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**Case Studies of Ethnic Minority Conflicts in Southern
Philippines and Southern Thailand**

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Case Studies of Ethnic Minority Conflicts in Southern Philippines and Southern Thailand

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Introduction

The ethnic conflicts in Southern Thailand and Southern Philippines are among the most widely known and most protracted armed conflicts in the Southeast Asian region. These conflicts have again been the subject of much attention because of recent intensification—in Thailand since 2004 after it was thought to have been quelled by the 1990s; and in the Philippines because of the breakdown of peace negotiations in 2008.

These two conflicts are also often compared with each other because of many similar characteristics shared: conflict along ethnic lines with strong religious elements, the historic origins of independence claims, the role of former colonial powers, the recent rise of groups with a more Islamic orientation as compared with earlier secularist separatist movements, and, it could be argued, the generally similar approaches in conflict management. Of course, similarities can only be drawn at the general, descriptive level since conflict dynamics are fundamentally different, and therefore necessitate unique approaches by all actors involved. Comparing these conflicts can nevertheless draw important lessons in the management and eventual transformation of conflicts, in both countries as well as others.

This paper aims to present salient aspects of the ethnic conflicts in Southern Philippines and Southern Thailand, within the context of a broader discussion of analysis and how to address these and similar conflicts in the framework of the Asia-Europe Roundtable discussions. Specifically, it will outline a comparative overview and analysis of these two conflicts, including official approaches under the respective frameworks of each state, and an overview of the involvement of various external actors in these conflicts.

There is a general perception that these two conflicts are distinguished by contrasting approaches to the management of conflict, with the Philippines engaged in negotiations with Moro groups. However, closer examination, particularly of the Philippine government's approach, would reveal a common securitized strategy in dealing with ethnic unrest. A key difference in conflict management is in the involvement of external actors in pushing for

peace processes; while external actors play a significant role in the Philippine peace process, their involvement in addressing the southern Thailand conflict is tenuous and unsustainable.

Before proceeding with the discussions, it is necessary to describe the present situation of these conflicts.

Present situation

Thailand's separatist insurgency has been ongoing for some 50 years now. The insurgency, which has been spearheaded by different groups at different points in time, was believed to have been largely quelled by the 1990s. This was perhaps true until, five years ago, when violence returned to the region, and increased with no sign of abatement. The transition into violence could thus be described as a frozen conflict that has thawed. The day that most analysts point to in the resurgence of violence is 4 January 2004, when suspected insurgents raided an Army camp in Narathiwat province, carted away more than 400 weapons and killed Buddhist camp guards while sparing the Muslims ones. That day, insurgents also launched simultaneous attacks in more than 20 locations around the region to in an apparent diversionary tactic prevent reinforcements from responding to the raid.

In a five-year span between January 2004 and March 2009, Srisomphob Jitpiromsiri (2009), counted some 8,810 violent incidents that resulted in 3,418 deaths and 5,624 injuries. Most of the victims have been civilians, accounting for 1,564 (45.8%) of those who died. In terms of religious affiliation, the resurgent violence has claimed mostly Muslims (or 54.7% of the deaths), who are believed to have been killed because of their perceived allegiance to the Thai state. Suspected insurgents have primarily employed shootings, arson and bombings as dominant tactics in their campaign.

It should be noted that to date no group has come into the open to claim for responsibility for the upsurge in violence or even any incident.

On the other hand, the Philippines' separatist insurgency began about 10 years later, and saw its peak in the 1970s under the leadership of the Moro National Liberation Front (MNLF). Estimates of casualties range from 140,000 to 200,000 since 1969, making it one of the bloodiest insurrections in the world (Oquist and Evangelista 2006: 26). The government has also employed peace negotiations to manage this conflict since 1976, highlighted by the successful conclusion of a peace settlement with the MNLF in 1996. However, fighting has continued sporadically amidst negotiations, now primarily with the Moro Islamic Liberation

Front (MILF), an MNL splinter group, which has emerged as the strongest among the different insurgent groups in the country.

In August 2008, peace negotiations between the government and the MILF bogged down following the derailment of the signing of the Memorandum of Agreement on Ancestral Domain (MOA-AD). The agreement was supposed to have been the final, key substantive stage of the peace process on arrangements for recognition of the Bangsamoro homeland through an expanded form of autonomy. However, the agreement was opposed by local and national Christian politicians. A Supreme Court ruling on the draft agreement as “unconstitutional” has rendered the continuation of future negotiations uncertain and has led to the fiercest fighting in Mindanao since 2003, which began when a major MILF unit launched attacks on several Christian towns in the Lanao del Norte province. Fighting affected nine provinces, resulting in some 610,000 persons displaced from their homes, and 104 dead in August 2008 (Amnesty International 2008: 2).

II. Evolution of the conflicts

The progression of conflicts in the southern parts of Thailand and the Philippines followed largely parallel stages in the 20th century up to the 1970s. At around the turn of the 20th century, both areas could be considered as independent or autonomous territories, and were incorporated formally into the Philippines and Thailand (then officially known as Siam), with the involvement of colonial powers who wanted to demarcate the scope of their dominion.

Both countries have also instituted systematic measures to strengthen their control of the minority population. Generally, these measures involved the imposition of a single ethnicity as the basis for nation-building, which threatened to erode the identity of the locals. In response, leaders of ethnic minorities have tried legal means to claim for recognition of their identities and for self-governance before the emergence of more radical armed groups that fought for separation. Through the years, armed movements fighting for independence have shifted in ideological orientation in claiming for independence, from secular independence movements towards more religious-oriented and religious-based movements. This has prompted several analysts to warn about links of these insurgencies with the international terrorist groups.

Major turning points in the histories of these conflicts can be seen in the shift in methods by governments in addressing these armed insurgencies. The Philippines has additionally

employed negotiations and autonomy schemes since the 1970s in the Muslim-dominant areas in Mindanao, while Thailand used economic development and political measures during the 1980s to promote the rights of the Malay Muslims in the three southern border provinces. However, the prevailing strategy of both governments seems to be primarily military suppression of these rebellions.

