THAILAND UPR IV 2026
UPR FACTSHEET



ENFORCED DISAPPEARANCES, TORTURE, ARBITRARY DETENTION, EXTRAJUDICIAL KILLINGS AND STRUCTURAL IMPUNITY IN THAILAND

Brief Assessment of the Implementation of the 3rd Cycle UPR Recommendations

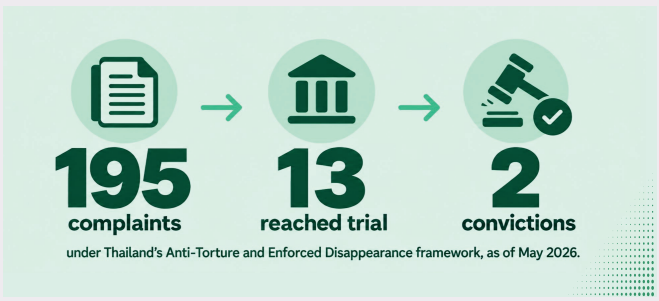
Thailand has criminalised torture and enforced disappearance, but victims and families still face institutions that fail to prevent violations, establish the truth and hold perpetrators accountable.

During its 3rd UPR cycle, Thailand received 21 recommendations specifically addressing torture, ill-treatment and enforced disappearance, of which it supported 20 and noted one. The noted recommendation, made by the United States, called for prompt, transparent and impartial investigations into reported enforced disappearances, including that of Wanchalearm Satsaksit and seven other Thai political activists missing since 2014.

Thailand has since enacted the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), which came into force on 22 February 2023, followed by the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) in 2024. However, Thailand has not made a declaration under Article 31 of the ICPPED recognising the competence of the Committee on Enforced Disappearances (CED) to receive and consider individual communications from, or on behalf of, persons claiming to be victims of violations of the Convention by Thailand. Consequently, individuals cannot currently bring complaints concerning alleged violations by Thailand directly before the CED under Article 31. Despite Thailand's support for these recommendations, implementation on the ground has made limited progress. In Thailand's Southern Border Provinces (Patani), victims face arbitrary detention, torture, and extrajudicial killings under special laws without accountability or remedies. Thailand has also not ratified 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). Recommendations to open these international protection and remedy mechanisms have been raised in previous UPR cycles, but the corresponding commitments remain unfulfilled.

The scale of unresolved disappearance, prolonged detention and unlawful killings demonstrates the gap between reform and protection. Families continue to face blocked investigations, inaccessible remedies and threats when seeking the truth. The evidence below distinguishes UN-transmitted disappearance cases, community documentation and complaints under the 2022 Act, whose different coverage must remain clear.

The central implementation gap lies in the authorities' response to allegations. Families are asked to establish official involvement before the investigation needed to identify the perpetrators is opened. Special security laws continue to expose detainees to abuse, while delayed proceedings, limitation periods and inaccessible remedies sustain impunity. The 2022 Prevention and Suppression of Torture and Enforced Disappearance Act and Thailand's ratification of the ICPPED must result in effective investigations, enforceable custody safeguards and protection for victims and families.





This UPR Factsheet was prepared by **Manushya Foundation, Muslim Attorney Centre Foundation, Civil Society Assembly for Peace, Prof. Haji Sulong Abdulqadir Tohmeena Foundation, Jaringan Mangsa Dari Undang-Undang Darurat (JASAD), Tanah Kita Foundation, The HOOMAN, The Patani, Patani Human Rights Organisation, Patani Working Group for Monitoring on International Mechanisms, and the Thai CSOs Coalition for the UPR and UN Mechanisms**

NATIONAL LEGAL FRAMEWORK

The Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), effective from 22 February 2023, establishes the following safeguards:

Criminal offences: Sections 5-7 criminalise torture, cruel, inhuman or degrading treatment and enforced disappearance; disappearance is a continuing offence until the person's fate is established.

Absolute prohibition and non-refoulement: Sections 12-13 prohibit emergency justifications and removal to a State where substantial grounds indicate a risk of torture, ill-treatment or enforced disappearance.

Custody safeguards: Sections 22-24 require continuous audio and video recording from arrest until handover or release, subject to specified exceptions, custody records, immediate notification to prosecutors and administrative authorities, and access to custody information.

Investigation and judicial protection: Sections 26-27 provide urgent court protection. Section 31 gives prosecutors investigative powers alongside other competent authorities; Sections 10 and 43 require continuing investigation, including of earlier disappearances.

Accountability and family standing: Sections 3 and 11 recognise affected relatives and partners; Section 34 places cases before civilian corruption and misconduct courts, including cases involving military personnel. Section 42 establishes specified superior liability.

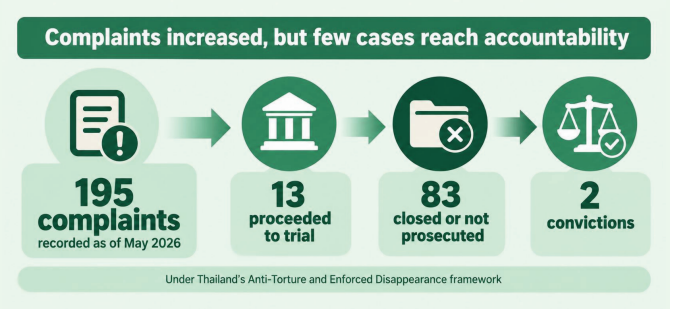
International obligations: Thailand is bound by the Convention against Torture, the International Covenant on Civil and Political Rights (ICCPR), and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), which entered into force for Thailand on 13 June 2024. It has not recognised the Committee on Enforced Disappearances' competence under Articles 31 and 32, and has not ratified OPCAT. Martial Law Act B.E. 2457 (1914), Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) and Internal Security Act B.E. 2551 (2008) powers must be exercised consistently with these obligations.

