

THAILAND

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Joint submission prepared by Cross Cultural Foundation Thailand (CrCF) and the World Organisation Against Torture (OMCT)



The **Cross Cultural Foundation (CrCF)**, founded in 2002, is a Thailand-based nonprofit that monitors and investigates human rights abuses, advocates for equal access to justice, and provides direct legal protection to rights holders in Thailand.

The **World Organisation Against Torture (OMCT)** works with 200 member organisations to end torture and ill-treatment, assist victims, and protect human rights defenders at risk.

Introduction

1. This joint submission is presented to the 53rd Session of the Working Group on the Universal Periodic Review by the Cross Cultural Foundation Thailand (CrCF) and the World Organisation Against Torture (OMCT).
2. It assesses Thailand's implementation of recommendations accepted during its previous UPR cycle and documents ongoing human rights violations across five key areas: torture and ill-treatment; abuse and deaths in military conscription; the degrading use of restraints in court proceedings; enforced disappearances and transnational repression; and the judicial harassment of human rights defenders.

Torture and other cruel, inhuman or degrading treatment

3. During the previous cycle of the UPR, Thailand accepted 242 of 313 recommendations. Of these, 27 pertained to torture, and six called for the adoption of legislation explicitly criminalizing torture and enforce disappearances.
4. During the period under review, Thailand enacted the Thailand's Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022) (Anti-Torture Act), which entered into force on 22 February 2023, marking a significant legislative milestone.
5. The Act criminalizes torture, cruel, inhuman or degrading treatment, and enforced disappearance when committed by public officials. It also establishes important procedural safeguards including mandatory audiovisual recording of arrests and requirements for prompt notification of detention. Notably, it places jurisdiction over these offences under civil courts, including in cases involving military personnel. It further provides for victim rehabilitation and reparations.
6. Notwithstanding these advances, significant challenges have emerged in the Act's practical implementation. The definition of torture under Section 5 is not fully aligned with Article 1 of UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). It limits the purposes of torture to an exhaustive list, contrary to international standards, which treat such purposes as illustrative. This restrictive formulation risks excluding certain acts from qualification as torture and may facilitate impunity.
7. The definition of enforced disappearance under Section 7 does not fully conform to the International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED). It requires explicit denial or concealment by a public official

and does not adequately address acts committed by non-state actors, narrowing the scope of accountability.

8. The Committee on Prevention and Suppression of Torture and Enforced Disappearance (National Committee) suffers from limited activity, inadequate coordination, and lack of transparency. Its composition excludes victim representation, undermining a victim-centred approach. Insufficient inter-agency coordination—particularly involving investigative and prosecutorial bodies—has resulted in delays and weakened accountability. Public access to information on the Committee’s work remains restricted.
9. The Anti-Torture Act does not explicitly prohibit the admissibility of evidence obtained through torture or ill-treatment. Existing provisions under the Criminal Procedure Code allow exceptions where such evidence is deemed “beneficial to justice,” creating ambiguity and undermining the absolute prohibition required under international law.
10. Furthermore, the Anti-Torture Act notably fails to abolish or explicitly exclude the application of statutory limitation periods. As a result, general provisions under Section 95 of the Criminal Code continue to apply, prescribing limitation periods ranging from one to twenty years depending on the severity of the offence. This legislative gap undermines accountability, particularly in cases where investigations are delayed or obstructed. In practice, it allows perpetrators to evade prosecution simply by outlasting the applicable limitation period. This failure is starkly illustrated by the [Tak Bai crackdown](#) case. In October 2004, security forces arrested and transported hundreds of demonstrators in Thailand’s southern border provinces. During their transfer, at least 78 detainees died from suffocation after being stacked in military trucks. The expiration of the statute of limitations in this case in October 2024 effectively foreclosed the possibility of prosecution, denying victims and their families access to justice and remedy.
11. As of April 2026, Thailand has not decisively acted on [recommendations](#) by the UN Committee Against Torture and calls from human rights groups and independent experts to abolish statutes of limitations for torture and enforced disappearance. The most significant reform effort emerged in Parliament, where in November 2024 a [Subcommittee](#) was tasked with studying the impact of the expired statute of limitations on the Tak Bai case. The Subcommittee recommended amending the Criminal Code to classify serious crimes as imprescriptible, aligning domestic law with international standards. Following this, the People’s Party introduced [a draft bill](#) in October 2025 to suspend limitation periods when a suspect absconds. While initially welcomed by civil society, the initiative was halted by the dissolution of Parliament in December 2025.

