



Thailand

Foreign Nationals and the Death Penalty

Death Penalty Overview

In 2018, Thailand drew international shock and dismay when it carried out its first execution since 2009. About to become de facto abolitionist, a status granted to countries that have not carried out any executions for 10 consecutive years, Thailand executed Theerasak Longji, a 26-year-old Thai national, by lethal injection. Before 2009, no executions had been carried out since 2003 when Thailand abolished shooting and adopted lethal injection as the sole means of execution (Amnesty International 2021). Amnesty International’s Global Report on Death Sentences and Executions estimates

that 158 individuals were on death row in 2021, down from 551 in 2018 (World Coalition Against the Death Penalty 2021) after King Maha Vajiralongkorn Badinthepp Thearawangkun granted pardons on two separate occasions in 2020, which significantly lowered the number of people under sentence of death in the country. Since then, however, the International Federation for Human Rights (2023) estimated a 14% increase in the number of prisoners on death row, as well as a 2.8% increase of foreign prisoners (not all of whom are under sentence of death).

Thailand retains the death penalty for some 63 offences (an increase from 55 in 2014); many of these are ‘ordinary crimes’, not meeting the threshold of most serious crimes which international law states the use of the death penalty must be restricted to in retentionist countries (Amnesty International 2018). Offences include, but are not limited to, treason, drug-trafficking, murder, aircraft hijacking and possessing illegal weapons. Drug-related offences account for the majority of crimes for which death sentences are imposed. The International Federation for Human Rights (2023) estimated a 14% increase in the number of prisoners under a

SOME STATISTICS: (Amnesty International 2022)

	Executions	Death Sentences	Known number on death row
2017	0	75	502
2018	1	33+	551
2019	0	16+	312
2020	0	35	235
2021	0	+	158
2022	0	104	195

‘+’ indicates that the figure that Amnesty International has calculated is a minimum.

Where ‘+’ is not preceded by a number, this means that Amnesty International is confident that there was more than one execution, but it was impossible to establish a figure

death sentence, contrary to the decline in the overall prison population observed since 2021.

Foreign Nationals

Daniel Pascoe (2019) notes that, unlike in other Southeastern states that retain the death penalty - such as Singapore, Malaysia and Indonesia - the execution of foreign nationals in Thailand is relatively rare. Indeed, during King Bhumibol's entire seventy-year reign (from 1946 - 2016), and until present day, no citizen of a Western nation has been executed in Thailand. For citizens from non-Western states on death row in Thailand, the figures remain low: foreign nationals make up 5% of the 223 executions carried out since 1960. Pascoe suggests that the reason for this is due to the centrality of trade and tourism to the Thai economy, and thus a need to maintain good relations with international neighbours.

Whilst foreigners are rarely executed in Thailand, they continue to be sentenced to death. By the end of 2016, there were 24 foreigners under sentence of death in Thailand. It is often further down the line that these prisoners have their sentences lessened through a Royal Pardon. Pascoe speculates that those foreign prisoners who

have been executed since 1996 (including Hong Kong, Taiwanese, Nigerian and Myanmar nationals) hail from countries that either do not play a major role in the Thai economy through trade and tourism or are retentionist states themselves.



Thailand's thriving tourist industry means fewer more vulnerable foreign nationals live and work in Bangkok

Acknowledgements

With special thanks to the following organisations and individuals who lent their considerable assistance and expertise towards this research in Thailand: Harm Reduction International, Pramod Acharya, Francesca Rigg, among others.



Death Penalty Research Unit, University of Oxford

For more research see:

foreign-nationals.uwazi.io or tinyurl.com/mappingdeathrow