REALITIES ON THE GROUND

Challenges | **Case, Facts, and Comments**

Challenge 1: Thailand's Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) promises protection, but safeguards remain unenforced

Complaints do not consistently lead to prosecution. The 2022 Act criminalises torture, ill-treatment and enforced disappearance, but delayed or prematurely dismissed complaints, limited investigative independence and forensic capacity continue to obstruct accountability. Its effectiveness must be assessed through investigation, prosecution and remedy in practice.



Complaints increased, but access to justice and assistance remains limited. Government information submitted to the UN Committee against Torture recorded 125 complaints between February 2023 and October 2024, including 14 concerning alleged enforced disappearance. As of February 2026, the Rights and Liberties Protection Department (RLPD), Ministry of Justice, had recorded 163 complaints: 65 alleging torture, 47 cruel, inhuman or degrading treatment, 20 enforced disappearance and 31 involving multiple offences. A subsequent report, using figures for complaints lodged with various authorities as of May 2026, recorded 195 complaints, of which only 13 had proceeded to trial, while 83 had been closed or not prosecuted. Only two cases had resulted in convictions. The figures reflect different reporting dates and institutional coverage and should not be added together.

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REALITIES ON THE GROUND

Challenges

Case, Facts, and Comments

Criminalisation must lead to accountability for abuse in military and police custody. Effective investigations must identify both direct perpetrators and responsible superiors, preserve forensic evidence and scrutinise alleged coerced confessions.



Panya Khongsaenkham, torture survivor. He was tortured into making a false confession by polive about the killing of his wife in Thailand's first torture law prosecution case.

SOURCE: Screenshot from Bangkok Post (17 Jan 2024)

First convictions followed the fatal beating of an 18-year-old conscript. On 27 May 2025, a court convicted two army instructors and 11 senior conscripts over the beating to death of Worapratch Phadmasakul in Chonburi in August 2024. These were the first convictions under the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022).

Police accused of torturing a man into falsely confessing to his wife's killing. On 18 May 2026, the Office of the Attorney General ordered the indictment of seven police officers from Aranyaprathet police station, Sa Kaeo, for allegedly torturing **Panya Khongsaenkham** into confessing to the 2024 killing of his wife. She was subsequently found to have been beaten to death by a group of teenagers, including a police officer's child. Charges were filed in July 2026, but prosecutors dropped the case against the station superintendent.

Narrow definitions and gaps in superior responsibility weaken accountability. The Act must cover torture for all purposes recognised by international law and responsibility where superiors ought to have known of abuse and failed to act. Explicit safeguards are also needed against amnesties and legal exemptions that shield perpetrators.

UN Committee against Torture calls for stronger definitions and accountability safeguards. In its 2024 concluding observations, the Committee identified shortcomings in Thailand's Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022). It called for Section 5 to include an illustrative rather than exhaustive list of purposes for torture, preventing a narrow definition from excluding acts covered by the Convention. It also recommended amending Section 42 to hold superiors accountable where they knew or ought to have known of abuse by their subordinates and failed to take appropriate action. The Committee further called for an explicit prohibition on amnesties and other legal exemptions that prevent accountability for offences under the Act.

Limitation periods can prevent prosecution even after the truth emerges. Section 30 of the 2022 Act delays the start of the limitation period for enforced disappearance until the person's fate is established, but does not abolish it. The Committee against Torture called for torture and enforced disappearance to be excluded from limitation periods. Reform must respect the prohibition on retroactive criminal punishment.



Community members call for justice at a mass grave for victims of the 25 October 2004 Tak Bai massacre in Narathiwat. Twenty years later, the limitation period expired without any defendant being brought before the court, ending the criminal proceedings without accountability.

SOURCE: Tohlala/AFP (25 October 2024)

Tak Bai: a 20-year limitation period ended proceedings without accountability.

On 25 October 2004, 85 people died during the crackdown on protesters in Tak Bai, Narathiwat, and their subsequent transport in military custody. Twenty years later, the defendants had not been brought before the court, despite criminal proceedings initiated in 2024. The 20-year limitation period under Section 95 of the Criminal Code expired on 25 October 2024. On 28 October 2024, the Narathiwat Provincial Court formally closed the case against seven defendants. No one was held criminally accountable. The case demonstrates how delayed proceedings and failures to secure defendants' appearance can allow a limitation period to extinguish the possibility of criminal justice for victims and families.

Independent prevention remains absent. Thailand has not ratified the Optional Protocol to the Convention against Torture (OPCAT) or established the independent national preventive mechanism required by it. Custody safeguards need independent scrutiny in every place of deprivation of liberty.

Monitoring gaps expose detainees to abuse. Fragmented national records and attempts to circumvent safeguards through security legislation make violations harder to detect. Independent access to police stations, prisons, military camps and interrogation facilities is essential to identify concealed detention and assess compliance with recording, notification and custody-register requirements.v

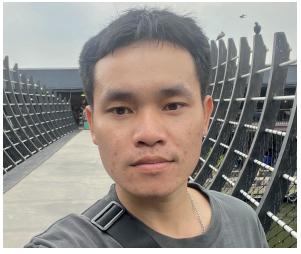
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REALITIES ON THE GROUND

Challenges | **Case, Facts, and Comments**

Challenge 2: Investigations are blocked before the truth can be established

The Office of the Attorney General (OAG) must use its investigative powers in possible enforced disappearance cases, without requiring families to prove official involvement first. Section 31 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) empowers public prosecutors and other competent authorities to investigate, provides for prosecutorial oversight, and establishes **"special case" treatment when a special case investigator undertakes the investigation.** Where investigative responsibility is unclear, the Attorney General determines the responsible agency. These powers must enable prompt fact-finding, including into possible Thai or foreign official involvement, rather than leave families and civil society responsible for proving who committed the disappearance before an investigation begins. Sections 10 and 43 require continuing investigation to establish the disappeared person's fate and responsibility, including in earlier cases.



