



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined sixth and seventh periodic reports of Thailand*

1. The Committee considered the combined sixth and seventh periodic reports of Thailand ([CEDAW/C/THA/6-7](#)) at its 1504th and 1505th meetings (see [CEDAW/C/SR.1504](#) and [CEDAW/C/SR.1505](#)), held on 5 July 2017. The Committee's list of issues and questions are contained in [CEDAW/C/THA/Q/6-7](#) and the responses of Thailand are contained in [CEDAW/C/THA/Q/6-7/Add.1](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its combined sixth and seventh periodic reports, but regrets the delay of five years. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the opportunity to renew its dialogue with the State party, after the 11 years since the previous constructive dialogue, and expresses appreciation for the oral presentation by the delegation and the additional clarification provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its large and multisectoral delegation, which was headed by the Deputy Permanent Secretary of the Ministry of Social Development and Human Security, Napa Setthakorn. The delegation also included representatives of the Ministry of Interior, the Ministry of Labour, the Ministry of Education, the Ministry of Foreign Affairs, the Constitutional Court, the National Legislative Assembly, the Royal Thai Police, the Committee on the National Commission on the Policies and Strategies for Women Advancement, the Southern Border Provinces Administrative Centre, the Permanent Mission of Thailand to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved, since the consideration in 2006 of the fifth periodic report of the State party ([CEDAW/C/THA/CO/5](#)), in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its sixty-seventh session (3-21 July 2017).



- (a) Prevention and Solution of the Adolescent Pregnancy Problem Act, in 2016;
- (b) Gender Equality Act, in 2015;
- (c) Female Title Act, in 2008;
- (d) Anti-Trafficking in Persons Act, in 2008, and revisions thereof, in 2015 and 2017;
- (e) Protection of Victims of Domestic Violence Act, in 2007;
- (f) Criminal Code Amendment Acts, in 2007, inter alia, to criminalize marital rape and broaden the definition of rape and sexual assault; and, in 2015, to provide for the prosecution and punishment for rape of a minor, even if a court grants permission for the perpetrator to marry the victim;
- (g) Criminal Procedure Code Amendment Act, in 2007, which, inter alia, reduced sentences for prisoners who are pregnant.

5. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:

- (a) Optional Protocol to the Convention on the Rights of Persons with Disabilities, in 2016;
- (b) Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in 2012;
- (c) Convention on the Rights of Persons with Disabilities, in 2008;
- (d) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2007;
- (e) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2006.

6. The Committee also welcomes the withdrawal, on 18 July 2012, of the reservation to article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, as recommended by the Committee in its previous concluding observations ([CEDAW/C/THA/CO/5](#), para. 12).

C. Parliament

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the National Legislative Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

D. Principal areas of concern and recommendations

Constitutional and legislative framework

8. The Committee notes that, under the revised Constitution, which came into effect in April 2017, discrimination on various grounds, including sex, is prohibited and the principle of equality between men and women is guaranteed. It also notes

the adoption of the Gender Equality Act in September 2015, in which gender discrimination, including direct and indirect discrimination, is defined and prohibited. However, the Committee expresses concern with regard to the following:

(a) Under section 17 (2) of the Gender Equality Act, exceptions are allowed with regard to the prohibition of discrimination on the basis of gender, namely on grounds of religious principles and national security;

(b) The prohibition of discrimination on the basis of gender in the Constitution and the Gender Equality Act does not apply in the southern border provinces, where special emergency laws continue to be applied.

9. The Committee recommends that the State party:

(a) Revise section 17 (2) of the Gender Equality Act to ensure that there are no exceptions to the prohibition of discrimination on the basis of gender;

(b) Ensure that all women and girls who live in areas that are subject to emergency laws are effectively protected from discrimination, both in law and in practice, recalling that the principle of non-discrimination is non-derogable and continues to apply even during times of armed conflict and in states of emergency, as indicated in the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention.

Access to justice and remedies

10. The Committee remains concerned about the persistence of multiple barriers impeding women and girls from obtaining access to justice and effective remedies for violations of their rights, in particular for rural women, indigenous women, women belonging to ethnic and religious minority groups, and women with disabilities. Such barriers include:

(a) Social and cultural stigma, which deter women and girls from registering their complaints, in particular with regard to sexual and gender-based violence;

(b) Limited legal literacy and access to information on remedies that are available;

(c) Lack of gender sensitivity in the justice system, including negative attitudes of law enforcement officials towards women denouncing violations of their rights, leading to frequent failures to register and investigate complaints;

(d) Widespread and pervasive corruption, which continues to impede women's access to justice.

11. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(a) Simplify the procedure for accessing the Justice Fund and ensure that it is available and accessible to all women, including rural women, indigenous women, women belonging to ethnic and religious minority groups, and women with disabilities;

(b) Eliminate the stigmatization of women and girls who claim their rights, by raising awareness on the part of women and men of their rights and enhancing women's legal literacy;

(c) Disseminate information, in particular in rural and remote areas, about the legal remedies available to women regarding violations of their rights, including among Muslim women in the southern border provinces about

the remedies available to them under the State party's criminal justice system in addition to Islamic law;

(d) **Strengthen the gender responsiveness and gender sensitivity of the justice system, including by increasing the number of women in the justice system and providing systematic, capacity-building training to judges, prosecutors, lawyers, police officers and other law enforcement officials on the Convention, as well as on the Committee's jurisprudence and its general recommendations;**

(e) **Strengthen measures to combat corruption and effectively investigate allegations of corruption, and prosecute and punish corrupt law enforcement and judicial officials who obstruct justice, in order to restore women's trust in the justice system;**

(f) **Ensure that religious and customary justice systems harmonize their norms, procedures and practices with the Convention, and provide capacity-building on women's rights and gender equality to customary justice authorities.**

National machinery for the advancement of women

12. The Committee regrets the lack of steps taken to implement the Committee's previous recommendation to undertake an in-depth evaluation of the national machinery for the advancement of women and other institutional mechanisms to promote gender equality (CEDAW/C/THA/CO/5, para. 18) and expresses concern that the Department of Women's Affairs and Family Development has been tasked with additional operational duties, thus further reducing its capacity to function effectively as the national machinery for the advancement of women. It is also concerned with regard to the lack of clarity regarding the mandate and responsibilities of the Department in the light of the new committees established under the Gender Equality Act, such as the Gender Equality Promotion Committee.

13. **The Committee recommends that the State party:**

(a) **Clearly define the mandate and responsibilities of the Department of Women's Affairs and Family Development and the bodies established pursuant to the Gender Equality Act and ensure that there is no undue overlap;**

(b) **Ensure that the national machinery has the authority and the human and financial resources necessary to work effectively for the promotion of women's rights;**

(c) **Ensure the adoption and effective implementation of a gender mainstreaming strategy throughout all government agencies;**

(d) **Regularly monitor and assess the impact of the work undertaken by the Department of Women's Affairs and Family Development to promote gender equality.**

National human rights institution

14. The Committee notes with concern the lack of a clear, transparent and participatory process for selecting and appointing the members of the National Human Rights Commission of Thailand, which led the accreditation committee of the Global Alliance of National Human Rights Institutions to downgrade it to "B" status in November 2015.

15. **The Committee recommends that the State party implement the recommendations made by the Global Alliance of National Human Rights**

Institutions in its report of November 2015 so as to enable the National Human Rights Commission of Thailand to effectively and independently carry out its mandate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (General Assembly resolution 48/134, annex).

Temporary special measures

16. The Committee welcomes the inclusion of section 27 in the revised Constitution, which allows for the adoption of measures for the purpose of eliminating obstacles for women and girls to the enjoyment of their rights. However, it reiterates its previous concern (CEDAW/C/THA/CO/5, para. 21) that no temporary special measures have been adopted with a view to achieving substantive equality of women and men in all areas where women are underrepresented or disadvantaged, such as with regard to women's participation in decision-making bodies and with regard to women in disadvantaged situations in the State party, such as women with disabilities, women from ethnic and religious minority groups, indigenous women, rural women, and older women.

17. **The Committee reiterates its previous recommendation (CEDAW/C/THA/CO/5, para. 22) that the State party expeditiously introduce temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the realization of women's substantive equality with men in all areas, in particular with regard to women's participation in decision-making bodies, targeting women in disadvantaged situations, such as women with disabilities, women from ethnic and religious minority groups, indigenous women, rural women and older women.**

Stereotypes and harmful practices

18. The Committee reiterates its previous concern regarding the persistence of strong stereotypical attitudes about the roles and responsibilities of women and men in the family and in society (CEDAW/C/THA/CO/5, para. 25), which undermine women's social status and constitute a root cause of the disadvantaged position of women in many areas, including in the labour market and in political and public life. It also expresses concern at the persistence of harmful practices based on discriminatory social attitudes, in particular in rural and remote areas, such as female genital mutilation among Muslim communities in the southern border provinces and bride kidnapping.