Historical Roots

Both the Moro¹ and Patani² ethnic movements trace their claims to previously independent sultanates which governed the territories prior to ‘colonial’ rule. Moro scholars and rebels argue that Mindanao, Sulu and Palawan were never actually colonized by Spain when these areas were ceded along with the rest of the Philippine islands to the United States through the Treaty of Paris in 1898. Sultanates had existed in these areas long before Spain was able to at best establish garrison towns in Northern Mindanao, Cotabato, Zamboanga, Sulu and Basilan (Ahmad, 1981a). Lingga (2005, p. 34) argues that the three sultanates that ruled over these areas were full fledged states “already engaged in trade and diplomatic relations” with other countries, and had used their “organized maritime and infantry forces” to resist Spanish conquest.

After the transfer of sovereignty to the United States, Moro rebellion against the new colonizers continued until they were finally subdued by the Americans, who by then shifted from military to civilian administration of these restive areas in 1913. These areas were included with the rest of the archipelago when the Philippines gained independence in 1946.

The Sultanate of Patani, on the other hand, developed alongside the Kingdoms of Sukhothai and Ayutthaya in the 14th to the 18th century. It was one of the major trading centres of the region and also a centre for learning Islam. Mainstream Thai and Malay nationalist historians present contending accounts of the degree of independence of Patani from Sukhothai, with the former arguing that Patani was not really independent since it was under a tributary vassal relationship to Ayutthaya kingdom. As a vassal state, Thanet (2007:11) clarifies that

¹ The term “Moro” was adopted from the term used by the Spanish to describe the peoples in Mindanao. This was because the people had a similar religion to the North African Moors which ruled over the Iberian peninsula for almost a century. This term was adopted by the nationalist ethnic movement to cover the 13 ethnolinguistic groups that practice Islam. The prefix “Bangsa”, from the Malay word meaning “people” or “nation” was added to emphasize the claim for independence. The term “Bangamoro” also includes lowland Christian settlers and indigenous peoples.

² The term “Patani” is the Romanized version of the Malay spelling to describe the old sultanate. The Romanized Thai version, “Pattani” is a name of one of the southern border provinces of Thailand.

“tributary states are not the same as colonies of an imperial state. The former has autonomy in their rule and ownership over their lands...” This relationship “fluctuated depending on the political strength of each state” (Thanet 2007: 15), but generally until 1776 Patani followed its own practices for selecting their own rulers. Nationalist Malay historian Ibrahim Syukri (a pseudonym), writing the *History of the Malay Kingdom of Patani* (1985), insists that Patani had been independent until the Siamese kingdom was able to defeat Sultan Mahmud, and install a puppet ruler on its behalf in 1776.

In 1902, during the modernization era of King Chulalongkorn, the Patani region lost its autonomous status and became directly governed by Thai civil administration. From then on, Malay rajahs lost their sovereignty, and tributes were no longer required as the treasury was now controlled by the revenue department. Around the same period, Siam was engaged in negotiations with Britain over the border with British Malaya. The final agreement in 1909 ceded Thai suzerainty over Kedah, Kelantan, Trengganu, Perlis and the islands of Langkawi, which were all part of the Sultanate of Patani, to Great Britain, thereby establishing the present modern-day border (Thanet 2007:23-24, 30).

These assertions of prior independence by Moro and Patani historians and movements play an important role in the consciousness of the minority peoples in the context of the present conflict. It represents their claim of the historical injustice these peoples collectively experienced, provides a potent justification for their support for separatist goals, and are thus central concerns that must be addressed in resolving these intractable conflicts. As a by-product of colonialism, these histories involve external actors, contrary to government claims reflected in regional norms that these are “internal matters” of the state.

The historical roots of these conflicts suggest that claims of colonization by the modern states have adequate basis. Unfortunately, the international framework for decolonization within the UN is not applicable since this is limited to colonies of Western imperial powers, and is largely regarded as finished. However, the colonial effort has redefined previous boundaries such that many of the countries especially in Asia can be considered as artificial products of this colonization and decolonization process that favored some ethnic groups over others. While this paper would not go so far as the extreme suggestion of granting every call for separatism for every ethnic group claim, at the very minimum, these histories should urge present sovereigns to reconsider their definition of statehood and give more space to the role and voices of minorities in nation-building—towards greater recognition of multicultural realities and promotion of coexistence among different peoples as equals. This does not imply

erasing the contemporary official historiography but incorporating the contributions of minorities and acknowledging their different evolution.

As regards their claims, the right to self determination has been the locus of any rights-based discussions of these issues. While internationally recognized as legitimate and universal, this position has also polarized discussions, especially in the context of state insistence of the inviolability of territorial integrity. It is worthwhile to note that the international discourse self-determination has already moved beyond the black-and-white separatist scenario, and should open up discussions for new arrangements between minorities and the state.

Nation-state Building and Minoritisation

With the full incorporation of the formerly independent territories into the national borders, both the Philippines and Thailand instituted measures that sought to consolidate the modern nation-states.

In addition to the non-accommodation of minority identities, history and aspirations, key programs of the governments of the Philippines and Thailand also contributed to the present state of the minorities, and which especially played significant roles in instigating resistance among the Muslims of the southern parts of these two countries.

For the Philippines, from the U.S. colonial times to the early decades of the independent Philippine state, governments have embarked on transmigration programs from the more populated Luzon and Visayas islands to Mindanao. This was in part a strategy meant to quell peasant-based communist insurgencies. As a result of decades of population transfers, the Muslims became a minority in Mindanao, and now comprise only about 20.6% of the population of the island, from an estimated 76% at the turn of the century. Muslims now comprise a majority in only five of the 25 provinces of the Mindanao island group (Coronel Ferrer 2005: 8).

