

# **Thailand**

# **Common Country Assessment**

**(Submitted in January 2016)**

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## ACRONYMS

ACT	Anti-Corruption Organisation of Thailand
AEC	ASEAN Economic Community
ART	Anti-retroviral therapy
BMA	Bangkok Metropolitan Administration
BoRA	Bureau of Registration Administration
CAIT	Climate Change Analysis and Indicators Tool
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CCA	Common Country Assessment
CDC	Constitution Drafting Committee
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CPRD	Convention on the Rights of the Persons with Disabilities
CESCR	Committee on Economic, Social and Cultural Rights
CRR	Centre for Reconciliation and Reform
CRS	Convention on the Rights of the Child
CSMBS	Civil Servant Medical Benefit Scheme
CSO	Civil society organisation
CSR	Corporate social responsibility
CwD	Children with disabilities
DCT	Department of Children and Youth
DDPM	Department of Disaster Prevention and Mitigation
DEP	Department of Empowerment of Persons with Disabilities
DLA	Department of Local Administration
DoPA	Department of Provincial Administration
DRM	Disaster risk management
DRR	Disaster risk reduction
ECD	Early childhood development
EPR	Emergency preparedness and response
FAO	Food and Agriculture Organization of the United Nations
FSW	Female sex workers
GHG	Greenhouse gas
GMA	Greater Mekong Sub-Region
HDI	Human Development Index
HRBA	Human Rights-Based Approach
IBBS	Integrated Bio-Behavioral Surveillance
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
IOM	International Organization for Migration
ISA	Internal Security Act
ISOC	Internal Security Operations Command
LGBTI	Lesbian, gay, bisexual, transgender and intersex

LTC	Long-term care
MDGs	Millennium Development Goals
MICS	Multiple Indicator Cluster Survey
MOE	Ministry of Education
MOPH	Ministry of Public Health
MSDHS	Ministry of Social Development and Human Security
MSM	Men who have sex with men
NCD	Non-communicable diseases
NCPO	National Council for Peace and Order
NESDB	National Economic and Social Development Board
NESDP	National Economic and Social Development Plan
NESQA	Office of National Education Standards and Quality Assessment
NGO	Non-governmental organisation
NLA	National Legislative Assembly
NRC	National Reform Council
NRSA	National Reform Steering Assembly
OBEC	Office of Basic Education Commission
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCC	One Stop Crisis Centre
PAD	People's Alliance for Democracy
PDRC	People's Democratic Reform Committee
PISA	Programme for International Student Assessment
PLHIV	People living with HIV/AIDS
PwD	Persons with disabilities
PWID	People who inject drugs
RCO	United Nations Resident Coordinator's Office
RTA	Royal Thai Army
RTG	Royal Thai Government
SBPAC	Southern Border Provinces Administrative Centre
SDGs	Sustainable Development Goals
SET	Stock Exchange of Thailand
SHI	Social Health Insurance Scheme
SOGIE	Sexual Orientation, Gender Identity, and Gender Expression
TAO	Tambon (sub-district) Administrative Organisations
TIMS	Trends in International Mathematics and Science
UCS	Universal Health Coverage Scheme
UDD	United Front for Democracy Against Dictatorship
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNAIDS	Joint United Nations Programme on HIV and AIDS
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNEP	United Nations Environmental Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees



UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNISDR	United Nations International Strategy for Disaster Reduction
UNODC	United Nations Office on Drugs and Crime
UNPAF	United Nations Partnership Framework
UPR	Universal Periodic Review
VAW	Violence against women
WHO	World Health Organization

## SECTION 1: INTRODUCTION

Thailand's developmental achievements throughout the past few decades have become an example globally and for its neighbours. It is therefore no coincidence that the Royal Thai Government (RTG) assumed a leadership position within the Open Working Group to advance the new Sustainable Development Goals (SDG). The SDGs build upon the progress achieved globally for the Millennium Development Goals, many of which Thailand has achieved by the end of 2015. The country has moved from a human development index (HDI) of 0.572 in 1990 to become a country with a high HDI of 0.722 in 2013.<sup>1</sup> Among emerging markets, Thailand has achieved the status of an upper middle income country with tangible evidence seen across the country. From high levels of internet penetration and smartphone usage, to universal education and health care and national infrastructure, Thailand has demonstrated the tangible benefits growth can bring to all people living in the country.

