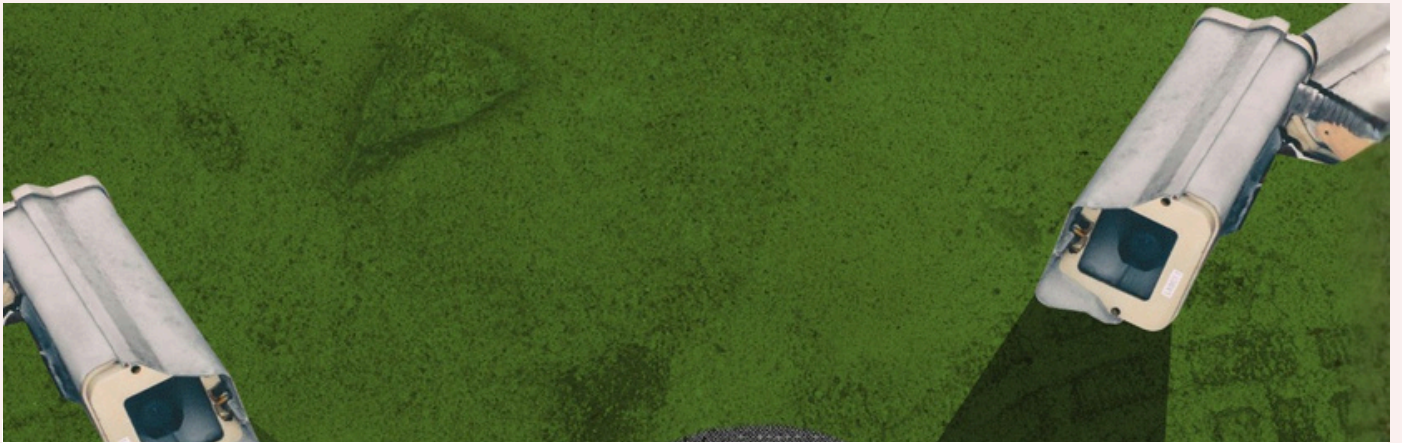


Justice Denied: Structural Impunity, Discrimination, and the Failure of the Justice System in Thailand's Southern Border Provinces (Patani)



Joint UPR Submission to the UN Universal Periodic Review

53rd Session of the UPR Working Group



Joint UPR Submission: Justice Denied: Structural Impunity, Discrimination, and the Failure of the Justice System in Thailand's Southern Border Provinces (Patani) **April 2026**

Submission by

Muslim Attorney Center (MAC), Manushya Foundation and the Thai CSOs Coalition for the UPR and UN Mechanisms



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1. Introduction

- 1.1. This submission by the *Muslim Attorney Centre (MAC)*, *Manushya Foundation*, and the *Thai CSOs Coalition for the UPR* examines the systemic failure of Thailand's justice system to protect the rights of individuals in the Southern Border Provinces (Patani), in light of recommendations accepted during the 3rd UPR cycle, the Concluding Observations of the Committee against Torture (2024)¹, the Concluding Observations of the Committee on the Elimination of Racial Discrimination (2022)², and the Human Rights Committee (2017).³
- 1.2 During the 3rd UPR cycle, Thailand received a total of 278 recommendations.⁴ The government made 8 voluntary pledges, accepted 218 recommendations and noted 60. A significant number of these recommendations directly address issues central to this submission, including the prohibition of torture and enforced disappearances, access to justice and fair trial guarantees, non-discrimination, and the protection of civil and political rights.
- 1.3 While Thailand formally supported numerous recommendations related to the criminalization, prevention, and institutional response to torture and enforced disappearances, implementation remains largely ineffective in practice, particularly in the Southern Border Provinces. Limited progress has been made since the last UPR cycle, most notably through the enactment of the *Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022)*⁵, which entered into force in February 2023, and the ratification of the *International Convention for the Protection of All Persons from Enforced Disappearance* in 2024.⁶ These developments have yet to translate into effective implementation on the ground. Indeed, despite Thailand's formal commitments to addressing enforced disappearances, accountability remains largely absent, including in emblematic cases such as the enforced disappearance of Wanchalearm Satsaksit. While Thailand noted recommendations calling for prompt, independent, and transparent investigations into such cases, no meaningful progress has been made in ensuring truth, justice, and accountability for victims and their families.

¹ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

² Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined fourth to eighth periodic reports of Thailand*, CERD/C/THA/CO/4-8, 10 February 2022, available at: <https://digitallibrary.un.org/record/3958118?v=pdf>

³ Human Rights Committee, *Concluding observations on the second periodic report of Thailand*, UN Doc. CCPR/C/THA/CO/2, 25 April 2017, available at: <https://docs.un.org/en/CCPR/C/THA/CO/2>

⁴ OHCHR UPR outcome report (Thailand 3rd cycle) available at: <https://docs.un.org/en/A/HRC/WG.6/39/THA/1>

⁵ Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), available at: <https://www.dsi.go.th/Upload/6bdb5147c2fd1fb6aaf16556c752983f.pdf>

⁶ United Nations Thailand, *UN Human Rights Office for South-East asia welcomes Thailand's ratification of the International Convention for the Protection of All Persons from Enforced Disappearance*, 14 June 2024, available at: <https://thailand.un.org/en/271638-un-human-rights-office-south-east-asia-welcomes-thailand%E2%80%99s-ratification-international>



- 1.4 In Patani, the continued application of special security laws, coupled with weak judicial oversight and entrenched discriminatory practices, has created a parallel system of justice in which fundamental safeguards are systematically undermined. Patterns of arbitrary detention, torture and ill-treatment, enforced disappearances, and harassment of human rights defenders persist, contributing to a broader climate of impunity, particularly in conflict-affected areas.
- 1.5 The submitting organizations express serious concern regarding Thailand's failure to ensure equal protection of the law for individuals in the Southern Border Provinces, particularly Malay Muslim communities, who face systemic discrimination, heightened surveillance, and barriers to accessing effective remedies. These challenges are further exacerbated by the lack of full alignment with international human rights standards, including the continued failure to ratify key instruments such as the Optional Protocol to the Convention against Torture (OPCAT), and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR).
- 1.6 This submission argues that the violations documented in Patani are not isolated incidents, but rather the result of structural deficiencies within Thailand's justice system, including the normalization of emergency powers, the militarization of law enforcement, and the failure of accountability mechanisms. Without addressing these root causes, the implementation of Thailand's UPR commitments will remain fundamentally inadequate.
- 1.7 This submission is structured as follows:
 - **Section 2** examines **structural discrimination and racialized security governance**, focusing on the disproportionate impact of security measures on Malay Muslim communities in the Southern Border Provinces (Patani).
 - **Section 3** analyses the **collapse of access to justice under special security laws**, including the impact of emergency legislation on due process, arbitrary detention, and fair trial rights.
 - **Section 4** addresses **violations of the right to physical integrity**, including torture, ill-treatment, and enforced disappearances, with a focus on gaps in safeguards, investigations, and accountability.
 - **Section 5** examines **structural impunity and restrictions on civic space**, including the use of legal frameworks to suppress freedom of expression, peaceful assembly, and the work of human rights defenders.
 - **Section 6** sets out **targeted recommendations** aimed at addressing the structural barriers and implementation gaps identified in the foregoing sections, in line with Thailand's international human rights obligations.



