

International Federation for Human Rights (FIDH)



Thai Lawyers for Human Rights (TLHR)



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THAILAND

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Article 6 (Right to life)

No progress towards the abolition the death penalty

Successive Thai governments have failed to make significant progress towards the abolition of the death penalty and continued to show a lack of political will to abolish capital punishment. The death penalty has remained in force for many offenses that do not meet the threshold of “the most serious crimes” under Article 6 of the International Covenant on Civil and Political Rights (ICCPR). As of 2025, 53 crimes were punishable by death, including drug-related offenses and economic/financial crimes.¹ The Narcotics Act, which came into force in December 2021, failed to eliminate the death penalty for “serious drug offenses.”²

Although Thailand’s most recent execution took place in 2018, courts have continued to impose a high number of death sentences.³ According to the latest official statistics, in 2025, courts imposed a total of 124 death sentences.⁴ In 2023, the number of prisoners under death sentence began to increase, ending

¹ FIDH, *Thailand: Joint submissions for the Universal Periodic Review (UPR)*, 25 March 2021; FIDH, *Enduring injustice – a review of the death penalty in Asia (2020-2025)*, 17 October 2025

² Serious drug offenses included production, sales, export, distribution, and unlawful possession of drugs, except for personal use. The death penalty could also be imposed on individuals convicted of being leaders or high-level drug traffickers.

³ FIDH, *Enduring injustice – a review of the death penalty in Asia (2020-2025)*, 17 October 2025

⁴ Communication between the Court of Justice and FIDH on 17 August 2026

a downward trend observed between 2019 and 2022.⁵ As of May 2026, the number of prisoners under death sentence stood at 480 (419 men and 61 women), which was a 10% increase from 434 (366 men and 68 women) in March 2017, at the time of Thailand's previous review by the Human Rights Committee (CCPR).

Drug-related offenses have continued to account for the majority of the crimes for which a death sentence has been imposed. As of May 2026, 368 (almost 77%) of the 480 inmates under death sentence had been convicted of drug-related offenses. Women continued to be disproportionately affected by the imposition of the death penalty for drug-related offenses.⁶ As of May 2026, 98% (60) of the female prisoners under death sentence had been convicted of drug-related offenses, which was significantly higher than the 73% (308) of male prisoners under death sentence for drug-related offenses.

Request for clarification to government:

- Provide an up-to-date list of crimes punishable by death.
- Provide information on measures taken to ensure the regular publication of statistics on death sentences imposed, disaggregated by the type of offense.
- Provide information on the concrete steps taken towards the abolition of the death penalty.
- Provide information on the measures taken to remove the death penalty as a punishment for drug-related offenses and economic/financial crimes.
- Explain the reasons for the disproportionate impact of the death penalty on women convicted of drug-related offenses and indicate any measures taken to address this issue.

Cases of deaths in custody unaddressed

Cases of deaths in custody continued to occur in various places of detention across Thailand, including prisons and immigration detention centers (IDCs).⁷ Many of the cases of deaths in custody involved apparent torture or other acts that could amount to cruel, inhuman, or degrading treatment, including excessive use of force while being punished. In other cases, the deaths were attributed to inadequate medical care or the authorities' failure to respond to medical emergencies in a timely manner during detention, particularly in IDCs.⁸

The authorities' lack of transparency in reporting cases of deaths in custody, especially in suspicious circumstances that might have entailed torture or ill-treatment, and their ongoing failure to conduct investigations into such cases have reinforced the climate of impunity.

⁵ FIDH, *Thailand Annual Prison Report 2023*, 1 March 2023

⁶ FIDH, *Thailand Annual Prison Report 2026*, 24 March 2026

⁷ FIDH, *Thailand: Report on torture and ill-treatment submitted to UN body*, 30 September 2024

⁸ FIDH, *Out of sight - Human rights violations in Thailand's immigration detention centers*, 29 October 2024

Request for clarification to government:

- Provide information on concrete measures taken to investigate cases of deaths in custody.
- Provide disaggregated data on deaths in all places of detention, including their causes and the outcomes of the investigations into such deaths.

