

*Summary report of Thai Women's CSOs on
Beijing +20 Review*

Foreword

Thailand has been seen as a country with high economic development; however inequality in society persists and the income gap has become even wider. Data as of 2009 suggest that, 20 percent of the richest people in Thailand earn 11.9 times more than the 20 percent of the poorest¹. In 2012 it was found that the rich in the country possess 325.7 times more land than the poor². Reviewing government implementation of the Beijing Declaration and Platform for Action (BPA) has highlighted that the persisting gender discrimination has increased injustice in society for women and this situation is not being well addressed by the government.

This report is a summary from the report of the Thai women's civil society groups on Beijing +20 review. The review process has provided an opportunity for civil society groups from different sectors, including groups working on issues related to public and private spheres and with diverse groups of women, to come together. We have found that some progresses have been made with regard to gender issues, for example on laws and policies regarding violence against women. Contributing factors behind this progress include long-running advocacy for change, campaigns and the participation of women's non-governmental organizations and grassroots women's groups. However, there are still some gaps as particular groups of women still face enormous obstacles to gaining protection from violence by laws, measures and services. Ethnic minority and indigenous women, women with disabilities and Muslim women in particular face multiple forms of discrimination.

With regard to the other areas of the BPA, it is found that women have benefitted from progress made in government policies, laws and measures that do not discriminate against women. But

¹NiponPuapongsakorn et al. (2013). **Thai Life in Two Decades of Development**. Mingsan Khaosa-ard and Nuttaporn Liamjaruskul (eds.) Chiang Mai: Log In Design Work. Retrieved from <http://tdri.or.th/publications/khonthai/>

²Duangmanee Laohakul (2014). **The Concentration of Wealth in Thai Society**, Forthcoming. Bangkok: Matichon.

there are still gaps and obstacles in the areas of poverty, environment, education and training, media, power and decision-making and the girl child. The National Machinery on Women is not in a position to effectively mainstream gender and advance the rights of women in these areas. On the issues of women and health and the human rights of women, we have found that the Council of State which is a national mechanism responsible for laws development and formation is an obstacle. The government draft bill on Reproductive Health initiated in 2006 was disapproved by the Council of State. The key article of the government's draft bill on the definition of Gender Equality was amended by the Council of State; as a result the draft does not comply with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Therefore we would like to call on the international communities to highlight the crucial role of the Intuitional Mechanism for the Advancement of Women as this is a key area that will guarantee accountability and commitment of all states to the BPA.

We urge the Thai government to reform the national machinery for the advancement of women and urgently take action that will lead to the full achievement and implementation of the BPA

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Thai women's CSOs

Coordinated by

Foundation for Women

Social Agenda Working Group (Social Watch, Thailand)

Thai women's CSOs includes;

Amnartcharoen Women's Association

Asian and Asia Studies Center, NIDA

Chumchonchai Foundation

Chaiyaphum Women's Network

Friedrich Ebert Stiftung

Foundation for Women

Gender Equality Center

Girl's Guide Association of Thailand

Global Alliance against Trafficked in Women

Indigenous Women's Network Thailand

Isaan Development Foundation

Isaan Women's Network

IRC Thailand

Kwan Chumchon Foundation

Live Our Lives Group

Map Foundation

National Council of Women of Thailand

North region development Foundation

Network of Land Reform of Northeast Region

Protection on the Rights of Women and Children Foundation, Lampun

Public Policy Studies Institute

Rakthai Foundation

Rural Development Foundation Thai Women's Watch Association

Social Agenda Working Group (Social Watch, Thailand)

Southern Women's Network

Thai Women's Watch

Thai Positive Women's Network

Thai Volunteers Service Foundation

The Federation of Business and Professional Women Association of Thailand (BPW Thailand)

We Move

Women's Network for the Advancement and Peace

Women Lawyers' Association of Thailand

Women's Study Center, Chiang Mai University

Women's Right Protection Foundation

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A. Women and Poverty

1. Progress since the Beijing Declaration and Platform for Action

Almost every Thai government has issued policies that focused on poverty reduction. There are policies, measures and schemes which intend to increase people's income, while reducing expenses. An income guarantee policy was also implemented. However, there is no specific policy to promote economic empowerment and access to financial services to disadvantaged groups of women.

The Thai Women Empowerment Funds which was adopted by Yingluck Shinawatra's cabinet in 2012 open for all women above the age 15 to become members. The fund was divided in two types, first, 'revolving funds' which the member can lend for career development, job creation and income generation. The interest rate is three percent a year and repayment period cannot exceed two years. Second are 'subsidy funds' which are used to promote quality of life and knowledge. This fund accounts for 20 percent of total fund.

2. Gaps and Obstacles

Economic opportunity is concentrated in urban areas. Rural or urban poor women rarely have the opportunity to access those resources and capital. A large number of women are burdened with debts and rely on loan sharks or informal loans. Women especially from the North and the Northeast who are living in poverty are vulnerable to be trafficked into exploitation and forced labour abroad. Some women are not able to protect themselves due to lacking of knowledge and information. Poverty also pushed women into circles of crime. More and more women are involved in the illicit drug trade, prostitution or scam marriages (with foreigners).

