for a separate budget.[62] It also established a Southern Border Provinces Development Strategy Committee, chaired by the prime minister, to vet strategy and budgets for development programs in the region.[63] In April 2011, Panu Uthairat, a career interior ministry official and former governor of Pattani, became its first secretary-general, equivalent to a ministry permanent secretary.

The NSC is responsible for planning security policy. Article Four of the 2010 Southern Border Provinces Administration Act gives it authority to draft security and development policy for the Deep South. Its policy is the state's master plan: by law, it guides the activities of ministries and agencies with responsibilities in the region and is intended to provide continuity should the government change.

Several factors inhibit the effectiveness of this internal security apparatus. First, the relationship between military and civilian authority is especially fraught, given the army's self-proclaimed role as guardian of the monarchy and its overt political role.[64] Elected leaders, whatever their party affiliation, have been preoccupied with political survival, which has meant appeasing the army. Losing the army's confidence has cost three prime ministers their jobs since 2006.[65] Bangkok has spent 180 billion baht ($5.8 billion) over the past nine years on counter-insurgency, most of it administered by ISOC. Some civilian officials express concern that large budgets associated with this sphere serve as an incentive for maintenance of the military's pre-eminence in the region.[66]

Secondly, the persistence of a patrimonial political order – a highly centralised state, an extensive bureaucracy superimposed on shifting patronage networks and a moralising elite distrustful of participatory politics – distorts policy design and implementation.[67] Problems in the political order are commonly explained as arising from personal moral failings or faulty administrative structures, rather than from aspects of the political order itself. Removing immoral individuals and rectifying administration are the preferred remedies.[68] Reforms, therefore, tend to be procedural rather than substantive.

Traditional bureaucratic rivalries are also at play. The quest for a perfect bureaucratic structure is a preoccupation for Bangkok officials, who often blame policy failures on a lack of unity among agencies. With respect to the Deep South, the issue appeared to be settled by the passage of the 2010 Southern Border Provinces Administration Act, but some senior security officials have sought to roll back the enhanced authority it provides (see Section IV.B below). It is emblematic of wider problems within the Thai bureaucracy that the NSC does not always command the respect of the military and line ministries, whose officials tend to regard its policies as recommendations rather than binding directives (see Section III.A below).[69]

Finally, the national-level political struggle between former Prime Minister Thaksin and his establishment opponents has hindered efforts to resolve the insurgency. The political and media elites, focused on dramatic political events in Bangkok, have devoted too little time and attention to resolving problems in the Deep South. Meanwhile, policy decisions and implementation are shaped by political wrangling motivated more by protection of institution-

of Violence in the Thai South: Network Monarchy strikes Back?", *Critical Asian Studies*, vol. 38, no. 1 (2006), pp. 42-43; and Marc Askew, *Conspiracy, Politics and a Disorderly Border: The Struggle to Comprehend Insurgency in Thailand's Deep South* (Washington, Singapore, 2007), pp. 50-66.

[62] See Crisis Group Report, *Stalemate in Southern Thailand*, op. cit., pp. 10-12.

[63] Officials on it include the secretary generals of the Internal Security Operation Command; the NSC National Economic and Social Development Board offices; the director of the Bureau of the Budget; and the southern border province governors.

[64] Mark Beeson and Alex J. Bellamy, *Securing Southeast Asia: The Politics of Security Sector Reform* (London, New York, 2008), pp. 97-126; Paul Chambers, "Thailand on the Brink: Resurgent Military, Eroded Democracy", *Asian Survey*, vol. 50, no. 5 (September/October 2010), pp. 835-858, and "Where Agency Meets Structure: Understanding Civil-Military Relations in Contemporary Thailand", *Asian Journal of Political Science*, vol. 19, no. 3 (2011), pp. 290-304.

[65] In addition to the coup that ousted Thaksin in 2006, court decisions brought down Prime Ministers Samak Sundarvej and Somchai Wongsuwan in 2008, after the army refused to help suppress violent protests against them.

[66] Crisis Group interviews, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 25 July 2012; senior civilian officials, Yala, July 2012, Bangkok, October 2012; Briefing, *Southern Thailand: Moving Towards Political Solutions?*, op. cit., pp. 6-7.

[67] McCargo, *Tearing Apart the Land*, op. cit., pp. 15-16, 79. For an early study of patrimonialism in Thailand, see Norman Jacobs, *Modernization Without Development: Thailand as an Asian Case Study* (New York, 1971).

[68] Jacobs, *Modernization Without Development*, op. cit., p. 21.

[69] Crisis Group interviews, members, SBPAC Advisory Council, September 2012; Hat Yai, November 2012. Officials' refusal to adhere to NSC policies is an old problem. Mark Tamthai and Somkiat Boonchoo, "National Security Policies on the Southern Border Provinces, 1947-2003", in Chaiwat Satha-anand (ed.), *Imagined Land? The State and Southern Violence in Thailand* (Tokyo, 2009), p. 40.

al and political interests than the requirements of countering the insurgency.

A. The National Security Policy for the Southern Border Provinces, 2012-2014

A three-year NSC policy for the southernmost provinces, approved in 2012 and the product of year-long research and drafting, including consultation with villagers, administrative and security officials, academic institutions and the 49-member SBPAC Advisory Council, offers a progressive conflict resolution vision. It explicitly recognises the insurgency's political nature, but bureaucratic foot dragging is likely to impede implementation.[70]

The policy lists nine objectives, some familiar from the previous NSC policy, including restoration of trust between government and people, promotion of sustainable development that accords with local identities and recognition of the value of cultural diversity. But it breaks new ground by acknowledging the political dimension of the violence. Some perpetrators, it states, are attempting to "generate changes in politics and government".[71] Support for dialogue with insurgents is codified in Section Eight:

> Create environments suitable and favourable for discussion of conflict resolution and … give guarantee[s] for participation to those involved and the stakeholders in the process of peace-building by: … Encouraging continuity of peace dialogue process with people who have different opinions and ideologies from the state and choose to use violence to fight against the state, as one of the stakeholders in Southern border provinces problems.[72]

Dialogue with ideologically-motivated militants is made government policy. Section Eight also seeks to encourage dialogue about political decentralisation "based on pluralism … under the spirit of the Constitution of Thailand [and] internationally accepted principles".[73] These are unprecedented policy positions that offer a basis for a more ambitious and far-reaching approach to resolving the problems in the Deep South.

Many in the affected area have welcomed the NSC policy. It signals a fresh attitude from some officials within the bureaucracy and renewed high-level attention to the problem. Civil society organisations have interpreted it as encouragement for their efforts to generate new thinking on decentralisation and peace dialogue.[74] It also provides an official stamp of approval for peacebuilding, peace dialogue and decentralisation. But while it reflects sound thinking about the problem, it will not be enough on its own to resolve the conflict.

The test will be the extent to which it guides official agendas and their implementation. There are concerns that conservative elements in the bureaucracy will resist enacting its more progressive provisions. An NSC official said implementation of previous policies failed for three reasons: local officials were unaware of them; did not believe they would work; or actively opposed them. A senior civilian official based in the Deep South said, "it's just a piece of paper".[75] Turning it into reality will require firm political leadership, and that remains in short supply.

B. Special Laws

Three special security laws underpin counter-insurgency in the Deep South. The 1914 Martial Law Act, the 2005 Executive Decree on Government Administration in States of Emergency (or emergency decree) and the 2008 Internal Security Act (ISA) are in force in all or parts of the conflict zone. Security officials insist they are necessary and help contain the violence. Local and international human rights organisations maintain they grant excessive power to officials, foster impunity and perpetuate a sense of injustice that in turns helps to drive the conflict. They have called for their repeal or revision.[76]

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[70] Crisis Group interview, Danai Musa, director, Southern Border Provinces Strategic Security and Ethnic Cultures Bureau, NSC, Bangkok, 18 October 2012. The 2010 Southern Border Provinces Administration Act mandates the advisory council, whose members are elected from professional and social groups, such as locally-elected officials, civil society, religious leaders and the business community. It advises the SBPAC on policies and practices. The cabinet approved the policy on 22 February 2012; parliament approved it in late March.

[71] "Summary of the Administration and Development Policy for the Southern Border Provinces, 2012-2014", NSC. The previous NSC policy for the southernmost provinces covered the period 1999 to 2003. Thaksin disregarded it. Thereafter, individual governments formulated their own policies, codified in executive orders.

[72] Ibid, p. 7.

[73] Ibid.

[74] Crisis Group interviews, academics, civil society activists, journalists, politicians, Pattani, Narathiwat, Yala, June-July 2012; Srisompob Jitpiromsri, director, Centre for Study of Conflict and Cultural Diversity, Pattani, 31 May 2012.

[75] Crisis Group interviews, Danai Musa, director, Southern Border Provinces Strategic Security and Ethnic Cultures Bureau, NSC, Bangkok, 18 October 2012; senior official, Hat Yai, June 2012.

[76] "Emergency Decree Violates Thai Constitution and Laws", Human Rights Watch letter to Prime Minister Thaksin Shinawatra, 4 August 2005; "Implementation of Thailand's Emergency Decree", International Commission of Jurists, July 2007; "Thailand: Torture in the Southern Counter-Insurgency", Amnesty International, 13 January 2009, pp. 23-27; "Thailand, repeal or reform emergency legislation immediately", Amnesty International press release, 1 October 2010; Pornpen Khongkachonkiet, Cross Cultural Foundation, Kitcha Ali-ishoh, director, Muslim Attorney Centre Foundation, open letter to the Prime Minister, NSC Sec-

Martial law, first imposed in 2004, allows soldiers to detain a suspect without court warrant for up to seven days. The 2005 emergency decree, imposed by executive order, allows up to 30 days' detention without charge in places other than prison. Though it requires that police, military and civilian district officials sign requests for arrest warrants, it demands only suspicion of illegal activity, so suspects are often detained solely for interrogation.[77] Security forces have used these laws in tandem to hold suspects for 37 days without charge. Under both, suspects have been subject to abuse and pressured to confess to security-related crimes. The emergency decree (Sections 16-17) grants officials immunity from civil or criminal prosecution and prohibits judicial review. On 11 September 2012, for the 29th time, the cabinet renewed the three-month state of emergency through 19 December.

In December 2009, Prime Minister Abhisit lifted the emergency decree in the four south-eastern districts of Songkhla and imposed the 2008 Internal Security Act (ISA).[78] In January 2010, the cabinet replaced the emergency decree and martial law in Mae Lan, a small district in Pattani, with the ISA, which is meant to offer suspects greater legal protection. It does not allow detention without charge, but human rights and legal groups maintain that it is still vague, grants ISOC sweeping powers over civilian agencies and does not safeguard constitutional rights.[79] On 30 November 2012, the cabinet approved a one-year extension of the ISA in the five districts where it has been in force.