Lao activist Khieo Lapchanh, now missing in Thailand.
Before his disappearance on 15 September 2026, Khieo faced coordinated digital attacks, including violent AI-generated videos.

SOURCE: Khiew Chennel (Khieo's Facebook page) (17 January 2026)

Lack of initial proof or the date of a disappearance must not obstruct fact-finding. Investigation is needed to determine whether Thai officials, foreign officials or other actors were involved. Section 43 provides for investigation of earlier disappearances until the truth is established; families must not first be required to identify the perpetrators.

Khieo Lapchanh: initial refusal followed by investigative recognition after UN intervention. Khieo Lapchanh, a 26-year-old Lao political activist living in exile in Thailand, disappeared in the early hours of 15 September 2026, one day before his UNHCR registration interview. Before his disappearance, he faced escalating digital threats, including doxxing, death threats and an advertised USD 8,000 bounty for his killing. Manushya Foundation filed a police report on 18 September and a complaint to the National Human Rights Commission of Thailand on 23 September 2026.

When Manushya contacted the Office of the Attorney General (OAG), it initially declined to investigate under the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), insisting that Manushya first provide evidence of Thai authorities' involvement. This refusal persisted despite Manushya's explanation that the disappearance warranted investigation as a special case under Section 31 of the Act and that establishing whether State officials were involved was the authorities' investigative duty. This placed the burden of establishing official involvement on those seeking an investigation, obstructing urgent efforts to locate Khieo and preserve evidence.

On 5 October 2026, Manushya submitted an urgent action request under Article 30 of the International Convention for the Protection of All Persons from Enforced Disappearance. Within three days, on 8 October, the UN Committee on Enforced Disappearances (CED) registered Urgent Action No. 2394/2026, requesting immediate measures to locate Khieo, investigate his disappearance and preserve critical evidence, with a response from Thailand by 22 October 2026.

Only following this intervention did the OAG acknowledge its competence to investigate under Section 31 of the Act. The OAG explained that it regarded the alleged offence as a crime against the Thai State and would treat it as a special case, enabling an investigation to proceed without a formal complaint from Khieo's relatives. **This could mark an important precedent for investigating the suspected transnational repression of a foreign national under the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022).** Yet the initial rejection and need for UN intervention expose persistent barriers to timely access to justice. Recognition of investigative competence must now translate into an effective search, an independent investigation and accountability. Responsibility for Khieo's disappearance, including any foreign-State involvement and links to the preceding digital threats, remains to be established.

Similar refusals affect the families of Thai political dissidents who disappeared in exile. Siam Theerawut, Surachai Danwattananusorn, Chatchan Bupphawan and Kraidej Luelert were Thai political dissidents who sought refuge in neighbouring countries following the 2014 military coup and continued expressing opposition to the Thai authorities. Surachai, Chatchan and Kraidej disappeared in Laos in December 2018; Siam disappeared in 2019, reportedly after being detained in Vietnam and forcibly returned to Thailand.

The UN experts' joint communication to Thailand of 24 July 2025 (AL THA 8/2025) documented refusals or closures of investigations concerning these four men. Reasons included insufficient evidence of official involvement or an offence under the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), and the disappearances occurring before the Act entered into force.

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REALITIES ON THE GROUND

Challenges	Case, Facts, and Comments

Independent investigation and reasoned decisions are essential. Authorities must assess credible allegations promptly, preserve evidence, search for the person and coordinate across agencies and borders. They must explain investigative decisions to families and provide an effective way to challenge a refusal or closure. The distinction between preliminary complaint handling and a formal investigation must not conceal a failure to investigate.



Pranee Danwattananusorn (centre), the wife of missing activist Surachai Danwattananusorn holds a picture of her husband during a protest at Government House in Bangkok.

SOURCE: Bangkok Post (February 2019)

Surachai's case shows the difference between taking statements and opening a formal investigation. Case documentation records that his wife submitted the complaint in March 2023 and gave further testimony, but an AGO decision dated 23 December 2024 declined investigation for insufficient evidence. The same report documents refusals concerning Siam and Chatchan. Preliminary evidence gathering did not lead to the formal investigation needed to establish responsibility.

Complaints under the 2022 Act closed without answers. Of four complaints filed under the Act concerning disappeared Thai exiles, investigations into Chatchan Buphawan, Kraidet Luelert and Surachai Danwattananusorn were terminated, while **Wanchalearm Satsaksit's** case remains under investigation. The UN experts' July 2025 communication also records an earlier refusal to accept or pursue his family's complaint because official involvement had not been established. These accounts concern different reported stages; authorities have not provided a transparent explanation of the investigative pathway.

Challenge 3: Enforced disappearances remain unresolved at home and across borders

The absence of a consolidated record obscures the scale of disappearance. Thailand must account for unresolved cases, including Thai nationals disappeared abroad, and explain differences between official follow-up figures.

The scale of enforced disappearance in Thailand. According to the UN Working Group on Enforced or Involuntary Disappearances (WGEID), between 1980 and May 2025, the WGEID transmitted 94 cases of enforced disappearance to Thailand, of which 77 remain outstanding, including 6 concerning women; none was clarified in the 2024 to 2025 reporting period.

Thai exiles registered under other States. Cases of Thai exiles may be registered under the State where the abduction took place: in 2025, the WGEID transmitted the case of Surachai Danwattananusorn, allegedly detained on 12 December 2018 in Vientiane by Thai police, to the Government of Laos, with a copy to Thailand. His case is therefore not counted among Thailand's 77.

No official register of the disappeared. In July 2026, OHCHR reported that Thailand had no official register of disappeared persons and had not formally investigated many of the 77 WGEID cases as enforced disappearances.

