

Summary Report

Dialogue on Amnesty and Reconciliation

Ubon Ratchathani University

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Organized by

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What is reconciliation in your opinion? What is the solution of the problems faced by Thai society today? Does reconciliation include justice for those who have suffered from the violence?

Voices of the people from ubon

1. I don't know what the meaning of reconciliation or justice is. I am an income earner. My husband was arrested in relation to the incident of arson in the provincial hall. I am trying my best to secure his release from prison. He was not given bail. He was not involved in the arson. He was just present near the provincial hall when the arson was committed. He was sentenced to 33 years of imprisonment. He has filed an appeal against this decision.
2. Many of my friends were charged with arson in the provincial hall. Justice must come before reconciliation. Reconciliation can never happen if people don't get justice. I was brutally attacked by soldiers at the Din Daeng intersection in Bangkok during May protests. The current conflict has risen from the military coup which happened because of selfishness of some people. We should get the truth about who was behind the military coup.

3. Are there any limits on law? Does the exercise of discretion have to follow any standard? Is the exercise of discretion by judges entirely dependent upon their personal opinion?
4. Can we have any kind of discussion on judgments? Aj Naruemon criticized the decision of a judge and was charged for contempt of court. She had to secure bail.
5. The right to secure bail is one of the fundamental rights. At present there are many cases in which the accused persons are denied bail such as in cases relating to offence of Les Majeste.
6. There is not much understanding about the standard of the right to secure bail even amongst law academics. During a seminar amongst the law faculty, there was a discussion on whether a person who while speeding through a road block hit a police officer should be given bail or not. 80 percent of the law academics were of the opinion that he should not be given bail.
7. Reconciliation must be accompanied with justice. When we talk of reconciliation we need to think of other solutions as well, not just about addressing the legal cases.
8. Thai culture places a lot of emphasis on mediation. We believed that a peaceful society is based on mediation. In lao culture there are some folk songs and dance which talk of mediation. The folk culture places emphasis on 'admission of guilt' after which peace can be restored. The punishment or sanction in olden times was given by the community and was not based on public law. This kind of folk culture is anchored in the value that one should have 'open minds'. This value is important even today for if we do not have open minds, we cannot achieve reconciliation.
9. The questions are: reconciliation with whom, why and for what? I think reconciliation is about justice itself. But the problem is that we have never received justice from the criminal justice system. For example, villagers might have lived on land inherited through generations. However one day they are charged of offences relating to encroachment over public land. In the process of adjudication, the history of their family, community is not taken into consideration as evidence. The system places more importance on formal documents such as land deeds. Questions are not raised whether such land deeds were issued rightly or not. The criminal justice system in Thailand is adversarial in nature. It appears as if the objective of the justice system is to put people behind bars. If a person is wealthy enough he can secure

- bail. Otherwise the system does not allow the poor people to secure bail. The principle of presumption of innocence is ignored.
10. Reconciliation with whom? Is it possible to secure reconciliation within the same structures of law, policy and courts? The communities have been adversely affected by public policy. The state structures are heavily tilted against the poor. How can we reconcile with these structures of administration and governance?
 11. We need to be mindful otherwise we would end up being exploited by a handful of politicians. Law has brought social disparity and power is concentrated in the hands of a few – the elite sections of society. This group of elite people controls the management of natural resources. Today farmers and landless people are suffering because of adverse agricultural prices. The civil servants and the politicians make use of the law – they know how they can manipulate the law to serve their vested interests. The legal system allows the capitalists to continue encroaching over public land but at the same time arrests the poor persons whose life and livelihood has been dependent on the land for generations.
 12. Are we reconciling for the interests of a few persons? Are not the political interest groups dominating the discussions on reconciliation? Are the existing laws sensitive to the needs of the people?
 13. Every conflict is different from each other in its nature. In the case relating to Pakmun dam, the conflict was between the people and the State. As a Thai citizen we obey the law and we accept the constitution as the basic law. However the military coup destroyed our old constitution and pushed forward a new constitution. The present constitution has many good clauses but we cannot ignore the fact that it was the product of a military coup. The constitution has to strengthen the power of the people. The electoral system has to be reformed. There are still many cases of vote buying in Thailand. The big political parties benefit from the present electoral system.
 14. There needs to be pension for farmers, teachers. We should have the fundamental right to organize a peaceful gathering, but such gathering should be truly 'peaceful'. If the leaders of the gathering say that the people should commit arson, then the gathering is not peaceful anymore. It becomes mobilization. The leaders manipulate the people gathered to commit arson. During the May 1992 protests against General Suchinda administration, we had discussion amongst ourselves on how we can

organize the protest in a 'non-violent' manner. There has to be consciousness amongst the political movement and efforts must be taken to reduce the passion that can lead to violence. If the leaders of the movement encourage violence, then the outcome of the protests becomes unpredictable. Reconciliation should be about bringing peace to society. Reconciliation is about justice. Those who are found guilty of offences should be punished. I do not believe that they should be released from criminal liability and receive compensation.

