



Submission of the Southern Border Provinces Civil Society Network to the United Nations Committee Against Torture in View of the Committee’s Examination of Thailand’s Second Periodic Report under Article 19 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment During the 81st Session, between 28 October to 22 November 2024

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1. Introduction

1.1 We, a coalition of civil society organizations in the southern border provinces ('SBPs'), namely the Southern Border Provinces Civil Society Network, are composed of Cross-Cultural Foundation (CrCF), Duay Jai Group (Duay Jai), Patani Human Rights Organization (HAP), Jaringan Mangsa Dari Undang-Undang Darurat (JASAD), and the Muslim Attorney Center (MAC) (hereafter referred to as the 'network organizations').

1.1.1 Since the beginning of 2013, CrCF has been working with four partner civil society groups based in the SBPs, while receiving funding from the UN Voluntary Fund for Victims of Torture, to strengthen its documentation and services for victims and families of detainees. CrCF's documentation on human rights abuses and its efforts to promote capacity-building for staff and affected communities include cases monitored by the Duayjai Group, HAP, and the JASAD Group. CrCF also works closely with these four networks to provide direct psychosocial services to victims of human rights abuses and conduct trial observations.

1.1.2 Duayjai Group, a group of women human rights defenders led by Anchana Heemmina, was founded in 2010 to provide assistance and consultations to victims of human rights abuses. The group began documenting cases in 2015. Duayjai typically completes questionnaire forms for specific types of violations, which are then compiled into reports in Word Document and Excel for statistical purposes. The group promotes access to justice for detainees' families and documents extrajudicial killings, as well as violence against women and children in the SBPs of Thailand.

1.1.3 HAP was founded in 2009 by a group of university students and activists, led by Ismael Teh, a torture survivor who was a student activist at the time. HAP has been promoting awareness of human rights violations in the southern border provinces and began its documentation work in 2013. Most of the database and documentation was done on paper forms. The group later organized a women and youth network to advance human rights in Yala and Narathiwat provinces.

1.1.4 JASAD is a group of former detainees, most were subjected to legal action in relation to the counterinsurgency in the south, focusing on documenting torture allegations and providing legal assistance related to detentions including imprisonments. JASAD is led by Abduloh Ngoh, who has faced threats and intimidation by security officers, has been arrested four times and has experienced and survived from both torture and psychological trauma.

1.1.5 The Muslim Attorney Centre Foundation is a non-governmental and non-profit organization aimed at providing legal assistance, specifically concerning human rights, to individuals who lack access to their basic rights. Its mission is to help them exercise their legal rights, as guaranteed by both international law and in accordance with their own customs, serving as a foundation for a dignified human life.

1.2 In this regard, we are pleased to present this submission to the United Nations Committee Against Torture (the 'Committee'), and we sincerely hope it will contribute to the

review of Thailand's Second Periodic Report during the 81st session, taking place from 28 October 2024 to 22 November 2024.

1.3 In this document, we express our concerns regarding Thailand's performance over the past decade in preventing, investigating, prosecuting, and providing remedies for alleged acts of torture, cruel, inhuman, or degrading treatment or punishment, as well as enforced disappearances, both in law and in practice. We offer recommendations, particularly in the context of the SBPs, aimed at addressing these issues, mitigating their negative impacts, and ensuring compliance with international law and standards, specifically the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the 'Convention').

1.4 The SBPs encompasses the provinces of Pattani, Yala, and Narathiwat, along with four districts in Songkhla Province: Saba Yoi, Thepha, Nathawi, and Chana. This Southern region is predominantly inhabited by ethnic Malay Muslims. Resistance to incorporation into Thailand and dissatisfaction with the form of governance in the region have escalated into an insurgency, with some groups resorting to armed violence, resulting in loss of life and property damage. For the past 20 years, the Thai government has pursued a policy of suppressing the insurgency by deploying the army and paramilitary, while also supporting the use of weapons by various forces, including both state officials and civilians. Since 2004, this conflict has resulted in the deaths of more than 7,500 people. Throughout this period, the government has relied heavily on "special security laws" that do not apply in other parts of Thailand, such as the Martial Law Act B.E. 2457 (1914) ('Martial Law') and the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) ('Emergency Decree'), both of which remain in effect in most Southern regions today.

2. Relevant legal frameworks

Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022)

2.1 The Network Organizations welcome the enactment of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565, which came into effect in February 2023. Certain state officials have informed the Network that the police, military, and the Department of Special Investigation (DSI) have already begun recording video and audio during arrests and detentions, reporting suspects' detentions to local public prosecutors and district officers, and documenting detainees' information in accordance with the preventive measures outlined in Sections 22 and 23 of the Act. This is seen as a commendable step forward.

2.2 However, the Network Organizations remain concerned about the enforcement of the Prevention and Suppression of Torture and Enforced Disappearance Act, particularly regarding the lack of clarity on the steps to be taken in cases of non-compliance with Sections 22 and 23. There is also a need to raise awareness among practitioners, civil society organizations, and the public about the specific actions state officials are required to take in order to comply with these sections. Additionally, there is a lack of information available to civil society regarding the various channels through which they can exercise their rights under the Act, particularly in filing complaints for investigations into cases of torture and ill-treatment that go beyond the scope of ordinary criminal law.

2.3 Sections 22 and 23 aim to use video recordings during arrests and within the first 48 hours of pre-charge detention under Thai criminal code article 87 as a safeguard against torture, ill treatment and enforced disappearance. However, when applied to the arbitrary detention under Martial Law (7 days) and the Emergency Decree (30 days), it has been proven that it was not possible to record the entire duration of these detentions prior to charging suspects by local police investigators. The detentions, under Martial Law and the Emergency Decree, violate sections 22 and 23 of the Prevention and Suppression of Torture and Enforced Disappearance Act and further infringe on the rights to a fair trial and access to lawyers.

Special security laws

2.3 With respect to the concerns and recommendations raised by the Committee in the 2014 Concluding Observations regarding the “special security laws” applicable to the SBPs, the Network Organizations believe that these concerns persist and that the recommendations have yet to be implemented. Additionally, there is no public information indicating whether the regulations issued under these “special security laws” have been amended to comply with the Convention and the Prevention and Suppression of Torture and Enforced Disappearance Act. In practice, the Network Organizations have observed no significant changes, as the treatment of security suspects under the special security laws remains the same as it has for the past two decades, except for the additional measures outlined in paragraphs 2.1 and 2.2.

2.4 Over the past decade, the Martial Law and the Emergency Decree have remained enforced without due process in the SBPs, with only a few districts seeing these laws revoked. The Emergency Decree continues to be renewed every 90 days by the Cabinet for almost 80 times in 19 years, without any parliamentary review. Furthermore, the Cabinet bases its decision solely on input from the security forces, without considering input from civil society, which could lead to uninformed decision-making. The Emergency Decree will be extended again on 19 October 2024.

2.5 In the past decade, despite lifting the application of Martial Law and the Emergency Decree in certain districts and replacing them with the Internal Security Act B.E. 2551 (2008) (“Internal Security Act”), these changes have not effectively prevented human rights violations and failed to ensure that minimum 15,000 individuals were treated fairly upon arrest. Some people continue to be detained under Martial Law and the Emergency Decree without being charged, denied access to legal counsel, and subjected to inadequate judicial oversight, even in districts where these laws have been lifted, which has caused significant confusion among local communities. Nevertheless, in cases like this, even when attempts were made to request an examination of alleged unlawful arrests and torture evidence, they were not subject to legal scrutiny by investigators or public prosecutors and could only rarely be addressed in court. As a result, many innocent individuals may be caught in the irregularities of the justice system under these special security laws, without access to proper legal recourse.

2.6 For example, according to data tracked by JASAD, on 26 April 2024, a “security or insurgent suspect” with physical and intellectual disabilities, with official record by a public health institution, was arrested in Saba Yoi District, Songkhla Province, where the Internal Security Act was in effect. The individual was suspected of involvement in a violent incident

in Thepha District, Songkhla Province, also under the Internal Security Act, and was brought to a local police station in Songkhla for detention recording. However, he was subsequently transferred to Ingkayutthaboriharn Camp in Pattani Province, where officials claimed there was an arrest warrant issued under the Emergency Decree by the Pattani Provincial Court. Detention at military camps is a procedure typically used under Martial Law and the Emergency Decree, despite the fact that the enforcement of both laws in the southern region where the individual resided and where the violent incident occurred had already been lifted.¹ As of September this year, the case has reached the court without fair investigation by both police and prosecutor to establish either guilt or innocence before filing charges.

2.7 The Internal Security Act is another law enforced in the region that grants broad powers to the Internal Security Operations Command (ISOC) to oversee various security matters. ISOC is a multi-agency body comprised of security personnel, primarily led by the military.

3. Arbitrary detention under the “special security laws”

3.1 Currently, both Martial Law and the Emergency Decree remain in force in the SBPs, leading to human rights violations such as arbitrary detention, torture, and ill-treatment. Additional concerns include the use of checkpoints, which often involve racial profiling, forced DNA collection, and the heavy presence of security forces in civilian areas, such as farmland.

3.2 One of the most concerning provisions is Article 15 bis of the Martial Law Act, which permits the detention of individuals suspected of violating Martial Law or official orders for up to seven days. Similarly, Article 12 of the Emergency Decree allows officials to arrest and detain individuals suspected of being involved in creating an emergency situation for seven days at a time, with a cumulative detention period of up to 30 days. As a result, individuals may be detained for up to 37 days. Moreover, these detentions are not required to take place in prisons or official detention facilities, with most detainees being held in military camps without formal charges. During this time, criminal evidence including confession is gathered for trial purposes, detainees are denied access to legal counsel, and the detainees are not physically brought before a court, further contributing to the arbitrary nature of the detentions. In addition, criminal evidence (testimonies and confessions) obtained during such detention under these special security laws is admissible in the court proceedings.

3.3 The exact number of people detained under Martial Law and the Emergency Decree since their imposition in the SBPs remains unclear. However, estimates based on detainee codes suggest that no fewer than 15,000 individuals² have been detained in at least five interrogation centers across the three SBPs. Most of these centers are located in military camps, with one under the supervision of the Royal Thai Police. According to data collected by the Duay Jai Group, between 2019 and July 2024, 55 women and one child under the age

¹JASAD, ‘Officers arrested several youths in the Ban Khuan Ran area, Tambon Pian, Amphoe Saba Yoi, Songkhla Province,’ 26 April 2024, available at <https://www.facebook.com/photo/?fbid=823411323159583&set=a.620131823487535>

²Additionally, between 2004 and 2022, there have been reports of 7,620 individuals receiving arrest warrants under the Criminal Procedure Code in connection with the security situation in the region.

of 18 were also detained under these laws³. Additionally, JASAD found that at least one detainee had intellectual and physical disabilities.⁴

3.4 In the criminal case black no. 2913/2562 (2019), three defendants accused of planting two bombs in front of the Royal Thai Police head office on Rama I Road in Bangkok on Aug 1, 2019 but the bombs were discovered and safely defused. They had also accused of involved in a bomb blast in front of the Office of the Permanent Secretary for Defence in Nonthaburi, and planted four bombs at the government complex in Chaeng Wattana on Aug 1 and 2, 2019. The state accuses the defendants and their accomplices of involvement in similar attacks in Hua Mak, Bang Kapi, Thung Song Hong and Chaeng Watthana districts of Bangkok, and Pak Kret district of Nonthaburi between Aug 2 and 10. The three defendants were arrested separately on Aug 13 and Sept 2 with the special security laws outside the southern region. Mr. Lu-ai Sae-Ngae, 22 years old, Mr. Wildan Maha, 22 years old and Mr. Muhamad-iham Sa-I, 27 years old were subjected to detention at a military camp and forced to confess in the southern region without any safeguard. Bangkok was not declared martial law and emergency decree during the time of arrest and detention. The three defendants were trial from 2019 till 2023 and they were denied bail for 4 years. The ill treatment and tortured documented and reported in medical reports were submitted during the trial. However, Thai court is not applied exclusionary rule. The three found guilty with life sentence for 1st and 2nd defendant and with 164 years 72 months and 240 days for 3rd defendant. Currently, the three remind during the appeal.

