THESIS

ANALYSIS OF AMNESTY INTERNATIONAL SUCCESS IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND CONFLICT

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DEPARTMENT OF INTERNATIONAL RELATIONS

FACULTY OF HUMANITIES

UNIVERSITY OF DARUSSALAM GONTOR

PONOROGO

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ANALYSIS OF AMNESTY INTERNATIONAL SUCCESS IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND CONFLICT

Thesis

Submitted to meet the partial fulfillment of the requirements

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In International Relations Study

By:

Reza Adam

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2018

DECLARATION

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I sincerely declare that this thesis originally belongs to my own work and not belongs to other researcher for different degree. Furthermore, this thesis is never published before, except some parts with their original references.

Otherwise, if it found that this thesis is plagiarism, I'm ready to be ceased academically.

Ponorogo, April 29th, 2018

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APPROVAL OF SUPERVISOR

To Honorable,
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Bismillahirrahmanirrahim
Assalamualaikum Wr Wb.

I have to honour to present this thesis written by:

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It has been processed and corrected to meet the partial of the requirement to attain the degree of Licentiate (S1) in Faculty of Humanities, Department of International Relations. Therefore, we expect that the thesis could be examined. Hopefully, this thesis would be useful for religion, nation and the development of education institution and for all ummah.

Wassalamualaikum Wr Wb

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CERTIFICATION

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MOTTOES

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا

"Allah does not charge a soul except within its capacity"

Al-Baqarah: 286

"Behind the skull is not only a flesh that could rot, but ideas and values which never be rot, rather inspire"

Reza Adam

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For the last, I consider this thesis is far from perfection. However, I hope this thesis can give several benefits for some parties.

Ponorogo, 29th April 2018

Author

Reza Adam

ANALYSIS OF AMNESTY INTERNATIONAL SUCCESS IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND CONFLICT

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ABSTRAK

Penelitian ini bertujuan untuk memahami alasan mengapa Amnesty internasional berhasil dalam menegakkan hak asasi manusia di deep south Thailand konflik. Konflik deep south Thailand memiliki akar permasalahan yang bersejarah, semenjak aneksasi kerajaan Patani oleh kerajaan Siam, yang saat ini menjadi negara Thailand. Konflik yang awalnya muncul sebagai konflik antar etnis Melayu dan Thai perlahan bertransisi menjadi antar Agama, Islam dan Buddha. Masyarakat Deep South sebagai identitas Muslim merasakan diskriminasi oleh pemerintah Thailand sebagai identitas Buddha. Atas permasalahan tersebut, masyarakat Deep South membuat gerakan perlawanan untuk membela mereka dari diskriminasi. Pemerintah Thailand menganggap gerakan tersebut sebagai sebuah gerakan separatis yang berarti pemberontakan. Untuk membendung perlawanan tersebut, pemerintah Thailand kemudian merumuskan rangkaian undang-undang yang memfasilitasi perangkatnya untuk melakukan pelanggaran hak asasi manusia seperti penyiksaan dan penahanan. Ketika masyarakat Deep South sebagai rakyat lokal tidak memiliki akses ataupun pengaruh kepada pihak otoritas Thailand. Melihat kondisi tersebut, amnesty internasional sebagai organisasi internasional yang bergerak di bidang hak asasi manusia melakukan upaya yang berhasil untuk menegakkan hak asasi manusia di konflik tersebut. Dengan menggunakan konsep Transnational Advocation Network, penelitian ini menjelaskan keberhasilan yang dilakukan oleh amnesty internasional. Pendekatan yang digunakan adalah leverage

politics dan accountability politics untuk dapat memahami keberhasilan yang digunakan oleh Amnesty Internasional. Kedua pendekatan tersebut digunakan dalam menganalisis keberhasilan amnesty nternasional dalam membentuk jaringan advokasi, mempengaruhi aktor berpengaruh, dan menekan pemerintah Thailand lewat jaringan advokasi. Penelitian ini menerapkan Metode Kualitatif, dengan teknik pengumpulan data melalui Library Research. Dalam penelitian ini juga dibahas sedikit mengenai Pandangan Islam terhadap hak asasi manusia. Dengan adanya penelitian ini, diharapkan bagi aktor negara maupun non-negara untuk dapat memahami keberhasilan peran Amnesty Internasional, dan dapat mengambil langkah yang serupa dalam dinamika dunia internasional, dan dapat menjadi bahan acuan bagi akademisi untuk dapat mengembangkan penelitian ini.

Keywords: *Amnesty Internasional, Hak Asasi Manusia, Gerakan Transnasional, Deep South Thailand*

ANALYSIS OF AMNESTY INTERNATIONAL SUCCESS IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND CONFLICT

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ABSTRACTS

This study aims to understand the reasons why Amnesty International succeeded in enforcing human rights in the Deep South of Thailand's conflict. The Deep South conflict of Thailand has its roots in historic problems, since the annexation of the Patani Kingdom by the Siamese kingdom, which is now Thailand's state. Conflict which initially emerged as inter-ethnic conflict of Malay and Thai slowly transitioned into inter-Religion, Islam and Buddhism. The Deep South community as a Muslim identity feels discrimination by the Thai government as a Buddhist identity. On this issue, the Deep South people made a resistance movement to defend them against discrimination. The Thai government regards the movement as a separatist movement that means rebellion. To stem the resistance, the Thai government then formulated a series of laws that facilitate its tools to commit human rights abuses such as torture and detention. When the Deep South community as a local people has no access or influence to the Thai authorities. In view of these conditions, Amnesty International as an International Human Rights organization makes a successful effort to enforce human rights in the conflict. Using the Transnational Advocacy Network concept, this study explains the successes of Amnesty International. The approach used is Leverage Politics and Accountability Politics to be able to understand the successes made by Amnesty International. Both approaches are used in analyzing the success of Amnesty International in forming advocacy networks, influencing powerful actors, and pressuring

the Thai government through advocacy networks. This research applies Qualitative Method, with data collection through Library Research. In this study will also be discussed a slightly about the Islamic Worldview of human rights. With this research, it is hoped that both state and non-state actors can understand the success of Amnesty International's role, and can take similar steps in international dynamics, and can be a reference for academics to develop this research.

Keywords: *Amnesty International, Human Rights, Transnational Movement, Deep South Thailand*

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LIST OF ABBREVIATIONS

AI	: Amnesty International
CAT	: Committee Againts Torture
CPM	: Civil-Police-Military
ICC	: International Criminal Court
ICCPR	: International Covenant on Civil and Political Rights
IHRW	: International Human Rights Watch
INGO	: International Non-Governmental Organization
MARP	: Majelis Amanah Rakyat Pattani
MUPR	: Malay Union Patani Raya
NCPO	: National Committee for Peace and Order
NGO	: Non-Governmental Organization
NRCT	: National Rights Commission of Thailand
NRF	: National Revolutionary Front
PLNF	: Pattani Liberation National Front
PPM	: Patani People's Movement
PULO	: Patani United Liberation Organization
TAN	: Transnational Advocacy Network
TLHR	: Thai Lawyers for Human Rights
UNCAT	: United Nations of Committee Againts Torture
UNHRC	: United Nations of Human Rights Committee
UN	: United Nations

CHAPTER I

INTRODUCTION

1.1. Background

The issue of Human Rights is an adequate phenomenon to attract the world's concerns today. The scope of human rights itself has many debates and differences. In fact, the efforts of the gender-oriented group will be entitled to their rights began to be involved in human rights issues. Thus, many scientists are trying to put human rights as an instrument to achieve the self-political interest[1]. However, human rights should be seen not as the political rhetoric[2] they usually are, but as the delivery of actual justice to real people because they are human.

Human rights that are realized as natural rights[3] are a necessity of social reality universal. It can touch various aspects such as individuals, groups or even states. The state as the authority has the duty to fulfill, respect, and promote human rights values. In that case, the state has a responsibility for human rights to formulate a constitution or laws. The Constitution drafted by the state must also be Multidimensional, which is not beneficial to one party but only together. All forms of crimes against human rights must be shortly discovered by the state apparatus. From such crimes, it can be formulated a law or policy of the country.

Today, the idea of human rights still challenged by recalcitrant[4] governments[5]. Governments that ought to act as protectors of human rights

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[1] Richard P. Hiskes, *Handbook of Human Rights* (New York, Routledge, 2012) 399-409

[2] Andrew Harding, *Thailand's Reforms: Human Rights and the National Commission* (Journal of Comparative Law, 1:1) 90

[3] Muladi, H., *Hak Asasi Manusia: Hakekat, Konsep dan Implikasi Dalam Perspektif Hukum dan Masyarakat* (Bandung: Refika Aditama, 2009) 25

[4] Unwilling to obey orders or to do what should be done, *Cambridge Advanced Learner's Dictionary Third Edition*

[5] Jan Servaes, Patchanee Malikhao, and Thaniya Pingprayong, *Communication*

for their people, actually behave otherwise. Such conditions are not new in international dynamics, especially in a human rights case. Such as the case with the conflicts in the Three Provinces of the Southern Thai Border; Yala, Pattani, and Narathiwat, or better known as Deep South. The Thai government formulates a law that facilitates its tools for the conduct of human rights violations such as violence, and illegal detention. The situation took place between the Thai government and the Separatism Movement comprising the Malay Muslim Community domiciled in the Deep South.

The Deep South conflict touches on sensitive issues such as national identity, territorial control of the state, and the government closely monitors every Malay community activity, either any other international involvement.

> *"The Malay Muslims struggle for self-determination and freedom has had a long history dating back to several attempts by Thailand to bring control over the region. Since that, there have been occurrence of 'rebellions' by the Malay Muslims against the Thai government6"*

The Resistance carried out by the Deep South community against the full domination by the state took place in the Southern Borders in some periods during the 20th century. The current defense built is the result of momentum in the 1990s, but was not officially recognized until 2004, when the scale and number of violent incidents between the Malay tribes and the government increased rapidly[7]. The turmoil in the Deep South stems from longstanding tensions between the minority population (Malay) and

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Rights for Instance in Thailand (University of Massachusetts: USA, University of Queensland: Australia)

[6] Shamsuddin L. Taya, *The Politicization of Ethnic Sentiments in Deep South of Thailand: The Case of the Malay Muslims* (Department of International Affairs, School of International Studies, College of Law, Government and International Studies, Universiti Utara Malaysia: Journal of Globalization and Development Vol. 10, Issue 1, June 2014) 2-3

[7] Lutfee Abdulmani, *Conflict Resolution: A Case Study of the Separatist Movement in the Southern Border Provinces of Thailand* (International Relations Department Universitas Muhammadiyah Yogyakarta, Qudus International Journal of Islamic Studies (QIJIS) Volume 1, Number 1, January-June 2013) 4-5

the state[8]. Therefore, the Thai government often commit torture and illegal detention only on suspicion to the Deep South community and its relation to separatist movements[9]. The important recommendations that can help to enhance peace process are trust among conflicting parties, and understanding the needs of the local people, without provoking a rage[10].

The Tortured and Illegal Detention adjusted by government set such as soldiers, police facilitated by policies of various constitutional laws: *Interim Constitution (2014), Martial Law Act (1914), Head of the National Committee for Peace and Order (NCPO) Order 3/2558 (2015) Head of NCPO Order No.13 / 2559 (2016), and Emergency Decree on Public Administration in Emergency Situations (2005)11.* The law facilitates all forms of human rights violations in particular of torture and illegal detention. These are the military-style enforcement of law and order[12] to extend its power and control far into social, economic, and political life of common people.

Looking at the case, it can be said that when access from the public to the government is hampered, it is a meeting point for local communities and international actors. Local people try to suppress their country through international assistance.

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[8] Adam Burke, Pauline Tweedie, and Ora-orn Poocharoen, *The Contested Corners of Asia: Subnational Conflict and International Development Assistance: The Case of Southern Thailand* (USA, San Fransisco: The Asia Foundation, 2013) XII

[9] Amnesty International, *Make Him Speak by Tommorow: Torture and All Other Ill-Treatment in Thailand*, (London, UK: Amnesty International, 2016) 14

[10] Kayanee Chor Boonpunth, *Peace Survey- A Tool for Peace Building in the Deep South of Thailand* (Department of Public Administration, Faculty of Management Sciences, Prince of Songkla University, Thailand: International Journal of Management and Applied Science, ISNN: 2394-7926, Volume 2, Issue-8, Sppecial Issue-1, Aug 2016) 102

[11] International, *Op.cit*. 15

[12] Puangthong Pawakapan, *Thai Junta Militarizes the Management of Natural Resources* (ISEAS Yusof Ishak Institute, Issue 2015, No. 47: Singapore, 3 September 2015) 2

Amnesty International (AI)[13] as an International Non-Governmental Organization (INGO) working in the field of human rights has wide space in doing advocacy. AI is an independent organization of government, ideology, economy, and interests. Her only concern is the achievement of human rights for all, with the principle of impartiality, and independence. As an INGO, AI's finances mostly from small donations through individuals all over the world. More than two million individuals donated to AI by 2016[14].

