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The unsayable

Q&A on Thailand's *lèse-majesté*



SUPPORTED BY

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LIST OF ACRONYMS

CCPR	Human Rights Committee
CESCR	Committee on Economic, Social and Cultural Rights
FIDH	International Federation for Human Rights
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
MDES	Ministry of Digital Economy and Society
MP	Member of Parliament
NARC	National Administrative Reform Council
NCPO	National Council for Peace and Order
OHCHR	Office of the High Commissioner for Human Rights
RSF	Reporters Sans Frontières
TLHR	Thai Lawyers for Human Rights
TRCT	Truth for Reconciliation Commission of Thailand
UN	United Nations
WGAD	Working Group on Arbitrary Detention
WHRD	Woman human rights defender

EXECUTIVE SUMMARY

This report answers 15 frequently asked questions about Article 112 of Thailand's Criminal Code (*lèse-majesté*) and its implications for human rights, civic space, the media, and democratic development in Thailand.

Article 112 punishes with imprisonment of three to 15 years “whoever defames, insults or threatens the King, the Queen, the Heir-apparent or the Regent.”

The enforcement of Article 112 violates numerous fundamental human rights, including: the right to liberty; the right to a fair trial and due process; the right to freedom of expression; the right to freedom of peaceful assembly; the right to freedom of association; and the right to take part in the conduct of public affairs.

The right to liberty of *lèse-majesté* defendants has been severely undermined by the courts' systematic denial of bail, with rates that have remained above 90% since 2024.

The right to freedom of expression has been repressed through the criminalization of opinions concerning the monarchy in public speeches, artistic or symbolic forms of expression, and online content. All documented *lèse-majesté* cases between November 2020 and July 2026 arose from the exercise of freedom of expression, with online expression accounting for 55% of all cases. In addition, the abuse of Article 112 by both state and non-state actors has created an extremely hostile environment that has long prevented the media from informing the public – let alone providing critical reporting – on key aspects related to the Thai monarchy.

The right to a fair trial - including due process guarantees and the presumption of innocence - for *lèse-majesté* defendants has been repeatedly and systematically undermined through various laws and practices. Concerns have also emerged over the lack of judicial independence and impartiality in legal proceedings involving Article 112.

Statistics about *lèse-majesté* reflect the severity and scope of the human rights violations linked to the enforcement of Article 112. Between May 2014 and July 2026, at least 461 individuals were prosecuted under Article 112. At least 199 received prison sentences, with a conviction rate of 79.6%. The 10 longest prison sentences imposed under Article 112 averaged approximately 30 years and six months, with the longest sentence reaching 50 years. At least 21 children were prosecuted under Article 112, with the youngest one aged 14. As of July 2026, 29 individuals remained detained under Article 112. Of these, 12 were detained pending trial or appeal, while the judgments for the remaining 17 had become final.

Among those who remain behind bars is prominent pro-democracy activist and human rights lawyer Arnon Nampa, who has accumulated a prison term of over 31 years stemming from 11 *lèse-majesté* convictions for his speeches and online posts that called for monarchy reform. As of July 2026, three additional *lèse-majesté* cases remained pending. Arnon has been arbitrarily imprisoned at the Bangkok Remand Prison since his first *lèse-majesté* conviction on 26 September 2023.

Article 112 has also impacted the rights of many women. Between July 2020 and July 2026, at least 79 women and girls were prosecuted under Article 112. They included numerous women human rights defenders (WHRDs), who faced gender-based challenges at almost every step of the justice process, from the moment they organized and/or participated in demonstrations, to their conditions in detention, and beyond.

Over the past two decades, several reform attempts by various groups, including a political party, have failed to achieve legislative change. Efforts by the Move Forward Party – the party that obtained the highest number of votes in the May 2013 general election – to propose reforms to Article 112 led to its dissolution and a ban on its executives from holding political office, effectively disenfranchising millions of voters and unduly excluding its representatives from taking part in the conduct of public affairs.

At the international level, all the relevant key United Nations (UN) human rights mechanisms have consistently expressed their concerns over various aspects of the enforcement of Article 112 and declared it incompatible with Thailand's obligations under international human rights law. Many states also expressed growing concern over the issue of *lèse-majesté* during Thailand's Universal Periodic Review (UPR). Thailand's fourth UPR is scheduled for 9 November 2026.

The report makes numerous recommendations aimed at bringing Article 112 and its enforcement in compliance with Thailand's human rights obligations under international law.

Lèse-majesté in numbers
(as of July 2026)

Number of individuals charged
(since May 2014)

461

Number of children charged
(since May 2014)

21

Number of individuals sentenced to prison
(since May 2014)

199

Average conviction rate
(since May 2014)

79.6%

Number of individuals still incarcerated

29

Number of individuals detained pending trial or appeal

12

Average bail rejection rate
(since 2021)

84.6%

Longest prison sentence
(years)

50

Average of the 10 longest prison sentences
(years)

30.5

Longest time served
(years)

8.4

1. WHAT ARE THE KEY HUMAN RIGHTS ISSUES RELATED TO THE ENFORCEMENT OF ARTICLE 112?

The enforcement of Article 112 of Thailand’s Criminal Code violates numerous human rights that are guaranteed by the International Covenant for Civil and Political Rights (ICCPR), to which Thailand is a state party. These rights include: the right to liberty (Article 9); the right to a fair trial (Article 14) [See below, *Question #5*]; the right to freedom of opinion and expression (Article 19); the right to freedom of peaceful assembly (Article 21); the right to freedom of association (Article 22); and the right to take part in the conduct of public affairs (Article 25).

The right to liberty

The right to liberty of individuals prosecuted under Article 112 has been repeatedly violated across different political periods of Thailand’s most recent history. During the rule of the National Council for Peace and Order (NCPO), the military junta that seized power in a *coup d’état* in May 2014, such violations included prolonged pre-trial detention and detention in military facilities.¹ Following the 2023 general election, violations of the right to liberty have continued, particularly through the repeated denial of bail and prolonged detention pending trial or appeal.

The courts’ systematic denial of bail to *lèse-majesté* defendants has severely undermined their right to liberty, which is guaranteed under international human rights law.²

The rate of bail denial in Article 112 cases has remained consistently high since TLHR began collecting data in 2021. While the denial rate fluctuated between 2021 and 2023, it increased substantially and has remained constant at around 90% from 2024.³

Year	Bail applications*	Denials	%
2021	197	173	87.8%
2022	95	55	57.9%
2023	25	19	76%
2024	132	120	90.9%
2025	139	126	90.6%
2026 (as of July)	91	82	90.1%

*Including appeals to bail denials

1 FIDH, *36 and counting: Lèse-majesté imprisonment under Thailand’s military junta*, 26 February 2016

2 Article 9(3) of the ICCPR stipulates that pre-trial detention should not be the general rule, but rather an exceptional measure justified on a case-by-case basis.

3 Based on TLHR’s documentation. Statistics from 2023 and 2024 remain incomplete as of July 2026.

According to TLHR's observation, Thai courts have consistently relied on broad and formulaic justifications to deny bail in *lèse-majesté* cases, often without conducting the individualized assessments required by Thai law and international human rights standards.⁴

The three most commonly observed grounds cited by courts for denying bail in *lèse-majesté* cases were: 1) flight risk; 2) the severity of the offense or punishment; and 3) the absence of any new circumstances that would justify reconsidering or reversing a previous order denying bail.

First, courts frequently stated that there were "reasonable grounds to believe" that an accused person may flee, yet such findings were often made without reference to specific facts or evidence demonstrating an actual risk of flight. This pattern was evident in the case of imprisoned pro-democracy activist and human rights lawyer Arnon Nampa, in which courts cited flight risk in all 146 bail denials between September 2023 and March 2026, without providing case-specific reasons or evidence supporting that finding.⁵

Second, courts regularly invoked the gravity of the alleged offense and the length of the possible sentence as grounds for denying bail. For example, in a bail order dated 8 May 2025 for the release of Sathaporn (last name withheld), a former citizen journalist who was sentenced to one year and six months in prison under Article 112, the Court of Appeals rejected his bail request, stating that the charge carried a high penalty and that there were grounds to believe he might flee. In many of Arnon Nampa's bail requests, the courts frequently cited the severity of his charges as a reason to deny him bail.⁶

Third, courts often relied on previous bail decisions instead of assessing the circumstances of each application independently. Judges typically referred to earlier orders issued by the Court of Appeals or the Supreme Court and concluded that the application under consideration provided no basis to depart from those prior decisions.⁷

In addition to those three most cited grounds, courts at times relied on vague or extra-legal considerations that extend beyond the grounds set out in Article 108 of the Criminal Procedure Code.⁸ Such reasoning has included assertions that the defendant's actions "affected and caused damage to a democratic regime with the King as head of state" or undermined the "feelings of the Thai people."⁹

In some cases, courts imposed house arrest as a condition of bail, meaning that defendants remained subject to significant restrictions on their liberty even after being released from detention. For instance, after being released on bail on 27 May 2022, one of the bail conditions imposed on pro-democracy activist Tantawan Tuatulanon required her to remain at her residence. She was prohibited from leaving her house unless she received approval from the court. Another pro-democracy activist, Sophon Surariddhidhamrong, was subjected to similar conditions when he was granted bail on 31 May 2022. Such conditions included an obligation not to leave his residence, except with prior permission from the court for educational or medical purposes. He was also monitored by police officers while confined to his home.

4 According to Article 108/1 of the Criminal Procedure Code, an application for provisional release may be dismissed only by virtue of any of the following reasonable beliefs: (1) the accused or defendant may abscond; (2) the accused or defendant may tamper with evidence; (3) the accused or defendant may cause another danger; (4) the applicant or his bail or security is unreliable; (5) the provisional release would impede or imperil an official inquiry or judicial trial; Regulation of the President of the Supreme Court on Provisional Release and Procedures for Security in Criminal Cases (2022), Clause 8.

5 TLHR, *Court of Appeals again denies bail request in "Arnon Nampa's" nine Article 112 cases, after two and a half years in detention awaiting appellate judgments in all cases*, 12 May 2026, <https://tlhr2014.com/archives/83507> [in Thai]

6 *Ibid.*

7 TLHR, *Court denies bail in Arnon's Article 112 case, citing harm to the democratic system with the King as head of state; "Gong Aukrit" denied bail on the ground that there were no grounds to change the previous order*, 14 July 2025, <https://tlhr2014.com/archives/76750> [in Thai]

8 According to Article 108/1 of the Criminal Procedure Code, an application for provisional release may be dismissed only by virtue of any of the following reasonable beliefs: (1) the accused or defendant may abscond; (2) the accused or defendant may tamper with evidence; (3) the accused or defendant may cause another danger; (4) the applicant or his bail or security is unreliable; (5) the provisional release would impede or imperil an official inquiry or judicial trial.

9 TLHR, *Court denies bail in "Arnon's" Article 112 case, citing harm to the democratic system with the King as head of state; "Gong Aukrit" denied bail on the ground that there were no grounds to change the previous order*, 14 July 2025, <https://tlhr2014.com/archives/76750> [in Thai]

In one case, a *lèse-majesté* defendant was deprived of his liberty through involuntary hospitalization.¹⁰ On 9 July 2020, activist Tiwagorn Withiton was arrested and forcibly taken by six police officers from his home in Khon Kaen Province to a psychiatric hospital after he posted a picture of himself wearing a t-shirt bearing the message “We have lost faith in the monarchy” on his Facebook page.¹¹ Tiwagorn was subjected to involuntary hospitalization for 10 days even if there was no indication that he was suffering from any mental illness.¹²

The right to freedom of opinion and expression

Thai authorities have used Article 112 to unduly restrict the right to freedom of expression by criminalizing individuals for expressing opinions concerning the monarchy through public speeches, artistic expression, and online content [See below, *Question #2*]. Such expression is protected under international human rights law and recognized as a fundamental freedom under Thailand's 2017 Constitution.¹³

The enforcement of Article 112 has had a broader chilling effect on the exercise of freedom of expression. The risk of criminal prosecution and severe penalties has fostered an environment of self-censorship and has extended beyond those who have been prosecuted because it has discouraged the open exchange of ideas and opinions that is essential to a democratic society [See below, *Question #10*]. This chilling effect has also affected the press and other media [See below, *Question #3*].

In many cases, Thai authorities have used the Computer Crimes Act alongside Article 112 to criminalize a broad range of online activities, including creating, sharing, and facilitating access to online content. Between November 2020 and July 2026, 199 (61%) of the 321 *lèse-majesté* cases have involved concurrent charges under the two laws.¹⁴

The right to freedom of peaceful assembly

The draconian enforcement of Article 112 has negatively impacted the exercise of the right to freedom of peaceful assembly, particularly in connection with pro-democracy protests.

In November 2020, then-Prime Minister Prayuth Chan-ocha announced that the government would enforce “all laws and articles” against leaders and participants in the large-scale peaceful pro-democracy protests that swept Thailand since mid-2020.¹⁵ Article 112 was one of the key provisions that were used to arrest, detain, and prosecute protest leaders and participants in connection with their speeches and other activities during the protests. Prosecutions and, in many cases, imprisonment of numerous protest leaders under Article 112 effectively disrupted organizing networks and discouraged public participation in similar protests. Many protest leaders and participants were granted a temporary release on bail subject to conditions prohibiting them from engaging in similar conduct or participating in activities that could cause unrest or harm the monarchy. Many others opted to flee the country to avoid facing legal action [See below, *Question #10*]. The prospect of arrest, prolonged judicial proceedings, pre-trial detention, and long prison sentences has deterred individuals from organizing, joining, or supporting peaceful assemblies concerning the monarchy and other politically sensitive issues.

10 Article 21 of the 2008 Mental Health Act requires personal consent of the patient before treatment. Individuals subjected to such confinement must also have access to effective procedures to challenge the lawfulness of their deprivation of liberty.

11 Prachatai, *Person wearing ‘We have lost faith in the monarchy’ shirt arrested and taken to psychiatric facility*, 13 July 2020, <https://prachatai.com/journal/2020/07/88564> [in Thai]

12 Prachatai, *“Tiwagorn” released from psychiatric hospital*, 23 July 2023, <https://prachatai.com/journal/2020/07/88707> [in Thai]; TLHR, *Statement calling for the examination and prompt release on the case of Tiwagorn, who was detained after wearing shirt “I lost faith in the monarchy”*, 22 July 2020

13 Article 19 of the International Covenant on Civil and Political Rights. Article 34 of the 2017 Constitution of Thailand states: “A person shall enjoy the liberty to express opinions, make speeches, write, print, publicize and express by other means. The restriction of such liberty shall not be imposed, except by virtue of the provisions of law specifically enacted for the purpose of maintaining the security of the State, protecting the rights or liberties of other persons, maintaining public order or good morals, or protecting the health of the people.”

