



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Thirty-fourth session**

Summary record of the 708th meeting

Held at Headquarters, New York, on Friday, 20 January 2006, at 3 p.m.

Chairperson: Ms. Manalo

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06-21519 (E)

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The meeting was called to order at 3.03 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined fourth and fifth periodic report of Thailand (continued) (CEDAW/C/THA/4-5; CEDAW/C/THA/Q/4-5 and CEDAW/C/THA/Q/4-5/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Thailand took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. Khan** noted that many Muslim women had lost their fathers and husbands as a result of political violence in the south of Thailand since 2004. She would like to know whether the National Reconciliation Commission had introduced any measures to ensure that Muslim women who had been widowed and were now heading their households were receiving economic support, particularly so that their children could continue their schooling. In addition, she wondered what mechanisms were in place to ensure that women whose family members had taken part in and been killed in the insurgency were not now being subjected to discrimination on social or political grounds. She urged the Government of Thailand to ensure that Muslim women and girls from the south, particularly adolescent girls, had access to both formal and non-formal education, social security programmes, health care, economic opportunities and participation in all community activities, as called for under article 14 of the Convention.

3. **Ms. Pimentel** commended the State party for the rise in the contraceptive prevalence rate since 1996. Thailand's report, however, indicated that women still bore primary responsibility for contraception. She would appreciate more detailed information on measures being taken by the Government to address that situation, particularly with respect to women's greater expenditure for contraceptives and the risks to their health from side effects. She would also like to know whether the Government had policies and measures for raising awareness of the shared responsibilities of men and women with regard to reproductive health, and, if so, whether those efforts were inspired by the principles expressed at the

International Conference on Population and Development and the Fourth World Conference on Women.

4. The report acknowledged that illegal abortion often resulted from unplanned pregnancy and that it could have severe health consequences, including death. She enquired whether the Government was reviewing, or considering setting up a process for the review of, existing legislation with a view to protecting the reproductive rights of women and, specifically, avoiding the harmful consequences of unassisted abortion for women's health.

5. **Ms. Saiga** observed that the report mentioned two community credit programmes: the Village and Urban Community Fund and the People's Bank. The delegation had provided data earlier on the Village and Urban Community Fund, which the Government considered to have been reasonably successful. She wondered whether similar information was available on the People's Bank. Specifically, she would like to know how many men and how many women had benefited from the programme and how the Government rated its success thus far.

6. She appreciated the efforts by the National Commission on Women's Affairs to effect a change in the Name Act, in accordance both with the decision by Thailand's Constitutional Court and with the recommendation made by CEDAW in 1999, particularly as it appeared that married women's access to credit continued to be restricted by the requirement that they take their husband's surname and use the designation "Mrs." to indicate their marital status. A married woman was required to have written consent from her husband in order to obtain credit. She wondered whether husbands and wives were treated equally in that regard. In other words, were men required to obtain the consent of their wives? If not, how did the Government propose to address that inequality?

7. She sought clarification of the information presented in the report on the situation of Buddhist nuns and female Buddhist monks. Specifically, she wished to know whether the lone female Buddhist monk in Thailand enjoyed the same rights, privileges and benefits as her male counterparts. She would also like additional information on the content and purpose of the Draft Nun's Act.

8. **Ms. Zou** said that it was regrettable that the report did not provide much detailed information on the situation of rural women with respect to education, health care and drinking water supply, which made it difficult to evaluate the extent to which the Government had implemented article 14 of the Convention. In Thailand's next report, she would like to see clarification and more sex-disaggregated statistics in that regard.

9. Concerning the information that was presented on rural women in the report, she had several questions. Firstly, she would like more information about what the Government was doing to address the problem of trafficking and exploitation of rural women and girls, especially members of the hill tribes and ethnic minority groups, who were often driven by poverty to go abroad or migrate to urban areas to work. Many of them then found themselves obliged to work as sex workers or they fell victim to human traffickers.

