

7 December 2005

Original: English

**Committee on the Elimination of Discrimination
against Women**
Pre-session working group
Thirty-fourth session
16 January-3 February 2006

**Responses to the list of issues and questions for
consideration of the combined fourth and fifth
periodic report**

Thailand*

* The present document is being issued without formal editing.

Reply of the Kingdom of Thailand
on the List of Issues to be taken up by the CEDAW Committee
in connection with the consideration of
the 4th and 5th Periodic Report of Thailand

Introduction

1. In its previous concluding comments, the Committee recommended that specific anti-discrimination legislation be introduced. However, the report indicates that Thai law has yet to include a clear definition on discrimination, but that an effort is under way to enact a law with respect to the elimination of discrimination against women. Kindly inform the Committee of the main content and progress being made about such a law, and whether the Convention's definition of discrimination is incorporated in the law.

As previously reported, the Constitution of the Kingdom of Thailand B.E. 2540 (1997) contains a provision prohibiting all forms of discrimination, including gender-related discrimination (Article 30, Chapter 3). However, a clear definition of discrimination is yet to be included and the Office of Women's Affairs and Family Development, in its capacity as Thailand's national focal point for practical implementation of the Convention on the Elimination of All Forms of Discrimination against Women has cooperated with concerned governmental as well as non-governmental, academic and local agencies to create a new legal instrument specifically addressing the issue of elimination of discrimination. This Draft Law aims to support opportunity and equality, and would provide a clear description of discrimination as well as specify and address practices that could be considered as discrimination against different target groups, including women, children and youth.

At present, the draft law is at a preparatory stage. National and international laws related to the issue of discrimination, including the Thai Constitution and the Convention, are being studied by legal experts as guidelines for the drafting of the said instrument. The drafting process would be broad and inclusive, involving the participation of a broad range of government agencies and non-governmental sectors. There is also a plan for public hearings with regard to the content of the draft instrument, through the holding of several workshops during the fiscal year 2006 at both the central and provincial levels to ensure active participation of all concerned parties.

2. The report indicates that the Ombudsman is another mechanism for safeguarding human rights, and which is a channel where people can submit complaints against unfair treatment by the Government. Please provide the Committee with detailed information on the number of cases that have been received in the last five years and how many related to women's rights.

From 2000 to 2004, there were 9,297 cases submitted to the Ombudsman. Among these cases, 7,837 were reviewed. Approximately 2,000 cases were gender-based issues.

An important case which demonstrates the role of the Ombudsman as a mechanism for safeguarding women's rights was a case concerning the constitutionality of section 12 of the Name Act B.E. 2505 (1962), which states that a wife has to use her husband's family name after marriage. In this case, the

Ombudsman, acting in accordance with Section 198 of the Constitution, submitted the case to the Constitutional Court for decision on whether the said provision was in conformity with the guarantee of equality and prohibition of unjust discrimination on the grounds of sex by the Constitution. Subsequently, the Constitutional Court decided that the said provision contradicted the Constitution and therefore should be amended to guarantee equal rights between men and women.

3. Please provide an update on recent changes to the structure and the mandate of the national machinery for women, as well as an assessment of the implications of these changes in terms of its expertise and capacity to coordinate the implementation on the Convention.

3.1 Structure

The Office of Women's Affairs and Family Development (OWAFD) was established in 2002 under the Ministry of Social Development and Human Security by virtue of the Administrative Organization of the State Act B.E. 2545. The Office succeeded the Office of the Thai National Commission on Women's Affairs as the national machinery on women and family matters. The new office is different from the ONCWA in that it has a higher administrative status and broader scope of responsibility. The OWAFD has the administrative status of a department, whereas the ONCWA was only a bureau under the Office of the Permanent Secretary. OWAFD's staff also came from various agencies, such as the Community Development Department and the Department of Public Welfare. Its current structure is divided into the Central Administration Division, Networks Promotion and Development Division, the Bureau of Gender Equality Promotion and the Bureau of Family Institution Promotion with 157 officers.

3.2 Mandate

The mandate of the OWAFD includes proposing policies and guidelines on developing women's potentiality, promotion of gender equality, protection of women's rights and strengthening of the family institution as well as supporting nationwide networks of women and families in implementing the Office's policies and guidelines through partnership with local administrative organizations and civil society organizations.

3.3 Expertise and Capacity

Since its establishment in the year 2003, the total budget allocated to the OWAFD has registered a steady increase of approximately 30 million baht annually, and thus constitutes a sharp rise from the budget previously allocated to the ONCWA. The total budget allocated for the OWAFD for the fiscal year 2006 is approximately 157 million baht.

The OWAFD attaches importance to strengthening its capacity and increasing its expertise to implement the obligations contained in the Convention. Intensive trainings have been organized to enhance the officials' knowledge and understanding of the Convention as well as gender sensitization. Additionally, the OWAFD has cooperated with UNIFEM in organizing workshops and gender recognition to ensure effective implementation of the Convention. Also, Chief Gender Equality Officers (CGEOs) and Gender Focal Points (GFPs), have been established in every governmental agency to promote, monitor and ensure the practice of gender equality in public sector workplaces.

4. The report describes two processes by which a gender perspective is brought to draft legislation: the participation of non-governmental organizations on an extraordinary committee to design laws, and the right of Thai citizens to submit a request to the House of Representatives to consider laws. Please cite specific examples when these processes have been implemented.

First, several NGOs in Thailand have participated in extraordinary committees to design laws as stipulated in the Constitution of Thailand. There are currently 53 NGOs registered with the Secretariat of the House of Representatives. These organizations are entitled to nominate representatives to participate in extraordinary committees set up to deliberate and draft laws. So far, two extraordinary committees have been set up to deliberate on gender-related legal instruments, which are the draft amendment to the Name Act B.E. 2505 (1962) and the draft Protection and Elimination of Domestic Violence Act. The former draft amendment entered into force in 2005 while the latter draft was approved by the Cabinet on 12 July of the same year. The draft Protection and Elimination of Domestic Violence Act is under the State Council's consideration.

Second, Section 170 of the Constitution provides for the right of Thai citizens to submit a petition to the Parliament for consideration. The said Section states as follows:

“The persons having the right to vote of not less than fifty thousand in number shall have a right to submit a petition to the President of the National Assembly to consider such law as prescribed in Chapter 3 and Chapter 5 of this Constitution.”

Family Law

5. In light of the Committee's view that reservations to article 16 are contrary to the object and purpose of the Convention, please provide information on any plans to withdraw the State's reservation, as well as to bring the Family Law in line with article 16 of the Convention.

When Thailand acceded to the Convention a reservation was made with regard to article 16 of the Convention since the relevant domestic legislations at that time did not conform with the said article, in particular laws concerning family and marriage. In 2003, Thailand withdrew the reservation to article 16 (g) of the Convention and, in 2005, the amended Name Act was completed and entered into force pursuant to the decision of the Constitutional Court. The Act grants women the right to choose a family name.