For Thailand, the transition from absolute to constitutional monarchy³ in 1932 necessitated the reform of “old ideas and feudalistic practices” for nation building. The government sought to standardize education in the Thai language and curriculum, which meant the

³ It is interesting to note that the absolute monarchy period granted more autonomy to the Patani region than the after the transition to constitutional monarchy. For example, Chidchanok (2001) enumerated measures ordered by King Rama VI (King Vajiravudh) including prohibiting measures considered as opposed to Islam, taxation not being higher than levels during the Malay rule, and ensuring honest and polite administrators are sent to the region.

marginalization of the predominant pondok/ponoh (Islamic school) system and the Melayu language. Additionally, new images of “Thai-ness” and Thai nationalism were developed and imposed. The government under Field Marshall Phibul Songkhram enforced the National Culture Act, which especially affected the Patani Malays. From then on, they were to be officially called “Thai Islam” or “Thai Muslims,” similar to other Muslims in the rest of the country, but who, unlike the indigenous Patani Malays, are mostly descendants of migrants from other countries. This term recognized religious diversity but downplayed the differences in ethnicity among Thai citizens. Regulations also prescribed the “proper” public attire, forbade “backward” indigenous customs, curtailed speaking of the Malay language, and forced the abandonment of Malay family names. The government also abolished Islamic family and inheritance laws and imposed Thai civil law. There were also attempts to convert Muslims to Buddhism (Thanet 2007: 35-37 and Pravit 2005: 296).

Futile engagement and armed struggle

The constricted spaces for the recognition of minority identity and aspirations led traditional leaders to negotiate with the respective states. In the Philippines, Moro leaders in Sulu petitioned the United States during the 1920s and declared that they preferred to remain part of the U.S. than be under Filipinos the independent Philippine republic (Coronel Ferrer 2005: 7). Post-independence, a Muslim legislator would also file a bill seeking independence from the Philippine state (Lingga 2005: 37).

A similar petition as the Moros was initiated in 1948 by which saw some 250,000 Malay Muslims ask the United Nations to oversee accession of the Thai provinces of Pattani, Narathiwat and Yala to the Federated States of Malaya (Melvin 2007:14). In 1947, religious leader Haji Sulong submitted a seven-point petition to the government to grant greater autonomy for Patani and guarantee the preservation of Malay Muslim culture (Thanet 2007). Needless to say, these efforts were unsuccessful under the framework of the states seeking to preserve territorial integrity under a unitary system. While these proposals might have been radical in content, these still utilized legal state channels. Their eventual failure contributed to the emergence of organized armed separatist movements later.

III. State Approaches and Solutions

Integration and assimilation seem to be the overriding objectives of these states in dealing with minority populations. Both countries sought to form national identities based on the dominant ethnic group. The Tagalogs in central and southern Luzon were the first ethnic grouping to launch the independence revolution against Spain in the closing decades of the 1800s, and thus their culture became the main basis of the national identity, including the national language, Filipino. Similarly, the idea of the Thai nation is based in the identity of the ethnic Thais from the central and (upper) southern parts of Thailand. Despite the reality of these two countries being multi-ethnic states, with numerous indigenous minorities other than the Muslim, a single national identity is constitutionally defined and territory for both states is based upon the unitary form of government. While this in itself is generally interpreted positively in the mainstream in the light of fostering unity for nation building, the interpretation and practice are also considered as contrary to minority interests and identity.

Santos (2001:13-24), writing to elaborate the fundamental contradictions of accommodating the Bangsamoro aspirations into the Philippine constitutional framework, identifies several important opposing paradigms that stand in the way of resolving the Moro question: different fundamental legal systems of the Philippines and the Bangsamoro; the unitary nature of the Philippine state; the non-recognition of the Bangsamoro homeland in defining national territory; and the absence of Moro and other minority symbols in the Philippine flag. Santos explains that the constitutional framework of the Philippine republic stands in opposition to the fundamental role of the Qur'an as the "highest law" in the Islamic way of life, which is "based on the sovereignty of Allah" (Lingga as quoted by Santos p. 16). Santos also writes that the definition of the territory is based on the historic and legal claims of the Philippines, mainly the Treaty of Paris of 1898, despite the fact that Spain did not exercise sovereignty over Moroland. In fact, "[t]he Christian and Muslim Filipinos would not be united under a single government and sovereignty until 1914," Santos quotes historian Corpuz (p.21). Finally, the symbolism in Philippine flag focuses on the independence struggle against Spain, and does not reflect the successful resistance of the Moros and other indigenous peoples against Spanish conquest. These features have remained unchanged over several Philippine constitutions. However, a concession to the multi-ethnic nature of the Philippines can be found in the constitutional provisions granting autonomy for "Muslim Mindanao" and the Cordilleras in north Luzon.

To draw parallels with Santos's arguments, a similar case could be argued for the non-inclusion Patani Malay history and aspirations in the context of the Thai constitutions since 1932, which is carried over until the 2007 constitution. The Thai constitution is similar to the Philippines in defining national territory and identity, and symbolism: Thailand as "one and indivisible Kingdom" (Section 1) which implies limited options for self-determining arrangements for minorities; and Thai people, "regardless of origins, sexes or religions", which interestingly in the 2007 constitution does not explicitly mention ethnicity as a basis for "equal protection under this Constitution" (Section 5). The symbolism in Thailand's national flag is represented as follows: red for the Thai nation, blue for the monarchy, and white for religion. As Malays, the people of Patani find it difficult to call themselves as "Thai"; and, as Muslims, to recognize the "position of revered worship" of the King (Section 8). "Religion" in the symbolism of the flag, is also commonly interpreted to mean Buddhism, which is the religion of the majority (85%) of the population of Thailand.

Military approach

Approaches of the Philippines and Thailand in dealing with their separatist insurgencies are mainly distinguished by the existence of negotiations and provisions for autonomous rule for the former. Both countries, however, can be said to employ predominantly military/securitized approaches to quell the uprisings and armed movements. Military operations have been the primary strategy of the Philippine and Thai governments in quelling the insurgencies. This strategy has been utilized to quell sporadic uprisings even prior to the emergence of organized armed separatist groups. It was virtually the only extant strategy during the early years of counterinsurgency policy for both countries.