14 Based on TLHR's documentation.

15 Al Jazeera, *PM Prayuth promises to use ‘all laws’ against Thai protesters*, 19 November 2020

The deterrent effect of Article 112 on peaceful assembly is reflected in the noticeable decline in protests after the peak of the pro-democracy movement in 2020–2021. This decline coincided with the dramatic increase in the number of individuals prosecuted under Article 112. According to civil society documentation, there were at least 799 public assemblies in 2020 and 1,516 in 2021, after which the number declined steadily, dropping to 753 in 2022, 514 in 2023, 244 in 2024, and approximately 120 in 2025.¹⁶

The right to freedom of association and the right to take part in the conduct of public affairs

The enforcement of Article 112 also affected political parties and elected representatives for proposing amendments to the *lèse-majesté* provision to bring it into line with international human rights standards.

In 2024, efforts by the opposition Move Forward Party to propose reforms to Article 112 led to its dissolution and subsequent legal proceedings against 44 members of Parliament (MPs) from the party, which could result in a lifetime ban from holding political office [See below, *Question #12*].

Prior to its dissolution, the Move Forward Party was Thailand’s largest opposition party and emerged as the leading party in the 2023 general election, winning 151 of the 500 seats in the House of Representatives.¹⁷ The dissolution of the Move Forward Party and the ban on its executives from holding political office effectively disenfranchised millions of voters and unduly excluded the MPs from taking part in the conduct of public affairs.

¹⁶ Mob Data Thailand, accessed on 11 August 2026, <https://www.mobdatathailand.org> [in Thai]

¹⁷ Reuters, *2023 Thailand Election: Move Forward party wins*, 25 May 2023

2. WHAT FORMS OF THE EXERCISE OF THE RIGHTS TO FREEDOM OF EXPRESSION HAVE BEEN CRIMINALIZED UNDER ARTICLE 112?

All documented *lèse-majesté* cases between November 2020 and July 2026 arose from the exercise of freedom of expression, covering a wide range of forms, including speeches during public assemblies, online expression, as well as artistic and symbolic expression.

Between November 2020 and July 2026, at least 292 individuals were charged under Article 112 in 320 cases, according to TLHR documentation.¹⁸

<i>Lèse-majesté</i> cases by forms of expression		
Acts	Number of cases	%
Online expression	177	55.3%
Artistic expression and symbolic acts (non-assembly related expression)	76	23.7%
Political speech and advocacy at public assemblies	60	18.8%
Other forms of expression	7	2.2%
Total	320	100%

Political speech

Monarchy-related speeches that were delivered during peaceful demonstrations frequently formed the basis for *lèse-majesté* charges against protest leaders and participants.

The content of the criminalized speech ranged from public advocacy for monarchy reforms to criticism of laws and policies adopted by the government in relation to the monarchy. During the height of the peaceful pro-democracy demonstrations in 2020, protesters publicly called for an open discussion about the Thai monarchy and for reforms of the institution. Speeches delivered during these demonstrations included calls to repeal Article 112 as well as Article 6 of the 2017 Constitution, which establishes the King's constitutional inviolability and shields him from any accusation or legal action.¹⁹

¹⁸ TLHR, *Statistics on prosecutions under Article 112 ("lèse-majesté"), 2020–2026*, accessed on 5 August 2026, <https://tlhr2014.com/archives/23983> [in Thai]

¹⁹ iLaw, *10 proposals for reforming the monarchy: 5 can be achieved through parliamentary legal amendments*, 8 November 2020, <https://www.ilaw.or.th/articles/4458> [in Thai]; Article 6 of the 2017 Constitution states: "The King shall be enthroned in a position of revered worship and shall not be violated."



Thousands of people gather in a peaceful pro-democracy protest at Bangkok's Victory Monument on 10 October 2020. © FIDH

Arnon Nampa has been charged in 14 *lèse-majesté* cases, 11 of which have resulted in convictions and prison sentences, for speeches criticizing the monarchy or calling for its reform, including speeches criticizing the monarchy's alleged interference with the constitutional amendment process²⁰ and questioning Parliament's amendment of the Crown Property Act and the allocation of public funds to the monarchy.²¹ In March 2024, student activist Sirapob Phumphuengphut was found guilty under Article 112 and sentenced to two years in prison for a speech questioning the monarchy's budget and use of public funds during a protest on 19 November 2020 in Bangkok.²²

Furthermore, courts found that speeches criticizing government policies, even when they contained no explicit references to the King, violated Article 112. For example, several activists, including pro-democracy activists Benja Apan, Parit Chiwarak,²³ and Arnon Nampa²⁴ were convicted under Article 112 and sentenced to prison terms for publicly criticizing the government's COVID-19 vaccine procurement through Siam Bioscience, a company indirectly owned by King Rama X.

20 TLHR, *Sentenced to 2 years and 8 months in Article 112–116 case: "Arnon Nampa" over #HarryPotterRally; Court finds his speech about the King interfering in amendments to the Constitution approved by referendum was defamatory and contrary to Article 6 of the Constitution*, 19 December 2024, <https://tlhr2014.com/archives/71845> [in Thai]

21 TLHR, *Court sentences "Arnon" to an additional 2 years and 8 months in Article 112 case over #Dec2 protest at Lat Phrao intersection; "Hugo" sentenced to 2 years but given a suspended sentence*, 25 June 2025, <https://tlhr2014.com/archives/76297> [in Thai]

22 TLHR, *"Kanun" Sirapob sent to prison after being convicted under Section 112 for speaking at the #18Nov protest; sentenced to 3 years, reduced to 2, then denied bail by the Court of Appeals*, 25 March 2024, <https://tlhr2014.com/archives/65851> [in Thai]

23 TLHR, *Prosecutors Indict "Penguin" and "Benja" in Article 112 case over speech in front of Siam Bioscience; Court grants bail*, 15 January 2024, <https://tlhr2014.com/archives/63200> [in Thai]

24 TLHR, *Inside the Article 112 case record from the #HarryPotter2 courtroom: "Arnon Nampa" maintains that everything he said in his speech was true*, 28 April 2024, <https://tlhr2014.com/archives/66499> [in Thai]

Article 112 has also been used to criminalize expression citing criticism of the *lèse-majesté* provision by UN human rights mechanisms [See below, *Question #14*]. For example, in February 2026, pro-democracy activist Pimsiri Petchnamrob was convicted of *lèse-majesté* and sentenced to four years in prison (reduced to two years and eight months) for a speech in November 2020 in which she quoted a statement by a UN human rights expert who opined that Article 112 had “no place in a democratic society.”²⁵

Online expression

Between July 2020 and July 2026, online expression accounted for 55% of all *lèse-majesté* cases.

The preponderance of online expression among the *lèse-majesté* cases has been the result of social media becoming an increasingly important channel for criticism of the monarchy, particularly during the 2020–2021 pro-democracy movement. This trend has led the authorities to intensify monitoring and prosecution of online expression.

For instance, in January 2024, Mongkhon Thirakot was convicted under Article 112 and sentenced to 50 years in prison (reduced by the Supreme Court to 46 years in December 2025) over 25 Facebook posts between March and April 2021 deemed critical of the monarchy.²⁶ The posts included clips from HBO's *Last Week Tonight show*, an episode of the animated series *American Dad!*, and a BBC documentary about the Thai monarchy titled “The Soul of a Nation.”²⁷

Article 112 has also been used to prosecute individuals for publicly sharing social media posts created by others. For instance, in August 2025, pro-democracy activist Baipor (full name withheld) was convicted under Article 112 and sentenced to six years in prison (reduced to four years in prison) for sharing two Facebook posts published on 30 and 31 March 2022 by the activist group *Thalu Wang* [shattering the palace] concerning the allocation of public funds to the monarchy's budget.²⁸

In addition, Article 112 has been applied to minor forms of online expression. Even a single Facebook comment has led to the imposition of a prison sentence. For instance, on 27 May 2024, Thanaporn (last name withheld) was sentenced to four years in prison (reduced to two years in prison) for publishing a single comment under an edited picture of King Rama VIII and King Rama IX in 2021.²⁹

Artistic expression

The ambiguity surrounding what constitutes “defamation,” “insults,” or “threats” under Article 112 has allowed authorities to prosecute artistic acts that referenced the monarchy.

Various cartoonists have been convicted under Article 112 for satirical works concerning the monarchy. In September 2025, cartoonist Jirawat (last name withheld) was sentenced to 12 years in prison (reduced to six years) for posting four cartoons satirizing politics and the monarchy on Facebook.³⁰ Similarly, in February 2024, artist Attasit (last name withheld) was sentenced to six years (reduced to three years) for publishing satirical artworks depicting figures resembling King Rama IX and King Rama X on Facebook.³¹

25 FIDH, *Thailand: Conviction and prison sentences of four prominent pro-democracy activists on lèse-majesté charges*, 20 February 2026; TLHR, *A look back at statements by international organizations and UN experts on the Article 112 prosecution of “Mook Pimsiri” ahead of the verdict in the 11th Infantry Regiment rally case*, 19 February 2026, <https://tlhr2014.com/archives/81852> [in Thai]

26 TLHR, *Still the record high: Supreme Court revises Busbas’ Article 112 sentence to 46 years in prison, down from the 50-year sentence imposed by the Appeals Court*, 11 December 2025, <https://tlhr2014.com/archives/80533> [in Thai]

27 Guardian, *Thai junta unamused by comedian John Oliver’s royal jibes*, 29 July 2014; TLHR, *UN letter to Thai government: UN experts “alarmed” by record-breaking 50-year prison term under Thailand’s lèse-majesté law*, 28 May 2024

28 TLHR, *“Baipor” sentenced to 6 years in prison, reduced to 4 years in Article 112 case over sharing a “Thaluwang” page post about the monarchy’s budget; granted bail pending appeal*, 29 August 2025, <https://tlhr2014.com/archives/77893> [in Thai]

29 TLHR, *Supreme Court upholds 2-year prison sentence for “Thanaporn” in Article 112 case; No suspended sentence*, 27 May 2024, <https://tlhr2014.com/archives/67261> [in Thai]

30 TLHR, *Criminal Court convicts “Tum Jirawat” under Article 112, sentencing him to 12 years in prison, reduced to 4 years and 24 months and suspended for 3 years, for posting four satirical cartoons on the “Khon Klom Khon Liam” page*, 11 September 2025, <https://tlhr2014.com/archives/78307> [in Thai]

31 TLHR, *Criminal Court sentences “Attasit” to six years in prison, reduced to three years, in Article 112 case over posting two images and accompanying text; Court of Appeal subsequently denies bail*, <https://tlhr2014.com/archives/65047> [in Thai]

In another case, in March 2023, Tonmai (full name withheld), a 26-year-old legal officer, was convicted under Article 112 and sentenced to two years in prison for selling calendars featuring images of yellow ducks on them. The court held that the calendars violated Article 112 because they were sold through the Facebook page of the pro-democracy *Khana Ratsadon* movement, which advocated for the reform of the monarchy, and were marketed as a means of financially supporting the *Khana Ratsadon*.³²

Symbolic acts

Symbolic acts, such as conducting and participating in public opinion polls relating to the Thai monarchy, have also been criminalized under Article 112, even in the absence of explicit references to the King.

During the height of the pro-democracy movement, such polls provided a way for activists to peacefully engage with the public, gauge public sentiment, and raise awareness on various issues surrounding the monarchy, such as the use of royal motorcades or the budget allocated to the monarchy. They were often conducted during spontaneous public demonstrations where participants and passers-by were invited to express their views.

In October 2025, pro-democracy activist Baipor (full name withheld) was convicted and sentenced to three years in prison (reduced to two years) under Article 112 for conducting a public opinion poll concerning the limits on the King's exercise of power in April 2022 in Bangkok.³³

32 TLHR, *Appeals Court Upholds 2-Year Prison Sentence for "Tonmai" in Article 112 Case Over the Sale of the 2021 Yellow Duck Calendar*, 28 October 2024, <https://tlhr2014.com/archives/70780> [in Thai]

33 TLHR, *Criminal Court Sentences "Baipor" to 2 years in prison in Article 112 case over participating in a poll on the King's exercise of royal prerogative; Granted bail pending appeal*, 28 October 2025, <https://tlhr2014.com/archives/79476> [in Thai]

3. WHAT HAS BEEN THE IMPACT OF ARTICLE 112 ON MEDIA FREEDOM?

The abuse of Article 112 by both state and non-state actors has created an extremely hostile environment that has long prevented the media from informing the public – let alone providing critical reporting – on key aspects related to the Thai monarchy.