19. **The Committee recommends that the State party:**

(a) **Adopt a comprehensive strategy with proactive and sustained measures that targets women and men at all levels of society, including religious and traditional leaders, to eliminate stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and society and harmful practices that are discriminatory to women;**

(b) **Continue to adopt innovative measures targeting the media to strengthen the understanding of substantive equality of women and men and use the education system to enhance positive and non-stereotypical portrayals of women;**

(c) **Criminalize female genital mutilation and conduct awareness-raising campaigns, in particular in the southern border provinces, on the adverse effects of such practices on women and girls, taking into account joint general recommendation No. 31 of the Committee on the Elimination of Discrimination**

against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices;

(d) **Conduct research on the extent of the practice of abduction of girls for the purposes of forced marriage, ensure that it is prohibited in law and in practice, and develop a comprehensive strategy to address the issue;**

(e) **Monitor and review the measures taken to combat stereotypes and harmful practices in order to assess their impact and revise them as appropriate.**

Gender-based violence against women

20. The Committee welcomes the efforts made by the State party to combat gender-based violence against women, including the revision of the definition of rape in section 276 of the Criminal Code, as previously recommended by the Committee, as well as the launching of public campaigns and initiatives. Nevertheless, it remains concerned about the following:

(a) The high prevalence of gender-based violence against women and girls, in particular domestic violence and sexual violence;

(b) The fact that the Domestic Violence Victim Protection Act of 2007 provides for the settlement of a case through reconciliation and mediation at every stage of the legal proceeding;

(c) The inadequate provision of essential services and support to victims of gender-based violence, especially victims of trafficking for sexual exploitation or labour exploitation, and victims of domestic violence.

21. **Recalling its general recommendation No. 19 (1992) on gender-based violence against women and its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and its previous recommendations to the State party (CEDAW/C/THA/CO/5, para. 24), the Committee recommends that the State party:**

(a) **Systematically assess the impact of measures adopted to combat gender-based violence against women and girls, and continue exploring and adopting innovative approaches to address the root causes of such violence, including those targeting men and boys;**

(b) **Ensure that victims of domestic violence have adequate access to shelters, crisis centres, protection orders, as well as legal remedies, instead of reconciliation and mediation;**

(c) **Increase the availability, accessibility and quality of essential services and support to victims of gender-based violence, including legal assistance and appropriate health-care services and psychosocial support;**

(d) **Systematically collect data on gender-based violence against women and girls, disaggregated by age, ethnicity, geography and relationship between victim and perpetrator.**

Women and peace and security

22. The Committee remains concerned that Muslim women in the southern border provinces continue to face obstacles to the enjoyment of their rights on an equal footing with men, including with regard to access to education, employment, health care and social security, and that their situation is exacerbated by the ongoing conflict in the region. It is particularly concerned about the following:

(a) Women who have become widows and heads of household as a result of male family members having been arrested, disappeared or killed, and who face stigma and difficulties in earning a living and supporting their families;

(b) Reports of collection under coercive conditions of DNA from family members of individuals who are suspects in security-related cases;

(c) The exclusion of women from meaningful participation in the peace process, and the slow progress in adopting the national action plan on women and peace and security in accordance with Security Council resolution [1325 \(2000\)](#).

23. Recalling its previous recommendation (CEDAW/C/THA/CO/5, para. 36), the Committee recommends that the State party:

(a) Adopt temporary special measures targeting Muslim women in the southern border provinces so as to ensure their substantive equality with men in all areas, in particular widows and women heads of household, including by providing sufficient financial and social support;

(b) Increase its efforts to end the conflict in the southern border provinces and ensure that the military, law enforcement officials and non-State armed groups abide by international humanitarian and human rights law, in particular with regard to the protection of women and girls who are not engaged in conflict from all forms of violence;

(c) Ensure that women whose spouses or other family members have been subjected to human rights violations have access to effective remedies and obtain justice, including by ensuring that such violations are thoroughly investigated, alleged perpetrators prosecuted and, if convicted, punished with appropriate sanctions;

