



# Our Land, Our Bodies, Our Rights: A Feminist Report on Discrimination, Corporate Abuse, and Climate Injustice in Thailand

**Joint Civil Society CEDAW Shadow Report to be considered by the  
Committee on the Elimination of Discrimination against Women  
(CEDAW), during its 91st Session (16 June - 4 July 2025)**

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## Part 1. Introduction

This Joint Civil Society CEDAW Shadow Report was prepared by a coalition comprising Manushya Foundation, Indigenous Women’s Network of Thailand (IWNT), Green World Network, Sab Wai villagers, Phichit villagers, Ka Boe Din villagers, Young Pride Foundation, EMPOWER Foundation, Women Workers for Justice Group, and the Migrant Working Group (see Annex 1 for details). It responds to Thailand’s 8th Periodic Report under Article 18 of the CEDAW Convention (CEDAW/C/THA/8), to be considered by the UN Committee on the Elimination of Discrimination Against Women at its 91st Session (16 June – 4 July 2025).

This Report builds on the 2022 Joint CEDAW Submission<sup>1</sup> by Manushya and partners and is informed by communities representing women and LGBTQIA+ individuals facing gender-based discrimination in the context of corporate accountability and climate justice. It also draws on information from UN mechanisms, government sources, intergovernmental bodies, civil society submissions, and media reports.

Part 2. Key Issues is organised based on CEDAW Convention Articles relevant to our scope, replying to the 2022 List of Issues. The analysis replies to the State Report, taking into account Concluding Observations from the CEDAW Committee (2017), the CERD Committee (2021), recommendations from Thailand 3rd UPR (2021), and CEDAW General Recommendations.

<sup>1</sup> Manushya Foundation, *Joint Civil Society CEDAW Report to inform the List of Issues to be considered by the UN Committee for the Elimination of Discrimination Against Women during the Pre-sessional Working Group for its 85th Session (31 October to 4 November 2022)*, (7 October 2022), available at: <https://www.manushyafoundation.org/joint-civil-society-cedaw-report>



## Part 2. Key Issues

### Article 3. Guarantee of Basic Human Rights and Fundamental Freedoms

#### Issue 3: Legislative and Institutional Framework

1. Thailand is drafting a mandatory human rights and environmental due diligence (mHREDD) law requiring all businesses operating in the country to identify, prevent, and address human rights and environmental risks across their operations and supply chains.<sup>2</sup> This legislative initiative aims to strengthen corporate accountability, align with international standards such as the UN Guiding Principles on Business and Human Rights, and support Thailand’s bid for OECD membership.
2. Women—particularly migrant workers, informal laborers, and those in low-wage and precarious employment—are disproportionately exposed to exploitation and rights violations in supply chains. Likewise, LGBTQIA+ individuals often face intersecting forms of discrimination in the workplace, lack of legal protections, and exclusion from grievance mechanisms. Without explicit gender-responsive and intersectional safeguards, the law risks perpetuating existing inequalities and failing to protect those most at risk.
3. Defamation is both a civil and a criminal offence and is often weaponised by companies and state officials to silence **Women Human Rights Defenders (WHRD)**. Sections 326 and 328 of the Criminal Code include penalties of imprisonment of up to two years and a fine of up to 200,000 THB (US\$6,100).
4. Although anti-SLAPP provisions were added to the *Criminal Procedure Code* in 2019, they remain ineffective. In cases where Section 161/1 was invoked, courts failed to respond to petitions, partly due to the lack of clear criteria or procedures for dismissal.<sup>3</sup> Complainants can also bypass the provision by filing through prosecutors and later joining as co-plaintiffs. Moreover, no anti-SLAPP measures apply to inquiry officers or prosecutors, leaving them without guidance to reject such

<sup>2</sup> Walk Free, *Thailand to introduce mandatory supply chain due diligence law*, (13 March 2025), available at: <https://www.walkfree.org/news/2025/thailand-to-introduce-mandatory-supply-chain-due-diligence-law/#:~:text=The%20law%20will%20apply%20to,their%20operations%20and%20supply%20chains>.

<sup>3</sup> Clooney Foundation of Justice, *Solving SLAPPs: Identifying and Addressing Gaps in Thailand’s Anti-SLAPP Framework*, (17 September 2024), available at: <https://cfj.org/reports/solving-slapps-identifying-and-addressing-gaps-in-thailands-anti-slapp-framework/>



cases. Section 165/2 has similarly shown no impact, with courts not responding to any petitions filed under it.<sup>4</sup>

5. The concept of human rights defenders (HRDs) is not well known, particularly among public agencies engaging in work at the practical level or even among State-based non-judicial mechanisms, thus contributing to their vulnerability.<sup>5</sup>
6. The new draft bill *The Act on the Prevention of Strategic Litigation to Suppress Public Participation* fails to define SLAPP and to decriminalise most forms of defamation. It does not cover the Computer Crimes Act used to silence HRDs nor SLAPP tactics such as multiple suits based on the same social media post across multiple platforms.<sup>6</sup> Further, Sections 7 and 8 give a lot of discretion to the prosecutor to determine whether prosecution will result in public interest greater than the public interest arising from the order to terminate the case against the defendant.
7. For the *Anti-Prostitution Act*, please refer to the details provided under Article 6.
8. For the *Climate Change Act*, please refer to the details provided under Article 18.

### Issue: National Machinery for the Advancement of Women

9. The 12th **National Economic and Social Development Plan** (2017–2021) did not identify ‘women’<sup>7</sup> as a specific target group, despite evidence that female-headed households were among the most affected by COVID-19—over 60% experienced food shortages in 2021. Women with low education and limited skills were also more likely to leave the workforce to provide care for family members.<sup>8</sup> The first-year report of the 13th Plan (2023–2027) similarly lacks explicit mention of women, grouping them under broader “vulnerable” or “disadvantaged” categories. While it

<sup>4</sup> Manushya Foundation, *UN Complaint for Urgent Action to the United Nations on the Judicial Harassment faced by Nada Chaiajit, Thai Human Rights Defender*, pages 32-33, (7 October 2022), available at: <https://www.manushyafoundation.org/un-complaint-for-urgent-action-to-the-un-on-the-judicial-harassment-faced-by-nada-chaiajit>. See also Clooney Foundation of Justice, *Supra* Note 3.