Deaths of military cadets/conscripts amid impunity

Reports of deaths of military cadets or conscripts as a result of extreme corporal punishment that amounted to torture or ill-treatment have continued to surface. The Thai military has consistently denied any wrongdoing by military officers under their command and insisted that the deaths were the result of pre-existing health conditions. Accountability for those responsible for these deaths has remained elusive due to inadequate investigations into these cases.

Since Thailand's previous review by the CCPR in March 2017, at least 18 military cadets or conscripts have died from apparent injuries sustained during extreme disciplinary punishment that amounted to torture.⁹ Seven of these cases occurred after the entry into force of the Prevention and Suppression of Torture and Enforced Disappearance Act on 22 February 2023.¹⁰ Two of them have led to criminal prosecutions. In May 2025, two army instructors and 11 senior conscripts were convicted for the death of Worapatch Phadmasakul, a conscript who died in August 2024, and sentenced to prison terms ranging from 10 to 20 years, marking the first convictions under the Act.¹¹

Request for clarification to government:

- Provide details on concrete measure taken by the Thai military to put an end to the excessive corporal punishment of military cadets and conscripts.
- Provide information, including statistics, on investigations into allegations of torture against military cadets and conscripts.

Article 7 (Prohibition of torture or other cruel, inhuman or degrading treatment or punishment)

Torture and ill-treatment of prisoners

According to interviews conducted by FIDH with former prisoners between 2021 and 2025, inmates were routinely subjected to punishments and disciplinary measures for violations of prison rules that could amount to ill-treatment, and, in some cases, torture. Punishment involving the excessive use of force by prison guards - included kicking, slapping, and beating prisoners with wooden batons - was common in

⁹ Prachatai, '17 years, 26 cases': recurring incidents in military camps, the deaths of conscripted soldiers from 2009-2026, 7 September 2026, <https://prachatai.com/journal/2023/09/105813> [in Thai]

¹⁰ FIDH, *Thailand: First convictions under anti-torture act over death of military conscript*, 30 May 2025

¹¹ FIDH, *Thailand: First convictions under anti-torture act over death of military conscript*, 30 May 2025

male prisons. In addition, in women's prisons, the authoritarian culture led to degrading treatment of inmates, such as having to sit on the ground or kneel while interacting with prison officers.

Other punishment practices that were blatantly inconsistent with international standards included prolonged solitary confinement, disciplinary segregation,¹² military-style training, and the use of instruments of restraint. Instruments of restraint - particularly handcuffs, ankle cuffs, weighted ankle shackles, and chains - were routinely applied in an excessive and arbitrary manner, including on pre-trial detainees who attended court hearings.¹³ In many circumstances, the application of restraints inflicted injuries, physical pain, or humiliation of prisoners. Such application of restraints on prisoners is permissible under the Thai Penitentiary Act 2017, which is inconsistent with international standards.¹⁴

Violation of non-refoulement principle

The Thai government has continued to violate the internationally recognized principle of *non-refoulement*, by forcibly returning individuals, including human rights defenders, asylum seekers, and refugees, to countries where they faced the risk of torture or enforced disappearance.¹⁵ Despite the entry into force of the Prevention and Suppression of Torture and Enforced Disappearance Act in February 2023, which codified the principle of *non-refoulement* in Article 13, the authorities (including the judiciary) have failed to effectively uphold the principle in practice. Human rights defenders, asylum seekers, and refugees have on many occasions been forcibly returned or extradited to countries where they faced such serious human rights violations.¹⁶ Authorities also failed to guarantee effective procedural safeguards for those facing return or extradition to another country.

Request for clarification to government:

- Provide information on the measures taken to prevent torture and cruel, inhuman, or degrading treatment in prisons, including the excessive use of force by prison officers as a form of punishment.
- Indicate what measures are being considered to amend the Penitentiary Act and relevant regulations to prohibit prolonged solitary confinement, disciplinary segregation, military-style training, and the use of instruments of restraint as punishment, in compliance with international human rights law and standards.

¹² Disciplinary segregation occurs when multiple prisoners are punished by being placed together in a cell separate from other prisoners.