The SDGs apply equally across all countries of the world – from the most developed to the least and all points in between. All are held equally to account for the well-being of everyone who lives within their borders. Powerfully, the SDGs recognise that even under the best conditions, pockets of vulnerability can remain and government strategies can be honed and refined to address them effectively and thoroughly. For Thailand, some critical issues include addressing persisting inequalities, improving the quality of education, increasing levels of research and development, enhancing productivity gains, moving away from export dependency and natural resources depletion.<sup>2</sup> Social and economic inequalities create particular challenges for vulnerable groups in society including children, older persons, persons with disabilities, migrants, ethnic minorities, indigenous peoples, sexual and gender minorities, and displaced persons. The so-called “middle-income trap” is indeed a serious concern for the country, but it does not have to be the reality for the foreseeable future.

The country's stakeholders are seeking positive strategies through the National Social and Economic Development Plan (NESDP) to address core structural challenges that inhibit more rapid progress against core development indicators as identified in the SDGs. Implementation of these plans has been slowed down by the country's recent political crises and social conflict (particularly prevalent between 2005 and the present), historic floods in 2011, and the latest coups d'état in 2006 and 2014. These have resulted in complex and protracted social and political challenges that require all segments of the population to solve through inclusive and participatory means. That democratic governance has been suspended since the 2014 coup d'état has led to political and economic uncertainty that further complicates Thailand's developmental trajectory. While a return to democratic governance has been promised for late 2017, the uncertainty that military rule brings could likely inhibit substantive progress in the coming near term.

The Common Country Assessment (CCA) is a tool that the United Nations and partners often use to comprehensively analyse the situation, consolidate evidence and identify priorities for the next partnership cycle. The CCA highlights core challenges in attaining national development goals and the

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<sup>1</sup> The figures refer to the **2014 Human Development Statistical Tables** accessed from <http://hdr.undp.org/en/content/table-2-human-development-index-trends-1980-2013>. The table is based on consistent indicators, methodology and time-series data and thus shows real changes in values and ranks over time, reflecting the actual progress countries have made.

<sup>2</sup> Somchai Jitsuchon (2012). Thailand in a middle-income trap. **TDRI Quarterly Review**. Vol. 27, No. 2 (June).

associated opportunities, and assesses how the UN and other stakeholders can collaborate effectively to move the needle of development. The current CCA drives the analytics behind the United Nations Partnership Framework (UNPAF) 2017-2021. Together, the CCA and the UNPAF will guide the partnership effort of the UN, the RTG and other country stakeholders in ensuring that in national development, no one is left behind; the rights of all people in Thailand are protected and fulfilled; and vulnerability pockets are identified and consistently addressed.

This CCA was prepared using a mixed methodology of both qualitative and quantitative tools. Key methods included desk studies, in-depth interviews and focus group consultations. Key documents used in the desk review include sources from the RTG, UN agencies, donors, national and international civil society organisations (a full reference list is provided in the References section). The focus is on trends in development indicators using disaggregated data (such as gender, geography, age) as available. Information gained from this stage was analysed through the lens of the Human Rights-Based Approach (HRBA) to determine whether, and where, a problem or a challenge persists, its intensity, and the affected groups.

Deeper perspectives about the key challenges and their critical causes, as well as information related to the comparative advantage analysis of the UNCT, were drawn from in-depth interviews with UN agencies, RTG line ministry counterparts, donors, experts and the private sector. A full list of key informants is presented in Annex 1.

Four focus group discussions were held to validate both the situation and causality analysis especially with groups whose voices are often silent within the national policy development process. The focus groups covered (1) historically marginalised and vulnerable people – such as the elderly, people living with HIV/AIDS (PLHIV), lesbian, gay, bisexual, transgender and intersex (LGBTI) people and migrants; (2) women; (3) children, adolescents, and youth; and (4) the Northeastern region. The Northeastern region was selected because that region experiences some of the lowest scores on development indicators. The list of participants in each focus group is presented in Annex 2. This CCA also includes information gained from some of the consultations and focus groups organised by the National Economic and Social Development Board (NESDB) during the process of developing the 12<sup>th</sup> NESDP, in various provinces across the country<sup>3</sup> as well as the Civil Society National Consultation on the Universal Periodic Review (UPR) held in Bangkok.

