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Freedom Bridge

Thai Lawyers for Human Rights (TLHR)

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Introduction

1. During Thailand's third UPR cycle, the rights to freedom of expression and peaceful assembly remained heavily restricted, marked by political prosecutions under overly broad criminal laws, arbitrary detention, fair trial violations, and structural barriers to civic participation.
2. Thailand continued and intensified a broader trend of criminalizing political expression. From March 2022 to March 2026, at least 208 individuals—14 of whom were children—were charged in connection with political expression. Authorities consistently relied on a range of legal provisions, most notably Article 112 of the Criminal Code (*lèse-majesté*), to target peaceful speech both offline and online.
3. As of 25 March 2026, at least 62 individuals were detained in prisons in connection with their political expression. Of these, 33 were convicted in cases that had concluded, while 28 remained detained pending trials or appeals.¹

Violations of freedom of expression and peaceful assembly

4. In its third UPR, Thailand received 44 recommendations addressing freedom of expression and peaceful assembly. Although it supported half of these, the environment remained deeply restrictive, as the exercise of the rights to freedom of expression and freedom of peaceful assembly continued to be criminalized through the use of draconian laws.
5. Such laws included: Article 112 (*lèse-majesté*), Article 110 (violence against the Queen's liberty); Article 116 (sedition), Article 326 (defamation), and Article 328 (libel) of the Criminal Code; the Computer Crimes Act (2007); the Emergency Decree on Public Administration in Emergency Situation 48 (2005) (Emergency Decree); and the Public Assembly Act (2015).

Article 112 of the Criminal Code (*lèse-majesté*)

6. Between March 2022 and March 2026, at least 118 individuals were charged under Article 112, and at least 34 of them remained imprisoned as of March 2026.² Out of the 34 detainees, 15 individuals were detained while awaiting trial or appealing their convictions.
7. In the third UPR, Thailand received 12 recommendations relating to Article 112, calling for its amendment, revision, or repeal. All 12 recommendations were not accepted. Between March 2022 and March 2026, the conviction rate stood at approximately 83% (253 judgments with 210 convictions).
8. During Thailand's third UPR, the government continued to apply Article 112 to criminalize a wide range of peaceful expression. Below are some notable examples of this trend.
9. Human rights lawyer Arnon Nampa accumulated a prison term of more than 30 years as a result of 11 *lèse-majesté* convictions for speeches and online posts that called for monarchy reform,³

questioned the monarchy's budget,⁴ and critiquing Article 112 itself. As of March 2026, three additional *lèse-majesté* cases remained pending.⁵

10. Activist Tawan Tuatulanon faced two Article 112 cases stemming from a February 2022 public opinion poll on royal motorcades and a March 2022 Facebook livestream along a royal motorcade route in Bangkok. In May 2022, she was indicted in both cases, which remained pending as of March 2026.⁶
11. Youth activist Sainam (full name withheld) faced three Article 112 prosecutions. In July 2023, he received a 12-month suspended sentence for wearing a crop top with political writing on his body at a satirical fashion show in October 2020 at age 16.⁷ In March 2023, he was acquitted of *lèse-majesté* but fined under the Emergency Decree for spray-painting a royal portrait, posting "Repeal Article 112," and setting fire to decorative cloth around the portrait at age 17 in July 2021.⁸ A third case, for raising a three-finger salute in 2023, remained pending as of March 2026.⁹
12. In February 2026, activist Pimsiri Petchnamrob was sentenced to two years and eight months in prison for a speech in November 2020 in which she cited a UN human rights expert's opinion on Article 112.¹⁰
13. Under Article 112, peaceful political expression can result in decades-long prison terms, as this provision is applied cumulatively—each alleged post or statement carrying a separate sentence. For example, in December 2025, the Supreme Court upheld a record-breaking 46-year prison sentence for Mongkhon Thirakot under Article 112 for sharing 23 Facebook posts, imposing two years per post. The posts included clips of TV shows *Last Week Tonight with John Oliver* and *American Dad!* and a BBC documentary about the Thai monarchy.¹¹
14. Article 112 is a national security offense that does not leave space for "good-faith criticism." Any individual can file a complaint under Article 112 against others.¹² Between March 2022 and March 2026, private complainants—including individual citizens and ultraroyalist groups monitoring activists at protests and online—initiated 82 out of 135 cases (60.7%).¹³

Article 110 of the Criminal Code (violence against the Queen's liberty)

15. Article 110 of the Criminal Code was used to impose disproportionately severe penalties for non-violent acts.¹⁴
16. On 5 September 2025, the Court of Appeals overturned the acquittal of five pro-democracy activists, sentencing one of them to 21 years in prison and the other four to 16 years in prison for raising three fingers and shouting as police dispersed the crowd while a royal motorcade carrying the Thai Queen was passing during a peaceful protest in October 2020.¹⁵

Article 116 of the Criminal Code (sedition)

17. Article 116 was frequently used to investigate and prosecute individuals for their exercise of the

rights to freedom of expression and freedom of peaceful assembly.¹⁶

18. Between March 2022 and March 2026, at least 40 individuals in 20 cases were charged under Article 116 of the Criminal Code in connection with political speech and protest activities.¹⁷
19. In March 2023, an activist received a three-year suspended sentence for sedition after launching a *Change.org* campaign asking the public to vote on whether Thailand should hold a referendum on the King's role as head of state.¹⁸
20. Article 116 was also applied to protest organizers for the exercise of the right to freedom of expression in relation to the right to freedom of peaceful assembly. For example, in November 2023, activist Katanyu Muankhamrueang was sentenced to two years in prison under Article 116 and the Computer Crimes Act for posting demonstration invitations online in August 2021.¹⁹

Articles 326 (defamation) and 328 (libel) of the Criminal Code

21. Articles 326 and 328 of the Criminal Code criminalize defamation, creating a legal environment that can chill freedom of expression for anyone who publicly criticizes public figures or government institutions.²⁰
22. In its third UPR, Thailand did not accept three recommendations that called for the review, amendment, and/or repeal of Articles 326 and 328 as well as for an end of their use to restrict free expression. Thailand supported one recommendation to enact legal protection against strategic lawsuits against public participation (SLAPPs).²¹ Nevertheless, these provisions continued to be applied, including in cases involving speech on public-interest matters or concerning public officials.²²
23. In January 2026, then-Interim Deputy Prime Minister Thammanat Prompao claimed he had filed at least 600 criminal defamation complaints targeting individuals for online criticism of himself.²³ These individuals were often charged under Article 328 and/or the Computer Crimes Act in Thammanat's native Phayao Province, as Thai law allows complainants to file cases where online content is accessed, enabling proceedings in distant jurisdictions and requiring defendants to travel long distances to respond to the charges [See below, *Remote complaints*].²⁴
24. Between April 2021 and August 2025, Thai company Gulf Energy Development filed criminal cases under Articles 326 and 328 against numerous individuals, including politicians and academics, for Facebook posts and parliamentary speeches alleging that the company obtained government energy contracts through political connections and non-transparent bidding.²⁵
25. Criminal defamation was also weaponized transnationally. In September 2025, Australian journalist Murray Hunter was arrested under Article 328 for publishing Substack articles criticizing Malaysian Communications and Multimedia Commission (MCMC), following a complaint filed by an MCMC representative in Thailand.²⁶ In February 2026, the case was settled after the MCMC representative withdrew the complaint.²⁷

