EU SEE
SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Thailand

March 2026

TLHR
THAI LAWYERS FOR HUMAN RIGHTS
ศูนย์ทนายความเพื่อสิทธิมนุษยชน

Context

Period covered by the report: 5/11/2025 to 30/03/2026

In May 2020, Thailand witnessed a youth-led pro-democracy movement advocating to amend the lèse-majesté law, monarchy reform, and constitutional redrafting. In response, then-PM General Prayut Chan-ocha declared that all laws would be used against protesters. This includes laws criminalising free speech and peaceful assembly, such as lèse-majesté, the royal defamation law. However, the right to freedom of expression and peaceful assembly in Thailand are guaranteed in sections 34 and 44 of the 2017 Constitution of Thailand respectively, as well as articles 19 and 21 of the International Covenant on Civil and Political Rights (ICCPR) to which Thailand is a state party.

Since May 2025, Thailand's political landscape has been disrupted by a leaked phone call between former Thai Prime Minister Paetongtarn Shinawatra and Cambodia's Hun Sen, prompting the BJT coalition party to withdraw and ultimately leading to her removal by the Constitutional Court in August 2025. This marks the second time in a year that the Constitutional Court has removed a prime minister from the Pheu Thai Party.

In early September 2025, Thailand's Parliament elected BJT leader Anutin Charnvirakul as prime minister, forming a minority government with conditional support from the People's Party. On 11 December 2025, Prime Minister Anutin announced the dissolution of parliament, formalised through a royal decree on 12 December 2025. The recent political instability, marked by the removal of two prime ministers and the formation of a conservative Bhumjaithai-led government has further eroded public trust and constrained civic participation. On 8 February 2026, Thailand held its general election as well as constitutional referendum. Defying most polls, the conservative BJT Party, led by Prime Minister Anutin, won 192 of 500 House seats. The progressive People's Party finished second with 120 seats and Pheu Thai recording 74 seats, with Bhumjaithai and Pheu Thai subsequently agreeing to form a coalition government. As of 4 March 2026, 499 of 500 of the House of Representative seats had been certified. On 19 March 2026, Anutin Charnvirakul was re-elected as Prime Minister.

Held concurrently with the general election, the constitutional referendum asked voters whether Thailand should begin the process of replacing the military-drafted 2017 Constitution. Official results from the Election Commission showed 58.64% voting in favour of drafting a new constitution, with 30.46% opposed and 8.34% abstaining, on a turnout of nearly 70%.

This EE Snapshot has been drafted by Thai Lawyers for Human Rights (TLHR), an organisation committed to cultivating a healthy democracy in Thailand. TLHR provides legal and litigation assistance to individuals whose civil and political rights have been violated as a result of exercising their right to free speech and peaceful assembly.

1. Respect and protection of fundamental freedoms

According to CIVICUS Monitor, civic space in Thailand is classified as "repressed", meaning there are serious constraints on fundamental civil society freedoms, including freedom of association and peaceful assembly. As of March 2026, there are currently 62 political prisoners in detention, 35 of whom (56%) are detained under Section 112 (lèse-majesté) and 5 of whom (8%) are detained under Section 110 (violence against the Queen or her liberty). Thirty-three are detained pending trial and appeal. As of March 2026, no fewer than 1,997 people in 1,346 cases have been charged under various repressive laws since July 2020, and 1095 people in 603 cases are still at various stages of the criminal justice system. Of these, 211 are children involved in 125 ongoing cases.

Amnesty Bill

Although Thailand has had a civilian-led government since September 2023, the state of

fundamental freedoms remains grim. People exercising their right to freedom of expression and peaceful assembly continue to be targeted, including through prosecution and detainment. There is little political will in parliamentary discussions regarding political amnesty to include lèse-majesté in the list of offences. In response to political repression, TLHR and 12 partners formed the Network for People's Amnesty, mobilising over 35,000 supporters and submitting an amnesty bill to parliament while addressing ongoing complex litigation challenges. The People's Amnesty bill was voted down in the House of Representatives in July 2025 as well as the bill proposed by the Move Forward Party (prior to its dissolution), while three alternative bills proposed by the Bhumjaithai Party, United Thai Nation Party, and Thai Teachers for People Party (none covering Sections 112 or 110) were accepted in principle. The Promoting Peaceful Society Bill (the "Bill") advanced as the principal draft. It proposed amnesty for offences under, *inter alia*, Sections 116, 326, and 328 of the Criminal Code, the Emergency Decree, the Computer Crimes Act, and the Public Assembly Act, and also extended amnesty to government officials accused of unlawful conduct in dispersing protesters, raising concerns of impunity and undermining accountability.