Section 21 of the ISA provides for a form of amnesty. Investigating officers may recommend to the ISOC director that charges be withdrawn against those they deem to have been misled into committing illegal acts. In exchange, and with the approval of a public prosecutor and a judge, the accused would undergo not more than six months of rehabilitation training. In almost three years since the ISA was instituted in Songkhla, only three suspects have enjoyed this benefit. Four other suspects agreed to the plea bargain, but later retracted their confessions, telling the Na Thawi Provincial Court in Songkhla that they had been coerced.[80]

Critics say the special laws encourage abuses. The lack of accountability increases distrust between local people and the state. Security forces use the blunt instrument of extensive detention as part of their counter-insurgency strategy. Some of those rounded up are later found to have committed no offence, and many summoned for questioning or with arrest warrants choose to abscond rather than contend with a slow, expensive and biased legal process. The failure of the justice system to punish officials responsible for deaths and injuries caused by security forces, including in high-profile incidents such as Tak Bai, Kreu Se, the 2004 disappearance of Muslim lawyer Somchai Neelapaichit, the massacre at Al Furqan mosque and instances of torture are a festering source of grievance readily exploited by the militant movement.[81]

In addition to impunity, there are at least two further objections to the special laws. First, that they are counterproductive: the extensive and unchecked powers they grant

retary General, House Speaker and President of the Senate, 15 June 2012.

[77] Martial law was first imposed in Pattani, Narathiwat and Yala as well as the four south-eastern districts of Songkhla Province in January 2004 and replaced by the emergency decree in July 2005. Martial law was re-imposed nationwide following the 19 September 2006 coup, and has not been subsequently lifted in the Deep South.Crisis Group interview, Saroj Maming, director, Muslim Attorney Centre, Yala, 10 July 2012.

[78] For background, see Crisis Group Briefing, *Southern Thailand: Moving Towards Political Solutions?*, op. cit., pp. 12-13.

[79] "Thailand's Internal Security Act: Risking the Rule of Law?", International Commission of Jurists (Geneva, Bangkok, 2010), pp. ii, vi-ix. Plans to introduce the ISA in Kabang District, Yala Province and Sukhirin District, Narathiwat Province, were not implemented.

[80] On ISA Section 21, see Crisis Group Report, *Stalemate in Southern Thailand*, op. cit., pp. 8-9. "ศาลปล่อยตัว 2 ผู้เข้ารับการอบรมตามมาตรา 21 คืนสู่สังคม", โรงเรียนนักข่าวชายแดนใต้, 29 *ตุลาคม* 2012 ["Court releases two after training under Section 21 back into society", Deep South Journalism School, 29 October 2012]; "กอ.รมน.รับตัวอีกหนึ่งผู้ต้องหาเข้ามาตรา 21 ขออบรมแทนถูกขัง", โรงเรียนนักข่าวชายแดนใต้, 18 *ตุลาคม* 2012 ["ISOC accepts another suspect under Section 21 who asks for training instead of jail", ibid, 18 October 2012]. On 29 April 2011, eight suspects were arrested under the emergency decree in Pattani in connection with a 2 April bombing in Thepa District, Songkhla, where the ISA is in effect. A Pattani court ordered their release, as the decree did not apply in Songkhla. On 26 June 2012, charges were filed against the four who rejected Section 21 amnesty. They have been denied bail and in early December 2012 remained in jail awaiting a hearing. Crisis Group email correspondence, Pornpen Khongkachonkiet, Cross Cultural Foundation, 5 December 2012; "South Thailand: Four alleged offenders in Songkla province submitted a motion to Na Thawi Court: Refusal to join Section 21, ISA", press release, Cross Cultural Foundation and Muslim Attorney Centre, 20 December 2011; Poonsuk Poonsukcharoen and Preeda Tongchumnum, "From Section 21 of ISA Case to a Criminal Suit: A lesson learned of a case being watched closely by public", Cross Cultural Foundation, 18 July 2012.

[81] Crisis Group interview, Anukul Awaeputeh, director, Muslim Attorney Centre, Pattani, 24 July 2012. On Tak Bai, see fn. 39 above. On 28 April 2004, security forces killed 32 militants who had taken refuge in the revered Kreu Se Mosque, Muang District, Pattani. Somchai Neelapaichit, a Muslim human-rights lawyer representing Deep South terrorism suspects, disappeared on 12 March 2004. Five police officers were tried for enforced disappearance. One was convicted in 2006 and sentenced to three years in jail, a conviction overturned in 2011 by the Appeals Court. Somchai's body has not been found. Gunmen killed eleven worshippers at Al Furqan Mosque, Ban Ai Payae, Cho Airong District, Narathiwat on 8 June 2009. Crisis Group Briefing, *Stalemate in Southern Thailand*, op. cit., p. 14.

to authorities encourage abuses, while prolonged reliance on them weakens public confidence in the justice system. In the first half of 2012, the Muslim Attorney Centre received seventeen complaints of torture by security officials, up from fifteen in the first half of 2011. Roughly 400 people are detained under the emergency decree and ISA in the three provinces and four districts, a number that has held steady over the past two years.[82]

Secondly, that the laws have failed to bring insurgents to justice: courts routinely dismiss security-related cases involving confessions or evidence obtained under the special laws. Confessions are often obtained while suspects are in army custody, before they are handed over to police and an arrest warrant is issued. A study found that courts dismissed more than 70 per cent of security-related cases in 2011, mostly because of insufficient evidence or because confessions were tainted by coercion. Some argue that the lack of convictions even encourages extrajudicial executions, sometimes disguised as clashes with militants. They say the application of the Criminal Procedure Code, with its protections for defendants, would likely lead to a higher rate of convictions.[83]

Many senior military officers insist the special security laws are essential. Some are scornful of what they see as naïve recommendations to lift the emergency decree and withdraw troops from the region.[84] Research sponsored by the NSC found that 62 per cent of those surveyed in the southernmost provinces believe that the emergency decree should be lifted only after violence declines. According to the army chief, General Prayuth Chan-ocha, "the use of normal laws will make military operations against the insurgents difficult if not ineffective".[85]

In spite of such objections, there is growing recognition of the diminishing returns the special laws bring. Yingluck's government is considering lifting the emergency decree in selected areas and applying ISA provisions. On 22 September, NSC Deputy Director (and director-designate) Lt. General Paradorn Pattanathabutr said the government plans to lift it in some districts in 2013, noting that violence occurs in only 12 to 15 per cent of villages.[86] Although there are legitimate concerns about the extensive power the ISA grants ISOC, it is preferable to martial law and the emergency decree. The ISA's extraordinary powers can be invoked only with cabinet approval. It applies the Criminal Procedure Code to most investigations and detentions, removes some immunities for officials and soldiers and does not provide for military occupation or appropriation of public or private property.[87] Making this change as part of a larger policy reform package could be a step closer to lifting all repressive laws and serve as a signal to the community that the government is willing to try a new approach to ending the conflict.

C. Security Forces

Security efforts have resulted in militarisation of the southern border provinces, with more than 8 per cent of the region's population now under arms. There are some 41,000 professional security forces in the region, including 24,000 troops and 17,000 police. Paramilitary forces include 18,000 volunteer rangers (*thahan phran*) and 7,000 Or Sor (Volunteer Defence Corps). Almost 85,000 civilians organised as volunteer militias augment these forces.[88]

A shortfall in police is a longstanding problem that contributes to reliance on army troops and paramilitaries. In September 2012, then-Deputy Prime Minister (security affairs) Yutthasak Sasiphrapa reported a deficit of 4,000-5,000 officers. This stems from misplaced priorities in Bangkok and army domination of ISOC, which is in charge of the security response. It is exacerbated by regulations allowing officers with good records and the rank of police sub-lieutenant and above to request transfer from the re-

[82] "Rule of law in emergency situation and recommendations on the condition of arrested persons, human rights defenders and detention facilities in the Southern Border Provinces", Cross Cultural Foundation and Muslim Attorney Centre Foundation, press release, 29 August 2012. Crisis Group correspondence, Pornpen Khongkachonkiet, Cross Cultural Foundation, 13 September 2012.

[83] "โครงการการตรวจสอบความชอบด้วยกฎหมายของคดีความมั่นคงในพื้นที่จังหวัดชายแดนภาคใต้" ["Case Audit Program for Security Cases in the Southern Border Provinces"], Muslim Attorney Centre and American Bar Association Rule of Law Initiative, 24 December 2011; Crisis Group interviews, Saroj Maming, director, Muslim Attorney Centre, Yala, 10 July 2012; Anukul Awaeputeh, director, Muslim Attorney Centre, Pattani, 24 July 2012.

[84] Crisis Group interview, senior army officers, Pattani, July 2012.

[85] Burapha University and ISOC Region Four Forward Command conducted the survey between 10 July and 26 August 2012. The sample size is not available. ISOC's participation in the survey casts some doubt on its conclusion. "แม่ทัพ4พร้อมเลิก พ.ร.ก.รับกลุ่มป่วนใต้วางมือ แย้ม 'สะแปอิง-มะแซ' รอดูท่าที", สำนักข่าวอิศรา, 12 กันยายน 2012 ["4th Army commander ready to lift emergency decree, meets surrendered militants, reveals that 'Sapaing and Masae' await reaction", Isra News Service, 12 September 2012]. "Martial law in some areas may be lifted, says Yutthasak", *The Nation*, 7 March 2012.

[86] "รองนายกฯ ย้ำตั้งศปก.กปต. ไม่ซ้ำซ้อน เล็งยกเลิกพ.ร.ก.ฉุกเฉินบางพื้นที่", ข่าวสด, 22 กันยายน 2012 ["Deputy PM says Ops Centre won't duplicate [other agencies], aims to lift emergency decree in some areas", *Khao Sod*, 22 September 2012].

[87] The ISA removes criminal and civil immunities for civilian officials and civil immunities for individual soldiers. "Thailand's Internal Security Act: Risking the Rule of Law?", International Commission of Jurists, op. cit., pp. v-vi.