AI is a humanitarian organization that operates in many countries around the world. AI works on the principle of non-discrimination. Working with community groups around the world, Amnesty works to change discriminatory laws and protect people against all human rights contravention. AI is a Global Movement of over seven million people. Moving on the basis of a sense of injustice. They are campaigning for a better world, where human rights can be felt universally. The paper motive is AI as an actor is based on the history of the establishment of the organization is very close to cases of human rights violations that occurred in Deep South, namely related to the issue of detention.

International agencies like AI have a supporting role in helping to seek peace in the conflict. In a middle-income country and adequate government budget[15], and without any ongoing peace procession, the main contribution that aid agencies can make is to promote policy changes that increase the likelihood of achieving a fair solution to the conflict.

Issues which then became the main focus by the AI on human rights abuses in the Deep South is Illegal Detention, and Torture. The detention perpetrated by government to civil society of Deep South was based on

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[13] https://www.amnesty.org/en/who-we-are/ accessed on 26 of November 2017 at 17.37

[14] Amnesty International, *Global Finance Report 2016* (Peter Benenson House, 1 Easton Street: London, 2017) 6

[15] Abdulmani, *Loc.Cit* 15

suspicion of involvement of the person in the Separatist Movement[16] and covered with torture. One of the victims described the perceived torture as being kicked, beaten with hands, wooden sticks, and the tip of the weapon grip, strangled, yelled, held in plastic, drowned and unable to breathe, and many other types of torture. All forms of torture are committed to force the victim to admit his crimes, or to seek information against the separatist movement[17].

On that basis, AI advocates with the Non-Governmental Organization (NGO) in Thailand to change the direction of government policy procedures that have been facilitating human rights violations. The AI effort in the conflict can be said to be successful, because AI has successfully changed the policy of law which has facilitated the violation of human rights in Deep South. This achievement can be an example for other special international actors working in the field of human rights to be able to imitate and develop approachs used by AI in enforcing human rights violations. To this end, this paper intends to analyze the cause of AI's success in enforcing human rights in Deep South Thailand. In addition, an Islamic Worldview towards human rights would also be discussed slightly in this research.

1.2 Research Question

AI's success in influencing the Thai Constitution's policy on human rights abuses has a good meaning. It can be a boost for other humanitarian cases to be able to change the situation with international help. In this case, the author raises a question that is explained by this research:

"**Why Amnesty International Succeed in Enforcing Human Rights in Deep South Thailand Conflict?"**

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[16] Tyrell Haberkorn, *Martial Law and the Criminalization of Thought in Thailand* (The Asia-Pacific Journal, Japan Focus, Volume 12, Issue 40, Number 5, Oct 02, 2014) 5

[17] International, *Loc.Cit.* 5-6

1.3. Objectives and Benefits

1.3.1. Research Objectives

a. To know the effectiveness of the role of NGO in the dynamics of international conflict.
b. To know the effectiveness of the Transnational Movement in handling cases of human rights violations.
c. To understand the AI's success for enforcing human rights in Deep South.

1.3.2. Research Benefits

a. Theoretical Benefits

The authors hope that this paper will be a contribution for non-state actors related to human rights to develop the contents of the concept and develop it.

b. Practical Benefits

This research can serve as a reference for non-governmental agencies and make it a practical example of what non-state actors can do.

1.4. Framework

1.4.1. Literature Review

The literature review contains research that has addressed issues in this paper. It can take the form of a study that reinforces the concept or framework of thinking of the contents of the text, or reports that address issues related. In this paper, will take a literature review of some existing research to strengthen the data.

Deep South Thailand	Amnesty International	Transnational Movement
Adam Burke, Pauline Tweedie, and Ora-orn Poocharoen, *The Contested Corners of Asia: Subnational Conflict and International Development Assistance: The Case of Southern Thailand*, 2013	Andres Ballesteros, Jorge A. Restrepo, Michael Spagat, Juan F. Vargas, *The Work of Amnesty International and Human Rights Watch: Evidence from Colombia*	Srilatha Batliwala, *Grassroots Movements as Transnational Actors: Implications for Global Civil Society*, 2002
Neil J, Melvin, *Conflict in Southern Thailand: Islamism, Violence and the State in the Patani Insurgency*, 2007	Amnesty International, *"My Family Was in Shock" The Harm Caused by Presidnet Trump's Executive Orders on Travel to the US*, 2017	Ravi de Costa, *A Higher Authority Indigenous Transnationalism and Australia*, 2006

1.4.1.1. Deep South Thailand

Adam, Pauline, and Ora Orn[18] said in their article entitled *Subnational Conflict and International Development Assistance: The Case of Southern Thailand by The Asia Foundation*, that the cause of the conflict was centered on government, and ethnic nationalism. These problems are an obstacle to a good future transformation of the Malay Tribe. Inequalities and injustices continue to be felt by Malay Muslims and continue to develop a sense of anger that leads to violent responses in some areas. Violence is also exacerbated by local communities fighting for resources and power. The Thai government still does not want to (can) make significant changes that can address the issue and call for a peace negotiation process. In this study it is also said that the case is a rare case for receiving international assistance. Compared to the case of Aceh and Mindanao, Deep South is more important because it is included in Sub-national Conflict

[18] Burke, Tweedie & Poocharoen, *Loc.Cit*, XII-XIII

in Asia. Therefore, in this case the author will examine in terms of differences from previous researchers, namely discussing international aid, and its success in enforcing human values.

There was a research stated the obstacles in achieving a peace in the case, triggered by Neil J. Melvin, published in *Conflict in Southern Thailand research: Islamism, Violence and the State in the Pattani Insurgency19. One of the obstacles is the structure of the Deep South militant resistance. The Thai government rejects the idea of mediation by third parties, while the only way to get the militants to the political process is with the help of independent third actors. Another obstacle is the Thai military. On behalf of Thailand's constitutional law, the military continues to commit human rights crimes, which traumatize the Deep South community. This creates a sense of excessive fear that it is difficult to negotiate.*

1.4.1.2. Amnesty International

The role of AI in a conflict was once discussed by Andres Ballesteros, Jorge A. Restrepo, and Michael Spagat[20] in a report of *The Work of Amnesty International and Human Rights Watch: Evidence from Colombia*, the AI Efforts and International Human Rights Watch (IHRW) cases in Colombia during the period from 1988 to 2004. Both organizations were subjected to substantive problems in obtaining information quantitatively. The problem includes failure to define data sources, unclear definitions, uncertain place of reporting, and

[19] Neil J, Melvin, *Conflict in Southern Thailand: Islamism, Violence and the State in the Patani Insurgency* (Stockholm International Peace Research Institute (SIPRI): SIPRI Policy Paper No. 20, September 2007) 10-11

[20] Andres Ballesteros, Jorge A. Restrepo, Michael Spagat, Juan F. Vargas, *The Work of Amnesty International and Human Rights Watch: Evidence from Colombia* (ORSAS, UK) 4-5

the distortion of conflict dynamics. Reports from the actors of both organizations are quite representative and more useful and accurate than statistical information. They reject the general allegation that AI and IHRW rarely criticize militants, but they have found some evidence of anti-government bias[21]. In case, the author will take the initiative to improve the quality of AI organization, a different framework of thinking.

AI advocates in various ways. One of them is by collecting data through interviews. As reported in the AI report[22] entitled *"My Family was in Shock": The Harm Caused by President Trump's Executive Orders on Travel to the US*. The AI researchers interviewed 38 people affected by the Executive Order Trump policy. Including residents of Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. Most of these people ask to be kept anonymous, for fear that public speaking may have adverse consequences for them, especially in immigration and visas.

1.4.1.3. Transnational Movement

Taking a study that discusses the role of transnational actors as a rooted movement, citing the article from Srilatha Batliwala, entitled *Grassroots Movement as Transnational Actors: Implications for Global Civil Society23* in the journal *International Journal of Voluntary and Nonprofit Organizations*,

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[21] Often supporting or opposing a particular person or thing in an unfair way by allowing personal opinions to influence your judgement, *Cambridge, Op.Cit*

[22] Amnesty International, *"My Family Was in Shock" The Harm Caused by Presidnet Trump's Executive Orders on Travel to the US* (London: UK, Peter Benenson House, 2017) 7

[23] Srilatha Batliwala, *Grassroots Movements as Transnational Actors: Implications for Global Civil Society* (Voluntas: International Journal of Voluntary and Nonprofit Organizations Vol.13, No. 4, December 2002)

that practices irregular operations by transnational corporations and global capital, generally provide an early catalyst for civil society groups to join across national borders for accountability demand. The integration of the world's growing economy within the vast global market has provided further potential for the growth of the Global Civil Society. Various types of old and new economic institutions, mechanisms, cross-border and regional operations, are increasingly shaping the development of policies and priorities of their respective countries. With the emergence of international movements and campaigns, there is an extension and development of the population formation. Individuals, Groups, Organizations, Networks and Federations, with different attributes, structures, and ways of working, can be found in every movement in different places - both local and global. From this literature, the author wants to strengthen the concept to be used in his research. The author will develop the meaning of transnational movements and campaigns through the efforts of AI in upholding human rights in the Deep South.

The role of the transnational movement was also reinforced through its role in the indigenous tribal movement of Australia. The statement was expressed by Ravi de Costa[24] in his book *A Higher Authority Indigenous Transnationalism and Australia*. Transnational analysis shows that nation-states do not fully take into account the reality of human experience, but still have power and importance in people's lives. He said that groups of people involved in transnational activities advocate for several reasons. First, the problem addressed (such as pollution or underdevelopment) should not come from affected

[24] Ravi de Costa, *A Higher Authority Indigenous Transnationalism and Australia* (Sydney: Australia, UNSW Press, 2006) 16

areas. Second, the process of collective action relies heavily on information exchange, and comparison between groups in many areas. Third, the purpose of this activism is often to create universal standards that must be adapted to local practice.

1.4.2. Concept

In this study, the authors will use the concept of Transnational Advocation Network (TAN) in analyzing the AI success which will be seen as a transnational actor in maximizing its function as an INGO.

1.4.2.1. Transnational Advocation Networks

TAN is a network based on values, feelings, and ideas which then they unite to form a network that is advocative. This concept was initiated by Sikkink and Margaret. These networks may take the form of International Non-Governmental Organizations (INGO), Non-Governmental Organizations (NGO), private agencies, and even individuals. In addition to being an agency or organization, TAN is also a network of activists who motivate their movements with the same value.

The Network is a form of organization that has the characteristics of a voluntary, reciprocal, and horizontal communication patterns. Organizational theorist Walter Powell argues that TAN is the third mode of economy, which distinguishes between market and heirarchy. The network is lighter in its movement than the hierarchy, and it is appropriate for situations where there is a need for efficiency, and reliable information.

Actors in TAN include; NGO's, INGO's, International Governmental Organizations (IGO), research and advocacy organizations, Local Social Movements, Foundations, Media,

Churches, Trade Unions, Intellectuals, regional and international intergovernmental, and Executive or Parliamentary branches of Government Branches. Not all actors are present in any advocacy network, but preliminary research shows that international and domestic NGOs play a central and significant role in all advocacy networks[25].

Concerning the operationalization of the concept, TAN has many approachs consisting of: Information Politics, Symbolic Politics, Leverage Politics, and Accountability Politics. All of these approach form a Boomerang Pattern in its implementation. In this case, researcher used Leverage Politics and Accountability Politics approach in TAN. Leverage Politics is used because it is consistent with the effort made with AI, which attracts powerful actors whose influence with moral and value equations. While Accountability Politics was chosen because of the role of AI in pressuring the Thai government through laws that have been ratified before with the help of powerful actors.

a. Information Politics

Information binds members of the network together and is critical to the effectiveness of the network[26]. A lot of informal exchange of information, such as phone calls, e-mail, faxes, and circulation of bulletins, pamphlets, and reports. They provide information that is not available, from sources that may not be heard, and they must make this information understandable and useful to activists and the public who may be geographically or socially distant.