2. Structural Discrimination and Racialized Security Governance in Patani

- 2.1. **Racialized Security Governance as a Structural Framework:** The human rights situation in Thailand's Southern Border Provinces (Patani) cannot be understood in isolation from the broader system of racialized security governance that has been entrenched in the region for decades. The Malay Muslim population, which constitutes the majority in these provinces, continues to be subjected to heightened surveillance, discriminatory law enforcement practices, and disproportionate restrictions on fundamental rights, under the justification of national security.⁷
- 2.2. **Racial Profiling and Discriminatory Security Practices:** This context reflects patterns of systemic discrimination, where security policies and practices disproportionately target individuals based on their ethnic, religious, and linguistic identity. Measures such as extensive checkpoints, DNA collection, arbitrary identity checks, and surveillance operations are routinely implemented in ways that single out Malay Muslim communities, reinforcing stigmatization and undermining trust in State institutions.⁸ These concerns have been explicitly recognized by the Committee on the Elimination of Racial Discrimination (CERD), which expressed concern regarding the mass and discriminatory collection of DNA samples, discriminatory surveillance practices, including SIM card registrations, and identity checks targeting ethnic and ethno-religious groups in the Southern Border Provinces, carried out on the basis of racial profiling.⁹
- 2.3. **Gap Between UPR Commitments and Implementation:** During the 3rd UPR cycle, Thailand supported multiple recommendations calling for the elimination of racial discrimination and the protection of ethnic minorities (51.170), strengthening efforts to eliminate all forms of racial discrimination (51.51), and protecting the rights of ethnic and religious minorities (51.180).

⁷ Manushya Foundation, UPR Advocacy Factsheet for Thailand UPR III: *Armed Conflicts & the Human Rights Situation in the Southern Border Provinces of Thailand*, October 2021, available at:

https://www.manushyafoundation.org/files/ugd/a0db76_4e06e057500e42268779c58dc84f95ed.pdf

See also: Manushya Foundation, JPF, Thai CSOs Coalition for the UPR, Thai Business & Human Rights Network (2021). *Thailand is a Paradise, but only for the 1% #FightRacism. Joint Civil Society Report on the Implementation of the ICERD (Replies to the List of Themes (CERD/C/THA/Q/4-8), for the Review of the Combined Fourth to Eight Periodic Reports of Thailand (CERD/C/THA/Q/4-8) at the 105th session of the Committee on the Elimination of Racial Discrimination (15 November- 3 December 2021)*, available at:

<https://www.manushyafoundation.org/joint-civil-society-cerd-shadow-report>;

The Patani Working Group for Monitoring on International Mechanisms, Civil Society Assembly For Peace (CAP), The Federation of Patani Students and Youth (PerMAS) and Manushya Foundation, *Joint UPR Submission: Armed Conflicts & The Human Rights Situation in the Southern Border Provinces in Thailand*, for the UN Universal Periodic Review of Thailand (3rd UPR Cycle), 39th Session of the UPR Working Group, March 2021. Available at:

<https://www.manushyafoundation.org/joint-upr-submission-armedconflicts>

⁸ Ibid. See also: Wartani, ประชาชนร้องเรียนถูกเจ้าหน้าที่สกัดตรวจ ถ่ายบัตรประชาชนกลางทาง วอนเคารพลีทรี ไม่เลือกปฏิบัติ, 17 May 2025, available at: <https://www.facebook.com/share/p/1BjMqMe7eA/>

⁹ Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined fourth to eighth periodic reports of Thailand*, CERD/C/THA/CO/4-8, para. 19-20, 10 February 2022, available at: <https://digitallibrary.un.org/record/3958118?v=pdf>



However, the continued application of discriminatory security practices in Patani demonstrates a significant gap between these commitments and their implementation in practice.

- 2.4 **Inconsistency with International Human Rights Obligations:** The persistence of such practices also raises serious concerns under Thailand's international human rights obligations. The CERD Committee has further called on Thailand to end racial profiling practices, including discriminatory surveillance, DNA collection, and law enforcement actions targeting ethnic groups, and to adopt legal and institutional safeguards to prevent racial bias in security operations.¹⁰ Similarly, the Human Rights Committee, in its 2017 Concluding Observations, highlighted concerns regarding equality before the law and non-discrimination, particularly in contexts where emergency and security frameworks restrict fundamental rights¹¹ and create an environment in which discriminatory practices are normalized and institutionalized.
- 2.5 **Structural Link Between Discrimination and Human Rights Violations:** Importantly, this system of racialized security governance directly contributes to broader human rights violations documented in the region, including arbitrary detention, torture and ill-treatment, and restricted access to justice. Rather than isolated incidents, these violations must be understood as structural outcomes of a governance framework that prioritizes security over rights, and control over accountability.
- 2.6 **Gendered and Intersectional Discrimination Against Muslim Women in Patani:** Discrimination in the Southern Border Provinces is not only ethnic and religious in nature, but also deeply gendered, disproportionately affecting Muslim women, including women human rights defenders (WHRDs). While Thailand has adopted the *Gender Equality Act B.E. 2558 (2015)*, this legislative framework remains insufficient in both scope and enforcement. In particular, section 17(2) of the Act allows for exceptions to the prohibition of gender-based discrimination, including on the grounds of "national security" and "religious principles." In practice, these exceptions have been weaponized to justify discriminatory practices, particularly against Muslim women and gender-diverse individuals in the Southern Border Provinces. In Patani, Muslim women face compounded discrimination at the intersection of gender, religion, and ethnicity, alongside the broader impacts of militarization, surveillance, and restricted civic space. These overlapping forms of discrimination further limit access to justice, participation in public life, and effective remedies, reinforcing patterns of exclusion and marginalization. These dynamics align with the concerns raised by the Committee on the Elimination of Racial Discrimination regarding intersecting forms of discrimination faced by women belonging to ethnic and ethno-religious

