



CASE STUDY

# Peacebuilding and Transitional Justice in Thailand



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Stone and Flower Activity led by Pornpen Khongkachonkiet in Ubon Ratchathani 25 July 2022.

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# ABOUT US

**Asia Justice and Rights (AJAR)** is a regional human rights organisation that works to increase the capacity of local and national actors, in particular victims, victims' groups and local civil society organisations (CSOs) in the fight against entrenched impunity. This work focuses on conflict transformation, human rights documentation, education and the development of strong south-south connections across the Asia-Pacific region.

**Cross Cultural Foundation (CrCF)** is a human rights organisation established to work on transitional justice and the monitoring and promotion of human rights in Thailand. CrCF works directly with political activists, human rights defenders and marginalised communities advocating for accountability in cases of violent extremism, torture, and enforced disappearances. This includes providing legal assistance, documenting atrocities, conducting research and building capacity in Thailand, in particular in the conflict areas of the Southern Border Provinces or the 'Deep South'.

**Duayjai Group** is a local women-led organisation in Southern Thailand that has been documenting human rights violations and providing rehabilitation for victims of torture. It is also engaging in the ongoing Southern Border Province (SBPs) peace process, including through the development of research on gender and reparations.

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# Chapter I: Background to The Conflict

In Thailand, conflict is deeply rooted in historical political divisions between the pro-democracy movement, conservative monarchists, and the military. Conflicts, authoritarian regimes, and coups have been common since the 1932 revolution replaced an absolute monarchy with a constitutional one. Thailand has experienced 13 successful coups, a number of attempted ones, and many constitutional changes.

Political uprisings calling for democracy and an end to inequality have often been met with violent crackdowns by state security forces, as on 14 October 1973, 6 October 1976, and May 1992, as well as the pro-democracy Red Shirt (UDD) and nationalist (PAD and PDRC) street protests from 2005 to 2014. In response to mass political mobilisations in 2010, security forces fired live ammunition and arbitrarily arrested demonstrators, who were often held in unofficial places and tortured.

In 2014, the military's 13<sup>th</sup> successful coup overthrew the elected government of Yingluck Shinawatra, on a pretext of defending constitutional monarchy and national security. The military suspended the constitution, imposed Martial Law, and censored the media. It arrested more than a hundred pro-democracy activists, students, scholars and others who publicly opposed the junta's actions. In 2017, the junta drafted a constitution that increased the power of the military and the monarchy, paving the way for General Prayuth Chan-o-cha to hijack the 2019 elections. Pro-democracy activists and students took to the streets to demand reforms and an end to the cycle of conflict, coup, failed reform, military interference and repression.

The youth movement evolved after February 2020, when the Constitutional Court dissolved the Future Forward Party, Thailand's most progressive and youth-oriented party. The movement questioned the relationship between the monarchy, the military, coup leaders, the judiciary, and other institutions. It ignited public debate on the lèse majesté law and on the coexistence of monarchy and democracy. Under the slogan "let's finish it in our generation" the youth movement had three main demands: the resignation of General Prayuth, a more democratic constitution, and, for the first time, reform of the monarchy.

The government dismissed these demands and carried out arbitrary arrests, detentions, and prosecutions. It imposed the Emergency Decree on Public Administration in Emergency Situations, which restricts gatherings, imposes curfews, and suppresses protests. The Computer Crimes Act was used to identify activists, enforce censorship, and restrict freedom of expression. Arrests and prosecutions of activists, scholars, and netizens under Thailand's lèse-majesté (article 112) and sedition

(article 116) laws increased. As of May 2023, at least 1,914 people had been arrested on criminal charges for protesting. Of these, at least 250 were charged with lèse-majesté and 130 with sedition.<sup>1</sup>

Alongside this political instability, Thailand's Southern Border Provinces (SBPs) of Pattani, Yala, Narathiwat, and parts of Songkhla, also known as the “Deep South” have been wracked by violence and conflict for decades. The conflict is rooted in a complex combination of historical, ethnic, religious, socio-economic, and political factors, including tensions between a mainly Buddhist Thai nation-state and a minority Malay-Muslim population over economic inequality, access to resources, and identity.