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[25] Margaret E. Keck, Kathryn Sikkink, *Activists Beyond Borders Advocacy Networks in International Politics* (London, Cornell University Press, 1998) 12-13

[26] *Ibid.* 9

Non-governmental actors gain influence by serving as an alternative source of information. The flow of information in advocacy networks not only provides facts, but testimonies. In addition, activists interpret facts and testimonies, usually framing the issue simply, in right and wrong, because their goal is to persuade people and stimulate them to act.

b. Symbolic Politics

Activists frame the issue by identifying and providing a convincing explanation for a strong symbolic event, which in turn becomes a catalyst for network growth. Symbolic interpretation is part of a process of persuasion where networks create awareness and expand their constituencies. Awarded the 1992 Nobel Peace Prize for Maya Rigoberta Menchu activist and appointment of 1993 by the United Nations as the year of Indigenous People in America[27]. The symbolic aims to raise a number of issues while illustrating the use of symbolic events to reshape understanding. The coup in Chile in 1973 served as a catalyst for the human rights community. Because the country is a Democratic symbol in Latin America, the fact that the brutality of the coup can happen anytime and anywhere.

c. Leverage Politics

The method relies on actors who are considered stronger or have the strength to be able to campaign for action and efforts in changing policy. Activists in a Campaign Network have anxiety about political effectiveness. Their definition of political effectiveness includes a policy

[27] *Ibid.* 11

change with "selected actors" such as governments, other countries, and IGO's[28]. For the sake of achieving a policy change, a network needs to suppress and persuade powerful actors. To gain influence, a network needs to leverage some powerful actors. By affecting several powerful institutions, a small, weak group has an influence far above their ability to influence the state in a practical way. Identification of Moral Leverage or Materials is a crucial strategic move in the campaign network

Leverage material usually connects issues to money or income, and has the potential to speak at international organizations, high-level offices, and more. Human rights issues are a negotiable issue as governments or financial institutions link human rights practices to military and economic aid, or to bilateral diplomatic relations.

Moral Leverage involves the so-called "Mobilization of Shame", in which the actor's behavior is confronted with international supervision. Network Activists use moral leverage in the assumption that the government respects the good opinion of others; which a network can show that the country violates international authority, and does not fulfill its own claims. They hope that with the danger of the violation, the state is motivated enough to change its policies or behavior. The degree to which countries have vulnerabilities to such pressures varies[29].

d. Accountability Politics

Political accountability is an attempt to hold on to influential actors to account for policies previously

[28] *Ibid*. 12-13
[29] *Ibid*. 12

formulated in the targeted country[30]. The advocacy network seeks to convince governments and other actors to openly change their position on the issue. This is often overlooked because governments often change discursive positions, and divert the attention of networks and the public. As this happens, the advocacy network seeks to make the statement an opportunity for political accountability. Once the government has publicly committed itself to a principle, the network can use that position, and inform it to expose the distance between the discourse and practice of that principle.

e. Boomerang Pattern

Governments can act as Responsible for a right, and on the other hand can also act as a Violator. When governments violate or refuse to recognize rights, domestic individuals and groups often have no other way in domestic politics, or justice. They seek international connections to express their concerns and even to protect their lives.

If the relationship between the state and its domestic actor is blocked, the Boomerang Pattern enters and influences as a characteristic of the transnational network. Domestic actors seek alternatives, and out of their country's access and look for international allies to try to push their country from the outside. Linkage is very important for both parties (domestic actors and target actors): for less powerful third-world actors (transnational actors), networks provide access, influence, information, and often money.[31]

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[30] *Ibid*. 10

[31] *Ibid.* 21

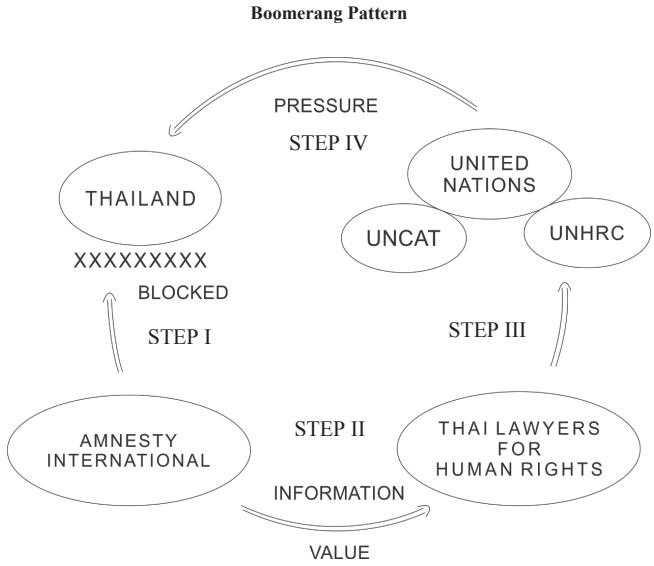
1.4.2.2. Concept Operationalization

In relation to operational concepts, TAN has a wide space in the dynamics of the international world, especially in terms of conflicts such as human rights violations. TANs can enter into a case where political access from local communities is blocked by the government. This causes the community to have no rights or opportunity to convey their aspirations and values. In the Deep South conflict, AI maximizes its role as an INGO by realizing the TAN concept. AI cooperates with NGO like Thai Lawyers for Human Rights (TLHR), and international organizations such as United Nations (UN) using Leverage Politics and Accountability Politics approachs.

Using moral leverage, AI forms an advocacy network with TLHR through value equations by exchanging information. That value equation is a human right that must be upheld amid the chaos that engulfs the Deep South community. With that information, AI and TLHR pressured the Thai government through the international laws it has ratified, on the implementation of the legal formulation of the international practice. The international agreement is the law contained in *United Nations of Committee Againts Torture* (UNCAT) and *United Nations of Human Rights Committee* (UNHRC).

Using the Accountability Politics method, AI holds the UN as an influential international actor to account for statements from the Thai government that have publicly ratified both conventions. From that point on, Thailand is depressed and responsible for its principle, which then formulates policies that are in line with the demands of AI, TLHR, and also the UN.

1.4.2.3. Model Analyze



1.5. Hypothesis

The success of the Amnesty International in enfrocing human rights in the Deep South Thailand conflict is because AI has made the Thai government to initiate the formulation of the Draft Act. The AI success factor in influencing Thailand consists of several advocacy strategies:

a. Establishing Advocacy Networks
b. Influence Powerful Actor
c. Presses Thailand's Government through Advocacy Network

1.6. Research Methodology

1.6.1. Research Methods

This study uses a Qualitative Method[32]. This method is characterized by its purpose, relating to the understanding of some aspects of social life, and its method (in general) yields words rather

[32] Michael Quinn Patton, Michael Cochran, *A Guide to Using Qualitative Research Methodology* (UK MSF, February 2007) 4-5

than numbers as data analysis. This method aims to answer the question of “what”, “how” or “why” a phenomenon rather than “how much”, which is answered by quantitative methods. This research applies Library Research.

1.6.2. Data Collection

This research takes data through Literature Research: books, Electronic-book articles, reports, and international journals. All the data is applied in this paper to strengthen the argument of the author.

1.6.3. Data Analysis

The type of qualitative research applied in this study is Deductive Approach, which an approach that uses logic to draw one or more conclusions on a set of premises given. In complex deductive systems, researchers can draw more than one conclusion. The deductive approach is often described as making a conclusion from something general to something certain. The deductive approach is a process of reasoning that starts from a general state to a special state.

1.6.4. Writing system

CHAPTER 1

INTRODUCTION

The first chapter discusses the Introduction, which contains backgrounds, problem formulations, and research objectives and benefits. Then proceed with a framework that contains a literature review, and conceptually. The concept consists of the operationalization of concepts and models of analysis. The final section discusses the hypothesis and research methods; type of research, data collection techniques, and systematics of writing

CHAPTER 2
DEEP SOUTH THAILAND CONFLICT AND HUMAN RIGHTS VIOLATION

The second chapter discusses the Deep South Thailand conflict. This section deals with the history, and the development of this conflict. The issues and types of human rights violations in the Deep South will be the discussion as well. In addition, Islamization of this conflict is also studied. The contradictive among Universalism, and Particularism Human Rights should be discuss here, along with the Islamic Worldview towards human rights.

CHAPTER 3
THE ROLE OF AMNESTY INTERNATIONAL IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND CONFLICT

This section discusses the role of AI in promoting human rights values in the Deep South and its cooperation among other organization.

CHAPTER 4
ANALYSIS OF AMNESTY INTERNATIONAL SUCCESS IN DEEP SOUTH THAILAND CONFLICT

This section contains success of the Amnesty International in enfrocing human rights in the Deep South Thailand conflict is because AI has made the Thai government to initiate the formulation of the Draft Act. The AI success factor in influencing Thailand consists of several advocacy strategies: establishing advocacy networks, influence powerful actor, and presses Thailand's Government through advocacy network

CHAPTER 5
CONCLUSION AND SUGGESTION

The final chapter contains a conclusion of this paper, and suggestions.

CHAPTER II

DEEP SOUTH THAILAND CONFLICT AND HUMAN RIGHTS VIOLATION

Deep South conflict is a subnational conflict in the Asian region. Subnational conflict is defined as an armed conflict over the control of a subnational region, where armed opposition movements use violence to contest within local political authority. Armed violence has various forms, such as the form of competition between local and inter-communal elites, which are associated with vertical conflicts.

Deep South Thailand is not purely a one dimensional conflict. The major axis of contestation-between Thai and Malay-is complicated by other forms of tension and violence. At the local level, violence between elites and communal tensions is sometimes intertwined with broad axes of contestation with 'minorities'. Historically, the Deep South conflict has a poor record, especially in terms of violence and human rights abuses. Burning and review are urgently needed to then be able to keep the contest going, and the tension.

2.1. History of Deep South Thailand Conflict

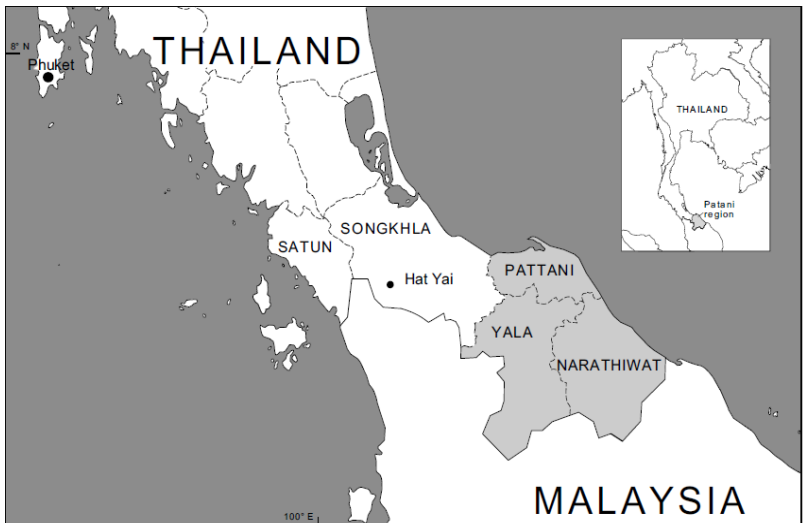
Southern Thailand or better known as Deep South has been plagued by sub-national conflicts for more than a century. According to the Heidelberg Conflict Barometer[33], the conflict began in 1902, making it the oldest modern conflict in Asia that is still active. While the conflict had a fairly low intensity in most of last century, the level of violence has risen significantly in the last Nine years. The International Crisis Group recently referred to it as *"Southeast Asia's most violent internal conflict"34*. However, this case is very important because it represents one of the

[33] International Crisis Group

[34] Deep South Thailand's conflict is a lowest level of international aid case so far

common forms of subnational conflict in Asia. Donor access to conflict areas has been tightly controlled by the Thai government on the basis of state security and sovereignty. It can be said to be the most challenging context in the development of aid and peace.

This conflict is concentrated in an area along the Thai-Malaysian border, where the majority of the local population is ethnically Malay. The conflict took place in three provinces: Pattani, Yala, and Narathiwat. These ethnic groups have the hallmark of ethno-religious identity, and the one that preceded the establishment of modern Thailand for several hundred years ago.



Picture 2.1.

Patani is a name used to refer to a region in Southern Thailand along with the Malaysian border. The name came from the Patani Sultanate, founded in 1390, and annexed by Siam (the name of Thai history) in 1902. At the time of the annexation, Patani encompassed contemporary Thailand provinces such as Narathiwat, Pattani, Yala and parts of Songkhla along with neighboring Malaysia. The combined population of Narathiwat, Pattani, and Yala provinces (hereafter referred to as Deep South) is about 1, 8 million, and 80% of whom are Malay Muslims.The Patani region accounts for more

than 65% of the Muslim population in Thailand[35]. Deep South is among the 20 poorest of 76 provinces in Thailand, and has the highest poverty rate in the country. The poverty occurred in several districts.

2.1.1. Annexation and Development of Thailand State

In the 19th century, the region known as Southern Thailand was dominated by a local empire named Siam. The provinces of Narathiwat, Yala and Pattani, along with the western portions of Songkhla and the northern peninsula of Malaysia, belong to the Sultanate of Patani claimed to date from 1390 to 1902[36]. Then Siam formally incorporated in the Sultanate, and has become a dependency for Siam in some time. In 1909, an Anglo-Siam agreement led to the demarcation of the border between the Patani region of Siam, Malay state of Kelantan, Perak, Kedah, and Perlis in Malaya England (now part of Malaysia). The authorities of Siam then overthrew the Sultan, thereby displacing the role of aristocratic politics.

