

# Southern Thailand: Dialogue in Doubt

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## *Executive Summary*

The south Thailand insurgency has grown less lethal over the past year, but there are worrying indications militants may have expanded operations beyond the traditional conflict zone of the four southernmost provinces. Malay-Muslim rebels have been fighting against Thai rule for more than a decade in what they see as a national-liberation struggle. An official dialogue process between Bangkok and separatist leaders that began in 2013 was doomed by divisions on both sides. Since the 22 May 2014 coup in Bangkok, the junta has focused on preserving bureaucratic and military prerogatives. Although it has vowed to pursue talks, the junta rejects pluralism and political debate, promoting “Thainess” and “unity” concepts that are unlikely to reduce tensions in the south. Resolution of the conflict demands a new relationship between the state and society in the region, which will most likely require greater political decentralisation. All sides should now work to prepare infrastructure for future talks, including dedicated dialogue teams, communications procedures and means for popular participation.

In February 2013, the Yingluck Shinawatra government initiated a dialogue process, facilitated by Malaysia, with representatives of Barisan Revolusi Nasional Melayu Patani (Patani-Malay National Revolutionary Front, BRN), the principal insurgent group. After three plenary meetings, and before advancing to confidence-building measures, this “Kuala Lumpur Process” collapsed, undermined by rifts on both sides of the table, but though rushed and bungled, it changed the conflict’s dynamics. A Thai government had acknowledged the political nature of the insurgency and committed to dialogue. BRN was compelled to depart from its habitual reticence and articulate a political platform.

The dialogue also highlighted deficiencies that the protagonists must address if any new process is to succeed. For the militants, these include a lack of capacity within the political wing and internal discord on the merit of talks. The Thai side also lacks experience in negotiations of this kind, and its internal divisions are arguably deeper than those on the militant side. The military’s public scepticism about the Kuala Lumpur Process highlighted the fundamental problem of the institution’s independence from elected authority.

After the May 2014 coup, this became moot. The ruling National Council for Peace and Order (NCPO) restructured the bureaucracy responsible for the region. Enhanced counter-insurgency measures contributed to a significant drop in violent incidents and casualties. In spite of this achievement, the security picture is mixed. Late 2013 witnessed coordinated bomb attacks outside the traditional conflict zone and disquieting evidence of possible militant operations in Phuket. On 10 April 2015, a car bomb on the tourist island of Koh Samui showed some of the hallmarks of militant attacks, and all known suspects in the incident are Malay Muslims. These bombings could indicate a new phase of the conflict, though questions remain about the motivation behind them.

The military government has formally committed to dialogue, but after a year in office, there is no evidence of progress. Officials insist that they are quietly making secret overtures to potential militant interlocutors. The junta’s centralisation of power and its sworn obligation to preserve the kingdom’s unity cast doubt, however, on its readiness to compromise. Some militant groups in exile have joined together to pur-

sue dialogue under the banner of the Patani Consultative Council (Majlis Syura Patani, MARA Patani) but BRN hardliners remain uncommitted. Without the movement's full participation, any dialogue process would be forlorn.

Given the current adverse environment for conducting substantive talks, the actors should concentrate for now on establishing a durable framework and institutions that can carry such negotiations forward when that environment becomes more favourable. Once initiated, official dialogue should first focus on modest goals such as agreement on acceptable designations for all parties and communication protocols between delegations and with the media. Agreement on procedural issues would represent genuine progress in what will be a long process.

## *Recommendations*

*To lay the foundations for a durable official peace-dialogue process*

### **To the government of Thailand:**

1. Lift restrictions on the exercise of basic rights, especially freedom of speech and freedom of assembly, to enable pursuit of change by peaceful means.
2. Give serious consideration to recognising an official dialogue process with Malay-Muslim militant groups as a national-agenda priority, endorsed by the National Legislative Assembly.
3. Establish an official peace-dialogue unit, reporting to the prime minister, with a full-time staff and a mandate to support, through research, documentation and other activities, the Thai delegation in seeking a negotiated end to the insurgency.
4. Provide credible security guarantees to militant leaders willing to engage in the official dialogue process.

### **To the BRN and other militant groups:**

5. Commit to participate in an official dialogue process with representatives of the Thai government, recognising that self-determination is compatible with preservation of Thailand's territorial integrity.
6. Empower their political wings and develop their capabilities in research, analysis and communications in order to promote effective participation in the dialogue process.
7. Cease attacks on civilians, in accord with obligations as non-state armed actors under international humanitarian law.

### **To the government of Thailand and militant groups:**

8. Collaborate with an unofficial, parallel track, coordinated by local civil society organisations, to deliberate contentious issues and ensure that alternative perspectives and interests inform the dialogue agenda.

### **To the government of Malaysia:**

9. Foster cooperation among militant groups in exile and ensure that representation in any umbrella organisation is proportional to the groups' relative strength.
10. Facilitate training of existing and prospective militant leaders in negotiation, peace processes and sub-national government.

**Bangkok/Brussels, 8 July 2015**

# Southern Thailand: Dialogue in Doubt

## I. Introduction

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Malay-Muslim militants have been fighting for an independent state in Thailand's southernmost provinces for more than a decade.<sup>1</sup> The insurgency is rooted in Malay nationalist resistance to Thai rule that followed extension of full Siamese sovereignty over Patani at the start of the twentieth century.<sup>2</sup> Guerrilla campaigns launched by the first separatist fronts in the 1960s and 1970s subsided by the 1990s, though the underground groups endured, and attacks never fully ceased.<sup>3</sup>

In 2001, and intensifying in 2004, a revitalised militant movement led by the Barisan Revolusi Nasional Melayu Patani (Patani-Malay National Revolutionary Front, BRN) emerged to wage a campaign of unprecedented potency. BRN was established in 1963, and its founder, Abdul Karim Hassan, went underground in 1968. Personal and political differences among its leaders led to its splintering into three factions – Coordinate, Congress and Ulama – during the 1980s.<sup>4</sup> The Coordinate faction focused on recruiting

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<sup>1</sup> Previous Crisis Group reporting on Thailand's southern insurgency includes: Asia Reports N°s 241, *Thailand: The Evolving Conflict in the South*, 11 December 2012; 181, *Southern Thailand: Moving Towards Political Solutions?*, 8 December 2009; 170, *Recruiting Militants in Southern Thailand*, 22 June 2009; 140, *Southern Thailand: The Problem with Paramilitaries*, 23 October 2007; 129, *Southern Thailand: The Impact of the Coup*, 15 March 2007; 105, *Thailand's Emergency Decree: No Solution*, 18 November 2005; 98, *Southern Thailand: Insurgency, Not Jihad*, 18 May 2005; and Asia Briefings N°s 113, *Stalemate in Southern Thailand*, 3 November 2010; and 80, *Thailand: Political Turmoil and the Southern Insurgency*, 28 August 2008.

<sup>2</sup> "Pattani" is a transliteration of the Thai spelling of the province name; "Patani", the Malay spelling, refers to the region that was the Sultanate of Patani, corresponding roughly to Pattani, Narathiwat and Yala provinces. Violence has been largely confined to these three provinces and the four south-eastern districts of Songkhla: Chana, Na Thawi, Saba Yoi and Thepa. Roughly two million Thai citizens reside in this 13,500 sq.km region, about Lebanon's size. Close to 80 per cent are Muslims who speak Malay as first language, the remainder almost all Thai or Sino-Thai Buddhists.

<sup>3</sup> The Barisan Nasional Pembebasan Patani (National Liberation Front of Patani, BNPP) was founded 1959 and was superseded in 1986 by the Barisan Islam Pembebasan Patani (Islamic Liberation Front of Patani, BIPP), which is still active in exile in Malaysia. The Patani United Liberation Organisation (PULO), founded in 1968, emerged in the 1970s as the strongest and best known of the separatist groups. PULO splintered in the 1980s into "old" and "new" factions. In the 1980s and 1990s, as the militant movements waned, many separatist leaders went into exile in Malaysia and Europe, particularly Sweden and Germany and concentrated on sustaining the issue of Patani-Malay liberation. After reuniting in 2006, PULO splintered again in 2011, this time into three factions: PULO-4P (Pertubuhan Persatuan Pembebasan Patani, Patani United Liberation Organisation, headed by Samsudin Khan); PULO-MKP (Majlis Kepimpinan Pertubuhan, Party Leadership Council, headed by Kasturi Makhota); and PULO-DSPP (Dewan Syura Pimpipinan Pertubuhan, Consultative Council Leadership Party, headed by Noor Abdurahman). Crisis Group interview, senior BIPP member, Kota Bharu, Malaysia, 10 April 2015.

<sup>4</sup> In 1980, BRN splintered when a leader known as "Haji M" split from Abdul Karim Hassan. Haji M's faction, called BRN-Coordinate, emphasised a long-term strategy of political organisation, especially in religious schools. A further split occurred when Karim Hassan renounced "Islamic socialism" and was subsequently replaced by younger, more militant leaders; this faction became known as BRN-Congress. Karim Hassan continued to lead BRN Ulama, which rejected violence and focused on religious activities, until his death in 1996. The three designations reportedly arose for

and indoctrination in Islamic schools in the region and became the strongest of the groups by the late 1990s.<sup>5</sup> But the movement has been distinguished by its reluctance to publicly assert an organisational identity, and it prizes secrecy. Insurgents identify themselves as *juwae* (fighters), rather than as members of a discrete group.<sup>6</sup> Thai security forces believe there are roughly 3,000 insurgents with a degree of military training, operating in small cells throughout the four southernmost provinces.<sup>7</sup>

More than 6,400 people have been killed and more than 11,500 injured since the beginning of 2004, though opportunistic violence and common criminality account for some portion of this total.<sup>8</sup> The cause is framed in religious terms as a jihad, but in defence of a local Malay identity threatened by Thai “colonialism”. It remains a parochial insurgency, distinct from transnational jihadi movements.<sup>9</sup>

This report examines developments since 2013, focusing on the changes wrought by the introduction of a formal peace-dialogue process under the government of Yingluck Shinawatra (August 2011-May 2014) and the impact of the 22 May 2014 coup and subsequent junta rule. It is based on research and interviews conducted in Bangkok, the Deep South and Malaysia from August 2013 to May 2015.

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the sake of convenience in identifying the factions but were not official names, and each faction sought to represent BRN. The Coordinate faction’s dominance has rendered the labels irrelevant. Crisis Group interview, senior BIPP member, Kota Bharu, Malaysia, 10 April 2015.

<sup>5</sup> Joseph Chinyong Liow and Don Pathan, “Confronting Ghosts: Thailand’s Shapeless Southern Insurgency”, The Lowy Institute for International Policy, 2010, pp. 8-9.

<sup>6</sup> Crisis Group Report, *The Evolving Conflict*, op. cit., p. 3.

<sup>7</sup> Colonel Prathan Thalaphong, chief, political section, Office of Strategy and Peaceful Means, Peacebuilding Centre, ISOC Region 4 Forward Command, lecture at Southern Border Provinces Administrative Centre orientation for officials new to the southern border provinces, Songkhla, 19 March 2015.

<sup>8</sup> Statistics compiled by Deep South Watch’s Deep South Incident Database, ([www.deepsouthwatch.org/dsid](http://www.deepsouthwatch.org/dsid)). Discovery of human-trafficking camps in Songkhla and other southern provinces in May 2015 and arrest of dozens of local officials illustrate the problem of authorities’ collusion in the border region’s illicit economy.