Between 2011 and 2026, Thailand's average ranking in the Press Freedom Index, published by Reporters Sans Frontières (RSF), was 123rd out of 180 countries surveyed, with the highest ranking of 85th in 2025 and the lowest of 142nd in 2017. The existence of Article 112 and its inflexible enforcement were primarily responsible for Thailand's consistently poor ranking. Indeed, RSF has defined *lèse-majesté* as "a permanent threat hanging over every media outlet."³⁴

Self-censorship

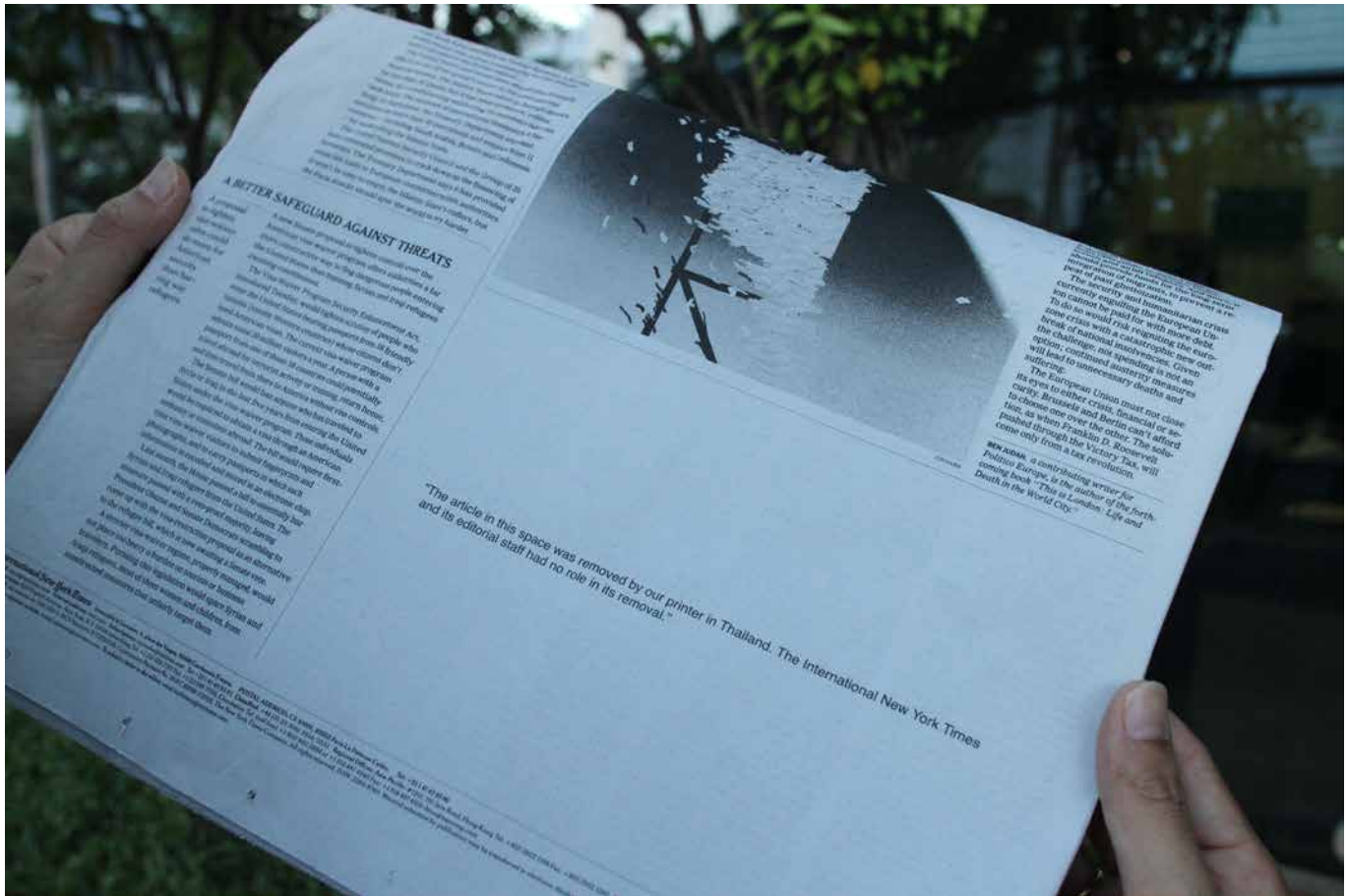
Self-censorship has traditionally characterized the approach by online and offline media to the coverage of monarchy-related issues. News outlets have consistently limited themselves to report official information released by the government and/or royal agencies, without providing any analysis or critical opinions, for fear of legal action or other forms of reprisal.

In some cases, local printers and distributors practiced self-censorship. Between September and December 2015, the company that printed the *International New York Times* in Thailand refused to publish articles related to the Thai monarchy on four occasions.³⁵ The print issue of the international weekly magazine *Economist* was not distributed in Thailand at least three times between May 2012 and January 2015 because they contained articles about members of the Thai royal family.³⁶

34 RSF, *Thailand*, accessed on 31 July 2025, <https://rsf.org/en/country/thailand>

35 AFP, *No NYT edition in Thailand after article on king's health*, 22 September 2015; AFP, *Blank spaces replace NYT article on flagging Thai economy*, 1 December 2015; Reuters, *The New York Times got censored in Thailand because of this occasion*, 5 December 2015; Prachatai, *Another Intl NYT article removed by Thai publisher*, 15 December 2015

36 *Economist* decided not to distribute its print issues in Thailand for the weeks of 12 May 2012, 16 November 2013, and 31 January 2015.



The local printer of the Thailand edition of the *International New York Times* left blank spaces on the opinion page on 4 December 2015, due to monarchy-related content. © KOSOL NAKACHOL / BANGKOK POST / BANGKOK POST VIA AFP

Banned books

In addition to widespread self-censorship, government censorship has also played an important role in the suppression of criticism of the monarchy in the media. Among the traditional print media, books critical of the Thai monarchy remain banned in Thailand. The 1941 Printing Act, replaced by the 2007 Printing Recordation Act, allows police to ban any book that is found to be defaming the King. Those who import the book for the purpose of distribution in the country can face up to three years in prison and/or a fine of 60,000 baht (about US\$1,805).³⁷

Rama X: The Thai Monarchy under King Vajiralongkorn, written by former Thai diplomat and academic-in-exile Pavin Chatchavalongpun, was banned in July 2023, several months before its publication by Yale University Southeast Asia Studies.³⁸ *A Kingdom in crisis*, written by Scottish journalist Andrew McGregor Marshall and published by Zed Books in November 2014, was banned the same month.³⁹ *The King never smiles*, written by US journalist Paul Handley, was banned in January 2006, prior to its publication by Yale University Press in July 2006.⁴⁰ *The devil's discus*, written by British-South African author Rayne Kruger and originally published by Cassell & Co. in 1964, was banned immediately after its publication. A Thai language translation of the book was officially banned in May 2006.⁴¹

37 1 US\$ = 33.24 THB.
 38 Prachatai, *Exiled academic's book banned ahead of release*, 20 July 2023; Bangkok Post, *Pavin's book about monarchy banned in Thailand*, 8 July 2023
 39 AP, *Thai police bans book criticizing monarchy*, 13 November 2014
 40 Reuters, *Banned royal book stirs rare debate in Thailand*, 11 January 2008
 41 Gazette, 123 (Special 73): 31, 27 June 2006, <https://ratchakitcha.soc.go.th/documents/191931.pdf> [in Thai]

Online censorship

During the 2011-2026 period, the progressive rise in access to, and popularity of, social media platforms contributed to the sharp increase in *lèse-majesté* prosecutions. While the digital sphere provided new channels for those who wanted to express critical opinions about the monarchy, it also presented an opportunity for the authorities to wage a wide-ranging campaign of censorship, surveillance, and legal persecution.

Freedom on the Net, the annual survey of the situation for internet freedom worldwide published by Freedom House, rated Thailand “Not Free” every year from 2011 (initial survey) to 2025 (latest survey conducted) except in 2013, when the country was rated “Partly Free.” Arrests and prosecutions under Article 112 over online expression and censorship of online content related to the monarchy were regularly cited as significant factors that negatively affected Thailand’s rating.

In its ongoing efforts to censor criticism of the monarchy, the government has systematically blocked thousands of websites over content deemed to be offensive to the monarchy. For example, according to the most recent figures published by the Ministry of Digital Economy and Society (MDES), between 1 October 2024 and 31 March 2026, 6,060 web pages were blocked over content that allegedly defamed the monarchy.⁴²

Social media platforms have aided the Thai government in its efforts to suppress online content related to the monarchy. For example, between July and December 2025, Meta restricted access to a total of at least 12,030 items (i.e. comments, pages, posts, and profiles) on its platforms (Facebook, Instagram, and Threads) in response to requests from the Thai government for alleged violations Article 112.⁴³

Concerns have also emerged that generative artificial intelligence companies are reinforcing censorship of criticism of the Thai monarchy. According to a study published by the Meta Oversight Board in July 2026, chatbots developed by key tech companies - including Meta, Anthropic, Google, and OpenAI - were less likely to be critical of certain heads of states, including King Rama X.⁴⁴

Cyber-vigilantism

To increase the effectiveness of their monitoring capabilities, successive Thai governments also resorted to cyber vigilantism to track online *lèse-majesté* content. In December 2010, the Ministry of Information and Communication Technology (the MDES predecessor) launched the “cyber scout” project to create a network of more than 380 cyber scouts from different educational institutions across the country to monitor and report websites to the authorities. Under the NCPO, the project gained new momentum, with an expansion of the cyber scout network.⁴⁵ While the official cyber scout website remained active as of July 2026, it is unclear whether the project is still operational.⁴⁶

A significant share of *lèse-majesté* complaints has historically been filed by private individuals, including Thai monarchy supporters [See below, *Question #12*].

42 MDES, *Report on the implementation of the operational plan of the Ministry of Digital Economy and Society - Fiscal Year 2026 as of the end of Quarter 1-2 (October 1, 2025 – March 31, 2026)*, <https://shorturl.at/d1X2H> [in Thai]

43 Meta, *Thailand - Country specific information on content we restricted based on local law*, accessed on 31 July 2026; <https://transparency.meta.com/reports/content-restrictions/country/TH/>

44 Meta Oversight Board, *Are LLMs stifling political speech? An assessment of how AI models protect free expression*, 16 July 2026

45 MCOT, *Thai ICT Ministry to expand Cyber Scout project*, 22 July 2014

46 Cyber Scout, accessed on 31 July 2026; <http://www.cyberscout.in.th/>

4. WHAT ARE SOME EXAMPLES OF OVERLY BROAD INTERPRETATIONS OF ARTICLE 112 BY THE AUTHORITIES?

Authorities and courts have often adopted overly broad interpretations of both the conduct prohibited and the individuals protected by Article 112, which criminalizes defamation, insults, or threats against the King, Queen, Heir-apparent, or Regent.

Overly broad interpretation of defamation, insult, and threats

The authorities' overly broad interpretation of the terms "defamation," "insult," and "threats" under Article 112 has led to cases of extreme prosecutions.

For example, during the 2020-2021 pro-democracy movement, several activists were prosecuted for wearing a crop top, an item that authorities interpreted as making reference to King Rama X. In July 2023, youth activist Sainam (full name withheld) was found guilty under Article 112 and received a one-year suspended prison sentence for participating in a mock fashion show in Bangkok while wearing a crop top with a message "My dad's name is Mana, not Vajiralongkorn" scrawled on his body.⁴⁷

In another case, in September 2022, activist Jatuporn Sae-ung was sentenced to three years in prison under Article 112 for wearing a traditional Thai dress at another mock fashion show in Bangkok, which the court found insulting of the Queen.⁴⁸

Piyarat Chongthep, a former activist with the pro-democracy group We Volunteer and current MP for the People's Party, was charged with *lèse-majesté* for participating in the installation of banners criticizing the government's procurement of COVID-19 vaccines and the involvement of Siam Bioscience, a company indirectly owned by King Rama X, in Kalasin Province in January 2021. The prosecutor alleged such messages seriously damaged the King's honor and reputation.⁴⁹ In May 2026, the Court of Appeals Region 4 overturned Piyarat's *lèse-majesté* acquittal by a lower court, reasoning that the message on the banner could potentially damage "the King's honor and reputation and expose him to insult and public contempt."⁵⁰

In April 2022, Sombat Thongyoi, a former Red Shirt activist, was sentenced to six years in prison under Article 112 over Facebook posts published on 30 October and 2 November 2020. The first post shared a news article about Thammasat University graduates declining to attend their graduation ceremony with the caption "Very brave, very good, thank you," an expression previously used by King Rama X, to praise a supporter. The second post read: "People asked for the budget spending to be lowered, not to lower oneself to be close to the people." Although neither post mentioned the King or the monarchy, the court, noting their timing shortly after King Rama X's public appearances and Sombat's participation in protests for the reform of the monarchy, inferred that the posts referred to the King and were intended to defame him.⁵¹

47 TLHR, *Sentenced to 3 years, reduced to 12 months with a suspended sentence, in the Article 112 case against "Sainam" over wearing a crop top at a fashion show on Silom Road; the court found that the conduct was intended to mock and satirize King Rama X*, 20 July 2023, <https://tlhr2014.com/archives/57662> [in Thai]; TLHR, *Appeals Court upholds the Article 112 conviction against "Sainam" for wearing a crop top at a fashion show on Silom Road, sentencing her to 12 months in prison with a suspended sentence*, 16 September 2024, <https://tlhr2014.com/archives/69953> [in Thai]

48 TLHR, *"New" Jatuporn sentenced to 3 years in prison in Article 112 case; Court finds wearing traditional Thai dress was a mockery and satire of the Queen; Detained in prison pending bail decision on appeal*, 12 September 2022, <https://tlhr2014.com/archives/48185> [in Thai]

49 TLHR, *"Toto" charged over vaccine-monopoly criticism banners in Kalasin; accused under Article 112 and granted bail, with electronic monitoring removed after court finds no flight risk*, 28 June 2021, <https://tlhr2014.com/archives/31360> [in Thai]

50 TLHR, *Court of Appeal Region 4 overturns acquittal and sentences "Toto" Piyarat to three years in prison in Article 112 case over vaccine-criticism banners in Kalasin; granted bail pending Supreme Court appeal with bail set at 300,000 baht*, 20 May 2026, <https://tlhr2014.com/archives/83670> [in Thai]

51 TLHR, *Full judgment released! "Sombat Thongyoi" sentenced to 6 years in prison in the "very brave, very good, thank you" Article 112 case*, 14 August 2026, <https://tlhr2014.com/archives/45187> [in Thai].

Natchanon Pairoj, a member of the pro-democracy group Thumb Rights and former member of the student group United Front of Thammasat and Demonstration, was charged under Article 112 for producing the “Red Book,” which included the pro-democracy movement’s 10 demands for the reform of the monarchy. In February 2025, the Court of Appeals Region 1 overturned Natchanon’s *lèse-majesté* acquittal and sentenced him to two years in prison. The court maintained that Natchanon’s actions had facilitated and encouraged “expressions that demeaned and disparaged the monarchy.”⁵²

In June 2023, Warunee (last name withheld), a 31-year-old woman, was found guilty under Article 112 and sentenced to three years in prison (reduced to one year and six months) over the posting on Facebook of an edited image depicting the Emerald Buddha statue donning an evening gown designed by the Sirivannavari fashion brand, founded by Princess Sirivannavari, the daughter of King Rama X, while the King was changing the statue’s seasonal attire.⁵³ Despite the absence of any explicit insulting statement directed at the King, the court held that the post was intended to damage the King’s reputation and dignity, subject him to insult and public hatred, and portray him in a “ridiculous and degrading manner.”⁵⁴

Criminalization of discussions of previous kings

In several cases, the scope of the individuals protected under Article 112 has been extended beyond those expressly identified in the statutory text, to encompass former monarchs and even the institution of the monarchy.