The annexation is accompanied with a goal to strengthen Thai culture in the southern provinces. It was an important cause of local discontent in the early and mid-20th century, and the 'insurrection' (hereafter referred to as resistance) was launched. The use of educational methods to promote Thai Language and Buddhism, and the key role of Buddhist monks in this system, emerged as a specific area of debate. Attempts to promote the assimilation of the Malay Muslim community (inhabitants of the Patani Empire) in the South focus on the evictions of *Pondoks37*, which usually serve as a central

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[35] Burke, tweedie, Poocharoen, *Loc.Cit*, p. 16

[36] Aphornsuvan, T., *Origins of Malay Muslim 'Sepatarism' in Southern Thailand*, Working Paper Series no. 32 (National University of Singapore, Asia Research Institute: Singapore, Oct 2004) 1-3

[37] Pondok is a religious school residing in Malay Muslim community. The teacher in the hut is known as Ustah, and the principal as Guru Tok. Student cottage consists of adults or children, but generally young people in middle school age. The lodge is mainly

function in cultural reproduction, and the identity of Malay Muslims. One of the most controversial elements of the assimilation campaign was the Compulsory Primary Education Act in 1921, which required all children to attend public schools for four years to learn Thai. The Siam officials, taking a more subtle step in their approach to the South, are leading to stability. Following the Constitution In 1932, Malay Muslims gained the right to be in the seat of the national parliament.

In the late 1930s, the rise of power from Plaek Phibulsongkhram (prime minister from 1938 to 1944 and from 1948 to 1957) and promotion of the party agenda of the Thai Ultra-Nationalist party, led to a new confrontation between Bangkok and Malay Muslims[38]. Phibulsongkhram made a series of cruel policies which force assimilation of minorities in a new country called Thailand, including a ban on using the minority language (Malay Patani) in government offices, as Buddhism as a National Religion, and an obligation for everyone to use the Thai name. These policies are a severe blow to the South, where Islamic activity also faces new restrictions, including initiatives to overturn laws allowing the adoption of local Sharia law for family and inheritance. Significantly, Phibulsongkhram decided that the "Anti-Thai" activity was regarded as sedition[39].

The years 1946 to 1948 marked an important shift in relations between Bangkok and Malay Muslims Patani. The unrest in the South in 1946 was followed by the rise of the Patani People's Movement (PPM) in early 1947. The PPM called for its own regulation on the

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supported by donations

[38] Emphasis on Thai 'restoration', and glory in the past. Jumbala, P., *Nation-Building and Democratization in Thailand: A Political History* (Chulalongkorn University Social Research Institute: Bangkok, 1992)

[39] Reynolds, C. J., *National Identity and its Defender: Thailand 1939-1989*, Monash Papers on Southeast Asia no. 25 (Monash University, Centre of Southeast Asian Studies: Clayton, Victoria, 1991), p. 6.

South, language, cultural rights, and reintroduction of Sharia[40]. In 1948, about 250,000 Malay Muslims petitioned the United Nations to oversee Deep South access to the new Federation of Malaya. The growing confrontation between the Thai government and Malay Muslim groups such as the PPM caused widespread unrest since 1948.

2.1.2. Conflict and Conciliation

During the 1950s, efforts were made to build a movement to promote Malay Political Agenda through groups such as the The Malay Union Patani Raya (MUPR), and PPM. The Pattani Liberation National Front (PLNF) is the first organized armed group to call for Patani independence[41]. The original PLNF leaders are mostly members Malay Patani is traditionally elite and religious, such as clerics, Masjid imams, and madrassas in the region.

Conflict in the southern provinces grew significantly during the 1960s, and by the end of the decade, there were several armed groups operating in the region. Despite lacking a clear leadership, a core group was tasked with consolidating resistance. At the moment, PLNF chooses guerrilla warfare against Thai Security forces, working with militants as well as 'criminal' elements in Patani society. The National Revolutionary Front (NRF), formed in 1953, is much more focused on political organizations, especially in religious schools, than guerilla activities. She embraced the Socialist Ideology of Islam that distinguished him from the PLNF and Patani United Liberation Organization (PULO)[42].

The third armed group, PULO, emerged in 1968 and became the largest and most effective separatist movement over the next two

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[40] Aphomsuvan, T., '*History and Politics of the Muslim Thailand'* (Thammasat University, Bangkok. Revised 12 Feb. 2003

[41] International Crisis Group (note 12), p. 6.

[42] *Ibid, P. 8*

decades. Occupy the political middle ground between PLNF and NRF, not strongly associated with conservative Islam and Former Southern Elite and Socialism. Its official ideology is 'religion, race, land, water, and humanity'. Despite its stated purpose and an independent Islamic state, it is more accurately characterized as ethno-nationalist than Islam. During the 1970s, and 1980s, many of its fighters were reported to have been trained abroad. Indeed, during this decade, militants began building relationships with other guerrilla[43] organizations around the world, including in the Middle East.

Guerrilla activity in rural Deep South increased in the late 1960s and 1970s, particularly in the form of attacks on police stations and government buildings, including government schools. When the general of Prem Tinsulanonda, a native of Songkhla province, served as Prime Minister in 1980, after almost two decades of intense campaign against separatist resistance in the South, the government realized that its strategy must be both political and military. In 1980 the new government overhauled the security and governance structures to promote the new goal of political accommodation.

One innovation under Prem's leadership was the introduction of the New Southern Administration System which was intended to promote the shift from confrontation to negotiation. The Civil-police-military (CPM 43) joint force was created to coordinate security operations, and was instructed to ensure there was no misappropriation under the law of murder and disappearances. The government also launched the Policy of Attraction, which aims to attract sympathy from separatist groups by increasing political participation and promoting development projects, aimed at strengthening the regional

[43] Pitsuwan, S., *Islam and Malay Nationalism: A Case Study of the Malay-Muslims of Southern Thailand* (Thammasat University, Thai Khadi Research Institute: Bangkok 1985), p. 13.

economy. Political problems handled by Southern Border Provinces Administrative Center (SBPAC)[44], the newly established in 1981. The extensive amnesty offer was finally taken by hundreds of separatist fighters.

Although government programs improve the economic welfare of Muslims in the South, and create opportunities for them to participate in public life has materialized, two major problems continue[45]. First, corruption from officials and police, and second, political integration policy still contains significant assimilation elements. Many officials continue to equate cultural demands relating to Malay identity with political demands for separatism, and their response is to suppress that identity. Thai Language promotion through education and media is essential in this endeavor. Master instructed their elementary and middle school students to identify themselves as Thai Muslims[46], rather than Malay Muslims.

Despite this difficulty, in the late 1980s, there was strong evidence that the resistance was about to end; although sporadic violence continues, but is still at a relatively low level. Meanwhile, the remaining separatist groups are increasingly discredited when they engage in extortion and other resistance activities. In the 1990s, the Thai government rejected this group as a bandit gang[47].

2.2. History of Islam in Deep South Thailand

Interpretation of the Patani conflict focusing on its religious aspect attracted even greater support. This has brought the characteristics of the current conflict into religious conflict, with the motivation of separatists seen

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[44] *Op.Cit*, pp. 11-12
[45] *Ibid.*, p. 12
[46] *Ibid.*, p. 30
[47] *Ibid*., pp 12-14

changing from ethno-nationalist goals, leading to the Islamist Movement[48]. At the same time, the placement of Islam in the conflict is complex, given the notion that the South is trapped in religious conflicts, and separatist movements that are considered misleading[49].

Islam has a long history in the Patani region of Southern Thailand. Since traders from India spread Islam to the maritime of Southeast Asia in the 13th Century. Over the next four centuries, Islam consolidated its presence in the region. During this period, the position of Islam was strengthened through the work of Sufi Missionaries in converting important parts of the area. The complexity of this conversion is believed to be one of the main reasons for the diversity of Islam throughout the region. This diversity is further strengthened by the mixing of Language and ethnic identity found among Southeast Asian Muslims.

The relatively peaceful 'expansion' of Islam is associated with the level of accommodation for existing local (religious) beliefs: Islam in Animism, Hinduism and tradition Buddha, giving Islam a more syncretic aspect than is usually found in the Middle East[50]. However, Islam's 'moderate' and 'radical' roles in Southern Thailand remain at stake and are at the center of the contemporary debate over the nature of the conflict.

2.2.1. The Role of Islamism in Deep South Thailand

There is widespread agreement that since the late 1960s, Islam has experienced a resurgence amongst the Malay Muslim community of Thailand. Although this resurrection is not political, there remains instability in the South. This close association may have a role in

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[48] Harish, S. P., *Changing Conflict Identities: The Case of the Southern Thailand Discord*, Working Paper no. 10 (Institute of Defence and Strategic Studies, Singapore: Singapore, Feb. 2006)

[49] Yusuf, I., *Faces of Islam ini Southern Thailand*, Working Paper no. 7 (East-West Center Washington: Washington, DC, Mar. 2007), p. 3.

[50] Rabas, A. M., *The Muslim World After 9/11* (Rand Corporation: Santa Monica, Calif, 2004), p. 369.

changing the identity of the conflict from ethno-nationalism, which was peaked in the late 1960s and 1980s, into religious conflict. Since the 1970s, violence in Patani has been increasingly characterized between Buddhists and Muslims, rather than between Thai and Malay. However, to what extent religion has replaced ethno-nationalism as the driving force of the separatist movement, it is questionable.

The current religious tensions in the South, dating from the 1940s, when the Thai government changed its assimilationist campaign in the South in response to the increasing Malay nationalism associated with the Anti-colonial movement at that time[51]. One of the goals of the Thai government for two decade ahead is undermining the identity relationship between Thai Malay and Malaysian Malays. The policy set out in the interests emphasizes the religious identity of Malay Muslims in the South.

To undermine that identity, the Thai government measures the balance carefully to foster loyalty to the Thai people, recognizing the differences between Malay Muslims and ethnic Thai. The formulation developed is the classification of Malay Muslims along with other Muslim communities in the country as 'Thai Muslims'[52].

Language and education remain a key issue in the struggle for the formation of Malay Muslim identity. Most officials in the Deep South are non-Malay speaking Thai, it is an effort by the Thai government to continue to strengthen loyalty to the Thai state in Patani. In 1961, Prime Minister Sarit Thanarat, formed the Pondok Educational Improvement Program. It introduced Pondok in Thailand, and gave the Thai government control over its curriculum[53]. The Pondok was then

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[51] Che Man, W. K., *Muslim Separatism: The Moros of Southern Philippines and the Malays of Southern Thailand* (Oxford University Press: New York, N.Y., 1990), p. 64.

[52] Melvin, *Loc. Cit*, p. 28

[53] Suwannarat, *Loc.Cit*, p. 42.

operated independently of the state education system. The policy is intended to ensure that Pondok students receive secular education and Thai language training. Many of the lodges improved their quality to *Rong Rian Ekachon Sorn Sassana* (a private school teaching religion), implementing the previous policy and provide additional teachings of Islam[54]. This is against the will of the government. Therefore, the Thai government then realized the eviction of the Pondok, as it was considered to have come out of its essential essence.

2.3. Deep South Thailand Developments

In the early hours of January 4, 2004, a group of gunmen attacked an army camp in the southern Thai province of Narathiwat, capturing hundreds of weapons and killing four soldiers. At about the same time, there were fires in 20 schools and two unoccupied police posts in Yala province. Tires burned in various roads and planting fake explosives in several locations - believed by the police have been intended to divert their attention from army attacks[55]. The next day, two police officers were killed in a series of bomb attacks in Pattani province. The Thai government, led by Prime Minister Thaksin Shinawarta, responded by announcing Martial Law laws in several districts in the province of Deep South[56]. Thus, the recent start of violence in Thailand's southern province attracted attention internationally. However, according to recent estimates, it caused more than 2,400 casualties, and 4,000 people have been injured since 2004 and are threatened to escalate further[57].

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[54] Suwannarat, *Op.Cit*

[55] 'Barrack raided, 20 schools torched in South, *The Nation* (Bangkok), 5 Jan. 2004, http://www.nationmultimedia.co/

[56] 'Southern violence: Pattani hit, martial law declared', *The Nation*, 6 Jan. 2006

[57] Estimates of deaths and injuries related to the resistance between January 2004 and July 2007. . Human Rights Watch (HRW), *No One Is Safe: Insurgent Attacks on Civilians in Thailand's Southern Border Provinces*, vol. 19, no. 12 (HRW: New York, N.Y., Aug. 2007), p. 5.

On April 28, 2004, more than 100 people were suspected of being separatists. Most were lightly armed, and were killed after an attack on 11 police stations in the Deep South. About 30 separatists in Pattani then took refuge in the historic Mosque of Krue-Se. They were surrounded by security forces and killed by grenades after a few hours of resistance[58].

On October 24, 2004, during Ramadan fasting month, a demonstration outside Tak Bai police station led to the arrest of more than 1,000 activists. Many were stacked forcibly into the truck, and they crammed into it. As a result, 78 died, and most suffered from Asphyxia because of being pressured by the bodies of other prisoners. After the death incident in Tak Bai, violence in the southern provinces increased sharply, both in incidents and atrocities. The government responded by intensifying its efforts to put pressure on separatists.

