



fidh



THAILAND ANNUAL PRISON REPORT 2024

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Executive summary

In 2023, inequalities and double standards continued to characterize the treatment of prisoners in Thailand.

While preferential treatment of inmates of higher social status has been a longstanding feature of Thailand's penitentiary system, the case of former Thai Prime Minister Thaksin Shinawatra drew national and international attention to this issue.

On the same day he returned to Thailand from self-imposed exile to serve an eight-year prison term, Mr. Thaksin was promptly transferred to the Police General Hospital in Bangkok, supposedly due to a series of medical conditions, and accommodated in a private suite in a "premium" ward, where he remained well into 2024.

The authorities' handling of the former Prime Minister's case stood in stark contrast with the difficulties in accessing adequate and timely healthcare for most prisoners in Thailand, particularly in cases of emergencies. In general, wealthy, well-known, or influential prisoners enjoyed a wide range of privileges over the general prison population, including: sleeping dormitories with fewer occupants; better quality mattresses for sleeping; priority in receiving meals that were more nutritious; and certain levels of impunity when committing disciplinary offenses.

According to interviewed former prisoners, prison conditions remained poor, with ongoing challenges reported in numerous areas, including: conditions of accommodation; punishment; quality of food and drinking water; access to healthcare; work; contacts with the outside world; recreational and rehabilitative activities; and complaint procedures.

Meanwhile, in 2023, Thai prisoners across the country were barred from voting in the general election, which took place on 14 May 2023. This blanket disenfranchisement of up to at least a quarter of a million citizens was inconsistent with international human rights law and standards.

Overcrowding continued to plague prisons, with 112 (or 78%) of Thailand's 143 correctional facilities operating above their official capacity. The number of inmates imprisoned for drug-related offenses continued to account for the vast majority (75%) of the total prison population. Little progress was made in the implementation of new measures aimed at reducing chronic prison overcrowding, including those promoting the use of detention in alternative locations outside prisons for pre-trial detainees and certain categories of prisoners.

In addition, for the first time since 2019, the total prison population increased (+4.5%) year-on-year, and, for the second consecutive year, the number of prisoners under death sentence went up (+43%).

Among the few positive developments in 2023 was the provision of better quality bedding, reported by most interviewed prisoners, while former female prisoners reported that feminine hygiene products were adequately available.

Other positive developments were the small reduction (-16%) in the total number of drug-related cases brought before the courts of first instance and the sharp increase (+63%) in the number of admissions to voluntary drug rehabilitation as an alternative to incarceration under the 2021 Narcotics Code. These gains appear to be the consequence of the reform of drug laws undertaken by the previous government, which came into effect at the end of 2021 and aimed at promoting the use of non-custodial measures for certain drug-related offenses.

Now in its third edition, the annual prison report seeks to provide an independent assessment of conditions in Thai prisons, analyze significant stats, figures, and trends related to the Thai prison system, and present relevant key developments. The report also makes numerous practical recommendations for the improvement of prison conditions to be in line with international standards.

List of acronyms

AI = Amnesty International
CARE = Center for Assistance to Reintegration and Employment
CAT = Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CC = Criminal Code
CCPR = Human Rights Committee
CEDAW = Convention on the Elimination of All Forms of Discrimination against Women
CRC = Convention on the Rights of the Child
CRPD = Convention on the Rights of Persons with Disabilities
DoC = Department of Corrections
FIDH = International Federation for Human Rights
HIV = Human immunodeficiency virus
ICCPR = International Covenant on Civil and Political Rights
ICESCR = International Covenant on Economic, Social and Cultural Rights
LGBTIQ = Lesbian, gay, bisexual, transgender, intersex, queer/questioning
MoJ = Ministry of Justice
NC = Narcotics Code
NHRCT = National Human Rights Commission of Thailand
UCL = Union for Civil Liberty
UK = United Kingdom
UN = United Nations
UNGPs = UN Guiding Principles on Business and Human Rights
UPR = Universal Periodic Review
WGAD = Working Group on Arbitrary Detention

2023 in a nutshell

Negative developments

- Inequalities and double standards in the treatment of prisoners.
- Increase in the total prison population.
- Increase in the number of prisoners under death sentence.
- Disenfranchisement of prisoners in the general election.

Positive developments

- Access to better quality bedding.
- Feminine hygiene products adequately available.
- Decrease in the number of drug-related cases brought before the courts of first instance.
- Increase in the number of admissions to voluntary drug rehabilitation as an alternative to incarceration.

2023 in numbers

4.5%

Increase in the total prison population

19%

Percentage of pre-trial prisoners

75%

Percentage of prisoners incarcerated for drug-related offenses

43%

Increase in the number of prisoners under a death sentence

44%

Percentage of recidivist prisoners

3.1%

Percentage of prisoners with special needs

2.8%

Percentage of foreign prisoners

78%

Percentage of prisons that operate above their official capacity

59%

Decrease in the number of convicted prisoners benefiting from conditional release

16%

Reduction in the total number of drug-related cases brought before the courts of first instance

63%

Increase in the number of admissions to voluntary drug rehabilitation as an alternative to incarceration

1. Introduction

The annual prison report is the only independent and comprehensive review of prison conditions in Thailand. The 2024 report covers developments, trends, facts, and figures from 1 January to 31 December 2023. It is based on the following information: 1) interviews with former prisoners who were detained during the reporting period; 2) reliable news articles and reports; 3) reports from other non-governmental organizations; and 4) official documents published by Thai government agencies and other institutions.

In the preparation of this report, FIDH interviewed 22 former prisoners (16 men and six women) detained in 13 prisons and released at various times in 2023.¹ The interviews were conducted between October and December 2023. It is likely that the information gathered through these interviews is reflective of similar trends and conditions that exist in other prisons in the country.

2. Stats, figures, and key trends

In 2023, Thailand saw an increase in its total prison population, ending a downward trend that had begun in 2019. The overall number of prisoners continued to exceed the official capacity of the prison system.

According to the latest available figures from the Department of Corrections (DoC), as of October 2023, the Thai prison system comprised 143 prisons and correctional facilities, with a total accommodation space of 381,931m² for 238,580 inmates (204,846 men and 33,744 women).² The official capacity is based on an accommodation space of 1.6m² per person, mandated by the DoC.³

In addition, as of December 2023, there were a total of 12,077 correctional officers, with an average staff-to-prisoner ratio of 1:24, compared to 1:23 in 2022, when there were a total of 11,980 correctional officers.⁴ The higher staff-to-prisoner ratio in 2023 was largely due to the increase in the total prison population. According to the DoC, shortages of prison staff in recent years have negatively affected prison operations, with regard to the supervision of inmates as well as the rehabilitation of prisoners.⁵

Below is an analysis of some of the key trends in Thailand's prison system and its population, between January and December 2023.

1. The 16 men were detained at: 1) Bangkok Remand Prison in Bangkok; 2) Thonburi Remand Prison in Bangkok; 3) Pattani Central Prison in Pattani Province; 4) Ratchaburi Central Prison in Ratchaburi Province; 5) Chiang Mai Central Prison in Chiang Mai Province; 6) Lamphun Provincial Prison in Lamphun Province; 7) Nakhon Si Thammarat Central Prison in Nakhon Si Thammarat Province; 8) Phang-nga Provincial Prison in Phang-nga Province and 9) Phatthalung Central Prison in Phatthalung Province. The six women were detained at: 1) Central Women's Correctional Institution in Bangkok; 2) Thanyaburi Women's Correctional Institution for Drug Addicts in Pathumthani Province; 3) Chiang Mai Women's Correctional Institution in Chiang Mai Province; and 4) Khae Noi Temporary Prison in Petchabun Province.

2. Note: The sum of 204,846 and 33,744 does not equal the total of 238,580. These official numbers were reported by the Department of Corrections; Department of Corrections Public Relation Facebook Page, *7 facts behind bars for public awareness – Topic 1: The situation of overcrowding in prisons in Thailand*; 8 October 2023 [in Thai]; <https://www.facebook.com/prthaidoc/posts/712610720897987/>

In District prisons (for pre-trial prisoners and prisoners sentenced to less than 10 years), Central prisons (for pre-trial prisoners and prisoners sentenced to more than 15 years), and Provincial prisons (for pre-trial prisoners and prisoners sentenced to less than 15 years), male and female prisoners are held in separate sections of the same prison. There are also eight correctional institutions specifically for women (for pre-trial prisoners and prisoners sentenced to any term or the death penalty): Chonburi Women's Correctional Institution in Chonburi Province; Nakhon Ratchasima Women's Correctional Institution in Nakhon Ratchasima Province; Chiang Mai Women's Correctional Institution in Chiang Mai Province; Phitsanulok Women's Correctional Institution in Phitsanulok Province; Songkhla Women's Correctional Institution in Songkhla Province; Central Women's Correctional Institution for Drug Addicts in Bangkok; Central Women's Correctional Institution in Bangkok; and Thonburi Women's Correctional Institution in Bangkok.

3. FIDH, *Thailand annual prison report 2023*, March 2023; <https://www.fidh.org/IMG/pdf/thailandprison804a.pdf>

4. FIDH, *Thailand annual prison report 2023*, March 2023; <https://www.fidh.org/IMG/pdf/thailandprison804a.pdf>

5. Department of Corrections Public Relation Facebook Page, *7 facts behind bars for public awareness – Topic 1: The situation of overcrowding in prisons in Thailand*; 8 October 2023 [in Thai]

2.1. Total prison population increases

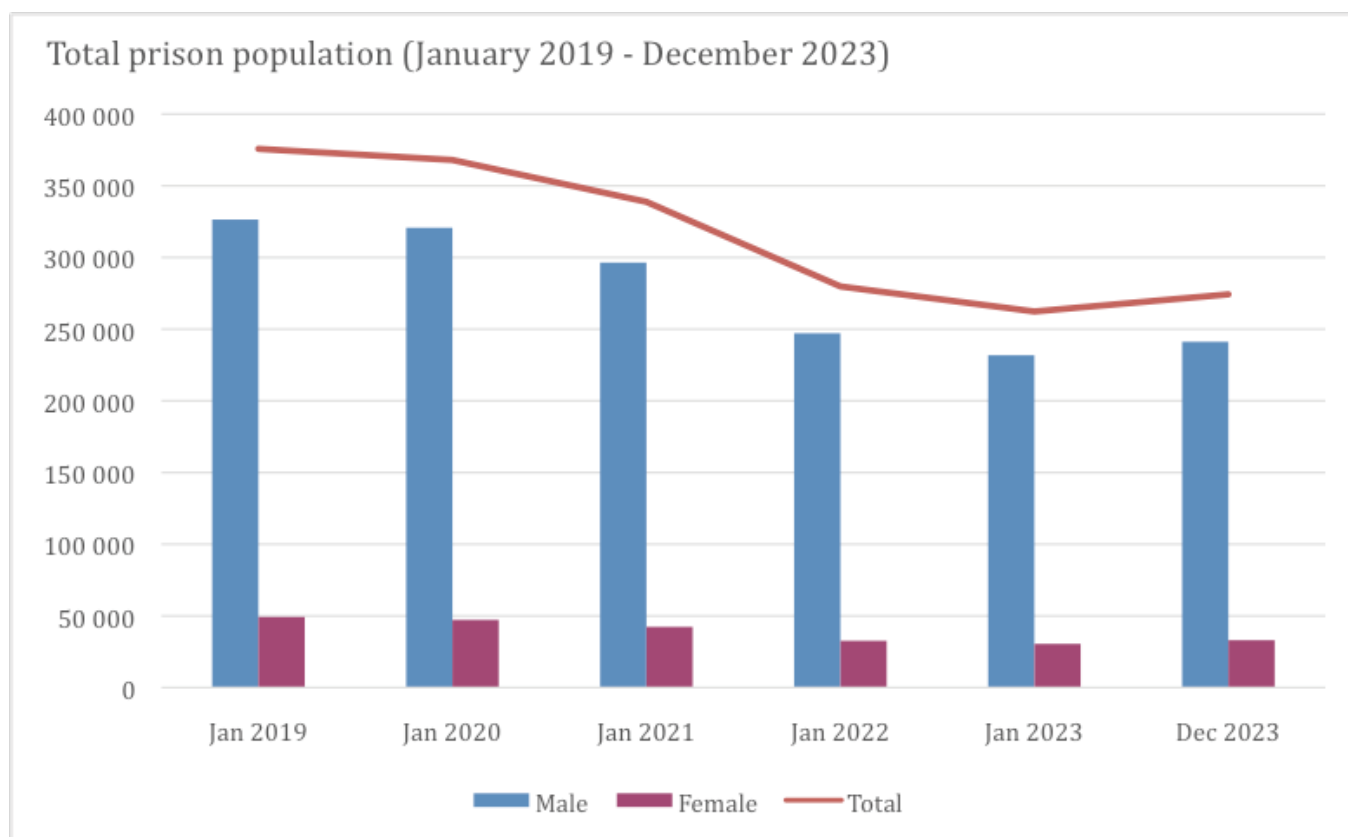
From January to December 2023, Thailand's overall prison population increased. In January, there were 262,319 (231,813 men and 30,506 women) prisoners. By December, the number had increased by 4.5% to 274,277 (241,220 men and 33,057 women). The number of female prisoners increased by around 8%, double the 4% increase in the number of male prisoners.

Total prison population (January – December 2023)			
Month / year	Male	Female	Total
January 2023	231,813	30,506	262,319
February 2023	233,837	30,832	264,669
March 2023	232,856	30,736	263,592
April 2023	235,151	31,188	266,339
May 2023	237,193	31,428	268,621
June 2023	236,708	31,598	268,306
July 2023	235,065	31,384	266,449
August 2023	236,553	31,852	268,405
September 2023	237,525	32,125	269,650
October 2023	238,429	32,450	270,879
November 2023	239,332	32,635	271,967
December 2023	241,220	33,057	274,277

Convicted prisoners categorized by the length of finalized prison sentences (as of December 2023)				
Category	Male	Female	Total	%
Less than 3 months	427	48	475	0.22
More than 3 months to 6 months	1,708	273	1,981	0.92
More than 6 months to 1 year	6,024	592	6,616	3.06
More than 1 year to 2 years	25,725	3,851	29,576	13.68
More than 2 years to 5 years	65,828	7,893	73,721	34.11
More than 5 years to 10 years	34,658	4,119	38,777	17.94
More than 10 years to 15 years	23,286	3,683	26,969	12.48
More than 15 years to 20 years	10,005	1,715	11,720	5.42
More than 20 years to 50 years	18,373	2,854	21,227	9.82
More than 50 years	986	135	1,121	0.52
Life sentence	3,329	414	3,743	1.73
Death sentence	56	2	58	0.03
Unidentifiable	147	7	154	0.07
Total	190,552	25,586	216,138	100.00

The increase in the total prison population in 2023 ended a downward trend that had begun in 2019. Nonetheless, the total prison population recorded in December 2023 was still lower than that of January 2019, representing a 27% drop. During the 2019-2023 period, Thailand saw a decline in the male prison population of about 26%, while the female prison population decreased by almost 33%.

Total prison population (January 2019 – December 2023)			
Month/ year	Male	Female	Total
January 2019	326,439	49,324	375,763
January 2020	320,737	47,256	367,993
January 2021	296,429	42,377	338,806
January 2022	247,164	32,648	279,812
January 2023	231,813	30,506	262,319
December 2023	241,220	33,057	274,277



2.2. Most prisons packed over capacity

The DoC's prison population figures for 2023 showed that the total occupancy level of the prison system continued to exceed its official capacity of 238,580 inmates (204,846 men and 33,744 women).⁶ In particular, the number of male inmates throughout 2023 remained consistently higher than the official capacity, at around 241,220, or 17% above the official capacity. The number of female inmates (33,057) accounted for 97% of the maximum capacity allocated to them.

The most recent official capacity of 238,580 inmates reported by the DoC was higher than the one reported in 2022, which stood at 232,165 inmates – an increase of about 3%, perhaps attributable to the opening of the new Suratthani Central Prison in Suratthani Province.⁷

In addition, the latest statistics by the DoC, as of 5 December 2023, showed that 112 prisons, or 78%, out of 143 prisons nationwide operated above their intended capacity. The most overcrowded prison was Buriram Provincial Prison in Buriram Province, which operated at 385% of its official capacity, followed by Nakhon Nayok Provincial Prison in Nakhon Nayok Province and Phra Nakhon Si Ayutthaya Provincial Prison in Phra Nakhon Si Ayutthaya Province, both of which operated at 154% of their official capacity [See below, *Appendix IV*].

2.3. Use of pre-trial detention remains significant

Between January and December 2023, the rate of inmates detained without having completed their judicial process remained stable, ranging between 18% and 20% of the total prison population. In December, 52,376 prisoners in Thailand, or about 19% of the total prison population, were held in pre-trial detention, up by less than 1% from January, when the pre-trial population totaled 49,272 detainees, or 18.8% of the overall prison population. The percentage of women in pre-trial detention rose from about 19% of the total female prison population in January to 20% in December 2023. For male prisoners, the rate of male pre-trial detainees remained stable at about 19% throughout 2023.

Number of pre-trial detainees (January – December 2023)				
Month / year	Male	Female	Total	% of the total prison population
January 2023	43,570	5,702	49,272	18.78
February 2023	43,437	5,730	49,167	18.58
March 2023	42,889	5,707	48,596	18.44
April 2023	44,501	5,966	50,467	18.95
May 2023	46,210	6,184	52,394	19.50
June 2023	46,200	6,251	52,451	19.55
July 2023	44,252	6,046	50,298	18.88
August 2023	44,280	6,217	50,497	18.81
September 2023	44,740	6,308	51,048	18.93
October 2023	44,805	6,363	51,168	18.89
November 2023	45,107	6,373	51,480	18.92
December 2023	45,793	6,583	52,376	19.09

6. See footnote #2.

Department of Corrections, *Report of the overcrowding situation in prisons/correctional facilities*, accessed on 24 January 2024; http://www.correct.go.th/rt103pdf/crowded_index.php [in Thai]

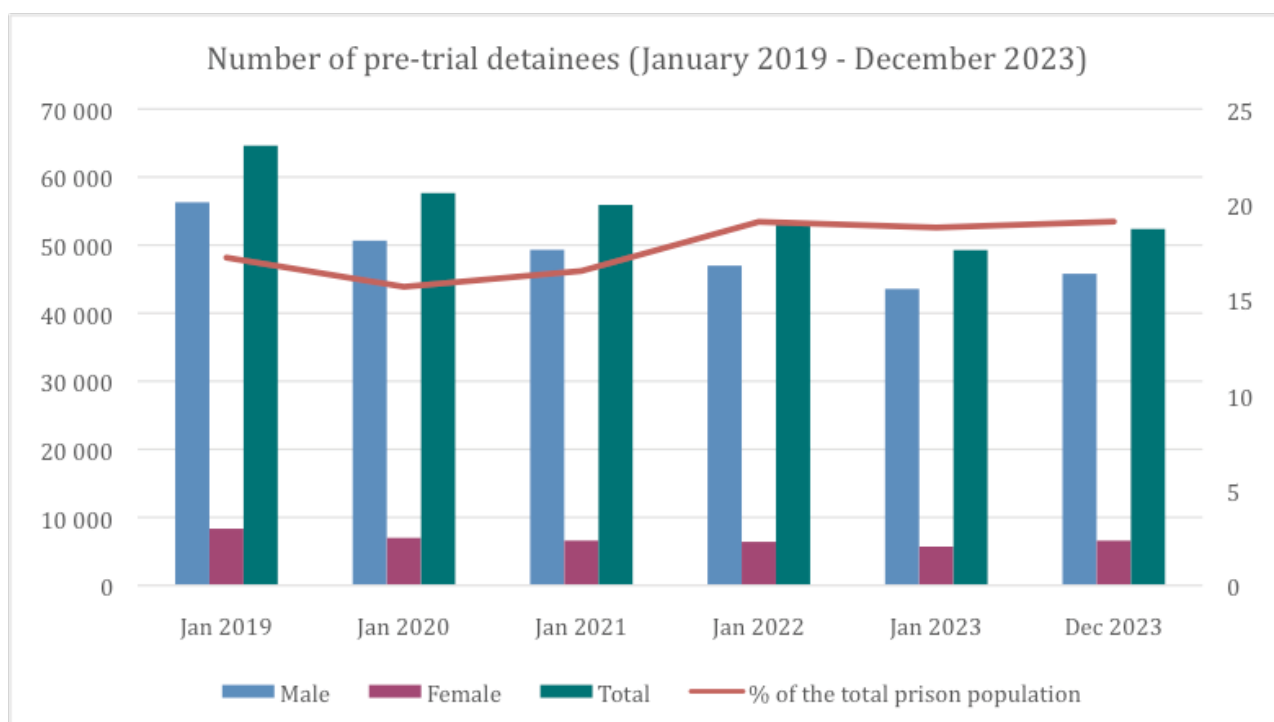
7. The DoC official's minimum space for accommodation is 1.6m² (80cm x 2m) per prisoner.