For instance, Wutthiphat (full name withheld) was charged under Article 112 for comments posted in the Facebook group Royalist Marketplace in June 2020 concerning the death of King Rama VIII and questioning whether the three individuals convicted in connection with his death had been executed despite being innocent. In April 2023, the Court of Appeals overturned Wutthiphat’s acquittal and sentenced him to five years in prison (reduced to three years and four months), reasoning that defamation, insults, and threats made against former monarchs also violated Article 112. The Court of Appeals’ conviction and prison sentence were upheld by the Supreme Court in February 2026.⁵⁵

In another case, pro-democracy activists Wanwalee Thammasattaya, Kiattichai Tangpornohan, and Benja Apan, were charged with *lèse-majesté* for speeches delivered during a pro-democracy protest in Bangkok in June 2021. The speeches expressed opinions about former monarchs, including that they had acted undemocratically or had been involved in past *coups d’état*, as well as alternative accounts of Thai history, some of which challenged the predominantly positive narratives about previous monarchs and their reigns.⁵⁶ In March 2025, the Bangkok South Criminal Court convicted all three of *lèse-majesté*, holding that Article 112 protected former monarchs, as insults or defamation against them could affect the reigning monarch.⁵⁷

Some courts have also interpreted Article 112 as protecting the monarchy as an institution, rather than only individual monarchs. In November 2022, youth activist Petch (full name withheld) was convicted under Article 112 and sentenced to two years in prison for a speech criticizing Thailand’s system of government as an absolute monarchy. The court held that although the speech did not mention any King or other individual protected under Article 112, the law protected the “monarchy institution as a whole.”⁵⁸

52 TLHR, *The Court of Appeals Region 1 overturned the acquittal and sentenced Natchanon to two years’ imprisonment, finding that he had aided the dissemination of the 10 August Phenomenon, which contained statements deemed defamatory under Article 112, before granting him bail*, 17 February 2025, <https://tlhr2014.com/archives/72987> [in Thai]

53 TLHR, *Court convicts “Warunee” under Article 112, sentenced to three years in prison, reduced to one year and six months, for posting an image of King Rama X changing the Emerald Buddha’s attire to a dress; Court of Appeals subsequently denies bail*, 28 June 2023, <https://tlhr2014.com/archives/57027> [in Thai]

54 *Ibid.*

55 TLHR, *The Supreme Court upheld Wuttipat’s three-year-and-four-month sentence under Article 112 for commenting on the death of King Rama VIII, finding that Article 112 also protects former monarchs*, 18 February 2026, <https://tlhr2014.com/archives/81821> [in Thai]

56 TLHR, *The Bangkok South Criminal Court sentenced Tee, Big, and Benja to three years’ imprisonment each under Article 112, finding that their speeches defamed both reigning and former monarchs; The court held that criticism of former monarchs could also affect the current King because of the continuity of the Chakri succession*, 24 March 2025, <https://tlhr2014.com/archives/74202> [in Thai]

57 *Ibid.*

58 TLHR, *The Juvenile and Family Court sentenced Petch to two years’ imprisonment, finding that Article 112 protects the monarchy as an institution as a whole, before replacing the imprisonment with placement in a youth rehabilitation and training center*, 22 November 2022, <https://tlhr2014.com/archives/50825> [in Thai]

5. WHAT VIOLATIONS OF FAIR TRIAL RIGHTS HAVE DEFENDANTS FACED IN CASES UNDER ARTICLE 112?

The right to a fair trial, including due process guarantees, for defendants in *lèse-majesté* cases has been repeatedly and systematically undermined and violated through laws, regulations, decrees, as well as enforcement and judicial practices.

Such violations were particularly severe during the rule of the NCPO, which, from May 2014 to September 2016, authorized military courts to try civilians charged with violating Article 112. Under subsequent quasi civilian and civilian-led governments, the fair trial rights of individuals prosecuted for *lèse-majesté* continued to be repeatedly and systemically violated.

Right to be informed of the reason for the arrest

In many *lèse-majesté* cases, even before the prosecution stage, authorities failed to promptly and adequately inform suspects of the reasons for their arrest and the charges against them, and/or failed to present an arrest warrant. This practice was particularly common in the period following the May 2014 *coup d'état* but has continued after the end of NCPO rule.⁵⁹ For example, on 5 March 2022, pro-democracy activist Tantawan Tuatulanon was arrested by the police without a warrant, while she was livestreaming a royal motorcade.⁶⁰

Even when arrest warrants were presented, they often lacked the necessary information to adequately inform individuals of the reasons for their arrest. For instance, on 1 May 2022, pro-democracy activist Sophon Surariddhidhamrong was arrested while leaving a Labor Day event in front of the Bangkok Art and Culture Center.⁶¹ The authorities presented him only with an arrest warrant issued by the court, which stated that there was evidence that he had committed an offense under Article 112, without providing any details.

Right to the presumption of innocence

Courts have often undermined the presumption of innocence of *lèse-majesté* defendants by frequently denying them bail and subjecting them to lengthy pre-trial detention [See above, *Question #1*].⁶²

In addition, *lèse-majesté* defendants held in pre-trial detention have generally been required to wear ankle shackles during transport from prison to court and in court. Ankle shackles and other forms of restraints stigmatize defendants as dangerous or guilty.⁶³

59 TLHR, *UN body demands immediate release of woman jailed for record lèse-majesté sentence*, 17 January 2022

60 TLHR, *UN Working Group on Arbitrary Detention determines "Tawan's" detention under Section 112 is arbitrary and in violation of international law*, 16 November 2023

61 TLHR, *Police surround and arrest "Get Sophon" in Article 112 case over #TourMulaPhua speech; Court denies bail, sending him to prison as the ninth detainee*, 2 May 2022, <https://tlhr2014.com/archives/43145> [in Thai]

62 Under Article 14(2) of the ICCPR, all individuals charged with a criminal offense have the right to be presumed innocent until proven guilty according to law.

63 In its General Comment No. 32, the UN Human Rights Committee affirmed that defendants should normally not be shackled or kept in cages during trials or otherwise presented to the court in a manner indicating that they may be dangerous criminals.

Right to an independent tribunal

Lèse-majesté proceedings have raised concerns about the lack of judicial independence, particularly regarding the influence of senior judges over the adjudication of politically sensitive cases. These concerns stem from several laws and regulations governing *lèse-majesté* cases, which undermine judicial independence by exposing judges to external pressures that may unduly influence their decision-making.

One of the most concerning regulations was issued in 2019 by the President of the Supreme Court,⁶⁴ which required sitting judges handling national security cases, including those involving *lèse-majesté*, to submit the case file, together with draft judgments and orders, to chief justices for supervisory review before they are finalized, unless the chief justices ordered otherwise.⁶⁵ TLHR documented numerous bail orders in Article 112 cases explicitly stating that the decisions had been reviewed by chief justices prior to its issuance. On multiple occasions, judges also cited the views of their superiors when denying the defense's requests to postpone trial proceedings.

Similar concerns arose at the prosecutorial level. In 2022, the Attorney General issued a guideline requiring provincial and trial-level prosecutors handling *lèse-majesté* cases to report investigation files, written opinions, high court judgments, and petitions for justice to the Office of the Attorney General before issuing any orders or decisions.⁶⁶

Right to an impartial tribunal

Lèse-majesté proceedings have also raised serious concerns regarding judicial partiality.⁶⁷ TLHR observed numerous instances in which judges presiding over *lèse-majesté* cases made negative or prejudicial comments about defendants' alleged conduct during the trial.

For instance, in one of Arnon Nampa's *lèse-majesté* cases, the presiding judge displayed overt hostility towards both Arnon and his counsel, appearing to treat his criticism of the monarchy as inherently unlawful, refusing to explain restrictions imposed on the proceedings - such as orders to hold the trial in secret and to prohibit the dissemination of information outside the courtroom - and threatening to detain Arnon because he continued to speak.⁶⁸

In another *lèse-majesté* case against pro-democracy activists Sophon Surariddhidhamrong and Baipor (full name withheld), the defendants raised concerns about the repeated interventions by the judge and his use of leading questions to the prosecution witnesses during the defense's cross-examination.⁶⁹

64 Regulation on Judicial Service of the Courts of Justice regarding the Reporting of Important Cases in the Courts of the First Instance and of the Appeal Courts to the President of the Supreme Court, and the Reporting and Reviewing of Case Files in the Offices of the Chief Justices of the Regions (2019).

65 Clause 5 and 7 of the Regulation on Judicial Service of the Courts of Justice regarding the Reporting of Important Cases in the Courts of the First Instance and of the Appeal Courts to the President of the Supreme Court, and the Reporting and Reviewing of Case Files in the Offices of the Chief Justices of the Regions (2019).

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

67 Under international human rights law, impartiality requires that judges must be free from personal bias or prejudice and must not prejudge the case before them, while the tribunal must also appear impartial to a reasonable observer.

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

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

Right to adequately prepare the defense

Article 112 proceedings repeatedly raised concerns regarding the right of defendants to adequately prepare their defense as well as their ability to participate in proceedings on an equal footing with the prosecution, as required by the principle of the “equality of arms.”⁷⁰

Thai courts consistently refused to issue subpoenas for documents that could materially assist the defense. In many cases, when the defense sought to produce official records—such as travel records or budget documents relating to the monarchy—to challenge the factual basis of the charges, courts routinely rejected these requests by invoking Article 6 of the 2017 Constitution, which provides that the King is “enthroned in a position of revered worship and shall not be violated,” and declaring that “no person shall expose the King to any sort of accusation or action without explaining how it rendered the requested evidence inadmissible.”

In addition, in numerous instances, TLHR observed that judges in *lèse-majesté* proceedings refused to enter into the official record the defense counsels’ questions, often citing that they were “irrelevant” to the case or “inappropriate.” For example, during a witness examination hearing on 30 July 2025 in the aforementioned case against Sophon Surariddhidhamrong and Baipor, the judge refused to record parts of Sophon’s testimony, including his statement that neither he nor the public feared the King, but rather the enforcement of Article 112 itself. In the recording, the court altered the wording of his testimony, explaining that recording the statement *verbatim* would not be beneficial. The judge also refused to record Sophon’s testimony that amendments to the Crown Property Act could have adverse consequences following the King’s death, deeming it a “sensitive” matter.⁷¹

Right to a public trial

In numerous *lèse-majesté* cases, the courts undermined the right to a public trial by imposing unnecessary and disproportionate restrictions on public access and trial observation, including confiscating mobile phones and written notes from observers, threatening members of the public and defense lawyers with contempt of court, restricting access to courtrooms, and ordering secret hearings without an adequate legal basis.

⁷⁰ Under Article 14(3)(b) of the ICCPR, defendants must be afforded “adequate facilities” for the preparation of their defense, including access to documents and other evidence that are both incriminating and exculpatory. A fair trial requires that defendants have timely access to the evidence against them, as well as any evidence that may assist in their defense, so that they can effectively challenge the prosecution’s case. The UN Human Rights Committee’s General Comment No. 32 states: “The right to equality before courts and tribunals also ensures equality of arms. This means that the same procedural rights are to be provided to all the parties unless distinctions are based on law and can be justified on objective and reasonable grounds, not entailing actual disadvantage or other unfairness to the defendant.”

⁷¹ TLHR, A compilation of “irregular incidents” in courts in 2025 based on monitoring of political cases, 23 January 2026, <https://tlhr2014.com/archives/81290> [in Thai]

Closed-door trials

Between December 2021 and July 2026, TLHR documented at least 32 instances in which courts either prevented members of the public from observing *lèse-majesté* proceedings without issuing a formal order for a closed-door hearing, or ordered closed-door hearing without providing an adequate legal basis, in contravention with Thai law and international human rights standards.⁷²

In a few cases, judges cited specific security or public order concerns as reasons for ordering proceedings to be held behind closed doors or restricting public access. For example, on 25 June 2025, the judge in a *lèse-majesté* case against Arnon Nampa and another pro-democracy activist, Hugo (full name withheld), initially ordered that the verdict hearing be held in the court's arraignment room rather than the designated courtroom, in response to a small solidarity protest outside the court. However, the judge ultimately relented and read the judgment in the assigned courtroom.⁷³

Gag orders and other restrictions on observation

Even where members of the public were permitted to observe *lèse-majesté* proceedings, courts restricted public scrutiny by prohibiting observers and defense lawyers from reporting on proceedings outside the courtroom.⁷⁴

Between December 2021 and July 2026, TLHR documented more than 37 instances in which courts issued orders prohibiting trial observers and defense lawyers from disclosing or discussing what had been said or occurred during court proceedings.

Other restrictions on trial observation included the recurring confiscation of, or restriction on, handwritten notes of defense lawyers, which was sometimes accompanied by questioning or reprimands from judges. For instance, during the Court of Appeals' verdict hearing on 5 March 2025 in a *lèse-majesté* case against pro-democracy activist Sophon Surariddhidhamrong, the judge questioned one of the defense lawyers about her identity and told her that she was not allowed to take notes in the courtroom without permission.⁷⁵

72 Article 172(1) of the Criminal Procedure Code states: "Unless otherwise provided, the trial and the taking of evidence shall be conducted in open court and in the presence of the accused." Article 177 of the Criminal Procedure Code states: "The court has the power to order that the trial be conducted in secret, either on its own motion or upon the application of any party, but only where this is necessary in the interest of public order or good morals, or to prevent secrets concerning national security from becoming known to the public."

73 TLHR, *Court sentences "Arnon" to an additional two years and eight months in prison in Article 112 case over #2DecemberGoToHaYaekLatPhrao Rally; "Hugo" sentenced to two years but given a suspended sentence*, 25 June 2025, <https://tlhr2014.com/archives/76297> [in Thai]

74 A typical order states: "No person shall disseminate or publish to the public any events occurring in the courtroom or at the Criminal Court without permission; otherwise, the court will proceed in accordance with the regulations and law to maintain order within the court premises"; TLHR, *Orders prohibiting the publication of courtroom proceedings: For the sake of justice or to restrict public scrutiny?*, 21 April 2026, <https://tlhr2014.com/archives/82905> [in Thai]

75 TLHR, *Notes from courtroom 707: Note-taking prohibited during "Get Sophon's" hearing over #TourMulaPhua*, 5 March 2024, <https://tlhr2014.com/archives/65230> [in Thai]

6. WHAT HAVE BEEN THE COURTS’ SENTENCING PRACTICES IN ARTICLE 112 CASES?

Between May 2014 and July 2026, courts convicted 199 (79.6%) of 250 (79.6%) defendants in *lèse-majesté* cases that ended in a judgment.

The sentencing practices in Article 112 cases can be broadly divided into two periods: the period following the 2014 military *coup d’état*, during which the ruling NCPO intensified *lèse-majesté* prosecutions; and the period following the emergence of the pro-democracy movement in 2020, which saw a second and more significant wave of *lèse-majesté* prosecutions.⁷⁶

Conviction rates in <i>lèse-majesté</i> cases (May 2014 - July 2026)				
Judgment	NCPO era (May 2014 - July 2018)		Post pro-democracy movement (November 2020 - July 2026)	
	Number of individuals	%	Number of individuals	%
Conviction	30	61.2%	169	84.1%
Acquittal	19	38.8%	32	15.9%
Total	49	100%	201	100%

Between May 2014 and July 2018, there were judgments involving 49 *lèse-majesté* defendants, 30 (61.2%) of whom were convicted. During this period, convictions in civilian courts resulted in prison sentences averaging five years per *lèse-majesté* count, ranging from one to 20 years in prison.⁷⁷ Convictions in military courts resulted in substantially longer prison sentences, averaging 10 years per *lèse-majesté* count and ranging from one year and six months to 35 years.⁷⁸

Between November 2020 and July 2026, courts delivered verdicts in cases involving 201 *lèse-majesté* defendants, 169 (84%) of whom were convicted.⁷⁹ Unlike in the NCPO period, all *lèse-majesté* cases were heard in civilian courts. The average prison sentence was approximately three years per *lèse-majesté* count.⁸⁰ Sentences ranged from one to 50 years in prison.⁸¹ The most common sentence was one year and six months, with at least 73 such terms imposed.