¹³ FIDH, *Annual Prison Report 2026*, 24 March 2026

¹⁴ FIDH, *Annual Prison Report 2026*, 24 March 2026

¹⁵ UNHCR, *UNHCR condemns deportation of Cambodian refugees by Thai authorities*, 12 November 2021; UNHCR, *UNHCR dismayed by deportation of a third Cambodian refugee by Thai Authorities this month*, 22 November 2021

¹⁶ FIDH, *Thailand: Forcible return of Uyghurs to China an affront to human rights*, 27 February 2025; FIDH, *Thailand/Vietnam: End acts of transnational repression against human rights defenders after Y Quynh Bdap's extradition to Vietnam*, 3 December 2025; FIDH, *Thailand: Urgent call to Thai government to halt the forcible return of journalist Bai Zhaodong to China*, 20 July 2026

- Provide disaggregated data on complaints of torture and other ill-treatment in prisons, including the number of complaints received, investigations conducted, and the outcomes of such investigations.
- Provide information on measures taken to ensure the effective implementation of the principle of *non-refoulement*, guaranteed by Article 13 of the Prevention and Suppression of Torture and Enforced Disappearance Act.

Article 9 (Right to liberty and security of person)

Arbitrary detention of lèse-majesté defendants

Individuals charged under Article 112 of the Criminal Code (*lèse-majesté*) have been routinely subjected to lengthy detention during investigation and pending trial or appeal, in a manner that is inconsistent with Article 9(3) of the ICCPR. The courts have systematically denied bail to *lèse-majesté* defendants. The rate of bail denials in *lèse-majesté* cases has remained consistently high, ranging from 57.9% to 87.8% between 2021 and 2023. From 2024 to 2026, it has remained stable at 90%. As of 18 August 2026, 13 of the 30 individuals incarcerated on *lèse-majesté* charges were held pending trial or appeal.¹⁷

Persistent failure to investigate enforced disappearances

The Thai government's ongoing failure to conduct prompt, thorough, credible, and impartial investigations into allegations of enforced disappearances has fueled the climate of impunity for such crimes. As of July 2025, the UN Working Group on Enforced or Involuntary Disappearances (WGEID) had recorded 77 unresolved cases of enforced disappearance in Thailand.¹⁸

Enforced disappearance continued to occur in the context of efforts by Thai authorities to pursue dissidents who fled to neighboring countries following the May 2014 military coup. Between 2017 and 2020, eight exiled Thai political activists living in Laos, Cambodia, and Vietnam are known to have disappeared.¹⁹ All of them were charged with violations of Article 112 of the Criminal Code and had arrest warrants issued against them. To date, the fate or whereabouts of six of those eight activists remain unknown.²⁰ Such failure has occurred despite the entry into force of the Prevention and Suppression of Torture and Enforced Disappearance Act in 2023 and Thailand's ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) in 2024.

¹⁷ TLHR, *List of political prisoners in 2026*, 12 January 2026, <https://tlhr2014.com/archives/80978> [in Thai]

¹⁸ Human Rights Council 60th session, *Report of the Working Group on Enforced or Involuntary Disappearances*, 21 July 2025, UN Doc. A/HRC/60/35

¹⁹ These included: Wuthipong Kachathamakul (2017, Laos); Surachai Danwattananusorn, (2018, Laos); Kraidej Luelert (2018, Laos); Chatchan Bubphawan (2018, Laos); Siam Theerawut (2019, Vietnam); Chuchee Chivasut (2019, Vietnam); Kritsana Thapthai (2019, Vietnam), and Wanchalearm Satsaksit (2020, Cambodia).

²⁰ The mutilated bodies of Chatchan Bubphawan and Kraidej Luelert were found floating on the banks of the Mekong River in Thailand's Nakhon Phanom Province in December 2018.

Request for clarification to government:

- Explain the reason for the systematic denial of bail to individuals charged under Article 112.
- Explain the steps taken to ensure prompt, thorough, independent, and impartial investigations into all cases of enforced disappearance, including of those occurred in the neighboring countries.
- Provide updated information on all unresolved cases of enforced disappearance in Thailand, including the status and outcome of investigations, prosecutions, and accountability measures taken in each case.