15. If we are talking of reconciliation in order to set up a new society, can we get rid of vote buying first?
16. How do we define reconciliation? The term is used by the government to address the political conflict, or mediate the conflict between the red and yellow shirts. Today we are facing structural problems such as functioning of the justice system. It is not that these problems did not exist in Thai society before. They have just become magnified in the present context. The issue of bail, sentencing has become more problematic. There are other conflicts in Thai society as well such as conflicts relating to management of natural resources. When we talk of reconciliation are we talking of reconciliation of the political conflict or are we talking of reconciliation of different conflicts present in Thai society as a whole?
17. Many problems are relating to the judicial process. These are problems that need to be addressed by Thai society as a whole and not just by law faculties and legal experts. The issue of judicial discretion has to be addressed. Whenever we make references of the court we tremble with fear, though courts are supposed to be friendly towards the people. There has to be the space for constructive criticism of the judiciary. We need to empower the society so that it can hold the courts accountable.
18. Thai society is like a train. Very very slow. The courts need to be informed that the exercise of their discretionary power results in problems. The judges cannot exercise their discretion arbitrarily. The judges need to be in more close touch with the people.
19. Reconciliation does not depend only on the people. It depends on many other issues. Today different family members watch different tv channels and have belief in different ideologies. How do we create a society where all people can live together in peace?

20. I am not a red shirt or yellow shirt. On the fateful day I had gone out of the house to buy something. But it was my bad luck that I was arrested. Bail was denied to me. During imprisonment I was shackled. I did not commit any wrong; I did not have any weapons with me during the time of my arrest. I was in prison for 10 months. After that I was held as 'not guilty'. During my imprisonment my family suffered so much.
21. P Somchai Homlaor: I have seen the issues relating to criminal justice system emerging prominently. These present obstacles to reconciliation. The TRCT has highlighted these issues in its work. The education in the law faculties is part of the problem. The concept of dualism or human rights is not part of the legal education. As lawyers we are taught that law is power. In villages when authorities conduct legal awareness programs, the villagers end up feeling very small before the might of the law. All of us have equal responsibility in addressing this issue. We all have to participate in the process of reforming our systems. The court watch project of AIHR is an interesting initiative. We need to work more to make the systems accountable to the people – including the parliamentarians. It is a difficult challenge, but with social force it is possible. From our experience of working with issues relating to southern border conflict, we have seen that the system has improved considerably with the empowerment of the people.
22. I am a native of rasilai district. I am a red shirt. Reconciliation is impossible at present moment. We have to leave it to time. We should not use law to trample upon the people. We are all human beings. The younger generation does not use their logical reasoning when they say that certain people are beyond reproach and are demi-gods. Thai society is in denial. We cannot criticize some groups of people. We are not free to exercise our speech. I see Thaksin as a human being who can do wrong action as well. But he is being bullied. And that is wrong. The prime minister is also being bullied. At the same time there is no action being taken against other wrong doers.
23. It is difficult to give a definition of reconciliation. It can mean anything depending upon the person who is defining it. We talk of criminal justice system – but is not the justice system also influenced by the social context? The women in particular are considered second grade citizens. According to the Constitution, men and women are equal but we have a long way to go to achieve gender equality. In our communities we face problems with the different price we get for the rice we grow.

24. I joined the yellow shirt and red shirt demonstrations. I have been working with grassroots network for more than 20 years – working with the assembly of the poor. I am a victim who has been trying to secure justice from the government. We have been talking of reconciliation between two colors. However this color conflict is just a façade. People suffer many grievances at the grassroots and people have joined these red and yellow political movements because of their grievances. At the end of the day, people want to see their grievances being addressed.

We seem to be only talking of reconciliation between the leaders of different political parties. What do the people at grassroots get from such reconciliation? What difference does it make to the villager if – the democrats are holding power or the peu thai. Reconciliation is not about who holds power in the formal structure. True reconciliation is about addressing the issues of the people at the grassroots which have created a conflict. The conflict relating to the Pakmun dam should be part of discussions relating to reconciliation.