The Office of the National Economics and Social Development Board reports that there is increasing tendency for women to become heads of households and have burden in taking care their families. The statistic between the year 2004 – 2007 reflect that although the average income of families in Thailand has increased, female headed households have lower average income than male headed households.

Women who work in the informal labour sector have to deal with inconsistent job opportunities, debt, health problems, dangerous work environments, and lack of access to health care. They also need training to help them improve their skills and become more competitive in the labour market.

It is found that poor women do not fully benefit from Thai Women Empowerment Funds. There are only 29 percent of women who have benefited from the fund or equals to 9.6 percent of the population of Thai women age above 15. The Thai Women Empowerment Fund is being scrutinized by civil society. It was tainted by the accusation of lack of accountability, inefficiency and management problems. The funds were said to be run by personnel who have

limited understanding of gender issues. The proportion of funds allocated for women's empowerment is only 20 percent.

3. Recommendations to the Government

- Develop appropriate and relevant policy and measure to promote economic empowerment for women living in poverty.
- Women's Fund for Economic empowerment should be a part of the Fund for the promotion of Gender Equality which is one element of the draft Gender Equality Bill proposed by the Women's Rights NGOs called the Promotion of Opportunity and Gender Equality Bill.
- Gender-disaggregated data should be collected. The data will help policy-makers and practitioners understand gender-specific issues.
- Develop programmes, including employment schemes, that improve access to food for women living in poverty, including through the use of appropriate pricing and distribution mechanisms.
- Develop land reform policy and ensure that poor women would get access to land resources.
- Provide necessary information on debt management to women and assist women that are prey of informal loans that have high interest rate.

B. Education and Training of Women

1. Progress since the Beijing Declaration and Platform for Action

According to Education Act, B.E. 2542 (1999), Thais have the right to access 12 years of compulsory education, without paying tuition fee (tuition fee was abolished in 2003), and achieves a high enrollment of children. However, it is reported that the number of students enrolled in higher education is decreasing.

2. Gaps and obstacles

The Office of the Basic Education Commission reports that, in the school year of 2007, there were 119,626 students, 69,244 boys and 50,382 girls, or 1.4 % of all students who dropped out from school. There is still no clear measure how these children can be encouraged to be back to school or get access to adult education program. The main reason of dropping out is financial problems. Another reason is problems within the family. It is found that a lot of girls spend extracurricular time on household chores such as looking after their siblings, cooking and cleaning.

The government is not doing enough to meet its obligation to help pregnant adolescents and young mothers return to or continue with and complete schooling. Some girls are taken out of school because of unwanted pregnancy and early marriage. In the draft bill on reproductive health, there is an article that allows school girls who get pregnant to return back to school.

Gender equality is not integrated into education. School textbooks still follow gender stereotypes. Teachers still reinforce traditional gender roles. This demonstrates that the National Machinery on women has failed to influence the Ministry of Education to be aware of the role of education in promoting gender equality.

There has also been no progress to improve equal opportunities for women of all ages to education and training. It is found that women over the age of 40 have a lower education level than men. A large proportion of working-class women achieve only a low level of education. Therefore, lifelong learning is also important. This is also an obstacle for women to benefit from IT development. When women leave school and enter labour market, often they do not continue using language skills in reading and writing, and they tend to avoid using IT and computers even though these are now available even in the rural area. There is no specific measure to guarantee access to education for marginalized women such as women with disabilities, undocumented migrant children and women who still experience lack of access to education.

Despite equal opportunity to access education, male and female students' interests vary tremendously. There is much lower number of women enrolling in engineering, architecture, mathematics and computer science. This has led to unequal opportunity to get access to employment between men and women after they graduate.

There is no specific policy to encourage young women and women re-entering the labour market, to provide skills to meet the needs of a changing socio-economic context for improving their employment opportunities.

3. Recommendations to the Government

- Promote gender equality in school curriculums and produce guidelines to promote gender equality policy in educational institutions.
- Conducting gender disaggregated data collection in education is needed. Such data will be useful for analysis, monitoring, assessment, decision-making, development, and resource allocation in education sector.
- Ensure the right to education for migrants, stateless, ethnic, and disabled girls.
- Develop monitoring system for girls who leave school early, in order to give them proper assistance and alternatives in education.
- Provide and Promote life-long learning opportunities for women who have entered labour market.

C. Women and Health

1. Progress since the Beijing declaration and Platform for Action (BPA).

Thai women have benefited from the Universal Health Scheme with free medical service for all including access to antiviral drugs and health services for people living with HIV.

Another health movement after the adoption of BPA is the development of the draft Reproductive Health Bill initiated by the Ministry of Public Health with participation of NGOs in 2006. Its objective is to provide framework and procedure to protect and guarantee the rights to reproductive and sexual health for all. The draft -Bill also includes policy, strategy and implementation with participation of all stakeholders. The draft bill recognizes women's right to information, right to access to health and social services, right to self-determination regarding health, including patient's confidentiality. However the draft Bill was not approved by the Council of State. Thai NGOs have produced their own draft Bill and is still waiting to be submitted to the Parliament.