3.5 As mentioned above, during these detentions, detainees are not physically brought before a judge and therefore have no opportunity to challenge their detention or seek a review of its lawfulness. Although the Emergency Decree requires a court warrant to be issued, it does not mandate that detainees be physically brought before the court. In practice, these detentions are not effectively overseen by judicial authorities while it is extended every 7 days (with a maximum of 30 days in total).

3.6 Detainees held under special security laws are not physically examined by independent doctors either before or after detention; instead, medical personnel from the detention facility, such as doctors from Ingkayutthaborihan Military Camp Hospital or the Police Hospital in Yala, conduct the examinations and issue medical reports to prove that there is no torture during the detentions. The medical report is often used to submit during the court procedure to dismiss the torture allegation. This undermines public confidence in the impartiality and reliability of the medical examination results.

3.7 Data collected through interviews with relatives of detainees held under special security laws by the Network Organizations reveal that the rights of detainees continue to be significantly deteriorated. For example, relatives are not permitted to visit detainees on the

³ The event involved the shooting of Pol. Sgt. Thanakrit Rerkdee, aged 23, who served as the commander of the special operations unit at Su-ngai Kolok Police Station in Narathiwat Province, resulted in his death in Su-ngai Kolok Municipality on the night of Saturday, July 16, 2022. Subsequently, special law enforcement officials apprehended and charged one juvenile and a 17-year-old individual, indicating their participation in the military operation conducted by armed forces. Available at: <https://www.isranews.org/article/south-news/south-slide/110512-shootpolicekolok.html>

⁴This includes the case of a man who was arrested on 26 April 2024 in Songkhla Province. Available at: <https://www.facebook.com/photo/?fbid=825129696321079 &set=a.620131823487535>

first day of detention and must wait until the following day. Even when visits are allowed, they are not conducted freely, as officers are present at all times. Additionally, conversations are limited to no more than 30 minutes but often only allow only 2-5 mins. Both video and audio recordings of the conversations are reportedly made, and after the visit, some detainees reported being questioned about the content of the discussions, which were compared with the recordings. These practices instill fear in the detainees, making them reluctant to discuss the conditions of their detention. As a result, relatives are left to assess the physical and mental well-being of detainees on their own.

3.8 There are also issues with informing relatives about the arrest and release of detainees. The Network Organizations have identified that one of the key problems during the detention process is that neither the detainee nor their relatives are informed of the reasons for the detention or the specific law being used as the basis for it. In addition, communication between detaining officers is often disrupted, leading to situations where the location and movements of detainees remain unknown to relatives for certain periods. Relatives often only learn of the detainee's location after they have been transferred to four main detention centers. Similarly, releases under special security laws typically occur at court or, in some cases, at police stations. However, in most instances, relatives are not informed of the release, putting detainees at risk of enforced disappearance.

3.8 Additionally, the right to legal assistance is severely restricted. Lawyers from organizations like the Muslim Lawyers Center (MAC) are unable to meet with detainees during the entire interrogation process under Martial Law and the Emergency Decree. Even the National Human Rights Commission of Thailand (NHRCT) is often unable to meet with detainees promptly after receiving a complaint. CSOs in the area, including the Network Organizations, were strictly not allowed to meet detainees and spoke the local Malay dialect. Only immediate family members with the same surname are allowed to visit detainees, but not allow to speak in the local dialect during the visit.

4. Other measures under the special security laws

4.1 In addition to the aforementioned detentions, a commonly used measure under Martial Law in the SBPs is the establishment of security checkpoints. These checkpoints frequently involve inspections and requests for photocopies of identity documents, disproportionately targeting Malay Muslim men, in a manner that constitutes racial profiling.

4.2 There have also been reports of Martial Law being used to forcibly conduct DNA testing at checkpoints, in villages, and during travel within the region. In some cases, individuals reported to the Network Organizations that officers conducting the tests threatened them with detention under Martial Law and transfer to a military camp, or prosecution for obstructing an officer, if they refused to sign a consent form. Additionally, some individuals allegedly consented to DNA collection without fully understanding what DNA is or what the collection process involved. In nearly every case tracked by the Network Organizations, individuals were required to sign a consent form after being subjected to forced DNA collection, not before. These forms also did not include an option to indicate a refusal to give consent. In 2024 alone, between January and 13 September, JASAD received complaints from at least 34 individuals subjected to forced DNA testing, including a 17-year-old. These figures do not include individuals detained under special security laws, who are automatically subjected to DNA

collection. In at least one case this year, an individual was subjected to forced DNA collection in April but refused to comply, leading to their detention under special security laws before being released at a later time.⁵

Recommendations

- 1. Lift the Martial Law and Emergency Decree in the SBPs.**
- 2. Cease the use of the Internal Security Act and restructure the approach to resolving violence in the region by allowing civilians to take the lead over military operations.**
- 3. Amend the provisions under Martial Law and Emergency Decree that lead to human rights violations, including arbitrary detention without effective legal safeguards, torture and ill-treatment, forced DNA collection, discriminatory checkpoints, and measures that foster a culture of impunity.**
- 4. Amend the provisions under Martial Law and Emergency Decree to require that any declaration of its use and extensions be reviewed and approved by Parliament, ensuring opportunities for public and civil society input during the consideration process.**

5. Torture and ill-treatment

5.1 The Network Organizations have received complaints about acts of torture and ill-treatment committed by security officials in the SBPs during the detention process under special security laws. For example, the Duay Jai Group received 168 complaints between 2011 and 2023, while MAC received 119 allegations of torture between 2018 and 2023.

5.2 The Network Organizations note that in the past decade, the nature of torture and ill-treatment reported has shifted, with a decrease in physical abuse and an increase in psychological abuse. The forms of torture recorded by MAC, JASAD, HAP, and Duay Jai include threats to physically harm the detainees' loved ones or to take pictures of their families as a means of intimidation (Pls see in Appendix case no. DJ.03.2020), threats of death by torture and suffocation (DJ 18.2018, DJ. 05.2018, DJ. 09.2019, DJ.03.2019, DJ. 05.2019 and DJ.03.2020), threats with weapons (DJ.03.2020), electric shock mock session (DJ 10.2019), and threats suggesting that the detainees would meet the same fate as others who died in custody. In one instance, a detainee was reportedly forced to watch his wife being questioned from a distance (DJ. 03.2020)

Despite this trend towards psychological abuse, there are still reports of interrogations taking place late at night or at irregular times, forcing detainees to remain awake, placing them in solitary confinement (DJ 06.2018), interrogating them in rooms with extremely low temperatures, and subjecting them to beatings, kicking, punching, and waterboarding (DJ.10.2019, DJ. 09.2029, DJ 03.2019). The Duay Jai Group also found that at least three individual were sexually harassed and had a black plastic bag placed over their head during interrogation (DJ 09.2019, DJ 03.2029, DJ. 10.2019). Most of the arrest happened early in

⁵An example of case is available at: <https://www.facebook.com/share/p/1E5qVT8PfD/>

the morning and interrogation at night is common practice (DJ. 12.2018, DJ.14.2018 and DJ. 19.2018) More detailed documentation of torture and ill-treatment cases are often multiple methods combine, former detainees were interviewed and reported to Duay Jai Group, see the appendix.

5.3 In these cases, despite monetary compensation (see below), criminal investigations have not progressed due to a lack of response from the justice system after complaints or accusations are filed. The Muslim Lawyers Center reported that when cases go to court, claims of torture made by the accused during detention are often not specifically examined. Judges typically record such claims in the defendant's testimony, but they do not appear in the final verdict. Lawyers explained that judges tend to view these claims as easily made, often citing the absence of evidence contradicting medical reports issued by doctors stationed at the military camps where the detention occurred and the belief that officers have no personal motive to commit torture.

6. Death in custody

6.1 In the SBPs, there continue to be reports of deaths in custody over the past decade, including the case of Abdullah Isomuso. After being detained at Ingkayutthaborihan Camp under special security laws, Isomuso lost consciousness on 20 July 2019 and was subsequently taken to the hospital for treatment, where he later passed away on 25 August 2019. The case underwent a death inquest by the Songkhla Provincial Court, which issued its order on 9 May 2022, following the examination of 21 witnesses. The court ruled that the evidence in the case was not sufficient to indicate that Isomuso was physically assaulted, leading to his loss of consciousness and eventual death. It could only determine that he died from a lack of oxygen to the brain and cardiac arrest for unknown reasons while in custody.⁶ As for the criminal case, there has been no further progress. The case is currently in the evidence-gathering stage by police officers in Pattani Province, a process that has been ongoing for several years.

6.2 Another case is that of Paosi Tasamoh, who was detained under Martial Law on 12 July 2017. On 14 July 2017, more than 50 military officers took Tasamoh to identify a location where insurgents allegedly buried weapons, without informing his relatives of this process. Later, Tasamoh's relatives were informed that he had been extrajudicially killed. The officers claimed that Tasamoh had retrieved a hidden gun, fired at them, and then attempted to escape by jumping into the water. The officers thus pursued him and returned fire, resulting in his death.⁷ Later, on 29 November 2018, the Pattani Provincial Court ruled after the inquest into the death that he passed away while using weapons to confront authorities who were on duty.

⁶CrCF, 'The court has ruled that the case of Abdullah Isomuso, who died while being detained in a military camp, was caused by an unknown factor due to insufficient evidence,' 9 May 2022, available at:

https://www.facebook.com/CrCF.Thailand/photos/5061698770544035/?locale=hi_IN&paipv=0&eav=AfyjYH4lTrNgTnctth_fJ5w5s3fq178vki_HO8JKR1p8Ao668WRVK4CV6By5XQ9Ip6Q&_rdr

⁷MAC, 'News notice: Pattani Provincial Court has scheduled a hearing for the extrajudicial killing of Paosi Tasamoh,' 28 April 2018, available at:

<https://www.facebook.com/photo.php?fbid=1878076205577932&id=148883741830529&set=a.332022560183312>

6.3 At the same time, cases of deaths in custody that occurred over more than a decade have seen slow progress in holding perpetrators accountable, and justice has not been served. One such case is that of Imam Yapa Kaseng, who was arrested on 19 March 2008 under Martial Law and taken to Narathiwat Task Force 39, where he died in the detention room on 21 March 2008.⁸ Another case is that of Sulaiman Naesa, who was detained under Martial Law and the Emergency Decree at Ingkayutthaborihan Camp. On 30 July 2010, Naesa was found dead, hanging from an iron bar in his detention room. The officers claimed that Sulaiman had hanged himself.⁹ Both cases were highlighted in the Committee's Concluding Observations report in 2014.

6.4 Another case from over the past decade is the death of Abduldayib Dolah, who was arrested under special security laws and detained at Ingkayutthaborihan Camp. On 4 December 2015, he was found dead while in custody. In this case, the Pattani Provincial Court issued an order in the inquest into his death on 28 December 2016, stating that Abduldayib Dolah passed away without a known cause while in custody. However, as of now, there has been no progress in the criminal proceedings.