That the armed separatist movements still thrive today, decades after their emergence, is testament to the failure of the military approach, and that other solutions have not fundamentally addressed the demand for recognition of differences in identity in terms of governance. Deviations of government from a purely military approach—the Philippines peace negotiations, and the use of political and economic approaches in Thailand during the 1980s under Prime Minister Prem Tinsunalond—are recognized as key measures that led to the decrease in armed confrontations and weakening of insurgent movements.

The Philippine government started negotiations as an approach to conflict management in 1976, when it signed the Tripoli Agreement with the MNLF. This agreement—which thus far

contains the most advanced provisions recognizing autonomy for the Moros—was never implemented by then President Marcos, who proceeded with a unilateral implementation of his own design of an autonomous region. The failure of this agreement led to the resumption of hostilities in Mindanao that led to a military stalemate (Ahmad, 1981: 37) from 1977 until the ouster of Marcos in 1986. The succeeding administrations of Corazon Aquino (1986-1992) and Fidel Ramos (1992-98) saw the increasing use of peace negotiations as a counterinsurgency strategy of government to deal with the Moro and communist insurgencies.

The use of negotiations as a conflict management strategy in the Philippines, however, does not imply a paradigm shift from the military approach. In fact, the 5th Policy Assessment of the United Nations Development Programme in the Philippines (as cited in Oquist and Evangelista 2006: 28-31) argued that “a major reason for the extreme protraction of the Philippine peace processes is the existence of three competing policy positions in Philippine society: the ‘Pacification Position’, the ‘Military Victory Position’ and the ‘Institutional Peace-building Position.’” As part of a comprehensive peace strategy, peace processes could be considered within the “institutional position” that requires “the adoption and implementation of the policies necessary to achieve sustainable, long-term peace, as well as the articulation of institutions to implement and consolidate those policies” (Oquist and Evangelista 2006: 29). After the Marcos regime, it was only during the presidency of former general Fidel Ramos that there was a relatively consistent policy for peace, in a coherent framework that came from broad based consultations. Major agreements were forged with the communist and Moro movements, including the Final Peace Agreement forged with the MNLF. Other presidents—Corazon Aquino, Joseph Estrada (1998-2001) and Gloria Macapagal Arroyo (2001-present)—have been less consistent in prioritizing peace negotiations as the key element in government strategy. During the terms of these presidents, negotiations with rebel groups could be considered part of the pacification position, which Oquist and Evangelista described (2006:28) as aiming for “the cessation of hostilities and the demobilization of insurgent forces while making as few concessions as possible”. Under the Arroyo administration, two episodes of major military offensives derailed peace negotiations. While ostensibly beginning as military counteroffensives against “rogue” elements of the MILF, major operations in 2003 and 2008 overstepped their initial objectives and resulted in massive displacement of communities and suspension of the peace process. It took about three years before peace talks could resume after the so-called Buliok offensives in February

2003 , and, as mentioned at the beginning of this paper, the fighting since August 2008 have rendered the resumption and agenda of negotiations uncertain.

Peace talks with the MILF began in 1997, and has since resulted in three major agreements: the Tripoli Agreement of 2001, the Implementing Guidelines on the Security Aspect of 2001, and the Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspect of 2002. The failed agreement on Ancestral Domain represented the final stage of the peace process, and had been expected to lead to a formalized settlement. Since the collapse of negotiations in 2008, government has declared that that its new approach to “Disarmament, Demobilization and Reintegration (DDR)”, which in this case is to be implemented without a formal settlement of the armed conflict—contrary to established practice in peace processes.

The fairly large number of documents on different aspects and stages of the peace process with Moro rebels has not resulted in a decisive conclusion to the insurgency, or even an effective and sustained ceasefire—proof of the inconsistency by which different administrations have prioritized peace processes over a military strategy.

In Thailand, the state has more consistently and predominantly utilized the military approach to address the Patani conflict. It was only during the term of Prime Minister Prem Tinsulanond (1981-1988) that economic and political approaches were added. This strategy called “*Tai Rom Yen*” (literally, “South in the cool shade”), also addressed the communist insurgency which also operated in the southern border provinces. Politically, the policy set up more participatory administrative structures, through the Southern Border Provinces Administrative Committee (SBPAC) and the Civilian-Police-Military Task Force 43 (CPM 43), which improved intelligence gathering and coordination and provided a redress mechanism for complaints among the locals (Human Rights Watch 2007:16). It also aimed at integrating the local economy to the rest of Thailand, and offered amnesty programs for rebels. Coronel Ferrer (2001: 9) describes the impact of the program: “These measures and subsequent economic progress—coupled with political liberalization and greater cultural tolerance—created the context of demobilization even without any significant rearrangement of administrative and constitutional structure pertaining to local governance.” The insurgency was generally thought to have been over by the 1990s.

However, violent incidents have been increasing since 2001, as Croissant (2005) cites that official reports said there were 50 violent incidents in 2001, 75 reported in 2002 and 119 in 2003. The 4 January 2004 incident marked a significant turning point of a new phase of the

insurgency. Earlier analyses (see for example: McCargo 2007 and Ukrist 2007) linked the resurgence of the insurgency in Thailand to the heavy-handed response and policy missteps of former prime minister Thaksin Shinawatra, including the imposition of Martial Law and later the Emergency Decree, the failure to investigate and punish abuses by security forces, and the dismantling of the SBPAC and CPM 43. Thaksin's actions were linked to his personal "CEO-style" of leadership which demanded immediate results to emerging issues, as well as his goals to dismantle institutions controlled by his political enemies who are well entrenched in the South.

After Thaksin was ousted in a military coup in September 2006, his successor, former General Surayud Chulanond, appeared to change government's approach to the southern violence. As prime minister, one of the earliest actions of Surayud was his unprecedented apology for military abuses in the Deep South, particularly for the incident at Tak Bai⁴ district of Narathiwat province in October 2004.