Disappearance has a long history in Patani. Religious and community leaders have been targeted, leaving families without answers across generations. The continuing duty to establish the truth extends to these unresolved cases.

Religious leaders, community leaders and political activists are targeted. The 1954 enforced disappearance of **Haji Sulong Abdulkadir Tohmeena,** a Malay Muslim religious and political leader whose fate remains unknown seven decades later, illustrates the long history of violations against the Malay Muslim community. According to JASAD, 33 cases of enforced disappearance have been recorded in the Southern Border Provinces (Patani) since 2004.

Land-rights defenders and lawyers disappear without full criminal accountability. Investigations must establish the fate of those detained by officials and responsibility for their disappearance, rather than end with acquittals or findings on lesser offences.

Porlajee "Billy" Rakchongcharoen: the indigenous Karen land rights defender disappeared on 17 April 2014 after being detained by Kaeng Krachan National Park officials. On 28 September 2023, all four officials were acquitted of his abduction and murder; only the former park chief was convicted, of dereliction of duty, and sentenced to three years.

The disappearance of Somchai Neelapaijit. Somchai was a human rights lawyer who defended Malay Muslim communities and victims of torture. In 2004, he was forcibly disappeared. Five police officers were charged with coercion but were acquitted in 2015, and the case remains unresolved. UN experts have expressed deep concern over the lack of justice two decades after his disappearance.

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REALITIES ON THE GROUND

Challenges	Case, Facts, and Comments

Thai dissidents in exile remain without truth or accountability. Cross-border searches and investigations require cooperation with Laos, Viet Nam and Cambodia. Findings by human rights institutions and recommendations from UN mechanisms must result in effective action.

Thailand only noted the 3rd cycle recommendation on Wanchalearm Satsaksit and "seven other Thai political activists". Since then, there has been no progress towards accountability, justice and truth for the victims and their families.

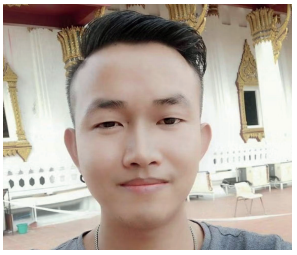
Exiled Thai activists - at least nine Thai political activists living in exile disappeared or were killed in neighbouring countries between 2016 and 2020:

- **Itthipol Sukpaen**, a political radio commentator who disappeared in Laos in 2016;
- **Wuthipong Kachathamakul**, a political broadcaster who disappeared in Laos in 2017;
- **Surachai Danwattananusorn, Chatchan Buphawan and Kraidet Luelert** (Laos, December 2018), with the bodies of Chatchan and Kraidej later found in the Mekong River;
- **Chucheep Chivasut**, a political broadcaster, and fellow dissidents Siam Theerawut and Kritsana Thapthai (reportedly detained in Vietnam in early 2019 and rumoured to have been handed to Thailand on 8 May 2019, which the authorities deny);
- **Wanchalearm Satsaksit**, a pro-democracy activist abducted in Phnom Penh in June 2020.

Seven remain missing. The cases concern political dissidents who fled repression and continued expressing opposition from abroad, including criticism of the monarchy.

National Human Rights Commission of Thailand (NHRCT). In June 2024, the NHRCT found that the disappearances of nine Thai political exiles in Laos, Cambodia and Vietnam were credibly enforced disappearances by the State, and that State agencies had failed to follow up adequately. No one has been held accountable.

Foreign dissidents seeking protection in Thailand face disappearance and cross-border abduction. Thailand must investigate abuses on its territory, establish the whereabouts of those transferred abroad and identify responsibility across jurisdictions.



Od Sayavong, a refugee activist and member of the Free Lao Group.
He has been missing since August 2019 in Bangkok, shortly after meeting the then-UN Special Rapporteur on Extreme Poverty and Human Rights.

SOURCE: Human Rights Watch

Od Sayavong: a Lao refugee disappeared in Bangkok. Lao human rights defender and refugee Od Sayavong disappeared on 26 August 2019. His fate and whereabouts remain unknown. The Committee against Torture expressly raised his case in its 2024 review of Thailand, and UN experts addressed it again in the regional transnational repression communication of July 2025. His case illustrates the unresolved disappearance risks faced by foreign dissidents seeking protection in Thailand.

Truong Duy Nhat: disappearance followed by detention in Viet Nam. The Vietnamese blogger and human rights defender was allegedly arrested in Thailand in January 2019 and disappeared for two months before he was located in a Vietnamese detention facility. Discovery of his whereabouts did not remove the need to investigate his alleged abduction and transfer or establish responsibility.

Duong Van Thai: Duong Van Thai, a Vietnamese journalist and government critic living in exile, was reportedly abducted in Pathum Thani in April 2023 and taken to Viet Nam.

Unacknowledged detention conceals victims and obstructs searches. Authorities must maintain accurate custody and release records, disclose detention locations to entitled relatives and promptly investigate when a person recorded as released does not return.

False records of victims' whereabouts or release. Documented cases include individuals recorded as released from detention who never return home, raising serious safety concerns. Others are held incommunicado in interrogation centres or military camps without their detention being properly documented or acknowledged, so family members cannot locate them or obtain official confirmation of their detention. Victims and their families face barriers to justice, including structural obstacles within the justice system and a lack of trust in the authorities.

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Faster deportation without effective safeguards increases the risk of torture and disappearance. The **Prime Minister's Office Regulations on Deportation B.E. 2569 (2026)**, effective **28 August 2026**, permits removal on broad "public order" and "good moreals" grounds without requiring a criminal conviction. It does not expressly guarantee individual protection risk assessments, access to lawyers and UNHCR, or independent judicial review that automatically suspens removal. Refugees and asylum seekers receive no express exemption from accelerated deportation.

Short deadlines undermine access to protection and safe transfer.