<sup>5</sup> UNDP, *Protection of Human Rights Defenders in Thailand*, (27 September 2023), available at: <https://www.undp.org/thailand/publications/protection-human-rights-defenders-context-business-and-human-rights>

<sup>6</sup> Prachatai, *One step closer, but still miles away from ending judicial harassment of human rights defenders in Thailand*, (4 May 2025), available at: <https://prachataienglish.com/node/11393>

<sup>7</sup> Manushya Foundation, *Supra* Note 1.

<sup>8</sup> National Economic and Social Development Council, *5 years of the 12th National Economic and Social Development Plan*, available at: [https://www.nesdc.go.th/ewt\\_dl\\_link.php?nid=13678](https://www.nesdc.go.th/ewt_dl_link.php?nid=13678)



acknowledges public services are not inclusive, it only vaguely suggests greater collaboration with civil society.<sup>9</sup>

## Article 5. Sex Roles and Stereotyping

### Issue: Stereotypes

10. Ethnic and Indigenous women often face **discrimination** from government and public service personnel. At hospitals and district offices, they are frequently mistreated for not speaking fluent Thai, with some reporting verbal abuse and derogatory remarks. They are also judged based on their appearance, including traditional clothing. This leads many to avoid seeking essential services altogether.
11. One persistent stereotype Indigenous and highland communities face is the misconception that they are solely responsible for environmental degradation. There is a widespread attitude, especially among authorities and the general public, that they are to blame for forest fires due to traditional burning practices, or for flooding because of deforestation.

## Article 6. Trafficking in Persons and Exploitation

12. Thailand remains a hub for both labour and sexual exploitation, yet continues to address trafficking in persons through punitive frameworks that conflate trafficking with consensual sex work. This approach not only fails to dismantle trafficking networks but also enables state violence against women, LGBTQIA+ individuals, and other historically marginalised groups. Widespread corruption and official complicity further undermine anti-trafficking efforts—police officers often accept bribes in exchange for protection from raids, inspections, and prosecution, and have been known to sabotage investigations or withhold evidence from prosecutors.<sup>10</sup> Anti-trafficking laws are frequently misused to target adult sex workers. The Prevention and Suppression of Prostitution Act B.E. 2539 (1996) institutionalises this abuse by framing sex work as inherently immoral and criminal, thereby stripping sex workers of protections and subjecting them to exploitative policing. This law must be repealed—not reformed—and replaced with a rights-affirming legal framework that recognizes sex work as labor and guarantees sex workers' rights to health, safety, and legal protection.

<sup>9</sup> National Economic and Social Development Council, *First year of the 13th National Economic and Social development Plan*, (2023), available at: [https://www.nesdc.go.th/ewt\\_dl\\_link.php?nid=16386](https://www.nesdc.go.th/ewt_dl_link.php?nid=16386)

<sup>10</sup> Manushya Foundation, *Supra Note 1*.



13. The current legal framework creates a hostile environment for sex workers—many of whom are ethnic minorities or women migrant workers—subjecting them to intersectional discrimination and exclusion.<sup>11</sup> During the COVID-19 pandemic, the lack of social protections deepened their vulnerability.<sup>12</sup> Sex workers also continue to face criminalisation under vague laws, such as those accusing them of “ruining public image” or “damaging tourism,” which enable arbitrary enforcement, harassment, and extortion by authorities.
  
14. Lack of state recognition for sex work as work creates conditions in which employers are able to violate sex workers’ rights, including occupational health and safety standards and benefits. By exempting sex work from traditional forms of labour regulations, sex work businesses are able to operate with little to no oversight.<sup>13</sup> Moreover, lack of awareness among Thai society and frontline officials on the difference between sex work and trafficking in persons for sexual exploitation impede protection of victims.<sup>14</sup>
  
15. The Ministry of Social Development and Human Security (MSDHS) has introduced a [draft Protection of Sex Work Services Bill](#) to replace the 1996 Act, aiming to regulate sex work through licensing and oversight. However, the bill was initially developed without consultation with sex workers and includes conditions such as mandatory registration. The draft required psychiatric evaluations, proof of single status, and full work registration, an unacceptable violation of rights. The State’s refusal to engage meaningfully with sex workers reflects deep-seated stigma and disregard. In response, the EMPOWER Foundation proposed a [Sex Workers Protection Bill](#) that legalises sex work, affirms labor rights, and ensures protections including the right to refuse services. In parallel, SWING Foundation submitted a [bill focused on decriminalisation](#) by repealing the current law.
  
16. Human trafficking and exploitation remain serious risks for **Indigenous and ethnic minority women**, particularly in remote areas. Indigenous women without nationality often face exploitation and wage discrimination. Further, women seeking work abroad are exposed to trafficking networks or exploitative labour conditions, especially when migration occurs through informal or undocumented channels.

<sup>11</sup> Manushya Foundation, *Thematic assessment chapter of the independent CSO NBA on business & human rights - Gender-based discrimination and sexual harassment in the workplace in Thailand*, (March 2019), available at: <https://www.manushyafoundation.org/nba-bhr-gender-discrimination>

<sup>12</sup> The Nation, *Debate intensifies over decriminalising sex work in Thailand*, (02 October 2024), available at: <https://www.nationthailand.com/news/general/40041995>

<sup>13</sup> Manushya Foundation, *Supra Note 11*.

<sup>14</sup> Global Compact for Migration, *Thailand Migration Report 2024*, (13 December 2024), available at: <https://www.ilo.org/publications/thailand-migration-report-2024>



17. Although Thai courts may award compensation to victims through judgments, in practice, enforcement remains weak. Survivors are often burdened with the responsibility of pursuing compensation directly from the perpetrators, who frequently evade payment. This lack of enforcement not only denies victims meaningful redress but also revictimises them by shifting the burden of justice onto those already harmed.

## Article 7. Political and Public Life

### Issue: Participation in Political and Public Life

18. In many rural and Indigenous communities, political participation is often limited to voting, with little support for deeper engagement such as joining local councils or policy discussions. Existing initiatives rarely reach the grassroots or reflect community realities. In some cases, efforts to promote women’s participation have caused community tensions, leaving many women still excluded from meaningful political involvement.