However, beyond this pronouncement, the Thai government appears to have done little to change its overall securitized approach to the insurgency, as the level of violence has been sustained despite several changes in government leadership, who rarely articulated a change in policy.

The one thing that has not changed since 2004 is the predominance of the military approach to the insurgency which is reflected in the continued enforcement of the Emergency Decree and the present deployment of some 60,000 soldiers in four southern provinces—Pattani, Yala, Narathiwat, and four districts in Songkhla—since June 2007. Srisomphob (2009) writes that this large-scale operation seems "relatively successful" as "violent incidents have dropped from 200 per month to just slightly more than 100 per month." However, it is highly doubtful whether this trend can be sustained by the present military strategy consisting of cordon-and-search operations, surrender, development and the arming of civilians. A recent upsurge in insurgent attacks coincided with a court decision absolving responsible military authorities of any culpability regarding their actions during the Tak Bai incident in 2004.

⁴ On 25 October 2004, a demonstration of about three thousand people at Tak Bai district in Natrathiwat province was held to demand government to grant bail to six jailed militiamen. Authorities used force to disperse the crowd, killing six demonstrators. About 1,300 were subsequently arrested and taken to a military camp which was normally a two-hour drive away. The arrested were piled on top of each other during transport, resulting in the death of 79 persons from suffocation (National Reconciliation Commission 2006: 47). The incident drew widespread international condemnation, especially from the Muslim community.

Use of Paramilitaries

A key element in the military approach for both countries is the mobilization of civilian paramilitary forces to augment its military capability and presence in the field. As countries with long running conflicts, the use of paramilitary forces is not new and has been an integral counterinsurgency component in both countries. Significant numbers of paramilitary and volunteer units are maintained in conflict areas in Mindanao and the three southern border provinces of Thailand.

Amnesty International reported in 2008 (p. 36) that the Philippine National Police has distributed 1,000 firearms to police auxiliaries in Mindanao in the wake of MILF attacks in August 2008. An additional 12,000 shotguns were to be distributed to augment “internal security operations for the suppression of the insurgency.” Police auxiliaries, civilian volunteer organisations and the 60,000-strong Civilian Armed Forces Geographical Unit (CAFGU) are among the government sanctioned paramilitary groups tapped as “force multipliers” in counterinsurgency.

A report (Sarosi and Janira 2009) of Nonviolence International Southeast Asia describes different groups of paramilitaries—including 9,000 rangers (*Thaharn Pran*), 3,299 Volunteers Defense Corps (*Or Sor*), the Development and 10,000 Self-Defense Volunteers (*Chor Ror Bor*), and 24,763 Village Protection Volunteers (*Or Ror Bor*)—are deployed and recruited in the southernmost provinces to mainly assist regular soldiers. In addition, civilian-initiated militias are being organised. Generally, all members of these forces have access to firearms, except for the Malay Muslim members because of the mistrust of the Thai state. The report concludes that the Thai government’s increasing reliance on paramilitaries in southern Thailand essentially “sub-contracts” its security responsibilities.

It is widely accepted from experience that the use of paramilitaries and civilian militias only serve to worsen the conflict. In employing paramilitaries, the military transfers its official responsibilities of securing communities to inadequately trained and semi-autonomous civilian groups, who have been documented to abuse their possession of weapons. Furthermore, paramilitary recruitment and organizing militias have in practice also discriminated against members of minority communities, even if they face similar threats to their lives like all communities living in conflict zones. As part of official policy, this can only serve to intensify ethnic polarization, deepen the conflict through discrimination, and increasing the potential for inter-ethnic violence.

The predominance of the military approach in these two conflicts has been counter-productive. Particularly it has made ethnic minorities feel more alienated from the existing state. That state armies are considered as “occupation forces” by the local population should not be taken lightly, not so much as a sign of allegiance to the armed rebel forces, but rather as an unmistakable warning that people no longer identify with the government.

On the other hand, a military approach has also dominated the strategies employed by movements among the minorities. This has led to the elimination of spaces for discussion of the aspirations and complaints of the people, and to inhibiting the development of civil society in these conflict areas. Although history and evolution of the conflict may suggest that peaceful methods have been used, the predominance of armed groups as the main, often only, voice of minority sentiment and aspirations has resulted in the stunted development of civil society as an alternative center of discourse. Even in Mindanao, the Bangsamoro civil society is relatively young as compared with groups in the rest of the country. These have emerged only towards the turn of the century, but have nevertheless provided an important outlet in expressing Bangsamoro sentiment and opinion.

IV. Role of External Actors

By comparison, international actors have played a bigger role with respect to the conflict—both in the conflict dynamics and in the pursuit of peace—in the Philippines than in Thailand. Aside from the roles of former colonial powers in determining the scope of the borders of these two states, external actors have evolved from being supporters of separatist groups, to being critics of state approaches in containing insurgencies, and to facilitating peace processes.

Thailand

In Thailand, the main external actor associated with the conflict has been its neighbour Malaysia. But because of the historical role and affinity of Malaysia to the Patani Malays, the country’s involvement seems to be tenuous and unsustainable. It must be remembered that a territory of 15,000 square miles once part of the domain of the Patani sultanate was ceded to Britain in 1909. Furthermore, the last sultan of Patani Tengku Abdul Kadir Kamaradin and his sons, particularly Tengku Mahmud Mahiyuddin, operated from these Malaysian states in their campaign to regain or re-establish their sovereignty over the areas annexed by Thailand.

There have also been two major incidents of Malay Muslims fleeing across the border to Malaysia in 1981 and 2005, that caused strained relations between the two countries.

Imtiyaz (2007:22) argues that “Thailand is always suspicious about Malaysian aid and support for the southern Thai separatist,” even while Malaysia itself has been careful about “Islamic recognition” of the matter due to the sensitivity towards the principle of territorial integrity. Carment (2004: 214) posits that Malaysia has been reluctant to aid both Thailand and the rebels due to “mutual vulnerability” which “enhanced the relative attractiveness of military and political cooperation.”