2. Gaps and obstacles

It is reported that policy implementation and programs on health system and health service still lack a gender perspective. Women's health policies typically focus on women's reproductive health and child care, whilst ignoring other important women's health issues. Unmarried women, women who are in post-reproductive age, and women with unwanted pregnancy are inadequately covered in health policies. As a result, health services for these groups are insufficient and do not respond to their health issues. Teenage pregnancy in Thailand is still high as sex education and information on reproductive health is not efficient. According to a survey on childbirth in the year 2011, in 1000 teenagers between 15-19 years old there are 54 childbirths.

Women are discriminated against in the process of health policy formation, especially ethnic minorities, indigenous women, lesbian, bisexual and transgender women and women with disabilities. Moreover, women are burdened with social stigmatization and discrimination, specifically on the issue of unwanted pregnancy.

Generally, Thai women are also burdened with contraception including sterilization operations. Many women have little decision-making power in family planning and childbearing. Some experience health problems due to multiple pregnancies. Information on birth control is not widespread and women have little knowledge especially health effect from contraception. Abortion is still illegal except for the reason of the mother's health and in cases where the pregnancy is the result of rape.

3. Recommendations to the Government

- Adopt the people's draft bill on Reproductive Health to ensure women's right to reproductive and sexual health.
- Develop the health system and services and promote the right to sexual and reproductive health to respond to urgent health needs of women such as unwanted pregnancy, reproductive cancers, infection in reproductive organs, and teenage sexual health.
- Amend the Criminal Law to ensure that women who seek or have an abortion are not punished and ensure access to safe and legal abortion
- Strengthen health services which prevent and reduce the risk of diseases and death caused by those diseases, especially non-communicable diseases.

- Health personnel should be educated about gender perspectives in health service provision and gender equality in order to recognize the different health needs of men and women.

D. Violence against Women

1. Progress since the Beijing Declaration and Platform for Action

Thailand has issued several laws since the BPA in 1995 that addressed protection of women from violence. For example, the Prevention and Suppression of Prostitution Act B.E. 2539 (1996), the Protection of Domestic Violence Victims B.E. 2550 (2007), the Criminal Code Amendment Act (No 19) B.E. 2550 (2007) on marital rape, the Prevention and Suppression on Human Trafficking Act B.E. 2551 (2008).

In term of policies there have been government policies on violence against women (VAW) since 1999 with the establishment of the One Stop Crisis Centre (OSCC) in the government hospitals and its hotline, number 1300. In 2000, a master plan on VAW policy was also issued by the Cabinet. Women's rights NGOs also lobbied for female investigators in the police stations to deal with VAW cases. The Thai Women Development Plan in the National Economic and Social Development Plan (NESDP) has also addressed VAW since the 9th plan (2002-2006). The present plan in the 11th NESDP B.E. 2555 - 2559 (2012-2016) focuses on reducing VAW. Moreover, the Government Homes for Children and Family have been established in every province. To comply with the UN campaign for ending VAW on 25 November, Thai government has also designated 25 November as the national Ending VAW day and November as the Campaign Month for ending Violence against Women.

2. Gaps and obstacles

There are gaps in the implementation, enforcement, and the justice system process on the issue of VAW due to gender biases or the lack of understanding of gender, women's human rights and the laws themselves, in addition to investigators' and other law practitioners' preferred approach of reaching easy compromises on cases. Many of the law enforcement officers and the public even do not realize the existence of some of these laws e.g. the Domestic Violence Law.

Law enforcement still lacks gender sensitivity when it comes to the issue of sexual violence. VAW is also usually perceived as a personal issue. Without gender lens investigators often cast doubt on female victims' consent or viewing domestic violence as a family matter and thus, are not willing to register the cases but try to compromise instead. Thus, the VAW cases may be under-reported. Moreover, despite the establishment of OSCC, it is reported that it is not known to the public and officers who work at the center lack gender sensitivity in working with affected women and may have inadequate understanding on the issue.

Some women who are affected by domestic violence do not know their rights. They do not know the channel they can bring their cases to. Ethnic minority and indigenous women are specifically marginalized from access to information, knowledge, as well as legal assistance. This shows that

women still have insufficient access to information and knowledge to deal with violent situations.

The Protection of Domestic Violence Victims B.E. 2550 (2007) with the family unity approach may put pressure for the victim to compromise without obtaining any real solution, prioritizing family unity. In the amending of the Criminal Code, article 276 and 277 on sexual violence offences represents progress with its broader definition of rape to cover all types of sexual penetration, all sexes, and criminalization of marital rape. However, the measure which requires that offenders under the age of 18 can choose to marry their victim instead of being prosecuted constitutes a violation of women's rights. Another concern is the mild punishment in the case of marital rape.