Computer Crimes Act

26. The Computer Crimes Act was often used in conjunction with other laws to prosecute online content both on national security grounds—such as *lèse-majesté* and sedition—as well as criminal defamation.²⁸ In its third UPR, Thailand did not accept four recommendations that called for it to review, amend, or repeal the Computer Crimes Act and end its use in ways that infringe on free expression.
27. Between March 2022 and March 2026, at least 104 individuals in 110 cases were charged under the Computer Crimes Act, often in connection with political speech.²⁹
28. Online expression related to the Thai monarchy was frequently prosecuted under Articles 112 and 116 of the Criminal Code in conjunction with Article 14 of the Computer Crimes Act.³⁰ In fact, 55.4% (103 out of 186) of all documented Article 112 cases between March 2022 and March 2026 were prosecuted in conjunction with the Computer Crimes Act.
29. For example, in February 2024, a 24-year-old mother was sentenced to two years in prison under Article 112 and the Computer Crimes Act for posting a Facebook comment under an edited image of King Rama VIII and King Rama IX.³¹
30. In April 2025, US academic Paul Chambers was charged under Article 112 and the Computer Crimes Act in connection with the publication by a Singapore-based academic institution of a promotional text for an online webinar discussing the Thai King's authority over military reshuffles, despite him not being the author of the promotional text.³²

Emergency Decree

31. The Emergency Decree granted broad executive powers to restrict assemblies, control communications, and impose criminal penalties and was used in an overly broad manner.³³ In Thailand's third UPR, one recommendation to review and revise the Emergency Decree was not accepted by the Thai government.
32. The Emergency Decree was invoked in March 2020 as a public health measure in response to the COVID-19 pandemic and was repeatedly extended until 30 September 2022.³⁴ From March 2022 to March 2026, the Emergency Decree was used to charge at least 22 individuals in 55 protest-related cases.³⁵
33. The Emergency Decree was applied in ways that raised serious concerns about proportionality and impact. For instance, in July 2023, a 12-year-old boy was convicted under the Emergency Decree for riding his bicycle near a protest area in Bangkok while on his way home, despite not participating in the demonstration.³⁶

34. Even when cases ended without convictions—including at least 23 non-prosecution orders and 28 acquittals—prosecutions chilled expression, causing fear, exhaustion, and burdens that deterred people from exercising their right to peaceful assembly.³⁷
35. Although the Emergency Decree was lifted in September 2022 following the relaxation of COVID-19 measures, new charges continued to be filed under it against individuals for protest-related activities that occurred while the Emergency Decree was enforced.³⁸ For example, in December 2025, activist Attapon Buapat and five others were indicted for their participation in a peaceful assembly on 30 July 2021 in Roi-et Province—more than four years after the protest had taken place.³⁹

Public Assembly Act

36. The Public Assembly Act unduly restricts the right to peaceful assembly, particularly by invoking vague limitations, such as the protection of “good moral” (Article 19) or the duty of participants not to cause “unreasonable inconvenience” (Article 16). Authorities enforced these limitations at multiple stages—when assessing notifications, setting conditions, and dispersing assemblies—giving them wide discretion over what was permissible.⁴⁰
37. Combined with the Public Assembly Act’s broad structural provisions—including its definition of “public assembly” (Article 4), the prior notification requirement (Article 10), and the prohibition to hold assemblies within 150 meters from royal residences and other sites (Article 7)—this discretion enables arbitrary enforcement that is inconsistent with international human rights law.
38. Between March 2022 and March 2026, at least 95 individuals in 37 cases were charged under the Public Assembly Act, primarily in connection with peaceful demonstrations.⁴¹ Individuals faced charges for symbolic and non-violent expression, including peaceful demonstrations and artistic performances at public sites, while non-political gatherings proceeded without consequences.⁴²

For example, in February 2024, eight organizers of the 14 December 2019 “flash mob,” who staged a brief, peaceful protest, received suspended prison sentences and fines for procedural violations under the Public Assembly Act.⁴³

In February 2025, five activists were charged under both the Public Assembly Act and Article 112 of the Criminal Code for allegedly assembling within 150 meters of the Grand Palace in Bangkok while riding motorcycles with flags calling for the repeal of Article 112.⁴⁴

Remote complaints

39. Remote complaints refer to the practice of initiating criminal proceedings in locations far from the domicile of the accused or without any meaningful connection with the alleged conduct. This practice expanded significantly during Thailand’s third UPR cycle, particularly to target individuals

charged under, *inter alia*, Articles 112, 116, 326, and 328 of the Criminal Code and the Computer Crimes Act.⁴⁵

40. This practice is enabled by jurisdictional provisions in the Criminal Procedure Code, which allow cases to be filed in multiple locations, including where content is “read” or “viewed,” creating an environment that facilitates “forum shopping.”⁴⁶ Complainants can initiate cases wherever the content is accessed and pursue multiple cases against the same individual across different jurisdictions simultaneously.
41. In one instance, a Bangkok resident faced multiple Article 112 complaints in both Yala Province and Chiang Mai Province – some 1,800 kilometers apart – for Facebook posts about Thailand’s King.⁴⁷
42. In some instances, accused individuals—often arrested because summonses went undelivered—were transported to distant provinces before meeting counsel, preventing them from having meaningful legal consultation prior to acknowledging the charges.⁴⁸

Criminalization of children exercising their rights to freedom of expression and peaceful assembly

43. The impact of the above-referenced laws extended to children, many of whom led the pro-democracy protest movement in 2020-2021, in breach of Thailand’s obligations under the Convention on the Rights of the Child (CRC), to which Thailand is a state party. Between March 2022 to March 2026, at least 12 children were charged and/or prosecuted under various repressive laws, with the youngest child being 12 years old.⁴⁹
44. In its third UPR, Thailand did not accept four recommendations relating to the prosecution of children and their exposure to arbitrary detention, including in *lèse-majesté* cases.
45. Between March 2022 to March 2026, at least six children were charged under Article 112, with at least four convicted and sentenced to suspended prison terms or attendance at a Juvenile Practice and Training Center. The youngest child prosecuted under Article 112 was 14 years old, and at least four children’s cases remained ongoing as of March 2026, with proceedings still at various stages.
46. Article 37 of the CRC states that the arrest, detention, or imprisonment of a child must conform with the law and be a measure of last resort. Thai law reflects this principle, treating detention as a last resort and requiring that arrests respect a child’s human dignity. Nonetheless, some children who participated in pro-democracy demonstrations were arrested harshly and detained, and subjected to excessive force, including indiscriminate use of tear gas, rubber bullets, and cable ties.⁵⁰
47. In March 2023, authorities used excessive force to arrest a 15-year-old girl while she was observing the arrest of another pro-democracy activist. Later, authorities charged her with *lèse-*

majesté for participating in a separate pro-democracy event in Bangkok in October 2022. The Juvenile Court ordered her detention the following morning for 30 days on the grounds that her conduct constituted a “serious danger to others” or that she may flee. The Court then extended her detention twice in April 2023 and again in May 2023, before releasing her on 18 May 2023 after 51 days of detention.⁵¹

48. Despite documented abuse and repeated failures to uphold legal safeguards for children,⁵² there was not a single case in which the court found that the arrest had been carried out unlawfully.