10. Secondly, she enquired how the Government's "30-baht" universal health-care scheme and its policy on free compulsory education for 12 years were being implemented in rural and mountain areas. In particular, how many rural women were covered under those programmes and what strategies were being employed to ensure that women in rural areas benefited from them? Thirdly, ethnic minorities in Thailand, most of whom lived in mountain areas, seemed to have received relatively less assistance from the Government. She would like to know what the Government's policy was with regard to minority groups, especially minority women, and what was being done to help them.

11. Fourthly, according to the figures in the report on participation in local government bodies, women in rural areas had little involvement in decision-making. She wondered what was being done to address that situation. For example, had any capacity-building activities been carried out among women in rural areas? Finally, she would like to know what percentage of rural women owned land and how that percentage compared with the statistics on male land ownership.

12. **Mr. Charupa** (Thailand), responding to the questions relating to the health and safety of female workers, said that Thai labour law accorded equal protection to men and women. The law contained a special chapter on the protection and safety of female workers, which stipulated that women could not be

required to perform certain types of work, such as mining and construction. Special protections were provided to pregnant women, including restrictions on the types of work they could perform and a guarantee of 90 days' maternity leave per pregnancy. Employers could not dismiss a female worker because of pregnancy.

13. With regard to homeworkers, Thai legal provisions were in accordance with International Labour Organization standards. Most homeworkers did not work full-time and most were paid a piece rate, so there was no minimum wage for homeworkers. They did have some labour protection, however, as the Government had the duty to ensure that they received the wage agreed in their contracts. In addition, homeworkers could not be forced to perform work that would be harmful to their health.

14. **Ms. Iamsudha** (Thailand), speaking on the issue of trafficking and exploitation of Thai women, said that the Government of Thailand attached great importance to the protection of Thai nationals who sought work opportunities abroad. The Government recognized that female workers were more vulnerable than male workers and had taken special measures to equip them with the necessary language and labour skills, especially information on destination countries and the risks of being lured into trafficking. Additionally, the Government strove to protect the rights and interests of all Thai workers abroad in accordance with local labour laws and employment contracts, and it provided assistance to workers who had been deceived by illegal employment agencies and left stranded abroad, assuring their safe return home.

15. With specific regard to Thai women workers who were victims of human trafficking, the Government's policy was that whether or not such women had consented to work as prostitutes, Thai embassies and consulates would provide them with assistance, coordinating with agencies in the destination countries to help those who had been lured into prostitution or other illegal work and ensuring that they were treated as victims, not criminals, and that they were quickly returned to Thailand. The Government also coordinated with local law enforcement authorities to suppress trafficking and prosecute perpetrators.

16. Thailand also attached great importance to prevention of the trafficking and exploitation of women. The Government carried out educational

campaigns, both on site and through the media, targeting specific risk groups, including women in rural areas, to inform them of the dangers of human trafficking. In addition, vocational training was offered for women in rural areas who were unable to pursue higher education.

17. **Ms. Poolsuppasit** (Thailand), replying to the questions about health, said that the “30-baht” health-care scheme had substantially reduced household health spending, especially for the poor, and extended health-care access to many poor people who had never had coverage before. Nevertheless, there were still people who were not covered, particularly people in remote areas and members of hill tribes and minority groups. To serve those populations, the Government had established some 8,000 health-care centres all over the country. It also had mobile health-care units that provided basic health services in remote areas, including maternal and child health care, nutritional monitoring, dental care and immunization. The services were provided free or at very low cost.

18. Regarding maternal and child mortality, while the rates for the country as a whole were relatively low, they remained high in hill areas and in the southern provinces. Those areas were being targeted as priorities with the goal of halving maternal and child mortality rates by 2010.

19. As for reproductive health services and prevention of pregnancy and HIV/AIDS among young women, the Government had adopted a holistic and multisectoral approach which sought to ensure access for young people to information on reproductive health, family planning and contraceptive methods. Reproductive health information and services were provided in all public hospitals and health centres. Programmes on condom use, family planning and reproductive health were also conducted at the community level and in workplaces. Condoms of good quality were readily available free of charge or at very low cost through vending machines, and contraceptive pills could be obtained easily without a prescription at any pharmacy.

