

Torture, Arbitrary Detention, and Impunity in Thailand's Southern Border Provinces



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Joint UPR Submission to the UN Universal Periodic Review

53rd Session of the UPR Working Group

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Joint UPR Submission: Torture, Arbitrary Detention, and Impunity in Thailand's Southern Border Provinces April 2026

Submission by

Justice for Peace and Development Network (JASAD), Human Rights Organization Network – Patani (HAP), Manushya foundation and the Thai CSOs Coalition for the UPR and UN Mechanisms



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1. Introduction

- 1.1 In this submission, Justice for Peace and Development Network (JASAD), Human Rights Organization Network – Patani (HAP), Manushya Foundation and the Thai CSOs Coalition for the UPR, examine the compliance of the Thai Government with the recommendations received during the 3rd UPR cycle of Thailand, particularly in relation to the prohibition of torture, protection from arbitrary detention, and accountability for human rights violations in the southern border provinces of Thailand. The submission highlights ongoing challenges related to the continued enforcement of special security laws, allegations of torture and ill-treatment during detention, extrajudicial killings during security operations, enforced disappearances, and the persistent lack of effective investigation and accountability mechanisms. Particular attention is given to the situation of individuals detained under special laws and the broader impact of these practices on the rights and security of affected communities in Pattani, Yala, Narathiwat, and four districts of Songkhla.
- 1.2 During the 3rd UPR cycle, Thailand received twenty-one recommendations related to torture, arbitrary detention, enforced disappearances, detention conditions, and the prevention of ill-treatment, issues that are particularly relevant in the context of Thailand's southern border provinces. These recommendations were made by a range of States, including Bahrain, Morocco, Costa Rica, Denmark, France, Germany, Norway, Portugal, Switzerland, Canada, Australia, Finland, Italy, Ukraine, and the Republic of Korea. Many of the recommendations called on Thailand to ratify the Optional Protocol to the Convention against Torture (OPCAT), criminalize torture and enforced disappearance in domestic law, establish an independent national preventive mechanism, and ensure prompt investigation and prosecution of alleged abuses by law enforcement officials. All of these recommendations were supported by Thailand except a recommendation made by Austria to “guarantee the rights to freedom of expression and assembly and stop targeting civilians engaging in peaceful protests under criminal charges entailing punishment with exorbitant prison terms” and from the United States 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”. Despite Thailand's support for the previous recommendations, implementation remains limited, particularly regarding allegations of torture, arbitrary detention under special security laws, and the lack of accountability in the southern border provinces, where victims continue to face barriers to justice. It shall be noted that limited progress has been made since the last UPR cycle of Thailand with the enactment of the Prevention and Suppression of Torture and Enforced Disappearance Act in 2022¹ (which came into force in February 2023), followed by the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance in 2024.² However, implementation on the ground and effective remedy for the survivors and their families remains a challenge.
- 1.3 This submission highlights ongoing human rights concerns in Thailand's southern border provinces related to torture, arbitrary detention, and the lack of accountability under special security laws. The prolonged enforcement of emergency and security legislation has granted broad powers to security authorities, creating conditions in which abuses such as torture and ill-treatment during detention, arbitrary detention in military facilities, extrajudicial killings, enforced disappearances, and the extensive use of security-related arrest warrants have been reported. At the same time, victims and their families face significant barriers in accessing justice and effective remedies, contributing to a continuing culture of impunity. These issues are discussed in the following sections:



- **Section 2** discusses torture and ill-treatment under special security laws in Thailand's southern border provinces.
- **Section 3** examines the use of arbitrary detention under special security laws in the region.
- **Section 4** presents statistics on detention in interrogation facilities in the southern border provinces.
- **Section 5** analyses cases of extrajudicial killings occurring in the context of security operations.
- **Section 6** outlines the broader impact of the prolonged conflict in the southern border provinces.
- **Section 7** examines cases of enforced disappearances in the region.
- **Section 8** discusses the extensive use of arrest warrants in security-related cases and the lack of accountability mechanisms.

2. Torture and Ill-treatment under Special Security Laws in Thailand's Southern Border Provinces

2.1 Over the past two decades, special security laws have been enforced in the three southern border provinces, Pattani, Yala, and Narathiwat and four districts of Songkhla. From 2004 to 2026, these laws have been in force for more than 21 years, resulting in widespread human rights concerns. At least 15,000 people have been detained under these laws, and at least five people have died while in detention. From 2004 to February 2026, no fewer than 529 people have died in incidents related to the conflict, including 85 deaths from the Tak Bai protest dispersal and 107 deaths from the clash at Krue Se Mosque. During the same period, 7,620 arrest warrants in security-related cases were issued under the Criminal Procedure Code, and 614 complaints of human rights violations were recorded between 2004 and 2025.³

2.2 Based on the monitoring of the human rights situation by the Justice for Peace and Development Network (JASAD), torture during detention under special laws can be categorized into three main forms:

1. Body torture involves physical abuse such as beating, kicking, punching, covering the head with a black plastic bag, immersing the head in ice water, electrocuting the genitals, forcing individuals to remain naked, forcing them to stand in extremely cold air-conditioned rooms for long periods, and waterboarding. This form of torture was most frequently reported between 2004 and 2013.
2. White torture refers to torture methods that leave no visible marks and are difficult to investigate. These include detention in extremely cold air-conditioned rooms, electric shocks administered through a small towel, beating using cloth-wrapped sticks, forcing individuals to stand without sleep for long periods, and beating while the body is wrapped with thick cloth. These practices were commonly reported between 2013 and 2017.
3. Psychological torture involves intimidation and threats affecting mental health, including threats to arrest or harm family members, threats of sexual violence against relatives, and threats of legal consequences such as arrest warrants, court proceedings, life imprisonment, or the death penalty. These practices have been commonly reported from 2017 to the present.