¹⁰ Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined fourth to eighth periodic reports of Thailand*, CERD/C/THA/CO/4-8, para. 19-20, 10 February 2022, available at: <https://digitallibrary.un.org/record/3958118?v=pdf>

¹¹ Human Rights Committee, *Concluding observations on the second periodic report of Thailand*, UN Doc. CCPR/C/THA/CO/2, 25 April 2017, available at: <https://docs.un.org/en/CCPR/C/THA/CO/2>



groups, which require targeted and intersectional responses.¹² Despite ongoing discussions at the national level regarding potential amendments to the Gender Equality Act, including section 17(2), there remains a lack of transparency, clear timelines, and meaningful engagement with civil society, particularly with affected communities in the Southern Border Provinces. As a result, legal protections remain largely ineffective in addressing the specific realities faced by Muslim women in conflict-affected areas.¹³

3. The Collapse of Access to Justice under Special Security Laws: Access to Justice and Fair Trial in the Southern Border Provinces (Patani)

3.1 **Legal Framework - Expansion of Security Powers and the Creation of a Parallel System:** Access to justice in Thailand's Southern Border Provinces (Patani) is systematically undermined by the continued application of special security laws, including the Martial Law Act B.E. 2457 (1914)¹⁴, the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005)¹⁵, and the Internal Security Act B.E. 2551 (2008).¹⁶ These laws establish a parallel legal framework that significantly weakens fundamental safeguards and enables the restriction of rights in the name of national security.¹⁷

¹² Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined fourth to eighth periodic reports of Thailand*, CERD/C/THA/CO/4-8, para. 13-14, 10 February 2022, available at:

<https://digitallibrary.un.org/record/3958118?v=pdf>

¹³ Manushya Foundation et al., *Techno-colonialism and the Gendered Crackdown: A Feminist Report on Civic Space, Transnational Repression, and Digital Control in Thailand*, Joint Civil Society CEDAW Shadow Report (June 2025), available at: https://www.manushyafoundation.org/files/ugd/a0db76_a1f4695882c64ca1a897b10ea64dd51c.pdf

¹⁴ Thailand, Martial Law Act, B.E. 2457 (1914), available at:

<https://www.nsc.go.th/wp-content/uploads/2025/05/%E0%B8%9E%E0%B8%A3%E0%B8%B0%E0%B8%A3%E0%B8%B2%E0%B8%8A%E0%B8%9A%E0%B8%B1%E0%B8%8D%E0%B8%8D%E0%B8%B1%E0%B8%95%E0%B8%B4%E0%B8%81%E0%B8%8E%E0%B8%AD%E0%B8%B1%E0%B8%A2%E0%B8%81%E0%B8%B2%E0%B8%A3%E0%B8%A8%E0%B8%B6%E0%B8%812457.pdf>

¹⁵ Emergency Decree on Public Administration in Emergency Situations, B.E. 2548 (2005), available at:

<https://www.nsc.go.th/wp-content/uploads/2020/04/royal-2548-orange.pdf>

¹⁶ Internal Security Act, B.E. 2551 (2008), available at:

<https://www.nsc.go.th/wp-content/uploads/2025/05/%E0%B8%9E%E0%B8%A3%E0%B8%9A-%E0%B8%81%E0%B8%B2%E0%B8%A3%E0%B8%A3%E0%B8%B1%E0%B8%81%E0%B8%A9%E0%B8%B2%E0%B8%84%E0%B8%A7%E0%B8%B2%E0%B8%A1%E0%B8%A1%E0%B8%B1%E0%B9%88%E0%B8%99%E0%B8%84%E0%B8%87%E0%B9%83%E0%B8%99%E0%B8%8A%E0%B8%B2%E0%B8%8A%E0%B8%AD%E0%B8%B2%E0%B8%93%E0%B8%B2%E0%B8%88%E0%B8%B1%E0%B8%81%E0%B8%A32551.pdf>

¹⁷ Manushya Foundation, UPR Advocacy Factsheet for Thailand UPR III: *Armed Conflicts & the Human Rights Situation in the Southern Border Provinces of Thailand*, October 2021, available at:

https://www.manushyafoundation.org/files/ugd/a0db76_4e06e057500e42268779c58dc84f95ed.pdf

See also: Manushya Foundation, JPF, Thai CSOs Coalition for the UPR, Thai Business & Human Rights Network (2021). *Thailand is a Paradise, but only for the 1% #FightRacism. Joint Civil Society Report on the Implementation of the ICERD (Replies to the List of Themes (CERD/C/THA/Q/4-8), for the Review of the Combined Fourth to Eight Periodic Reports of Thailand (CERD/C/THA/Q/4-8) at the 105th session of the Committee on the Elimination of Racial Discrimination (15 November- 3 December 2021)*, available at:

<https://www.manushyafoundation.org/joint-civil-society-cerd-shadow-report>

The Patani Working Group for Monitoring on International Mechanisms, Civil Society Assembly For Peace (CAP), The Federation of Patani Students and Youth (PerMAS) and Manushya Foundation, *Joint UPR Submission: Armed Conflicts & The Human Rights Situation in the Southern Border Provinces in Thailand*, for the UN Universal Periodic Review of



- 3.2 **Intrusive Surveillance Practices - DNA Collection and the Expansion of Security Control:** Security authorities have conducted DNA collection practices in the Southern Border Provinces, often targeting Malay Muslim populations, under the justification of maintaining public order and preventing unrest pursuant to special security laws, including Martial Law Act B.E. 2457 (1914) and the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005). These samples are reportedly stored in centralized security databases. While the Criminal Procedure Code requires consent for DNA collection, in practice, such samples are frequently obtained from individuals who are not suspects, including those passing through checkpoints.¹⁸ These practices raise serious concerns regarding the lack of a clear legal basis, the excessive use of authority, and the absence of meaningful safeguards. In this context, DNA collection operates as a form of intrusive surveillance linked to security powers, reinforcing patterns of racial and religious profiling.¹⁹
- 3.3 **Arbitrary Detention and Lack of Judicial Oversight under Emergency Laws:** Under these frameworks, individuals may be subjected to prolonged and arbitrary detention without adequate judicial oversight, including detention in military facilities or other designated places of deprivation of liberty that fall outside ordinary safeguards. Indeed, the Martial Law Act B.E. 2457 (1914) allows authorities to search, arrest, and detain individuals without a warrant for up to 7 days. The Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) further allows detention for up to 30 days.^{20,21,22} In 2024, the Committee against Torture (CAT)

Thailand (3rd UPR Cycle), 39th Session of the UPR Working Group, March 2021. Available at:

https://www.manushyafoundation.org/files/ugd/a0db76_7f8e1d1663644fac8789aaa8edf168f8.pdf

¹⁸ Wartani, เจ้าหน้าที่ยกฟ้องกลุ่มเยาวชนกำลังไปร่วมงานแต่ง เก็บ DNA เยาวชน 2 ราย, 4 June 2026, available at: Facebook.