25. Yes reconciliation is necessary. If there is no reconciliation what would happen to the society? Will there be mass killing again? We need to work with reason and look for peaceful solution. We should emphasize of people's participation.

26. If we look back at the yellow red conflict, the root cause is about conflict of interest at the top level of the structures. These structures include both visible and invisible power structures. The people were not one of the conflicting parties though they provided support to the parties. If we talk of reconciliation from the villagers' point of view then the villagers would rather focus on how to make society better. The conflict at the top level is about vested interests who then try to secure involvement of the grassroots people to give strength to their side of the conflict. How do we hold such vested interests in check? The issue faced by people supporting different colors is about law, policy and the adverse impact of such laws and policies on their lives.

27. Why were some people arrested just because they were present in the provincial hall during the conflict? Khun Sonthi was released on bail while AhKong had to die in prison. Why did this happen?

28. Reconciliation is important – if it does not happen people will have to come back to the streets because there is too much power in the hands of a few people. Reconciliation is a very common term and we use it to talk about reforms.

29. Reconciliation has to be based on equality. It also has to involve reforms in the criminal justice system. The people do not have access to justice. The narratives of the people are not accepted by the system of law. How can the people present their stories and claims? Also the justice system is very slow. Justice delayed is justice denied.
30. I am part of the co-operative groups. I wonder if initiatives relating to reconciliation will help in improving the lives of the farmers. The last military coup created deep divisions in society. The glass broke and it seems what we are trying to do now is put the broken pieces of glass together.
31. Regardless of who is in power, how are we going to solve the problem of poverty, debt, depressed agricultural prices? Can we set up a legal aid fund to help the villagers facing litigation?
32. Thai people today are very aware about political issues. They are concerned about the performance of politicians. People are trying to exercise their rights and seek accountability from the politicians. Thai people are now trying to protect their own interests. They want to see improvement in Thai society. The mechanisms and strategies adopted by them may be different. Reconciliation has to take into consideration the interests of the people.
33. The rasilai dam case involves both the red and yellow. When we try to create sustainable solutions we have to erase the color of the people and look at their issues so as to bridge the gap in society. We need to look at the means and approaches. We have to improve the existing systems and structures. For this we would have to identify the issues. The state has to take steps to address such issues.
34. What kind of thinking should reconciliation be based on? 'ubuntu' is an old African concept which says – 'I see you as a human being, just like me'. When we see others as human beings then we can engage in a conversation with each other and look for possible solutions together. That will help us to move forward. As long as there is inequality in society, as long as all people do not enjoy the same standards of justice, reconciliation will not be possible.
35. Some key issues identified from the dialogue:

- Conflicts in society have happened every now and then. The government uses public policy as a weapon in their hands. The judiciary which interprets the law are also an important stakeholder.
- The present conflict can be said to be a conflict between the state and the people. The people have got divided into two major groups. The State comprises of both visible power and invisible power. The conflict is about problems within the state systems and structures.
- Will the reconciliation plan benefit the people who have suffered and are suffering because of adverse law and policies?
- Reconciliation with whom? Who are the parties involved? According to Ajarn Mark Tamthai, peacefulness cannot be achieved without justice. If we cannot talk about the invisible powers, if the judiciary cannot be a subject of constructive criticism, can we achieve reconciliation?
- Should there be conditions on reconciliation? Should people be punished for their actions? Or should everybody be granted pardon? Should the person who committed criminal acts be punished?

Caitlin Reiger

Has amnesty played a useful role in bringing about reconciliation in societies with conflict?

36. There have been very rare cases where national processes have been able to define reconciliation. Trying to arrive at a definition of reconciliation can be counter-productive in itself. Reconciliation by its very nature must be according to the culture, history and tradition of society dealing with it.
37. Reconciliation can be a process and as well as a goal. While there is still no consensus on the meaning of reconciliation, we now understand it as a process whereby societies move towards positive reconciliation, repair harms, build civic trust in State institutions that protect rights. This is more difficult to achieve than 'forgiving and forgetting'. In Cambodia, Hunsen said that national reconciliation had been achieved by bringing the Khymer Rouge leaders out from the jungles. But in reality, for the thousands of people who had suffered during the conflict, the past had not been buried.