Article 10 (Humane treatment of persons deprived of their liberty)

Prison population increases amid poor detention conditions

Since Thailand's previous review by the CCPR in March 2017, the country's total prison population has increased. According to the latest statistics by the Department of Corrections (DoC), in August 2026, the country's prison population stood at 316,392 (276,939 men and 39,453 women), which represented a 10% increase from March 2017, when the total prison population stood at 286,861 (248,183 men and 38,678 women). The prison population has also regularly exceeded the prison system's official capacity.

Successive Thai governments have failed to implement measures aimed at alleviating chronic overcrowding through the adoption of alternative measures to detention for both pre-trial and convicted inmates. Most notably, the implementation of the DoC regulation that would allow certain convicted inmates to serve their sentences in other locations outside prisons, issued under Article 33 of the 2017 Penitentiary Act, has remained pending since its adoption in December 2023.²¹ With regard to pre-trial detainees, authorities have failed to make any progress in the amendment of a Ministry of Justice (MoJ) regulation that could allow them to be detained in other locations besides prisons, pursuant to Article 89/1 of the Thai Criminal Procedure Code, which has remained pending since April 2023.²²

According to FIDH's documentation, conditions in Thai prisons have failed to meet international standards, including poor sanitation, inadequate healthcare, and abusive labor practices.²³ Female prisoners have faced additional gender-specific challenges, particularly limited access to specialized medical treatment and insufficient provision of menstrual hygiene products and facilities.²⁴

In addition, conditions in Thailand's IDCs, which are used to detain a broad category of "immigrants" for unauthorized entry and stay, including refugees, asylum seekers, and victims of human trafficking, have

²¹ FIDH, *Annual Prison Report 2026*, 24 March 2026

²² FIDH, *Thailand Annual Prison Report 2024*, 14 March 2024

²³ FIDH, *Thailand Annual Prison Report 2022*, 24 March 2022; FIDH, *Thailand Annual Prison Report 2023*, 7 March 2023; FIDH, *Thailand Annual Prison Report 2024*, 19 March 2024; FIDH, *Thailand Annual Prison Report 2025*, 27 March 2025; FIDH, *Thailand Annual Prison Report 2026*, 24 March 2026

²⁴ FIDH, *Thailand Annual Prison Report 2022*, 23 May 2023; FIDH, *Thailand Annual Prison Report 2024*, 27 March 2024; FIDH, *Thailand Annual Prison Report 2026*, 24 March 2026

been severely overcrowded, with detainees held in squalid cells with minimal personal living space.²⁵ These conditions have been compounded by punishment, abuse, and ill-treatment of detainees, lack of access to basic hygiene supplies, particularly for women, and severely limited availability of adequate healthcare.

Access to prisons for independent human rights organizations for inspection and monitoring of detention conditions in both prisons and IDCs has continued to be unduly restricted by the authorities.²⁶

Request for clarification to government:

- Provide information on the policies implemented and concrete measures taken to reduce the prison population, including the use of non-custodial measures and alternatives to detention, particularly for pre-trial detainees.
- Explain the reasons for the lack of implementation of the DoC regulation concerning the detention of certain convicted inmates in alternative locations other than prisons.
- Provide updates on the amendment process of the 2019 MoJ regulation, issued under Article 89/1 of the Criminal Procedure Code, to allow suspects and defendants to be held in pre-trial detention in alternative locations other than prisons.
- Provide information on measures taken to improve detention conditions in prisons and IDCs to comply with international standards.
- Provide information on measures taken to allow independent and regular access to all places of detention by human rights organizations.

Article 14 (Right to a fair trial)

Fair trial violations against lèse-majesté defendants

The right to a fair trial of individuals prosecuted under Article 112 of the Criminal Code has been repeatedly violated.