The Bill excluded many offences from amnesty, notably Sections 110 (violence against the Queen's Liberty) and 112 (lèse-majesté)—which together account for nearly a quarter of cases arising from political expression and peaceful assembly since 2020—leaving many political prisoners ineligible.

Although the Bill completed the committee stage, Parliament's dissolution in late 2025 caused it to lapse. Under the Constitution, the new Cabinet may request reinstatement within 60 days as from the date of convocation of the first sitting of Parliament after the general election; otherwise, the bill must be reintroduced again from the very beginning. As a result, those prosecuted for peacefully exercising freedom of expression and assembly remain at risk of criminal liability and imprisonment without a comprehensive legislative remedy.

Strategic Litigation against Public Participation & Criminal Defamation

On 24 September 2025, academic and writer Murray Hunter was arrested on a criminal defamation charge linked to articles he had published concerning Malaysian institutions. He was released on 20,000 baht bail and faces a potential eight-year prison sentence and a 800,000 baht fine. In February 2026, the case was formally resolved through a settlement that brought both the criminal defamation and related proceedings in Malaysia to a close, removing the risk of imprisonment and further litigation. This case is deeply concerning as it highlights the misuse of criminal defamation laws to suppress academic and free expression and demonstrates the transnational reach of repression, where speech critical of another country's institutions can result in arrest and prosecution in Thailand.

Further Crackdowns on Lèse-Majesté

In recent months, Thai courts have handed down sweeping lèse-majesté convictions that reflect both the law's escalating severity and its expanding scope.

In December 2025, the Supreme Court sentenced activist Mongkhon "Busbas" Thirakhot to 46 years' imprisonment, under Section 112 and the Computer Crimes Act (CCA) for sharing Facebook posts that included 23 clips from *Last Week Tonight with John Oliver*, *American Dad!*, and a BBC documentary about the monarchy.

On 18 February 2026, the Thai Supreme Court upheld a three-year-and-four-month prison sentence against "Wuttipat," a private citizen, for a 2020 Facebook post questioning the execution of three defendants in the case concerning the death of King Rama VIII, significantly expanding the scope of Section 112 by ruling that lèse-majesté protections extend to deceased former monarchs, on the grounds that criticism of past kings undermines public reverence for the monarchy and threatens national security.

On 8 April 2025, American academic Dr. Paul Wesley Chambers was charged under lèse-majesté and the Computer Crimes Act for allegedly posting statements on the website of ISEAS – Yusof Ishak Institute, in which he is accused of inviting people to join a webinar on military and police reshuffles in Thailand. The charges against Dr. Chambers constitute a serious violation of his right to freedom of expression and academic freedom. Dr. Chambers was subsequently dismissed from his position at Naresuan University. While the Office of the Attorney-General dropped the charges on 27 May 2025, his visa revocation remained in effect, forcing him to leave Thailand for the United States. Citing safety and legal concerns, he has since authorised a power of attorney lawsuit against the police to challenge the actions taken against him. This case underscores the chilling effect of criminal prosecution on academic freedom in Thailand.

Election discrepancies

On 8 February 2026, Thailand held its general election and the BJT Party won the most seats in the election. On 9 February 2026, the Election Commission confirmed that it was investigating at least 113 formal complaints of electoral misconduct. In parallel, Vote62, an independent election monitoring organisation, reported receiving more than 5,000 complaints nationwide, including over 1,000 cases in which polling-station tally sheets recorded by independent observers differed from the official results later published.

Reported irregularities include vote-counting errors; discrepancies between polling-station results and aggregated official totals; unexplained revisions or reductions in reported vote numbers; and technical delays and outages in the Election Commission's reporting system on election night. Observers have also documented mismatches between the number of voters who signed in and the number of ballots counted in certain areas, unusually high invalid ballot rates in some constituencies, and significant disparities between advance voting and election-day results in selected districts. The People's Party has filed recount requests in 18 constituencies, citing inconsistencies during the tallying process.

Beyond the recount requests, attention has also focused on the use of barcodes and QR codes on the ballots. Section 85, paragraph 1, of the 2017 Constitution provides that members of the House of Representatives "shall be elected by direct suffrage and secret ballot," a principle widely regarded as fundamental to Thailand's electoral system.

