

**FWC SIEA 2018 - Lot 3: Human Rights, Democracy and Rule of Law
EuropeAid/138778/DH/SER/Multi**

Gender Country Profile for Thailand

Final version

**Specific Contract N° 300004808 — SIEA-2018-556
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DELEGATION of the EUROPEAN UNION to Thailand

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Table of Acronyms and Abbreviations

AEDP	Alternative Energy Development Plan
ASEAN	Association of Southeast Asian Nations
AWC	ASEAN Committee on Women
BPfA	Beijing Platform for Action
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEO	Chief Executive Officer
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
CESCR	International Covenant on Economic, Social and Cultural Rights
CFOs	Chief Financial Officers
CGEO	Chief Gender Equality Officers
CLIP	Country Level Implementation Plan
CPEIR	Climate Public Expenditure and Institutional Review
CSD	National Committee for Sustainable Development
CSOs	Civil Society Organisations
DEDE	Department of Alternative Energy Development and Efficiency
DWF	Department of Women's Affairs
EGAT	Energy Government Authority of Thailand
ERC	Energy Regulatory Commission
EU	European Union
FBPW	Federation of Business and Professional Women's Association of Thailand
FGM	Female genital mutilation
GAP	Gender Action Plan
GBV	Gender-Based Violence
GCNT	Global Compact Network Thailand
GEA	Gender Equality Act
GESI	Gender Equality and Social Inclusion
GEWE	Gender Equality and Women's Empowerment
GFPs	Gender Focal Points
GII	Gender Inequality Index
GMS	Greater Mekong Sub-region
GRB	Gender Responsive Budgeting
HDI	Human Development Index
LGBTIQ	lesbian, gay, bisexual, trans, non-binary, intersex and queer
MDGs	Millennium Development Goals
MIP	MultiAnnual Indicative Programme
MOPH	Ministry of Public Health
MP	Member of Parliament
MSDHS	Ministry of Social Development and Human Security
NESDB	National Economic and Social Development Board
NESDP	National Economic and Social Development Plan
OHCHR	Office of the High Commission on Human Rights
PAO	Provincial Administrative Organizations
PPP	Purchasing Power Parity
SAO	Sub-district Administrative Organizations
SEATO	Southeast Asia Treaty Organization
SEP	Sufficiency Economic Philosophy
SIGI	Social Institutions and Gender Index
SRHR	Sexual and Reproductive Health and Rights
STEM	Science, Technology, Engineering, and Mathematics
TEA	Thematic Areas of Engagement
UHC	Universal Health Coverage
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNPAF	United Nations Partnership Framework

UNSCRs	United Nations Security Council Resolutions
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UPR	Universal Periodic Review
VNR	Voluntary National Review Process
WDP	Women's Development Plans
WPS	Women Peace and Security

Executive Summary

The EU Gender Action Plan (GAP) III: An Ambitious Vision for Gender Equality and Women's Empowerment in EU External Action 2021-25, launched in Brussels in November 2020, provides the framework for the *Gender Country Profile for Thailand 2021*. This profile updates the previous *Gender Analysis (2017)*. Because of the ongoing coronavirus pandemic, the profile was compiled remotely, and heavy reliance was placed on data available online.

Thailand had a population of 66,558,935 as of 2019. Of the total population, there were more females (51 per cent) than males (49 per cent). Thailand's population is largely rural, concentrated in the rice-growing areas of the central, north eastern, and northern regions. Since 1950, the proportion of urbanites has been growing steadily whilst accordingly, the proportion of the rural population has been falling. The urban population continues to increase with the 2019 figure standing at 50.69 per cent.¹ However, accurate statistics are difficult to obtain as millions of Thais migrate from rural areas to cities, then return to their place of origin to help with seasonal field work. Officially they have rural residency but spend most of the year in urban areas.

Over the last four decades, Thailand has made remarkable progress in social and economic development, moving from a low-income to an upper-middle income country in less than a generation. As such, Thailand has been widely cited as a development success story, with sustained strong growth and impressive poverty reduction. The Human Development Index (HDI) compiled by United Nations Development Programme (UNDP) assesses long-term progress in three basic dimensions of human development: a long and healthy life, access to knowledge and a decent standard of living. Thailand's HDI value increased 33% between 1990 and 2018. Thailand's HDI value for 2019 is 0.777— which puts the country in the high human development category— positioning it at 79 out of 189 countries and territories.

Thailand has a Gender Inequality Index (GII) value of 0.359, ranking it 80 out of 162 countries in the 2019 Index. This reflects the fact that currently 16.2 per cent of parliamentary seats are held by women, and 43.5 per cent of adult women have reached at least a secondary level of education compared to the 48.6 per cent of their male counterparts. Thailand's Maternal Mortality Ratio decreased from 43 per 100,000 live births in 2000 to 20 in 2019, a figure lower than the average for upper middle-income countries.

Thailand achieved nearly all of the eight Millennium Development Goals by the 2015 target deadline. One of the key frameworks used to evaluate sustainable development has been the Sufficiency Economy Philosophy (SEP), developed by the late King Bhumibol Adulyadej (1927-2016). By promoting a people-centred approach to sustainable development, the SEP provides a cultural touchstone integrating and harmonising the SDGs framework with national goals. The current Constitution has also included the SEP and sustainable development as integral parts. The development approach based on SEP is in conformity with the core principles of the 2030 Agenda. Additionally, the government has established the Thailand 4.0 Strategy (2018-2037), a national strategy which focuses on improving economic competitiveness, equalizing economic opportunities, skills upgrading including digital skills, environmental sustainability ("green transition"), and effective public governance as ways to propel the country into the high-income group. Under Thailand 4.0 the country aims to shift its economy from being industry driven to high-tech driven and value-based. Promoting gender equality and inclusiveness is a key component of Thailand 4.0.

Thailand has advanced women's rights and gender equality through its ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1985, and its Optional Protocol in 2000. Thailand endorsed the Beijing Platform for Action (BPfA) in 1995; and has committed to the Sustainable Development Goals (SDGs) in 2015. Thailand has made significant efforts to integrate the international principles and instruments into legislation and policies. The Gender Equality Act (2015) established a Committee to Promote Gender Equality (CPGE) to enact the Act's policies and mechanisms to advance gender equality. In addition, the Women Development Strategy (2017-2021), developed by the Ministry of Social Development and Human Security, sets out goals, objectives and targets in the area of gender equality which will be steering tools for effective budget allocations.

¹ Statista (2021) Thailand: Urbanization from 2009 to 2019. URL:< <https://www.statista.com/statistics/455942/urbanization-in-thailand/>>

A number of institutional mechanisms have been established for the promotion and monitoring of gender equality. The *National Committee on Policy and Strategy for the Advancement of Women*, chaired by the Prime Minister, is a permanent national committee established in 2002 which provides advice and guidance to the Department of Women's Affairs (DWF) within the Ministry of Social Development and Human Security (MSDHS). A system of the *Chief Gender Equality Officers (CGEO) and Gender Focal Points (GFPs)* has been established across all ministries. Every department has a CGEO (usually at Deputy Director-General level) and sets up a key unit headed by a GFP. The DWF has the responsibility to support GFPs, by providing training, monitoring their activities, and reporting on their programmes annually. Since 2018 work has been initiated on a Gender Budgeting Action Plan which would reinforce many aspects of the existing official infrastructure (data-gathering, capacity-building, gender-responsive budgeting) and ensure that gender is mainstreamed across all sectors.

A large number of women's and LGBTIQ rights organisations and CSOs are engaged in different aspects of promoting gender equality in Thailand at central and field levels.

Key findings of the gender analysis according to Thematic Areas of Engagement are summarised below:

The incidence of Gender-Based Violence (GBV), primarily against women and the LGBTIQ community, in a variety of forms (domestic violence, sex-trafficking, sex tourism, prostitution, child marriage, Female genital mutilation (FGM), bullying and harassment in the workplace and in schools, under the Women, Peace and Security (WPS) agenda, etc.) is very preoccupying, and reflects deeper underlying inequalities and tensions across all sectors - economic, political and cultural. Perhaps because of its multi-sectoral, multi-level nature GBV is not necessarily conceptualised as a common problem with different expression across sectors but is seen by some mostly as the purview of human rights organisations. There is currently no national strategy to address GBV overall; legislation is weakly enforced, and access to justice for victims difficult and rare. Piecemeal responses across health, justice and other sectors need to be better integrated.

Thailand has an impressive record in the TEA Promoting Sexual and Reproductive Health and Rights. Thailand's Family Planning programme starting in the 60s has resulted in a population growth rate in 2020 of 0.25% which will result in a population of around 66.77 million by the end of 2021. Maternal Mortality has decreased steadily over the past two decades to 20 deaths per 100,000 live births in 2019, which is lower than the average for upper middle-income countries. The rate of adolescent pregnancy, once considered a serious problem, is on the decline with a national target of 25 adolescent mothers per 1000 births by 2026. Thailand still has one of the highest HIV prevalence rates in Asia and the Pacific, accounting for an estimated 9% of the region's total population of people living with HIV, estimated by UNAIDS (2018) at 5.9 million. However, Thailand is the first country to effectively eliminate mother-to-child transmission with a transmission rate of less than 2 per cent.

Gender parity has been achieved at the primary and secondary school levels in Thailand and more girls and women have gained higher levels of education. In fact, the country has seen a reverse gender gap in higher education with Thailand being ranked first in the world for superior numbers of women and girls in higher education. However, data released in October 2020 by the National Statistical Office and UNICEF revealed that while 96 percent of all children completed school, there was a significant drop in completion at the secondary and upper secondary level.² This trend showed up particularly among the poorer households, households headed by non-Thai speakers and among children whose mothers had little education. Moreover, it was reported that boys were more likely to drop out of school than girls.

Although the proportion of women researchers in science, technology and innovation is above the global average at 53 percent,³ they continue to be underrepresented in employment in the fields of engineering, manufacturing and construction at only 23.67 percent.⁴ For instance, men dominate leadership roles in energy efficiency. As of 2020, the Department of Alternative Energy Development and Efficiency (DEDE) reported that only three of the 17 current executives are women; while at the Energy Government Authority of Thailand (EGAT),⁵ there are ten women out of 35 among the executive members.⁶ Although

² UNICEF (2020) "Thailand's national survey shows drop in adolescent birth rate, but worrying trend in child nutrition and secondary school drop-out." URL: <<https://www.unicef.org/thailand/press-releases/thailands-national-survey-shows-drop-adolescent-birth-rate-worrying-trend-child>> (accessed 9 February 2021)

³ Royal Thai Embassy (2017) "Thailand promoting female STEM education with UNESCO."

⁴ UNESCO (2016) "Closing the Gender Gap in STEM." Paris and Bangkok.

⁵ Department of Alternative Energy Development and Efficiency (DEDE) (2020) "Executives."

⁶ Electricity Generating Authority of Thailand (2020) "Executive Officers."

Thailand's female population comprises 45.6 percent of the country's workforce according to World Bank's estimates of 2020,⁷ females are employed predominantly in jobs requiring low STEM skills. Thus, across the STEM industries, male employment outweighs female employment by at least a ratio of 3:1. A study of women civil engineers in the Thai construction industry published in 2013 reported that frequent refusal to perform site-based work, as well as the lack of opportunities to perform site-based work served as the main barriers to career advancement for women in this field.⁸ Although tertiary education institutions have also seen a growing number of young women, men continue to dominate the STEM sector; only 30 percent of STEM graduates were female in 2017. In recent years more women are pursuing STEM degrees leading to jobs in the ICT field, though more training and encouragement, as well as serious attempts at stereotype modification are needed so as to increase their presence in the sector. Given the Thai government's emphasis on digital transformation it is critical that the gender-gap in STEM subjects is addressed at the earliest stages of education.

With reference to the TEA Promoting Equal Participation and Leadership the analysis shows that Thai women are still under-represented in the Parliament, in government, in the judiciary, and the administration both at national and local levels. Women account for only 23.9 % of high-ranking civil servants, and gender equality in senior leadership positions has risen by just 3% in the last fifteen years. However, in the economy overall there are increasing numbers of women in senior positions in business and commercial enterprises though there remains a gap between men and women in formal labour force participation (65.7% vs. 60.3%) and women earn less than men for similar work.

In terms of GAP III TEA –Integrating the Women, Peace, and Security Agenda, the process of developing a National Strategy around UNSCR 1325 started in 2012 with the setting up of a government Subcommittee on Women, Peace and Security under the National Committee on the Policy and Strategy for the Advancement of Women. The subcommittee is responsible for formulating policies and setting measures to promote and protect women's rights, strengthening women's participation in peace and security as well as ensuring that women enjoy their fundamental human rights. The Measures and the Guidelines on Women and the Promotion of Peace and Security (2016) were launched in 2018. A number of international donors including the EU are supporting the WPS agenda including through capacity-building of Women's Human Rights Defender's (WHRDs) and women's groups at the community level.

In relation to GAP III TEA (Addressing the Challenges and Harnessing the Opportunities offered by the green transition and the digital transformation) it can be noted that in Thailand very broad participation in the green agenda has been encouraged since the roll out of the 11th National Economic and Social Development Plan (NESDP) (2012-2016).⁹

The Alternative Energy Development Plan (AEDP) (2012-2021) was established in 2012, and the Climate Public Expenditure and Institutional Review (CPEIR) of the same year stressed the importance of increasing women's role in decision-making, as well as in programme implementation in the country's transition to low carbon energy sources. Future energy plans and their implementation could include more prominent gender-responsive measures to address existing imbalances in the energy workforce and related sectors (such as mining and quarrying; electricity, gas and water supply; and construction), where men outnumber women by a ratio of 3:1,¹⁰ making the sector largely male-dominated with women being confined to administrative, financial, and human resource functions rather than in the technical or operational-oriented positions.

Women's organisations in Thailand have also been very instrumental in pushing the green agenda. A case in point is the Federation of Business and Professional Women's Association of Thailand (FBPW) which has been tracking the roles of women in environmentally-friendly business development. In recent years, the organisation launched "The Best Outstanding Women Leaders for Green Growth Award" & "Outstanding Women Leaders for Green Growth Award". Special funding is made available for small, medium and large enterprises working for green growth.

⁷ World Bank (2019) "Labor Force, Female (% of total labor force)

⁸ Kaewsria, Nuanthip and Tanit Tongthong (2013) "Professional development of female engineers in the Thai Construction Industry." *Procedia – Social and Behavioral Sciences*, 88: 291-98.

⁹ OECD (2015) *Green Growth in Bangkok, Thailand*. Paris: OECD Publishing.

¹⁰ Boyland, Michael (2018) "Thailand's energy transition might be inevitable, but equality and justice are not," 28 August. URL:<<https://www.sei.org/perspectives/thailands-energy-transition/>>

At the grass-roots level there have been a number of initiatives to involve women in climate-change decision-making, as well as in biodiversity conservation, maintenance of solar panels, forest management, and other practical programmes.

Although there are few women in leadership positions in the public sector in relation to green initiatives women have been prominent in many of the private companies fronting the country's transition to the green economy.

Thailand's 20-year Master Plan (Thailand 4.0) aims to maximise the use of digital technology across all socio-economic activities to create a digitally-driven economy. The Communication Policy Framework (2011-2020) known as ICT 2020 provides a detailed and specific framework for universal ICT access in Thailand.¹¹

Starting in 2015, and in order to meet the Government of Thailand's commitment to achieve a full digital transformation to drive progress in all sectors, the National Broadcasting and Telecommunications Commission of Thailand (NBTC) established over a thousand rural Internet centers in the country to provide remote communities across Thailand with internet access and useful digital skills. The International Telecommunication Union (ITU), a United Nations specialized agency, and NBTC worked in collaboration to promote ICT uptake among local communities through various activities conducted by student volunteers under a joint ITU-NBTC initiative. The centres, known as 'USONETs (Universal Social Obligation ICT Centre),' give people access to computers, and to the Internet and aim to strengthen ICT skills among students, youth and local communities, thereby promoting social and economic development. In 2016 it was estimated that there were more than 2,500 telecentres scattered across the country, set up at sub-district administrative offices, community centres, healthcare centres, and schools as well as at USONET centres.

Another initiative of the Thai government supported by the ITU relates to the enhancement of women's and girls' agricultural knowledge and skills through expanded use of ICTs.¹²

An increasing number of programmes and projects have been established to enhance the digital literacy of the rural population, of which women home-based workers form an important part. Most women homeworkers use their homes for producing textiles, garments basketry, artificial flowers and jewellery on subcontract, or independently, and their work is greatly facilitated by enhanced ICT access and skills in terms of obtaining new contracts and of marketing their work, as well, if necessary, for industrial action.¹³

Many challenges still remain not only in the establishment of basic infrastructure across the country, but in addressing the gender gaps in STEM skills from the earliest levels in schools, which as noted earlier impacts greatly on women's leadership, decision-making and participation in this important and growing sector of the economy.

Recommendations for support under EU GAP III

The serious limitations of this Gender Country Profile for Thailand in terms of its being conducted remotely and with very few key contacts available for interview must be borne in mind when assessing the recommendations made as to the specific objectives, and activities which might be supported under the Country Level Implementation Plan (CLIP).

The EUD has already indicated that priority areas for support will be the "green transition" and digitalisation. Any further determination of priority gender equality activities for support in the context of its overall programming in Thailand, should be made in consultation with other stakeholders in GEWE, that is to say government, CSOs, EU/MS, other key international and regional donors such as UN, World Bank, ADB and major national donors.

Such a consultation would also create broader awareness amongst stakeholders and partners of the EU's commitment to supporting gender equality and women's empowerment, and would specifically involve

¹¹ Intarat Kamolrat (2016) *Women Homeworkers in Thailand's Digital Economy* Journal of International Women's Studies, Vol 18(1) pps 87-103

¹² See <https://news.itu.int/spotlight-digital-inclusion-girls-women-rural-thailand/>

¹³ Kamolrat Intarat (2016) *Women Homeworkers in Thailand's Digital Economy* Journal of International Women's Studies 18 (1), 87-103

creating awareness of the parameters of GAP III, and its relationship to other frameworks (SDGs, CEDAW, UNSCR etc) already in place.

It is recommended that in addition to continuing its invaluable support to women's rights organisations and other CSOs in relation to GBV, women's rights and participation, WPS and so forth, the EUD could demonstrate its gender-responsive leadership by supporting strategic initiatives which, for example, would make more coherent the current piecemeal interventions in the field of GBV; and by reinforcing Thailand's infrastructure for addressing gender equality and women's empowerment overall by for example by providing support to Gender-Responsive Budgeting. Additional specific suggestions are provided below under each section of GAP III framework.

