

THAILAND

LI SAENGSANTHITAM
EU-PROJECT MANAGER
"IMPROVEMENT OF ACCESS
TO JUSTICE FOR CIVILIANS
IN THE DEEP-SOUTH
PROVINCES OF THAILAND

Solving Thailand's Deadliest Conflict Conundrum

June 2012

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IF THE PERMUTATION OF SIX GOVERNMENTS, SIX PRIME MINISTERS, ENACTMENT OF THREE SPECIAL LAWS AND IMPOSITION OF SIX DIFFERENT POLICIES WERE NOT ENOUGH TO MAKE PEACE IN THE REGION, THEN WHAT WILL?

Amid the controversy over the relentless 28th extension of the Emergency Decree B.E.2548 in the Thailand's restive southernmost region, a multi-stakeholder dialogue co-organized by the European Union and Konrad Adenauer Foundation was set to bring about a constructive debate on the looming threat of the region's peace dream.

Chairperson of the National Human Rights Commission (NHRC) Dr. Amara Pongsapich opened the event with a keynote speech addressing the relatively slow response to submitted human-rights petitions by the Internal Security Operation Command (ISOC), a unit of Thai military implementing security measures in the region. In the past years, only 10 out of 57 petitions implicated number of the security officials' involvement in human rights violation have been submitted back to NHRC. Although not yet a significant figure, the organization has focused on its effort linking the victims to the governments' redress and reparation scheme rather than taking legal action against the offenders.

At the same event, Major General Nakrob Boonbuatong, the Deputy Director General of the 5th Operation Coordination Center of ISOC, expressed an optimistic attitude towards the much anticipated near-future collaboration with the Southern Border Province Administration Center. Both organizations' common 29 strategies initially aimed at strengthening and legitimizing the structure of ISOC were realized in May 2012 by

the newly established committee on the Deep-South chaired by Deputy Prime Minister General Yutthasak Sasiprapa. This new set of strategies is vowed to be people-centric and devoted to increasing synergy between organizations. However, three special emergency laws enforced in the region still give overwhelming power to the military. During the event, Major General Nakrob had overcome such query by giving a viable response "Given the improving situation, by the next extension of the Emergency Decree (*September 2012*), we are planning to scale down the special laws enforcement area. The revocation of the special laws will eventually come but only when the region is ready. We do not want to lift the laws only to know that they needed to be reinforced again."

In this respect, another question was being raised concerning military's set of readiness indicators. "The model of Mae Lan district in Songkla province (currently enforced with Internal Security Act B.E.2008) is to be applied. The readiness will be judged by the reducing number of insurgency-related incidents, loosen/weaken structure of the insurgent groups in the area and the strengthening role of civil society.", Major General Nakrob replied. The statement was cited by Artef Sohko, Muslim Youth Activist from Youth for Peace and Development Academy (YDA) – "The interpretation of the special laws was clearly mistaken. There is no significant difference between insurgents and civilians in the current movement. The insurgents are not isolating themselves in

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the mountains anymore. They live among us in the villages and in the cities." Artef Sohko articulated that the re-ignited violence in the Deep-South since 2004 is being engendered by a completely divergent set of strategies.

The most striking example illustrated Artef's claims is the interpretation of section 21 of Internal Security Act (ISA) B.E.2008 where it appears that an alleged offender has committed an offence by being misled or out of ignorance, the court may order the offender to be detained in ISOC-run vocational training facilities for no longer than six months. "The unrest is highly politicized and it has never been about individuals committed the offences by being misled or out of ignorance." Artef clearly stated. On the contrary, it is being seen that the peace process in the region has been complicated by the frequent bickering between state-owned agencies. With the concurrence of the state agencies and their policies, the local officials as well as their role in the communities would be unified and empowered while the budget is being optimized.

In light of the forthcoming of ASEAN Community Integration in 2015, a growing hope in transforming a strife-torn region into more peaceful and economically developed southernmost districts has spread through communities. "Even now, we can see ASEAN flag in almost every Pondok school in the Deep-South. Although, I am not sure whether the children understand what exactly ASEAN means" Artef noted.

"ASEAN integration might present another feasible solution to ease the conflict. On the condition that our concerns are not only affixed on the security pillar, better livelihood and more prosperity of the locals can be actuated by the shifting of local economic structure." Last remark, from Dr.Jade Donovanik, spokesman of the government-appointed National Rule of Law Commission (NRLC), has offered a glimpse of hope in searching for another missing puzzle piece in resolving conflict in Thailand's restive southernmost region.