Child-unfriendly justice system

49. The Thai juvenile justice system allows children who have committed criminal offenses to enter “special measures” instead of prosecution, whereby the court imposes a rehabilitation plan in place of formal criminal proceedings. However, only children who show “remorse” are eligible, and guidelines issued by the President of the Central Juvenile and Family Court explicitly treat refusal to plead guilty as evidence of lacking remorse, leading judges to pressure children to plead guilty.⁵³ For instance, during a *lèse-majesté* hearing, a youth activist was repeatedly approached by judges and prosecutors throughout the day, urging them to plead guilty and warning of the impact on their family if they did not accept special measures.⁵⁴
50. Conditioning diversion on a child’s guilty plea constitutes indirect coercion, undermining the presumption of innocence and the right against self-incrimination under Articles 14 of the ICCPR and 40 of the CRC. In Thailand, if a child fails to comply with a rehabilitation plan under special measures, prosecution may resume and their confession may be used against them. The law also does not prohibit prosecutors from using information disclosed during the rehabilitation planning process where a plan is successfully formulated.
51. Some diversionary measures are also not in the child’s best interests. One child charged under Article 112 recounted being required, along with 20 others, to prostrate before their parents while sad music played, and his refusal to comply was recorded in his behavioral report.⁵⁵

Amnesty Bill excludes *lèse-majesté* offenses

52. Widespread prosecutions of peaceful protesters led to proposed amnesty legislation covering cases since the 19 September 2006 *coup d’état* and encompassing the 2020-2021 pro-democracy protests.⁵⁶
53. In July 2025, five bills were introduced in Parliament, with the Promoting Peaceful Society Bill emerging as the main draft. It proposed amnesty for offenses under Articles 116, 326, and 328 of the Criminal Code, the Emergency Decree, the Computer Crimes Act, and the Public Assembly Act, but also extended amnesty to government officials accused of unlawful conduct in dispersing protesters, raising concerns of impunity and undermined accountability.⁵⁷
54. The Bill notably excluded offenses under Articles 110 and 112 of the Criminal Code—which

together accounted for nearly 25% of all cases related to political expression and peaceful assembly—leaving many political prisoners and defendants ineligible for amnesty.⁵⁸

55. Although the Bill completed the parliamentary committee stage, the dissolution of Parliament in December 2025 caused it to lapse. Under Thailand’s 2017 Constitution, the new Cabinet may request reinstatement within 60 days, otherwise the bill must be reintroduced.

Arbitrary pre-trial detention and bail denial

56. In its third UPR, Thailand noted four recommendations addressing the issue of arbitrary detention.
57. While the 2017 Constitution protects individuals against arbitrary detention, including by guaranteeing the right to the presumption of innocence⁵⁹ and the right to liberty,⁶⁰ courts systematically denied bail to individuals charged with political offenses, in violation of Thailand’s obligation under Article 9(3) of the ICCPR.⁶¹ This practice intensified during Thailand’s third UPR cycle.
58. Under the 2022 Regulation of the President of the Supreme Court, Thai courts are empowered to use their judgment in granting provisional release, allowing them to weigh actual risks—such as flight, harm, or property damage—rather than automatically ordering detention.⁶² This discretion is reinforced by Article 108/1 of Thailand’s Criminal Procedure Code, which requires that decisions be based on specific facts rather than generalized considerations. However, courts rarely exercised this discretion to assess the specific circumstances and evidence for each case, instead opting to deny bail using generalized factors such as the “seriousness of the charges,”⁶³ in violation of Article 9(3) of the ICCPR as affirmed in General Comment No. 35.⁶⁴
59. TLHR monitored 183 bail applications and appeals submitted in 2024, and 235 applications in 2025 at all levels of courts (courts of first instance, appellate courts, and the Supreme Court). All these bail applications and appeals involved political prisoners. The courts granted 15 bail applications (resulting in the releases of 14 individuals) in 2024 and 21 bail applications (resulting in the releases of 16 individuals) in 2025, which translated in bail denial rates exceeding 90% in both 2024 and 2025,⁶⁵ and contributed to a 41% increase in the political prisoner population—from 39 at the end of 2024 to 55 individuals by the end of 2025.
60. TLHR submitted detailed evidence demonstrating defendants’ strong community ties, the surrender of passports, fixed residence, and absence of flight risk, yet courts routinely rejected such submissions without addressing the specific facts. For instance, as of March 2026, Arnon Nampa’s 149 bail requests and appeals had all been rejected since his detention in September 2023, with the court consistently citing that he might flee, without offering any evidence. In another case, law student Aukit Santiprasitkul, who was sentenced in February 2024 to nine years and six months in prison under Article 112, had at least 10 bail requests denied despite repeatedly citing the need to sit his final exams to graduate and was still detained as of March 2026.⁶⁶

61. Even when bail was granted, it was often subjected to restrictive conditions that interfered with the exercise of fundamental freedoms, such as bans on the participation in activities deemed to “tarnish the monarchy” and public assemblies,⁶⁷ and the imposition of curfews.⁶⁸ In several cases, bail was revoked after defendants engaged in political activities.⁶⁹

Political prisoners

62. As of 31 March 2026, 62 political prisoners remained detained in Thailand for their political expression. Of these, 30 were held in prolonged pre-trial detention.
63. Political prisoners were held in severely overcrowded facilities and subjected to the same substandard healthcare, inadequate sanitation, and excessive use of restraints as the general prison population.⁷⁰ Based on TLHR’s data, between March 2022 and March 2026, at least 21 political prisoners resorted to hunger strikes to protest their unjust imprisonment and to call for the release of all political prisoners.
64. In May 2024, activist Netiporn Sanesangkhom died while she was held in pre-trial detention following the revocation of her bail in a *lèse-majesté* case. She had been on a hunger strike for 65 days to demand for, *inter alia*, the reform of the justice system.⁷¹ Her death resulted from the failure of prison authorities to provide timely and adequate medical care. As of March 2026, the inquest was repeatedly delayed, and no officials had been held accountable for her death.⁷²
65. Several political prisoners who already had pre-existing mental health conditions, including depression and bipolar disorder, saw their condition worsen in detention. In September 2024, one political prisoner was initially prevented by prison officers from receiving prescribed anti-depressant from outside, despite prior approval from the Department of Corrections Hospital, and, as a result, did not receive a complete cycle of medication.⁷³ Mental healthcare in prisons was largely limited to the prescription of sedatives and practically accessible only for inmates with severe or obvious symptoms, leaving those with mild or moderate conditions untreated.⁷⁴
66. Some political prisoners who received psychiatric medication were not informed about the name, purpose, or effects of the medication before it was administered.⁷⁵ Furthermore, medication prescribed to manage the side effects of psychiatric medication was withheld on the grounds that prisoners might sell it as a substance of misuse.
67. Political prisoners in some prisons faced an additional barrier to legal assistance. Some prisons refused or restricted visits from lawyers on the grounds that, once their case was concluded, there was no further need for legal consultation.⁷⁶ In some cases, lawyers were redirected to visit as “family members,” which was subjected to time limits of 15-30 minutes in a non-confidential family visiting room. This practice is inconsistent with Rule 61 of the UN Standard Minimum Rules for the Treatment of Prisoners, which requires that prisoners be given adequate opportunity, time and facilities to be visited and to consult with a lawyer.

