



# Submission of the National Human Rights Commission of Thailand (NHRCT)

for the Eighth Periodic Review  
of Thailand (2021 - 2025) under

## The Convention on the Elimination of Discrimination against Women (CEDAW)

19 May 2025

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**Submission of the National Human Rights Commission of Thailand  
for the eighth periodic review of Thailand on the implementation of the Convention  
on the Elimination of Discrimination against Women (CEDAW)**

## Introduction

1. The National Human Rights Commission of Thailand (NHRCT), as an independent constitutional organization and accredited national human rights institution, prepared this alternative report to present the situation, challenges, and recommendations to protect and promote the rights of women and gender equality in Thailand in compliance with its obligations under the Convention. The report is based on the NHRCT's work from 2021 to 2025 and has incorporated information obtained from consultations with stakeholders across government agencies, civil society, academia, and experts, as well as from publicly available research work as of 28 March 2025.
2. Thailand has made legal reforms to eliminate gender-based discrimination by recognizing equal marriage rights for LGBTQ+ individuals, raising the legal minimum age of marriage to 18, and ensuring access to safe abortion. Other ongoing efforts to amend existing laws include revisions to the Gender Equality Act (2015), the Criminal Procedure Code relating to sexual offences, the Domestic Violence Victim Protection Act (2007), and drafting an anti-discrimination bill.
3. From the fiscal years 2021 to 2024, the NHRCT received 3,662 complaints -- 940 complaints (25.6%) were filed by women and 450 complaints (12.2%) by LGBTQ+ individuals. Of the total complaints, 199 cases (5.4%) pertained to violations of women's rights and gender-based discrimination. The issues raised included sexual harassment in educational institutions and workplaces, arbitrary arrests of sex workers, improper treatment of LGBTQ+ persons during arrest and investigation, lack of appropriate public restroom facilities for gender-diverse individuals, and restrictions on transgender women's rights.

## Principal areas of concern and recommendations

### *Legislative and Institutional Framework*

4. **The Gender Equality Act (2015)** aims to eliminate gender-based discrimination. However, Section 17, paragraph two, of the Act prescribes that actions based on religious principles or national security shall not be considered unfair gender discrimination. This exemption may be invoked to justify discriminatory practices. Furthermore, the Committee on the Determination of Unfair Gender Discrimination is only empowered to consider complaints filed by individuals directly affected by discrimination, but does not have the mandate to initiate investigations *suo moto* or to accept third-party submissions.

### 5. **Recommendations:**

- Repeal Section 17, paragraph two, of the Gender Equality Act and mandate the Committee to initiate investigations on its own and accept third-party complaints.
- Expedite enactment of a comprehensive anti-discrimination law to ensure protection against all forms of discrimination, including those based on multiple and intersecting grounds.

## ***Access to justice***

**6. Women, particularly those with multiple vulnerabilities, continue to face significant barriers in accessing justice.** A key concern is the limited number of female inquiry officers - only 763 out of 11,607 nationwide (6.5%). Law enforcement officers usually lack gender sensitivity and sometimes use inappropriate language when questioning victims of sexual violence. In some instances, intrusive physical searches are conducted and investigations of sexual assault take place in public areas, exacerbating victims' trauma. Women with disabilities, especially those with hearing or intellectual impairments, and LGBTQ+ individuals have reported experiences of sexual harassment or hateful language and inappropriate physical contact during legal procedures. Transgender individuals are sometimes detained in male holding cells. These problems arise in part from gender-biased attitudes among officials and the absence of clear, gender-sensitive guidelines regarding search, arrest, detention, and questioning of transgender individuals and persons with disabilities.

### **7. Recommendations:**

- Increase the number of female inquiry officers.
- Provide regular gender-sensitivity training to law enforcement personnel, and implement clear regulations to address the treatment of victims and witnesses during legal procedures.
- Establish private, gender-appropriate spaces within police stations for filing complaints and detaining individuals according to their gender identity.
- Develop guidelines for interviewing persons with disabilities, including a required presence of psychologists or psychiatrists during questioning those with intellectual disabilities.

8. Approximately 46% of detention facilities for female inmates in Thailand exceed the standard capacity. Immigration detention facilities, in particular, often accommodate mothers and children together with other detainees in overcrowded and unsanitary conditions. While the Corrections Department has introduced procedures consistent with public health regulations for abortion access and established standard operating procedures for the treatment of LGBTQ+ individuals, civil society organizations have documented several concerns. Pregnant inmates face delays in accessing counselling and referrals for abortion services. Hormone therapy for transgender inmates is inconsistently available across facilities. In many cases, dress codes do not align with gender identity, and some facilities fail to provide separate sleeping and bathing areas for transgender inmates. Additionally, preventive visits conducted by the NHRCT have revealed that some police stations do not segregate detainees based on their gender identity.