19. Government and political structures often present structural barriers to women’s leadership, particularly for those with limited education or without official documentation. Economic hardship further limits participation, as many women must prioritize daily survival over public engagement.

20. Cultural and social expectations also impose significant limitations, as deep-rooted patriarchal norms continue to devalue women as leaders. Women are expected to prioritize caregiving and household responsibilities, and those who pursue leadership roles may face criticism or rejection from their families or communities.<sup>15</sup>

### Issues: Women Human Rights Defenders & Access to Justice

21. Rural women are disproportionately affected by the **negative impacts of business activities**. In Pichit, villagers have suffered health and livelihood losses from gold mining and have been seeking justice for over two decades.<sup>16</sup> In Dan Khun Thot, potash mining has caused high salinity, damaging soil and infrastructure<sup>17</sup>, while in Songkhla, communities face environmental and health harms from a coal-fired power plant. Women are frequently excluded from project decision-

<sup>15</sup> Manushya Foundation, Supra Note 1.

<sup>16</sup> Manushya Foundation, *Just energy transition in the context of extractive sector in Thailand*, (May 2023), available at: <https://www.manushyafoundation.org/2023submissionoun>

<sup>17</sup> HardStories, *Thai villagers rally against mine expansion, fearing more environmental damage*, (22 March 2024), available at: <https://hardstories.org/stories/environmental-justice/thai-communities-rally-against-mine-expansion>



making, with limited access to information and public consultations. In Northern Thailand, rural women are also affected by transboundary impacts of mining projects in Myanmar and Laos.<sup>18</sup>

22. When WHRDs defend their rights and lands they often face threats, intimidation such as unannounced visits from authorities, and SLAPPs.<sup>19</sup> The growing use of **SLAPPs** has raised serious concern, particularly due to the systematic misuse of defamation laws.<sup>20</sup> The impact of targeting a woman frequently extends far beyond the individual given the central caregiving role that many women hold. Although many SLAPP ultimately result in acquittals,<sup>21</sup> the legal process itself significantly disrupts their lives. The time and energy required to prepare for and attend court hearings can lead to accusations of neglecting family duties, a particularly damaging stigma in rural communities. Current mechanisms for receiving and addressing grievances from WHRDs are ineffective and inaccessible, particularly for those working at the grassroots level. There is no real protection or support system for WHRDs and in many cases, the government is not a neutral party but rather seen as actively aligned with business interests. In many cases, WHRDs must rely on CSOs to ensure their safety.
23. In 2022, the UN Working Group on Business and Human Rights urged Thailand to take action to stop companies from using the legal system to silence HRDs.<sup>22</sup> In 2023, the National Human Rights Commission of Thailand identified that 147 human rights defenders had been threatened, intimidated, injured, murdered or sued.<sup>23</sup>
24. Both editions (2019 and 2023) of the **National Action Plan on Business and Human Rights (NAP-BHR)**, have failed to include an effective gender lens and effectively tackle negative impacts caused by companies and provide remedies for rural communities as they have failed to provide a smart mix of voluntary and mandatory measures.<sup>24</sup>

<sup>18</sup> Transborder News, *Arsenic threat in Kok and Sai rivers escalates: Experts urge immediate action and diplomatic push with China*, (22 April 2025), available at: <https://transbordernews.in.th/home/?p=42204>

<sup>19</sup> Manushya Foundation, *Joint Civil Society Shadow Report On The Implementation Of ICERD, Replies to the List of Themes CERD/C/THA/Q/4-8 105th CERD session (15 November - 3 December)*, (25 October 2021), available at: <https://www.manushyafoundation.org/joint-civil-society-cerd-shadow-report>. See also: Manushya Foundation, Supra Note 1.

<sup>20</sup> Protection International, *Silencing Justice: Battling Systematic SLAPP Attacks on Women and Human Rights Defenders in Thailand*, (August 2023), available at: <https://www.protectioninternational.org/wp-content/uploads/2023/09/PIs-report-Battling-Systematic-SLAPP-Attacks-on-Women-and-Human-Rights-Defenders-in-Thailand.pdf>

<sup>21</sup> Clooney's Foundation for Justice, Supra Note 3.

<sup>22</sup> OHCHR, *UN experts concerned by systematic use of SLAPP cases against human rights defenders by businesses*, (16 December 2022), available at: <https://www.ohchr.org/en/press-releases/2022/12/un-experts-concerned-systematic-use-slapp-cases-against-human-rights>

<sup>23</sup> National Human Rights Commission of Thailand, *2022 Human Rights Assessment Report of Thailand*, (March 2023), available at: <https://www.fortifyrights.org/downloads/NHRCT%20report%202022.pdf>

<sup>24</sup> Manushya Foundation, Supra Note 19. See also: Manushya Foundation, Supra Note 1.





25. While some women are aware of the **Justice Fund**, many are not clearly informed of their right to access it—especially during urgent moments like bail hearings. Slow bureaucratic processes further limit its effectiveness in crisis situations, such as arrests during protest crackdowns. Additionally, the role of the Department of Rights and Liberties Protection remains unclear to many, as it rarely delivers concrete outcomes and often redirects cases to other agencies.

### Article 9. Nationality

26. Communities in border and remote areas face significant barriers to obtaining Thai citizenship.<sup>25</sup> Long travel times to district offices, high costs, and poor transport—especially during the rainy season—make the process difficult. Language and literacy barriers further hinder access, and the absence of public outreach or local support leaves many, especially women, to navigate the complex application process alone.<sup>26</sup>

27. Indigenous women face significant barriers in accessing Thai nationality due to limited knowledge of their rights and the complexity of the application process, which often involves unfamiliar procedures like DNA testing.<sup>27</sup> Many cannot read, write, or speak Thai, forcing them to rely on men for support, reinforcing unequal power dynamics. Institutional assistance is lacking, with most support coming from NGOs and women’s networks. Additionally, some women are asked to pay bribes, with no effective channels to report corruption or irregularities.<sup>28</sup>

### Article 11. Employment

28. **Sexual harassment in the workplace** remains a serious but poorly addressed issue in Thailand. While the *Labour Protection Act* prohibits discrimination, it lacks a clear definition of sexual harassment. The *Gender Equality Act* has proven ineffective in both prevention and enforcement, and relevant government agencies play a minimal role. Cases are often dismissed by judges unless they involve rape, with courts citing lack of evidence or trivializing the misconduct. In 2021, a transgender woman was sexually harassed by a politician and later dismissed without justification.<sup>29</sup> A transgender WHRD who publicly supported her and filed a complaint with the National Human Rights Commission was SLAPPED by the politician for

<sup>25</sup> Manushya Foundation, Supra Note 19.