20. With respect to prevention of unsafe and illegal abortion, she noted that the law on abortion has been revised; it now allowed physicians to terminate a pregnancy if it posed a risk to the physical or mental health of the mother or if the foetus was found to have serious health problems. A draft reproductive health

law currently awaiting Cabinet approval would provide additional safeguards against illegal and unsafe abortion.

21. It was true that women still bore primary responsibility for family planning. The Government had tried to promote male involvement by providing vasectomies free of charge and offering incentives to persuade men to have the surgery, but thus far that strategy had not proved very successful.

22. **Ms. Vichit-vadakan** (Thailand), answering the questions concerning education, said that she did not have at hand the figures on school dropout rates for 2002, which the Committee had requested, but she did have data for 2003 and 2004. In 2003, at the primary level, 13,313 boys and 9,970 girls had dropped out. At the middle-school level, the figures had been 8,347 boys and 5,480 girls. In 2004, the trend had been the same: more boys than girls had dropped out at all levels.

23. With regard to school enrolment ratios, the trend had been similarly encouraging. In all years from 1998 to 2005, only at the primary level had there been more boys than girls enrolled. From middle school onward, there was parity between boys and girls, and indeed females tended to outnumber males, particularly at the tertiary level. In 2005, for example, there had been 1,279,000 women enrolled in institutions of higher learning, but only 827,000 men. The same was true of informal education and of scholarships. When informal education opportunities were made available, especially in remote areas where the population did not have easy access to the school system, women consistently enrolled at higher rates than men. Similarly, girls and young women had been more successful in competing for scholarships. In 2005, 63 per cent of all competitive scholarships had gone to females, while only 37 per cent had been awarded to males. Hence, while the figures for enrolment at the primary level might reflect some slight discrimination against girls, in the overall education system, girls seemed to be faring better than boys.

24. **Ms. Laohaphan** (Thailand) explained that the current unrest in southern Thailand was instigated by militants who had resorted to terror and violence directed at innocent civilians, both Muslim and Buddhist. The Thai Government was fully committed to bringing about peace, reconciliation and justice for the people of the region, through peaceful means. That

would require unified will and effort in every part of the country, as well as international understanding and support. By law, all cases of unnatural death were investigated. Reparations had been made to persons affected, regardless of their standing, in an attempt to restore an atmosphere of reconciliation. The Remedial Commission dealing with the Tak Bai incident had presented a report to the Government summarizing the assistance provided, including the total compensation paid to the families of the deceased and injured, as of October 2005, of 25,500,000 baht and 2,120,000 baht respectively. The Government was committed to helping all those affected, including women, children and the injured, regardless of race, religion or sex.

25. With regard to the tsunami, immediately after the disaster struck, the Government had acted promptly to provide every possible assistance to all those affected, regardless of nationality or legal status. Humanitarianism and non-discrimination had been the guiding principles of the Government's policy from the very start, and the Prime Minister himself had affirmed that in the provision of assistance the Thai Government was committed to fair treatment without discrimination. If it was the case that the microlevel or area-based studies indicated that some women were not well cared for, then there would be a need to look at those particular cases one by one and come up with a plan for the longer term to help those particular affected women. In general, however, she wished to emphasize that the Thai Government was committed to helping everybody without discrimination.

26. **Mr. Pukditanakul** (Thailand), in response to the question from Ms. Saiga, said that it was necessary to distinguish three different concepts: a Christian nun, a Buddhist nun, and a Buddhist female monk. A nun in Buddhism was not like a Christian nun. She could be any woman who had declared that she undertook to practice ten precepts according to the teaching of Buddha. She did not need to be ordained, nor did she need to wear any particular clothing, although many preferred to wear white. A female monk, on the other hand, had status within Buddhist teaching. Women had been allowed to be ordained since the Buddhist era. Women who wanted to become female monks had to be ordained first by a female monk and then later by the male monk community. However, in the Theravada sect there were no female monks left, and consequently no new ones could be ordained. On the other hand, the Mahayana sect did still have female monks, which

meant that women could be ordained as female monks according to that sect's rules. A group of nuns had organized the National Institute of Thai Nuns, but the institute did not have legal status. A draft law on its status was still under discussion and not making any progress towards adoption.