Daily News, "Suratthani" opening new prison to accommodate more prisoners, 20 April 2023 [in Thai]; <https://www.dailynews.co.th/news/2236574/>

From 2019 to 2023, the number of pre-trial detainees in Thai prisons declined by almost 19%, from 64,621 to 52,376. The number of male prisoners held in pre-trial detention dropped by almost 19%, while that of female pre-trial detainees decreased by about 21%.

However, by December 2023, the proportion of pre-trial detainees to the overall prison population had increased by 2% compared to January 2019, when pre-trial detainees constituted around 17% of the total prison population. The proportion of male pre-trial detainees rose by less than 2%, from 17.2% in January 2019 to 19% in December 2023. For female pre-trial detainees, the percentage went up by 3%, from 17% to 20% during the same period.

Number of pre-trial detainees (January 2019 – December 2023)				
Month / year	Male	Female	Total	% of the total prison population
January 2019	56,292	8,329	64,621	17.20
January 2020	50,661	6,992	57,653	15.67
January 2021	49,316	6,591	55,907	16.50
January 2022	46,984	6,402	53,386	19.08
January 2023	43,570	5,702	49,272	18.78
December 2023	45,793	6,583	52,376	19.09



2.4. High rate of inmates incarcerated for drug-related offenses

In 2023, the number of inmates detained for drug-related offenses continued to account for the vast majority of the total prison population. From January to December, the proportion of prisoners detained for drug-related offenses decreased by nearly 4%. As of December, 205,127 inmates (181,781 men and 23,346 women, representing 75% and 70% of the total male and female prison population, respectively) were incarcerated for drug-related offenses, representing almost 75% of the prison population. The numbers of both male and female prisoners detained for drug-related crimes remained constant throughout 2023.

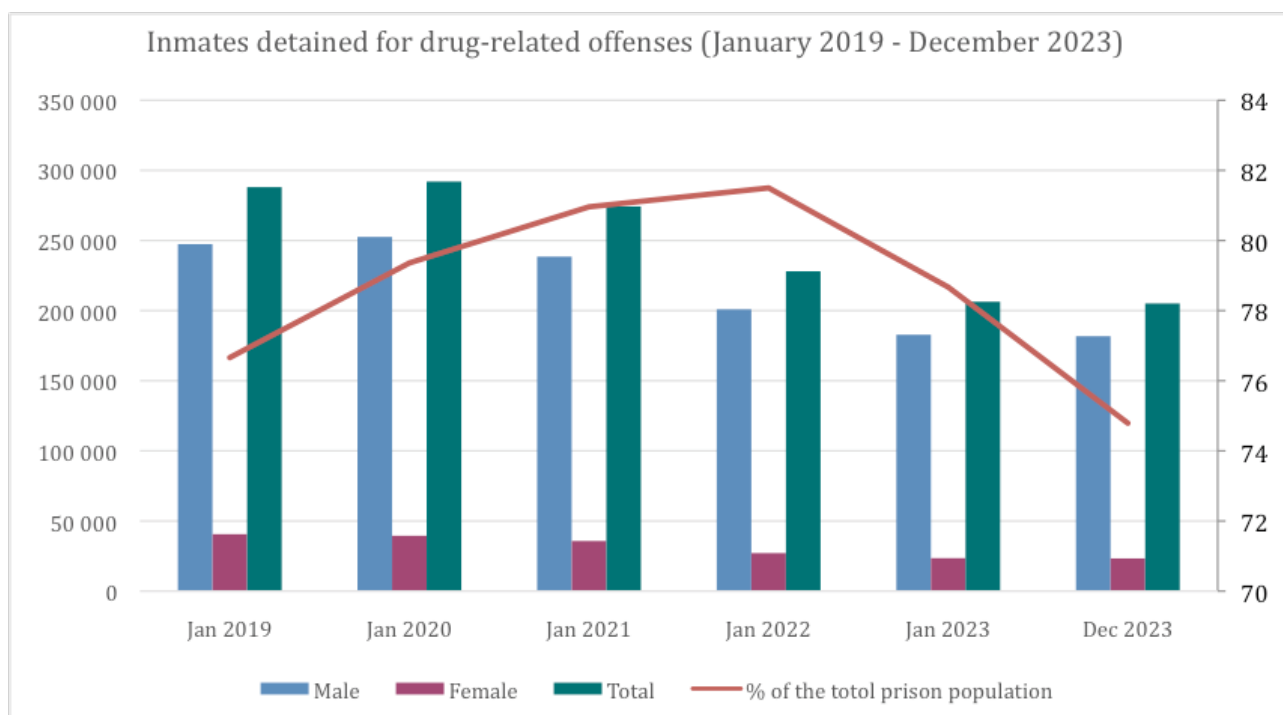
Convicted prisoners categorized by offenses (as of 1 December 2023)				
Category	Male	Female	Total	% of the total prison population
Drug-related offenses	146,788	18,788	165,576	76.61
Property-related offenses	18,851	5,260	24,111	11.16
Life-related offenses	11,401	374	11,775	5.45
Sex-related offenses	5,776	197	5,973	2.76
Body-related offenses	1,508	46	1,554	0.72
Public danger-related offenses	86	6	92	0.04
Others (i.e. petty crimes, immigration offenses, etc.)	6,142	915	7,057	3.27
Total	190,552	25,586	216,138	100.00

Prisoners detained for drug-related offenses (January – December 2023)				
Month / year	Male	Female	Total	% of the total prison population
January 2023	182,821	23,541	206,362	78.67
February 2023	182,167	23,395	205,562	77.67
March 2023	181,995	23,328	205,323	77.89
April 2023	182,975	23,420	206,395	77.49
May 2023	183,479	23,453	206,932	77.04
June 2023	182,454	23,363	205,817	76.71
July 2023	180,281	23,006	203,287	76.30
August 2023	180,899	23,205	204,104	76.04
September 2023	180,968	23,267	204,235	75.74
October 2023	180,929	23,258	204,187	75.38
November 2023	180,896	23,251	204,147	75.06
December 2023	181,781	23,346	205,127	74.79

Between 2019 and 2023, Thailand observed a downward trend in the number of inmates detained for drug-related offenses. The overall number of inmates detained for drug-related offenses in December 2023 was down by almost 29% from January 2019. In the same period, the number of female prisoners detained for drug-related offenses decreased by about 43%, which was significantly higher than the 27% drop observed in the number of male inmates detained for drug-related offenses.

However, the proportion of prisoners detained for drug-related offenses compared to the total prison population declined only by less than 2% - from 76.6% in January 2019 to 74.8% in December 2023. The proportion of female prisoners detained for drug-related offenses compared to the total female prison population went down by 12%, from 82% in January 2019 to 70% in December 2023. Meanwhile, for male prisoners, the proportion remained constant at about 75%.

Inmates detained for drug-related offenses (January 2019 – December 2023)				
Month / year	Male	Female	Total	% of the total prison population
January 2019	247,423	40,626	288,049	76.66
January 2020	252,557	39,481	292,038	79.36
January 2021	238,516	35,771	274,287	80.96
January 2022	200,929	27,120	228,049	81.50
January 2023	182,821	23,541	206,362	78.67
December 2023	181,781	23,346	205,127	74.79



2.5. Inmates under death sentence increase

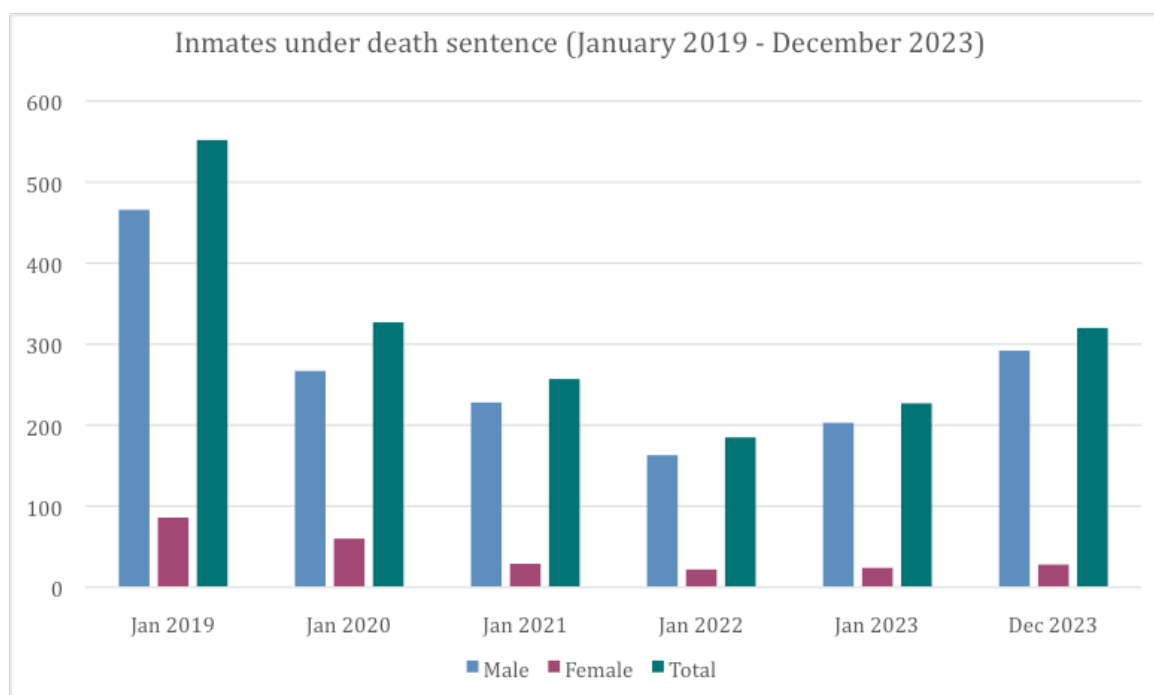
Official figures from the DoC showed an increase in the number of inmates under death sentence in 2023. This was presumably due to the absence of commutation of death sentences through royal amnesties in 2023. In January, there were a total 227 inmates (203 men and 24 women) under death sentence. According to the latest statistics published by the DoC in December, the number had increased by 43%, to 325 (297 men and 28 women).⁸ The increase was observed in both the numbers of male and female prisoners under death sentence, at 46% and 17%, respectively.

Inmates under death sentence (January – December 2023)			
Month / year	Male	Female	Total
January 2023	203	24	227
February 2023	224	26	250
March 2023	238	24	262
April 2023	240	24	264
May 2023	249	21	270
June 2023	244	20	264
July 2023	245	22	267
August 2023	259	23	282
September 2023	266	27	293
October 2023	272	25	297
November 2023	286	27	313
December 2023	297	28	325

The increase in the number of inmates under death sentence ended the downward trend that had begun in 2019. However, the number of such prisoners was still 41% lower than that recorded in January 2019. Between 2019 and 2023, the number of male prisoners under death sentence declined by 36%, while the number of women prisoners under death sentence decreased by 67%

Inmates under death sentence (January 2019 – December 2023)			
Month / year	Male	Female	Total
January 2019	466	86	552
January 2020	267	60	327
January 2021	228	29	257
January 2022	163	22	185
January 2023	203	24	227
December 2023	297	28	325

8. Department of Corrections, *Statistics of prisoners under death sentence*, accessed on 24 January 2023; <http://www.correct.go.th/executed/index.php> [in Thai]



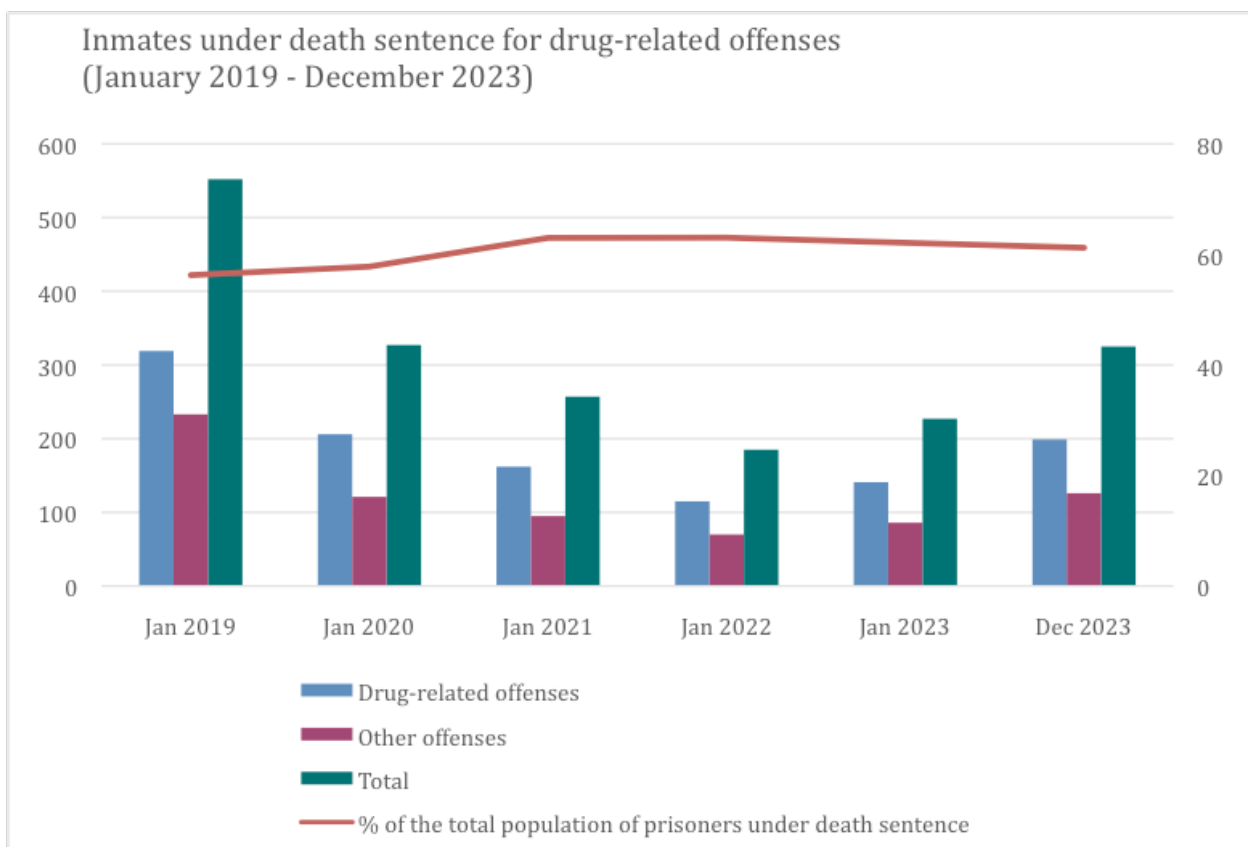
In 2023, drug-related offenses continued to account for the majority of the crimes for which a death sentence had been imposed. As of December, 199 of the 325 (61%) Inmates under death sentence had been convicted of drug-related offenses. This proportion remained constant throughout 2023, except in February, when it reached 68%.

Although women constituted a small minority of inmates under death sentence, nearly all of them were convicted of drug-related offenses. As of December 2023, nearly 93% had been sentenced to death for drug-related offenses, which was nearly double the proportion (58%) of male prisoners under death sentence for drug-related offenses.

Inmates under death sentence for drug-related offenses (January – December 2023)				
Month / year	Male	Female	Total	% of the total number of prisoners under death sentence
January 2023	121	20	141	62.1
February 2023	148	23	171	68.4
March 2023	142	21	163	62.2
April 2023	141	21	162	61.3
May 2023	148	18	166	61.4
June 2023	146	17	163	61.7
July 2023	145	19	164	61.4
August 2023	151	20	171	60.6
September 2023	156	24	180	63.6
October 2023	160	23	183	61.6
November 2023	170	25	195	62.3
December 2023	173	26	199	61.2

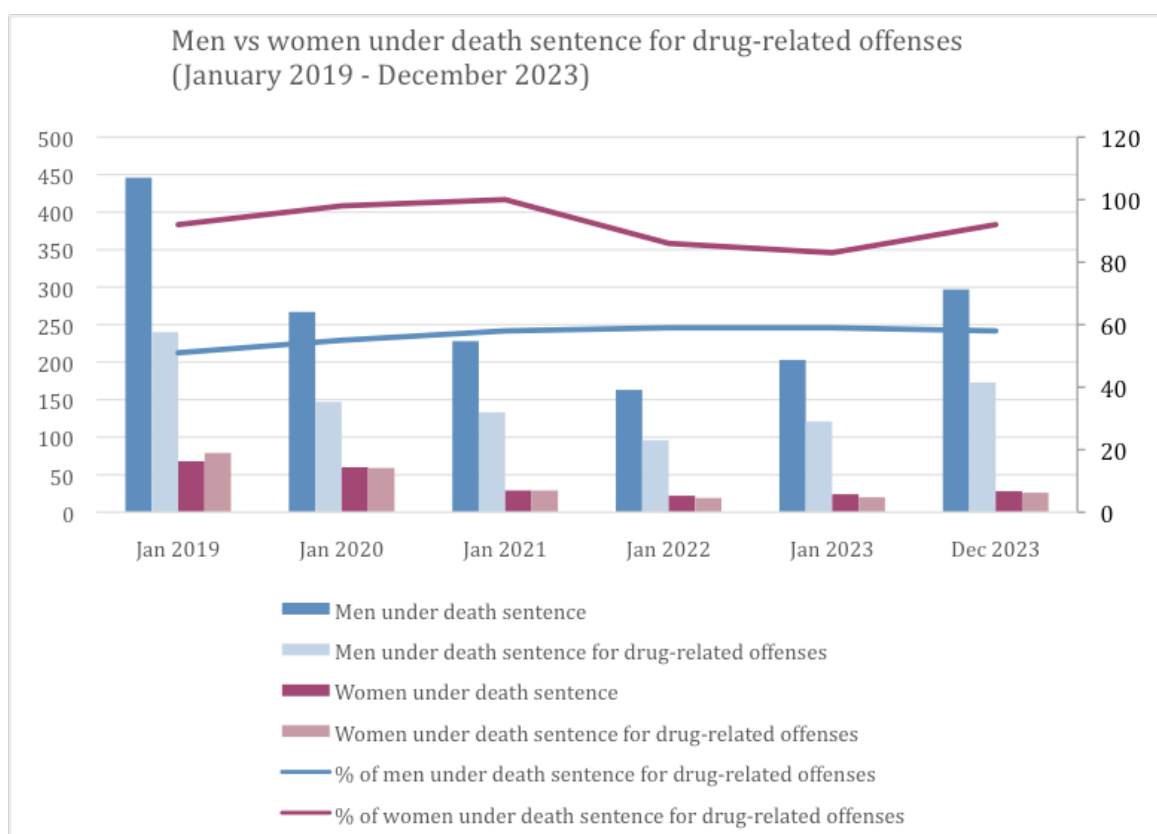
While the number of prisoners under death sentence decreased by 41% during the 2019-2023 period, the proportion of those who had been sentenced to capital punishment for drug-related offenses compared to the total number of inmates under death sentence went up from 56% in January 2019 to 61% in December 2023.

Inmates under death sentence for drug related offenses (January 2019 – December 2023)				
Month / year	Drug-related offenses	Other offenses	Total	% of the total number of prisoners under death sentence
January 2019	319	233	552	56.25
January 2020	206	121	327	57.79
January 2021	162	95	257	62.99
January 2022	115	70	185	63.03
January 2023	141	86	227	62.1
December 2023	199	126	325	61.2



Since 2019, women convicted of drug-related offenses continued to disproportionately account for the number of those under death sentence. The female share of prisoners under death sentence has remained consistently high, at an average of about 92%, compared to the total number of female prisoners under death sentence. The average proportion of male inmates under death sentence for drug-related offenses compared to the total number of male inmates under death sentence was 57%.