<sup>26</sup> Manushya Foundation, Supra Note 1.

<sup>27</sup> Manushya Foundation, Supra Note 19.

<sup>28</sup> Manushya Foundation, Supra Note 1.

<sup>29</sup> ibid



exercising her right to free expression online.<sup>30</sup> She ultimately won her case, highlighting both the risks faced by WHRDs and the lack of systemic protections.

29. Section 15 of the *Labour Protection Act* requires equal treatment for men and women but allows exceptions based on the nature of work and fails to recognize gender beyond the binary or include marginalized groups. In one case, a transgender woman was denied employment because the position was limited to cisgender women—highlighting persistent discrimination against LGBTQIA+ individuals, particularly transgender women.<sup>31</sup>

30. Although Section 118 of the *Labour Protection Act* guarantees **severance pay** upon termination, enforcement remains weak. In November 2024, Yarnapund Co. Ltd closed without paying severance to 859 workers, including many middle-aged women now struggling to find new employment.<sup>32</sup> Despite promising payment in installments, the company defaulted, prompting workers to camp at the factory, stage a protest, and begin a hunger strike in March 2025. Workers have been requesting 466 million baht in emergency funds from the government to support those affected.<sup>33</sup> On 7 May 2025, nearly 3,000 workers from four companies submitted a petition to the House Labour Committee. Although the request was approved by the Minister of Labour in February 2025, it has yet to reach the Cabinet after 58 days.<sup>34</sup>

31. Women migrant workers (WMWs) face heightened risks of labor exploitation due to structural and systemic vulnerabilities.<sup>35</sup> Those in regular employment are often legally bound to their employers, while those in the informal sector—where over half of Thailand’s workforce is employed and many feminised jobs are concentrated—frequently lack formal contracts. This leaves them without legal protections or access to effective remedies. Women migrant domestic workers, in particular, endure excessively long working hours without overtime pay and often have little to no access to paid leave, including sick leave. Pregnant WMWs are especially vulnerable, often being forced to leave their jobs without pay and relying on family support throughout pregnancy and childbirth. This results in prolonged periods of income loss—often exceeding a year—without any form of state protection or compensation.

<sup>30</sup> Manushya Foundation, *Supra* Note 4

<sup>31</sup> Manushya Foundation, *Supra* Note 1

<sup>32</sup> Thai PBS World, *Fired and forgotten: The hidden crisis facing Thailand’s middle-aged workforce*, 01 May 2025, available at: <https://world.thaipbs.or.th/detail/fired-and-forgotten-the-hidden-crisis-facing-thailands-middleaged-workforce/57377>

<sup>33</sup> Prachatai, *ทำไมคนงาน ‘ยานกันที’ เสนอชิงบกลางสำรองจ่ายค่าชดเชย ?*, (24 April 2025), available at: <https://prachatai.com/journal/2025/04/112707>

<sup>34</sup> Prachatai, *‘ยานกันที’ ร้อง กมช. แรงงาน ติดตามวาระเบิกงบกลางช่วยคนงานถูกไล่อพยพ ผ่านมา 58 วันยังไม่เข้า ครม.*, (7 May 2025), available at: <https://prachatai.com/journal/2025/05/112853>

<sup>35</sup> Manushya Foundation, *Supra* Note 19. See also: Manushya Foundation, *Supra* Note 1.



32. Culturally ingrained power dynamics further suppress WMWs’ voices. Many are caught in exploitative “patronage systems” disguised as familial relationships with employers, where terms like “sister” or “uncle” are used to normalise inappropriate behaviour, such as unwanted touching or exposure to pornography. These dynamics reinforce male authority and lead many women to internalise such abuse as normal or unavoidable.
33. Women migrant workers (WMWs) are particularly vulnerable to labour exploitation, yet complaint and remediation mechanisms remain largely inaccessible without support from civil society. Irregular status or informal employment often deters them from seeking justice due to fear of arrest, detention, or deportation. Domestic workers, in particular, face isolation, surveillance by employers, and limited knowledge of their rights, making it difficult to report abuse without retaliation. Even those with regular status face obstacles, as their legal and financial reliance on employers discourages action. When WMWs access the Labour Court, they encounter barriers such as lack of legal aid, difficulty enforcing judgments, and lengthy procedures that clash with their short-term immigration status.<sup>36</sup>
34. Further, WMWs who enter Thailand through Cabinet Resolution procedures are required to undertake a pregnancy test as part of the annual renewal of their work permit. Although results do not disqualify them for getting their permit, results are shared with the employers who may use other grounds to stop the recruitment process.<sup>37</sup>
35. WMWs earn 41% less than men migrant workers while irrespective of gender, migrant workers earn 38% less than Thai workers. This puts WMWs in a particularly vulnerable financial situation, especially considering high amounts migrant workers spend on recruitment fees and related costs (the average cost paid by migrant workers was around THB 16,042, almost \$500).<sup>38</sup>
36. Thailand’s outdated legal frameworks leave **LGBTQIA+ workers** without adequate protection. The *Labour Protection Act* does not explicitly prohibit discrimination based on sexual orientation or gender identity. LGBTQIA+ individuals—particularly transgender people—face barriers to employment, as well as discrimination, harassment, and exclusion in the workplace. The absence of Diversity, Equity, and Inclusion policies, especially in small or informal workplaces, means there are often no grievance mechanisms available. Fear of job loss or further marginalization silences many, particularly undocumented individuals, migrant workers, and asylum seekers with precarious legal and employment status.<sup>39</sup>

<sup>36</sup> Global Compact for Migration, Supra Note 14.