<sup>9</sup> The U.S. State Department said, “there have been no indications that transnational terrorist groups were directly involved in the violence in the south, and there was no evidence of direct operational links between southern Thai insurgent groups and regional terrorist networks”. “Country Reports on Terrorism 2014”, June 2015. However, there have been cases of volunteers from Malaysia and Singapore seeking to join the Patani insurgency. Since September 2013, a 24-year-old Singaporean has been detained for repeated attempts. Rachel Chang, “Singaporean who attempted to join Thai insurgents detained under ISA”, *Asiatone* (online), 12 September 2013.

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## II. The Kuala Lumpur Process

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The Yingluck Shinawatra government (August 2011–May 2014) broke new ground in Bangkok’s approach to the southern insurgency.<sup>10</sup> On 28 February 2013, in Kuala Lumpur, representatives of the Thai government and BRN signed a “General Consensus on Peace Dialogue Process”. The document affirmed Bangkok’s willingness to:

[E]ngage in peace dialogue with people who have different opinions and ideologies from the state ... as one of the stakeholders in solving the Southern Border Provinces problem under the framework of the Thai Constitution.<sup>11</sup>

The National Security Council (NSC) secretary general, Lt. General Paradorn Pattanathabutr, signed for the government and Ustaz Hassan Taib, an Indonesian-trained cleric, signed on behalf of BRN. Malaysia was designated process facilitator, under Datuk Seri Ahmad Zamzamin Hashim, former director general of the prime minister’s department (research division).<sup>12</sup>

No Thai government had before publicly recognised an insurgent movement or declared its intention to seek a negotiated settlement to the conflict. Although Thai officials had pursued talks with representatives of various militant factions since the 1970s, those secret meetings required little investment of political capital. The 28 February announcement demonstrated a greater degree of engagement, consistent with the government’s updated national security policy.<sup>13</sup>

From the outset, there was deep scepticism in some quarters about the dialogue process. Former Prime Minister Thaksin Shinawatra – Yingluck’s brother and a deeply divisive figure in Thai politics<sup>14</sup> – had played a central role in its initiation, meeting with exiled militant leaders in Kuala Lumpur in March 2012.<sup>15</sup> Some observers inter-

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<sup>10</sup> Matthew Wheeler, “Thailand’s Southern Insurgency in 2013”, Daljit Singh (ed.), *Southeast Asian Affairs 2014* (Singapore, 2015).

<sup>11</sup> “General Consensus on Peace Dialogue Process”, 28 February 2013 ([http://peacemaker.un.org/sites/peacemaker.un.org/files/TH\\_130228\\_GeneralConsensusPeaceProcess.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/TH_130228_GeneralConsensusPeaceProcess.pdf)).

<sup>12</sup> In that role, Zamzamin was responsible for external intelligence.

<sup>13</sup> Section 8 of the National Security Council’s Administration and Development Policy for the Southern Border Provinces, 2012–2014, mandates efforts to seek resolution of the conflict 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”. “Summary of the ... Policy for the Southern Border Provinces, 2012–2014”, office of the National Security Council, Bangkok, 2012, p. 7.

<sup>14</sup> As prime minister, Thaksin channelled state resources to the provinces, earning lasting loyalty from many upcountry voters; parties aligned with Thaksin have won each of the six general elections since 2001. But Thaksin’s populism and authoritarian bent also undermined establishment prerogatives, arousing the enmity of the traditional elite and Bangkok-based middle class. The army ousted him in a September 2006 coup but failed to eradicate his influence. Since 2006, courts and independent watchdog agencies have removed three prime ministers, invalidated two general elections and dissolved four political parties, while the army has staged two coups.

<sup>15</sup> Crisis Group interview, Malay-Muslim civil society activist, Pattani, August 2013; Crisis Group Report, *Thailand: The Evolving Conflict in the South*, op. cit., pp. 22–23. Malaysian Prime Minister Najib Razak facilitated Thaksin’s efforts. Some suggested that Najib hoped to gain political advantage in the opposition stronghold of Kelantan in advance of a general election. Crisis Group interview, analyst, Yala, 1 August 2013; Kavi Chongkittavorn, “Can Malaysia be a peacemaker in southern Thailand?”, *The Nation*, 18 February 2013; Don Pathan, “Peace deal meaningless unless militants can take it seriously”, *The Nation*, 2 April 2013.



preted the dialogue announcement as a Thaksin public-relations gambit, aimed at portraying himself as a peacemaker in order to rehabilitate an image damaged by past wrongs committed in the south during his premiership.<sup>16</sup> Police Colonel Thawee Sodsong, a Thaksin associate, served as Yingluck's point man in the Deep South and leader of the Thai delegation. As director of the Southern Border Provinces Administrative Centre (SBPAC), a special agency coordinating civilian government agencies and overseeing development programs in the region, he had garnered a measure of good-will from local people.<sup>17</sup>

Dialogue critics questioned Hassan Taib's standing within BRN and his ability to represent the group's hardliners. The secretive BRN leadership council (Dewan Pimpinan Parti, DPP) did not publicly endorse the announcement of talks.<sup>18</sup> Malaysian Special Branch Police reportedly pressured Hassan to participate as a last-minute replacement for senior no-shows.<sup>19</sup> Hassan sought BRN endorsement after the event, offering to take responsibility for signing the General Consensus. With few alternatives, BRN subsequently assented to Hassan's role and appointed two hard-line leaders of its youth wing, Abdul Karim Khalib and Adam Muhammad Noor, to the delegation in advance of the first meeting of the Joint Working Group – Peace Dialogue Process (JWG – PDP), in Kuala Lumpur on 29 March. Thai officials insisted that Hassan represented BRN and was able to communicate with various militant groups.<sup>20</sup>

In a video posted on YouTube on the eve of the JWG – PDP's first meeting, Hassan issued five demands that have since served as BRN's public platform: that Malaysia serve as mediator rather than facilitator; BRN be recognised as the representative of Patani Malays in the process; the Association of Southeast Asian Nations (ASEAN), the Organisation for Islamic Cooperation (OIC) and non-governmental organisations (NGOs) observe the dialogue; Thailand release detainees and revoke arrest warrants

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<sup>16</sup> Crisis Group interviews, analysts, Bangkok, Yala, August 2012. Thaksin's tenure is associated with two incidents in particular. On 28 April 2004, security forces killed 32 militants who had taken refuge in the revered Kru Se Mosque, Muang district, Pattani, amid a series of attacks across the region. 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. During the truck transport of some 1,300 arrested men to an army base in Pattani, 78 died of asphyxiation after being stacked atop each other for hours in the vehicles.

<sup>17</sup> The SBPAC was established in 1981 to coordinate civilian administration in the five southernmost provinces. Thaksin disbanded it in 2002, and it was reinstated after the 2006 coup. The Southern Border Provinces Administrative Act of 2010, sponsored by the Democrat Party, was widely seen as progressive, giving civilian officials greater clout vis-à-vis the military.

<sup>18</sup> The DPP comprises roughly 30 formal positions, including chairman, deputy chairman, general secretary, deputy general secretary, a number of assistant secretaries and chairmen of seven different councils: military, economic, youth, foreign relations, propaganda, religion and political-administrative. It meets several times per year. Its members are secret but are reportedly in Malaysia. Sascha Helbardt, "Deciphering Southern Thailand's Violence: Organisation and Insurgent Practices of BRN-Coordinate", Ph.D. thesis (University of Passau, 2011), pp. 33-34.

<sup>19</sup> Crisis Group interviews, Malay-Muslim civil society activist, Pattani, August 2013; senior member, BIPP, Kota Bharu, Malaysia, 10 April 2015. Don Pathan, "Doubts over BRN chief's control of South rebels", *The Nation*, 1 March 2013; Anthony Davis, "No peace for tomorrow for South Thailand", *Asia Times Online*, 12 July 2013; Duncan McCargo, "Southern Thailand: From Conflict to Negotiations?", Lowy Institute for International Policy, April 2014, p. 8.

<sup>20</sup> Crisis Group interview, Lt. General Paradorn Pattanathabutr, secretary general, National Security Council, Bangkok, 25 October 2103.

on security cases; and Bangkok acknowledge BRN as a liberation – rather than separatist – movement.<sup>21</sup>

The decision to broadcast these demands on social media caught the Thais off guard, but the meeting proceeded as planned. BRN delegates began by expressing, with some passion, their anguish at what they called Siamese oppression of Patani Malays. The discussion moved on to address terms of reference, prospects for reducing violence and provisions for the next meeting.<sup>22</sup> At that second meeting, on 28 April, BRN reasserted its five demands. The Thai delegation assured it that the government was reviewing arrest warrants for suspected militants with the intention to revoke them if possible. The delegation pressed BRN to curb the violence in order to demonstrate capacity to control events on the ground. At the third meeting, on 13 June, Hassan agreed that BRN would endeavour to reduce violence.

#### A. *Ramadan Peace Initiative*

The chief outcome of the dialogue was the Ramadan Peace Initiative, billed as a voluntary reduction of violence during the Muslim month of fasting and reflection. Malaysia proposed the idea, but neither the Thais nor BRN were fully committed. On 20 June 2013, BRN issued a statement with seven “terms and conditions” required for implementing a ceasefire, including the withdrawal of non-local security units from the southernmost provinces, withdrawal of army troops from villages, a halt to Thai raids and arrests and release of Muslim defence volunteers from duty during Ramadan. In a video statement, Hassan also demanded that the prime minister endorse the terms by 3 July. In return, BRN would halt military operations. Hawkish senior Thai officials described the terms as “unacceptable”.<sup>23</sup>

With no formal response from Bangkok to the seven conditions, Hassan withdrew from a press conference scheduled for 9 July to announce the peace initiative. Following Malaysian pressure and Thai assurances that security operations would be curtailed, BRN reluctantly agreed to participate in the initiative. On 12 July, Malaysia announced a “common understanding” that the two sides would attempt to reduce violence for 40 days, including Ramadan, from 10 July to 18 August. The language was non-binding but stated that the reduction in violence was intended to demonstrate their commitment to dialogue. Neither Thai nor BRN representatives were present at the announcement.<sup>24</sup>

The first week of the ceasefire appeared promising. On 11 July, prior to the official announcement, an improvised explosive device (IED) attack in Yala’s Raman district wounded eight soldiers, but over the next five days there were no unambiguous mili-

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<sup>21</sup> Although BRN rejected the label “separatist” in its five preliminary demands, the word accurately represents its desire to establish a political entity separate from the Thai cultural and social order. The preliminary demands indicated that some BRN leaders had dropped their secessionist goal, ie, to establish an independent state. Rejection of the “separatist” label reflects the militants’ desire to be seen as legitimate representatives of the Patani-Malay people and their objection to an identity defined primarily in relation to the Thai state.

<sup>22</sup> Crisis Group interview, member, Thai dialogue delegation, Pattani, August 2013; “Mystery behind the curtain”, Isra News Service, 3 April 2013.

<sup>23</sup> Defence Minister Sukhumpol Suwanathat and Deputy Prime Minister Chalerm Yubamrung objected to the conditions. Sukhumpol was removed and Chalerm demoted in the 30 June 2013 cabinet reshuffle. “BRN set new conditions for reduction of violence”, Isra News Service, 26 June 2013.

