

New Government in Thailand Struggles to Defeat the Insurgency

By Zachary Abuza

SINCE THE SEPTEMBER 2006 coup in Thailand, attention has been focused on the country's rapid political turnover and instability. Yet the Malay-Muslim insurgency in the country's three southern-most provinces of Pattani, Yala, and Narathiwat has continued unabated. The new government in Bangkok has stated that resolving the insurgency is one of its top priorities, and it has spoken of the need for reconciliation and social justice. The insurgents, unconcerned about who is in power in Bangkok, have continued their campaign of violence with no end in sight. This article addresses Thailand's political turnover, provides an analysis of the violence in the south, and finally offers a review of new policies that the government has initiated to quell the insurgency.

Political Turnover

On December 15, 2008, the Thai Parliament elected a new prime minister, Abhisit Vejjajiva, the fourth person to hold the post in a year. The backroom dealings, combined with the actions of a pro-monarchy and activist judiciary, as well as the support of the military and monarchy, ended a political stalemate that has hobbled Thailand since February 2006. Yet, in the three years of elite political machinations in Bangkok, there was little attention paid to the insurgency that has plagued Thailand's three majority Muslim provinces of Yala, Pattani and Narathiwat since January 2004. The insurgency has left more than 3,500 people killed and twice that number wounded. It has led to a breakdown of social services, law and order, and the de facto ethnic cleansing of Siamese Buddhists from much of the countryside. Large swaths of southern Thailand have been, in effect, ungoverned territory.

The September 2006 coup that ousted Prime Minister Thaksin Shinawatra was an opportunity to reverse the insurgency's gains. While interim Prime Minister Surayud Chulanont committed inordinate time and resources to quelling the insurgency, violence actually peaked

in 2007. In July of that year, the Thai army chief, General Anupong Paojinda, launched his own "surge" in order to suppress the violence. Following the drafting of a new constitution and the restoration of democracy in December 2007, a government comprised of Thaksin's former Thai Rak Thai Party emerged under Samak Sundaravej, re-branded as the People's Power Party (PPP). Fearful of another coup, Samak and his successor, Somchai Wongsawat, had a completely hands off policy in the south, letting the military have full control. Both offered no resistance to not only the military's massive budgetary expenditures, but two waves of major weapons acquisitions, the vast majority of which having little to no value in combating an insurgency.¹ With no civilian oversight, the Royal Thai Army escalated their counterinsurgency efforts, but at a tremendous cost to human rights, including the alleged systematic use of torture on detainees.²

When Abhisit came to power in December 2008, he quickly announced that resolving the insurgency, now entering its fifth year, was a top priority for his government. He pledged to overhaul the administrative structure and streamline the chain of command in the south. Unconcerned about the possibility of a coup since he had the full backing of the military and

monarchy, he pledged to implement greater civilian oversight. Abhisit spoke of the Democrat Party's deep ties to the south, their traditional stronghold. He reiterated the failed pledges of the Surayud regime to engage in *samanchan*, or reconciliation. "My basic assumption is that you will never have reconciliation unless there is justice," he said before his one-day trip there in mid-January. "The same principle applies to the south."³ This does not bode well for the south and suggests that little progress will be made under the leadership of the Democrats in the coming years; they still fail to see the insurgency for what it is, not acknowledging the goals of the insurgents to establish an independent Islamic state. In five years, the insurgents have refused to negotiate or even enter into talks with the government; for them, there is nothing to reconcile.

Analysis of the Violence

Violence in 2008 was down considerably from the peak in 2007. According to the Thai Journalists Association, there were 1,056 violent incidents in which 546 people were killed and 1,075 wounded, 47% lower than the 2007 figure (1,056 killed and 1,992 wounded). There was an annual average of 1,956 violent incidents between 2004-2008. Civilians comprised 77% of the dead, the remainder government officials and security forces. Of the 1,056 violent incidents in 2008, 741 of them were gun attacks, 218 bombing attacks, 37 arson cases, 35 cases of attacks on state property and a number of uncategorized incidents.⁴ Security officials cited the dramatic decrease in violence as signs of their improved counterinsurgency efforts as well as the weakening of the militants. Yet the Thai government failed to acknowledge the secessionist aims or Islamist ideology of the insurgents, naively contending that the insurgency was solely about social justice.