<https://www.facebook.com/share/p/1CZzef42no/>

¹⁹ Manushya Foundation, UPR Advocacy Factsheet for Thailand UPR III: *Armed Conflicts & the Human Rights Situation in the Southern Border Provinces of Thailand*, October 2021, available at:

https://www.manushyafoundation.org/files/ugd/a0db76_4e06e057500e42268779c58dc84f95ed.pdf

See also: Manushya Foundation, JPF, Thai CSOs Coalition for the UPR, Thai Business & Human Rights Network (2021). *Thailand is a Paradise, but only for the 1% #FightRacism. Joint Civil Society Report on the Implementation of the ICERD (Replies to the List of Themes (CERD/C/THA/Q/4-8), for the Review of the Combined Fourth to Eight Periodic Reports of Thailand (CERD/C/THA/Q/4-8) at the 105th session of the Committee on the Elimination of Racial Discrimination (15 November- 3 December 2021)*, available at:

<https://www.manushyafoundation.org/joint-civil-society-cerd-shadow-report>

The Patani Working Group for Monitoring on International Mechanisms, Civil Society Assembly For Peace (CAP), The Federation of Patani Students and Youth (PerMAS) and Manushya Foundation, *Joint UPR Submission: Armed Conflicts & The Human Rights Situation in the Southern Border Provinces in Thailand*, for the UN Universal Periodic Review of Thailand (3rd UPR Cycle), 39th Session of the UPR Working Group, March 2021. Available at:

<https://www.manushyafoundation.org/joint-upr-submission-armedconflicts>

²⁰ MAC Yala ศูนย์ทนายความมุสลิมยะลา, สถิติปีระจำปี 2568, 31 December 2025, available at:

<https://www.facebook.com/share/p/18We8k3tu7/>

²¹ Muslim attorney centre ศูนย์ทนายความมุสลิม Ep.1 สถิติการรับเรื่องร้องเรียนของมูลนิธิศูนย์ทนายความมุสลิม ตั้งแต่ มกราคม-ธันวาคม 2567, 8 March 2025, available at:

<https://www.facebook.com/share/p/1CbCeKzqBN/?mibextid=wwXlfr>

²² Muslim attorney centre ศูนย์ทนายความมุสลิม, Ep.2 สถิติการรับเรื่องร้องเรียนในประเด็นต่างๆของมูลนิธิศูนย์ทนายความมุสลิม ตั้งแต่ มกราคม-ธันวาคม 2567, 9 March 2025, available at:

<https://www.facebook.com/share/p/1Nx8W9S6F5/?mibextid=wwXlfr>



expressed concern that, under these legal regimes, individuals may be detained for up to 37 days without judicial review, and are frequently denied access to legal counsel, family members, and other fundamental safeguards. The Committee further noted that such practices are particularly prevalent in the Southern Border Provinces, including in cases where individuals are informally “invited” for questioning but are in fact deprived of their liberty.²³

- 3.4 **Detention in Unofficial Facilities and the Erosion of Fundamental Safeguards:** Individuals are frequently detained in unofficial or irregular places of detention, including military camps, where they are effectively deprived of access to legal counsel, family members, or other trusted persons. In such contexts, detainees may be held for extended periods without being promptly brought before a judge, and in some cases incommunicado, in violation of international human rights standards. Notably, individuals held under these conditions are still considered “suspects,” rather than formally charged or convicted persons. Such restrictions further isolate detainees during the initial stages of detention, increasing their risk of torture, ill-treatment, and other cruel, inhuman, or degrading treatment²⁴, as well as coerced confessions, particularly in the absence of independent oversight, undermining their ability to seek legal assistance or challenge the legality of their detention. The use of military facilities for detention and interrogation further exacerbates these risks by placing individuals outside the reach of ordinary legal safeguards. As noted by the Committee against Torture (CAT), such practices create environments in which oversight is limited and fundamental safeguards are weakened, thereby increasing the likelihood of abuse and undermining accountability.²⁵
- 3.5 **Restrictions on Family Contact:** Access to fundamental safeguards is further restricted in practice, including limitations on contact with family members. For example, under regulations governing detention at the “Peace Protection Center,” only immediate family members, such as parents, spouses, or siblings, are permitted to visit from the first day of detention. Other relatives may only visit after a minimum of three days, while additional visits require authorization from security authorities.²⁶
- 3.5 Such practices are inconsistent with Thailand’s obligations under the International Covenant on Civil and Political Rights, particularly the right to liberty and security of person and the right to a fair trial. The continued use of emergency powers in a prolonged and normalized manner

²³ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 18 (a) and (b), 9 December 2024, available at:

<https://digitallibrary.un.org/record/4068751?v=pdf>

²⁴ The Motive, ต่อ พ.ร.ก. ฉุกเฉินฯ ครั้งที่ 84 และการเพิ่มพื้นที่ควบคุม, 2 April 2026, available at:

<https://www.facebook.com/photo?fbid=1466184118497523&set=a.194378712344743>

²⁵ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 18 (a) and (b), 9 December 2024, available at:

<https://digitallibrary.un.org/record/4068751?v=pdf>

²⁶ Wartani, เครือข่าย JASAD ออกจดหมายเปิดผนึกถึง คสช. ส่วนหน้า ขอบททวนระเบียบเยี่ยมผู้ถูกควบคุมตัวภายใต้กฎหมายพิเศษ, 5 March 2025, available at: <https://www.facebook.com/share/p/18MThBF8sF/?mibextid=wwXlfr>



undermines the principles of necessity, proportionality, and judicial oversight, which are essential to the protection of fundamental rights.

- 3.6 **Loss of Trust, Fear of Reprisals, and Barriers to Seeking Justice:** These structural barriers to justice are further compounded by fear, intimidation, and lack of trust in State institutions, particularly among affected communities. Victims and their families often face significant obstacles in filing complaints, pursuing legal action, or obtaining remedies, including concerns about reprisals and the perceived lack of independence of investigative bodies. This is reflected in emblematic cases such as the **Tak Bai massacre**, where, despite the gravity of the violations, no State official has been held accountable, and the expiration of the statute of limitations in 2024 definitively barred prosecutions.²⁷ This outcome has further undermined public confidence in the justice system and reinforces the perception that, in the absence of structural reform, even the most serious human rights violations will not result in accountability.²⁸
- 3.7 **Structural Denial of Justice - A System that Prioritizes Security over Rights:** Taken together, these factors demonstrate that access to justice in Patani is not merely limited but structurally constrained by a legal and institutional framework that prioritizes security over rights. As a result, individuals are effectively deprived of their ability to seek protection, challenge violations, and obtain accountability. Without fundamental reforms to the legal framework governing security operations, including the review and limitation of emergency powers, the strengthening of judicial oversight, and the guarantee of basic procedural safeguards, Thailand will remain unable to fulfill its obligations under international human rights law, and its UPR commitments on access to justice will remain unimplemented.