[88] Srisompob Jitpiromsri, "The New Challenge of Thailand's Security Forces in the Southern Frontier", paper presented at the International Conference on Political Science, Public Administration and Peace Studies in ASEAN Countries, Hat Yai, 6-7 September 2012, p. 44. The volunteer militias include 60,000 Chor Ror Bor (Village Defence Volunteers) and almost 25,000 Or Ror Bor (Village Protection Volunteers).

gion. Officers in the region say police are at 65 per cent of the numbers needed to deal with the insurgency. Many in the Malay-Muslim community view the pervasive army and paramilitary presence as an affront and evidence that the state treats them unjustly.[89]

Lt. General Udomchai Thamasarorat was appointed Fourth Army Region Commander in October 2010 following a stint as deputy commander. Soon after, he issued a six-point strategy for the southern border provinces: 1) help those affected by the violence to safely resume normal life; 2) allow those who disagree with the state to express their views and participate in resolving the problem; 3) eliminate the conditions leading to violence; 4) preserve and promote core ways of life of the society, with mutual respect for cultural diversity; 5) support the people and civil society to protect and restore natural resources and the environment; and 6) suppress illegal drugs.[90]

The army began to restructure its forces in 2011, drawing down units from the First, Second and Third Army Regions that had been deployed to Narathiwat, Pattani and Yala, respectively, on six-month rotations. It plans for the locally-based 15th Infantry Division to assume responsibility for the Deep South, replacing the remaining sixteen battalions from the other regions. The cabinet authorised activation of the 15th Division in 2005, but it remains under strength and unprepared to assume full responsibility. Units from other army regions are likely to continue rotating through the Deep South until it becomes fully operational: at best in October 2013, possibly as late as 2015.[91]

The army's plan for drawing down units from other areas rests on greater use of the paramilitary volunteer rangers, commanded by regular army officers. In April 2011, the cabinet approved five new ranger regiments in addition to seven existing regiments, an eventual increase from 14,000 to 19,000 rangers.[92] They are taking on greater responsibilities, including providing security within villages and urban areas. The rationale is that they are recruited locally, so better understand communities and the security situation, but three of the new regiments are drawn from other army regions. Only 20 per cent of rangers in the nine Fourth Army Region regiments are from the southernmost provinces, and only 10 per cent of these are Malay-speaking Muslims.[93]

Rangers pride themselves on their unconventional warfare capabilities and fearlessness but have been unable to shed a reputation for ill discipline and brutality. Army officers insist that their poor reputation is outdated, and higher pay and better training have improved discipline and performance, but community fears have not yet been allayed. Many Malay Muslims continue to perceive them as mercenaries.[94] Some locals believe that rangers often moonlight as hired guns for criminal gangs. Many local people, including Malay Muslim officials, are concerned that more rangers will lead to more human rights abuses.[95]

The public-relations problems attending an increase in ranger units were cast into sharp relief early on by the killing of four Muslim villagers in Nong Chik District, Pattani, after dark on 29 January 2012 and in the immedi-

[89] Comments on weekly Thai PBS television program, "Yingluck Meets the People", 22 September 2012. Crisis Group telephone interviews, security analyst, Bangkok; member, SBPAC Advisory Council, Hat Yai, 7 November 2012. อะหมัด รามันห์สิริวงศ์, "รอง ผบช.ศชต. เผย 3 จังหวัดชายแดนภาคใต้ ขาดแคลนกำลังตำรวจ", สมาคมหนังสือพิมพ์ภาคใต้แห่งประเทศไทย, 16 มิถุนายน 2012 [Amad Ramansiriwong, "Deputy commander of Southern Border Provinces Police Operations Centre reveals 3 provinces short of police officers", Southern Newspaper Association of Thailand, 16 June 2012]. Crisis Group interview, police officers, Yala, 26 July 2012; Muslim NGO activist, Yala, 26 June 2012.

[90] ณรรธราวุธ เมืองสุข, "สัมภาษณ์พิเศษแม่ทัพอุดมชัย: ถอดรหัส 6 นโยบายเฉพาะหน้า – เอาคนกลับถิ่น", ศูนย์เฝ้าระวังสถานการณ์ภาคใต้, 24 *ตุลาคม* 2010 [Natthawut Muangsuk, "Special interview with Commander Udomchai: Deciphering 6 urgent policies – bring the people back to the region", Deep South Watch, 24 October 2010].

[91] A 15th Division colonel said it was at 90 per cent strength. Crisis Group telephone interview, 22 September 2012. General Prayuth told reporters enlisted numbers were at 70 per cent, officers at 90 per cent. "ประยุทธ์วอนอย่าด่วนสรุปทหารผิด", คมชัดลึก, 24 กันยายน 2555 ["Prayuth pleads, don't be quick to fault army", *Khom Chat Leuk*, 24 September 2012]. Crisis Group interviews, member, SBPAC Advisory Council, Hat Yai, 18 November 2012; army colonel, Hat Yai, 19 November 2012.

[92] For earlier reporting on rangers, see Crisis Group Reports, *The Problem with Paramilitaries*, op. cit., pp. 4-12; and *Political Turmoil and the Southern Insurgency*, op. cit., p. 7. For background on their human rights record, see Desmond Ball, *The Boys in Black: The Thahan Phran (Rangers)*, *Thailand's Para-military Border Guards* (Bangkok, 2004), pp. 163-177. "Pattani tragedy puts spotlight on rangers", *The Bangkok Post*, 28 March 2012.

[93] Crisis Group interview, army lt. colonel, Pattani, 4 July 2012; Anthony Davis, "Thailand: A Big Shift in Counter-Insurgency Looms", *Jane's Defence Weekly*, 17 February 2012. Crisis Group interviews, Lt. General Samret Srirai, Pattani, 3 July 2012; army colonels, Bangkok, 19 July 2012, Hat Yai, 19 November 2012. Few Malay Muslims are motivated to join. Those who do are screened to prevent militant infiltration.

[94] Crisis Group interviews, army colonels, Hat Yai, 30 June 2012, Bangkok, 19 July 2012; local elected officials, academics, NGO activists, Pattani, Narathiwat, Songkhla, Yala, May-July 2012; Malay-Muslim sub-district chief, Yala, May 2012. The latter called many ranger recruits petty criminals, comparing them to convict-soldiers in the 1967 film, "The Dirty Dozen". Crisis Group interview, sub-district chief, Yala, May 2012.

[95] For example, local people blamed rangers for an arson incident in Bacho District, Narathiwat Province, related to a local political conflict. Crisis Group interview, Muslim academic, Hat Yai, 23 July 2012. Crisis Group interviews, academics, local leaders, civil society activists, Pattani, Narathiwat, Songkhla, and Yala, May-July 2012.

ate aftermath of an insurgent grenade attack on a nearby ranger camp. The victims, travelling in a pickup truck, reached a temporary checkpoint on a feeder road to Highway 418 manned by rangers from 4302 Company. The rangers opened fire on the vehicle, killing four and wounding four. The rangers reported that they heard a gunshot and, believing they were under attack, fired in self-defence. They also said they recovered an assault rifle and a handgun from the truck. The survivors insisted the rangers planted the weapons after the incident.[96]

Though army chief General Prayuth apologised to the victim's families, other senior officials, including Deputy Prime Minister Yutthasak, defended the actions as justified. As local anger mounted, and witness reports contradicted the rangers' account, the army transferred the 4302nd to the district base and established a fact-finding panel, headed by Pattani Provincial Islamic Committee Chairman Waedueramae Mamingchi. On 20 March, the panel concluded that the victims were not militants, that the rangers were responsible due to "misunderstanding", but that they had acted in the course of duty. The army said the rangers could be prosecuted, but no charges have been brought.[97] SBPAC compensated the families of those killed with 400,000 baht ($13,300) each. Prayuth has apologised to Malay Muslims repeatedly for army abuses, including Kreu Se and Tak Bai. Lt. General Udomchai has affirmed his commitment to human rights and preventing abuses by the army. Human rights activists acknowledge that the situation has improved over the past two years, though some abuse of detainees continues.[98]

Senior officers usually express confidence they have the correct strategy and only need more time.[99] More candid assessments recognise that military operations have put some pressure on militants but not appreciably curbed their recruitment and operations. According to a senior police officer, "as it stands, [the militants] still have freedom of action".[100] Retired military officers have criticised tactics and performance, such as reliance on static checkpoints. Security officials acknowledge that the military's information operations, including intelligence collection, public relations and psychological operations, are ineffectual. Recently retired General Vaipot Srinual, a former deputy permanent defence secretary, said a comprehensive security strategy for the Deep South is lacking and cited the army's political influence as a key reason for the narrow military emphasis.[101] The failure to contain the violence should encourage greater reflection by the army leadership and Bangkok politicians.

[96] The incident took place at Ban Nam Dam, Pulo Puyo Subdistrict. The wounded included three teenagers and a 76-year-old man. "Ranger killing seen as revenge", *The Bangkok Post*, 2 February 2012.

[97] "Thai army apologises after civilians killed in Muslim south", Reuters, 31 January 2012. "Thai army admits killing four Muslim villagers", AFP, 21 March 2012. An inquest scheduled for November 2012 has been postponed. Lawyers from the Cross Cultural Foundation and the Muslim Attorney Centre are representing victims' families. Crisis Group email correspondence, Pornpen Khongkachonkiet, Cross Cultural Foundation, 30 September, 28 November 2012.

[98] "Army chief 'sorry for deaths'", *The Bangkok Post*, 24 March 2011; "ผบ.ทบ.ขอโทษ มุสลิมใต้ ยอมรับอดีตทหารผิดพลาด", กรุงเทพธุรกิจ, 11 พฤษภาคม 2555 ["Army chief apologises to Southern Muslims, admits past army mistakes", *Krungthep Thurakit*, 11 May 2012]. Crisis Group interviews, Muslim academic, Hat Yai, 23 July 2012; Anukul Awaeputeh, director, Muslim Attorney Centre, Pattani, 24 July 2012. Relatives of suspected insurgent Sulkiplee Sika lodged complaints with ISOC and the National Human Rights Commission that he was tortured, 10-16 February, at the 46th Ranger Regiment base in Narathiwat's Muang District. He was transferred to the Ingkayuthborihan base in Pattani and the Yala police detention centre, then released on 20 February. "Pattani records the highest violent incidence in February", Isra News Service, 6 March 2012.

[99] Crisis Group interview, army lieutenant colonel, Pattani, 4 July 2012.

[100] Crisis Group interviews, army colonels, Bangkok, July 2012, Hat Yai, November 2012; police colonel, Yala, 26 July 2012.

[101] หาญ ลีนานนท์, "บทเรียนจากการรบ ตอนลดกำลังปราบโจรที่3 จชต.และการแก้ไขข้อผิดพลาด", มติชน, 15 ธันวาคม 2553 [Han Linanon, "Lessons from Battle: Reduce Counter-Guerilla Forces in the 3 Southern Border Provinces and Correction of Errors", *Matichon*, 15 December 2010]. Crisis Group discussions, military intelligence officers, August, 2012; interview, Danai Musa, director, Southern Border Provinces Strategic Security and Ethnic Cultures Bureau, NSC, Bangkok, 18 October 2012. ปกรณ์ พึ่งเนตร, "ไวพจน์: แนวทางผิด นโยบายพลาด ยุทธศาสตร์ทางทหารดับไฟใต้ไม่ได้!", สำนักข่าวอิศรา, 29 กรกฎาคม 2012 [Pokorn Peungnet, "Vaipot: Wrong way, failed policy: military strategy can't douse the southern fire!", Isra News Centre, 29 July 2012].

IV. ADMINISTRATIVE MEASURES

Remediation of administrative shortcomings is a perennial feature of Bangkok's responses to the southern problem. Over three decades, nine special government agencies have been established to resolve that problem, each intended as a mechanism for better coordination across existing agencies. One, SBPAC, has assumed greater prominence over the past two years and has been busy courting local elites, much as it did in the 1980s and 1990s. As the resurgence of violence a decade ago demonstrated, however, there are limits to this approach.[102] Plans by the Yingluck administration to stand up yet another coordinating body reveal an inclination to stick with politically benign responses. That these plans have stalled indicates persistent bureaucratic squabbling, principally between military and civilian leaders, about who should be in charge of Deep South policy.