Men vs women under death sentence for drug-related offenses (January 2019 – December 2023)						
Month / year	Women under death sentence	Women under death sentence for drug-related offenses	%	Men under death sentence	Men under death sentence for drug-related offenses	%
January 2019	86	79	92	466	240	51
January 2020	60	59	98	267	147	55
January 2021	29	29	100	228	133	58
January 2022	22	19	86	163	96	59
January 2023	24	20	83	203	121	59
December 2023	28	26	92	297	173	58



2.6. High recidivism rates

According to the DoC, as of 1 December 2023, 94,323 out of 216,138 convicted inmates, or about 44%, were reoffenders. The percentage remained virtually unchanged from 2022. Of the total 119,227 inmates released in 2023, 10,827, or 9%, reoffended by the end of the year.⁹

Convicted inmates categorized by number of times in detention (as of December 2023)				
Time in detention	Male	Female	Total	%
1 st time in detention	100,028	17,800	117,828	54.52
2 nd time in detention	59,994	5,614	65,608	30.35
3 rd time in detention	19,685	1,351	21,036	9.73
4 th time in detention	5,066	312	5,378	2.49
5 th time in detention or more	2,150	151	2,301	1.06
Detained for two or more times	86,895	7,428	94,323	43.64
Uncategorizable	3,629	358	3,987	1.84
Total	190,552	25,586	216,138	100.00

Reoffending rates for inmates released in fiscal year 2023 by type of offenses (as of 15 December)	
Type of offenses	%
Drug	24
Property	12
Others (including petty crime, immigration offenses, gambling, etc.)	59
Life and body	1.3
Sexual	0.2
Administrative	0.2
Public safety ¹⁰	0.06

2.7. Deaths in prison

According to DoC statistics, in fiscal year 2023 (from 1 October 2022 to 30 September 2023), 718 prisoners (669 male and 49 female) died of "natural causes" and 33 prisoners died of "unnatural causes," which included suicides.¹¹ The mortality rate stood at 266 deaths per 100,000 prisoners. Deaths in prison by natural and unnatural causes declined from those recorded in the previous fiscal year (from 1 October 2021 to 30 September 2022), which stood at 939 prisoners and 39 prisoners, respectively.¹² The number of prisoners who died of suicide declined by 32%, from 19 prisoners in fiscal year 2022 to 13 prisoners in fiscal year 2023.¹³

9. Department of Corrections, *Recidivism Statistics Database*, Accessed on 15 Dec 2023 [in Thai]

10. Including offenses against public safety and terrorism.

11. In addition to suicide, unnatural causes of death include: accidents; homicide; sudden death; and unknown causes.

Department of Corrections, *Summary of the policy implementation of the Director of the Department of Corrections (6 Key foundations) for the fiscal year 2023, fourth quarter (1 October 2022 – 30 September 2023)*, 2023 [in Thai]

12. Department of Corrections, *Prison mortality rate*, accessed on 7 February 2024; <http://www.correct.go.th/stathomepage/>

13. Department of Corrections, *Summary of the policy implementation of the Director of the Department of Corrections (6 Key foundations) for the fiscal year 2023, fourth quarter (1 October 2022 – 30 September 2023)*, 2023 [in Thai]; Department of Corrections, *Summary of the policy implementation of the Director of the Department of Corrections (6 Key foundations) for the*

2.8. Early release measures significantly drop

In 2023, the number of convicted prisoners benefiting from conditional releases declined for the second straight year, down by 59% from 2022, largely due to the absence of mass royal amnesties in 2023. These amnesties have been traditionally bestowed in conjunction with royal auspicious occasions and have disproportionately contributed to the early release of inmates, in comparison to other measures. The latest mass royal amnesty was granted in August 2022 which resulted in the release of 22,822 inmates.¹⁴

Conditional release for convicted prisoners (January – December 2023)				
Month / year	Good time credit	Parole	Royal amnesty	Total
January 2023	364	990	674	2,028
February 2023	317	762	112	1,191
March 2023	631	980	83	1,694
April 2023	406	1,205	70	1,681
May 2023	302	495	43	840
June 2023	591	796	78	1,465
July 2023	647	1,776	79	2,502
August 2023	469	949	49	1,467
September 2023	649	997	47	1,693
October 2023	527	1,124	55	1,706
November 2023	599	437	89	1,125
December 2023	447	901	63	1,411
Total	5,949	11,412	1,442	18,803

However, in 2023, the number of early releases through the good time credit scheme stood at 5,949 inmates – a number that more than doubled from 2,477 inmates in 2022. Early releases through parole increased by 40%, from 8,110 in 2022 to 11,412 in 2023.

Total numbers of conditional release for convicted prisoners (2019 – 2023)				
Month / year	Good time credit	Parole	Royal amnesty	Total
2019	7,496	6,337	21,631	35,464
2020	14,664	13,379	32,864	60,907
2021	5,177	36,776	51,496	93,449
2022	2,477	8,110	35,667	46,254
2023	5,949	11,412	1,442	18,803

fiscal year 2022, fourth quarter (1 October 2021 – 30 September 2022), 2022 [in Thai]

14. FIDH, *Thailand annual prison report 2023*, March 2023; <https://www.fidh.org/IMG/pdf/thailandprison804a.pdf>

2.9. Juvenile offenders detained in prisons decrease

Month/Year	Number of juvenile offenders detained in prisons
January 2023	175
February 2023	153
March 2023	143
April 2023	133
May 2023	123
June 2023	124
July 2023	129
August 2023	143
September 2023	146
October 2023	151
November 2023	157
December 2023	154

Month/Year	Number of juvenile offenders detained in prisons
January 2019	734
January 2020	591
January 2021	395
January 2022	170
January 2023	175
December 2023	154

As of December 2023, there were 154 inmates (140 men and 14 women) aged below 18 years detained in prisons. According to official statistics from the Court of Justice, from January to December 2023, 19 new juvenile offenders were admitted to prisons.¹⁵

Thailand had observed a downward trend in the juvenile prison population since 2019. As of December 2023, the number of juvenile offenders detained in prisons had fallen by 79% from the number recorded in January 2019.¹⁶

2.10. Prisoners with special needs increase

In 2023, the number of prisoners with special needs in Thai prisons increased to 8,645 – up by 17% from 7,380 inmates in 2022.¹⁷ They represented 3.1% of the total prison population. According to the DoC, this category of prisoners included: elderly prisoners (aged above 60 years); prisoners with disabilities; and mothers with children in prisons.¹⁸ Elderly prisoners (7,516) continued to account for the largest share of prisoners with special needs. Their number increased by 19% from 6,283 in 2022.¹⁹

As of December 2023, there were 921 prisoners with disabilities nationwide. The most common types of disabilities were physical mobility impairments (71%), followed by vision impairments (12%).²⁰

As of October 2023, there were 137 pregnant prisoners and 71 children living with female prisoners.²¹

15. Office of Planning and Budget of Court of Justice, *Court of Justice's performance report 2023*, 7 February 2024 P. 78 [in Thai] <https://oppb.coj.go.th/th/content/category/detail/id/8/cid/2087/iid/398588>

16. Department of Corrections, *Prison statistics report: Ror Tor 103*, Accessed on 23 January 2024 [in Thai]; http://www.correct.go.th/rt103pdf/report_rt103_index.php

17. Department of Corrections, *Correspondence number Yor Tor 0710.3/1634: Prisoner statistics for the preparation of Annual Prison Report 2024*, 16 January 2024 [in Thai]

18. Department of Corrections Public Relation Facebook Page, *7 facts behind bars for public awareness – Topic 2: The health condition of prisoners and the treatment for prisoners with disabilities, sick prisoners and elderly prisoners*; 8 October 2023 [in Thai]

19. Department of Corrections, *Correspondence number Yor Tor 0710.3/1634: Prisoner statistics for the preparation of Annual Prison Report 2024*, 16 January 2024 [in Thai]

20. Department of Corrections, *Correspondence number Yor Tor 0710.3/1634: Prisoner statistics for the preparation of Annual Prison Report 2024*, 16 January 2024 [in Thai]

21. Department of Corrections Public Relation Facebook Page, *7 facts behind bars for public awareness*, 8 October 2023 [in Thai];

2.11. Foreign prisoners

As of December 2023, there were 7,932 foreign nationals in Thai prisons, accounting for 2.8% of the total prison population.²² The 10 countries with the highest number of nationals incarcerated included: Myanmar (50%); Laos (15%); Cambodia (9.6%); China (3.7%); Nigeria (2.2%); Malaysia (1.8%); Vietnam (1.6%); Indonesia (1%); Taiwan (0.8%); and India (0.6%) [See below, *Appendix I*].

The most common offenses under which foreign nationals were incarcerated included: drug-related offenses (24%); violations of the Immigration Act (13%); theft (4%); offenses against life (3%); and violations of the Land Traffic Act (2.5%) [See below, *Appendix II*].

2.12. Annual budget increases slightly

For fiscal year 2023 (from 1 October 2022 to 30 September 2023), the DoC received an annual budget of 14.01 billion baht (about US\$396.8 million),²³ which accounted for 56% of the total amount allocated to the Ministry of Justice (MoJ), up by 4% from 13.495 billion baht (about US\$382.2 million) in the previous fiscal year. This figure included an increase in the budget for prison construction, set at 2.26 billion baht (about US\$64 million).

Of its annual budget for fiscal year 2023, 4.40 billion baht (about US\$124.6 million), or 31%, was earmarked for food, meaning roughly 45 baht was spent on each prisoners each day, or 15 baht (about US\$0.45) per meal – the same rate as 2022.²⁴

In September 2023, the government approved expenditure for the construction of new prisons in Utharadit, Yasothorn, and Chainat Provinces.²⁵

3. Restrictions on independent monitoring of prison conditions persist

In 2023, access to prisons for independent human rights organizations to monitor detention conditions continued to be arbitrarily restricted.

In 2023, for the third consecutive time since the first publication of the FIDH-UCL annual prison report, the Department of Corrections (DoC) refused to grant the two organizations access to prisons for documentation purposes.²⁶ In early August 2023, FIDH and UCL sent a letter to the DoC to request access to 20 prisons across the country to assess conditions and conduct interviews with inmates for the research of this report.²⁷ On 3 October 2023, the DoC rejected the FIDH-UCL request, citing “the high number of inmates” and “security measures in prisons and correctional institutions that require great precaution.”²⁸

22. Department of Corrections, *Correspondence number Yor Tor 0710.3/1634: Prisoner statistics for the preparation of Annual Prison Report 2024*, 16 January 2024 [in Thai]

23. 1 USD = 35.3 Thai baht (Bank of Thailand, Foreign Exchange Rates as of 1 December 2023)

24. FIDH, *Thailand annual prison report 2023*, March 2023; <https://www.fidh.org/IMG/pdf/thailandprison804a.pdf>

25. Ministry of Justice, *Letter Yor Tor 02008/ 10023: Request for the carryforward budget*; https://resolution.soc.go.th/PDF_UPLOAD/2566/P_409522_8.pdf

26. FIDH, *Thailand Annual Prison Report 2022*, March 2022; <https://www.fidh.org/IMG/pdf/thailande791angweb.pdf>; FIDH, *Thailand Annual Prison Report 2023*, March 2023; <https://www.fidh.org/IMG/pdf/thailandprison804a.pdf>

27. The 20 prisons were: Chiang Mai Women’s Correctional Institution in Chiang Mai Province; Fang District Prison in Chiang Mai Province; Nakhon Si Thammarat Central Prison in Nakhon Si Thammarat Province; Songkhla Central Prison in Songkhla Province; Phuket Provincial Prison in Phuket Province; Narathiwat Provincial Prison in Narathiwat Province; Pattaya Remand Prison in Chonburi Province; Chanthaburi Provincial Prison in Chanthaburi Province; Chonburi Women’s Correctional Institution in Chonburi Province; Ratchaburi Central Prison in Ratchaburi Province; Tak Central Prison in Tak Province; Central Women’s Correctional Institution in Bangkok; Thanyaburi District Prison in Pathumthani Province; Uthaitani Provincial Prison in Uthaitani Province; Bang Kwang Central District Prison in Nonthaburi Province; Khlong Prem Central Prison in Bangkok; Minburi Remand Prison in Bangkok; Khon Kaen Provincial Prison in Khon Kaen Province; Ubon Ratchathani Central Prison in Ubon Ratchathani Province; Udonthani Central Prison in Udonthani Province.

28. Department of Corrections, *Correspondence Number Yor Tor 0701.5/33464; Permission to film and interview inmates in prisons/ correctional facilities*, 3 October 2023 [in Thai]

In October 2023, Amnesty International (AI) Thailand sent a letter to the DoC to request access to the Bangkok Remand Prison and the Central Women's Correctional Institution in Bangkok to assess the detention conditions and treatment of political prisoners in these facilities.²⁹ On 9 November 2023, the DoC rejected the request citing COVID-19 concerns.³⁰

While independent human rights groups continued to be denied access to prisons, other organizations and institutions faced no obstacles in visiting correctional facilities.

The National Human Rights Commission of Thailand (NHRCT) was granted access to prisons to assess conditions and interview inmates. In 2023, the NHRCT conducted visits in Tak Central Prison in Tak Province,³¹ Khao Bin Central Prison in Ratchaburi Province,³² and Chachoengsao Central Prison in Chachoengsao Province.³³

Other visitors included: members of Thailand's House of Representatives' Committee on Legal Affairs, Justice, and Human Rights, who visited the Bangkok Remand Prison on 24 October 2023;³⁴ representatives from the government of Qatar, who visited the Central Women's Correctional Institution in Bangkok on 31 October 2023;³⁵ representatives from the government of Japan and Japan's Chiba University, who visited Nakhon Pathom Central Prison in Nakhon Pathom Province on 22 September 2023;³⁶ the United Kingdom's (UK's) Chief Inspector of Prisons and UK correctional and probation officers, who visited Klong Prem Central Prison and Thonburi Remand Prison in Bangkok in March 2023;³⁷ and representatives from the Thailand Institute of Justice and the Thai Oil Public Company, who visited Chonburi Central Prison in October 2023.³⁸

4. New measures to ease overcrowding remain in limbo

In 2023, Thai authorities made little progress in the implementation of new measures aimed at reducing chronic prison overcrowding, including those promoting the use of detention in alternative locations outside prisons for pre-trial detainees and certain categories of prisoners.

4.1. Much talk, no action to address pre-trial detention issue

Despite extensive discussions among various authorities, concrete actions to address the issue of pre-trial detention remained elusive.

In Thailand, pre-trial detainees made up between around 18% and 20% of the total prison population in 2023 [See above, *Chapter 2.3.*], and have traditionally been a significant cause of prison overcrowding. Pre-trial detainees are held together with convicted prisoners in 136 prisons and correctional facilities

29. Amnesty International Thailand, *Correspondence Number AI TH.CAM 92/2566; permission to visit prisons*, 20 October 2023 [in Thai]

30. Bangkok Remand Prison, *Correspondence Number Yor Tor 0768/7935; Permission to visit prisons*, 9 November 2023 [in Thai]

31. National Human Rights Commission of Thailand, *NHRCT Supattra visited the Tak Provincial Prison and Tak Center for the Destitute in Tak Province*, 6 February 2023 [in Thai]; <https://www.nhrc.or.th/News/Activity-News/22275.aspx>

32. National Human Rights Commission of Thailand, *NHRCT Sayamol visited the Khao Bin Central Prison in Ratchaburi Province*, 12 May 2023 [in Thai]; <https://www.nhrc.or.th/News/Activity-News/22692.aspx>

33. National Human Rights Commission of Thailand, *NHRCT Supattra visited Chachoengsao Central Prison in Chachoengsao Province*, 9 March 2023 [in Thai]; <https://www.nhrc.or.th/News/Activity-News/22435.aspx>

34. Sasinan Thamnithinan Facebook page, *Post dated 31 October 2023*; <https://www.facebook.com/photo?fbid=301271712702410&set=pcb.301271869369061>

35. Department of Corrections Public Relation Facebook Page, *Facebook Post dated 31 October 2023* [in Thai]; https://www.facebook.com/story.php?story_fbid=726637376161988&id=100064471968941&mibextid=K8Wfd2

36. MGR online, *Ministry of Justice of Japan and the Chiba University visited Nakhon Pathom Central Prison to collect data about female prisoners*, 22 September, <https://mgronline.com/local/detail/9660000085818> [in Thai]

37. Department of Corrections, *Director General of Department of Corrections welcomed UK Chief Inspector of prison*, 23 March 2023 [in Thai]; <http://www.correct.go.th/?p=112575>

38. Department of Corrections Public Relation Facebook Page, *Facebook Post dated 4 October 2023* [in Thai]; https://www.facebook.com/story.php?story_fbid=71047745777980&id=100064471968941&mibextid=K8Wfd2
Department of Corrections Public Relation Facebook Page, *Facebook Post dated 25 October 2023* [in Thai]; https://www.facebook.com/story.php?story_fbid=722956026530123&id=100064471968941&mibextid=K8Wfd2

across the country.³⁹ The Department of Corrections (DoC) has claimed this was due to insufficient space within each prison, which made the physical separation of detainees from the general prison population impossible.⁴⁰

Pre-trial detention undermines the right to the presumption of innocence, guaranteed by Thailand's 2017 Constitution and international human rights standards.⁴¹ According to Article 29 of the Constitution, suspects or defendants in criminal cases should be presumed innocent and "not be treated as convicts," and their detention should only be undertaken "as necessary to prevent such persons from escaping."⁴² The right to be presumed innocent until proven guilty is also guaranteed by Article 14(2) of the International Covenant on Civil and Political Rights (ICCPR), to which Thailand is a state party.⁴³ In addition, Rule 11(b) of the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) prescribes that "untried prisoners shall be kept separate from convicted prisoners."

In February and March 2023, the Ministry of Justice (MoJ) met with the National Human Rights Commission of Thailand (NHRCT) to discuss issues relating to the temporary release of suspects or defendants detained while awaiting trial. Following their first meeting on 1 February, in a joint statement released the next day, the MoJ said that it would review the rules relating to the treatment of individuals held in pre-trial detention due to their political views, by allowing them to be held in alternative locations other than prisons, such as through the use of house arrest.⁴⁴ Following their second meeting on 1 March, the MoJ agreed with the NHRCT's recommendation to review its ministerial regulation issued in September 2019, under Article 89/1 of the Criminal Procedure Code.⁴⁵ The regulation allows the courts to order a suspect or defendant to be detained in other locations besides prisons.⁴⁶

In April 2023, the MoJ established a working group to work on the amendment of the 2019 ministerial regulation and develop guidelines for the treatment of pre-trial detainees that comply with international human rights principles.⁴⁷ The amendment was intended to determine alternative places of detention based on the categories of detainees as well as the crimes of which they were accused.⁴⁸ However, as of 31 December 2023, the amendment process remained pending.⁴⁹

In November 2023, the DoC said it would seek to reduce the number of pre-trial detainees pursuant to Article 89/1 of the Criminal Procedure Code by requesting the court to order the detention of suspects or defendants

39. Department of Corrections Public Relations Facebook Page, *7 facts behind bars for public awareness – Topic 5: The treatment of pre-trial detainees*, 1 November 2023 [in Thai]

40. Department of Corrections Public Relations Facebook Page, *7 facts behind bars for public awareness – Topic 5: The treatment of pre-trial detainees*, 1 November 2023 [in Thai]

41. National Human Rights Commission of Thailand, *Joint statement of the National Human Rights Commission of Thailand and the Ministry of Justice regarding concerns on the well-being of detainees*, 2 February 2023; <https://www.nhrc.or.th/NHRCT-Work/Statements-Press-Releases-Open-Letters/Statements/22265.aspx> [in Thai]; Prachatai, *NHRCT discusses with MoJ on amending ministerial regulation on places of detention of pre-trial detainees*, 2 March 2023; <https://prachatai.com/journal/2023/03/102989> [in Thai]

42. Gazette, *Constitution of the Kingdom of Thailand B.E.2560 (2017)*, 6 April 2017 [in Thai]

43. Article 14(2) of the ICCPR states: "Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law."

44. National Human Rights Commission of Thailand, *Joint statement of the National Human Rights Commission of Thailand and the Ministry of Justice regarding concerns on the well-being of detainees*, 2 February 2023; <https://www.nhrc.or.th/NHRCT-Work/Statements-Press-Releases-Open-Letters/Statements/22265.aspx> [in Thai]

45. Under Article 89/1 of the Thai Criminal Procedure Code, inquiry officers, public prosecutors, prison directors, or the authority executing the detention warrant can request the court to order the detention of a suspect or defendant in other places outside prison. However, the 2019 regulation only stipulates the criteria for locations, detention procedures, and security measures, while leaving it to the MoJ to determine the specific places of detention; Gazette, *Ministerial Regulation on the stipulation of alternative places to detain, imprison, or remand suspects, defendants, or convicted prisoners B.E.2552 (2019)*, 15 October 2019 [in Thai]

46. National Human Rights Commission of Thailand, *Joint statement of the National Human Rights Commission of Thailand and the Ministry of Justice regarding concerns on the well-being of detainees*, 2 February 2023; <https://www.nhrc.or.th/NHRCT-Work/Statements-Press-Releases-Open-Letters/Statements/22265.aspx> [in Thai]; Ministry of Justice, *Summary of the outcomes of the discussion between the National Human Rights Commission of Thailand and the Ministry of Justice regarding the treatment of pre-trial detainees*, 8 February 2023; <https://www.moj.go.th/view/80738> [in Thai]; Prachatai, *NHRCT discusses with MoJ on amending ministerial regulation on places of detention of pre-trial detainees*, 2 March 2023; <https://prachatai.com/journal/2023/03/102989> [in Thai]

47. Department of Corrections Public Relations Facebook Page, *7 facts behind bars for public awareness – Topic 5: The treatment of pre-trial detainees*, 1 November 2023 [in Thai]

48. Prachatai, *NHRCT discusses with MoJ on amending ministerial regulation on places of detention of pre-trial detainees*, 2 March 2023; <https://prachatai.com/journal/2023/03/102989> [in Thai]

49. Thairath, *"Tawee" told Parliament that "Thaksin" had actual health problems, explained that staying in hospital is a deprivation of liberty*, 3 January 2024; <https://www.thairath.co.th/news/politic/2752432> [in Thai]

in other places outside prisons.⁵⁰ However, such measure could only be taken after the MoJ's amendment of the 2019 regulation to determine the alternative places of detention. Other actions mentioned by the DoC in the same month concerning the treatment of pre-trial detainees included the allocation of specific facilities to ensure physical separation between pre-trial and convicted prisoners.⁵¹ The DoC also announced that a pilot project on the separation of detainees would also be implemented in Khao Mai Kaew Temporary Prison, Rayong Province, during fiscal year 2024 (from 1 October 2023 to 30 September 2024).⁵²

4.2. New regulation on detention outside prisons triggers accusations of favoritism

A new DoC regulation that allowed prisoners to serve their sentences outside prisons sparked criticism of favoritism for former Thai Prime Minister Thaksin Shinawatra.