<sup>24</sup> “Fears of ‘false calm’ in the South”, *Bangkok Post*, 17 July 2013.

tant operations such as bombings or ambushes.<sup>25</sup> This lull strongly suggests that BRN successfully ordered militants to stand down.

Several shootings and murders nevertheless took place during the initiative's first week. Thai authorities ascribed them to personal conflicts, but many local people interpreted them as extrajudicial killings by state-backed hit squads at the behest of dialogue opponents seeking to derail the process.<sup>26</sup> Security forces continued patrols as usual. Some officers reportedly feared that militants would exploit any relaxation during the ceasefire to regroup and organise fresh attacks. On 17 July, a small bomb injured two rangers in Cho Airong district, Narathiwat, in what may have been a signal of militant displeasure that patrols had not been curtailed. Two days later, troops killed a suspect in that bombing, and security forces raided an insurgent camp, some ten hours' march into the Budo mountains of Narathiwat.<sup>27</sup> The latter incident prompted BRN to file a protest with Malaysia alleging violations of the common understanding. Two days later, banners and graffiti appeared in 38 locations in thirteen districts in Narathiwat, demanding that police and soldiers leave the region.<sup>28</sup>

From mid-July, hopes for a sustained reduction in violence faded. Attacks accelerated further during the first week of August, consistent with a pattern of heightened violence during the final days of Ramadan in previous years, including a spate of bombings and arson attacks on commercial targets. Some violence, such as the 5 August assassination of a prominent imam and dialogue proponent in Pattani, appeared designed to sabotage the talks. On 6 August, three masked, armed men declared in a video that BRN had suspended participation in the dialogue because Bangkok had not responded to its five demands and seven ceasefire conditions.

The collapse of the Peace Initiative was predictable, given its non-binding nature. Importantly, the dialogue had not succeeded in building a degree of trust between the two sides sufficient to underpin a ceasefire and permit a viable monitoring mechanism.

## B. *BRN's Demands*

Although the Ramadan Peace Initiative proved premature, the Yingluck government insisted that the dialogue proceed. The Thais requested that BRN elucidate its five preliminary demands. In early September 2013, Malaysia forwarded a detailed elaboration of the demands to the Thai NSC. A 38-page English-language document explained each of the five with reference to sections of the 2007 constitution. The document also specified reciprocal actions that BRN would take as each demand was met, including timelines and geographical scope of particular actions. For instance, the first demand – that Bangkok recognise BRN as the representative of the Patani-Malay people – was justified on the basis of Chapter 3 (Rights and Liberties of the Thai People), Sections 3, 7 and 11, the last of which guarantees freedom of assembly and association. In

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<sup>25</sup> According to Lt. General Paradorn, BRN claimed responsibility for the Ramadan bombing but also assured him that it could control militants. "Violence-free 40 days agreed on for far South", *Bangkok Post*, 12 July 2013.

<sup>26</sup> Crisis Group interviews, member, Thai dialogue delegation; Malay-Muslim civil society activist, Pattani; police officer, Yala, all August 2013.

<sup>27</sup> Anthony Davis, "Meaningless ceasefire in South Thailand", *Asia Times Online*, 27 August 2013.

<sup>28</sup> Crisis Group interview, member, Thai dialogue delegation, Pattani, August 2013. "Insurgents put up signs in Narathiwat", *Bangkok Post*, 22 July 2013.

exchange, “liberation fighters” would immediately cease operations against economic targets and civilians, including unarmed officials and teachers.<sup>29</sup>

The document affirmed that the BRN was not seeking independence or territorial separation, but rather a special administrative region “within Thailand’s sovereignty”, similar to the Bangkok Metropolitan Administration and Pattaya City, the only administrative units with elected governors.<sup>30</sup> Members of the Thai delegation presumed that Malaysian officials assisted in drafting the document, but Thai officials maintained that the demands reflected BRN’s position.<sup>31</sup> Nevertheless, subsequent events indicated that there was no consensus within BRN on relinquishing the aim of independence.

The Thais were slow to respond. By late October, after intense deliberation, the government determined that the five demands did not contravene the constitution and could be discussed further by the JWG – PDP. A partial exception was the fourth demand, that the government “recognise the existence and sovereignty of the Patani Malay people in [the] Patani homeland”,<sup>32</sup> but officials deemed even this delicate issue acceptable for discussion at a later stage, after sufficient trust was established.<sup>33</sup>

As 2013 ended, disarray prevailed on both sides. Political turmoil in Bangkok, sparked by the governing Pheu Thai party’s passage of a blanket amnesty bill in late October, escalated into a crisis for the government.<sup>34</sup> In late November, as anti-government protests intensified, the NSC’s Lt. General Paradorn announced postponement of the dialogue meeting scheduled for early December. On 1 December, Hassan Taib, in a final, 90-second YouTube video, struck a strident tone and referred to himself as a “former chief BRN delegate”.<sup>35</sup> Consistent with the 6 August video statement, he maintained that BRN would resume negotiations only after the “Siamese” parliament acknowledged and implemented the five demands, and the prime minister declared the dialogue a national priority. He concluded with a chant of, “Independence, independence, independence!”, sounding the death knell of the Kuala Lumpur process and reaffirming the supremacy of hardliners within BRN.

### C. *Implications of the Kuala Lumpur Process*

The dialogue was a difficult step for all. Unfortunately, it became a media spectacle that failed to build trust between the parties and never advanced toward substantive discussions on possible solutions, or even to the agreement of confidence-building mechanisms. The Thai delegation was poorly prepared, a weakness compounded by

<sup>29</sup> “Briefing on Barisan Revolusi Nasional’s Five (5) Demands”, Joint Working Group-Peace Dialogue Process Facilitator, slide presentation, October 2013.

<sup>30</sup> Ibid; “ผบ.ทบ.สั่งไม่เอา’ปกครองพิเศษ’ ทีมที่ปรึกษาฯ รัฐเตือนเสียมากกว่าได้”, สำนักข่าวอิศรา, 25 กันยายน 2556 [Army chief rejects ‘special administrative zone’, state advisory team warns more to lose than gain”, Isra News Service, 25 September 2013].

<sup>31</sup> Crisis Group interviews, member, Thai delegation, Pattani, August 2013; Lt. General Paradorn Pattanathabutr, secretary general, National Security Council, Bangkok, 25 October 2013.

<sup>32</sup> Cited in “Briefing on Barisan Revolusi Nasional’s Five (5) Demands”, op. cit.

<sup>33</sup> Crisis Group interview, Lt. General Paradorn Pattanathabutr, secretary general, National Security Council, Bangkok, 25 October 2013.

<sup>34</sup> On 1 November 2013, the House passed a sweeping amnesty bill, extending to all cases related to political conflicts from 2004 to 8 August 2013. This would have erased Thaksin’s 2008 conviction for abuse of power, but it prompted anti-amnesty protests that evolved into seven months of anti-government demonstrations culminating in the May 2014 coup.

<sup>35</sup> Video available at [www.youtube.com/watch?v=bcWmriF3TNM](http://www.youtube.com/watch?v=bcWmriF3TNM).

active opposition from senior military officers.<sup>36</sup> The militants were also divided and reluctant to participate. In spite of its failings, however, the process changed the conflict's dynamics.

### 1. Political impact

First, the Thai government under Prime Minister Yingluck Shinawatra recognised the political nature of the conflict. It made, and the subsequent military government continues to maintain, a formal commitment to resolving the conflict through dialogue, recognising “those with different opinions and ideologies from the state ... [who] use violence” as stakeholders in a solution.<sup>37</sup> By acknowledging the rebels' political aims, Bangkok changed the official frame of the conflict. The military junta that took power in May 2014 did not renounce dialogue, in spite of the army's vocal scepticism about the process (see below).

Secondly, the Yingluck government recognised changes to local administration and regional decentralisation as necessary components of a solution. Lt. General Paradorn of the NSC offered government support for academic studies of decentralised administration, including the Bangkok and Pattaya models.<sup>38</sup> He argued that while the Deep South was fundamentally different from those two cities, local administration should reflect the region's identity and culture.<sup>39</sup> Police Colonel Thawee Sodsong, then-director of the SBPAC, said, “the constitution says we can decentralise. We must do so”.<sup>40</sup>

Thirdly, the process highlighted problems in Thailand's civil-military relations. Even as the NSC and SBPAC affirmed commitment to the process, sanctioned by the national security policy drafted under the previous Democrat Party-led government, senior military officers expressed doubts and foreclosed any compromise on regional autonomy. Army chief – now Prime Minister – General Prayuth Chan-ocha repeatedly declared that special administrative arrangements were out of bounds, seemingly equating autonomy with independence.<sup>41</sup> Many military officers see talks as a door to international intervention and eventual partition. Senior military officials fear that the militants wish to attract international attention to the conflict and that such attention will lead in turn to UN intervention, an East Timor-style referendum and, finally, partition of the kingdom.<sup>42</sup> A member of the Thai delegation explained: “The military is worried that the talks might go well”.<sup>43</sup> In late 2013, with caretaker Prime Minister Yingluck's government beleaguered by protests, the army moved to impose greater control over future talks.<sup>44</sup>

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<sup>36</sup> Crisis Group interviews, Malay-Muslim academic, Pattani, March 2013; member, Thai delegation, Pattani, August 2013. McCargo, “Southern Thailand”, op. cit., pp. 6-7.

<sup>37</sup> “Summary”, office of the National Security Council, op. cit.

<sup>38</sup> “It's time to decentralise”, *Bangkok Post*, 10 June 2013.

<sup>39</sup> Crisis Group interview, Lt. General Paradorn Pattanathabutr, secretary general, National Security Council, Bangkok, 25 October 2013.

<sup>40</sup> Crisis Group interview, Police Colonel Thawee Sodsong, director, SBPAC, Yala, 3 August 2013.

<sup>41</sup> “Prayuth: No Pattani Maha Nakhon”, *Bangkok Post*, 8 March 2013; “South administrative zone ‘lacks local support’”, *Bangkok Post*, 25 September 2013.

<sup>42</sup> Crisis Group Report, *The Evolving Conflict*, op. cit., pp. 20-21.

<sup>43</sup> Crisis Group interview, Pattani, August 2013.

<sup>44</sup> Lt. General Paradorn of the NSC affirmed that General Akanit Muensawas, a vocal critic of the dialogue, would join the Thai delegation at the next meeting, which never took place. “NSC postpones peace talks with BRN”, MCOT News, 27 November 2013; “Military may take over peace talks from NSC”, *Isra News Service*, 27 December 2013.

Fourthly, the dialogue gave fresh impetus to the region's burgeoning civil society sector. Civil society organisations offered inputs to the peace process, aggregating popular views on administrative alternatives and articulating local preferences to both sides.<sup>45</sup> This kind of engagement is vital to sustaining a peace process and ensuring that it addresses the priorities of local people.