The Prevention and Suppression on Human Trafficking Act B.E. 2551 (2008) has weak enforcement. Thai trafficked persons are mostly women and girls and have to fight for justice without enough support from the concern mechanisms and the process can last more than 7 years. There have been many cases that traffickers could jump on bail and go aboard without any interfering from the authorities. Some women who were consent to engage in sex work and were exploited and put into slavery like condition are also trafficked persons according to the law, however the police refused to identify them as victims so these women were refused to get fund support and did not get any protection.

3. Recommendations to the Government

- Amend the Protection of Domestic Violence Victims Act to use right based approach and include provision on social services and fund support for women affected from domestic violence.
- Increase the numbers of female investigators at every police station and develop Standard Operating Procedure for police officer for the protection of women from VAW to reduce the gap in law enforcement.
- Enhance monitoring, assessment, health care, recovery, assistance with gender-sensitivity. Train personnel with the knowledge on gender and gender perspectives using interdisciplinary approach so that social workers can work with more gender sensitivity.
- Increase financial and resource support to shelters for women affected by VAW. Create extensive and sufficient protection for victims of violence.
- Develop appropriate guideline for police to identify trafficked persons according to the Law and create effective complaint mechanism that is easy to access.

E. Women and Armed Conflict

1. Progress since the Beijing declaration and Platform for Action

At the national level, the Office of Women's Affairs and Family Development, Ministry of Social Development and Human Security, appointed a subcommittee on women, peace promotion and security. Ethnic Muslim women from the Deep South of Thailand are part of the subcommittee, however there has been slow progress made and women stakeholders and groups affected by violence cannot play significant role and be part of the decision-making process.

There are now many women's groups in the Deep South working on violence against women, including domestic violence and sexual violence, which are not recognized as urgent issues from community leaders and most civil society in the area. It is found out that these women's groups are facing many obstacles including lack of funds, rejection by religious leaders and insufficient knowledge of Islamic law.

2. Gaps and obstacles

Violence in the Deep South of Thailand, which has been ongoing for more than ten years, has resulted in a large number of deaths, including women and children. One of the concerns is the Decree on Administration in Emergency B.E.2548 (2005) which has been used in the area to give amnesty to state officers on both civil and criminal offences. This can mean for impunity for state officers who committed human rights violations. Security force agencies working in the area have not received training on human rights and gender equality, including an understanding of CEDAW.

However, the Thai authority has policies to decrease military armed forces in the area, and compensate with the increasing role of civil groups performing armed forces duties. However, many people in the area worry that these civil groups lack legal and human rights training. There have been reports of human rights violations from the civil armed forces.

Thailand has not developed a National Action Plan on Women's Peace and Security to promote the role of women in the conflict area and participate in activities to stop violence, including violence against women, decision-making and peace-building.

At the local level, under the Southern Border Provinces Administration Act B.E. 2533 (1990), the Southern Border Provinces Administration and Development Advisory Board has included six women among 49 members of the board. But the role of female members is still insignificant. The board later announced a working group on peace talk between the Thai government and the insurgents. No women were included in this working group. Muslim women are stereotyped as being indecisive and having weak leadership. Such stereotypes prevent women from participating in decision-making processes or advocacy work.

Women and girls are not direct targets of insurgents. However, a number of women and girls, as well as their families, suffer from injuries and death. They are not protected from violence, and do not have access to the justice system. Although the Thai government at the local level tries to establish mechanisms, strategies and action plans to empower and strengthen the role of children,

youth and women; implementation is yet to become for reality. Women play only a small role in decision-making and participation. The cause of this failure is the structure of local administration and the absence of knowledge on gender sensitivity.

The Thai government does not yet have a policy to create Women Peace Keepers. The security force has a policy to increase the number of women soldiers to take the role of search and arrest in cases when women are targeted. However, these women are not trained to take the role of peace keepers and reconciliation. There are also no female investigators in the area to provide access to justice for women affected by gender-based violence.

3. Recommendations to the Government

- Adopt UN resolution 1325, in particular in the area affected by conflict, to increase participation of women in peace building and conflict resolution, both in implementation and decision-making.
- Develop National Action Plan on Women Peace and Security to protect women and children in the area. Women should participate in drafting this Action Plan. There should be necessary measures to protect women and girls from all forms of violence and end impunity to perpetrators of gender based violence.
- Set mechanisms which facilitate the justice system for victims and rehabilitate the victims of violence, including their families and communities.
- Promote trainings which aim to empower women on the issues of politics and human rights, including the legal rights of women.
- Increase the proportion of women at the policy-making level and increase women's opportunities to participate in official peace talks. Increase representation of the diverse opinions of women from different religions, levels of education, economic status and ethnicities.
- The Thai government should consider ratifying the Refugee Convention 1951, in order to build mechanisms to protect refugees according to international standards.