Be that as it may, former Prime Minister Mahatir Mohamad was reported to have offered to broker peace talks between the Thai government and exiled leaders of insurgent groups. A similar attempt to facilitate dialogue between government and insurgent groups was held in Indonesia, attended by no less than the Indonesian Vice President Jusuf Kalla. Both talks did not prosper because none of the participating insurgent leaders, who belonged to the older insurgent groups, could guarantee control over the situation on the ground.

Another external actor that figured into the Malay Muslim conflict in southern Thailand is of course the Organisation of Islamic Conference (OIC), the international association of Muslim states. An OIC fact-finding mission visited Thailand in June 2005 (Melvin 2007: 6), in the aftermath of the Tak Bai incident and an earlier one at the Krue Se (also spelled *Kerisek*, in Romanized Malay) mosque which killed 108 persons, including 32 militants inside the historic mosque in Pattani. A few months later however, OIC issued a press release on 18 October 2005 expressing concern over the continuing conflict and criticising the approach of the Thai government of the conflict. Then prime minister Thaksin and his foreign minister harshly rebuffed OIC’s criticism.

Finally, the United Nations human rights mechanisms issued at least two statements regarding the conflict on the south. The Human Rights Committee, in its consideration of Thailand’s first report on its implementation of the International Covenant for Civil and Political Rights, raised concerns about the actions of security forces and the culture of impunity prevailing in the south, and also demanded impartial investigations of the incidents at Krue Se and Tak Bai. In 2006, Philip Alston, Special Rapporteur on extrajudicial, summary or arbitrary executions of the United Nations Human Rights Council, called on Thailand to repeal the Emergency Decree or its parts that violate human rights law.

Thailand has tried to downplay the role of external actors, particularly the intergovernmental organizations, arguing that the unrest is an internal matter. However, despite this position, the government seems to recognize the potential of external facilitation because of the religious affinity of the Patani Malay to the Malaysia and Indonesia as Muslim states, and to the OIC, in which Thailand has observer status. The main hindrance to any progress has been the absence of participation or even any response from the BRN-Coordinate, the insurgent group believed responsible for the current wave of violence.

Philippines

By contrast the role of international actors has generally been more positive in contributing to conflict management of the modern Moro rebellions in the Philippines. The **OIC** and its member states, Libya, Indonesia and Malaysia, facilitated the forging of peace agreements with the MNLF and MILF, and played a vital role in the reduction of the levels of violence in the southern Philippines.

The OIC's involvement began at the height of the war between the MNLF and the Philippine government, after concern was raised by Malaysia the impact on the conflict on the Muslim communities in Mindanao. As a movement representing an Islamic people, the MNLF was supported by OIC members, most notably Libya and Malaysia, which provided safe havens to exiled leaders, refugees, as well as arms supplies. MNLF also had training camps at Sabah province in Malaysia.

Three OIC fact-finding missions were dispatched between 1972 and 1974, whose participants included no less than the foreign ministers of Libya, Senegal, Somalia and Saudi Arabia (Lingga 2005: 36). Eventually OIC played the role of a mediator between the Philippine government and the MNLF, culminating in the signing of the Tripoli Agreement of 1976, which outlined the general provisions for autonomy in 13 provinces in the southern Philippines.

In this process, it was Libya that acted in behalf of the OIC, in its role as the head (from 1972-1993) of the Quadripartite Ministerial Committee in charge of this issue. It acted as the main sponsor of the Tripoli Agreement, which became the main reference for further negotiations between the two parties. It should be mentioned that Libya was also the main supporter of the MNLF within OIC (Santos 2001: 64-65). While former president Marcos initially responded to the conflict by launching full-scale military operations, the intensity of

fighting which showed no signs of decreasing led him to respond to proposals for peace talks. Also, the oil crisis of the 1970s became a factor in this decision as the main suppliers of petroleum were OIC members, and the government wanted to avert the threat of an embargo because of the conflict.

The OIC also urged its members in southeast Asia, Indonesia and Malaysia, to “exert their good offices to help find solution within the framework of the Association of Southeast Asian Nations (ASEAN)”. A summit between presidents Marcos and Suharto of Indonesia, another ASEAN member, also tackled the problem in Mindanao.

Santos describes the role of the OIC as not only a mediator but also a “quasi-party”, as the formal organizational representation of the *ummah*, or the Muslim world community (2001: 55, 64). He explains this description in framing the conflict as between Muslims in the Philippines and the Philippine government (p.58), thus the OIC could be seen as also representing Filipino Muslims. The OIC also granted legitimacy to the MNLF in granting the latter an observer status in 1977, as the “sole and legitimate representative of the Muslims in the Southern Philippines” (p.59)

Santos (2001: 71-75) describes OIC’s framework and processes in the dispute in the following: a framework for “peaceful settlement means”, as prescribed in the OIC Charter; “enquiry” into the problem through fact-finding-type reports and the seeking of “good offices” of the Philippines; stepping up to a “mediation” role resulting in the 1976 Tripoli agreement; the use of “sanctions” by members Iran and Saudi Arabia by threatening to withhold petroleum shipments to pressure the Philippines; and finally the use of “consultation and regional arrangements” for providing assistance, both to Muslim refugees, and in utilizing the framework of ASEAN.

Indonesia’s role formally began in 1992 with its entry into the OIC ministerial committee which oversaw the Muslim issue in southern Philippines. The original membership was expanded from four to six based on the proposal from member Saudi Arabia to add two⁵ Asian states to this committee. With this change, Indonesia also assumed the chairmanship of the Committee of Six in 1993. (Santos 2001: 66).

Indonesian involvement, in its role as host-facilitator, culminated in the signing of the Final Peace Agreement in Jakarta in 1996, which officially ended the conflict between the MNLF and the Philippine government.

⁵ The other member to be added to the committee was Bangladesh.