### **9. Recommendations:**

- Reduce the use of criminal penalties to alleviate overcrowding in detention facilities.
- Ensure timely and adequate access to safe abortion services for pregnant inmates.
- Segregate detainees based on their gender identity and caregiving needs, including women, transgender individuals, and mothers with children.
- Guarantee the rights of transgender detainees to dress according to their gender identity and access hormone therapy as an essential component of healthcare.

## ***Gender-based violence against women***

10. **The Domestic Violence Victim Protection Act (2007)** does not adequately protect victims since it treats domestic violence as a compoundable offence and allows mediation at every stage. This has led some officials to discourage formal complaints and encourage mediation instead. Cultural attitudes, social pressures, and economic dependence on the perpetrators are among factors that prevent some victims from seeking justice. In the southern border provinces, violence is often resolved through mediation by community or religious leaders, who are mostly male, potentially leading to unfair outcomes for women. Other limitations include the relatively short statute of limitations for filing complaints and a lack of proper understanding of the law, resulting in the rare use of temporary protective measures for the victims. Additionally, the law does not provide for measures to prevent future offences, nor does it allow for reduced penalties for offenders who have previously been subjected to violence (Battered Person Syndrome). The inconsistencies in statistics and data collection among agencies reflect challenges in inter-agency integration, and there is currently no specific legal framework or protective measures for specific cases, such as migrant women working without permits, who may hesitate to file complaints or seek help due to fear of legal repercussions and deportation.

### **11. Recommendations:**

- Amend the Domestic Violence Victim Protection Act to ensure that domestic violence is non-compoundable and extend the statute of limitations.
- Introduce rehabilitative measures for perpetrators to prevent repeated offences.
- Establish effective protection measures for victims and recognize battered person syndrome as a mitigating factor in sentencing.
- Develop standardized procedures for concerned agencies to ensure consistency in handling domestic violence cases.

12. **Sexual harassment is inadequately addressed under the Criminal Code.** Such forms of harassment as stalking and child grooming are not explicitly criminalized but are frequently treated as petty offences. Labor laws prohibit sexual harassment only by supervisors, but not co-workers. While the public sector has issued guidelines recommending the inclusion of gender or sexual harassment experts in disciplinary investigations, implementation is limited and inconsistent.

### **13. Recommendations:**

- Revise the Criminal Code to explicitly criminalize new forms of sexual harassment.
- Establish protective measures for victims against potential future violence.
- Close legal gaps to protect individuals experiencing sexual harassment in the workplace among employees.
- Ensure that fact-finding and disciplinary procedures within public agencies are conducted with gender sensitivity, without stigmatizing victims, and require the involvement of gender experts in investigations.

## ***Participation in political and public life***

**14. Women's representation in political and public decision-making roles remains low.** As of 2024, women occupy only 20% of all political positions, and there is a notable lack of women from diverse identities, including women with disabilities. In the public sector, women hold only one-third of executive-level positions and one-fourth of management positions. At the local level, just 11.86% of executives are women. Moreover, several Independent Constitutional Organs have few or no women representatives at the commission level, with the exception of the NHRCT, which has the highest proportion of female commissioners. In the private sector, women hold 40% of executive positions in 2024. Many sectors advocate for the Royal Thai Government to implement temporary special measures to increase women's representation in politics and public administration.

### **15. Recommendations:**

- Implement temporary special measures to increase the proportion of women in political and public policy decision-making positions.
- Mainstream gender perspectives in the formulation of public policies, including gender-responsive budgeting to ensure equitable resource allocation, and the assessment of gendered impacts in various situations.

**16. Women human rights defenders (WHRDs) continue to face threats, harassment, and reprisals due to their activities.** Notable cases include threats against anti-mining activists in Khon Kaen province and land rights defenders in Surat Thani, as well as a lawsuit filed against WHRD in a case relating to a community financial institution in Nakhon Ratchasima. Many of these cases exhibit the characteristics of Strategic Lawsuits Against Public Participation (SLAPP). Other cases involve the dispersal of protesters against the Chana industrial project by Chana Rak Thin group, which comprises mostly women, the production of media content to discredit WHRDs in the southern border provinces by national security agencies, and the use of Pegasus spyware to monitor political activists, including WHRDs.

### **17. Recommendations:**

- Amend relevant laws to prohibit the use of SLAPP.
- Enhance understanding among justice system actors -- judges, prosecutors, and police -- about the nature and impact of SLAPP cases, along with the private sector, which frequently resorts to such measures.