4. Torture, Ill-treatment, and Enforced Disappearances in Patani

- 4.1 **Torture and Ill-Treatment in the Context of Security Operations:** Torture and ill-treatment remain serious concerns in Thailand's Southern Border Provinces (Patani), particularly in the context of security operations conducted under special laws. The continued reliance on emergency powers, combined with weak safeguards and limited oversight, has created conditions in which abuse can occur with relative impunity. The Committee against Torture expressed concern in 2024 about allegations of torture and ill-treatment in the context of military operations in the Southern Border Provinces, including excessive use of force and abuse by law enforcement officials.²⁹

²⁷ Human Rights Watch, "Thailand: 20 Years of Injustice for Tak Bai Massacre Victims," 28 October 2024, available at: <https://www.hrw.org/news/2024/10/28/thailand-20-years-injustice-tak-bai-massacre-victims>

²⁸ Manushya Foundation, *Impunity over Malay-Muslim Killings in Southern Thailand - #25October: 21 years since the 'Tak Bai Massacre'*, (25 October 2025), available at: <https://www.manushyafoundation.org/post/40f06c2d>

²⁹ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 20, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>



- 4.2 **Failure of Safeguards and Increased Risk of Abuse:** The prevalence of torture and ill-treatment in Patani is closely linked to the systematic failure to ensure fundamental legal safeguards during detention, as outlined in Section 3. Individuals are frequently detained without prompt judicial oversight, access to legal counsel, or contact with family members, and are sometimes held in unofficial places of detention or military facilities. As highlighted by the Committee against Torture, safeguards such as access to a lawyer, prompt judicial review, and audiovisual recording of detention and interrogation are not consistently applied in practice, particularly in the Southern Border Provinces.³⁰ These gaps create environments in which individuals are highly vulnerable to coercion, abuse, and ill-treatment, including during interrogation.
- 4.3 **Legal Framework, Narrow Interpretation of Torture, and Judicial Practice:** The *Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022)*³¹ represents an important legislative development in aligning Thailand's legal framework with its international human rights obligations. However, its implementation in the Southern Border Provinces remains limited and uneven, raising concerns regarding its effectiveness in practice. In particular, **there are concerns regarding the interpretation of the definition of "torture," which is often applied narrowly**, limiting the scope of protection afforded to victims. Ambiguities persist in the interpretation of key elements of the offence, especially in cases involving psychological coercion or pressure to confess. In practice, acts that may amount to psychological torture under international standards are not consistently recognized as such by domestic courts. For example, in a case before the Yala Provincial Court on 13 March 2026, a petition alleging torture was dismissed on the basis that the harm constituted emotional distress rather than psychological torture, thereby failing to meet the legal threshold.³² This illustrates the narrow interpretation of torture applied in practice, particularly with regard to psychological harm. Such interpretations demonstrate that existing legal protections are not yet fully aligned with international human rights standards, which recognize torture as encompassing both physical and psychological harm. This gap between legislative intent and judicial application undermines the effectiveness of the law in preventing and addressing violations.
- 4.4 **Limitations in Capacity, Safeguards, and the Use of Coerced Evidence:** There are significant limitations in the capacity of law enforcement officials, prosecutors, and judges to interpret and apply the law in a manner consistent with international standards. These challenges are particularly evident in relation to the recognition of psychological torture, the prohibition of coerced confessions, and the obligation to exclude evidence obtained through torture.³³ In 2024,

³⁰ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc.

CAT/C/THA/CO/2, para. 18, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

³¹ Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), available at:

<https://www.dsi.go.th/Upload/6bdb5147c2fd1fb6aaf16556c752983f.pdf>

³² Muslim Attorney Centre (MAC), *case documentation*, March 2026

³³ Wartani, ศาลยะลา ยกคำร้อง คดีแรกตาม พ.ร.บ. ป้องกันการทรมานฯ, 10 September 2025, available at <https://www.facebook.com/share/p/1AxEaehhzP/>



the Committee against Torture has expressed concern that safeguards are not consistently implemented in practice, particularly in the Southern Border Provinces. Preventive measures required under domestic law, such as continuous audiovisual recording, notification of rights, and access to legal counsel from the outset of detention, are not systematically applied.³⁴ As a result, these safeguards have not been effective in reducing the risk of violations, including torture and other cruel, inhuman, or degrading treatment. In this context, the continued use of evidence obtained through coercion remains a serious concern. The Committee against Torture has emphasized that under no circumstances should statements obtained through torture be admissible as evidence, except when used against those responsible for torture.³⁵ However, in practice, the lack of clear judicial standards and inconsistent application of the law increases the risk that coerced confessions may still influence judicial outcomes, thereby undermining the right to a fair trial and reinforcing incentives for abusive interrogation practices.

- 4.5 **Enforced Disappearances and Lack of Accountability:** Enforced disappearances remain a critical concern in Thailand, including cases affecting individuals linked to the Southern Border Provinces and broader political contexts. Although limited progress has been made since the last UPR cycle, most notably through the enactment of the *Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022)*³⁶ and the ratification of the *International Convention for the Protection of All Persons from Enforced Disappearance* in 2024³⁷, these developments have yet to translate into effective implementation on the ground. Indeed, despite Thailand's formal commitments to addressing enforced disappearances, accountability remains largely absent, including in emblematic cases.
- 4.6 During the 3rd UPR cycle, Thailand received recommendation 52.45, which calls on the State to “conduct prompt, transparent and impartial investigations into reports of enforced disappearances, including in the case of Wanchalearm Satsaksit and seven other Thai political activists missing since 2014.” However, this recommendation was noted rather than supported, and no meaningful progress has been made in ensuring truth, justice, and accountability for victims and their families. The persistence of impunity is further illustrated by the case of **Somchai Neelapaijit**, a prominent human rights lawyer advocating for the rights of Malay Muslim communities and victims of torture, who was forcibly disappeared in 2004. More than

³⁴ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, paras. 18 and 49, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

³⁵ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 49, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

³⁶ Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), available at: <https://www.dsi.go.th/Upload/6bdb5147c2fd1fb6aaf16556c752983f.pdf>

³⁷ United Nations Thailand, *UN Human Rights Office for South-East Asia welcomes Thailand's ratification of the International Convention for the Protection of All Persons from Enforced Disappearance*, 14 June 2024, available at: <https://thailand.un.org/en/271638-un-human-rights-office-south-east-asia-welcomes-thailand%E2%80%99s-ratification-international>



two decades later, no one has been held accountable. In March 2026, UN experts expressed deep concern that justice remains unfulfilled 22 years after his disappearance, highlighting ongoing failures to ensure accountability in enforced disappearance cases.³⁸ The Committee against Torture has further highlighted the lack of progress in investigating and prosecuting enforced disappearances, including high-profile cases, and raised concerns about patterns of disappearances and inadequate accountability mechanisms.³⁹ This combination of formal legal commitments, refusal to accept key accountability recommendations, and persistent lack of implementation underscores a structural failure to address enforced disappearances in practice.