The southern provinces were part of the Malay-Muslim sultanate of Pattani until it was annexed by Siam in the early 20<sup>th</sup> century. Ethnic Thai officials replaced Malay-Muslim local rulers, alongside assimilation policies aimed at strengthening ethnic Thai culture, language and religion in the region. Malay-Muslim communities have long demanded greater autonomy and recognition of their cultural and religious rights.

Tensions escalated following a series of violent events between 2004 and 2006, including the Narathiwat armoury raid, the Krue Se Mosque incident, and the Tak Bai massacre. The government responded to increased militancy by imposing special laws granting security forces increased power, including Martial Law, the Emergency Decree, and the Internal Security Act. Ostensibly aimed to counter insurgency, these laws have instead acted as a veil, concealing widespread human rights violations and entrenching impunity.

These laws encouraged the abuse of power and systematic human rights violations through arbitrary arrests, detention, torture, extrajudicial killings, and enforced disappearance, with the majority of victims from the Malay-Muslim community. Conflict between the Thai military and insurgent groups has resulted in many deaths, mostly of civilians. The Center for Conflict Studies and Cultural Diversity identified, at least 22,296 violent incidents, 7,547 deaths and 14,028 injuries from January 2004 to December 2023.<sup>2</sup>

Since 2004, there have been multiple attempts at peace talks in the Deep South. Most recently, talks began in November 2023 between the Thai government and Barisan Revolusi Nasional (BRN). While it is still too early to assess the outcome, civil society remains hopeful it will go further than previous efforts in addressing the root causes of the conflict.

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1 Thai Lawyers for Human Rights, accessed 1 May 2023, <<https://tlhr2014.com/archives/56520>>.

2 Centre for Conflict Studies and Cultural Diversity, Institute for Peace Studies, “Summary of Incidents in Thailand,” at <https://cscd.psu.ac.th/en>.

# Chapter II: Thailand's Transitional Justice And Peace Process

Official efforts to address past violations and promote peace have produced useful recommendations within the limitations of their mandate. However, the government has not implemented them effectively. Civil society efforts have tried to fill gaps in their work, but face their own limitations in scope and authority.

## *National Reconciliation Commission*

In the southern provinces, the National Reconciliation Commission (NRC) formed in 2005 in response to the escalating violence and conflict following the Narathiwat raid, and the Krue-se and Tak Bai incidents. The body produced a report covering religious, cultural, and socio-economic root causes of conflict, as well as governance and application of laws.

Key recommendations included adopting Pattani Malay as a working language, improving the Islamic law system, creating the Peaceful Strategic Operation Center for the Southern Border Provinces (re-establishing the positive features of a previous body, the Southern Border Provinces Administrative Centre, or SBPAC), promoting diversity in education, and reform of land and resource management system. The report called for improving the justice process and addressing discrimination in the judicial and restoration process. The NRC also established a fund for reconciliation, healing, and promoting dialogue with militant groups.

In August 2012, Yingluck Shinawatra's government created a 30 million baht fund for victims of violence, including survivors of the Krue Se and Tak Bai incidents, as well as victims of wrongful arrest, detention, and enforced disappearance. The SBPAC has also supported livelihoods through small grants and other measures. However, many focus group participants felt these efforts were not enough. For example, the government provides scholarships for children whose parents died in violent incidents, but orphans of those suspected of taking part in the violence do not receive any redress or reparation. This work is left to NGOs, who also have trouble accessing the children in need.

Some NRC members urged the government to dismiss prosecutions against 58 protestors from the Tak Bai demonstration and to cease enforcement of security laws, including Martial Law and the Emergency Decree. In November 2006, the prosecutions were dismissed, although the government insists on continued enforcement of the security laws.

The NRC has been criticised as a political move to deflect blame for mishandling the conflict. Recommendations for reforms and initiatives to address religious, cultural, political tensions, as well

as governance and human rights abuses, have been largely ignored by government, which has increased deployment of security forces and intensified the enforcement of security law in the south.