By the time that the peace process with the MILF began, it was **Malaysia** that played a key role as an external actor, playing the role of third-party facilitator which began in March 2001. Before this, the talks between the Philippine government and the MILF were held without a facilitator (Santos 2005: 54). According to Lingga (2005: 41), President Gloria Macapagal-Arroyo “sought the assistance of Malaysian Prime Minister Mahatir Mohammad and Indonesian President Abdul Rahman Wahid to convince the MILF to go back to the negotiating table.” A series of trips of Malaysian emissaries to MILF leaders eventually resulted in the resumption of the talks.

The official description of Malaysia’s role is as “third-party facilitator”, which means helping to bridge differences through shuttle negotiations, and being witness to important commitments and understandings between the two parties. Despite this description, Santos (2005: 58) argues that Malaysia’s role is “moving towards mediation”. He adds (p. 59-60) that Malaysia also “promoted a certain direction” to the talks by making it clear that the process would have to be conducted based on the principle of “no independence” and respect for the territorial integrity of the Philippines.

Malaysia has officially been facilitator for some eight years now, through different phases of the peace talks between the Philippine government and the MILF. Among the highlights of taking on this role are the achievement of key interim agreements that moved the peace process through its first two substantive phases. All these have been sealed during the first three years of Malaysian facilitation. Since then, the talks have progressed more slowly partly because of the intermittent fighting that occasionally erupted for various reasons between the two forces, and partly because the process has been tackling the most contentious substantive aspect of ancestral domain, which will define the boundaries of the Bangsamoro homeland, as well as the mechanism that will govern it. As mentioned at the beginning of this paper, the talks have stalled just before an agreement on this matter could be signed in July 2008. Despite the continuing armed confrontations, the peace process is not yet a total loss, as the talks and the ceasefire are still formally in place. Military confrontations are officially limited only to specific MILF units.

One key aspect of the GRP-MILF peace process that involves external actors is the fielding of an **International Monitoring Team** (IMT), a multinational contingent composed of unarmed military peacekeepers which “plays a critical role in supporting the GRP-MILF peace negotiations and in continuing the momentum for the resolution of the conflict in Mindanao” (Abubakar 2005: 91). The IMT was first deployed on 10 October 2004, with a

60-person contingent mostly from Malaysia but including four from Libya and 10 from Brunei. Since then four batches of peacekeepers have been deployed in different areas in Mindanao.

The main role of the IMT, which reports to the GRP and the MILF, is to observe and monitor the cessation of hostilities, as well as the implementation of the GRP-MILF agreements on rehabilitation and development. It supports other ceasefire mechanisms such as the Coordinating Committee for the Cessation of Hostilities, a joint GRP-MILF body to implement and monitor the ceasefire, as well as investigate and resolve violations on the ground. Members are mostly military officers, but carry no firearms.

The IMT was formed as a result of the GRP-MILF peace process and thus the continuation of its mandate has to be agreed upon by both parties. Because the process has been stalled since July 2008, the last batch of IMT peacekeepers ended its mission on November 2008 because only the Philippine government has requested for an extension of their mandate, while the MILF has kept silent about this issue.

External actors have played a role both in supporting separatist claims and later positively towards promoting peace processes. Their positive contribution is in the enforcement of international norms favouring peaceful settlement of conflicts. This should be a lesson for Thailand which has thus far resisted any form of external offer to help solve or even look into the situation. For the Philippines, the gains made in the pursuit of the peace processes should be enough reason for a decisive shift towards a peace strategy.

ASEAN's "Role"

At this point, a short note is necessary on the "role" of ASEAN in the Mindanao peace process. There had been no existing mechanism within the regional grouping or was the issue ever in the agenda of ASEAN. One reason for this is that since it was still an informal⁶ organization at that time, and that sensitive political decisions were held among members, outside the organizational context. Antolik (as quoted by Santos 2001: 75) describes crucial elements in the "ASEAN way" as "diplomacy of accommodation" and "rules of silence and official non-interference".

⁶ The ASEAN Charter was only ratified in 15 December 2008, more than 40 years after its founding in 1967.

Still this connection played a vital role in protecting Philippine interests and position within the OIC process.

Prior to its direct role as facilitator, Indonesia, along with fellow ASEAN member Malaysia, pushed for a peace talks framework of national sovereignty and territorial integrity for the Philippines. Here the ASEAN factor played a role in supporting the Philippine position in negotiating with the MNLF. Santos (2001: 65-66) narrates that both countries were “anxious to prevent interference” in Southeast Asia, and ASEAN was of “higher value” to Indonesia and Malaysia, than OIC or “Islamic solidarity.” Indonesia also reportedly avoided using the term “Bangsamoro people” because, quoting Indonesian Ambassador Wiryono⁷, “We don’t want to be seen as supporting the right to secede.” Indonesia also faced multiple separatist threats, including East Timor which obtained its independence in 1999.

ASEAN’s contribution needs to be re-examined to promote its role in addressing local minority conflicts. Before this can happen, ASEAN needs to move away from the present political mode of operating determined primarily by cooperation among state leaders, towards strengthening of regional human rights norms and dispute settlement mechanisms to protect and fulfil minority rights—from migrant communities, to indigenous peoples and to ethnic nationalities such as the Moro and Patani Malay.

Within the ASEAN context, Philippines and Thailand’s reputation as the most democratic states in the region is rendered problematic by its handling of these minority peoples and issues. Minorities lack space in national identity and seem to have been left behind in national economic development. They are relatively poorer than the rest of the country, and distinct ethnic identity exacerbates this perception and feeds into feelings of discontent, and even the perceptions of exploitation by the state. Minorities also lack space or power to discuss their aspirations openly, without inviting violent responses from the state. Although individual minority rights are mentioned in the constitution, more effective mechanisms for the realization of group rights must be developed.

Conclusion

In this relatively short space, comparative salient aspects of both conflicts have been presented to give an overview of their development. Since this paper is being discussed from an international context, generally, it should be reemphasised that although largely following

⁷ Wiryono was the chief representative of Indonesia during the GRP MNLF peace talks..

parallel stages, the ethnic conflicts in southern Philippines and southern Thailand have their own distinct dynamics and are independent from each other. If ever there is any use for comparison, it should be only in pointing out lessons learned in the conduct of conflict management—whether in waging counterinsurgency warfare or in the complexities of peace building.