The Office of Women's Affairs and Family Development has also proposed to the National Policy Committee on Law Development that amendments be made to laws that still discriminate against women. According to the proposal, amendments should be made with regard to three issues contained in two legislations as follows:

1. Draft additional amendment to the Criminal Code with regard to an offence of “rape”. A proposal has been made that the definition of “rape” be broadened to include boys and men. At present, the offence of “rape” under the Criminal Code is limited to an act committed by men against women.

2. Draft additional amendment to Civil and Commercial Code with regard to engagement and divorce.

2.1 The draft additional amendment will entitle both betrothed the right to claim compensation from a person who had sexual intercourse or attempted to have sexual intercourse with either partner against his/her will. At present, a man may claim compensation from any man who had sexual intercourse with his betrothed. He can also claim compensation from any man who raped or attempted to rape his betrothed. However, a woman is not entitled to this right.

2.2 The draft additional amendment will allow both husband and wife to file for a divorce if either side had sexual intercourse with other person(s). At present, a man may file for a divorce if his wife has been found to have sexual intercourse with another man. However, men are allowed to have sexual intercourse with other women, but a lawful wife can only file a divorce when it can be proven that the husband supports or honours the other woman as wife.

Violence against Women

6. The report notes the persistence of various forms of violence against women, and that violence in the private sphere is rarely brought to court.

6.1 Please indicate if there are plans to conduct a national population-based survey in order to assess the extent of violence against women.

A national survey on domestic violence was conducted by the Social and Population Research Institute, Mahidol University in 1999. In 2005, the Department of Disease Control under the Ministry of Public Health conducted another survey on “Violence and Health in Thailand” to assess the current extent of the overall violence problem in the country. In addition, the Thai Health Promotion Foundation has developed a list of indicators and identifies crucial incidents together with statistics on violence against women in the Thai National Health Report 2005 under the topic “Rape in Thai Society”.

The Thai government is also in the process of establishing a data collecting system on violence to collect and integrate data in a single format. The effort is led by the Gender and Development Research Institute with the cooperation of related organizations such as the Office of Women’s Affairs and Family Development, the Office of the Royal Thai Police, the Bangkok Metropolitan Administration, and the Ministry of Public Health. It is expected that the system will be in place in the near future.

6.2 The report also makes note of extensive measures to increase social awareness and understanding of violence against women. Kindly comment on the effectiveness of these programmes and what can be done to strengthen them so that women are aware of their rights and make use of existing procedures and remedies.

In 1999, the Thai Government designated November each year as a month to campaign for the elimination of violence against women and children. Since then, organizations working for women have been working on this campaign throughout the country in order to reach out to more areas and target groups.

There is an integration of plans and measures to raise awareness and alertness about situations of violence against women and children. Since 2003, family counselling and family activities have been provided by 1,860 “community-based family development centres” located in sub-districts throughout the country to strengthen relationships among family members and to prevent domestic violence. In 2004, the Royal Thai Police instructed police stations throughout the country to

participate in the campaign to stop violence against women and children in November pursuant to the Government's policy. This campaign was carried out in various forms, for example, educating the public on the subject and organizing walk rallies.

Social networks such as "Gentlemen Network", "New Leaders in Schools Network" and "Women and Family Development Network" are also instrumental in mobilizing society against violence committed against women and children as well as acting as channels for help and assistance. Twenty-four-hour special hotlines have been set up by governmental agencies and non-governmental organizations to provide women with channels for help and counselling. One of the hotlines, 1300, is provided by the Ministry of Social Development and Human Security.

The Office of Women's Affairs and Family Development is in the process of developing a list of indicators to assess social situations, including the issue of violence against women. The objective of this set of indicators is to evaluate the effectiveness of the programmes on combating violence.

7. Kindly inform the Committee:

7.1 The status and content of the draft domestic violence law (report, pg. 23).

As mentioned in answer no. 4, the draft Prevention and Resolution of Domestic Violence Act was approved by the Cabinet on 12 July 2005 and is currently under the State Council's consideration.

According to the draft Act, domestic violence is, in brief, defined as any act that intentionally causes injury or danger to the body, mind or health of the household's members. It is considered a compoundable offence, in which the court may use rehabilitation, probation or monetary relief as an alternative to punishment as stipulated in the Penal Code. The main objective is to rehabilitate the offender, prevent further acts of violence and preserve family relationships. Those who witness or acknowledge domestic violence have a duty to inform officials. Officials are allowed to enter the dwelling place where the incident takes place. When the complaint of domestic violence is lodged, officials shall arrange for the victim a medical examination and consultation with a psychiatrist, a psychologist, and a social worker before pursuing legal procedures. In addition, the draft Act prohibits the disclosure of the offender's and the victim's pictures, story and details.

7.2 Please indicate if it contains a provision on marital rape and on sexual harassment beyond the workplace.

The draft Prevention and Resolution of Domestic Violence Act does not have any specific provision dealing with marital rape. The draft Act, however, leaves a channel of help for victims of marital rape. Such an act can be regarded as a domestic violence act if the victim is a member of the household who did not consent and the act harmfully affects the victim's body and mind. As a result, the husbands, the abusers, have to enter the legal process and be punished according to provisions stated in the draft Act.

As for sexual harassment beyond the workplace, if the act is considered a rape, the defendant must be punished according to the Criminal Law.

In 2000, sexual harassment in school and private educational institutes received massive attention from the public. The Ministry of Education issued a

Ministerial Regulation to promote and protect the right of the child and juvenile in schools, colleges and universities. The highlight of this regulation is that it makes all academic staff obliged to report any sexual harassment to responsible agencies. Furthermore, heads of schools and other academic institutes have to protect and help harassed students as quickly as possible. Attempts to stop students from being lured into the sex industry have also been more concrete. If any academic staff is proven to be involved in the sexual exploitation of students, he/or she shall be expelled immediately as a punishment for such act.

Moreover, the Draft Prevention and Resolution of Domestic Violence Act gives the definition of “household member” covering spouse, former spouse, de facto spouse, legitimate child, adopted child, family members including any person living in the household, excluding tenants. As a result, if an employee is abused or sexually harassed by the employer in the household, he/or she can file a complaint against the employer based on this draft Act, or choose to follow the Criminal Code.

7.3 Please indicate if it contains a provision to guarantee that battered women and girls receive support services.

According to the Draft Prevention and Resolution of Domestic Violence Act, any person witnessing domestic violence is obliged to report such harmful act to police officers for intervention and help as quickly as possible. After that, abused victims will be offered help from professionals in various fields. Protection orders and temporary measures such as compensatory monetary relief, separation from the victim, restraining orders, child custody and protection from public advertisement and/or publication of any picture, story or data which will lead to the disclosure of the offender or the person against whom an act of domestic violence is committed, are provided to the victim by the court based on the draft Act. The aim is to guarantee that abused women received all possible help.

Women Trafficking and Exploitation of Prostitution

8. The report notes that the Prostitution Prevention and Suppression Act of 1996 covers the exploitation of women in prostitution. Please provide information on the rate of arrests and convictions under this legislation.