38. Reconciliation as an idea or ideal implies 'transformative prevention'. The idea is not to return to the peaceful state as it was before the conflict and thereby replicating the same injustices that led to the conflict – but building new relationships built on tolerance, dignity and respect.
39. Where does reconciliation happen? Reconciliation focuses on political reconciliation between leaders. But acts of reconciliation also take place between communities and families. These actions in communities may be small in nature but they are meaningful acts between communities and between individuals and result from genuine leadership.
40. How does amnesty fit into all this? Amnesty laws continue to be widely used by governments in the aftermath of conflict. Reconciliation is used as the main justification for giving amnesty.

A recent study has found that amnesty can help in rebuilding a democracy, but only when amnesty is accompanied by prosecutions to bring about accountability.

There are huge differences between the types of amnesties used. The word amnesty means 'amnesia' or to forget. Amnesty can be given through law, by shortening the period of limitation for certain crimes or by inaction that allows the state of impunity to continue (de-facto amnesty).

It can be 'blanket amnesty' or 'conditional amnesty'.

International law has also developed in this area and now there are standards that regulate the provision of amnesties. International law prohibits certain kinds of amnesties, such as amnesties that in effect revoke the rights of victims to secure justice for the wrong suffered by them, or the right to know the truth.

Many amnesties that were first defended as necessary to secure peace has been subsequently overturned or declared to be invalid.

In South Africa, the State wanted to have blanket amnesty first which was completely rejected. The proposal for conditional amnesty was put forward. The idea was to engage the all the stakeholders in a conversation. The idea of conditional amnesty was located in the interim constitution. The conditional amnesty granted protection from

prosecution for acts that had taken place during the conflict. The amnesty was implemented through a sub-committee for truth and reconciliation. Perpetrators had to apply for amnesty and while doing so they had to give full disclosure of the facts. The sub-committee had to consider motive, gravity, the relationship between the crime and the objective and proportionality; before it could consider whether to give amnesty or not. However the process was full of problems and most of the truth that came out was not through the process of amnesty applications but the fact-finding work of the Truth and Reconciliation Commission. The work of the commission focused both on truth and prosecution. The perpetrators who were denied amnesty had to be tried and prosecuted. But the problem was that there was an absence of political will, strategy or interest in investigating past crimes in South Africa. The failure to prosecute resulted in de-facto amnesty. So the demand for justice is still there in South Africa.

In Sierra Leone, in 2000 a peace agreement ended the war. The peace agreement contained a blanket amnesty and created a truth and reconciliation commission. The United Nations did not recognize the amnesty given in relation to international crimes. Despite the amnesty, fighting broke out again amongst the rebel groups. An international tribunal was set up. The tribunal upheld the UN's exclusion of the blanket amnesty clause in the peace agreement. Till date only 10 people have been prosecuted. Blanket amnesty has prevented prosecution of crimes. The work of the truth commission has led to reforms in laws and reparations. Reconciliation has happened because of other initiatives and not simply because of amnesty that has been granted.

In Argentina, military dictatorships had committed mass violations and granted themselves blanket amnesties before handing back the power to the people. The judiciary annulled the blanket amnesties and started prosecutions. However the military threatened another coup and the state laws which had implicit amnesty – such as limiting the time to file cases before the court to 60 days or creating an irrefutable presumption that officers below the rank of Colonels were only following orders of their superiors and were not responsible. The officers who were convicted were pardoned. In Argentina and Chile, the amnesty laws were challenged but the challenges were not successful as they were enacted by democratically elected governments.

However issues such as disappearances were taken up before the national courts as well as the regional court. Disappearance is a 'continuing crime' and the victims have the right to know the fate of their loved ones. At national level, the victims pushed the judiciary to be active and test case litigations were filed. Also there was public awareness around atrocities and finally the government had to annul the amnesty laws.

In Guatemala, in 1996, a national reconciliation act was passed. The law is held as a model law. The victims and human rights groups had lobbied very hard for enactment of the law. The law extinguished criminal responsibility for both insurgents and military, however such amnesty was conditional. There was a judicial process in granting of amnesty and due process guarantees were followed. The law also contained an explicit provision that those crimes that were not covered by the amnesty law must be prosecuted under international law. The truth and reconciliation commission strictly applied the reconciliation law and took actions to prosecute those who were outside the scope of amnesty.