Fifthly, Malaysia – arguably the only nation with any leverage over the militants – partnered with Bangkok to facilitate the process.<sup>46</sup> To be sure, that facilitator role remains controversial. Some militants in exile reportedly are resentful of what they see as past betrayals by Malaysia.<sup>47</sup> Many Thais, including military officers, do not regard Malaysia – a neighbouring country with its own national security interests to consider – as disinterested.<sup>48</sup>

Finally, militant representatives with ties to both senior BRN leadership and Thailand-based insurgents came to the table, and BRN for the first time issued specific demands. Its participation was circumspect, reflecting apparent divisions within its leadership. But it shifted from a stance of complete secrecy to greater communication with its constituents and opponents, illustrated by the series of YouTube videos, displays of banners and graffiti and elaboration of its demands.<sup>49</sup> Dialogue encouraged the group to consider its political identity and articulate a platform.

## 2. Patterns of violence

Another outcome was a decline in civilian casualties, which Thai authorities had requested of the BRN delegation. The variation in patterns of violence demonstrated BRN's reliable, but not complete, command-and-control of fighters in Thailand. During Ramadan in 2013, districts most commonly the site of militant attacks were the quietest, while most attacks took place in normally more peaceful districts. The inference is that where BRN's military organisation was strongest, it was able to exercise control.<sup>50</sup> Altogether, there was a year-on-year decline in incidents and casualties for that Rama-

<sup>45</sup>James Bean, "Southern Thailand's new activists", *The Diplomat*, 27 November 2013; "เสียงภาคประชาสังคมวาดหวังอย่างไรกับอนาคตการพูดคุยสันติภาพรอบใหม่", *ประชาไท*, 6 กุมภาพันธ์ 2558 ["What are civil society's expectations for the new round of peace talks?", *Prachathai*, 6 February 2015].

<sup>46</sup> Crisis Group interview, civil society activist, Yala, 1 August 2013. Malaysia's good offices were instrumental to the October 2012 Framework Agreement on the Bangsamoro between the Philippine government and the Moro Islamic Liberation Front.

<sup>47</sup> Crisis Group interview, analyst, Yala, August 2013. In January 1998, Malaysian police arrested four senior PULO leaders and extradited them to Thailand. Tried in Thai court, they were convicted on national security charges and sentenced to life terms. Crisis Group Report, *Insurgency, Not Jihad*, op. cit., p. 14; Anthony Davis, "Borderline support – Malaysia and Indonesia aid Thai insurgency", *Jane's Intelligence Review*, 16 July 2010.

<sup>48</sup> Crisis Group interview, member, SBPAC Advisory Council, December 2013; คึกดา เสมอภพ, ปกรณ์ พึ่งเนตร, "อภินิหาร: กก BRN แต่ละคร...จบตอนคือ 'ปกครองพิเศษ' จับตา 'ดินแดนกันชน', สำนักข่าวอิศรา, 12 กันยายน 2556 [Akanit: BRN talks just a show ... ends with a 'special administrative zone' that's actually 'buffer zone'", *Isra New Centre*, 12 September 2013]. Malaysia has traditionally sought to keep its neighbours off balance, sometimes by supporting rebel groups. Thailand's Malay-Muslims have 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.

<sup>49</sup> Anthony Davis, "Thai insurgency enters new phase", *Asia Times Online*, 23 October 2013.

<sup>50</sup> Srisompob Jitpiromsri and Anders Engvall, "A Meaningful Peace: Ramadan Ceasefire Assessment", *Deep South Watch*, 9 September 2013, pp. 5-9.

dan period,<sup>51</sup> though once BRN withdrew from the initiative, it launched its most intense bombing campaign of the insurgency, with 35 IED incidents between 31 July and 7 August 2013.<sup>52</sup>

During most of 2013, consistent with the Thai delegation's request to reduce violence against civilians, militants shifted their attacks away from urban areas, where civilians would likely be victims, and increasingly targeted security forces. Between 1 March and 9 August, there were only half as many civilian casualties as in the same period the year before.<sup>53</sup> Use of car bombs, or vehicle-borne improvised explosive devices (VBIED), ceased between 1 March and 22 December 2013, and the year's three VBIEDs were deployed before talks began and after they had collapsed.<sup>54</sup>

Following the demise of the Kuala Lumpur process, militants resumed attacks in urban areas and against civilians. On 22 December, three bombs, including a car bomb of almost 100kg, exploded in Sadao district, Songkhla province, injuring 27 people. Sadao borders Malaysia but had not been part of the Patani sultanate, and insurgents had never before targeted the district.<sup>55</sup> The same day, police discovered an IED in a pickup truck parked at the Phuket City Police Station some 400km from the southernmost provinces. A timer was set for 2:45 pm on 1 August, but the bomb had failed to detonate.<sup>56</sup> Given the importance of tourism to Phuket, authorities downplayed the significance of the truck bomb, but its 133kg would have caused enormous damage. The vehicle was stolen in Saiburi district, Pattani, on 9 May 2013, and its owner, a Songkhla resident, was murdered.<sup>57</sup> It is unclear whether the trigger was defective, or the bomb was intended only to signal militant capabilities to strike the crown jewel of Thailand's tourism industry (see Section III.C.2 below).

Attacks on urban areas continued in 2014. Early in the year, insurgent gunmen staged a series of attacks on civilians, including women, children and Buddhist monks. Some of these were reportedly retaliation for state-backed extrajudicial killings and the 3 February murder by rangers of three Malay-Muslim brothers, aged six to eleven.<sup>58</sup> In early April, there were two consecutive days of multiple bomb attacks in Yala town. May saw 77 IED incidents, involving 90 devices, far above the 2013

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<sup>51</sup> There were 99 violent incidents and 150 casualties during the 2012 Ramadan period. In 2013, there were 86 incidents and 134 casualties. Ibid, p. 4.

<sup>52</sup> Davis, "Meaningless ceasefire in South Thailand", op. cit.

<sup>53</sup> Jason Johnson, "Thaksin as peacemaker in South Thailand", *Asia Times Online*, 14 August 2013.

<sup>54</sup> By contrast, there were twelve VBIED attacks in 2012. Anthony Davis, "Coups kills south Thailand peace chance", *Asia Times Online*, 10 June 2014.

<sup>55</sup> In setting out conditions for the 2013 ceasefire initiative, BRN referred to the five districts of Songkhla province, rather than the four south-eastern districts of Chana, Nathawee, Saba Yoi, and Thepa. BRN asserted that the fifth district was Sadao, but the Thai army insisted that Sadao was not part of the conflict zone and so was not covered in the ceasefire. "Army, BRN bicker over ceasefire", *Bangkok Post*, 16 July 2013.

<sup>56</sup> Just after 2 pm on 1 August, a small device of about 5kg exploded in the car park of the Phuket Provincial Administrative Organisation building, damaging several vehicles but causing no injuries. Authorities attributed the incident to a local business dispute. The small size of the device and lack of casualties meant that the attack drew little attention. "Phuket bombing 'civilian scare tactic'", *Phuket Gazette*, 2 August 2013; "Phuket bomb capable of demolishing 10 storey building, says disposals expert", *Phuketwan*, 23 December 2013.

<sup>57</sup> Anthony Davis, "Insurgent expansion – Thailand's Malay separatists move campaign beyond border region", *Jane's Terrorism and Security Monitor*, 20 January 2014.

<sup>58</sup> "Army rangers admit killing three boys in deep south", *Agence France-Presse*, 4 March 2014; Will Baxter, "Rough justice rules over southern Thailand", *UCA News*, 5 May 2014.

monthly average of 27.6 incidents. This campaign included two bombings in Hat Yai, Songkhla province, the south's largest city, on 6 May, including a car bomb outside the central police station. Further VBIED attacks followed in Yala and the towns of Sungai Kolok and Sungai Padi in Narathiwat on 11 and 12 May.<sup>59</sup>

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<sup>59</sup> Davis, "Coup kills south Thailand peace chance", *op. cit.*



### III. Impact of the 2014 Coup

On 22 May 2014, following seven months of often-violent protests against the elected Yingluck government, the army seized power for the second time in less than a decade. General Prayuth Chan-ocha asserted that the only alternative was bloodshed.<sup>60</sup> The junta, the National Council for Peace and Order (NCPO), issued an interim constitution in July, and the appointed National Legislative Assembly selected Prayuth as prime minister in September. The NCPO maintains that it is following a roadmap to the restoration of full democracy, including the drafting of a new constitution (Thailand's twentieth) and thorough political reforms, followed by a general election.<sup>61</sup> The deeply conservative junta promotes unity as an unconditional good and regards expression of political differences as subversion.

The NCPO's approach to the Deep South is reflected in the terminology it uses to characterise the conflict. Some official designations, such as "those who hold different views from the state" to describe insurgents, predate the coup. But that anodyne language accords with the NCPO's stance that it is not at war and faces no enemy. General Prayuth asked the media to refrain from describing the insurgents as a "movement", because the violence is the work of individuals.<sup>62</sup> In the army's view, it is not appropriate to speak of seeking "peace" (*santipap*).<sup>63</sup> In mid-2014, the government began to describe its goal for the Deep South as *santisuk*, which conveys the notion of happiness, well-being and tranquillity.<sup>64</sup> Such usage echoes the NCPO's slogan of "returning happiness to the people", but also minimises the significance of the insurgency. It represents the conflict as the work of troublemakers, whose "different views" arise not from genuine grievances but from misunderstanding based on a failure to appreciate the state's benevolence and the rewards of "Thainess".<sup>65</sup>

Since the coup, the army has maintained its existing strategy of pressuring insurgents with targeted raids, while emphasising efforts to improve the material welfare of local people with development programs. At the same time, senior officers are anxious to avoid self-inflicted setbacks, such as human rights abuses or excessive use of force.<sup>66</sup> The junta has declared its support for dialogue with "those who hold different views from the state". So far, its officials have insisted on low-key overtures to militants to

<sup>60</sup> See Crisis Group Report, *Thailand: A Coup Ordained?*, op. cit., pp. 9-16.

<sup>61</sup> The NCPO initially indicated a general election could take place as soon as October 2015. In late May 2015, however, it declared an election would not take place until September 2016 at the earliest, and then only if there is a successful referendum on the draft constitution earlier that year. It is not clear whether the junta will allow a referendum, or what would happen if a referendum fails to approve the draft constitution.

<sup>62</sup> "1 ปีรัฐบาลประยุทธ์ ไฟใต้ 'ดับ' หรือ 'เดือด'", *ไทยโพสต์*, 4 ตุลาคม 2557 ["1 year of the Prayuth government: southern conflict 'snuffed out' or 'boiling'?", *Thai Post*, 3 October 2014].

<sup>63</sup> Crisis Group interview, Bhornchart Bunnag, deputy secretary general, National Security Council, Bangkok, 30 April 2015; "Prayut: Peace in South by 2015", *Bangkok Post*, 29 September 2014.

<sup>64</sup> Crisis Group interview, Panitan Wattanayagorn, adviser to Defence Minister and Deputy Prime Minister General Prawit Wongsuwan, Bangkok, 3 April 2015.

<sup>65</sup> General Prawit Wongsuwan, deputy prime minister and defence minister, said, "Thai authorities are not vying for a truce. We only want to talk about peace, and aim to offer security and jobs to good people. Whom are we going to fight with? They have no armed forces. It's all a misunderstanding between the two sides. We only want to talk to create an understanding". "Prawit dismisses rumours on South peace talks", *The Nation*, 13 December 2014.