Apart from the Prostitution Prevention and Suppression Act of 1996, human traffickers can also be prosecuted according to the Prevention and Suppression of Trafficking in Women and Children Act of 1997, the Prosecution of Trafficking and Exploitation of Prostitution in Thailand Acts following an amendment to Penal Code Procedure (no. 20) 1999 and other related laws.

Regarding the rate of arrests and convictions under said legislation in 2004, 28,428 accused persons were arrested in 28,180 cases involving prostitution. Moreover, 98 domestic human trafficking networks were dismantled, with 166 accused persons arrested. There were 51 international human trafficking networks dismantled and investigated with 141 accused persons arrested. From January to June 2005, 12,343 cases were brought involving the arrest of 12,352 accused persons, while 133 permission bills to operate commercial establishments were withdrawn.

9. Please specify if victims of trafficking can access witness protection services when testifying in cases against procurers or owners of commercial establishments.

Victims of human trafficking get access to witness protection services as stipulated in the Criminal Witness Act of 2003. This Act guarantees the protection of victims against many types of offences including sexual offences according to the Penal Code. This concerns particularly those who are procured, lured, or exploited for sexual purposes and pornographic acts as specified in the Prostitution Prevention and Suppression Act of 1996, and the Measures for the Prevention and Suppression of Trafficking in Women and Children Act of 1997, which penalize procurers, commercial sex supporters, and owners, managers, or supervisors in commercial establishments.

Special measures to protect witnesses in accordance with the said laws include provision of a safe shelter, changing the registration information of the victims while testifying, providing compensation and occupational training during the witness protection period. These protection services, however, will be withdrawn if the victims fail to be present to testify.

Thailand is in the process of enacting a new legislation, the Draft Prevention and Suppression of Human Trafficking Act. The Cabinet has already approved in principle the content of the draft Act and it is currently under the State Council's consideration. The draft Act is in accordance with the United Nations Convention against Transnational Organized Crime of 2000, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. It recognizes that victims of human trafficking must not be treated as criminals whether or not they are illegal immigrants. Furthermore, it seeks to protect and assist the victims even if they have not been harmed yet or even if they do not request for protection. This aspect makes the draft Act different from the Criminal Witness Protection Act which requires that the victim must face actual harm in order to be protected.

10. The report indicates that some programmes organized by the Thai government and NGOs to help victims of trafficking and commercial sexual exploitation. Please provide updated information on the specific measures addressing trafficking in women and girls and their implementation and cooperation at the national level.

Policy Initiative

The Thai Government has clearly placed the issue of human trafficking high on its priorities when on August 6th, 2004, the Prime Minister declared the problem a national agenda, condemning all acts of human trafficking as *mala inse* not just *mala prohibita*, and setting up a national trust fund of 12.5 million US dollars. A large part of this fund will be geared towards helping and rehabilitating victims of human trafficking. The Prime Minister also stressed that any government official found involved in human trafficking will be severely punished.

On 31 March 2005, the Prime Minister established a National Committee on Prevention and Suppression of Human Trafficking which is chaired by a Deputy Prime Minister and is the highest level Committee recently set up in addition to other previously existing national committees. The mandate of the Committee includes the formulation of policies, guidelines, and measures to prevent and resolve human trafficking in all its forms, as well as to assist, protect and rehabilitate victims of trafficking. The Committee also serves as the national focal point for national and international coordination and cooperation with other governments, international organizations, local and international non-governmental organizations.

Law Enactment

To better respond to the present problems and challenges as well as to ensure more comprehensive and effective law enforcement, the Cabinet also approved, on 14 June 2005, the “Draft Act on the Prevention and Suppression of Human Trafficking” which focuses on the human rights of victims of trafficking and imposes heavier penalties for offenders. The new Act would define the meaning of human trafficking, and specify, among others, the offences, judicial process, compensation, legal assistance, protection of victims, provision of food, shelter and physical and psychological rehabilitation, and security protection for the victims and members of their family both within and outside the Kingdom. The new Act would also have a provision allowing the establishment of a fund derived from money or properties confiscated from human trafficking-related offences which would be used for the protection and suppression of human trafficking, including welfare protection of victims. Human trafficking has also been made one of the offences under the Money Laundering Control Act whereby money and assets from human trafficking and its activities can be seized.

Administrative measures

Important administrative measures include among others

- The Cabinet’s approval on 14 June 2005 for the establishment of the Operation Centre on Human Trafficking, operating at the national and provincial levels and at Thai diplomatic and consular missions abroad. These focal points would coordinate works among the concerned agencies from the respective sectors to protect and assist victims of human trafficking, develop policies, measures and campaigns, and disseminate information on human trafficking.
- The establishment by the Royal Thai Police of a command unit to deal specially with trafficking cases, which has been operational since 1 July 2005.
- The conclusion of domestic memorandums of understanding (MOUs) on the Common Operational Guidelines in addressing trafficking in children and women: (1) for State agencies (2) between States Agencies and NGOs and (3) among Nine Northern Provinces.

Other Measures

- *Victim Identification*: The Royal Thai Police, in cooperation with the Ministry of Social Development and Human Security has developed criteria for victim identification which results in a victim identification form, to be used as a standard for victim identification among concerned agencies.
- *Support provided for officials concerned*: Training is conducted for hotline officers of the Ministry of Social Development and Human Security. Moreover, training of 600 investigators is annually held on effective investigation and gathering of evidence. A pilot project to raise awareness of both male and female investigators on human rights is also organized in 2005. The Government, furthermore, has joint projects with the Government of Australia on various aspects of victim assistance, including capacity-building and support for reintegration.

An amount of 4,926,000 US dollars was also allocated in the fiscal year of 2006 for victim assistance and reintegration programmes of concerned ministries (Ministry of Social Development and Human Security, Ministry of Labour, Ministry of Foreign Affairs, and Ministry of Justice).

- *Website: www.office.police.go.th/cwpc and Hotline number 1192:* The website and hotline number were set up to promote cooperation among concerned agencies and to give relevant information to police officers directly in charge with human trafficking cases.

11. The report briefly refers to several temporary special measures that have been implemented. Please describe these programmes in detail, including if there are any quota systems or benchmarks in place to increase women's participation at all levels of public and political life, and at various levels and branches of government.

Several attempts have been made by the national machinery on women affairs and other related organizations to put in place a quota system as a measure to increase participation of women in political and public life. These attempts are as follows:

1. By virtue of legislative measures

- Article 5 of the National Human Rights Commission Act B.E. 2542 (1999) states that the Commission must be composed of an equal number of women and men.
- Village Fund Act B.E. 2547 (2004) states that an appropriate proportion of women shall be represented in the National Committee overseeing the Fund. This stipulation was an outcome of a petition submitted to the Prime Minister by non-governmental organizations.

2. By virtue of executive measures

In 2001, the Cabinet issued a resolution that an appropriate proportion of women shall be represented in national committees established by laws or regulations of the Office of the Prime Minister. However, due to the administrative reform of 2002, this resolution is currently under review.