PART I. EU institutional and strategic objectives and indicators:

- EUD should consider supporting the continuation of the Gender-Responsive Budgeting process undertaken by the Thai Government and the OECD and mandated by the current Constitution (2017).
- EUD should enhance understanding amongst all stakeholders of its commitment to gender equality in general, and specifically under GAP III which is complementary and supportive to other international and regional frameworks.
- EUD should build its own capacity in gender mainstreaming at all levels, and across all programmes, as well as supporting capacity-building of government and CSOs to mainstream gender equality.

PART II Thematic Areas of Engagement:

Thematic Area of Engagement: Ensuring freedom from all forms of gender-based violence

It is recommended that the EUD consider support to the following under GAP III:

- A national survey to assess extent of GBV of all categories;
- Development of an adequately resourced National Plan to address GBV across all sectors and in all communities;
- Support to Gender Recognition Act implementation;
- Continue support to women's rights organisations, social movements and CSOs working to reduce GBV.

Thematic Area of Engagement: Promoting Sexual and Reproductive Health and Rights

It is recommended that the EUD consider support to the following under GAP III:

- Support campaigns of sex education, and campaigns to reduce sex stereotyping through all media.

Thematic Area of Engagement: Promoting Economic and Social Rights and Empowering Girls and Women

It is recommended that the EUD consider support to the following under GAP III:

- Support ongoing STEM initiatives in public and private sector, especially as they relate to programmes ongoing in digitalisation and the green transition;

Thematic Area of Engagement: Promoting Equal Participation and Leadership

It is recommended that the EUD consider support to the following under GAP III:

- Support public campaigns for stereotype modification relative to women's leadership;
- Advocacy for establishment of quotas for a limited time period to increase the numbers of women in political leadership at central, provincial, district, and community levels.

Thematic Area of Engagement: Integrating the Women, Peace and Security Agenda

It is recommended that the EUD consider support to the following under GAP III:

- Provide advocacy and support to the existing national WPS Agenda;
- Continue specific technical assistance to WPS issues at the local level through CSOs and community groups.

Thematic Area of Engagement: Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation

It is recommended that the EUD consider support to the following under GAP III:

- Collaborate with ongoing efforts of Thai government and CSOs and other donors in assisting women's groups to participate in decision-making processes at all levels relative to environment and climate change;
- Support capacity-building through information, education and training of women's groups to manage natural resources and biodiversity;
- Support ongoing efforts of Thai government to improve ICT knowledge and skills in the education system within the overall aim of reducing gender inequalities in the STEM field;
- Support improvements in connectivity and digital skills of key groups of women such as women homeworkers, and women in agribusinesses.

1. Introduction – Background and objectives

Background

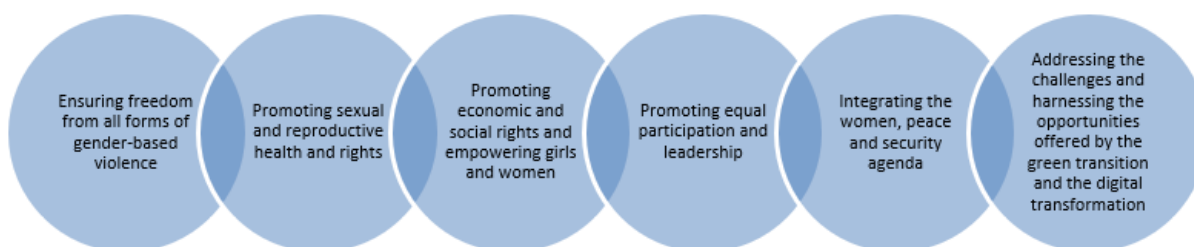
Gender equality is a common value, a principle, and a goal for the European Union (EU) which is enshrined in the Treaty of Lisbon.¹⁴ It has been implemented inter alia through Gender Action Plan (GAP) I (2010-2015), and GAP II (2016-2020), which guided EU collaboration on gender equality and women's empowerment (GEWE) with its partners towards the achievement of the Sustainable Development Goals (SDGs), and other international commitments to gender equality (the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Platform for Action (BPfA), the United Nations Security Council Resolutions (UNSCRs) etc). The *Gender Analysis for Thailand (2017)*, developed within the framework of the GAP II, provided information across a range of sectors and a number of recommendations were proposed including: Realising Women's Human Rights and Access to Justice, Ending Violence Against Women, Promoting Women's Access to Justice and Economic Empowerment, Strengthening Women's Leadership and Participation in Decision-Making, Realising Women's Sexual and Reproductive Rights, Promoting Women's Participation in Peace-building.¹⁵

The EU Gender Action Plan (GAP) III was¹⁶ launched in Brussels in November 2020 and provides the framework for the *Gender Country Profile (2021)*. GAP III calls for a "gender equal" world and is complementary to the European Commission's first ever lesbian, gay, bisexual, trans, intersex and queer (LGBTIQ) equality strategy, approved in November 2020.¹⁷

GAP III specifies objectives, indicators and actions under two main sections. Part I, *EU institutional and strategic objectives and indicators*, focuses on increasing support to gender mainstreaming of all actions included under the investment framework; promoting Gender Responsive Budgeting (GRB); and systematic use of gender specific and/or sex-disaggregated indicators.¹⁸ An important element of strategic engagement at country level is to "conduct or update a gender country profile"; and in coordination with EU Member States (MSs) to develop a *Country Level Implementation Plan (CLIP)* covering both "the political commitments for gender equality and the programmatic ones.

GAP III Part II, *Objectives and indicators for GAP III Thematic Areas of Engagement (TEA)* lists as priority areas; ensuring freedom from all forms of gender-based violence; promoting sexual and reproductive health and rights; promoting economic and social rights and empowering girls and women; promoting equal participation and leadership; integrating the women, peace and security agenda; and addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation. Overall and specific thematic objectives are proposed for each TEA, and key thematic outcome indicators highlighted. These indicators will be used to monitor results at country, regional and global levels.

GAP III Thematic Areas of Engagement



¹⁴ See Art.2,3 (3) and 21 of the Treaty of the European Union (TEU), and Art.21 and 23 of the EU Charter of Fundamental Rights.

¹⁵ See Gender Analysis for Thailand (2017) p. 32

¹⁶ See European Commission (2020) Joint Staff Working Document: Objectives and Indicators to frame the implementation of the Gender Action Plan III (2021-25) (SWD (2020) 284 final; and accompanying document Joint Communication to the European Parliament and Council GENDER ACTION PLAN III: AN AMBITIOUS VISION ON GENDER EQUALITY AND WOMEN'S EMPOWERMENT FOR EU EXTERNAL ACTION (JOIN(2020) 17 final)

¹⁷ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Union of Equality: LGBTIQ Equality Strategy 2020-2025 (COM/2020/698 final)

¹⁸ Full details are included under Recommendations in Section 5 of the Profile

The *Gender Country Profile for Thailand* (2021) developed under the present assignment updates the previous *Gender Analysis* (2017) by reflecting changes and emerging issues in the political, economic, and social context, as well as the evolution of policy, legislative and other measures to enhance gender equality, diversity and social inclusion, which have taken place. Some topics which were not in focus in the previous document will also be given greater prominence (e.g., the significance of the rapidly ageing population; gender disparities in Science, Technology, Engineering, and Mathematics (STEM) subjects; Gender- Responsive Budgeting (GRB); evolutions in legislation with respect to LGBTIQ rights; policies and programmes related to the green transition and digital transformation).

2. Methodology & Constraints

The profile was compiled in three phases: Inception, Implementation and Synthesis. In consultation with EUD initial contacts were identified for interviews. This list of contacts has been updated throughout the exercise.¹⁹ Because of the ongoing coronavirus pandemic, it was essential to conduct this work remotely, and it was not possible to have a response from all of those with whom contact was attempted, perhaps due to disruptions caused by the pandemic as well as by ongoing political unrest. In only one or two cases was it possible to have more than a single interaction with any one interviewee which has reduced the possibility of cross-checking information received from different sources.

Given the limitations of the interviews done remotely, heavy reliance was placed on data, both qualitative and quantitative, available online. As the information used was of different dates and sources the quality is quite uneven.

To the extent that data and the time allowed, an “intersectional” approach was adopted, demonstrating how gender disparities intersect with other social fault-lines of age, ethnicity, income, occupation, class, education, ability, religion, migration status, urban and rural dichotomies, and so forth.

The constraints under which the profile was compiled must be borne in mind when reviewing the recommendations made at Section 5.

As requested by the client the GAP III framework was taken as an organizing principle for the gender analysis (Section 4), and for the subsequent Recommendations (Section 5).

3. Overview of current situation

3.1. Thailand Country Overview²⁰



¹⁹ See Annex 2 for List of Stakeholders Contacted.

²⁰ Unless otherwise stated material for this section of the Gender Profile is derived from <https://en.wikipedia.org/wiki/Thailand> <https://asiapacific.unwomen.org/en/countries/thailand> and <https://www.britannica.com/place/Thailand/Plant-and-animal-life>

History

Thailand, officially the Kingdom of Thailand and formerly known as Siam, is a country in Southeast Asia located at the centre of the Indochinese Peninsula. It is composed of 76 provinces spanning 513,120 square kilometres (198,120 sq miles). With a population of over 66 million people, Thailand is the world's 50th-largest country by land area, and the 22nd most-populous. The capital and largest city is Bangkok, a special administrative area. Thailand is bordered to the north by Myanmar and Laos, to the east by Laos and Cambodia, to the south by the Gulf of Thailand and Malaysia, and to the west by the Andaman Sea and the southern extremity of Myanmar. Thailand is a constitutional monarchy, and parliamentary democracy, however in recent history its government has experienced multiple coups, and periods of military dictatorship.

Throughout the era of Western imperialism in Asia, Siam remained the only nation in the region to avoid being colonised by foreign powers, although the Siamese government was often forced to cede both territory and trade concessions in unequal treaties. The Siamese system of government was centralised and transformed into modern, unitary, absolute monarchy in the reign of King Chulalongkorn (r. 1868–1910). Siam joined the First World War on the side of the Allies. Following a bloodless revolution in 1932 Siam became a constitutional monarchy and changed its official name to "Thailand".

Thailand has periodically alternated between democracy and military rule. Since the 2000's, Thailand has been caught in a political conflict between supporters and opponents of Prime Minister Thaksin Shinawatra (2001-2006), whose sister, Yingluck Shinawatra, served as Prime Minister from 2011-2014. This conflict culminated in two coups, the most recent being in 2014, and the establishment of the current and 20th Constitution of Thailand. During 2020-2021, popular demonstrations have been ongoing, and largely centred in Bangkok, calling for reform of the monarchy and government.

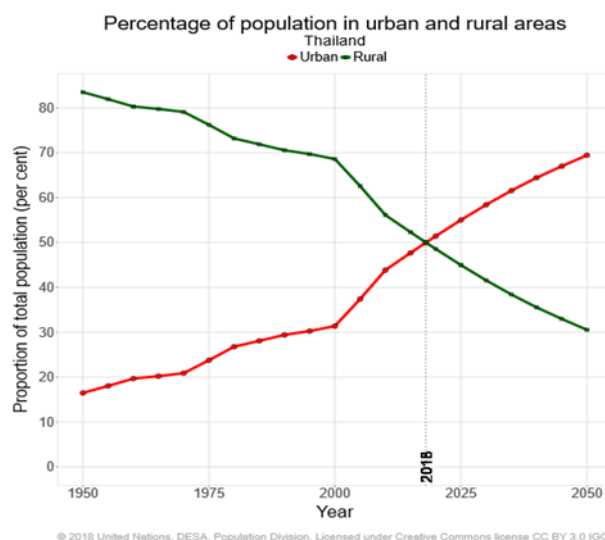
In the late 1950s, Thailand became a major ally of the United States, and played a key anti-communist role in the region as a member of the Southeast Asia Treaty Organization (SEATO). Thailand is a founding member of the Association of Southeast Asian Nations (ASEAN) established in Singapore in August 1967. With a high level of human development, the second-largest economy in Southeast Asia, and the 20th-largest in the world by Purchasing Power Parity (PPP) Thailand is classified as a newly industrialised economy with manufacturing, agriculture, and tourism being leading sectors.

Population & Migration

In 2020 Thailand had a population of 69,799,978 people.²¹ Of this population, there were more females (51 per cent) than males (49 per cent). Thailand's population is largely rural, concentrated in the rice-growing areas of the central, north eastern and northern regions. Since 1950, the proportion of urbanites has been growing steadily whilst accordingly the proportion of the rural population has been falling (see Figure 1). The urban population continues to increase with the 2019 figure standing at 50.69 per cent.²² However, accurate statistics are difficult to obtain as millions of Thais migrate from rural areas to cities, then return to their place of origin to help with seasonal field work. Officially they have rural residency but spend most of the year in urban areas.

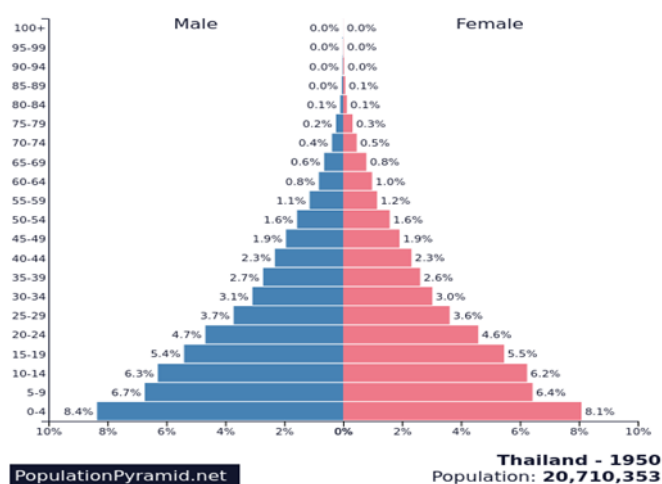
²¹ Quarterly Bulletin of Statistics. Vol. 68, Quarter 1, 2020. Bangkok: National Statistical Office and Ministry of Digital Economy and Society.

²² Statista (2021) Thailand: Urbanization from 2009 to 2019. URL:< <https://www.statista.com/statistics/455942/urbanization-in-thailand/>>

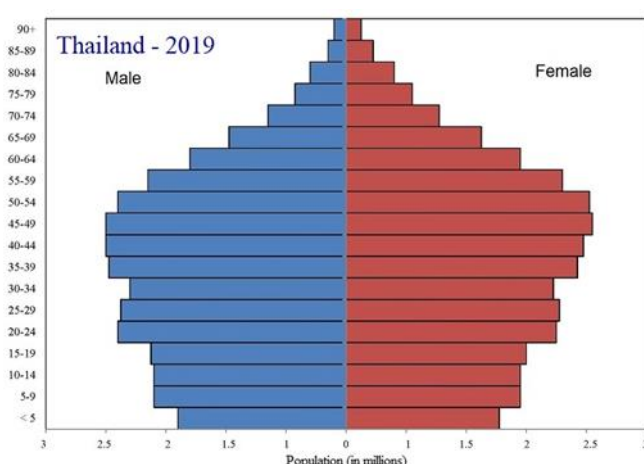
Figure 1: Percentage of Population in Urban and Rural Areas, Thailand

Source: Percentage of Thailand population in urban and rural areas 1950 - 2018 and projection till 2050 (United Nations World Population Prospects 2018).

Thailand's highly successful government-sponsored Family Planning Programme resulted in a dramatic decline in population growth from 3.1% in 1960 to around 0.4% today. In 1960, a woman had an average of 6.14 children; in 1980, the figure dropped to 3.92; in 2000, it was 1.77; with fertility rates sliding further to 1.53 in 2020.²³ In fact, in 1950, the country's population, standing at 20.7 million, could be captured in a typical population pyramid showing a significantly larger younger population (see Figure 2). In contrast in 2019, the population pyramid reflects a great shift towards a growing proportion of older persons 60 and above (see Figure 3).

Figure 2: Percentage of Male and Female by Age, 1950

²³ Department of Economic and Social Affairs, Population Division. *World Population Prospects: The 2019 Revision*. New York: United Nations.

Figure 3: Percentage of Male and Female by Age, 2019

The increase in the number of ageing population of Thailand has been of concern to the government in recent decades, because the population is growing old at a faster speed than it is becoming affluent, joining countries like Japan and Singapore which have a significant proportion of older persons.²⁴ In fact, Thailand now has the third fastest ageing population in the world; and the proportion of older persons aged 60 and above is expected to double from 19 per cent in 2019 to more than one third of the total population by 2050.²⁵

Older women continue to struggle in life because of having fewer skills, and smaller social and economic networks than their male counterparts. Men of advanced years are also more likely to engage in the formal labour force and to find employment in old age because of their higher levels of education, especially in the urban areas. Lower levels of education amongst older women have resulted in their greater financial insecurity in old age.²⁶

In Thailand, the formal pension scheme covers all older persons. In addition, the *Quality of Life Promotion and Development for People With Disability Act (2010)* provides an additional 500 baht per month for disabled older persons. However, the pay-out for the formal pension scheme is around two-thirds below the national poverty line and, thus, it does not serve to lift those at the lower socio-economic group out of poverty. Currently, 85% of the population aged 60 receive a pension considered inadequate.²⁷ Moreover, many of the households facing extreme poverty also tend to be headed by older women who have become widows, as women tend to outlive men.²⁸

In the ASEAN region, Thailand is both a destination, transit and origin country for international labour flows. The country's comparatively higher income, robust economy, and job opportunities in the Greater Mekong Sub-region (GMS) have been the country's selling points to potential labour migrants in the sub-region. Some estimate that in 2018 there are around 4.9 million non-Thai residents including undocumented migrants.²⁹ There are 3,005,376 registered migrant workers in Thailand, of which 1,291,722 or 43% are women, mainly from Cambodia, Lao PDR, and Myanmar. The majority of migrant workers are employed in informal sectors including domestic work, agriculture, construction and fisheries. Women migrant workers are generally employed in lower-skilled, lower-wage functions than men. The employment opportunities tend to be determined by family status rather than according to their skills or potential productivity.

²⁴ Devasahayam, Theresa W. and Rossarin Gray (2020) "And the State will Prevail: The Elder Caregiver Sector in Singapore and Thailand", *SUVANNABHUMI*, 12(1): 89-110.

