

## Report on the Situation of the Right to Freedom of Assembly in the First Quarter of 2025

### Preamble

This report summarizes the situation regarding the right to freedom of assembly from January to March 2025 including its overview and the number of assemblies, trend of assembly issues and how the authorities police such assemblies according to the Public Assembly Act B.E. 2558. Apart from offering such information, the report also analyzes the data within the framework of domestic laws and international human rights standards.

### Overview of public assembly

During January-March 2025, **at least 20 public assemblies took place throughout the country**. These included **six overnight sit-in assemblies** including (1) the assembly to “Stop Bangchak Potash Mine, Exposing the Green Saint” by the Dan Khun Thot Khon Rak Ban Kerd Group, (2) the assembly “Mobilization and overnight sleeping at the Provincial Hall of Chaiyaphum” by the E-san Land Reform Network and the Rak Phu Sum Phak Nam Group of Nam Soen against mining which demands that the government address the issues concerning forest, land, and mining, (3) the demand for the allocation of land belonging to the State Railway of Thailand (SRT) to develop housing for the poor led by the Four Regions Slum Network (FRSN) which demands that the government address the problem of crowdedness of communities located in the SRT land, (4) the assembly by the Yarnapund PCL workers and their alliances to demand the cabinet to approve the use of government contingency fund to address the needs of the workers during which some participants have started their hunger strike since 13 March until now (31 March 2025), (5) the assembly of the People Living in Forest by the Assembly of People Living in Forest and the Northern Peasant Federation (NPF) at the Provincial Hall of Chiang Mai to demand the government address the unfair enforcement of forest laws, and (6) the assembly against casino led by the People and Student Network for the Reform of Thailand (KPT) in collaboration with the People's Center for the Protection of Monarchy (SPPS) and Kong Thap Tham to oppose the parliamentary reading of casino bill. **If an assembly that lasts overnight counts as one assembly, there have been such assemblies taking place 83 times.**

The issue that triggers the most assemblies is related to Economic, Social and Cultural Rights (ESCR) including 12 assemblies, followed by politically-motivated assemblies including the demand of the right to bail of individuals being detained in jail as a result of their exercising of their right to freedom of expression and assembly, calls for **constitutional amendment, etc.**

During the first quarter of 2025, the Metropolitan Police Bureau issued the order no. 122/2568 to bar an assembly within the radius of fifty meters of the Government House and the National Assembly effective since 1 March leading to the prohibition of at least five assemblies.

### Description of the assemblies



**In January, at least three assemblies took place**, all of which occurred in Bangkok. One of such assemblies was motivated by political issue including the “Caravan of Bung’s Friends Marching to the Court” organized by the Group for Bung on 13 January 2025 to hand over letters to three agencies including the Prime Minister (Pheu Thai Party), the Medical Council, and the Ministry of Justice to raise the awareness of the post-mortem inquest of Netiporn “Bung” Sanesangkhom at the Thanyaburi Provincial Court at 13.30. The caravan started off from the South Bangkok Criminal Court and ended at the Thanyaburi Provincial Court and representatives of each agency came out to receive the letter. The other two assemblies were concerned with ESCR including;

1. The assembly “Stop Bangchak Potash Mine, Exposing the Green Saint” during 27-31 January 2025 at the Ministry of Industry led by the Dan Khun Thot Khon Rak Ban Kerd Group: The overnight sit-in assembly aims to protest the Department of Primary Industries and Mines (DPIM) which has issued a new license to the Thai Kali Co., Ltd., with the Bangchak PLC as major shareholder. This would allow the company to further dig tunnel to mine potash and preparation was being made to use explosives to open the tunnel right in the middle of the company. This will cause devastating impact on the local people in Dan Khun Thot district, Nakhon Ratchasima and will simply exacerbate the existing impact that is yet to be addressed. The impacts will be felt by the environment, society, livelihood and health of local people as well as human rights violation, particularly the use of Strategic Litigation Against Public Participation (SLAPP) to silence human rights defenders.

2. The assembly “Tracing Fish Robbers” on 26 January 2025 in front of the Bangkok Art and Culture Centre (BACC) by the artisanal fishery group to oppose the amendment of Section 69 of the Royal Ordinance on Fisheries B.E. 2558 to allow the use of pull net with larger mesh eyes for nightly fishing, which will be the first of its kind in the Thai law. This will give rise to the capture of unnecessary fish and juvenile fish that will affect the ecosystem of the sea in Thailand and the artisanal fishery culture.