A. THE SOUTHERN BORDER PROVINCES ADMINISTRATIVE CENTRE (SBPAC)

The cabinet appointed Police Colonel Thawee Sodsong, then deputy permanent justice secretary, as secretary general of SBPAC on 18 October 2011. His appointment met with some hostility among local Malay Muslims and opposition politicians, due to his earlier police work in the Deep South and his close relationship with Thaksin, but he overcame initial scepticism to generate good-will among many Malay Muslims, especially religious leaders.[103] His tenure has also generated controversy, particularly after the 31 March bombings in Hat Yai and Yala that some observers believe were prompted by Thaksin's effort to jumpstart a negotiated settlement to the conflict by meeting with exiled militants in Malaysia.[104] Government opponents attacked Thaksin and Thawee claiming they mishandled the sensitive matter of dialogue with the insurgents.

Thawee has encouraged civil servants to be flexible in dealing with Malay Muslims, telling them that, "sometimes we impose the law on their way of life too strictly". He ordered improvements in prison conditions, including provision of halal food and the introduction of modest prison uniforms for Muslim inmates. Many local people appreciate his informality and accessibility, contrasting it with the patronising attitude of some other bureaucrats.[105]

Perhaps most importantly, Thawee has also dispensed much money through grants and programs. A locally based academic noted that spending patterns have changed under his administration: "Before, money flowed to functional agencies. Thawee's idea is to spend money to achieve political ends".[106] SBPAC offered financial support to *tadika* (Islamic schools for young children); granted 175 million baht ($5.6 million) for a new building at the Yala Islamic University; and distributed sums of 5,000 baht ($162) through small development and micro-credit programs. On 5 August 2012, Thawee promised pay raises to the official Islamic committees in the five southernmost provinces, doubling the salaries of mosque committee heads to 7,000 baht ($227) and provincial Islamic committee members to 5,000 baht. Imam and mosque committee members are also entitled to modest stipend increases.[107]

These achievements are emblematic of a personalised approach rather than systematic change.[108] As such, they are subject to reversal by officials and agencies not under Thawee's control. He won early plaudits in December 2011 by approving the reopening of the Islam Burapha School, closed by the authorities in 2007 after bomb making was discovered on its premises.[109] That was a simple measure no other official had been moved to take. An army officer described the reopening as a success in "social-psychological operations". But others saw the role of the school differently. On 4 September, the Anti-Money Laundering Office, an independent oversight agency, moved to confiscate assets of the school's owner, Useng

[102] Muthiah Alagappa, *The National Security of Developing States: Lessons from Thailand* (Dover, 1987), p. 225; Arnaud Dubus and Sor Rattanamanee Polkla, *Policies of the Thai State towards the Malay Muslim South* (Bangkok, 2011), p. 44. ปกรณ์ พึ่งเนตร, "30 ปี 9 องค์กร…ไฟใต้ยังร้อน ไม่เห็นทางสงบ", สำนักข่าวอิศรา, 1 สิงหาคม 2012 [Pokorn Peungnet, "30 years, 9 organisations, South still hot, no path to peace in sight", Isra News Centre, 1 August 2012]. McCargo, *Tearing Apart the Land*, op. cit., p. 14.

[103] Crisis Group interview, Muslim academic, Hat Yai, 23 July 2012.

[104] Crisis Group interviews, diplomat, Bangkok, 19 June 2012; regional analyst, Bangkok, 1 August 2012.

[105] "สัมภาษณ์พิเศษ 'พ.ต.อ.ทวี สอดส่อง' เลขาธิการ 'ศอ.บต.' คนใหม่ เปิดแผนดับไฟใต้", มติชน, 2 มกราคม 2555 ["Special interview, Pol Col Thawee Sodsong, new SBPAC secretary general, reveals plan to extinguish southern fire", *Matichon*, 2 January 2012]. Crisis Group interviews, Senator Worawit Baru, Pattani, 27 July 2012; journalist, Pattani, 1 June 2012.

[106] Crisis Group interview, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 25 July 2012.

[107] Don Pathan, "Trying to move forward, but still haunted by the past", *The Nation*, 10 January 2012. Crisis Group interview, Metta Kuning, Prince of Songkhla University-Pattani, Pattani, 24 June 2012. Funding for the raises came from an additional 53.5 million baht ($1.7 million) authorised by Yingluck and 10 million baht ($322,800) from SBPAC. "ปรับกลยุทธศาสตร์แก้ใต้ นายกฯลุยชงนั่งหัวโต๊ะสั่งการ", มติชน, 5 สิงหาคม 2555 ["Change strategy to solve the southern [problem], PM to take charge", *Matichon*, 5 August 2012]; see also "สร้างกำลังใจผู้นำศาสนาใต้ ศอ.บต.เพิ่มเงินอุดหนุนพิเศษ", เดลินิวส์, 16 สิงหาคม 2555 ["To boost confidence of southern religious leaders, SBPAC increases special subsidies", *Daily News*, 16 August 2012].

[108] Crisis Group interview, Anukul Awaeputeh, director, Muslim Attorney Centre, Pattani, 24 July 2012.

[109] A provincial court acquitted school officials of the 2007 charges on 20 November 2012.

Purong, including ten acres of land, on suspicion of support for terrorism. This has undone much of the good-will generated by the school's reopening.[110]

Compensation to those affected by the insurgency has been the central plank in Yingluck's approach. It is meant to address injustice, which officials have long identified as a fundamental source of violence. Among those who have received compensation are families of people killed by state security forces at Kreu Se and Tak Bai in 2004, relatives of state officials killed in the line of duty and those acquitted or detained without charge by authorities. The cabinet announced that it would offer compensation soon after taking office in August 2011. In January, the government said it intended to compensate the families of 85 men killed in the 28 October 2004 Tak Bai incident. A compensation committee decided that families of those killed at the Kreu Se Mosque and Saba Yoi on 28 April 2004, as well as eleven killed at the Al Furqan Mosque, would also be eligible.[111] The cabinet had already approved payments to those affected by political unrest associated with red shirt protests and the military crackdown in 2010.

In February, a committee led by the justice minister determined that families of those killed at Kreu Se and Tak Bai would receive up to 7.5 million baht ($240,000) each, the same as offered to families of those killed in Bangkok's 2010 political violence. Families of those killed by insurgents would receive 100,000 baht ($3,200). Children of government personnel killed in the conflict, including police and soldiers, would be guaranteed government jobs.[112]

Some victims' families are critical of the compensation scheme, especially after the government announced in June 2012 that the families of those killed at the Kreu Se Mosque would receive 4 million baht, not 7.5 million. The authorities maintain that those killed there died fighting security forces, rather than as victims of state abuse. On 18 June, relatives protested at the mosque, calling the payments unfair. Opposition Democrat Party politicians took up their cause, even as they have questioned the wisdom and practicality of the scheme. Given the large sums allotted for compensation, they also expressed worries about transparency and corruption.[113]

Some locals approve of the program because it acknowledges state responsibility for deaths and injuries caused by security forces, an important step in reckoning with abuses. Others doubt such payments will change attitudes in ways that could alter conflict dynamics. Some argue the money emphasis is misplaced because it does not address the injustice of the state crimes. A Malay Muslim community activist said, "there can be no price on life".[114]

B. Fixation on Bureaucratic Structure

Since Prime Minister Yingluck took office, security officials have repeatedly advocated adjusting the roles of ISOC and SBPAC. ISOC proposed in August 2011 to establish a centre to integrate security and development in the South. To ensure unity of command, the Fourth Army Region commander would lead it; the SBPAC director would be moved to Bangkok, and SBPAC would be reorganised as multiple "SBPAC branches" subordinate to ISOC.[115] The proposal, formulated as a draft executive order but ignored by Yingluck, signalled the military's unease with the body's greater authority and independence.[116]

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[110] Crisis Group interview, army colonel, Bangkok, May 2012. Piyanuch Thamnukkasetchai, "Land, school used by insurgents seized", *The Nation*, 5 September 2012; "Amlo acts to cut off militants' lifeline", Isra News Service, 9 September 2012. Crisis Group interview, Chaiyong Maneerungsakul, SBPAC Advisory Council, Hat Yai, 6 September 2012.

[111] Kittipong Thavevong, "There 'will be some compensation'", *The Nation*, 25 August 2011; "ศอ.บต. จัดมหกรรมเยียวยาช่วยผู้ได้รับผลกระทบไฟใต้", แนวหน้า, 31 สิงหาคม 2554 [SBPAC organises compensation event for those affected by southern fire, *Naew Na*, 31 August 2011]. "Panel approves aid for South victims", *The Bangkok Post*, 13 February 2012.

[112] The cabinet agreed in January 2012 to compensate victims and others affected by protest-related violence between May 2005 and May 2010. The Truth for Reconciliation Commission of Thailand (TRCT), established by Abhisit Vejjajiva after the April-May 2010 unrest, recommended monetary compensation as part of broader reparation and rehabilitation measures. The TRCT initially recommended 4.5 million baht ($140,000) payments for death and disability. More than 2,000 were eligible for compensation the government began paying in May. "Govt to compensate violence victims in Deep South", *The Bangkok Post*, 24 March 2012.

[113] "Abhisit warns South conflict is escalating", *The Bangkok Post*, 14 February; "'Criminal' label angers Krue Se families", *The Bangkok Post*, 3 September; "Compensation graft claim sparks probe in South", *The Nation*, 27 April (all 2012).

[114] Crisis Group interviews, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 31 May 2012; Grisada Boonrach, governor, Songkhla Province, Hat Yai, 1 June 2012; NGO activist, Yala, 26 June, 17 November 2012; Malay Muslim community activist, Narathiwat, 5 July 2012.

[115] "สปต.ขวางแล้ว ต้านยุบศอ.บต. เฉ่ง 7 ปีกอ.รมน.", บ้านเมือง, 15 *ตุลาคม* 2554 ["Advisory Council opposition to dissolving SBPAC is payback for seven years of ISOC", *Ban Muang*, 15 October 2011]; "เพื่อไทยฮั้ว ทหาร กุดหัว ศอ.บต. ยึด อำนาจ-งบประมาณ ดับไฟใต้", ผู้จัดการรายสัปดาห์, 22 *ตุลาคม* 2554 ["Pheu Thai agrees army to behead SBPAC, take power and budget to douse southern fire", *Manager Weekly*, 22 October 2011]; ปรีชา สถิตย์เรืองศักดิ์, "ปรับนโยบายดับไฟใต้เพื่อประชาชนหรือเพื่อใคร", ไทยโพสต์, 26 *ตุลาคม* 2554 [Preecha Sathitruangsak, "Change policy to douse southern fire: For 'the people' or for who?", *Thai Post*, 26 October 2011].

