

Thailand's bogus amnesty law

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The anti-democratic character of Thailand's new "Peaceful Society Promotion Act" has been exposed within days of taking effect on August 24.

On August 28, the Criminal Court terminated proceedings against 15 defendants charged principally with sedition over the September 2020 protests demanding the resignation of the military-backed Prayut government, a new constitution and reform of the monarchy.

However, seven co-defendants remain on trial under Section 112, the draconian lèse-majesté law used to criminalise criticism of the monarchy. According to the International Federation for Human Rights (FIDH), between November 2020 and August 2026, 293 individuals have been charged under Section 112, including 20 children.

The protests were part of a mass youth-led movement that erupted in 2020 against the regime established by the 2014 military coup and its close association with the monarchy and its right-wing backers.

In the main, the legislation provides amnesty (or official pardons) to royalist and conservative forces while continuing the persecution of critics of the monarchy. The king has been the central pillar of the conservative Thai establishment that has resorted repeatedly to military coups to maintain its power.

The amnesty legislation was developed from a proposal of the military-aligned United Thai Nation Party (UTN). Parliament rejected the separate People's Party (PP) and citizen-sponsored bills, which included coverage of Section 112 defendants, at their first reading in July 2025. The PP came to prominence after the 2020 demonstrations by calling for reform of the monarchy and an end to the military regime—proposals it has since abandoned.

The Act covers offences arising from political assemblies or expression between January 1, 2005 and July 16, 2025. On the one hand, it includes rebellion

under Section 113, sedition, terrorism and election offences. On the other, it excludes Section 112, corruption, conduct causing death or serious injury and certain offences against private individuals.

Therefore, conduct aimed at paralysing elected governments can potentially be forgiven but not if it included criticism of the monarchy.

Among the clearest potential beneficiaries are figures from two royalist movements: the People's Alliance for Democracy (PAD), known as the Yellow Shirts, and the People's Democratic Reform Committee (PDRC).

The PAD mobilised against the populist Prime Minister Thaksin Shinawatra before the military overthrew his government in September 2006. In 2008, it again sought to bring down a Thaksin-aligned government, occupying government offices and seizing Bangkok's Suvarnabhumi and Don Mueang airports.

The PDRC emerged in 2013 under former Deputy Prime Minister Suthep Thaugsuban. It targeted the government of Thaksin's sister, Yingluck Shinawatra, occupying ministries, blockading roads and obstructing the February 2014 election. These anti-democratic operations helped prepare the conditions for General Prayut Chan-o-cha's coup in May 2014.

The new law potentially clears away legal consequences for participants in these royalist campaigns. The Senate specifically added aviation-security offences to the amnesty schedule, widening its possible application to the airport occupations.

The protection extends beyond criminal cases. Airports of Thailand obtained a civil judgment of 522 million baht (\$US15.9 million), plus interest, against 13 PAD leaders over the airport seizures. The airport company confirmed on August 26 that nothing had yet been paid. Section 9 potentially ends enforcement of such outstanding liabilities to state agencies where the underlying conduct qualifies for amnesty.

Further exposing the anti-democratic character of the

bill is the fact that eligibility will be determined by a nine-member committee chaired by the prime minister or a designated deputy, with qualifying cases then processed through the courts. Political defendants are therefore dependent on the very state apparatus that has enforced the constitutional order established following the 2014 coup and repeatedly intervened against elected governments and opposition parties.

The sitting Prime Minister Anutin Charnvirakul heads the right-wing royalist Bhumjaithai Party (BJT), which has collaborated with the military-backed establishment.

The coup-makers themselves need no new pardon. The 2014 junta wrote blanket immunity for the seizure of power into its interim constitution. Section 279 of the military-drafted 2017 constitution subsequently upheld the legality of the junta's orders and actions.

The Act leaves the generals' immunity untouched. It neither repeals those protections nor establishes a mechanism to hold the perpetrators of coups and state repression accountable.

Nor does it end the separate "serious ethical misconduct" proceedings against 44 former Move Forward MPs for proposing to amend Section 112 in 2021. The Move Forward Party, the predecessor to the populist PP, was dissolved by the Constitutional Court on trumped-up charges. If convicted, the MPs, including prominent party leaders, face lifetime exclusion from political office. Even proposing limited parliamentary reform of *lèse-majesté* remains grounds for political persecution. The case resumes in the Supreme Court on September 22.

The People's Party bears particular responsibility for fostering illusions in the parliamentary amnesty process. Its predecessor, Move Forward, submitted an amnesty proposal in October 2023. Unlike the citizen-sponsored bill's provision for immediate amnesty in Section 112 cases, Move Forward left such applications to a committee. Democratic rights were thus made subject to negotiation and official discretion.

The PP supported the broader citizen-sponsored bill when parliament rejected it in July 2025. But its subsequent conduct demonstrated its readiness to accommodate the same conservative forces obstructing democratic rights.

In September 2025, the PP supplied the critical votes to install Anutin as prime minister in exchange for

promises of constitutional reform and an early election. It remained formally in opposition while enabling a right-wing royalist government to take office.

By the time the bill passed its third reading in October, there were 280 votes to zero in favour, with two abstentions and two members not voting. Not a single vote against the legislation was recorded, including from the PP, exposing its pretensions to be an advocate for democratic rights.

The amnesty bill, rather than being a democratic resolution of two decades of repression as promoted by the PP and civil society advocates, has become a mechanism for rehabilitating royalist and conservative forces. The concessions to some political defendants cannot obscure that central purpose.

The fight for democratic rights must include the unconditional release of political prisoners, termination of Section 112 prosecutions and the case against the 44 former MPs, repeal of *lèse-majesté* and junta orders, and removal of constitutional immunity for coup leaders and officials responsible for repression.

The near unanimous support of the Thai political establishment for the anti-democratic "Peaceful Society Promotion Act" demonstrates that the defence of basic democratic rights can only go forward as part of the political struggle for socialism.



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