F. Women and the Economy

1. Progress since the Beijing Declaration and Platform for Action

Thai women play significant roles in the Thai economy. The ratio of women to men in employment in Thailand has been increasing, in 2007 the ratio of women to men in employment was 86.7:100 and in 2008 the ratio was 90.8:100. The Southeast Asia region's ratio is 70.8:100. the National statistic reported that 65 percent of women are employed. In the year 2013, there are 45.42 percent of women as female entrepreneurs in the country.¹ According to the survey on Small and Medium Enterprises (SMEs) in Bangkok, 61 percent of owners of SMEs are women in the year 2009.

There has been progress in the regulation and measures Thai legislation regarding women and the economy. For instance, the approval of 10 May as the National Safety at Work Day in 1997, the Home-worker Protection Act, B.E. 2553 (2010), aims to protect and ensure the rights and safety of home-workers, who are mostly working in the informal labour sector. Also, the Social Security Act, article 40, states the right to welfare for those working in the informal labour sector. Another example is the Labour Protection Act, B.E. 2541(1998) and B.E. 2551(2008), which specifically states that women and men should get equal treatment.

The Thai government has issued Ministerial Regulation No. 14 (2012) on Protection of Domestic Workers. This regulation recognizes domestic work as an occupation and extends some of provision of the Labour Protection Act to cover these workers, which includes the right to one day off per week, the right to take holiday and sick leave with pay.

2. Gaps and obstacles

After the national economic crisis in 1997 over 100,000 women workers were laid off. Again during the global financial crisis between 2007-2008, there were at least 125,700 women workers in export industries being laid off or relocated to a position with lower pay. The government does not have effective measure to ensure responsibilities of these companies to these workers. The risk of women workers being laid off is still going on till today. In 2008, the government had a measure to provide 2000 baht cheque to anyone having income lower than 15,000 baht. This measure could only reach people in formal sector and government officers. However, many women in informal sector who mostly are women were left out from this programme.

Despite the enactment of laws and regulations that intend to improve labour welfare, those working in the informal labour sector comparatively gain less access to the rights and welfare than those working in formal labour. The Home-worker Protection Act, B.E. 2553(2010) have not been fully enforced.

Domestic workers still do not receive a minimum wage and social security as with other kinds of work. Domestic workers who are foreign children from our neighboring countries do not get access to protection as they do not get opportunity to get work permit

Despite a low unemployment rate (1 percent), many jobs are degrading and have poor working conditions. Numerous workers in Thailand do not have “decent work” and cannot get access to social security. In general, most women working in formal and informal sector do not get access to skill training. It is found that types of skill training are limited for women especially those with low education and skills. They would like to get trainings that can increase the skills that they already have.

There is an increasing number of information technology promotion programmes in local Thai communities. However, there is no specific policy to promote women’s technological literacy. Therefore women in local areas do not get benefit from the progress of Information Technology.

Privatization and development policies result in more difficulties for women, especially in rural areas, in gaining access to natural and economic resources.

Thailand has committed itself to free-trade agreements. Nevertheless, there are few laws and regulations to control them or ensure fair trade. Women in the Northern part of Thailand have already got affected from the Thai China free trade agreement. Farmers who used to produce garlic and onion could not sell their crops as before.

Occupational health and safety is an issue of grave concern among women workers as they experienced tragedies after tragedies of loss of lives and serious injuries. The Keder Company tragedy on May 10, 1993 with 188 death and 469 injured workers mostly women led to the campaign of workers' network for an institution for enhancing safety and occupational health and environment at work. After the 14 years of campaign since 1997, the Act on Enhancing Safety and Occupational Health and Environment at Work was issued in 2011. However, the institution of this concern is not yet materialized. The government draft Bill on this institution did not consider the proposal of the workers' former Bill on its independence, its authority to monitor and study on the working safety, direct budget from the government and compensation Fund³.

3. Recommendations to the Government

- Develop regulations for the enforcement the Home-worker Protection Act, B.E. 2553
- Enact Domestic Worker Protection Act to ensure protection to domestic workers including foreign migrant women and children.
- Establish equal social protection system with universal coverage.
- Develop programmes to provide access to skill training for women labour both in formal and informal sector and entrepreneurs including skill on Information Technology.
- Provide market place for small entrepreneurs for income distribution
- Collect gender-disaggregated data on economy in order to improve economic policy formation and policy implementation.
- Improve female labour's quality of life, work safety, labor's welfare and develop appropriate measure to monitor the quality of facilities at workplace.
- Support for the principles of an Institution on Enhancing Safety and Occupational Health and Environment at Work on its independence, its authority on monitor the working safety, the direct budget from the government and the management of Compensation Fund.

³ <http://voicelabour.org> on 19 May 2013

G. Women in Power and Decision Making

1. Progress since the Beijing Declaration and Platform for Action

The Constitution of Thailand, B.E. 2550, article 87, stated that: “People’s participation, according to this article, must consider the proportion of participation of men and women.”

The Thailand’s Eleventh National Economic and Social Development Plan (2012-2016), includes the strategy to encourage women in participating in decision-making processes. The strategy emphasizes publicity and distribution of information on women’s empowerment. It also pinpoints the importance of amending laws and regulations which hinder women’s participation in political and governmental administration.