6.5 Nevertheless, during the reporting period, significant progress has been made in a case involving deaths resulting from the violent suppression and transport of protesters that occurred two decades ago; however, this progress has been largely due to the efforts of CSOs and victims. Nearly 20 years after the violent suppression of protests in Tak Bai District, Narathiwat Province, in October 2004, the Narathiwat Provincial Court ruled on 23 August 2024 that the complaints brought by survivors and the families of 48 victims were sufficient to initiate criminal charges against seven former high-ranking military officers, police officers, and civilian officials responsible for crowd control and the transportation of protesters. This ruling comes just months before the 20-year statute of limitations expires on 25 October 2024. The case was brought by the victims and their relatives, with support from civil society groups, including MAC, the Cross Cultural Foundation, and the Lawyers Council of Thailand. This historic judgment came after nearly two decades of waiting for justice agencies to take action with no progress.¹⁰ However, the Narathiwat Provincial Court's order alone does not stop the statute of limitations. The statute of limitations will only be interrupted if each defendant is brought before the court by 25 October 2024. As of now, all seven defendants have failed to appear in court as scheduled, prompting the issuance of arrest warrants on 12 September 2024.¹¹

6.6 The aforementioned case stems from an incident on 25 October 2004, when more than 1,500 protesters gathered in front of Tak Bai Police Station in Narathiwat Province to demand the release of a group of village security volunteers who had been detained by the authorities. As tensions escalated, security forces used live ammunition to disperse the crowd, leading to

⁸CrCF, 'Case Library: Yapa Kaseng', available at: <https://crcfthailand.org/case-library/yapa-kaseng/>

⁹CrCF, 'Case Library: Sulaiman Naesa', available at: <https://crcfthailand.org/case-library/sulaiman-naesa/>

¹⁰ICJ, 'Thailand: A historic step towards justice in the Tak Bai incident,' 23 August 2024, available at: <https://www.icj.org/thailand-a-historic-step-towards-justice-in-the-tak-bai-incident/>

¹¹ CrCF, 'Narathiwat Court Issues Arrest Warrants for 6 Former Officials in Tak Bai Case, Summons Pheu Thai MP; Next Hearing on 15 Oct 2024,' 12 September 2024, available at: <https://crcfthailand.org/en/2024/09/12/narathiwat-court-issues-arrest-warrants-for-6-former-officials-in-tak-bai-case-summons-pheu-thai-mp-next-hearing-on-15-oct-2024/>

the deaths of seven protesters. Around 1,300 detainees were then forced into army trucks with their arms tied behind their backs, laying on top of each other, and transported approximately 150 kilometers to Ingkayutthaborihan Camp in Pattani Province, where they were made to endure the journey under harsh conditions. When the detainees were unloaded from the trucks several hours later, 78 people were found dead, and more than 30 were seriously injured. In a 2009 death inquest into the case, the Songkhla Provincial Court concluded that all 78 individuals died of asphyxiation, without addressing the circumstances leading to their deaths. Additionally, no inquest was conducted into the deaths of the seven protesters who were killed on the day of the protest.¹²

6.7 From the above cases, the Network Organizations have identified that one of the major obstacles in seeking justice, aside from the prevailing culture of impunity (see also Section 9), is the issue with the court's inquest process into deaths. This process frequently fails to assist or facilitate the full revelation of the truth. Although Section 150 of the Thai Criminal Procedure Code mandates that the court must investigate to determine "who the deceased is, where and when they died, and the cause and circumstances of death; if the death was caused by an assailant, state who the assailant was as far as is known," this requirement is often not fully met in practice, particularly regarding the cause and circumstances of death, which are frequently overlooked or not thoroughly considered in the inquest process. From our observations, court rulings in cases of deaths caused by state officials tend to be brief and fall short of the thorough investigation required by law, making them less effective in uncovering the full truth, failing to reveal the facts to the public, and not beneficial in advancing criminal cases. Despite efforts by lawyers to participate in the inquest process, they have been unable to effect any meaningful change. Furthermore, the orders of the court of first instance are final and cannot be appealed, limiting avenues for justice. This issue is not confined to the three SBPs; lawyers from the Cross Cultural Foundation also face similar challenges in other regions, such as the deaths of Thant Zin Oo in Ranong Province and Chaiyaphum Pasae in Chiang Mai Province.

Recommendations

- 5. Enhance knowledge and understanding among government officials at all levels regarding the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565. This includes educating them on the mechanisms for preventing torture and enforced disappearance, their roles in receiving and forwarding complaints, ensuring independence in investigations, and recognizing the physical and mental impacts of torture on victims. Additionally, provide clarity to the public on the sanctions for officials who do not comply with the Act, ensuring effective implementation.**
- 6. Establish an efficient and unified database of detainees to enable officials to facilitate access to detention information for relatives and detainees. This database should effectively monitor individuals in a state of risk or**

¹²ICJ, 'Thailand: Court Delivers Disappointing Post-Mortem Inquest Findings In Tak Bai Incident,' 29 May 2009, available at: <https://www.icj.org/wp-content/uploads/2012/04/Thailand-Court-delivers-disappointing-post-mortem-inquest-findings-Press-release-2009.pdf>

vulnerability, ensuring transparency and safeguarding against human rights violations.

- 7. End the culture of impunity by conducting effective, prompt, and thorough investigations that adhere to international standards. These investigations should begin immediately upon receiving complaints of torture or ill-treatment, regardless of the stage of the justice process, and be carried out by an independent agency to ensure accountability.**
- 8. Conduct thorough investigations into past complaints without delay to deliver justice and truth to victims and society. This includes disclosing progress on investigations of cases involving torture, ill-treatment, and deaths in custody, including those of Abdulleh Isomusa, Imam Yapa Kaseng, Sulaiman Naesa, Abdullayib Dolah, and Paosi Tasamoh, as well as individuals affected during the Tak Bai protests. Investigations should also cover enforced disappearances, including cases with unresolved fates and whereabouts, such as those of lawyer Somchai Neelapaijit, Myaleng Maranor, and Yahri Dulo.**

7. Enforced disappearances

7.1 Over the past decade, more than 30 alleged cases of enforced disappearances have been recorded in the SBPs between 2003 and 2024, according to the United Nations Working Group on Enforced or Involuntary Disappearances. The Network Organizations observed that the relevant authorities have made little progress in investigating and bringing perpetrators of enforced disappearances to justice, despite the Prevention and Suppression of Torture and Enforced Disappearance Act, which stipulates that enforced disappearance “shall be considered a continuing offense until the fate of the person is known.”

7.2 Such cases include that of MayaTeng Maranor, a janitor who disappeared after military officers surrounded, arrested, and detained him along with his car on 24 June 2007. Although the Yala Provincial Court declared Maranor missing under Section 61 of the Civil and Commercial Code, there has been no progress in the criminal case to hold the perpetrators accountable and bring them to justice.¹³ Similarly, the case of lawyer Somchai Neelapaijit, former president of the Muslim Lawyers Club (now known as MAC), who was enforcedly disappeared on 12 March 2004 after witnesses saw a group of men forcing him into a car on Ramkhamhaeng Road, a busy area in Bangkok, has also seen no progress in bringing the perpetrators to justice.¹⁴ Both cases were highlighted in the Committee's Concluding Observations report in 2014.

7.3 During the reporting period, on 29 September 2022, a mysterious body was discovered in the Sungai Kolok River in Narathiwat Province, later identified as Yahri Dulo, who had disappeared from Malaysia on 27 September 2022. His wife confirmed the identification based

¹³Prachatai, 'Report: Myaleng Maranor, the missing person, amidst ongoing reports of enforced disappearances in the southern border provinces,' 29 Aug. 2010, available at: <https://prachatai.com/journal/2010/08/30872>

¹⁴ICJ, 'Thailand: Effective Investigation of Enforced Disappearance of Somchai Neelapaijit Needed After Supreme Court Ruling,' 21 May 2014, available at: <https://www.icj.org/thailand-effective-investigation-of-enforced-disappearance-of-somchai-neelapaijit-needed-after-supreme-court-ruling/>

on scars on the body's legs. There was also a statement from the BRN, an armed group operating in the area, confirming that the body was indeed Yahri Dulo, one of the leaders of the task force and a person wanted on three security warrants. Dulo had fled to the state of Kelantan, Malaysia, which borders Thailand. The BRN's statement also claimed that Dulo had been abducted from Malaysia by Thai authorities. However, Thai authorities denied that the body was Dulo's, citing fingerprint evidence. They sought to exhume the body to verify its identity, but the family refused. As a result, on 6 July 2023, the Narathiwat Court sentenced Dulo's mother and wife to one month in prison and fined them 5,000 baht (USD 152) each, with the prison sentence suspended, for obstructing officials in the process of exhuming the body.¹⁵ At the same time, there has been no progress in the investigation into the death or disappearance of Dulo.

7.4 Following the case of Dulo, activists from "The Patani" group stated that Dulo's kidnapping was not an isolated incident. Over the past 10 years, the group has documented at least six cases of Thai citizens being kidnapped abroad, particularly in Kelantan, Malaysia, including the case of Dulo.¹⁶

Recommendations

R9. Reform the court's death inquest process to serve as an effective mechanism for delivering justice in cases of death in custody involving officials. This reform should ensure that inquests are conducted promptly, transparently, and effectively.

8. Remedy

8.1 Over the past decade, as of the date of this submission, no specific remedy framework has been made available by the State for victims of torture and ill-treatment, except in cases where victims or their families have pursued civil lawsuits. While monetary compensation has been offered to individuals detained under special security laws and later released, the Network Organizations believe that such compensation, along with the conditions for receiving it, remains inadequate and ineffective in addressing the harm suffered.

8.2 Under current regulations, individuals detained under special security laws who are released after the expiration of their detention period are entitled to 30,000 baht (924 USD) in cash compensation, along with an additional 400 baht (12 USD) per day for the duration of their detention. However, if the same person is prosecuted under criminal law and detained during the trial, they are not entitled to any compensation, even if acquitted, as long as the acquittal is based on the benefit of the doubt. This represents a significant gap in the current compensation system.

8.3 In addition, the remedial process is further complicated by the requirement to collect documentary evidence. Victims must submit a "release certificate" issued by officials upon their release under special security laws, along with the remedial application. However, in

¹⁵Benar News, 'Court Orders Fine and Suspended Sentence for Mother and Wife Who Blocked the Excavation of Mysterious Corpse,' 10 July 2023, available at: <https://www.benarnews.org/thai/news/th-deep-south-exhumation-trial-07102023152234.html>.

¹⁶Benar News, 'Army Region 4 Commander Stops Exhumation Plan for 'Yahri Dulo's' Body After Family Objects,' 12 Dec 2022, available at: <https://www.benarnews.org/thai/news/th-deep-south-insurgent-corpse-12122022133957.html>

many cases, such documents are not always provided, forcing victims to take on the responsibility of tracking down these documents themselves.

8.4 Similarly, concerns have been raised about the independence of psychologists providing psychological support. Network Organizations have received reports that when the Department of Mental Health is contacted for assistance in high-profile or well-known cases, psychologists often accompany government agencies, such as the Southern Border Provinces Administrative Center (SBPAC) and/or the Ministry of Social Development and Human Security, raising questions about their independence. As a result, patients often feel unable to speak freely, are not given the opportunity to have private conversations with psychologists, and are sometimes questioned by government officials, leading to a loss of confidence in the process. Furthermore, independent organizations like Doctors Without Borders are preparing to withdraw from the area, which will leave some patients without continuous treatment, as they still do not trust hospitals within the government system.

Recommendation:

R10. Reform the remedy process, both monetary and non-monetary, including rehabilitation, to ensure it is appropriate based on academic principles and effective. The remedies should also made available to all groups whose human rights have been violated, including establishing specific compensation measures for victims of torture and ill-treatment including phycho-social supports for survivors and families of detainees.