27. **Ms. Laohaphan** (Thailand) added further information concerning the work of the Remedial Commission dealing with the problems in the south. The Commission had encountered major difficulties in carrying out its task, in part owing to a lack of security in some areas. There had also been database and communications difficulties, and attempts by the militants to use threats to discourage the families of the deceased and the injured from accepting compensation payments from the Government. Over and above monetary compensation, the Commission had recommended that the Government should provide continuing education for the orphans of those who had died in the unrest; should take care of the widows who had lost their husbands in the Tak Bai incident and ensure they had a job to earn their living; and should provide assistance to those who had been disabled or needed continuous treatment, assisting them financially if they were unable to earn their own living. Finally, the Commission had recommended that the Government should consider giving special compensation to the soldiers and police officers who had been injured while performing their duties in the Tak Bai incident, and should provide extra funding to relieve the burdens of the public hospitals to which the injured demonstrators had been admitted.

Articles 10 to 14: follow-up questions

28. **Ms. Tan**, noting that pages 23 and 24 of the Thai delegation's response to questions gave information on the Draft Rule concerning Evidence of Birth Date for Enrolling Students to Educational Institutions, wished to know how that rule would help children not of Thai nationality to receive education in schools. At the same time she wished to know how the rule would help children from the rural population, which tended not to have any written documentation, and especially from the hill tribes who were mostly illiterate.

29. On page 24 of the same document it was stated that non-Thai victims of human trafficking were required to show valid written evidence of having been resident in Thailand in order to receive assistance, for example with repatriation. The response implied that

the Government assistance was meant to address the issue of children of ethnic minorities, especially girls. But the ethnic or hill tribe community was mostly illiterate and not concerned about documentation in their way of life. How, therefore, was this assistance to non-Thai victims of human trafficking going to be meaningful or effective?

30. **Ms. Morvai** said that she had been informed of a major problem in that rural women and also women living in poverty in slums often did not obtain a birth certificate for their children, since doing so was dependent on their paying their hospital bills when they gave birth. If they could not afford to pay, they simply left the hospital. There was thus no birth certificate for their children, who became almost non-persons, with no access to health care or education. She wondered whether the Government was aware of that problem, and whether something could be done to change the situation, perhaps by making it a right of all babies to have a birth certificate.

31. Secondly, she asked whether the Government had done any research into the dropout rate of schoolgirls owing to early pregnancy. While several questions had been asked about access to abortion, she thought that the possibility should be open for girls to carry their pregnancy to term if they so wished. Could they continue their education, and did they receive support from the Government, in order not to have to choose between motherhood and their education? She also wished to know whether sex education was just about technicalities of sexuality and contraception, or whether it also covered responsible relationships, the dignity of women, and living responsibly in long-term monogamy.

32. **Ms. Schöpp-Schilling** said that she was still unclear about the situation regarding homeworkers. The report stated that almost 20 per cent of homeworkers were unpaid family members who assisted the contract workers. It appeared that the contract workers would be covered by a new social security scheme by 2006, but what would happen to those unpaid family helpers?

33. Her second question related to another category of homeworker, referred to as subcontractors. They comprised 0.5 per cent of homeworkers, but, according to page 68 of the report, their income was twice as high as that of the contract workers. She wondered whether any research had been undertaken into that situation.

Who were those subcontractors, were they men or women? It seemed that there must be some exploitation among the small groups of subcontractors if they earned twice as much as the women who actually did the work under the contract.