## ***Truth and Reconciliation Commission***

Thailand's second formal transitional justice process began in 2010. The Truth for Reconciliation Commission of Thailand (TRCT) was created to establish the truth regarding the unrest and violence during the crackdown on the Red Shirt protests in April-May 2010, which led to over 90 deaths and 2,000 injuries. The commission was also to determine the root causes of conflict, and recommend ways to build reconciliation. Many victims and opposition figures distrusted the TRCT due to its administration by the Prime Minister's office.<sup>3</sup>

In September 2012 the commission's final report found protestors, the government, and the military escalated the situation. It confirmed that lethal weapons and live bullets were fired at unarmed protestors, concluding that the military used excessive force. Recommendations included: urgently bring perpetrators from all sides to justice, restoration and rehabilitation for victims, and a review of the lèse-majesté law, Article 112 of the criminal code, and other obstacles to national reconciliation.<sup>4</sup> It also called for the army to refrain from staging coups and interfering in politics. The recommendations suggested legal, judicial and institutional reform to protect human rights, strengthen governance, and promote democracy. However, without subpoena power, it was incredibly difficult for the TRCT to collect information.

Between 2011 and 2014, the government followed up by approving 2 billion baht for reparations to victims of political conflicts from 2005 to 2010. However, there were no criminal prosecutions and no apologies from any authority. These shortcomings fuelled mistrust of the commission, with truth-seeking efforts seen as superficial and partial to military perpetrators. There has been no substantive action to implement recommendations on legal and institutional reform, review of the lèse-majesté law, or military reform.

These failures allowed both sides of the conflict to politicise the findings. The redshirts and their supporters rejected the report as biased and unreliable. The pro-military side used the report to legitimise their use of lethal force. There were also complaints that families of soldiers who died received less than victims did through the financial reparation scheme. Despite its findings, the TRCT was unable to provide an adequate platform for public acknowledgement of past abuse, violation, and suffering.

## ***The People's Information Center***

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3 See also Transitional Justice: Thailand Case Study, AJAR and CrCF <https://asia-ajar.org/wp-content/uploads/2020/09/English-Thailand-Case-Study.pdf>

4 Final Report of Truth for Reconciliation Commission of Thailand (TRCT) July 2010-July 2012 <http://lms.nhrc.or.th/ulib/document/Fulltext/F07939.pdf> 281.



The People's Information Center (PIC) was a civil society initiative for peace established in response to the shortcomings of the TRCT. It gathered information and conducted fact finding on the 2010 crackdown of the redshirt protests, from the perspective of victims and survivors.

In August 2012, PIC released *Truth for Justice: A fact-finding report on the April-May 2010 crackdowns in Thailand*, providing an account of the events including the deaths, injuries, arrests, detentions, and prosecution of activists. The PIC raised the lack of trust in the TRCT, criticising the failure to identify those responsible. This report provided a counternarrative to official government accounts, as it focused on statements from witnesses and victims. Furthermore, the report advocated for accountability for civilian authorities and the military. It did not directly investigate deaths and injuries on the military side.

## **Peace Process in the Deep South**

There have been multiple attempts at peace talks following escalation of conflict in the Deep South. The first peace process, initiated by Yingluck Shinawatra's government in 2013, resulted in meaningful dialogue for the first time, leading to an agreement known as the General Consensus Concerning Peace Talks.

However, the 2014 coup interrupted this progress. Under the government of Prayuth Chan-o-cha, two new military negotiators were appointed, until, in November 2023, the government chose the first civilian to lead negotiations. Peace discussions between representatives from the Thai government and Barisan Revolusi Nasional took place on 6 and 7 February 2024 with both parties agreeing on common points in a Joint Comprehensive Plan towards Peace.

However, the negotiation team still consists mostly of senior government and military officials, with limited involvement of impacted communities. However, civil society has been driving efforts to fill the gaps.

