

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

**Research Response Number:** THA33278  
**Country:** Thailand  
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Keywords: Thailand – Southern insurgency – Muslims – Internal relocation – Militant separatists – Security forces

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**Questions**

Please contact Human Rights Watch (HRW) with the following questions:

1. Is HRW aware of any instances in which Muslims from the southern provinces of Thailand have successfully relocated to Muslim communities in the north of Thailand as a means of escaping harassment in the south by militant separatists? Is HRW aware of any instances in which persons attempting to relocate to the north in this way have been pursued or tracked down?
2. Is HRW aware of any instances in which Muslims from the southern provinces of Thailand have successfully relocated to Muslim communities in the north of Thailand as a means of escaping harassment in the south by local security forces? Is HRW aware of any instances in which persons attempting to relocate to the north in this way have been pursued or tracked down?
3. Can HRW offer any further comment on relocation to the north as a means of escaping harassment by the south's militant separatists and/or local security forces?

**RESPONSE**

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2. Is HRW aware of any instances in which Muslims from the southern provinces of

**Thailand have successfully relocated to Muslim communities in the north of Thailand as a means of escaping harassment in the south by local security forces? Is HRW aware of any instances in which persons attempting to relocate to the north in this way have been pursued or tracked down?**

**3. Can HRW offer any further comment on relocation to the north as a means of escaping harassment by the south's militant separatists and/or local security forces?**

On 23 May 2008 a reply was received to these queries from Sunai Phasuk, Thailand Consultant with Human Rights Watch. Sunai Phasuk's response follows:

#### BACKGROUND

- BRN-Coordinate (Barisan Revolusi Nasional-Koordinas or National Revolutionary Front-Coordinate) has emerged as the backbone of the new generation of separatist militants in Thailand's southern border provinces. Their resurgence and expansion is based on a distinctly radical Islamist nationalist platform to liberate Patani Darussalam (Islamic Land of Patani) from the occupying forces of Siamese kafir (referring to Buddhist Thais by their ancient name as infidels). They claim that the southern border provinces are not the land of Buddhist Thais, but a religious conflict territory (darul harbi)—coexistence between ethnic Malay Muslims and Buddhist Thais is impossible, and will not be tolerated.
- In this context, separatist militants in the loose cell-like network of BRN-Coordinate known as pejuang kemerdekaan Patani (Patani Freedom Fighters, or pejuang in short) deliberately target Muslims whom they believe to be collaborating with Thai authorities, as well as those who oppose separatist militants—calling them munafiq (hypocrites). The targets are seen as committing haram (forbidden sins) and violating what separatist militants call “Islamic obligation” (wajib) to participate in the armed struggle for liberation.
- “Munafiq must die” is the top principle of every separatist militant cell. Attacks against munafiq are meant as punishment and as a warning to others. Separatist militants often deliver three warnings to their targets—such as warning letters written in red ink, symbols of Muslim funeral (like a plastic bag containing white cloth, egg, and rice), or direct face-to-face warnings—before launching attacks.
- HRW has documented numerous cases since January 2004 in which Muslims accused by separatist militants as being munafiq were attacked. They were shot or hacked to death. At least in two cases (both took place in 2008), their dead bodies were crucified with nailed driven through their hands, feet, and forehead. In some cases, separatist militants burned down the houses of those munafiq, or destroyed their fruit orchards, rubber plantations, or fishing boats.
- On the other hand, Thai security forces have often relied on extrajudicial tactics in their counterinsurgency operation. More troops from both regular and volunteer forces are being deployed to the southern border provinces. But these troops are poorly supervised and disciplined, while being immune (by the Emergency Decree) to legal and disciplinary accountability. The problem of state-sponsored abuses and impunity remains unresolved—as evident in the Krue Se and Tak Bai incidents, as well as numerous reports of arbitrary arrests, tortures, disappearances and extrajudicial killings of Muslims suspected by Thai security forces of being involved in the insurgency.

## QUESTION 1: RELOCATION TO ESCAPE MILITANT SEPARATISTS

*A) Is HRW aware of any instances in which Muslims from the southern provinces of Thailand have successfully relocated to Muslim communities in the north of Thailand as a means of escaping targeting by militant separatists in the south?*

Yes. The in-country relocation is possible, and can be done safely for those Muslims facing serious and deadly threats from separatist militants—not even have to be further away as Chiang Mai or Bangkok, but only to the upper Southern provinces like Krabi, Chumporn, or Surat Thani.

