



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Thailand

29 January 2025

Context

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.

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. From 18 July 2020 to 31 December 2024, at least 1,960 individuals in 1,311 cases, including 286 children in 217 cases, [have been charged and/or prosecuted](#) under various laws, including the lèse-majesté law which criminalises royal defamation. 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 as to include lèse-majesté in the list of offences, affecting [at least 1,493 people](#), including at least 67 political refugees who have been prosecuted under the law since the [2006 military coup](#). 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 draft law, along with other versions from political parties, will be debated by Parliament in 2025.

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 Non-Profit Organisation (NPO) law, aims to monitor all sources of income of NPOs, either governmental, private, or foreign funding. This draft law has raised concerns about increased governmental control over CSO operations. Additionally, CSOs are required to disclose important information, particularly financial data, which is not that different from compulsory registration. If the law is approved, it is likely that all non-profit, non-political groups, and even all CSOs will automatically become NPOs and be subject to strict disclosure rules. 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. 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 are now under investigation and facing a [potential lifetime ban](#) from politics.

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.

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 including *lèse-majesté* in discussion of proposed amnesty bills.

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.

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