<sup>66</sup> Crisis Group interviews, senior army officers, Hat Yai and Pattani, March and April; Malay Muslim lawyer, Pattani, April; academic, Pattani, April, all 2015.

avoid the media scrutiny that bedevilled the Kuala Lumpur process, and no formal dialogue has taken place. The army remains anxious to deflect international attention from the conflict, as fears of foreign intervention leading to a referendum persist among the officer corps.<sup>67</sup> On 28 September 2014, in a speech marking the end of his tenure as army chief, Prime Minister Prayuth vowed to resolve the southern conflict by the end of 2015, prior to establishment of the ASEAN Economic Community, which envisions integration of the ten ASEAN economies as a single market and production base.<sup>68</sup>

#### A. *Restructuring and Policy*

The NCPO began to put its stamp on Deep South administration almost immediately.<sup>69</sup> Two days after the coup, the junta replaced Police Colonel Thawee Sodsong as director of the SBPAC, bringing back his predecessor, Panu Uthairat.<sup>70</sup> Less than a week after the coup, on 30 May 2014, the junta issued Announcement 34/2557, stipulating that the SBPAC report directly to the head of the NCPO.<sup>71</sup> This nullified a 2010 law that elevated the SBPAC to an independent agency on par with the military-dominated Internal Security Operations Command (ISOC) Region Four Forward Command, to which SBPAC was subsequently resubordinated.<sup>72</sup>

In his weekly televised speech to the nation on 14 July 2014, General Prayuth said his government's approach to the Deep South would be carried out on three levels: policy, coordination, and implementation. He affirmed that policies would embody the king's imperative to "understand, reach out, and develop" the region.<sup>73</sup> The gov-

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<sup>67</sup> Colonel Prathan Thalaphong, chief, political section, Office of Strategy and Peaceful Means, Peacebuilding Centre, ISOC Region 4 Forward Command, lecture at SBPAC orientation for officials new to the southern border provinces, Songkhla, 19 March 2015; Crisis Group interview, member, SBPAC Advisory Council, Hat Yai, September 2012.

<sup>68</sup> "Prayut: Peace in South by 2015", *Bangkok Post*, 29 September 2014. Deputy Prime Minister and Defence Minister General Prawit Wongsuwan stated in November 2014 that the government would attempt to end the conflict by the end of 2015. "Defense Minister: Peace will return to deep south within one year", National News Bureau of Thailand, 4 November 2014.

<sup>69</sup> Crisis Group has regularly reported on bureaucratic restructuring, an enduring preoccupation of Thai officials. See Crisis Group Reports (all op. cit.) *Thailand: Insurgency, Not Jihad*, pp. 33-34; *Southern Thailand: The Impact of the Coup*, pp. 16-17; *Southern Thailand: Moving Towards Political Solutions*, pp. 7-8; *Thailand: The Evolving Conflict in the South*, pp. 16-17; and Briefings (both op. cit.) *Thailand: Political Turmoil and the Southern Insurgency*, pp. 6-7; *Stalemate in Southern Thailand*, pp. 10-11.

<sup>70</sup> Some Malay Muslims view Panu Uthairat as a conservative bureaucrat. Anti-government banners threatening "incidents upon the return of Mr Panu" were found strung up in the three southernmost provinces on 20 June 2014. Crisis Group interview, Malay-Muslim civil society activist, Yala, 18 March 2015. "Plant torched, banners hung in South", *Bangkok Post*, 20 June 2014.

<sup>71</sup> "ประกาศคณะรักษาความสงบแห่งชาติฉบับที่34/2557เรื่องการปรับปรุงโครงสร้างการจัดของคณะรักษาความสงบแห่งชาติ" ["National Council for Peace and Order Announcement 37/2014, on Adjusting the Structure of the National Council for Peace and Order"]. NCPO Announcements and Orders may be found at <http://library2.parliament.go.th/giventake/ncpo.html>.

<sup>72</sup> "เปิดโครงสร้างดับไฟใต้ยุค คสช. ลุยพดคยสันติภาพ-ปิดขงปกรองตนเอง", สำนักข่าวอิศรา, 19 มิถุนายน 2557 ["New structure to douse southern fire, NCPO to pursue peace dialogue, rules out self rule", *Isra News Service*, 19 June 2014].

<sup>73</sup> King Bhumibhol Adulyadej first used the maxim "understand, access, develop" as a means to resolve problems in the southernmost provinces in a speech on 24 February 2004. Every government

ernment would prioritise political, rather than military, means to solve the problem, he said, and it would pursue talks with militants in accordance with constitutional principles and Thai laws.<sup>74</sup>

More restructuring followed. On 21 July, the NCPO issued Announcement 98/2557, which formalised a three-tier structure for handling the southern conflict.<sup>75</sup> General Prayuth would lead on policy formulation, with the NSC secretary general serving as secretary. At the second level, a steering committee would oversee coordination of government strategies, including the peace dialogue. Finally, the Fourth Army Region commander would oversee implementation.<sup>76</sup> On the same day, the NCPO issued Order 96/2557, specifying the twenty members of the new Steering Committee for Resolution of Problems in the Southern Border Provinces, headed by then-deputy army commander Udomdej Sittabutr and consisting mostly of deputy permanent secretaries of various ministries.<sup>77</sup> These changes concentrated decision-making and budgets in the hands of the army, in the interests of achieving the perennial aims of “integration” and “unity” in government policy and implementation.<sup>78</sup>

Formally, in accord with Announcement 98/2557, the government continues to follow the “National Security Policy for the Administration and Development of the Southern Border Provinces, 2012-2014”. The NSC is drafting a new policy, which it expects to complete by the end of 2015.<sup>79</sup> In a policy statement submitted to the NCPO-appointed National Legislative Assembly in September 2014, Prime Minister Prayuth reiterated the government’s commitment to use peaceful means, promote peace talks, build confidence in the justice system and respond to the economic and social needs of local people.<sup>80</sup>

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since has proclaimed that the motto guides its policies and practices in tackling the southern insurgency.

<sup>74</sup> “National Broadcast by General Prayut Chan-o-cha, Head of the National Council for Peace and Order (NCPO), 4 July 2014”. English-language translations of General Prayuth’s weekly speeches are available at [www.thaigov.go.th](http://www.thaigov.go.th).

<sup>75</sup> “ประกาศ คสช. ฉบับที่ 98/2557 เรื่อง การแก้ไขปัญหาลำพูนจังหวัดชายแดนภาคใต้”, 21 กรกฎาคม 2557 [NCPO Announcement 98/2014 on Solving Problems of the Southern Border Provinces”, 21 July 2014].

<sup>76</sup> 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.

<sup>77</sup> In October 2014, following a spate of arson attacks on schools in Pattani, Deputy Prime Minister for Security Affairs General Prawit Wongsuwan took over the steering committee, while General Udomdej, since promoted to army chief, became deputy chairman. “กอ.รมน.กับการแก้ปัญหาจังหวัดชายแดนภาคใต้”, Thai PBS, 14 ตุลาคม 2557 [“ISOC and efforts to resolve problems in the southern border provinces”, Thai PBS, 14 October 2014]; “Administrative structural changes but no progress on peace talks”, Isra News Service, 27 October 2014.

<sup>78</sup> “Isoc Region 4 lacks unity,” *The Bangkok Post*, 19 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]; Kavi Chongkittavorn, “Southern crisis: the worse is yet to come”, *The Nation*, 13 August 2012; Srisompob Jitpiromsri, “The New Challenges of Thailand’s Security Forces in the Southern Frontiers”, in Paul Chambers (ed.), *Knights of the Realm: Thailand’s Military and Police, Then and Now* (Bangkok, 2013), p. 573.

<sup>79</sup> Crisis Group interview, Bhornchart Bunnag, deputy secretary general, National Security Council, Bangkok, 30 April 2015.

<sup>80</sup> คำแถลงนโยบายนายกรัฐมนตรี, รัฐมนตรี พลเอกประยุทธ์ จันทร์โอชา แถลงต่อสภานิติบัญญัติแห่งชาติ, 12 กันยายน 2557 [Prime Minister’s Policy Announcement, Prime Minister General Prayuth Chan-o-cha, presented to the National Legislative Assembly, 12 September 2014].

On 1 April 2015, the NCPO lifted the nationwide martial law imposed on 20 May 2014, but it remains in effect in the southernmost provinces, where it has been in force since 2004. The 2008 Internal Security Act (ISA) is also still in force, and the 2005 Executive Decree for Public Administration in Emergency Situations (emergency decree), first invoked in 2005, is imposed on all but five of the 37 districts in the conflict zone. The legislature has extended the emergency decree every three months since July 2005.

Article 21 of the ISA provides for a form of plea bargain, in which militant suspects may avoid prosecution in exchange for participation in a six-month re-education course.<sup>81</sup> Military officials tout Article 21 as an amnesty that could erode support for the insurgency, but only a handful of suspects have surrendered under its provisions, only four in the six months leading up to April 2015, for example.<sup>82</sup> Officials say there is interest in devising a more effective amnesty mechanism, perhaps under the mandate of Section 44 of the 2014 interim charter, which confers broad powers on Prime Minister Prayuth as head of the NCPO.<sup>83</sup>

## B. Security Operations

The NCPO committed more security forces and money to resolving the conflict. From the roughly 60,000 deployed in the region over the past few years, the number has risen above 70,000.<sup>84</sup> The NCPO authorised a 7.8 billion baht (\$232 million) budget for security and development in the first quarter of 2015, administered by the Steering Committee for Resolution of Problems in the Southern Border Provinces.<sup>85</sup>

The junta's primary operational innovation is the Thung Yang Daeng Model, named after the Pattani district where militants burned five schools on 12 October 2014.<sup>86</sup> To prevent further such attacks, the army instituted a program to enhance security by assigning local officials – village and sub-district chiefs – responsibility for security in their areas. The state supplied alarm systems and security cameras for schools, established sub-district-level communication centres and expanded the interior ministry's civilian volunteer units. The rationale was to increase the participation of local people in their own security, allowing for a long-planned withdrawal of military units from outside the region to their home bases.

<sup>81</sup> "Positive developments in southern Thailand conflict", Agence-France Presse, 20 February 2013.

<sup>82</sup> "Isoc to plot amnesty strategy in South", *Bangkok Post*, 22 February 2013. Crisis Group interview, senior army officer, Hat Yai, April 2015.

<sup>83</sup> Crisis Group interviews, Panitan Wattanayagorn, adviser to Deputy Prime Minister Prawit Wongsuwan, Bangkok, 3 April 2015; Bhornchart Bunnag, deputy secretary general, National Security Council, Bangkok, 30 April 2015.

<sup>84</sup> This first figure includes 32,958 soldiers, 18,583 police, and 9,680 Interior Ministry Volunteer Defence Corps (*Or Sor*). ปกรณ์ พึ่งเนตร, "เปิด4ปัจจัยรัฐจำกัดวงไฟใต้เข้าใกล้สันติสุขหรือรอวันปะทุ?", *กรุงเทพธุรกิจ*, 27 มกราคม 2558 [Pakorn Peungnetr, "4 ways the state limits the southern fire: closer to peace or waiting to explode?", *Krungthep Thurakit*, 27 January 2015].

<sup>85</sup> Crisis Group interview, senior security official, Bangkok, April 2015; "Southern security volunteers to receive 2,700 handguns", National News Bureau of Thailand, 3 November 2014. The government's 2015 25.6 billion baht (\$750 million) budget for "rectifying and developing" the southernmost provinces is an increase of roughly \$44 million over 2014. "Thailand's Budget in Brief Fiscal Year 2014" and "Thailand's Budget in Brief Fiscal Year 2015". Bureau of the Budget.