- An administrative appeal to the Prime Minister must be lodged within **seven days**.
- Separately, a State or international organisation must request transfer to a safe third country through diplomatic channels within **seven days** of the deportation order.
- Transfer must be completed within **30 days**, extendable **twice by up to 30 days each**, a maximum of **90 days**. These are transfer extensions, not additional appeals.

If transfer fails, the regulation directs authorities back to removal to the country of nationality or, where nationality cannot be determined, last residence. Expiry of these deadlines cannot override Section 13 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), which prohibits return to a risk of torture or enforced disappearance.

Challenge 4: Special security laws expose detainees to incommunicado detention and torture

Overlapping laws permit prolonged detention without charge. The Martial Law Act allows military authorities to detain individuals for questioning for up to 7 days without an arrest warrant or summons, bypassing the safeguards of the Criminal Procedure Code and increasing the risk of ill-treatment and arbitrary detention.

Combined, Martial Law and the Emergency Decree can result in detention without formal charge for up to 37 days: seven days under Martial Law followed by up to 30 days under the Emergency Decree, subject to court authorisation renewed in periods of up to seven days.

This formal authorisation has not ensured effective scrutiny or access to ordinary safeguards. The Emergency Decree on Public Administration in Emergency Situations permits security officials to detain individuals for up to 30 days without formally filing charges. Extensions of detention require periodic court approval, but detainees are held in military facilities with limited access to independent monitoring and legal counsel.



Special security laws remain entrenched after 22 years. The Southern Border Provinces (Patani) remain governed through overlapping Martial Law, Emergency Decree and Internal Security Act powers. Repeated renewals require transparent assessments of necessity and proportionality and effective judicial scrutiny under the ICCPR.

Detention in irregular or unofficial facilities without access to trusted persons, family members or legal counsel. Detainees may be held in military camps for extended periods without seeing a judge, possibly incommunicado. In May 2025, a young man was held at Ingkhayutthabariharn Camp for 26 days and released without charge. This shows that the Human Rights Committee's 2017 recommendation has not been implemented.

Treatment as 'suspects' without safeguards. Detainees are treated as 'suspects' rather than as charged persons, which isolates them in the first stages of detention. Without independent oversight, they face a heightened risk of torture and inhuman treatment and cannot challenge the legality of their detention or obtain legal assistance. In the Southern Border Provinces, some individuals are deprived of their liberty after being informally 'invited' for questioning.

Restrictions on family contact. Basic safeguards are further restricted. At the Peace Protection Centre, for example, immediate family members or partners may visit only on the first day of detention; other relatives may visit only after a minimum of three days, and any additional visit requires authorisation by security officials.

According to JASAD, special laws in the region have been extended 85 times. The Cabinet renewed the Emergency Decree once more in July 2026, for 20 July to 19 October 2026, which the Government spokesperson described as the 85th extension.

Between 2004 and 2026, at least 15,000 people were detained under special security laws, and at least five died in custody. More than 10,000 people have been held in interrogation facilities since 2004. JASAD recorded 764 people detained between 2019 and 2025 alone: 167 in 2019, 55 in 2020, 60 in 2021, 116 in 2022, 65 in 2023, 91 in 2024 and 192 in 2025. The 2025 figure is the highest of the period and more than double the year before, showing growing reliance on interrogation facilities after the Prevention and Suppression of Torture and Enforced Disappearance Act entered into force.

Mass use of security warrants. Between 2004 and 2022, 7,620 arrest warrants were issued in security cases under the Criminal Procedure Code, 1,687 of them against people listed as fugitives, together with 1,146 warrants on secret society and criminal association charges, 359 of them against fugitives. Over the same period, 614 complaints of human rights violations were lodged, yet no State official has been held criminally accountable.

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REALITIES ON THE GROUND

Challenges

Case, Facts, and Comments

Custody safeguards must apply to every deprivation of liberty. Recording, notification, access to counsel and family contact must operate under special security laws, including informal "invitations", "attitude adjustment" and confinement at checkpoints or interrogation centres. Authorities must not evade the 2022 Act by changing the label applied to detention.

Torture under special laws includes physical and psychological abuse. ICCPR Article 7 prohibits torture and ill-treatment in all circumstances, including emergencies. Investigations and medical assessments must document methods that leave no visible injuries as well as physical violence.



Detainees forced to lie face down during the Tak Bai crackdown. Security forces arrested more than 1,300 protesters in Narathiwat on 25 October 2004. Many were forced to lie face down with their hands tied before being transported to military detention; 78 later died from suffocation or crushing during transport.

SOURCE: AFP (25 October 2004)

Narrow judicial interpretation can exclude psychological torture. Community documentation describes a shift towards methods that leave no visible marks. Courts must assess psychological harm through independent mental-health evidence and the Istanbul Protocol.

Civil compensation does not replace criminal accountability. A finding of torture must be followed by an independent investigation of those responsible, including military personnel; financial awards alone do not fulfil the obligation to prosecute.

Deaths in military custody require independent investigation. The first hours and days of detention expose people to particular risks. Independent autopsies, preservation of evidence and family participation are essential where death may have resulted from torture.

Complaints and inspections must lead to effective follow-up. Survivors need reasoned decisions, timely investigation and protection when reporting abuse. Inspection alone cannot establish that violations have been remedied.

Informal detention and training obscure the use of coercive powers. Individuals are deprived of liberty after being "invited" for questioning; Internal Security Act programmes described as "attitude adjustment" or "training" may involve coercive restrictions without transparent safeguards. Community networks call for these practices to be recognised as detention under Section 22 and reported immediately to prosecutors and administrative authorities.

Complaints continue in the Deep South. The Muslim Attorney Centre Foundation's Yala office recorded 46 new complaints in the first half of 2026, showing that the documented pattern of abuse remains active.