9. Impunity

9.1 Network Organizations remain deeply concerned about the ongoing culture of impunity in the SBPs, as most cases of human rights violations committed by state officials have seen little to no progress in holding perpetrators accountable. The majority of these cases remain stalled at the police level, with local residents often unwilling to take further action. This is particularly evident in the numerous extrajudicial killings resulting from surround, block, and search operations conducted under martial law since 2020, which now total more than 90 cases.

9.2 In the past decade, the Network Organizations are aware of only two criminal cases that have made any progress, though achieving justice has been extremely challenging. The first case took place on 16 December 2019, during a search operation in the Tawe mountain range in Narathiwat Province, where paramilitarys shot and killed three civilians. The families of the deceased, along with villagers, insisted that the three individuals were innocent civilians who had gone up the mountain to cut trees for work and had no involvement with insurgent activities. On 17 December 2019, ISOC Region 4 released a statement acknowledging that the deaths resulted from actions taken by military officers while on duty, attributing the incident to a "misunderstanding" in which the officers mistakenly believed the civilians were part of the insurgent group.¹⁷ Although on 7 February 2024, the Narathiwat Provincial Court sentenced two military officers to four years in prison without parole for reckless actions that

¹⁷CrCF, 'Khao Tawe's (Extrajudicial) Murder Case: Southern Border Justice Process and the Bullet-Riddled Wounds,' 6 February 2024, available at: <https://crcfthailand.org/2024/02/06/khao-tawe-extrajudicial-murder-southern-border-justice-process/>

resulted in the deaths of the three civilians during the operation,¹⁸ the journey to justice was lengthy, as the police officers handling the case initially decided not to indict the two defendants. However, the prosecutor disagreed with this decision, leading the Attorney General to ultimately decide to file charges and proceed with the indictment. The police's initial decision not to indict the defendants fueled further public skepticism toward the police justice process, raising concerns about the fairness and transparency of investigations in cases involving state officials.

9.3 Another case is that of Wichian Phueaksom, who enlisted in the military at the 4th Development Battalion, Krom Luang Narathiwat Rajanagarindra Camp, Narathiwat Province, in 2011. It was later reported that Wichian was punished by new soldier trainers, who physically assaulted him, stripped him naked, and dragged him along a concrete floor, leading to his death. The trainers claimed that Wichian had been attempting to escape the camp.¹⁹ This case involved a long-standing criminal battle. Although Wichian's relatives filed a civil lawsuit against the Ministry of Defense, the Royal Thai Army, and the Prime Minister's Office, and the court ruled in 2014 that the Royal Thai Army must pay the family approximately 7 million baht in compensation for the tort, little progress was made in the criminal case. It took 13 years before the court finally issued a criminal verdict. The Pattani Military Court read the verdict and sentenced the nine defendants, who were soldiers, to 2-6 years in prison, with one of the defendants having died before the decision was reached. According to the procedures of the military court, the court considers the case at a single level, and there is no appeal or petition. This case is therefore regarded as final after more than a decade of delay.²⁰

9.4 In addition, both special security laws contain provisions that facilitate impunity, both in Section 7 of the Martial Law and Section 17 of the Emergency Decree, which have not been amended, as recommended by the Committee in its Concluding Observations Report in 2014.

Recommendation:

R11. Cease the use of hearsay evidence derived from statements or confessions obtained during arbitrary detention under special security laws, as well as DNA evidence collected under special security laws without informed and genuine consent.

R12. Terminate the practice of detaining individuals as witnesses in military camps or those lacking transparency and oversight.

¹⁸Isra News Agency, '4 Years in Prison for '2 Soldiers' Who Committed the Crime of Shooting 3 Villagers to Death on Khao Tawe,' 8 February 2024, available

at: <https://www.isranews.org/article/south-news/south-slide/126143-sentencekhaotawe.html>

¹⁹CrCF, 'Case Library: Wichian Puaksom,' available at: <https://crcfthailand.org/case-library/wichian-puaksom/>

²⁰Thai PBS, 'Pattani Military Court Orders Imprisonment of 8 Soldiers for Torturing Wichian Phueaksom,' 24 November 2023, available at: <https://www.thaipbs.or.th/news/content/334255>

R13. Revoke rules and regulations that permit the review of draft judgments, which interfere with a judge's discretion in case decisions.

10. Admissibility of Evidence and the Reviewing of Judgment

10.1 The Network Organizations are deeply concerned about the practice of courts admitting testimonies or confessions obtained during detention under special security laws. These testimonies, often collected and prepared by military officers in detention, are gathered outside the framework of the Criminal Procedure Code, with interviewees lacking proper legal counsel and being held in military camps, which undermines the rights of the detainees.

10.2 The Muslim Lawyers Foundation has observed that verdicts regarding the use of such evidence are inconsistent. In some instances, courts have ruled that the evidence is hearsay and therefore inadmissible, while in other cases, they have accepted the testimony as valid, citing it as recorded by an independent witness (usually military personnel) not involved in the matter. This lack of uniformity creates uncertainty in the judicial process regarding the admissibility of evidence obtained under special security laws. In this context, JASAD has also received reports that families, parents, and spouses are being asked to sign and witness the confessions of individuals detained in military camps under special security laws. This includes the use of video recordings to facilitate the acceptance of these confessions in court. Notably, such practices appear to be unique to the SBPs region and are not occurring in other areas of Thailand.

10.3 Additionally, Network Organizations have discovered that over the past decade, there has been a practice of detaining certain suspects in military camps to ask them to serve as witnesses in several criminal prosecutions in exchange for avoiding prosecution in their cases. In some instances, Network Organizations were informed that these witnesses have been held for up to seven years under the pretext of ensuring their safety. Often, they are utilized to testify against other suspects in various cases. These witnesses have also entered the witness protection program of the Department of Rights and Liberties within the Ministry of Justice and receive compensation as stipulated by law.

10.4 The Network Organizations are also deeply concerned about the provisions in Thai law that allow for the review of judgments by other superior judges.²¹ In security- or terrorism-related cases, the draft judgment must be reviewed by an executive judge for comment, even though this reviewer is not a member of the judicial body sitting on the bench.

10.5 Such practices contributed to the tragic suicide of Judge Kanakorn Phianchana, a judge of the Yala Provincial Court, on 4 October 2019. He was adjudicating a case brought by the Yala Provincial Prosecutor's Office against five men accused of crimes including murder, extortion, and banditry. The defendants alleged that they had been tortured during

²¹Regulation on Judicial Service of the Courts of Justice Regarding the Reporting of Important Cases in the Courts of the First Instance and of the Appeal Courts to the President of the Supreme Court, and the Reporting and Reviewing of Case Files in the Offices of the Chief Justices of the Regions BE 2019 (2019), available at: <https://opsc.coj.go.th/th/file/get/file/2019041027d64b6abc730c0d9ec23278d957ca0a173731.pdf>

interrogation. On the day of the incident, Judge Kanakorn delivered an acquittal verdict for the five defendants and then tragically shot himself in protest against his superior, the Chief Justice of Court Region 9. He accused this superior of attempting to interfere with the case to overturn the verdict and impose a sentence during the review process.²² Later, after the Judicial Subcommittee assigned Judge Kanakorn to temporarily work at the Court of Appeal Region 5 in Chiang Mai Province, he tragically shot himself again at his residence on 7 March 2020. In his "dead letter," he expressed his frustration after having come forward to complain about his superior but facing an investigation as a suspect in a criminal case. He described feeling "unable to bear" and "full of suffering." He insisted that his actions were motivated by a pure heart and a desire for justice for the people.²³

Recommendation:

R13. Revoke rules and regulations that permit the review of draft judgments, which interfere with a judge's discretion in case decisions. The rule is applied throughout the country after starting in the southern region.

11. Prisons and other places of detention

11.1 The Network Organizations are concerned about the conditions of detention, both under special security laws and in civilian prisons, which fail to meet international standards, violate the Mandela Principles, and may amount to cruel, inhuman, or degrading treatment and punishment.

11.2 For instance, solitary confinement, with the lights remain on continuously, continues to be practiced in cases of detention under special security laws, both in military camp detention facilities and in the Royal Thai Police Headquarters in the SBPs.

11.3 In general civilian prisons managed by the Ministry of Justice, the Network Organizations found that new prisoners involved in security cases in the SBPs are required to wear shackles for two months, even while they are still on trial without a decision reached. Relevant officials informed the Network Organizations that the prisons in the SBPs are classified as low-security facilities. As a result, individuals accused of serious crimes are required to wear shackles even while awaiting trial. Based on the Network Organizations' observations, the shackles used are large and appear to weigh several kilograms. Their continuous application likely qualifies as cruel, inhumane, or degrading treatment.

11.4 Furthermore, there are at least 40 security suspects involved in cases related to the SBPs who have been sentenced to death and remain in custody, with no clear knowledge and timeline for their execution.

11.5 Other issues reported by former inmates to the Network Organizations include inadequate water and sanitation conditions within the prison, which are not maintained to acceptable standards. Additionally, there is a lack of confidence in the halal food, particularly

²²BBC News, 'Thanakorn Phianchana: a 25-Page Statement That Shakes the Thai Judicial System,' 5 October 2019, available at: <https://www.bbc.com/thai/thailand-49943661>

²³BBC News, 'Thanakorn Phianchana: Voices from the Defendant's Lawyer in Judge Kanakorn's Last Case 'Want to Stay and Fight Together,'" 7 March 2020, available at: <https://www.bbc.com/thai/thailand-51781494>

in prisons outside the SBPs, where separate kitchens for halal food are often not available. There are also reports of ineffective and poorly accessible medical treatment for inmates, leading to deaths during detention from illnesses. One such case is that of Mr. Masolae Jehae, who died while in prison in connection with a security case, succumbing to cancer. When he first became ill, he was only given general medicine by the prison. He was not taken for a detailed physical examination until he lost consciousness and was eventually taken to a hospital, where he was diagnosed with late-stage cancer.²⁴ Furthermore, women are prohibited from wearing headscarves and are required to wear shorts, even while giving testimony in court, which goes against their religious principles.

Recommendations

R14. Reform detention facilities by eliminating solitary confinement, enhancing health and medical care, respecting religious principles by allowing female inmates to dress according to their beliefs, and ensuring that Muslim inmates have access to halal food that meets their dietary requirements.

R15. End the use of shackles, as they are considered cruel, inhumane, or degrading treatment or punishment.

R16. Abolish the death penalty, including the current practice of executions where prisoners remain unaware of when their execution will occur.

12. National Human Rights Commission of Thailand (NHRCT)

12.1 The Network Organizations remain concerned about the independence and effectiveness of the NHRCT in the SBPs. The NHRCT's activities in the region are primarily research-based and seldom result in direct recommendations to officials. Even when recommendations are made, they often do not lead to any changes in the practices of the involved authorities.

12.2 The Network Organizations are also worried about the NHRCT's limited mandate regarding the prevention and investigation of torture, ill-treatment, and enforced disappearances. For instance, the NHRCT lacks the authority to inspect prisons without prior permission from the officer in charge of the detention facility, which undermines the effectiveness of mechanisms designed to prevent torture.

12.3 Additionally, there are concerns about the hiring of personnel who is a military officer previously worked with the ISOC, a direct party involved in the conflict, to whom many allegations of human rights violations have been made. This raises issues of independence and creates apprehension that information provided to the NHRCT may be leaked.

13. Human rights defenders and civil society actors

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Naewna, 'A suspect in a southern border security case dies while fighting a terminal cancer', 20 October 2022, available at: <https://www.naewna.com/local/687663>

13.1 Human rights defenders and civil society actors in the SBPs continue to face significant threats to their lives and personal safety while carrying out their duties and advocating for human rights.