<sup>37</sup> ibid

<sup>38</sup> ibid

<sup>39</sup> Manushya Foundation, Supra Note 1.



## Article 12. Health

37. In remote areas, **Indigenous women's** access to health services is extremely limited with facilities often located far from villages and lack basic equipment or transportation to reach remote communities.<sup>40</sup> Women rely on traditional midwives due to the absence of nearby medical facilities and lack access to prenatal care, skilled birth assistance, and postpartum follow-ups.
38. Rural communities lack governmental programs on mental health. The only existing mental health awareness and stress prevention initiatives are often informally led by teachers within local schools. Village health volunteers also play an important role in monitoring the overall health of the community, however, their capacity is often limited by lack of support from the public health system. Rural communities also lack awareness and support related to environmental-caused health issues.
39. In many state hospitals patients often face long queues and excessive wait times, and the quality of treatment is perceived as poor. The universal coverage card (gold card) is sometimes perceived as a "welfare card for the poor", leading to stigma and unequal treatment. Women report that doctors often do not conduct thorough examinations for gold card holders.

## Article 13. Economic and Social Benefits

40. Approximately two-thirds of Thailand's workforce is informally employed, with a slightly higher rate among women, most of whom are self-employed. While Article 40 of the *Social Security Act* allows informal workers to voluntarily contribute to the Social Security Fund (SSF), coverage remains low due to limited awareness, high costs, and inequities in government financing across schemes. Unlike formal workers, informal women workers are not entitled to maternity benefits, reflecting significant gaps in social protection.<sup>41</sup>
41. **Women migrant workers** face significant legal and practical barriers in accessing social security, as eligibility is tied to immigration status, occupation, and formal employment.<sup>42</sup> Only those with regular status in eligible full-time sectors are covered under the Social Security Fund (SSF) and the Workmen's Compensation Fund (WCF), while others are limited to the Migrant Health Insurance Scheme, which only covers basic medical care and disease screening. Feminised sectors like domestic work and street vending are excluded from SSF and WCF, leaving many women without

<sup>40</sup> ibid

<sup>41</sup> WIEGO, 'I want to be protected': Experiences and perspectives of informal workers on social security in Thailand, (February 2024), available at: <https://www.wiego.org/wp-content/uploads/2024/02/wiego-policy-brief-n31-bangkok.pdf>

<sup>42</sup> Manushya Foundation, Supra Note 1.



protection—particularly during crises like the COVID-19 pandemic. Even when enrolled, women migrant workers face language barriers, lack of information, and discrimination when claiming benefits or accessing essential health services, including sexual and reproductive care.<sup>43</sup>

42. A significant portion of **LGBTQIA+ workers** remain in the informal sector, where they lack access to social protections and legal benefits.

### Article 14. Rural Women

43. Rural women are particularly vulnerable to **poverty**, earning less in the farm sector than men and experiencing barriers in securing land tenure. 79% of the poor live in rural areas and mainly in agricultural households with 3.1 million poor people in rural areas.<sup>44</sup> Many girls complete education only up to Grade 12 due to lack of financial resources and many Indigenous girls additionally face language barriers and limited access to schools due to distance.<sup>45</sup>

44. Most communities are unable to access the **Women’s Development Fund** due to lack of information, complex procedures, or limited outreach. As for the **Learning Coin Project**, many Indigenous women have never heard of it at all. These programs often fail to engage with remote communities and do not account for language, literacy, or cultural barriers.

45. The case of the Sab Wai villagers highlights the criminalisation, land dispossession, and forced eviction faced by rural communities under Thailand’s *Forest Reclamation Policy*.<sup>46</sup> Fourteen villagers—including nine Isaan ethnic women—have been prosecuted for alleged encroachment, despite a long history of sustainable land use. Their case reflects a wider pattern in which forest laws are used to target Indigenous and rural communities, while powerful actors exploit protected areas with impunity. In response, the People’s Movement for a Just Society (P-Move) has proposed the [Forest Amnesty Bill](#)—the first legislative effort to grant amnesty to those unfairly prosecuted under land and forest policies.

<sup>43</sup> Global Compact for Migration, Supra Note 14.

<sup>44</sup> Manushya Foundation, *International Day for the Eradication of Poverty*, (16 October 2024), available at: <https://www.manushyafoundation.org/post/international-day-for-the-eradication-of-poverty>

<sup>45</sup> Manushya Foundation, Supra Note 1.

<sup>46</sup> *ibid.* See also: Manushya Foundation, Supra Note 19; Manushya Foundation, *How Manushya seeks Justice to #SaveSabWaiVillagers*, (21 November 2023), available at: <https://www.manushyafoundation.org/post/how-manyshya-seeks-justice-to-savesabwaivillagers>; Manushya Foundation, *Thailand: Stop Forced Evictions of 14 Sab Wai Villagers facing Extreme Poverty & Homelessness!*, (5 August 2022), available at: <https://www.manushyafoundation.org/post/thailand-stop-forced-evictions-of-14-sab-wai-villagers-facing-extreme-poverty-homelessness>