On 6 December 2023, the DoC published a new regulation, issued under Article 33 of the Penitentiary Act 1936 (amended in 2017), concerning the detention of certain prisoners in locations other than prisons.⁵³ According to the regulation, eligible inmates could be allowed to serve their sentences outside prisons for the purposes of separation of prisoners, rehabilitation, medical treatment, and preparation for release.⁵⁴ Depending on the purpose, alternative places of detention may include private residences, government offices, and hospitals.

Critics of this measure maintained that it was aimed to benefit former Prime Minister Thaksin Shinawatra, as it could allow him to avoid serving any prison time in relation to his eight-year jail term [See below, *Chapter 5*].⁵⁵ In response to this criticism, the MoJ and the DoC said the new regulation was aimed at addressing persistent overcrowding and bringing the Thai correctional system in line with international human rights standards.⁵⁶

As of 31 December 2023, the DoC had failed to issue implementing guidelines for its regulation. Therefore, it remained unclear who would be eligible to be detained outside prison and whether the new rules would lead to a significant decrease in the prison population.

5. Convicted former Prime Minister receives preferential treatment

The Ministry of Justice's (MoJ's) handling of former Thai Prime Minister Thaksin Shinawatra's case drew attention to the issue of inequalities and double standards in the treatment of prisoners in the country.⁵⁷

Despite Justice Minister Tawe Sodsong's attempts to deflect accusation of favoritism for Mr. Thaksin by saying there was "no special treatment for any prisoner in particular,"⁵⁸ the MoJ's treatment of the former Prime Minister stood in stark contrast with the difficulties in accessing adequate and timely

50. Department of Corrections Public Relations Facebook Page, *7 facts behind bars for public awareness – Topic 5: The treatment of pre-trial detainees*, 1 November 2023 [in Thai]

51. Department of Corrections Public Relations Facebook Page, *7 facts behind bars for public awareness – Topic 5: The treatment of pre-trial detainees*, 1 November 2023 [in Thai]

52. Department of Corrections Public Relations Facebook Page, *7 facts behind bars for public awareness – Topic 5: The treatment of pre-trial detainees*, 1 November 2023 [in Thai]

53. Gazette, *Department of Corrections' regulation concerning the detention in alternative places of detention*, 6 December 2023 [in Thai]

54. Article 6 of the Department of Corrections' regulation concerning the detention in alternative places of detention.

55. Bangkok Post, *Petitioner alleges abuse of power in 'privileged treatment' of Thaksin*, 19 December 2023; <https://www.bangkokpost.com/thailand/politics/2708789>; Nikkei Asia, *Thailand prison rule sparks accusations of favoritism for Thaksin*, 21 December 2023; <https://asia.nikkei.com/Politics/Thailand-prison-rule-sparks-accusations-of-favoritism-for-Thaksin>

56. Bangkok Post, *'Rule not designed for Thaksin'*, 13 December 2023; <https://www.bangkokpost.com/thailand/general/2704158>; Bangkok Post, *Minister defends new detention law*, 16 December 2023; <https://www.bangkokpost.com/thailand/general/2706529/minister-defends-new-detention-law>; Department of Corrections, *Department of Corrections and prison management concerning places of detention*, 12 December 2023 [in Thai]

57. Rule 24 of the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) states that prisoners should have access to necessary healthcare services "without discrimination on the grounds of their legal status."

58. Nation, *Thaksin to continue treatment at police hospital, says justice minister*, 21 December 2023; <https://www.nationthailand.com/thailand/politics/40034011>

healthcare for most prisoners in Thailand, particularly in cases of emergencies [See below, *Chapter 8.6*].

Upon his return to Thailand from self-imposed exile on 22 August 2023, Mr. Thaksin was held at the Bangkok Remand Prison, where he was expected to serve an eight-year prison term stemming from his past convictions in three separate criminal cases.⁵⁹ Mr. Thaksin spent about 13 hours in Zone 7 - the prison's health facility.⁶⁰ Minutes after midnight, he was transferred to the Police General Hospital in central Bangkok, after complaining of chest tightness and insomnia.⁶¹ According to the Department of Corrections (DoC), Thaksin was suffering from heart disease, lung disease, high blood pressure, and a herniated disk.⁶²

As of 31 December 2023, Thaksin remained at the Police General Hospital. According to multiple media reports, Thaksin was accommodated in room No. 1401, a private suite located on the building's 14th floor, which houses a "premium" ward for special patients.⁶³

Very few other details emerged about Mr. Thaksin's condition and the circumstances surrounding his stay at the Police General Hospital.⁶⁴ The former Prime Minister underwent two surgeries, the first one in mid-September 2023 for unspecified reasons,⁶⁵ and the second one on 23 October 2023, described as an orthopedic procedure.⁶⁶ According to the DoC, Thaksin was only the fifth inmate to have received medical treatment outside prison for more than 120 days, since 1 October 2022.⁶⁷

Mr. Thaksin may not have to spend any time in an actual prison as a result of various measures, rules, and regulations. On 31 August 2023, King Rama X granted Mr. Thaksin a royal pardon and reduced his eight-year prison term to a single year. The King's decision was published in the Gazette on 1 September 2023.⁶⁸ Mr. Thaksin would have to serve at least six months of his prison term before applying for a parole, in February 2024.⁶⁹

In any case, Mr. Thaksin may be eligible to serve the remainder of his prison term outside prison under a new regulation issued by the DoC on 8 December 2023, which allows for the detention of certain inmates at other locations, including their own homes [See above, *Chapter 4.2*].⁷⁰ While the DoC cited prison overcrowding as a reason for the new regulation, critics believed this measure had been issued primarily to benefit Mr. Thaksin.⁷¹

59. Nation, *Former PM moved to hospital after health scare*, 23 August 2023; <https://www.nationthailand.com/thailand/general/40030430>

60. Nation, *Former PM moved to hospital after health scare*, 23 August 2023; <https://www.nationthailand.com/thailand/general/40030430>; Bangkok Post, *Thaksin's out-of-prison hospital stay extended*, 21 October 2023; <https://www.bangkokpost.com/thailand/general/2668764/thaksins-out-of-prison-hospital-stay-extended>

61. Bangkok Post, *Thaksin moved to Police Hospital*, 23 August 2023; <https://www.bangkokpost.com/thailand/politics/2634499>

62. Nation, *Thaksin diagnosed with four co-morbidities, under close watch in prison hospital*, 22 August 2023; <https://www.nationthailand.com/thailand/politics/40030419>

63. Nation, *Thaksin gets VIP treatment at hospital, no police security presence seen*, 23 August 2023; <https://www.nationthailand.com/thailand/politics/40030442>; Bangkok Post, *Thaksin moved to Police Hospital*, 23 August 2023; <https://www.bangkokpost.com/thailand/politics/2634499>; Thai PBS, *MP questions DPM Phumtham's defence of Thaksin's treatment*, 22 December 2023; <https://www.thaipbsworld.com/mp-questions-dpm-phumthams-defence-of-thaksins-treatment/>

64. Bangkok Post, *Thaksin case tests faith*, 18 December 2023; <https://www.bangkokpost.com/opinion/opinion/2707571/>

65. Bangkok Post, *Thaksin had surgery last week, now recovering, says daughter*, 19 September 2023; <https://www.bangkokpost.com/thailand/politics/2649558/thaksin-had-surgery-last-week-now-recovering-says-daughter>

66. Bangkok Post, *Thaksin surgery extends prison break*, 24 October 2023; <https://www.bangkokpost.com/thailand/politics/2670516/thaksin-surgery-extends-prison-break>

67. Bangkok Post, *Thaksin surgery extends prison break*, 24 October 2023; <https://www.bangkokpost.com/thailand/politics/2670516/thaksin-surgery-extends-prison-break>

68. Public Relations Department, *Royal Pardon Reducing Thaksin Shinawatra's Jail Term to One Year*, 1 September 2023; <https://thailand.prd.go.th/en/content/page/index/id/211425>

69. Bangkok Post, *Thaksin had surgery last week, now recovering, says daughter*, 19 September 2023; <https://www.bangkokpost.com/thailand/politics/2649558/thaksin-had-surgery-last-week-now-recovering-says-daughter>

70. Bangkok Post, *Thaksin 'could stay out of jail'*, 20 December 2023; <https://www.bangkokpost.com/thailand/general/2709724/>; Bangkok Post, *Minister defends new detention law*, 16 December 2023; <https://www.bangkokpost.com/thailand/general/2706529/minister-defends-new->

71. Bangkok Post, *Petitioner alleges abuse of power in 'privileged treatment' of Thaksin*, 19 December 2023; <https://www.bangkokpost.com/thailand/politics/2708789/>

6. Prisoners disenfranchised in general election

Up to at least a quarter of a million Thai prisoners, or 0.5% of the electorate, were barred from voting in Thailand's general election, which took place on 14 May 2023.⁷²

The blanket disenfranchisement of such a large number of citizens is affirmed by Article 96(3) of Thailand's 2017 Constitution, which prescribes that those "detained by a warrant of the court or by a lawful order" are prohibited from exercising the right to vote.⁷³ Article 32(3) of the Organic Act on the Election of Members of the House of Representatives, enacted in 2018 and amended in 2023, bars detainees from voting.⁷⁴

These legal provisions are inconsistent with international standards and Thailand's human right obligations under the International Covenant on Civil and Political Rights (ICCPR), to which it is a state party. Article 25 of the ICCPR guarantees the right of "every citizen" to vote in elections "without unreasonable restrictions." In its General Comment No. 25 on Article 25 of the ICCPR, the United Nations (UN) Human Rights Committee (CCPR) stated that the deprivation of this right should be on "objective and reasonable" grounds.⁷⁵ The CCPR further stated that those who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.⁷⁶

Similar principles were first articulated in a resolution adopted by the UN General Assembly in 1991, which declared that, except for those "limitations that are demonstrably necessitated by the fact of incarceration," all prisoners should retain the human rights and fundamental freedoms set out in the ICCPR.⁷⁷

The prohibition on voting also undermines efforts to rehabilitate prisoners and reintegrate them into society because it excludes them from engagement in democratic processes. The UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) emphasize that the purpose of imprisonment is to achieve "the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life."⁷⁸ The Nelson Mandela Rules state that the prison system should not "aggravate the suffering" of prisoners and, instead, "seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners."⁷⁹

72. According to the Department of Corrections, there were 268,621 prisoners nationwide in May 2023, including 123 juvenile prisoners. As of December 2023, there were 7,932 foreign prisoners across the penitentiary system. There were 52,195,920 eligible voters in the May 2023 election; Office of the Election Commission of Thailand, *Statistical Information on the Election of Members of the House of Representatives B.E.2566*, 25 September 2023 [in Thai]

73. Gazette, *Constitution of the Kingdom of Thailand B.E.2560 (2017)*, 6 April 2017 [in Thai]

74. Gazette, *Organic Act on the Election of Members of the House of Representatives B.E.2561 (2018)*, 12 September 2018 [in Thai]; Gazette, *Organic Act on the Election of Members of the House of Representatives (2nd edition) B.E.2566 (2013)*, 28 January 2023 [in Thai]

75. UN Human Rights Committee, 57th Session, *CCPR General Comment No. 25: Article 25 (Participation in Public Affairs and the Right to Vote) - The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service*, 12 July 1996, UN Doc. CCPR/C/21/Rev.1/Add.7, paras. 4, 10, and 14

76. UN Human Rights Committee, 57th Session, *CCPR General Comment No. 25: Article 25 (Participation in Public Affairs and the Right to Vote) - The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service*, 12 July 1996, UN Doc. CCPR/C/21/Rev.1/Add.7, para. 14

77. UN General Assembly, *Basic Principles for the Treatment of Prisoners: resolution / adopted by the General Assembly*, 28 March 1991, UN Doc. A/RES/45/111, para. 5

78. Rule 4(1) of the UN Standard Minimum Rules for the Treatment of Prisoners states: "The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life."

79. Rule 3 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation." Rule 5(1) of the UN Standard Minimum Rules for the Treatment of Prisoners states: "The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings."

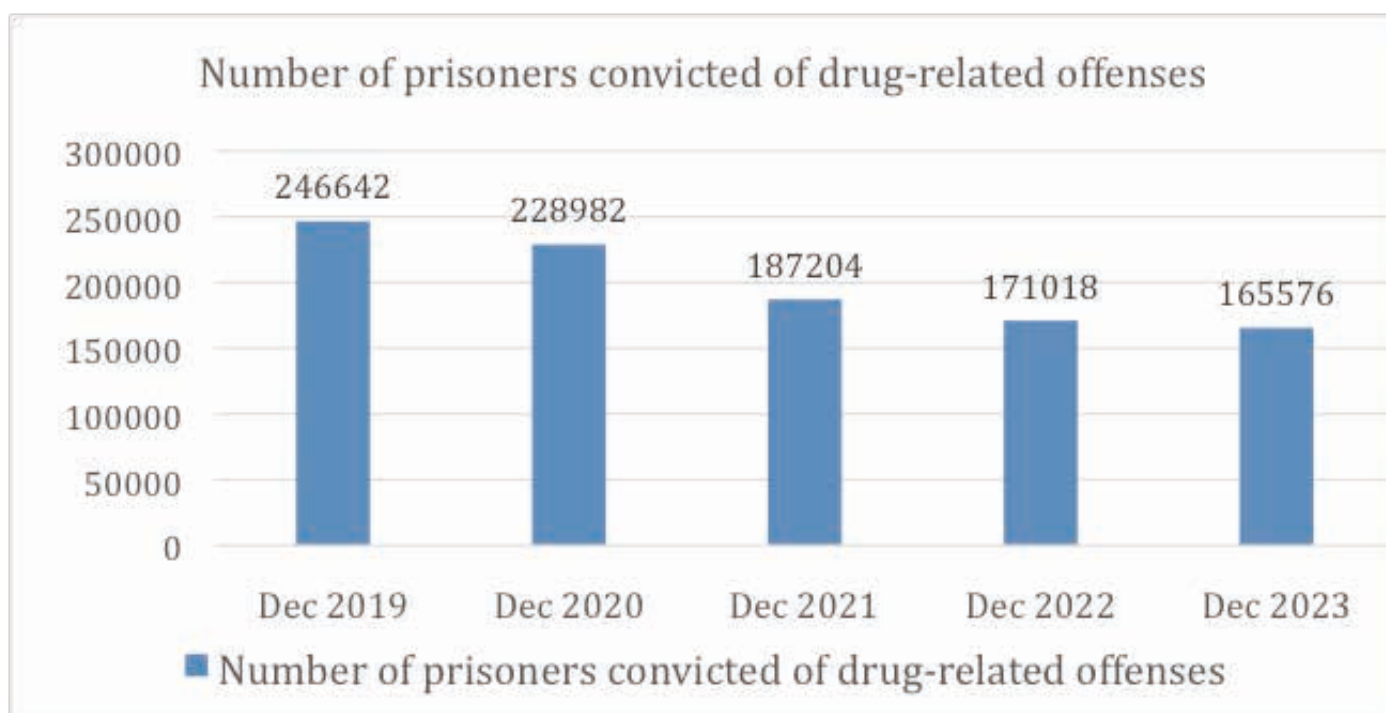
7. Gains from drug law reforms at risk

Two years after the reform of drug laws undertaken by the previous government,⁸⁰ the gains in the reduction of the number of prisoners prosecuted and convicted of drug-related offenses risked being offset by a new move to tighten rules on amphetamines and methamphetamine possession.