Forms of torture under special laws documented by JASAD.

- Body torture (beating, kicking, covering the head with a black plastic bag, submerging the head in ice water, electric shocks to the genitals, forced nudity and waterboarding) was most frequently reported between 2004 and 2013.
- White torture that leaves no visible marks (confinement in freezing air-conditioned rooms, electric shocks through a small towel, beating with cloth-wrapped sticks, and preventing sleep for long periods) was commonly reported between 2013 and 2017.
- Psychological torture (threats to arrest or harm wives, parents and siblings, threats of sexual violence against female relatives, and threats of further arrest warrants, life imprisonment or the death penalty) has been reported from 2017 to the present.
- Torture occurs mostly during siege and search operations and during interrogation in military camps.

Yala court dismissed a psychological-torture petition. On 13 March 2026, the Yala Provincial Court dismissed a torture petition on the basis that the harm alleged was emotional distress rather than psychological torture.

The case of Ismaael Teh. Ismaael Teh is the President of the Pattani Human Rights Organisation Network. In 2008, he was held at Ingkhayutthabariharn Camp in Pattani, where he was tortured for nine days: he was electrocuted, beaten, and forced to confess at gunpoint. In October 2016, the Supreme Administrative Court found that he had been a victim of torture and ordered compensation of 305,000 baht, but no military personnel were prosecuted.

The case of Sulaiman Naesa. Sulaiman Naesa, a 25-year-old detainee at Ingkhayutthabariharn Camp, also known as the 'Reconciliation Promotion Centre', died in the camp in May 2010. The army stated that he had died by suicide, while his family, citing bruises on his body, maintained he had been tortured to death. No independent autopsy was conducted.

Complaints go nowhere. In 2025, JASAD and its network submitted six cases as an Urgent Appeal to the UN Special Rapporteur on torture, and filed two complaints with the public prosecutor and the NHRCT. Despite an inspection by the committee established under the Prevention and Suppression of Torture and Enforced Disappearance Act, no progress has been reported.

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REALITIES ON THE GROUND

Challenges | **Case, Facts, and Comments**

Challenge 5: Unlawful killings persist while officials escape accountability

Broad legal protections for officials obstruct accountability. Section 17 of the Emergency Decree B.E. 2548 (2005) protects officials from civil, criminal and disciplinary liability where specified good-faith, non-discrimination and necessity conditions are met. Although it does not authorise human rights violations, its operation and other emergency powers create barriers to independent investigation and effective remedy.



Attempts to secure accountability expose advocates to violence. Lawyers and elected representatives challenging unlawful killings must be protected, and investigations of attacks must be independent of security institutions potentially implicated.

Supporting victims' families must not be criminalised. Humanitarian, educational and financial assistance to families affected by conflict-related deaths is legitimate activity. National security allegations must not be used to punish that support or isolate victims.

Extrajudicial killings in the Southern Border Provinces (Patani). Security-related arrests and torture have been ongoing for over two decades. Between 2004 and 2025, the Justice for Peace and Development Network documented 526 extrajudicial killings by security forces. A notable case is the 28 April 2004 violence, during which 107 people were killed across several locations, including 32 at Krue Se Mosque, following fatal shootings and excessive use of force by State authorities. Despite Thailand's anti-torture and enforced disappearance legislation, the cumulative documented toll continued to grow, with three additional cases recorded in early 2026.

The human cost of 22 years of special laws. The cumulative figure reached at least 529 by February 2026, including former security-case detainees and people holding dissenting views. This total includes Tak Bai and the wider 28 April 2004 events described above. Overall, Deep South Watch recorded 23,577 violent incidents, 7,795 deaths and 14,806 injuries in the region over the same period.

Attack on MP Kamolsak Leewamoh. Kamolsak Leewamoh, a lawyer continuing Somchai Neelapaijit's work and the leading parliamentary advocate for Tak Bai accountability, survived a shooting at his residence in Bacho district, Narathiwat, on 20 March 2026 that seriously wounded two aides; Patani organisations report that a vehicle involved was traced to ISOC. A former Royal Thai Marine officer was arrested on 23 April 2026 and charged with premeditated attempted murder, but in July 2026 the prosecutor decided not to indict a serving Marine officer among the suspects, citing insufficient evidence, prompting opposition MPs to question the independence of the investigation.

Assistance to widows and children affected by extrajudicial killings is treated as a threat to public order and security. Saharee Jehlong provides educational and financial support to these families, as State compensation schemes often exclude them, and raises funds on Facebook for families affected by conflict-related incidents in the Southern Border Provinces. The Department of Special Investigation (DSI) investigated Mr Saharee and others, claiming that the humanitarian assistance amounted to supporting insurgent networks, and criminal proceedings were brought under national security-related measures. This shows how legal frameworks are weaponised to suppress community-based support in conflict-affected areas.

Challenge 6: Families are denied truth, reparation and effective avenues for justice

Compensation mechanisms leave families without effective remedy. The 2025 assistance, compensation and rehabilitation regulation entered into force on 22 March 2025, but its adoption has not ensured effective access to reparation. Families must not be required to prove death or identify perpetrators before receiving assistance; competent authorities must investigate those facts.

Siam Theerawut's family denied compensation because his fate remains unknown. Siam Theerawut, a Thai political dissident living in exile, disappeared in 2019 after reportedly being detained in Viet Nam and returned to Thailand. His family's application for compensation under the Damages for the Injured Person and Compensation and Expenses for the Accused in Criminal Case Act B.E. 2544 (2001) was rejected because his death or physical or mental harm had not been clearly established. In their joint communication to the Thai Government dated 24 July 2025 (AL THA 8/2025), UN experts highlighted this refusal. They also noted the National Human Rights Commission of Thailand's finding that the 2001 law lacked criteria for compensation in enforced disappearance cases, and its recommendation that authorities establish the truth and provide financial compensation and physical and psychological rehabilitation to affected families. The case exposes a profound barrier: families are denied compensation because the disappeared person's fate remains unknown, while authorities fail to establish what happened.