Indiscriminate use of instruments of restraint

68. Ankle shackles were routinely used on political prisoners - including those held in pre-trial detention - during transport and court appearances. For instance, imprisoned human rights lawyer Arnon Nampa was forced to wear ankle shackles during his sentencing hearings and while representing clients as a lawyer.⁷⁷
69. The routine use of restraints, particularly ankle shackles, on prisoners during court proceedings constituted cruel, inhuman, or degrading treatment, in violation of Articles 7 and 16 of the Convention against and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), to which Thailand is a state party, as it was not necessary, proportionate, or individually assessed.
70. Thailand's indiscriminate use of restraints on political prisoners, combined with the law granting the Director of the Department of Corrections broad discretion to order them whenever deemed "necessary,"⁷⁸ violated CAT provisions and was inconsistent with the UN Standard Minimum Rules for the Treatment of Prisoners, which permit the application of restraints only to prevent escape or harm to self, others, or property.⁷⁹
71. Unjustified use of ankle shackles in court also undermined the presumption of innocence and fair trial rights under Article 14 of the ICCPR. Shackling unnecessarily stigmatized the accused as dangerous or guilty, a concern reinforced by the UN Human Rights Committee in General Comment No. 32, which states that defendants should not be restrained in ways that suggest criminality.
72. In July 2025, the Criminal Court dismissed Mr. Arnon's petition to end the use of shackles. While acknowledging that shackling can affect a person's dignity and psychological well-being, the Court held that the practice complied with Article 21 of the Penitentiary Act (last amended in 2017) and did not constitute a violation of the Prevention and Suppression of Torture and Enforced Disappearance Act (2022).⁸⁰

Erosion of judicial independence and impartiality and fair trial rights

Risk of undue influence over judicial decisions

73. International human rights standards require that judges carry out their duties free from interference, undue pressure, or influence. However, Thai law and regulations permit senior judges to review draft judgments and orders before they are finalized, allowing the senior judges to offer contrasting opinions to lower-ranked judges.⁸¹ While these opinions are not legally binding, they can unduly influence judicial decisions, raising questions about whether judges decide on their own or follow what is expected of them.⁸²
74. In particular, pursuant to a regulation issued by the President of the Supreme Court in 2019, sitting judges are required to report⁸³ and submit the case file,⁸⁴ as well as draft judgments and orders related to certain cases, to chief justices for supervisory review, unless the chief justices order otherwise.⁸⁵

75. This influence was particularly evident in decisions on bail requests, trial postponements, and subpoenas. For instance, numerous bail orders in Article 112 cases—both granting and denying release—explicitly stated that the decision had been reviewed by court executives prior to issuance. Judges also often cited their superior judges when denying lawyer’s requests to postpone the trial.
76. Similar concerns arose at the prosecutorial level. In 2022, the Attorney General issued a guideline requiring provincial and trial-level prosecutors handling Article 112 cases to report investigation files, written opinions, high court judgments, and petitions for justice to the Office of the Attorney General before issuing any orders or decisions.⁸⁶

Impartiality of judges questioned

77. In numerous political cases, TLHR attorneys observed judges making prejudicial remarks about defendants’ alleged conduct before trials began. For example, In November 2024, the judge in one of imprisoned human rights lawyer Arnon Nampa’s Article 112 cases repeatedly treated his criticism of the monarchy as inherently unlawful, dismissed requests to explain secret trials or gag orders with statements such as: “A judge’s job is to try the case, not to provide reasons,” and threatened immediate detention for persistent questioning.⁸⁷ Such statements were hostile and revealed a preconceived view incompatible with the duty of impartiality.
78. One judge also repeatedly questioned Mr. Arnon’s eligibility to serve as counsel due to his ongoing criminal prosecution, going as far as issuing an order for the defendants to find new representation, despite the Lawyers Council of Thailand (LCT) having twice confirmed his eligibility.⁸⁸

Violation of the right to adequate facilities

79. According to Article 14(3)(b) of the ICCPR, defendants are entitled to the right to have “adequate facilities” for the preparation of their defense, including access to documents or other evidence that are both incriminatory and exculpatory.⁸⁹ Between March 2022 and March 2026, based on TLHR’s documentation, in at least 21 *lèse-majesté* cases courts refused subpoenas or excluded evidence and witnesses. In some instances, evidence was deemed irrelevant. In others, testimonies were barred for “causing damage to the monarchy” or violating Article 6 of the Constitution, which safeguards the “sacred” and “inviolable” status of the King. These practices severely restricted defendants’ ability to prepare an effective defense, in violation of their fair trial rights.

Violation of the right to a public trial

80. Article 14(1) of the ICCPR guarantees the right to a fair and public hearing.⁹⁰ During Thailand’s third UPR cycle, Thai courts often imposed restrictions on trial observers and ordered secret hearings in cases involving political offenses, particularly *lèse-majesté*, including by restricting

courtroom access, demanding personal information from observers, confiscating phones and notes, threatening contempt charges, and ordering secret trials without a legal basis.⁹¹

81. In a number of *lèse-majesté* hearings involving Mr. Arnon in March 2025, the presiding judge repeatedly issued secret trial orders in response to his symbolic protest—removing his shirt to highlight alleged violations of his fair trial rights—without providing any legal basis. These orders contravened Thai law, which permits secret trials only to protect “public order or good morals” or to prevent disclosure of “national security secrets,” as well as international law.⁹²
82. In a contempt of court case against Mr. Arnon, in March 2025, the presiding judge twice violated his right to a public trial by barring the public from the courtroom despite the absence of a secret trial order, and by delivering the verdict in a separate courtroom inaccessible to the public.⁹³
83. Courts also used contempt of court charges to chill public trial observation. From March 2022 to March 2026, at least 11 individuals in nine cases were charged with “contempt of court” (Article 33 of the Civil Procedure Code),⁹⁴ and 12 individuals in six cases with “insulting the court” (Article 198 of the Criminal Code).⁹⁵ In July 2022, an independent reporter was charged with contempt of court for setting up a camera to livestream from a restricted area near the gate of the Bangkok South Criminal Court.⁹⁶
84. From March 2022 to March 2026, TLHR recorded at least 32 instances in which Thai courts restricted public access to hearings, including by issuing orders to prevent dissemination of courtroom proceedings and reduce accountability.⁹⁷

Recommendations

85. Amend Articles 112, 116, 326, and 328 of the Criminal Code, the Computer Crimes Act, and the Public Assembly Act, to bring them into line with international human rights standards.
86. Immediately release all individuals detained for the peaceful exercise of the rights to freedom of expression and freedom of peaceful assembly, drop all related charges—including against children.
87. Adopt, through Parliament, a comprehensive Amnesty Bill that provides relief for individuals prosecuted for the peaceful exercise of their rights to freedom of expression and peaceful assembly—including under Articles 110 and 112 of the Criminal Code.
88. Guarantee fair trial rights, including the right to due process, public hearing, and the right to bail, in line with Article 14 of the ICCPR.
89. Refrain from detaining and prosecuting children for the peaceful exercise of their rights to freedom of expression and freedom of peaceful assembly, in accordance with Articles 13, 15, and 37(b) of the Convention on the Rights of the Child.

90. Conduct a swift, thorough, and transparent investigation into the death in custody of Netiporn “Bung” Sanesangkhom and publicly release its findings.
91. Review and amend Article 21 of the Penitentiary Act (2017) to ensure that the use of instruments of restraint is in line with Thailand’s international human rights obligations and international standards.
92. Establish a clear legal prohibition on the use of shackles as punishment in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners.
93. Ensure that all prisoners, including political prisoners, have access to adequate mental healthcare equivalent to community standards, including by providing continuity of care for those with pre-existing conditions, administering medication with the full and informed consent of the patient, and ceasing the practice of withholding clinically indicated medication on the basis of unsubstantiated concerns about misuse.
94. Establish and enforce a uniform standard guaranteeing the right of all prisoners, including those with concluded cases, to confidential, unrestricted, and timely access to legal counsel, and ensure that this standard is applied consistently across all detention facilities without exception.