(d) Immediately discontinue the practice of DNA collection and provide effective remedies to women and girls who have been subjected to that practice under coercive conditions;

(e) Adopt, without further delay, a comprehensive national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security, to ensure durable peace in the State party;

(f) Fully involve women at all stages of the post-conflict reconstruction process, including in decision-making, in line with resolution [1325 \(2000\)](#), and take into consideration the full spectrum of the women and peace and security agenda of the Security Council, as reflected in its resolutions [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [2122 \(2013\)](#) and [2242 \(2015\)](#) as well as the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations.

Trafficking and exploitation of prostitution

24. The Committee acknowledges the significant efforts made by the State party to prevent and combat trafficking in persons, including through legislative reforms to increase penalties for traffickers and to extend protection to victims and witnesses of trafficking. Nevertheless, it remains deeply concerned that the State party remains a source, destination and transit country for trafficking in persons, in particular women and girls, for purposes of sexual exploitation and labour exploitation. The Committee is particularly concerned about the following:

(a) The limited progress in addressing the root causes of trafficking within the State party, including poverty, lack of economic opportunities and statelessness, in particular in rural and remote areas;

(b) The lack of effective identification of victims of trafficking in practice, the adoption of new guidelines notwithstanding;

(c) The prevalence of corruption and official complicity in trafficking cases, which continue to impede efforts to prevent and combat trafficking.

25. The Committee recommends that the State party:

(a) **Take concrete and specific measures to address the root causes of trafficking in women and girls by improving the economic situation of women, as previously recommended by the Committee (CEDAW/C/THA/CO/5, para. 28);**

(b) **Ensure early detection and referral to appropriate services of women and girls who are victims of trafficking, including by providing systematic training to all relevant law enforcement officials on the effective implementation of the new guidelines on victim identification;**

(c) **Ensure the rehabilitation and social integration of victims, including by providing them with effective protection, assistance and remedies and providing financial and other forms of support to civil society organizations assisting women who are victims of trafficking;**

(d) **Ensure that women who are victims of trafficking are exempted from any liability and provided with adequate protection, such as witness protection programmes and temporary residence permits, irrespective of their ability or willingness to cooperate with the prosecutorial authorities;**

(e) **Ensure that traffickers and other actors involved in trafficking, including government officials, are prosecuted and adequately punished;**

(f) **Reinforce international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking, including by exchanging information and harmonizing legal procedures to prosecute traffickers with countries of origin, transit and destination, in particular with countries in the region.**

26. The Committee is concerned that a large number of women and girls are subjected to exploitation through prostitution in the State party and that women in prostitution are criminalized under the Suppression and Prevention of Prostitution Act of 1996, whereas those who exploit women in prostitution are rarely prosecuted. It also notes with concern that women working in the entertainment sector are presumed to be guilty of prostitution under the Act, arrested and subjected to humiliating treatment following violent police raids and targeted in entrapment operations by police officers. The Committee is further concerned at reports of official complicity in the exploitation of women in prostitution, including large-scale extortion by corrupt police officers. It also notes that even women employed in legally operating enterprises in the entertainment sector do not benefit, in practice, from the protection of labour laws and social benefits available to other workers.

27. The Committee recommends that the State party:

(a) **Review the Suppression and Prevention of Prostitution Act to decriminalize women in prostitution;**

(b) **Address the root causes of prostitution and adopt targeted measures to prevent women in vulnerable situations from entering into prostitution, including by providing women with alternative income opportunities;**

(c) **Investigate and punish individuals who exploit women in prostitution, including government officials;**

(d) **Immediately end the practice of violent raids of entertainment venues, entrapment operations and extortion and hold individual police officers accountable for their involvement in such activities;**

(e) **Provide assistance, rehabilitation and reintegration programmes for women and girls exploited in prostitution, in addition to exit programmes for women wishing to leave prostitution;**

(f) **Ensure the full application of labour laws and social benefits in all enterprises in the entertainment sector, especially to women employed in the legally operating enterprises in that sector.**

Participation in political and public life

28. The Committee notes that, in section 90 (3) of the Constitution, it is stipulated that due regard should be given to gender equality in the process of preparing the list of candidates by political parties and that an organic bill on political party is currently being prepared to provide further guidance. It remains concerned, however, that no temporary special measures have been adopted to date to increase the representation of women in political and public life. The Committee regrets the absence of women in the National Council for Peace and Order, which has been governing the State party following the coup d'état of May 2014. The Committee is further concerned about the following:

(a) The low representation of women in legislative bodies, ministerial posts and local government, as well as in the judiciary, the police force, the diplomatic service and academic institutions, in particular at decision-making levels;

(b) The lack of representation of women from ethnic and religious minority groups and indigenous women in decision-making positions.