## **Chapter III: Current Situation of Peace**

CrCF conducted three Participatory Action Research (PAR) workshops in Ubon Ratchathani, Bangkok, and the Deep South, utilising tools developed by AJAR for conflict and post-conflict contexts.<sup>5</sup> Discussions were based on indicators of peace in six areas: safety and security, ongoing conflict, militarization, inclusion, accountability, and gender. This interactive method empowers local actors and victims to create their own long term and inclusive vision of peace.

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<sup>5</sup> G. Wandita, K. Campbell-Nelson, A. Nuraini, *Mosaic: A manual for rebuilding lives and communities after torture* (AJAR, January 2018), 1-141.

## Chapter IV: Safety and Security

Whether participants felt safe and secure was linked to their lived experiences of violence and engagement with security forces. Many participants described harassment, intimidation, and surveillance by the military or police, which fuelled distrust in authorities. Some activists also experienced physical violence.

*“After joining the car mob, I was charged in two cases under the emergency decree for organising the mob. In October, the police came to my house five times in seven days when [Prime Minister] Prayuth came to Ubon.”* (Male youth activist, Ubon Ratchathani)

In Southern Thailand, the presence of authorities, including at military checkpoints and during visits to residents' homes, has further exacerbated feelings of insecurity among the community.

*“Some days I feel safe, while others I don't. When there is an attack, I feel insecure. When the officials arrive, I feel insecure, even in my own community.”* (Male human rights defender, Deep South)

Harassment and intimidation has made many young activists in the pro-democracy movement feel unsafe. One spoke about being identified, targeted, and intimidated by the police:

*“It is not okay at all. This isn't something we should be used to. I just had a meal, but the officers asked the restaurant who paid for us. We just want to live in peace. It was obvious that they intended to follow me.”* (Male youth activist, Bangkok)

## Chapter V: Old and New Conflict

Political tension leads to recurrent violence, and the prolonged nature of the conflict in Thailand means lasting peace has not been achieved. This failure creates a deep distrust toward the government and especially the military. The lack of accountability for historical human rights violations has deepened this distrust.

*“There were arson attacks in grocery stores and gas stations, followed by another attack two months later. So I am wondering if the government will be able to completely control the situation.”* (Male human rights defender, Deep South)

The application of special laws fuels this distrust. These laws, together with the criminalisation of political activists, are designed to instil fear and suppress dissent, protest, and criticism. In the Deep South, the situation is exacerbated by extensive militarisation and draconian security measures. There is a need for a new approach that moves away from criminalisation and militarisation towards solving the economic and psychosocial problems the conflict creates.

Many participants between 18 and 20 identified the conflict as beginning around the 2006 coup, with the 2010 crackdown and 2014 coup having a great impact on their understanding of conflict and the role of the state. In contrast, older activists who have experienced violence dating back to 1973 often have a broader perception of the root causes of conflict.

Conflict is also linked to national political dynamics, often increasing alongside local or national political tensions like those around the May 2023 general election. An activist from the Deep South reflected on upcoming elections:

*“In terms of structure, [change] would be possible, based on my previous experience working in the field. While the impossible part is about policies, which primarily focus on the development that stems from Thailand’s National Strategy, I am not sure if this strategy will change if the government changes. If nothing changes, the problems will continue. I believe we should begin with officer attitudes before resolving conflict.”* (Male human rights defender, Deep South)

## Chapter VI: Militarization and the Role of the Monarchy

Military juntas have greatly impacted public trust in the military and the executive as impartial. There is also growing scrutiny over the role of the monarchy in politics. Many perceive the monarchy as working hand-in-hand with the military.

Political activists from the PAR workshops in Ubon Ratchathani and Bangkok expressed concerns about the role of the monarchy in politics. Some regard the monarchy as the ultimate institution to be reformed, and others see a complicated power dynamic between the military and monarchy. This distrust extends to a judicial system perceived as reinforcing a culture of militarisation, in particular through judicial harassment of pro-democracy activists. Participants located the root cause of conflict within the police and the courts, who they also identified as perpetrators. One male youth activist in Bangkok did note that some police have been understanding of the pro-democracy movement and willing to compromise:

*“Once I became an activist, the police seemed more eager to track and follow up with my cases, and some of them compromised.”* (Male youth activist, Bangkok)

In Southern Thailand, militarisation is especially pronounced through special laws, checkpoints, and other security measures. The southern provinces have been subject to special laws since 2004, resulting in one of the most militarised areas in Thailand.