**In February, at least seven assemblies took** in Bangkok and in the province. Two of them were motivated by political issue including the assembly “I Want to Elect Constitutional Drafting Council Members” by the Con for All which lasted two days without staying overnight. The activity was initiated since the National Assembly was supposed to deliberate a motion for constitutional amendment during 13 and 14 February 2025. The meetings, however, failed to happen due to a lack of quorum. The people who were gathered in front of the National Assembly simply jeered learning that there were even less MPs who turned up at the session. They declared that they wanted to send “bananas” to the members of the parliaments. Later, bunches of banana were placed at the entrance of the National Assembly while some bananas and paints were hurled at the road and inside the National Assembly. Meanwhile, a symbolic action was also staged in front of the Bangkok Art and Culture Centre (BACC).

At least five other assemblies were held in issues related to ESCR in this month including;



1. The assembly to await the reading of the Draft Act on Protection of Rights and Promotion of the Way of Life of Ethnic Groups' Section 27 concerning the zones for the protection of livelihood of ethnic peoples, led by the People's Movement for Just Society (P-Move), the Council of Indigenous Peoples in Thailand (CIPT) and members of the ethnic groups and indigenous peoples from all over Thailand. It took place in front of the National Assembly in Bangkok on 5 February 2025. Later during the reading of the House of Representatives regarding the "Draft Act on Protection of Rights and Promotion of the Way of Life of Ethnic Groups B.E....", it was decided to rescind Section 27 regarding the zones for the protection of livelihood of ethnic peoples, citing a disagreement with the majority of the Committee which voted for the zones for the protection of livelihood of ethnic peoples while siding with the minority of the Committee which found the clause might be incompatible with other applicable laws.

2. The assembly "Equal Access to Housing Policy" led by the Four Regions Slum Network (FRSN), the network of urban communities affected by the State Railway of Thailand (SRT), the Ya Mo network of urban communities, and the Collective Housing communities by the railways on 11 February 2025. They wanted to hand over a letter of petition to the Prime Minister at Entrance 4 of the Government House. In brief, they demanded that the government allocates fund to support projects to address housing need of low-income communities who have been affected by railway development and demand equal access to housing for Thai people.

3. The assembly to hand over a letter of petition demanding the stoppage of the proposing of the Draft Act on Southern Economic Corridor (SEC) which may affect local communities in terms of the environment, culture, and housing. As the cabinet was schedule to have a meeting in Hat Yai District, Songkhla, the network of Southern people, the Rak Patoh Network, the Southern Ethnic Network, the Chana Rak Thin Network, the Federation of Thai Fisherfolk Association, the Rak Ranong Network, and the Nak Rob Pha Thung Gorup.

4. The assembly "the allocation of land belonging to the State Railway of Thailand (SRT) to develop housing for the poor" as overnight sit-in assemblies from 18-20 February 2025 at the Ministry of Transportation, led by the Four Regions Slum Network (FRSN) to demand the Minister of Transportation issues orders and policies to prompt concerned agencies to allow more than 30 communities to lease the land from SRT and to set up a mechanism to monitor the effort to solve the problem by the Ministry of Transportation.

5. The assembly "Mobilization and overnight sleeping at the Provincial Hall of Chaiyaphum" as an overnight sit-in protest during 26-28 February 2025 led by the E-san Land Reform Network and the Rak Phu Sum Phak Nam Group of Nam Soen against mining which demands that the government address the issues concerning forest, land, and mining in Khon San District, Chaiyaphum.

**In March, at least nine assemblies took place**, including three overnight sit-in assemblies. If an assembly that lasts overnight counts as one sit-in assembly, there have been such assemblies taking place 65



times in Bangkok and in the province. Four of them were concerned with political issues including (1) on 14 March 2025, an assembly was held “To mark ten months after the passing of Bung” by the For Bung Group in front of the Criminal Court, Ratchadapisek Rd., in memory of Netiporn “Bung” Sanesangkhom, a political activist who died in custody while being detained in prison and to raise awareness of her death, (2) the assembly “Speaking Truth Should Not Lead to Imprisonment.” on 21 March 2025 by the 24 June for Democracy Group, the Mok Luang Rim Nam Group, the Workers' Union, and the Act Young Club. The activists handed over letter to the President of the Supreme Court to demand the right to bail of political prisoners, (3) the assembly “Justice Hunt: Shining Light to Search for Justice” at the Ministry of Justice on 28 March 2025 by the Mok Luang Rim Nam, the 24 June for Democracy Group, the Workers' Union, the Act Young Club, the Cross Cultural Foundation (CrCF), the Thalu Gaz, and the Fai Ram Thung Group to hand over a letter of petition to the Minister of Justice to demand a stoppage of violence in prison and to stop transferring political prisoners, (4), the assembly to mobilize against casino by the People and Student Network for the Reform of Thailand (KPT), the People's Center for the Protection of Monarchy (SPPS), and Kong Thap Tham to oppose the Draft Act on Entertainment Complex. The overnight sit-in assembly lasted from 2 March to until present (31 March 2025) and they continued to do so.

