Political Prisoners

Arbitrary Detention & Prison Conditions in Thailand

Since the 3rd Universal Periodic Review (UPR) cycle, the Thai government has failed to protect individuals against arbitrary detention in connection with the exercise of the right to freedom of expression or peaceful assembly. At the same time, Thailand has failed to implement recommendations regarding prison conditions which it accepted in the previous cycle.

52

Political prisoners

as of August 2026 · 22 held in pre-trial detention

35

Individuals

are charged with monarchy-related crimes

25

Political prisoners

face sentences of 10 – 50+ years

>90%

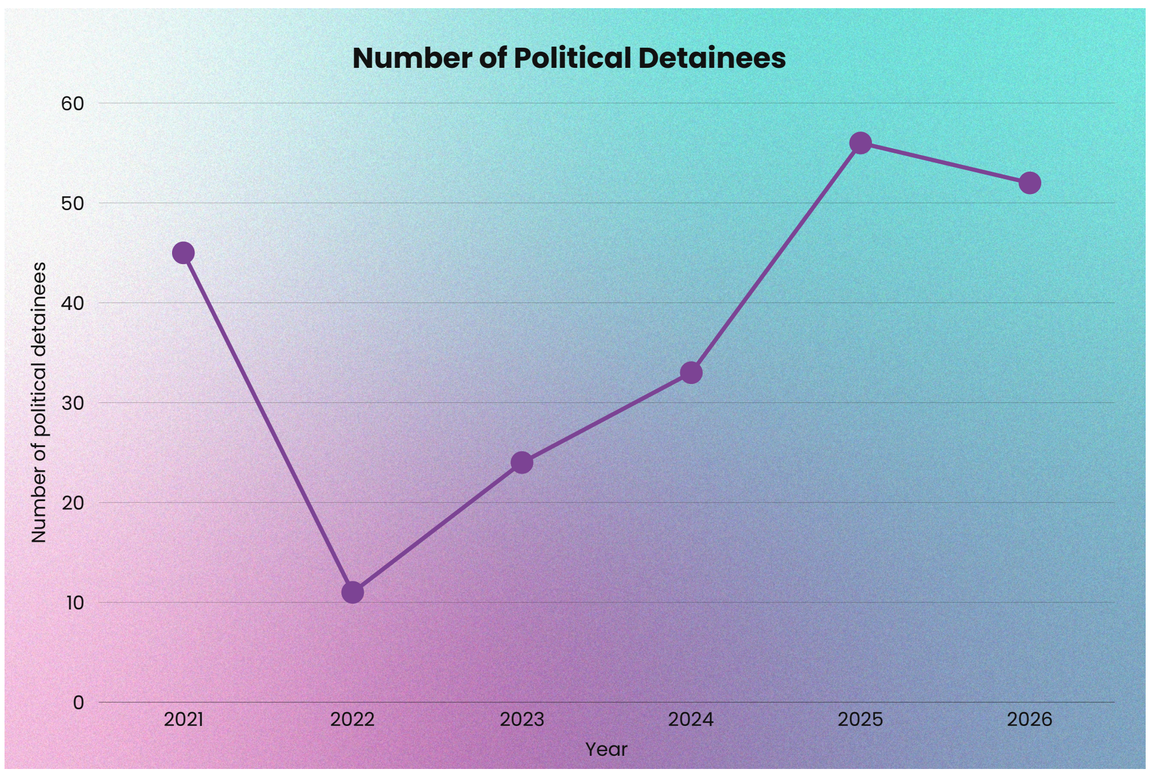
Bail denial rate

for political detainees in both 2024 and 2025

Political prisoners, pre-trial detention & bail denial

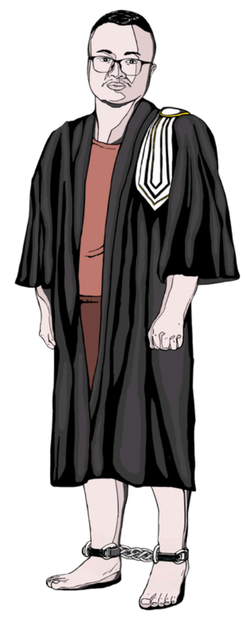
- As of August 2026, 52 political prisoners remained in detention in Thailand for their political expression. Of these, 22 were held in prolonged pre-trial detention.
- Despite the 2022 Regulation of the President of the Supreme Court empowering courts to assess actual risk—flight, harm, or property damage—courts routinely denied bail citing only the seriousness of charges (e.g., lèse-majesté) without any supporting evidence.
- Bail denial rates for political detainees exceeded 90% in both 2024 (15 of 183 granted) and 2025 (21 of 235 granted), alongside a 41% increase in the political prisoner population over 2025 alone.
- Persistent and systematic bail denials led many to forgo further appeals, as pre-trial detainees lack the legal status of convicted prisoners and are not eligible for class promotion or Good Time Allowance.
- Political prisoners with lèse-majesté convictions are, in practice, excluded from parole on the basis that their charges relate to the monarchy.
- Arnon Nampa, a human rights lawyer, has been imprisoned since 26 September 2023. He has submitted a total of 113 bail applications, all of which have been denied. As of August 2026, he has spent more than 1,00 days in Bangkok Remand Prison.

Political prisoners in Thailand 2021 - Q3 2026



Use of instruments of restraint

- Ankle shackles are routinely used on inmates, including political prisoners and those held in pre-trial detention—and are not removed during court appearances.
- The application of restraints inflicts injury, physical pain, and humiliation on inmates and, when used before judicial authorities, undermines the presumption of innocence and fair trial rights under Article 14 of the ICCPR.