The Election Commission has stated that the barcodes and QR codes are used solely for administrative and anti-fraud purposes and are not linked to voter identities. However, it also acknowledged that scanning a barcode reveals the ballot's serial number. Student plaintiffs and civil society groups argue that, if combined with ballot stubs or voter registration data maintained at polling stations, the serial-number system could make it technically possible to trace how an individual voted. On this basis, a group of university students has filed a petition with the Administrative Court seeking a ruling that the ballot design is unlawful and requesting annulment of the 8 February 2026 election results. Citing the same concerns regarding ballot secrecy and reported voter data leaks, People's Party leader Natthaphong Ruengpanyawut has called for a new election.

Furthermore, restrictions on freedom of assembly and expression persisted in the post-election period. Citizens who protested and demanded recounts, such as those in Chonburi District 1, faced a wave of criminal complaints, including charges of trespass, obstruction of officials, and even serious allegations like sedition (Section 116) and violations of the Computer Crimes Act. Similarly, in Lampang, a prospective MP candidate and an academic were targeted with a complaint under the Computer Crime Act by the Lampang Provincial Election Commission for their social media posts alleging election fraud.

2. Supportive legal framework for the work of civil society actors

The Thai government has made several attempts to regulate the operations of CSOs, including the draft Not-For-Profit bill in 2021 and 2022. Following international and domestic backlash, the bill was scrapped.

In October 2024, Thailand's Department of Provincial Administration proposed the "draft Act on Associations and Foundations" to amend the Civil and Commercial Code to regulate "associations and foundations" – legal forms usually adopted by civil society organisations. Though the initiative officially aims to update outdated provisions to ensure that these entities operate in compliance with current legal standards, it is feared that the bill will constrict the ability of civil society to operate freely. Under the new draft bill, non-profit organisations (NPOs) are subjected to extensive reporting requirements, which will burden already strained budgets. Additionally, the draft bill would also allow authorities to inspect an organisation's premises and documents without advance notice or without a search warrant "when there is ground to believe the creation or conduct of activities by the association and the foundation is illegitimate."

This unmitigated access to information on NPOs could reveal identities of NPO leaders, human rights defenders, funders, and beneficiaries. The possibility of reprisals may deter individuals from seeking the help of the civil sector.

3. Accessible and sustainable resources

As of January 2025, Civil Society Organisations (CSOs) in Thailand, including associations and foundations, face certain restrictions when accessing both international and national funding. While there are no explicit prohibitions on receiving foreign funds, proposed legislation, such as the Draft Act on Associations and Foundations, imposes regulations on foreign funding. Under Section 8, any funding exceeding the threshold set by the Interior Minister must be reported to the Registrar within 15 days of receipt, though penalties for non-compliance remain unclear. This draft law has raised concerns about increased governmental control over CSO operations. Currently, CSOs are required to disclose important information, including annual financial data, reports on the activities and operations, and copies of all board meeting minutes. The Draft Act on Associations and Foundations would require more detailed and burdensome reporting obligations on top of the existing requirements. In addition to the Draft Act on Associations and Foundations, Thailand is considering amendments to the Anti-Money Laundering Act (AMLA) in the second half of 2025 that would expand its scope to all non-profit organisations receiving foreign donations, imposing complex reporting requirements that risk burdening charities and advocacy groups and restricting their ability to operate freely. These developments suggest that while CSOs can access funding, they must navigate an increasingly complex regulatory environment.

4. State openness and responsiveness

In the past, Thailand has shown some receptivity to international criticism. For example, when the aforementioned Draft Act on the Operation for NPOs received backlash from international actors in 2021, it was revised ahead of the examination of Thailand's Third Universal Periodic Review and has since been shelved. However, the government and courts in Thailand remain resistant to calls to amend Section 112 (lèse-majesté) or to respond to the demands of human rights advocates. In August 2024, the Constitutional Court ruled to dissolve the progressive Move Forward Party due to the political party's proposal to amend Section 112, and some of the party's parliamentary candidates being charged under Section 112. The Court ruled that the proposal to amend Section 112 is tantamount to an attempt to overthrow the system of government and can be characterised as a hostile act against the democratic form of the government with the King as the Head of State, pursuant to Section 92, para. 1(1) and (2) of the Organic Act on Political Parties B.E. 2560. The Court also banned the Move Forward Party's executive committee members from holding political office for ten years; the 44 former members of Parliament who sponsored the bill to amend Section 112 were under investigation. On 9 February 2026, the National Anti-Corruption Commission (NACC) found 44 former Move

Forward Party MPs guilty of serious ethical violations for co-signing a 2021 bill to amend the lèse-majesté law and referred the case to the Supreme Court, where they—now members of the People's Party, including 10 re-elected lawmakers—could face lifetime bans from political office.