Thai courts have systematically undermined the presumption of innocence under Article 14(2) of the ICCPR by routinely denying bail to *lèse-majesté* defendants [See above, *Arbitrary detention of lèse-majesté defendants*]. On numerous occasions, judges presiding over Article 112 cases have made negative or prejudicial comments about defendants' alleged conduct before the trial began, raising concerns about judicial impartiality.²⁷ *Lèse-majesté* defendants have been denied adequate facilities to prepare their defense through the judges' exclusion of evidence and witnesses and the refusal of

²⁵ FIDH, *Out of sight - Human rights violations in Thailand's immigration detention centers*, 29 October 2024

²⁶ FIDH, *Thailand Annual Prison Report 2026*, 24 March 2026

²⁷ TLHR, *Arnon objects to the court in Article 112 case over #HarryPotter1 protest after It orders a closed trial and prohibits disclosure without legal grounds, and forbids objections: 'If anyone speaks, I'll detain them all'*, 4 December 2024, <https://tlhr2014.com/archives/71505> [in Thai]

subpoenas.²⁸ Courts also often imposed restrictions on trial observers and ordered secret hearings in *lèse-majesté* cases, including by limiting courtroom access, demanding personal information from observers, confiscating phones and notes, threatening contempt of court charges, and ordering secret trials without a legal basis.

Many *lèse-majesté* defendants held in pre-trial detention have been required to wear ankle shackles during transport and court appearances [See above, *Torture and ill-treatment of prisoners*], unnecessarily stigmatizing them as dangerous or guilty and undermining the presumption of innocence guaranteed under Article 14(2) of the ICCPR.

Concerns have also been raised about judicial independence in Article 112 proceedings as a result of regulations that permit senior judges to review draft judgments and orders before they are finalized and provide opinions to lower-ranked judges.²⁹

Request for clarification to government:

- Provide information on the measures taken to ensure the right to a fair trial of individuals prosecuted under Article 112.
- Indicate what measures have been taken to ensure that instruments of restraint are used only when necessary and proportionate and do not undermine the presumption of innocence of *lèse-majesté* defendants.

Article 19 (Right to freedom of opinion and expression)

Ongoing enforcement of repressive laws

The right to freedom of opinion and expression has been criminalized through the enforcement of repressive laws that are incompatible with Article 19 of the ICCPR. Such laws have 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; and the 2007 Computer Crimes Act.

Authorities have systematically used Articles 112 and 116 to target pro-democracy activists and protesters for peacefully criticizing the Thai monarchy or advocating for its reform.³⁰ Article 110 was used against peaceful protesters for the first time ever in 2020, with five activists sentenced on appeal to 16 to

²⁸ TLHR, *A compilation of 'irregular incidents' in courts in 2025 based on monitoring of political cases*, 23 January 2026, <https://tlhr2014.com/archives/81290> [in Thai]

²⁹ Clause 5 and 7 of the 2019 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.

³⁰ FIDH, *Standing tall - Women human rights defenders at the forefront of Thailand's pro-democracy protests*, 3 February 2021

21 years in prison.³¹ Articles 326 and 328 have been frequently used by state and non-state actors to pursue strategic lawsuits against public participation (SLAPPs) aimed at intimidating, silencing, and harassing human rights defenders.³² Online expression has been frequently prosecuted under these laws in conjunction with the 2007 Computer Crimes Act.

From July 2020 to July 2026, at least 1,999 individuals—286 of whom were children—were charged in connection with political expression. As of July 2026, at least 52 individuals were detained in prisons in connection with their political expression. Of these, 29 were convicted in cases that had concluded, while 23 remained detained pending trial or appeal.

Resumption of lèse-majesté prosecutions and detentions

The inflexible enforcement of Article 112 of the Criminal Code to criminalize the actions of pro-democracy activists, protesters, and ordinary citizens, has severely curtailed the right to freedom of expression.

In late 2020, after a pause of about two years, prosecutions and arrests under Article 112 resumed in response to the peaceful large-scale pro-democracy protests that swept the country beginning in mid-2020.³³ During many of these demonstrations, protesters broke Thailand's longstanding political taboo by directly criticizing the monarchy and calling for reforms of the institution. The second wave of *lèse-majesté* prosecutions began in late November 2020, shortly after then-Prime Minister Prayuth Chan-ocha stated that Article 112 would be among “all laws and articles” to be enforced against pro-democracy protesters. Between November 2020 and July 2026, at least 292 individuals — 20 of whom under the age of 18 — were charged under Article 112. In the overwhelming majority of these cases, those charged were pro-democracy activists and protest participants who had made public comments on the Thai monarchy during protests or on social media platforms. Some of the prominent activists faced numerous prosecutions under Article 112 in connection with multiple cases, which resulted in very long prison terms.³⁴

Request for clarification to government:

- Provide information on the measures taken to amend laws criminalizing the right to freedom of expression, including Articles 110, 112, 116, 326, and 328 of the Criminal Code and the 2007 Computer Crimes Act, to bring them into line with Article 19 of the ICCPR.