Furthermore, despite the lack of attention to resolving the conflict by the country's leaders, it remains a drain on the government's coffers. A leading scholar of the insurgency, Professor Srisomphob Jittrphiromsri, has argued

1 The Royal Thai Army rewarded itself with a significant budget increase following the September 2006 coup. In December 2006, it announced major arms purchases worth Bt7.7 billion. The purchases included Swedish Gripen jet fighters, Ukrainian armored personnel carriers, Chinese surface-to-surface missiles, and submarines, hardly the weapons systems needed to combat an insurgency. This was followed with a second wave of arms purchases worth \$191.3 million in September 2008. This round included a Singaporean built amphibious frigate, Russian anti-aircraft missiles, as well as Israeli arms. In January 2009, the RTA announced another wave of arms imports, although these purchases are more oriented for counterinsurgency. They include six Russian-made Mi-17 helicopters, nearly 100 South African-made armored personnel carriers, and 80 Ukrainian APCs and assault rifles. "Cabinet Nod for B7.7bn to Buy Arms, Equipment," *Bangkok Post*, September 26, 2007; Patrick Winn, "Thailand Plans \$191.3M Arms Purchase," *Defense News*, September 12, 2008; and Patrick Winn, "Muslim Insurgency Triggers Thai Military Spending Blitz: Military Shores Up Attack Helicopters, APCs and Assault Rifles," *Defense News*, February 2009.

2 Amnesty International, "Thailand: Torture In The Southern Counter-Insurgency," January 13, 2009.

3 "Thai PM Launches Review of Emergency Law in South," *The Nation*, January 15, 2009.

4 Veera Prateepchaikul, "Situation Improves in Deep South," *Bangkok Post*, January 22, 2009.

that since January 2004 the government has spent more than Bt109 billion (\$3.1 billion) to quell the violence, and predicts that the government may have to spend three times that amount annually over the next five to ten years.⁵

Thai officials do not consider the fact that violence is down simply because much of what the militants sought to achieve in the early stages was accomplished. More than 20% of the region's 300,000 Buddhists have fled, while countless more have evacuated their farms to the safety of the cities.⁶ Since early 2004,

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the militants have killed hundreds of suspected government informants, and there is little military presence in the villages. It is hard to imagine that the government has already recruited replacements. Finally, many government officials and services have evacuated the villages, supplanted by shadow government and services run by the militants. With so many of their goals accomplished, violence simply does not have to be at the same level.

If Abhisit thought that the militants would simply reduce their operations and give his administration a chance to implement new policies, he was mistaken. In the first 60 days since taking power on December 15, 2008, 64 people have been killed, including five

5 Don Pathan and Kavi Chongkittavorn, “Insurgency Taking a Huge Toll,” *The Nation*, January 19, 2009.

6 “Deep South Violence Claims 3,195 Lives,” *The Nation*, December 29, 2008.

police, seven soldiers, three rangers, seven village defense volunteers and 42 civilians. The attacks include the beheadings of two rangers, the 27th and 28th decapitations in the past five years. Since mid-December, 97 people have been wounded, including 15 police, 44 soldiers and five rangers. Twenty-four bombs were detonated and seven more bombs either failed to go off or were defused.⁷ As one policeman noted, “The killing sprees in Yala have been less frequent since last year, but there have been more victims in each incident.”⁸ While the rate of more than one death and two wounded per day is not exorbitantly high, it is unsustainable. The rate is near the 2006 average, when the violence started to spiral out of control. The rate is unlikely to go down because Thai security forces continue to be deployed statically.

Most of the killings have been shootings. While the militants in this period have not arsoned schools or attacked economic targets such as cell phone towers, or gone after Buddhist clergy as they have in the past, this is not uncommon. When one analyzes the violence during the five-year period, attacks on different targets come in waves, often in response to government countermeasures and defensive positions.

Review of Government's New Policies

Upon taking office, Abhisit announced that his administration would embark on new policies as well as streamlined coordination. He announced that the existing Southern Border Provinces Administrative Committee⁹ would be “stepped up” without elaborating how or what its new powers and resources would be.¹⁰ He then announced the formation of a special panel of ministers for the deep south, comprised of 16 cabinet members

7 These figures are based on daily press reports.

8 “Thailand: Four Die in Insurgent Attack,” Associated Press, January 25, 2009.

9 The Southern Border Provinces Administrative Committee is a joint task force comprised of civilian administrators, police and army, established in the early 1990s to administer the south. Then Prime Minister Thaksin Shinawatra dismantled the agency in 2002, declaring that the insurgency had been quelled. The interim government of Surayud Chulanont, installed after the September 2006 coup, reestablished the SBPAC in January 2007.

10 Waedao Harai, “New Agency Proposed to Tackle Insurgency,” *Bangkok Post*, January 7, 2009.

and two representatives of the National Economic and Social Development Board and the Budget Bureau. It is hard to see how this new council will bring change: ministers of line agencies already had purview over the southern provinces; the south has just never been a priority for them. In both these moves, the prime minister said that the new groups would “not duplicate the tasks of the Internal Security Operations Command (ISOC) Region 4,”¹¹ which means the military remains firmly in charge, with negligibly more civilian oversight.

In terms of policies, Abhisit articulated “less military-focused strategies,” explaining that “it makes no sense to be running the provinces under continuous application of the emergency decree. At the moment, we have actually also martial law there. We also have the new security law. We should be aiming at lifting these special laws.”¹² Yet on January 20, the cabinet voted to extend the emergency decree for another three months, the 14th consecutive extension since October 2005.