13.2 For instance, on 25 June 2024, Roning Dolah, a Thai masseuse and volunteer campaigning against torture with Duay Jai Group, was shot dead outside his home in Pattani Province by two men in black clothing. The ISOC reported that the assailants approached from the back of the house and used military-grade weapons to shoot Roning, leaving eight bullet casings at the scene. The ISOC confirmed that two of these casings had previously been linked to seven security incidents in the SBPs between 2015 and 2019,²⁵ suggesting the involvement of insurgent groups. However, the information provided raised suspicions among Roning's family, who took photographs at the scene and discovered a total of 28 bullet casings. They noted discrepancies, as some of the casings identified by the officers did not match the model of the firearm recorded by the family. The family also suspected that the gunmen emerging from behind the house indicated a possible connection to the nearby military camp. Despite their concerns, they remain in the dark about any progress in the criminal investigation into Roning's death. Previously, Roning had been arrested under special security laws and detained in military camps five times, where he reportedly experienced torture on at least two occasions. After receiving psychological rehabilitation, he returned to a normal life and chose to work as a masseuse, aiming to provide treatment and support to other victims of torture.

13.3 In February 2024, a volunteer from HAP was detained under security law. During this detention, officers sought information about all HAP workers and their activities, including conducting interviews regarding HAP workers' backgrounds and social media presence.

13.4 The Information Operations (IO) movement represents another tactic used to target human rights defenders and civil society actors in the SBPs, particularly affecting female human rights defenders. During the censure debate against the government in parliament in 2020, it was revealed that the ISOC had submitted documents related to budget considerations. One of the activities involved supporting the website 'Pulony.blogspot.com,' which spreads distorted information aimed at discrediting human rights defenders and civil society actors in the SBPs. This included targeting Anchana Heemmina, the founder of Duay Jai Group.²⁶

13.5 In October 2023, Anchana Heemmina and Angkana Neelapaijit, former commissioner of the NHRCT and wife of the disappeared lawyer Somchai Neelapaijit, jointly filed a lawsuit with the Civil Court on 4 November 2020 against the Office of the Prime Minister, which oversees the ISOC, and the Royal Thai Army under the Act on Tortious Liability of Officials. The lawsuit aimed to hold these agencies accountable for the misinformation campaign conducted against them and sought damages for the harm caused.²⁷ On 16 February 2023, the Civil Court ruled

²⁵ISOC, 'ISOC Region 4, HQ Clarifies Progress of Bullet Casing Test Results,' 27 June 2024, available at: <https://www.southpeace.go.th/?p=107197>

²⁶Thai PBS, 'Mysterious website 'inciting division'; MPs expressed concern over potential damage,' 25 February 2020, available at: <https://www.thaipbs.or.th/news/content/289290>

²⁷Prachatai, 'Angkhana-Anchana' Persist in Fighting IO Website Case, Suing Prime Minister's Office and Royal Thai Army for Defamatory and Distorted Information,' 12 October 2021, available at: <https://prachatai.com/journal/2021/10/95433>

that the text and images on the website Pulony.blogspot.com contained false information, accusing Anchana Heemmina and Angkana Neelapaijit of having dangerous motives and collaborating with hidden objectives to benefit insurgents in the SBPs. Despite recognizing the content as false, the Court determined that the plaintiffs lacked sufficient evidence to conclusively identify the publisher of the content and its connection to the ISOC. Consequently, the Court could not conclude that the defendants were involved in the actions in question, leading to the dismissal of the case.²⁸ The case is currently under appeal, and Anchana continues to face ongoing online attacks.

13.6 In addition to online attacks, on 13 September 2024, Anchana also received a police summons in which she was sued by the Royal Thai Navy under Article 14 of the Computer-Related Crime Act. This stems from a Facebook post she made on 8 May 2024, where she questioned whether, in the case the military had not paid the bill for using water from a mosque, a complaint could be made for reimbursement. If convicted, she could face a prison term of up to 5 years, a fine of up to THB 100,000 (approximately USD 3,100), or both.

13.7 Moreover, several staff members from Network Organizations have experienced “visits” from security officers at their homes or offices or have been “invited for discussion” at military camps to inquire about their activities. Former detainees under special security laws have also reported that officers have asked them if they knew any members of the Network Organizations.

Recommendations

R17. Enhance the NHRCT to ensure it can effectively fulfill its responsibilities, including the ability to implement recommendations in practice and conduct unannounced inspections of detention facilities.

R18. Guarantee the independence of the NHRCT, both internally and externally, to foster trust among individuals who submit complaints.

R.19 Implement measures to safeguard human rights defenders and civil society actors from direct and indirect threats and intimidation regarding their lives, well-being, and liberties.

R20. Conduct a prompt, thorough, and effective investigation into the death of Roning Dolah, a volunteer anti-torture activist, by an independent agency, ensuring the family's participation in the investigation process.

R.21. Put an end to information operations (IO) that target human rights defenders and civil society actors in the region.

²⁸iLaw, ‘Civil Court dismisses human rights activist's lawsuit against PM's Office for damages related to IO attack’ 16 February 2023, available at: <https://www.ilaw.or.th/articles/5666>

APPENDIX

No	Case #	Year	NAME	Date of interview	Narratives
1	DJ_16_2015	2015	[redacted]	1-9-2015	<p>In 2014, at approximately 4 PM, I was taken into custody. After completing my prayers at the mosque, around ten plainclothes police officers approached me, inquiring about my destination and whether I possessed a mobile phone. They conducted a search of my person and instructed me to ride my motorcycle home. Following their order, I returned home, with the officers trailing me on their motorcycles to conduct a search of my residence. Subsequently, at about 6 PM, I was transported to a military facility where I was subjected to interrogation. The officers attempted to coerce me into confessing to a bombing incident; however, upon my denial, they threatened, "You're going to get it bad." Shortly thereafter, some officers entered my cell, struck me on the head, and ominously stated, "I'll get it bad tomorrow," before departing. I spent the night in my cell, which was exposed with iron bars, allowing the officers to observe me continuously. On the third day of my detention, a group of paramilitarys arrived to interrogate me and subjected me to physical violence. One ranger posed a question before I could respond and then assaulted me. Another ranger continued with further inquiries, but before I could utter a word, the officers kicked me in the torso, punched me in the face, kneed me in the stomach, and proceeded to choke and slap me. This pattern of abuse persisted for three days, primarily occurring at night. During the daytime, when my family visited, our interactions were brief and limited in conversation. During the interrogation, the officers attempted to extract a confession from me by threatening that if I withheld information or failed to cooperate, my wife and family would face dire consequences. They implied that my wife would be harmed, which was particularly distressing as</p>

					<p>she was pregnant at the time. Out of concern for her safety, I ultimately admitted my involvement in the military bombing incident. Furthermore, the officers subjected me to physical abuse, including kicks to my torso, punches to my face, and being stepped on while lying down. They used a stick wrapped in cloth to strike my chest and even strangled me. I lost count of the number of times this occurred until I felt I could endure no more, expressing that I believed I was going to die. I requested to see my family one last time. Upon realizing my critical condition, the officers were alarmed and hurried to my home around 11:00 p.m. They brought my parents, younger sister, and wife to the camp, where they administered first aid and provided me with medication, the nature of which I could not identify. I subsequently fell asleep and was unaware of what transpired. Later, I was transferred to a detention center in Yala Province, where the officers examined my injuries. I informed the police about the physical abuse and torture I had endured at the hands of military personnel, and I had visible wounds at that time. I remain uncertain whether the police documented this information. I was detained from 2007 until my release under the Emergency Decree on Public Administration in Emergency Situations, during which I also experienced torture and had my DNA collected multiple times.</p>
2	DJ_15_2015	2015	[redacted]	31-10-2015	<p>In April 2015, at 9:00 AM, I was invited to [Redacted] and attended with my younger sister. Upon arrival, we were requested to complete a family history form until 6:00 PM, after which we were taken to the military camp [Redacted] at 7:00 PM. The following day, I underwent questioning from 8:00 AM to 1:00 AM, during which I was asked about five acquaintances. I denied knowing them, leading the officers to accuse me of deceit. I was struck approximately 20 times on my right ribs, forced to sit on a chair, and hit on the back of my head 2-3 times while being made to alternate between</p>

					<p>sitting and standing on the chair. On the third day, during the interrogation, I experienced pressure from an officer's elbow on my shoulder 2-3 times. After 2-3 days, I began to feel pain in my shoulder and was compelled to sit upright on a chair. There were also threats made against my younger sister regarding potential sexual violence. On the fourth day, six officers surrounded me, coercing me to confess. They claimed that my friends had implicated me by stating that they provided me with a firearm, yet I maintained my innocence. The military personnel forced me to remove my shirt, and when I remained silent, they ordered me to take off my pants. Subsequently, I was instructed to perform ten sit-ups. After some time, I was allowed to put my shirt and pants back on and was made to sit on a chair. After that day, I was not tortured again.</p>
3	DJ_14_2015	2015	[redacted]	24-4-2015	<p>In January 2014, at approximately 08:30, military personnel surrounded my residence and informed me of their intention to summon me to the [redacted] Special Task Force. Upon my arrival, I underwent testing for RDX, and my DNA and fingerprints were collected. Initially, the officers permitted me to return home; however, upon discovering the presence of RDX, they prohibited my departure. Subsequently, I was taken to the [redacted] Ranger Regiment, where I was held for one week for interrogation. On the third day of my detention, the officers conducted an extensive questioning session from 20:00 to 03:00, attempting to extract a confession regarding the bombing. During this interrogation, the officers created a disruptive atmosphere by slapping the table and files loudly, striking the chair, and forcing me to sleep in a room with a fan running continuously. Four officers participated in my questioning and resorted to strangling me with a scarf. Within less than an hour, they issued threats, warning that if I possessed any evidence, they would pursue legal action and endanger the lives of my family members.</p>

					The military personnel then struck me on the back of my head two to three times.
4	DJ_13_2015	2015	[redacted]	4-9-2015	In late 2013, at approximately 8:30 p.m., I sought refuge at a friend's residence due to heavy rainfall that made it impossible for me to return home. Consequently, four of us shared a room for the night. Later, around 2 a.m., officers knocked on the door, instructing me to open it, turn on the lights, and step outside. They ordered me to lie face down on the floor with my hands positioned behind my back. The officers were attired in black, camouflage green, and plain clothes. I was made to sit on a mat in front of the house, where I observed others bound with white straps. During the interrogation, I endured physical assaults, including kicks, slaps to the back and head, and being stomped on the face, lasting approximately thirty minutes. The pain elicited cries of "Allah" from everyone present. The officers then commanded us to call upon Allah for assistance. After about half an hour, they permitted us to return inside, took photographs of me while I was pointing at the guns, and subsequently transported us to Task Force [redacted] in the District. During my time in the vehicle, I experienced a blow to the back of my head from a helmet. The individuals present were separated, and the helmets used to strike me were placed on my head, causing my head to resonate like a drum. I spent approximately five hours at Task Force . Although my relatives came to visit, the officers denied them entry. They conducted an investigation to determine the ownership of the firearm, reviewed my background, and subsequently transferred me to Camp for a physical and DNA