12. Torture remains pervasive in Thailand, particularly within police stations, military camps, and detention facilities where individuals are deprived of their liberty. Perpetrators are frequently members of the Royal Thai Police, military personnel, and other state officials who, due to inadequate oversight and institutional accountability, act with a significant degree of impunity.
13. Torture is commonly employed as a method to extract confessions. Additionally, in many instances, torture serves as a means of punishment or coercion, particularly against those perceived as dissenters or threats to national security. Common practices include severe beating, electric shock, waterboarding, sexual violence, forced stress positions, and exposure to extreme temperatures for prolonged periods of time. Psychological torture is also prevalent, including mock executions, threat against family members, sleep deprivation, and prolonged periods of solitary confinement to break individuals' will and coerce compliance.
14. The risk of torture and ill-treatment is exacerbated by a range of factors, including broader issues of systemic violence and a culture of impunity within State institutions, where the abuse of power is often tacitly tolerated and, in some cases, encouraged. Critical legal loopholes, such as the Section 226/1 of the Criminal Procedure Code, undermine safeguards against torture by allowing evidence obtained through torture to be admitted under certain conditions. Similarly, laws like the Penitentiary Act, the Immigration Act, the Alien Workers Act, and the Narcotics Prevention and Suppression Act grant broad discretionary powers to officials, often leading to detention abuses without proper accountability.
15. The application of special laws such as the Martial Law Act, the Emergency Decree on Public Administration in Emergency Situations, and the Internal Security Act (ISA) in Thailand's southern border provinces, significantly expand the state's powers while simultaneously eroding legal safeguards, creating conditions conducive to arbitrary detention, torture and enforced disappearance. Provisions granting immunity to state officials, particularly under the Emergency Decree and Martial Law Act, perpetuate a culture of impunity, leaving victims without recourse and undermining public confidence in the justice system. The lack of effective complaints mechanisms, independent investigations, and institutional transparency further compounds the issue.
16. Civil society organisations report that complaints submitted under the Anti-Torture Act are frequently delayed or dismissed at an early stage, often on procedural grounds such as restrictive interpretations of jurisdiction or evidentiary thresholds. In several cases, complaints alleging torture or ill-treatment by state officials were referred to

other bodies or declined without a full and impartial investigation. Complainants are often not informed of the status of their cases or the reasons for decisions not to proceed.

17. In 2025, the Cross Cultural Foundation (CrCF) handled 31 cases concerning allegations of torture, cruel or inhuman treatment, enforced disappearance and *refoulement*. Judicial processes remained slow, with 76% percent of cases still pending, primarily stalled in investigation or appeal stages.
18. Of the 31 documented cases, only five entered the judicial process in 2025, and just two have led to criminal prosecutions under the Prevention and Suppression of Torture and Enforced Disappearance Act: the deaths of coscripts [Kittithorn Wiangbanphot](#) in July 2023 and [Worapatch Phadmasakul](#) in August 2024 (see below).
19. Other cases encountered significant procedural and substantive obstacles. For instance, a [petition](#) aimed at stopping the alleged ill-treatment of activist [Anon Nampa](#) - who was handcuffed and shackled while being brought to court - was dismissed by the Criminal Court. The court held that, although the use of restraints limits personal freedom and impacts both physical and mental health, it was carried out in accordance with the law. The ruling is currently under appeal.
20. Notwithstanding its support for all recommendations calling for ratification of the Optional Protocol to the Convention against Torture (OPCAT) and the establishment of an independent national preventive mechanism, Thailand has failed to act on either commitment. This inaction is particularly concerning given the persistent documentation of torture and ill-treatment in detention, where independent monitoring would serve as a critical safeguard against abuse.

Death in custody

21. Deaths in custody remain a significant concern in Thailand. Cases documented by CrCF point to a consistent and deeply concerning pattern, where investigative processes are often prolonged, lack transparency, and fail to meet standards of independence and impartiality, particularly in cases involving military or police custody.
22. Authorities frequently attribute deaths to natural causes such as illness, cardiac arrest, or substance withdrawal while failing to rigorously investigate evidence suggesting torture, ill-treatment, or negligence. Even where forensic findings indicate physical abuse, accountability mechanisms tend to isolate responsibility at the level of individual perpetrators, such as fellow detainees, without examining systemic failures, including inadequate supervision, duty of care, or possible complicity of officials. A further recurring issue is the denial of effective remedies and reparations. Families of

victims frequently face procedural barriers, including restrictive statutes of limitations and lack of access to information, which prevent them from obtaining compensation or pursuing accountability.