## ***Employment***

**18. The Labor Protection Act** grants a maximum of 98 days of maternity leave, which falls short of the ILO recommendation of at least 126 days. Furthermore, the Act does not mandate paternity leave for private-sector employees, limiting their involvement in postnatal care. Employers are also not legally required to provide breastfeeding facilities at workplaces, which hinders the ability of working mothers to balance their professional and caregiving responsibilities.

#### 19. **Recommendations:**

- Amend the Labor Protection Act to extend maternity leave to at least 126 days.
- Introduce statutory paternity leave for both public and private sector employees to promote shared parental responsibilities.
- Mandate the provision of breastfeeding facilities in workplaces to support working mothers.

20. **The NHRCT continues to receive complaints regarding discriminatory hiring practices.** Some companies require applicants, including women, to undergo HIV testing and reject those who test positive. Although the government has issued guidance prohibiting such practices, awareness and enforcement remain limited. Individuals living with HIV are also barred from serving in the military and police forces.

#### 21. **Recommendations:**

- Repeal regulations that disqualify individuals living with HIV from serving in the military and police.
- Undertake proactive measures to raise awareness among employers of the prohibition of discrimination based on HIV status.

22. **Sex work remains criminalized** under the Prevention and Suppression of Prostitution Act (1996), which prevents sex workers from enjoying protection under labor law. As a result, they lack access to social welfare and are vulnerable to abuse and exploitation by state officials. Although certain offences have been reclassified as non-criminal regulatory fines, some law enforcement officers remain unaware of these legal amendments, leading to continued unlawful arrests.

#### 23. **Recommendations:**

- Repeal the prostitution law to decriminalize sex work.
- Ensure sex workers' right to work and guarantee their equal access to rights and benefits on the same basis as other professions.

### ***Health and reproductive health***

24. **Access to safe abortion remains inadequate** due to a shortage of service providers. Certain healthcare facilities impose non-statutory requirements, such as requiring consent from a parent or spouse, or limiting service to narrower time frames than those legally prescribed. Moreover, some facilities fail to offer referrals when declining to provide abortion services, resulting in delays that may exceed the legal gestational limit. Public awareness regarding the availability, locations, and financial support remains low, in part due to insufficient outreach and the reluctance of facilities to publicly disclose their services.

#### 25. **Recommendations:**

- Ensure that every province has at least one facility that provides abortion services.
- Require any facility that refuses to provide abortion services to offer timely referrals.
- Guarantee that there are no additional conditions beyond the law that bar women's access to abortion services.
- Promote public awareness of abortion rights and service availability.



26. **While Thailand has achieved a reduction in maternal mortality, challenges remain in preventing avoidable maternal deaths.** In 2024, the primary causes include delays in referring pregnant women to facilities with higher treatment capacity (45%), delays in seeking care due to insufficient awareness of pregnancy-related risks (40%), and transportation difficulties -- particularly in remote areas -- that impede access to antenatal care (15%).

27. **Recommendations:**

- Equip pregnant women and their families with knowledge to identify early warning signs of pregnancy-related complications.
- Develop culturally sensitive and gender-sensitive antenatal counseling and follow-up systems.
- Improve referral systems between healthcare facilities to ensure efficient and timely transfer of high-risk patients.
- Establish an effective system for inter-hospital consultations to minimize unnecessary referrals.

28. **The Protection of Children Born from Assisted Reproductive Technologies Act (2015)** restricts surrogacy to close blood relatives. This has contributed to the proliferation of illegal surrogacy arrangements, often involving women from socioeconomically disadvantaged backgrounds. Public understanding of the legal framework remains limited, and online advertisements for surrogacy services are widespread, with inadequate regulatory oversight. There are currently no established screening mechanisms or legal protections for surrogate mothers who may be victims of an illegal recruitment network at risk of coercion or exploitation. In the event of health complications, they are unable to access medical compensation or support.

29. **Recommendations:**

- Amend the surrogacy law to ensure the health, safety, and legal protection of both the children born through surrogacy and surrogate mothers, especially those vulnerable to exploitation.
- Promote public awareness of the legal framework governing surrogacy.
- Strengthen regulatory oversight of surrogacy-related advertisements, particularly on digital platforms.

## ***Education***

30. **The Prevention and Solution of Adolescent Pregnancy Problem Act (2016)** guarantees the rights of pregnant students to continue their education at the same institution. However, implementation remains limited. In 2024, only 47.4% of pregnant adolescents aged 10–19 returned to formal or non-formal education. Of those who did not return, 21.9% were unemployed. Notably, 59.9% of adolescent pregnancies were unintended, and 21.6% of them cited lack of knowledge about contraception. These figures highlight a critical gap in sex education and reproductive health knowledge among young people. Moreover, girls and women who drop out of school due to pregnancy may face long-term economic disadvantages throughout their lifetime.