By mid-2006, clearly the Thaksin government had lost control of the situation, and had few alternative approaches. There is division between the army and Thaksin on how to prosecute the conflict. The raging separatist movement in the southern provinces, the Thai government aims to find an effective new approach, understanding the nature of the conflict that has grown considerably urgently. It is time for the Thai government to re-examine the Patani conflict with a look to better understand its causes, dynamics, and thus, help identify possible ways to promote peace in the region. However, there is still disagreement between policy makers and analysts about the actual nature of the conflict, its causes and who is involved. In general, there are three different interpretations of contemporary conflict: Focuses on historical complaints, focuses on violence, and those who focus on Thailand's political role in fighting global terror. Of course, these interpretations are not mutually exclusive, but analysts disagree beyond their relative importance[59].

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[58] 'Southern carnage: kingdom shaken', *The Nation*, 29 Apr. 2004.

[59] Melvin, *Loc.Cit*, p. 11

The interpretation of the 'historical grievances' implies the fact that in the south of Thailand has a history of violence and resistance, which originated from the region's full-scale incorporation into Siam (former Thai name) in 1909. The Bangkok-initiated program to pacify the South, including linguistic assimilation and culture, largely failed[60]. The failure highlighted Thailand's shortcomings and state building in the region. Following the Second World War, violence emerged in the southern provinces, focused on the issue of separation from Thailand, and rejected the policy of assimilating Thai authorities.

At least 11 soldiers were killed in a roadside bomb attack on May 31, 2007, as they drove through Yala province on the southern tip of Thailand after negotiating with Malay Muslim activists. On the same day, seven others were killed when unidentified gunmen opened fire on local Muslims at a Masjid in Songkhla province[61]. Nearly two weeks later, on June 15, seven soldiers were killed in Yala on their way to the local school to provide security for teachers, often targeted by Muslim Malay; Three local government leaders were killed when their car was burned in Pattani province; and five people were injured as gunmen opened fire on a village in Yala province[62]. Earlier on May 6, Thai military authorities approved to free 24 suspected Muslim Malay militants and withdrew a guard unit from Krong Pinang district in Yala, after four days of demonstrations by 300 local communities. Officials claimed militants has forced local residents in the area to protest[63]. These incidents highlight the complexity and increasingly strong character of the contemporary Patani conflict.

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[60] E.g. International Crisis Group (ICG), *Southern Thiland: Insurgency, not Jihad,* Asia Report no. 98 (ICG: Singapore and Brussels, 18 may 2005)

[61] 'Thai bomb blast kills 11 soldiers', BBC News, 1 June 2007, http://news.bbc.co.uk/2/6709673.stm.

[62] 'Seven troops die in bombing', BBC News, 15 June 2007, http://news.bbc.co.uk/2/6755319.stm.

[63] 'Demonstrate end blockade', *The Nation*, 7 May 2007

During the Second of November 2016, the temporary Prime Minister was appointed by the new military junta, General Surayud Chulanont made his first joint venture to Thailand's southern border. During his visit, he apologized for any violent acts by the Thai Security Forces against ethnic Malays. Surayud proposed an initiative for the establishment of a special development zone that incorporated Narathiwat, Pattani, and Yala together with Songkhla and Satun provinces. In fact, he said that there is a possibility of implementation of Sharia law among Muslims in the south. The initiative is aimed at defusing southern calmness, and addressing complaints that Malay Muslims feel.

Violence continues in the south of Thailand, and the government is "trying" to settle the situation. Until at night on October 25, 2012[64], Yala was shaken by 30 explosions that caused terror and casualties. The next day, neighboring Narathiwat province saw a similar wave of attacks. The bombing is the intended campaign to commemorate the massacre of Tak Bai on April 28, 2004, which claimed 78 lives.

Tensions over land anexxation community rights also trigger ethnonationalist conflicts in the Deep South. In 2015, plans to build a coal-fired power plant in Pattani are protesting from the Malay Muslim community. It will relocate forcible people, masjids, and their graves to environmental destruction. *Majelis Amanah Rakyat Pattani* (MARP), an umbrella organization[65] for various separatist resistance factions, opposed to the development plan. The dispute became the main motive behind the motor bombing on January 19 and April 19, 2016, killing two people and wounding 16.

During the summer of 2016, a series of coordinated attacks took place

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[64] Anders Engvall & Magnus Anderson, *The Dynamics of Conflict in Southern Thailand*, Stockholm China Economic Research Institute (Stockholm School of Economics Asia Working Paper No. 33: Stockholm, Sweden, October 2014), p. 19.

[65] 'An Influence Organization', *English Oxford Living Dictionaries*

in several locations outside the Deep South, some of which were popular seaside inns with domestic and international tourists, raising concerns about a possible shift in NRF's strategy. The attack used an improved explosive device, which exploded on 11 and 12 August 2016, in Trang, Hua Hin, Surat Thani, Phuket, Phang Nga, and Nakhorn Si Thammarat. Four were killed and more than 30 others wounded[66]. Until now, international aid continues try to contribute to easing tensions between the Thai government and the Deep South community. With a long history of conflict and multiple conflicting features, the Deep South conflict is a deeply rooted conflict.

2.4. Human Rights Violations in Deep South

The violence took place in the Deep South has increased since more than a century. The violence alludes to the question of the lifting of the population rights of the long-standing Deep South population, most of whom are Muslim, and Malay ethnically and linguistically. This area is also one of the poorest and least developed parts of Thailand, and some sectors of the population have long rejected assimilation efforts by the central government and the majority of Buddhist Thailand.

According to Deep South Watch, an organization that monitors the Deep South conflict, more than 6,400 people were killed from 15,000 violent incidents between 2004 and 2015[67]. Other international organizations working in the field of human rights, such as Amnesty International, have documented the violations of Human rights extensively during this period, conducted by the Thai authorities against the Deep South community.

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[66] *Op.Cit,* p. 25

[67] Sri Sompop Chit Piromsri, *Southern Border Conflict in the Past 13 Years: The Complexity of the field, the violence and the power of the Patani Peace Dialogue*, Deep South Watch, Southern Situation Surveillance Center, Fri, 2017-07-21

2.4.1. Laws Facilitate of Human Rights Violations

The Thai Constitution of 2007 contains extensive human rights provisions, include an explicit prohibition[68] against "torture, brutal or punishment in a cruel and inhuman way". In contrast, the provisional constitution announced by the NCPO contains only brief references to Thai rights and obligations under international law, and silences torture[69]. This shortfall not only affects human rights at the level of the declaration, but also refuses redress for damages from victims of torture. According to the Committee Againts Torture (CAT)[70], an action is categorized in an act of torture if it has four elements: (1) Intention, (2) Severe illness, physical or mental suffering, (3) Aims such as coercion, intimidation, obtaining information or acknowledgement, and discrimination, (4) The degree of official involvement. In addition to failing to prohibit torture, Interim Constitutions also marks the protection of torture in a number of important, concrete ways in Article 44[71]. This Article gives the NCPO Head's power to "rule, withhold, or take any action, even if it has legislative, executive, and judicial" to promote a number of interests, including promoting unity, national

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[68] Constitution of the Kingdom of Thailand, B.E. 2550 (2007), Part 3, Article 32. Individual Rights and Liberties: *"A Person shall enjoy the rights and liberty in hos or her life and person. A torture, brutal act, or punishment by cruel or inhumane means shall not be permiited*"

[69] Constitution of the Kingdom of Thailand (Interim), B.E. 2557 (2014), Article 4 "Subject to the provisions of this Constitution, human dignity, rights, liberties and equality previously enjoyed by the Thai people with the protection under Thailand's administrative conventions of the democratic regime of government with the King as Head of State and Thailand's existing international obligations shall be protected under this Constitution "

[70] Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984

[71] Constitution of the Kingdom of Thailand (Interim), B.E. 2557 (2014), Article 44, the Head of the National Council for Peace and Order, with the approval of the National Council for Peace and Order, shall have power to order, restrain, or perform any act, whether such act has legislative, executive, or judicial force; the orders and the acts, including the performance in compliance with such orders, shall be deemed lawful and constitutional under this Constitution, and shall be final.

security, monarchy, economy or state affairs.

On 29 March 2016, the Constitutional Commission issued the final Draft of a new constitution, scheduled to be elected in a national referendum in August 2016. The draft prohibits torture and other ill-treatment under Article 28. On 7 August 2016, the draft constitution was ratified in a referendum nationwide, with 61 percent of voters approving the charter. The new constitution states that NCPO orders (except revoked), will continue to have legal force under subsequent governance.

2.4.1.1. Interim Constitutions, Martial Law, Emergency Decree, and NCPO Orders

International law requires that a person be arrested or detained to be brought before a judge and a chance to against his ongoing detention[72]. The Human Rights Committee has clarified that prisoners should be brought physically before a judge within a few days[73]. Failure to comply with this obligation puts detainees at greater risk of torture or ill-treatment and indicates an inadequacy in taking the necessary legislative, administrative and judicial measures to prevent human rights violations[74].

In Thailand, the Martial Law Act of 1914, the 2005 Emergency Decree for Public Administration in Emergency Situations (hereafter referred to as Emergency Decree) 26, and

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[72] International Covenant on Civil and Political Rights (ICCPR), Article 9 (3-4): The requirement that a detainee be promptly brought before a judge applies explicitly to those detained on suspicion of criminal activity.

[73] The UN Human Rights Committee's Proposed General Comment on the Right to Life, Amnesty International's Preliminary Observations, Peter Benenson House, London: United Kingdom, 2015

[74] United Nations Human Rights Committee (UNHRC), Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, General Comment 35, paras. 31-38.

Orders. 3/2558 and 13/2559 issued by the NCPO head all provide long-term detention by military authorities without judicial oversight or access to other protections provided by Thai law. Based on these explanations, the uncontrolled forces provided by this law have facilitated the torture, and persecution of prisoners by military personnel.

When the law of the Martial Law Act comes into effect, it gives the army a solid to conduct unsecured searches, trying civilians in military courts, colonize or destroy their property[75]. The law authorizes military authorities to arrest and detain 'enemies' or individuals, who disobey military orders for up to seven days without bringing them before the courts[76]. The Military Emergency Law does not specify where people can be detained. In practice, due to overlap with the Emergency Decree decision, detainees are often held in military camps, or other locations controlled by the army.

Whereas the law of the Martial Law Act enables the relentless arrest, arrests made under such legal decisions require a warrant issued by a civil court[77]. The government can detain people for a period of seven days according to the law, then submit an additional period of detention for up to 30 days. Each seven-day period requires the approval of a civil court. However, consent may be accepted without any physical confrontation for the prisoners to the court.

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[75] Martial Law Act, B.E. 2457 (1914), Articles 7 and 8. Amnesty International considers that military courts should not have the jurisdiction to try civilians, owing to the nature of these courts and because of concerns about their independence and impartiality. See Amnesty International, *Fair Trials Manual* (second edition) (AI Index: POL 30/002/2014), 9 April 2014, p. 225,

[76] Martial Law Act, Article 15

[77] Emergency Decree, BE 2548 (2005), section 12.

Explicitly, the decision of the Emergency Decree law stipulates that detainees are held at "non-police stations, detention centers, or prisons" locations for the first seven days of detention[78]. As a result, this provision mandated that the military be able to hold unlawful detainees against the place of detention.

In Deep South, where the two laws have been applied simultaneously since 2006, the duration of law enforcement adopted by this law is almost applied sequentially, so it can last for 37 days of continuous detention without any judicial oversight[79]. During this period of human rights, human rights violations through torture and other persecution often occur.

2.4.2. Arrest and Detention

As mentioned earlier, The Martial Law Act and Emergency Decree jointly authorize military personnel to detain individuals for 37 days without bringing their prisoners before the court. All the victims of torture and other persecution stated that they are often tortured in the first seven days of detention, without judicial oversight of their safety from torture.

After the first seven days expire, a detainee will be transferred to the official military interrogation headquarters in Ingkayuth Camp[80]. In Ingkayuth, interrogations are usually executed by soldiers of various ranks. The victim said that after they were transferred to the camp, they were treated better than before.

The NCPO has arbitrarily arrested hundreds of journalists,

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[78] Emergency Decree, section 12

[79] Amnesty International, *Torture in the Southern Counter-Insurgency*, January 2009, p. 25.

[80] Amnesty International delegates visited the family visiting centre at Ingkayuth camp in February 2015. The centre includes a shaded area with tables and benches for families and detainees to meet.

activists, academics, students, and others suspected of being political opponents. Some of those detained for a period of seven days by martial law authority or Order no. 3/2558, and then released without any charges. During the interrogation period, they were forced to stop doing political activity in the future. There are also other individuals arrested for their involvement in acts of political violence, or other criminal activity, including attacks (resistance) against government buildings using rifles and grenades.