3. By virtue of policy measures

The Office of the Civil Service Commission circulated an official letter to all governmental agencies dated 18 September 2000 concerning guidelines on gender equality promotion in the human resource management of each organization. The objective of the said initiative was to give capable female officials an opportunity to participate in the decision-making processes of their respective organizations. Although this initiative has proven effective, challenges do still remain in overcoming obstacles in attitude and social value about women in the bureaucratic system.

The OWAFD attaches importance to strengthening the capacity of Chief Gender Equality Officers (CGEOs) and Gender Focal Points (GFPs) in each governmental agency through gender training programmes. The aim of these programmes is to increase the participation of women in decision-making processes. At present, there are 120 CGEOs and 121 GFPs across a wide range of governmental agencies. Eighty of these agencies have already formulated Master

Plans on Gender Equality Promotion while 74 of them are preparing their progress reports.

For example, it is difficult to achieve the appropriate proportion of women representatives in every Sub-district Administrative Organization due to the attitude of executives in various agencies. There is also a problem about a lack of adequate information to support the claim that an increase in women's representation will lead to greater effectiveness in administration. As a consequence of these problems and due to the fact that public administration nowadays is based on an output-based system, many agencies have instead chosen to emphasize creating greater awareness about gender perspective in their workplaces. Networks of female administrators have also been established to help develop capacity of women and advance work on the status of women.

Moreover, OWAFD and related organizations have consistently supported greater participation of women in political life both at national and local levels. Since 2003, several programmes on women's political participation at local level had been conducted in 75 provinces to enhance women's awareness about the importance of politics and governance as well as to encourage women in political participation, such as a "Training of Female Leaders in Local Administration" programme in a run-up to the election. In addition, money was also allocated to Local Women Organizations in every province to conduct activities that aim at upgrading women's status and quality of life.

In addition, the Subcommittee on Women's Participation in Public and Administration of the Ministry of Social Development and Human Security has continually worked to promote women's participation in politics and administration. The Subcommittee comprises members from academics, NGOs, representatives from relevant public sector agencies. This multisector partnership has been instrumental in organizing public fora and media related activities to heighten awareness of the need for women to be well represented in politics and administration. The Subcommittee published books and posters for wide dissemination. It had also successfully convinced the Election Commission to provide sex-disaggregated data on candidates, voters and successful elected persons in elections. The subcommittee operates on the principle of synergy from multi-stakeholders partnerships.

12. The report cites traditional stereotypes and attitudes as reasons that families and communities do not support women's political participation, as well as reasons for women and girls' own lack of interest in the public sector (report, pg. 40). Describe any programmes or activities that specifically encourage girls and young women to engage in civic participation, and foster their development as community and political leaders, or any gender sensitization activities that may be conducted in communities and the society as a whole.

According to the Thailand Millennium Development Goals Plus on gender equality promotion and women empowerment, the proportion of women in the national parliament, Sub-district Administrative Organizations, and executive positions in the civil service should be doubled by 2006. To achieve the goal, several activities have been conducted by both public and private organizations to encourage women to participate in politics and local administration and realize the importance of politics and governance. These activities are as follow:

1. Seminars on politics and elections in cooperation with the media.
2. Publishing of printed materials for promoting women's political participation in order to achieve MDGs Plus in different forms: books, leaflets and posters.
3. Development of Thai women's status indicators.
4. The study of Stakeholders' opinion on the participation of women in local administration.

13. In its previous concluding comments, the Committee recommended that sensitization programmes for policy makers, administrators, legal personnel, and other professionals in the health and education sectors be developed, and that school textbooks be revised to eliminate stereotyped images of women and girls. Although the report refers to anticipated educational reform as a means of changing traditional attitudes, it gives few details with regards to the educational areas where the reform will be implemented, what specific programmes will be included, and if comparable measures are being planned for other sectors besides education. Kindly provide the information to the Committee.

13.1 Sensitization Programmes for policy makers, administrators, legal personnel and other professionals in the health and education sectors.

Sensitization programmes have been developed for personnel of both the Ministry of Education and the Ministry of Public Health. The effort to organize sensitization programmes for personnel in the education sector was firstly initiated before the implementation of the educational reform. The Department of Curriculum and Instructional Development, which is currently the Bureau of Academic Affairs and Educational Standards, sent its personnel to participate in the training sessions for trainers on "Gender mainstreaming to Policy Formulation and Public Administration". Then, the training on gender mainstreaming was later extended to other personnel within the agency. In addition, in 2005 OWAFD has cooperated with the Ministry of Education and the Ministry of Public Health to organize training sessions to integrate gender perspective into educational counselling and management, as well as the implementation of HIV/AIDS programmes. The primary target groups of the training include educational supervisors, guidance teachers and personnel dealing with HIV/AIDS from various ministries.

13.2 The revision of school textbooks to eliminate stereotyped images of women and girls.

Although the existing school textbooks were not revised, the Ministry of Education has developed and produced school textbooks with content and illustrations that promote knowledge on children's and women's rights, gender roles in family as well as people's participation in community development regardless of sex. Furthermore, additional supplementary reading books focusing on children's and women's rights have been developed for both primary and secondary-level students.

13.3 Educational reform and specific reform programmes as a means of changing traditional attitudes towards women and girls, and comparable measures being planned for other sectors.

Educational reform programmes have not been specifically designed to change traditional attitudes towards women and girls. However, the reform adopts the principles of learner-centred approach, self-education and life-long education for all. These reform principles lead to changes in the educational curriculum and learning process that allow everyone to learn and develop according to his or her personal interest rather than to stereotyped sex roles.

In addition, the Ministry of Education encourages educational institutions to develop students' behaviours by teaching them the importance of rights and responsibilities in the family, as well as appropriate gender roles. Training programmes for educational personnel have also been initiated to equip them with a better understanding and attitudes on gender. At present, efforts to mainstream gender perspectives have been pushed through the Chief Gender Equality Officer (CGEO) within the Ministry of Education, and extended to other educational personnel including educational advisors and guidance teachers.

14. The report notes that female students remain concentrated in the traditional fields of domestic science, commerce, and tourism, and are generally not encouraged to enter non-traditional sectors because it is deemed inappropriate and expected that they would ultimately face employment problems (report, pg. 48). Please describe the trends, since the last report, of female students in non-traditional fields, and if time-bound targets or goals are in place for increasing the number of female students in non-traditional fields of study.

14.1 Trends of female students in non-traditional fields of study.

The trend of female students in non-traditional fields of study has not changed in vocational education. The percentages of female students in the fields of Industry, Fisheries, and Agriculture are still low. In Industry and Agriculture, the percentages of female students have slightly decreased from 3.87 and 34.32 in 2001 to 3.47 and 32.54 in 2003, respectively. In Fishery, the proportion of female students has slightly increased from 29.03 in 2001 to 30.92 percent in 2003.