				<p>examination. At, I was interrogated during the night. When I requested to pray, my request was denied. The questioning continued until 4 a.m., during which the officers pointed a firearm at me. When I expressed my lack of knowledge regarding the matter, they inflicted pain with the weapon's tip. Despite my protests, they continued to strike me. While seated, they kicked my chair, causing me to fall. They repeatedly slapped and hit me, leaving me disoriented and confused. The assault persisted until 4 a.m. The officers provided me with a shirt to change into, but I chose to remain in my wet sarong. On the second day, I was summoned for questioning at 9 a.m. and endured kicks and blows until noon. At 1 p.m., I was called in again for further questioning that lasted until 5 p.m. They forced me to extend my arms for an extended period, leading to fatigue. Throughout the third and fourth days, I faced slaps and threats, with the implication that failure to comply would result in further harm. The interrogator used derogatory language, referring to me in a disrespectful manner. After seven days, I was transferred to the Central Investigation Bureau, where I was placed in solitary confinement and subjected to continuous questioning. Although I was promised a return home, I was instead taken to court.</p>
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5	DJ_11_2015	2015		7-7-2015	<p>In early 2015, in Yala Province, at approximately 11:00 p.m., as I was preparing for bed, law enforcement officers surrounded my residence. They took me into custody, conducted a search of the premises, collected DNA samples from my cheeks, and obtained my fingerprints. During this process, I was struck on the head once and forcibly removed from my home. Subsequently, I was transported to and then to the . On the following day, I was taken to the interrogation room, where I endured physical abuse at the hands of the officers. They slapped me on the head, applied pressure to my throat, and compelled me to remove my clothing for a duration of approximately four to five hours. They used a rubber band to flick my testicles and struck my upper lip with their hands. I overheard other military personnel refer to the officer who was torturing me as “[redacted]” while the two interrogators were identified as “[redacted]” and “[redacted].” On the third day of my detention, around 8:00 p.m., the officers returned to interrogate me. If I failed to respond to their questions or remained still, they would strike me on the head and face. Later, at approximately 10:00 p.m., I was taken to the residence of the commander of the , where I was instructed to sit in a pavilion in front of the house. The commander approached me to negotiate, after which the officers left me alone in the pavilion until 3:00 a.m. During this time, the officers returned to question me, and the soldiers assaulted me by kicking my ribs, punching my face, and striking my chest. They restrained my hands to a chair, removed my shirt, and poured water into my mouth while using a fan to cool me down. They then covered my head with a plastic bag until I lost consciousness. Upon regaining consciousness, I struggled until my handcuffs broke, but the officers quickly replaced them. I found it difficult to breathe as they continued to pour water into my mouth, causing me to choke. Eventually, I informed the officers that I would</p>
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				<p>provide them with information, at which point they ceased their physical assaults. This occurred until 5:00 a.m. in the next day. On the fourth day of the interrogation, at approximately 2:00 p.m., the officers instructed me to stand in the sunlight, remove my shoes, raise both arms and balance on one foot. Subsequently, the officers approached and twisted my arms, inflicting pain that lasted for about two to three hours. On the fifth day, military personnel arrived and physically assaulted me, delivering kicks to my torso, slapping my face, and blindfolding me with a scarf. I managed to remove the scarf from my eyes using my hands. The officers compelled me to undress completely, bound my hands behind my back with the scarf, struck me in the stomach, and demanded that I confess. They then made me wear only my pants and proceeded to kick me with their heels on my thighs and knees. One military officer, identified as Max, attempted to stop the assault and said that he will be alone accountable for the result of torture. Later, the officers transported me to a pavilion in front of the commander of the 's residence, where they attempted to extract information from me, but I remained silent. Around 7:00 p.m., the officers summoned me again, questioned me, and took me to the commander's house, where they physically assaulted me by kicking my torso. Eventually, as dawn approached, they returned me to my room. On the sixth day, at approximately 1:00 p.m., military officers brought me to the interrogation room. Three officers entered and began questioning me. While they were positioned closely, I managed to retrieve a gun from one officer's pocket and aimed it at his chest as he fell. Two other officers quickly intervened, seizing my neck and stomping on my torso. They then transported me to another room and handcuffed me there. There were about 4-5 officers who looked drunk. They put a bottle of water in front of me. They made me sit on a</p>
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					<p>chair, handcuffed me behind my back, and sat me in two bags of ice up to my knees. They turned on the fan and covered my face with a coat. They poured water into my mouth. I felt that the water tasted strange, but I wasn't sure what kind of water it was. They made me lie face down and stepped on my chest and genitals. When I couldn't stand it anymore, I told the officers that they would talk. At around 3 a.m., the officers brought me coffee to drink and took me to my room. I couldn't walk and fell. I couldn't breathe, but the officers didn't take me to the hospital. When I felt better, they took me to my room.</p>
6	DJ_09_2015	2015		26-5-2015	<p>I was apprehended in early 2015 at approximately 2:00 a.m. by a contingent of around 100 paramilitary, military personnel, and police officers. Subsequently, the officers transported me to the police station before taking me to the camp. During my seven-day detention at camp, I endured physical abuse. With my hands bound behind my back, I was compelled to remove my sarong, had my eyes covered for six hours, and was made to lie on my back while being struck in the abdomen over ten times, resulting in a sensation of tightness in my chest. Following this, a dry towel was placed over my face, and ice was poured on me. I was returned to my accommodation at 2:00 a.m. On the second day, I was</p>

					interrogated at 10:00 a.m., during which I was coerced into confessing, but I refrained from doing so. By the fourth day, I inquired with the officers about what I was supposed to confess, as I could no longer endure the pain inflicted upon me daily.
7	DJ_07_2015	2015		26-5-2015	In early 2015, I fled from the special arrested warrant at my wife's residence in Yala Province to escape a warrant related to security offenses. Around 10 PM, a large contingent of officers, approximately 200 in number and arriving in multiple vehicles, surrounded my location and proceeded to arrest me. As I stepped outside, I was subjected to physical violence, being kicked until I collapsed and subsequently stepped on. The officers then forcibly pulled me back into the house. During their search, I endured further assaults, including kicks and slaps to the head, while they ransacked the premises. Afterwards, I was taken from the house to Camp for interrogation, where I was handcuffed behind my back. On the first day of my interrogation, I was made to sit in a chair while still handcuffed. The officers knocked the chair over, and I was assaulted with slaps, kicks, and punches directed at my stomach, legs, and calves over four days. I was repeatedly kicked in the knees, punched in the stomach and back, and slapped on the head and neck, all while my hands remained restrained behind me. On the second and third days, I was subjected to extreme intimidation, held at gunpoint with a heated iron rod, blindfolded, and tortured. I was threatened with a firearm, and coerced into confessing under duress. On the 4th day, I was shocked once. While my eyes were closed, I felt pain in my testicles. I didn't know what they were doing because I couldn't see. They grabbed, pulled, and squeezed my genitals. I was made to strip naked in a cold room in front of female soldiers who harassed me. After being beaten for many days, I vomited, urinated and

					defecated blood. My chest was bruised, swollen and red. The officers took me to the hospital. At the hospital, when I was going to let the doctor look at my wound, the officers told me to get out. The doctor gave me paracetamol and an injection. I was unconscious for 1 day. I didn't feel anything until I confessed on the 4th day because I couldn't handle it. I was shocked by electricity. There was a document that the soldiers had me sign. Then a policeman came for me to sign. I tried to read it, but he wouldn't let me read it, so I didn't sign. So, I was kicked in the chest, punched in the back, slapped on the head and pressed down, and kicked in the back several times. Finally, I signed.
8	DJ_06_2015	2015		24-4-2015	Following the Friday prayers in early January 2015, officers arrived in multiple vehicles to escort me for interrogation at the Task Force camp. The officers would summon me for questioning at 3 a.m. or during the night. During these interrogations, if I responded with uncertainty or chose not to answer, they would strike me on the face, cheeks, and back of the head repeatedly. They would also apply a choke to my throat, releasing me only when I was on the verge of losing consciousness. This occurred more than twice, though I cannot recall the exact number of instances. They would inflict pain on my back and threaten that if I attempted to escape from home, I would certainly face further violence.
9	DJ_01_2015	2015		5-5-2015	In the early of the 2015, at approximately 23:00, law enforcement officials cordoned off the area and transported me to the Police Station in the District of Yala Province. They documented the daily log for around 30 minutes before transferring me to Task Force . Subsequently, I was taken to the Ranger Regiment at the Camp, located in Province. On the third day of my detention, January 27, 2015, at approximately 21:00, the officers commenced an interrogation. I was made to sit on a chair while they struck

				<p>the table with a file. They seized my collar shirt multiple times, alternating between questioning and delivering slaps to my chest, torso, and abdomen with their palms. The officers then proceeded to punch my chest with their fists, producing a loud cracking noise, which caused me significant pain. They rubbed the area of my chest that had been struck and subsequently halted the questioning. Each time they slapped my chest, they did so approximately 7-8 times, repeating this process about three times until I fell from the chair. During this period of torture aimed at extracting a confession, other officers and women officers, and although they saw the committed, none intervened or instructed her to cease. No medical assistance was provided for my injuries.</p>
10	DJ_03_2016	2016	12-12-2016	<p>At 4:00 am on last month of 2016, plainclothes officers, equipped with bulletproof vests and firearms fitted with scopes, searched the residence and subsequently transported the officers to Camp. The following day, an interrogation commenced at 9:00 PM. During this session, a male officer entered and physically assaulted me by slapping me, striking my chest, and hitting my forehead with the back of his hand. He forcefully pushed my head against the wall, causing it to crack, which left me feeling dizzy. He shoved me to the left and then to the right. The interrogation room contained a central table with chairs for my use; however, I was ordered to stand. On occasions when the officer was in a favourable mood, he permitted me to sit. When I resisted during the interrogation, I was subjected to further physical violence, including punches to the face and head, culminating in a blow to my forehead that resulted in a wound. The interrogation room was uncomfortably cold, and I was not allowed to wear a jacket. The dimensions of the room were 2 x 2 meters. Additionally, the officer informed my father that I had committed murder and urged him to persuade me to confess.</p>