CHAPTER III

THE ROLE OF AMNESTY INTERNATIONAL IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND

The efforts of the Thai government against the separatist movement are an act categorized in human rights abuses. Based on the formulation of laws that facilitate torture, and all its policy features, are included in the category of human rights violations in accordance with UNCAT's mandate[81]. The problem is drawing attention from various international actors, such as AI, especially in the field of human rights. In fact, Thailand does not perceive such behavior as a human rights violation, as it is a member state of the anti-torture convention. Therefore, AI is trying to get the Thai government to account for the statements contained in the convention, which in turn will end the human rights violations. Thus, in this section will be discussed related to the role of AI in enforcing human rights in Deep South Thailand.

3.1. The role of Amnesty International in Deep South Thailand

The AI has consistently criticized all forms of human rights offenses committed by the Thai government, including systematic torture by Thai security[82]. AI has documented 28 cases of torture and other ill-treatment by the military in the Deep South, and sometimes police participation in it. 24 cases between 2013 and 2015. Four additional cases become comparisons as a reference point. All of the victims were Muslim men, mostly from rural areas working in agriculture, most of whom were 30 years old[83]. All the

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[81] The Convention is an international human rights treaty which mandated a global prohibition on torture and other acts of cruel, inhuman, or drgrading treatment or punishment and creates an instrument to monitor governments and hold them to account, *Convention Againts Torture Initiative (CTI) CTI2024.ORG https://cti2024.org/en/what-is-the-uncat/*

[82] Amnesty International, *Torture in the Southern Counter-Insurgency*, Peter Benenson House, 1 Easton Street, London:L United Kingdom 2009

[83] Patani Human Rights Group, and Cross-Cultural Foundation, and Hearty Support (Duay Jai Group), *Torture and ill treatment in The Deep South Documented in 2014-2015*,

testimonies of the victims to the AI were conducted at their own residence, or in their village, because the AI delegation was not allowed to meet detainees in military custody. While it is difficult to estimate well the scale of torture in the Deep South, reports from other sources indicate that the problem goes beyond the cases documented in the report.

Torture victims face many challenges in their recovery. The Interim Constitution, Martial Law Act, Emergency Decree, and Order No. 3/2558 and Order No. 13/2559, each containing immunological provisions that may have been used to protect the military and other authorities from liability for acts of torture and other ill-treatment. In addition, AI finds that police officers, prosecutors and courts, when faced with allegations of torture or other persecution, often to unobtrusively investigate the allegations promptly, independently, impartially and effectively. As required by the international in the report submitted to UNHRC and UNCAT. The Thai government has committed to upholding its international obligations related to the prohibition of torture and other persecution.

AI has documented 74 cases of torture or other persecution in the Deep South in 2015[84]. Based on previous explanations, cases of torture in the Deep South continues to increase every year. The AI delegation has interviewed 57 survivors[85] of torture or other ill-treatment and 19 family members and lawyers who met with victims during or shortly after their interrogation. Dependence on second hand testimony is necessary, as government officials often deny AI access to places of detention. In some cases, AI reviews letters written by victims describing their experiences, given to AI by the TLHR.

February 2016

[84] *Loc.Cit,Make Him Speal by Tommorow,* p. 16

[85] These numbers overlap as in 13 of the cases Amnesty International interviewed both the detainees and their family members.

Where possible, AI analyzes legal and medical records and other documents relating to the cases described in the report. However, in most cases, the victim made no complaints about acts of torture, and it is impossible to obtain documentary evidence to corroborate the testimonies of his own victims, family members, and lawyers. This is due in large part to the fact that many victims are afraid of retaliation if they make a complaint; even doctors are hesitant to document the injuries sustained in custody and relate them to torture.

To end torture and other ill-treatment by the Thai government requires a strong, sustainable, and multifaceted effort that combines the creation of new bodies and processes, training of soldiers, police officers, judges and civil servants, cooperation within the international community, and most importantly legislative reform. In addition, to end torture, Thai authorities need to reverse the widespread impunity enjoyed by the security forces, and build a military and police culture that respects and protects individuals from all sectors of society.

3.1.1. Investigation, Reparation, and Impunity

The right to recover for human rights violations is a fundamental principle of international law[86]. UNCAT requires member states to initiate a prompt and impartial investigation, wherever there is a plausible reason that torture has been committed[87]. Member States should also ensure that the individual has the right to complain about the act of torture and the complaint is promptly examined, and certainly impartial. In addition, member states should ensure that perpetrators of torture are prosecuted and the legal system they give the right to fair and adequate compensation. UNHRC and UNCAT have made it clear that the obligation to investigate, prosecute and ensure reparations

[86] Universal Declaration of Human Rights, adopted by General Assembly resolution 217 A(III), 10 December 1948, Article 8; ICCPR, Article 2(3);

[87] Convention against Torture, Article 12.

includes cruel, inhuman or degrading treatment or punishment.

In communications with UNCAT, the Thai government has committed to investigate and prosecute officials who commit acts of torture and provide other compensation and remedies to victims of torture[88]. Nevertheless, structural obstacles impede accountability, and in practice, officials enjoy widespread impunity for torture.

Thailand's Interim Constitution, Martial Law Act, Emergency Decree and Head of NCPO Orders No. 3/2558, and No. 13/2559, all contain immune provisions that can be used to protect military and other officials from liability for torture. Article 48 Interim Constitutions provides immunities that eliminate the errors, responsibilities, and obligations of individuals exercising power on behalf of the NCPO, irrespective of the legality of their actions. The Martial Law Act, Emergency Decree, and Orders 3/2558 and 13/2559 also provide immunity to individuals who exercise power under the law and order[89]. These provisions significantly impede the ability of the authorities to investigate or prosecute perpetrators of torture and other ill-treatment and the ability of victims to reparations.

In a follow-up to the Thai government's report on UNCAT, Thailand listed various bodies which could accommodate victims' complaints of torture, such as the National Rights Commission of Thailand (NRCT), the Ombudman Office, the Department of Justice and Freedom from the Ministry of Justice, the Legal Aid Office at the Prosecutor's Office Agung, and the Prime Minister's Office. Unfortunately, most prisoners find it very difficult, because access to such institutions is virtually impossible[90]. Nothing in UNCAT's report details the practice of prisoners being able to contact any of these agencies with complaints, nor any reports providing

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[88] Thailand Follow-Up Report to CAT, paras. 46-49 and 64-66

[89] Martial Law Act, 1914, Article 16; Emergency Decree, section 17; Order No. 3/2558, Article 14; Order No. 13/2559, Article 9.

[90] *Loc.Cit*, *Make Him Speak by Tommorow*, p. 22

statistical data on the number of complaints and results. As it is impossible for prisoners to find a way out for their complaints (reparation).

In the case investigation issue, AI has interviewed several victims of the torture. According to the victims, their family members, lawyers and NGO staff working with prisoners, torture and other ill-treatment happened mainly during the initial seven-day interrogation period, which can not be accounted for in unofficial places of detention. Soldiers have tortured or perpetrated abuse with prisoners while demanding that they claimed to have committed crimes or provided information about attacks and other activities by separatist movements, and other militant identities.

AI researchers did not find a place of torture specifically, with special equipment or instruments. In contrast, military interrogators use methods of torture and other ill-treatment using items in the neighborhood of victims, such as their hands, knees, and feet, firearms, sticks, plastic bags, scarves, and even clothing pieces[91].

"Fisal". A man in his late 20s who was arrested in late 2013, told AI about the various forms of abuse used by soldiers as they tried to take recognition from him shortly after his arrest, while still at his family's home. On the same day, Fisal was transferred to the police station, then to the army base, where he was detained for seven days, and the torture continued:

> *"When I arrived at the camp they tied my hands at the front, led me by a rope and made me crawl on the ground for about 50 meters. I requested food and drink, but they give me the food that they give to their dogs. I was crying form the humiliation. "92*

After forcing Fisal to acknowledge his alleged crime, the military officer took him to the scene of the shooting, and pretended punish him with the law of shooting dead. Then Fisal was issued by the army without charge. He showed himself a picture of AI taken about two weeks in his custody.

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[91] *Ibid.,* p. 10-11

[92] *Ibid.,* p. 15-16

Inside the photo, his face was swollen and one of his eyes was half closed.

3.1.2. Recommendations to the Government of Thailand by Amnesty International

Torture and other persecution by military and police authorities has threatened individuals and entire Deep South societies. The persistence of such bad behavior has to do with Thailand's legal and institutional frameworks that fail to provide protection, and ensure accountability for such practices.

In the Deep South, the Martial Law Act and Emergency Decree Act have facilitated the detention of individuals in unofficial place of detention, without access to judicial oversight or other security measures provided by Thai law, resulting in torture by military personnel. Implementation of the law, and then Order No. 3/2558[93] has empowered the army to detain persons suspected of having committed state-related security violations for up to seven days in an unofficial place of detention without access to lawyers, judges or family members.

Simultaneously, these laws have facilitated a systematic violation of human rights. In recent years[94], AI and TLHR have consistently documented the use of torture methods by military personnel while interrogating detainees during the period of detention. Therefore, AI concludes that torture by military officers in Thailand is systematic.

In addressing this issue, the Thai government must lead efforts to stop torture and other ill-treatment by publicly condemning any form of torture, treatment, and cruel, inhuman or degrading punishment and stating that such acts are intolerable, the circumstances. Those

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[93] Order No. 3/2558, Article 14

[94] Amnesty International Joint Public Statement, Index: ASA 39/6589/2017, *Thailand: Amnesty International and the International Commission of Jurist call on Thailand to follow through on commitments to prevent torture and ill-treatment*, 26 June 2017

suspected of being responsible for such actions will be brought to justice, regardless of rank or title. Further, the following specific actions should be adopted by the Thai government as a matter of priority:

3.1.2.1. Protection from Torture or Other Ill Treatment

Establish in laws, policies and practices, relating to protection against torture, ill-treatment, harsh punishment, no humane or degrading human dignity, including in the context described below:

3.1.2.2. Arrest

a. Ensure that arrests are made only for reasons permitted under International Human Rights Law.
b. To immediate inform each individual of their rights and reason for his arrest.
c. Respect and facilitate the rights of every individual who is arrested by informing the family, and others about their arrest.
d. Prevent torture and other persecution during the transport of detainees; including among places of detention, and to court, and
e. Keeps records of all arrests, without exception.

3.1.2.3. Detention

a. Ensure that individuals are held only in official places of detention, and keep records of detention officially from all cases of detention, from the beginning of detention to the end without exception.
b. Ensure that all detainees have access to independent lawyers from the beginning of detention.
c. Ensure all detainees have instant access to relatives,

medical care, legal counsel and courts, thus ending isolated detention practice.

d. Ensure that all detainees are treated humanely and held in dignified and conducive conditions for the mental and physical well-being of prisoners; and
e. Ensure that all detainees have easy access to an independent, impartial and efficient complaint mechanism without suffering adverse consequences.

3.1.2.4. Legal Framework

a. Ensure Thai law to prohibit torture and cruel, inhuman or degrading treatment or punishment, at all times and in all situations, including in the future constitution.
b. Revoke or amend the Martial Law Act, Emergency Decree of 2005, Order No. 3/2558 and Order No. 13/2559 to ensure compliance with international human rights law and standards[95], including by ensuring that persons detained in official places. Detention with quick access to selected lawyers, family, and independent court, and by ensuring that all questions in the presence of a lawyer of choice.
c. Ensure in law and practice that 'confessions' and statements and other evidence obtained through torture and other persecution are never recognized as evidence in court.
d. Ensure in laws, policies and practices that military personnel can be tried in civil courts for committing acts of torture and similar human rights violations.
e. Ratify and implement the Protocols in the CAT, by

[95] *Loc.Cit*, *Make Him Speak by Tommorow*, p. 25

establishing an independent[96], efficient and resourceful body with the power to make unrestricted and unannounced visits to all places of detention and all persons deprived of their liberty.

f. Ratify and implement the International Convention for the protection of all persons.
g. Ratify and incorporate into the domestic law of the Rome Statute of the International Criminal Court (ICC), and:
h. Facilitate visits to Thailand by the UN special rapporteur on CAT, and ensure that the reporter has access to all facilities detention and detainees in Thailand, including all unofficial places of detention.

3.1.3. Legislative Framework for Torture

International law prohibits all torture, cruel, inhuman or degrading treatment of human dignity absolutely, in all circumstances and without exception. In this regard, Thailand has responsibility for the CAT, and as a country ratifying the International Covenant on Civil and Political Rights (ICCPR), which is in accordance with the anti-torture conventions which prohibit torture and other ill-treatment[97]. The prohibition against torture or other persecution is also a *Costumary Law98* that binds the whole nation.

As a member country of the CAT, Thailand obliged to make torture a criminal offense[99]. According to Article 1 of Article 2 contained in the CAT[100], each Member State shall take legislative, administrative

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[96] *Ibid.*, p. 26

[97] International Covenant on Civil and Political Rights (ICCPR), adopted by General Assembly resolution 2200A (XXI) of 16 December 1966, entered into force 23 March 1976, Article 7; The Geneva Conventions, 12 August 1949;

[98] Traditional, *Cambridge Advanced Learner's Dictionary Third Edition*

[99] Convention against Torture, Articles 2 and 4

[100] CAT Article 2, No. 1, No exceptional circumstances whatsoever, whether a state

or judicial measures to prevent acts of torture in any territory under its jurisdiction. There is no circumstance to justify an act of torture, even under conditions of war or threat of war, internal political instability, or other public emergency.

