STATEMENT

UPR PRE-SESSION ON THAILAND

Thai Lawyers for Human Rights

Criminalization of Free Expression and Political Participation in Thailand

Agenda

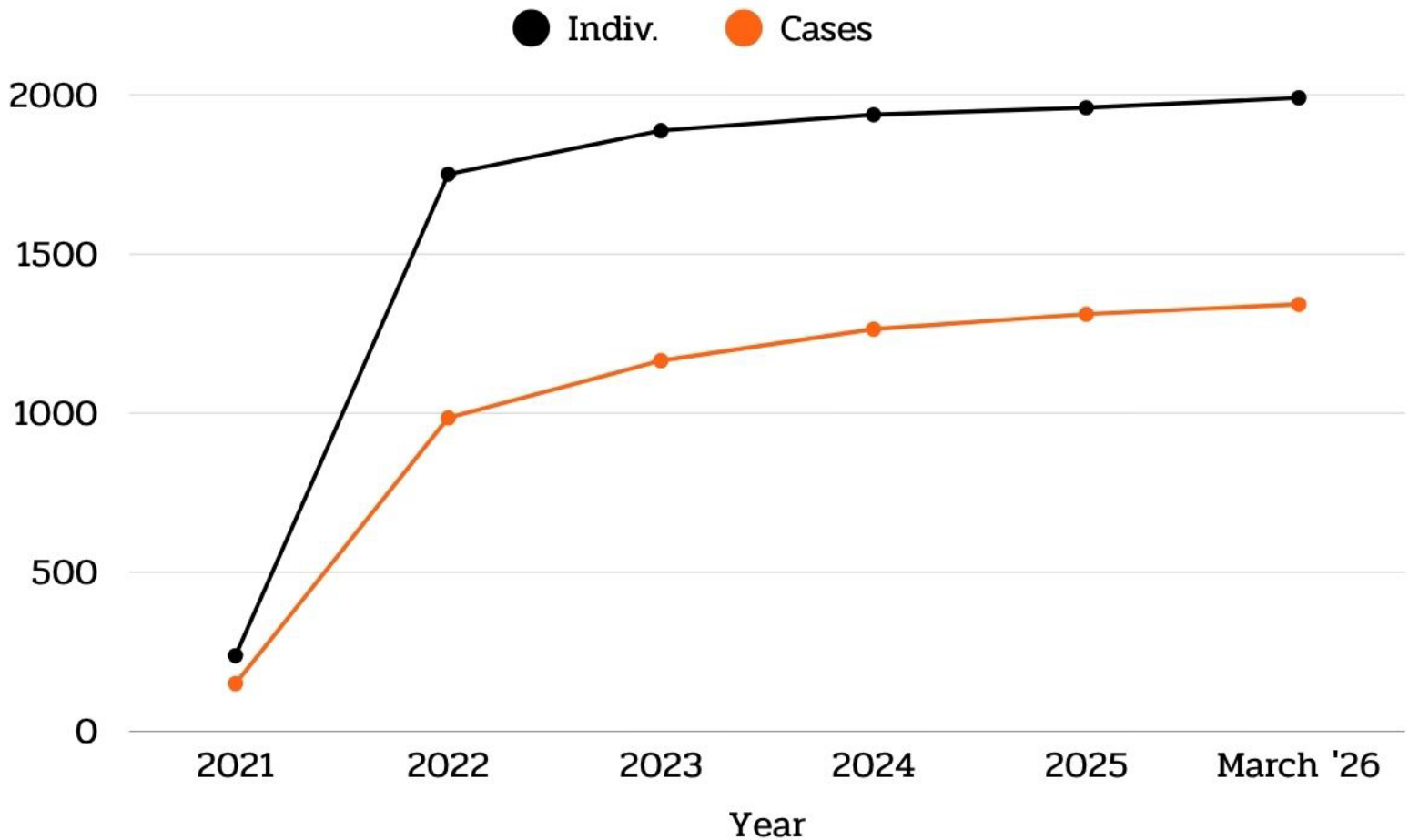
1. Political Prosecution
   - Children's Rights
2. Article 112 or Lèse-Majesté

Youth-led pro-democracy movement in 2020...

- Democratic reforms
- Monarchy reforms
- Constitutional reforms

Political Prosecution

Between 2020 and 2026, almost **2,000 people** have been charged/prosecuted for exercising their right to freedom of expression or peaceful assembly.



Including at least **286 children** under the age of 18...

Recommendations

- **Third Cycle**: Thailand supported at least **15** recommendations on freedoms of expression and peaceful assembly.
- **Today**: There are still almost **600 ongoing** criminal cases.

Recommendations
Drop all charges and cease all criminal proceedings against individuals, especially children, prosecuted solely for the peaceful exercise of their rights to freedom of expression and peaceful assembly.
Prohibit the arrest and detention of children, and the bringing of criminal proceedings against them, for conduct protected by articles 13 and 15 of the CRC, and discontinue all pending proceedings of this kind.