11	DJ_01_2017	2017		21-7-2017	<p>In mid-2017, law enforcement officials arrived at the residence and subsequently transported him to the Camp, located at the , at approximately 03:00 hours. The military personnel subjected him to a standing position for four days and four nights. During the interrogation, three officers inquired about his activities. He was confined to a room measuring about one meter in width, equipped with a CCTV camera and a narrow bed. The interrogation team exerted pressure on him to elicit a confession over several days. Eventually, an officer identified as Ja Yut conducted an interrogation session during which he displayed a pornographic film. The following day, another officer named resumed the interrogation, while an officer referred to as entered the room, forcing him to stand against the wall. Tor proceeded to rub his shoulders, removed his scarf to strike his hands, and lifted his shirt to obscure his face. He then delivered a blow to his right chest. After falling to the ground, he managed to rise and retaliated with five punches to the same area. On the sixth attempt, he evaded the blow, causing Tor to lose his balance and fall. Tor subsequently summoned five additional officers, who proceeded to assault him until he lost consciousness. Upon regaining awareness, he found himself in a room, his body drenched in wet cloth. Inquiring about the time from the officers outside, he was informed that he had been unconscious for approximately one day, around 6:30 PM. An officer then pointed a firearm at him, while another intervened, leading him back to the interrogation room, where he was also slapped in the face.</p>
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12	DJ_19_2018	2018		2018-07-22	<p>In early 2018, at approximately 4 a.m., law enforcement officials surrounded the residence and instructed everyone to exit; however, I chose to remain inside. This decision displeased the officers, leading them to physically assault me through kicking, punching, slapping my face, striking my head, and delivering blows to my stomach until I collapsed, at which point they proceeded to step on my abdomen. The interrogation commenced on the first to third day of my detention, during which the officers summoned me to speak by the canal outside. Subsequently, the interrogation continued in a designated room from the fourth to seventh day of my detention, beginning around 8 p.m. and lasting until approximately 2 a.m. I was subjected to punishment by being made to stand with my arms extended, holding bottles of water on either side, while also raising one leg. The interrogation persisted, and when fatigue set in, I inadvertently lowered my arms, prompting the officers to strike them. If I failed to respond or declined to answer, they would hit my hands, neck, and head. They utilized a square piece of cardboard, similar to that used for rolling large fabrics, but in a brown color rather than a stick. This position was maintained from the moment I entered the interrogation room until 2 a.m., when I was finally allowed to return to a separate room. Additionally, I was forced to sit cross-legged with my heels elevated, akin to a prayer position, while extending my arms to hold a bottle of water. Throughout the six-hour interrogation, I endured kicks, was made to stand with my arms outstretched, received punches, and was subjected to a fan directed at me. When I fell, they would step on my calves, circle around me, and mock me with derisive expressions. Three officers, who were soldiers, were responsible for the assaults I experienced.</p>
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13	DJ_18_2018	2018		5-2-2018	<p>In early 2018, a contingent of 80 officers, some in standard uniforms and others in black ranger attire arrived at the residence, equipped with long firearms. They encircled the property and subsequently transported and his neighbor, Mr [redacted] , to a military facility in Pattani Province known as Task Force for interrogation. Upon arrival, their personal histories were recorded, and they were instructed to remain standing in a confined space for two days and two nights. If Mr [redacted] succumbed to fatigue, he would rest his head against the iron bars of the cell. The dimensions of the room were approximately 1.5 by 2.5 meters, with a height of about 1.75 meters, containing around three cells. During this period, Mr. [redacted], Mr[redacted]. , and Mr. [redacted] were all held in detention. They were subjected to interrogations lasting between one to two hours multiple times daily, including morning, afternoon, and evening, during which they were required to stand for extended periods. Each interrogation session involved physical assaults, including slapping, punching, and tapping. On the fourth night, the lead interrogator, identified as , restrained Mr. [redacted] by binding his hands behind his back and forcing him to lie on his back with his eyes closed. A damp towel was placed over his face, followed by the pouring of two buckets of water—one containing plain water and the other ice-cold water—resulting in his inability to breathe. The officers obstructed his nose and compelled him to ingest the water while the lights were extinguished. During this ordeal, he was subjected to kicks and punches, with the assailants’ wearing sneakers and combat boots. The physical abuse occurred in an area adjacent to the chief’s quarters, beneath a large tree with seating arrangements for relaxation. This brutal treatment persisted for approximately one hour, leading to his loss of consciousness for an entire night. Furthermore, during the nighttime interrogations at Task Force [redacted], he was</p>
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					consistently slapped, and he was forced to remove his shirt in a cold room, where he was threatened regarding the safety of his daughter, who was in her formative years. Have you ever heard the story about your daughter going missing? Hearing that made me lose faith and very worried.
14	DJ_15_2018	2018		2018-03-30	In early 2018, at 2:00 PM, three armed officers arrived at School in a vehicle. They brought the father for identification purposes while I was preparing for Children's Day, and students gathered to observe the situation. The officers subsequently returned him home and took him to various locations at the mosque for identification. Their search of the residence continued until approximately 3:00 PM, during which they examined the wardrobe and then transported him to Task Force . There, they collected DNA samples and required him to sign several documents. By 7:00 PM, he was taken to Task Force at [redacted] Camp, where the officers compelled him to stand in front of a cell. The interrogation room measured 2 meters in length and 1.5 meters in height, equipped with a single fan. The following day, at 1:00 PM, the officers summoned him for questioning. Upon his refusal, they resorted to physical violence, striking him on the neck and kicking him in the stomach, causing him to involuntarily urinate. The taller officers blindfolded him with a scarf, forced him to undress, and sprayed paint on his body while using abusive language and threats. I recall the faces of about 4-5 officers, though I do not know their names, as they elbowed

				<p>him in the neck. Around 4 PM, we were instructed to enter the room and remain standing for seven days. At 8 PM, the officers again called us in for questioning regarding weapons and organizational structure. We declined to answer, but they persisted with the same inquiries. The experience was dehumanizing, particularly when they compelled us to undress. During the interrogation, if the officers were dissatisfied, they would slap us on the head and face, kick us in the stomach, and force us to keep our arms raised throughout the entire seven days.</p>
15	DJ_14_2018	2018	28-2-2018	<p>In early 2018, at approximately 11:00 AM, [redacted] was riding a motorcycle alone after completing his work in Pattani Province when he was stopped and detained by officers near the Mosque in Pattani Province. Two plainclothes paramilitary, dressed in gray pants and black shirts, approached and restrained him, followed by four additional officers. They confiscated his phone and denied his request to contact his relatives. The officers issued threats regarding his imminent imprisonment. He was held at a military camp, where he was detained on the second day at 8:00 PM. The officers confined him in a small room measuring 2x1.5 meters, which lacked a bathroom, water supply, or a space for prayer. He was required to seek permission from two to three officers who were monitoring the area. Interrogation commenced at 8:00 PM and continued until 5:00 AM. During this time, he was made to stand in an air-conditioned room, stripped of his shirt, and dressed in a sarong, while being forced to wear a loincloth. The temperature in the room was a chilling 16 degrees Celsius, which, combined with the cramped conditions, caused him to feel cold and resulted in numbness and fatigue in his legs from prolonged standing. On the second day of interrogation, at noon, he was returned to the interrogation room to continue standing until 8:00 PM. Although he was allowed to wear clothes during this session,</p>

				<p>he was still required to don a sarong. The officers questioned him about a bombing incident, and six officers physically assaulted him, delivering kicks and punches to his stomach and back. This brutal treatment persisted from 9:00 PM until 5:00 AM. On the third day, he was again forced to stand in the interrogation room until 9:00 PM, and if he attempted to sit, he would be kicked in the back near his hips. Eventually, an officer named [redacted] over the interrogation, placing him in an extremely cold room without allowing him to wear a shirt, while still requiring him to wear a sarong. The officers doused his body with spray, rendering it wet in a room maintained at 16 degrees Celsius, and subsequently applied massage oil, which contributed to his sensation of coldness until 1:00 a.m. Throughout the interrogation process, the officers subjected him to physical abuse daily until he ultimately confessed.</p>
16	DJ_13_2018	2018	2018-03-30	<p>At 3:00 AM in early 2018, approximately ten officers in black vehicles, fully armed, entered the residence to transport him to Task Force in Yala Province. During the initial two to three days, two to three interrogators in black uniforms physically assaulted him, slapping and striking him on the head while compelling him to maintain a one-legged stance with his arms extended. On the third day, the officers forced him to sit in a Japanese-style position for several hours. From 10:00 PM to 3:00 AM, he faced threats from the officers. After a week of detention in Yala, he was transferred to a military camp in Pattani Province, where he was confined in a room with an iron door. The officers mandated that he stand for two consecutive days and nights, and any attempt to sit resulted in further slaps and blows to his head. During the interrogation sessions, the officers activated the air conditioning and subjected him to aerosol sprays for four to five hours. They continued to slap and beat him, compelled him to undress, and struck his genitals with a power bank</p>

				<p>larger than his palm. They forced him to stand and kicked him until he collapsed. Subsequently, the officers used their feet to rub his head while laughing, which resulted in a wound on his right elbow. They forced him to stand and kick him until he fell. Then the officers used their feet to rub his head and laughed, causing a wound on his right elbow. He was interrogated in the interrogation room for 4-5 hours. He was blindfolded while a female soldier opened the door to see him undress. She screamed and laughed along with the male soldiers.</p>
17	DJ_12_2018	2018	2018-05-01	<p>In the middle of 2017, at precisely 12:00 noon, law enforcement officials encircled the mosque, apprehended me with my hands restrained behind my back, and proceeded to search my residence. Subsequently, I was transported to (Special Task Force [redacted]) at 6:30 a.m. On the initial night, I underwent interrogation and was compelled to stand from 8:00 p.m. until 5:00 a.m. The following day, an officer named approached me for questioning and resorted to intimidation, striking me on the head when I failed to provide satisfactory answers. I endured slaps, kicks, and threats directed at my family at home. The officers then forced me into a sitting position, and if I appeared fatigued, they would kick my legs and calves. They activated the air conditioning to an uncomfortably low temperature. Following this, I was taken to a tub where I was submerged in foul-smelling water up to my neck for approximately 2-3 hours, with dogs present in the vicinity. Subsequently, I was stripped of my clothing while the officers laughed. They applied powder to my entire body and then blindfolded me with a scarf. Afterwards, I was subjected to punches and three strikes to my Adam's apple, along with flicks to my genitals and numerous blows to my stomach. The officers inquired about my seriousness, to which I responded in denial, but they continued to force me into a</p>

					sitting position. I was coerced into confessing until I reached my limit. Eventually, I was allowed to return to my room and permitted to sleep.
18	DJ_09_2018	2018		2018-03-23	In 2017, I was apprehended and held for 14 days around the middle of the year. I faced allegations of planting a bomb at , setting fire to Ban School, and vandalizing a guard post at the Thursday market. Law enforcement officials surrounded my residence; however, Mr. [redacted] was not present at that time. The following day, Mr. [redacted] , accompanied by his brother-in-law, reported to the local Special Operations Command to meet with the officers. At 10:00 a.m., he underwent interrogation, during which his DNA was collected. Subsequently, the officers informed him that the interrogation was incomplete, leading to his transfer to Camp around 5:00 p.m., followed by his relocation to . On the third day of interrogation, between 7:00 p.m. and 3:00 a.m. the next morning, the officers claimed that someone had implicated him in a confession. Under duress, Mr. [redacted] admitted to providing shelter and sustenance to the suspect. When he retracted this statement, the officers ordered him to alternate between standing and sitting, subsequently forcing him to remove his clothing until he was completely naked. They then struck him from behind with a 15x50 centimeter object wrapped in cloth, causing him to be thrown off balance. The officers compelled him to lie face down and then face up, pouring water over him. They made him lie face down again, and one officer used a small, sharp instrument resembling a pen tip to poke him in the back more than ten times, eliciting jolts of pain with each

					<p>puncture. As I recounted this, Mr. [redacted] became emotionally overwhelmed, necessitating a pause in our conversation. The officer present in the examination room laughed during this ordeal and threatened him with the prospect of consuming feces and urine. He further intimidated Mr. [redacted] with threats of imprisonment and the demand to stand for two to three hours.</p>
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19	DJ_08_2018	2018		2018-07-22	<p>I was apprehended in early 2018 at approximately 3:00 AM. Law enforcement officials arrived at my residence and transported me to Camp. I reached the camp around 4:00 PM. That evening, at about 8:00 PM, the officers summoned me for questioning. Upon entering the interrogation room, I was asked about the incident involving the burning of a vehicle, my actions, and my whereabouts. However, during that night, I was subjected to physical abuse, including being kicked and slapped, and was subsequently returned to my cell at 1:00 AM. On the following day, the officers resumed their questioning after Maghrib at 7:00 PM, with 2 to 4 officers frequently entering and exiting the room. When I denied any involvement, they expressed disbelief and resorted to kicking and punching me, targeting my neck and stomach. They also intimidated me by placing a stick on the table and inquired about my brother, who had been previously detained, saying, "Where are you? Can you take me to see you? You mentioned you've been upset with me for a long time." They further threatened, "Your father is gravely ill now. If you comply, I will allow you to return home." On the fifth day of interrogation, in the morning, the officers called me back into the room and repeated their questions regarding the incident. I maintained my innocence, stating, "I didn't do it." The officers then forced me to stand on a chair with my arms outstretched while they kicked the chair legs. I managed to remain upright by leaning against the wall. Despite the pressure, I still refused to confess. Subsequently, the officers ordered me to remove my shirt and pants, leaving me in only my underwear, and turned on the air conditioning to an unbearable cold, which ultimately compelled me to confess. Following this, I was transferred to a police interrogation facility. During this session, the police coerced me, stating, "Admit everything, or I will return you to the</p>
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					<p>military camp." My responses, however, did not align with their expectations, resulting in an officer striking me in the stomach. I was then confined in solitary confinement within a dark room for seven days, which contained a bathroom and a bed.</p>
20	DJ_06_2018	2018		2018-01-28	<p>Officers came to detain me at my house at the end of 2017 at 3:00 PM, about 60 people, dressed in black as paramilitary, including both uniformed and plainclothes police, said that they were detaining me under martial law, and took me to Task Force [redacted], where my wife was also following, before sending me to Camp, Yala Province. The next day, there was an interrogation at 10:00 PM for 3 hours. During the interrogation, the officers slapped me in the face 4-5 times, kicked me in the back with high-heeled shoes 2-3 times, around the waist, and threatened to freeze me and arrest my wife. 3 officers made the threats and 1 officer did the assault. In the room, there was a 10x60</p>