Another issue was about ESCR and at least five assemblies have been held this month on the issue including;

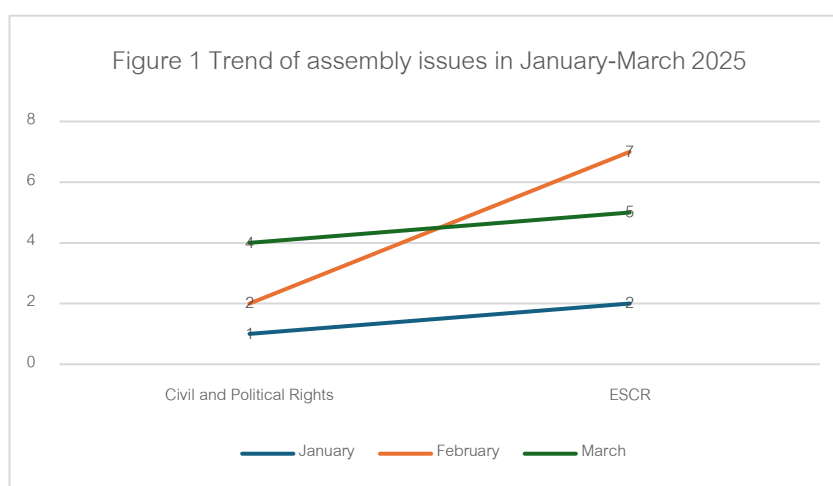
1. The assembly of former workers of Yarnapund PCL and their alliances to demand the government expedite the enforcement of law against employers who violate the Labour Protection Act and to demand the cabinet to approve the use of government contingency fund to address the needs of the workers. The overnight sit-in assemblies started off on 11 March 2025, and on the third day, some participants have decided to start a hunger strike until now (31 March 2025) and the assembly still persisted at the old office of the Office of the Public Sector Development Commission (OPDC), opposite the Government House and some participants continued to stage a hunger strike.

2. The assembly of the People Living in Forest by the Assembly of People Living in Forest and the Northern Peasant Federation (NPF) with the overnight sit-in assembly from 24-31 March 2025 at the Provincial Hall of Chiang Mai to demand the government address the unfair enforcement of forest laws according to group's recommendations including the amendment of the National Park Act B.E. 2562 and the Wildlife Conservation and Protection Act, B.E. 2562, etc.

3. The assembly against the Draft Act on Southern Economic Corridor (SEC) by representatives of the people's network against the Special Economic Zones law in front of the Government House on 11 March 2025 to hand over a letter of petition to “oppose the Draft Act on Southern Economic Corridor (SEC) and similar laws in all regions of the country” addressed to Prime Minister Paetongtarn Shinawatra.

4. The assembly by the network of insured person with MPs from the People's Party to await the outcome of the meeting of the Social Security Board at the Social Security Office in Chiang Mai to monitor the amendment of Sections 33 and 39 concerning old age pension and the use of fund to purchase real estate.

5. The assembly "Stop tragedy of the ecosystem, stop the dismantling of agricultural livelihood" by the network of people affected by the blackchin tilapia in front of the Ministry of Agriculture and Cooperatives in Bangkok to demand the Prime Minister as Head of the government to show their responsibility for the spread of the blackchin tilapia.



According to Figure 1, it could be surmised that during the first three months of 2025, the issue that triggered the most assemblies was Economic, Social and Cultural Rights (ESCR) covering various dimensions including the right to housing, the right to health, the right to work, the right to benefits and social welfare, etc. This reflects how such social problems have yet to be addressed. Overall, such assemblies have been pushed by the problems that have stemmed from public policies or the enforcement of laws such as the Southern Economic Corridor (SEC) project, the industrial potash mining project in Dan Khun Thot district, Nakhon Ratchasima. Such projects have been implemented without taking into account human rights and international instruments, particularly the International Covenant on Economic, Social and Cultural Rights (ICESCR), which are multilateral treaties which have legal bearing and state parties are obliged to act according to their obligations. Without considering comprehensive impacts, such projects may give rise to the violation of basic rights including the right to housing, the right to health, the right to culture, or it may bring about conflicts and environmental impacts.