23. For example, in October 2022, Mr. Than Zin Oo, a Myanmar national, was apprehended by police at Pak Nam Police Station in Ranong Province. During detention he suffered convulsions and lost consciousness, yet was transferred to hospital only after four hours; he died there on 16 October 2022. The National Human Rights Commission subsequently found that his rights had been violated and recommended investigation and compensation — neither of which has been acted upon. While the Ranong Provincial Court attributed his death to sepsis and acute bacterial pneumonia, the ruling failed to examine the conditions of his detention or the conduct of officers during the critical hours preceding his collapse, falling well short of the thorough and impartial investigation required under international standards.
24. Similarly, on 11 January 2024, Mr. Ko Aung Ko, a 37-year-old Burmese migrant worker living in Thailand, was allegedly beaten to death by Thai state officials in Mae Sot District, Tak Province. Reports indicate that attempts were made to designate the crime scene as Myanmar territory to evade Thai jurisdiction, while witnesses who identified the perpetrators as Thai state officials remain unable to speak freely due to credible and ongoing fears of retaliation. Most alarmingly, as of September 2024, a Myanmar migrant has been wrongfully arrested and sentenced to five years in imprisonment for the killing — a development that strongly suggests an attempt to deflect accountability away from the actual perpetrators.

Deaths in Military Conscription

25. Military conscription in Thailand continues to be associated with grave human rights violations, particularly torture, ill-treatment, and deaths in custody. Human rights organisations have [documented](#) recurrent and widespread patterns of physical and psychological abuse perpetrated by superior conscripts and trainers, including corporal punishment, excessive physical exertion beyond the limits of endurance, and systematic humiliation often amounting to torture and ill-treatment. Cases of sexual abuse, including coerced sexual acts and rape, have also been documented.
26. Between 2009 and 2024, at least 26 deaths of conscripts were [reported](#) in connection with abuse in military barracks.
27. Prominent recent cases include:
 - Private [Worapratth Phadmasakul](#), an 18-year-old conscript who died on 2 August 2024 after severe beatings by army instructors as disciplinary punishment at the

3rd Infantry Battalion in Chonburi Province. He sustained multiple injuries, including brain swelling and fractures, before succumbing to his injuries. In May 2025, the Criminal Court for Corruption and Misconduct Cases Region 2 in Rayong Province [sentenced](#) two Army instructors and 11 senior conscripts for their roles in the conscript's death, imposing prison terms ranging from 10 to 20 years. However, the camp's chief commander was not prosecuted, raising concerns regarding the application of Section 42 of the Anti-Torture Act, which establishes command responsibility by imposing legal liability on superior officials who knew or should have known of acts of torture or ill-treatment committed by their subordinates and failed to prevent or address them.

- Private [Kittithorn Wiangbanphot](#), a conscript at Mengrai Maharaj Military Camp in Chiang Rai Province, who died in July 2023, from a bloodstream infection after reportedly being denied adequate medical care and subjected to harsh treatment during training. Two military instructors were [sentenced](#) in December 2025 under the Anti-Torture Act to one year in prison, later reduced to eight months, for cruel and inhumane treatment leading to his death.

28. CrCF documented three cases of deaths of conscripts in 2025, including that of Petcharat Kamlangying (November 2025, Prachinburi) who was imprisoned as punishment for overdue leave and died on his tenth day of detention. He collapsed and convulsed, yet staff took over eight minutes to respond; a fellow inmate administered first aid before he was transferred to hospital, where he was found to have no pulse. An autopsy revealed abnormal enlargement of the heart muscle. Critically, fellow inmates reported to the family that Petcharat had been kicked in the chest by a senior conscript in charge of supervising the cell immediately before he lost consciousness — an allegation that has not been investigated. Further concern arises from the discovery of a spoon found after cremation that had not appeared in pre-death X-rays, raising serious questions about the integrity of the medical and investigative process and the circumstances of his death.

29. Petcharat's case is not an anomaly. Victims and their families routinely face protracted legal proceedings, jurisdictional obstacles to holding military personnel accountable before civilian courts, and a pervasive institutional culture of impunity that has historically shielded perpetrators from effective investigation and prosecution.