5. Structural Impunity and Restrictions on Civic Space

- 5.1 **Entrenched Impunity for Serious Human Rights Violations:** The persistence of human rights violations in Thailand's Southern Border Provinces (Patani) is underpinned by a deeply entrenched pattern of impunity, particularly in cases involving State actors. Despite repeated allegations of torture, ill-treatment, arbitrary detention, and enforced disappearances, accountability remains the exception rather than the rule. Investigations into alleged violations are frequently delayed, ineffective, or lacking independence, and rarely result in prosecutions or convictions. Victims and their families continue to face significant barriers in accessing justice, including fear of reprisals, lack of trust in authorities, and structural obstacles within the justice system itself.⁴⁰
- 5.2 **The Tak Bai Massacre - An Emblematic Case of Structural Failure:** This entrenched culture of impunity is exemplified by the Tak Bai massacre, which took place on 25 October 2004 in Narathiwat Province. During the violent dispersal of a peaceful protest, 85 individuals died, including 78 who suffocated while being transported in military trucks under inhumane conditions. Despite the gravity of these violations, no State official has been held criminally accountable. In October 2024, the case expired under the statute of limitations, definitively barring prosecutions and denying victims and their families access to truth, justice, and effective

³⁸ OHCHR, *Thailand: UN experts deplore justice unfulfilled 22 years after Somchai's disappearance*, Press Release, March 2026, available at: <https://www.ohchr.org/en/press-releases/2026/03/thailand-un-experts-deplore-justice-unfulfilled-22-years-after-somchai>

³⁹ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 22, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

⁴⁰ Manushya Foundation, *UPR Advocacy Factsheet for Thailand UPR III: Armed Conflicts & the Human Rights Situation in the Southern Border Provinces of Thailand*, October 2021, available at: https://www.manushyafoundation.org/files/ugd/a0db76_4e06e057500e42268779c58dc84f95ed.pdf
See also: The Patani Working Group for Monitoring on International Mechanisms, Civil Society Assembly For Peace (CAP), The Federation of Patani Students and Youth (PerMAS) and Manushya Foundation, *Joint UPR Submission: Armed Conflicts & the Human Rights Situation in the Southern Border Provinces in Thailand*, for the UN Universal Periodic Review of Thailand (3rd UPR Cycle), 39th Session of the UPR Working Group, March 2021. Available at: https://www.manushyafoundation.org/files/ugd/a0db76_7f8e1d1663644fac8789aaa8edf168f8.pdf



remedies.⁴¹ The Committee against Torture expressed concern that the expiry of the statute of limitations resulted in the discontinuation of proceedings without accountability.⁴² This outcome highlights a fundamental failure of the justice system to address even the most serious human rights violations, and demonstrates how legal and procedural barriers, such as statutes of limitation, can operate to shield perpetrators from accountability.

- 5.3 **Legal and Structural Barriers to Accountability:** Structural barriers within Thailand's legal framework continue to impede accountability for serious human rights violations. In particular, provisions under the Emergency Decree on Public Administration in Emergency Situations provide broad protections to State officials, contributing to a climate in which abuses are rarely investigated or prosecuted. The Committee against Torture has raised concerns regarding legal provisions that may grant de facto immunity to officials acting under emergency powers, thereby undermining accountability mechanisms.⁴³
- 5.4 **Judicial Harassment, SLAPPs, and the Restriction of Civic Space:** In recent years, there has been an increasing use of legal frameworks to silence individuals exercising their rights to peaceful expression, including through judicial harassment and Strategic Lawsuits Against Public Participation (SLAPPs). Human rights defenders, activists, journalists, and community leaders, particularly those advocating for minority rights or peace in the Southern Border Provinces, face criminal charges, surveillance, and intimidation. This pattern reflects the use of criminal law not as a tool of justice, but as a mechanism of control, deployed by State authorities, including the Internal Security Operations Command (ISOC) Region 4 and the Department of Special Investigation (DSI). These practices disproportionately target individuals engaged in monitoring violations, documenting abuses, or providing humanitarian assistance in conflict-affected areas, thereby undermining civil society's role in accountability processes.
- 5.5 A prominent example is the **Melayu Raya 2022 cultural event**, held on 4 May 2022 in Pattani Province, which gathered over 15,000 participants to celebrate Malay identity. In December 2023, authorities issued summonses against nine activists under the Emergency Decree and provisions of the Criminal Code, including Articles 116, 209, and 210. Despite its peaceful and community-based nature, participants were subjected to legal action, reflecting a broader trend of criminalizing cultural expression and civic engagement under the guise of national security.⁴⁴

⁴¹ Manushya Foundation, *Impunity over Malay-Muslim Killings in Southern Thailand - #25October: 21 years since the 'Tak Bai Massacre'*, (25 October 2025), available at: <https://www.manushyafoundation.org/post/40f06c2d>

⁴² Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 10, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

⁴³ Committee against Torture, *Concluding observations on the second periodic report of Thailand*, UN Doc. CAT/C/THA/CO/2, para. 44, 9 December 2024, available at: <https://digitallibrary.un.org/record/4068751?v=pdf>

⁴⁴ Manushya Foundation, *Impunity over Malay-Muslim Killings in Southern Thailand - #25October: 21 years since the 'Tak Bai Massacre'*, (25 October 2025), available at: <https://www.manushyafoundation.org/post/40f06c2d>

S ee also: Amnesty International, *Thailand: Martial Law and Emergency Decree in the Deep South*, (27 October 2025), available at:



- 5.5 Beyond this case, the pattern of criminalization extends to humanitarian and human rights work. The case of **Saharee Jehlong (“Pohban Jaiklaa”)** illustrates the targeting of humanitarian assistance in the Southern Border Provinces. His initiative, established in 2021, aimed to provide financial and educational support to widows and children affected by extrajudicial killings, groups often excluded from State compensation schemes.⁴⁵ Authorities initiated criminal proceedings following online fundraising efforts conducted through the *Butler’s Club* Facebook page, where donations were collected to support families affected by violence in the Southern Border Provinces, including widows and children impacted by conflict-related incidents. According to the Department of Special Investigation (DSI), Mr. Saharee and others were investigated on the basis that such activities allegedly constituted support to insurgent networks. Reports indicate that the case was pursued under national security-related legal frameworks, with authorities framing humanitarian fundraising as a potential threat to public order and security.⁴⁶ Despite the humanitarian nature of these activities, authorities interpreted them as support for insurgent groups and initiated criminal proceedings, raising serious concerns about the criminalization of social support and community solidarity. This case highlights the failure to distinguish between legitimate humanitarian action and alleged security threats, and demonstrates how legal frameworks are weaponized to suppress community-based initiatives in conflict-affected areas.
- 5.6 These practices are inconsistent with Thailand’s obligations under the International Covenant on Civil and Political Rights, particularly the rights to freedom of expression, peaceful assembly, and participation in public life (Articles 19, 21, and 25), as well as with the UN Declaration on Human Rights Defenders, which requires States to protect individuals who promote and defend human rights.
- 5.7 During the 2nd and 3rd cycles of the Universal Periodic Review, Thailand accepted recommendations to protect human rights defenders and refrain from using laws to restrict fundamental freedoms, including recommendation 51.44, which calls for the adoption of legal protections against SLAPPs. However, despite the Thai Ministry of Justice currently drafting the *Prevention of Strategic Litigation Against Public Participation Bill*, the continued use of criminal law against HRDs demonstrates a clear gap between these commitments and their implementation in practice. Taken together, these cases reveal a broader pattern in which the justice system is used not only to fail victims of human rights violations, but also to actively

<https://www.amnesty.org.uk/get-involved/join-the-movement/join-a-group-or-network/country-coordinators/country-specialists-blog/arbitrary-detention-thailands-deep-south/>

⁴⁵ Isranews, “ชมรมพอมันใจกล้า” กับจุดยืนเยียวายคนถูกวิสามัญฯ, (14 July 2021), available at:

<https://www.isranews.org/article/south-news/south-slide/100459-donatesouth.html>

⁴⁶ Department of Special Investigation, DSI จังหวัดชายแดนภาคใต้ แจ้งข้อกล่าวหาเจ้าของ “เพจพอมันใจกล้า”, (9 January 2024), available at: <https://www.dsi.go.th/th/Detail/2c811763b65e680e0746c1a946a2a2f0>;

See also: Isranews, ย้อน 14 กิจกรรมระดมทุน “ชมรมพอมันใจกล้าฯ”, (6 June 2023), available at: <https://www.isranews.org/article/south-news/south-slide/119120-bucdonate.html>



suppress those seeking accountability, reinforcing a climate of fear and restricting civic space in the Southern Border Provinces.

- 5.8 **Digital Dictatorship and Targeting of Patani Activists:** In addition to judicial harassment and criminalization, human rights defenders, activists, and political actors advocating for the rights of the Malay Muslim population in the Southern Border Provinces (Patani) are increasingly subjected to digital repression, including surveillance, disinformation campaigns, and coordinated online attacks. These practices form part of a broader pattern of “Digital Dictatorship”, whereby state-linked actors and affiliated networks weaponize digital platforms to silence dissent and delegitimize human rights work.⁴⁷ Women Human Rights Defenders (WHRDs) and peace advocates are disproportionately targeted. Prominent examples include **Ms. Angkhana Neelapaijit** and **Ms. Anchana Heemmina**, who have been subjected to sustained online harassment, misogynistic abuse, and disinformation campaigns, particularly in response to their advocacy on torture, enforced disappearances, and accountability in the Southern Border Provinces. These attacks have been linked to coordinated information operations (IOs) and smear campaigns allegedly supported by state actors, including the Internal Security Operations Command (ISOC), prompting both defenders to file a civil case against the Prime Minister’s Office and the Royal Thai Army in 2020. However, the case was dismissed in 2023 due to alleged lack of evidence, highlighting the absence of effective remedies for victims of digital repression.⁴⁸ Beyond WHRDs, these tactics are also used to undermine political participation and stigmatize individuals advocating for peace and self-determination in Patani. In the lead-up to the 2023 elections, **Romadon Panjor**, a peace activist and Member of Parliament candidate from the Move Forward Party, was targeted by coordinated disinformation campaigns falsely associating him with insurgent groups. These narratives were widely disseminated online, contributing to a climate of fear, delegitimization, and public distrust.⁴⁹
- 5.9 Such practices demonstrate how digital tools are systematically used alongside legal mechanisms to restrict civic space. They violate the rights to freedom of expression, participation in public affairs, and equality before the law, as protected under Articles 19, 25, and 26 of the

⁴⁷ Manushya Foundation, *Dawn of Digital Dictatorship: Weaponizing the Law Against Online Speech in Thailand*, (June 2024), available at:

https://www.manushyafoundation.org/_files/ugd/a0db76_2393af0bd22240d182dc434288872641.pdf

See also: Manushya Foundation and Freedom House, *Freedom of the Net 2024: Thailand Country Report*, (November 2024), available at: <https://www.manushyafoundation.org/report-fotn-2024>

⁴⁸ Manushya Foundation, *Dawn of Digital Dictatorship: Weaponizing the Law Against Online Speech in Thailand*, pages 35 and 43, (June 2024), available at:

https://www.manushyafoundation.org/_files/ugd/a0db76_2393af0bd22240d182dc434288872641.pdf

⁴⁹ Manushya Foundation, *Dawn of Digital Dictatorship: Weaponizing the Law Against Online Speech in Thailand*, page 35, (June 2024), available at:

https://www.manushyafoundation.org/_files/ugd/a0db76_2393af0bd22240d182dc434288872641.pdf



International Covenant on Civil and Political Rights. The failure of the State to prevent, investigate, and provide remedies for such acts, particularly where there are credible allegations of state involvement or acquiescence, constitutes a breach of its positive obligations under international human rights law.

- 5.10 Taken together, this convergence of legal harassment and digital repression reflects a deliberate strategy to silence dissent, control narratives, and restrict civic space in conflict-affected regions such as Patani.