Table 1
Percentage of female students enrolled under the Department of Vocational Education in 2001 and 2003 by fields of study

<i>Fields of study</i>	<i>No. of students in 2001</i>			<i>No. of students in 2003</i>		
	<i>Total</i>	<i>Female</i>	<i>Percentage female</i>	<i>Total</i>	<i>Female</i>	<i>Percentage female</i>
Industry	313 267	12 113	3.87	306 546	10 629	3.47
Arts	11 076	5 495	49.61	9 270	4 907	52.93
Domestic Science	29 930	28 393	94.86	27 311	25 403	93.01
Commerce	199 812	181 242	90.71	195 296	176 546	90.4
Tourism	3 353	2 811	83.84	4 633	3 872	83.57
Agriculture	32 825	11 264	34.32	24 075	7 833	32.54
Fisheries	2 594	753	29.03	2 293	709	30.92
Total	592 857	242 071	40.83	569 424	229 899	40.37

Source: Department of Vocational Education.

However at the tertiary level, the trends of female students in some non-traditional fields of study have reflected progress. The proportion of female students in Law has continually increased from 23.92 per cent in 1999 to 26.55 per cent in 2000 and to 30.62 per cent in 2001. In Agriculture, Forestry and Fishery, the percentage of female students has slightly increased from 47.64 in 1999 to 49.75 in 2000, and to 49.85 in 2001. In Engineering, the proportion of female graduates has increased from 16.30 percent in 1999 to 18.80 percent in 2000, and has slightly decreased to 17.79 in 2001.

Table 2
Percentage of female graduates from government universities in 1999, 2000 and 2001 by fields of study

Fields of study	No. of graduates in 1999		No. of graduates in 2000		No. of graduates in 2001	
	Total	Percentage female	Total	Percentage female	Total	Percentage female
Humanities and Religious	2 949	83.21	3 087	84.29	3 571	80.76
Medicine and Public Health	12 228	73.28	11 070	76.21	12 013	76.07
Social Science	36 473	59.34	32 185	66.15	40 016	64.94
Natural Science	6 623	59.91	7 252	59.35	8 677	59.36
Educational Science Teachers	11 404	55.27	6 276	56.96	7 458	56.73
Arts	904	51.88	908	46.81	1 126	50.27
Agriculture, Forestry, Fishery	4 448	47.64	4 275	49.75	4 995	49.85
Law	5 143	23.92	5 371	26.55	5 849	30.62
Engineering	9 268	16.30	10 125	18.8	9 918	17.79

Source: *The Report on the Study of Government Universities in 2000, 2001 and 2002.*

14.2 Time-bound targets or goals to increase the number of female students.

Since Thailand is in the process of adjusting the overall ratio of students in science and technology to students in humanities and social science to 50:50, the current targets are to increase the number of students in science and technology by 15 per cent and to limit the number of students in humanities and social science to less than 5 per cent annually. Therefore, the time-bound targets to increase the number of female students in non-traditional fields of study are not specified at this period.

15. Please provide information on the percentage of enrolment of girls and boys in the primary school and drop-out rates respectively, both in urban and rural areas. What happens if parents or guardians do not send their school-age children to school; is there any punishment?

There is no major difference in the number of female and male enrolment in primary school in both public and private sectors during the last 10 years (1993-2002). The number of overall students each year is also at the same level with the number of male students, slightly higher than that of female. For example, in the year 1993 the number of male students was 656,582 while the number of female students was 554,986 or 46 per cent. In 2002 the number of male students was

590,067 and the number of female students was 499,136 or approximately 46 per cent. However, the statistics based on urban and rural areas are not available. Considering the number of graduated students at all levels of primary education, the proportion of female is higher than male with 15,992,926 male students to 16,833,778 female students or 51.4 per cent. The number of students in urban areas is lower than outside urban areas at the ratio of 1 to 4. The number of female students who graduated at the primary level both within and outside urban areas was slightly higher than that of male students (2001 data).

Comparing the drop-out rates of female and male students at primary level in 1999 and 2001, the number of female drop-outs rate was lower than that of male drop-outs rate (in 1999 the ratio was 0.77:1.01 and in 2001 the ratio was 1.01:1.23). The overall drop-out ratios were relatively low, but they have increased for the last two years.

The Mandatory Education Act B.E.2545 (2002) specifies measures that allow for punishment of guardians who do not send their children to school. Article 6 of the Act stipulates that guardians must send their children to school or request schools to admit their children before and after the specified age. Article 13 stipulates that guardians who do not follow provisions under Article 6 would be fined not exceeding 1,000 baht. Article 15 stipulates that a person who causes children not to receive education without appropriate reason would be fined not exceeding 10,000 baht.

16. The report provides little information about measures to support women and men in reconciling their family and work responsibilities. Please provide information on what specific measures are in place to overcome stereotypes that create obstacles for women's participation in the labour market, and to facilitate the sharing of family and work responsibilities.

Specific measures have been undertaken to eliminate barriers to women's participation in the labour market. For instance, the Ministry of Labour arranges regular training programmes for labour consultants to understand psychology and provide advice to women workers on issues such as economic, social and political conditions, and labour laws. In addition, efforts have been made to balance family and work responsibilities of women through supporting the establishment of day care centers in workplaces nationwide. Such initiative is jointly undertaken by five key government agencies, namely the Ministry of Labour, Ministry of Social Development and Human Security, Ministry of Interior, Ministry of Education and Ministry of Public Health. Incentives include, for example, tax reduction to companies/factories with readiness and needs. At present, there are 67 child care centers established in 58 private and 9 public workplaces respectively. A proposal for flexible working hours of less than 8 hours per day and 48 hours per week is also under the Cabinet's consideration.

Employment

17. Although the report notes that equal remuneration is mandated by law, it provides no information on existing trends of pay parity between men and women. Kindly inform the Committee if there are existing wage gaps between men and women at the same levels of seniority with similar level of responsibility per sector.

The importance of equal opportunities and equal treatments, which includes equal remuneration of men and women workers, has been clearly stated in the Labour Protection Act of 1998 and the policy of the Ministry of Labour. Theoretically, thus, there should not be any wage gaps between men and women. In reality, however, information from Thailand's Report on the Implementation of the Millennium Development Goal reveals that there is a wage gap of approximately 20% between men and women workers. That is to say, a female worker of the same age and same amount of responsibility would earn only 80.8% of her male counterpart. Nonetheless, the Ministry of Labour is currently attempting to ensure effective enforcement of the Labour Protection Act regarding equal opportunities and treatment by means of holding frequent labour inspections in order to be on guard for the practice of gender discrimination in the workplace.

18. What measures have been taken or implemented to combat sexual harassment at work? Are there any programmes to have stronger enforcement of the Labour Protection Act of 1998 or strengthen its sexual harassment provisions?

As to formulate practical measures against sexual harassment at workplace, the working group, comprising specialists and committees from every sector, has been established by the Ministry of Social Development and Human Security in order to analyze the problems of sexual harassment at work, which include broadening its definition to cover all forms of acts (i.e. verbal, physical, emotional) that may be regarded as sexual harassment and violation of women's rights and dignity. Additionally, the Ministry has issued circulated letters to request every concerned party both in public and private sectors as well as local organizations and agencies to formulate their own policies on preventing sexual harassment at work place, specifically through their Chief Gender Equality Officers (CGEOs) and Gender Focal Points (GFPs).