34. **Ms. Vichit-vadakan** (Thailand) said that one indication of women's increased access to credit was that in 2004 women had accounted for around 88 per cent of those benefiting from loans made by the People's Bank project. Other statistics showed that women were becoming much more involved in income-generating activities. Furthermore, women were being encouraged to become more entrepreneurial, with training being provided by various Government departments, universities, private NGOs and professional women's groups. Women had been given positions of responsibility in the National Committee overseeing the Village Fund, which was enabling them to take part in decision-making and to become more self-reliant. Women were also very active in the recently launched "One Tambon (Sub-District) One Product Project" — referred to in the Responses — which encouraged women to link up with market sources outside their own villages. There were no sex-disaggregated data concerning land holdings, but Thai delegates who had attended the Fourth World Conference on Women in 1994 or participated in various sessions of the Commission on the Status of Women had advocated the development of such indicators in that and all other sectors.

35. Increased efforts would also be made to increase the number of women heads of villages. Women traditionally played an active role in decision-making, but generally did so only in the private domain. In the future they would be encouraged to move into the public sphere, including through candidacy for public office. Lack of education was no longer a major barrier for rural women, who were able to make a successful transition to the job market. There were also programmes in place to help women from rural areas who were vulnerable to being lured into prostitution. Various Government and private initiatives had been set up to encourage such women to remain in school longer.

36. **Ms. Sirovat** (Thailand) said that the issue of non-Thai women who had been resident in Thailand and who subsequently became victims of trafficking in other countries was a very sensitive one. In June 2005 the Thai Cabinet had approved the provision of

assistance to such women if they had valid written evidence to show that they had previously resided in Thailand. The authorities would consider the problem on a case-by-case basis, in the light of national security interests and humanitarian concerns.

37. **Ms. Poolsuppasit** (Thailand), responding to the Committee's question regarding abortions, said that physicians could terminate a pregnancy if they judged that the physical or mental health of the mother was threatened. The Government and NGOs had increased the availability of shelters for girls with unplanned pregnancies, providing nursing care and training until they gave birth. Thailand would increase the provision of those services in the future.

38. **Mr. Charupa** (Thailand), addressing Thailand's subcontracting system, noted that whereas most homeworkers lived in rural areas, most employers were located in and around the capital, Bangkok. The country's labour inspectors ensured that homeworkers could recover unpaid wages and helped them to assert their labour rights through the labour courts. The unpaid homeworkers that made up 20 per cent of homeworkers were entitled to social security fund benefits, even though they were unpaid.

Articles 15 and 16

39. **Ms. Shin** said that she had been very impressed with the State party's sincere and well-organized response to the Committee's questions. She was also glad that Thailand had withdrawn its reservation to article 16 (g) of the Convention and that the amended Name Act had entered into force, thereby granting women the right to choose a family name. However, the State party had retained seven reservations to provisions of the Convention, which would make it very difficult to promote gender equality. She wished to know whether or not Thailand had already adopted measures to ensure that women enjoyed the same rights as men with respect to the engagement period and divorce rights.

40. According to the State party's report (p. 84), in the case of a man who mistakenly had sexual relations with a girl over age 13 but under age 15, with the consent of the girl or her parents, Criminal Law allowed the Court to permit the couple to marry without the man being prosecuted. Yet, if a girl of that age married, it would have implications for her education and thus be detrimental to her future. It was

unthinkable not to prosecute a man who had engaged in sexual relations with an underage girl, and the law should be changed. Moreover, Thailand's legal marriage age should be raised to at least 18, in accordance with the Convention on the Rights of the Child. The waiting period of 310 days before a woman could remarry should also be abolished.

41. Paragraph 283 of the report indicated that a wife required the written consent of her husband before she could be sterilized, and she wondered whether men required similar consent from their wives in order to have a vasectomy. There were many discriminatory practices in Thai marriage and family life. The Government should send a clear message to society that domestic violence would not be tolerated. Men did not commit violence against women because they were abnormal or sick, but because society allowed it.

42. According to the State party's responses to the Committee's questions, the fact that the National Human Rights Commission must be composed of an equal number of women and men was a good example of a temporary special measure. However, in view of the severe discrimination within the family and within marriage, one might wonder whether the Commission was doing an effective job. To judge from the responses provided under article 16 of the Convention, Thailand clearly had a long way to go in promoting gender equality and would not develop successfully in the future unless it made significant changes to its legislation.