On 27 February 2025, the Thai government deported at least 40 Uyghur detainees who first arrived in Thailand in 2014 to flee persecution in Xinjiang. Notably, this deportation occurred even as the Thai government had promised civil society and international organisations that it had no plans to deport. A group of UN experts had indeed called on Thai authorities not to send the detainees back to China, where they face imprisonment, torture, or worse.

Moreover, after the deportation, the Thai Deputy Prime Minister Phumtham Weychayachai said that no country made any concrete offers to resettle the 48 Uyghurs: "We waited for more than 10 years, and I have spoken to many major countries, but no one told me for certain." However, Reuters reported that Canada and the United States offered to resettle the 48 Uyghurs but that the Thai government refused, for fear of upsetting China. The Thai government then reversed its position and acknowledged that Bangkok had received offers from other countries to resettle the Uyghurs.

5. Political Culture and Public Discourses on Civil Society

Civil society in Thailand is stigmatised as a threat to the national security and peace of Thai people. Authorities then use this negative framing to justify the violation of rights in court decisions. For example, under international law, defendants in a criminal trial are entitled to a fair and public hearing. However, Thai courts call for secret trials by citing "the benefit of public order or good morals" or "preventing national security secrets from being revealed." Courts usually fail to substantiate how a public trial for these cases may affect public order or good morals, or reveal national security secrets.

Like many other CSOs in Thailand, TLHR has been subjected to vitriolic statements and harassment in online discourse. CSOs have also been subjected to threats of violence: for example, between 13 and 15 February 2024, TLHR was subjected to malicious phone calls, during which staff members were threatened with armed violence. Additionally, an unidentified individual visited the offices of TLHR as a result of the organisation's representation of Ms. Tantawan Tuatulanon and Mr. Nutanon Chaimahabut, activists prosecuted in the royal motorcade case. TLHR has documented no less than 121 cases of harassment of activists by state officials in 2024.

On 18 October 2025, Senator and former Commissioner of the National Human Rights Commission of Thailand Angkana Neelapaijit and Human Rights Watch researcher Sunai Phasuk filed a petition with Thailand's National Police Chief after facing severe online harassment and death threats for criticising the government's decision to allow private individuals to conduct loudspeaker operations in areas under martial law along the Thai-Cambodian border. Their case, which has drawn concern from the UN Special Rapporteur for human rights defenders, highlights the escalating hostility toward human rights defenders and the chilling effect such intimidation has on Thailand's political culture and public discourse on civil society.

On 3 March 2025, TLHR published a comprehensive report detailing monitoring policies from the NCPO (the military junta) era to the present, with statistics and incident reports. Over five years, there have been at least 368 cases of harassment towards activists, students, or citizens active in political dissent.

Following the Constitutional Court's dissolution of the Move Forward Party over its attempts to reform the lèse-majesté law, discussions of free expression and Section 112 were "noticeably missing" from the most recent election campaign debates—with the People's Party dropping monarchy reform from its platform—highlighting a broader climate in which civil

society actors, political parties, and the public are constrained from openly discussing the monarchy.

6. Access to a secure digital environment

The lèse-majesté provision and the Computer Crimes Act in Thailand make it challenging to freely access and share information online. Many of the lèse-majesté prosecutions are used to stifle online freedom of expression, especially on social media platforms. Internet users can be charged for publishing posts, sharing posts, liking posts, or even leaving posts up for too long. Of 317 lèse-majesté cases documented by Thai Lawyers for Human Rights, 197 (i.e., more than half) involve online expression. Often the lèse-majesté provision is used in conjunction with the Computer Crimes Act to police online spaces and repress free speech. These repressive laws make it difficult for journalists to report freely.

In March 2025, an opposition parliamentarian leaked materials from a Cyber Team under a Joint Command Centre operated by Thai police and military. The materials revealed that several individuals and organisations, including Thai Lawyers for Human Rights, were identified as a "high-value target" by the Cyber Team. The Cyber Team coordinated attacks against these high-value targets, including through influencing public narratives (e.g. portraying protesters as violent) and responding "aggressively" to content posted on social media.

The Cyber Team also targeted social media accounts of activists and political opponents through "brute-force attacks" during the 2023 election period; the attacks served to gain access to data and networks and to compromise online security.