In 2023, 2,393 security checkpoints in the region were used to stop Malay-Muslims and subject them to searches, ID checks, and questions, often on an arbitrary and discriminatory basis.<sup>6</sup> As a result, many people do not feel safe going to the police. Comparatively, many Buddhist participants felt safe going to the police and had not faced discriminatory treatment.

Militarisation impacts the younger generation's perception of conflict resolution and the sustainability of peace. Some expressed concern that violence will continue without justice for past violations.

*"Whether or not they will use violence depends on justice from the government. If there is justice, it is possible that the next generation will use non-violence to deal with conflicts. However, this will be impossible as long as the justice system doesn't progress."* (Male human rights defender, Deep South).

A young activist reflected on the same situation in a national context:

*"Violence in the next generation is dependent on our generation's ability to solve problems."* (Male youth activist, Bangkok)

On the other hand, some believe that people with first-hand experiences of violence and its destruction will use nonviolent methods to resolve conflict:

*"I grew up believing that peace is just a utopian dream. Throughout my childhood I was exposed to violence and conflicts, but I was unaware of what truly happened at the time. I was only aware of the violence, but I don't want to use it. I don't want to be trapped in a cycle of violence. When I'm an adult, I hope to use nonviolent methods rather than violent ones."* (Female youth activist, Deep South)

## Chapter VII: Participation and inclusion

Local cultures and contexts shape the understanding and practice of participation. While people in central regions such as Bangkok are eager to voice their opinions and actively engage in public life, those in the southern provinces face significant barriers. These barriers are highest for women and children.

However, inclusion of marginalised groups in peacebuilding processes is improving. Participants described feeling increasingly empowered to voice opinions and concerns. One activist in the Deep South traced this trend to changes in legislation and the emergence of new social and political movements:

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<sup>6</sup> Press Release, The Commander of the 4th Army Region reveals the guidelines for reducing the military force of 3 provinces, Kor. R.R. Region 4 Police, 1 July 2023, accessed 28 June 2024, <<https://www.southpeace.go.th/?p=80810>>.

*“Society and new laws are on their way. There are also more, and more new, movements concerned with participation of different groups.”* (Non-binary youth activist, Bangkok)

Within the political sphere, another activist from the Deep South emphasised the need for representation as crucial to improving access and participation:

*“I believe that making the government more accessible will be beneficial. People will be heard and allowed to express themselves more easily.”* (Male youth activist, Deep South)

Conflict in the Deep South has damaged people’s ability and willingness to participate in public and political life. Militarisation, insecurity, and discrimination all create barriers to public participation, especially for women, who face intersecting forms of discrimination. Repressive laws criminalising those who speak out compound this problem. Due to fear of reprisal, some families prevent or discourage young people from engaging in political matters.

*“When I entered college, I became involved in peace and women’s rights activities, and my family was anxious about this change. I didn’t tell them, because I feared they wouldn’t allow me to join these activities. Later on, they didn’t want me to attend university out of fear that I’d join a movement. They’re also worried my family and I may be harmed.”* (Female human rights defender, Deep South)

Ethnic and religious discrimination against Malay-Muslim communities further inhibits participation. For example, participants explained that when Malay-Muslims pass through checkpoints, government officials often suspect them of being linked to separatist groups, subjecting them to searches and questioning:

*“At a checkpoint they won’t stop a motorbike driven by a Buddhist. Instead, they will stop one driven by a Muslim. If it’s a guy or an adolescent, they will request an inspection.”* (Female human rights defender, Deep South)

## Chapter VIII: Accountability

Accountability is essential to ensuring patterns of violence and injustice are not repeated. However, corruption, cronyism, and lack of judicial independence present significant barriers to fair trials. Many participants reflected that transitional justice efforts through the TRTC and victim reparation programs have failed to hold perpetrators accountable:

*“I was thinking about the Red Shirts crackdown in 2010 when the Truth for Reconciliation Commission of Thailand was formed. It tried to help, but it turned out that it did not help much.”* (Non-binary youth activist, Bangkok).