The use of restraints during court hearings

30. CrCF has consistently raised concerns over the use of shackles on detainees during trial proceedings in Thailand, arguing that this practice constitutes degrading treatment and violates both domestic and international human rights standards. According to Rule 47 of the UN Standards Minimum Rules for the Treatment of Prisoners (Mandela Rules), restraints should only be permissible when strictly necessary, such as to prevent escape or harm, and never as a punishment. These rules

further emphasize that restraints should not be used on pre-trial detainees in a manner that undermines their presumption of innocence or subjects them to degrading treatment. The Un Committee Against Torture has also consistently stated that the use of excessive restraints, such as shackles, may amount to ill-treatment.

31. Documented cases indicate a pattern of non-compliance with these standards, and suggest a systematic reliance on restraints during judicial proceedings, including in situations where necessity and proportionality are not demonstrated.
32. For example, in September 2023, Mr. Sopon Surariddhidhamrong, a non-violent student activist in pre-trial detention, was brought before the Thonburi Criminal Court in leg shackles and prison attire, despite posing no apparent flight or security risk. A petition filed under Thailand's Anti-Torture Act seeking removal of the restraints was dismissed, with the court relying on regulations issued under the Penitentiary Act.
33. Comparable concerns arose in August 2024 in the case of Mr. Y Quynh Bdap, a Vietnamese refugee and human rights defender, who was similarly shackled during its extradition hearings. A petition challenging this treatment was likewise rejected on precautionary grounds.
34. In another case, the Criminal Court upheld the [use of restraints on Mr. Anon Nampa](#) during court transfers, acknowledging the impact on personal liberty and physical and mental well-being but finding the measures lawful. The decision is currently under appeal.

Enforced Disappearances

35. At the last review, Thailand accepted recommendations calling for the adoption of legislation criminalizing torture and enforced disappearance and for the ratification of the ICPPED.
36. Both commitments have since been fulfilled: the Anti-Torture Act entered into force in February 2023, and Thailand ratified the ICPPED in May 2024. While these represent significant and long-overdue legislative milestones, ratification and enactment alone are insufficient as implementation remains deeply inadequate.
37. Investigations into enforced disappearances remain opaque and marked by a lack of transparency. The case of Karen environmental activist [Pholachi "Billy" Rakchongcharoen](#), whose enforced disappearance in 2014 and apparent killing remain unresolved, highlights the continued failure to hold perpetrators accountable. In September 2023, Thailand's Criminal Court for Corruption and Misconduct Cases [acquitted](#) four Kaeng Krachan National Park officials of all murder-related charges,

convicting only former park chief Chaiwat Limlikit-aksorn of malfeasance in office and sentencing him to three years' imprisonment. Meanwhile, the civil lawsuit filed by Billy's family against the Department of National Parks, Wildlife and Plant Conservation [has stalled](#), with the plaintiff's witness examination, originally scheduled for 21 February 2025, postponed indefinitely.

38. Since the 2014 military coup, enforced disappearance have increasingly been used as a tool of transnational repression, particularly against individuals perceived as critical of the government or monarchy. Between 2016 and 2019, at least nine Thai political refugees, who had sought asylum in neighboring countries such as Laos, Cambodia, and Viet Nam disappeared under suspicious circumstances, pointing to a pattern of cross-border targeting.
39. Emblematic cases demonstrate systemic investigative failure. [Wanchalearm "Tar" Satsaksit](#), a Thai pro-democracy activist, was abducted in broad daylight in Phnom Penh, Cambodia, in June 2020. Despite CCTV footage and eyewitness accounts, authorities in both Cambodia and Thailand have failed to carry out an effective investigation. In March 2024, Cambodian authorities claimed to have [closed the case](#) into Wanchalearm's disappearance, citing a lack of evidence. However, Wanchalearm's family's legal team did not receive any formal communication from the court, and it remains unclear whether the case has officially been closed by the Phnom Penh Municipal Court. Wanchalearm's family continues to face harassment and intimidation. During a September 2024 event marking the International Day of the Disappeared, efforts were made by co-organizers and security agencies to censor any mention of Wanchalearm's case, leading to the cancellation of a book launch that included his story.
40. Similarly, the disappearances of Chuchee Cheewasut, Siam Theerawut, and Kritsana Thapthai in 2019 - reportedly following their arrest in Viet Nam - remain unresolved. All three faced lèse-majesté or related charges, and their whereabouts remain unknown. Authorities have discontinued investigative efforts, citing insufficient evidence.
41. A parallel pattern is evident in the case of Surachai Danwattananusorn, who disappeared in Laos in December 2018 along with associates Chatchan Buppawan and Kraidej Luelert. Shortly thereafter, the mutilated bodies of Chatchan and Kraidej were recovered from the Mekong River, while Surachai remains missing. Investigations have stalled, with authorities citing jurisdictional limitations and lack of cooperation from neighboring states.