### Issue: Gender Dimension of Climate Change and Disaster on Vulnerable Groups

46. Thailand's land is highly climate-vulnerable, with 90% exposed to extreme heat, and significant portions facing droughts, floods, and landslides. Despite this, Thailand's **climate policies** show a clear disconnect from gender equality and social inclusion goals. These policies lack specific definitions, strategies, and indicators to address the needs of women and marginalized groups, resulting in weak implementation. Key barriers include limited understanding of gender-climate linkages, lack of disaggregated data, weak interagency coordination, absence of practical GSI tools, and minimal participation from affected communities.<sup>47</sup>
47. Government's **climate and disaster risk reduction efforts** have delivered little benefit to rural and Indigenous women. There is a lack of outreach on health risks like air pollution, and local implementation is slow or absent. During recent transboundary haze events, no official warnings or guidance were issued. Disaster response is poorly coordinated, with no community consultation or early warning systems, and budget allocations often fail to reflect actual needs. As frontline caretakers, rural and Indigenous women remain especially vulnerable and unsupported in crisis situations.
48. Some government policies have negatively impacted rural and Indigenous women. Initiatives to expand green spaces or reduce PM2.5 pollution have restricted traditional practices vital to Indigenous food systems and biodiversity. Disaster and climate responses remain top-down and state-centric, excluding local and Indigenous knowledge systems.
49. Regarding the Bio-Circular-Green Economy Model, according to the People's Declaration of grassroots communities united as the #WeAreJustTransition Movement, the model "gives even more power to corporations to pursue carbon market projects, monopolize natural resources such as seeds, and opens the door to genetic engineering. The model represents yet another scheme promoted by the government that excludes community voices and community-led solutions."<sup>48</sup>
50. Climate change and disasters disproportionately affect LGBTQIA+ people, especially those with intersecting marginalized identities. Many live in rural or remote areas with limited access to government services, and their specific needs are often excluded from disaster response, climate adaptation, and relief plans. Economic hardship further limits their ability to afford protective

<sup>47</sup> UNDP, *Integrating Climate Change (CC), Gender, and Social Inclusion (GSI) into Planning and Budgeting in Thailand*, (26 January 2024), available at: [https://www.undp.org/sites/g/files/zskgke326/files/2023-03/UNDP\\_CC-GSI%20Handbook\\_Eng\\_Final.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2023-03/UNDP_CC-GSI%20Handbook_Eng_Final.pdf)

<sup>48</sup> Manushya Foundation, *Supra Note 16*.



measures, such as air purifiers during severe pollution. At the national level, the lack of legal recognition of gender-diverse identities and absence of disaggregated data render LGBTQIA+ communities invisible in climate policymaking.

51. Thailand’s draft *Climate Change Act* represents an important step toward national climate governance but remains critically gender-blind and exclusionary. The bill lacks mechanisms to ensure meaningful participation of women, Indigenous peoples, and LGBTQIA+ individuals in climate policymaking. It places limited emphasis on adaptation—despite its importance for protecting the livelihoods of rural women and gender-diverse people who are often disproportionately affected by climate impacts—and risks reinforcing inequality through poorly regulated carbon credit mechanisms that may shift burdens onto low-income and vulnerable groups.<sup>49</sup>

## Article 15: Equality Before the Law

### Issue: Disadvantaged Groups of Women

52. **Indigenous women** face heightened vulnerability due to the lack of legal recognition of Indigenous Peoples in Thailand.<sup>50</sup> Government policies, such as national park zoning, have severely impacted their communities. Around 90% of Indigenous women live in protected forest areas where land ownership is not legally recognized, while the remaining 10% often lack direct land rights, as titles are commonly registered under male family members due to cultural inheritance norms.

53. The draft Protection and Promotion of Ethnic Groups’ Way of Life Bill fails to recognize Indigenous Peoples, as the term was removed from the definition of ethnic groups by Parliament in January 2025.<sup>51</sup> This exclusion denies Indigenous Peoples their collective rights. Section 5 allows for the designation of special areas but subjects them to national law and security concerns, risking encroachment on ancestral lands.<sup>52</sup> Moreover, the revised definition approved by the Senate in

<sup>49</sup> Thairath, ส่องร่างพ.ร.บ.โลกร้อน เปิด 6 จุดอ่อน-ช่องโหว่, (26 April 2025), available at: <https://www.thairath.co.th/news/local/2854848>

<sup>50</sup> Manushya Foundation, Supra Note 19.

<sup>51</sup> Prachatai, Parliament removes “Indigenous” from Ethnic Way of Life bill, (22 January 2025), available at: <https://prachataienglish.com/node/11279#:~:text=Called%20E2%80%9CThe%20Strengthening%20and%20Protection,indigenous%20people%E2%80%9D%20in%20the%20bill>

<sup>52</sup> The Nation, Bridge-building for ethnic concerns and Indigenous identity, (19 May 2025), available at: <https://www.nationthailand.com/blogs/news/general/40050148>



April 2025—requiring individuals to be Thai and born and residing in Thailand—could exclude those in border areas or whose parents lack Thai nationality.<sup>53</sup>

<sup>53</sup> Prachatai, สว.ลงมติผ่าน พ.ร.บ.ชาติพันธุ์วาระที่ 3 แล้ว ลุ้นมติ สส.พิจารณาอีกรอบ, (9 April 2025), available at: <https://prachatai.com/journal/2025/04/112571>





### Part 3. Recommendations

#### Article 3: Guarantee of Basic Human Rights and Fundamental Freedoms

1. Discontinue the practice of categorising women into ‘disadvantaged groups’ or ‘vulnerable groups’ under the National Economic and Social Development Plan and adopt specific measures targeting women, taking into account intersectional discrimination.
2. In line with the UPR recommendation made by Paraguay and supported by the Thai government (2021), reduce the economic and social impact that COVID-19 has had on vulnerable populations.
3. In line with CERD Concluding Observations (2021) and with the UPR recommendation made by Bahrain and supported by the Thai government (2021), adopt and effectively implement mandatory human rights and environmental due diligence law, including meaningful rights-holder consultations, and hold companies accountable through deterrent sanctions.
4. Decriminalise defamation by repealing sections 326 to 333 of the Criminal Code and in line with CEDAW Concluding Observations (2017), CERD Concluding Observations (2021) and the UPR recommendation made by Belgium and supported by the Thai government (2021), adopt and implement, without delay, effective anti-SLAPP legislation and effectively investigate, prosecute and adequately punish all cases of harassment, killing, enforced disappearance, violence, threats, reprisals and intimidation against WHRDs and provide effective remedies. In the meantime, enforce Sections 161/1 and 165/2 of the Criminal Procedure Code and publish statistics on its use to assess its effectiveness.

#### Article 5: Sex Roles and Stereotyping

1. In line with CEDAW General Recommendation No. 39 (2022) and CERD Concluding Observations (2021) address discriminatory stereotypes related to Indigenous women and girls as well as ethnic women and girls. This includes training frontline officials, especially in hospitals, schools, and government offices, on cultural sensitivity, anti-discrimination, and Indigenous rights, so they can serve all citizens fairly and without bias, and promote public awareness campaigns that celebrate the identities, languages, and contributions of Indigenous women and girls.
2. End the scapegoating of Indigenous communities by actively combatting stereotypes and misinformation related to environmental degradation.