Currently, the Thai Criminal Code does not specifically criminalize acts of torture. In its 2013 report to the CAT, the Thai government affirmed that acts of torture may be filed under various provisions of the Criminal Code relating to the *Crime of the Battery*[101]. However, the CAT has consistently stressed that under the Convention, torture should be defined as a violation different from ordinary attacks or other forms of ill-treatment[102]. The committee responded to Thailand's report by urging her to categorize torture as a separate and specific criminal act of legislation, and to ensure that the punishment for the crime of torture is commensurate with the severity of the offense.

Moreover, Thailand has also failed to ensure that statements obtained through tortures are not recognized as evidence in legal proceedings, as required by convention[103]. Although the Criminal Code prohibits the application of torture to obtain statements or information from the defendant, however the Thai government is remain recalcitrant in using its methods to reap a statement. In contrast, section 226[104] (1)

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of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

[101] Battery is any unlawful offensive physical contact with another person, with or without his or her consent. The contact does not have to be violent for the crime of battery to take place, it can be merely any offensive touching. However, unlike the crime of assault, battery requires that actual contact is made, while assault charges can be brought with only the threat of violence, Charles Montaldo, *Understanding the Crime of Battery*

[102] Committee against Torture, General Comment 2, paras. 8-11.

[103] Convention against Torture, Article 15

104 "Where it appears to the court that any evidence is just per se but it has been obtained by an unjust act or by result of information produced or obtained through an unjust act, the court shall exclude it, save where the admittance of such evidence would be more beneficial to the carriage of justice than detrimental to the criminal justice standard or fundamental rights and liberties of the people." Criminal Procedure Code of Thailand,

of the Criminal Code gives the court a direction to consider termination of evidence in a case.

It gives a green light for statements or information obtained through torture or other ill-treatment to be recognized as evidence. A senior member of the Thailand court confirmed in an interview with AI that this provision, in practice of justice, was understood as a court of consideration for considering evidence even though the detainee was tortured in order to provide it. By allowing the court to recognize evidence obtained through torture, it indicates a violation of Thailand's obligations to the convention.

Despite these shortcomings, the Thai Criminal Code has several relevant provisions which, if applied, would reduce the risk of torture against individuals in state custody, consisting of:

a. The requirement that prisoners be brought to trial within 48 hours of their detention.
b. The right of detainees to appear in court and against his detention, and
c. The right of detainees to ask for legal advice when questioned[105].

These provision is essential, and when effectively and universally applied, can serve as an essential safeguard against torture and other ill-treatment.

However, as mentioned earlier, Thailand's constitutional framework, various laws, and current orders weaken and prevent those provisions. In addition, when it comes to the treatment of criminal offenses, especially if it comes from the Deep South community, officers often ignore their security. In Thailand's status as a country

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section 226(1).

[105] Criminal Procedure Code of Thailand, section 87, 90, 7/1

ratifying the ICCPR, it is incumbent upon the country to comply with the rules and conditions of the Convention, as well as the previous Convention.

3.2. Draft Formulation of the Law Againts Torture

Thailand's obligations under the CAT, require the Thai government to immediately amend any policies, laws or conduct related to torture or other persecution, and condemn it. As a member of the ICCPR, Thailand must participate in enforcing the human rights violations.

Based on previous explanations, AI has consistently conducted research and interviewed various individuals relating to torture such as detainees, their families, or lawyers between 2013 and 2015. The documentation produced by AI is certainly inseparable from the role of local NGOs who helped during the research process. One of its local NGOs is TLHR. TLHR provides information not likely easy found by AI. It provides information that has been processed from interviews and research conducted independently[106]. In particular, AI receives information from TLHR through TLHR lawyers providing information related to victims, torture, and so on. Through the value equation it is believed that human rights must be upheld, AI and TLHR form a cooperative network to significantly help the Deep South community.

In 2014, under the help of encouragement and pressure from the two actors of the organization, Thailand formulated a draft law on *the Prevention and Suppression of Torture and Enforced Disappearance Act107* (hereafter referred to as the Draf Act), which would make torture and other ill-treatment as a different criminal offense. At the time of writing, the draft was in the presence of the State Council, and it seemed to be passed into law.

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[106] *Loc.Cit, p. 35*

[107] *Ibid., p. 37*

AI and TLHR deplored Thailand's National Legislative Assembly decision to delay the legislative path for drafting[108]. AI called on the Thai government to stop its impeding steps, and instead to prioritize the draft Act amendment to bring it into the legal path. The government must then ensure its transition into law without undue delay.

AI welcomes the amalgamation of several of its recommendations regarding the draft laws made to the authorities both personally and in writing during 2014 and 2015. The text of the draft law is largely in accordance with UNCAT. Among other elements, the draft uses the definition of torture[109] given by the Convention; strictly prohibit evidence or statements obtained by torture. This adoption will be a significant step towards the prevention of torture and ensuring Thai compliance with its obligations under the CAT, and other international law in general.

On June 26, known as the International Day to Support the Victims of Torture[110], AI and TLHR welcomed the commitments made by the Royal Thai government to prevent torture and other ill-treatment, and urged the authorities to ensure there was no further delay in carrying out this venture. Nevertheless, both organizations remain concerned that torture is still prevalent in Thailand. The Thai government has not yet established laws, policies and practices that individuals are not detained in conditions that increase the risk of torture.

In particular, executive laws and orders that allow individuals to be detained by military personnel in unofficial place of detention, in the

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[108] Amnesty International, International Commission of Jurist, *Thailand: Prioritize the amendment and passage of legislation on torture and enforced disappearances*, Join Statement, ASA 39/5846/2017, 9 March 2017

[109] Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession

[110] Amnesty International, International Commission of Jurist, *Thailand: Prioritize the amendment and passage of legislation on torture and enforced disappearances*, Join Statement, ASA 39/5846/2017, 9 March 2017

absence of judicial oversight creates conditions susceptible to torture. Indeed, AI and TLHR researchers have shown that torture often occurs in the detention phase. AI and TLHR urged the Thai government to amend or repeal such laws and laws, including the NCPO Chief and Emergency Decree directives.

Other acts of torture and persecution that occurred in Thailand are rarely examined quickly, impartially, independently and efficiently, as mandated by the CAT. AI and TLHR urged Thai authorities to ensure that such investigations were carried out into all reports of torture and other ill-treatment. The scope, methods, and findings of such investigations should be published. If sufficient evidence is collected, the offender must be prosecuted in a fair trial of civil courts.

Thailand has made significant commitments to UNCAT and UNHRC to enforce its obligations under its conventions. It includes a commitment to punish acts of torture, as defined in the Convention, under criminal law and establish an independent body to visit all places of detention under the scope of the Ministry of Justice. However, until recently, still promises on paper, which have not yet been realized into action. AI along with support from the TLHR, called on Thailand to move forward with this commitment, including by criminalizing torture, other arbitrary acts, establishing practical, legal, and procedural safeguards against such practices, and ensuring that victims and others reporting torture without fear. The scope of Thai responsibility under the CAT is not limited to the formulation of an anti-torture draft alone. AI asked the Thai government to abide by its obligations under the Convention, and continue to honor its commitments.

CHAPTER IV

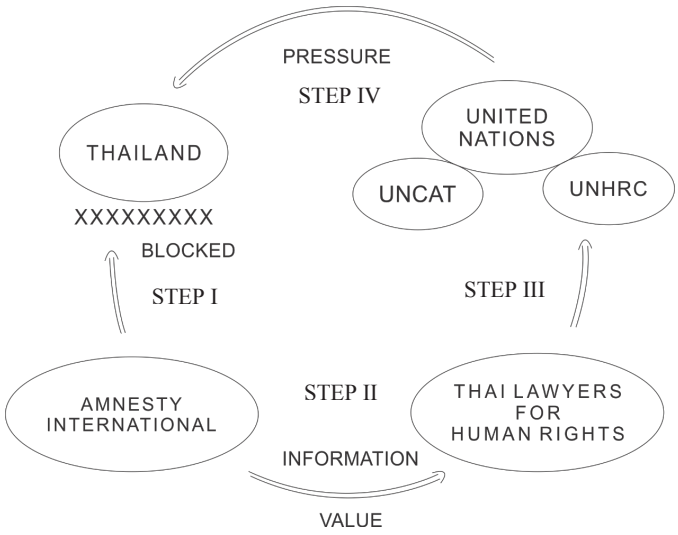
ANALYSIS OF AMNESTY INTERNATIONAL SUCCESS IN ENFORCING HUMAN RIGHTS IN DEEP SOUTH THAILAND CONFLICT

Thailand's obligations as a member country of various anti-torture conventions such as the CAT, the ICCPR requires its government to comply with the provisions of the two conventions. Thailand's commitment by ratifying the convention must coincide with its practice and policy style. The Respect for the commitment is supported by AI as INGO and TLHR as local non-governmental organization in Thailand. The two actors attempted to shape Thai law by jointly building an advocacy network, which then advocated stronger actors such as UNCAT and UNHRC, as well as actors linked to conventions to pressure Thai authorities to account for their commitments. The business carried out by AI managed to persuade the Thai government. The form of its success is manifested in the formulation of the Draft Act, which is a draft law in accordance with respect for human rights, and condemns all acts that undermine human dignity.

AI's success is certainly a good step for non-governmental actors. This step can be a Milestone for other non-state actors in particular organizations that operate within the scope of human rights about the potential that can be achieved. The success of the Amnesty International in enfrocing human rights in the Deep South Thailand conflict is because AI has made the Thai government to initiate the formulation of the Draft Act. The AI success factor in influencing Thailand consists of several advocacy strategies: establishing advocacy network, influencing powerful actors, and presses Thailand government throught advocacy network.

Thus, this section will analyze the successes made by AI in enforcing Human Rights in Deep South Thailand Conflict. AI's success strategy in enforcing human rights abuses in Deep South includes measures; Establish

Advocacy Networks (TLHR), Influencing Powerful Actors (UNCAT, and UNHRC), and Suppressing Thai Government through Advocacy Networks. The advocacy network strategy in performing its action forms a pattern called the Boomerang Pattern:



4.1. Amnesty International's Success in Establishing Advocacy Networks

During the AI study period in Deep South Thailand, AI certainly experienced various obstacles such as prohibition in accessing the place of detention of the victim. Such problems are encountered by AI researchers with the help of a local NGO, working on human rights, the TLHR. The TLHR provides information to AI regarding information on victims 'torture, through interviews with victims' families and their lawyers. Where possible, AI researchers may interview one of the victims of torture and detention with access to TLHR.

On the basis of a sense of humanity and human rights crimes that must be resolved soon, AI and TLHR form an advocacy network. Applying the Moral Leverage approach[111], AI formed an advocacy network with the

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TLHR through a value equation[112], which is human rights that must be upheld in the midst of violence that plagues the Deep South community. The TLHR considers that the protection of the right to a fair trial is the key to ensuring justice[113]. TLHR's own mission is to provide legal precautions to those arrested, detained, and tried as a consequence of the Emergency Decree law, and the NCPO order, as well as civilians prosecuted in military courts. In addition, TLHR also plays a role to monitor and document the human rights violations that occurred in Thailand, where the idea is in line with the idea believed by AI as well. The similarity of ideas encourages communication between the two to form an advocacy network, which is the real form of the result of Moral Leverage conducted by AI on TLHR.

With this advocacy network, simplify the steps taken by AI in upholding human rights in Deep South. As a Non-Governmental International Organization, AI has wide flexibility in performing its actions. In the TAN concept, the actor who is believed to have the most significant influence in advocating is a non-governmental organization, as she does not rides the interests of any actor. In addition, INGO, according to Margaret E Keck and Katterin Sikkink[114], is an actor who moves on social level, where he moves in the realm of society, which is close to the people especially in the field of humanity such as AI and TLHR. Surely such an organization has the potential to develop its ideas and principles, to then influence civilians with the value of their beliefs.

The advocacy network established by AI does not stop at TLHR alone. TLHR, as a local organization that is engaged in human rights, is not

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[112] The TLHR urges the Thai authorities to repeal the Emergency Decree law, and any other policy that violates human rights, and stop the processing of civilians in military courts

[113] Thai Lawyers for Human Rights, *Martial Law and the Military Court Civil and Politics Rights in Thailand*, Press Release, Prachatai English, Mon, 02/02/2015- 10.54, https://prachatai.com/english/node/4739

[114] *Loc.Cit*, Activist Beyond Order, p. 18-19

enough to influence the Thai government. For that reason, AI tries to attract the attention of more potent (powerful) international actors to pressure the Thai government.