¹ TLHR, รายชื่อผู้ต้องขังทางการเมือง 2569, 12 January 2026, <https://tlhr2014.com/archives/80978>

² TLHR, กุมภาพันธ์ 2569: กทศ. แจ้งความดำเนินคดีประชาชนหลายราย ขณะนักศึกษาฟ้องศาลปกครองปม ‘บัตรเลือกตั้งบาร์โค้ด’, 5 March 2026, <https://tlhr2014.com/archives/82175>

³ TLHR, *Lèse-majesté indictment order against “Arnon” for his speech at Harry Potter-themed protest, before Criminal Court’s bail denial*, 20 September 2021, <https://tlhr2014.com/en/archives/35340>

⁴ TLHR, ศาลอาญาพิพากษาจำคุก “อานนท์” อีก 4 ปี เหตุโพสต์ 3 ข้อความ ชี้ แม้กล่าวถึงสถาบันกษัตริย์ แต่มีนัยยะสื่อถึง ร.10 เจตนาให้ปชช.เข้าใจผิด, 17 January 2024, <https://tlhr2014.com/archives/63262>

⁵ TLHR, คดีทางการเมืองทั้งหมดของ ‘อานนท์ น้าภา’, 31 March 2026, <https://tlhr2014.com/archives/76892>

⁶ TLHR, *Update! Tawan and Bam Entering their 6th Day of Dry Fasting*, 23 January 2023, <https://tlhr2014.com/en/archives/52701>; TLHR, ศาลสั่งสืบพยานโจทก์ คดี ม.112 ทำโหลขบวนเสด็จ ลับหลังจำเลย แม้นายค้านก่อนภายหลังเพิกถอนกระบวนการให้พยานเบิกความใหม่ – นัดหน้าเริ่มสืบพยานจำเลย, 25 March 2026, <https://tlhr2014.com/archives/82579>; TLHR, ยื่นฟ้อง “ม.112 – ม.116” 8 นักกิจกรรม – สื่ออิสระ แล้ว กรณีทำ “โหลขบวนเสด็จ” ที่พาราگون ก่อนศาลต่อประกัน 6 ราย โดยติด EM แต่ยังไม่ให้ประกัน “ไบปอ – บุ่ง” จากกลุ่มทะลุวัง, 2 June 2022, <https://tlhr2014.com/archives/44438>

⁷ TLHR, จำคุก 3 ปี ลดเหลือ 12 เดือน โดยให้รอลงอาญา คดี ม.112 “สายน้ำ” แต่งครอบหือปเดินแพ้นั้นโซเชียล ศาลชี้มีเจตนาล้อเลียนเสียดสีในหลวง ร.10, 20 July 2023, <https://tlhr2014.com/archives/57662>

⁸ TLHR, เปิดประมวลการต่อสู้คดี ม.112 “สายน้ำ” กรณีถูกฟ้องและกระดาศ CANCEL LAW 112-พันสี่เปย์บนรูป ร.10, 29 March 2023, <https://tlhr2014.com/archives/54866>

⁹ TLHR, คดี 112 “สายน้ำ-ออย” 2 นักกิจกรรม ถูก คปปส. แจ้งความ เหตุพบภาพชู 3 นิ้ว ที่ลานพระบรมรูปทรงม้า, accessed 31 March 2026, <https://database.tlhr2014.com/public/case/2035/lawsuit/802/>

¹⁰ FIDH, *Thailand: Ongoing judicial harassment against Pimsiri Petchnamrob*, 16 June 2025, <https://www.fidh.org/en/issues/human-rights-defenders/thailand-ongoing-judicial-harrasment-against-pimsiri-petchnamrob>

¹¹ TLHR, ยี่งสูงสุดเป็นประวัติการณ์ ศาลฎีกาพิพากษาแก้คดี ม.112 “บัสลาส” เป็นลงโทษจำคุก 46 ปี จากเดิมชั้นอุทธรณ์ลง 50 ปี, 11 December 2025, <https://tlhr2014.com/archives/80533>

¹² iLaw, ม.112 “ใครฟ้องก็ได้” หมายความว่าอะไร???, 29 June 2021, <https://www.ilaw.or.th/articles/9831>; TLHR, เมื่อประชาชนใช้กฎหมายเป็นอาวุธทำร้ายกันเอง: เปิดสถิติคดี ม.112 ที่ผู้กล่าวโทษคือ “ประชาชน,” 25 December 2023, <https://tlhr2014.com/archives/62570>

¹³ Based on TLHR’s documentation.

¹⁴ Thai Criminal Code, Article 110, para. 1, (“Any person who commits an act of violence against the Queen, Heir Apparent or Regent or against his or her liberty shall be liable to imprisonment for life or imprisonment for a term of sixteen to twenty years.”) Para. 2, (“Any person who attempts to commit such act shall be liable to the same punishment”).

¹⁵ TLHR, ศาลอุทธรณ์กลับคำพิพากษา คดี ม.110 เชื่อว่า 5 จำเลย พยายามขัดขวาง “ขบวนเสด็จ” ลงโทษจำคุกคนละ 16 ปี ส่วน “เอกชัย” เพิ่มโทษรวม 21 ปี 4 เดือน รอลงประกันชั้นที่ 1, 5 September 2025, <https://tlhr2014.com/archives/78139>

¹⁶ Thai Criminal Code, Article 116, (“Any person who manifests to the people, by verbal, written or any other

means which is not an act within the purpose of the Constitution or which is not for the purpose of expression of an honest opinion or criticism: (1) to cause a change in the laws of the country or the Government by coercing or committing an act of violence; (2) to cause turbulence or disaffection amongst the people to the extent which would cause unrest in the Kingdom; or (3) to cause the people to breach the laws of the country, shall be liable to imprisonment for a term not exceeding seven years”).

¹⁷ TLHR, *กฎหมาย 2569: กต. แจ้งความดำเนินคดีประชาชนหลายราย ขณะนักศึกษาฟ้องศาลปกครองปม ‘บัตรเลือกตั้งบาร์โค้ด’*, 5 March 2026, <https://tlhr2014.com/archives/82175>

¹⁸ TLHR, *July 2023: A total of 1,918 people have been politically prosecuted in 1,230 cases*, 7 September 2023, <https://tlhr2014.com/en/archives/59312>

¹⁹ TLHR, *อัยการสั่งฟ้องคดี ม.116 “บ้าน” โพสต์ชวนชุมนุมทะเลเผา แมคคัสผู้ร่วม #มีอบ13สิงหา อีกคดีจะสั่งไม่ฟ้องไปแล้ว*, 19 October 2022, <https://tlhr2014.com/archives/49736>

²⁰ Thai Criminal Code, Article 326 (defamation), (“Any person who, by communication made to a third party, imputes a fact to another in a manner likely to injure the reputation of such other person or cause such other person to be affronted or hated, is said to commit an offense of defamation and shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand baht or to both”); Thai Criminal Code, Article 328 of the Criminal Code (defamation by publication), (“An aggravated form of the offense where defamation is committed through the publication of any document, drawing, painting, film, picture, or letters made visible by any means; a gramophone record or other audio, visual, or recording media; an audio or visual broadcast; or an announcement by any other means, carrying a penalty of imprisonment not exceeding two years and a fine not exceeding THB 200,000”).

²¹ Recommendation from Belgium: 51.44 Enact legal protection against strategic litigation against public participation cases (A/HRC/49/17/Add.1 - Para.51).