76 TLHR, *TLHR database of Article 112 cases*, 28 July 2020, <https://tlhr2014.com/archives/19917> [in Thai]; TLHR, *Statistics on Article 112 cases in which courts have issued judgments*, 28 March 2026, <https://tlhr2014.com/archives/46268> [in Thai]

77 iLaw, *How severe are the punishments in Article 112 cases?*, 17 June 2021, <https://www.ilaw.or.th/articles/9827> [in Thai]

78 The 35-year prison sentence was imposed on Wichai (last name withheld) by the Bangkok Military Court in June 2017 in connection with 10 Facebook posts; TLHR, *Wichai sentenced to 70 years for fake Facebook account and Article 112 posts; sentence reduced to 30 years and 60 months following guilty plea*, 9 June 2017, <https://tlhr2014.com/archives/4360> [in Thai]; TLHR, *TLHR database of Article 112 cases*, 28 July 2020, <https://tlhr2014.com/archives/19917> [in Thai]

79 During this period, *lèse-majesté* sentences were recorded under four different prime ministers: Prayuth Chan-ocha (2020-2023); Srettha Thavisin (2023-2024); Paetongtarn Shinawatra (2024-2025); and Anutin Charnvirakul (2025-present).

80 TLHR, *Statistics on Article 112 cases in which courts have issued judgments*, 28 March 2026, <https://tlhr2014.com/archives/46268> [in Thai]

81 The 50-year prison sentence was imposed on Mongkhon Thirakot in connection with 25 Facebook posts.

During both periods, courts often imposed sentences that involved multiple counts of *lèse-majesté* in a single case, with a cumulative effect that resulted in exceptionally long prison terms [See below, *Question #9*]. This practice was illustrated by the conviction of Pongsak Sriboonpeng, whose 30-year sentence by a military court during the NCPO period stemmed from 10 counts of *lèse-majesté*.⁸² In the post pro-democracy movement period, this practice was evident in the cases of Anchan Preelard (whose 43-year and six months sentence stemmed from 29 counts of *lèse-majesté*)⁸³ and Mongkhon Thirakot (whose 50-year sentence stemmed from 25 counts of *lèse-majesté*).⁸⁴

During both periods, courts typically reduced prison sentences by up to half, based on mitigating circumstances provided under the law - such as the defendants' age at the time of the offense, their valuable testimonies, or their guilty plea.⁸⁵ The most common mitigating circumstance was the guilty plea, for which courts generally reduced sentences by half. During the NCPO period, at least 29 *lèse-majesté* defendants received reduced sentences following guilty pleas.⁸⁶ In the post pro-democracy movement, guilty pleas resulted in sentence reductions for at least 96 defendants.⁸⁷ Indeed, the strategic decision by many *lèse-majesté* defendants to plead guilty to the charges has resulted in significant reductions, particularly in cases in which the initial sentences amounted to several decades [See below, *Questions #9*].

The two periods differ more clearly in the types of sentences imposed. While no prison sentences were suspended during the NCPO period, at least 69 individuals convicted of *lèse-majesté* had their sentences suspended in the post pro-democracy movement. These suspended sentences were typically imposed on defendants with no prior criminal record and defendants who were "young" and/or students.⁸⁸

Types of sentences (May 2014 - July 2026)						
Sentence	NCPO era (May 2014 - July 2018)		Post pro-democracy movement (November 2020 - July 2026)		Total	
	Number of individuals	%	Number of individuals	%	Number of individuals	%
Immediate prison sentence	29	96.7%	97	57.4%	126	63.3%
Suspended prison sentence	0	0%	69	40.6%	69	34.6%
Sentence to be determined (cases involving children)	1	3.3%	3	1.8%	4	2%
Total	30	100%	169	100%	199	100%

82 Prachatai, *Record-high sentence: "Pongsak" sentenced to 60 years in prison, reduced to 30 years after pleading guilty, over Facebook posts violating Section 112*, 7 August 2015, <https://prachatai.com/journal/2015/08/60724> [in Thai].

83 TLHR, *UN body demands immediate release of woman jailed for record lèse-majesté sentence*, 17 January 2022

84 TLHR, *Still a record high: Supreme Court amends the Article 112 case against "Busbas," sentencing him to 46 years in prison, down from the 50-year sentence imposed by the Court of Appeals*, 11 December 2025, <https://tlhr2014.com/archives/80533> [in Thai]

85 Articles 75 of the Criminal Code states: "If any person over 15 years of age but under 18 years of age commits an act which is an offense as provided by law, the court shall consider the understanding of right and wrong and all other things concerning such person in support of its decision on whether or not it should render a judgement of conviction against such person. If the court sees fit not to render a judgement of conviction, it shall proceed according to article 74 or if it sees fit to render a judgement of conviction, it shall commute the scale of punishment provided for such offense by one-half." Article 76 states: "If any person over 18 years of age but not over 20 years of age commits an act which is an offense as provided by law, the court, if it sees fit, may commute the scale of punishment provided for such offense by one-third or one-half. Article 78 states: "If it appears that mitigating circumstances exist, irrespective of whether the punishment has been increased or commuted under the provisions of this Code or other laws, the court, if it sees fit, may commute the punishment to be imposed on the offender by not more than one-half. Mitigating circumstances shall include the cases where an offender lacks intelligence, is in serious distress, has previously contributed goodness, is repentant for the offense and attempts to remedy the harmful effect of the offense, surrenders himself or herself to a competent official or provides knowledge to the court for the benefit of the trial or other similar circumstances as considered by the court."

86 TLHR, *TLHR database of Article 112 cases*, 28 July 2020, <https://tlhr2014.com/archives/19917> [in Thai]

87 From July 2020 to July 2026; TLHR, *Statistics on Article 112 cases in which courts have issued judgments*, 28 March 2026, <https://tlhr2014.com/archives/46268> [in Thai]

88 *Ibid.*

7. HOW MANY INDIVIDUALS HAVE BEEN PROSECUTED AND SENTENCED TO PRISON UNDER ARTICLE 112?

Between May 2014 and July 2026, at least 461 individuals were prosecuted under Article 112, with at least 199 receiving prison sentences.⁸⁹

During NCPO rule (May 2014 - July 2018), at least 169 individuals were prosecuted under Article 112. During this period, at least 30 individuals were sentenced to prison for *lèse-majesté*, according to TLHR documentation.⁹⁰ However, the extensive use of military courts during this period made it difficult to gather comprehensive statistics on the outcomes of all prosecutions.⁹¹

In the post pro-democracy movement, the number of *lèse-majesté* prosecutions increased substantially. Between November 2020 and July 2026, at least 292 individuals were prosecuted under Article 112.⁹² As of July 2026, at least 201 (nearly 70%) individuals received judgments in *lèse-majesté* cases, with at least 169 (about 84%) convicted and sentenced to prison.⁹³

Period	Individuals prosecuted	Individuals whose cases received judgments	Individuals sentenced to prison
NCPO era (May 2014–July 2018)	169	49	30
Post pro-democracy movement (November 2020–July 2026)	292	201	169
Total (May 2014 - July 2026)	461	250	199

89 TLHR, *TLHR database of Article 112 cases*, 28 July 2020, <https://tlhr2014.com/archives/19917> [in Thai]; TLHR, *Statistics on Article 112 cases in which courts have issued judgments*, 28 March 2026, <https://tlhr2014.com/archives/46268> [in Thai]

90 TLHR, *TLHR database of Article 112 cases*, 28 July 2020, <https://tlhr2014.com/archives/19917> [in Thai]

91 The figures presented are based on cases for which TLHR provided legal assistance, and it is likely the actual numbers of prosecutions and prison sentences were higher.

92 TLHR, *TLHR database of Article 112 cases*, 28 July 2020, <https://tlhr2014.com/archives/19917> [in Thai]

93 TLHR, *Statistics on Article 112 cases in which courts have issued judgments*, 28 March 2026, <https://tlhr2014.com/archives/46268> [in Thai]

8. HOW MANY INDIVIDUALS ARE CURRENTLY DETAINED/IMPRISONED UNDER ARTICLE 112?

As of July 2026, 29 individuals were detained under Article 112. Of these, 12 were detained pending trial or appeal, while the judgments for the remaining 17 had become final.⁹⁴ The continued detention of individuals whose cases remain pending is a consequence of the courts' restrictive approach to bail in *lèse-majesté* cases [See above, *Question #1*].

The length of the sentences of the 17 individuals imprisoned following the conclusion of their cases varied significantly. Eleven individuals were serving prison terms of more than five years, and five individuals were serving terms exceeding 10 years.⁹⁵

⁹⁴ TLHR, *Situation of Political Prisoners in July 2026*, 28 July 2026, accessed on 19 August 2026, <https://www.facebook.com/share/p/1DFNZftcZJ/> [in Thai]

⁹⁵ *Ibid.*

9. WHAT HAVE BEEN THE LONGEST PRISON SENTENCES IMPOSED UNDER ARTICLE 112?

Between May 2014 and July 2026, the 10 longest prison sentences imposed under Article 112 averaged approximately 30 years and six months, with the longest sentence reaching 50 years.⁹⁶ Lengthy prison sentences imposed under Article 112 have generally been the result of convictions on multiple *lèse-majesté* counts [See above, *Question #6*]. Appellate proceedings have affected the lengths of prison sentences, with some cases (such as Mongkhon Thirakot's) resulting in increased totals due to multiple convictions, and others in reductions after certain counts were dismissed.

The 10 longest <i>lèse-majesté</i> sentences (May 2014 - July 2026)					
#	Name	Gender	Sentence	Date	Conduct
1.	Mongkhon Thirakot	Male	50 years (25 counts)	18 January 2024	Facebook posts
2.	Anchan Preeleerd	Female	43 years and six months* (29 counts)	16 January 2021	Audio messages shared on Facebook and YouTube
3.	Wichai (last name withheld)	Male	35 years* (10 counts)	9 June 2017	Clips, images, and text shared and posted on Facebook
4.	Pruetthigon Sarakul	Male	30 years (10 counts)	10 February 2026	Facebook posts
5.	Pongsak Sriboon-peng	Male	30 years* (six counts)	7 August 2015	Facebook posts
6.	Sasiphimon Patomwongfangam	Female	28 years* (seven counts)	7 August 2015	Facebook posts
7.	Maggie (full name withheld)	LGBTIQ	25 years* (18 counts)	14 March 2024	Twitter posts
8.	Thiansutham Suthijitseranee	Male	25 years* (five counts)	31 March 2015	Facebook posts
9.	Pruetthigon Sarakul	Male	20 years (10 counts)	18 December 2025	Facebook posts
10.	Tara (last name withheld)	Male	20 years (six counts)	9 Aug 2017	Links to six audio clips posted on a website

* Sentence halved because of a guilty plea.

96 TLHR, *Still a record high: Supreme Court amends the Article 112 case against “Busbas,” sentencing him to 46 years in prison, down from the 50-year sentence imposed by the Court of Appeal*, 11 December 2025, <https://tlhr2014.com/archives/80533> [in Thai]



Anchan Preelerd looks on after her release from the Central Women's Correctional Institution in Bangkok on 27 August 2025. © CHANAKARN LAOSARAKHAM / VARIOUS SOURCES / AFP

The actual time served by *lèse-majesté* prisoners also illustrates the severe impact of Article 112. The longest-serving *lèse-majesté* prisoners have included Anchan Preelerd (eight years and four months),⁹⁷ Daranee Charnchoengsilpakul (eight years and one month),⁹⁸ and Somyot Phrueksakasemsuk (seven years).⁹⁹

⁹⁷ Anchan was imprisoned on 19 January 2021 and released on 27 August 2025. Prior to her imprisonment, she had been in pre-trial detention from 25 January 2015 to 2 November 2018. FIDH, *UN body demands immediate release of woman jailed for record lèse-majesté sentence*, 29 December 2021

⁹⁸ Daranee was imprisoned on 28 August 2009 and released on 27 August 2016. Prior to her imprisonment, she had been in pre-trial detention since her arrest on 22 July 2008; AP, *Thai woman gets 18 years for defaming rulers*, 28 August 2009; Guardian, *Thailand frees activist 'Da Torpedo' after eight years' jail for insulting monarchy*, 28 August 2016

⁹⁹ Somyot was incarcerated on 30 April 2011 and released on 30 April 2018; CPJ, *Thai magazine editor freed after seven years in prison*, 1 May 2018

10. WHAT HAS BEEN THE IMPACT OF ARTICLE 112 ON THE RIGHTS OF WOMEN AND CHILDREN?

Rights of women and girls

Between July 2020 and July 2026, at least 79 women and girls were prosecuted under Article 112. They included numerous WHRDs, who faced gender-based challenges at almost every step of the justice process, from the moment they organized and/or participated in demonstrations, to their conditions in detention, and beyond. Concerns over the arrest, prosecution, and detention of women activists and WHRDs have been raised by several UN human rights mechanisms [See below, *Question #14*].

Harassment

WHRDs who advocated for monarchy reforms have been subjected to gender-based violence from both state and non-state actors.

