

Thailand: One year on, still no statute of limitations reform in Tak Bai massacre case

Tomorrow, 25 October 2025, marks one year since the [statute of limitations expired](#) in the Tak Bai massacre case, effectively closing the door to any further criminal prosecution in Thailand and allowing the perpetrators to get off scot-free. Yet, the Thai authorities have failed to take any meaningful steps to prevent recurrence of such violations and to close the legal gaps that enable impunity.

“Lessons from the Tak Bai tragedy led to repeated recommendations by international and domestic bodies to amend Thailand’s law on the statute of limitations to prevent recurrence. Yet, one year later, little, if anything, has been done,” said Sanhawan Srisod, ICJ Senior Legal Adviser.

“We reiterate our call on the Thai authorities to amend the Criminal Code without delay to ensure that the statute of limitations does not contribute to or foster impunity, and that alleged perpetrators be brought to justice in proceedings that guarantee their right to a fair trial.”

The Tak Bai massacre took place on 25 October 2004 when more than 1,500 protesters gathered at the Tak Bai police station in Narathiwat province, in the South of the country, to demand the release from detention of six village defence volunteers. Security forces opened fire against the crowd with live ammunition, killing seven protesters on the spot. Over 1,300 people were then detained and transported approximately 150 kilometres, stacked inhumanely on top of one another in army trucks with their hands tied behind their backs. By the time the trucks were unloaded several hours later, 78 people had [suffocated to death](#) and more than 30 had been injured.

Despite the gravity of the massacre, the Thai authorities failed to bring any perpetrators to justice before the 20-year statute of limitations expired on 25 October 2024.

Following its 2024 review of Thailand’s compliance with the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the [UN Committee Against Torture](#) expressed concern over the expiry of the statute of limitations for the Tak Bai incident and requested that Thailand provide information by 22 November 2025 on measures taken to ensure that crimes of torture and enforced disappearance are not subject to any statute of limitations, in order to prevent impunity for such crimes.

“To our knowledge, the Thai Government has maintained that the statute of limitations law will not be amended, and in the past year we have seen no significant effort by the relevant authorities to revise the law in response to the Committee’s recommendations,” Srisod added.

Although the Ministry of Justice held a dialogue with officials, civil society and victims in September 2025 to gather input, it appears that the concerns of civil society and victims in support of law reform have been disregarded.

Thus far, only the Thai Parliament has made a concrete effort following the Tak Bai incident by establishing a subcommittee reporting to the Parliamentary Committee on Legal Affairs, Justice and Human Rights of Thailand’s House of Representatives, the aptly named “[Parliamentary Subcommittee](#) on the Study of the Impact of the Tak Bai Crackdown Case, in which the Statute of Limitations Has Expired, to Explore Solutions to the Unrest in the Southern Border Provinces and Restore the Legitimacy of the State”.

In its study concluded in October 2025, the subcommittee recommended amending the Criminal Code to include a definition of “serious crimes”, which, consistent with international law and standards, are imprescriptible because of their grave nature. It also proposed amending the Code so that the statute of limitations would not begin to run until a suspect is brought before the justice system. However, aside from the study’s completion, there has so far been no concrete or official commitment by the Government or other parliamentary bodies to implement these recommendations.

Background

Efforts to pursue justice in the Tak Bai case have been long and arduous. The criminal proceedings moved slowly and were largely driven by survivors and relatives of the victims — with key developments occurring only months before the statute of limitations eventually expired.

In April 2024, 48 victims and families of those killed brought the case directly to court. This led to a [landmark ruling](#) on 23 August 2024, when the Narathiwat Provincial Court found sufficient evidence to prosecute seven former high-ranking military, police and administrative officials for their roles in the crowd-control operation, the transport of detainees, and the resulting deaths of 85 people.

Subsequently, on 18 September 2024, the Office of the Attorney General ordered the prosecution of eight additional suspects, including vehicle controllers and drivers involved in transporting the detainees. They were charged with the intentional killing of 78 people who suffocated in the trucks. One of these eight was the same senior military officer already identified by the court, bringing the total number of accused to 14.

Arrest warrants were issued for all suspects. However, under Thai law, criminal proceedings only suspend the statute of limitations once an alleged perpetrator is physically brought before the court. In this case, none was, and the 20-year limitation period thus [expired on 25 October 2024](#), closing the last legal avenue for criminal accountability.

In line with, among otherse, [General Comment No. 3](#) of the UN Committee against Torture and numerous Concluding Observations, there should be no statute of limitations for crimes of torture. The UN Human Rights Committee, in its [General Comment No. 31](#), has also authoritatively held that States Parties must ensure that those responsible for acts of torture, as well as summary or arbitrary killings, be brought to justice.

The [UN Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity \(2005\)](#) further requires States, including Thailand, to adopt and enforce safeguards against any misuse of legal rules, such as statutes of limitations, that contribute to or foster impunity.

Further reading

[Thailand: As statute of limitations expires in Tak Bai massacre, justice remains elusive](#)

[Thailand: A historic step towards justice in the Tak Bai incident](#)

[Thailand: court delivers disappointing post-mortem inquest findings in Tak Bai incident](#)

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