Many spoke also about the role of truth-telling. They reflected on what they saw as attempts to replace the peoples’ history with a government-controlled narrative that praises the military or monarchy:

*“There is an attempt to erase history in the Thai context, such as changing the name of the bridge, removing the People’s Plaque, replacing it with a new plaque, and relocating monuments.” (Male youth activist, Bangkok)*

In the Deep South, special laws grant authorities overwhelming power with almost no oversight. Violations are often ignored and it is virtually impossible to hold military officials to account. While there have been efforts by CSOs, victims’ groups and local media to uncover the truth behind violent incidents, these initiatives have not led to significant change:

*“A commission will investigate the truth once the incident has occurred. However, it turns out that [they said that] the cause of death was just stopping breathing. We, the society, will probably never know the real reason.” (Male human rights defender, Deep South)*

Participants described a long-standing pattern of impunity for violent incidents in the Deep South, especially those involving arrest, detention, and death in custody:

*“The individuals responsible for the tragedy received promotions and kept their jobs. People no longer trust the legal system, particularly when it comes to violations brought about by the conduct of military personnel.” (Male human rights defender, Deep South)*

One step towards greater accountability and improved processes for the prosecution of guilty parties has been the Act on Prevention and Suppression of Torture and Enforced Disappearance. Enacted in 2022, the law criminalizes torture and enforced disappearance while regulating authorities’ practices to ensure prevention. The Act provides for a reparations program for victims of torture and enforced disappearance and their families, and for the prosecution of perpetrators. However, in order to be effective, enforcement must be supported by an impartial judiciary.

## Chapter IX: Gender Equality

From 2004 to 2021, at least 655 women and children were killed and 2,474 injured in the conflict areas of Southern Thailand.<sup>7</sup> Women face economic and social challenges as well as gender-based violence that includes sexual assault, sexual slavery, forced prostitution, forced marriage, human trafficking, and non-consensual body searches. While women have more opportunities to participate in political and social life, as well as family decision-making, barriers to equal participation in the peacebuilding process remain.

*“I believe [women and men] are treated differently in certain situations. However, power also plays a significant role in this, and it can vary depending on the people involved. Even though women have more power [than before], they can be overlooked by some people because of their gender.” (Female human rights defender, Deep South)*

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<sup>7</sup> Unpublished research paper on gender and reparations, Duayjai Group, CrCF and AJAR, Gender and Reparation in the Southernmost on Thailand, 2021.

Women and LGBTQIA+ people impacted by conflict are at an increased risk of unequal treatment and gender-based violence. Participants discussed experiences of discrimination within their families and society as a whole, describing unequal treatment based on their gender from a young age.

## Chapter X: Peacebuilding Process in the Deep South

Peace Indicator	Key Finding
Safety & security	Fear and intimidation by authorities and the excessive presence of security forces at checkpoints and homes has exacerbated feelings of insecurity.
Old and new conflict	Political tension leads to recurrent violence. The lack of accountability for historical human rights violations has furthered distrust.
Militarization and the role of the monarchy	Militarisation through special laws, checkpoints, and other security measures, in addition to a lack of government action, impacts young people's experience of conflict resolution.
Participation and inclusion	There must be reform of repressive laws in the Deep South and all restrictions on freedom of expression removed to ensure meaningful participation and inclusion of the community.
Accountability	The government has shown little commitment to truth-seeking, holding perpetrators accountable, or acknowledgement of past violations.
Gender equality	Women and gender-diverse people face economic and social barriers, as well as gender-based violence. They are still relegated to the periphery of peace processes that prioritise men and lack community involvement.