On 4 March 2021, academic Srinee Achavanantakul, director of iLaw (a Thai civil society organization) Yingcheep Atchanon, and media personality Winyu Wongsurawat filed a case against the Royal Thai Army at the Administrative Court for using state-linked information operations to attack critics based on evidence including Thai military documents, parliamentary debate records, and a Twitter's report, which identified a group of fake accounts linked to the Royal Thai Army that had been maliciously attacking the three plaintiffs. The plaintiffs are requesting that the Royal Thai army cease the information operations that are inaccurate, unlawful, and causing damage to the plaintiffs.

In October 2025, Thailand's Central Administrative Court confirmed the existence of military-led IOs through this case. While dismissing damages claims for lack of evidence linking anonymous accounts to officials acting in an official capacity—suggesting the posts reflected personal views—it accepted leaked military orders as genuine, acknowledging official involvement. The Court held that using military resources to monitor or target civilians would constitute an abuse of power, as such operations fall outside the military's legal mandate.

Challenges and Opportunities

CSO operations will face further clampdowns, especially with the looming potential promulgation of NPO bills. Additionally, politicians seem reticent to voice support for lèse-majesté in any discussion of proposed amnesty bills.

Individuals who are prosecuted for exercising their rights to free speech and assembly are facing fair trial rights violations in court. For example, in the case of human rights defender Arnon Nampa, the Court refused to issue subpoenas for evidence crucial to his defence against charges of lèse-majesté and sedition. At times, courts insist on conducting trials in absentia. Prisoners in political cases consistently and systematically have their right to bail denied. Even before trial begins, several judges have made negative comments about the defendants' alleged conduct.

On 5 September 2025, the Thai Appeals Court convicted five pro-democracy activists under Section 110 of the Thai Criminal Code (violence against the Queen or her liberty), overturning their earlier acquittal for allegedly obstructing a royal motorcade during a peaceful 14 October 2020 demonstration and sentencing one activist to 21 years and 4 months in prison and the remaining defendants to 16 years each, bringing the total number of political prisoners in Thailand to 53, with 34 still detained pending trial or appeal.

On 8 February 2026, Thailand held a constitutional referendum "Do you agree that there should be a new constitution?" The measure passed with approximately 60% voting in favour of drafting a new constitution.

However, pursuant to the Constitutional Court's ruling on the referendum process, approval of this first question initiates—rather than concludes—a constitutionally mandated three-stage process: the second referendum will seek voter approval of the drafting mechanism and the substantive parameters of the new constitution, and the third will require ratification of the final text. Some civil society organisations have emphasised that constitutional reform must be inclusive and participatory, underscoring concerns that the process may be constrained by political and institutional factors. However, the Constitutional Court has stated that the drafters cannot be directly elected by the people. Additionally, Prime Minister Anutin has stated, "There will never be any change to the lèse-majesté law, Section 112, or any amendment to the constitution that jeopardises our monarchy."

Thus, it remains to be seen whether the constitutional process, as currently structured, will create greater space for the exercise of fundamental freedoms—including freedom of expression and assembly—or meaningfully engage with wider institutional reform concerns.

Opportunities

Thailand is a member of the UN HRC for 2025-2027. In campaigning for this seat, Thailand pledged to support the work of the HRC. This presents an opportunity for CSOs to call on the government to carry out recommendations of the HRC. For example, the subsidiary bodies of the HRC have issued opinions in support of human rights defenders and the right to freedom of speech and assembly.

In March 2025, the European Parliament adopted a human rights resolution on violations of democratic principles and human rights in Thailand, notably commenting on the lèse-majesté law and the deportation of Uyghur refugees.

Thailand and the European Union are currently conducting negotiations for a bilateral Free Trade Agreement (FTA), which presents an opportunity to incorporate explicit and enforceable human rights safeguards that could ensure an enabling environment for civil society.

Furthermore, Thailand has entered the OECD accession phase, offering a potential window for civil society and international actors to shape reforms linked to governance, human rights, labour rights, and environmental standards.

This publication was funded by the European Union. Its contents are the sole responsibility of the author and do not necessarily reflect the views of the European Union.

EU SEE SUPPORTING AN ENABLING ENVIRONMENT FOR CIVIL SOCIETY

Funded by the European Union

Hivos people unlimited

CIVICUS

DEMOCRACY REPORTING INTERNATIONAL

European Partnership for Democracy

forus CONNECT SUPPORT INFLUENCE

TRANSPARENCY INTERNATIONAL the global coalition against corruption