Restrictions on Prison Visits and Correspondence

- Access to counsel: Some prisons refused or restricted visits from lawyers, claiming that once a case had concluded, there was no further need for legal consultation.
- Some lawyers were redirected to visit as family members, subject to time limits of 15–30 minutes in a non-confidential family visiting room.
- At least ten prisons across the country restrict general visitation to blood relatives only. This exceeds what the law actually requires.

Prison conditions

- **Overcrowding**: 102 prisons, or 71%, of the 143 prisons nationwide, operated above their intended capacity.
- Inmates were confined to the minimal space in the shared cells, which was below the international standard of 3.4 m2 (per prisoner recommended by ICRC, and the standard mandated by DOC of 1.6m2 per prisoner.
- **Sanitation:** Overcrowding negatively impacted sanitary facilities, including toilets and showers. Inmates lacked adequate access to clean water and basic hygiene products.

For example, some prisons only allow inmates a maximum of two minutes to shower, while some facilities give 3 bowls of water for each inmate.

- Many prisoners report contagious dermatitis skin conditions from shortage of soap, clean water, and medication.
- Insufficient number of toilets: only one toilet was available in a cell that accommodated about 35 - 50 inmates

Inadequate healthcare



Netiporn Sanesangkhom

A 28-year-old human rights defender, died in custody on 14 May 2024, while held in pre-trial detention under the lèse-majesté law.

- The lack of timely and adequate emergency healthcare resulted in the death of human rights defender Netiporn Sanesangkhom, who had been on hunger strike while held in pre-trial detention.
- In-prison healthcare services in many prisons were understaffed and lacked appropriate medical equipment and supplies. One detainee suffered a stroke, with full left-side paralysis, but he had to wait for 8 days before being transferred to the Department of Corrections Hospital.
- Mental healthcare in prisons was largely limited to the prescription of sedatives and was practically accessible only to inmates with severe or obvious symptoms, leaving those with mild or moderate conditions untreated.

Recommendations to Thailand

01 Immediately release all individuals detained solely for the peaceful exercise of the rights to freedom of expression and freedom of peaceful assembly, including children, and withdraw all related charges.

02 Ensure that pre-trial detention is used only as an exceptional measure of last resort, based on an individualized assessment of necessity and proportionality, and guarantee the right to bail in line with Articles 9 and 14 of the ICCPR.

03 Guarantee that fair trial rights are upheld in all cases involving politically motivated charges, including the rights to due process, a public hearing, equality of arms, and an independent and impartial tribunal, in line with Article 14 of the ICCPR.

04 Amend Section 21 of the Penitentiary Act B.E. 2560 (2017) to bring the use of instruments of restraint into conformity with Thailand's international human rights obligations and the Nelson Mandela Rules, including by prohibiting their use during court appearances and as a disciplinary measure.

05 Ensure prison practice complies with existing regulations that permit non-blood relatives to visit, and issue clear directives to limit the excessive discretion prison officials currently exercise to restrict visitation.

06 Establish and enforce a uniform national standard guaranteeing the right of all prisoners, including those whose cases have concluded, to confidential, unrestricted, and timely access to legal counsel.

07 Reduce prison overcrowding and improve prison conditions, including sanitation, access to water, ventilation, bedding, nutrition, and hygiene products, in line with the Nelson Mandela Rules and the Bangkok Rules.

08 Ensure that all prisoners, including political prisoners and pre-trial detainees, have timely access to healthcare equivalent to that available in the community, including emergency care, mental healthcare, and continuity of treatment for pre-existing conditions, in line with the Nelson Mandela Rules.

09 Conduct a prompt, thorough, independent, and transparent investigation into the death in custody of Netiporn Sanesangkhom, publicly release the findings, ensure accountability for those responsible, and provide effective remedies to her family.

10 Allow independent monitoring bodies and non-governmental organizations with a relevant mandate to conduct visits to all places of detention, interview detainees confidentially, and assess conditions without undue restriction.

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Advance Questions

1. Reports indicate that bail has been denied in more than 90% of cases involving politically motivated charges, including prosecutions under Article 112. What measures is the Government of Thailand taking to ensure that bail decisions are based on individualized assessments of risk, in line with Thailand's obligations under Article 9(3) of the International Covenant on Civil and Political Rights?

2. What concrete measures is the Government of Thailand taking to implement the provision for detention outside prisons under Section 33 of the Penitentiary Act B.E. 2560 (2017), with a view to addressing the chronic overcrowding in Thailand's detention facilities?

3. What measures is the Government of Thailand taking to ensure that all places of detention provide adequate 24-hour emergency medical care to prisoners, in line with Rules 24 to 27 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)?

4. What steps is the Government of Thailand taking to ensure that sanitary facilities, water supply, and menstrual hygiene products in all detention facilities meet the standards set out in the Nelson Mandela Rules and the United Nations Rules for the Treatment of Women Prisoners (the Bangkok Rules)?

5. Although prisoners convicted under Article 112 are formally eligible for parole, reports show that none have been granted parole. How does the Government reconcile this de facto exclusion with the principle of non-discrimination in Rule 2 of the Nelson Mandela Rules and Article 26 of the International Covenant on Civil and Political Rights?

6. What measures is the Government of Thailand taking to ensure that all prisoners with mental health needs have access to adequate psychological counselling and psychiatric care, and what plans are in place to address existing gaps in mental health provision across detention facilities?

7. What steps is the Government of Thailand taking to bring the use of instruments of restraint under Section 21 of the Penitentiary Act B.E. 2560 (2017) into conformity with Rules 47 to 49 of the Nelson Mandela Rules, including by prohibiting their use during court appearances and as a disciplinary measure?

8. What steps has the Government of Thailand taken to conduct a prompt, thorough, independent, and transparent investigation into the death in custody of Netiporn Sanesangkhom, and what measures are being taken to ensure accountability for those responsible and to provide effective remedies to her family?

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