³¹ TLHR, *Court of Appeal reverses Section 110 judgment, finding that the five defendants attempted to obstruct the royal motorcade—16 years' imprisonment each, and 21 years and 4 months in total for “Ekachai”—as they await a decision on bail pending appeal to the Supreme Court*, 5 September 2025, <https://tlhr2014.com/archives/78139> [in Thai]

³² FIDH, *Thailand: Thammakaset watch*, 16 January 2023; FIDH, *Thailand: Judicial harassment against community rights and anti-corruption activist Chutima Sidasathian*, 1 March 2024; FIDH, *Thailand: Prime Minister should refrain from filing criminal lawsuit against human rights defender Yingcheep Atchanont*, 4 August 2026

³³ FIDH, *Second wave: The return of lèse-majesté in Thailand*, 5 October 2021

³⁴ FIDH, *Thailand: Lèse-majesté conviction and prison sentence of Arnon Nampa upheld by the Court of Appeals*, 4 August 2026

- Provide information on the measures taken to ensure that Article 112 of the Criminal Code is not used to criminalize peaceful criticism of or advocacy for the reform of the monarchy, and whether any measures are being considered to review or amend the provision to bring it into line with Article 19 of the ICCPR.

Article 21 (Right to freedom of peaceful assembly)

Repression of peaceful protests

The authorities have continued to restrict the right to freedom of peaceful assembly through burdensome legal requirements, the prosecution of peaceful protesters, and the disproportionate use of force against peaceful demonstrations.

The 2015 Public Assembly Act imposes overly burdensome requirements for protest organizers and unnecessary restrictions on participants in a manner that is inconsistent with Article 21 of the ICCPR. These includes a notification requirement and a blanket ban on assembly in certain locations, such as within 150 meters of the Grand Palace and other royal residences. The enforcement of the Act increased dramatically in response to the 2020-2021 pro-democracy protests.³⁵ Between July 2020 and July 2026, at least 202 individuals were charged under the Public Assembly Act, primarily in connection with peaceful demonstrations.

In addition, the peaceful pro-democracy demonstrators were often met with unnecessary and disproportionate force by police. Between October 2020 and March 2021, police used water cannons, tear gas, and rubber bullets to disperse peaceful protests in Bangkok on numerous occasions, resulting in dozens of injuries among demonstrators.³⁶

Women human rights defenders, who played a key role in organizing and leading the peaceful pro-democracy demonstrations in 2020 and 2021, were systematically targeted by both state and non-state actors for their activism.³⁷ They were subjected to the same types of human rights violations as their male counterparts in connection with their human rights work, while also exposed to additional gender-based attacks and harassment aimed at delegitimizing their work and discouraging them from participating in the demonstrations.

Request for clarification to government:

- Provide information on measures taken to ensure that the 2015 Public Assembly Act and its implementation comply with Article 21 of the ICCPR, including by removing unnecessary notification requirements and a blanket ban on assembly venues.

³⁵ FIDH, *Standing tall - Women human rights defenders at the forefront of Thailand's pro-democracy protests*, 3 February 2021

³⁶ FIDH, *Letter expressing concerns regarding the right to peaceful assembly*, 1 September 2021

³⁷ FIDH, *Standing tall - Women human rights defenders at the forefront of Thailand's pro-democracy protests*, 3 February 2021

- Provide information on investigations into the use of force against peaceful demonstrators during the 2020-2021 pro-democracy protests, and indicate whether any police officers have been held accountable and whether victims have received effective remedies.
- Indicate what measures have been taken to prevent and address gender-based threats, harassment, and attacks against women human rights defenders in connection with their participation in peaceful demonstrations.