In addition, many Muslim businessmen have chosen to relocate from the southern border provinces as the situation has become more violent and unpredictable. This is the group that moves to Thailand's northern region—such as Chiang Mai and Lamphun. However, they are not welcome by Buddhist Thai and local officials—who often have bias against Muslims. During the interim administration of Gen Surayud Chulanont, the Internal Security Operation Command (ISOC) instructed provincial governors in the northern region to closely monitor those Muslim businessmen from the southern border provinces. That order remains effective until today.

*B) Is HRW aware of any instances in which persons attempting to relocate to the north in this way have been pursued or tracked down by persons suspected of belonging to one of the south's militant separatist groups?*

No. Nevertheless, separatist militants do not allow those who have fled to return to the southern border provinces. Similarly, the exiled Muslims who disagree with BRN-Coordinate know that they cannot return to the southern border provinces. This is a widely known code—which separatist militants observe. They never hunt down “traitors” outside the southern border provinces.

## QUESTION 2: RELOCATION TO ESCAPE LOCAL SECURITY FORCES

*A) Is HRW aware of any instances in which Muslims from the southern provinces of Thailand have successfully relocated to Muslim communities in the north of Thailand as a means of escaping targeting by local security forces in the south?*

Yes. But unlike those fleeing persecution by separatist militants, Muslims in this category often have to seek protection from the Justice Ministry's Witness Protection Program and undergo identity change (in case that they have information to criminalize those security personnel). For Muslim human rights defenders who face serious threats from Thai security forces, they seek assistance from local NGOs—such as the Working Group on Justice for Peace (chaired by Angkhana Neelapajit) and the Cross-Cultural Foundation (chaired by Somchai Homlaor)—including relocation to Bangkok. Western embassies—including Australian embassy—are aware of these cases.

*B) Is HRW aware of any instances in which persons attempting to relocate to the north in this way have been pursued or tracked down by Thailand's security forces?*

Yes. There are confirmed reports that Muslims from the southern border provinces were arrested in Bangkok. It must be noted that this group of Muslims are known to be connected with separatist groups, and some of them are listed as “high value targets” because of their involvement in high profile attacks. They are formally charged. The community of Muslims from the southern border provinces—particularly those in government and private universities—has been put under surveillance. They can be tracked down rather easily by

Thai security forces. The list of suspects has expanded significantly since the launch of security sweeps in the southern border provinces in June last year.

In addition, one of the most serious attacks on human rights defenders took place in Bangkok. On March 12, 2004, Somchai Neelapaijit was pulled from his car in Bangkok, allegedly by five policemen, and never seen again. He was chairman of Thailand's Muslim Lawyers Association and vice-chairman of the Human Rights Committee of the Lawyers Council of Thailand. At the time, Somchai was involved in a lawsuit alleging widespread police torture of Muslims in the southern border provinces. High level officials involved in the exposure of state-sponsored abuses and criminal acts also face similar threats. There have been many attempts—allegedly by policemen connected to counterinsurgency operations in the southern border provinces—to abduct National Human Rights Commissioner Wasan Panich in Bangkok.

### QUESTION 3: RELOCATION AS A SOLUTION

*A) Can HRW offer any further comment on internal relocation as a means of escaping targeting by the south's militant separatists and/or local security forces?*

Internal relocation is a practical and effective solution for those escaping from persecution by separatist militants. Depend on how the applicant is profiled by Thai security forces, an accurate assessment of internal relocation is difficult to make without sufficient background information. If he has no real connection with separatist militants (particularly, "high value targets") or has no information to criminalize Thai security forces, there is no reason for him to be worried too much after he moves outside of the southern border provinces (Phasuk, S. 2008, Email from HRW to RRT: 'Australian Refugee Review Tribunal – Country Information Request THA33278', 23 May 2008 – Attachment 1; the RRT email which elicited this advice was sent to Brad Adams, executive director of HRW's Asia Division, and is supplied as: RRT Research & Information 2008, Email to Brad Adams, HRW: 'Australian Refugee Review Tribunal – Country Information Request THA33278', 23 April – Attachment 2).

### **List of Attachments**

#### Human Rights Watch

1. Phasuk, S. 2008, Email from HRW to RRT: 'Australian Refugee Review Tribunal – Country Information Request THA33278', 23 May 2008.
2. RRT Research & Information 2008, Email to Brad Adams, HRW: 'Australian Refugee Review Tribunal – Country Information Request THA33278', 23 April.