²² The UN Human Rights Committee, in General Comment No. 34 (CCPR/C/GC/34), affirmed that imprisonment is never an appropriate penalty for defamation and that public figures are legitimately subject to a higher degree of scrutiny and criticism. <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

²³ Sorrayuth Suthassanachinda Kammakorn Khao, Facebook, 30 January 2026, <https://www.facebook.com/watch/?v=668180366323096> (statement at 4:06); TLHR, *ย้อนทบทวนรอบ 8 ปี “ธรรมนัส” มอบอำนาจไปกล่าวหาคดีหมิ่นประมาท ‘ประชาชน-คู่แข่งทางการเมือง’ ต่อเนื่อง*, 16 January 2026, <https://tlhr2014.com/archives/81078>

²⁴ TLHR, *พนักงานอัยการฟ้องคดีหมิ่นประมาท พ.ร.บ.คอมพิวเตอร์ฯ – หมิ่นประมาท “ธรรมนัส” ที่เพี้ยะอีกราย*, 27 February 2026, <https://tlhr2014.com/archives/82080>

²⁵ Prachatai English, *Same Sky magazine co-founder sued for defamation by a major energy company*, 22 December 2021, <https://prachataienglish.com/node/9617>; Prachatai, *‘กอล์ฟ’ ฟ้องคดีหมิ่นประมาทอีก รอบนี้เลขฯ และ ส.ส.ไทยสร้างไทยปมค่าไฟแพง*, 7 June 2023, <https://prachatai.com/journal/2023/06/104482>; The Momentum, *GULF ฟ้องศาล เรียก 300 ล้านบาท เท่ง-2 สส.พรรคประชาชน ชี้หมิ่นประมาท กรณีแฉทุจริตรับซื้อไฟฟ้า*, 20 August 2025, <https://themomentum.co/report-gulf-sued-nattapong-pp-mp/>

²⁶ TLHR, *Transnational SLAPP against Australian Journalist in Thailand for Criticizing a Malaysian Government Agency*, 19 November 2025, <https://tlhr2014.com/en/archives/79761>; TLHR, *Australian Journalist Indicted for Criminal Defamation, Faces up to 8 Years in Prison for Reporting on the Malaysian Government*, 20 November 2025, <https://tlhr2014.com/en/archives/80003>

²⁷ TLHR, *Transnational Defamation Proceedings Against Murray Hunter Formally Settled and Resolved*, 26 February 2026, <https://tlhr2014.com/en/archives/82030>

²⁸ The Computer Crimes Act criminalizes importing computer data that is false, causing damage to national security, or entering any computer data which is an offense related to national security of the Kingdom (Articles 14(1)–(3)), as well as knowingly disseminating or forwarding such content (Article 14(5)), with penalties of up to five years’ imprisonment and/or a fine of up to THB 100,000 (approx. EUR 2,700). In particular, Article 14(3) covers computer data that constitutes offenses under the Criminal Code relating to the national security of the Kingdom—including lèse-majesté under Article 112—allowing authorities to prosecute the online publication or sharing of such material.

²⁹ TLHR, *กฎหมาย 2569: กต. แจ้งความดำเนินคดีประชาชนหลายราย ขณะนักศึกษาฟ้องศาลปกครองปม ‘บัตรเลือกตั้งบาร์โค้ด’*, 5 March 2026, <https://tlhr2014.com/archives/82175>

³⁰ Computer Crimes Act (2007), Article 14(1), (“Whoever commits the following offenses shall be liable to an imprisonment for a term not exceeding five years, or a fine not exceeding one Hundred Baht or to both: (1) dishonestly or by deception, entering wholly or partially distorted or false computer data into a computer system in a manner likely to cause damage to the general public; which is not a defamation under the Criminal Code”).

³¹ TLHR, *ศาลอุทธรณ์แก้ไขข้อคดี 112 “ธรรมนัส” แฉลูกอ่อน ให้จำคุก 2 ปี ไม่รอลงอาญา เหตุคอมเมนต์ใส่โพสต์เฟซบุ๊กที่เผยแพร่ภาพตัดต่อ ร.8 – ร.9 ระบุจำเลยมีวุฒิภาวะเพียงพอ แต่ยังไม่กระทำการ ‘จับจ้วงสถาบันฯ’*, 14 February 2023, <https://tlhr2014.com/archives/53515>; TLHR, *May 2024: A total of 1,954 individuals prosecuted in 1,296 political cases*, 11 July 2024, <https://tlhr2014.com/en/archives/68517>.

³² Prosecutors later declined to pursue the charges in May 2025, resulting in the termination of the criminal proceedings. Nevertheless, the case caused significant harm, including arrest, pre-trial detention, electronic monitoring, visa revocation, and the loss of Mr. Chambers’ university position. Following the resolution of the case, he departed Thailand in May 2025,

underscoring the chilling effects such prosecutions can have on academic freedom and online discussion of public affairs; TLHR, *April 2025 Situation Report*, 23 May 2025, <https://tlhr2014.com/en/archives/75553>

³³ Criminal penalty under the Emergency Decree consists of imprisonment up to two years or a fine of up to THB 40,000 (approx. EUR 1,270). See Articles 4, 9, 11, and 18 of the Emergency Decree on Public Administration in Emergency Situation B.E. 2548 (2005).

³⁴ Declaration on the Revocation of the Declaration of the State of Emergency in all areas throughout the Kingdom, including Related Declaration, Regulations, and Orders, dated 29 September 2022.

³⁵ Based on TLHR's documentation; TLHR, กุมภาพันธ์ 2569: กทต. แจ้งความดำเนินคดีประชาชนหลายราย ขณะนักศึกษาฟ้องศาลปกครองปม 'บัตรเลือกตั้งบาร์โค้ด', 5 March 2026, <https://tlhr2014.com/archives/82175>

³⁶ On 18 July 2023, the Juvenile and Family Court convicted Eia (full name withheld) under the Emergency Decree, finding that Thailand was under a state of emergency at the time and that the defendant "must have known" there was a protest because he allegedly shouted, "the rubber bullets are coming," and did not immediately leave the area; TLHR, การต่อสู้คดี พ.ร.ก.ฉุกเฉินฯ ของ "เอีย" เด็กวัย 12 ปี ถูกฟ้อง "ร่วมชุมนุมเสี่ยงแพร่โรค-ฝ่าฝืนเคอร์ฟิว" จากการบันทึกยานไปรับข่าวแจกใน #มีมบ13กันยา64, 17 July 2023, <https://tlhr2014.com/archives/57472>; TLHR, "Eia" A 12-year-old child who is a favorite among protestors and faces up to four years in prison, 25 August 2022, <https://tlhr2014.com/en/archives/47489>

³⁷ Amnesty International Thailand, *Thai officials must drop all the ongoing prosecutions under the Emergency Decree*, 8 November 2022, <https://www.amnesty.or.th/en/news/2022/11/thai-officials-must-drop-all-the-ongoing-prosecutions-under-the-emergency-decree/>

³⁸ *Ibid.*

³⁹ TLHR, *December 2025: The Supreme Court sentenced "Busbas" to 46 years under Article 112. After four years, the public prosecutor still issued an indictment in the Roi-Et youths' Car Mob case*, 23 January 2026, <https://tlhr2014.com/en/archives/81276>; TLHR, ตำรวจเข้าแจ้งข้อหา พ.ร.ก.ฉุกเฉินฯ "ครูใหญ่" อรรถพล ย้อนเหตุร่วมคาร์ม็อบ "ขบวนสะเด็ดไล่ประยุทธ์" ที่ร้อยเอ็ด ปี 64, 24 December 2025, <https://tlhr2014.com/archives/80843>

⁴⁰ iLaw, ถอดบทเรียนพ.ร.บ.ชุมนุมฯ : กระบวนการสั่งให้เลิกการชุมนุมไม่เปิดโอกาสให้โต้แย้ง, 12 August 2025, <https://www.ilaw.or.th/articles/53913>

⁴¹ TLHR, กุมภาพันธ์ 2569: กทต. แจ้งความดำเนินคดีประชาชนหลายราย ขณะนักศึกษาฟ้องศาลปกครองปม 'บัตรเลือกตั้งบาร์โค้ด', 5 March 2026, <https://tlhr2014.com/archives/82175>