## Article 6: Trafficking in Persons and Exploitation

1. Fully repeal the Prevention and Suppression of Prostitution Act B.E. 2539 (1996) and replace it with legislation that decriminalises sex work, affirms labor protections, and ensures access to health care, justice, and legal protections without stigma or coercion.
2. End the misuse of anti-trafficking laws to target adult sex workers and other marginalised groups, and hold businesses and employers accountable for trafficking and labor exploitation.
3. In line with CEDAW General Recommendation No. 34 (2016), ensure Indigenous and ethnic women have access to decent employment, address the root causes of the traffic in women by economically empowering rural women and raising awareness in rural areas of the risks of being lured by traffickers and the ways in which traffickers operate and ensure that victims of trafficking are adequately compensated.
4. Establish a compensation fund for trafficking survivors and assign a specific government body to oversee the timely, transparent, and victim-centered disbursement of the fund. Center affected communities in all policy and legislative processes related to trafficking and labor rights, including sex workers and LGBTQIAN+ persons.

## Article 7: Political and Public Life

1. In line with CEDAW Concluding Observations (2017), introduce policies that guarantee a minimum quota for women in elected and appointed political positions at all levels, including to promote the representation of Indigenous and ethnic women.
2. Establish measures that ensure community-based and inclusive leadership to encourage and legitimize women’s roles, particularly those from marginalised groups.
3. In line with the UPR recommendation made by Latvia and supported by the Thai government (2021), create an enabling environment for WHRDs to engage in shaping laws, policies, and development strategies.
4. In line with CEDAW Concluding Observations (2017) simplify the procedure for accessing the Justice Fund and ensure its availability and access to all women, including Indigenous women and ethnic women, in particular in urgent situations.

## Article 9: Nationality

1. In line with CERD Concluding Observations (2021), streamline and reduce bureaucratic steps in the documentation process, including abolishing the practice of DNA collection and ensuring all forms and information are available in languages and formats that Indigenous communities can understand.



2. In line with CERD Concluding Observations (2021) and the UPR recommendation made by Serbia and supported by the Thai government (2021), facilitates access to birth registration and citizenship by deploying government officials to remote areas at least once a month, ensuring consistent and proactive outreach.
3. Appoint local officials or trained staff to act as witnesses for birth registration, especially in areas where traditional midwives assist with childbirths.
4. Have community-based interpreters available in villages to reduce women’s dependence on others and promote more equitable access to their rights.
5. Effectively fight local corruption, including with strict penalties and accessible complaint mechanisms that communities trust and can use safely.

### Article 11: Employment

1. Ensure timely payment of severance pay in accordance with the *Labour Protection Act*.
2. In line with CEDAW General Recommendation No. 26 (2009) and CERD Concluding Observations (2021), ensure women migrant workers are protected from abusive and exploitative conditions and are provided effective channels for seeking protection and redress rights violations.
3. In line with CERD Concluding Observations (2021), ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Domestic Workers Convention 2011 (No. 189) as well as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
4. Adopt consistent and transparent migration policies that provide legal stability and predictability, particularly for women migrant workers.
5. Include explicit recognition and protection of gender diversity and sexual orientation and revise gender-restrictive occupational prohibitions in the *Labour Protection Act*.
6. Strengthen enforcement of the *Gender Equality Act* by ensuring that the Ministry of Justice plays a more active role in implementing, monitoring, and coordinating across agencies.

### Article 12: Health

1. In line with CEDAW General Recommendation No. 39 (2022), ensure that health services, including maternal and reproductive health services are available, accessible, affordable and culturally appropriate for Indigenous women and girls and that health information is widely disseminated in Indigenous languages.



### Article 13: Economic and Social Benefits

1. In line with CEDAW General Recommendation No. 26 (2009), ensure that the law provides women migrant workers the same rights and protection that are extended to all workers. The law must ensure that occupations dominated by women migrant workers are protected by labour laws.
2. In line with the UPR recommendation made by Vietnam and supported by the Thai government (2021), ensure access to benefits, welfare and social protection for vulnerable groups.
3. Ensure equity in the distribution of government financing across different social security schemes as well as the affordability and accessibility of the SSF, particularly for informal and migrant workers and expand SSF coverage to all workers, irrespective of their jobs and sectors.
4. Expand maternity and child benefits to all SSF members.
5. In line with CEDAW Concluding Observations (2017), ensure migrant women workers' access to health care and essential services without fear of arrest or deportation.

### Article 14: Rural Women

1. In line with CERD Concluding Observations (2021) adopt measures for reducing poverty of Indigenous and ethnic women and ensuring their access to public services.
2. In line with the UPR recommendation made by Japan and supported by the Thai government (2021), ensure rural women have access to social services, including healthcare and education.
3. Recognise and integrate Indigenous knowledge systems into policy making.
4. In line with the UPR recommendation made by Indonesia and supported by the Thai government (2021), ensure that all national policies related to climate change, forestry, land, natural resources are fully aligned with international standards, are grounded in the principles of non-discrimination and participation and adopt a gender-lens with specific safeguards for Indigenous, ethnic and rural women.
5. In line with CEDAW Concluding Observations (2017), CEDAW General Recommendation No. 37 (2018) and the UPR recommendations made by Fiji, Maldives and Costa Rica and supported by the Thai government (2021), ensure the effective participation of rural women, including Indigenous and ethnic women and LGBTQIA+ people in the formulation and implementation of policies on climate change and disaster response and risk reduction and ensure that such policies and plans explicitly include a gender perspective and take into account their particular needs.

### Article 15: Equality Before the Law

1. In line with CEDAW General Recommendation No. 39 (2022) and CERD Concluding Observations (2021) formally recognise Indigenous Peoples and ensure the protection of their collective rights



in accordance with the UN Declaration on the Rights of Indigenous Peoples and ensure Indigenous women’s leadership in land governance.