It is reported that, for the last ten years, women have been participating more in political and administrative offices. The number of women who hold managerial and high-ranking positions is growing. The proportion of women has increased from 17.8 percent in the year 2002 to 24.44 percent in the year 2010.

2. Gaps and obstacles

Women are restricted by a “glass ceiling”; very few of them have prominent roles in decision-making on the country’s major issues. Women still have incomparable decision-making power to men. Women’s participation in politics is very low. In the year 2011, women are elected as members of parliament only 15.8 percent and are elected as senators 16.22 percent. On the local administrative level, today women make up only 13 percent of all local representatives.

The government does not endorse quota system which would increase the number women in politics. The proposal from the Women’s Status Promotion Association on setting appropriate proportion of men and women in Local Administrative Organizations was not accepted by the government. And the government’s draft Bill on Gender Equality does not state temporary special measures to promote women in decision making.

Policies which are said to promote women’s empowerment still stress occupational development and income generation. Trainings that intend to empower women are found to be short-lived, unsustainable and unbeneficial to women; women still lack important skills in participating in decision-making. Women at the grassroots level have little access to decision-making processes. Decisions in communities are mostly made by middle-class women.

3. Recommendations to the Government

- Urge political parties to develop effective measures to increase the number of women in decision-making processes and promote participation of women in politics including the quota system and electoral systems that encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men;
- Support women’s organizations to enhance and develop programmes to empower women and increase potential of women in participating in decision-making processes at all level especially to ethnic minority and indigenous women.

H. Mechanisms for the Advancement of Women

1. Progress since the Beijing Declaration and Platform for Action

The National Commission on Women's Affairs (NCWA), founded in 1989, is the first permanent organization with the objective to promote and improve women's advancement in Thailand. It operates under the Office of the Permanent Secretary. The government bureaucratic restructuring in 2002 resulted in relocation of NCWA from the Prime Minister's Office to the Ministry of Social Development and Human Security (MSDHS). Its title was renamed to the Office of Women's Affairs and Family Development (OWAFD) dealing with promotion of gender equality and family well-being. OWAFD works under the guidance of the National Commission on Women and Family. Subsequently in 2008, the Cabinet approved division of the National Commission on Women and Family into two separate ones for more effective function. The new entities namely the National Commission on Policies and Strategies for the Development of Women's Status (PSDWS) chaired by the Prime Minister.

In 2001, the Cabinet approved the establishment of Chief Gender Equality Officers (CGEOs) in all ministries and departments, headed at least by the Deputy Permanent Secretary and Deputy Director- General respectively.

2. Gaps and obstacles

Gender mainstreaming process has neither fully conducted in the National Women's Machinery (NWM) nor introduced to all ministries and departments. The CGEOs and coordinating staff at both the ministerial and departmental levels do not receive regular and adequate capacity development to incorporate gender mainstreaming in their respective programs and projects. No clear action plan to build up the capacity of new CGEOs and staff is identified.

Four five-year National Plans on Women's Development as sectorial plans of the five-year National Economic and Social Development Plan were formulated and implemented without adequate coordination among related ministries and departments. Monitoring tools such as indicators of the national plan on women, sex-disaggregated data and gender-based analysis are not well developed and effectively used.

Even though the Chairperson of the National Commission on Policies and Strategies for the Development of Women's Status is still the Prime Minister, the restructuring has undermined the authority of the NWM to carry out its gender mainstreaming efforts and coordination across all sectors. The CEDAW Committee has already shared the same concern during the State Report Review since early 2006. The relocation of the NWM made the secretariat office moved away from the center of power in the public sector to a new and welfare-dominated ministry. The status of the new secretariat office of the NWM is not actually upgraded when compared to the previous one. OWAFD formulates policies and programmes and implements activities with dichotomy between gender equality and traditional roles of women as its guiding lens and approaches. OWAFD, thus, does not have influential power over MSDHS which is mainly dominated by the welfare approach. MSDHS itself also have limit influential power over other

ministries. Moreover, the National Commission on PSDWS seldom calls the meeting and the expertise of five selected NGO experts as its members is not fully utilized.

3. Recommendations to the Government

- The OWF should be restructured for the highest possible level in the Government, falling under the responsibility of a Cabinet minister with sufficient resources in terms of budget and professional capacity so that they can influence development of all government policies and promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes. This will ensure that, before any decision is taken, an analysis is made of the impacts on women and men..
- Institutionalize gender mainstreaming policy, strategies and process in all government agencies;
- Develop short-term, medium-term and long-term capacity development plans on gender mainstreaming for staff of the NWM and other government agencies to ensure adequate knowledge among government personnel to regularly implement their programmes and projects with gender perspective;
- Develop necessary technical tools for gender mainstreaming such as gender indicators, gender statistics and information, and gender budgeting to ensure effective gender responsive policy analysis, implementation, budgeting, and monitoring/evaluation;
- The government should involve CSO/women's NGOs in gender mainstreaming process, particularly support funds to qualified women's NGOs to implement projects or activities and/or provide services that require specific expertise.