Article 22 (Right to freedom of association)

Dissolution of political parties

The Thai Constitutional Court's dissolution of the opposition Move Forward Party in August 2024 for pursuing legislative reform through constitutional procedures amounted to an unnecessary and disproportionate restriction on the right to freedom of association, guaranteed by Article 22 of the ICCPR. The court's ruling was in relation to the party's submission of a bill to the Speaker of the House of Representatives in February 2021 to amend Article 112 of the Criminal Code (*lèse-majesté*), as well as its pledge to amend Article 112, made during the campaign lead-up to the 14 May 2023 general election.³⁸ The court considered that the party's proposals to amend Article 112 amounted to an attempt "to overthrow the democratic regime of government with the King as head of state," as stipulated by Article 49 of Thailand's 2017 Constitution.

Request for clarification to government:

- Explain how the dissolution of the Move Forward Party in August 2024 for its proposed legal amendment through lawful means was consistent with Thailand's obligations under Article 22 of the ICCPR.

Article 25 (Right to take part in the conduct of public affairs)

Political bans in violation of the right to political participation

The Constitutional Court's dissolution of the Move Forward Party in August 2024 effectively disenfranchised millions of voters of the party, who won the highest number of votes (14.4 million) and parliamentary seats (151) in the May 2023 general election, which undermined the right of citizens to participate in the conduct of public affairs through freely chosen representatives under Article 25 of the ICCPR.³⁹ The court's imposition of a ban on party executives on holding political offices for 10 years also unreasonably deprived them of the right to take part in the conduct of public affairs and to be elected, which is guaranteed by Article 25 of the ICCPR.

³⁸ FIDH, *Thailand: Looming dissolution of main opposition party in breach of international law*, 17 April 2024

³⁹ FIDH, *Thailand: Dissolution of election-winning party a setback for democracy, human rights*, 7 August 2024

The same February 2021 bill that led to the Move Forward Party's dissolution in August 2024 has also given rise to proceedings against the 44 former Move Forward Party's Members of Parliament (MPs)—10 of whom are current MPs—who signed it. In February 2026, the National Anti-Corruption Commission resolved that all 44 had committed a serious breach of ethical standards, pursuant to Article 219 of the 2017 Constitution and Article 28(1) of the 2018 Organic Act on Anti-Corruption,⁴⁰ by jointly proposing the amendment, and referred the matter to the Supreme Court, which accepted the petition in April 2026.⁴¹ If the petition succeeds, the 44 face a lifetime ban from holding political office.

Denial of prisoners' right to vote

Thai prisoners across the country have been consistently barred from voting in all electoral processes, including general elections. The blanket disenfranchisement of such a large number of citizens (over a quarter of a million citizens in the last two general elections in May 2013 and February 2016 - or 0.5% and almost 0.6% of the electorate, respectively)⁴² is inconsistent with Thailand's obligations under the Article 25 of the ICCPR. The disenfranchisement of prisoners is affirmed by Article 96(3) of Thailand's 2017 Constitution and Article 32(3) of the Organic Act on the Election of Members of the House of Representatives, enacted in 2018 and amended in 2023.

Request for clarification to government:

- Explain how the dissolution of the Move Forward Party in August 2024 and the 10-year ban imposed on its party executives from holding political office were consistent with Thailand's obligations under Article 25 of the ICCPR.
- Explain how proceedings against 44 former Move Forward MPs are consistent with Thailand's obligations under Article 25 of the ICCPR, and indicate what safeguards are in place to ensure that MPs are not sanctioned for the exercise of their legislative functions.
- Provide information on measures aimed at guaranteeing the right to vote of detainees in accordance with Article 25 of the ICCPR.

⁴⁰ Article 219 of the 2017 Constitution requires the Constitutional Court and independent constitutional bodies to establish ethical standards applicable to holders of political office, including members of parliament and cabinet ministers. Article 28(1) of the 2018 Organic Act on Anti-Corruption grants the NACC the power to investigate and prepare opinions regarding high-level public and political figures accused of corruption or serious violation of ethical standards.

⁴¹ Bangkok Post, *Anti-graft body defends case against ex-Move Forward MPs*, 11 April 2026

⁴² According to the Department of Corrections, there were 268,621 prisoners in May 2023 and 307,574 prisoners in February 2026. There were 52,195,920 and 52,933,610 eligible voters in the May 2023 and February 2026 election, respectively.