⁴² TLHR, *Thailand's 12 most egregious human rights violations in 2019, in absentia of NCPO*, 28 December 2019, <https://tlhr2014.com/en/archives/15235>

⁴³ TLHR, ศาลพิพากษาจำคุก 4 เดือน ปรับ 20,200 บาท "อดีตแกนนำอนาคตใหม่ - นักกิจกรรม" เหตุพลซม็อบ #ไม่ก้อยไม่ทน ปี 62 แต่ให้โอกาสประพฤติดัวใหม่ จึงให้รอลงอาญา 2 ปี, 5 February 2024, <https://tlhr2014.com/archives/64492>

⁴⁴ TLHR, กุมภาพันธ์ 2569: กทต. แจ้งความดำเนินคดีประชาชนหลายราย ขณะนักศึกษาฟ้องศาลปกครองปม 'บัตรเลือกตั้งบาร์โค้ด', 2 April 2025, <https://tlhr2014.com/en/archives/74521>

⁴⁵ TLHR, *Geography of (In)Justice: The Problem of Remote Prosecutions: Examining the Law, the Impacts, and Proposals for Reform*, 2026

⁴⁶ Relevant jurisdictional provisions include Articles 18, 19, 22, 23, and 26 of the Thai Criminal Procedure Code, which allow prosecution where an offense takes place or is alleged to have taken place.

⁴⁷ TLHR, *Geography of (In)Justice: The Problem of Remote Prosecutions: Examining the Law, the Impacts, and Proposals for Reform*, 2026

⁴⁸ *Ibid.*

⁴⁹ See also Article B.II.(v). *Emergency Decree*.

⁵⁰ Juvenile and Family Court and Procedure Act (2010), Article 69, para. 3; TLHR, *From Classroom to Courtroom: Report Release on Children's Rights to Freedom of Expression and Assembly in Thailand*, 1 December 2023, <https://tlhr2014.com/en/archives/63105>

⁵¹ TLHR, *From Classroom to Courtroom: Report Release on Children's Rights to Freedom of Expression and Assembly in Thailand*, p. 57, 1 December 2023, <https://tlhr2014.com/en/archives/63105>

⁵² For instance, TLHR documented numerous instances in which authorities failed to inform the child they are being arrested, the charge, and their rights under the law, and notify their legal guardian if they are not present at the scene of the arrest, in contravention of Article 72, paragraph 2, of the Juvenile and Family Court and Procedure Act (2010); TLHR, จับแล้วจับอีก! #มีมบ20สิงหา จับเด็กและเยาวชน 19 ราย ผู้ใหญ่อีก 7 จาก หลายจุด เด็ก 2 คน ถูกยิงด้วยกระสุนยาง ยังรักษาตัวอยู่ รพ., 21 August 2021, <https://tlhr2014.com/archives/33812>

⁵³ TLHR, *From Classroom to Courtroom: Report Release on Children's Rights to Freedom of Expression and Assembly in Thailand*, 1 December 2023, <https://tlhr2014.com/en/archives/63105>

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ The People's Amnesty bill was drafted by the Network for People's Amnesty, a coalition of over 20 civil society organizations. It aims to grant amnesty to individuals who are prosecuted for political offenses since the 19 September 2006 *coup d'état*, including cases under Article 112, violations of junta orders, and offenses related to political assemblies or expression. The Bill was submitted to the parliament with 35,905 signatures and would result in the cessation of investigations, withdrawal of

indictments, dismissal of ongoing cases, the releases of those who are already convicted, and the erasure of their criminal records; TLHR, *What is the People's Amnesty Bill? And Why Does Thailand Need It?*, 22 February 2024, <https://tlhr2014.com/en/archives/64998>

⁵⁷ The Bill granted amnesty for offenses under Article 113 of the Criminal Code, which criminalizes rebellion or insurrection, and may result in unintended impunity for individuals who participated in or facilitated past military coups. Furthermore, the Bill grants amnesty for offenses against the body (Articles 295, 296, 299, and 300 of the Criminal Code) and offenses against liberty (Article 309, paras. 1 and 3; Article 310, para. 1; Article 310 bis; and Article 311, para. 1 of the Criminal Code). Granting amnesty in aforementioned offences potentially diminishes the opportunity for affected members of the public and victims of violent incidents since the 2006 *coup d'état* to pursue legal action, seek effective remedies, thereby allowing state officials implicated in such abuses to evade responsibility.

⁵⁸ Based on TLHR's documentation.

⁵⁹ Thailand's Constitution (2017), Article 29 para. 2.

⁶⁰ *Id.* Article 29 para. 3, ("Custody or detention of a suspect or a defendant shall only be undertaken as necessary to prevent such person from escaping.")

⁶¹ ICCPR, Article 9(3) ("It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement").

⁶² Regulation of the President of the Supreme Court on Provisional Release and Procedures for Security in Criminal Cases (2022), Clause 8.

⁶³ TLHR, *ตลอดปี 2568 ศาลปฏิเสธสิทธิประกันตัว 'ผู้ต้องขังทางการเมือง' กว่า 90% พบ 212 คำสั่งที่ 'ยกคำร้อง' หลายคนถูกคุมขังยาว*, 6 February 2026, <https://tlhr2014.com/archives/81562>

⁶⁴ UN Human Rights Committee, *General Comment No. 35*, UN Doc. No. CCPR/C/GC/35, 16 December 2014, para. 38, ("Detention pending trial must be based on an individualized determination that it is reasonable and necessary taking into account all the circumstances, for such purposes as to prevent flight, interference with evidence or the recurrence of crime").

⁶⁵ TLHR, *ตลอดปี 2568 ศาลปฏิเสธสิทธิประกันตัว 'ผู้ต้องขังทางการเมือง' กว่า 90% พบ 212 คำสั่งที่ 'ยกคำร้อง' หลายคนถูกคุมขังยาว*, 6 February 2026, <https://tlhr2014.com/archives/81562>

⁶⁶ TLHR, *ขัง 'ก้อง อุกฤษฏ์' ครบ 1 ปี กับ การต่อสู้ของ 'เพื่อนร่วม' เพื่อให้ก้องต้องได้สอบ*, 13 February 2025, <https://tlhr2014.com/archives/72853>

⁶⁷ TLHR, *ศาลอาญาให้ประกันตัว "สมยศ-ไม" กำหนดเงื่อนไขห้ามทำกิจกรรมเสื่อมเสียต่อสถาบันกษัตริย์*, 23 April 2021, <https://tlhr2014.com/archives/28695>

⁶⁸ TLHR, *ติดตามความคืบหน้าหลังครบระยะเวลาประกันตัวกลุ่มราษฎร*, 31 May 2022, <https://tlhr2014.com/archives/44192>

⁶⁹ TLHR, *ไต่สวนถอนประกัน "ตะวัน - บุ่ง" เหตุร่วมชุมนุม-พันสีหน้า วร. 2 นักกิจกรรมยืนยัน เพียงใช้เสรีภาพชุมนุม ด้านทนายตะลุง สันติบาลแอบถ่ายรูป ละเมิดอำนาจศาล*, 22 November 2023, <https://tlhr2014.com/archives/61753>

⁷⁰ FIDH, *Thailand: Annual Prison Report 2026*, 24 March 2026, <https://www.fidh.org/en/region/asia/thailand/thailand-new-report-highlights-wide-discrepancies-in-conditions-among>

⁷¹ TLHR, *On this day: "บุ่ง เนติพร" เสียชีวิตจากการอดอาหารประท้วงในเรือนจำ*, 14 May 2025, <https://tlhr2014.com/archives/75330>