The steps taken by AI in forming an advocacy network to enforce human rights in the Deep South is a good step. Previously, local NGOs such as the TLHR, and many other organizations certainly did not have juridical access to the government. The problem is solved by an advocacy network established by AI. When merging values and information from AI and TLHR, local organizations such as TLHR will have jurisdictional access to government through the role of AI as an international organization. Because, when local actors do not have access to the government, that is where the intersection for international and local actors. It is this factor which is the meaning of AI's success point in forming an advocacy network.

With this advocacy network, it gives hope for local actors to be able to influence the local government. TLHR as a local organization established after the adoption of the NCPO Emergency Decree and the NCPO Ordinance, has the purpose to dispel the further application of the law. The acts committed by the TLHR are to monitor and collect information related to the victims of detention or torture of the consequences of the legislature. The whole action is as if to provide legal protection for the victims. Therefore, with the advocacy of this advocacy network, TLHR can contribute more, and together can realize a law of protection from detention, torture, and all actions that degrade human dignity. Thus, the efforts made by AI n establishing an advocacy network to enforce human rights violations in the Deep South is a success.

4.2. Amnesty International's Success on Influencing Powerful Actors

To be able to influence a country, it takes an actor who has influence that can be said to be comparable with the actor of the country itself. A network is not an actor whose role is proportional to the state, but it can

attract and influence other actors to then be able to influence a country. The role in influencing the country will be a joint task for the advocacy network after it attracts powerful actors to join it. Therefore, the advocacy network after attracting powerful actors has the potential to influence the policy style of a country.

In the case of Deep South, AI formed an advocacy network with TLHR, then drew influential actors such as UNCAT and UNHRC. UNCAT as the body responsible for the CAT convention, and UNHRC as the body responsible for the ICCCPR convention. AI uses the situation to attract their positions and join the advocacy network. The method used by AI in attracting the two actors is Accountability Politics approach. AI is trying to get the Thai government to account for commitments that have openly ratified the CAT and ICCPR conventions. Through this effort, AI then pulled the two actors together to form an advocacy network and pressure the authorities Thailand, as UNCAT and UNHRC themselves have questioned the respect for Thailand's commitment. The advocacy network seeks to convince the government to openly change their position on the issue. Once the government has publicly committed itself to a principle, then the advocacy network can use that position to suppress that commitment.

The AI Approach to UNHRC is by submitting an AI research report[115] during the Deep South Thailand as a form of AI supervision of Thai compliance to the ICCPR. The report contains AI research on torture, detention, and other ill-treatment, as well as restrictions on the right to freedom of expression, and association. In its submission, AI also provides recommendations to the Thai otortias, which it aims to ensure that UNHRC understands that they share the same values and expectations of eliminating all human rights violations throughout the world, especially the Deep South Thailand region. From the exposure of AI recommendations to human

[115] Amnesty International, *Submission to the United Nations Human Rights Committee*, 119th session, 6-29 March 2017 (Peter Benenson House, London)

rights abuses in the Deep South, UNHRC understands the intentions of the AI and then presses the Thai government through its responsibility to the convention.

In the AI report to UNCAT[116], she concluded that the Thai government should take urgent steps to end torture other ill-treatment, or cruel, inhuman, and degrading punishment. To immediately enforce and enforce the law to recognize torture as a crime. Amnesty International has urged the Thai government to amend the draft law to bring it in line with international law and to ensure its transition into law without unnecessary delay. The statement was submitted by AI to UNHRC in one of its reports on March 12, 2017[117]. According to the report, UNHRC is encouraged to review Thai compliance in accordance with the ICCPR.

Rupert Abbott, Deputy Director of Asia Pacific AI[118], said: *"Torture and other ill-treatment are still an endemic problem in Thailand, and the fact that torture has not been recognized as a crime highlights the need for governments to take joint action"*. Thailand's involvement with the UN review is welcomed and offers an opportunity to address long-standing concerns. To that end, Thailand must follow up with concrete actions to end torture.

With various reviews or reports from both influential actors on issues, AI considers that the action is an opportunity to jointly end the torture that has spread in the Deep South. In addition, AI has consistently pressured the government through its research reports, and other publications.

The movement of AI in attracting more influential actors such as UNCAT and UNHRC is the right step. Clearly, Advocacy Networks

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[116] Amnesty International, Submission to the United Nations Committee Against Torture, 52nd Session, 28 April-23 May 2014 (Peter Benenson House, London)

[117] Amnesty International Public Statement, *Thailand: Treaty Ratification Must be Followes by Domestic Action to Combat Enforced Disappearances*, ASA 39/5862/2017, (12 March 2017)

[118] *Ibid, p. 12*

previously consisting of TLHR and AI are not strong enough to influence the position of a country, because the two actors are non-government actors. Recognizing this, AI is attracting more influential international actors. By using accountability politics method in TAN concept, AI finally succeeded in attracting UNCAT and UNHRC.

AI's efforts in attracting powerful actors into its advocacy network are part of AI's success in upholding human rights in the Deep South. Action conducted by AI is to collect data and information related to torture, and place of detention. AI also monitors how the Thai government acts as a member country of various anti-torture conventions. AI also simultaneously checks Thai compliance through its responsibilities under the conventions. AI views that Thailand itself does not even comply with the convention, and legislation has opposed the provisions of the convention. The form of conflict is by facilitating human rights violations in the law it makes. From the above, AI can attract and influence influential actors to join the advocacy network.

Based on the previous description, AI succeeded in applying the accountability politics method in TAN concept. It has succeeded in influencing IGO's by mobilization of NGOs. The case also confirms the statement from Sikkink and Margaret that NGOs are the most significant actors in the TAN concept. Justification is projected by the role of AI that can influence the influential actors.

The indication of UNCAT and UNHRC as powerfulactors is their authority as one of the UN bodies. UN as an IGO certainly has more influence when compared to AI as INGO, and TLHR as a local NGO in Thailand. In addition, Thailand has also committed to ratify international conventions such as the ICCPR and CAT, both of which are actors of the agency concerned. In accordance with the TAN concept, non-governmental actors will seek to attract the attention of government actors who have more

potential to be able to change the policies of a country.

Evidence of AI's success in influencing UNCAT and UNHRC is increasing their responsibility as an international body with the authority to resolve the issue in Thailand right away. That responsibility has increased because AI and TLHR have consistently examined torture and incessant detention by Thai authorities and gave it to both actors. To that end, UNCAT and UNHRC are encouraged to join the advocacy network.

4.3. The Success of Amnesty International Presses Thailand Government through Advocacy Network

The Thai government's respect for humanity is embodied in ratifying international human rights-related conventions, such as the CAT and the ICCPR. The commitment seems incompatible with the direction of the Thai government's own direction. The policy style of Thai law and law is in contrast to its commitment to facilitate human rights abuses, in particular the issue of detention and torture. It has become a responsibility for Thai authorities to comply with its provisions. Therefore, Thailand has obligations to the international convention. Advocacy networks consisting of AI, TLHR, UNCAT, and UNHRC have a role in accounting for Thailand's obligations to the convention. To that end, AI together with its advocacy network put pressure on the Thai government to significantly and radically change the direction of its policies and its laws which have thus facilitated various human rights violations, which are inconsistent with the provisions of the convention.

The emphasis of the advocacy network on the Thai government is to consistently report on torture, other ill-treatment, which then UNCAT and UNHRC will emphasize. It shows the value equation and the intention to immediately end the worries will be deep torture and detention in the Deep South. Under such pressure, an initiative for the formulation of an anti-torture law (Draft Act) was introduced. Substantially, the meaning of

the draft is the criminalization of acts of torture and other ill-treatment, whereby it can end torture and enforce human rights violations that have been plagued.

The initiation of drafting of the Draft Act is the point of success of AI in enforcing human rights in Deep South Thailand. In fact, AI has been successful in influencing Thai government policy, which is very relevant to the purpose of the TAN concept. For that reason, the main reason for AI's success in establishing Ham in the Deep South is because AI implements the TAN concept, from the first Moral Leverage to TLHR, to the Accountability Politics method of attracting powerful actors (UNCAT and UNHRC) and pressing the Thai government.

The emergence of ideas for the drafting of the Draft Act is a proof of AI's success in upholding human rights in Deep South Thailand. Since, since the end of the Deep South conflict, international assistance to its people has been limited to Human Rights Watch and Deep South Watch as international actors. Seeing this, AI tries to solve the problems directly from its roots, namely by changing the basic laws, and the direction of Thai government policy. Therefore, AI's success in influencing Thai policy is a long-term matter. According to the Economist Intelligence Unit (EIU) Democracy Index[119], Thailand is part of the state of *Hybrid Regime120, in which the formulation of the Draf Act formulation is a success point for AI in enforcing human rights in Thailand. This statement certainly corroborates the answers of this study.*

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[119] The Economist Intelligence Unit Democracy Index, https://infographics.economist.com/2018/DemocracyIndex/

[120] Combine democratic traits (e.g., frequent and direct elections) with autocratic ones, Oxford Bibliographies

CHAPTER V

CONCLUSION AND SUGGESTION

This section contains the conclusions of previous discussions related to Deep South Thailand Conflict, human rights violations in Deep South, AI's role in upholding human rights, and the relevance of the concept used by AI. The effectiveness of the application of the concept will also be presented in this chapter. To close, a suggestion will be outlined in this chapter as a stepping stone for future researchers who wish to develop this research.

5.1. Conclusion

The Deep South Thai conflict is a subnational conflict in the Asian region. This conflict is concentrated in an area along the Thai-Malaysian border, where the majority of the local population is ethnically Malay. The area is three provinces: Pattani, Yala, and Narathiwat. The history of the Deep South has a long history of annexation by the Kingdom of Siam (contemporary Thailand) to the Patani region (the three previous provinces) to a unified state, Thailand.

Since the annexation, the region of Thailand or known as Deep South experienced discrimination in education, culture, and others. The permanent residents of the Siamese kingdom are Buddhist Thai, while Deep South is a Muslim Malay. Based on these identity differences, Deep South people experience discrimination. In fact, the accident not only stops on discrimination, but rather to human rights violation. Deep South societies that have been discriminated against since the Thai annexation sought to defend their rights until a separatist movement emerged. The Thai government, which is a resident of Siam, considers the emergence of the separatist movement as an act of rebellion against the state.

The emergence of separatist movements as a struggle for Malay Muslims must be a threat to the Thai government. Therefore, to stem the resistance of the separatist movement the Thai government commit acts of human rights violations based on its laws. Thai law facilitates all human rights abuses such as torture, unlawful detention of government devices such as soldiers and police.

Interim Constitutions, Martial Act Law, Emergency Decree, and Order NCPOs are laws that together facilitate human rights violations. With regard to the issue of detention, the law supplements each other to structurally endure incessant detriment, which leads to uncontrolled torture. The main target of this crime is the Deep South, which is the majority of Malay Muslims. Their detention and torture are based on suspicion regarding their involvement in separatist movements, or even in some cases as described only to stop them from taking part in political matters.

The situation is bleak due to torture, and the constant detention of the Deep South Muslim community. Their access to government has been blocked by the Thai authorities. So they can not do much. Seeing this condition, AI as an INGO engaged in the field of humanity participated in its efforts to uphold human rights in Thailand.

AI's efforts to uphold human rights in Thailand have several strategies. The strategy adopted by AI uses the TAN concept of Margaret and Katterine. The method used by AI from the TAN concept is leverage politics, with moral leverage with TLHR to then form an advocacy network. Then AI and TLHR attracted influential chords such as UNCAT and UNHRC through the Accountability Politics method. With the establishment of an advocacy network comprising AI, TLHR, UNCAT and UNHRC they jointly urged and pressured the Thai government through media reports, and accounted for Thailand's commitment as a member country of the international torture conventions (ICCPR and CAT).

The form of pressure from the advocacy network on the Thai government is formulated in every research report conducted by actors from the advocacy network in Deep South Thailand. In addition, UNCAT and UNHRC also pressured Thai authorities through further accountability of Thailand's position as a member country of the ICCPR and CAT conventions. The strategy used by AI in enforcing human rights in Deep South Thailand is a success. Indication of the success is the initiation of the formulation of the Draft Act as an anti-torture law. In this law will be formulated that torture is a crime that must be stopped immediately.

Thus, AI's success in enforcing human rights in Deep South Thailand conflict is because AI succeeds in influencing the Thai government through initiation of Draf Act formulation using advocacy strategy; building an advocacy network, influencing powerful actors, and pressuring Thailand through advocacy networks.

5.2. Suggestion

In accordance with the discussion at the beginning of the section, the benefits and objectives of this research are to be able to contribute in the future to other non-governmental actors especially in the field of human rights to become a reference in mobilizing internationally.

The research generated suggestions from AI's success analysis in enforcing human rights in Deep South Thailand, consisting of three strategies: Establishing Advocacy Networks, Influencing Influential Actors, and Pressuring the Thai government through advocacy networks.

In addition, the research could be milestones for any other actor non-governmental organizations, which was how possibly could non-state actor could act. For the Academics, this research able to become a trigger for further future research.

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