In east timor, a draft amnesty law had been considered on a few occasions, but was never formally used. After east timor separated from Indonesia, the truth commission also had the mandate to set up a process of reconciliation. One of the main goals of the reconciliation process was to encourage the perpetrators who had fled to Indonesia to return to east timor as many of them controlled large groups of Timorese people. The commission had to create the space for reception of these people back into the community. However reconciliation was conditional. The perpetrators had to first admit their wrong doings. After which they had to go up before a panel set up by people from community who ordered them to do some kind of community service. It was only after the punishment was completed that the reconciliation agreement was registered with the district court and from that point onward the person was protected from prosecution. It is described as a form of accountability – a negotiable plea bargain.

41. Have these countries achieved reconciliation? It is for these societies for answer. Tomorrow in Australia, is the 'national sorry day', where Australians are asked to recognize the mistreatment of indigenous peoples and apologize to them. And Australians are still debating – is giving apology enough? What kind of reparations is needed?

Amnesties have been accepted, when they are crafted on conditional basis and implemented as a package of responses. Some core principles are:

- Amnesties should be as narrow as possible – and should be directed to achieve the specific objective that they are created for. The main question is – whether there is any other way to achieve that objective?

- In Columbia, the justice and peace law granted reduced sentences to paramilitary members who had given up arms, given up illegal assets and had provided information about crimes committed.
- If amnesty is used to pardon people who have committed serious crimes, then these disputes with persist and create conflict in future.
 - Any law must respect the rights of victims and obligations of states to protect those rights. These obligations are mentioned in national constitutions and core international human rights treaties ratified by the state.
 - International jurisprudence confirms that obligation to provide effective remedy requires thorough investigation, bring people to justice and granting reparations. Even when reparations are made, the issue of accountability still remains. That is why it is no coincidence that in all countries, the victims continue to insist that justice must be the basis for reconciliation.
42. How does reconciliation come about? Reconciliation is specific to contexts and there is no ready-made formula. Amnesty is not about burying the past. Truth seeking is an essential part of amnesty.
43. In countries where there are pending trials, is there a process to revive those cases through special tribunals as there is no faith in the normal judicial process? Sometimes such as in Sierra Leone, the judiciary has been so implicated in the conflict that there was a need for special courts. In other countries, judicial reforms were part of the peace process. In Guatemala a commission against impunity was set up that made recommendations about obstacles in the judicial system.
44. What is do-able to address the conflict? What are the tools? To what extent should civil society be engaged in the reconciliation process? These questions are to be answered by Thai society. However what is needed is a continuing dialogue and a process whereby issues can be addressed. It may be difficult to address all issues at one. What can be done is to – prioritize some issues. There needs to be processes of public dialogue that can identify the issues that are close to the people, and keep the process moving forward.

Ajarn somchai

45. In Thailand, amnesty is about the politics of the winner and loser. Amnesty laws basically say that some actions are not going to attract criminal liability. This kind of law shakes the consistency of the legal system as it means that some people are exempted from the law. It brings about inequality. Amnesty laws must follow the doctrine of necessity – society must perceive that it is absolutely necessary to grant amnesty. Amnesty laws should differentiate between political offenders and criminal offenders. We need to separate political offences from criminal offences.

P Somchai Homlaor

46. People's right to know the truth: the TRCT has never proposed amnesty. We have made a number of recommendations with regard to the functioning of the normal judicial process so as to reduce barriers to reconciliation and mitigate the factors that are not good for Thai society. However, since some people are impatient, they have set up their own reconciliation committee. TRCT has beliefs in all initiatives for reconciliation and has taken efforts to listen to their views and opinions.

47. The lessons from the past suggest that amnesty has not brought about sustainable reconciliation in Thai society. Blanket amnesties have been given for deaths caused by state in uprisings in 1973, 1976, 1992. Till now, the people are suffering from the trauma. The wounds of October massacre may have healed but many questions still remain unaddressed about the black may incident. The actors in the present conflict are all casualties of the 1976 uprising. Amnesty laws in Thailand have not brought reconciliation but on the contrary have legitimized the culture of impunity. The state officers were absolved of all responsibility for their actions.

48. TRCT also has not proposed any law for amnesty because we believe that it is the people who should decide whether amnesty should be given or not. It is not a matter to be decided by the leaders of the conflicting parties. If the decision is left to the leaders then the amnesty laws will only benefit the elite group of the conflicting parties.

49. The victims in the present conflict are not just the demonstrators, but also those who were killed or affected by the violence. They include people whose businesses were affected, people whose insurance claims were not accepted.

50. The important thing to consider is – why is there recurring conflict in Thai society? It is because amnesty laws have the effect of closing the issues that give rise to the

conflict – and hindering institutional or structural reforms. That is why there were no reforms after Oct 1976 or May 1992.