I. Human Rights of Women

1. Progress since the Beijing declaration and Platform for Action (BPA)

The progress after the adoption of BPA on the issue of women's human rights can be seen in the last two Constitutions of Thailand (1997 and 2007) with several articles guarantee for the gender equality and protection from violence. Article 30 of the Thai Constitution, B.E.2550 (2007)t. stresses the protection of human rights, the principle of gender equality, and prohibits discrimination on the basis of sex. Article 52 of this same Constitution protected women from domestic violence. Further progress is seen in the Thai government's withdrawal of their reservations on Article 16 of CEDAW on economic consequences of marriage, family relations and their dissolution.

2. Gaps and obstacles

There is no law to domesticate the government's obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The government developed the draft Gender Equality Bill, however it does not comply with the convention's standards. The definition of gender discrimination includes exception on the ground of religion,

academic background and public interest. In the effort of women NGOs to proposed for a well rounded Bill, the Promotion of Opportunity and Gender Equality (People Bill) was submitted to the Parliament in October 2012. The People's Bill was terminated after the Parliament was dissolved in December 2013. Under the current military government, the government Bill on Gender Equality was proposed to the appointed Parliament. On 10th October 2014, the Women's Network has called for withdrawing the government Bill from the parliament and urged that the government to open discussion to reconsider the Bill with participation from the Women's Network.

Violence against women based on culture is persistent in some communities especially in indigenous communities. There are still no effective mechanisms to create awareness that violence against women is a human rights violation.

The government still lacks concern about discrimination and violence against marginalized women, including women with disability, indigenous women, Muslim women, lesbian, bisexual and transgender women, migrant women and refugee women. They face obstacles in obtaining access to information and available services including hotline services. Women in the Deep South face gender-based violence by the authorities and they cannot get access to protection due to impunity by Administrative Decree.

Women from ethnic minority and indigenous communities face restrictions on public discussion of personal matters such as sexual life. Some ethnic minority communities tend to opt for reconciliation rather than judicial process to solve domestic violence offences. Women are negatively affected by local cultures and traditional customs which prevent them from enjoying their human rights.

These marginalized groups of women in particular still experience violence and discrimination, unjust practices, unequal pay, lack of access to education, lack of participation in public life and decision-making, lack of freedom of expression and association, discrimination in workplace, lack of self-determination over their body and sexual and reproductive health, and more.

3. Recommendations to the Government

- Withdraw the government draft on Gender Equality Bill from the Parliament and adopt civil society's draft into legislation. The civil society's Bill focuses on women's access to justice and the right of marginalized women such as women with disabilities, ethnic minorities, migrant women, single mothers etc.
- Work closely with CSOs and marginalized groups of women including women with disability, indigenous women, Muslim women, lesbian, bisexual and transgender women, migrant women and refugee women to develop effective measure to promote and protect human rights of these women.

J. Women and the Media

1. Progress since the Beijing declaration and Platform for Action

Over the last five years, Thai women participation and representation in the media has increased. Women have more space to express themselves, thanks to the rise of social media outlets. Social media also provides more space for the lesbian, bisexual and transgender community to make their voices heard. There are more female journalists and more women are appointed as chief correspondents in news corporations. Thai women have an increasing role in both government and the civil society sector. The Ministry of Information and Communication Technology of Thailand also appointed a female Permanent Secretary. A study by Media Monitor comparing women's representation in the media in 2012 found that women in the media are portrayed as more expressive, in terms of their relationship and career success. In terms of news outlets, the issues of women are better presented regarding prostitution and international human trafficking. The issues experienced by the lesbian, bisexual and transgender community, as well as its activism, are also found to be better represented in the media.

2. Gaps and obstacles

In general, women are represented in an unbalanced or biased way by the media. The media is still presenting sexist stereotypes and presenting women as inferior human beings. Women are occasionally depicted as the cause of sexual violence. Women are illustrated as the perpetrators of crime or the source of the problem, for example, in news items related to abortion, unwanted pregnancy and abandonment of newborn children. A study by Media Monitor comparing women's representation in the media in the year 2007 also found that most Thai situation comedy programmes depict women as inferior to men, especially in terms of decision-making skills.

There are no television programmes or other media outlets that aim to raise awareness of violence against women in Thai society. There is no outlet to distribute information on VAW and women's rights.

Women are the target of advertisements emphasizing the importance of appearance, such as beauty commercials. There are many women who fall victim to these aggressive advertisement. Some have lost their lives due to extreme weight-loss regimes or complications from plastic surgery.

Gender issues are not mainstreamed in communication arts curricula. The idea of female empowerment and recognizing the human rights of women are still generally neglected. The Thai media sector has not applied professional guidelines and method of self-regulation to address violent or degrading materials concerning women.

3. Recommendations to the Government

- The government must develop mechanisms and measures to create understanding of the gender dimension, using the government's media to disseminate gender issues in professional and educational institutes.
- Establish affirmative action in terms of the sexual objectification of women and negative stereotypes of women. The Government should impose regulations which would terminate such practices.
- The Government should apply gender mainstreaming and promote gender equality in mass media.