6. Recommendations

6.1 Discrimination and Racialized Security Governance

- In line with the 2022 Concluding Observations of the CERD Committee, end racial profiling and discriminatory security practices targeting Malay Muslim communities in the Southern Border Provinces, including the mass collection of DNA, discriminatory surveillance, and identity checks.
- In line with the 2022 Concluding Observations of the CERD Committee, review and reform all security laws and practices applied under the state of emergency and martial law to ensure full compliance with international human rights standards and eliminate their discriminatory impact on ethnic and ethno-religious groups.
- In line with the 2017 Concluding Observations of the Human Rights Committee, amend Section 17(2) of the Gender Equality Act to eliminate exceptions based on “national security” and “religious principles” that enable discrimination against Muslim women and marginalized groups.
- Withdraw its reservation to Article 22 of ICERD and recognize the jurisdiction of the International Court of Justice for disputes under the Convention.

6.2 Arbitrary Detentions, Access to Justice and Special Security Laws

- Amend or repeal the Martial Law Act and Emergency Decree in the Southern Border Provinces to ensure compliance with the ICCPR, particularly Article 9 on liberty and protection against arbitrary detention, in line with the 2017 Concluding Observations of the Human Rights Committee to Thailand.
- Ensure that all detainees are brought promptly before a judge, and that detention without judicial review does not exceed 48 hours under any legal framework, in line with the 2024 Concluding Observations of the CAT Committee to Thailand.
- Guarantee fundamental legal safeguards from the outset of detention, including access to legal counsel, family contact, and protection against incommunicado detention,



particularly in the Southern Border Provinces, in line with the 2024 Concluding Observations of the CAT Committee to Thailand.

- In line with Article 11 of the Universal Declaration of Human Rights and Article 14(2) of the International Covenant on Civil and Political Rights, guarantee the presumption of innocence in law and in practice, including by ensuring that individuals are not treated or presented as guilty prior to conviction.

6.3 Torture, Ill-Treatment, and Enforced Disappearances

- Amend the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) to ensure full compliance with the Convention against Torture.
- In line with CAT (2024), ensure that the definition of torture under domestic law fully aligns with Article 1 of the Convention, including by recognizing both physical and psychological forms of torture.
- In line with CAT (2024) and CCPR (2017), ensure that all allegations of torture, ill-treatment, and enforced disappearance are promptly, independently, and effectively investigated, and that perpetrators are prosecuted and sanctioned.
- In line with CAT (2024), ensure that statements or confessions obtained through torture are inadmissible in all judicial proceedings, except against those responsible for torture.
- In line with CAT (2024), abolish statutes of limitation for torture and enforced disappearance to prevent impunity, including in cases such as the Tak Bai massacre.
- In line with CAT (2024), conduct prompt, impartial, and effective investigations into all enforced disappearance cases, including those of Wanchalearm Satsaksit and other missing activists.
- In line with General Comment No. 3 of the Committee against Torture, Thailand should ensure that all victims of torture and ill-treatment have access to full and effective reparations, including restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition.

6.4 Structural Impunity and Accountability

- In line with CAT (2024) and CCPR (2017), repeal or amend all legal provisions granting immunity to State officials, including under emergency laws and security frameworks, to ensure accountability for human rights violations.
- In line with CERD (2022), ensure prompt, thorough, and impartial investigations into all human rights violations committed in the Southern Border Provinces, including those involving security forces.
- In line with CAT (2024), ensure that victims have access to effective remedies, including compensation, rehabilitation, and guarantees of non-repetition.



- In line with international standards on the independence of the judiciary and the administration of justice, ensure that investigations and judicial processes are independent, impartial, and evidence-based, free from political or security interference. Establish an independent oversight body to investigate complaints against law enforcement officials and ensure accountability.

6.5 Protection of Civic Space and Human Rights Defenders

- In line with CERD (2022) and CAT (2024), ensure a safe and enabling environment for human rights defenders, free from judicial harassment, intimidation, and reprisals, including in the Southern Border Provinces.
- In line with the 2017 Concluding Observations of the Human Rights Committee, refrain from using criminal laws, including sedition and other security-related provisions, to restrict freedom of expression, peaceful assembly, and cultural expression.
- In line with CAT (2024), take effective measures to prevent and address strategic litigation against public participation (SLAPPs), and ensure protection for individuals engaged in human rights and humanitarian work.
- In line with CERD (2022), prohibit discriminatory surveillance practices, including the use of digital technologies that disproportionately target ethnic and religious groups.
- In line with CAT (2024), investigate allegations of unlawful surveillance and harassment of human rights defenders, including the use of spyware and online disinformation campaigns.

Joint UPR Submission: Justice Denied: Structural Impunity, Discrimination, and the Failure of the Justice System in Thailand's Southern Border Provinces (Patani) April 2026

Submission by



ศูนย์ทนายความมุสลิม
MUSLIM ATTORNEY CENTRE

Muslim Attorney Centre (MAC) is a civil society organization providing legal assistance and human rights advocacy in Thailand's Southern Border Provinces (Patani). MAC works to promote access to justice, monitor human rights violations, and support affected communities, particularly in cases involving security laws, arbitrary detention, and violations of fundamental rights. Through legal representation, documentation, and policy engagement, MAC seeks to strengthen accountability and uphold the rule of law in conflict-affected areas.



Manushya Foundation is a women-led and innovative non-profit organization with the goal to reinforce the power of local communities, in particular women human rights defenders, so they can advance their human rights and fight for equality and social justice. Manushya means "Human Being" in Sanskrit; it was founded in 2017 to engage, mobilise and empower local communities across Asia to be at the center of decisions and policies that affect them by: connecting humans through inclusive coalition building and; by developing strategies focused at placing local communities' voices at the centre of human rights advocacy and domestic implementation of international human rights obligations and standards. Manushya Foundation strengthens the solidarity and capacity of communities and grassroots to become Agents of Change fighting for their rights and providing solutions to improve their lives, their livelihoods and the human rights situation on the ground. For more information, visit: www.manushyafoundation.org.



The **Thai CSOs Coalition for the UPR and UN Mechanisms (Universal Periodic Review)**, established during Thailand's Second UPR cycle, is a people-led, intersectional feminist movement bringing together local communities and national civil society organisations across all human rights sectors. As one of the largest intersectional grassroots-led movements in Thailand, it engages with the UPR and UN treaty bodies, connecting struggles from Indigenous Peoples' rights, land and environmental justice, and labour rights to digital rights, freedom of expression, transnational repression, and the protection of human rights defenders, migrants, political refugees, youth, LGBTIQ+ individuals, and communities facing systemic marginalization. It fosters solidarity among communities facing shared challenges and strengthens collective action to demand accountability from the state and companies for their international human rights obligations.





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