

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2021/09/16/thailand-outlaw-torture-enforced-disappearances>

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Parliament Begins to Deliberate Long-Awaited Law

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(Bangkok) The [Thai](#) government and parliament should promptly act to pass a law that fulfills previous pledges to make torture and enforced disappearance criminal offenses in Thailand, Human Rights Watch said today. On September 16, 2021, the parliament unanimously approved the first reading of the Prevention and Suppression of Torture and Enforced Disappearance Bill.

The Thai parliament took a major step toward outlawing torture and enforced disappearance, but they need to see this through to the finish line by ensuring that the law adopted meets international standards, said [Brad Adams](#), Asia director at Human Rights Watch. The victims of abuses and their families should have confidence that the government will do everything it can to ensure such practices are ended and those responsible are brought to justice.

During the United Nations Human Rights Council's Universal Periodic Review (UPR) in 2016, the Thai government [pledged](#) to take steps to ratify the convention on enforced disappearances, but did not do so. It is critical for the parliament to pass this legislation and for the government to fully enforce it, and not just to invoke a draft law for public relations purposes during Thailand's next appearance before the UPR in November, Human Rights Watch said.

Torture and enforced disappearance have long been problems in Thailand. Most of the reported cases have not been resolved, and hardly anyone has been punished. Thailand has international obligations to outlaw these heinous practices. It is a state party to the [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#). Thailand has also signed, but not yet ratified, the [International Convention for the Protection of All Persons from Enforced Disappearance](#) and should immediately act to ratify that convention.

Human Rights Watch has documented [numerous cases related to counterinsurgency operations in Thailand's southern border provinces](#), in which police and military personnel tortured ethnic Malay Muslims in custody. There are also credible reports of torture being used as a form of [punishment of military conscripts](#), which has resulted in some deaths. During the five years of military rule after the May 2014 coup, many people taken into incommunicado military custody have alleged being [tortured or otherwise ill-treated while being detained and interrogated by soldiers](#).

In addition, police and military units have often carried out anti-drug operations without effective safeguards against torture and other abuses. Most recently in August, police officers [tortured to death](#) a suspected drug trafficker in Nakhon Sawan province.

International law defines enforced disappearance as the detention of a person by state officials and a refusal to acknowledge the detention or to reveal the person's fate or whereabouts. Since 1980, the UN Working Group on Enforced or Involuntary Disappearances has [recorded 82 cases](#) of enforced disappearance in Thailand, including the prominent Muslim lawyer [Somchai Neelapaijit](#) in March 2004. The actual number could be higher, as some families of victims and witnesses remain silent, fearing reprisals if they speak. In recent years, at least nine dissidents who fled persecution in Thailand have been [forcibly disappeared in neighboring countries](#).

The government and parliament should now urgently work together to make sure that this much-awaited law is drafted in line with international standards and adopted as soon as possible, Adams said. For families waiting for answers for years about their missing loved ones, and those permanently scarred by their experiences of torture, every day without a law is one day too many.

Criminalization of Peaceful Expression in Thailand

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