## **SECTION 2: CONTEXT**

### **1. Global Leadership**

Thailand continues to be a global leader in both contributing to and subscribing to international norms and standards. Thailand has had a longstanding commitment to the promotion, protection and fulfilment of human rights. Notably, in 1948, it was one of the first Asian countries to endorse the Universal Declaration of Human Rights, a core human rights mechanism that established international norms. Today, Thailand is now party to seven of the nine core international human rights treaties and four optional protocols, a record that exceeds even some of the more economically advanced

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<sup>3</sup> These included the Northern consultation in Chiang Mai (16-17 July), Northeastern consultation in Khon Kaen (20-21 July), Annual NESDB conference in Bangkok (14 September), small focus group meetings with youth, the private sector and key RTG central agencies.

economies of the world. (The two treaties to which Thailand is not yet a state-party include the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the 2006 International Convention for the Protection of All Persons from Enforced Disappearance, signed in 2012 but not yet ratified.) Importantly, Thailand is not yet state-party to the 1951 Convention Related to the Status of Refugees nor its 1967 Protocol.

Thailand's leadership on international human rights protection, promotion and fulfilment has been tested since the 2014 military coup d'état after which freedoms of speech, expression and assembly were substantially curtailed. The United Nations Office of the High Commission for Human Rights has on a number of occasions signalled concern regarding limitations on the exercise of these rights as well as other issues like enforced disappearance. Similar concerns have been raised both by domestic and international civil society organisations.

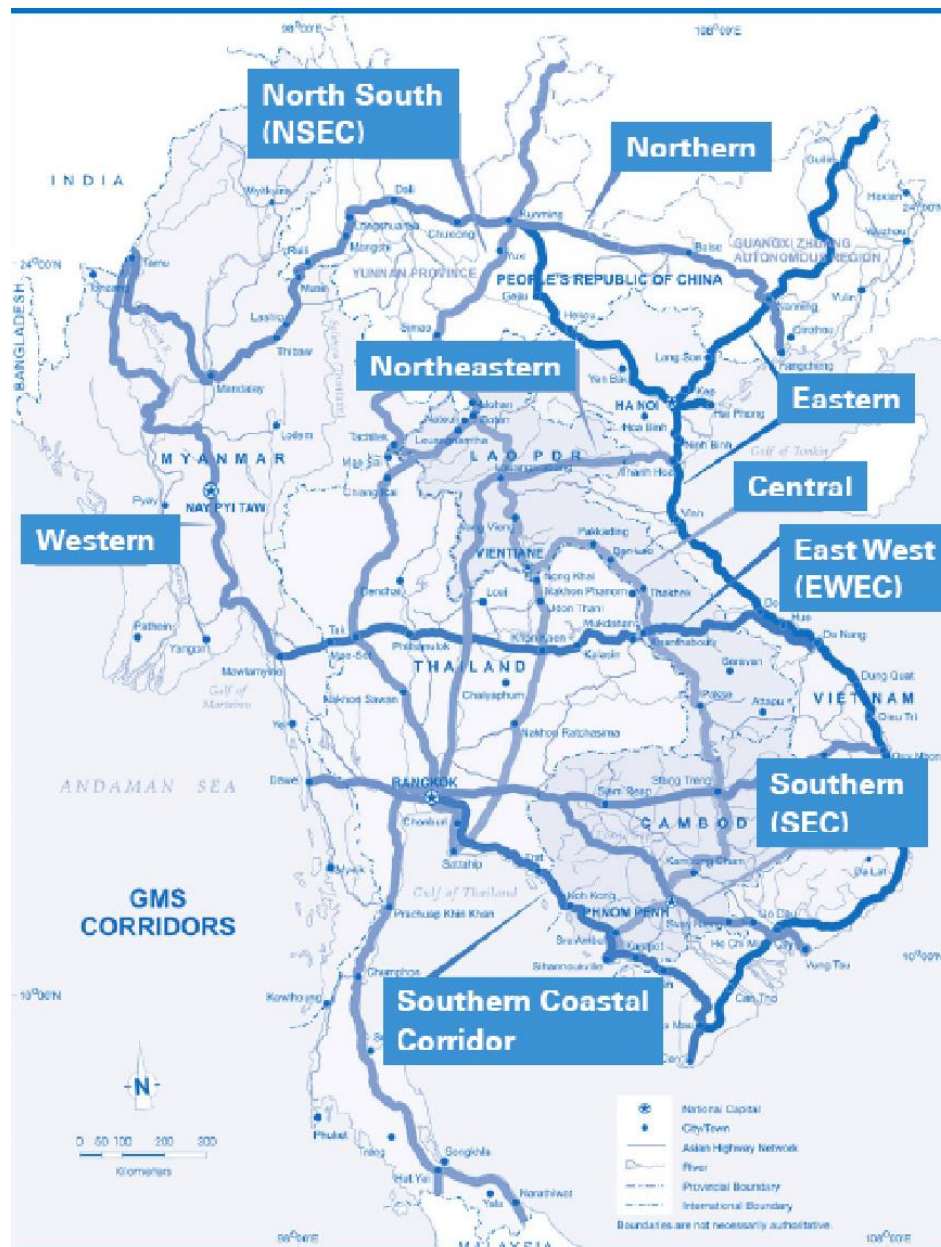
## **2. ASEAN Economic Community and Regional Connectivity**