Although there has been a decline of political assemblies, the issue had earlier sparked a trend of assemblies relentlessly since 2020. Nonetheless, such political assemblies have increasingly shifted from a



demand for political reform to a demand for the right to bail. The shift is due to the fact that, as of now, at least 48 individuals have been detained in prison since 2020 for their exercising of the right to freedom of expression and assembly, of which 29 have been denied bail pending the trials, even though the right to bail is enshrined in the Constitution of the Kingdom of Thailand B.E. 2560's Section 29/2 which states that *"A suspect or defendant in a criminal case shall be presumed innocent, and before the passing of a final judgment convicting a person of having committed an offence, such person shall not be treated as a convict. Custody or detention of a suspect or a defendant shall only be undertaken as necessary to prevent such person from escaping. In a criminal case, a person shall not be forced to make a statement incriminating himself or herself."* In addition, it is recognized in the Universal Declaration of Human Rights (UDHR)'s Article 11 and the International Covenant on Civil and Political Rights (ICCPR)'s Article 9, to which Thailand is a state party.

### **The enforcement by authorities and laws to regulate assemblies**

The Public Assembly Act B.E. 2558 is a key legislation applied to peaceful assemblies during the first three months of 2025, particularly assemblies held around the Government House and the National Assembly in Bangkok. The strict enforcement of for the following legal provisions has become an obstacle for the exercise of the right to peaceful assembly;

*Section 7, paragraph one" It is prohibited to hold a public assembly within the radius of one hundred and fifty meters from the boundary of the Royal Palace, etc.;*

*Paragraph Two: No public assembly shall be held within the National Assembly, the Government House and the Courts; provided that, the specific place for public assembly is provided therein. In case of necessary and for the maintenance of public safety and public order, the Commissioner General of the Royal Thai Police or his entrusted person shall, after having considered the numbers of participant and related circumstances of each public assembly, have the power to notify no public assembly zone within the radius of not exceeding fifty meters from the boundary of the places under paragraph two."*

Paragraph Two, in particular, is concerned with the use of discretion by the authorities. In general, the area around the Government House and the National Assembly can be used for a protest site. The law, however, bestows on the competent official power to bar an assembly within the radius of fifty meters while having to take into account the surrounding circumstances and on a case-by-case basis. In March, the Metropolitan Police Bureau issued the order no. 122/2568 on *"Prohibition of public assemblies within the radius of fifty meters of the Government House pursuant to Section 7, last paragraph of the Public Assembly Act B.E. 2558. In essence, it was an updated order on the previous one that bars an assembly within the radius of fifty meters around the Government House applicable during 1-7 March 2025 which specifies the justification that since the participants were gathered in an area close to the Government House and appeared ready at all times to move inside the Government House. Given the large number of the participants and how it might disturb*

*pedestrians and motorists and how it might block the entrances of the Government House affecting the maintenance of public order, the order to bar such assemblies has thus been extended to 8-15 March 2025.”<sup>1</sup>*

**As a result of such order, at least one public assembly was prevented** including the protest against the Draft Southern Economic Corridor (SEC) Act by the “People’s Network Against Southern Economic Corridor (SEC) Act” in front of the Government House on 11 March 2025. However, considering the circumstance of the assembly, it could be surmised that there were not too many participants, and they were simply gathered at Entrance 3 of the Government House, which was not the main entrance and exit. In addition, it would be possible for the police to oversee and facilitate the exercise of the participants’ freedom of assembly and the traffic of either the pedestrians or the motorists. Moreover, such extension of the order to bar public assembly was based on the existing order to bar the public assembly of the People and Student Network for the Reform of Thailand (KPT) which was located the Krom Luang Chumphon Khet Udomsak Shrine Hall on 2 March 2025. Therefore, it is unlawful to invoke the order to ban public assembly based on Section 7, last paragraph, of the Public Assembly Act to apply to this case since the authorities are not allowed to universally cite the need of public safety and public order and apply it to any other assembly. In addition, during such assembly, the authorities have brought minivans to have them parked by the Chamai Maruchate Bridge. In addition, rows of crowd control police in khaki uniform were deployed with their shields. The readout of the order and such practice were also applied to at least four other assemblies in the past three months at the Government House in March 2025, at the Government House in March 2025.