²⁵ UNFPA (2019) Policy Brief: Population and Development for a Sustainable Future in Thailand: 25 Years after the ICPD. <https://thailand.unfpa.org/sites/default/files/pub-pdf/PolicyBrief_ICPD25-revised%204%20Dec%202019.pdf>

²⁶ Devasahayam, Theresa W. (ed) (2014) *Gender and Ageing: Southeast Asian Perspectives*. Singapore: Institute of Southeast Asian Studies.

²⁷ HelpAge International (n.d.) "Thailand." <<https://www.helpage.org/where-we-work/east-asia/thailand/>>

²⁸ Klasen, Stephan, Lechtenfeld, Tobias, and Felix Povel (2010) "What about the Women? Female Headship, Poverty and Vulnerability in Thailand and Vietnam." Proceedings of the German Development Economics Conference, Hannover 2010, No. 43, Verein für Socialpolitik, Ausschuss für Entwicklungsländer, Göttingen.

²⁹ Harkins, Benjamin (2019) *Thailand Migration Report*. Bangkok: United Nations Thematic Working Group on Migration in Thailand.

In Thailand, urbanisation has been spurred through rural-urban human flows. The bulk of internal migrants tend to be young women whose motivation for migration is usually economic; the majority seeing their incomes rise.³⁰ However, traditional gender role expectations have left many daughters to bear the financial burden of supporting their elderly parents in spite of being away from their natal families, thus conforming to the traditional roles of men and women in Thai society.³¹

The Thai Government has put in place policies and legislation, including bi-lateral agreements, to ensure safe migration and protection. Such efforts are internationally recognised, and Thailand ranked Tier 2 in the U.S. Department of State's Trafficking in Persons Report released in July 2020. However, migrants remain vulnerable and face various forms of exploitation, including labour exploitation and human trafficking because of language barriers, legal status, limited knowledge and awareness of their rights, limited access to social protection, and an unrecognised social and economic contribution.

Ethnic and Linguistic Groups

The Thai Government has ratified Art.14 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) in 2003 as well as the International Covenant on Economic, Social and Cultural Rights (CESCR) in 1999 and CESCR-OP, Art.11. Becoming party to these Conventions signifies the Thai government's commitment to inclusivity, which is significant since the country is home to some 70 ethnic groups, including at least 24 groups of ethno-linguistically Tai peoples mainly the Thai, Lao, and Yuan; 22 groups of Austro-asiatic peoples, with substantial populations of Northern Khmer and Kuy; 11 groups of Sino-Tibetan peoples ('hill tribes'), with the largest in population being the Karen; 3 groups of Austronesian peoples, i.e., the Malay, the majority ethnic group in the southernmost three provinces, together with the Moken and Urak Lawoi ('sea gypsies'); and both groups of Hmong-Mien. Other ethnic groups include longstanding immigrant communities such of Chinese and Indian origin.

Thai is the official language of Thailand, and as such is the principal language of education and government. The standard is based on the dialect of the Central Thai people, and it is written in the Thai alphabet which evolved from the Khmer alphabet. For the purposes of the national census, (which does not recognise all 62 languages recognised by the Royal Thai Government in the 2011 Country Report³²) four dialects of Thai exist; Central, Northern, North-eastern, and Southern largely corresponding to regional divisions.

Although the vast majority of the inhabitants of Thailand are descendants of speakers of Tai languages, members of the largest indigenous minority speak a dialect of Malay. Other significant indigenous minorities include speakers of Mon, Khmer, and other Mon-Khmer languages. In the uplands of western and northern Thailand are found peoples who speak languages belonging to several other language families.

Lack of fluency in the Central Thai language can affect the employability of some minority groups who may have problems surviving economically and culturally, and are often landless. An estimated half a million of such individuals remain stateless.³³ Women from these ethnic minority groups, are also vulnerable to being trafficked into sex-work. Thai Muslims from the southernmost provinces of Pattani, Yala, Narathiwat, and the four districts of Songkhla are also disadvantaged. They tend to have low political participation, and face pressures to assimilate culturally to the majority Buddhist Thai group. Among these minority groups, women face a double discrimination, first as women in communities with patriarchal values, and then as citizens and workers in the larger economy.

³⁰ Anant, Y. (2018) "Overview of Internal Migration in Thailand". Series: Policy Briefs on Internal Migration in Southeast Asia. Bangkok: UNESCO, UNDP, IOM, and UN-Habitat.

<<https://bangkok.unesco.org/content/policy-briefs-internal-migration-southeast-asia>>

³¹ Hennebry, J., Holliday, J. and M. Moniruzzaman (2017) At What Cost? Women Migrant Workers, Remittances, and Development. UN WOMEN

³² Country Report to the UN Committee responsible for the International Convention for the Elimination of All Forms of Racial Discrimination(2011)

³³ Baynham, Jacob (2016) "Seeking citizenship: Thailand holds out hope for millions of undocumented". The Christian Science Monitor, 2 February.

<<https://www.csmonitor.com/World/Asia-Pacific/2016/0202/Seeking-citizenship-Thailand-holds-out-hope-for-millions-of-undocumented>>

English is a mandatory school subject, but the number of fluent speakers remains relatively low, especially outside major cities.

Religion

The Thai Constitution does not name an official state religion and guarantees freedom of religion. However, Theravada Buddhism is generally considered an integral part of Thai identity and culture, and has been practised by the majority of the population since the first Thai kingdom was founded at Sukhothai (circa A.D. 1238).³⁴ Active participation in Buddhism in Thailand is among the highest in the world, the country having the second-largest number of Buddhists globally after China. According to the 2010 census, 93.58% of the country's population self-identified as Buddhists of the Theravada tradition. Muslims constitute the second largest religious group in Thailand, comprising 4.29% of the population in 2015. Islam is concentrated mostly in the country's southernmost provinces which are predominantly Malay, most of whom are Sunni Muslims. Christians represented 1.17% (2015) of the population in 2015, with the remaining population consisting of Hindus and Sikhs, who live mostly in the country's cities. There is also a small but historically significant Jewish community in Thailand dating back to the 17th century. There have been no widespread reports of societal abuses or discrimination based on religious belief or practice.

As has been pointed out by recent commentators on Thai Buddhism, discrimination exists between nuns ("mae chee") and monks ("phra") who have different ordination status, whereby the former are still considered as "lay" rather than "religious" persons. This disparity in status has a number of practical consequences; nuns take care of domestic tasks around the temple and may be employed in minor commercial activities such as selling flowers, incense and candles to visitors to the temple. Thai monks travel freely on buses by right, whereas nuns depend on the good will or otherwise of the bus conductor and driver. In the last two decades in Thailand an Order of fully ordained nuns (bhikkhunis) has reclaimed the equal status enjoyed by fully ordained women at the time of the Buddha (circa 6th Century B.C.), a status which had become diminished in Thailand as elsewhere.³⁵

Cultural Attitudes to Sex, Gender, and Family

Conservative attitudes, which dictate that women's primary role is at home supporting her husband and children are still prevalent, and reinforced by the education system, by most national media and by religion. These attitudes and stereotypes underlie the slow modification of Thailand's legislative and regulatory frameworks with respect to gender equality.

An OECD report states that "a crosscutting obstacle to achievement of gender equality in Thailand is the persistence of discriminatory laws, social norms and practices." According to the Social Institutions and Gender Index (SIGI), Thailand has medium levels of discrimination against women and girls in these areas and acute challenges remain both in public life, and in the family sphere. As regards political and public life 55% of the population believes that men make better political leaders than women, and media representations reinforce the depiction of women's inferiority.³⁶

Despite Thailand's apparent overt tolerance, lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) individuals still often face discrimination throughout their lives from school to the labour market as is detailed by the UNESCO (2015) report on school bullying on the basis of sexual orientation and gender identity cited below; and the numerous CEDAW shadow reports detailing prejudice and discrimination expressed towards LGBTIQ persons in different parts of the economy.³⁷

³⁴ Bunnag J. (1973) Buddhist monk, Buddhist layman: a study of urban monasticism in Central Thailand Cambridge: Cambridge University Press

³⁵ See <https://www.thaibhikkhunis.com/en/> and Dhammananda Bhikkuni (2010) Institutional Authority: A Buddhist Perspective Buddhist-Christian Studies Vol 30 2010 University of Hawai'i Press.

³⁶ OECD (2019) Thailand: Gender Budgeting Action Plan.

³⁷ See inter alia: THAILAND: Discrimination and Violence against Women and LGBTI Persons Shadow Report (July 2017) submitted to the CEDAW Committee by Togetherness for Equality (TEA) and The Working Group for Gender Equality, Rights and Freedoms in Thailand. Also UNESCO (2015) From Insult to Inclusion: Asia-Pacific Report on School Bullying, Violence and Discrimination on the Basis of Sexual Orientation and Gender Identity <http://unesdoc.unesco.org/images/0023/002354/235414.pdf>

Negative and discriminatory attitudes towards women and LGBTIQ individuals contribute along with other factors to the high incidence of gender-based violence which are further exacerbated in minority communities as is discussed below.³⁸

3.2. Thailand's Socio-Economic Development³⁹

Over the last four decades, Thailand has made remarkable progress in social and economic development, moving from a low-income to an upper-middle income country in less than a generation. As such, Thailand has been widely cited as a development success story, with sustained strong growth and impressive poverty reduction. The Human Development Index (HDI)⁴⁰ compiled by United Nations Development Programme (UNDP) assesses long-term progress in three basic dimensions of human development: a long and healthy life, access to knowledge and a decent standard of living. Thailand's HDI value increased 33% between 1990 and 2018. Thailand's HDI value for 2019 is 0.777— which puts the country in the high human development category— positioning it at 79 out of 189 countries and territories.

Gender equality is one of the 21 areas in Thailand where data must be collected according to the Statistical Act (2007), and basic gender-disaggregated data is collected using the regular census, and supplementary surveys such as the Labour Force Survey, the Income Expenditure Survey, the Multiple Indicator Cluster Survey and the Elderly Survey.⁴¹

Thailand has a Gender Inequality Index (GII) value of 0.359, ranking it 80 out of 162 countries in the 2019 Index. This reflects the fact that currently 16.2 per cent of parliamentary seats are held by women, and 43.5 per cent of adult women have reached at least a secondary level of education compared to the 48.6 per cent of their male counterparts. Thailand's Maternal Mortality Ratio (MMR) decreased from 43 per 100,000 live births in 2000 to 20 in 2019, a figure lower than the average for upper middle-income countries.⁴² According to a UNICEF survey, adolescent birth rates decreased from 51 births per 1,000 births in 2015, to 23 births per 1,000 births in 2019 though this may reflect the fact that abortion has become easier to obtain rather than that behaviour has changed.⁴³

While Thailand has been successful in stemming the tide of COVID-19 (coronavirus) infections over the last few months, the economic impact has been severe and has led already to widespread job losses, affecting middle-class households and the poor alike and threatening the country's hard-won gains in poverty reduction.⁴⁴

Sufficiency Economic Philosophy (SEP), and the SDGs

Thailand achieved nearly all of the eight Millennium Development Goals by the 2015 target deadline. One of the key frameworks used to evaluate sustainable development has been the Sufficiency Economy Philosophy (SEP), developed by the late King Bhumibol Adulyadej (1927-2016). By promoting a people-centred approach to sustainable development, the SEP provides a cultural touchstone integrating and harmonising the SDGs framework with national goals. The current Constitution has also included the SEP and sustainable development as integral parts. The development approach based on SEP is in conformity with the core principle of the 2030 Agenda and the Thai Cabinet decided on 25 October 2016 to promote the specific application of the SEP for SDGs in all areas and at all levels. Thailand has also been actively sharing the SEP as a development model with the international community, especially since its G77 chairmanship in 2016. The SEP and SDGs have been integrated in the 20 – Year National Strategy Framework, (2017-2036), and the 12th National Economic and Social Development Plan (NESDP) (2017

³⁸ See below at pages 17-18

³⁹ Unless otherwise stated material for this section was derived from <https://thailand.opendevdevelopmentmekong.net/topics/sustainable-development-goals/> <https://sustainabledevelopment.un.org/content/documents/16147Thailand.pdf>

⁴⁰ UNDP (2019) Inequalities in Human Development in the 21st Century . Briefing note for countries on the 2019 Human Development Report – Thailand (UNDP)

⁴¹ Ibid footnote 8 p.21

⁴² See <https://apps.who.int/iris/bitstream/handle/10665/276844/sdg-profile-Thailand-eng.pdf?sequence=5&isAllowed=y>

⁴³ <https://www.unicef.org/thailand/press-releases/thailands-national-survey-shows-drop-adolescent-birth-rate-worrying-trend-child#:~:text=According%20to%20>

⁴⁴ <https://www.worldbank.org/en/country/thailand/overview>

<https://www.worldbank.org/en/country/thailand/publication/thailand-economic-monitor-june-2020-thailand-in-the-time-of-covid-19>

– 2021). As a result, sectoral and thematic plans and budgeting of all government agencies are in line with the SEP and the SDGs. The National Committee for Sustainable Development (CSD), chaired by the Deputy Prime Minister, is Thailand's main mechanism responsible for the country's sustainable development. It has 37 members from public and private sector, from academia and civil society organisations. The secretariat is provided by the National Economic and Social Development Board (NESDB). Membership of the CSD is allocated to departments and organisations, rather than on an individual basis or following any gender quota system, but information suggests that at recent meetings approximately one third of attendees were women.⁴⁵

The main task of the CSD is to formulate policies and strategies for the SEP/SDGs and to oversee their implementation. It has established three sub-committees to advance the three inter - connected processes namely mobilising the SDGs, raising awareness on sustainable development and the application of SEP, and compiling data and statistics to support the implementation and monitoring of the 2030 Agenda. Three taskforces were established and respectively tasked with (1) reviewing and recommending legal, economic and social measures necessary for achieving the SDGs; (2) coordinating works of numerous agencies, and priority setting; and (3) preparing report on Thailand's progress, challenges, and recommendation in implementing the 2030 Agenda including the Voluntary National Review Process (VNR).

The CSD has undertaken several steps to advance the SDGs implementation including establishing a coordinating body for each of the SDGs, formulating roadmaps for all 17 SDGs, identifying 30 priority targets, synthesizing examples of SEP for SDGs model projects, and examining gaps and discrepancies between the national baselines and the proposed global indicators.

Representatives of the private sector, academia and civil society organisations (CSOs) were invited to be members of the CSD and its subsidiaries. Several rounds of stakeholder engagement have been conducted including the private sector, CSOs of various constituencies, women, and youth groups, as well as the members of National Legislative Assembly. As a result, these stakeholders are making contributions in accordance with their respective roles and expertise. Global Compact Network Thailand (GCNT) and other private entities are very active in mainstreaming SDGs and UN Guiding Principles on Business and Human Rights into business operations. CSOs organise their own SDGs regional fora to present their views, concerns, and priorities under the SDGs. The CSOs have also produced their own VNR reports to supplement the Government's VNR report. Their inputs as well as contributions from other stakeholders will further energise the process.⁴⁶

Thailand 4.0 (2018-37)

The Thailand 4.0 Strategy (2018-2037) is a 20-year National Strategy focusing on improving economic competitiveness, equalizing economic opportunities, skills upgrading, environmental sustainability ("green transition") and effective public governance as ways to propel the country into the high-income group. Under Thailand 4.0 the country aims to shift its economy from being industry driven to high-tech driven and value-based.

The 4 objectives of Thailand 4.0 are:

- Economic prosperity: Increasing national per capita income to USD 15,000 by 2032;
- Human values: Raising Thailand's human development index to 0.8 or among the top 50 countries by 2026;
- Social well-being: Reducing the Gini coefficient to 0.36 by 2032 and developing at least 20,000 "smart farmer" households by 2021;
- Environmental protection: Developing at least 10 cities into the world's most liveable cities.⁴⁷

Thailand 4.0 strengthens and reinforces many initiatives already in place. With respect to environmental protection and the green transition, for example, the country has already established the Alternative

⁴⁵ Email communication from DWF 3, March, 2021.

⁴⁶ For more on the SEP and its relation with the SDGs see <https://thailand.opendevopmentmekong.net/topics/sustainable-development-goals/#:~:text=Many%20principles%20underpinning%20SEP%20involved,SDGs%20in%20the%20global%20context>.

⁴⁷ See <https://thaiembdc.org/2018/10/22/national-strategy-thailand-4-0-officially-launched/>

Energy Plan (AEDP) (2012-2021), and successive Power Development Plans (2015-2036) which have ambitious aims to massively reduce Thailand's reliance on non-renewable sources of power. These and other strategies stress the importance of including women as decision-makers and implementers of new measures to be introduced.

With respect to enhancing digitalization The Communication Policy Framework (2011-2021) provides a detailed and specific framework for establishing universal ICT access in Thailand, recognizing inter alia that the digital revolution brings immense potential to improve the still unequal social and economic outcomes for women, though also risking to perpetuate inequalities related to unequal participation in STEM fields.

A gender analysis of policies and programmes relative to green transition and digitalization is presented below in Section 4.

3.3. Overview of Thailand's Constitutional, Institutional and Legislative Framework for Addressing Gender Inequality

Thailand's Constitution

Thailand was one of the first Asian countries to give women the right to vote, according to the first Constitution of the Kingdom of Thailand, 1933. The Thai Constitution of 1997 Article 53 calls upon the State to protect family members from violence and unfair treatment, and conceptualised domestic violence as a political issue requiring legal protection. Inclusion of this article was the result of pressure from women's organisations, beginning after the May 1992 political crisis. The current Constitution of 2017 recognises that the equality of all people will be protected under the Constitution without discrimination as to origin, race, language, sex, age, disability, physical or health condition, personal status, economic and social standing, religious belief, education or political view. The State also commits to protecting all persons from violence and unfair treatment (Section 71) The 2017 Constitution also sets out a commitment to introduce Gender-Responsive Budgeting as a Constitutional requirement.⁴⁸

Institutional Framework for Addressing Women's and Gender Equality Issues

The *National Committee on Policy and Strategy for the Advancement of Women*, chaired by the Prime Minister, is a permanent national committee established in 2002, with the mission to propose policies, strategies and national plans of action that will be implemented by the Committee for Promotion of Women Status Development. The National Committee provides advice and guidance to the Department of Women's Affairs (DWF) within the Ministry of Social Development and Human Security. Generally, the DWF proposes policies and plans to the Committee to seek their advice, comments and approval before further submission of policies and plans to the Cabinet.⁴⁹

Another Committee also chaired by the Prime Minister, the *Gender Equality Committee*, is established in accordance with the *Gender Equality Act of 2015*. The substance of this Act is to prohibit state, private sector, and individual discrimination based on sex, sexual orientation, and gender identity. The Committee's main responsibilities are to establish policies, to provide guidelines, and advice regarding gender-based discrimination issues, and to actively promote gender equality. This act provides a channel for victims of gender-based discrimination to submit a petition to the Committee for their investigation. The DWF serves as secretariat to the Committee. Women's organizations in Thailand have criticized this machinery as top-down and lacking in flexibility, though the DWF itself has repeatedly confirmed its readiness to work with all women's organisations and CSOs, as well as with academia and international groups.