In order to ensure stronger enforcement of the Labour Protection Act, and to strengthen the sexual harassment provisions, it is necessary that cases on sexual harassment at workplace be reported as well as directed to responsible organizations or agencies. Hence, the Ministry of Social Development and Human Security has set up the 'Pachabodi Center' as a hotline center for receiving complaints, which includes those concerning sexual harassments at workplace. The center is equipped with officers who had been specifically trained with knowledge on gender issues, and thus could provide basic counselling and mental treatments before referring victims to other concerned agencies that would take care of matters on protecting rights of victims.

In addition to the aforementioned efforts, the Office of the Civil Service Commission (OCS) has established the "Center for Civil Servant Protection from Sexual Harassment and Administrative Grievances" in August 2005, to provide assistance to civil servants in cases of bullying, unfair treatment and sexual harassment. Channels of reporting include an in-person report, by post, a hotline number 1786, a complaint box at the OCS and via e-mail at helpyou@ocsc.go.th.

19. In its previous concluding comments, the Committee expressed its concern that young girls were leaving school to enter the labour market, and what protection is in place to address exploitation of child labour.

19.1 The rate of participation of young girls in the labour market.

According to the data from the Department of Employment, Ministry of Labour, there is no research conducted on the participation of young girls in the labour market. Nevertheless, a survey on employment in the first quarter (January-March 2005) conducted by the National Statistical Office reveals that, out of 15,749,000 child workers aged between 15-19 years old, 6,245,000 or approximately 39.7 per cent are girls.

19.2 Measures to address exploitation of child labour.

19.2.1 Chapter 4, Sections 44-52 of the Labour Protection Act of 1998 sets regulations on the minimum age, working hours, types and places of work, and other conditions for the employment of young workers. Regulations include, for instance, the following:

Minimum Age - The legal minimum age for employment is 15 years of age (Section 44). The employment of children between the ages of 15 to 18 years of age is permitted but must be reported to labour inspectors within 15 days from the first day of work, and within 7 days after the termination of work.

Working Hours - An employer shall provide a rest period for a young worker of not less than 1 consecutive hour after the employee has worked for not more than 4 hours, and shall not require a young worker to work between 2200 hours and 0600 hours unless written permission is granted by the Director-General or a person entrusted by the Director-General. Furthermore, an employer shall not require a young worker to work overtime or on holiday.

Type of work - Employment of a child employee under 18 years of age for any of the following work is prohibited (1) metal smelting, blowing, casting or rolling; (2) metal pressing; (3) work involving heat, cold, noise and light of an abnormal level which may be hazardous; (4) work involving hazardous chemical substances; (5) work involving poisonous microorganisms as prescribed in the Ministerial Regulations; (6) work involving poisonous substances, explosive or inflammable material, other than work in a fuel service station; (7) driving or controlling a forklift or a crane; (8) work using an electric or motorsaw; (9) work that must be done underground, underwater, in a cave, tunnel, or mountain shaft; (10) work involving or in contact with radioactivity; (11) cleaning of machinery or engines while in operation; (11) work which must be done on scaffolding 10 metres or more above the ground; and (12) other works as prescribed in the Ministerial Regulations.

Places of Work - Employment of a young worker under 18 years of age in the following places (1) a slaughterhouse, (2) a gambling place, (3) a dancing place/house, (4) entertainment places where alcoholic drinks are sold, and/or sexual or massaging services are available, and (5) other places as prescribed in the Ministerial Regulations.

Capacity-building - Section 52 of the Act encourages the rights of a child worker to develop himself/herself, for example, providing the right to take leave to attend conferences, training or further his/her education while still receiving full payment throughout the period of leave, which should not exceed 30 days a year.

19.2.2 The Ministry of Labour has issued orders to its representatives in every province to closely monitor any abuse of child labour. It has set up local teams and checkpoints in Bangkok and all provinces. The following regulations are strictly enforced:

(a) If employees under 15 years of age are found, officers must immediately report the case to investigation officers.

(b) If employers hold child workers against their will or torture them, those employers will be prosecuted in both criminal suits under the laws governing the Ministry of Labour and any related measures under the 1998 Labour Protection Act.

(c) If employers do not follow the 1998 Labour Protection Act with regard to child workers, labour inspection officers can order them to make necessary improvements. If the violation continues, these employers may be prosecuted.

To ensure effective implementation of Thailand's international obligations under ILO Convention No. 182 concerning the worst forms of child labour and ILO Convention No. 138 concerning the minimum age for admission to employment which Thailand ratified on 16 February 2001 and 11 May 2004 respectively, the Ministry of Labor and the International Labor Organization (ILO) also concluded a Memorandum of Understanding on the development of a National Plan of Action to eliminate the worst forms of child labor. The draft Plan of Action has already been finalized. Its content comprises three parts, namely (1) Part 1 — situation of child labor both before and after the ratification of ILO Convention No. 182, (2) Part 2 — measures and strategies to prevent and suppress the worst forms of child labor, rehabilitate and reintegrate children into society and strengthen the Plan of Action, and (3) Part 3 — framework for future actions. Currently, the Ministry of Labor is in the process of establishing a national committee to consider the content of the draft Plan of Action, before proposing it to the Cabinet for approval for the draft Plan to come into effect.

20. The report states that nearly 80 percent of home workers are women (report, pg. 65). What programmes and policies have been implemented by the Department of Welfare and Labour Protection, Ministry of Labour and Social Welfare's office on home workers, and are there plans to bring home workers and other workers in the informal sector under the Social Insurance Act?

20.1 The Department of Labour Protection and Welfare's Policies/Plans/Projects for Home Workers.

The Ministry of Labour has expanded legal protection to cover women and children whose jobs may be outside the regular system. For example, female or child employees who take their work home are covered by the New Ministry Ordinance with regard to Employees Working from Home. The Ordinance, which has been in effect since 8 September 2004, requires employers to issue a written employment contract which provides details on the type, nature and conditions of work, including payment and deduction of payment. The contract must also be available for inspection. Moreover, the said ministerial regulation seeks to protect home workers with regard to fair payment and work safety by specifying types of work that must not be assigned to workers, namely work in contact with explosives, inflammable or toxic substances, or any other types of work prohibited by the 2004 Ministerial Ordinance. This Ordinance is currently under the process of amendment to become an Act, to ensure more effective implementation (as of October 13, 2005).

A similar piece of legislation is the Ministry Ordinance Protecting Workforce in Agriculture which became effective on 13 April 2005 and also awards equal protection regarding safety in workplace and employee benefits granted by laws to

female and child employees in the agriculture sector. Moreover, studies and research have been conducted on the working conditions of women workers in particular types of work, including in the agricultural sector and work done at home, with the objectives to obtain relevant information to further improve or develop plans and projects regarding home workers.