43. **Mr. Pukditanakul** (Thailand) said that Thailand was in a position to withdraw all its remaining reservations to the Convention, with the exception of its reservation to article 16 (c), which provided that men and women should enjoy the same rights and responsibilities during marriage and at its dissolution. Agencies involved in law reform tended to regard the family law as sacred, as the family was the foundation of Thai society. However, negotiations were under way on the matter, and if they were successful, the remaining reservation could be withdrawn.

44. With respect to the issue of men who were not prosecuted after mistakenly having sexual relations with an underage girl, the law was so structured because in certain areas of the country Islamic law permitted girls to marry as soon as they reached puberty. Arrangements for marriage were usually made between the two families concerned. Although the

minimum marriage age was 17, the family courts could give approval for younger girls to marry in exceptional circumstances, such as the pregnancy of the girl.

45. The waiting period of 310 days before remarriage had been introduced some 60 or 70 years before, with a view to ascertaining the paternity of any child born to the woman concerned. The purpose of the law was to protect the child. Lastly, many of the men who committed domestic violence were mentally disturbed in some way, and the Thai Government therefore preferred to offer them a chance at rehabilitation rather than sending them to prison. His country would be sure to take into consideration the Committee's various recommendations for reform during its negotiations on the draft Protection and Elimination of Domestic Violence Act.

46. **Ms. Vichit-vadakan** (Thailand) said that, although laws and legal precedent were sometimes necessary to promote positive change in a society, it was also quite possible for society to be more advanced in its attitudes and practices than absolutely required by the law. The Committee should not therefore judge the situation in Thailand based only on its legislation. Although there were certainly problems, Thai women played an important role in society, had many career opportunities open to them, enjoyed good access to educational opportunities and, while often not public figures, nevertheless exerted real influence in decision-taking processes.

47. Her delegation saw the reporting process to the Committee as an opportunity both to work with women's groups and NGOs and enter into a dialogue with the Committee about further improvements in the situation of women, including not only legislative reform but also changes to any societal attitudes that affected full equality for women. The surest way of bringing about the long-term goal of full gender equality was in fact to concentrate on changing mindsets.

48. **Ms. Simms** said that the need to change mindsets as well as legislation held true for the entire world and stressed that equality must not be restricted to the middle classes but must be applied across the board without regard to social status or to race, colour, gender or sexual orientation and in rural as well as urban areas. She wondered whether, in the context of controlling population growth, any attempts had been made to educate men about the effectiveness of

vasectomy and to overcome men's typical resistance to that procedure, for example, by stressing that it would not mean an end to their sexuality.

49. **Ms. Šimonović** (Rapporteur), said with regard to Thailand's reservations to the Convention, that all States parties had an obligation to ensure that the provisions of the Convention were directly applicable in their territory and to adopt domestic legislation having the effect of implementing the provisions of the Convention. While she welcomed the information in the delegation's oral responses that most of the reservations would be withdrawn, she encouraged the State party to withdraw all its reservations. In that context, she recalled article 28, paragraph 2, of the Convention concerning the impermissibility of reservations incompatible with the object and purpose of the Convention and stressed that a general reservation to article 16 was in fact impermissible. That argument could be used by the delegation to persuade its Government to withdraw its reservation.

50. **Ms. Tan** expressed concern at the statement in the written report (para. 283), that divorce settlements requiring the husband to pay alimony were rarely enforced. She wondered what was being done to remedy that situation and what the effect on families was when they did not receive those payments.

51. **Ms. Belmihoub-Zerdani**, with regard to the State party's reservations to article 16 of the Convention, noted that in matters relating to marriage, Islamic women were treated differently under the law. She asked what proportion of the population was Islamic, how that treatment could be justified and whether other groups such as indigenous peoples received special treatment under the law. Different laws for different groups of women was in fact a form of discrimination among women, and in similar situations in other countries alternative solutions had been found, such as that of an official civil marriage which must be entered into, complemented if desired by a religious ceremony.