					centimetre cream-coloured cardboard roll used to hit my back and face. The officers ordered me to do 10 push-ups, 10 sit-ups, and stand with my arms spread out for 30 minutes. If my arms fell, they would order me to spread them out again, and the officers ordered me to take off my clothes, leaving only my underwear, in front of 2-3 officers in the interrogation room.
21	DJ_05_2018	2018		23-2-2018	In early 2018, authorities searched Mr. 's residence and subsequently transported him to a police station located in Pattani Province. He was later transferred to the Camp in Pattani Province, under suspicion of being involved in a bombing incident. During his detention, military personnel subjected him to physical violence, resulting in visible injuries, including bruises, a pale complexion, and damaged teeth due to being struck. He was compelled to stand for three days and nights before being summoned for interrogation. During this process, his eyes were covered with a red scarf, and he was kicked in the abdomen. The interrogation was carried out by three officers: Sergeant , , and , who also participated in the physical assaults. They struck him in the stomach, causing him to collapse, and continued to punch him in the face, leading to the loss of his upper left front tooth, while instructing him to clean up his blood. As he lay on the ground, struggling to breathe, they ordered him to lie on his back and cover his face with another scarf, subsequently pouring water into his mouth, which further obstructed his breathing for an extended period. When they commanded him to rise, he was unable to do so. The officers then proceeded to step on his calves, thighs, buttocks, and ribs. One officer continued to physically assault him until he lost consciousness and fell, after which the officer removed his sarong and stepped on his buttocks, leaving visible marks. The officers doused him with water from a jug and repeatedly stepped on him,

					<p>resulting in itching and a wound measuring 10 × 15 cm on his buttocks and abdomen. Subsequently, they commanded him to stand; however, he was unable to do so due to his tense condition. Overwhelmed, he continued to cry, as standing was beyond his capability. The officers then placed a scarf around his neck and assisted him in rising, which obstructed his breathing. He subsequently lost consciousness and felt nothing. He regained awareness when the officers dripped water into his nostrils and when they flicked his testicles. For two days, he was unable to walk and was subjected to questioning until 4 p.m.</p>
22	DJ_03_2018	2018		2018-03-23	<p>At 04:00 on the first day of 2018, a contingent of approximately 20 officers arrived in four vehicles and surrounded a residence. Five officers entered the premises to search. Subsequently, Mr. [redacted] was taken to the Camp, under the jurisdiction of Task Force [Rdacted]. During his interrogation, the officers compelled him to remain standing for two days and two nights, resulting in severe sleep deprivation. Each evening, around 8 PM, the officers would return to question him. Upon his refusal to cooperate, 4 to 5 officers in civilian clothing blindfolded him with scarves and subjected him to physical assaults, including kicks to the chest and abdomen, knee strikes, blows to the neck and arms, and slaps to the face, lasting approximately one hour. The officers then forced him to undress in a cold, air-conditioned room, threatening that if he did not comply, they would remove his clothing for him. He was made to stand with his arms extended, and any sign of fatigue would result in further punishment to his arms. While blindfolded, he could hear laughter and felt rubber bands being flicked against his body and genitals for about 30 minutes. The officers also sprayed water on him to intensify the cold and threatened him with electric shock until around 11 PM, when</p>

					he was allowed to rest. Throughout the interrogation process, he endured slaps, punches to the abdomen, and approximately 20 kicks to his legs, in addition to more than 30 strikes to his knees. His eyes were covered with cloth, and water was poured over them to induce a chilling sensation for about two hours, continuing until 11 pm.
23	DJ_11_2019	2019		0000-00-00	Mr. [redacted] hails from Yala Province. In early 2019, while resting at his wife's residence, he was summoned at 3 a.m. and subsequently taken to Camp. There, he underwent interrogation during the night hours. The officers instructed him to hold a red plastic chair with both hands while squatting from 8:30 p.m. until 5:00 a.m. the following morning. If he felt fatigued and was unable to maintain his position, if he can not control this position then he was kicked and beaten. Throughout the night, he experienced significant discomfort. This ordeal continued for two nights until he ultimately collapsed from exhaustion, at which point the officers violently kicked and struck his left thigh. The following day, he was compelled to sit with his feet elevated and was struck multiple times with a wooden broom, causing him considerable pain. To this day, he bears a purple mark on the sole of his foot, and his ankle remains swollen, impairing his ability to walk normally.
24	DJ_10_2019	2019		2019-12-28	In early 2018, approximately 100 officers encircled 's residence at dawn and subsequently transported him to the Camp. During the interrogation process, he was compelled to remain standing for a continuous period of three days and nights, monitored by guards positioned outside. The interrogation room lacked windows. If he wished to pray, he must ask them, and if he desired to eat, he was permitted to do so for five minutes. During this time, he was struck on

				<p>the chest and forcibly knocked from his chair. On the night of the third day, the officers relocated him to a wooden building where he was confined within a 200-litre barrel. He was required to stand inside the barrel, which was filled with four large bags of ice and water. His arms were extended, and a small wire, connected to iron on both sides, was attached to the edge of the barrel and pulled outside the room. The officers informed him that the wire was electrified. He endured this position for three hours while wearing only a sarong, as his shirt was removed. Throughout the interrogation, five officers in military attire were present. After approximately three hours of questioning, [redacted] was removed from the barrel and placed in an air-conditioned room, despite being wet. The air conditioning was set to its lowest temperature, with one officer stationed inside the room and another outside. By 5 a.m., unable to withstand the conditions any longer, he confessed and was subsequently detained at the camp for a total of 35 days.</p>
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25	DJ_09_2019	2019		2019-12-25	<p>At 03:00 on the first day of 2018, a contingent of officers arrived in 30 vehicles, clad in black attire and armed with rifles and shields, alongside plainclothes personnel. They shouted from behind the residence while illuminating the area and conducting a search of the premises. Subsequently, [redacted] was transported to a military facility in Pattani Province, where he was confined in a cell featuring a bed measuring 1x2 meters, devoid of any bathroom facilities. To enter the cell, he was required to request permission from the officers. For a duration of two days, he was compelled to stand with his arms extended, only permitted to rest during prayer times. He was allowed to sit briefly while eating, under the watch of two guards. If he exhibited signs of fatigue, the officers would open the door and physically touch him. His questioning commenced at 2:00 AM on the first day, during which he endured three kicks to the right sternum, a punch to the chest, and two slaps to the face, causing him to lose consciousness. The air conditioning in the room was set to a chilling 3 meters. When he struggled to respond to the officers' inquiries, he was returned to his cell. At 3:00 AM, he was not permitted to lie down and was forced to remain standing. On the fifth day of interrogation, the officers summoned him to the interrogation room at midnight. Upon his refusal, they resorted to physical aggression, striking him, placing a black bag over his head, and threatening him with similar treatment as that inflicted upon the Rohingya. They asserted that he had no recourse against their actions, as they were acting under government authority. At times, he experienced suffocation, feeling as though he could not breathe. When he sensed he was losing the ability to breathe, he would release the bag only for it to be reapplied. There were approximately four to five officers present, who were prepare a place for torture at Task Force . Beneath a tree, they had excavated a two-meter-deep tub, which was</p>
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26	DJ_03_2019	2019		<p>2019-01-21</p> <p>In the early hours of 2018, approximately 60 military personnel, including paramilitary and various other units, encircled the residence of , a 45-year-old individual from Yala Province, around 3:00 AM. Subsequently, the officers transported him to a military facility in Pattani Province. During this process, was subjected to physical violence, being kicked and kneed in the abdomen. In an attempt to shield himself, he covered his eyes with a scarf. Two officers</p>

				<p>restrained from behind while delivering multiple kicks that ultimately rendered him unconscious. Following this, they filled an orange bucket with ice and compelled to remove all his clothing except for his underwear. His eyes were covered, and he was made to sit in the icy water for approximately 40 to 45 minutes, resulting in a numbing sensation throughout his body, although he retained some ability to move. Four officers were involved in the assault. Around 10:00 PM, while being kned, pleaded for the officers to cease their actions, but they intensified their assault. They then forced a cloth into his mouth and administered water through a bottle into his nostrils, leading to a state of suffocation that compelled him to confess. The physical abuse resulted in bruising on 's abdomen, measuring about 6 centimetres in width. After procuring medical supplies, the officers mandated that remain standing for a duration of two days and two nights, prohibiting him from sitting at any point.</p>
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27	DJ_05_2020	2020		2020-07-06	<p>In mid-2019, paramilitary transported [redacted] to his wife's residence in Pattani Province, before transferring him to Task Force in Pattani province, where approximately 100 officers were present. Subsequently, he was sent to Camp. On the third day, at 3 a.m., officers awakened him and escorted him to an undisclosed location, obscured by darkness. There was a cylindrical tank filled with water situated behind the shelter. The officers instructed him to remove all his clothing and to lie on the floor, which was covered with an unfamiliar material, while binding his hands and feet. He was blindfolded and had a cloth covering his face. Four officers were present; three restrained him by sitting on his shins, thighs, and chest, while another held his head to prevent movement and posed questions. Initially, resisted answering for several hours, refusing to confess. However, when he continued to deny the allegations, the officers began to pour water over his face, obstructing his ability to breathe for extended periods. This process was repeated, with the officers increasing the amount of water when he continued to refuse. For one hour, endured this treatment, during which the water had an unusual odor, causing him to choke. The cloth covering his face and eyes was distinct from that covering his mouth. When the cloth over his mouth was removed, he remained silent, prompting the officers to cover his face again and pour water over it. Upon indicating to the officer that he was willing to speak, the officer ceased the water torture and struck him in the chest. When commanded to stand, [redacted] was unable to do so and fell back to the ground. The officer then delivered two to three punches to his chest, threatening that if he did not confess, his entire family, including siblings and parents, would be taken.</p>
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28	DJ_03_2020	2020		2020-07-03	<p>At approximately 8:00 PM in late 2017, law enforcement officers arrived at my residence to escort me for interrogation at a military facility in Narathiwat Province. During the interrogation process, I was struck once in the face. While seated on a chair, I was restrained by four individuals behind me, two on the side, and one conducting the interrogation. When I expressed my refusal to comply, the officers resorted to physical violence, including punches, kicks, and slaps, causing the chair to shift. They instructed me to remain silent. When two officers approached, I inquired, "How can I remain still?" They did not respond. Subsequently, I was compelled to stand with my arms extended in the open field for three hours, a practice that continued for approximately three days. On the second day, the officers confined me to a cold room with the air conditioning running, dressed only in pants, for about three hours. This treatment was repeated at midnight. During the interrogation, I was threatened at gunpoint from behind, with the weapon drawn, and warned that failure to comply would result in being shot. At that moment, we were positioned with our backs to them, separated by a distance of 1-2 meters. They also issued threats concerning my family, coercing me into making a confession by stating that they would detain my family members, including my parents, and inflict harm upon me with a blunt object.</p>
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