**31. Recommendations:**

- Ensure effective implementation of the adolescent pregnancy law so that pregnant students can continue their education at their preferred institution.
- Provide necessary support for young mothers to return to education after giving birth.
- Enhance understanding of sex education and promote access to counseling and contraceptive services, both in school settings and at a community level.

***Women in the context of the Southern Border Provinces (SBPs)***

**32. Prolonged violence in the SBPs has affected women**, many of whom have become widowed and are the sole providers for their families. They often face financial hardships, particularly those who were dependent on their spouses. They usually experience emotional distress and social pressures, including encouragement to remarry. Families of those killed extrajudicially or involved in national security-related cases are frequently excluded from accessing state compensation or redress mechanisms. Moreover, women's participation in peace and conflict resolution processes remains limited. Women's groups are not represented in the Peace Dialogue Panel for Thailand's SBPs. Women political activists have been subjected to surveillance in private and educational spaces, as well as interrogation under national security laws.

**33. Recommendations:**

- Ensure that women affected by violence receive comprehensive redress and rehabilitation, including financial assistance, vocational training, psychosocial counseling, and childcare services.
- Revise existing regulations to allow women and children whose spouses and parents are affected by national security-related cases to access compensation and redress.
- Increase women's representation in the peace-building process.

**34. Mechanisms addressing social issues that affect women often exclude them from participation**, resulting in gender-insensitive outcomes, particularly in cases involving sexual violence, divorce, and family affairs. Although women can participate in several working groups under the Provincial Islamic Committees, they are underrepresented in the committees or at a decision-making level.

**35. Recommendations:**

- Establish mechanisms to address domestic violence at the local level.
- Increase the representation of women in the Provincial Islamic Committees.
- Expand the coverage of the Women Empowerment Service Centers to all provinces in the SBPs.

**36. In 2018, the Central Islamic Council of Thailand amended its Regulation on Marriage (Nikah) for individuals under the age of 17**, but it has not been deliberately enforced and disseminated at the community level. Moreover, this regulation is yet to be further revised to bring it into alignment with the Civil and Commercial Code, which was recently amended to raise the legal minimum age for marriage to 18 years. Consequently, cases of child marriage continue to occur in the SBPs, often driven by cultural and traditional norms that regard early marriage as a solution to pre-marital sexual relationships. This is despite the fact that many

Muslim-majority countries have already revised their laws to raise the minimum age of marriage to 18 in line with the Convention on the Rights of the Child (CRC).

**37. Recommendations:**

- Amend the Nikah regulation to align with the Civil and Commercial Code, the CRC, and best practices of Muslim-majority countries.
- Ensure effective enforcement of the amended regulation to prevent child marriage.

***Other Concerns***

38. Women in rural areas, including local and small-scale fishermen, ethnic minorities, peasants, and women in the SBPs, rely on natural resources and biodiversity for their livelihoods. Development projects that cause environmental degradation and biodiversity loss, combined with the adverse effects of climate change, have disproportionately increased the burden on women to generate income while managing household responsibilities. For example, declining agricultural productivity has forced many women to take on additional paid work. They are also often responsible for water collection, and during periods of water scarcity, they must invest significant time and money to secure water, limiting their abilities to participate in other activities. In the event of natural disasters such as floods, women typically bear primary responsibility for evacuation and care of children, older persons, or people with disabilities. Despite these impacts, gender perspectives are inadequately reflected in climate adaptation, disaster response, and environmental policy frameworks. Lack of coordination among agencies responsible for environmental and gender equality creates a gap in gender-responsive climate action.

**39. Recommendations:**

- Ensure full participation of women and gender-diverse individuals in the conservation and sustainable use of natural resources and environmental decision-making processes.
- Integrate gender perspectives into climate change impact mitigation and adaptation plans across all sectors to reduce gender-differentiated impacts.
- Promote research to analyze the intersectional impact of climate change on gender identity and roles.

40. From 2022 to 2024, women accounted for 64% of all cybercrime victims. Common forms of cyber violence against women include romance scams, where perpetrators exploit emotional trust to solicit fraudulent financial transfers, and sextortion, in which women are coerced into sharing sexual images or videos and then blackmailed. Current legal and institutional frameworks are insufficient to protect women from these forms of online violence.

**41. Recommendations:**

- Develop legal frameworks and mechanisms for reporting and warning about cybercrime.
- Establish accountability standards for online platforms and financial institutions to identify and act against accounts involved in such activities.
- Strengthen international cooperation with multinational corporations to combat cross-border cybercrime.
- Enhance digital and AI literacy among the public to equip individuals with the skills necessary to avoid online exploitation.