42. Other cases follow similar trajectories. Wutthipong Kotthammakun was abducted in Laos in 2017, and Ittipol Sukpan disappeared there in 2016 under suspicious circumstances; neither case has been resolved. Across all cases, families have faced significant barriers in seeking truth and justice, including intimidation, lack of information, and prolonged inaction by authorities.
43. In a June 2024 [report](#), the National Human Rights Commission of Thailand acknowledged that these disappearances reflect patterns consistent with state-directed operations. It further highlighted the severe and ongoing harm suffered by the families, including threats, psychological distress and financial hardship, compounded by the absence of effective remedies. Despite existing legal provisions for reparations and support, victims' families have not received adequate assistance.
44. Regrettably, during the previous cycle Thailand rejected a recommendation by the United States of America to conduct prompt, transparent and impartial investigations into reports of enforced disappearances, including in the case of Wanchalearm Satsaksit and the other Thai political activists missing since 2014 mentioned above.
45. Defenders and political opponents seeking refuge in Thailand also face serious risks of transnational repression. Two Vietnamese nationals with UNHCR refugee status were abducted from Bangkok and forcibly returned to Viet Nam, where they faced politically motivated prosecutions. Truong Duy Nhat, a journalist and Radio Free Asia contributor, was seized from a Bangkok shopping mall in January 2019 - one day after registering with UNHCR - and subsequently sentenced to ten years in prison by a Hanoi court. Duong Van Thai, an independent journalist and human rights defender, disappeared in April 2023 shortly before a resettlement interview, later resurfacing in Viet Nam where he was sentenced in October 2024 to twelve years in prison following a closed-door trial that restricted access to his family and legal counsel.
46. In January 2025, Lim Kimya, a 74-year-old dual Cambodian-French citizen and former opposition Member of Parliament, was shot dead in downtown Bangkok shortly after arriving from Cambodia. While the gunman, an ex-Thai marine, was convicted and sentenced to life imprisonment, the killing has been widely suspected to be a politically motivated assassination.

Failure to comply with the principle of *non-refoulement*

47. Serious concerns persist regarding the effective implementation of the principle of *non-refoulement*. Non-refoulement, codified in Article 3 of the UNCAT and in Article 16 of the ICPPED, unequivocally prohibits the expulsion, return, or extradition of individuals to states where substantial grounds exist for believing that they would be at risk of torture or other forms of ill-treatment. Furthermore, Section 13 of the Anti-

Torture Act explicitly prohibits the *refoulement* of individuals to states where there are substantial grounds to believe they would face torture, cruel, inhuman, or degrading treatment or enforced disappearance.

48. Although the Immigration Bureau has reportedly received training from the National Committee on this issue, significant gaps remain in both the authorities' application of the principle and their understanding of the scope of protection, including what constitutes persecution and other forms of serious harm.
49. On 27 February 2025, Thai authorities forcibly [deported a group of at least 40 Uyghur men](#) from an Immigration Detention Center in Bangkok to China, notwithstanding clear and credible evidence that they faced a substantial risk of torture, arbitrary detention, and enforced disappearance upon return to Xinjiang. This action was also widely condemned by human rights groups and [UN experts](#). Many of these men had been held in immigration detention for more than a decade, during which their health deterioration and access to adequate access to medical care remained insufficient.
50. In the context of transnational repression, the recent extradition of [Y Quynh Bdap](#), a Vietnamese Montagnard defender and UN-recognized refugee, further underscore these gaps. Mr. Bdap was arrested in Thailand on 11 June 2024 pursuant to an extradition request from Viet Nam, following his conviction in absentia on terrorism charges widely regarded as politically motivated and widely condemned by various international human rights bodies as emblematic of a broader pattern of repression targeting dissenters.¹
51. Despite his recognised refugee status, he was extradited on 28 November 2025, with his family and lawyers unaware of his whereabouts for several hours. The Court of Appeal upheld a [30 September 2024 ruling](#) by the Criminal Court authorizing his extradition, holding that refugee status does not constitute an exception under Thailand's Extradition Act. In justifying the extradition, the Court relied on principles of reciprocity and concluded that there was "no real risk" of torture or enforced disappearance upon Mr Bdap's return to Viet Nam, based on diplomatic assurances provided by the Vietnamese Ministry of Public Security, while disregarding extensive documentation of systemic repression, including extrajudicial killings, arbitrary detention, torture and ill-treatment of Montagnard activists.