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REALITIES ON THE GROUND

Challenges | **Case, Facts, and Comments**



Kanya Theerawut, mother of Siam Theerawut, talks to reporters outside Vietnam Embassy in Bangkok, Thailand

SOURCE: Sakchai Lalit/AP (13 May 2019)

The 2025 assistance, compensation and rehabilitation regulation has yet to deliver effective remedy. Victims of torture and enforced disappearance and their families need accessible financial assistance, compensation and sustained rehabilitation. However, restrictive eligibility criteria and evidence requirements continue to obstruct access, particularly when authorities have not established a disappeared person's fate. By February 2026, only four victims of enforced disappearance had received assistance under the regulation. Authorities must proactively assist applicants and ensure that delays or failures in investigations do not become grounds for denying support.

Unresolved disappearance must not prevent families from managing legal and financial affairs.
Legal recognition, rehabilitation and assistance must address the enduring psychological, economic and social consequences of disappearance, including where the person's fate remains unknown.

Families denied legal recognition and compensation. in July 2026, the Supreme Court declined to hear the appeal of Siam Theerawut's mother, who had asked the courts to declare him a missing person. The families of Siam and of Surachai Danwattananusorn were denied compensation under the 2001 victims' compensation law, with the Court of Appeal's decisions final in 2025, and their complaints under the 2022 Prevention and Suppression of Torture and Enforced Disappearance Act were terminated in 2024 for insufficient evidence. Neither family has received any remedy under domestic law. Documentation of the families' cases notes that the remedy regulation under the Act requires proof that State officials were involved, whereas Article 24(6) of the ICPPED requires States to address the legal situation of disappeared persons whose fate remains unclarified.

Ratification has not opened individual or inter-State complaint procedures. Thailand ratified ICPPED on 14 May 2024, with entry into force on 13 June. It has made no declarations under Articles 31 and 32 and retains a reservation to Article 42(1), limiting access to the Convention's accountability channels.

Article 30 urgent actions remain available. Thailand's lack of a declaration under Article 31 does not prevent the CED from receiving urgent action requests under Article 30 to seek and locate disappeared persons. Manushya used this procedure in Khieo Lapchanh's case, obtaining an urgent action within three days of its submission. This urgent search and protection mechanism serves a different purpose from the individual complaints procedure under Article 31; access to one does not remove the need for Thailand to recognise the other.

Article 31 of the ICPPED. A State Party may declare, at ratification or at any time afterwards, that it recognises the competence of the Committee on Enforced Disappearances (CED) to receive communications from or on behalf of individuals claiming to be victims of a violation of the Convention. The Committee cannot admit any communication concerning a State Party that has not made this declaration. For cases within the Committee's temporal competence, this prevents an individual complaint even where domestic remedies have been exhausted or unreasonably prolonged. Article 32 of the ICPPED. Without a declaration under Article 32, the Committee cannot receive communications from other States Parties alleging that Thailand is failing to meet its obligations. Combined with Thailand's reservation to Article 42(1), this closes the Convention's dispute channels at a time when disappearances of Thai exiles have taken place in neighbouring countries.

Unanswered calls since ratification. Since May 2024, civil society has called on Thailand to make the Article 31 and 32 declarations and to withdraw its reservation to Article 42(1), warning that, given Thailand's weak record on redress and accountability, recognition of the Committee's competence to hear individual complaints is essential.

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RECOMMENDATIONS

1. On Challenge 1: Thailand's anti-torture law promises protection, but safeguards remain unenforced

1.1	Fully implement Sections 22-24 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), including continuous audio and video recording, custody registers, immediate notification and access to detention information, in every place of deprivation of liberty; publish disaggregated annual data on compliance, complaints, investigations, prosecutions and remedies.
1.2	Amend the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) to bring its definitions, superior responsibility and accountability safeguards into conformity with the Convention against Torture and ICPPED, and remove limitation periods for torture and enforced disappearance, consistent with the Committee against Torture's 2024 concluding observations.
1.3	Ratify OPCAT and establish an independent, adequately funded national preventive mechanism with unrestricted access to all places of deprivation of liberty, including military camps, interrogation centres and immigration detention facilities.

2. On Challenge 2: Investigations are blocked before the truth can be established

2.1	Direct the Attorney General Office and other competent investigative authorities to initiate prompt, independent and effective investigations where credible allegations indicate possible enforced disappearance, without requiring families or civil society first to prove official involvement; implement Sections 10, 31 and 43 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) and communicate reasoned decisions and case progress to families.
2.2	Re-examine refusals and closures concerning Siam Theerawut, Surachai Danwattananusorn, Chatchan Bupphawan, Kraidej Luelert and Wanchalearm Satsaksit; reopen investigations where the continuing duty to investigate has not been fulfilled, and seek evidence through mutual legal assistance with Laos, Viet Nam and Cambodia.
2.3	Fully implement the Committee on Enforced Disappearances' Urgent Action No. 2394/2026 concerning Khieo Lapchanh: urgently establish his fate and whereabouts, preserve and examine digital and physical evidence, check all places of detention, and conduct a prompt, independent and effective investigation pursuant to Section 31 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022), including possible Thai or foreign official involvement and links to documented threats; proceed without requiring a formal complaint from relatives or prior proof of official involvement, ensure accountability, and provide regular progress updates to his family and representatives.

3. On Challenge 3: Enforced disappearances remain unresolved at home and across borders

3.1	Ensure that allegations of enforced disappearance are investigated by authorities independent of implicated security forces, and that perpetrators are prosecuted and, if convicted, receive penalties proportionate to the offence, consistent with the Committee against Torture's 2024 and Human Rights Committee's 2017 concluding observations.