[116] Jason Johnson, "Power shifts in south Thailand", *Asia Times Online*, 19 January 2012; "คำถาม-คำตอบเรื่อง 'โครงสร้างดับไฟใต้' แนวคิดใหม่หรือถอยหลังตกคลอง", สำนักข่าวอิศรา, 7 สิงหาคม 2012 ["Questions-answers on 'structure to snuff southern fire': new

The 31 March 2012 bombings prompted renewed scrutiny of the security structure. After visiting Pattani in April, Yingluck identified better ISOC-SBPAC coordination as a priority. The cabinet approved a "rear-echelon headquarters" to integrate intelligence on the South, dubbed "Pentagon II" by Deputy Prime Minister Chalerm Yubamrung. A spike in violence in July coinciding with Ramadan, including the Mayo attack caught on CCTV and the CS Pattani Hotel bombing, refocused attention on the South and prompted the government to act. On 30 July, the cabinet approved 391 million baht ($12.4 million) in emergency funding for ISOC military operations.[117]

In early August 2012, a number of security officials publicly urged that ISOC be put in charge of all agencies in the South to establish a clear line of command. Major General Nakrop Bunbuathong blamed lack of unity on the fact that ISOC Region Four Forward Command and SBPAC operate under separate laws. The newly appointed national police chief, General Adul Saengsingkaew, said SBPAC should be subordinated to ISOC. Noting that the SBPAC secretary general outranked the Fourth Army Region commander, he added: "When there's a meeting of military, police and civilian officials, [deciding] who sits at the head of the table is a real problem".[118]

On 8 August, the cabinet approved the Operations Centre for Solving Problems in the Southern Border Provinces. It appeared to be an expanded version of the intelligence coordination office proposed in April, supposed to coordinate the seventeen ministries and 66 agencies with responsibilities in the region, but its status and future are uncertain. The prime minister has not formally endorsed it, while officials argue over authority and staffing. Critics say it overlaps existing structures, is too far from the South and primarily shows only that the government is doing something. Some are also concerned it empowers the army and ISOC at SBPAC and civilian agency expense.[119] On 18 August, the SBPAC Advisory Council called for it to be scrapped as duplicating a cabinet-level committee and giving the military too much authority. It urged that the Fourth Army Region and SBPAC, not Bangkok-based ISOC officials, should have decision authority. Council members threatened to resign *en masse* if ignored and appeal to the Administrative Court. An ISOC spokesman said the Council of State was reviewing the Centre.[120]

On 18 September, Yingluck chaired a meeting on security in the South attended by Democrat Party leader Abhisit and other opposition politicians and intended as a display of unity. The government hoped it would also quiet Democrat Party criticism of Pheu Thai policies in the region, which had been unrestrained. The Democrats offered a nine-point proposal that restated policies advanced under Abhisit and opposed the introduction of a special administration or elected governors. Yingluck rejected their suggestion to abandon the Operations Centre.[121]

On 6 December 2012, NSC chief Paradorn Pattanathabutr announced a revised structure for the Operations Centre, headed by the prime minister, which is to begin work at the start of 2013. Cabinet ministers have been assigned responsibility for security, development and justice. The SBPAC Advisory Council was satisfied that the new centre will not infringe on SBPAC's authority, and that with Paradorn in charge of coordinating its operations, army officials in Bangkok will not exercise undue influence.[122] This new security structure is unlikely to quell the violence so long as the stasis in Bangkok politics means that

thinking or backing into a canal?', Isra News Service, 7 August 2012].

[117] It was Yingluck's first visit in office to the southernmost provinces. "PM: SBPAC, Isoc must integrate work", *The Bangkok Post*, 29 April 2012. "Rear-line HQ for South planned", ibid, 10 April 2012; "Authorities will 'never' talk with insurgents", ibid, 17 April 2012. "Govt acts on Ramadan violence", ibid, 31 July 2012.

[118] "คำอธิบายจาก ขุนพล กอ.รมน.ทำไมไฟใต้เดือด ทำอย่างไรไฟใต้ดับ", กรุงเทพธุรกิจ, 3 สิงหาคม 2555 ["Explanation from ISOC commander: Why the South is troubled, and how to douse the southern fire", *Krungthep Thurakit*, 3 August 2012]. ปกรณ์ พึ่งเนตร, "'อดุลย์'หนุน'แม่ทัพ4' คุมดับไฟใต้ ย่อส่วน ศอ.บต.ใต้ร่ม กอ.รมน.", สำนักข่าวอิศรา, 6 สิงหาคม 2555 [Pokorn Peungnet, "'Adul' endorses 4th army chief' to douse southern fire, putting SBPAC under ISOC", Isra News Service, 6 August 2012].

[119] "Yingluck pushes South centre", *The Bangkok Post*, 9 August 2012; "One problem, two solutions", ibid, 5 August 2012; "Abhisit says Isoc should lead South peace efforts", ibid, 8 August 2012. Crisis Group interview, Chaiyong Maneerungsakul, SBPAC Advisory Council, Hat Yai, 6 September 2012; Don Pathan, "Good intentions are not enough in the deep South", *The Nation*, 22 August 2012.

[120] Crisis Group interview, Chaiyong Maneerungsakul, SBPAC Advisory Council, Hat Yai, 6 September 2012; "New Command for the deep South hits the snag", Isra News Service, 4 September 2012. "Command centre stalls amid review", *The Bangkok Post*, 28 August 2012.

[121] Democrat Thaworn Seniam described the proposed Operations Centre as the "Centre of Cowards, Taking Advantage of Subordinates [operating in the deep South]". "Security officials far too laid back: experts", *The Nation*, 3 August 2012. "นายกฯ เมินปชป.ชงยุบ ศปก.ดับไฟใต้", กรุงเทพธุรกิจ, 19 กันยายน 2555 ["PM ignores Democrat plan to abolish Operations Centre to douse southern fire", *Krungthep Thurakit*, 19 September 2012].

[122] The Centre's official name is Operations Centre for the Implementation of Policy and Strategy to Resolve Problems of the Southern Border Provinces. Defense Minister Sukumpol Suwanathat will be in charge of security affairs, Deputy Prime Minister Chalerm Yubamrung and Interior Minister Charupong Ruangsuwan take responsibility for development and Deputy Prime Minister and Education Minister Pongthep Thepkanchana will handle justice affairs. Crisis group telephone interview, Chaiyong Maneerungsakul, SBPAC Advisory Council, Hat Yai, 8 December 2012; "เลขาฯ สมช.เผย"ปู"เคาะ ศปก.กปต. 12 ธ.ค. แย้มนายกฯ ลงใต้ก่อนสิ้นปี" มติชนออนไลน์, 6 ธันวาคม 2555 ["NSC Secretary announced 'Pu' [Yingluck] to revive Operations Centre on 12 Dec., reveals PM to visit South before year's end", *Matichon* (online), 6 December 2012].

the army retains a veto over policy, and the civilian leadership is reluctant to risk a dramatic change in approach. Thai leaders in government and opposition should depoliticise the response to the southern problem. Officials should adhere to the new NSC policy and execute the decisions of elected leaders.

V. STEPS TOWARD A POLITICAL SOLUTION

The Abhisit administration, which came to office with military support, opposed a special administration for the southernmost provinces for ideological and practical reasons. It favoured using SBPAC to build trust between the state and Malay Muslims by improving administration and funnelling money into development projects. These projects too often reflected traditional top-down patterns of implementation that failed to incorporate local views.[123] The Democrat Party-led government also made strides in curbing human rights abuses by the security forces, but its fundamentally conservative approach did not mitigate the conflict.

The PTP-led government appears more amenable to novel ideas and has the advantage of a semblance of political stability. But to maintain that stability, Yingluck's administration must be mindful of military preferences. It is also encumbered by Thaksin, who has been criticised for disrupting the existing dialogue process with his cavalier approach. With Yingluck apparently uninvolved in the details of Southern policy, some PTP officials have pushed for decentralisation, elected governors, use of Malay language in schools and such symbolic measures as use of local Malay on road signs and in public buildings. But these proposals have been disjointed, readily abandoned and reprised according to shifting circumstances.

Many senior officials remain hostile to any proposal that smacks of autonomy, but taboos that have long inhibited creative thinking on the South are breaking down.[124] The protracted insurgency and political turmoil of recent years have exposed the inadequacy of existing political arrangements. Stakeholders on all sides are beginning to discuss alternatives more openly. The NSC policy for the southernmost provinces is a clear indication that new possibilities are on the table. Continuing political polarisation is a for-

[123] A September 2011 survey of 3,031 people in the three southernmost provinces conducted by the Centre for Conflict Studies and Cultural Diversity, Prince of Songkhla University Pattani Campus, found that lack of transparency, official corruption and poor management ranked as the most common explanations for the failure of the government's development plan. Srisompob Jitpiromsri, "The Protracted Violence", op. cit., pp. 14-15, www.deepsouthwatch.org/node/2343. For a study of problems with community-development programs during the Abhisit administration, see Soonya Vanichkorn, "Politics of Participation: Case Study of the Form and Power Dynamics of Participation in Two Villages in Southern Thailand", MA thesis (Lund University, 2010).

[124] Crisis Group interview, senior interior ministry official, Narathiwat, 7 July 2012; "แม่ทัพภาค4เสนอแนวทางดับไฟใต้อภัยโทษผู้หลงผิดคดีความมั่นคง", แนวหน้า, 17 *สิงหาคม* 2554 ["4th Army Region commander on how to end the southern conflict: amnesty for security cases", *Naew Na*, 17 August 2011].

midable challenge to developing and executing fresh approaches, but the status quo is untenable in the long term. Major parties should forge a consensus that the South's continuing violence is unacceptable and set aside partisanship so as to implement the NSC policy. Given the conflict's severity and duration, they should consider an accord affirming resolution as a national priority.[125]

A. Decentralisation

Devolution of political power to pacify the Deep South is an old but still controversial idea. In recent years, such proposals have become a part of mainstream debate.[126] During the 2011 election campaign, Yingluck said that the PTP would implement a special administration for the southernmost provinces – "Nakhon Pattani" (Pattani City) – modelled after Bangkok and Pattaya, with elected executives. After failing to win any seats in the southernmost provinces, PTP dropped the idea, but in March 2012, its lawmakers revived it under the banner "Pattani Mahanakorn" (Greater Pattani City), sending two draft bills on decentralisation and SBPAC reform to the military and security agencies for review. Swift condemnation from the army chief, General Prayuth Chan-ocha, led the cabinet to shelve both.[127]

Military officers insist that academics and NGOs are foisting decentralisation on local people who do not want it. According to Lt. General Udomchai, "if you ask … the villagers in the region, they will all say that it is not necessary. It is only a group of academics that want this policy". Some officers believe that decentralisation would invite more violent local political conflict.[128] Officials also maintain that the existing system has already devolved power, through locally elected provincial and sub-district administrative entities. A senior interior ministry official said that even if governors were elected, it would be in name only; the central government would always need to have its appointed representatives perform the functions of governor.[129]

Alternative governance arrangements call into question the basis of Thai state legitimacy, which is both psychologically unsettling and politically risky. Anxieties surrounding the impending end of King Bhumiphol Adulyadej's reign aggravate the problem. A basic obstacle to decentralisation is that it can be interpreted as an attack on the administrative system established in the late nineteenth century during King Chulalongkorn's reign (1868-1910).[130] The broader political crisis makes it difficult for office holders to implement measures that could alienate the bureaucracy and military or invite accusations of losing territory. Many Buddhists in the region are deeply uncomfortable with the prospect of autonomy or special administration. A Buddhist farmer in Narathiwat expressed his misgivings about de-

[125] Norbert Ropers, "Insider Peacebuilders Platform in the context of Pattani Peace Process", summary of keynote speech, special panel discussion on Pattani Peace Process, International Conference on Political Science, Public Administration and Peace Studies in ASEAN Countries, Hat Yai, 7 September 2012.