2.3 **Situations in which torture occurs:** according to JASAD's monitoring, torture most frequently occurs during two main stages of security operations:⁴



1. During siege operations, when individuals are often physically assaulted by officials during arrest or search operations.
2. During detention and interrogation, particularly in military camps where suspects are held and questioned.

2.4 **Human rights complaints related to detention under special laws:** between 2004 and 2025, a total of 614 complaints of human rights violations were recorded by civil society organizations monitoring the situation in the southern border provinces.⁵

3. Arbitrary Detention under Special Security Laws in Thailand's Southern Border Provinces

3.1 Arbitrary detention remains a serious human rights concern in Thailand's southern border provinces, including Pattani, Yala, Narathiwat, and four districts of Songkhla. Unlike other areas of the country, security authorities in these provinces exercise expanded powers under special security laws, allowing detention without adequate judicial safeguards and increasing the risk of abuse, including torture and ill-treatment.

3.2 **Emergency Decree on Public Administration in Emergency Situations:** under the Emergency Decree⁶, security officials are authorized to detain individuals for up to 30 days without formally filing charges. Although extensions of detention require periodic court approval, detainees are often held in military facilities during this period, where access to legal counsel and independent monitoring is limited.

3.3 The Martial Law Act⁷ grants military authorities the power to detain individuals for questioning for up to 7 days without a summons or arrest warrant. This provision allows detention outside the ordinary safeguards of the Criminal Procedure Code and increases the risk of arbitrary detention and ill-treatment.

3.4 The Internal Security Act⁸ is frequently used as a mechanism to bring individuals suspected of involvement in security-related activities into "training" or "attitude adjustment" programs. In practice, these processes may involve coercive measures and restrictions on liberty without clear legal safeguards or effective judicial oversight.

4. Statistics of Detention in Interrogation Facilities in Thailand's Southern Border Provinces

4.1 Between 2004 and 2026, more than 10,000 individuals were reportedly detained in interrogation facilities in the southern border provinces during security operations.⁹

4.2 According to monitoring by civil society organisations, a total of 764 cases of detention were recorded between 2019 and 2025.¹⁰

4.3 According to available data, the number of detention cases recorded in interrogation facilities between 2019 and 2025 shows a continued use of detention powers in the southern border provinces. A total of 167 cases were recorded in 2019, followed by 55 cases in 2020, 60 cases in 2021, 116 cases in 2022, 65 cases in 2023, 91 cases in 2024, and 192 cases in 2025. These figures indicate the persistent reliance on detention under special security laws in the region.¹¹

5. Extrajudicial Killings in Thailand's Southern Border Provinces

5.1 Extrajudicial killings in the southern border provinces most commonly occur during "siege and search operations," often described by authorities as "law enforcement operations."

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During these operations, security forces surround targeted locations and confront suspects, which in many cases results in fatal shootings without effective investigation or accountability mechanisms.

- 5.2 Between 2004 and 2025, a total of 526 cases of extrajudicial killings were recorded in the southern border provinces.¹²
- 5.3 The total number of deaths includes significant incidents such as the Tak Bai protest dispersal incident¹³ and the Krue Se Mosque incident, which resulted in a large number of casualties and remain emblematic cases of alleged excessive use of force by state authorities.

6. Overall Impact of the Conflict in Thailand's Southern Border Provinces

- 6.1 Between 2004 and February 2026, a total of 23,577 violent incidents related to the unrest were recorded in the southern border provinces.¹⁴
- 6.2 During the same period, the conflict resulted in 7,795 deaths, reflecting the severe human cost of the prolonged violence in the region.¹⁵
- 6.3 In addition, 14,806 individuals were reported injured as a result of the unrest in the southern border provinces.¹⁶

7. Enforced Disappearances in Thailand's Southern Border Provinces

- 7.1 In some cases, individuals are held incommunicado: they are taken into custody by authorities and brought to military camps or interrogation centers, where their detention is not properly recorded or acknowledged. In such situations, family members are unable to locate the individuals or obtain official confirmation of their detention.¹⁷
- 7.2 There are also cases in which individuals are officially recorded as having been released from detention, but subsequently fail to return home, raising serious concerns regarding their safety and whereabouts.
- 7.3 Another pattern involves abductions by unidentified individuals, often targeting community leaders, religious leaders, or political activists in the area. These incidents contribute to a climate of fear and insecurity within affected communities. According to available data, 33 cases of enforced disappearances have been recorded in the southern border provinces between 2004 and the present.¹⁸