7.1. Number of drug convictions decreases

The number of prisoners convicted of drug-related offenses declined by 3%, from 171,018 in December 2022 to 165,576 in December 2023.⁸¹

Month / year	Number of prisoners convicted of drug-related offenses
December 2019	246,642
December 2020	228,982
December 2021	187,204
December 2022	171,018
December 2023	165,576



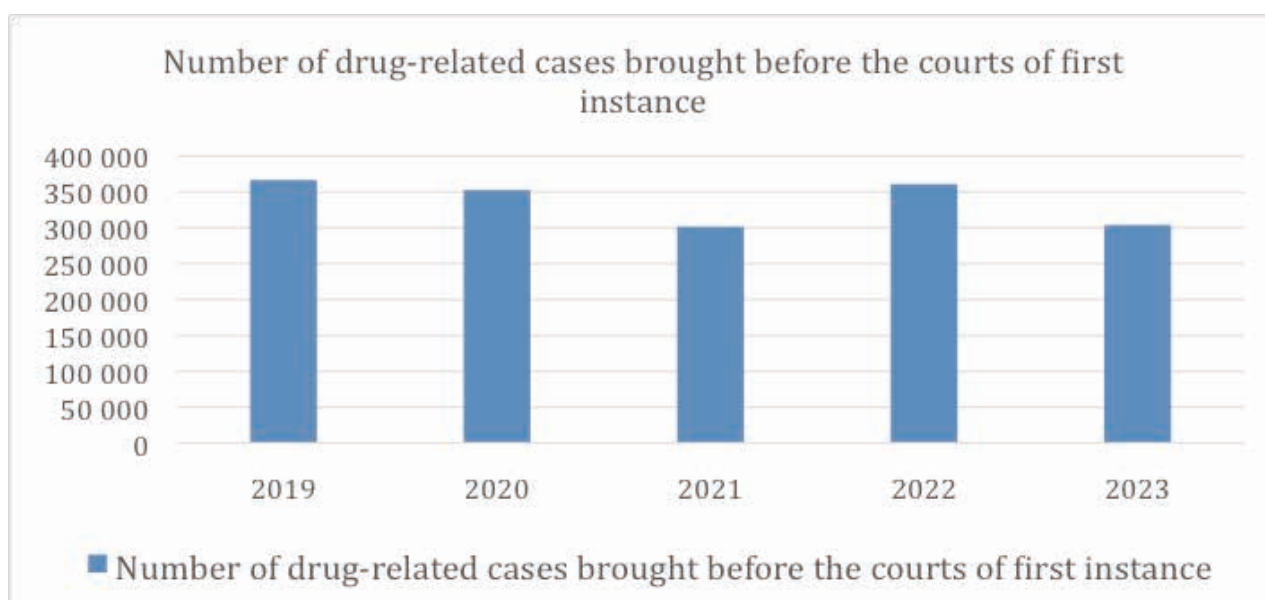
80. FIDH, *Thailand Annual Prison Report 2022*, March 2022; <https://www.fidh.org/IMG/pdf/thailande791angweb.pdf>

81. Department of Corrections, *DOC's statistics: Ror Tor 103 report as of 1 December 2023*, 1 December 2023; http://www.correct.go.th/rt103pdf/report_result_rt103.php?date=01-12-2023

7.2. Number of prosecutions of drug-related cases declines

The total number of drug-related cases brought before the courts of first instance fell by 16%, from 360,872 in 2022 to 303,884 in 2023.⁸² This included the number of cases involving cannabis, which virtually stopped, from 9,127 cases in 2022 to 14 cases as of December 2023,⁸³ following the removal of cannabis from the list of illicit narcotic drugs in February 2022.⁸⁴

Year	Number of drug-related cases brought before the courts of first instance
2019	366,662
2020	352,538
2021	301,451
2022	360,872
2023	303,884



7.3. Use of alternatives to imprisonment

In 2023, approximately 152,016 cases had been diverted to drug rehabilitation as an alternative to incarceration, overwhelmingly through the voluntary system. The number of admissions to voluntary rehabilitation in 2023 stood at 146,310 – an increase by 64% from 2022, and by 130% from 2021.⁸⁵ Nonetheless, the drug rehabilitation system in Thailand continued to trigger human rights concerns, particularly because it could force individuals into rehabilitation to avoid being charged or prosecuted and because of reports of mistreatment in some rehabilitation facilities managed by the military.⁸⁶

82. Office of Planning and Budget of Court of Justice, *Court of Justice's performance report 2023*, 7 February 2024; <https://oppb.coj.go.th/th/content/category/detail/id/8/cid/2087/iid/398588> p. 80 [in Thai]

83. Office of Planning and Budget of Court of Justice, *Court of Justice's performance report 2023*, 7 February 2024; <https://oppb.coj.go.th/th/content/category/detail/id/8/cid/2087/iid/398588> p. 80 [in Thai]

84. Bangkok Post, *Ganja convicts set for release*, 4 June 2022; <https://www.bangkokpost.com/thailand/general/2320494/ganja-convicts-set-for-release>

85. Ministry of Public Health, *Report on admission to drug rehabilitation (New Narcotics Code)*, accessed on 5 February 2024; <https://antidrugnew.moph.go.th/Runtime/Runtime/Form/FrmReports/>

86. Bangkok Post, *Army drug rehab plan sparks rights concerns*, 15 January 2024; <https://www.bangkokpost.com/thailand/general/2724254>

Admission to drug rehabilitation by referral system ⁸⁷								
Year	Voluntary system ⁸⁸		By court verdict ⁸⁹			Penitentiary system	Mandatory system	Overall
	Article 113 NC	Article 114 NC	Article 56 CC	Article 166 NC	Article 168 NC			
2019	41,353	58,975	1,162	0	0	26,926	131,275	259,691
2020	40,228	39,363	952	0	0	32,707	93,930	207,180
2021	39,610	24,038	945	8	11	19,567	92,317	176,496
2022	50,283	39,197	4,124	600	982	35,047	1,631	131,864
2023	77,735	68,575	4,225	470	1011	23,688	19	175,723

The judicial implementation of the alternative to imprisonment for drug users, under Articles 166 and 168 of the Narcotics Code and Article 56 of the Criminal Code, were limited to 5,706 cases, or 3% of the number of drug cases involving personal use and possession for personal use that were brought before courts of first instance in 2023, which stood at 210,182.⁹⁰

7.4. Limits to the possession of amphetamines and methamphetamines lowered

On 9 November 2023, the Ministry of Public Health published a draft ministerial regulation that set five pills as the limit to the lawful possession of amphetamines and methamphetamines for personal use.⁹¹ Under the regulation, anyone possessing more than five pills could be classified as drug dealer, an offense that is punishable by up to 20 years in jail. As of the end of 2023, those who possessed up to 10 pills were classified as drug users.⁹² The move to introduce the minimum threshold was part of government efforts to address legislative gaps, particularly the lack of criteria to define what constitutes personal use, and to tackle the small-scale amphetamines and methamphetamines dealers.⁹³

Critics of this proposed measure warned that the lowering of the legal threshold for the possession of amphetamines and methamphetamines for personal use could result in an increase in court cases, convictions, and number of prisoners. In 2023, amphetamines and methamphetamines-related convictions accounted for 97% of all drug-related cases brought before courts of first instance, and for 78% of all drug-related convictions.⁹⁴ On 12 December 2023, the draft ministerial regulation passed the cabinet's first reading.⁹⁵

87. Ministry of Public Health, *Report on admission to drug rehabilitation (New Narcotics Code)*, accessed on 5 February 2024; <https://antidrugnew.moph.go.th/Runtime/Runtime/Form/FrmReports/>

88. According to the Narcotics Code (NC), enacted in 2021, drug users can be admitted to the voluntary rehabilitation scheme as an alternative to prosecution by seeking treatment in drug rehabilitation centers before their arrest (Article 113) or after their arrest (Article 114).

89. Article 166 of the Narcotics Code (NC) stipulates that the court has the power to change the punishment from imprisonment to alternative measures as prescribed under the Criminal Code (CC) within a period not exceeding two years. Article 168 of the NC stipulates that if the court considers that it is inappropriate to impose a punishment on a defendant, it may ask the public prosecutor to order the admission of the defendant to a rehabilitation facility, with the defendant's agreement. In addition, Article 56 of the CC stipulates that the court may suspend the sentence or order probation measures if the individual convicted of a drug-related offense is a first-time offender or has been punished for petty offenses or negligence.

90. Office of Planning and Budget of Court of Justice, *Court of Justice's performance report 2023*, 7 February 2024; <https://oppb.coj.go.th/th/content/category/detail/id/8/cid/2087/iid/398588> p. 80 [in Thai]; Ministry of Public Health, *Report on admission to drug rehabilitation (New Narcotics Code)*, accessed on 5 February 2024; <https://antidrugnew.moph.go.th/Runtime/Runtime/Form/FrmReports/>

91. Government Gazette, *The Act on Promulgating the Narcotics Code and the Narcotics Code B.E.2564 (2021)*, 8 November 2021 [in Thai]

92. Bangkok Post, *Public input sought for new drug rules*, 9 November 2023; <https://www.bangkokpost.com/thailand/general/2681389/public-input-sought-for-new-drug-rules>

93. Bangkok Post, *Ministry, agencies at odds over drug policy*, 2 November 2023; <https://www.bangkokpost.com/thailand/general/2676288>

94. Office of Planning and Budget of Court of Justice, *Court of Justice's performance report 2022*, January 2023 [in Thai]; Department of Corrections, *Prison statistics report: Ror Tor 103*, 1 December 2023; http://www.correct.go.th/rt103pdf/report_result_rt103.php?date=01-12-2023

95. Secretariat of the Cabinet, *Draft Ministerial Regulation prescribing the possession of drug or substance for personal use B.E.*, dated

8. Prison conditions remain below international standards

8.1. Overcrowding persists

While the occupancy level of the Thai prison system continued to exceed its official capacity [See above, *Chapter 2.2*], overcrowding conditions varied considerably across prisons.

Interviews with former prisoners revealed that the situation of overcrowding, especially in sleeping dormitories and cells, and access to appropriate bedding, improved in some prisons in 2023.

Former prisoners at the Thanyaburi Women's Correctional Institution for Drug Addicts and Thonburi Remand Prison reported an improvement in terms of the numbers of prisoners confined in one sleeping dormitory.⁹⁶ In the Thanyaburi Women's Correctional Institution for Drug Addicts, large sleeping dormitories accommodated 90 prisoners and smaller dormitories accommodated 60 prisoners, down from 195 prisoners and 80 prisoners, respectively, in previous years.⁹⁷ In Thonburi Remand Prison, a sleeping dormitory of 15m x 10m (150m²) was used to accommodate 27-28 prisoners.⁹⁸

In other prisons where interviewed former prisoners had been detained, persistent high prison populations continued to result in inadequate accommodation space.⁹⁹ For instance, in Nakhon Si Thammarat Central Prison, a cell of 6m x 9m (54 m²) housed 40 inmates.¹⁰⁰ Former prisoners at Ratchaburi Central Prison, Phatthalung Central Prison, and Pattani Central Prison recalled that it was not unusual having to sleep very close to their fellow inmates with their shoulders almost overlapping.¹⁰¹ According to a former prisoner at Ratchaburi Central Prison, a sleeping dormitory of 15m x 10m (150m²) was used to accommodate 40 prisoners.¹⁰² A former prisoner with disabilities at Phatthalung Central Prison said: "[We] had to place our feet in a zigzag pattern because of limited space. You might lose your place when you leave [for the toilet]."¹⁰³ He further recalled that 78 prisoners with disabilities were put together in the same cell of 5m x 7m (35m²).¹⁰⁴ A former prisoner in Pattani Central Prison reported that sometimes prisoners slept next to one another shoulder-to-shoulder in a sleeping dormitory of 15m x 10m (150m²) that accommodated 30 prisoners or more.¹⁰⁵

13 December 2023; https://resolution.soc.go.th/PDF_UPLOAD/2566/P_410015_1.pdf [in Thai]

96. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023

97. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023

98. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

99. Rule 13 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation."

100. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

101. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison* 27 November 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023

102. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison* 27 November 2023

103. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

104. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

105. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023



“[We] had to place our feet in a zigzag pattern because of limited space. You might lose your place when you leave [for the toilet].”

A former prisoner at Lamphun Central Prison reported that sometimes inmates had to lie on one side and assign more prisoners to stand as guards at night to maximize the sleeping space.¹⁰⁶

According to a former prisoner at the Bangkok Remand Prison, most inmates slept in parallel rows, with others sleeping perpendicularly in the space left between the rows.¹⁰⁷ The sleeping dormitories at the Bangkok Remand Prison were especially packed for people who slept in the middle section of the rows, with only a space the size of about a fist between them, according to another interviewed former inmate at the prison.¹⁰⁸

With regard to bedding material, most of the interviewed prisoners continued to be provided with three blankets upon admission – one to cover their body and the remaining ones generally used as pillow or extra cover.¹⁰⁹ However, interviewed former prisoners at Lamphun Central Prison reported that they received two blankets upon arrival.¹¹⁰ At Pattani Central Prison, new prisoners received only one blanket upon admission, but some prisoners managed to get extra blankets from those left behind by released prisoners.¹¹¹ During the colder months, authorities at prisons in the northern region, such as Chiang Mai Central Prison and the Chiang Mai Women’s Correctional Institution, distributed extra blankets to prisoners.¹¹²

A positive development observed in 2023 was the provision of better quality bedding for prisoners. The majority of interviewed former prisoners reported being provided with rubber mattresses for sleeping, except in Pattani Central Prison and Phang-nga Provincial Prison. A former prisoner at the Bangkok Remand Prison

106. FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023

107. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

108. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

109. FIDH, *Thailand Annual Prison Report 2023*, March 2023; <https://www.fidh.org/IMG/pdf/thailandprison804a.pdf>

110. FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023

111. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023

112. FIDH, *Interview with former prisoners at Chiang Mai Central Prison*, 14 December 2023; FIDH, *Interview with former prisoners at the Chiang Mai Women’s Correctional Institution*, 15 December 2023

added that prisoners received mattresses made of synthetic fiber in replacement of rubber mattresses.¹¹³

Nonetheless, in some prisons, mattresses were insufficient in numbers, resulting in inmates having to share them. Former prisoners at the Central Women's Correctional Institution, Nakhon Si Thammarat Central Prison, and Phatthalung Central Prison recalled that two rubber mattresses were shared among three prisoners.¹¹⁴

In addition, a former prisoner at Thonburi Remand Prison commented that the mattresses were unhygienic because they had never been cleaned: "There were stains on it. I'd rather sleep on the floor than on the [dirty] mattress."¹¹⁵

Some interviewed former prisoners reported having no access to sleeping mattresses. In Pattani Central Prison and Phang-nga Provincial Prison, former prisoners said they had to either sleep on the concrete floor or use blankets in place of mattresses.¹¹⁶

Most of the interviewed former prisoners said they had proper air ventilation in the sleeping dormitories. For example, a former prisoner at the Bangkok Remand Prison said that five ceiling fans were used in a dormitory of 30-40 prisoners.¹¹⁷ However, in some prisons, interviewed former prisoners noted the insufficient fans, making the sleeping dormitories really hot sometimes.¹¹⁸ For example, a former prisoner from Ratchaburi Central Prison reported that three ceiling fans were used in a dormitory shared by 40 prisoners, which resulted in poor air ventilation, on top of the already cramped conditions.¹¹⁹

Some interviewed former prisoners commented on other aspects of inadequate conditions that had a negative impact on the quality of their accommodation. For example, former prisoners at the Bangkok Remand Prison and Nakhon Si Thammarat Central Prison reported that they were sometimes soaked during rainy days because the windows in prison cells had to be kept open at all times.¹²⁰

8.2. Punishment and disciplinary sanctions amount to ill-treatment

The use of punishment and other disciplinary sanctions that amounted to ill-treatment was consistently reported by interviewed former male prisoners.

According to all interviewed former male prisoners, punishment involving the excessive use of force by prison guards for alleged violations of prison rules was common. Interviewed former prisoners reported the use of force in cases involving disciplinary offenses, including fighting, tattooing, and smoking. Such practice is inconsistent with international standards, which only allows the use of force against prisoners as an exceptional response in three circumstances: legitimate self-defense; attempted escape; and active or passive resistance to a lawful order.¹²¹

Resort to force involving the use of wooden batons and steel-toe boots was the most common form of punishment, according to former prisoners at Pattani Central Prison, the Bangkok Remand Prison,

113. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

114. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023

115. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

116. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023; FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023

117. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

118. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023; FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 23 November 2023; FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

119. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

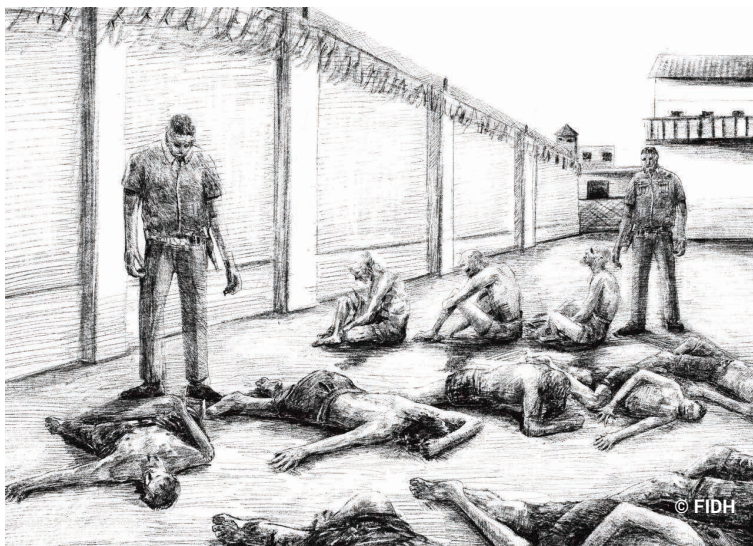
120. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

121. Rule 82 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. Prison staff shall not, in their relations with the prisoners, use force except in self-defense or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Prison staff who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the prison director. 2. Prison staff shall be given special physical training to enable them to restrain aggressive prisoners. 3. Except in special circumstances, prison staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, prison staff should in no circumstances be provided with arms unless they have been trained in their use."

Phatthalung Central Prison, and Thonburi Remand Prison.¹²² As former prisoners at the Bangkok Remand Prison and Phatthalung Central Prison recalled, the prison guards beat prisoners involved in a fight on the back with wooden batons and kicked them with steel-toe boots.¹²³ Force was often used to “teach the prisoners a lesson,” according to a former prisoner at the Bangkok Remand Prison.¹²⁴ He recalled: “[Prison guards] continued to hit [prisoners] even though they already stopped fighting and were lying still on the ground.”¹²⁵ A former prisoner at Lamphun Central Prison reported that inmates who smoked were hit with wooden batons on their backs.¹²⁶ A former prisoner at Thonburi Remand Prison added: “Prisoners who sustained bruises as a result of punishment would have their visitation rights suspended until their bruises recovered.”¹²⁷

In addition to beatings, all interviewed former male prisoners reported practices that were blatantly inconsistent with international standards. Such practices included the use of ankle shackles, solitary confinement, disciplinary segregation, and military-style training for violations of prison rules.¹²⁸ Former prisoners at Pattani Central Prison stated that most of the new inmates were forced to wear ankle shackles 24 hours a day for two months as a disciplinary measure, leading to injuries in some cases.¹²⁹ At Nakhon Si Thammarat Prison, a former prisoner reported that solitary confinement normally lasted two to three months, in a cell of around 2m x 4m (8m²).¹³⁰

Other disciplinary sanctions mentioned by interviewed former male detainees included: standing or sitting in the sun or in the rain, rolling on the ground or sand, and suspension of visitation rights. A former prisoner at Pattani Central Prison explained: “I am old with underlying health conditions, and [the guards] made me sit still under the scorching sun for two hours as a punishment, while other inmates were forced to roll on the ground,” recalling an incident when inmates from the same dormitory received collective punishment because they talked too loudly.¹³¹



“I am old with underlying health conditions, and [the guards] made me sit still under the scorching sun for two hours as a punishment, while other inmates were forced to roll on the ground.”

122. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023; FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

123. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

124. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

125. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

126. FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023

127. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

128. Disciplinary segregation occurs when multiple prisoners are punished by being shackled and placed together in a cell separate from the other prisoners.

129. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023; Rule 47 of the UN Standard Minimum Rules for the Treatment of Prisoners states: “The use of chains, irons or other instruments of restraint which are inherently degrading or painful shall be prohibited.”

130. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023; Rule 45 of the UN Standard Minimum Rules for the Treatment of Prisoners states: “Solitary confinement shall be used only in exceptional cases as a last resort, for as short a time as possible and subject to independent review, and only pursuant to the authorization by a competent authority. It shall not be imposed by virtue of a prisoner’s sentence.”

131. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023

With regard to women's prisons, all interviewed former female prisoners said they did not witness any use of force but reported other types of ill-treatment of inmates. The common forms of punishment witnessed by former female prisoners included being assigned to community service programs, restrictions of movement, and, on rare occasions, solitary confinement. Former prisoners at the Chiang Mai Women's Correctional Institution recalled that prisoners who committed offenses against life and physical integrity were not allowed to leave the dormitory during daytime.¹³²

Interviews with many former prisoners showed that submissive and authoritarian cultures were part of everyday life in prison. For instance, former female prisoners at the Thanyaburi Women's Correctional Institution for Drug Addicts and the Central Women's Correctional Institution described the display of submission to prison guards, such as sitting on the ground while interacting with them, as a practice that was intended to show respect for the authorities.¹³³ A former prisoner at Thonburi Remand Prison reported verbal abuse by prison guards.¹³⁴

8.3. Discrimination and privileges abound

The majority of interviewed former prisoners underscored the issue of prison guards' discriminatory treatment of prisoners, depending on their socio-economic status, ethnicity, and/or the crimes for which they had been convicted.

According to interviewed former prisoners, those who came from a wealthy background or who were assigned to assist prison staff routinely benefitted from preferential treatment. The designated "inmate leaders" who assisted prison staff enjoyed a range of privileges, with the acquiescence of prison authorities. Former prisoners at Phang-nga Provincial Prison, Chiang Mai Central Prison, and Lamphun Central Prison reported witnessing inmate leaders bullying or imposing disciplinary punishments, including through the use of force, on other prisoners.¹³⁵ A former prisoner at Phang-nga Provincial Prison recalled the inmate leaders hit other prisoners as a punishment for talking too loudly: "The prison guards authorized them to do so. I once saw this taking place for three days in a row."¹³⁶

Former prisoners at Chiang Mai Central Prison, Ratchaburi Central Prison, and the Bangkok Remand Prison recalled the inmate leaders were granted special treatment, such as staying in sleeping dormitories with fewer occupants, receiving better quality mattresses for sleeping, and having priority in receiving meals that were more nutritious.¹³⁷ A former prisoner at Chiang Mai Central Prison further noted the active roles of inmate leaders in assisting with the day-to-day handling of prisoners, whereas the prison guards would only intervene when a fight broke out.¹³⁸

The majority of interviewed former prisoners revealed that wealthy prisoners paid to receive favorable treatment and enjoyed certain levels of impunity when committing disciplinary offenses. A former prisoner at Thonburi Remand Prison reported: "When a fight broke out, the less wealthy prisoners would be punished by being chained with ankle shackle, while the well-off prisoners would get away with it."¹³⁹ The types of favorable treatment mentioned by interviewed former prisoners included: being served meals before all other inmates;¹⁴⁰ having early access to the prison shop; having the best spot in the sleeping dormitories;¹⁴¹ and being allowed to smoke.¹⁴²

132. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

133. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023; FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023

134. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

135. FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023; FIDH, *Interview with former prisoners at Chiang Mai Central Prison*, 14 December 2023; FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023

136. FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023

137. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023; FIDH, *Interview with former prisoners at Chiang Mai Central Prison*, 14 December 2023

138. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

139. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 23 October 2023

140. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 23 October 2023

141. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

142. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

Acquiescence to abuse or discriminatory treatment by prison guards due to the prisoners' ethnic origin or religious faith was observed in certain facilities where former male prisoners were detained.