There must be a re-examination of the role of external actors in addressing the conflicts in the region. This is especially significant in the context of the formalization of ASEAN as regional organization, and its broadening role in the areas of security and economics in the region and beyond. Other countries in southeast Asia also have similar ethnic conflicts, although there are of different intensities and minorities have different demands. Because of this a regional understanding and approach to minority conflicts must be evolved, based on international norms and regional realities. Learning from the experience of other regions shall be a required input in this process.

In closing, this paper is written in the wake of a major marker in the international arena in the management of ethnic minority conflicts: the Sri Lankan government has decisively defeated the separatist Liberation Tigers of Tamil Eelam in an approach can only be described as a total military victory. This strategy is also relentlessly being pursued by in by Israel in the context of the Palestinian question the Israel-Palestinian conflict. The message seems to be that the elimination of the separatist organization is a prerequisite for government to initiate steps for lasting peace. Hopefully, Filipino and Thai policy makers on the conflict do not take these approaches as a signal to do the same for the costs, not only in terms of casualties, are tremendous. The space for international mechanisms are under threat, since Sri Lanka and Israel have disregarded calls to put in place international safeguards that protect human rights of civilians in conflict such as independent monitoring and media reporting on the conflict, humanitarian access to the displaced, and respect for humanitarian law protecting civilians and civilian infrastructure from becoming objects of war. This statement is not meant to suggest that their primary opponents have been less culpable for similar acts. They are—but this does not justify similar transgressions from state forces.

Annex: Overview of Key Insurgent Groups

In the southern Philippines, the main insurgent group at present is the MILF, which was established in 1984 after its leader, then-MNLF vice chair Salamat Hashim, broke ranks after the 1976 Tripoli Agreement between the Marcos regime and the MNLF. Since then, the MILF pursued the claim for Moro independence, but only for areas where Muslims remain the majority: in Tawi-Tawi, Sulu, Basilan, Lanao del Sur and Maguindanao, the cities of Marawi, Cotabato and Isabela. (Lingga 2004: 8). The main ideological difference between the two groups is that the MILF is pushing for an Islamic state in an independent Bangsamoro state, while the MNLF's original platform is for the establishment of a secular state. Coronel Ferrer (2005: 4) cites Philippine military estimates that the size of the Bangsamoro Islamic Armed Forces (BIAF--the MILF's military force) at between 5,000 to 15,200. The present chair of the MILF is Al Haj Murad who took over when Hashim died in 2003.

Meanwhile, the MNLF, which officially ended its armed struggle after the signing of the 1996 Final Peace Agreement, remains a formidable force despite undergoing several splits since its founding in 1971. Before Hashim in 1984, the MNLF-Reformist group broke ranks to cooperate with the Marcos Regime. More recently in 2001, founding chairman Nur Misuari was removed as its head and appointed him as ""chairman emeritus,"—a move that Misuari rejected. The MNLF's official leadership, i.e. government-recognised, known as the "Council of 15" took over the reins of government of the Autonomous Region for Muslim Mindanao since 2001. In 2003, a meeting of "united MNLF" in Tripoli Libya, was attended by the four factions of the MNLF, including the Misuari faction and the Council of 15, among others. (Coronel-Ferrer 2005: 4-5)

There have also been attempts to unite the MNLF and the MILF. In May 2002, leaders from both groups signed a unity agreement, which agreed that the Moro people will be represented in the Organization of Islamic Conference (OIC) by the Bangsamoro Solidarity Conference. Prior to this, it was the MNLF which has an observer status in the OIC since the mid-1970s.

Aside from these two main groups, the *al-Harakat al-Islamiyya* or Mujahideen Commando Fighters is one of the more popularly known armed separatist groups. More popularly known as the "Abu Sayyaf," the group was founded in the 1990s by Abdulrajak Abubakar Janjalani and Wahab Akbar from disgruntled members of the MNLF who wanted to continue the armed struggle. The group gained notoriety through a series of spectacular kidnappings, bombings and beheadings both within their strongholds around the Sulu archipelago and

outside in Davao, Palawan and Manila. The Philippine government considers Abu Sayyaf as a “terrorist” and “bandit” group, and has thus adopted a policy of “no negotiation” with this group. The group was most recently in the news for the kidnapping of three workers of the International Committee of the Red Cross in Sulu.

In southern Thailand, the ethnic separatist movement spurred the formation of a number of groups seeking separation of the Patani region from Thailand and/or the reunification with the other former territories of the sultanate in British Malaya. The following is a list of some of the more important groups formed:

- Greater Patani Malayu Association (*Gabungam Melayu Pattani Raya*, GAMPAR) was formed in 1948 to incorporate Thailand’s Muslim provinces into British Malaya.
- Patani National Liberation Front (*Barisan Nasional Pembebasan Patani*, BNPP) was formed in in 1959 as the first organized armed ethnic Malay Muslim resistance group and aimed to establish an independent Islamic Patani state.
- National Revolution Front (*Barisan Revolusi Nasional*, BRN) was formed in 1963, based on principles of nationalism, socialism and Islam.
- Patani United Liberation Organization (PULO, *Bertubuhan Pembebasan Patani Bersatu*) was formed in 1968. This was the most effective insurgent group during the 1970s.
- United Front for the Independence of Pattani (*Barisan Kemerdekan Patani*, or *Bersatu*), was established 1989, by leaders as an umbrella organization of different groups, including BRN-Coordinate, Pulo, BNPP and the Gerakan Mujahideen Patani, a group established in 1985.

Human Rights Watch (2007) and the International Crisis Group (2005) reported that Thai intelligence community believes that the primary group responsible for the current wave of insurgency is the *Barisan Revolusi Nasional* - Coordinate faction (BRN-Coordinate), a splinter group of the original BRN established in 1963. The Thai intelligence community estimates that by February 2005 to have “infiltrated and established control of 875 out of the total 1,574 villages in the southern border provinces” (Human Rights Watch 2007: 26).

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