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RECOMMENDATIONS

3.2	Conduct impartial investigations into disappeared activists, including Wanchalearm Satsaksit, and clarify the fate and whereabouts of the 77 outstanding WGEID cases and all nine Thai activists disappeared or killed in exile; investigate the disappearance of Od Sayavong and the alleged abductions and transfers of Truong Duy Nhat and Duong Van Thai.
3.3	Halt deportations and extraditions where there are substantial grounds to believe the person faces torture, ill-treatment or enforced disappearance, and amend the Prime Minister's Office Regulation on Deportation B.E. 2569 (2026) to require individual risk assessment, access to counsel and effective judicial review with suspensive effect before removal, in accordance with Section 13 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) and ICPPED Article 16.
3.4	Establish a consolidated official record of reported enforced disappearances, including Thai nationals disappeared abroad, and provide families with accessible, regularly updated information on search and investigation progress, in accordance with ICPPED Article 24.

4. On Challenge 4: Special security laws expose detainees to incommunicado detention and torture

4.1	Repeal or amend the Martial Law Act B.E. 2457 (1914), Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) and relevant Internal Security Act provisions to bring detention powers and safeguards into conformity with ICCPR Article 9 and the Human Rights Committee's 2017 concluding observations.
4.2	Require every detainee to be brought promptly before a judge, ordinarily within 48 hours, under every legal framework, including special security laws; ensure personal appearance, access to counsel and effective review of the necessity and legality of detention.
4.3	Guarantee people detained in the Southern Border Provinces immediate access to independent legal counsel, family contact and medical assessment, and end incommunicado detention, consistent with the Committee against Torture's 2024 concluding observations.
4.4	Ensure all victims of torture and ill-treatment receive full reparation, including rehabilitation, compensation and guarantees of non-repetition, in accordance with the Committee against Torture's General Comment No. 3.
4.5	Treat every deprivation of liberty under Martial Law and the Emergency Decree, including "invitations", "attitude adjustment" and confinement at checkpoints or interrogation centres, as detention under the 2022 Act, and require immediate recording and notification to prosecutors and administrative authorities.
4.6	Pending OPCAT ratification, establish a joint working group of prosecutors, administrative authorities and the NHRCT, with safeguards for its independence, authority to conduct unannounced visits at any hour to military detention facilities and interrogation centres, and meaningful participation by independent civil society.
4.7	Provide independent psychiatric and mental-health assessment for people alleging torture and require courts to consider the resulting reports as key evidence in accordance with the Istanbul Protocol, including evidence of psychological torture without visible physical injury.

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RECOMMENDATIONS

5. On Challenge 5: Unlawful killings persist while officials escape accountability

5.1	Repeal or amend immunity provisions under special security and emergency laws, including Section 17 of the Emergency Decree, to ensure accountability for extrajudicial killings, torture and enforced disappearance, consistent with the Committee against Torture's 2024 and Human Rights Committee's 2017 concluding observations.
5.2	Establish an independent investigative body, separate from implicated security forces, to conduct prompt, thorough and impartial investigations into alleged extrajudicial killings, torture and arbitrary detention, and publish annual outcomes, consistent with the Committee on the Elimination of Racial Discrimination's concluding observations.
5.3	Provide victims and families with effective remedies, rehabilitation and compensation, including for property lost, destroyed or damaged during searches and seizures under special laws, restoring it to its original condition as far as possible.
5.4	Address the limitation barriers and institutional failures that prevented accountability for Tak Bai and other potentially unlawful killings; secure suspects' appearance, preserve evidence and implement the Minnesota Protocol in investigations into potentially unlawful deaths.

6. On Challenge 6: Families are denied truth, reparation and effective avenues for justice

6.1	Make declarations under ICPPED Articles 31 and 32 recognising the Committee on Enforced Disappearances' competence to receive individual and inter-State communications, and withdraw the reservation to Article 42(1).
6.2	Publish Thailand's initial ICPPED report, which was due in June 2026, and ensure meaningful participation by families and community-led organisations, including Patani communities; include disaggregated data on complaints under the 2022 Act and the 77 outstanding WGEID cases.
6.3	Amend the 2025 assistance, remedy and rehabilitation regulation to ensure families, including those of Siam Theerawut and Surachai Danwattananusorn, can obtain reparation and settle relatives' legal situation without first having to prove death, identify perpetrators or establish official involvement; require competent authorities to investigate those facts, in accordance with ICPPED Article 24.
6.4	Cooperate fully with CED urgent actions under ICPPED Article 30, including Urgent Action No. 2394/2026 concerning Khieo Lapchanh; implement requested search, investigation, evidence-preservation and protection measures, report within the Committee's deadlines, and ensure effective coordination among competent authorities.
6.5	Accede to the First Optional Protocol to the ICCPR and the Rome Statute, and facilitate access to international remedies within each mechanism's jurisdiction when domestic avenues fail; pursue truth, reparation and all legally available avenues of accountability for survivors and families of the Tak Bai massacre.
6.6	Investigate threats and reprisals against relatives of disappeared people and supporting defenders, including Angkhana Neelapaijit and Anchana Heemmina; provide protection designed with those at risk and ensure access to psychosocial, legal and economic support.

For more information, evidence and data, please refer to the References and/or contact:
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SCAN HERE

Scan to access the **Joint UPR submission on Torture, Arbitrary Detention, and Impunity in Thailand's Southern Border Provinces**

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Scan to access the **Joint UPR submission on Transnational Repression**

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For more information, evidence and data, please refer to the References and/or contact:
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NOTES

SCAN HERE

Scan to access the **Joint UPR submission on Torture, Arbitrary Detention, and Impunity in Thailand's Southern Border Provinces**

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Scan to access the **Joint UPR submission on Transnational Repression**

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