Gender-based violence from the authorities has typically come in the form of surveillance and intimidation. Several WHRDs reported police visiting their residences and schools to monitor their activities, as well as the activities of their family members.¹⁰⁰

Many of them have also faced gender-based attacks from non-state actors, including rape threats and misogynistic remarks online, as well as having their photographs and videos sold on social media. For instance, Lanlana Suriyo was attacked and harassed online after organizing a protest in October 2020, during which some protesters tore apart pictures of King Rama X and the Queen. She received threats of physical and sexual assault using terms like “prostitute” and “trash.”¹⁰¹ Other WHRDs reported similar forms of abuse and gender-based harassment on social media. Chonthicha Jangrew, a pro-democracy activist and former MP of the Move Forward Party and People’s Party who has been prosecuted under Article 112, told FIDH: “I’m under constant attacks on my personal life, gender, and appearance. I have been witch-hunted and sent rape threats.”¹⁰²

Detention

In addition to the generally poor detention conditions faced by female prisoners, including overcrowding, ill-treatment, and inadequate healthcare,¹⁰³ many WHRDs detained on *lèse-majesté* charges reported harassment and degrading treatment while in detention. For example, Baipor (full name withheld), a prominent pro-democracy WHRD who has been prosecuted under Article 112, was intimidated and sexually harassed by male prisoners while being transported to prison. Baipor also said that she encountered insulting and even threatening comments from doctors during her visits to the prison hospital after her hunger strike. For instance, a doctor remarked “if I had a gun,” accompanied by a gesture mimicking a gun against his chin. The doctor also made personal inquiries that were interspersed with criticisms, none of which related to her health or well-being.¹⁰⁴

100 FIDH, *Standing Tall, Women human rights defenders at the forefront of Thailand’s pro-democracy protests*, 6 February 2021

101 *Ibid.*

102 *Ibid.*

103 FIDH, *Thailand: Report to United Nations committee on women’s rights and gender equality*, 19 May 2025

104 TLHR, “Prison” is a twilight zone: A place where the stories of life, violation, and persecution of Bung and Baipor are recounted, 23 July 2022, <https://tlhr2014.com/archives/46438> [in Thai]

On 14 March 2024, WHRD Netiporn Sanesangkhom, who was known for advocating for monarchy reform, died in custody after undertaking a prolonged hunger strike following the revocation of her bail in a *lèse-majesté* case.¹⁰⁵ Her death raised questions about the adequacy and nature of the medical treatment she received in custody, as well as whether political detainees who undertake hunger strikes are provided with appropriate medical care and monitoring.



Pro-democracy activists Orawan “Bam” Phuphong is transported on a stretcher to continue a hunger strike outside Thailand’s Supreme Court on 24 February 2023, after being released from Thammasat University Hospital in Pathumthani Province. © TANAT CHAYAPHATTARITTHEE / THAI NEWS PIX / AFP

Impact on families

The prosecution of women for *lèse-majesté* has had a profound and lasting impact on their families. Many of the women prosecuted under Article 112 played essential roles within their households: some were the primary or sole breadwinners, while others were responsible for caring for their children, older family members, or other dependents. Their prosecution, detention, or imprisonment disrupted not only their own lives, but also the economic security, care, and well-being of the family members who depended on them.

For instance, after being sentenced to two years in prison under Article 112, Thanaporn (last name withheld) was forced to leave her two children (both under three years of age) in the care of her elderly parents.¹⁰⁶ Thanaporn expressed guilt for depriving her children of their mother. She also expressed worries that her children would not be able to get an education without her.¹⁰⁷

¹⁰⁵ TLHR, *Statement on the 100th day since the death of “Bung” Netiporn: No truth, no justice*, 25 August 2024, <https://tlhr2014.com/archives/69367> [in Thai]

¹⁰⁶ TLHR, *Supreme Court upholds Article 112 conviction of new mother “Thanaporn,” sentencing her to two years in prison without suspension*, 27 May 2024, <https://tlhr2014.com/archives/67261> [in Thai]

¹⁰⁷ TLHR, *“I want to blow out a birthday cake with my child one more time”: Interview with “Thanaporn” a mother of young children facing an Article 112 case, ahead of the Supreme Court judgment*, 23 May 2024, <https://tlhr2014.com/archives/67106> [in Thai]

Rights of children

Many of the youth activists and students who were at the forefront of Thailand's pro-democracy movement in 2020 and 2021 faced arbitrary arrest, harassment, prosecution, and detention under Article 112 for exercising their fundamental rights.

Between July 2020 and July 2026, at least 20 children were prosecuted under Article 112 for exercising their rights to freedom of expression and freedom of peaceful assembly, with the youngest one being 14 years old.¹⁰⁸ Out of the 20 children, at least four received prison sentences, with terms of up to two years. Among them was Petch (full name withheld), a youth activist and a member of the LGBTIQ community, who were 17 years old when they gave speeches, including on the use of royal vocabulary, at pro-democracy rallies. After becoming the first child to be convicted under Article 112 in November 2022, they were convicted in two additional *lèse-majesté* cases, receiving a cumulative eight-year prison sentence, reduced to a five-year suspended sentence.¹⁰⁹

¹⁰⁸ Based on TLHR's documentation.

¹⁰⁹ The sentences in the three cases are: (1) two years in prison (suspended for two years); (2) three years in prison (reduced to one year and six months, suspended for two years); and (3) three years in prison (reduced to one year and six months, suspended for three years); TLHR, *Court of Appeals revises Article 112 sentence of youth activist "Petch" over speech at #6December2020 protest, sentencing them to two years in prison with suspension and probation*, 6 November 2023, <https://tlhr2014.com/archives/61211> [in Thai]; TLHR, *Nonthaburi Juvenile and Family Court sentences "Petch" to three years in prison for Article 112 over speech on the King's status; sentence reduced by half and suspended with two years' probation; Acquitted under Article 116*, 22 December 2022, <https://tlhr2014.com/archives/51763> [in Thai]; TLHR, *Court of Appeals upholds 18-month prison sentence for "Petch" and "Beam" in Article 112 case over #AnyoneCanWearACropTop at Siam Paragon; revises sentence from training to three-year suspension*, 25 November 2025, <https://tlhr2014.com/archives/80211> [in Thai]

11. WHAT HAS BEEN THE IMPACT OF ARTICLE 112 ON THAILAND'S POLITICAL SYSTEM?

The application of Article 112 has had a negative impact on Thailand's democratic development because it has restricted public political debate, encouraged the suppression of political dissent, and undermined political pluralism.

Over the past two decades, Article 112 has been weaponized to suppress peaceful discussion of a key institution, particularly during periods of political conflict, which has seriously constrained citizens' ability to participate in public affairs through freely chosen representatives. The dissolution of a major opposition party and the imposition of political bans on its leaders following efforts to reform Article 112 through lawful means have also constituted extreme measures that have undermined the right to take part in the conduct of public affairs and to be elected, guaranteed by Article 25 of the ICCPR, as well as the right to freedom of association, guaranteed by Article 22 of the ICCPR.

Progressive attempts to pursue reform of Article 112 through legitimate democratic processes have resulted in significant political consequences.

In January 2024, the Constitutional Court ruled that the proposal by the main opposition Move Forward Party to amend Article 112 in Parliament and during its campaign leading up to the May 2023 election amounted to an attempt to "overthrow the democratic regime of government with the King as the head of state," stipulated in Article 49 of the 2017 Constitution – an accusation the Move Forward Party has repeatedly denied.¹¹⁰ The court also ordered the Move Forward Party to "stop expressing opinions, speaking, writing, printing, advertising and communicating by any other means" in an attempt to amend Article 112.¹¹¹

In August 2024, the Constitutional Court ordered the dissolution of the Move Forward Party following its earlier ruling concerning the party's proposal to amend Article 112.¹¹² Although the court did not explicitly prohibit amendments to Article 112, the ruling placed significant constraints on political parties and lawmakers in pursuing legislative reform through constitutional procedures. Ahead of the February 2026 election, the Move Forward Party's successor, the People's Party, omitted the reform of Article 112 from its campaign platform.¹¹³

The Move Forward Party's dissolution following its *lèse-majesté* reform efforts reflected a broader pattern of Constitutional Court intervention in electoral politics through the dissolution of major opposition parties, which has contributed to the erosion of political pluralism in Thailand.¹¹⁴

Another case that illustrated the extreme political sensitivity surrounding the monarchy in Thailand was the dissolution of the Thai Raksa Chart Party. Although it did not directly involve Article 112, the limited space for public debate on constitutional and legal issues relating to the monarchy was the result of a climate reinforced by the restrictive application of Article 112. On 7 March 2019, the Constitutional Court dissolved the Thai Raksa Chart Party and banned 14 party executives from politics for 10 years for nominating King Rama X's sister, Ubolratana Mahidol, as a prime ministerial candidate ahead of the March 2019 general election.¹¹⁵ The court considered the nomination to be "hostile to the constitutional monarchy," and deemed it to be in violation of Article 92 of the 2017 Organic Act on Political Parties.¹¹⁶

¹¹⁰ FIDH, *Thailand: Looming dissolution of main opposition party in breach of international law*, 17 April 2024

¹¹¹ Guardian, *Thai court rules Move Forward party must end bid to reform lese-majesty law*, 31 January 2024

¹¹² FIDH, *Thailand: Dissolution of election-winning party a setback for democracy, human rights*, 7 August 2024

¹¹³ Reuters, *Surging in polls, Thailand's reformist opposition tests new election playbook*, 21 January 2026

¹¹⁴ FIDH, *Thailand: Looming dissolution of main opposition party in breach of international law*, 17 April 2024

¹¹⁵ BBC, *Thailand elections: Party that nominated Princess Ubolratana for PM dissolved*, 7 March 2019;

¹¹⁶ Article 92 of the 2017 Organic Act on Political Parties states that the Constitutional Court can order the dissolution of political parties that commit acts to overthrow the constitutional monarchy.

Numerous politicians, including elected MPs, have also faced legal and political consequences for their involvement in Article 112 reform efforts and related political activism.

In its August 2024 ruling, the Constitutional Court ordered a ban on holding political office for 10 years for the Move Forward Party's leader and executive members, in accordance with Article 92 of the 2017 Organic Act on Political Parties.

In February 2026, the National Anti-Corruption Commission found that 44 former MPs of the Move Forward Party, 10 of whom were still serving as MPs for the People's Party, had committed a serious breach of ethical standards over their role in proposing amendments to Article 112 in February 2021, pursuant to Article 219 of the 2017 Constitution and Article 28(1) of the 2018 Organic Act on Anti-Corruption.¹¹⁷ The case was forwarded to the Supreme Court's Criminal Division for Holders of Political Positions in April 2026.¹¹⁸ If found guilty by the court, they face a lifetime ban from holding any political office.¹¹⁹

In addition, two current MPs from the People's Party, Rukchanok Srinork and Piyarat Chongthep, face *lèse-majesté* charges and removal from office in connection with their roles in the 2020-2021 pro-democracy protests. Former Move Forward Party and People's Party MP Chonthicha Jangrew has also been prosecuted for *lèse-majesté* in connection with her participation in those protests.¹²⁰ The three have been sentenced to six years, three years, and four years and six months, respectively, on charges under Article 112.¹²¹ As of July 2026, all three had been granted temporary release on bail pending appeal proceedings.

The impact of restrictions on discussion of the monarchy has also extended to democratic institutions. Elected MPs have been subjected to legal and political constraints in the discharge of their mandate with regard to monarchy-related affairs, limiting their ability to exercise their oversight role and weakening democratic accountability. For instance, in 2021, MPs from the Move Forward Party made unprecedented attempts to question and propose drastic reductions to the monarchy's budget.¹²² The Move Forward Party's unsuccessful budget cut proposal subsequently prompted an MP from the then-ruling Palang Pracharat Party to submit a petition to the Election Commission to seek the dissolution of the Move Forward Party on the grounds that it undermined Thailand's constitutional monarchy.¹²³ In 2025, legislation concerning the renaming and reorganization of a key royal agency was passed in three consecutive readings during a single parliamentary sitting under an expedited procedure, despite objections from the People's Party that the bill should have undergone the normal legislative process and parliamentary scrutiny.¹²⁴

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

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

119 Bangkok Post, *44 MFP MPs risk lifetime bans*, 3 February 2024

120 FIDH, *Thailand: Pro-Democracy activist and MP Chonthicha Jangrew sentenced to two years in prison*, 3 June 2024; Bangkok Post, *Bail upheld for Thai MP appealing lese-majeste conviction*, 11 December 2024; Nation, *Appeal Court overturns Piyarat acquittal, sentences People's Party MP to three years*, 20 May 2026

121 TLHR, *"Ice Rakchanok," Move Forward Party MP sentenced to six years in prison on charges under Article 112 - the Computer Crimes Act as court found her tweets and retweets critical of the monarchy, before granted her bail*, 13 December 2023, <https://tlhr2014.com/archives/62251> [in Thai]; Bangkok Post, *People's Party MP loses appeal against jail term for lèse-majesté*, 30 September 2025; FIDH, *Thailand: Second lèse-majesté conviction of pro-democracy activist and MP Chonthicha Jangrew, sentenced to two years and eight months in prison*, 8 September 2025; TLHR, *May 2026: Supreme Court upholds 6-year-sentence in Section 112 case against Tiwagon for wearing a shirt stating "I lost faith in the monarchy," while case against Thanathorn dismissed*, 23 June 2026

122 Reuters, *Thai monarchy budget survives rare calls for cuts in parliament*, 22 August 2021

123 Prachatai, *Ruling party member finds monarchy budget cut proposal 'a threat to the regime'*, 26 August 2021

124 Prachatai, *Parliament passes new crown property bill*, 30 May 2025

12. WHAT HAS BEEN THE IMPACT OF ARTICLE 112 ON CIVIC SPACE?

The rigorous enforcement of Article 112 has severely curtailed civic space by suppressing peaceful political expression. The authorities' overly broad interpretation of the law [See above, *Question #4*], combined with its severe penalties, has fostered a pervasive climate of fear, resulting in widespread self-censorship and a chilling effect on public debate.

Authorities have systematically used Article 112 to target pro-democracy activists and protesters for peacefully criticizing the monarchy or advocating for reform of the institution, including through online expression.

The abuse of Article 112 first reached alarming levels following the May 2014 military coup, when the ruling military junta, the NCPO, intensified *lèse-majesté* prosecutions in the name of protecting the monarchy.¹²⁵ At the time of the military takeover, six people were behind bars for *lèse-majesté* violations. Between May 2014 and January 2018, at least 127 individuals had been arrested on *lèse-majesté* charges,¹²⁶ with at least 36 people imprisoned.¹²⁷ Those targeted were primarily activists and members or supporters of the anti-establishment group United Front for Democracy against Dictatorship.¹²⁸

A second wave of *lèse-majesté* prosecutions was in response to the nationwide pro-democracy protests that swept Thailand in 2020-2021.¹²⁹ During many of these demonstrations, protesters broke Thailand's longstanding political taboo by directly criticizing the monarchy and calling for reforms of the institution [See above, *Question #2*]. Some of the prominent activists faced numerous prosecutions under Article 112 in connection with multiple cases, which resulted in very long prison terms. They were routinely subjected to lengthy detention and frequent denial of bail by the courts, both during investigation and pending trial [See above, *Question #1*].

For instance, human rights lawyer Arnon Nampa has accumulated a prison term of over 31 years, stemming from 11 *lèse-majesté* convictions for his speeches and online posts that called for monarchy reform.¹³⁰ As of July 2026, three additional *lèse-majesté* cases remained pending. Arnon has been arbitrarily incarcerated at the Bangkok Remand Prison since his first *lèse-majesté* conviction on 26 September 2023.