According to former prisoners at Chiang Mai Central Prison and Lamphun Central Prison, prisoners belonging to ethnic minorities, especially hill tribes, were usually discriminated against or bullied by Thai prisoners, mostly with the acquiescence of the prison officers.¹⁴³ A former prisoner at Chiang Mai Central Prison explained: "[Prisoners belonging to ethnic minorities] were the lowest of the low - they were the last to eat and shower."¹⁴⁴ However, two former female prisoners belonging to ethnic minorities, reported they never experienced any forms of bullying or discrimination in the Chiang Mai Women's Correctional Institution.¹⁴⁵

Based on interviews with some former prisoners, Muslim prisoners were not able to observe their religious precepts because of the prisons' failure to provide them with basic necessities to practice their faith. For example, a former prisoner at Pattani Central Prison reported difficulties accessing water in the dormitories at night to carry out washing practices before praying.¹⁴⁶

A former Muslim prisoner at Ratchaburi Central Prison recalled the prison's failure to respect the religious customs of Muslim prisoners, including the absence of a prayer room and serving pork with meals.¹⁴⁷ In addition, at Ratchaburi Central Prison, the utensils provided to Muslim prisoners were not used exclusively for halal food, and the former prisoner believed meals provided each day during the fasting period of Ramadan were inadequate to maintain balanced sugar levels.¹⁴⁸

The only positive comment regarding the impartial treatment of prisoners came from former prisoners at the Chiang Mai Women's Correctional Institution, who reported that the prison guards took care of them well and without discrimination of any type.¹⁴⁹

8.4. Insufficient access to sanitation

Overcrowding and restrictions on access to water and basic hygiene supplies continued to negatively affect the sanitation situation in most of the prisons where the interviewed former prisoners were detained.

In more overcrowded facilities, such as Lamphun Provincial Prison, Nakhon Si Thammarat Central Prison, Ratchaburi Central Prison, and the Bangkok Remand Prison, interviewed former prisoners reported difficulties in accessing sufficient showers and in-dormitory toilets.¹⁵⁰

All interviewed former prisoners confirmed they had 24-hour access to toilets, including toilets in the sleeping dormitories. Nevertheless, the availability of toilets varied greatly across prisons. In some prisons where interviewed former prisoners were detained, the number of toilets was seriously insufficient compared to the number of prisoners sharing the same accommodation. For instance, at Lamphun Provincial Prison, there were two toilets in a dormitory of 100 prisoners.¹⁵¹ At Ratchaburi Central Prison and Nakhon Si Thammarat Central Prison, there was only one squat toilet in a dormitory for 40 prisoners.¹⁵² Former prisoners at the Central Women's Correctional institution and the Bangkok Remand Prison said the number of toilets inside the dormitories was inadequate, resulting in prisoners sometimes having to wait in long queues to use the toilets.¹⁵³ A former prisoner at the Bangkok Remand

143. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

144. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

145. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

146. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023

147. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

148. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

149. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

150. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023; FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

151. FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023

152. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

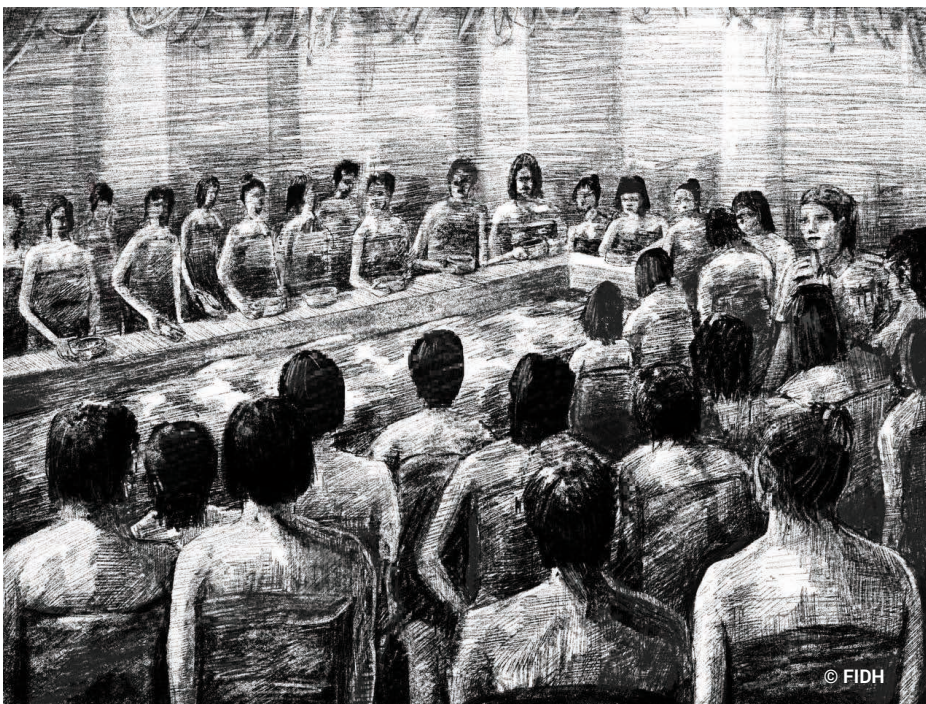
153. FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023; FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

Prison reported that sometimes prisoners had to fix a toilet leak themselves.¹⁵⁴ Another former prisoner at the Bangkok Remand Prison recalled the time when prisoners were asked to defecate and urinate in plastic bags because the in-dormitory toilets were clogged for several days.¹⁵⁵

Most of the interviewed former prisoners reported that running water in the sleeping dormitories was available for a limited time during the day, resulting in prisoners having to collect water in buckets for flushing and washing purposes. This practice made it difficult to guarantee access to sufficient clean water and satisfactory levels of hygiene. For example, a former prisoner at the Bangkok Remand Prison noted that in some days the water was not running from 3:00pm to 5:00pm, at the whim of the chief of warden, which prevented prisoners from having showers in the afternoon during periods of hot weather.¹⁵⁶

In all the prisons where interviewed former prisoners were detained, inmates showered together in open communal areas without adequate partitions or privacy measures.¹⁵⁷ A former prisoner at the Chiang Mai Women's Correctional Institution noted that female prisoners who were having their period also had to shower in communal areas with others.¹⁵⁸

Based on many of the interviews with former prisoners, while inmates were allowed to shower two times a day, their personal hygiene continued to be negatively affected by the limited availability of water and time for showering. Former prisoners at the Central Women's Correctional Institution reported being allowed to use a maximum of 10 bowls of water per shower. "We scooped the water as [prison guards] shouted, from one to 10," a former prisoner from the Central Women's Correctional Institution recalled.¹⁵⁹ Prisoners at the Thanyaburi Women's Correctional Institution for Drug Addicts were allowed to use one bucket of water, equivalent to 11 bowls, to shower.¹⁶⁰ Former prisoners at Chiang Mai Central Prison reported that they were allowed to use seven to eight bowls of water.¹⁶¹



"We scooped the water as [prison guards] shouted, from one to 10."

154. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

155. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

156. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023

157. ICRC recommends "the location and partitioning of toilets should provide detainees with the maximum possible level of privacy. Prisoners using toilets should not be in full view of other detainees." ICRC, *Water, sanitation, hygiene and habitat in prisons: Supplementary guidance*, 11 June 2020; <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-4083.pdf>

158. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

159. FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023

160. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023

161. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

Former prisoners at the Bangkok Remand Prison, the Chiang Mai Women's Correctional Institution, Phang-nga Provincial Prison, and Nakhon Si Thammarat Central Prison reported having between 45 minutes to one hour a day to shower, get dressed, and do their laundry.¹⁶² Other interviewed former prisoners were granted less time. A former prisoner at Khae Noi Temporary Prison said prisoners were given 10 minutes to shower and get dressed twice a day, although sometimes this was reduced to eight minutes as punishment for being "disobedient."¹⁶³

At Thonburi Remand Prison, water and time allowed for showering was barely sufficient and controlled by prisoners who were assistants to prison guards, to whom inmates had to "run to find the shower heads from which the water was still running."¹⁶⁴

Interviewed former prisoners noted small positive developments concerning the treatment of prisoners with special needs. Former prisoners at the Central Women's Correctional Institution and Phatthalung Central Prison reported that the prisons allocated early shower time slots for the prisoners with special needs, such as the elderly and persons with disabilities.¹⁶⁵ At the Central Women's Correctional Institution, elderly prisoners were given one bucket of water to bathe instead of scooping water from a large concrete tank like other inmates.¹⁶⁶ A former prisoner with movement disability at Phatthalung Central Prison said he and other 18 prisoners with disabilities were allowed to shower before all other inmates in the morning.¹⁶⁷ Nevertheless, according to the same former prisoner, those with impaired movement disabilities continued to face difficulties in maintaining good personal hygiene due to the lack of specific sanitary facilities for disabled inmates, such as modified toilets.¹⁶⁸

Some interviewed former prisoners complained about the sub-standard quality of showering water, including at Pattani Central Prison and the Bangkok Remand Prison. According to them, dust and green algae were found in the common water tanks.¹⁶⁹

Availability of personal hygiene products, such as soap, shampoo, towels, toothbrushes, and toothpaste, varied among prisons. Former prisoners at the Bangkok Remand Prison, Khae Noi Temporary Prison, and Nakhon Si Thammarat Central Prison reported that inmates at these facilities received one towel each.¹⁷⁰ On the contrary, former prisoners at Thonburi Remand Prison, Phatthalung Central Prison, and Phang-nga Provincial Prison reported that inmates did not receive towels upon admission. As a result, they either bought them from the prison shop or used those left by the prisoners who had been released.¹⁷¹

Most interviewed former prisoners reported having adequate access to toiletries and basic necessities, with the ability to request more if they ran out of them, or buy them at the prison shop. Toiletries were distributed to all prisoners at the Thanyaburi Women's Correctional Institution for Drug Addicts, the Bangkok Remand Prison, Thonburi Remand Prison, and to indigent prisoners at the Central Women's Correctional Institution.¹⁷² An interviewed former prisoner at the Thanyaburi Women's Correctional

162. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023; FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023; FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

163. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

164. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

165. FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

166. FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023

167. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

168. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

169. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023; FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023

170. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

171. FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

172. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023; FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 3 November 2023; FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023; FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023

Institution for Drug Addicts said personal hygiene items, including detergent, soap, toothpaste, toothbrush, bra, underwear, and shampoo, were distributed every month.¹⁷³ A former prisoner at Thonburi Remand Prison commented that prisoners received only one bar of soap upon admission and if they wanted more, they had to buy it.¹⁷⁴

Meanwhile, interviewed former prisoners at Pattani Central Prison, Khae Noi Temporary Prison, and Nakhon Si Thammarat Central Prison reported that prisoners were not regularly and equally supplied with toiletries upon admission or when they requested for more, which undermined their ability to maintain good personal hygiene.¹⁷⁵ Former prisoners at Phatthalung Central Prison and Lamphun Central Prison complained that no personal hygiene items were provided and that they had to buy them or use those left by the released prisoners.¹⁷⁶

All interviewed former female prisoners reported that feminine hygiene products were adequately available. A former female prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts said that she received new bras and underwear and four packs of sanitary pads every month.¹⁷⁷ A former female prisoner at Khae Noi Temporary Prison reported that those who had less than two pairs of bras upon admission received an extra one.¹⁷⁸ Former female prisoners at the Chiang Mai Women's Correctional Institution said inmates at that facility received six uniforms and two or three pairs of underwear upon admission.¹⁷⁹

In all prisons where interviewed former prisoners had been detained, inmates were responsible for washing their uniforms and cleaning their sleeping dormitories, in addition to the toilets. However, some of them reported challenges in keeping their uniforms clean. According to some former prisoners, including at the Bangkok Remand Prison and Chiang Mai Central Prison, the number of prison uniforms provided to prisoners was insufficient and it was unrealistic they could be washed and dried regularly.¹⁸⁰ Prisoners who had only one uniform had to cover themselves with towels while washing and drying the uniform,¹⁸¹ and some of them remained naked because they did not have spare ones.¹⁸² Former prisoners at Pattani Central Prison said prisoners received one or two uniforms but they could buy extra ones at the prison shop or use the ones left by the released prisoners.¹⁸³

8.5. "Terrible" food

Most of the interviewed former prisoners reported that prisons failed to provide inmates with food that was of good quality and nutritionally adequate.¹⁸⁴ In addition, while drinking water was readily available in prisons, many interviewed former prisoners reported the lack of quality control for the monitoring of prison water.

In all prisons where interviewed former prisoners had been detained, inmates were given three meals per day. The majority of interviewed former prisoners consistently complained about the lack of nutritious intake, particularly protein. A former prisoner at Nakhon Si Thammarat Central Prison described meals served in prison as consisting of "either broth or bones."¹⁸⁵ A former prisoner at Phatthalung Central Prison commented: "Even if it looked inedible, we just had to eat it. If there was meat, like pork, it's

173. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023

174. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

175. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023; FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

176. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with former prisoners at Lamphun Provincial Prison*, 14 December 2023

177. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023

178. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

179. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

180. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

181. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

182. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

183. FIDH, *Interview with former prisoners at Pattani Central Prison*, 27 November 2023

184. Rule 22 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served. 2. Drinking water shall be available to every prisoner whenever he or she needs it."

185. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

almost invisible, or if there's chicken, it would only be its feet."¹⁸⁶ Former prisoners at Pattani Central Prison mentioned "mushy fish" and "chicken scraps" as examples of sources of protein in prison food.¹⁸⁷ In addition, a former prisoner at Lamphun Provincial Prison stated that a food portion for one inmate was shared among four prisoners.¹⁸⁸ Despite many former prisoners reporting that fruits were generally available, they were often insufficient in quantity, such as half a banana per prisoner.¹⁸⁹ Most former prisoners also described the taste of prison food as "bland" or "terrible." Only former prisoners at the Thanyaburi Women's Correctional Institution for Drug Addicts and Khae Noi Temporary Prison reported being served food that was of adequate quality and quantity.¹⁹⁰

Some former prisoners, including at Phatthalung Central Prison, Chiang Mai Central Prison, and Phangnga Provincial Prison, additionally raised the problem of unfair distribution of food. According to them, prisoners working as prison guards' assistants or those working in the prison kitchen were able to access food before the rest of the prisoners. An interviewed former prisoner at Chiang Mai Central Prison recalled: "I used to spend some time working in the prison kitchen. Actually, the food was prepared very well, and had good taste and sufficient protein. But prisoners who were assistants [of prison guards] would take all the meat first. So, before it reached the prison canteen, there was already not enough food for everyone."¹⁹¹

Another problem raised by some interviewed former prisoners was poor hygiene in food preparation. Former prisoners at the Bangkok Remand Prison, Pattani Central Prison, and Chiang Mai Central Prison reported having had, or having witnessed other prisoners getting, stomach pain and diarrhea as a result of consuming prison food.¹⁹² A former prisoner at Pattani Central Prison called diarrhea "a common problem" among prisoners.¹⁹³ A former prisoner at the Bangkok Remand Prison stated: "Eating prison food gave me diarrhea many times."¹⁹⁴

In all prisons where interviewed former prisoners were detained, drinking water was available from water dispensers in the prison buildings. Many former prisoners reported having a personal plastic cup or bottle to fill with drinking water, except those at Pattani Central Prison, who had to drink water from the same bowl used for showering and flushing the toilets in the sleeping dormitories.¹⁹⁵ Although all interviewed former prisoners said that a water filtration system was in place, many of them, including at Chiang Mai Central Prison, Phatthalung Central Prison, Nakhon Si Thammarat Central Prison, Pattani Central Prison, and the Central Women's Correctional Institution, complained that the water sometimes had an unpleasant color and smelled of chlorine,¹⁹⁶ and contained rust¹⁹⁷ or dirt.¹⁹⁸

According to all interviewed former prisoners, food of better quality, bottled drinks, and snacks could be bought at the prison shops. For prisoners who did not have money, they had no option but to consume the poor-quality prison food and drinking water. At Pattani Central Prison, a former prisoner observed that many prisoners preferred to buy their own bottled water.¹⁹⁹ A former prisoner at Thonburi Remand Prison commented: "[Prisoners] had to put up with eating prison food or buy their own food. It cost a lot of money. It's like business, for profit making."²⁰⁰ Similarly, a former prisoner at Nakhon Si Thammarat Central Prison, who described prison food "absolutely horrible," noted: "If you don't have money, it's extremely tough."²⁰¹

186. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

187. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

188. FIDH, *Interview with a former prisoner at Lamphun Provincial Prison*, 14 December 2023

189. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

190. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023; FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

191. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

192. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023; FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

193. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

194. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

195. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

196. FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 23 November 2023

197. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

198. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

199. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

200. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

201. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

8.6. Inadequate access to healthcare

According to most interviewed former prisoners, access to timely and quality physical and mental healthcare services in line with international minimum standards remained among the biggest challenges for prisoners.²⁰²

The most common complaint by the majority of the interviewed former prisoners was the inability to have direct and timely access to healthcare services at the prison medical facilities, which provide primary care and basic medicines to sick prisoners. In all prisons where interviewed former prisoners were detained, prisoners with an illness were not able to approach the prison's medical facility directly to request an appointment or receive medical treatment. Instead, they had to register their names to request a visit. They would then be screened and given permission by the prison guards, who were not healthcare staff, but had the discretionary power to determine whether the illness was "bad enough"²⁰³ or that the prisoners were "seriously unwell"²⁰⁴ and should be allowed to go to the medical facility for a diagnosis or treatment. A former prisoner at Thonburi Remand Prison stated: "When you get sick in prison, it's extremely difficult to access the medical facility. If you're not bleeding, you're probably not allowed [by prison guards] to go [to the prison's medical facility]."²⁰⁵ The determination process by the prison guards could take a long time. According to a former prisoner at the Bangkok Remand Prison, it took one day after the registration to see prison healthcare staff. "I wish access to medical care was much faster. Those with serious symptoms shouldn't have to register to wait [to go to the prison's medical facility] the next day," commented the former prisoner.²⁰⁶ A former prisoner at Phatthalung Central Prison recalled his experience of suffering from a high fever, but having to wait three days to be permitted to visit the prison's medical facility.²⁰⁷



"If you fell sick at night after nine o'clock, you would never be allowed [to go to the prison's medical facility]. You just had to wait until the morning."

202. Rule 24 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. The provision of health care for prisoners is a state responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status. 2. Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis and other infectious diseases, as well as for drug dependence.; Rule 25 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. Every prison shall have in place a healthcare service tasked with evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special health-care needs or with health issues that hamper their rehabilitation.;2. The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner."

203. FIDH, *Interview with a former prisoner at Lamphun Provincial Prison*, 14 December 2023

204. FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023

205. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

206. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

207. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

Many of the interviewed former prisoners said the slow processes and strict security considerations routinely led to the failure to urgently respond and provide medical attention to cases of medical emergency at night.²⁰⁸ A former prisoner at Pattani Central Prison said: “If you fell sick at night after nine o’clock, you would never be allowed [to go to the prison’s medical facility]. You just had to wait until the morning.”²⁰⁹ A former prisoner at Lamphun Provincial Prison recalled an incident where a fellow prisoner suffered a seizure, but was taken to the prison medial facility only the next day.²¹⁰ A former prisoner at Chiang Mai Central Prison said: “Somebody ate old food, got a stomach pain, and vomited blood, but had to wait for approval by the prison authorities to go to the prison clinic. He waited until the next morning [to go to the prison clinic] by the time he was all pale.”²¹¹ The former prisoner added that the first person to give an initial assessment in case of medical emergency was a prisoner who served as assistant to the health personnel.²¹² A former prisoner at Phatthalung Central Prison reported witnessing a fellow prisoner fainting one evening. He recalled: “I went to shake him, but he was unconscious. I shouted for help from the staff. It took 15 minutes for somebody to come and two hours until he got to see a doctor.”²¹³ A former prisoner at Thonburi Remand Prison mentioned a similar event where a prisoner suffered a seizure, fell unconscious, was taken away in a wheelchair, and “disappeared.” “We didn’t know what happened to him after that.”²¹⁴

In all prisons where interviewed former prisoners were detained, medical doctors, including specialists, from hospitals outside the prison visited the facilities at irregular intervals, depending on the prison. Inmates had to register in advance in order to see the doctor, which could take a long time due to the infrequency of the visits compared to the needs of the prison population. A former prisoner at Nakhon Si Thammarat Central Prison reported doctors from outside would visit the prison once a week.²¹⁵ At Ratchaburi Central Prison, prisoners were visited by medical doctors twice a week, while dentists were available around three to four times a month.²¹⁶ For prisoners with more serious pathologies or in critical conditions, they would be referred to local hospitals for additional treatment.