<sup>86</sup> Militants burned a sixth school in neighbouring Mayo district.

This model involves establishment of District Protection Units, drawn from Volunteer Defence Corps (Or Sor) and Village Development and Self-Defence Volunteers (Chor Ror Bor), led by army non-commissioned officers, as well as local volunteer units, to provide security to schools.<sup>87</sup> The army distributed some 2,700 assault rifles to bolster Or Sor arsenals. Following a brief pilot project, the government decided at the end of October 2014 to expand the model to all 37 districts in the Deep South. According to a senior army officer, the program has resulted in a decline in insurgent attacks: “[The militants] don’t dare fight the people”.<sup>88</sup>

Some local officials are unenthusiastic, however, about the model, which increases their responsibilities and exposes them to greater risk. The program has also been criticised for further militarising the population and introducing more weapons into the region. Authorities maintain that the weapons are securely stored, but militants have acquired much of their arsenal from government armouries and security forces, and there are concerns about what will happen to the weapons after the conflict.<sup>89</sup>

Security forces have also continued offensive operations against suspected militants. Over the past several years, they have benefited from improvements in technical capabilities and human intelligence so as to stage targeted raids.<sup>90</sup> These operations, typically executed by teams of soldiers and police, are smaller than the broad sweeps introduced in 2007, after the previous year’s coup. They often result in arrests and armed clashes in which suspected militants are killed.<sup>91</sup> Many local people are suspicious that such raids are pretexts for extrajudicial killings.<sup>92</sup>

An incident on 25 March 2015, in Thung Yang Daeng district, illustrates the difficulties the state faces reconciling security operations and “peaceful means”. A unit of the 41st Ranger Regiment, in a joint operation with police, killed four men in Ban Toh Chut village, Pitane sub-district, during a raid against suspected militants. Initial army reports indicated that the raid was based on information from locals that insurgents were meeting in the village. Families of the victims complained to authorities that the men had no connection to the militants.<sup>93</sup> Two of those killed were students at Fatoni University, an Islamic educational institution in Pattani, which issued a statement condemning the killings and proclaiming their innocence.<sup>94</sup>

The Fourth Army Region commander, Lt. General Prakarn Cholayuth, agreed to establishment of a fact-finding committee on 29 March, which determined that the

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<sup>87</sup> Achara Ashayagachat, “Embracing militias with open arms”, *Bangkok Post*, 23 November 2014.

<sup>88</sup> Crisis Group interview, Maj. General Chinnawat Mandech, director, Peacebuilding Centre, Fourth Army Region Forward Command, Pattani, 9 April 2015.

<sup>89</sup> Crisis Group interviews, local elected official, Hat Yai, 15 March; former senator, Pattani, 20 March; academic, Pattani, April, all 2015. “Critics dismiss army’s local defence scheme”, *Bangkok Post*, 17 November 2015.

<sup>90</sup> These improvements include incident-scene forensics, use of DNA samples and ballistics analysis. Anthony Davis, “Diminishing returns – enhanced counter-insurgency efforts increasingly blunt southern Thai insurgency”, *Jane’s Terrorism & Insurgency Monitor*, 9 April 2015.

<sup>91</sup> See, for example, “Insurgent killed in Pattani clash”, 2 May; “Three RKK suspects arrested in Yala”, 27 January; “Three insurgents killed in Pattani raid”, 9 January, “Firefight leaves 2 dead in Narathiwat”, 6 January, all *Bangkok Post*, 2015.

<sup>92</sup> Crisis Group interviews, journalist, Malay-Muslim lawyer, Pattani, April 2015.

<sup>93</sup> Complaints by families of militants killed by security forces are rare, as those killed are regarded as martyrs. Crisis Group interview, academic, Pattani, 8 April 2015.

<sup>94</sup> “New twist in the killing of four suspected militants in Thung Yang Daeng district”, *Isra News Service*, 28 March 2015.

slain men had no links to the insurgency.<sup>95</sup> General Prakan apologised to the victims' families.<sup>96</sup> The commander of the 41st Ranger Regiment was transferred to Hat Yai for one year, and the army instituted a Joint Operations Command, based at Camp Sirindhorn in Yarang, Pattani, to coordinate all security operations in the region with the aim of preventing future mistakes.<sup>97</sup> The swiftness of the army's consent to an investigation and its public apology reflected a determination to minimise repercussions.

### C. Trend of Violence

#### 1. Decline in incidents and casualties

The government has hailed a year-long decline in violent incidents and casualties as evidence that it is on the right track after a decade of conflict. Despite the rise in attacks in May, 2014 registered the lowest level of violence since the insurgency began in earnest in 2004. According to Deep South Watch, which compiles statistics on violence in the region, there were 793 insurgency-related incidents in 2014, the fewest in eleven years, with 330 fatalities and 663 wounded.<sup>98</sup> The Internal Security Operations Command reported that incidents between October 2014 and March 2015 declined more than 62 per cent compared to the same period a year earlier. The 339 casualties during those six months represented a decline of almost 46 per cent.<sup>99</sup>

The contraction of violence results from several factors, including targeted security operations and improved intelligence. Officials insist that villagers are moving closer to the state and cooperating better.<sup>100</sup> The decline may also be attributed to weariness among militants after more than ten years of struggle, or an extended, but calculated, reduction in the pace of operations.<sup>101</sup> Floods during the monsoon season typically contribute to a decline in incidents at year's end. In December 2014, Kelantan had severe floods, which would have disrupted militant logistics.<sup>102</sup>

Though the drop in violence and casualties is significant, neither authorities nor local people are sanguine about prospects for an end to violence. Militants stepped up

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<sup>95</sup> Pattani Governor Weeraphong Kaewsuan established the committee. According to a member, evidence from the scene suggested that the weapons recovered had been planted on the slain men. As it constitutes evidence in prospective criminal cases, the committee's report was not made public. Crisis Group interview, Pattani, April 2015.

<sup>96</sup> The government paid initial compensation of 500,000 baht (\$14,800) to the families of the four victims.

<sup>97</sup> "Ranger commander moved out of Deep South over Thung Yang Daeng killings", Thai PBS, 23 April 2015. Crisis Group interview, Maj. General Chinnawat Mandech, director, Peacebuilding Centre, Fourth Army Region Forward Command, Pattani, 9 April 2015.

<sup>98</sup> "Fewest South incidents in 2014", *Bangkok Post*, 4 January 2014.

<sup>99</sup> "กท.แถลงผลงาน6เดือน ความรุนแรงจว.ชายแดนใต้ลดลง", *มติชนออนไลน์*, 22 เมษายน 2558 ["Defence Ministry's 6-month report, South violence declines", *Matichon* (online), 22 April 2015]; "คสช. โชว์ข้อมูลไฟใต้-รุนแรงลดลง60%บึกโตงเข้มอีกจ่อถอนทหาร", *ข่าวสด*, 23 เมษายน 2558 ["NCPO shows southern violence declines 60%, 'Big Dong' (General Prawit Wongsuwan) reveals troop withdrawals", *Khao Sod*, 23 April 2015].

<sup>100</sup> Crisis Group interviews, senior army officer, Hat Yai, March 2015; Maj. General Chinnawat Mandech, director, Peacebuilding Centre, Fourth Army Region Forward Command, Pattani, 9 April 2015.

<sup>101</sup> ปกรณ์ พึ่งเนตร, "รายงานพิเศษ: สถานการณ์ใต้ตามขบวนการสี่คล้าย 4 ปัจจัย "จำกัดวง" ไฟใต้ ได้ผล", *เนชั่นสุดสัปดาห์* [Pakorn Puengnetr, "Special Report: The inferno subsides: 4 factors effectively contain the southern fire", *Nation Weekly*, 30 January 2015]. Crisis Group interviews, civil society activists, Pattani, April 2015.

<sup>102</sup> Crisis Group interview, civil society activist, Yala, April, 2015.

attacks immediately after the coup and have kept up a steady pace of targeted killings and IED attacks. On 20 February 2015, a car bomb in Narathiwat town injured thirteen people. April and May registered an increase in attacks, including three consecutive days of bombings in Yala (14-16 May).<sup>103</sup>

## 2. Expansion of militant operations?

Militants have largely restricted their operations to the three southernmost provinces and four districts of Songkhla province. An exception has been occasional bombings in Hat Yai, immediately north of the Songkhla districts included in the conflict zone. There are logistical challenges to staging operations outside the Malay-Muslim-majority region, but the geographical limitation of attacks appears to result chiefly from the militants' view of their struggle as a defensive jihad that must be waged in their homeland.<sup>104</sup>

The past two years have seen indications that this consensus within the movement may be breaking down. Several bombings outside the conflict zone indicate that some militants are prepared to launch attacks in Bangkok and tourist areas. On 29 May 2013, a small bomb exploded in the capital, near Ramkhamhaeng University, injuring seven people. Authorities ascribed it to a business conflict, but police arrested four Malay-Muslim men. They were convicted of attempted murder and each sentenced in March 2015 to 66 years and eight months in prison. The attack is widely believed to have been carried out by a militant group seeking a seat at the dialogue table.<sup>105</sup> On 22 December 2013, there were coordinated bombings in Sadao district, Songkhla, and discovery of the truck bomb in Phuket (see Section II.C.2 above).

On 10 April 2015, a car bomb exploded in the underground garage of the Central Festival shopping mall on Koh Samui, a popular tourist island in the Gulf of Thailand. Six people were injured including one foreign tourist, a minor.<sup>106</sup> This was the first VBIED detonation outside the four southernmost provinces during the current insurgency. Senior officials rushed to link the attack to national political turmoil. Given the importance of tourism to the economy, officials are unwilling to acknowledge the possibility of an expansion of insurgent violence to popular tourist destinations or the capital.<sup>107</sup> That would require public recognition of the gravity of the rebel challenge, as well as a failure to contain the conflict.

Conspiracy theories proliferated, including one that linked the attack to former Prime Minister Chavalit Yongchaiyudh, as part of a Thaksin-backed plot to discredit

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<sup>103</sup> Dozens of pipe bombs exploded in Yala town on the night of 14 May, followed by further bombings the next two mornings. "39 Bombs Rock Southern Thailand Over Weekend, Injuring 22", Deutsche Presse-Agentur, 18 May 2015.

<sup>104</sup> Crisis Group interview, senior BIPP member, Kota Bharu, Malaysia, 10 April 2015.

<sup>105</sup> Crisis Group interview, academic, Pattani, 27 December 2013, and analyst, Yala, 28 December 2013. Davis, "Thai insurgents extend their reach", *op. cit.*; Don Pathan, "Peace negotiations have pushed insurgents further 'underground'", *The Nation*, 16 January 2014.

<sup>106</sup> On the same night as the Central Festival bombing, a fire broke out at Surat Thani Cooperative Store, adjacent to Koh Samui on the mainland. There were no injuries. The cooperative was founded by Suthep Thaugsuban, former secretary general of the Democrat Party and the leader of the People's Democratic Reform Committee (PDRC) protests against the Yingluck government in 2013-2014. Police have not established a connection between the Samui bombing and the fire.