A system of *Chief Gender Equality Officers (CGEO) and Gender Focal Points (GFPs)* was established according to the Cabinet Resolution 31/07/2001. According to this Resolution every department has a

⁴⁸ OECD (2019) Thailand: Gender Budgeting Action Plan.

⁴⁹ Duangthai Buranajoenkij (2017) Political Feminism and the Women's Movement in Thailand: Actors, Debates and Strategies Friedrich-Ebert-Stiftung, Thailand Office, Bangkok

CGEO (usually at Deputy Director-General level), and sets up a key unit headed by a GFP. In March 2015, the Cabinet Resolution assigned a CGEO at ministerial level, appointing the Permanent Secretary to the Cabinet as CGEO, with the responsibility to coordinate activities with CGEOs and GFPs in all Ministries, in order to integrate a gender perspective into all public policies, as well as into routine work. The DWF has the responsibility to support GFPs, by providing training, by monitoring their activities, and by reporting on their programmes annually. Currently there are 136 CGEOs and GFPs in 19 ministries. The Ministry of Defence in 2020 agreed in principle to establish GFPs and is in process of setting up of the mechanism.⁵⁰

Training for GFPs conducted by the DWF focuses on the implementation of the Women's Development Plan (WDP) in order to integrate WDP measures into gender mainstreaming plans in different departments and ministries. Currently there are no specific training materials for this process which is based on presentations from panellists and speakers, who may have differing standpoints and views. In 2020, DWF developed a small handbook to provide basic information on gender equality which was distributed to all GFPs. In 2021, the DWF will cooperate with King Prajadhipok's Institute⁵¹ to develop a training course for executives on gender mainstreaming, which will be finished by the end of the year. This will be used as a standard course for executives. Additional multimedia material for online training and support is also being developed by the DWF for GFPs. DWF is also cooperating with the Civil Service Commission to generate an online course for all civil servants on diversity and inclusion in which gender equality and diversity is a key part.

As is indicated in the foregoing paragraphs the DWF is well aware of the need for capacity-building of these structures and efforts are ongoing. However, parts of this system have already been commended by the OECD in their presentation of the Gender Budgeting Action Plan as follows: "It is important to leverage the role of CGEOs and GFPs beyond human resources aspects of gender equality, to champion gender-responsive and inclusive policy decision-making within their respective ministries." (OECD, 2019 p.44) An example of good practice in the development of a comprehensive gender mainstreaming plan by the Department of Corrections, an agency of the Ministry of Justice, has also been cited (OECD, 2019 p.45).

Key Pieces of Legislation on Women's and Gender Equality Issues⁵²

Prostitution is made illegal under **the Prevention and Suppression of Prostitution Act (1996)**. The population of sex workers, formerly only or mainly Thai women, now includes men and people of diverse identities, ages, and nationalities. As most workplaces are unlicensed, sex workers are not covered by the Labour Law.⁵³ Increasingly many sex workers are self-employed and have no protection. A number of civil society groups and networks aim to strengthen protections for sex workers and to promote the idea of the sex industry as an important and legitimate sector of the economy.

Domestic Violence Victim Protection Act (2007)⁵⁴

The Domestic Violence Victim Protection Act (2007) seeks to provide protection for victims, and penalties for the perpetrators of domestic violence including marital rape. Violence that occurs in the public sphere or is committed by a non-family abuser, such as sexual assault and harassment, is condemned by the Penal Code. In a study conducted in 4 provinces in Thailand in 2018, it was found that 15 percent of 2,462 married or cohabiting women aged 20–59 years interviewed had experienced psychological, physical, and/or sexual violence in their lifetime, suggesting that one in six Thai women have faced violence in their intimate relationships. Of the 15% of women who reported intimate partner violence within the past 12 months, psychological violence was the most common (60–68%), followed by sexual violence (62–63%)

⁵⁰ See Perada Phumessawatdi (2019) Policy movement through the lens of postcolonial feminism, policy transfer and policy translation: The case of gender mainstreaming in Thailand (PhD dissertation, University of Bristol, U.K.)

⁵¹ King Prajadhipok's Institute <https://namati.org/network/organization/king-prajadhipoks-institute/>

⁵² This section cannot claim to be exhaustive. A fuller treatment can be found in the EU Gender Analysis (2017); or at Duanghathai Buranajaroenkij (2017) pps 27-30, cited above at footnote 85.

⁵³ For more details, please refer to <https://www.hrw.org/news/2015/09/21/thailand-gender-equality-act>

⁵⁴ See http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=82853&p_country=THA&p_count=441
<https://thediplomat.com/2020/10/thailand-has-a-gender-violence-problem/#:~:text=In%20Thailand%2C%20punishments%20for%20rape,offenders%20cooperate%20with%20the%20police>

and physical violence (52–65%), suggesting that VAW continues to be a public health issue as well as women's rights issue in Thailand.⁵⁵

Since 2019 the **Family Development and Promotion Act (FDPA) (2019)**, replaced the earlier Domestic Violence Victim Protection Act, B.E. 2550 (2007) introducing several material revisions to the earlier law to enable victims of domestic violence to better protect themselves through easier prosecution of criminal complaints, immediate police protection for victims, and pathways for behavioural rehabilitation in lieu of incarceration.

However, the new FDPA has also broadened, and some would say, diluted, the definition of Domestic Violence, stating that “Domestic Violence” means any action that a family member commits against another family member with the intention to cause or which is likely to result in harm to life, body, mind, health, freedom or reputation of a family member, or to compel, or unduly influence a family member to unlawfully commit, refrain, or accept any action.’⁵⁶

Gender Equality Act (GEA) (2015)⁵⁷

In 2015, Thailand passed its first law to promote gender equality, namely the Gender Equality Act B.E.2558 (2015), which provides protection from unfair gender discrimination. This Act established the Gender Equality Promotion Committee, chaired by the Prime Minister, and the complaints mechanism in the form of the Committee on Consideration of Unfair Gender Discrimination. The Act defines the meaning of gender discrimination and sets out penalties and compensation.

The GEA is the first legal instrument in Thailand that bans discrimination based on gender identity and sexual orientation; and it is the first law in Thailand to contain language referring to LGBTIQ people.⁵⁸ The Gender Equality Act 2015 prohibits state and non-state actors from discriminating against “people who express themselves differently from their biological sex”. However, according to a 2018 UNDP study⁵⁹, authorities have never punished any public entities who have contravened this law, even in the face of growing cases of gender discrimination directed at LGBTIQ individuals. The GEA has a number of other limitations in that it excludes from consideration discriminatory practices based on religious belief, or actions related to national security which may be harmful or discriminatory. The wording of Section 17 of the Gender Equality Act is considered especially problematic as, whilst it prohibits discrimination based on gender, the second paragraph provides a large exception in which gender discrimination is allowed if it is “for protecting the welfare and safety of a person, or for following religious rules, or for the security of the nation.”

An example typically cited shows a transwoman filing a complaint of discrimination against a restaurant, which barred her from using female restrooms. However, the case was dismissed as it was reasoned that transgender women are more likely to commit crimes (like theft, or possibly even rape). Thus, in claiming to protect the “welfare and safety of others” who use the bathrooms, the restaurant's action does not violate the Gender Equality Act. The Act also fails to recognize Intersex individuals, whose diversity is based on their biological makeup, or the critical difference between gender identity (someone's personal experience of gender) and gender expression (someone's outward display of gender identity). In summary, the Complaints Procedure for victims of GBV under the Gender Equality Act (2015) is generally considered to be ineffective, being little known and difficult to access. Most complaints have been filed by transgender women, a few by women, and none by men. In addition to the extremely slow pace of investigation, there is also lack of witness protection, and lack of awareness about the complaint mechanism among the general public.⁶⁰

⁵⁵ Montakarn, Chuemchit Chernkwanma, Suttharuethai, Rugkua, Rewat, Daengthern Laddawan, Abdullakasim, Pajaree and Saskia E. Wieringa (2018) “Prevalence of Intimate Partner Violence in Thailand,” *Journal of Family Violence*, 33(5): 315–323.

⁵⁶ [action.https://athertonlegal.com/does-thailands-new-family-development-and-protection-act-prohibit-smoking-at-home/](https://athertonlegal.com/does-thailands-new-family-development-and-protection-act-prohibit-smoking-at-home/)

⁵⁷ <https://be-inclusive.com/newest-posts/2016/4/13/faq-thailands-new-gender-equality-act>
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21846&LangID=E>

<https://www.linkedin.com/pulse/gender-equality-act-thailand-can-law-change-hearts-all-muna-mcquay/>

⁵⁸ UNDP and MSDHS (2018) *Legal Gender Recognition in Thailand: A Legal and Policy Review*. Bangkok: UNDP.

⁵⁹ UNDP (2018) *Legal Gender Recognition in Thailand: a legal and policy review*

⁶⁰ OHCHR notes

Overall, the Act demonstrates a limited understanding of “gender equality”, and is primarily focused on “gender discrimination,” something it defines as “dividing, obstructing or limiting any direct or indirect privilege without fairness” on the grounds of gender. It is focused on negative rights – the right to be free of discrimination – rather than any positive rights such as the LGBTIQ right to civil partnership or marriage, or the strengthening of women’s groups in civil society.

The Gender Recognition Act (released in draft in 2017) has been proposed in order to address some of the problems perceived with the Gender Equality Act (2015). Despite the efforts of stakeholders for many years, Thailand is still in the process of developing the draft legal Gender Recognition Law. In 2020, four key LGBTIQ groups in Thailand each developed their versions of the draft law, responding to the different priorities of each group. With the objective of harmonising the efforts of different groups, UNDP organised a seminar in December 2020 that provided a platform for the stakeholders to review the four versions of the draft law. Discussions at the seminar led to a unanimous decision to combine the different drafts into one as well as to join efforts to advocate for the passing of the law that is in line with international human rights standards.

In 2021, UNDP is partnering with the Committee on Children, Youth, Women, Elderly, Disabled, Ethnic groups and LGBTIQ of the House of Representatives, and civil society organizations to follow through on what was agreed at the seminar, that is to have one Gender Recognition Law that takes into account the concerns of stakeholders.

As far as harassment in the workplace is concerned **Section 16 of the Labour Protection Act 1998** stipulates that “No employer, a person in charge, supervisor or work inspector shall commit sexual abuse, harassment or nuisance against an employee.” However, whilst Thai Labour Protection Law classifies sexual harassment as illegal, it only covers those working in the private sector. Moreover, the vagueness and ambiguity of the existing law makes the prosecution of cases of harassment even more difficult.⁶¹ Sexual harassment remains a problem both in public spaces and in offices. Victims dare not come forward to report because there is no safe space for them to do so. Moreover, because most judges are men, victim-blaming often occurs, with the courts treating victims as if they were the perpetrators.

In 2010 Parliament issued a law for **Protection of Home-based Workers** and the Committee for Protection of Home Workers (2015) was established. While there are still some weaknesses in its scope and provisions, the Act is regarded as a major achievement, and a benefit for homeworkers. Following its passage, HomeNet Thailand, (an NGO founded in 1999 to support home-based workers), helped groups register to get the right to vote for representation on a homemaker committee. It also advocated for enforcement and met with the Legal Reform Commission and the Labour Commission to accelerate the process. Because rights can only be exercised if they are known, HomeNet Thailand, in collaboration with the Formal Sector Group and Health Promotion Foundation, organized public seminars to ensure homeworkers understood their new rights. They had the Act translated and disseminated online and in newsletters. In addition, 3,000 booklets were published to get vital information to homeworkers in various regions, and training sessions were provided. The challenge now is to ensure the Act’s provisions are implemented and to work towards improvements. Another important result of HomeNet Thailand’s advocacy saw the Thai government introduce, in 2011, a policy to pay about 30 per cent of the contributor’s fee for a social security fund for informal workers, making social security accessible to home-based and other informal workers.⁶²

Amendment to Abortion Law (2021)

In a late-night session of the Senate on January 25, 2021), legislators voted 166-7 in favour of amending a law that criminalises abortion. Under the amendment abortion is now legal during the first 12 weeks of pregnancy. An abortion after 12 weeks would be allowed only in certain conditions and would otherwise be punishable by up to six months in prison, or a fine of up to 10,000 baht (US\$334) or both. Under the new criteria, a termination after 12 weeks would be allowed if a certified doctor deemed there was a high risk of foetal impairment, danger to the life of the mother, or if a pregnancy was the result of rape, deception or coercion.

The implications of decriminalising abortion may be quite significant. Maternal mortality is expected to fall even further, as is the rate of adolescent pregnancies, since the new law would make it possible for more

⁶¹ <https://laborrights.org/sites/default/files/publications-and-resources/Thailand.pdf> and LGBT rights <https://www.equaldex.com/region/thailand>

⁶² <https://www.wiego.org/sites/default/files/resources/files/WIEGO-Winning-legal-rights-Thailands-homeworkers.pdf>

women to access abortion services should they choose to terminate a pregnancy. Prior to the new law, women wanting an abortion could only receive such services at specific clinics throughout the country. Out of 73 provinces, only 15-20 have clinics providing abortion services. The majority of women had to travel very far to get an abortion. Presumably with the change in the abortion law, legal abortion services will be available in more clinics and hospitals across the country.

The **ILO Convention 183 Maternity Protection** has not yet been ratified although the Ministry of Labour is reviewing related laws and regulations. However, progress has been made by the extension of maternity leave with pay from 90 to 98 days to be in accordance with the ILO 183. A Cabinet Resolution of March 2555B.E. (2012) allows male civil servants and government employees to take **paid paternity leave** not exceeding 15 business days.

3.4. Thai Government Plans and Funds in Support of Gender Equality

National Women's Development Plans (WDP)

In recent decades, Thailand launched a total of ten short-term (5 year) and long-term (20 year) Women's Development Plans, as well as the national policy and guidelines on gender equality and the empowerment of women, as part of the country's pledge to integrate global, regional and national commitments on gender into its National Economic and Social Development Plans. Concrete measures have also been undertaken to ensure that the WDPs have been translated into action at the local level. The Thai government has integrated SDG 5 into the 12th Women's Development Plan (2017-2021), which acts as the main mechanism to advance women's development.⁶³

The current Twelfth Women's Development Plan (2017-2022) emphasises:

- the changing of attitudes of society towards gender equality;
- empowering women's participation at all levels;
- increasing enablers for women's advancement;
- developing legislative and protective measures for women;
- the strengthening of the women's mechanisms at all levels.

The measures to be implemented are as follows:

- Paradigm shift measure: the measure aims at changing attitude of society to understand and have awareness on gender equality.
- Empowerment measure: the measure focuses on increasing women's participation in all sectors at all levels by recognising that women are actors for the country's development.
- Enabling condition measure: this strategy aims to eliminate conditions which obstruct women's advancement.
- Protective and corrective measure: this measure aims to enhance mechanisms and establish protective laws and regulations to protect women from gender-based discrimination and gender-based violence.
- Strengthen women's mechanisms measure: this measure focuses on strengthening women's mechanisms and processes at all levels especially by providing knowledge, skills, and negotiation power for women's advancement.

Currently preparations are underway for the drafting of the next WDP. The process of drafting is coordinated by the DWF in collaboration with all key ministries, and in consultation with academia and civil society groups.

Action Plan for Gender-Responsive Budgeting (GRB)⁶⁴

Thailand's commitment to overcoming gender inequalities is reflected in legal provisions, in the Criminal Code, and in the Constitution. The 2017 Constitution sets out a commitment to introduce Gender

⁶³ Ministry of Foreign Affairs of the Kingdom of Thailand. Thailand's Voluntary National Review on the Implementation of the 2030 Agenda for Sustainable Development, 2018.

⁶⁴ OECD (2019) Thailand: Gender Budgeting Action Plan

Responsive Budgeting (GRB). Accordingly, the Budget Bureau requested concerned sectoral ministries to indicate in their budget request forms the anticipated gender impact of their requests.

The OECD was asked to prepare an Action Plan for Gender Budgeting taking the Women's Development Plan (2017-2021) as a framework and building upon the CGEO and GFP network established in ministries. The work was supported by the Gender Responsive Budgeting Handbook already prepared by the Department of Women's Affairs and Family Development (revised 2020).

However, it appears that the implementation of the Action Plan encountered obstacles in terms of the alignment of the WDP with the over-arching National Economic and Social Development Plan; in terms of the understanding of GRB amongst government officials; and the availability of gender-disaggregated data. This is an activity recommended for further action under GAP III, Part I.

Funds for Women's Empowerment & Gender Equality

The Thai Women Empowerment Fund (funds of THB 7.7 billion (approximately U \$236 million)), created in 2012 under the govt of PM Yingluck Shinawatra (Thailand's first and only female Prime Minister) aims to serve as a revolving fund with low interest for women and women's occupational groups, to strengthen their economic security. The fund also provides a grant for organising activities to empower women such as leadership training which can be accessed by application. The Department of Community Development, the Ministry of Interior is the manager of this Fund.

Established under the Gender Equality Act 2015 is the **Gender Equality Promotion Fund**. The aims of the Fund are to be a source of compensation and remedy for those who are discriminated against because of their sex, sexual orientation, and gender identity; and a source of support for activities or businesses relating to the promotion of gender equality. In relation to compensation for discrimination, the Committee on Consideration of Unfair Gender Discrimination will make a decision as to whether discrimination has occurred. For the activities relating to the promotion of gender equality individual or groups may submit their proposal to access the Fund.