While specialized healthcare services were available in most prisons where interviewed former prisoners were detained, access to them in some prisons required long waiting time, especially dentistry. A former prisoner at Thonburi Remand Prison reported having to register for tooth extraction about eight or nine months in advance and still not being able to undergo the procedure.²¹⁷ Prisoners at Pattani Central Prison were visited by dentists once a month, according to a former prisoner at that facility.²¹⁸ A former prisoner at Nakhon Si Thammarat Central Prison stated: “Because there were so many prisoners, the waiting time for a dentist was at least two weeks.”²¹⁹

The majority of interviewed former prisoners reported that mental health services were limited to the prescription of medication, rather than the promotion of the mental wellbeing of prisoners. Former prisoners at the Bangkok Remand Prison and Phatthalung Central Prison commented that medicines made prisoners “sedated”²²⁰ or “confused, from normal to not being able to communicate instead.”²²¹ Only a former prisoner at Thonburi Remand Prison recalled that prisoners with mental health issues could write a request for a mental health professional or other support and drop it in the “happy

208. Rule 27 of the UN Standard Minimum Rules for the Treatment of Prisoners states: “1. All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care. 2. Clinical decisions may only be taken by the responsible health-care professionals and may not be overruled or ignored by non-medical prison staff.”

209. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

210. FIDH, *Interview with a former prisoner at Lamphun Provincial Prison*, 14 December 2023

211. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

212. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

213. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

214. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

215. IDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

216. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

217. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

218. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

219. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

220. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 21 November 2023

221. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

box,"²²² although he could not confirm how long it could take for prisoners to receive the services.

Access to appropriate medical treatment and medicine was another primary challenge for prisoners, especially those with chronic illnesses. A former prisoner at Thonburi Remand Prison complained that over-the-counter medicine was not available for inmates to purchase, but could only be obtained via the prison's medical facility.²²³ Former prisoners at Nakhon Si Thammarat Central Prison and Phatthalung Central Prison noted that due to the typically long waiting time to receive medical treatment, prisoners instead stockpiled medicines²²⁴ or bought them from other prisoners working at the prison's medical facility.²²⁵ Similarly, according to a former prisoner at Chiang Mai Central Prison, the inadequate supply of medicines in the prison led to inmates working at the prison's medical facility stockpiling and selling them to other prisoners.²²⁶ "It became a business. One pill cost 20 baht," stated the former prisoner.²²⁷ Paracetamol was consistently mentioned by the majority of former prisoners as the most typical medicine used to treat most illnesses in prisons. "Paracetamol for everything," commented a former prisoner at the Central Women's Correctional Institution.²²⁸ A former prisoner at the Bangkok Remand Prison recalled receiving paracetamol for diarrhea.²²⁹ Former prisoners at the Bangkok Remand Prison, the Central Women's Correctional Institution, Chiang Mai Central Prison, and Pattani Central Prison, further reported the unavailability or shortages of medication for chronic conditions, such as gout, hypertension, and asthma.²³⁰ A former prisoner at the Chiang Mai Women's Correctional Institution stated that specialized medication, including for HIV treatment, was available in the facility.²³¹

8.7. Laborious work, insufficient remuneration

In most prisons where interviewed former prisoners were detained, work provided little rehabilitative value and opportunities to develop the vocational skills or experience that were necessary to prepare them for successful reintegration into society upon release.²³² In addition, some former prisoners reported unfair labor practices that were inconsistent with international standards.²³³

According to the majority of interviewed former prisoners, able-bodied inmates had to work on weekdays, while elderly prisoners and those with physical or mental disabilities were exempted from such duties. Only a former prisoner at Khae Noi Temporary Prison mentioned that she had to work every day of the

222. According to the former prisoner, the happy box is a container where prisoners could submit letters to raise the issue of their mental health or to seek mental health services. Mental health professionals would open these letters and make an appointment with the prisoners.

223. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

224. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

225. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

226. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

227. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

228. FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 8 November 2023

229. FIDH, *Interview with a former prisoner at Bangkok Remand Prison*, 21 November 2023

230. FIDH, *Interview with a former prisoner at Central Women's Correctional Institution*, 23 November 2023; FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023; FIDH, *Interview with a former prisoner at Bangkok Remand Prison*, 21 November 2023; FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

231. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

232. Rule 4 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life. 2. To this end, prison administrations and other competent authorities should offer education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual, social and health- and sports-based nature. All such programmes, activities and services should be delivered in line with the individual treatment needs of prisoners." Rule 96 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. Sentenced prisoners shall have the opportunity to work and/or to actively participate in their rehabilitation, subject to a determination of physical and mental fitness by a physician or other qualified health-care professionals. 2. Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day."

233. Rule 98 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release. 2. Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners. 3. Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, prisoners shall be able to choose the type of work they wish to perform."; Rule 103 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. There shall be a system of equitable remuneration of the work of prisoners. 2. Under the system, prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family. 3. The system should also provide that a part of the earnings should be set aside by the prison administration so as to constitute a savings fund to be handed over to the prisoner on his or her release."

week.²³⁴ Depending on the prison and the type of work assigned to prisoners, a typical workday started at 8:00-8:30am, and ended at around 2:00-4.00pm.

The two types of work in prison reported by interviewed former prisoners included jobs within the prison's vocational training program, also called "work unit," and the supporting roles within the prison. Most of the work available in the prison's work unit was laborious, primarily entailing the production of various goods that were sold to the public or produced for private contractors, such as paper bags, tobacco rolling papers, Chinese paper offerings, paper flags, fabric bags, shoes, clothes pegs, embroideries, and clothes hangers. A former prisoner at Thonburi Remand Prison commented on the stringent production targets: "They called it vocational training, but it's not really training. It's a kind of torture of prisoners to make them work that hard."²³⁵ He added that prisoners could not choose the type of work they were assigned: "I saw a poster [of the Nelson Mandela Rules], explaining that they would need consent from prisoners [when engaging in prison work], but that never happened in practice. We did not get to choose."²³⁶

Some former prisoners at Chiang Mai Central Prison and Nakhon Si Thammarat Central Prison reported that, in some cases, inmates were subjected to punishments or disciplinary measures if they did not meet production targets. Such punishments included being beaten, undergoing physical training, or rolling in the prison yard.²³⁷

Other jobs mentioned by interviewed former inmates were sewing, removing stems off chilis, and, only at Khae Noi Temporary Prison,²³⁸ service jobs at the prison's businesses, such as its restaurant, coffee shop, or car wash.



"It's really useless work. It didn't help me get a job after my release."

234. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

235. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

236. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

237. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023, FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

238. Khae Noi Temporary Prison is a minimum-security women's prison under the administration of Petchabun Provincial Prison in Petchabun Province. It provides a range of vocational programs for selected inmates with good behavior, who have served at least one fourth of their sentence and have less than five years remaining, to help them develop skills for reintegration into society, including by working at the prison's enterprises, which are open to the public.

A former prisoner at Nakhon Si Thammarat Central Prison stated that because the production of fishing nets in the prison had been banned, inmates instead were tasked with removing stems off two kilograms of chilis per day.²³⁹ “It’s really useless work. It didn’t help me get a job after my release,” commented the former prisoner.²⁴⁰ Only a former prisoner at Khae Noi Temporary Prison viewed that her job working at the prison’s car wash service, which was open to the public, allowed her to socialize with other people and provided prisoners with work experience that could be useful in finding a job after their release.²⁴¹

Remuneration for this type of work was reportedly significantly below Thailand’s daily minimum wage, which was between 328 and 354 baht (US\$9-10)²⁴² per day in 2023.²⁴³ For instance, a former prisoner at Ratchaburi Central Prison recalled that inmates received 70 baht (about US\$1.9) per month for folding paper bags. He added that prisoners were paid depending on their class,²⁴⁴ with the highest pay of 70 baht (about US\$1.9) per month given to the “excellent” class prisoners.²⁴⁵ A former prisoner at Khae Noi Temporary Prison, who worked at the prison’s car wash every day from 9:00am to 4:00pm, earned 400-900 baht (about US\$11-25) per month, after a deduction to pay for the prison’s electricity bill, although the prison staff never provided any justification for such deduction.²⁴⁶ At Nakhon Si Thammarat Central Prison, prisoners whose job was to remove stems off chilis received 30-60 baht (about US\$0.8-1.7) for two to three months of work.²⁴⁷ According to a former prisoner at Thonburi Remand Prison, inmates who were assigned to make 150 paper bags per day were paid around 40 baht (about US\$1) per month, while those tasked with making shoes made between 100 and 300 baht (about US\$3-8) per month.²⁴⁸

The other type of work mentioned by interviewed former inmates concerned the functioning and maintenance of the prison and included, for example, guarding the prison gates, cleaning the prison buildings, doing laundry, cooking, assisting prison guards, and working at the prison’s library. Former prisoners at the Chiang Mai Women’s Correctional Institution said that they received remuneration of between 1,000 and 2,000 baht (about US\$28-57) per month for doing other prisoners’ laundry.²⁴⁹ A former inmate at the Thanyaburi Women’s Correctional Institution for Drug Addicts mentioned that those who were responsible for cleaning the sleeping dormitories could be punished if they were not tidy when outsiders visited the prison.²⁵⁰

In addition, interviews with former prisoners found that the government’s pre- and post-release employment support, known as Center for Assistance to Reintegration and Employment (CARE),²⁵¹ was not accessible in many prisons. Only a former prisoner at the Chiang Mai Women’s Correctional Institution reported that she received financial support from the CARE initiative to start her homestay business upon release.²⁵² Some former prisoners, including at Nakhon Si Thammarat Central Prison, Phatthalung Central Prison, and Phang-nga Provincial Prison stated that they had never heard of such initiative.²⁵³

239. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

240. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

241. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

242. 1 USD = 35.3 Thai baht (Bank of Thailand, Foreign Exchange Rates as of 1 December 2023)

243. Gazette, *Announcement of the Wage Committee Regarding the minimum wage rate Volume 139 (Issue 11)*, 19 September 2022 [in Thai]

244. The Thai prison system classifies prisoners into six classes based on their behavior: 1) Excellent class; 2) Very good class; 3) Good class; 4) Moderate class; 5) Bad class; 6) Very bad class.

245. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

246. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

247. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

248. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

249. FIDH, *Interview with former prisoners at the Chiang Mai Women’s Correctional Institution*, 15 December 2023

250. FIDH, *Interview with a former prisoner at the Thanyaburi Women’s Correctional Institution for Drug Addicts*, 8 November 2023

251. Center for Assistance to Reintegration and Employment (CARE) is the DoC’s initiative that aims to provide vocational training and employment support, including financial support, for prisoners and former prisoners. There are 137 CARE divisions at 137 prisons/correctional facilities across the country.

252. FIDH, *Interview with a former prisoner at the Chiang Mai Women’s Correctional Institution*, 15 December 2023

253. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023

8.8. Isolation from the outside world

According to many interviewed former prisoners, the ability for inmates to maintain contact with the outside world was limited, particularly through restrictions on visits, which they said affected their overall well-being.²⁵⁴ Access to news and external information through various media, such as newspaper, television, and books, was also tightly controlled.²⁵⁵

In all prisons where interviewed former prisoners were detained, family visits could be conducted in-person or online, through the LINE messaging application.²⁵⁶ Most former prisoners reported being allowed 10-15 minutes for both types of visits. Former prisoners at the Chiang Mai Women's Correctional Institution added that inmates were given 30 minutes per in-person visit, if their families came from other provinces.²⁵⁷ The frequency of the visits varied across prisons where former inmates were detained, depending on each prison's rules and available time slots, and inmates' families had to make requests in advance. At the Bangkok Remand Prison, the Thanyaburi Women's Correctional Institution for Drug Addicts, Phatthalung Central Prison, Phang-nga Provincial Prison, and the Central Women's Correctional Institution, former prisoners reported that visits were allowed every day.²⁵⁸ A former prisoner at Khae Noi Temporary Prison reported that visits were allowed every working day.²⁵⁹ Interviews with former prisoners at other facilities revealed that the frequency of visits was more restricted, ranging from two to eight visits per month.²⁶⁰ A former prisoner at Ratchaburi Central Prison claimed that only those belonging to the "excellent" class were allowed one visit per week, while those belonging to the "good" class could only be visited by their families once every two weeks.²⁶¹

According to a former prisoner at Thonburi Remand Prison, while incoming letters from families were not subjected to limitations on the number of lines, prisoners were allowed to write only 15 lines per letter.²⁶² He also noted that "every word in every letter" to and from prisoners was examined by the prison staff.²⁶³ In addition to the postal mail, a former prisoner at the Bangkok Remand Prison reported the availability of the electronic letter service, which allowed prisoners to receive letters and photos sent by families through the "Domimail" application. These would then be printed out by prison authorities and delivered to inmates on the same day.²⁶⁴ He noted that the electronic letter service worked on a pre-paid credit basis, which cost 100 baht (US\$3) for 10 credits.²⁶⁵

254. Rule 58 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals: (a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and (b) By receiving visits. 2. Where conjugal visits are allowed, this right shall be applied without discrimination, and women prisoners shall be able to exercise this right on an equal basis with men. Procedures shall be in place and premises shall be made available to ensure fair and equal access with due regard to safety and dignity."

255. Rule 63 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the prison administration."; Rule 64 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "Every prison shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it."

256. Upon admission, each prisoner should provide a list of 10 people to be approved by the prison authorities. Prisoners are allowed to receive visits only from those whose names appear on their lists.

257. FIDH, *Interview with a former prisoner at the Chiang Mai Women's Correctional Institution*, 15 December 2023

258. FIDH, *Interview with a former prisoner at the Thanyaburi Women's Correctional Institution for Drug Addicts*, 8 November 2023; FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023; FIDH, *Interview with a former prisoner at the Central Women's Correctional Institution*, 23 November 2023; FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023; FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023

259. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

260. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023; FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023; FIDH, *Interview with a former prisoner at Lamphun Provincial Prison*, 14 December 2023; FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

261. FIDH, *Interview with a former prisoner at Ratchaburi Central Prison*, 27 November 2023

262. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

263. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

264. As of October 2023, the express e-letter service or Domimail was accessible in 10 prisons, including: Klong Prem Central Prison; the Bangkok Remand Prison; Minburi Remand Prison; the Central Women's Correctional Institution; the Central Correctional Institute for Young Prisoners; the Central Correctional Institution for Drug Addicts; Nakhon Si Thammarat Central Prison; Songkhla Central Prison; Songkhla Provincial Prison; and Na Thawi District Prison; TLHR, *Imprisoned far from home: Getting to know Narathiwat Provincial Prison - a place where two individuals detained under Article 112*, 31 October 2023 [in Thai]; <https://tlhr2014.com/archives/61077>

265. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

In addition, former prisoners lacked meaningful access to outside information, particularly current affairs, through news and newspapers. Television sets were available in all prisons where interviewed former prisoners were detained, with the exception of Phatthalung Central Prison. “[The prison] didn’t want us to know about the outside world,” commented a former prisoner at that facility.²⁶⁶ According to the majority of interviewed former inmates, television acted mainly as a source of entertainment, instead of a means for detainees to be informed about events in the outside world. Content on television was subjected to strict control by the prison authorities, who typically allowed only entertainment programs such as movies, sports, and music. Although some former prisoners, including at Chiang Mai Central Prison, the Chiang Mai Women’s Correctional Institution, and Nakhon Si Thammarat Central Prison, reported that inmates could watch news on television, it was untimely and irrelevant, as only recorded news programs that had been selected by the prison authorities were shown.²⁶⁷ Similarly, newspapers were unavailable in the majority of the prisons where interviewed former inmates were detained. Only former prisoners at Chiang Mai Central Prison and Pattani Central Prison said newspapers were available in the two facilities.²⁶⁸

The most common types of books in the prison library mentioned by former prisoners were limited to fiction, general knowledge, and entertainment. A former prisoner at Chiang Mai Central Prison complained about the lack of variety of books in prison.²⁶⁹

Many interviewed former prisoners reported feeling isolated as a result of extended periods of limited contact with the outside world. A former prisoner at Pattani Central Prison commented: “If [prisoners] don’t have family, they would be completely cut off from the world.”²⁷⁰ Despite Khae Noi Temporary Prison being an open correctional facility, an interviewed former prisoner who had been detained there said: “The experience inside prison made me scared of the outside world after I was released. I couldn’t adapt myself. I was scared of the crowd. I didn’t dare to express myself. It took quite a while for me to adjust [to society] again.”²⁷¹

8.9. Limited access to recreational and rehabilitative activities

Former prisoners reported the limited range of opportunities to engage in recreational and rehabilitative activities that could contribute to their mental and physical well-being and social reintegration.²⁷²

Most interviewed former prisoners said access to recreational activities in prisons, such as sports, arts, or physical exercise, was limited. Only a former prisoner at the Central Women’s Correctional Institution reported that prisoners attended aerobics exercise classes every day in the afternoon.²⁷³ A former prisoner at Thonburi Remand Prison said that while prisoners were allowed to use the prison yard to play football during weekends, only those with ties to the prison guards were allowed to be on the pitch, and other prisoners could only watch the games from the sidelines.²⁷⁴

Most of the interviewed former prisoners said that the prisons where they were detained did not provide any drug education and rehabilitation programs for former drug users in order to promote their social reintegration. A former prisoner at Phang-nga Provincial Prison commented: “No rehabilitation activities were provided [for drug users], they just locked us up in prison.”²⁷⁵ At Chiang Mai Central Prison, where drug rehabilitation activities were provided, a former prisoner reported that lectures given by prisoners were ineffective and focused solely on encouraging drug abstinence.²⁷⁶ Former prisoners at Nakhon Si

266. FIDH, *Interview with a former prisoner at Phatthalung Central Prison*, 21 December 2023

267. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023; FIDH, *Interview with a former prisoner at the Chiang Mai Women’s Correctional Institution*, 15 December 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

268. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023

269. FIDH, *Interview with a former prisoner at Chiang Mai Central Prison*, 14 December 2023; FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

270. FIDH, *Interview with a former prisoner at Khae Noi Temporary Prison*, 14 November 2023

271. FIDH, *Interview with a former prisoner at Pattani Central Prison*, 27 November 2023

272. Rule 105 of the UN Standard Minimum Rules for the Treatment of Prisoners states: “Recreational and cultural activities shall be provided in all prisons for the benefit of the mental and physical health of prisoners.”

273. FIDH, *Interview with a former prisoner at the Central Women’s Correctional Institution*, 8 November 2023

274. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

275. FIDH, *Interview with a former prisoner at Phang-nga Provincial Prison*, 21 December 2023

276. FIDH, *Interview with former prisoners at Chiang Mai Central Prison*, 14 December 2023

Thammarat Central Prison and the Chiang Mai Women's Correctional Institution reported a four-month drug rehabilitation program that consisted of lectures by health personnel.²⁷⁷

With regard to education, according to interviews with some former prisoners, compulsory education at elementary and secondary levels was available for free.²⁷⁸ Higher education and vocational courses provided by universities or institutes were accessible, but not free of charge.²⁷⁹

8.10. Complaint mechanisms underused, ineffective, unsafe

The majority of interviewed former prisoners revealed the lack of responsive and confidential complaint mechanisms in the prisons where they were detained.²⁸⁰ In addition, they reported that fear of retaliation continued to prevent prisoners from using the prisons' complaint procedures.