¹²⁵ FIDH, *36 and counting: Lèse-majesté imprisonment under Thailand's military junta*, 26 February 2016

¹²⁶ FIDH, *Second wave: The return of lèse-majesté in Thailand*, 5 October 2021

¹²⁷ iLaw, *4 Years of the NCPO. 36 Article 112 prisoners still detained*, 28 March 2018, <https://www.ilaw.or.th/articles/9228> [in Thai].

¹²⁸ The United Front for Democracy against Dictatorship was a political movement formed to support former Prime Minister Thaksin Shinawatra, who was ousted in a military coup in September 2006.

¹²⁹ FIDH, *Second wave: The return of lèse-majesté in Thailand*, 5 October 2021

¹³⁰ FIDH, *Thailand: Conviction and prison sentences of four prominent pro-democracy activists on lèse-majesté charges*, 20 February 2026



A protester dressed as a witch holds a placard calling for the release of imprisoned pro-democracy activist and human rights lawyer Arnon Nampa during a Harry Potter-themed rally at Bangkok's Democracy Monument on 2 August 2026. © VALERIA MONGELLI / ANADOLU / ANADOLU VIA AFP

At the same time, online civic space has been increasingly constrained by cyber vigilantism. Following the rise of the pro-democracy movement in 2020, state actors and pro-monarchy cyber vigilante groups have used online information operations to instigate nationalist sentiment and attack political dissents through *lèse-majesté* complaints.¹³¹ In some cases, online vigilantism escalated into intimidation, harassment, and physical attacks against individuals targeted for their views on the monarchy.¹³²

131 TLHR, *Cyber vigilante group threatens at least 62 individuals with lèse-majesté, leaking personal information of over 466 individuals via Google Map*, 30 June 2021; FIDH, *Second wave: The return of lèse-majesté in Thailand*, 5 October 2021

132 FIDH, *Standing tall: Women human rights defenders at the forefront of Thailand's pro-democracy protests*, 3 February 2021; TLHR, *Soldiers and individuals claiming to be the "Minion Army" storm a citizen's workplace, citing Facebook comments about the monarchy, threatening legal action, and forcing the person to sign a memorandum of understanding*, 4 June 2023, <https://tlhr2014.com/archives/56527> [in Thai]; TLHR, *Psychiatric patient assaulted by a group of individuals and reported for prosecution under Article 112*, 23 July 2026, <https://tlhr2014.com/archives/85123> [in Thai]

These restrictions were further institutionalized by the Constitutional Court's ruling in November 2021 that peaceful protests and calls by pro-democracy activists for reform of the monarchy in 2020 constituted "an attempt to overthrow the democratic regime of government with the King as the head of state," in violation of Article 49 of Thailand's 2017 Constitution.¹³³

The climate of fear created by *lèse-majesté* prosecutions has weakened civil society networks and contributed to a decline in political mobilization.¹³⁴ Since the May 2014 coup, over 100 Thai activists, protest leaders, academics, and ordinary citizens - the majority of whom were charged under Article 112 - have fled the country to escape arrest, almost certain convictions and prison sentences, and other threats and intimidation.¹³⁵

Political persecution of Thai civil society members under Article 112 has also extended beyond Thailand's borders. Between 2016 and 2020, those seeking refuge in neighboring countries, including Cambodia, Vietnam, and Laos, were actively pursued for their peaceful and legitimate exercise of their rights to freedom of expression. During that period, nine exiled Thai activists living in neighboring countries are known to have disappeared.¹³⁶ All of them were charged with violations of Article 112 and had arrest warrants issued against them.

The risk of *lèse-majesté* prosecutions has forced activists who have remained in Thailand, including many youths who were at the forefront of the 2020–2021 pro-democracy protests, to limit or withdraw from political activism.¹³⁷ They have continued to live under the constant threat of arrest and imprisonment, with prolonged criminal proceedings that impose significant psychological stress on them.¹³⁸

133 Article 49 of the 2017 Constitution prohibits the exercise of rights or liberties to overthrow the democratic regime of government with the King as head of state.; TLHR, *The Constitutional Court read its ruling on 10 Nov., the case of Anon-Mike-Rung on whether their speeches overthrow the monarchy, without inquiry*, 18 November 2021

134 DW, *What happened to Thailand's protests?*, 19 May 2022

135 TLHR, *Situation of Thai refugees: 104 refugees remain in exile, calls for the courts to grant bail in political cases to prevent an increase in the number of refugees and the government to expedite amnesties, including for those charged under Article 112*, 25 June 2024, <https://tlhr2014.com/archives/68186> [in Thai]

136 These included: Ittiphon Sukpaen (2016, Laos); Wuthipong Kachathamakul (2017, Laos); Surachai Danwattananusorn, (2018, Laos); Kraidej Luelert (2018, Laos); Chatchan Bubphawan (2018, Laos); Siam Theerawut (2019, Vietnam); Chucheeep Chivasut (2019, Vietnam); Kritsana Thapthai (2019, Vietnam), and Wanchalearm Satsaksit (2020, Cambodia). The mutilated bodies of Chatchan Bubphawan and Kraidej Luelert were found floating on the banks of the Mekong River in Thailand's Nakhon Phanom Province in December 2018. The fate or whereabouts of the other seven remain unknown to date.

137 France 24, *Thailand's youth-led pro-democracy movement torn between hope and disillusion*, 31 January 2025

138 Straits Times, *Exiled, jailed or silenced: Thailand's youth protest leaders languish under prosecution blitz*, 15 September 2014

13. WHAT REFORMS OF ARTICLE 112 HAVE BEEN PROPOSED?

The current wording of Article 112 has remained unchanged since its latest revision in 1976 by then-military junta, the National Administrative Reform Council (NARC).¹³⁹ Over the past two decades, several reform attempts by various groups to reduce penalties, limit the provision's application, and strengthen protections for freedom of expression, have failed to achieve legislative change. These do not include proposals to repeal Article 112 by various civil society groups such as the Network for Democracy in 2011 and the *Khana Ratsadon* in 2021.

In contrast to these progressive proposed reforms, ahead of the May 2023 general election, the conservative Thai Pakdee Party campaigned to make Article 112 even more stringent. The party proposed to expand Article 112's scope to protect former Thai kings, additional members of the royal family, and the monarchy as an institution.¹⁴⁰ The party failed to win any seats in the 2023 election and won a single seat in the February 2026 polls.

Below are the details of the proposed progressive reforms of Article 112.

Truth for Reconciliation Commission of Thailand (2011)

In 2011, the Truth for Reconciliation Commission of Thailand (TRCT), an independent non-judicial fact-finding body established to investigate Thailand's 2010 political violence, made a series of proposals to the government under then-Prime Minister Yingluck Shinawatra concerning the reform of Article 112 and its enforcement.¹⁴¹ This included a review of the overly broad interpretation of the law and a guarantee of the fundamental right to bail for accused individuals and defendants in *lèse-majesté* cases. The TRCT also recommended that *lèse-majesté* prosecutions require prior authorization from a designated authority rather than being initiated through private complaints, and that penalties be reduced to a maximum of seven years' imprisonment or a fine of 14,000 baht (about US\$421), with no minimum sentence.

In September 2012, the TRCT published its final report on the 2010 political violence.¹⁴² The report recommended relevant authorities exercise careful discretion in criminal justice proceedings in *lèse-majesté* cases. It also urged the government to establish a centralized mechanism to ensure an integrated approach to *lèse-majesté* enforcement to prevent excessive prosecutions.

139 The previous version of Article 112 prescribed no minimum prison sentence and a maximum prison sentence of seven years. This was amended to prescribe penalties ranging from three to 15 years in prison by Order No.41 issued by the NARC, the military junta led by Admiral Sangad Chaloryu; iLaw, *All criminal penalties for "defamation" are a legacy of the October 6th coup*, 21 October 2021, <https://www.ilaw.or.th/articles/4898> [in Thai]

140 Prachatai, *Election 2023: A look at 6 political parties and their stance on 'protecting Article 112'*, 12 April 2023, <https://prachatai.com/journal/2023/04/103636> [in Thai]

141 The TRCT was established in July 2010 by then-Prime Minister Abhisit Vejjajiva in the wake of violent dispersals of protests led by the United Front for Democracy against Dictatorship between April and May 2010, which resulted in 92 deaths and thousands of injuries. The TRCT was tasked with investigating and determining the root causes of the political violence and providing recommendations for reducing future conflict and promoting reconciliation. Its mandate lasted from 17 July 2010 to 16 July 2012.

142 Final Report of Truth for Reconciliation Commission of Thailand (TRCT) - July 2010 – July 2012, September 2012

Nitirat group (2011)

In March 2011, the Nitirat [enlightened jurists] group, a network of progressive legal academics from Thammasat University, announced a proposal to amend Article 112.¹⁴³ Key recommendations included: (1) removing it from the Criminal Code's chapter on national security offenses; (2) removing the mandatory minimum sentence and reducing the maximum penalty to no more than three years' imprisonment; (3) prohibiting private individuals from filing complaints and granting sole authority to initiate proceedings to the King's Office of Principal Private Secretary; and (4) making exemptions from liability for statements made in good faith, as well as exemptions from punishment where such statements are proven to be true and in the public interest.¹⁴⁴

These proposed reforms subsequently formed the basis for a nationwide campaign launched in January 2012 by the Campaign Committee to Amend Article 112 to collect signatures from eligible voters to petition Parliament to amend the law.¹⁴⁵ In May 2012, the petition, which had received over 26,000 signatories, was submitted to Parliament.¹⁴⁶ In October 2012, the petition was rejected on the ground that it did not fall within the constitutional right of citizens to propose legislative changes.¹⁴⁷ The appeal submitted in February 2013 was also rejected by Parliament.¹⁴⁸

Move Forward Party (2021)

In February 2021, the Move Forward Party submitted to Parliament a draft bill to amend the Criminal Code concerning defamation offenses, including Article 112.¹⁴⁹ The main proposed amendments included: (1) removing Article 112 from the chapter on national security offenses; (2) removing the mandatory minimum sentence and lowering the maximum penalty to one year imprisonment; (3) restricting the authority to file complaints to the Bureau of the Royal Household; and (4) introducing exemptions for good-faith criticism or truthful statements made in the public interest. The proposal also sought to allow complaints to be withdrawn and cases to be settled.¹⁵⁰

The proposed reforms were incorporated into the Move Forward Party's policy platform during its campaign leading up to the May 2023 general election.¹⁵¹

The Move Forward Party's attempt to amend Article 112 later became the basis for the Constitutional Court's ruling in January 2024, which ultimately led to its dissolution in August 2024 [See above, *Question #12*].

143 Formed in 2010, the group actively campaigned to reform Thailand's legal system, including by challenging the constitutionality of the September 2006 military coup and advocating for the amendment of Article 112; iLaw, *Nitirat proposes removing Article 112 and amending the defamation law*, March 2011, <https://old.ilaw.or.th/node/827> [in Thai]

144 The proposed reforms also called for introducing a new chapter in the Criminal Code on offenses against the King, the Queen, the Heir-Apparent, and the Regent, and separating provisions concerning the King from those relating to the Queen, the Heir-Apparent, and the Regent.

145 The Campaign Committee to Amend Article 112 was a coalition of activists, writers, artists, and academics created to oversee the public reform campaign. Article 163 of Thailand's 2007 Constitution allowed citizens to submit a draft bill provided that it concerned matters within Chapter 3 on rights and liberties and was supported by at least 10,000 eligible voters.

146 Bangkok Post, *Section 112 must change with the times*, 6 November 2021

147 Prachatai, *Academics appeal to House Speaker on amendment to lèse-majesté law*, 19 February 2013

148 iLaw Facebook page, *Not long ago, citizens submitted a petition to parliament requesting amendments to Article 112, but Parliament rejected it!*, 12 December 2020, <https://tinyurl.com/5bh3yebe> [in Thai]

149 Thai PBS, *Article 112: a Law that citizens and Parliament have no right to amend?*, 23 April 2026, <https://theactive.thaipbs.or.th/data/article-112> [in Thai]

150 Other proposed amendments included establishing a separate chapter dealing specifically with offenses relating to the monarchy and distinguishing offenses against the King from those concerning the Queen, the Heir-Apparent, or the Regent, with different penalty levels.

151 BBC Thai, *Article 112: Move Forward's future in the midst of opposition to its policy to amend the lèse-majesté law*, 24 October 2022, <https://www.bbc.com/thai/articles/cw4Qw4zzkypo> [in Thai]

October 6 Campaign (2026)

In July 2026, the 6 October Memorial Organizing Network (a group that commemorates the victims of the 6 October 1976 massacre at Bangkok's Thammasat University), together with other civil society organizations, launched a public signature campaign in support of a bill to repeal the NARC's Order No. 41 issued in 1976.¹⁵² The campaign will run until 6 October 2026, with organizers aiming to collect 50,000 signatures.¹⁵³

Proposed reforms of Article 112				
Key elements	Proponent			
	TRCT (2011-2012)	Nitirat group (2011)	Move Forward Party (2021-2023)	October 6 Campaign (2026)
Reduce penalties	✓	✓	✓	✓
Remove mandatory minimum sentences	✓	✓	✓	✓
Remove Article 112 from the chapter on national security offenses		✓	✓	
End private complaints and restrict authority to initiate prosecutions	✓	✓	✓	
Establish a centralized oversight mechanism	✓			
Introduce exemptions for good faith/public interest expression		✓	✓	
Allow withdrawal or settlement of cases			✓	

¹⁵² iLaw, *Statement on the launch of "Dismantling the 6 October coup legacy" campaign*, 7 July 2026, <https://www.ilaw.or.th/articles/58567> [in Thai]

¹⁵³ Under Article 133(3) of the 2017 Constitution, a bill proposed by citizens must be supported by at least 10,000 eligible voters before it can be submitted to the House of Representatives.

14. WHAT HAVE UN HUMAN RIGHTS MECHANISMS SAID ABOUT ARTICLE 112?

All the relevant key UN human rights mechanisms have consistently expressed their concerns over various aspects of the enforcement of Article 112 of Thailand's Criminal Code and declared it incompatible with Thailand's obligations under international human rights law, particularly Article 19 of the ICCPR.

Between 2011 and 2026, treaty bodies, thematic special procedures, and the Office of the High Commissioner for Human Rights (OHCHR) addressed the issue of Article 112. Many of them recommended the review and/or amendment of Article 112, and some even called for its repeal.