52. **Ms. Schöpp-Schilling** reiterated her question from the morning meeting regarding the use of temporary special measures to promote gender equality, in accordance with article 4, paragraph 1 of the Convention, and noted that article 30 of the Thai Constitution allowed for measures to promote the rights and liberties of specific persons. The Committee's general recommendation No. 25 on

temporary special measures explained that such measures were the most appropriate means of accelerating the achievement of de facto equality for women. Unfortunately, the State party's current temporary special measures did not appear to be legally binding on the Government. The Gender Equality Bill should therefore be reviewed to include an obligation on the part of the Government to implement temporary special measures for the purpose of achieving de facto gender equality. Such measures could then be adopted in a cross-cutting rather than ad hoc manner.

53. **Mr. Pukditanakul** (Thailand), with regard to temporary special measures, said that although such measures were specifically permitted pursuant to article 30 of the Constitution, there had been some uncertainty about how best to implement them in domestic law. In the light of Ms. Schöpp-Schilling's intervention, the simplest method might be to amend article 30 of the Constitution so that it referred not to the Government's right, but to its obligation, to adopt implementing legislation. Temporary special measures had in fact been adopted and had proved very beneficial; for example scholarships for girls aged 12-18 had reduced girls' dropout rates and increased their enrolment rates. As for the applicability of the Convention, he agreed that the Convention was binding on Thailand as a State party. However, domestic implementing legislation must be passed by the Government in order to make the provisions of the Convention binding on the citizens of Thailand.

54. The issue of Islamic law was a sensitive one; although only 5 to 6 per cent of the total population, Muslims represented up to 80 per cent of the population in four southern provinces. The situation was unique because Islam was considered to be not only a religion but a way of life, and the laws relating to marriage were considered to be the laws of God, which could not be replaced by the laws of man. As for the non-enforcement of divorce settlements, he said that enforcement was a civil procedure and a court's only recourse was to order an employer to garnish the salary in order to pay the alimony; if the employer failed to do so, he could himself be made responsible for its payment. Although that system could be effective, in many cases the husband simply quitted his job and remained unemployed. Discussions were under way concerning the possibility of criminalizing the non-payment of divorce settlements, which would of

course imply appropriate criminal penalties; that, too, was a sensitive issue which would probably not be resolved in the near term.

55. **Ms. Laohaphan** (Thailand), with regard to the special treatment of indigenous groups, said that her Government did not recognize any indigenous groups in the international sense of the word. Although there were certainly recognized tribes and minorities, none of them were considered to have been present before settlement by the Thai people.

56. **The Chairperson** thanked the delegation for a frank, informative and constructive dialogue. While recognizing the real efforts of the State party to deal with issues such as violence against women, trafficking, prostitution, legislative reform and societal attitudes, she said much work remained to be done. The Committee's suggestions, if implemented, would help ensure the continued advancement of women and promotion of their human rights. The Committee's collective response to its consideration of the report of the State party would be contained in its concluding remarks, which would be transmitted to the delegation.

57. **Mr. Muangsook** (Thailand) thanked the Committee for its candid and constructive dialogue with his delegation. The Convention was an important guide for the advancement of women in Thailand. Preparation of his delegation's report had encouraged dialogue and provided government agencies and civil society with an opportunity to learn from the past and make changes for the future. The Committee's consideration of the combined fourth and fifth periodic report of Thailand had been his first opportunity as a Government Minister to attend a conference relating to social issues. He had been impressed by that experience and the reporting process, which provided a valuable opportunity to effect positive change, eliminate gender disparities and ensure full utilization of his country's human capital. The practical, candid and constructive contributions by NGOs would be used in the formulation of new policies and regulations.

58. He thanked the members of the Committee for their questions, which would be taken into consideration with a view to ensuring further progress towards gender equality, and for their continued interest in the situation of women in Thailand. His Government had already taken steps to amend domestic legislation to align it with the provisions of the Convention, even when such efforts were controversial. It remained committed to eliminating

gender discrimination and protecting and promoting the human rights of women domestically and internationally and looked forward to receiving the Committee's concluding recommendations.

The meeting rose at 5.25 p.m.