29. **The Committee reiterates its previous recommendation (CEDAW/C/THA/CO/5, para. 30) that the State party:**

(a) **Adopt measures, including temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 23 (1997) on women in political and public life and general recommendation No. 25 (2004), in order to guarantee and accelerate the full and equal participation of women at all levels, including in legislative bodies, ministerial posts and local government, as well as in the judiciary, the police force, the diplomatic service and academic institutions;**

(b) **Provide information in the next periodic report on specific measures implemented, such as quotas, to promote the representation of women from ethnic and religious minority groups and indigenous women in decision-making positions.**

Women human rights defenders

30. The Committee expresses serious concern that women human rights defenders, in particular those advocating for land rights, protection of the environment and the rights of indigenous women, rural women, lesbian women, bisexual women, transgender women and Muslim women in the southern border provinces, have increasingly become targets of lawsuits, harassment, violence and intimidation by authorities and business enterprises because of their work.

31. **The Committee recommends that the State party:**

(a) **Adopt and implement, without delay, effective measures for the protection of women human rights defenders to enable them to freely**

undertake their important work without fear or threat of lawsuits, harassment, violence or intimidation, including by improving the effectiveness, in consultation with women human rights defenders, of the Witness Protection Office within the Ministry of Justice;

(b) Effectively investigate, prosecute and adequately punish all cases of harassment, violence and intimidation against women human rights defenders and provide effective remedies to victims.

Nationality

32. Notwithstanding the legislative amendments adopted by the State party, the Committee remains concerned that there are still stricter conditions for Thai women to confer their nationality on foreign spouses. It is also concerned that among ethnic minority and indigenous communities, men are reportedly given priority to register for nationality, leaving a disproportionate number of ethnic minority and indigenous women without nationality and with restricted freedom of movement and limited access to education, employment, health care and social protection. The Committee further remains concerned that the measures adopted by the State party notwithstanding, a significant number of children have not had their births registered or lack birth registration documents and are thus vulnerable to becoming stateless.

33. The Committee recommends that the State party:

(a) Adopt further legislative amendments to ensure that women and men enjoy equal rights to confer their nationality on foreign spouses;

(b) Ensure without delay that women belonging to ethnic minority and indigenous groups have equal access to nationality as men, including by eliminating obstacles relating to language, bureaucracy, residential requirements, literacy and the attitudes of officials and ensure that they enjoy their rights to freedom of movement and access to education, employment, health care and social protection without undue restrictions;

(c) Intensify efforts to facilitate the birth registration of children, especially in rural and remote areas, in particular by conducting awareness-raising campaigns and removing language barriers;

(d) Ratify the Convention relating to the Status of Stateless Persons, of 1954, and the Convention on the Reduction of Statelessness, of 1961.

Education

34. The Committee commends the State party on its efforts to ensure equal access for women and girls to all levels of education and welcomes the increase in the rate of participation of girls in tertiary education. It also welcomes the adoption of the Prevention and Solution of the Adolescent Pregnancy Problem Act, which aims at reducing the high rates of teenage pregnancy and of girls who drop out of school as a consequence. The Committee remains concerned, however, about the following:

(a) Gender segregation in higher education, with low enrolment of women and girls in non-traditional fields of study, such as technology, engineering, mathematics and agriculture;

(b) The existence of gender bias in the school curriculum and textbooks, reinforcing traditional gender stereotypes.