8. Use of Arrest Warrants in Security-Related Cases and Lack of Accountability

- 8.1 Between 2004 and 2022, a total of 7,620 arrest warrants were issued under the Criminal Procedure Code in security-related cases in the southern border provinces.¹⁹
- 8.2 Among these cases, 1,687 arrest warrants were issued for individuals considered fugitives. In addition, 1,146 warrants were issued under charges of criminal association and secret society, with 359 additional warrants issued for fugitives under the same charges.²⁰
- 8.3 In 2025, the JASAD and Network submitted six cases as an Urgent Appeal to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment²¹²², and filed two complaints with the public prosecutor and the National Human Rights Commission of Thailand. However, despite an inspection conducted by the committee

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established under the Anti-Torture Act, no progress has been reported in the investigation of these cases.

- 8.4 As of today, the Government has failed to provide justice to victims of human rights violations in the southern border provinces and to hold the responsible security forces officials accountable. Section 17 of the Emergency Decree on Public Administration provides amnesty to officials violating human rights, stating that the violations are necessary to fulfil their duties.²³
- 8.5 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 denying victims and their families access to justice, truth, and effective remedy. This outcome underscores Thailand's persistent failure to uphold its obligations under international human rights law, including the prohibition of torture and the right to life, and highlights the structural barriers to accountability created by emergency laws and weak judicial enforcement.²⁴

9. Recommendations

9.1 Arbitrary Detention under Special Security Laws in Thailand's Southern Border Provinces

End the enforcement of special laws by revoking the Martial Law Act, the Emergency Decree on Public Administration in Emergency Situations, and the Internal Security Act in the southern border provinces, and return to using only the Criminal Procedure Code in the normal justice process.

9.2 Statistics of Detention in Interrogation Facilities in Thailand's Southern Border Provinces

Address human rights violations in areas of conflict and vulnerable areas, particularly those arising from the enforcement of special laws that affect the rights and freedoms of people at the local and grassroots levels.

9.3 Extrajudicial Killings in Thailand's Southern Border Provinces

Establish mechanisms or independent organizations free from interference by security authorities to investigate facts in all cases where there are allegations of extrajudicial killings or deaths during detention by officials.

9.4 Overall Impact of the Conflict in Thailand's Southern Border Provinces

Provide comprehensive compensation and remedies for persons affected by the enforcement of special laws, particularly in cases where property has been lost, damaged, or deteriorated as a result of searches and seizures by officials.

9.5 Enforced Disappearances in Thailand's Southern Border Provinces

1. Accelerate the process of bringing state officials or perpetrators to justice in cases where there are complaints of torture or cruel and inhuman treatment, in order to eliminate the culture of impunity.



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2. Recognize psychiatric and mental health assessment reports as important evidence in cases where there are complaints of torture.

9.6 Use of Arrest Warrants in Security-Related Cases and Lack of Accountability

1. Repeal or amend Section 17 of the Emergency Decree to remove immunity for state officials, and ensure that gross human rights violations, including those committed in the context of the Tak Bai massacre, are not subject to statutes of limitations, in line with international human rights standards, while guaranteeing independent, prompt, and effective investigations and access to full reparations for victims.
2. End Strategic Lawsuits Against Public Participation (Anti-SLAPP) and immediately end criminal and civil proceedings against activists, human rights defenders, and civil society.
3. Decriminalise defamation and adopt a stand-alone, gender-sensitive and effective anti-SLAPP law.
4. End the forced collection of genetic samples (DNA) and destroy previously collected DNA databases if there is no written court authorization or genuine voluntary consent.



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Joint UPR Submission: Labour Rights in Thailand: Structural Inequalities Across Formal, Informal, and Migrant Workforces April 2026

Submission by



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Justice for Peace and Development Network (JASAD) and **Human Rights Organization Network - Patani (HAP)** are civil society organizations working to advance human rights in the southern border provinces of Thailand. It has developed from a self-help group into a standardized human rights monitoring network. Its main roles include monitoring detention cases by collecting information on individuals summoned or detained under special laws to ensure their legal rights are respected and that no violations occur; providing legal empowerment by raising awareness of basic rights among affected persons and coordinating with lawyers and relevant agencies; supporting remedy and rehabilitation by working with psychologists and civil society actors to restore the mental well-being of individuals who have experienced detention, which often has long-term impacts on families and communities; and conducting communication and advocacy to bring facts from the field to the public in order to increase understanding of the impacts of the enforcement of special laws on people's livelihoods and daily lives.



Manushya Foundation is a women-led, decolonial and intersectional feminist organisation building cross-border safety nets of protection, solidarity, and accountability across Asia. We strengthen the political power and decision-making leadership of feminists, youth movements, and frontline communities. Our work shifts power by bridging emergency protection for activists facing repression and transnational repression, movement lawyering to confront corporate abuse and false climate solutions, defense of digital rights and civic space in increasingly surveilled environments, and grassroots-led advocacy engaging international accountability systems to advance structural justice. For more, see <https://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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