<sup>107</sup> Tourism revenue contributed 9 per cent of Thailand's Gross Domestic Product in 2013. "Travel & Tourism: Economic Impact 2014: Thailand", World Tourism and Travel Council, p. 3.

the NCPO.<sup>108</sup> The haste to attribute the Samui attack to a pro-Thaksin underground suggests that the protracted political conflict at the national level continues to distort analysis of the southern conflict, though senior officials dismissed the idea that Chavalit was involved.<sup>109</sup> A senior NSC official explained: “We do not see it as an extension of the southern violence, but maybe people from the southern border provinces were used to perpetrate the attack. The intention [of the attackers] is not yet clear”.<sup>110</sup>

The attack was similar in method to the 31 March 2012 car bomb that targeted a shopping centre and hotel complex in Hat Yai.<sup>111</sup> All suspects in the Samui bombing are Malay Muslims from the Deep South, some allegedly members of the militant movement; security forces killed one suspect during a raid in Pattani’s Muang district on 2 May.<sup>112</sup> There is a consensus among Western diplomats and analysts in Bangkok that insurgents staged the Samui bombing. Whether it represents a concerted strategic shift or a rogue operation is speculative.<sup>113</sup> After a decade of violence in the southernmost provinces, the diminishing returns of the militants’ standard repertoire could encourage a quest for more leverage through “out-of-area” attacks.

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<sup>108</sup> Chavalit, a former army chief and prime minister (1996-1997), joined Thaksin’s Thai Rak Thai Party in 2001, and the Thaksin-aligned Pheu Thai Party in 2009. Chavalit’s army connections and good relationship with the palace mean that his periodic political pronouncements carry more weight than those of most pro-Thaksin politicians. “Car bomb ‘the work of people who lost power’”, *The Nation*, 15 April 2015; “National police chief says Samui car bomb gang implicates a former influential politician”, Thai PBS, 18 April 2015; Jason Johnson, “Ominous Thai bombing in tourism heart continues to make waves”, *Asia Sentinel*, 22 April 2015.

<sup>109</sup> “Prawit denies Chavalit linked to Samui blast”, *Bangkok Post*, 23 April 2015.

<sup>110</sup> Crisis Group interview, senior security official, Bangkok, April 2015.

<sup>111</sup> A car bomb in the underground garage of the Lee Gardens Plaza Hotel killed four people, including a Malaysian. A subsequent fire caused some 400 casualties, mostly from smoke inhalation. Crisis Group Report, *Thailand: The Evolving Conflict in the South*, op. cit., pp. 6-7.

<sup>112</sup> “Samui car bomb suspect killed in Pattani”, *Bangkok Post*, 3 May 2015; “Samui bombing suspects claim innocence”, *The Nation*, 22 May 2015.

<sup>113</sup> Crisis Group interviews, Bangkok, May 2015.



## IV. Dialogue under the NCPO

Senior security officials affirm dialogue with militants is the government's principal policy for resolving conflict.<sup>114</sup> The NCPO signalled its intention to pursue dialogue soon after the 2014 coup, but progress toward an official meeting with militant leaders has been slow. Officials characterise the lack of visible progress as caution, maintaining that the government is moving methodically behind the scenes to create conditions for fruitful talks. Some separatist leaders in exile have begun to coalesce, but divisions in militant ranks over talking to Bangkok remain to be overcome.

### A. Government Approach

For months, the NCPO vacillated over who would lead its dialogue team. NSC Secretary General Thawil Pliensri, a critic of the Kuala Lumpur process, led a delegation to Malaysia in September 2014 and returned to affirm Kuala Lumpur's willingness to continue as facilitator. In November, Prime Minister Prayuth signed an order specifying the composition of a Steering Committee for Dialogue and appointed General Aksara Kerdpol, former army chief-of-staff, to head the Thai delegation.

Prayuth and Prime Minister Najib Razak agreed in Kuala Lumpur on 1 December 2014 on three principles for the dialogue process: a period without violence must precede talks; dialogue must include all militant groups; and the demands of all groups must be aggregated before they are presented to the Thai side.<sup>115</sup> In late January, Prayuth expanded on his vision for talks. The first stage of the proposed process would be a reduction or cessation of militant attacks, followed by a signed agreement on ending the conflict. The third stage would be implementation of the agreement.<sup>116</sup>

The government has been tight-lipped about efforts to restart talks. Publicly, officials say they have been quietly contacting militants in Thailand to persuade them to voice demands, while Malaysia, as the facilitator, has been identifying representatives of all militant groups to participate in the official dialogue process.<sup>117</sup> According to a senior army officer, the NCPO learned from the previous government's mistakes and wants to avoid publicity that could unnerve possible interlocutors.<sup>118</sup>

It is unclear when official talks will resume. Prospective and rumoured dates in late December 2014, then April and June 2015, passed without action.<sup>119</sup> A senior security official involved in the process suggested that they might begin before the end of 2015.<sup>120</sup> Reports in May that General Prayuth had spurned talks with a newly formed militant umbrella group raised questions about the government's willingness to ne-

<sup>114</sup> Crisis Group interviews, Pattani and Bangkok, April 2015.

<sup>115</sup> “ดับไฟใต้-สันติภาพกับสันติสุข”, *ข่าวสด*, 14 ธันวาคม 2557 [“Extinguishing the southern fire-santipab and santisuk”, *Khao Sod*, 14 December 2014].

<sup>116</sup> “PM outlines steps for South talks”, *Bangkok Post*, 28 January 2015.

<sup>117</sup> “สมช.เผยเริ่มคุยสันติสุขได้อย่างไม่เป็นทางการแล้ว”, *โพสต์ทูเดย์*, 28 เมษายน 2558 [“NSC reveals unofficial peace talks have started”, *Post Today*, 28 April 2015].

<sup>118</sup> Crisis Group interview, senior army officer, April 2015.

<sup>119</sup> “Govt restarting peace talks in the far South”, *The Nation*, 13 May 2015;

“สมช.ยื่นคุยทุกกลุ่มดับไฟใต้เริ่มมี.ย.ตร.เข้มรับเปิดเทอม”, *คมชัดลึก*, 13 พฤษภาคม 2558 [“NCPO pushes for talks with all groups in June; police ready for new school term”, *Khom Chad Leuk*, 13 May 2015].

<sup>120</sup> Crisis Group interview, senior army officer, April 2015.

gotiate (see Section IV.B below).<sup>121</sup> A spokesman insisted that the government is ready, provided the process conforms to guidelines, and militant representatives can demonstrate control over events on the ground.<sup>122</sup>

## B. *Militant Response*

The Kuala Lumpur process exposed divisions within the militant movement about talking to the Thais that are still evident. Some leaders in exile plan to participate in the prospective dialogue process, though they do not expect the military government to offer concessions. As a militant leader said, “it’s better than doing nothing”.<sup>123</sup>

In mid-March 2015, representatives of five militant groups signed a document establishing the Majilis Syura Patani (Patani Consultative Council, MARA Patani) to serve as a vehicle for united participation in the dialogue process. This umbrella organisation supersedes the Majilis Amanah Rakyat Patani (Patani People’s Trust Council, MARA Patani), formed in October 2014, with its new name signifying the inclusion of additional groups. It brings together six groups: BRN, Barisan Islam Pembebasan Patani (Islamic Liberation Front of Patani, BIPP), three factions of the Patani United Liberation Organisation (PULO), and Gerakan Mujahidin Islam Patani (Patani Islamic Mujahidin Movement, GMIP). There are also plans to involve civil society organisations.<sup>124</sup> According to a senior militant in exile, MARA Patani is a BRN initiative, but many in Thailand perceive it to be Malaysia’s effort to gather separatist leaders under a single banner.<sup>125</sup>

The formation of MARA Patani appears to satisfy one of the three conditions agreed by Thailand and Malaysia in December 2014, that the militant groups unite before coming to the table. It remains to be seen if the six groups, with their histories of splintering and interpersonal enmities, can work together to formulate common demands and negotiate with Bangkok. It is also not clear that the groups, aside from BRN, command armed forces of any strength within Thailand.<sup>126</sup>

Awang Jabat represents BRN in MARA Patani, but the extent to which he enjoys the confidence of senior leaders is uncertain. He is an associate of Hassan Taib who was at the 28 February 2013 inauguration of the Kuala Lumpur process but was dropped from the BRN delegation. Once close to the BRN leadership council, his relationship with the inner circle is rumoured now to be contentious.<sup>127</sup> If BRN wants to maintain links to those in the dialogue process, Awang may be acceptable as an expendable frontman.<sup>128</sup> There is no indication yet that BRN hardliners will consent

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<sup>121</sup> “ถอดปมเงื่อนปมป่วนยะลา”, *กรุงเทพธุรกิจ*, 17 พฤษภาคม 2558 [“Untangling the knot of the Yala bombs”, *Krungthep Thurakit*, 17 May 2015], “ระเบิด’การเมือง’”, *กรุงเทพธุรกิจ*, 19 พฤษภาคม 2558 [“Political bomb”, *Krungthep Thurakit*, 19 May 2015].

<sup>122</sup> Such a demonstration would entail a reduction of violence in a specified geographical area for a predetermined period of time. Crisis Group telephone interview, Maj. General Weerachon Sukhonthapatipak, deputy government spokesman, 27 May 2015.

<sup>123</sup> Crisis Group interview, senior BIPP member, Kota Bharu, Malaysia, 10 April 2015.

<sup>124</sup> *Ibid.*

<sup>125</sup> Abu Hafez Al-Hakim, “What is MARA Patani?”, Deep South Watch, 26 May 2015; Crisis Group interviews, academic and civil society activist, Pattani, April 2015.

<sup>126</sup> Crisis Group interview, member, SBPAC Advisory Council, Hat Yai, December 2013.

<sup>127</sup> Crisis Group interviews, civil society activist, imam, Pattani, April 2015.

<sup>128</sup> Crisis Group interview, civil society activist, Pattani, April 2015.

to join the dialogue, and recent bomb attacks in Samui and Yala may signal their active opposition.<sup>129</sup>

There is strong sentiment among pro-dialogue Malay Muslims that Bangkok should agree “in principle” to discussion of the five BRN demands issued in 2013. The coup and abrogation of the 2007 constitution illustrate the logic of BRN’s insistence that the government acknowledge peace dialogue as a national priority. The militants want a guarantee that the talks will be insulated from the vagaries of volatile domestic politics and not be used as a political cudgel. According to a BIPP member, Thailand’s endorsement of dialogue as a national-agenda item is a pre-condition for the process to move forward, and it should be a simple matter for the NCPO given that Thailand’s national assembly is fully appointed. Only then will it be possible to discuss a roadmap and confidence-building measures.<sup>130</sup>

### C. *Impediments to Dialogue*

Obstacles to a substantive official dialogue between militants and the Thai government are abundant and not easily dissolved. Political will is lacking on both sides.

Junta hostility to representative politics challenges the premise of Malay-Muslim militants renouncing violence in favour of peaceful struggle.<sup>131</sup> Restrictions on the exercise of political rights imposed by the NCPO, including freedom of assembly and speech, run counter to the government’s professed aim of transforming the conflict. In the absence of such rights, local people are less likely to express their preferences or engage with the peace process. Likewise, civil society organisations would face unnecessary risks in supporting dialogue. A prominent Malay-Muslim civil society activist said, “the people don’t feel invested in peace dialogue under the NCPO”.<sup>132</sup>

The NCPO’s well-known opposition to special administrative arrangements for the Deep South may be a disincentive for militant participation. While serving as army chief, General Prayuth repeatedly declared that autonomy or a special dispensation for the region was unacceptable.<sup>133</sup> NCPO officials have reiterated this position, noting that Section 35 of the interim charter specifies that Thailand is indivisible, and pursuit of *santisuk* is divorced from administrative change or devolution.<sup>134</sup> The

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<sup>129</sup> Don Pathan, “Deep South peace efforts hit another dead end”, *The Nation* 22 May 2015.