If Abhisit wants to make his imprint on the insurgency, there is no better place for him to begin than with a review of the detainee policy and the judicial process. The existing process has not only failed, but has led to serious recriminations and a breakdown in cooperation between the military, police and courts. Under the existing Emergency Decree, suspects can be detained for 30 days without trial, after which formal charges must be brought against them or they must be released. Detentions surged in 2007, but police often failed to build cases against the suspects. The army tried to extend detentions through an initiative of involuntary vocational training programs, but that was quickly struck down by the court. Some 1,544 suspects have been arrested between January 2004 and December 2008, yet the courts have only made rulings on 153 cases (10%).¹³ Charges have been dropped on more than 70% of the detainees,

11 “Panel of Ministers to Oversee Far South,” *Bangkok Post*, January 17, 2009.

12 Ambika Ahuja, “Thai PM Praises Obama's ‘Politics of Hope,’” Associated Press, January 21, 2009.

13 Of them, 15 were sentenced to death. Some 33 others have received life imprisonment and 107 convicts were given a 10-year jail term. “Deep South Violence Claims 3,195 Lives,” *The Nation*, December 29, 2008.

infuriating the military.¹⁴ While part of the problem is the inability or lack of capacity of the police to acquire sufficient forensic evidence, the reality is that much of the violence is either unseen or witnesses are unwilling to cooperate with authorities.

The current detention policies have led to two other human rights concerns. On January 13, 2009, Amnesty International released a blistering report about the systematic use of torture by the Thai army, citing the cases of 34 detainees. Abhisit rejected accusations of “systematic” torture, stating, “I want to reassure you that it’s not government policy and it was not carried out systematically. The Thai government does not support extra-judicial power.”¹⁵ Muslims in the south have decried the blanket immunity for security forces that has led to egregious human rights abuses. There have been a handful of cases in which the blanket immunity has been lifted. On December 25, 2008, for example, an inquest ruled that soldiers tortured to death an imam in their custody, Yapa Kaseng, in March 2007.¹⁶

The security forces’ frustration at the court’s inability or unwillingness to convict and sentence detainees may be responsible in part for a wave of alleged extrajudicial killings. For example, on January 30, 2009, a religious teacher who had been previously detained by security forces but acquitted by the courts due to a lack of evidence was shot dead in front of a mosque in Pattani, provoking outrage in the Muslim community, which blamed the security forces for the murder.¹⁷

To that end, several Thai officials have called for the establishment of security courts to expedite the judicial process. They argue that the eight courts in the three provinces are not only overtaxed and understaffed, but are also ill-equipped to deal with security cases,

which they do not prioritize.¹⁸ The establishment of these courts could go a long way to curbing some of the egregious human rights abuses by security forces borne out of frustration with the current judiciary. At the same time, there is increasing pressure on the government to end the security forces’ blanket immunity.

Conclusion

While Abhisit has pledged to resolve the conflict in the south and to demilitarize counterinsurgency strategy, it is unlikely that he will gain much traction. The south remains an intelligence failure: few leaders of the insurgency have been arrested, and the shadowy coalition of militant organizations (the BRN-C, GMIP, New PULO, among others) remain intact. Most suspected insurgents who are captured are soon released, and the government has lost the support of the local population due to security force impunity, their failure to provide security—despite the fact that almost 45% of the armed forces are based in the south¹⁹—and the gradual erosion of social services. Insurgent documents have laid out a long-term strategy to achieve their goal of an independent state, and make clear they see themselves in the early stages.²⁰ The insurgents are clearly capable of escalating the rate of violence, but have calculated the “right” amount to achieve their short-term goals: drive away Buddhists, make the region ungovernable, and eliminate political rivals while developing a parallel authority structure in the villages. Abhisit continues to talk about reconciliation and social justice, but until Thai security forces begin to gain the upper hand and dismantle the insurgent networks, the insurgents have little reason to reconcile.

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14 Ibid. Based on personal interviews conducted in 2007-2008, this number could be more than 90%.

15 “Abhisit Rejects Torture Claim,” Agence France-Presse, January 15, 2009.

16 “Amnesty Alleges 4 Tortured to Death in Thailand,” *International Herald Tribune*, January 13, 2009.

17 “Imam Shot Dead in Front of His Mosque in Pattani,” *The Nation*, January 31, 2009.

18 Achara Ashayagachat and Muhammad Ayub Pathan, “Judges Say Region Needs Special Courts,” *Bangkok Post*, February 6, 2009.

19 “Thai PM Launches Review of Emergency Law in South,” *The Nation*, January 15, 2009.

20 Some of these documents will be published in the author’s forthcoming book, *Conspiracy of Silence*.