51. During the morning discussions, participants shared that people participated in demonstrations because of problems in the social, economic and political structures. Even, culture of Thai society has not changed with time. Amnesty laws act as barriers for the people to push for substantive changes in systems and structures. Amnesty laws have the effect of pouring cold water over the quest of justice of the people.
52. Thus despite enormous pressure from many people we have not proposed any provision for amnesty.
53. We have looked into the issue of remedy and reparation. We consulted with experts from many countries. There is no fixed formula for truth seeking and reparation. Some say that remedy comes after truth, but what we have proposed is following our results of the fact-finding missions undertaken by us. We have talked to people detained on charges of terrorism, les majeste and we have also had consultations with relatives of the detainees. We concluded that if there is no action taken to address the grievances or the bitterness of those affected then it would be hard for all sides to come together for a dialogue on reconciliation. For these reasons we proposed that the state should take measures to provide remedy to the victims.
54. This recommendation was criticized and it was said that the government was exploiting this recommendation for its own interests.

We cannot and do not wish to be a party to the conflict. We just want to build an atmosphere that is conducive to reconciliation so that the people feel encouraged to take initiatives for reconciliation themselves.

The Nitirat group campaigning for the amendment of section 112 has become another fodder for the ongoing conflict. And we cannot afford to be part of the conflict.

55. We have also proposed to the government to repeal the emergency decree or laws related to terrorism. We have recommended that there should be a review of the charges imposed all politically motivated charges or exaggerated charges should be revoked. The charge imposed should be proportional to the action in question. More than 30 percent of cases are rejected by the courts because of lack of evidence. We have recommended that the government has to systematize the prosecution

process. The officers in charge of prosecution are part of the executive and the government has supervisory powers over them.

56. The authorities in power have not accepted our recommendations proactively. There is not much political will to act upon our recommendations. That is why there is frustration amongst the people and the bitterness still persists. The process of working of the State has been very careless. Compensation schemes have been announced without giving detailed information to the people about the criteria for claiming such compensation. The TRCT was not informed about the clause that people have to drop all legal charges against the state before claiming compensation. The issue is very sensitive and needs to be dealt with respect for the dignity of the people claiming compensation.
57. We have collected many facts and evidence and the final report of the TRCT would be published soon. Our work has progressed very slowly because of many constraints faced by us. Officers have not fully co-operated with us as they are afraid that the evidence given by them may be used by us to implicate them in cases before the courts. Truth seeking goes hand in hand with prosecution of both parties to the conflict. Though we have functioned under these many constraints we believe that we can come up with the truth.
58. In our final report, we expect to illustrate the problems and issues relating to the conflict. We are going to propose some recommendations and we are going to make our report public.
59. The question before Thai society will be – how can we work on the recommendations proposed by the TRCT? What can we do to ensure that conflict does not recur in Thai society? Conflict in society is normal but such conflict has to be transformed through peaceful means and not by violence. We need to create those mechanisms that can enable transformation of conflict in peaceful manner.
60. The work of TRCT has been challenging but the bigger challenge before Thai society will be to push for structural changes and reforms. Everyone of us have to take part in that process.

Dr. niran

61. Reconciliation should be based on human rights concepts. As national human rights commissioner I have looked into cases of land and national resources. In ubon people have been charged for causing global warming and have been asked to pay compensation. All these people were not involved in the reconciliation plan.
62. Reconciliation in Thailand will be difficult to achieve if it is based on amnesty. it should be based on respect for human rights. Amnesty is usually used as a political weapon by the political elites.
63. Human rights violations are one of the root causes of the conflict. These violations have to be addressed in the process of reconciliation. We have to bring reforms in our laws and state structures. Centralization of power has also led to the conflict.
64. People say that we should forget the past and start new. In order for the truth to come to light, we need more conversations and dialogue between people.

65. Conclusion:

- Reconciliation and amnesty as part of reconciliation has to be made depending upon different social contexts. It is difficult to identify the two sides of the dispute.
- Is dialogue relating to reconciliation confined to the elites of society? The common issues between the red and the yellow shirts is the injustice faced by them.
- Amnesty usually serves the interest of a few in power.
- Reconciliation is a long run procedure, it must be open for peoples participation. Red and yellow shirts have to come together and participate in it.
- Truth must be made known to the public.
- There should be reforms brought about in the structures so as to create a just society – that is part of the reconciliation process.
- Justice should not be denied.
- There should be more forums that bring together red and yellow shirts to engage in a dialogue with each other.