Most of the interviewed former prisoners opined that inmates were generally unaware of their rights in prisons, including the right to make a complaint.²⁸¹ Some interviewed former prisoners at the Bangkok Remand Prison and Pattani Central Prison said they were never informed of their right to make complaints to the prison administration or external independent bodies, such as the National Human Rights Commission of Thailand (NHRCT) and the Ombudsman, or non-governmental organizations.²⁸² A former prisoner at the Bangkok Remand Prison recalled being told by the prison staff not to file any complaints.²⁸³

According to the majority of interviewed former prisoners, the common procedure to file complaints was to put a letter into the complaint box or speak directly to the prison officials. At the Chiang Mai Women's Correctional Institution, prisoners could put anonymous complaints in the box, whereas the complaints directed to external bodies would be screened by the prison staff.²⁸⁴ Only former prisoners at the Chiang Mai Women's Correctional Institution and Nakhon Si Thammarat Central Prison found the complaint mechanism in the prisons to be responsive.²⁸⁵

The prisons' failure to ensure confidential and responsive complaint mechanisms resulted in lack of trust in the procedure among prisoners. Most prisoners believed their complaints would be dismissed by the very prison staff against whom the complaints had been made, before they could reach the higher levels of the prison hierarchy or the independent bodies outside prison.²⁸⁶ Former prisoners at Thonburi Remand Prison and Nakhon Si Thammarat Central Prison said prison staff would generally attempt to settle the matter informally with the prisoners.²⁸⁷

277. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

278. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

279. FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

280. Rule 56 of the UN Standard Minimum Rules for the Treatment of Prisoners states: "1. Every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her. 2. It shall be possible to make requests or complaints to the inspector of prisons during his or her inspections. The prisoner shall have the opportunity to talk to the inspector or any other inspecting officer freely and in full confidentiality, without the director or other members of the staff being present. 3. Every prisoner shall be allowed to make a request or complaint regarding his or her treatment, without censorship as to substance, to the central prison administration and to the judicial or other competent authorities, including those vested with reviewing or remedial power. 4. The rights under paragraphs 1 to 3 of this rule shall extend to the legal adviser of the prisoner. In those cases where neither the prisoner nor his or her legal adviser has the possibility of exercising such rights, a member of the prisoner's family or any other person who has knowledge of the case may do so."

281. Rule 54(b) of the UN Standard Minimum Rules for the Treatment of Prisoners states: "Upon admission, every prisoner shall be promptly provided with written information about: His or her rights, including authorized methods of seeking information, access to legal advice, including through legal aid schemes, and procedures for making requests or complaints."

282. In accordance with the ministerial regulation on the prisoners' submission of complaints or requests and petitions for royal pardon B.E. 2563 (2020).

283. FIDH, *Interview with a former prisoner at the Bangkok Remand Prison*, 20 November 2023

284. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023

285. FIDH, *Interview with former prisoners at the Chiang Mai Women's Correctional Institution*, 15 December 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

286. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

287. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023; FIDH, *Interview with a former prisoner at Nakhon Si Thammarat Central Prison*, 21 December 2023

Many interviewed former prisoners reported that retaliation against prisoners who made complaint was not uncommon. Therefore, the majority of interviewed former prisoners reported they did not dare to speak up or use complaint mechanisms due to fear of reprisals.²⁸⁸ “Everyone who lodged the complaint got in trouble,” said a former prisoner at Thonburi Remand Prison, who further recalled the time when one prisoner had his visitation rights suspended following the submission of a complaint.²⁸⁹ A former prisoner at Chiang Mai Central Prison commented: “It was impossible to make a complaint. You could end up getting yourself hurt.”²⁹⁰ Former prisoners at Lamphun Provincial Prison noted that prisoners could be punished by prison guards or harassed by fellow prisoners if they filed a complaint to prison authorities or shared stories about abusive experiences in prison with their relatives.²⁹¹

288. Rule 57 of the UN Standard Minimum Rules for the Treatment of Prisoners states: “1. Every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority. 2. Safeguards shall be in place to ensure that prisoners can make requests or complaints safely and, if so requested by the complainant, in a confidential manner. A prisoner or other person mentioned in paragraph 4 of rule 56 must not be exposed to any risk of retaliation, intimidation or other negative consequences as a result of having submitted a request or complaint. 3. Allegations of torture or other cruel, inhuman or degrading treatment or punishment of prisoners shall be dealt with immediately and shall result in a prompt and impartial investigation conducted by an independent national authority in accordance with paragraphs 1 and 2 of rule 71.

289. FIDH, *Interview with a former prisoner at Thonburi Remand Prison*, 27 October 2023

290. FIDH, *Interview with former prisoners at the Chiang Mai Women’s Correctional Institution*, 15 December 2023

291. FIDH, *Interview with a former prisoner at Lamphun Provincial Prison*, 14 December 2023

9. Recommendations

9.1. Recommendations to the Thai government

General recommendations

- Ensure prison conditions comply with Thailand's obligations under international human rights treaties to which it is a state party, including: the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention on the Rights of the Child (CRC); and the Convention on the Rights of Persons with Disabilities (CRPD).
- Comply with the UN Guiding Principles on Business and Human Rights (UNGPs), with regard to the duty to protect prisoners from human rights abuses committed by business enterprises.
- Improve conditions in prisons to be in line with the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).
- Ensure that all prisoners are treated equally, without discrimination on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or any other status, while taking into account the individual needs of those in situations of vulnerability, including women, children, LGBTIQ, persons with physical or mental disability, and the elderly.
- Ensure that staff in all prisons receive adequate training on international standards, notably the Nelson Mandela Rules and the Bangkok Rules.
- Allow independent inspection bodies, including the National Human Rights Commission of Thailand (NHRCT) and the Ombudsman, unfettered access to all prisons in line with commitments made by Thailand during its second Universal Periodic Review (UPR).
- Allow non-governmental organizations with a relevant mandate to conduct visits to places of detention, interview inmates, and assess conditions without undue hindrance.
- Review and amend domestic legislation to guarantee the right to vote for prisoners in accordance with international human rights law and standards.
- Continue to publish regular and comprehensive statistical information on deaths in prisons and their causes.
- Conduct thorough, impartial, and independent investigations into all cases of deaths in prisons and publicly release the findings of such investigations.
- Publish regular and comprehensive figures about foreign prisoners detained in correctional facilities, disaggregated by gender, nationality, and type of offense.
- Ensure pre-trial detainees are held separately from convicted prisoners and their treatment is based on their status as unconvicted persons.
- Ensure that incarcerated minors are held separately from adult prisoners.
- Accelerate the amendment process of the 2019 Ministry of Justice (MoJ) regulation, issued under Article 89/1 of the Criminal Procedure Code, to specify the alternative places of detention for suspects or defendants.
- Ensure that the implementing guidelines for the 2023 Department of Corrections (DoC) regulation concerning the detention of certain prisoners in locations other than prisons are applicable to prisoners incarcerated for certain drug-related offenses.
- Continue the process of decriminalization of certain drug-related offenses, such as personal use and possession for personal use.
- Ensure that the voluntary rehabilitation schemes under the 2021 Narcotics Code comply with universal harm reduction and human rights principles.
- Ensure that all eligible prisoners who were convicted of certain drug-related offenses prior to the coming into force of the Narcotics Code in December 2021 benefit of reductions of their sentences pursuant to this legislation.
- Ratify the Optional Protocol to the ICCPR (OP-ICCPR).
- Take concrete steps towards the abolition of the death penalty for all crimes, including by:
 - Establishing an official moratorium on executions.
 - Significantly reducing the number of criminal offenses that can be punished by death.
 - Removing the provision of capital punishment from all drug-related offenses.
 - Ratifying the Second Optional Protocol to the ICCPR (OP2-ICCPR).

- Extend an invitation for a country visit to relevant special procedures of the UN Human Rights Council, including: the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Working Group on Arbitrary Detention (WGAD); the Special Rapporteur on the right to food; the Special Rapporteur on the human rights to safe drinking water and sanitation; the Special Rapporteur on the right to physical and mental health; the Special Rapporteur on the right to adequate housing; the Working Group on discrimination against women and girls; the Independent Expert on sexual orientation and gender identity; the Independent Expert on the enjoyment of all human rights by older persons; and the Special Rapporteur on the rights of persons with disabilities.

Specific recommendations

Overcrowding

- Increase efforts to address and resolve the issue of overcrowding in prisons by adopting and implementing sustainable and effective measures to reduce the prison population.
- Increase the use of alternatives to prison sentences and detention, by developing non-custodial measures within the legal system, in line with the UN Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). Such measures could include:
 - The imposition of fines for first-time offenders, when there is discretion in imposing fines and/or prison time.
 - The imposition of fines or community service for minor offenses.
 - The avoidance of pre-trial or remand detention for defendants awaiting trial for certain categories of offenses.
 - The use of home detention coupled with electronic monitoring devices to prevent the risk of flight.
 - The use of early release procedures, such as parole and conditional release.
 - Post-sentencing alternatives that facilitate prisoners' reintegration into society.
 - Repatriation of foreign prisoners.
- Ensure that when pre-trial or remand detention is used, it is for as short a period as possible, and that bail bonds are not unduly onerous and are proportionate to the offense.
- Ensure that elderly prisoners are prioritized as beneficiaries of alternative measures to detention.

Accommodation space

- Ensure dormitories have sufficient natural light, adequate ventilation supplied by fresh air, and cooling systems.
- Ensure prisoners are provided with clean and sufficient bedding suitable for the climate.

Punishment and ill-treatment

- Ensure that all prisoners are treated with dignity and humanely and are not subject to any forms or acts of discrimination.
- Ensure that no disciplinary sanction or other penalty for violations of prison rules and conduct amounts to torture or other cruel, inhuman, or degrading treatment or punishment.
- Refrain from using force against prisoners, unless as an exceptional response to the three situations permitted by international standards: legitimate self-defense; attempted escape; and active or passive resistance to a lawful order.
- Refrain from imposing collective punishment, such as disciplinary segregation, on prisoners.
- Refrain from using instruments of restraint, except in cases permitted under international standards.
- Refrain from placing prisoners in solitary confinement, except as a last resort and then only for as short a time as possible and subject to independent review.
- Conduct thorough, impartial, and independent investigations into all allegations of torture and ill-treatment, ensure that perpetrators are punished in accordance with existing laws, rules, and regulations, and that victims receive adequate redress and compensation.

Respect of religious practices

- Ensure that prisoners can observe their religious precepts, including those related to food, clothing, and hygiene.

Prisoners with disabilities

- Make appropriate modifications and adjustments in physical facilities in prisons, including sleeping dormitories and showers, to ensure that prisoners with physical, mental, or other disabilities have full and effective access to prison life on an equitable basis.
- Ensure the health and the psychological needs of prisoners with physical and mental disabilities are addressed and met.
- Ensure prisoners with physical and mental disabilities have equal access to education programs, vocational training, and meaningful activities.

Water and sanitation

- Ensure a sufficient water supply for personal hygiene and provide an adequate flow of water to showers and toilets throughout the day, particularly at times of heavy demand.
- Ensure that prisoners have unrestricted access to toilets at all times with the maximum possible level of privacy.
- Increase overall access to showers and allocate an adequate period of time for each prisoner to shower.
- Ensure that prisoners who are assigned cleaning duties are provided with sufficient and adequate equipment and materials.
- Ensure female prisoners continue to be provided with the necessary items to meet their specific hygiene needs, particularly an adequate provision of sanitary pads that are of decent quality and free of charge.

Food and drinking water

- Improve the overall quality and nutritional value of food served to prisoners.
- Ensure that food is provided to all prisoners in accordance with their medical needs and religious and cultural principles.
- Ensure prisoners are provided with clean eating utensils that are similar to those used outside prisons.
- Ensure clean drinking water is available from a tap or a container continuously 24 hours a day.

Healthcare services

- Continue to conduct regular inspections with the assistance of physicians or competent public health officials to examine and address issues that may impact the health of prisoners, including: the quantity, quality, preparation and service of food; the hygiene and cleanliness of the facility and the prisoners; and the sanitation, temperature, lighting, ventilation, and bedding arrangements of the facilities.
- Ensure that prisoners have immediate access to medical attention in urgent cases, and that prisoners who require specialized treatment are transferred to institutions or hospitals outside prisons.
- Ensure the provision of adequate specialized medical services, including dental, psychological, and psychiatric care, for prisoners.
- Ensure that the provision of mental healthcare entails the treatment of mental illness, the promotion of mental well-being of prisoners, and the prevention of violence, self-harm, and suicide.

Prison labor and education

- Ensure that prison work programs are voluntary and aim to equip them with skills, experience, and self-esteem necessary for their successful reintegration into society upon release.
- Ensure that working conditions and hours for prisoners resemble as closely as possible those of similar work outside of prisons, and are under no circumstances exploitative or afflictive.
- Ensure that prisoners receive decent and equitable compensation for their work, with a clearly defined and transparent process for calculating and establishing rates of remuneration.
- Enforce the 2020 Ministry of Justice regulation that prescribes that prisoners receive 70% of the profits from the work they are assigned.
- Conduct regular inspections of prisons, investigate all allegations of human rights violations related to prison labor, publicly report on the findings, and adequately compensate victims of abuses.

- Ensure that prisoners have access to meaningful programs of education and vocational training that are in line with their individual needs, take into account their social and economic backgrounds, and are best suited to their reintegration into society.

Access to the outside world

- Ensure prisoners are able to effectively communicate with their families, friends, and lawyers at regular intervals through visits, correspondence, and telecommunications.
- Ensure there is no unlawful or arbitrary interference with prisoners' privacy during both in-person and remote visits from their family members.
- Ensure the privacy and confidentiality of all communications between prisoners and their lawyers.
- Ensure that prisoners have regular access to daily newspapers, magazines, books, and other cultural, recreational, or educational material.
- Ensure that no undue restrictions are imposed on the type of available books and other publications that prisoners wish to read and/or consult.

Opportunities for recreation

- Ensure that adequate recreational and cultural activities are provided for prisoners to maintain and improve their well-being and promote their social reintegration.

Prison complaints procedures

- Ensure that, upon admission, prisoners are provided with information about their rights, prison rules, and complaint procedures.
- Ensure that the prison complaint system entails both internal and external mechanisms.
- Ensure that prisoners can file complaints anonymously and that all complaints are examined, thoroughly investigated, and adequately resolved.
- Ensure that prisoners are not subjected to any acts of reprisals from prison authorities or fellow prisoners in connection with complaints they have filed.
- Publish regular and comprehensive statistical information concerning the number of complaints filed against prison authorities, investigations conducted, and disciplinary or other measures taken against wrongdoers.

9.2. Recommendations to the National Human Rights Commission of Thailand (NHRCT)

- Request and perform regular visits to all prisons and correctional facilities to assess conditions and make recommendation to relevant authorities to bring conditions of detention in line with international standards.
- Publish findings related to visits to prison facilities in a timely manner and provide public regular updates on issues raised during such visits.
- Ensure that all complaints made to the NHRCT about the prison system are investigated and resolved promptly and with appropriate remedies.
- Provide technical assistance in the training of prison staff on international standards on prison conditions.

9.3. Recommendations to the international community

- Urge the Thai government to increase efforts to address and resolve the issue of overcrowding in prisons by finding sustainable and effective measures to reduce the prison population.
- Urge the Thai government to improve conditions in prisons to be in line with the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, particularly with regard to the amount of space allocated per prisoner, sanitation facilities, the availability of adequate healthcare, and prison labor.
- Urge the Thai government to honor commitments made during its second and third UPR, including by granting the NHRCT and the Ombudsman unfettered access to all prisons.
- Provide the necessary technical assistance and training to prison staff on Thailand's international human rights obligations and relevant international standards relating to prison conditions and the treatment of prisoners.

APPENDIX I: Number of foreign prisoners, categorized by nationality (as of 31 December 2023)

Country of origin	Number
Myanmar	3,982
Laos	1,211
Cambodia	763
China	295
Nigeria	175
Malaysia	150
Vietnam	131
Indonesia	83
Taiwan	71
India	48
Pakistan	22
Philippines	22
Nepal	21
North Korea	21
United States	21
South Africa	17
Singapore	16
United Kingdom	16
Japan	14
Russia	14
Kenya	13
Iran	12
Sierra Leone	10
Australia	9
France	9
Germany	9
Mongolia	9
Cameroon	8
Ghana	8
Uzbekistan	8
Turkey	8
Brazil	7
Mozambique	7
Netherlands	7
Tanzania	7

Austria	6
Bangladesh	6
Colombia	6
Jordan	6
Israel	5
Uganda	5
Guinea	4
Peru	4
Spain	4
Sri Lanka	4
Belgium	3
Egypt	3
Ivory Coast	3
Italy	3
Mexico	3
New Zealand	3
Rwanda	3
Sweden	3
Switzerland	3
Zambia	3
Argentina	2
Canada	2
Denmark	2
Lesotho	2
Liberia	2
Norway	2
Senegal	2
Ukraine	2
Vatican City	2
Algeria	1
Angola	1
Azerbaijan	1
Belarus	1
Congo	1
Cyprus	1
East Timor	1
Ethiopia	1
Gambia	1
Hungary	1

Iceland	1
Iraq	1
Kazakhstan	1
Kuwait	1
Lithuania	1
Namibia	1
Niger	1
Poland	1
Romania	1
Slovakia	1
South Korea	1
Yemen	1
Unidentified	588
Total	7,932

APPENDIX II: Top 10 offenses for which foreign prisoners were incarcerated (as of 31 December 2023)

Offenses	Number
Immigration Act 1979	3,034
Narcotics Act 1979	2,815
Narcotics Code 2021	2,297
Theft	906
Offenses against life	702
Land Traffic Act 1979	580
Act on Measures for the Suppression of Offenders in an Offense relating to Narcotics 1991	559
Firearms, Ammunition, Explosive, Fireworks and Imitation Firearms Act 1947	554
Misdemeanor	458
Murder	339

APPENDIX III: Top 20 Thai prisons by population (as of 5 December 2023)

	Prison	Men	Women	Total
1	Klong Prem Central Prison	6,431	0	6,431
2	Rayong Central Prison	5,066	597	5,663
3	Chiang Mai Central Prison	5,063	0	5,063
4	Chon Buri Central Prison	4,996	0	4,996
5	Central Correctional Institution for Drug Addicts	4,931	0	4,931
6	Samut Prakan Central Prison	4,332	567	4,899
7	Ubon Ratchathani Central Prison	4,529	365	4,894
8	Bang Kwang Central Prison	4,835	0	4,835
9	Phitsanulok Central Prison	4,768	0	4,768
10	Klong Phai Central Prison	4,634	0	4,634
11	Suratthani Central Prison	4,001	519	4,520
12	Nakhon Si Thammarat Central Prison	3,542	595	4,137
13	Khao Prik Agriculture Industrial Institution	4,090	0	4,090
14	Khon Kaen Central Prison	3,659	385	4,044
15	Central Women's Correctional Institution	0	3,930	3,930
16	Chiang Rai Central Prison	3,273	642	3,915
17	Nakhon Pathom Central Prison	3,433	385	3,818
18	Phuket Provincial Prison	3,190	514	3,704
19	Songkhla Central Prison	3,668	0	3,668
20	Ratchaburi Central Prison	3,201	454	3,655

APPENDIX IV: Top 20 Thai prisons by overpopulation (as of 5 December 2023)

	Prison	Population	Official capacity	Occupancy level (%)
1	Buriram Provincial Prison	509	132	385
2	Nakhon Nayok Provincial Prison	683	442	154
	Phra Nakhon Si Ayutthaya Provincial Prison	2,394	1,549	154
4	Phu Khiao District Prison	1,390	906	153
5	Nakhon Si Thammarat Correctional Institution for Young Offenders	1,341	887	151
6	Krabi Provincial Prison	1,443	960	150
7	Songkhla Provincial Prison	1,984	1,329	149
	Satun Provincial Prison	1,058	710	149
9	Khon Kaen Correctional Institution for Drug Addicts	1,806	1,214	148
10	Loei Provincial Prison	1,327	905	146
	Pattani Central Prison	2,537	1,735	146
12	Central Women's Correctional Institution	3,930	2,707	145
13	Nan Provincial Prison	1,251	865	144
	Chaiyaphum Provincial Prison	1,750	1,214	144
15	Sawang Daen Din District Prison	1,179	819	143
	Phrae Provincial Prison	1,335	930	143
17	Petchabun Provincial Prison	1,527	1,072	142
	Na Thawi District Prison	1806	1268	142
	Maha Sarakham Provincial Prison	1939	1364	142
20	Nakhon Ratchasima Central Prison	3226	2277	141



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Union for Civil Liberty (UCL) is the first human rights organization in Thailand. It was founded in 1973 to advocate for, promote, and protect human rights and democracy. It has been working to: monitor human rights violations, government policies, laws, and actions; study and disseminate human rights knowledge and information; provide legal aid to disadvantaged and marginalized people through a nationwide network of human rights lawyers; and conduct campaigns for human rights and democracy, together with other human rights groups, organizations, and networks.

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