⁷² TLHR, *20-21 ส.ค. ขวนจับศาลจังหวัดชัยบุรีไต่สวนการตาย "บุ่ง เนติพร": ย้อนอ่าน 2 ครั้งที่บุ่งเคยถูกคุมขัง แต่ครั้งสุดท้าย "ไม่มีโอกาสได้ลมหายใจออกมา"*, 19 August 2025, <https://tlhr2014.com/archives/77598>

⁷³ TLHR, *"มานี - อาย" ทวงถามมาตรฐานการรับ-จ่ายยารักษาโรคมะเร็งจากทัณฑสถานหญิง*, 19 September 2024, <https://tlhr2014.com/archives/70050>

⁷⁴ FIDH, *Thailand: Annual Prison Report*, p. 50, 24 March 2026, <https://www.fidh.org/en/region/asia/thailand/thailand-new-report-highlights-wide-discrepancies-in-conditions-among>

⁷⁵ TLHR, *"มานี - อาย" ทวงถามมาตรฐานการรับ-จ่ายยารักษาโรคมะเร็งจากทัณฑสถานหญิง*, 19 September 2024, <https://tlhr2014.com/archives/70050>

⁷⁶ TLHR, *ปัญหาเรือนจำไม่ให้นายความเยี่ยม 'ผู้ต้องขังคดีสิ้นสุดแล้ว' ยังเกิดขึ้นในหลายเรือนจำ*, 12 October 2025, <https://tlhr2014.com/archives/79179>

⁷⁷ TLHR, *เปิดบันทึกคดีไต่สวนคำร้องของ "ธงชัย วินิจจะกูล" ขอให้ยุติการใช้เครื่องพันธนาการกับ "อานนท์ น้าภา" แม้ศาลยกคำร้อง มูลนิธิผสานวัฒนธรรมเตรียมสู้ต่อ*, 4 August 2025, <https://tlhr2014.com/archives/77242>

⁷⁸ Penitentiary Act (2017), Article 21.

⁷⁹ Other international jurisprudence includes the Committee Against Torture (CAT), which has directed similar concerns to other State Parties under Article 16, calling to eliminate practices involving the use of force, including shackling that is not strictly necessary and proportionate. The UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) prohibit instruments of restraint that are inherently degrading or painful, including chains and irons (Rule 47). Other forms of restraint are permitted only in exceptional circumstances and must be removed when a person appears before a judicial or administrative authority; Committee Against Torture, *Concluding Observations on China*, UN Doc. No. CAT/C/CHN/CO/5, 3 February 2016, para. 49; Committee Against Torture, *Concluding Observations on Mongolia*, UN Doc. No. CAT/C/MNG/CO/1, 20 January 2011, para. 16; Committee Against Torture, *Concluding Observations on Switzerland*, UN Doc. No. CAT/C/CHE/CO/8, 11 December 2023, para. 22; UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 47(1), https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

⁸⁰ TLHR, *เปิดบันทึกคดีไต่สวนคำร้องของ "ธงชัย วินิจจะกูล" ขอให้ยุติการใช้เครื่องพันธนาการกับ "อานนท์ น้าภา" แม้ศาลยกคำร้อง มูลนิธิผสานวัฒนธรรมเตรียมสู้ต่อ*, 4 August 2025, <https://tlhr2014.com/archives/77242>

⁸¹ The Regulation 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 B.E. 2562 (2019), Clause 9.

⁸² TLHR, รวมเหตุการณ์คดีละเมิดอำนาจศาลของ “อานนท์ น้าภา” หลังถอดเสื้อประท้วงศาล สะท้อนความผิดปกติในกระบวนการ – ไร้สิทธิในการพิจารณาอย่างเป็นธรรม, 3 July 2025, <https://tlhr2014.com/archives/76505>

⁸³ The Regulation 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 (2019), Clauses 5 and 7.

⁸⁴ *Id.* Clause 9.

⁸⁵ *Ibid.*

⁸⁶ Office of the Attorney General, Guidelines for Criminal Proceedings under Article 112 of the Criminal Code (Circular No. Wor 330), (Thailand, 2022).

⁸⁷ The judge openly displayed hostility toward Mr. Arnon and his counsel, threatening detention when Mr. Arnon asked for the rationale behind the court’s orders and stating that he was being prosecuted for “overstepping” the monarchy. When Mr. Arnon persisted in seeking an explanation, the judge ordered him into detention and warned that anyone who continued speaking—including his counsel—would also be imprisoned. See, TLHR, “อานนท์” ตั้งข้อร้องเรียนศาลในคดี 112 #มีอบแฮร์รี่พอดเตอร์1 หลังสั่งพิจารณาลับ-ห้ามเผยแพร่ โดยไม่มีเหตุตามกฎหมาย ทั้งห้ามโต้แย้ง “ถ้าใครพูด จะขังให้หมด”, 4 December 2024, <https://tlhr2014.com/archives/71505>

⁸⁸ TLHR, ศาลอาญาคดี UN62 ยังพยายามตรวจสอบการปฏิบัติหน้าที่ของ “ทนายอานนท์” ในฐานะผู้ต้องขัง แม้ไม่มีข้อห้าม เตรียมเรียกทนายฯ มาชี้แจงนัดหน้า, 10 October 2024, <https://tlhr2014.com/archives/70452>

⁸⁹ UN Human Rights Committee, General Comment No. 32, para 33, (“Exculpatory material should be understood as including not only material establishing innocence but also other evidence that could assist the defence (e.g. indications that a confession was not voluntary.)”).

⁹⁰ ICCPR, Article 14(1), (“The press and the public may be excluded from all or part of a trial for reasons of morals, public order or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children”).

⁹¹ TLHR, รอบสามเดือน: ศาลอาญาสั่งห้ามเผยแพร่เหตุการณ์ในห้องพิจารณาคดีเพิ่มอีก 3 คดี – พบเหตุการณ์พยายามสั่ง “ห้ามจดบันทึกในคดี ม.110,” 25 September 2025, <https://tlhr2014.com/archives/78667>

⁹² TLHR, รวมเหตุการณ์คดีละเมิดอำนาจศาลของ “อานนท์ น้าภา” หลังถอดเสื้อประท้วงศาล สะท้อนความผิดปกติในกระบวนการ – ไร้สิทธิในการพิจารณาอย่างเป็นธรรม, 3 July 2025, <https://tlhr2014.com/archives/76505>

⁹³ *Ibid.*

⁹⁴ Thai Civil Procedure Code, Article 33, (“If any party or any person commits an offence of contempt against any court, such court shall have the power to order to impose a punishment by any or both of the following methods: (a) An expulsion from the precinct of the court; or (b) Imprisonment or a fine or both.”)

⁹⁵ Thai Criminal Code, Article 198, (“Any person who affronts a court or judge in the trial or adjudication of a case or impedes the trial or adjudication of a court shall be liable to imprisonment for a term of one to seven years or to a fine of twenty thousand to one hundred and forty thousand baht or to both.”)

⁹⁶ TLHR, ยกข้อกล่าวหาคดีละเมิดอำนาจศาล “ลุงตู่” สื่ออิสระ หลังไล่พิสตรบริเวณหน้าศาลอาญากรุงเทพใต้ ซึ่ไม่มีป้ายติดประกาศข้อห้ามอย่างชัดเจน, 26 October 2022, <https://tlhr2014.com/archives/49953>

⁹⁷ TLHR, รอบสามเดือน: ศาลอาญาสั่งห้ามเผยแพร่เหตุการณ์ในห้องพิจารณาคดีเพิ่มอีก 3 คดี – พบเหตุการณ์พยายามสั่ง “ห้ามจดบันทึกในคดี ม.110”, 25 September 2025, <https://tlhr2014.com/archives/78667>