20.2 Plans/projects to bring home workers and other workers in the informal sector under the Social Insurance Act.

There is an attempt to extend the protection under the Social Insurance Act to also cover home workers and other workers in the informal sector. On March 23, 2005, the Thai Government declared its policies to the Parliament, which includes the extension of social security to cover informal and agricultural sectors to improve the quality of life of labourers. The Office of Social Security, Ministry of Labour, has devised six preparatory steps in response to the said policy which consists of (1) undertaking studies and research on the informal sector; (2) conducting surveys on workers in the informal sector in both the urban and rural areas that also must be covered under the current social security system; (3) analysing the possibility of extending the protection to workers in the informal sector; (4) specifying principles, conditions and process of work; (5) conducting public hearings to gather the opinions of concerned agencies regarding the matter; and (6) preparing the draft law and related principles.

The Social Security Act of 1990 is currently being amended to support the pattern, conditions, criteria and process of implementation of the above procedure. It is expected that, if this procedure is approved by the Cabinet, the current social security system may be extended to cover the informal sector by 2006. The target groups include, for instance, workers in the agricultural, fisheries and forestry sectors, household workers and self-employed persons such as drivers, farmers, and home workers. These workers will be granted fundamental protection in six cases — namely, (1) disability (2) old age (3) death (4) sickness (5) childbirth and (6) child welfare. The protection will be covered by means of the establishment of a collective fund separated from the existing social security fund.

Health

21. The report indicated that there is a significant disparity in availability of health-care services and personnel between urban and rural areas (report, pg. 79). What measures have been taken to close this gap? Furthermore, provide information on whether the 30-baht programme has been evaluated to assess access to basic services of rural and urban poor, hill tribes and other ethnic groups.

Thailand has made continuous efforts to eliminate the disparity in the access to health-care services and personnel as mentioned in the National Health Development Plan (2002-2006) which main objective is to ensure good health for all people. Significant strategies include encouraging proactive health policies, guaranteeing an equal access to public health services for all, reforming the existing health system, strengthening the capacity of the civil society, supporting management of knowledge and local wisdom on health, and promoting the capacity-building of health personnel to be able to adapt to changes and the new health system.

For instance, one important strategy to guarantee an equal access to public health for all is the 30-baht universal health-care scheme. According to a survey by the National Statistical Office, as a result of the implementation of this scheme, the proportion of people having access to health facilities when ill has risen from 49 per cent in 1991 to 71.66 per cent in 2004. In particular, among those who have never had any health insurance coverage before, the proportion has risen from 47 per cent in 1991 to 60.6 per cent in 2004. Insured persons under the 30-baht universal health-care scheme seem to have the highest illness rate and attend health facilities the most, compared to other groups. The scheme has resulted in a reduction of household health spending at almost all levels as the scheme is financed by the Government. The population group whose health spending has decreased the most is the poor, a 27-45 per cent reduction.

The 2002-2003 survey on people's satisfaction with the scheme reveals that 80 per cent of respondents were satisfied with the services at hospitals and only 68.6 per cent were satisfied with the quality of medicines. There were 4,566 complaints about services in 2003, which increased to 14,105 cases in 2004. The survey indicates that people in the north-eastern part of the country have the highest level of satisfaction whereas people in Bangkok have the lowest. Despite some criticisms over the quality of services and non-inclusion of some high-cost medicines, in particular anti-retroviral treatment (ART) for AIDS patients, the survey revealed that the 30-baht universal health-care scheme has contributed to a greater proportion of people, in particular the poor, having access to health facilities. It has also contributed to the acceleration of service quality improvement process at hospitals and primary care units. With regard to AIDS it is the Government's policy to move ahead with the direction to include ART into the 30-baht scheme by 2006, which means that anti-retroviral (ARV) programme will be expanded to cover all AIDS patients.

With regard to assessment in terms of access to basic services of rural and urban poor, hilltribe and other ethnic groups, statistics show that 64 per cent of people in the urban area and 88 per cent in the rural parts of the country have access to the 30-baht health scheme. Since only Thai nationals with household registrations are entitled to the 30-baht health scheme, at present about 3.2 million people living in Thailand still do not have access to the programme, in particular (1) members of minority and hilltribe groups who do not have Thai nationality; (2) Thai nationals who are homeless or whose names are not registered in any household registration. Having said that, although these groups of people may not be entitled to benefits under the 30-baht scheme, they could still have access to public hospital services nationwide at very low cost.

22. The report states that abortions performed for reasons other than the health of the mother or in instances of rape are illegal (report, pg. 74). Please provide detailed information on measures that are in place to ensure access for women and men to information and services relating to contraceptives and family planning, and what kind of reproductive health services are provided to them.

The Thai Government has taken a holistic and multisectoral approach which includes measures to ensure access to information on contraceptive methods, family planning and reproductive health services. Furthermore, preventive measures have also been designed to address the impacts of the economy, education, social status and mass media on teenagers' behaviours. For instance, a number of campaigns to

instil appropriate social values and gender roles for teenagers have been initiated. To tackle the problem concerning reproductive health issues, the Thai Government has also promoted campaigns stressing the respect of human rights and dignity, gender-awareness campaign for media personnel and the establishment of youth networks or “Friend Corners” for youths to help each other in schools.

Moreover, to ensure that men and women have access to information on reproductive health, all public hospitals and health-care centres provide patients with information and reproductive health services. Campaigns for condom use, family planning and reproductive health are also conducted in communities and workplaces. Family planning services have currently been extended to youth. Counselling services on reproductive health for teenagers and campaigns to promote men’s participation in the family and to equip them with knowledge and understanding on reproductive health are also supported. Apart from these measures, the Government has also initiated a pre-marriage programme to prepare the future couples for married life and child raising.

23. In her 2005 report on HIV/AIDS, the Special Rapporteur on violence against women, its causes and consequences stated that in Thailand “seventy-five percent of women living with HIV were likely to have been infected by their husbands” (E/CN.4/2005/72, para. 33). Please provide detailed information on any programmes to raise awareness on the transmission of HIV/AIDS between spouses, and mother and children, as well as their substantive content and impact.

Recognizing the risks of the transmission of HIV/AIDS between spouses and mother to children, the Thai Government has initiated campaigns on safe sex and sexuality, campaigns on appropriate social values on sexuality and 100 per cent condom use campaigns. Thailand has also initiated the “Prevention of Mother to Child HIV Transmission Project (PMTCT)” which provides care to infected pregnant women and develops the capacity of health personnel on disease prevention.

According to Thailand’s MDGs Report of 2004, women constitute 61 per cent of the newly infected population aged 15-29 years old. The Report also reveals that more young people are practising unsafe sex and less than 5 per cent of them attain preventive services. To tackle this problem, the Government attempts to mainstream a gender perspective in sex education to raise awareness among teenagers and educational personnel. Moreover, concerned agencies in both public and private sectors have also launched campaigns to promote the respect of the right of one’s and other’s bodies and health, to decrease risky sexual behaviours and prevent transmission. Gender concepts and integration of gender perspectives into health policies and projects have been promoted among policymakers of all concerned ministries including Ministry of Public Health, Ministry of Education, Ministry of Justice, Ministry of Labour, Office of the Prime Minister and the Office of the Attorney General.