## Chapter XI: Resilience of peace

There is a need for comprehensive support programs to address victims' needs and support peacebuilding. These programs should adopt a more holistic approach, emphasising access to justice, education, employment, and physical, mental, and psychosocial health services. One male relative of a victim of enforced disappearance in Ubon Ratchathani reflected on the role of advocacy in developing resilience:

*"I tried to participate in the enforced disappearance activities because I feel that these things should not happen to anyone just because they have different views. I feel that Thai society is brutal, you can be*

*targeted just because of a difference. So, I tried to be involved more and more.”* (Male relative of a victim of enforced disappearance, Ubon Ratchathani)

In the Deep South, religion can contribute to resilience and acceptance, but it doesn't offer a comprehensive long-term solution. It falls short in addressing crucial needs like livelihood security, justice through accountability, and the right to truth. Personal resilience programs are often informally crafted through community and family support systems, self-care practices, and self-reflection.

## Chapter XII: Nurturing peace

Civil society organisations have engaged grassroots movements and victims to ensure their voices are heard and their concerns are addressed. They also document human rights violations and work to prevent escalation of tensions. Some civil society organisations have gone further to assist vulnerable communities, including through psychosocial support and economic assistance. For instance, the Siddhi-Issara Foundation provides a fund for bailing out unjustly detained or imprisoned political activists.

However, structural factors can hamper successful peacebuilding. Violence continues to be perpetrated through institutions and upheld by the law. Special laws in the Southern Provinces are used to justify human rights violations as essential to achieving peace and “catching the bad guys”.

*“The structure still allows violence to happen, such as special laws. It is hard to seek the truth and have accountability because these laws still exist to assist human rights violations.”* (Male human rights defender, Deep South)

The judicial system, police, and military are also part of a deep-rooted structural problem. The judiciary system should be free and fair for everyone, but corruption prevents the system from being free from political influences.

*“These days the verdicts of the courts are not fair at all, or maybe there is some kind of order from above. Now they press charges to silence people. Right to bail is also very important. Even though a case has not reached a verdict, they do not grant bail, which is a fundamental right of an accused to come out and collect evidence to defend their case. Now it is all about imprisonment [before trial].”* (Male political activist, Bangkok)

Another obstacle to peace is a lack of political space. In Thailand, polarisation grows with conflict. The government responds by imposing laws to shrink political space and curtail the right to assembly and freedom of expression. Similarly, the lèse-majesté law makes it illegal for anyone to criticise the monarchy. Participants pointed out that this law is a tool to restrict freedom of expression.

*“When freedom of expression is in danger, it can lead to an increase in violence. People gravitate to more extreme forms of action to make themselves feel heard, and the state always retaliates with force. Then it becomes a never-ending cycle of violence.”* (Male political activist, Bangkok)



# Chapter XIII: Conclusion and Recommendation

1. Increased violence by the military and police fuel distrust in the authorities, making people feel unsafe in their homes and communities.
2. Actions by the military, monarchy, and judiciary impact the younger generation's perception of conflict resolution.
3. Perpetrators of serious human rights violations are seldom held to account, denying victims, survivors, and their families their rights to justice and redress. Without government action to ensure justice for past violations, violence is likely to continue.
4. Equal access to and public participation in politics remain vital to a robust and inclusive peacebuilding process.
5. Women and LGBTQIA+ people face an increased risk of unequal treatment and gender-based violence during conflict. Despite progress, women and gender diverse people continue to face barriers stemming from patriarchal structures that prioritise male participation in social spheres.
6. Survivors' resilience is driven by a sense of responsibility to their families and a belief in the importance of accountability.
7. Reparations and other efforts to rebuild the lives of victims have left many people behind. There is an urgent need for institutional reform. One crucial area is judicial reform to ensure a free and fair judicial process, particularly in political cases. There should also be a focus on the impartiality and separation of the executive, the legislature, and the monarchy.
8. Equally important is the abolition of repressive legislation, in order to ensure compliance with international human rights law and standards.
9. Civil society plays a crucial role in addressing human rights violations and contributing to transitional justice. Engagement of civil society and the public is the key factor for building a fair and inclusive society, fostering a sense of ownership and legitimacy, and promoting transparency and accountability.