3.5. Thailand's Commitments to International Conventions & Declarations⁶⁵

Thailand has advanced women's rights and gender equality through its ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1985, and its Optional Protocol in 2000; has endorsed the Beijing Platform for Action in 1995; and has committed to the Sustainable Development Goals (SDGs) in 2015. Thailand has made significant efforts to integrate the international principles and instruments into legislation and policies, and the Constitution of the Kingdom of Thailand B.E. 2560 (2017) clearly specifies that "men and women shall enjoy equal rights". The Gender Equality Act 2015, established a Committee to Promote Gender Equality (CPGE) to enact the Act's legal policies and mechanisms to advance gender equality. In addition, the Women Development Strategy (2017-2021), developed by the Ministry of Social Development and Human Security, sets out goals, objectives and targets in the area of gender equality which will be steering tools for effective budget allocations.

CEDAW Reporting

Thailand's Sixth and Seventh Periodic Reports were presented to the CEDAW Committee in 2017. The leader of the Thailand Delegation detailed the developments that had occurred during the reporting period to promote and protect women's rights. For example, Thailand had withdrawn its reservation to Article 16 of the CEDAW, which guarantees the rights of women in all matters relating to marriage and family relations; such as the right to choose a spouse and to enter into marriage, the rights and responsibilities during marriage and at its dissolution; the rights and responsibilities as parents in matters relating to children, the rights to decide freely and responsibly on the number and spacing of children, the rights and

⁶⁵ See materials referenced at footnotes 88 and 95 for a more comprehensive picture of Thailand's international commitments.

responsibilities with regard to guardianship and adoption of children, the personal rights as husband and wife, including the right to choose a family name and a profession, and the rights in respect of property. The next CEDAW report is scheduled for July 2021 and the process is being coordinated by the DWF.

CEDAW Shadow Reports

A number of shadow reports were presented to the 2017 session, highlighting key issues of gender inequality and discrimination still existing in particular populations and communities:

- Discrimination and Violence against Women and LGBTI persons* (submitted by Togetherness for Equality, and the Working Group for Gender Equality, Rights and Freedom in Thailand).
- Shadow Report on Behalf of Indigenous Women* (submitted by Indigenous Women's Network of Thailand & Asia Indigenous Peoples Pact Thailand supported by International Land Coalition, International Women's Rights Action Watch- Asia Pacific, UN Voluntary Fund for Indigenous Peoples).
- Shadow Report on the Situation Faced by Women in the Deep South* (submitted by Cross Cultural Foundation (CrCF) and other Local Civil Society Organisations).
- Sex Workers and the Thai Entertainment Industry* (submitted by EMPOWER Foundation).
- Alternative Report on Thailand's Implementation of CEDAW* (submitted by the National Human Rights Commission of Thailand).

3.6. The Role of Thai CSOs and NGOs in Promoting Gender Equality.

In Thailand as elsewhere, the role of civil society is recognised as being integral to the achievement of the SDGs and other development agendas. CSOs and NGOs play a vital role through their partnerships with the government, through advocacy activities, and through their monitoring of the SDG CEDAW, and UNSCR processes.

The work of a number of CSOs has focused on protecting the human rights, including women's human rights, of specific groups of migrants. For example, the Gruppo Volontariato Civile together with the Labour Rights Promotion Network Foundation (LPN) based in Samutsakhon, have been working with the Phnom Penh-based NGO, Legal Support for Children and Women to improve the human rights of Cambodian women migrants into Thailand, in the fisheries sector with the aim of reducing physical abuse, eliminating employment abuses, and addressing trafficking cases. Their collaborative efforts proved to be successful as project partners took part in institutional and civil society dialogues to advocate and lobby for the improvement of the legal framework and its application, in order to better protect migrants against exploitation and trafficking. An MoU was signed with the National Committee for Counter Trafficking in Cambodia.⁶⁶ Other CSOs such as the Friends of Women Foundation and Alliance Anti-Traffic have engaged in projects to improve women's quality of life, and their participation in public life.⁶⁷

The Women Peace and Security (WPS) agenda has been pursued vigorously especially in Southern Border Provinces (SBPs) through capacity-building for Women Human Rights Defenders (WHRDs) and LGBTIQ groups, and through monitoring incidence of GBV, and of arbitrary detention and arrests.

WHRDs have been active on issues related to land and natural resources, and community rights often after having had their own land confiscated or having become victims of forced evictions, land-grabbing and unfair land distribution; as well as having experienced first-hand environmental degradation as a result of large-scale infrastructural projects, and the emergence of extractive industries.⁶⁸ WHRDs together with other rural women continue to be discriminated against, stigmatised and marginalised, as well as excluded from equal participation in political and economic processes, and denied access to essential services. Continued capacity-building of civil society groups and WHRDs remains critical to empower communities to participate in political processes.

⁶⁶ MIG-RIGHT: Supporting and advocating Cambodian Migrants' rights in Thailand, preventing violations and human trafficking; EIDHR/2016/376-943; Updated: May 2019.

⁶⁷ Empowering Rural women's networks to lead change for a better quality of life for women and families; DCI-NDSAPVD/2015/370-646. Updated: May 2019.

⁶⁸ International Federation for Human Rights (FIDH) (2017) *In Harm's Way - Women human rights defenders in Thailand*. Paris: FIDH.

In spite of the achievements of CSOs, spaces for civic activism overall have been shrinking in recent years which also negatively affects interventions addressing gender equality and women's empowerment.

4. Gender Analysis of Thematic Areas of Engagement under GAP III

4.1. Ensuring Freedom from All Forms of Gender-Based Violence

Gender-Based Violence in Thailand as elsewhere in the world, takes many forms, and is the outcome of many cultural, social, and economic discriminations and inequalities, at institutional and individual levels. Thailand has never had a national survey of gender-based violence which is regarded by experts as the only way to get greater information on the proportion of women, men and LGBTIQ individuals, who become victims of some form of such violence.⁶⁹ Whilst several pieces of legislation have been put in place to address **domestic and intimate partner violence**, **sexual harassment and bullying** in the workplace, and more recently rights and protections **for LGBTIQ individuals**,⁷⁰ it is generally believed that official data does not provide an accurate picture of the scale of gender-based violence, and most offences go unpunished. Gender discrimination in the education system in terms of violence and **harassment against LGBTIQ** pupils was examined in a UNESCO (2015) report, and shown to be significant in many schools and other places of education.⁷¹

Sex trafficking is a major form of violence, primarily involving women and girls. Indeed, in Thailand most human trafficking cases tend to involve sex trafficking rather than labour exploitation. In 2018, sex trafficking formed the bulk of the 304 identified cases of human trafficking (84.8 percent), in contrast to 35 cases of forced labour (11.5%) and 8 cases of forced begging (2.6%).⁷²

Traffickers tend to target poor families in the remote rural or border areas, many of whom come from the ethnic minority groups. Parents may allow their children to move to urban areas with these "middlemen" in the hopes that their children will gain legitimate jobs in the cities (such as low-skilled jobs in hotels and restaurants), which may provide remittances for the family. It is not uncommon for traffickers to offer monetary help to the parents, in the hope that the latter would accept their proposition which often results in the child being trafficked for sexual purposes.

Women and girls trafficked into the sex industry are vulnerable to all forms of violence. The bulk of women trafficked come from Myanmar, though ethnic minority women from highland areas are also vulnerable given their poverty and their marginalised status in Thai society. They are often forced into the sex industry because they find it more difficult to procure waged work.⁷³ Poor rural Thai women also face the same predicament. The lack of social networks leading to jobs in the city makes them vulnerable to human traffickers who deceive them with promises of low-skilled work.

For these women, as well as those from neighbouring countries, the wealth disparities within Thailand as well as with its neighbouring countries, have been the main factor behind sex- trafficking. It is worth noting however that whilst some women willingly entering the sex industry, seeing it as a genuine and legitimate means through which to earn a living to help their families, there is still the possibility of being deceived or coerced into the industry and to be subjected to violence and/or debt bondage.⁷⁴

Increasingly in recent years the internet has become an important tool for sex traffickers. The use of the Internet for sexual exploitation is thriving because it meets the needs and wants of a range of actors in the trafficking complex: pimps/recruiters, clients and the "innocent" women and teen-aged girls who might

⁶⁹ See <https://thediplomat.com/2020/10/thailand-has-a-gender-violence-problem/>

⁷⁰ See below at p xxx

⁷¹ See From insult to inclusion: Asia-Pacific report on school bullying, violence and discrimination on the basis of sexual orientation and gender identity <https://unesdoc.unesco.org/ark:/48223/pf0000235414?posInSet=37&queryId=ec0db57d-74fc-497e-b4b4-6860953ff041>

⁷² Rousseau, D. (2019) *Review of Models of Care for Trafficking Survivors in Thailand*. Washington D.C.: Winrock International.

⁷³ Beyrer, Chris (2001) "Shan women and girls and the Sex Industry in Southeast Asia: Political Causes and Human Rights Implications," *Social Science & Medicine*, 53(4): 543-50.

⁷⁴ Lim, Lin Lean (ed.) (1998) *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia*. Switzerland: International Labour Organization, 1998, p. 14.

think that they are finding genuine work through the internet.⁷⁵ For anyone seeking waged work, the Internet has proven to be the place to go, since the majority of employers now use it to advertise jobs. Since connectivity is instantaneous, it is not uncommon now for women to seek out work through this channel, which has come to replace traditional venues of advertising. Because of the anonymity behind the use of the internet, there is no way of validating that the “employer” has a legitimate job.

Facebook, followed by Instagram, are the more common social media platforms through which traffickers get to know their victims. An estimated 40.7 million people out of a total population of 66.6 million in Thailand have access to the internet.⁷⁶ In fact, it has been reported that 50 million Thais use Facebook, half of whom are female.⁷⁷ Young girls from Laos who reside in Thailand with their parents who work in the informal sector, were found to meet their traffickers online in chat rooms; the latter promising them work in the cities. Victims meet the offenders through a broker who, in turn, uses online technology to reach out to potential clients including paedophiles. In contrast to the traditional practice whereby a recruiter goes into a rural area in person, thereby revealing his identity, using the Internet enables the recruiter to hide his/her identity from the victims.

In spite of numerous efforts on the part of the Thai government to crack down on **sex tourism** openly found in its go-go bars, beer bars, massage parlours, karaoke bars and bathhouses where informal sex work takes place Thailand is still a highly popular venue for sex tourists. In Bangkok and Chiang Mai, it has been estimated that tens of thousands of women and girls have been trafficked into sex work, catering both to local and foreign clientele.⁷⁸ However the actual numbers are difficult to pin down because of the clandestine nature of trafficking.⁷⁹ In Thailand, the law considers an under- aged sex worker to be a trafficked victim although they may have entered sex work voluntarily. 2017 saw the introduction of more advanced witness examination in conjunction with the judicial process in Thailand, facilitated by the close collaboration between the Office of the Attorney General and the Office of the Judiciary. Aside from clauses in the Criminal Procedure Code, Section 31 of the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008) and Section 9 of the Human Trafficking Criminal Procedure Act, B.E. 2559 (2016) prescribe the principles of such practice.

In 2015, Thailand became signatory to the ASEAN Convention Against Trafficking in Persons, Especially Women and Children or ACTIP⁸⁰ which is the region’s first binding instrument on trafficking in persons. The greatest impetus, however, for undertaking greater action against the sex tourism industry comes from the Trafficking in Persons (TIP) Report, in which Thailand remains in Tier 2 since the country has “not fully complied with the TVPA’s minimum standards”.⁸¹

In 2017, the Ministry of Social Development and Human Security (MSDHS) established a Legal Assistance Section under the Division of Anti-Trafficking in Persons to provide legal assistance to victims of trafficking in accordance with the Prevention and Suppression of Human Trafficking Act, the Human Trafficking Criminal Procedure Act, and other relevant laws.⁸² In addition, a consultation across the Legal Execution Department, the Office of the Attorney-General (OAG) the Anti-Money Laundering Office (AMLO), and the Lawyers Council under Royal Patronage was set up to provide legal assistance on execution of judgment.

Thailand’s anti-trafficking legislation is the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008), informally referred to as the Anti-Trafficking Act. Since being amended twice—in March 2015 and January 2017—the Anti-Trafficking Act outlines and criminalises any conduct thought to perpetuate the trafficking in persons, introduces more severe penalties for trafficking, and mirrors the

⁷⁵ Devasahayam T.W. (2019) “Sex, Crime and Deceit: Women and Child Trafficking and Sexual Abuse in the Internet Age in Cambodia and Thailand,” in *Exploring the Nexus between Technologies and Human Rights: Opportunities and Challenges in Southeast Asia*. Khoo Ying Hooi and Deasy Simandjuntak, eds. (Thailand: SHAPE-SEA, 2019).

⁷⁶ Clement, J. (2019) “Internet Usage Worldwide - Statistics & Facts,” *Statista*, 25 July.
URL: <<https://www.statista.com/topics/1145/internet-usage-worldwide/>>(accessed 2 August 2019)

⁷⁷ Bangkok Post (2019) “Thailand tops global digital rankings,” 19 February.
URL: <<https://www.bangkokpost.com/tech/1631402/thailand-tops-global-digital-rankings>>(accessed 4 February 2021)

⁷⁸ Sorajakool, Siroj (2013) *Human Trafficking in Thailand: Current Issues, Trends and the Role of the Thai Government*. Chiang Mai, Thailand: Silkworm Books

⁷⁹ Devasahayam, T.W. (2019)

⁸⁰ US Department of State (2016) Trafficking in Persons Report 2019. Washington, D.C.

⁸¹ See <https://www.hrw.org/news/2020/07/30/sufficient-progress-not-made-warrant-tier-2-ranking-thailand-tip-report-2020#:~:text=The%20U.S.%20State%20Department's%20Trafficking,of%20human%20trafficking%20in%202019.>

⁸² Ministry of Social Development and Human Security (2017) Thailand’s Country Report on Anti-Human Trafficking Response (1 January - 31 December 2017). Bangkok: Division of Anti-Trafficking in Persons.

Palermo Protocol's terminology. The 2017 amendment, in particular, has drawn positive attention for its revised definition of "exploitation" to include "practices similar to slavery" and an expanded definition of 'forced labour or services,' which now includes seizure of identification documents and debt bondage."⁸³ Stronger mechanisms to protect whistle-blowers, including authorities who report on trafficking crimes, have also been established. However, corruption is one major obstacle preventing the elimination of sex trafficking in Thailand in addition to weak enforcement of the legislation. Trafficked survivors from outside Thailand continue to be treated as "illegal migrants" and are locked up in immigration detention centres (IDC), thereby showing that victim-blaming persists.

Gender-Based Violence presents itself very differently in the communities of the **Deep South**. Young girls or women accused of *khalwat*⁸⁴ are often forced to marry the man. Rape also forces a victim to marry the perpetrator; in this case, the man is spared from being punished and has no compulsion to change his behaviour and instead might end up committing another rape – not seeing it as a crime; while the victim is left with suffering post-traumatic rape disorder.

Under the Civil and Commercial Code of Thailand 1985 the minimum legal age of marriage is **20 years**. However, individuals are able to marry at **17 years** with parental consent. Statistics gathered by UNICEF (2019) suggest that in the region **Thailand** has the highest percentage of **underage marriages** after Lao PDR. Those married by the age of 15 in **Thailand** make up four per cent while those married by the age of 18 reach up to 23 percent (UNICEF, 2019). In Southern Thailand **child marriage (i.e., under the legal age of 20)** continues to be an issue since it is possible to go to Malaysia to get married. In some states in Malaysia, such a marriage is *halal*⁸⁵ since the *nikah* had already taken place, although the Malaysian government does not recognise the marriage. While the Islamic Council has said that they will monitor the situation, such marriages continue to occur.

Female genital mutilation (FGM) continues to occur especially in the South though the exact prevalence rates are unclear. While the practice is carried out by traditional practitioners in rural areas, it has not become medicalized as is the case for Malaysia or Indonesia.⁸⁶

In the last five years, the Ministry of Health has set up 78 hospitals with services targeted at victims of violence. In fact, there is a Centre for the **Prevention of Domestic Violence** at the provincial level in 77 provinces in the country demonstrating the Thai government's commitment to addressing VAW at the provincial level. The Ministry of Social Development and Human Security has also set up an Emergency Centre for Children and Family in every province. But these are rather piecemeal attempts as there is no unified national strategy to address Gender-Based Violence. Moreover, there is lack of acknowledgement that addressing GBV needs to be a multi-sectoral effort bringing together the MOH with the police, and other government agencies. In the Voluntary National Review (VNR) of the Sustainable Development Agenda of 2017, for example, there is no mention of GBV except in Goal 5.2 related to gender and reproductive health, indicating that GBV/VAW issues are not yet seen as a national priority for the Thai government overall.⁸⁷

On the positive side funding for VAW projects has been made available in recent years through the Thai Health Promotion Foundation⁸⁸ established in 2001. A semi-government entity, it collects funds through the "sin tax," for example, the sale of alcohol and cigarettes. While the foundation was set up to promote health, the term has been defined very broadly to cover the promotion of well-being and thus violence against women issues have come to be seen as a public health issue in accordance with WHO's definition⁸⁹. In particular, the "Division of Health Promotion of Specific Population Groups" provides

⁸³ Quinley III, J. (2018) "Why Does Human Trafficking Persist in Thailand?" Asia Research Institute, University of Nottingham, 11 January.

⁸⁴ Khalwat means having been found in close proximity with a person or persons of the opposite sex, whether they are Muslims or not, who are not spouses in a lonely place, or in a room of any building or in a secluded place, in circumstances that give rise to suspicion that the couple are engaging in sexual intercourse or intending to engage in sexual intercourse or have committed such an act" (Koranic)

⁸⁵ Hala- means "permissible or lawful" ; nikah means the Islamic contract of marriage (Koranic)

⁸⁶ Dawson, Angela, Abdul Rashid, Rashidah Shuib, Wickramage, Kolitha, Budiarsana, Meiwita, Irwan Martua Hidayana and Gabriele Marranci (2020) "Commentary: Addressing female genital mutilation in the Asia Pacific: the neglected sustainable development target," *Australian and New Zealand Journal of Public Health*, 44(1): 8-10.

⁸⁷ See Voluntary National Review http://tourism4sdgs.org/wp-content/uploads/2018/07/Thailand_CountryFiche-1.pdf

⁸⁸ See <https://en.thaihealth.or.th/>

⁸⁹ See [https://www.who.int/news-room/fact-sheets/detail/violence-against-women#:~:text=The%20United%20Nations%20defines%20violence,or%20in%20private%20life.%22%20\(](https://www.who.int/news-room/fact-sheets/detail/violence-against-women#:~:text=The%20United%20Nations%20defines%20violence,or%20in%20private%20life.%22%20()

funding for projects on VAW since these specific population groups encompass the elderly, persons with disability, stateless, homeless and women.