K. Women and the Environment

1. Progress since the Beijing Declaration and Platform for Action

The Thai Constitution, B.E. 2550 2007, addresses land, natural resources and environment in article 85. People's right to information and participation in planning or programs which would affect people's well-being is ensured in articles 56 and 57.

2. Gaps and obstacles

Despite the Constitution protection guaranteed, people have been excluded from participation in decision-making on industrial and other governmental mega- or medium projects which degrade local community's environment. Women are marginalized in policy-making and decision-making processes. The effect of industrial development and pollution to the environment is tremendous. It does not only affect natural resources but also local people's way of life. Local fisheries or agriculture are affected by pollution. Farmers and fishers have to abandon their homes and their occupations to work in the city. Women in local communities have to step up and look after the family that their husbands left behind.

People who live near industrial sites are vulnerable to illnesses caused by hazardous chemicals and pollution. For instance, pregnant women give birth to low-weight babies attributed to pollution and toxic waste.

Ethnic minority and indigenous communities are also hard hit by the government's development policy. The land where their ancestors used to make a living is being taken away by conservation policies. Ethnic minority and indigenous people cannot continue their culture which ties closely to the land they once lived in. In general, ethnic minority people have little participation in environmental or development policies. Local wisdom is not promoted and is neglected by the central authority. Ethnic minority and indigenous people are perceived by the authorities and corporations as an obstacle to development, making them the target of scrutiny and marginalization.

Laws on environment protection still lack a gender perspective. They do not recognize the effect of environment degradation which varies between men and women. Women are excluded from decision-making processes. Women and girls are neglected from environmental policies. The

issue of women and the environment is actually mentioned in the Eleventh National Social and Economic Development Plan. However, the government's effort to incorporate gender in environmental issues is short-lived, unclear, unsustainable and lacks continuity.

3. Recommendations to the Government

- Ensure women's participation on natural resource management and environmental policies, at both local and national levels. Promote distribution of power to make sure that local communities, including ethnic minorities and indigenous peoples, participate in policy formation and implementation.
- Promote gender sensitivity. Civil society and government should have a better understanding of the gender perspective. Establish indicators and an evaluation system in every organization. Incorporate a gender perspective in the process of every Environmental Impact Assessment (EIA).
- Establish plans which promote women's decision-making and empowerment. Women should have more access to participate in amending laws and decision-making processes.

L. The Girl Child

1. Progress since the Beijing Declaration and Plat forms for Action

There is no specific change in the government's practice regarding girls. However, in general Thailand has made progress with regard to laws and policies involving children such as a 12-year compulsory education policy, according to Education Act, B.E. 2542 (1999).

Thai children are legally protected under Child Protection Act, B.E. 2546 (2003) . This Act is in accordance with the United Nation's Convention on the Rights of Children. There is also the Anti-Prostitution law which criminalizes the act of buying sexual services from children.

2. Gaps and Obstacles

The One Stop Crisis Center (OSCC) of the Ministry of Social Development and Human Security reported that the number of women and children who are victims of violence increases every year. Girls are around three to six times more likely to be affected by violence than boys. Considering the changing environment in Thai society where there is growing awareness of violence against girls, the Ministry of Education has not yet developed an appropriate school curriculum to increase awareness among school children.

At the same time, the number of both Thai and migrant children who are lured into human trafficking is rising: 108 children in 2011; 324 in 2012; and 255 in 2013, most of them were victims of the sex trade (data from Human Trafficking Report, Ministry of Social Development and Human Security).

Although Thai children are subjected to 12 years of compulsory education, it appears that children from marginalized groups, such as migrant and ethnic minority children, still have low levels of education. These children also experience biases and discrimination in school resulting in many young students to drop out of school.

A number of teenagers do not have enough knowledge on reproductive health and birth control, making them vulnerable to unwanted pregnancy.

Many girls in the Muslim community experience forced marriage. Children who marry early will have less opportunity to continue their education and are subjected to social isolation, and some experience sexual violence. Children in the Deep South are experiencing daily violence with growing number of casualties and injuries. They are also affected physically and mentally but there is still insufficient aid for children in those areas.

3. Recommendations to the Government

- Mainstream gender in child protection policy and measures and increase budget for the Child Protection Fund.
- Promote and support the role of CSOs to conduct activities that empower girls to have self-esteem and provide information and awareness on VAW, human trafficking and consumerism.
- Improve the children's health care system. The service should be child-friendly and accessible. Teenager's reproductive health should be highlighted.
- Collect gender-disaggregated data on boys and girls. Use a gender lens in policy formation on children.
- Strengthen counseling services for girls and increase resources for social services for girls with premature pregnancy.
- Protect migrant children from all harm and exploitation. Develop policy that ensures their access to safe and decent work. Develop assistance and protection mechanism regardless of their nationality.

ⁱ <http://humanrevod.wordpress.com/2013/09/09/thailand-female-entrepreneur/>