Lèse-Majesté

Article 112 of the Criminal Code

Lèse-Majesté

Article 112 of the Criminal Code

SENTENCE

3–15 years

per count | equivalent to manslaughter

CONVICTION RATE

~90%

extremely low chance of acquittal

UN COMMUNICATIONS

26

comms by UN Special Rapporteurs regarding Article 112 since 2010

From 2020 to 2026:

292 people

20 children

321 cases

ACTS PROSECUTED AS LÈSE-MAJESTÉ

- Conducting public opinion polls about the monarchy
- T-shirt: “We have lost faith in the monarchy”
- Wearing a crop-top or a Thai traditional dress
- Questioning COVID-19 vaccine procurement policy
- Quoting UN expert’s opinion about Article 112
- Questioning Parliament’s budget allocation to monarchy
- Questioning laws transferring military units to the King

Lèse-Majesté

Emblematic Cases

Arnon Nampa

Human Rights Lawyer

Status:	Imprisoned, detained for **1,000+** days
Sentence:	**31** years, **9** months, **20** days
Conduct:	Peacefully calling for democratic and monarchy reforms in Thailand
No. of criminal cases:	38 criminal cases, including 14 lèse-majesté cases

Mongkhon Thirakot

Pro-Democracy Activist

Status:	Imprisoned, detained for **900+** days
Sentence:	**50** years, **6** months
Conduct:	Posting clips (e.g., John Oliver's Last Week Tonight) on social media about the Thai monarchy
No. of criminal cases:	3 lèse-majesté cases

Lèse-Majesté

Impact on Democracy

2023
General Election
Progressive party won the most seats

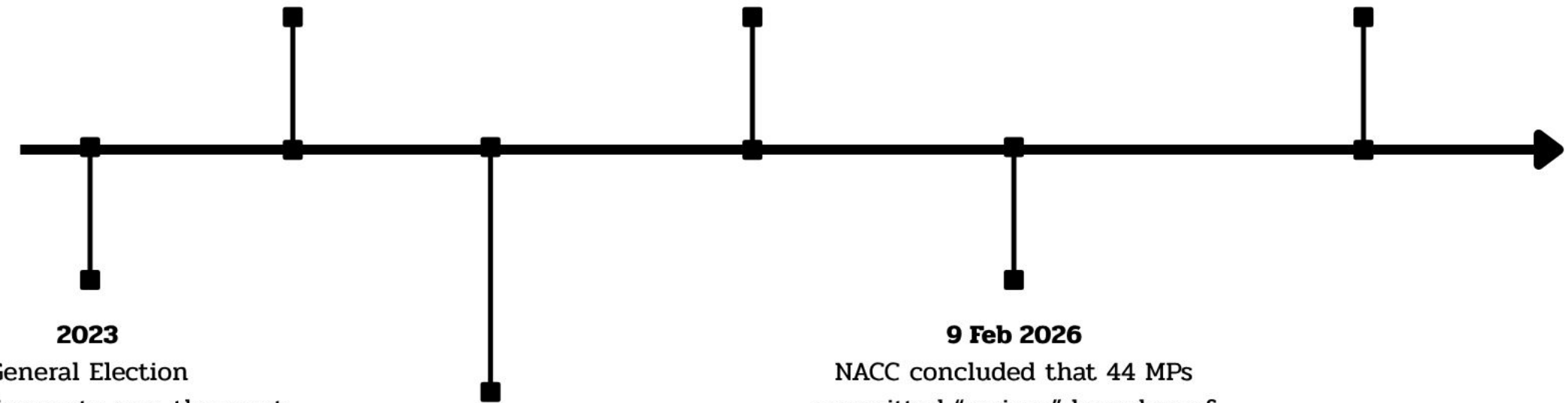
2024
Winner of election dissolved by Constitutional Court for proposing to amend Article 112
Party executives received 10-year ban from politics

2025
44 MPs who sponsored the bill to amend Article 112 investigated for "serious ethical violations"

9 Feb 2026
NACC concluded that 44 MPs committed "serious" breaches of ethical standards. To refer the case to the Supreme Court.

8 Feb 2026
General Election

April 2026
Supreme Court accepted the "44 MPs" case.
If found guilty ==> lifetime ban from politics



Recommendations

- **Third Cycle**: Thailand noted 12 recommendations on Article 112.

Recommendations
Amend Article 112 of the Criminal Code to bring it into conformity with article 19 of the ICCPR, by abolishing custodial penalties, removing the mandatory minimum sentence, and restricting the power to file complaints to a designated State authority.
Drop all charges and cease all prosecutions under Article 112 of the Criminal Code, and immediately and unconditionally release all persons detained or imprisoned under that provision.
Extend the amnesty granted under the Promotion of a Peaceful Society Act to all persons, especially those who were under 18 years of age at the time of the alleged offense, including those charged under Article 112 of the Criminal Code.

Thank you.