[126] Crisis Group interview, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 31 May 2012; Jitpiromsri and Duncan McCargo, "A Ministry for the South: New Governance Proposals for Thailand's Southern Region", *Contemporary Southeast Asia*, vol. 30, no. 3 (2008), pp. 403-428; and McCargo, "Autonomy for Southern Thailand: Thinking the Unthinkable?", *Pacific Affairs*, vol. 83, no. 2 (2010), pp. 261-281.

[127] "Yingluck promises peace in the south", *The Nation*, 15 June 2011. Former Prime Minister General Chavalit Yongchaiyudh floated the Nakhon Pattani concept in November 2009, while a member of the Pheu Thai Party. PTP's poor election showing did not necessarily mean rejection of political decentralisation. It was more likely attributable to a weak campaign. For discussion of the 2011 results in the southernmost provinces, see Bradley Everett, "Democrat dominance in the deep south", New Mandala website, 13 July 2011. "Govt quietly studies South", *The Bangkok Post*, 8 March 2012. Prasop Butrakom, PTP parliamentarian for Udon Thani Province who supported study of a Pattani Mahanakhon bill, said, "some ask about security, how it will be arranged. I affirm that we will not touch this matter. ISOC Region Four Forward Command will remain. SBPAC will remain. We won't touch the security units because we know they are concerned about their budgets …. Nakhon Pattani will emphasise development only, by giving local people the power to administer local affairs themselves". มุฮำหมัด ดือราแม, "'นครปัตตานี'จากส.ส.อีสาน ทีมล้างกฎหมายเผด็จการ", ศูนย์เฝ้าระวังสถานการณ์ภาคใต้, 18 มีนาคม 2012 [Muhammad Duramae, "Nakhon Pattani from Isan MPs, team to reform dictatorial laws", Deep South Watch, 18 March 2012]. "Prayuth: No Pattani Maha Nakhon", *The Bangkok Post*, 19 March 2012.

[128] Crisis Group interview, army colonel, Hat Yai, 30 May 2012; Achara Ashayagachat, "Akanit urges new faces in talks", *The Bangkok Post*, 7 September 2012. "แม่ทัพภาค4เสนอแนวทางดับไฟใต้อภัยโทษผู้หลงผิดคดีความมั่นคง", แนวหน้า, 17 *สิงหาคม*2554 ["4th Army Region commander on how to end the southern conflict: amnesty for security cases", *Naew Na*, 17 August 2011]. Crisis Group interview, army colonel, Bangkok, 19 July 2012.

[129] This assessment of locally elected bodies is not widely shared. Crisis Group interview, Muslim NGO activist, Narathiwat, 5 July 2012. See also M. Shamshul Haque, "Decentralizing Local Governance in Thailand: Contemporary Trends and Challenges", *International Journal of Public Administration*, vol. 33 (2010), pp. 685-686. Crisis Group interview, senior interior ministry official, Narathiwat, July 2012.

[130] Jitpiromsri and McCargo, "The Southern Thai Conflict Six Years On", op. cit., p. 174. McCargo, "Autonomy for Southern Thailand", op. cit., pp. 265-267. In 1894, King Chulalongkorn established the interior ministry to supervise a new centralised administrative structure (*thesaphiban*) throughout Siam. It organised territory in four levels: *monthon* (circle), province, district and sub-district. The ministry appointed *monthon* superintendent commissioners, provincial governors and district officials, who supervised selection of sub-district and village leaders. The *monthon* were abolished after the 1932 coup d'état that ended the absolute monarchy. Tej Bunnag, *The Provincial Administration of Siam from 1892 to 1915* (London, 1977).

volution of power: "It means the end of the system we have, under the king".[131]

These objections to devolution are beginning to yield to the realisation that existing approaches have not worked. On 7 September 2012, Deputy Prime Minister Chalerm Yumbamrung advocated elected governors for the three southern border provinces. A number of military officers concede that some form of special administration may be appropriate. An army general said, "a special administrative zone is something for the long run, and should be implemented in peaceful areas". He agreed in principle with Chalerm's proposal, but suggested it was not the right time.[132] Such comments indicate wider acceptance of possible solutions that until recently were unthinkable.

It is fair to ask if alternative governance arrangements would douse the "southern fire". Acknowledging the political nature of the conflict is no guide to how a political solution should be structured.[133] But if the central challenges are the formlessness of insurgent demands and elusiveness of militant leadership, the authorities could pre-empt the rebels by offering means for local interests to be aggregated and articulated. If the collective interests are unclear, a solution would be to create mechanisms for them to be expressed. Authorities need not wait until militant leaders are prepared to negotiate to begin a reform process leading to substantive devolution. Surveys indicate that most people in the southernmost provinces want political decentralisation, including directly elected provincial governors.[134]

Long-term conflict resolution is likely to involve new administrative arrangements that allow more direct participation by locals in regional governance. Changing the political context through decentralisation could reduce the appeal and social approval of violent resistance. In exploring new governance structures, Thailand can draw on its administrative heritage. Large territorial units such as the "circle" (*monthon*) or "region" (*paak*) that grouped several provinces under a powerful superintendent could be revived and updated to include elected assemblies and chief ministers.[135] Decentralisation might generate new conflicts, but these should be contained within flexible, accountable and responsive institutions. As the king occupies the apex of the administrative structure, far-reaching changes are unlikely during his reign and under polarised political conditions. But these factors should not foreclose a consultation and consensus-building process on decentralisation proposals leading to draft legislation.

B. Dialogue with Insurgents

Bangkok has pursued secret talks with insurgent representatives since 2005 that remain a sensitive subject for officials and politicians. In 2006, an international NGO received Bangkok's sanction to facilitate dialogue, though the process has not been publicly acknowledged. Talks never moved beyond the preliminary stage of confidence building, foundering not least over lack of unity on both sides. The nature of the insurgency means there is no organisation or individual to authoritatively represent the militants. Sceptical officials point out there is scant evidence the exiled leaders willing to talk control fighters inside Thailand.[136] The independence of cells and a purported fissure between young fighters and "old guard" leaders weigh against productive dialogue.

On the government side, there have been contradictory statements on the appropriateness or utility of talks. Senior military officials are especially concerned that dialogue will legitimate the separatists. This is linked to deep fears within the officer corps about international intervention. They suspect the militants are striving for attention that would lead to UN intervention, an East Timor-style referendum and ultimately dismemberment of the kingdom. The deputy army commander, General Daopong Rat-

[131] Crisis Group interview, Buddhist villager, Sungai Padi, Narathiwat, 5 July 2012.
[132] "Call to elect governors in South", *The Bangkok Post*, 8 September 2012. Chalerm proposed elected governors in February 2008, but the then prime minister, Samak Sundaravej, flatly rejected the idea. Crisis Group interview, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 31 May 2012. Maj. General Nakrop Bunbuathong, deputy director general, 5th Operations Coordination Centre, ISOC, cited in ฮัสซัน โตะดง, "กอ.รมน. เตรียมเลิกพ.ร.ก.ฉุกเฉินบางพื้นที่ หากสถานการณ์ดีขึ้น", โรงเรียนนักข่าวชายแดนภาคใต้, 28 มิถุนายน 2012 [Hassan Toedong, "ISOC prepares to lift emergency decree in some areas if situation improves", Deep South Journalism School, 28 June 2012]. Kultida Samabuddhi, "Isoc officer says dialogue key in South", *The Bangkok Post*, 30 September 2012.
[133] Marc Askew, "Insurgency and the Market for Violence in Southern Thailand", *Asian Survey*, vol. 50, no. 6 (2010), p. 1134.
[134] Crisis Group interview, Muslim academic, Sai Buri, Pattani, 9 July 2012. His 2011 survey of 2,000 people in the three southernmost provinces found that 70 per cent favoured elected governors. A 2009 survey found 62 per cent in the Deep South agreed decentralisation might help resolve the conflict. *Democracy and Conflict in Southern Thailand: A Survey of the Thai Electorate in Yala*, *Narathiwas*, *and Pattani*, The Asia Foundation (Bangkok, 2010), p. 120.
[135] Michael J. Montesano, "Four Thai Pathologies, Late 2009", in Marc Askew (ed.), *Legitimacy Crisis in Thailand* (Chiang Mai, 2010), p. 285; Duncan McCargo, *Mapping National Anxieties: Thailand's Southern Conflict* (Copenhagen, 2012), pp. 140-143. Nine *paak* were instituted between 1952 and 1956 in response to the weakness of provincial governments. Frederick James Horrigan, "Local Government and Administration in Thailand: A Study of Institutions and their Cultural Settings", Ph.D. thesis (Indiana University, 1959), pp. 44-45.
[136] Crisis Group interviews, then Prime Minister Abhisit Vejjajiva, Bangkok, 10 August 2010; senior army officers, Pattani, July 2012.

thanasuban, warned: "We have not lost our land yet, but if we're complacent and let the UN intervene and hold a referendum, then we're finished".[137]

The political turmoil in Bangkok has also impeded talks, as the dialogue process has become an arena for political point scoring. Secrecy is another obstacle, because it contributes to uncertainty about who has authority and decreases pressure for accountability. Militant leaders may see no advantage in compromising so long as the national-level political conflict remains unresolved, and many reportedly fear they will compromise their security if they surface to participate in talks. Some exiled separatists say they are unwilling to talk because they lack control over fighters and are concerned they would be unable to deliver on an agreement.[138]

1. The NSC process

In 2009, Prime Minister Abhisit revived the process that had stalled under his predecessors. As lead agency, the NSC formed a committee led by an academic and including NSC staff and two Democrat Party legislators. It reported to a steering committee that included, among others, the prime minister, the NSC secretary general, and the army chief. In 2010, the army commander assigned Lt. General Akanit Muensawat to it. Some saw this as an army endorsement of dialogue; others suggested that Akanit's role was primarily to keep tabs on the process.[139] The committee met repeatedly with representatives of PULO and BRN-C, who in early 2010 formed the Patani Malay Liberation Movement to pursue the dialogue. Militant interlocutors also included some representatives from within Thailand. In what appears to have been a missed opportunity, the Abhisit government refused to acknowledge a month-long unilateral militant ceasefire in three Narathiwat districts in mid-2010. Abhisit described the outcome of the ceasefire as "inconclusive" and did not visit the districts.[140]