¹ Amicus Curiae Submission for Mr. Y Quynh Bdap case, United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Professor Ben Saul, 12 August 2024; United Nations Human Rights Special Procedures., Experts condemn misuse of counter-terrorism law against Montagnards in Viet Nam, available at: <https://www.ohchr.org/en/press-releases/2024/08/experts-condemn-misuse-counter-terrorism-law-against-montagnards-viet-nam>; Amnesty International, Viet Nam: Man believed to be at imminent risk of execution in case beset by forced confession and torture allegations, 7 August 2023, <https://www.amnesty.org/en/latest/news/2023/08/viet-nam-man-believed-to-be-at-imminent-risk-of-execution-in-case-beset-by-forced-confession-and-torture-allegations/>

52. Similarly, on 24 November 2024, Thai authorities arrested six Cambodian political opposition activists and a young child in Pathum Thani province, deporting them to Cambodia the following day on immigration grounds. The six adults — supporters of the dissolved Cambodian National Rescue Party (CNRP) — had fled to Thailand in 2022, where five held UNHCR refugee status and one was awaiting determination. Upon return, five were charged with "plotting" under Cambodia's criminal code, carrying up to ten years in prison, while the 5-year-old child was released to family.
53. Despite accepting all recommendations during the last UPR cycle to ratify the 1951 Convention relating to the Status of Refugees and its Protocol, Thailand has yet to act on its pledge.

Criminalization and attacks against human rights defenders

54. At its last review, Thailand pledged to take steps to ensure a safe and enabling environment for human rights defenders and stop all forms of harassment, violence and intimidation against them and ensure prompt, transparent and independent investigation of all reported cases. At the same time, it rejected all recommendations calling for the removal or amendment of regulations and practice restricting the rights to peaceful assembly and freedom of expression, including Article 112 (lèse-majesté) and 116 (sedition) of the Penal Code.
55. Authorities continue to weaponize these provisions to target individuals for expressing dissenting views, participating in protests, or denouncing human rights abuses, resulting in arbitrary detention, prolonged pre-trial confinement and in some cases, death.
56. Between 24 November 2020 and 10 February 2026, at least [291 individuals](#), including human rights defenders and minors, were charged under Article 112 of the Penal Code alone, with at least 19 currently serving prison sentences. Among them is [Anon Nampa](#), a human rights lawyer and pro-democracy activist who has been who has been repeatedly prosecuted for peaceful advocacy, including speeches calling for democratic reform. As of April 2026, he faced multiple convictions resulting in cumulative sentences exceeding two decades and remains arbitrarily detained in conditions that appear designed to punish the legitimate exercise of his rights to freedom of expression and assembly.
57. Other notable cases include those of [Pimsiri Petchnamrob](#), a women's rights and democracy advocate who also faced multiple criminal charges, including for alleged lèse-majesté, sedition, and unlawful assembly in relation to her participation in peaceful protest actions, despite not advocating violence or incitement and; [Netiporn Sanesangkhom](#), known as "Bung," a youth and pro-democracy activist who died while

in pre-trial detention in May 2024 following a prolonged hunger strike she initiated in detention to protest the denial of bail and punitive detention conditions.

58. Beyond judicial harassment, human rights defenders are also exposed to severe and often lethal reprisals for their work. For example, [Roning Dolah](#), a long-standing advocate in Thailand's southern border provinces who documented torture, enforced disappearance, and provided rehabilitation support to survivors, was fatally shot by unidentified gunmen outside his home in Pattani Province in June 2024, in the presence of his seven-year-old daughter. To this day, his family has received no information regarding the progress of the criminal investigation.