Thailand has reportedly seen an increase in cases of Domestic Violence by 66% during the coronavirus pandemic because more women and men are confined to the home.⁹⁰ CSOs have used the opportunity to highlight women's vulnerability to domestic violence in the home setting, and to stress the need for government protection. ActionAid⁹¹ sprang into action by running a campaign to promote an application process for women facing DV. Through the use of the "buddy system", the application allows victims of violence to receive support from their friends who, in turn, help monitor their safety. The programme also provides hotline numbers on which victims can call should they face a problem of domestic violence at home. ActionAid has been working in collaboration with several government agencies on this initiative: the Ministry of Foreign Affairs, the Ministry of Social Development and Human Security and the Ministry of Health.

4.2. Promoting Sexual and Reproductive Health and Rights

Thailand ranks as the world's 6th and Asia's 1st, in the 2019 Global Health Security Index which includes 195 countries.⁹² Thailand achieved Universal Health Coverage (UHC) in 2002, thus bolstering the impressive Sexual and Reproductive Health Service package already in place. Thailand had 62 hospitals accredited by the Joint Commission (TJC),⁹³ and in 2002 Bangkok's Bumrungrad Hospital became the first hospital in Asia to meet this high international standard. The UHC benefits package launched in 2002 covered almost all relevant SRH services envisaged in the Programme of Action of ICPD (International Conference on Population and Development) which though it took place in 1994 still retains its value as a standard.

Overall, the maternal mortality ratio decreased from 43 per 100,000 live births in 2000 to 20 in 2019, a rate lower than the upper middle- income countries' average.⁹⁴

Health and medical care is overseen by the Ministry of Public Health (MOPH), along with several other non-ministerial government agencies, with total national expenditures on health amounting to 3.79 per cent of GDP in 2018. This is a relatively modest amount even compared with its immediate neighbours e.g., Cambodia (6.3%), Philippines 4.4%, Malaysia 3.6%, and Lao PDR 2.5%.⁹⁵ Non-communicable diseases form the major burden of morbidity and mortality, while infectious diseases including malaria and tuberculosis, as well as traffic accidents remain important public health issues.

Thailand implemented a unique, voluntary, Family Planning programme starting in the 1960's which resulted in reducing the population growth from greater than 3% to below 1% in 20 years. The World Bank has attributed this outstanding success to the following factors:

(i) an unusually receptive population; (ii) a well-developed network of government health services; (iii) progressively broadened administrative policies; (iv) visible professional competence; (v) strong in-service training programs; (vi) cooperative effort among agencies; (vii) effective technical assistance and strong financial support; and (viii) a highly centralized administrative system, combined with well-developed telecommunications, postal, and transport systems.⁹⁶

The rate of adolescent pregnancy, once considered a serious problem, is on the decline. The government issued the *Act For Prevention and Solution of the Adolescent Pregnancy Problems in 2016*. Now, Thailand has seen a decline in the number of adolescent mothers from 53 per 1,000 to 31 per 1,000 in just five years. The aim is to reach a figure of 26 adolescent mothers per 1000 births in 2026.

⁹⁰ See <https://www.ucanews.com/news/thailand-sees-surge-in-domestic-violence-during-pandemic/90421>

⁹¹ See <https://actionaid.org/stories/2021/our-response-covid-19-pandemic>

⁹² See <https://www.ghsindex.org/country/thailand/>

⁹³ See <https://www.jointcommissioninternational.org/standards/international-patient-safety-goals/>

⁹⁴ Warisa Panichkriangkrai et al (2020) Universal Access to Sexual and Reproductive Health Services in Thailand: achievements and challenges. Sexual and Reproductive Health Matters.

⁹⁵ <https://data.worldbank.org/indicator/SH.XPD.CHEX.GD.ZS?locations=TH>

⁹⁶ See <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/857101468174236152/main-report>

Nowadays, there are many contraceptive methods available in Thailand. More common methods used by women of reproductive age were oral contraceptive pills (OCPs), progestin-only injectable (DMPA), condoms, intrauterine devices (IUDs) and progestin implants, respectively.⁹⁷

The contraceptive prevalence rate, use of modern contraceptive methods by women aged 15-49 in Thailand was 78 % as of 2018, which is considered very high. Accurate data for male contraceptive usage is scarce and contradictory.⁹⁸

Thailand still has one of the highest HIV prevalence rates in Asia and the Pacific, accounting for 9% of the region's total population of people living with HIV (an estimated 5.8 million in 2020.). Although the epidemic is in decline, prevalence remains high among key affected groups, with young people from key populations particularly at risk. However, Thailand is the first country to effectively eliminate mother-to-child transmissions, with a transmission rate of less than 2%.

In 2018, Thailand began to scale up pre-exposure prophylaxis (PrEP) in order to make it nationally available to people at high risk of HIV, making it a leader in the region. Thailand hopes to be one of the first countries to end AIDS by 2030. However, to achieve this, significantly more young people and key affected populations need to be reached.

Thailand's HIV epidemic is concentrated among certain key populations. Those most affected are Men who have Sex with Men (MSM), who account for around 40% of new infections each year; sex workers and their clients, around 10% of new infections; transgender people, and people who inject drugs, around 10% of new infections each. Migrants and prisoners are also more vulnerable to HIV than others in the country. Young people from key populations are particularly at risk of acquiring HIV. In 2018, around half of new HIV infections in Thailand occurred among people aged 15-24.

HIV prevalence is however declining in Thailand due to successful HIV prevention programmes. A study has shown that nearly 10 million people avoided HIV transmission because of early intervention programmes with key affected populations between 1990 and 2010. Between 2010 and 2018, AIDS-related deaths declined by a third (32%) and new infections fell by 59%.

In 2019, 5,400 people in Thailand became HIV-positive. Unprotected sex is estimated to account for 90% of all new HIV infections. Unsafe injecting drug use is the second biggest transmission route. Although increased access to prevention services has resulted in new infections decreasing overall, they are rising among certain groups. For example, while the rate of new infections through injecting drugs steadily decreased between 1995 and 2015, the rate of new infections through male-to-male sex dramatically increased over the same period.

4.3. Promoting Economic and Social Rights and Empowering Girls & Women

Gender parity has been achieved at the **primary and secondary school levels** in Thailand and more girls and women have gained higher levels of education. In fact, the country has seen a reverse gender gap in higher education with Thailand being ranked first in the world for women in higher education.

However, data released in October 2020 by the National Statistical Office and UNICEF revealed that while 96 percent of all children completed school, there was a significant drop in completion at the secondary and upper secondary level.⁹⁹ This trend showed up particularly among the poorer households, households headed by non-Thai speakers and children whose mothers had no education. It was reported that boys were more likely to drop out of school than girls.

Gender gaps show up in yet another arena. Although the proportion of women researchers in science, technology and innovation is above the global average at 53 percent in higher education,¹⁰⁰ they continue to be underrepresented in employment in the fields of engineering, manufacturing and construction at only 23.67 percent.¹⁰¹ For instance, men dominate leadership roles in energy efficiency. As of 2020, the

⁹⁷ <https://data.worldbank.org/indicator/SP.DYN.CONU.ZS?locations=TH>

⁹⁸ See <https://pubmed.ncbi.nlm.nih.gov/3798491/>

⁹⁹ UNICEF (2020) "Thailand's national survey shows drop in adolescent birth rate, but worrying trend in child nutrition and secondary school drop-out." URL: <https://www.unicef.org/thailand/press-releases/thailands-national-survey-shows-drop-adolescent-birth-rate-worrying-trend-child> (accessed 9 February 2021)

¹⁰⁰ Royal Thai Embassy (2017) "Thailand promoting female STEM education with UNESCO."

¹⁰¹ UNESCO (2016) "Closing the Gender Gap in STEM." Paris and Bangkok.

Department of Alternative Energy Development and Efficiency (DEDE), three of the 17 current executives are women; while at the Energy Government Authority of Thailand (EGAT),¹⁰² there are ten women out of 35 among the executive members.¹⁰³ Although Thailand's female population comprises 45.6 percent of the country's workforce according to World Bank's estimates of 2020,¹⁰⁴ females are employed predominantly in jobs requiring low **STEM** skills. Thus, across the STEM industries, male employment outweighs female employment by at least a ratio of 3:1.¹⁰⁵

In part, it may be said that barriers continue to exist resulting in the gender gap in representation in certain sectors. A study of women civil engineers in the Thai construction industry published in 2013 reported that frequent refusal to perform site-based work, as well as the lack of opportunities to perform site-based work served as the main barriers to career advancement.¹⁰⁶ Although tertiary institutions have also seen a growing number of young women men continue to dominate the STEM sector; only 30 percent of STEM graduates were female in 2017.

In recent years more women are pursuing STEM degrees leading to jobs in the ICT field,¹⁰⁷ though more training and encouragement is needed so as to increase their presence in the sector. However, larger issues of gender- sensitivity and gender stereotyping still need to be addressed. Gender- responsive curricula and teaching materials are yet to be developed at teacher- training or other administrative and supervisory levels. As yet, many teachers themselves do not understand gender equality, and do not have the capacity or necessary materials to convey these values.

Despite Thailand's having done well in terms of numerical parity there are pockets of groups of girls and women who are worse off than their male counterparts. **Persons with disability** are a case in point. Amongst persons with disability, women are worse off than men as evidenced in the gender gap presenting itself at every level of educational attainment from primary, secondary, and vocational school to university. The gender gap is most pronounced at the secondary school level and vocational level where boy's attainment of education is twice that of girls' amongst those with a disability (see Table 1).

Table 1: Persons with Disability and Educational level in Thailand, by gender, 2020

Educational Level	Male	Female
Primary school	641,249	608,546
Secondary school	114,238	55,368
Vocational school	24,621	10,464
University	1,949	1,322

Source: *Disability Situation in Thailand Report*, Department for Empowerment of Persons with Disability (2020)

Because those with disabilities have lower levels of education compared with the rest of society, their employability is low. In the country, 770,000 of differently-abled persons are of working age, but only 28,000 are engaged in waged labour while around 350,000 are unemployed.¹⁰⁸ Stereotyping and discrimination continue to be the main barriers to equality amongst these persons in spite of Thai law requiring public and private organisations to hire one differently-abled person for every 100 employees under Section 33 of the Persons with Disabilities Quality of Life Promotion Act BE 2550 (2007).¹⁰⁹

¹⁰² Department of Alternative Energy Development and Efficiency (DEDE) (2020) "Executives."

¹⁰³ Electricity Generating Authority of Thailand (2020) "Executive Officers."

¹⁰⁴ World Bank (2019) "Labor Force, Female (% of total labor force)"

¹⁰⁵ Boyland, Michael 9(2018) "Thailand's Energy Transition might be Inevitable, but Equality and Justice are Not," 28 August.

¹⁰⁶ Kaewsria, Nuanthip and Tanit Tongthong (2013) "Professional development of female engineers in the Thai Construction Industry." *Procedia – Social and Behavioral Sciences*, 88: 291-98.

¹⁰⁷ Farrell, James Austin (2017) "Thailand sees more Women in Tech, but More can be Done," *TECHINASIA*, 21 April.

¹⁰⁸ Tongwaranan, Tanyatorn (2016) "Employment quotas for the disabled don't always work". *Bangkok Post*, 18 July.

URL:<<https://www.bangkokpost.com/business/1038277/employment-quotas-for-the-disabled-dont-always-work>>(accessed 7 February 2021)

¹⁰⁹ Tongwaranan, Tanyatorn (2016) "Employment quotas for the disabled don't always work". *Bangkok Post*, 18 July.

URL:<<https://www.bangkokpost.com/business/1038277/employment-quotas-for-the-disabled-dont-always-work>>(accessed 7 February 2021)

Amongst those employed, more men (61%) than women (39%) are engaged in waged work.¹¹⁰ And if they are employed, they are often overlooked when it comes to proper training and to develop their careers, let alone having the opportunities to develop technical skills. These factors impact negatively on their potential earnings, shaping the ways in which they would access amenities and services.

With respect to **women's role in the economy**, in an interview with the World Bank on International Women's Day (2020) the (female) Secretary General of the Thai Securities and Exchange Commission, Ruanvadee Suwanmongkol,¹¹¹ provided the following overview of the position of Thai women in the **business and commercial** sector: "We recognise the increasing role of Thai women in the workforce and economy. According to research from Grant Thornton International (2019), women in Thailand hold 33% of all Chief Executive Officers (CEO) and Managing Director jobs in the private sector, which is double the world average and higher than any other country in Southeast Asia. In Thailand's mid-market companies, women hold 32% of senior leadership positions, which is higher than the global average of 27% as well as the Asia-Pacific average of 26%. There have also been recent improvements. Among mid-market companies, the number of businesses with no women in senior management has decreased by five percentage points – from 19% in 2019, to 14% in 2020. As with several other related indicators, Thailand's numbers on this metric show more diversity than the overall averages for both the region (20%) and the world (17%). Thailand is also performing comparatively well when it comes to having women in the highest positions of power: 24% of CEOs / Managing Directors in Thailand are women, compared to 20% worldwide and only 13% in Asia-Pacific. Thailand has the world's highest percentage of female Chief Financial Officers (CFOs) at 43%, and the third-highest percentage of female CEOs. Many mid-market businesses in Thailand are looking to build on this trend towards equality. In the area of **capital markets**, Thailand has witnessed an increasing number of female directors of listed companies. According to the 2019 Corporate Governance Report, out of 677 listed companies, there were 6,603 directors in total, and 20% or 1,313 of them are women. In addition, there were 17.5 million female workers in Thailand's labour force – an increase from 17.1 million in 2017."

However, the OECD notes that the gap in gender participation in the **formal labour** force increased between 2005 and 2018 with the percentage active decreasing from 65.7% to 60.3%, though women contribute 76% of all unpaid work. "In 2018 women in informal employment, including domestic work made up 55% of all working women" (NSO, Thailand, 2018). These women in informal employment usually lack labour and social security protections, minimum wage protection and access to paid maternity leave.¹¹² Women earn less than men in Thailand for "similar work" scoring 0.765 in 2019,¹¹³ where zero represents absolute imparity and 1 is absolute parity.

In **rural areas**, women tend to be concentrated in insecure and vulnerable jobs in the informal sector including in agriculture and self-employment, and as contributing family workers, with only a small minority having any position of leadership in the community. According to the Association for the Promotion of the Status of Women¹¹⁴, discriminatory practices against women still exist in many rural areas in Thailand in terms of employment practices and discrimination, and access to resources.

Overall, there is a lack of policy to promote women's economic empowerment and access to financial services to disadvantaged groups of women. Access to finance is a key issue for many entrepreneurs. Although the sources of finance are the same for men and women, women often tend to face higher barriers to access finance. The main reasons for this gender gap are associated with differences in the sector of activity and the age and size of female-owned businesses. However, other possible explanations include lack of managerial experience, women's weaker credit history, and a smaller business size. In a number of countries women's access to financial services and resources is further hampered by general limitations to the formal financial infrastructure and – in some cases – legal and institutional barriers (OECD, 2012b).

¹¹⁰ Disability Situation in Thailand Report, Department for Empowerment of Persons with Disability (2020).

¹¹¹ See <https://www.worldbank.org/en/news/feature/2020/03/08/ruanvadee-suwanmongkol>

¹¹² OECD (2019) p.13

¹¹³ World Economic Forum (2019) *Global Gender Gap Report*. Geneva: World Economic Forum.

¹¹⁴ See <http://www.apsw-thailand.org/indexEN.html>

4.4. Promoting Equal Participation and Leadership

Thai women are still underrepresented in the **parliament, the government, the judiciary, and the administration both at national and local levels**. Women account for only 23.9 % of high-ranking civil servants, and gender equality in senior leadership positions has risen by just 3% in the last fifteen years. However, the General Election in 2019 resulted a three-fold increase in women's representation as Members of Parliament (16.2%), with half of the first-time Members of Parliament (MPs) being women. This still modest number (82 out of 490) is yet the highest ever. Representation in the Thai Senate (Upper House) remains modest, out of 250 representatives, only 26 are women (10.4%) while 224 are men.¹¹⁵ The Parliamentary Committee on Children, Youth Women, the Elderly, Persons with Disabilities, Ethnic groups, and LGBTIQ people added the responsibilities for upholding the rights of Ethnic groups and LGBTIQ groups to its mandate in 2019 at the inauguration of the new Parliament. In the new Parliament four MPs have declared their membership of the LGBTIQ community.

Overall Thailand ranks seventh out of 10 ASEAN member states in terms of women's representation in Parliament. Currently the Thai Constitution permits the use of quotas or "temporary official measures" (CEDAW), and political parties in preparing for elections are directed to consider "equality between men and women" though this is not mandatory.¹¹⁶ According to IPU data of 2019, women hold no ministerial positions, and only 8.3% of the Cabinet were women.¹¹⁷

The percentage of women in provincial and local governments in Thailand is also very low. There is only one female governor, out of 76 provinces (1.32%). Female Chiefs of Provincial Administrative Organizations (PAO) and Sub-district Administrative Organizations (SAO) account for 8% and 6.45% respectively.

By contrast to the situation in Parliament, the situation in Thailand's civil service has advanced somewhat, with 32% of decision-making positions held by women, a percentage which places Thailand on a par with most OECD countries.¹¹⁸

Some scholars have noted that recent political struggles as well as conflicts over land and natural resources have disproportionately affected women, and at the same time have resulted in their becoming politicised, initially over these pragmatic issues rather than because of feminist ideals per se. As a result of this politicisation there has been a gradual expansion of groups involved in struggle for gender justice for women and gender diverse groups beyond State actors; a development of women's role from victims to political actors; and a proactive adjustment of notions of Western feminism. Women join movements because of pressing social and economic problems and become feminist or gender activists. Women may still have difficulties in achieving leadership through these movements, but this is changing gradually. A factor in this rather gradual politicisation is thought to be the concentration of Thai feminists on sexual and reproductive health and rights (SRHR) and sexuality and only recently on development, economics and the environment.¹¹⁹ Women's important and constructive role in the Peace Process in the Deep South of Thailand¹²⁰ has also been examined through this exercise and is recommended for continuing support.