If the NSC-led process failed to achieve concrete progress, it at least secured a degree of cooperation among state agencies, including the army, and produced a serviceable apparatus for dialogue. It continued under Yingluck, with meetings in November 2011 and January 2012. In February, Kasturi Mahkota, president of PULO, expressed optimism about talks set to resume in March or early April.[141]

Nevertheless, at least two new factors strained the process. First, the PULO leadership fractured in October 2011.[142] The group appears to lack command over armed fighters, but it has been important in the dialogue process as the separatist movement's public face and the entity most committed to dialogue and most willing to compromise. Secondly, by the beginning of 2012, it was clear Yingluck had authorised new SBPAC Secretary General Thawee Sodsong to talk with insurgents, with uncertain consequences for the NSC committee. Prior to the 31 March car bombings, disagreements between the army and the administration over the South became public, with General Prayuth expressing his displeasure at Thawee's lead role in talking to insurgents.[143] In early July 2012, the government removed NSC Deputy Secretary General Somkiat Boonchu, who had been central in the talks – a move seen as indicating Thaksin's desire to consolidate control over the security bureaucracy.[144] The more immediate effects were to dismantle the dialogue apparatus assembled under Abhisit and to kill the existing dialogue process.[145]

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[137] Crisis Group interviews, senior army officers, Bangkok, Pattani, June 2012. Concern about foreign intervention may have some foundation in light of insurgent strategy. According to Prasit Meksuwan, chairman, Civil Society Council of Southernmost Thailand, the militants "knock on doors and talk to villagers. They are preparing them for a referendum". Crisis Group interview, Yala, 3 July 2012. The army's preoccupation with intervention has historical roots. In the late 1940s, a petition to the UN seeking the union of the three southernmost provinces with Malaya was reportedly endorsed by half the region's adult Malay population. Thomas M. Fraser, *Fishermen of South Thailand: The Malay Villagers* (New York, 1966), p. 102. General Daopong quoted in "South 'may be lost if UN intervenes'", *The Bangkok Post*, 10 August 2012.

[138] Don Pathan, "The fight over the peace process prolongs conflict", *The Nation*, 4 July 2012. Anthony Davis, "Thai peace talks come to light", *Asia Times Online*, 6 April 2011. Crisis Group interview, analyst, Yala, 25 July 2012.

[139] Crisis Group interview, analyst, Yala, 25 July 2012.

[140] Crisis Group Report, *Stalemate in Southern Thailand*, op. cit., p. 6; interviews, analyst, Bangkok, August 2012; member, NSC dialogue committee, Bangkok, October 2012; Anthony Davis, "Thai peace talks come to light", *Asia Times Online*, 6 April 2011. For discussion of the ceasefire, see Crisis Group Report, *Stalemate in Southern Thailand*, op. cit., pp. 6-7. Crisis Group interview, then Prime Minister Abhisit Vejjajiva, Bangkok, 10 August 2010.

[141] Crisis Group interview, analyst, Bangkok, August 2012. Nirmal Ghosh, "Thai govt and rebels to resume talks", *The Straits Times*, 17 February 2012.

[142] Crisis Group email correspondence, Kasturi Mahkota, 3-8 November 2011. See also Don Pathan, "Disunity puts southern peace process on its last legs", *The Nation*, 21 September 2011; and Pathan, "Split in Pulo could hurt peace process with Thai government", ibid, 21 November 2011.

[143] Don Pathan, "Confusion reigns on 'peace processes' in the deep South", ibid, 27 January 2012. Wassana Nanuam, "South could see army at Yingluck's throat", *The Bangkok Post*, 22 March 2012.

[144] On 18 September 2012, the cabinet approved the transfer of NSC Secretary General Wichean Photephosree to the post of permanent secretary for transport, clearing the way for Thaksin ally Lt. General Paradon Pattanbutr to lead the NSC.

[145] Pathan, "The fight over the peace process", op. cit. Crisis Group interviews, analyst, Yala, 25 July 2012; regional analyst, 1 August 2012.

2. Thaksin's initiative

After his sister became prime minister, Thaksin sought to start his own dialogue process, hoping a quick settlement in the South might advance his political interests. He spoke with Malaysian Prime Minister Najib Razak to clear the way, and Malaysian Special Branch Police, which had not been involved in the NSC-led talks, reportedly pressured a number of exiled separatist leaders to meet with Thawee. Beginning in late 2011, Thawee sent emissaries, including several Malay-Muslim politicians of the defunct Wadah faction, to find dialogue partners in Malaysia.[146]

According to well-placed sources, Thaksin met with more than a dozen exiled separatists in Kuala Lumpur on 17 March 2012. Participants are said to have included PULO and BRN faction representatives, including Hassan Toyib, a senior separatist figure associated with one of the PULO factions. The ex-prime minister reportedly expressed regret for mistreatment of Malay Muslims during his administration and a desire to end the conflict swiftly. But sources say he also irritated many by talking primarily about economic development in the southernmost provinces and his own political future. Roughly half the participants then joined him for further discussion and presented demands: lift the emergency decree; abolish blacklists of suspects; and remove army troops.[147]

Reports of a meeting between Thaksin and militants in Malaysia surfaced on 31 March.[148] On 2 April, army chief General Prayuth Chan-ocha suggested that the bombing in Hat Yai may have been a sign of BRN-C's dissatisfaction with Thawee's dialogue initiative. Prayuth said it was a mistake to meet with only one group, when many groups are involved in the insurgency. Deputy Prime Minister Yutthasak appeared to acknowledge SBPAC's role in seeking dialogue when he said that a 30 March grenade attack on the home of former parliamentarian Najmuddin Umar may have been linked to talks.[149] Reports of Thaksin's meeting in Malaysia sparked a storm of criticism from opposition politicians, who blamed him for the Hat Yai bombing and demanded explanations.[150]

Faced with mounting criticism, Thawee, Thaksin and other officials repeatedly denied talking with separatists. Thawee said he had met with members of an association of Thai expatriate restaurant owners in Malaysia to discuss work permits for Thai citizens and bank loans. He blamed the story on communication failures. Thaksin offered carefully worded denials but maintained that talks are necessary.[151]

In the wake of the 31 March bombing and the Thaksin-talks controversy, several senior officials, including the NSC secretary general, the deputy prime minister for security and the Fourth Army Region commander, publicly rejected the need for talks.[152] As the political flak intensified, Thawee appeared to temporarily suspend his dialogue effort. By mid-August, however, the government reversed its public opposition to talks and confirmed that he was continuing to meet with militants. Deputy Prime Minister Yutthasak told reporters: "The government has assigned the [SBPAC] responsibility for the talks, as they are well aware who to talk to".[153]

It is not clear how exiled militant leaders perceive the new dialogue with Bangkok. Some militants wish to pursue talks but are not willing to do so on terms dictated by Thaksin.[154] There is no consensus on who should serve as mediator. Some do not want Malaysia to play that role.[155] An inde-

[146] Crisis Group interviews, academic, Pattani, 1 August 2012; analysts, Yala, Bangkok, July, August 2012.

[147] Various accounts indicate between fifteen and seventeen militant leaders attended the initial meeting. Crisis Group interviews, army colonel, Bangkok, 4 May 2012; analyst, Bangkok, August 2012; Don Pathan, analyst, Bangkok, September 2012; former separatist leader, Malaysia, 9 September 2012. Crisis Group email correspondence, security analyst, Bangkok, 27 November 2012. "Abhisit insists on talks claim", *The Bangkok Post*, 9 April 2012; and "แม้วปัดคุย-ชักรูปพูโลนัจมุดดีนโต้", มติชน, 10 เมษายน 2555 ["Maew [Thaksin] dismisses talks, Najmuddin refutes PULO photo", *Matichon*, 10 April 2012], and Don Pathan, "Conflict Management and Resolution in Asia: The Role of Civil Societies in Thailand's Deep South", The Asia Foundation, Occasional Paper, no. 18, October 2012, pp. 6-7.

[148] Crisis group telephone interview, Chaiyong Maneerungsakul, SBPAC Advisory Council, Hat Yai, 8 December 2012; "Adviser adamant Thaksin held talks", *The Bangkok Post*, 10 April 2012.

[149] "Tawee denies talks with BRN", *The Bangkok Post*, 3 April 2012. "ผบ.ทบ.เตือนสติอย่าโยงไฟใต้สู่เกมการเมือง", สยามรัฐ, 3 เมษายน 2555 ["Don't link South to political game, Army chief warns", *Siam Rath*, 3 April 2012]; and "แกะรอยรถก่อเหตุ-หนีกบดานนราฯ รวบ3อาร์เคเคมือบึ้ม 2จว.ใต้", คมชัดลึก, 5 เมษายน 2555 ["Suspect vehicle tracked to Narathiwat, three RKK bombers of two southern provinces caught", *Khom Chat Leuk*, 5 April 2012].

[150] "Abhisit insists on talks claim", *The Bangkok Post*, 9 April 2012.

[151] "Govt asked about Thaksin-Pulo Talks", *The Bangkok Post*, 5 April 2012. "Tawee denies talks with BRN", op. cit. Thaksin said, "I have never talked with [rebel leaders]. I don't have the status to do so. I'm just an unemployed man". "Thaksin denies courting separatists", *The Bangkok Post*, 8 April 2012.

[152] "South blasts: police arrest three", *The Nation*, 5 April 2012; "ทักษิณย้ำคุยโจรใต้", สยามรัฐ, 16 เมษายน 2555 ["Thaksin restates (position on) talks", *Siam Rath*, 16 April 2012]; "สมช.เมินทักษิณแนะเจรจาโจรยันต้องมอบตัว", ไทยโพสต์, 17 เมษายน 2555 ["NSC rejects Thaksin's suggestion to talk, says bandits must surrender", *Thai Post*, 17 April 2012]; "Authorities will 'never' talk with insurgents", *The Bangkok Post*, 17 April 2012.

[153] Crisis Group interview, academic, Pattani, June 2012. "Thailand holds 'peace talks' with Muslim militants", AFP, 16 August 2012.

[154] Crisis Group interview, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity, Pattani, 31 May 2012.