2. In line with CEDAW Concluding Observations (2017) and CERD Concluding Observations (2021), ensure effective consultations with Indigenous women and women from affected communities with regard to the zoning of national parks and the economic exploitation of lands and territories traditionally occupied or used by them and provide adequate compensation as necessary.
3. In line with the UPR recommendation made by Peru and supported by the Thai government (2021), ensure rural women, including Indigenous women and ethnic women, have effective access to remedies regarding violations of their rights.



## ANNEX 1 - Submitting Organizations Information

### 1. About Manushya Foundation

Manushya Foundation was founded in 2017 as an Intersectional Feminist human rights organization based in Southeast Asia aiming to build a movement of human beings coming together to amplify, resource, and support the movements of local communities and individuals. We center Southeast Asian Women and gender-marginalized Human Rights Defenders (WHRDs) and members of local communities, as part of our collective fight towards decolonisation, collective liberation, universal human rights, equity, and justice. For further information about the work of Manushya Foundation, please visit:

<https://www.manushyafoundation.org/>.

#### Contact Details:

Emilie Palamy Pradichit, Founder and Executive Director

[emilie@manushyafoundation.org](mailto:emilie@manushyafoundation.org)

### 2. About Indigenous Women's Network of Thailand (IWNT)

The Indigenous Women’s Network of Thailand (IWNT) was founded in 1996 as a part of the Inter Mountain Peoples Education and Culture in Thailand (IMPECT) to provide a gender perspective to development activities affecting indigenous peoples in Thailand. In 2011, IWNT was established as an independent organization to work towards improving the lives of indigenous women in Thailand, working with the following groups or “chon paos”: Karen, Lisu, H’mong, Lahu, Akha, Dara’ang, Taiyai or Shan, Lua, Kachin, Mien, Moken, Urak Lawoi. IWNT aims at advancing indigenous women’s rights as Women and as Indigenous Peoples, promoting national and international instruments for women’s protection, strengthening indigenous women’s participation in local government, natural resource management sector and other decision-making bodies, for them to acknowledge and support indigenous women’s rights and traditional knowledge. For further information about the work of IWNT, please visit:

[https://www.facebook.com/iwntthailand/?locale=th\\_TH](https://www.facebook.com/iwntthailand/?locale=th_TH)

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### 3. About Green World Network

The Green World Network is a community network based in Songkhla Province, Southern Thailand, that has been actively working to protect community rights, natural resources, and the environment from unsustainable development. Since 2014, the Network has been protesting the Royal Thai Government’s announcement of the Thepa coal-fired power plant, Thailand’s largest proposed power plant. For further information, please visit:

<https://www.facebook.com/profile.php?id=100087889741564>

#### Contact Details:

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### 4. About Sab Wai villagers

Sab Wai villagers are 14 members of a rural farming community in Chaiyaphum province. From the Issan ethnic minority group, the villagers have been unfairly criminalised under Thailand’s 2014 Forest Reclamation Policy for encroaching land in Sai Thong National Park where they have been living and making their livelihood for decades. For further information about Sab Wai villagers, please visit <https://www.manushyafoundation.org/campaign-savesabwai-villagers>.

#### Contact Details:

Nittaya Muangklang, Community Leader

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### 5. About Phichit villagers

Phichit villagers are members of a rural farming community across Phichit, Phetchabun and Phitsanulok provinces who have been impacted by Thailand’s largest gold mine since the start of its operations in 2001. For further information about Phichit villagers, please visit

<https://www.manushyafoundation.org/justice-for-phichit>.

#### Contact Details:

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### 6. About Ka Boe Din Villagers

Ka Boe Din is a small Indigenous Karen community of approximately 400 people located in Omkoi District, Chiang Mai Province. Their land and resources are increasingly threatened by external investors seeking to exploit the area’s rich natural resources, putting their livelihoods, identity, and ancestral lands at risk.

[https://www.facebook.com/KaberDinWonderland?locale=th\\_TH](https://www.facebook.com/KaberDinWonderland?locale=th_TH)



**Contact Details:**

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**7. About Young Pride Foundation ‘Young Pride Club (YPC)’**

Young Pride Foundation is a trans and youth-led community founded by trans survivors of unfair and transphobic discrimination in higher education in Thailand. Founded in 2018 and officially registered in 2024, we have been a leading force in promoting LGBTIQ+ rights and youth empowerment in Thailand. For more information, please visit: <https://youngprideclub.com/>

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**8. About EMPOWER Foundation**

Empower Foundation is a Thai organization that has been promoting justice, human rights and opportunities for sex workers in Thailand since 1985. Empower is led by sex workers for sex workers. Empower works towards a vision of the future where all women will be able to work safely and fairly in the work they have chosen to do – be that in the home or not, in sex work or not. Over the last 36 years over 50,000 sex workers have been part of Empower; Thai, Indigenous and Migrants. Empower’s key focus includes policy reform and legal advocacy, access to education, art and culture, and development of decent sex work. Empower was recognized by the National Human Rights Commission in 2006 when it was awarded the Best Human Rights Organization. Empower has been a founding member and driving force in many national, regional and international networks. For more information, please visit: <https://www.facebook.com/empowerfoundation.cm>

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**9. About Women Workers for Justice Group (WJG)**

Established for the first time in 2016, the Women Workers for Justice Group (WJG) consists of a wide variety of women workers in Chiang Mai and provinces nearby. The WWJG works with many networks and many organizations working at the intersection of migrant rights, women's rights, violence against women, women labor and child sexual abuse. The WJG strongly amplifies migrant women's voices at the national and International levels. For further information, please visit: <https://www.facebook.com/khonngarn>





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**10. About Migrant Working Group (MWG)**

The Migrant Working Group (MWG) was established in 2006 in response to shared concerns among member organizations over the injustice faced by migrant workers, particularly regarding their exclusion from the social security system. Recognizing the power of collective action, MWG has held monthly meetings since February 2006 as a sustained platform for information exchange, problem analysis, policy advocacy, and coordinated action. Collaborating with government agencies, academia, and civil society, MWG focuses on three core areas: health, education, and labor rights. Its overarching goal is to ensure that migrant populations can access their rights and live with dignity, equality, and without discrimination. For more information, please visit <https://mwgthailand.org/en>.

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