¹¹⁵ See <https://www.statista.com/statistics/730330/thailand-proportion-of-seats-held-by-women-in-national-parliament/>

¹¹⁶ OECD Thailand Gender Budgeting Action Plan (2019) p. 11

¹¹⁷ Inter Parliamentary Union (IPU) 2019 Women in Politics:2019

¹¹⁸ Ibid p.12

¹¹⁹ Duangthai Buranajaroenkij (2017) Political Feminism and the Women's Movement in Thailand:Actors,Debates and Strategies. Thailand: Friedrich-Ebert Stiftung

And Duangthai Buranajaroenkij, Philippe Doneys,Kyoko Kusakabe and Donna L.Doane (2016) Expansion of Women's Political Participation through Social Movements:The Case of the Red and Yellow Shirts in Thailand Journal of Asian and African Studies 1-15

¹²⁰ Duangthai Buranajaroenkij (2018) first published by Peace Resource Collaborative, Prince of Songkla University, Pattani Campus, Thailand.

4.5. Integrating the Women, Peace and Security Agenda

The process of developing a National Strategy around UNSCR 1325 started in 2012 with the setting up of a Subcommittee on **Women, Peace and Security** under the National Committee on the Policy and Strategy for the Advancement of Women. The subcommittee is responsible for formulating policies and setting measures to promote and protect women's rights, strengthening women's participation in peace and security as well as ensuring that women enjoy their fundamental human rights.

The Measures and the Guideline on Women and the Promotion of Peace and Security (2016) were launched in 2018. The Measures cover 5 areas: 1) prevention, 2) protection and recovery, 3) capacity building, 4) empowerment and participation, and 5) promotion of the establishment of a mechanism and implementation.

Some essential elements are as follows:

- changing attitudes of government officials especially troops, police, civil personnel working in conflict situations and peace-keeping operations to have a gender perspective.
- capacity- building of government officials by establishing modules, training and guidelines on gender- sensitivity manner and cultural diversity. In addition, female officials and women are supported to become the agents of change, and take a leadership role in the WPS agenda.
- establishing systematic mechanisms of surveillance, protection and recovery systems to prevent and eliminate the violation of women's rights as well as to protect those who are affected by a conflict situation.

A number of studies have shown that women still have limited opportunities to voice and to advance their gender equality agenda in the peace process which is still dominated by men, and by patriarchal norms of behaviour. In general women and women's groups remain on the periphery of meaningful participation and rarely challenge the power dynamics inherent in these political processes.¹²¹

The Women, Peace and Security Agenda is supported by the EU and others by work with CSOs and community groups as is detailed in Section 3.6.

4.6. Addressing the Challenges and harnessing the Opportunities offered by the Green Transition and the Digital Transformation

In Thailand, very broad participation in the green agenda has been encouraged by the government since the roll out of the 11th National Economic and Social Development Plan (NESDP) (2012-2016).¹²² The Alternative Energy Development Plan (AEDP) (2012-2021) was established in 2012, and the Climate Public Expenditure and Institutional Review (CPEIR) of the same year stressed the importance of increasing women's role in decision-making, as well as in programme implementation in the country's transition to low carbon energy sources.

The Ministry of Energy established a comprehensive Roadmap to promote the AEDP with successive Power Development Plans (2015-36) with the ultimate aim that by 2036 30% of all Thailand's power comes from renewable sources. The country has been utilising solar power for many years, and by 2015 had more solar power capacity than the rest of Southeast Asia combined. Future energy plans and their implementation should include more prominent gender-responsive measures to address existing imbalances in the energy workforce and related sectors (such as mining and quarrying; electricity, gas and water supply; and construction), where men outnumber women by a ratio of 3:1,¹²³ making the sector

¹²¹ See Duanghathai Buranajaroenkij (2018) Women and the Peace Process in the Deep South of Thailand Peace Resource Collaborative (PRC) Prince of Songkla University, Pattani Campus

¹²² OECD (2015) *Green Growth in Bangkok, Thailand*. Paris: OECD Publishing.

¹²³ Boyland, Michael (2018) "Thailand's energy transition might be inevitable, but equality and justice are not," 28 August. URL: <<https://www.sei.org/perspectives/thailands-energy-transition/>>

largely male-dominated with women being confined to administrative, financial and human resource functions rather than in the technical or operational-oriented positions.

From the outset there have been public and private sector as well as non-governmental organizations actively initiating programmes to enhance the role of women in natural resources and environmental management. A notable example is the Women Power for the Environment project initiated by Ratchaburi Electricity Generating Holding plc. and the Thailand Environment Institute.¹²⁴ The project aims to strengthen the roles and capacity of women in participating in the management of natural resources and the environment at the local level, and in utilizing environmentally- sound activities to create economic and social opportunities for all. This project while empowering women overall is significant for acknowledging women's critical role in the protection of biodiversity. Given women's dependence on natural resources for survival in many cases, Thai women from the rural areas have been in the frontline in their fight against corporations encroaching into their land, seeing this as a threat to their own economic survival and that of the survival of their families since the forests also provide food to communities. The mobilization of local communities including women, is acknowledged by the government and other actors as the only path to fair and equitable sustainable development for all.¹²⁵

A large number of home-grown community initiatives have sprung up in relation to such issues as mangrove reforestation and re-establishment of the eco-system, and protection of the cleanliness and health of beaches upon which much of the country's tourism industry depends. All members of the community including women have had a major role in such initiatives many of which attracted public and private sector funding.

Although there are few women in leadership positions in the public sector in relation to green initiatives, women have been prominent in many of the private companies fronting the country's transition to the green economy. Among the companies led by women producing solar power is the Solar Power Company, which is one of the largest solar power generation companies. Led by Khun Wandee Khunchornyakong, the company is credited for increasing the country's share of renewable energy in the rural areas and was a driver of economic growth in some of the poorest regions.¹²⁶ At the start in 2008, Ms Khunchornyakong purchased nearly three dozen solar plants; in 2014, the project expanded to 36 solar farms because of a US\$15.8 million loan from the International Financial Corporation (IFC). The project was empowering to rural women who were involved in the project, and who were recipients of the transfer of technical knowledge for maintenance of solar panels. Another good practice project led by a woman, is Border Green Energy Team (BGET), which reached some of the poorest rural areas. Established by Khun Salinee Tavaranan, BGET provides technical knowledge to villagers on installation and maintenance of green energy systems utilising solar, micro-hydro power, and biogas.¹²⁷ Local villagers received training in the maintenance of solar panels because the villages in which they live are not accessible to outside support in the rainy season. Moreover, refugees benefited from the project since the project extended to the Mae La refugee camp near the border between Thailand and Myanmar, as well as to other villagers in remoter areas.

Many women's organisations in Thailand have been instrumental in pushing the green agenda. A case in point is the Federation of Business and Professional Women's Association of Thailand (FBPW) which has been tracking the roles of women in environmentally-friendly business development. In recent years, the organisation launched "The Best Outstanding Women Leaders for Green Growth Award" & "Outstanding Women Leaders for Green Growth Award". And there is also the Green Growth Strategies programme aimed at small, medium or large enterprises run by women.

¹²⁴ Thailand Environment Institute (2019) *Thailand's Sixth National Report on the Implementation of the Convention on Biological Diversity*. Nonthaburi: Thailand Environment Institute and United Nations Development Programme.

¹²⁵ Allwood, Gill (2020) "Mainstreaming Gender and Climate Change to Achieve a Just Transition to a Climate-Neutral Europe," *Journal of Common Market Studies*, 58(S1): 173-186.

¹²⁶ Roth, Linda (2015) "A revolution around the sun with the queen of Thai Solar," 21 December. URL:<<https://www.lamobile.com/content/58521/A-revolution-around-the-sun-with-the-queen-of-Thai-Solar/>>

¹²⁷ Cartier Women's Initiative, (n.d). "Finalist 2014 South Asia & Oceania: Salinee Tavaranan." URL:<<https://www.cartierwomensinitiative.com/candidate/saline-tavaranan>>

Digitalisation

It is generally recognised that the digital revolution has immense potential to improve social and economic outcomes for women. Yet, it also poses the risk of perpetuating existing patterns of gender inequality relative for example to gender inequalities in the STEM field.¹²⁸

Thailand's 20-year Master Plan (Thailand 4.0) aims to maximise the use of **digital** technology across all socio-economic activities. The Communication Policy Framework (2011-2020) known as ICT 2020, provides a detailed and specific framework for universal ICT access in Thailand.¹²⁹ The aim of these plans and policies is to establish a technology-driven economy to enable Thailand to become a digital leader and compete within the ASEAN economic community. The Thai Government's Digital Economy and Society target includes placing Thailand in the top 40 countries in the global ICT Development Index (IDI) Index and the top 15 in the World Competitiveness Index (Wehr and Kessler 2017). Currently, Thailand lags behind some of its nearest regional peers like Malaysia in terms of these indices and other measures such as overall mobile penetration, smartphone ownership, 4G rollout, and digital skills (DTAC n.d.). A Ministry of Digital Economy and Society has been established to oversee and coordinate initiatives across the whole economy.¹³⁰

Starting in 2015, and in order to meet the Government of Thailand's commitment to achieve a full digital transformation to drive progress in all sectors, the National Broadcasting and Telecommunications Commission of Thailand (NBTC) established over a thousand rural Internet centres in the country to provide remote communities across Thailand with internet access and useful digital skills. The **International Telecommunication Union (ITU)**, a United Nations specialized agency, and NBTC worked in collaboration in promoting ICT uptake among local communities through various activities conducted by student volunteers under a joint ITU-NBTC initiative.

The centres, known as 'USONETs (Universal Social Obligation ICT Centre),' give people access to computers, and to the Internet and aim to strengthen ICT skills among students, youth and local communities, thereby promoting social and economic development.

In 2016 it was estimated that there were more than 2,500 telecentres scattered across the country set up at sub-district administrative offices, community centres, healthcare centres, and schools as well as at USONET centres.

Another initiative of the Thai government supported by the ITU relates to the enhancement of women's and girls' agricultural knowledge and skills through expanded use of ICTs.¹³¹

An increasing number of programmes and projects have been established to enhance the digital literacy of the rural population, of which women home-based workers form an important part. Most women homeworkers use their houses for producing textiles, garments, basketry, artificial flowers and jewellery on subcontract, or independently, and their work would be greatly facilitated by enhanced ICT access and skills in terms of obtaining new contracts and marketing their work, as well, if necessary, for industrial action.¹³²

Many challenges still remain not only in the establishment of basic infrastructure across the country, but in addressing the gender gaps in STEM skills from the earliest levels in schools, which as noted earlier impacts greatly on women's leadership, decision-making and participation in this important and growing sector of the economy.

In addition to the UN/ITU discussed above major donors supporting developments in the sector include the EU, UN Women and the World Bank.

¹²⁸ <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/the-digital-revolution-implications-for-gender-equality-and-womens-rights-25-years-after-beijing-en.pdf?la=en&vs=1837>

¹²⁹ Intarat Kamolrat (2016) *Women Homeworkers in Thailand's Digital Economy* Journal of International Women's Studies, Vol 18(1) pps 87-103

¹³⁰ Digital Economy Policy: The Case Example of Thailand Rumana Bukht & Richard Heeks Centre for Development Informatics, University of Manchester, UK 2018

¹³¹ See <https://news.itu.int/spotlight-digital-inclusion-girls-women-rural-thailand/>

¹³² Kamolrat Intarat (2016) *Women Homeworkers in Thailand's Digital Economy* Journal of International Women's Studies 18 (1), 87-103

5. Summary & Recommendations for Future Action under GAP III (Part I & Part II)

5.1. Summary of Gender Analysis in the TEAs

As detailed above in Section 3 (Overview of Current Situation), and in Section 4 (Gender Analysis of GAP III Thematic Areas of Engagement (TEA)) the Royal Thai Government has made significant progress in enshrining gender equality into successive Constitutions and into its legal and policy framework. The RTG has also established an institutional infrastructure for promoting gender equality, spearheaded by the DWF working with a number of high level multi-sectoral committees across government and the Parliament; and through the CGEO and GFP network in substantive ministries. The Women's Development Strategy (2017-2021) provides an important framework for strategic planning. However, a number of key areas have been highlighted for institutional strengthening in terms for example of the need for capacity-building in gender equality issues for key officials, including but going beyond the CGEO/GFP structure.

Interviewees from the DWF and from the House of Representatives independently recommended Gender Responsive Budgeting (GRB) as being a key area for continued support going forward. GRB is enshrined in the Constitution (2017) and such an exercise would result in comprehensive strengthening of strategic frameworks to address gender inequalities, to enhance systems for collection and monitoring of gender-disaggregated data, and reinforce capacity-building of personnel across the board.

The incidence of Gender-Based Violence (GBV), primarily against women and the LGBTIQ community, in a variety of forms (domestic violence, sex-trafficking, sex tourism, prostitution, child marriage, FGM, bullying and harassment in the workplace and in schools, under the WPS agenda etc) is preoccupying and reflects deeper underlying inequalities and tensions across all sectors - economic, political and cultural. Perhaps because of its multi-sectoral, multi-level nature GBV is not necessarily conceptualised as a unified problem across all sectors, but is seen by some mostly as the purview of human rights organizations. There is currently no national strategy to address GBV overall; legislation is weakly enforced, and access to justice for victims difficult and rare. Piecemeal responses across health, justice and other sectors need to be better integrated.

Thailand has an impressive record in the TEA Promoting Sexual and Reproductive Health and Rights. Thailand's Family Planning programme starting in the 60s has resulted in a population growth rate in 2020 of 0.25% which will result in a population of around 66.77 million by the end of 2021. Maternal Mortality has decreased steadily over the past two decades to 20 deaths per 100,000 live births in 2019, which is lower than the average for upper middle-income countries. The rate of adolescent pregnancy, once considered a serious problem, is on the decline with a national target of 25 adolescent mothers per 1000 births by 2026. However, Thailand still has one of the highest HIV prevalence rates in Asia and the Pacific, accounting for an estimated 9% of the region's total population of people living with HIV, estimated by UNAIDS (2018) at 5.9 million. On the positive side Thailand is the first country in the world to effectively eliminate mother-to-child transmission with a current transmission rate of less than 2%.

Gender parity has been achieved at the **primary and secondary school levels** in Thailand and more girls and women have gained higher levels of education. In fact, the country has seen a reverse gender gap in higher education with Thailand being ranked first in the world for superior numbers of women and girls in higher education.

However, data released in October 2020 by the National Statistical Office and UNICEF revealed that while 96 percent of all children completed school, there was a significant drop in completion at the secondary and upper secondary level. This trend showed up particularly among the poorer households, households headed by non-Thai speakers and children whose mothers had no education. Moreover, it was reported that boys were more likely to drop out of school than girls.

Gender gaps show up in yet another arena. Although the proportion of women researchers in science, technology and innovation is above the global average at 53 percent, in higher education, they continue to be underrepresented in employment in the fields of engineering, manufacturing and construction at only 23.67 percent. For instance, men dominate leadership roles in energy efficiency. As of 2020, at the

Department of Alternative Energy Development and Efficiency (DEDE), three of the 17 current executives are women; while at the Energy Government Authority of Thailand (EGAT), there are ten women out of 35 among the executive members. Although Thailand's female population comprises 45.6 percent of the country's workforce according to World Bank's estimates of 2020, females are employed predominantly in jobs requiring low **STEM** skills. Thus, across the STEM industries, male employment outweighs female employment by at least a ratio of 3:1.

In part, it may be said that barriers continue to exist resulting in the gender gap in representation in certain sectors. A study of women civil engineers in the Thai construction industry published in 2013 reported that refusal to perform site-based work, and the lack of opportunities to perform site-based work served as the main barriers to career advancement. Although tertiary institutions have also seen a growing number of young women, men continue to dominate the STEM sector; only 30 percent of STEM graduates were female in 2017. In recent years more women are pursuing STEM degrees leading to jobs in the ICT field, though more training and encouragement, as well as serious attempts at stereotype modification are needed so as to increase their presence in the sector. Given the Thai government's emphasis on digital transformation it is critical that the gender-gap in STEM subjects is addressed at the earliest stages of education.

In the economy overall there are increasing numbers of women in senior positions in business and commercial enterprises however there remains a gap between men and women in formal labour force participation (65.7% vs. 60.3%) and women earn less than men for similar work.

With reference to the TEA Promoting Equal Participation and Leadership the analysis shows that Thai women are still under-represented in the **Parliament, in government, in the judiciary, and the administration both at national and local levels**. Women account for only 23.9 % of high-ranking civil servants, and gender equality in senior leadership positions has risen by just 3% in the last fifteen years.

However, the General Election in 2019 resulted a three-fold increase in women's representation as Members of Parliament (16.2%), with half of the first-time Members of Parliament (MPs) being women. This still modest number (82 out of 490) is yet the highest ever. Representation in the Thai Senate (Upper House) remains low; out of 250 representatives, only 26 are women (10.4%) while 224 are men. Overall Thailand ranks seventh out of 10 ASEAN member states in terms of women's representation in Parliament. Currently the Thai Constitution permits the use of quotas, or "temporary special measures" (CEDAW), and political parties in preparing for elections are directed to consider "equality between men and women" though this is not mandatory. According to IPU data of 2019, women held no ministerial positions, and only 8.3% of the Cabinet were women.

The percentage of women in provincial and local governments in Thailand is also very low. There is only one female governor, out of 76 provinces (1.32%). Female Chiefs of Provincial Administrative Organizations (PAO) and Sub-district Administrative Organizations (SAO) account for 8% and 6.45% respectively.

By contrast to the situation in Parliament, the situation in Thailand's civil service has advanced somewhat, with 32% of decision-making positions held by women, a percentage which places Thailand on a par with most OECD countries.

In terms of GAP III TEA –Integrating the Women, Peace, and Security Agenda, the process of developing a National Strategy around UNSCR 1325 started in 2012 with the setting up of a government Subcommittee on **Women, Peace and Security** under the National Committee on the Policy and Strategy for the Advancement of Women. The subcommittee is responsible for formulating policies and setting measures to promote and protect women's rights, strengthening women's participation in peace and security as well as ensuring that women enjoy their fundamental human rights.

The Measures and the Guideline on Women and the Promotion of Peace and Security (2016) were launched in 2018. The Measures cover 5 areas: 1) prevention, 2) protection and recovery, 3) capacity building, 4) empowerment and participation, and 5) promotion of the establishment of a mechanism and its implementation.

A number of international donors including the EU are supporting the WPS agenda including through capacity-building of Women's Human Rights Defender's and women's groups at the community level.

In relation to GAP III TEA (Addressing the Challenges and Harnessing the Opportunities offered by the green transition and the digital transformation) it can be noted that in Thailand, very broad participation in the green agenda has been encouraged since the roll out of the 11th National Economic and Social Development Plan (NESDP) (2012-2016).