24. In its previous concluding comments, the Committee expressed its concern at the high suicide rate and mental illness among women in Thailand. The report states, however, that the suicide rate and prevalence of mental illness continues to rise. Kindly describe what measures are in place to achieve better mental health for women, as well as any efforts to undertake an assessment of the effectiveness of these measures in informing women about mental illness and directing them to needed medical attention and counselling.

Existing measures to achieve better mental health for men and women include, for example, capacity-building and creation of networks in the communities on mental health, improvement of quality and standard of mental-health services, innovations, knowledge and technology. Moreover, in 2005, many preventive projects have been developed such as the establishment of counselling centres and mental-health crisis centres, awareness-raising on mental health in the family and suicide prevention including the development of an information system. Monitoring and evaluation have been conducted through a survey on the satisfaction of people visiting these centres.

In addition to the said measures, the Ministry of Social Development and Human Security have also established “Family Development Centres” in the communities. The centres aim to promote a healthy relationship among family members, a means believed to help reduce the risks of mental-health problems in the family.

Furthermore, the Thai Government provides consulting services for all people with mental-health issues, especially women facing family and work problems and sexual harassment through hotlines of both public and private agencies. These hotline services are, for example, numbers 1677 and 1669 of the Ministry of Public Health, number 1786 of the Office of the Civil Service Commission and number 1300 of the Ministry of Social Development and Human Security, not counting other numbers from private agencies.

25. Please provide information on rural women living in poverty, and on the impact of poverty alleviation projects carried out by the Government, especially of projects targeted at women.

To date, collected data on poverty has not yet been sex-dissegregated. Thus, particular information on women is not yet available. The 2005 Thai People’s Health Report cited the information from the National Economic and Social Development Board, which reveals that 1/10 of people in Thailand are poor people, that is to say, earning less than 922 baht a month. Most poor people live in North-eastern Thailand and the 3 border Southern provinces. The Thai Government attaches great importance to poverty eradication and thus has devised many projects aiming at the alleviation and eradication of poverty. For instance, the National Operational Center Against Poverty Problem has been established to act as the national focal point on poverty eradication. The Center tackles the issues of land allocation, issuance of land ownership certificates and debt relief, especially informal debts (93.53 per cent of people with debt have been assisted through negotiation), income generation, expense reduction and increase of agricultural opportunities (through the projects administered by the Ministry of Agricultural and Cooperatives and student employment projects, for example).

Despite the fact that most of the Government’s programmes and projects on the alleviation of poverty, i.e. the “One Tambon (Sub-District) One Product Project” and the “Circulating Fund Project”, the programmes/projects essentially note the active participation and invaluable contribution of women. The programmes/projects that could be more specifically identified as targeted at women are the “New Life Projects” and “Capacity Development Project”, which propose to improve the quality of life of people in the rural areas as well as preventing girls and young women from pursuing exploitative work. These projects provide professional skill training and employment services for rural women, improve women’s quality

of life and family welfare and promote the creation of professional groups in the community. Currently, 18,319 women have benefited from the projects in 2005.

Rural women

26. Kindly comment on rural women's access to credit and land and savings cooperatives. In particular, please inform the Committee what percentage of the non-collateral loans made by People's Bank are granted to rural women as well as how the State Party intends to increase rural women's roles in cooperatives.

Thai women may have access to credits through the people's bank scheme operated by the Government Saving Bank. The scheme provides credits for micro or independent entrepreneurs by merely requiring guarantors. There are also projects to promote and support development of enterprises, careers and funding, access to credit and a decrease of informal loans. In the year 2004, the total amount of credit provided is 6,316.85 million baht, of which 87.59 per cent of the beneficiaries are women. Most of the women are between 40-49 and 30-39 years old, most of whom are street vendors (93.10 per cent).

The Thai Government recognizes the important roles of women in cooperatives. Statistics reveal that most savings cooperatives with women leaders are successful. They successfully develop a circulative capital to create more jobs and income in the community. In addition, the Government intends to promote gender knowledge and recognition of women's contribution in water resource management for concerned personnel. Furthermore, the Royal Irrigation Department has organized the annual award for cooperative leaders with the most effective water resource management skills. In 2005, for instance, women cooperative leaders from Saraburi Province were honoured as model cooperative leaders among cooperatives using water resources all over the country.

Nationality Law

27. In its previous concluding comments, the Committee expressed concern that hill tribe women and girls may not be protected by national laws, and recommended introduction of legislation and other measures to protect them. Please provide information on the steps taken to implement these recommendations.

The protection of the rights and dignity of hill tribe women and girls is recognized and promoted. The Ministry of Social Development and Human Security, for example, has a duty and responsibility to provide necessary and appropriate services in order to guarantee life security to all people, regardless of their status and gender, with special attention to certain vulnerable groups such as women and girls of ethnic minorities.

The Cabinet approved in 1999 a resolution that allows some groups of hill tribe people and ethnic minorities who are not born in Thailand but registered as hill-tribe people to receive the status of legal migrants. These groups include displaced persons from Myanmar, Nepalese migrants and Hoi Chinese. Moreover, children born of parents belonging to these groups who are born in Thailand will be granted Thai nationality.

Regarding the education of hill tribe children, the cabinet approved in 2003 the draft Rule on the Draft Rule concerning Evidence of Birth Date for Enrolling Students to Educational Institutions proposed by the Ministry of Education. This

rule will allow children who do not have Thai nationality to receive education in schools.

In addition, the Government recognizes the problem of children of ethnic minorities, especially girls, increasingly becoming victims of human trafficking. Therefore, the Cabinet approved on March 14th, 2005 provision of assistance to non-Thai victims of the crime if they have valid written evidence proving that they previously resided in Thailand. They may be repatriated to Thailand and a Cabinet approval prior to each case is not required. However, the procedure has to be in line with existing rules and regulations, with special attention to national security.

28. The report notes that women are rarely designated as head of household, except in instances where they are widowed or abandoned. The report also describes how this trend hampers women's ability to own property allocated by the Government. Kindly inform the Committee if the State party intends to amend the provision that allows only designated heads of household to obtain Government land, or if there are any other programmes in place to ensure land rights for women.

As there is no law stipulating that men should be the head of the household, both men and women have equal rights for the status. In addition, according to the Land Code of 1954, all Thai citizens have equal access to land ownership with no implication of gender discrimination.

The condition on land allocation for people as prescribed by State regulations essentially specifies that to be qualified for land ownership a person must have Thai citizenship and must be either more than 25 years old or the head of the household. The purpose of the said condition is merely to prevent double allocation to persons who come from the same family, as to ensure the government's efficient allocation of land resources.

29. Has the State party made any progress on changing the Nationality Law to allow Thai women to extend citizenship to their foreign husbands, as recommended by the Committee in its previous concluding comments?

The said law has not changed. Having said that, under that law, non-Thai national men who are married to Thai women can request a change to Thai nationality. Nevertheless, they have to comply with conditions as stated in the Nationality Act i.e. having resided in the Kingdom of Thailand for more than 5 consecutive years, and having secured a job, for instance.