35. The Committee recommends that the State party:

(a) **Review the comprehensive sexuality education curriculum to better equip students with the knowledge and life skills required to protect themselves from early pregnancy and its consequences and train teachers in accordance with the Prevention and Solution of the Adolescent Pregnancy Problem Act;**

(b) **Enhance efforts to overcome gender segregation in higher education, with a view to increasing enrolment of women in non-traditional fields of study, such as technology, engineering, mathematics and agriculture;**

(c) **Take concrete measures to eliminate discriminatory gender stereotypes in textbooks, teaching tools and materials.**

Employment

36. The Committee acknowledges the steps taken by the State party to increase the participation of women in the labour market and to introduce minimum labour standards, including by ratifying the Discrimination (Employment and Occupation) Convention (No. 111) of the International Labour Organization in June 2017. However, it remains concerned about:

(a) The high concentration of women in the informal employment sector, including as domestic workers, who continue to be excluded from labour and social security protections, such as minimum wage protection, overtime compensation and maternity leave;

(b) The persistence of discrimination on the basis of gender in the workplace, including with regard to recruitment, promotion and retirement age, which, in many factories, is reportedly set at 55 years of age for women compared with 60 years of age for men;

(c) The absence of legislation prohibiting sexual harassment in the workplace, notwithstanding reports that it is widespread in the State party;

(d) The situation of women migrant workers who are vulnerable to abuse and exploitation, in particular those who are undocumented.

37. **The Committee recommends that the State party:**

(a) **Create more opportunities for women to gain access to formal employment, in particular by promoting the equal sharing of domestic and family responsibilities between women and men and providing sufficient and adequate childcare facilities;**

(b) **Ensure that the rights of women in the informal employment sector are effectively protected, including by ensuring adequate coverage of labour and social security protections;**

(c) **Combat all forms of discrimination on the basis of sex and gender in the workplace, including with regard to recruitment and promotion, and ensure that the retirement age of women in all sectors is the same as that for men;**

(d) **Ensure that sexual harassment is prohibited by law and adopt further measures to prevent sexual harassment in the workplace, including by developing a system for filing confidential complaints and ensuring that victims have effective access to redress;**

(e) **Strengthen efforts to protect migrant women workers from abusive and exploitative conditions, including by prosecuting and punishing those responsible, ensuring access to health-care and essential services without fear of arrest or deportation, and providing effective channels for seeking protection and redress for violations of their rights;**

(f) **Consider ratifying the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization.**

Health

38. The Committee commends the measures taken by the State party to improve women's access to health-care services, such as the universal health coverage scheme, which have led to longer life expectancy, reduced rates of HIV infection and the elimination of mother-to-child transmission of HIV and syphilis. Nevertheless, it remains concerned about reports of high rates of maternal mortality in the southern border provinces and among ethnic minority groups, and reports of women with disabilities being subjected to forced sterilization and abortion.

39. **The Committee recommends that the State party strengthen measures to reduce maternal mortality, in particular among ethnic minority groups and in the southern border provinces, including by ensuring the availability and accessibility of adequate sexual and reproductive health-care services, such as antenatal, delivery and postnatal services. It also recommends that the State party take specific measures to protect women with disabilities from forced sterilization and abortion and ensure that the right to free, prior and informed consent to such intervention is upheld and that supported decision-making mechanisms are provided.**

Economic and social benefits

40. The Committee notes the State party's efforts to reduce poverty through access to loans and credit, such as the establishment of the Women's Empowerment Fund in 2012. However, it is concerned at reports of mismanagement of the Fund and of the low number of women who have benefited from it.

41. **The Committee recommends that the State party undertake a thorough assessment of the Women's Empowerment Fund and the National Village and Urban Community Fund established in 2001 and take concrete measures to ensure that they are accessible and effectively managed, including by ensuring transparency, accountability and timely disbursement of funds. It also recommends that the State party consider establishing start-up support schemes that promote women's entrepreneurship.**

Rural women

42. The Committee remains concerned that rural women, including indigenous women and women from ethnic and religious minority groups, continue to be disproportionately affected by poverty and limited economic opportunities, which increase their vulnerability to trafficking and exploitation. It also expresses concern that rural women:

(a) Continue to lack access to basic social services, such as education and health care, including sexual and reproductive health care, as well as access to justice;

(b) Are not represented in decision-making bodies and structures at the national and local levels and are excluded from policymaking processes on issues that affect them;

(c) Face restrictions to their right to land and natural resources, owing to land acquisition for development projects, use by the mining and other extractive industries and the zoning of national parks.