[155] The conflict has strained relations between Thailand and Malaysia, notwithstanding regular proclamations by senior officials of both countries of good-will and cooperation. Thai-

pendent analyst in contact with militants suggests that some who rejected meeting with Thaksin and Thawee may be prepared to soften their position, depending on what Bangkok is prepared to offer.[156] Meanwhile, a wide range of people in the South, particularly Malay Muslims, insist that talks are vital, the only way out of a downward spiral of deadly conflict. The rationale for commitment to dialogue is that it would encourage the militants to coalesce on a platform that could serve as the basis for negotiation. Violent provocations or apparent divisions among insurgent groups and leaders should not deter Bangkok from talking to them. Rather, the government must develop a unified stance and a clear commitment to the process. If it does not, those with influence over the fighters are unlikely to surface for talks.[157]

That dialogue has survived in some form through six governments, even without any clear prospect of an agreement, means there is a degree of support within the bureaucracy and across the political divide. Although talks have not produced concrete improvements and have become politicised, officials appreciate that they are necessary because a military victory is remote. But there seems little near-term chance for productive talks, especially in view of personnel changes within the NSC, discord among exiled leaders and their uncertain influence over fighters.[158] Perhaps most damaging is that the army, which participated in the NSC process, does not support the current dialogue led by Thawee. Without its participation, militants may not be persuaded that talks are worth pursuing. Unrelenting violence indicates that most militants on the ground are not yet prepared to compromise.

C. CIVIL SOCIETY

With little hope of a decisive breakthrough originating in Bangkok or from the militants, twenty civil society organisations (CSOs) banded together in 2011 as the Civil Society Council of Southernmost Thailand, with the aim of transforming conflict dynamics by pursuing a participatory approach to problem solving. They have five aims: expand democracy in the region; improve the justice system; improve local quality of life; preserve and cultivate local Malay identity; and stop the violence.[159]

The Civil Society Council grew out of meetings in 2009-2010 with 1,500 villagers designed to gain an understanding of local needs and concerns. The outcome was a decision to promote political decentralisation. The Council has proposed six models for discussion, ranging from placing the southernmost provinces under the appointed SBPAC secretary general to a single directly-elected regional governor. Intermediate models include directly-elected provincial governors and the option of retaining or disbanding existing locally-elected sub-district and provincial assemblies.[160] It anticipates completing a further 150-200 workshops at village level in the first quarter of 2013, then submitting a draft bill on decentralisation and a petition to lift the emergency decree.[161]

The new vigour within civil society is also reflected in the "Pattani Peace Process", an initiative to foster cooperation between CSOs, media, academic and research institutions as well as state agencies, in order to expand the common space for open discussion and peaceful conflict resolution.[162] It aims to introduce ideas from the grassroots into the process between the state and insurgents. More specifically, a number of academic institutions and CSOs have created the "Insider Peacebuilders Platform", centred on 50 respected Thais of various backgrounds and political views who share a desire for peaceful resolution.

land's Malay-Muslims have extensive religious, cultural, kinship and economic ties across the border. Thai officials suspect that Malaysian officials and politicians, particularly in Kelantan (governed by the Pan-Malaysian Islamic Party), offer material and moral support to the insurgents. On 22 February 2012, a Criminal Court in Kelantan, Malaysia acquitted two Malay-Muslim Thais who had been arrested on charges relating to bomb making when Malaysian police raided a house in Pasir Mas District in December 2009, where they found explosives, ammunition, ammonium nitrate, and other bomb-making materials. The Kota Bharu Supreme Court acquitted a third Thai suspect in May. In all three acquittals, the courts cited insufficient evidence. Thai authorities were displeased with the outcomes. "Court acquittals cast doubt on Thai-Malaysian cooperation", Isra New Centre, 1 September 2012. See also Crisis Group Report, *Stalemate in Southern Thailand*, op. cit., p. 5.

[156] Crisis Group interviews, academic, Pattani, June; analyst, Yala, 25 July; former separatist leader, Malaysia, 9 September; by telephone, independent analyst, Bangkok, 4 September (all 2012).

[157] Crisis Group interviews, Najmuddin Umar, ex-parliamentarian, Narathiwat, 6 July; Aziz Benhavan, chairman, SBPAC Advisory Council, Yala, 25 July; Muslim academic, Pattani, 26 July (all 2012).

[158] Crisis Group interview, analyst, Yala, July 2012.

[159] Crisis Group interview, Prasit Meksuwan, chairman, Civil Society Council of Southernmost Thailand, Yala, 3 July 2012; pamphlet, Civil Society Council of Southernmost Thailand, n.d. The process leading to formation started in 2009, with encouragement from the King Prajadhipok Institute, a think-tank supervised by the National Assembly.

[160] Crisis Group interview, Srisompob Jitpiromsri, director, Centre for Conflict Studies and Cultural Diversity Pattani, 31 May 2012; his comments at public forum, "Reflections on Solution Amidst Violence in Southern Thailand", Prince of Songkhla University-Pattani Campus, 14 November 2012.

[161] Crisis Group interviews, Mansour Salleh, Civil Society Council of Southernmost Thailand, Yala, 3 July 2012; civil society activist, Pattani, 2 July 2012.

[162] The initiative was created by peace-studies programs at five universities (Chulalongkorn, Mahidol, Payap, Prince of Songkhla and Thammasat), Deep South Watch, the King Prajadhipok Institute's Office of Peace and Governance and the Berghof Foundation. It was publicly launched at a conference in Hat Yai, Songkhla Province, "Pat(t)ani Peace Process in ASEAN Context", 6-7 September 2012.

By building consensus among themselves and developing a popular lobby, these insiders intend to push the state and insurgents toward peaceful dialogue.[163]

Civil society activists anticipate that by raising local awareness of political possibilities they can reshape the social environment in ways that will impinge on the state and militant movement alike. Some believe that elements within the movement are starting to express interest in decentralisation and that the reticence of the militants' political wing presents an opportunity for civil society. Separatists have attended meetings in third countries designed to expose them to civil society representatives' ideas and concerns. According to the Civil Society Council's chairman, "[the movement] won't accept anything less than independence, but we have to create an environment in which they have no choice".[164]

The CSOs also face an uphill task in influencing the bureaucracy. Most officials, civilian and military, remain sceptical of decentralisation, which they do not see as reflecting genuine local desires. They insist existing structures, such as the provincial and sub-district administrative organisations, are sufficient for local political participation. Many assert that CSOs are not representative of a popular constituency but rather vehicles to propagate narrow political programs advanced by intellectual elites and separatist sympathisers. Most receive foreign government and foundation funding, so must accommodate donor agendas, a further cause of official suspicion. A Civil Society Council invitation to SBPAC for a debate on decentralisation has gone unanswered.[165]

The Civil Society Council's current program of village meetings is an encouraging step, but if CSOs are to be effective in transforming the conflict, they must continue to broaden their base through community outreach. They should avoid advancing predetermined solutions and work instead in a collaborative way to educate people about political alternatives and elicit preferences. They should also forge links with willing bureaucrats to cultivate greater understanding between officials and activists. Civil society likewise has a role to play in demonstrating to militants the viability of non-violent struggle for achieving political and social change.

It is too soon to assess the new proposals emanating from civil society, but the effort to strengthen the capability of grassroots organisations to identify and articulate local perspectives could be constructive. An energetic civil society movement, bolstered by popular participation, could help to break down the stagnant binary opposition of state and insurgents. Given their inability to suppress the insurgency, authorities should be less reticent to engage with, and encourage, these initiatives.

[163] Norbert Ropers, "Insider Peacebuilders Platform", op. cit.
[164] Crisis Group interviews civil society activist, Pattani, 2 July 2012; analysts, Bangkok and Yala, August 2012; Prasit Meksuwan, chairman, Civil Society Council, Yala, 3 July 2012.
[165] Crisis Group interviews, senior official, Narathiwat, 7 July 2012; member, SBPAC Advisory Council, 18 November 2012; Mansour Salleh, civil society activist, Yala, 3 July 2012.

VI. CONCLUSION

Insurgent violence in 2012 has created a sense of urgency in Bangkok that was lacking during recent years of political turmoil in the capital. Militants have withstood and adapted to the military response, growing more proficient and daring in the process. There is greater pressure on leaders – civilian and military, politicians and bureaucrats – to reduce violence and seek a resolution, but political infighting and bureaucratic inertia continue to impinge on creative or comprehensive policy responses.

Crisis Group has long argued for a political solution to the insurgency in southern Thailand. A promising approach requires, first, adjusting the current military approach that relies on emergency laws that legalise impunity and encourage abuses. Secondly, empowered government representatives need to make serious and sustained attempts to explore talks with insurgents or those who purport to represent them. Thirdly, long-held grievances of the Malay Muslim community in the southernmost provinces regarding justice for past state abuses and an end to entrenched discrimination resulting from marginalisation of its culture, history, religion, and language should be addressed. Finally, the region's uniqueness should be recognised by devolution of power within the context of the Thai state and in accord with the constitution. Most of these concepts are official policy, as determined by the National Security Council and approved by parliament, but they are not being pursued energetically.

The insurgents' ability to motivate followers over a decade with minimal material incentives casts doubt on the assumptions that have long driven Bangkok's approach to the conflict. Incremental improvements in material welfare and minor, top-down administrative reforms have had no impact on the level of violence. They have also had no impact on the distribution of political power and do not address identity-based grievances. The government urgently needs to devise and execute a political solution. This is not likely to be achieved without support from the military, which retains final say on how security policy is implemented. And it will require a level of political effort from Bangkok that has long been absent from its southern policies.

Bangkok/Brussels 11 December 2012

APPENDIX A

MAP OF THAILAND

Map No. 3853 Rev. 2 UNITED NATIONS
July 2009

Department of Field Support
Cartographic Section

APPENDIX B

MAP OF THAILAND'S SOUTHERNMOST PROVINCES

APPENDIX C

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 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 made available simultaneously on the website, 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.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters is in Brussels, and the organisation has offices or representation in 34 locations: Abuja, Bangkok, Beijing, Beirut, Bishkek, Bogotá, Bujumbura, Cairo, Dakar, Damascus, Dubai, Gaza, Guatemala City, Islamabad, Istanbul, Jakarta, Jerusalem, Johannesburg, Kabul, Kathmandu, London, Moscow, Nairobi, New York, Port-au-Prince, Pristina, Rabat, Sanaa, Sarajevo, Seoul, Tbilisi, Tripoli, Tunis and Washington DC. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Sierra Leone, Somalia, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Malaysia, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, North Caucasus, Serbia and Turkey; in the Middle East and North Africa, Algeria, Bahrain, Egypt, Iran, Iraq, Israel-Palestine, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, Western Sahara and Yemen; and in Latin America and the Caribbean, Colombia, Guatemala, Haiti and Venezuela.

Crisis Group receives financial support from a wide range of governments, institutional foundations, and private sources. The following governmental departments and agencies have provided funding in recent years: Australian Agency for International Development, Austrian Development Agency, Belgian Ministry of Foreign Affairs, Canadian International Development Agency, Canadian International Development Research Centre, Royal Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Union Instrument for Stability, Finnish Ministry of Foreign Affairs, German Federal Foreign Office, Irish Aid, Principality of Liechtenstein, Luxembourg Ministry of Foreign Affairs, New Zealand Agency for International Development, Royal Norwegian Ministry of Foreign Affairs, Swedish International Development Cooperation Agency, Swedish Ministry of Foreign Affairs, Swiss Federal Department of Foreign Affairs, Turkish Ministry of Foreign Affairs, United Kingdom Department for International Development, U.S. Agency for International Development.

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APPENDIX D

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