The right of peaceful assembly is recognized in Article 21 of the International Covenant on Civil and Political Rights (ICCPR) based on the General Comment of the Human Rights Committee, the Office of the United Nations High Commissioner for Human Rights, no. 37 which was adopted on 23 July 2020. It states that there is a presumption in favour of considering assemblies to be peaceful. Moreover, isolated acts of violence by some participants should not be attributed to others, to the organizers or to the assembly as such. Thus, some participants in an assembly may be covered by article 21, while others in the same assembly are not. Any restrictions on participation in peaceful assemblies should be based on a differentiated or individualized assessment of the conduct of the participants and the assembly concerned. Blanket restrictions on peaceful assemblies are presumptively disproportionate. States must allow participants to assemble within sight and sound of their target audience (within sight and sound of the assemblies against which they are directed).

Therefore, the announcement of the blanket prohibition of assembly by the authorities invoking Section 7, last paragraph, although being based on domestic law, it is incompatible with the basic human right so long as the assembly remains peaceful.

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<sup>1</sup> Metropolitan Police Bureau, Metropolitan Police Bureau Order no. 122/2568, (2025)

In addition, during the “Stop Bangchak Potash Mine, Exposing the Green Saint” during 27-31 January 2025 at the Ministry of Industry by the Dan Khun Thot Khon Rak Ban Kerd Group, on 29 January, the Ministry of Industry put up an announcement asking the participants to relocate their protest. In the announcement, it claims that *“the assembly obstructs the performance of duties of staff of the Ministry of Industry as it interferes with the performance of their duties or their use of facilities within the Ministry. In addition, it causes inconvenience to members of the public to come to the Ministry of business. The area is also not suitable for holding an assembly causing an impact on the maintenance of safety and health of the participants. The Ministry of Industry, therefore, asks the participants to move their assembly from the area in front of the office of the Permanent Secretary of the Ministry of Industry to the parking lot by the building of the Thai Industrial Standards Institute (TISI), the Ministry of Industry, within 15.00.”*

Since the Dan Khun Thot Khon Rak Ban Kerd Group has already notified the authorities of their assembly and as they were exercising their freedom of peaceful and unarmed assembly abiding the Constitution of the Kingdom of Thailand B.E. 2560’s Section 44, as the assembly of the Dan Khun Thot Khon Rak Ban Kerd Group was an exercise of freedom protected and abiding by the legal requirements of the Public Assembly Act B.E. 2558, and such right is recognized by the International Covenant on Civil and Political Rights (ICCPR)’s Article 21, therefore, the measure imposed by the Ministry of Industry could be incompatible with domestic law and the the right to peaceful assembly as well.

#### Analyzing the trend of public assembly

Although no large-scale assemblies were held in the first quarter of 2025, smaller assemblies have still been organized every month, mostly concerning economic, social and cultural rights, followed by civil and political rights. Despite the cessation of large-scale assemblies, but the demands of the participants for the government remain unanswered. The Southern Economic Corridor (SEC) mega-project continues to move forward, and the legislation underpinning the project has reached the stage of public hearings on the draft law, despite ongoing opposition from a protest group under the name “People’s Network Against Special Economic Zone Law.” The reading of the Entertainment Complex Bill has been rescheduled from the previous parliamentary session on 8 April 2025 to the next parliamentary session (in July 2025),<sup>2</sup> amidst demands to stop the Bill led by certain protesters including the People and Student Network for the Reform of Thailand (KPT). There have also been public assemblies to demand the stoppage of the criminalization of people who exercise their right to freedom of expression and assembly led by various sectors. And according to the Thai Lawyers for Human Rights (TLHR), since 2020 until March 2025, at least 1,962 have been charged for exercising their freedom of expression and assembly in 1,318 cases and 48 of them remain detained in jail.

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<sup>2</sup> Thai Rath Online, Reading of Entertainment Complex Bill Rescheduled, (online), <https://www.thairath.co.th/news/politic/2852113>





Since the demands of such protesters and their groups have not been met and some issues persist into the second quarter of 2025, it could be predicted that there will also be public assemblies in the second quarter, similar to the previous one, while with regarding the enforcement of laws concerning assembly, there shall be no concrete policies to uphold the freedom of peaceful assembly.