Recommendations

Torture and ill-treatment

- Ensure prompt, impartial, independent, and effective investigations into all allegations of torture, ill-treatment and deaths in custody, including those involving military conscripts.
- Revise the Anti-Torture Act to fully align it with international standards, including by amending the definitions of torture and enforced disappearance and ensuring that the crimes of torture and enforced disappearance are not subject to any statute of limitations.
- Ensure effective and adequate reparation for victims and families affected by the Tak Bai incident, including full and prompt compensation, rehabilitation, satisfaction, and guarantees of non-repetition, in accordance with international standards, and ensure that reparation processes are victim-centred, transparent, and independent, regardless of the status of criminal proceedings.
- Strengthen the National Committee on Prevention and Suppression of Torture and Enforced Disappearance by ensuring independence, victim and civil society representation, effective inter-agency coordination, and transparency of its activities.
- Amend the Criminal Procedure Code, including section 226/1, to explicitly prohibit the admissibility of any evidence obtained through torture or ill-treatment under all circumstances, and ensure courts are required to exclude such evidence ex officio.
- Review and revise the Penitentiary Act, Immigration Act, Alien Workers Act, and Narcotics Prevention and Suppression Act to limit discretionary powers of officials, introduce clear safeguards against arbitrary detention, and establish mandatory oversight and accountability mechanisms.
- Amend the Martial Law Act, Emergency Decree on Public Administration in Emergency Situations, and Internal Security Act to bring them into compliance with international human rights standards, including by limiting the scope and duration of emergency powers and strengthening safeguards against arbitrary detention, torture, and enforced disappearance.
- Repeal or revise all legal provisions granting immunity to state officials, including those under emergency and security laws.

- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and establish an independent and well-resourced national preventive mechanism
- Establish a legal and administrative framework guaranteeing national and international independent monitoring bodies the right to carry out regular and unannounced visits to all places of deprivation of liberty, with full access to premises, detainees, and records, and ensure that findings and recommendations are systematically reviewed and implemented to prevent torture and ill-treatment.

Death in custody

- Conduct independent and impartial investigations into all deaths in custody, including by establishing a dedicated investigative unit and by ensuring transparency in autopsy reports.
- Implement a public reporting system on the outcomes of investigations into deaths in custody and ensure that families are kept informed of investigative processes and results.

Use of restraints

- Ensure compliance with international standards on restraints by prohibiting the routine use of shackles on detainees during court proceedings, and limiting their use strictly to cases where necessity and proportionality are demonstrated, in line with the Mandela Rules.

Enforced disappearance and transnational repression

- Conduct prompt, transparent and impartial investigations into all allegations of enforced disappearances and provide individuals affected by enforced disappearances with access to information regarding the investigation and the whereabouts of the disappeared persons, alongside with adequate compensation, restitution, satisfaction and guarantee of non-repetition.
- Conclude mutual legal assistance agreements with Laos, Viet Nam, and Cambodia to enable effective cross-border investigation of enforced disappearances and establish a dedicated inter-agency task force to pursue outstanding cases including those of Wanchalerm Satsaksit.

Non-refoulement

- Adopt and implement legal safeguards to ensure full respect for the principle of non-refoulement, by prohibiting expulsions, returns, or extraditions to States where individuals would face a risk of torture, including by explicitly banning collective expulsions and requiring individualized risk assessments in all cases.
- Ratify and implement the 1951 Convention relating to the Status of Refugees and its 1967 Protocol

Human Rights Defenders

- Immediately and unconditionally drop all criminal proceedings against and release individuals arbitrarily arrested or judicially targeted solely for peacefully exercising their human rights including their rights to freedom of expression and assembly.
- Ensure a safe and enabling environment for human rights defenders, stop all forms of harassment, violence and intimidation against them
- Promptly, thoroughly and impartially investigate all allegations of torture, ill-treatment and harassment, including SLAPP lawsuits, of human rights defenders and provide victims with redress.
- Repeal and amend laws and regulations that unduly curtail restrict the rights of expression, association and peaceful assembly, including Section 112 and 116 of the criminal code, to comply with international human rights standards.
- Enact legislation establishing effective procedural safeguards against strategic lawsuits against public participation (SLAPPs), enabling courts to dismiss abusive criminal and civil proceedings against human rights defenders at an early stage and providing for reparation where such proceedings are found to have been brought in bad faith.
- Conduct a prompt, independent, and impartial investigation into the killing of Roning Dolah and all other attacks against human rights defenders in the Southern Border Provinces, ensure that all perpetrators — including those who may have ordered or acquiesced to such attacks — are prosecuted and held accountable, and provide adequate protection and reparation to affected families.