Treaty bodies

In June 2015, following its review of Thailand's initial and second periodic reports under the International Covenant on Economic, Social and Cultural Rights (ICESCR), the UN Committee on Economic, Social and Cultural Rights (CESCR) expressed concern over the adverse effect of the excessive interpretation of *lèse-majesté* on the enjoyment of the right to take part in cultural life. The CESCR recommended the amendment of Article 112 "with a view to ensuring clarity and unambiguity regarding prohibited acts and that any sanctions are strictly proportionate to the harm caused."¹⁵⁴

In March 2017, following its review of Thailand's second report under the ICCPR, the UN Human Rights Committee (CCPR) expressed concern over the sharp increase in the number of individuals detained and prosecuted under Article 112 since the May 2014 military coup and over "extreme sentencing practices" for *lèse-majesté*. The CCPR reiterated that the imprisonment of persons for exercising their right to freedom of expression violated Article 19 of the ICCPR and recommended the review of Article 112 to bring it into line with Article 19 of the ICCPR.¹⁵⁵

¹⁵⁴ CESCR, *Concluding observations on the combined initial and second periodic reports of Thailand*, 7 July 2015; UN Doc. E/C.12/THA/CO/1-2, para. 35.

¹⁵⁵ CCPR, *Concluding observations on the second periodic report of Thailand*, 25 April 2017; UN Doc. CCPR/C/THA/CO/2, paras. 37-38.



The UN Human Rights Committee reviews Thailand's second periodic report under the ICCPR in Geneva, Switzerland, on 13 March 2017. © FIDH

On 5 November 2024, during its review of Thailand's second periodic report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Committee Against Torture repeatedly raised concerns over the issue of *lèse-majesté* detentions, without receiving any responses from the Thai government delegation.¹⁵⁶

In July 2025, after its review of Thailand's eighth periodic report under the Convention on the Elimination of All Forms of Discrimination against Women, the Committee on the Elimination of Discrimination against Women recommended Thai authorities ensure that women human rights defenders were not subject to criminal charges for their work, including by amending Article 112 of the Criminal Code.¹⁵⁷

¹⁵⁶ CAT, *Summary record of the 2148th meeting*, 18 November 2024; UN Doc. CAT/C/SR.2148, paras. 31, 32, and 36.

¹⁵⁷ CEDAW, *Concluding observations on the eighth periodic report of Thailand*, 10 July 2025; UN Doc. CEDAW/C/THA/CO/8, para. 34(b).

Special procedures

Between June 2011 and March 2026, 13 thematic special procedures issued, individually or jointly, nine public statements and sent 25 communications to the Thai government concerning the human rights implications of the enforcement of *lèse-majesté*.¹⁵⁸

The special procedures raised concerns over the impact of Article 112 on: the right to liberty, including the disproportionate punishments and the frequent denials of bail applications for *lèse-majesté* detainees; the right to freedom of expression, including the deterrent effect on critics, political opponents, human rights activists, and journalists; the right to freedom of association, in relation to the dissolution of political parties; the independence and impartiality of the judiciary and the right to a fair trial in *lèse-majesté* cases, including regarding trials of *lèse-majesté* defendants by military courts between May 2014 and September 2016; detention conditions for certain *lèse-majesté* detainees, including one case of death in detention; and enforced disappearance and extrajudicial executions of exiled critics of the Thai monarchy. The special procedures also raised their concerns over numerous individual cases of *lèse-majesté* defendants and/or detainees, including children.¹⁵⁹

The government replied to 13 of the 25 communications. In its replies, the government generally ignored the specific questions and concerns related to international human rights law raised by the special procedures and repeatedly claimed Article 112 was necessary to protect the monarchy, public order, and national security, and that it was not aimed at curbing freedom of expression.

Among the thematic special procedures, the Working Group on Arbitrary Detention (WGAD) issued 14 opinions concerning individual cases of *lèse-majesté* detainees between 2012 and 2026.¹⁶⁰ In all these cases, the WGAD found that the deprivation of liberty of the *lèse-majesté* detainees was “arbitrary” because it met one or more criteria set by the WGAD for such determination. In particular, the WGAD opined that the deprivation of liberty for *lèse-majesté*: lacked a legal basis because it was pursuant to legislation (i.e. Article 112) that is inconsistent with international human rights law; resulted from the exercise of the right to freedom of expression; stemmed from a grave violation of the right to a fair trial; constituted a violation of international law on the grounds of discrimination based on the political or other opinion regarding *lèse-majesté* itself. In all its opinions, the WGAD called for the release of the *lèse-majesté* detainees in question.

158 The 13 thematic special procedures included three working groups (on arbitrary detention; on discrimination against women and girls; and on enforced or involuntary disappearances) and 10 special rapporteurs (on the independence of judges and lawyers; on freedom of opinion and expression; on freedom of peaceful assembly and of association; on human rights defenders; on the right to privacy; on extrajudicial, summary or arbitrary execution; on the human rights of migrants; on extreme poverty and human rights; on torture and on the right to health).

159 JAL THA 2/2026, 30 March 2026; JAL THA 10/2025, 17 September 2025; JAL THA 2/2025, 20 February 2025; AL THA 11/2024, 17 October 2024; JAL THA 8/2024, 6 August 2024; JAL THA 5/2024, 30 April 2024; JAL THA 3/2024 13 March 2024; JAL THA 5/2023, 24 August 2023; JAL THA 2/2023, 5 May 2023; JAL THA 6/2021, 29 October 2021; JAL THA 11/2020, 11 January 2021; JAL THA 8/2020, 11 December 2020; JAL THA 7/2020, 17 September 2020; JAL THA 1/2020, 20 January 2020; JUA THA 3/2019, 6 March 2019; JUA THA 7/2017, 22 December 2017; JUA THA 1/2017, 24 January 2017; JAL THA 4/2016, 27 May 2016; JUA THA 9/2015, 25 February 2016; JUA THA 13/2014, 8 December 2014; UA THA 1/2014, 25 March 2014; AL THA 13/2012, 14 December 2012; JUA THA 10/2011, 6 January 2012; JUA THA 9/2011, 20 December 2011; JUA THA 5/2011, 10 June 2011. OHCHR, *Thailand / Freedom of expression: UN expert recommends amendment of lèse majesté laws*, 10 October; OHCHR, *UN expert dismayed over Thai leader's intimidating statements against freedom of the press*, 1 April 2015; OHCHR, *Thailand: UN rights expert concerned by the continued use of lèse-majesté prosecutions*, 7 February 2017; FIDH, *UN expert calls for end to lèse-majesté prosecutions and more arbitrary detentions*, 10 October 2017; OHCHR, *Thailand: UN experts alarmed by rise in use of lèse-majesté laws*, 8 February 2021; OHCHR, *Thailand: UN experts alarmed by sentences handed down to human rights lawyer Arnon Nampa on lèse-majesté charges*, 25 March 2024; OHCHR, *Thailand: UN experts seriously concerned about dissolution of main political party*, 12 August 2024, OHCHR, *Thailand must immediately repeal lèse-majesté laws, say UN experts*, 30 January 2025; OHCHR, *UN experts urge Thailand to drop charges against Pimsiri Petchnamrob and other pro-democracy rights defenders*, 11 July 2025.

160 The 14 individuals are: Somyot Prueksakasemsuk (2012); Patiwat Saraiyaem (2014); Pornthip Munkong (2015); Pongsak Sriboonpeng (2016); Thiansutham Suthijitseranee (2017); Sasiphimon Patomwongfangam (2017); Chayapha Chokepornbudsri (2018); Siraphop Kornaroot (2019); Anchan Preeleerd (2021); Tantawan Tuatulanon (2023); Arnon Nampa (2024); Netiporn Sanesangkhom (2024); Sirapob Phumphengphut (2025); and Sopon Surariddhidhamrong (2026).

In addition, in May 2026, the Working Group on discrimination against women and girls released its report on the official visit to Thailand it had conducted in December 2024. The Working Group noted that since 2020, several women activists had faced arrest, pre-trial detention, and charges under Article 112.¹⁶¹

OHCHR

Between December 2011 and August 2024, OHCHR (including all four High Commissioners for Human Rights themselves) issued a total of eight public statements that voiced concern over various aspects of the enforcement of Article 112. These included: the high rate of *lèse-majesté* prosecution; the imposition of disproportionate prison sentences; the extended pre-trial detention periods for *lèse-majesté* defendants; the prosecution of children; violations of fair trial rights; and the dissolution of the Move Forward Party [See above, *Question #12*].

¹⁶¹ Human Rights Council, *Visit to Thailand - Report of the Working Group on discrimination against women and girls*, 19 May 2025; UN Doc. A/HRC/59/45/Add.2, para. 22.

15. WHAT RECOMMENDATIONS CONCERNING ARTICLE 112 HAVE BEEN MADE TO THAILAND DURING ITS UNIVERSAL PERIODIC REVIEWS?

During the first three UPRs, Thailand received a total of 28 recommendations from 17 states concerning the issue of *lèse-majesté*. The increase in the number of recommendations (12) during the third UPR reflected the growing international awareness and concern over the human rights implications of the enforcement of Article 112. Overall, the Thai government refused to accept all but two recommendations (made during the first UPR).

UPR recommendations and advance questions on <i>lèse-majesté</i>				
UPR	Recommendations	States	Advance questions	States
First (2011)	8	France (2) Norway (2) Slovenia Spain Switzerland UK	2	Netherlands Norway
Second (2016)	8	Belgium Canada Iceland Germany Latvia Norway Spain US	6	Australia (2) Czech Republic Germany Netherlands Norway
Third (2021)	12	Austria Belgium Canada Denmark Finland France Germany Luxembourg Norway Sweden Switzerland US	1	Belgium

During its first UPR on 5 October 2011, Thailand received eight recommendations and two advance questions on *lèse-majesté*. These recommendations called for the review or repeal of Article 112 and the respect of fair trial rights of defendants in *lèse-majesté* cases.¹⁶² The government did not accept six of the eight recommendations, maintaining that that *lèse-majesté* was part of Thailand's "domestic affairs" and that the government would not take the initiative to review or amend Article 112 – a matter that would "depend solely on the decision of the Thai people." The government accepted two recommendations on the guarantee of fair trial rights for *lèse-majesté* defendants, claiming that *lèse-majesté* proceedings were "open and transparent" and that persons charged with *lèse-majesté* were accorded the same rights as persons charged with other criminal offenses.¹⁶³

During its second UPR on 11 May 2016, Thailand received eight recommendations and six advance questions on *lèse-majesté*. Six recommendations called for the amendment or repeal of Article 112, with one calling for an end to its abuse and the release of all *lèse-majesté* detainees, and one calling for the abolition of mandatory minimum jail sentences under Article 112.¹⁶⁴ None of the eight recommendations enjoyed the support of the government, which simply stated it was "not ready" to accept them.¹⁶⁵

During its third UPR on 10 November 2021, Thailand received 12 recommendations and one advance question on *lèse-majesté*. Ten recommendations called for the review, amendment, or repeal of Article 112, and the remaining two called for an end to the arrests, prosecutions, and prison sentences against children under Article 112.¹⁶⁶ The government justified its non-acceptance of all 12 recommendations by claiming it continued to support "the principle of maintaining a balance in the exercise of individuals' rights without infringing upon others' rights, national security, [and] public order."¹⁶⁷

¹⁶² Human Rights Council, *Report of the Working Group on the Universal Periodic Review - Thailand*, 8 December 2011; UN Doc. A/HRC/19/8

¹⁶³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Thailand (Addendum)*, 6 March 2012; UN Doc. A/HRC/19/8/Add.1, paras. 7-8.

¹⁶⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Thailand*, 15 July 2016; UN Doc. A/HRC/33/16

¹⁶⁵ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Thailand (Addendum)*, 7 September 2016; UN Doc. A/HRC/33/16/Add.1, para. 18.

¹⁶⁶ Human Rights Council, *Report of the Working Group on the Universal Periodic Review - Thailand*, 21 December 2021; UN Doc. A/HRC/49/17

¹⁶⁷ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Thailand (Addendum)*, 17 February 2022; UN Doc. A/HRC/49/17/Add.1, para. 9.

RECOMMENDATIONS

FIDH and TLHR call on the Thai government to take the following measures:

- Withdraw the charges under Article 112 of the Criminal Code against pro-democracy activists, protesters, and other individuals, including children, for the legitimate exercise of their rights to freedom of opinion and expression and freedom of peaceful assembly.
- End arrests, prosecutions, and detentions under Article 112 of the Criminal Code of pro-democracy activists, protesters, and other individuals, including children, for the legitimate exercise of their rights to freedom of opinion and expression and freedom of peaceful assembly.
- Immediately and unconditionally release all individuals detained under Article 112 of the Criminal Code for the legitimate exercise of their fundamental rights to freedom of opinion and expression and freedom of peaceful assembly.
- Establish a moratorium on prosecutions under Article 112 of the Criminal Code of individuals who exercise their rights to freedom of opinion and expression and freedom of peaceful assembly.
- Guarantee fair trial rights to *lèse-majesté* defendants, including the right to bail in line with Articles 9 and 14 of the ICCPR.
- Amend Article 112 of the Criminal Code to bring it into line with Thailand's international human rights obligations under the ICCPR.
- Remove prison terms for violations of Article 112 of the Criminal Code that stem from the legitimate exercise of the right to freedom of opinion and expression.
- Reserve the sole power to file complaints under Article 112 of the Criminal Code to the Bureau of the Royal Household.
- Lift the ban on publications and all other material related to the Thai monarchy.
- End censorship of all print and online material that contains information related to the Thai monarchy.
- Guarantee a safe environment for activists, human rights defenders, protesters, and other individuals who exercise, or seek to exercise, their legitimate rights to freedom of expression and freedom of peaceful assembly and protect them from all forms of intimidation, threats, and reprisals.
- Ensure that political parties are not subjected to dissolution and their members to political bans or other judicial proceedings solely for expressing views on Article 112 or advocating for its reforms through lawful means.
- Take practical steps to promote a free, open, and informed public debate on the reform of Article 112 of the Criminal Code.
- Fully comply with recommendations made by relevant UN human rights mechanisms regarding Article 112 of the Criminal Code.
- Extend an official invitation for a country visit to relevant UN special procedures, including: the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the UN Special Rapporteur on the situation of human rights defenders; and the UN WGAD.
- Ratify the Optional Protocols to the ICESCR and ICCPR.

Report partner



Thai Lawyers for Human Rights (TLHR) is an organization of human rights lawyers and defenders that was established immediately after the May 2014 *coup d'état* in Thailand. The organization's objective has been to raise awareness about human rights violations stemming from the imposition of martial law and military rule in the country. TLHR also provides legal and litigation assistance to individuals who are charged and/or prosecuted as a result of their political expressions.

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The unsayable

Q&A on Thailand's *Lèse-Majesté*

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A placard opposing Article 112 of Thailand's Criminal Code (*lèse-majesté*) is displayed during a peaceful demonstration at Bangkok's Democracy Monument on 2 August 2026. © VALERIA MONGELLI/ANADOLU /ANADOLU VIA AFP

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