43. **With reference to its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Expand programmes aimed at facilitating women's access to education, employment and health care, including through the adoption of temporary special measures;**

(b) **Eliminate all barriers inhibiting rural women's participation in policy formation and ensure the integration and mainstreaming of a gender perspective into all agricultural and rural development policies, strategies, plans and programmes, enabling rural women to act and be visible as stakeholders, decision makers and beneficiaries;**

(c) **Ensure effective consultations with 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 that it secures the free, prior and informed consent of the women affected and provide adequate compensation as necessary;**

(d) **Ensure that rural women are included in the national road map to realize Goal 5 of the Sustainable Development Goals;**

(e) **Ratify Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.**

Women in detention

44. The Committee expresses concern that the State party has one of the highest rates of women in detention in the world. It is also concerned that, owing to the limited number of female prisons, women are often incarcerated far from their families and in overcrowded prisons with conditions that fail to meet international standards, in particular with regard to pregnant women and women detained with their children. The Committee is further concerned about invasive body searches performed on women in prison.

45. **The Committee recommends that the State party:**

(a) **Take urgent measures to reduce the number of women in detention, including by applying non-custodial sentences and addressing the root causes of delinquency among women, including poverty;**

(b) **Improve the conditions in women's detention facilities in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) to address the problem of overcrowding in prisons and to ensure the provision of adequate facilities and services, in particular for pregnant women and women detained with their children;**

(c) **Prohibit and take immediate action to discontinue invasive physical searches of women by penitentiary officers and extend the use of technologies such as 3D body scanners to all prisons.**

Gender dimension of climate change and disaster risk reduction

46. The Committee expresses concern that women, in particular rural women, are excluded from participation in the elaboration and implementation of policies and action plans on climate change and disaster risk reduction, notwithstanding the fact that they are disproportionately affected by the effects of climate change and disasters.

47. The Committee recommends that the State party:

(a) **Ensure the effective participation of women, not only as those disproportionately affected by the effects of climate change and disasters but as agents of change, in the formulation and implementation of policies and action plans on climate change and disaster response and risk reduction;**

(b) **Ensure that such policies and plans explicitly include a gender perspective and take into account the particular needs of women, in particular rural women.**

Marriage and family relations

48. The Committee welcomes the legislative amendments concerning betrothal, as previously recommended by the Committee (CEDAW/C/THA/CO/5, para. 20). It also notes that section 277 of the Criminal Code has been revised to ensure that perpetrators of rape of a child under 15 years of age are not exempt from punishment. However, it remains concerned that, under section 277 (5) of the Criminal Code, the court may use its discretion to reduce the sentence of the offender and that girls as young as 13 years of age who are sexually abused can still be legally married to the perpetrator. The Committee expresses further concern that harmful practices such as child and/or forced marriages and polygamy continue to take place, in particular in rural and remote areas.

49. The Committee recommends that the State party:

(a) **Amend section 277 (5) of the Criminal Code to ensure that the minimum age of marriage is established as 18 years for both girls and boys throughout the State party and take all measures necessary to eliminate child and/or forced marriage in practice;**

(b) **Ensure that the prohibition of polygamy applies throughout the State party, including in the southern border provinces, and take concrete measures to combat that practice through consultation with the communities concerned and local women's rights organizations.**

Data collection and analysis

50. The Committee remains concerned at the absence of a centralized data-collection system and at the deficiencies in compiling, analysing and processing reliable statistical data on the situation of women in all areas covered by the Convention.

51. The Committee recommends that the State party expeditiously improve its data-collection system, including by strengthening the capacity of relevant national institutions to collect, analyse and disseminate statistical data, which should cover all areas of the Convention and be disaggregated by age, sex, disability, geographical location, ethnic origin and socioeconomic background to facilitate the analysis of the situation of all women, especially those in situations of vulnerability, and those data and analyses should be used for the formulation, monitoring and evaluation of laws, policies and programmes.

Amendment to article 20 (1) of the Convention

52. The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

53. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.**

2030 Agenda for Sustainable Development

54. **The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.**

Dissemination

55. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.**

Technical assistance

56. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in that respect.**

Ratification of other treaties

57. **The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.**

Follow-up to concluding observations

58. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 23 (b) and (e) and 43 (c) and (d) above.**

Preparation of the next report

59. **The Committee requests the State party to submit its eighth periodic report, which is due in July 2021. The report should be submitted on time and, in case of delay, cover the entire period up to the time of its submission.**

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

60. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).