<sup>130</sup> Crisis Group interview, senior BIPP member, Kota Bharu, Malaysia, 10 April 2015. An imam from Narathiwat acknowledged that winning Thai endorsement of dialogue as a national-agenda item would be difficult, but is a necessary first step: “It’s like having a smartphone. You need the phone first; then you can decide which apps to install”. Crisis Group interview, Pattani, April 2015.

<sup>131</sup> The draft constitution prepared by an NCPO-appointed committee would empower appointed officials at the expense of elected representatives. It includes provisions that allow for an unelected prime minister, a mostly appointed senate and appointed oversight bodies to monitor and discipline parliamentarians.

<sup>132</sup> Crisis Group interview, Yala, 18 March 2015.

<sup>133</sup> “Thai security chief shoots down ‘Pattani City State’ initiative”, MCOT News, 15 March 2013; “South administrative zone ‘lacks local support’”, *Bangkok Post*, 25 September 2013.

<sup>134</sup> Crisis Group interviews, senior army officer, Hat Yai, March 2015; Buddhist civil society activist, Yala, 17 March 2015; “Peace in southern Thailand: mission impossible?”, *The Nation*, 29 July 2014; Abu Hafez Al-Hakim (pseudonym, militant leader in exile), “The peace talk resumes?”, Deep South Watch, 4 December 2014.

NCPO's ethos of Thai nationalism and unity is at odds with decentralisation of political power; the junta went so far as to suspend local elections.<sup>135</sup>

Militants and others in the region question NCPO intentions with respect to an official dialogue. Some believe the government's rhetoric about talks is merely a public-relations exercise. Some worry that the NCPO lacks a democratic mandate, without which any agreement would have to be considered provisional.<sup>136</sup> The government's insistence on inclusion of all militant groups, including those with questionable control of armed forces, appears to some observers a ploy to sow dissension in militant ranks and dilute BRN influence.<sup>137</sup> Some with direct experience in the Kuala Lumpur Process suggest that BRN may prefer to wait until an elected government is in office in Bangkok.<sup>138</sup>

The government's insistence on secrecy in the early stages is reasonable, but the dialogue will have to graduate from clandestine meetings to an official process if it is to gain traction. The Prayuth government could help dispel doubts about its sincerity by endorsing dialogue as a national priority and establishing a dedicated peace unit, reporting to the prime minister's office, to support the dialogue team and ensure continuity in the process.<sup>139</sup> This requires vision and courage, but it would be an historic achievement.

Another impediment to renewed dialogue is the BRN leadership's unwillingness to commit to participation. Thai officials recognise that BRN leaders may want security guarantees before surfacing. BRN may also be reticent because it has received no response to its five 2013 demands.<sup>140</sup> It is reportedly divided on the issue, roughly evenly between those for, against and undecided on dialogue. The split reportedly extends to the leadership council.<sup>141</sup> This unwillingness to commit to talks may arise in part from a lack of capacity within the political wing. BRN and the other militant groups should direct greater resources and effort to developing their political capabil-

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<sup>135</sup> The NCPO suspended elections for local assemblies on 16 July 2014. "ประกาศคณะรักษาความสงบแห่งชาติฉบับที่85/2557เรื่องการได้มาซึ่งสมาชิกสภาท้องถิ่นหรือผู้บริหารท้องถิ่นเป็นการชั่วคราว" ["Announcement of the National Council for Peace and Order, no. 85/2014, Temporary arrangement for the selection of new local councilors or local administrators"].

<sup>136</sup> Crisis Group interviews, Malay-Muslim lawyer, Pattani, and Buddhist civil society activist, Yala, March and April 2015.

<sup>137</sup> Crisis Group interview, Buddhist civil society activist, Yala, 17 March 2015.

<sup>138</sup> Crisis Group interview, senior official, Bangkok, 1 April 2015. A former senator said, "BRN may be content to wait out this period of dictatorship". Crisis Group interview, Pattani, 20 March 2015. See also Rungrawee Chalermripinyorat, "How to end Thailand's southern insurgency", *The Diplomat*, 12 May 2015.

<sup>139</sup> "How Can the Peace Process Be Taken Forward", Insider Peacebuilders Platform, 26 February 2014. The Insider Peacebuilders Platform is a forum launched in 2011 with the support of the Berghof Foundation that seeks to foster peaceful change in southernmost Thailand. It brings together representatives from academia, non-governmental organisations, state agencies, business, religious institutions and the media from across the ethnic and political spectrum, with the aim of promoting a peaceful resolution of the conflict ([www.berghof-foundation.org/programmes/southeast-asia/insider-peacebuilders-platform](http://www.berghof-foundation.org/programmes/southeast-asia/insider-peacebuilders-platform)).

<sup>140</sup> Crisis Group interview, Panitan Wattanayagorn, adviser to Deputy Prime Minister Prawit Wongsuwan, Bangkok, 3 April 2015; "ตั้ง6กลุ่มตัวจริงเจรจาสันติสุขใต้คนร้ายซุ่มยิง2ตร.ยะรังบาดเจ็บ", *คมชัดลึก*, 12 พฤษภาคม 2558 ["6 genuine groups united for peace talks; bad guys shoot, injure 2 policemen in Yarang", *Khom Chad Leuk*, 12 May 2015].

<sup>141</sup> Crisis Group interview, senior BIPP member, Kota Bharu, Malaysia, 10 April 2015.

ities.<sup>142</sup> This could entail training from outside experts on negotiations, sub-national government, autonomy and comparative peace processes. The militants' secrecy is conditioned by experience, but some members will have to surface to a greater degree if they are to credibly articulate popular grievances, common demands and a positive political vision.

Militant groups should demonstrate that their armed forces act for viable political ends and are subordinate to the political leadership participating in the process. To this end, they should observe the obligations of non-state armed actors under international humanitarian law, including an end to targeting civilians.

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<sup>142</sup> Insider Peacebuilders Platform, op. cit.; McCargo, *Southern Thailand*, op. cit.; Don Pathan, "Educating the BRN for the sake of peace in deep South", *The Nation*, 18 February 2015.

## V. Conclusion

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The insurgency in southernmost Thailand has gone on for more than a decade. The obstacles to its peaceful resolution are formidable. The military-backed government in Bangkok lacks democratic legitimacy and is adamantly opposed to devolution of political power. The political turmoil that has wracked Thailand for a decade is dormant but unresolved. The insurgent movement is internally divided, without an able political wing. Factions on both sides continue to see advantage in use of force. No one expects great strides toward a sustainable, near-term end to the conflict.

A decline in violence over the past year has encouraged those on the Thai side who envision a victory over the insurgents achieved through attrition, surrenders and amnesty. But the militants retain significant capabilities, and attacks outside the traditional conflict zone may portend a new phase of conflict. Recurring activity outside the Deep South could result in popular anger that increases pressure for an iron-fisted response and puts resolution further from reach.

The government is formally committed to a dialogue process, which will be difficult and lengthy. Like much else in Thai politics, its prospects are uncertain. Both Bangkok and the separatists lack experience and expertise in negotiating an end to a protracted internal conflict. It is not too soon to begin acquiring the requisite knowledge and establishing the necessary infrastructure, so that the sides can move more expeditiously when the environment for substantive talks is more promising.

**Bangkok/Brussels, 8 July 2015**

Appendix A: Map of Thailand



Appendix B: Map of Thailand's Southernmost Provinces





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## Appendix C: Glossary of Terms

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**AEC** – ASEAN Economic Community, a proposed common market and production base comprising the ten member nations of ASEAN. The deadline for implementation of measures leading to the AEC is 31 December 2015.

**ASEAN** – Association of South East Asian Nations, a regional political and economic organisation formed in 1967. ASEAN grew to include ten South East Asian nations by 1999.

**BIPP** – Barisan Islam Pembebasan Patani (Patani Islamic Liberation Front), the new name of the BNPP after 1986. BIPP is represented in MARA Patani.

**BNPP** – Barisan Nasional Pembebasan Patani, Patani National Liberation Front, established in 1959 to fight for creation of an independent Islamic state in Patani.

**BRN** – Barisan Revolusi Nasional (National Revolutionary Front), established in 1963, to fight for an independent Patani state; ethno-nationalist with socialist bent. Split in the 1980s into three factions, one of which, BRN-Coordinate, became dominant by the late 1990s and was the driving force behind renewed insurgency at the outset of the 21st century.

**DPP** – Dewan Pimpinan Parti (Party Leadership Council), secretive leadership council of the BRN.

**GMIP** – Gerakan Mujahidin Islam Patani (Patani Islamic Mujahidin Movement), formed in 1995 by veterans of the conflict in Afghanistan, committed to establishment of an Islamic Patani state. Believed to have declined in strength and importance over the past decade, it is nonetheless represented in MARA Patani.

**ISA** – Internal Security Act of 2008, passed under the post-coup interim government of Prime Minister General Surayud Chulanont. The ISA gives the ISOC extensive powers and identifies the southernmost provinces as an area of special concern.

**ISOC** – Internal Security Operations Command, is an army-dominated special government agency within the prime minister's office with extensive authority, under the 2008 Internal Security Act, to counter threats to internal security. It dates to 1974, when it replaced the Communist Suppression Operations Command, established in 1966.

**JWG-PDP** – Joint Working Group – Peace Dialogue Process, formed in accord with the General Consensus on Peace Dialogue signed by Thai and Patani-Malay representatives on 28 February 2013, it served as the working group of the Kuala Lumpur Process.

**MARA Patani** – Majelis Syura Patani (Patani Consultative Council, MARA Patani) formed in March 2015, including representatives of BRN, BIPP, GMIP and three PULO factions as a vehicle to pursue dialogue with the Thai government.

**NSC** – Office of the National Security Council of Thailand.

**PULO** – Patani United Liberation Organisation, founded in 1968. PULO was the strongest separatist front in the 1970s, but splintered in the 1980s. There are currently three factions: PULO-4P (Pertubuhan Persatuan Pembebasan Patani, Patani United Liberation Organisation, headed by Samsudin Khan); PULO-MKP (Majlis Kepimpinan Pertubuhan, Party Leadership Council, headed by Kasturi Makhota); and PULO-DSPP (Dewan Syura Pimpipan Pertubuhan, Consultative Council Leadership Party, headed by Noor Abdurahman). These three factions are represented in MARA Patani.

**SBPAC** – Southern Border Provinces Administrative Centre, established in 1981 to coordinate and monitor implementation of policy in the five southernmost provinces (Pattani, Narathiwat, Satun, Songkhla, and Yala), it was dissolved on 1 May 2002 and re-established in 2006. The Southern Border Provinces Administrative Act of 2010, sponsored by the Democrat Party, removed it from the ISOC chain of command, granted it greater authority and provided for a separate budget. The SBPAC was re-subordinated to ISOC after the May 2014 coup.