The Alternative Energy Development Plan (AEDP) (2012-2021) was established in 2012, and the Climate Public Expenditure and Institutional Review (CPEIR) of the same year stressed the importance of increasing women's role in decision-making, as well as in programme implementation in the country's transition to low carbon energy sources

The Ministry of Energy established a comprehensive Roadmap to promote the AEDP with successive Power Development Plans (2015-36) one of whose aims is that by 2036 30% of all Thailand's power comes from renewable sources which includes energy sourced from biomass; biogas; and biofuels. The country has been utilising solar power for many years and by 2015 had more solar power capacity than the rest of Southeast Asia combined. Future energy plans and their implementation could include more prominent gender-responsive measures to address existing imbalances in the energy workforce and related sectors (such as mining and quarrying; electricity, gas and water supply; and construction), where men outnumber women by a ratio of 3:1, making the sector largely male-dominated with women being confined to administrative, financial and human resource functions rather than in the technical or operational-oriented positions.

Women's organisations in Thailand have also been instrumental in pushing the green agenda. A case in point is the Federation of Business and Professional Women's Association of Thailand (FBPW) which has been tracking the roles of women in environmentally-friendly business development.

At the grass-roots level there have been a number of initiatives to involve women in climate-change decision-making, as well as in biodiversity conservation, maintenance of solar panels, forest management, and other practical programmes.

Although there are few women in leadership positions in the public sector in relation to green initiatives women have been prominent in many of the private companies fronting the country's transition to the green economy.

Thailand's 20-year Master Plan (Thailand 4.0) aims to maximise the use of **digital** technology across all socio-economic activities to create a digitally-driven economy. The Communication Policy Framework (2011-2020) known as ICT 2020 provides a detailed and specific framework for universal ICT access in Thailand.

Starting in 2015, and in order to meet the Government of Thailand's commitment to achieve a full digital transformation to drive progress in all sectors, the National Broadcasting and Telecommunications Commission of Thailand (NBTC) established over a thousand rural Internet centers in the country to provide remote communities across Thailand with internet access and useful digital skills. The **International Telecommunication Union (ITU)**, a United Nations specialised agency, and NBTC worked in collaboration in promoting ICT uptake among local communities through various activities conducted by student volunteers under a joint ITU-NBTC initiative.

The centres, known as 'USONETs (Universal Social Obligation ICT Centre),' give people access to computers, and to the Internet and aim to strengthen ICT skills among students, youth and local communities, thereby promoting social and economic development.

In 2016 it was estimated that there were more than 2,500 telecentres scattered across the country, set up at sub-district administrative offices, community centres, healthcare centres, and schools as well as at USONET centres.

An increasing number of programmes and projects have been established to enhance the digital literacy of the rural population, of which women home-based workers form an important part. Most women homeworkers use their houses for producing textiles, garments basketry, artificial flowers and jewellery on subcontract, or independently, and their work would be greatly facilitated by enhanced ICT access and skills in terms of obtaining new contracts and marketing their work, as well, if necessary, for industrial action.

Many challenges still remain not only in the establishment of basic infrastructure across the country, but in addressing the gender gaps in STEM skills from the earliest levels in schools, which as noted earlier impacts greatly on women's leadership, decision-making and participation in this important and growing sector of the economy.

5.2. Recommendations

At the beginning of this report the serious limitations of this analysis in terms of its being conducted remotely and with very few key contacts available for interview were set out (See Section 2 Methodology and Constraints). These must be borne in mind when assessing the recommendations made in the following paragraphs, where the consultant has indicated the specific objectives which might be addressed under the Country Level Implementation Plan (CLIP) to be based on this Gender Country Profile.

GAP III objectives highlighted include those suggested and supported by the analysis, as well as items to which EUDs are already committed, the latter being indicated by an asterisk. It is anticipated that the EUD will select and prioritize certain items from the recommendations in function of its overall programme approach in Thailand.

It is recommended that in addition to continuing its invaluable support to women's rights organizations and other CSOs (in relation to women's rights and participation, GBV, WPS and so forth), the EUD could demonstrate its gender-responsive leadership (See below at Part I) by supporting strategic initiatives which, for example, would make more coherent current piecemeal interventions in the field of GBV; and could also reinforce Thailand's infrastructure for addressing gender equality and women's empowerment overall. Specific suggestions are provided below under each section of GAP III framework.

5.2.1. GAP III Part I: EU institutional and strategic objectives and indicators

GAP provisions
<ul style="list-style-type: none"> ▪ Increase the number and funding of actions that are gender mainstreamed (OECD G marker 1) and targeted(G2);* ▪ Gender perspective is mainstreamed in all actions under the investment framework; ▪ Gender Responsive Budgeting is promoted; ▪ Gender specific and/or sex-disaggregated indicators are systematically used* ▪ GAP III implementation is informed by sound Gender Profile and Country-level Implementation Plan (CLIP)* ▪ Gender Perspective is integrated into Working Better Together approaches and in broader coordination* ▪ Political security and sectoral policy dialogues integrate a gender perspective* ▪ All EU actions at regional level are gender mainstreamed* ▪ EU takes on a coordinated leadership on GEWE in international meetings (UN, AU, NATO, ASEAN, OSCE, G7, G20 etc); ▪ Gender –responsive leadership enhanced* ▪ Gender Advisors, Focal Persons/Points support for the integration of a gender perspective in EU policies, interventions and dialogues*

Suggestions as to priority activities needed to address objectives highlighted above.

Much of the groundwork for a comprehensive exercise in Gender-Responsive Budgeting is already in place and EUD should consider supporting the continuation of this process. Such an exercise would strengthen national capacity in significant ways (data gathering, capacity-building of key gender mainstreaming structures and personnel, engendering the national budgeting process), and help to ensure that gender equality is mainstreamed in all sectors

EUD should enhance understanding amongst all stakeholders of its commitment to gender equality in general, and specifically under GAP III which is complementary and supportive to other international and regional frameworks

EUD should build its own capacity in gender mainstreaming at all levels, and across all programmes, as well as supporting capacity-building of government and CSOs to mainstream gender equality.

5.2.2. GAP III Part II: Thematic Areas of Engagement under GAP III

5.2.2.1. Ensuring freedom from all forms of gender-based violence

Overall thematic objective:

- **women, men, boys, girls free from GBV in public/private spaces, in workplaces and online**

Specific objectives:

- Women, men, girls and boys in all their diversity are better protected from all forms of gender-based violence in the public and private spheres, in the workplace and online through legislation and effective enforcement;
- **Women, men, girls and boys, in all their diversity, are agents of change regarding discriminatory social norms, gender stereotypes, and gender-drivers of conflict;**
- Women, men, girls and boys in all their diversity, who experience sexual and gender-based violence have increased access to essential services and protection;
- The rights of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health and rights, free from discrimination, coercion and violence, is promoted and better protected;
- **Women, men, girls and boys, in all their diversity, trafficked for all forms of exploitation have improved access to adequate and quality services for socio-economic integration and psycho-social support;**
- Women, men, girls and boys, in all their diversity, are better protected from sexual and gender-based violence in fragile and humanitarian crisis situations;
- **Women's rights organisations, social movements and other civil society organisations are influential in ending gender-based violence;**
- **Quality, disaggregated and globally comparable data on different forms of gender-based violence and harmful practices are increasingly collected and used to inform laws, policies and programmes.**

Suggestions as to priority activities needed to address objectives highlighted above.

- Support the conduct of a national survey to assess extent and incidence of GBV of all categories and across all sectors
- Support development of an adequately resourced National Plan to address all forms of GBV across all sectors, at all levels
- Support to Gender Recognition Act implementation.
- Continue existing support to women's rights organizations, social movements and CSOs working to reduce GBV

5.2.2.2. Promoting sexual and reproductive health and rights

Overall objective:

- **women and girls in all their diversity access universal health & fully enjoy their health and sexual and reproductive rights.**

Specific objectives:

- Enabled legal, political and societal environment allowing women and girls to access quality sexual and reproductive health (SRHR) care and services and protecting their sexual and reproductive rights;
- **Improved access for every individual to sexual and reproductive health care and services, including family planning services, information and education on sexual and reproductive rights.**

Suggestion as to priority activities needed to address objectives highlighted above.

- Support campaigns of sex education, and campaigns to reduce sex stereotyping through all media including the educational system.

5.2.2.3. Promoting economic and social rights and empowering girls and women

Overall objective:

- **Promoting economic and social rights and empowering girls & women.**

Specific objectives:

- **Increased access for women in all their diversity to decent work in non-traditional, in particular science, technology, engineering, mathematics, and female-dominated sectors, including women's transition to the formal economy and coverage by non-discriminatory and inclusive social protection systems;**
- Improved policy, legal framework and access to care services enabling equal division of domestic and care work between women and men;
- Increased access for women in all their diversity to financial services and products, and productive resources;

- Women in all their diversity have improved access to entrepreneurship opportunities, including social entrepreneurship, and alternative livelihoods and strengthened participation in the green and circular economy;
- Improved access for women in all their diversity to managerial and leadership roles in social and economic sectors and fora;
- **Reduction in gender disparities in enrolment, progression and retention at all levels of education and lifelong learning for women, men, girls and boys;**
- Improved regulatory framework for ensuring equal access to universal and public quality preventive, curative and rehabilitative physical and mental health care services for women, men, girls and boys in all their diversity, including in fragile and humanitarian crisis affected contexts;
- Improved access to safe water and sanitation facilities;
- Public health systems have sufficient and sustained financing to address the health needs of women and girls in all their diversity;
- Women, men, girls and boys, in all their diversity, have improved nutrition levels.

Suggestions as to priority activities needed to address objectives highlighted above.

- Support ongoing STEM initiatives in public and private sectors, especially as they relate to programmes ongoing in digitalisation and the green economy.
- Support academic programmes, career planning programmes (e.g. resume writing skills) and assessments for persons, especially women, with disabilities.

5.2.2.4. Promoting equal participation and leadership

Overall objective:

- w/m/b/g in all their diversity participate equally in decision-making processes, in all spheres & at all levels of political and public life including online to take on leadership roles, to enjoy and exercise their human rights and seek redress if these rights are denied.

Specific objectives:

- **Enabling conditions created for equal participation of women, men, girls and boys, in all their diversity, in decision-making;**
- Women and girls, in all their diversity, have improved access to justice to safeguard their civil and political rights;
- **Women's organisations, other CSOs and women human rights defenders working for gender equality and women's and girls' empowerment and rights work more freely and are better protected by law;**
- **Equitable social norms, attitudes and behaviours promoting equal participation and leadership by women and men fostered at community and individual levels – through education, media, culture and sports;**
- Improved systems for collecting quality, disaggregated and globally comparable data on women's political participation and leadership.

Suggestions as to priority activities needed to address objectives highlighted above.

- Support public campaigns for stereotype modification in relation to political leadership
- Advocate for establishment of Quotas for a limited time period to increase the numbers of women in political leadership at central, provincial, district, and community levels

5.2.2.5. Integrating the women, peace and security agenda

Overall objective:

- **Integrating the women, peace and security agenda. EU Action Plan on Women, Peace and Security (2019-2024) participation, mainstreaming, leading by example, prevention, protection, relief and recovery).**

Suggestions as to priority activities needed to address objectives highlighted above.

- Provide advocacy and support to the existing national WPS Agenda;
- Continue ongoing support and technical assistance to WPS issues at the local level through CSOs and community groups.

5.2.2.6. Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation

Overall objective:

- **Women in all their diversity influence decision-making processes on environmental conservation and climate change policies and actions (includes DRR, digitalisation).**

Specific objectives:

- **Women in all their diversity influence decision-making processes on environmental conservation and climate change policies and Actions;**
- **Increased participation of women and girls in all their diversity in decision-making processes on environment and climate change issues;**
- Strategies and agreements on climate mitigation, adaptation, disaster risk reduction and sustainable management of natural resources and biodiversity are more gender-responsive, at local, national, regional and international level.

Suggestions as to priority activities needed to address objectives highlighted above.

- Collaborate with ongoing efforts of Thai government and CSOs in assisting women and women's groups to participate in decision-making processes at all levels relative to environment and climate change issues
- Support capacity- building through information, education and training of women's groups to manage natural resources and biodiversity.

Digitalisation: Overall Objective: Women, men, girls and boys, in all their diversity, can equally participate in shaping the digital world of tomorrow.

Specific objectives:

- **Women, men, girls and boys in all their diversity participate equally in policy- and decision-making for the digital world, on local, national, regional and international levels, and are represented in these policies and decisions;**
- Women, men, girls and boys in all their diversity have equal access to affordable and secure broadband, technology and digital tools;
- **Women, men, girls and boys are equally provided with and using equally public digital literacy;**
- **Women, men, girls and boys in all their diversity participate fully and equally in the digital economy**

Suggestions as to priority activities needed to address objectives highlighted above.

- Support to ongoing efforts of Thai government to improve IT knowledge and skills in the education system;
- Support improvements in connectivity and digital skills of key groups of women such as women home-workers, and women in agribusinesses.

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Annex 2: List of Stakeholders interviewed

Sector	Agency	Name	Position
EU	EUD Thailand	MsJenni Lundmark	Programme Officer
Swedish Embassy	Swedish Embassy	Ms Lina Eidmark	First Secretary Section for Politics, Trade and Promotion
Thai Government/ Public Sector	Ministry of Social Development and Human Security	Ms Perada Phumessawatdi PhD	Senior Social Worker, Division of Gender Equality Promotion, Department of Women's Affairs and Family Development (DWF)
	Office of the National Human Rights Commission of Thailand	Ms. Angkhana Neelapajit	Commissioner
	Parliament	Ms. Phetchompoo Kijburana	Member of Parliament Spokeswoman, Action Coalition Party
CSOs	ActionAid Thailand	Ms. Rungtip Imrungruang	Program and Policy Manager
	Safe Abortion Network	Ms Supecha Baothip	Coordinator
	Labour Rights Promotion Network (LPN)	Mr Sompong Srakaew	Director
	MAP Migrants Assistance Programme Foundation, Chiangmai	Mr Bhram Press	Director
	Women's Wellbeing and Gender Justice Programme, Sexuality Studies Association	Dr Varaporn Chamsanit	Programme Manager
	Sustainable Development Foundation	Ms Ravadee Prasertcharoensuk	Executive Director
Academic	Faculty of Law, Chulalongkorn University	Professor Emeritus Vitit Muntarbhorn	Professor Emeritus
	Institute of Human Rights and Peace Studies, Mahidol University	Dr. Duanghathai Buranachaoengkit	
	ASEAN Intergovernmental Commission on Human Rights	Dr. Amara Pongsapich	Thailand Representative

	Abbess of Songdhammakalyani Monastery	Dhammananda Bhikkuni	First Thai female monk
UN Women	UN Women Thailand Regional Office for Asia and the Pacific	Ms Saranya Chittangwong	Programme Analyst
	WeEmpowerAsia UN Women Regional Office for Asia and the Pacific	Ms Bovornpong Vathanathanakul	Communications Analyst
UN	UNICEF	Ms Gerda Binder	Regional Gender Adviser
	UNFPA	Ms Duangkamol Ponchanmi	Programme Officer
	OHCHR Office for the High Commission on Human Rights	Ms Cynthia Velliko	Commissioner
	OHCHR	Mr Badar Farouk	Senior Programme Officer, Thailand
	UNDP - United Nations Development Programme	Supanee (Jay) Pongruengphant	Project Manager–Gender Equality and Social Inclusion
	Office of the UN Resident Coordinator in Thailand	Ms Iwona Spytkowski	Team Leader and Strategic Planner

Annex 3: Guide Questionnaire for Key Stakeholder Interviews

For Government Agencies:

1. What is your overall mandate, how does your agency promote gender equality and women's empowerment?
2. What are the main advances and achievements in gender in the past 5 years?
3. Does your agency have a specific gender policy/strategy/programme, or does your sector policy/strategy include any gender related elements?
4. Does your agency have institutional mechanism and capacity to address gender in your sector? do you have a gender unit or gender focal points? (Please share relevant documents)
5. To what extent do women participate in decision making / are employed in your sector?
6. Is there an inter-agency gender working group? What issues do they address?
7. What are the key/persistent gender issues in your particular sector?
8. Does your agency collect and use sex disaggregated data and gender analysis to inform sector policy and programmes?
9. What key challenges do women face in your sector (e.g. access to services, opportunities, decision making, etc.)?
10. What barriers or challenges do you encounter when addressing gender issues? How do you resolve them?
11. How is your government agency using digitalisation, and how might this affect m/w differently?
12. Which other relevant stakeholders and/or documents should we consult?

For Donors:

1. What are the key/persistent gender issues in your particular sectors of interest?
2. What are the main advances and achievements in gender in the past 5 years?
3. What new research has been done that addresses gender, sector research that integrates gender? What are the knowledge gaps on gender?
4. What are the key mechanisms for gender related policy dialogue with the government? Is there a gender coordination mechanism or working group? What issues do they address?
5. Which sector level government agencies are the most interested in working on gender?
6. What has been done to analyse and address gender issues in your programmes? What have been the most impactful approaches?
7. What barriers or challenges do you encounter when addressing gender issues? How do you resolve them?
8. How are intersectionality issues being addressed (ethnicity, age, disability, LGBT, etc)
9. Who are they key actors working on gender and sustainable growth and trade, climate change and environment, digitalisation, human rights, amongst donors and civil society? Which other relevant stakeholders / documents should we consult?

For Civil Society/Academia:

1. What are the key/persistent gender issues in your particular sectors of interest?
2. What are the main advances and achievements in gender in the past 5 years?
3. What new research has been done that addresses gender, sector research that integrates gender? What are the knowledge gaps on gender?
4. What have been the most impactful approaches from Government, from Donors, from Civil Society? What could be done better?
5. What are the key mechanisms for gender related policy dialogue with the government? Is there a gender coordination mechanism or working group? What issues do they address?
6. Which sector level government agencies are the most interested in working on gender? Do they collaborate with civil society and how?
7. What are the key barriers or challenges in addressing gender issues in Thailand?
8. Is there sufficient space for civil society to take action related to GEWE?
9. How are intersectionality issues being addressed (ethnicity, age, disability, LGBTQI, etc.)?
10. Who are they key actors working on gender and sustainable growth and trade, climate change and environment, digitalisation, human rights, amongst donors and civil society? Which other relevant stakeholders / documents should we consult?