Thailand was a founding member of ASEAN. With the transformation of ASEAN since 2011, particularly for the mainland countries of Southeast Asia including the latest changes in Myanmar, Thailand has a naturally strong advantage in the regional community building process. Thailand's geographical location offers a strategic role in linking with its neighbouring countries in the Greater Mekong Sub-Region (GMS) and beyond. These unique opportunities are clear and tangible, and physical connectivity projects to facilitate trade, investment, and people movement through new transport and other infrastructure development will foster Thailand's links within the region.

Flagship projects of physical connectivity are three economic corridors including (Figure 1): the East-West Economic Corridor (EWEC), passing from Myanmar to Thailand to Lao PDR and to Vietnam; the North-South Economic Corridor (NSEC), linking Thailand, Lao PDR, Myanmar and Southern China; and lastly the Southern Economic Corridor (SEC), crossing from Cambodia, Thailand and Myanmar, ending at Dawei as a gateway destination in the West. Noticeably, Thailand is the backbone country through which these corridors pass. Substantial progress has been achieved in terms of implementing GMS projects since 1992, with priority infrastructure projects worth around USD 10 billion in the upgrading of road and rail infrastructure as well as bridges along the corridors.

Within the Mekong sub-region, Thailand's import-export procedures are supported by a developed infrastructure network. Sound regulations on trade and investment also empower the Thai private sector to engage in more business opportunities, including establishment of regional production bases. The free flow of goods and services under the ASEAN Economic Community (AEC) and the increasing trend of intra-regional trade will further provide Thailand with greater access to markets at sub-regional and regional levels. Regional connectivity thus becomes an important factor of change in the next few years, taking centre stage with the formation of the AEC on 31 December 2015. Sub-regional cooperation frameworks will serve as the mechanism to realise the goals of the AEC and prepare Thailand for economic and social changes, such as more flows of people and goods across borders, which are to come.

Figure 1: The Three Economic Corridors



### 3. Political Context

Since the end of the absolute monarchy in 1932, Thailand has been a constitutional monarchy with the king as head of state. Since that time, Thailand's political history has recorded at least 19 coup attempts (most of which were successful) and 20 constitutions. The latest military coup took place in May 2014.

As of the writing of this CCA, Thailand is governed by an interim charter written by the coup government (2014) and elections have yet to be held. General Prayuth Chan-ocha, former Commander of the Royal Thai Army (RTA), serves concomitantly as both head of the National Council for Peace and Order (NCPO) and prime minister, appointed by the National Legislative Assembly (NLA). After dissolving the government and the Senate, the NCPO vested the executive and legislative powers in

its leader. The interim charter came into force on 22 July 2014 and established four key governance bodies: a unicameral national legislature to exercise legislative power (the NLA, the Cabinet, the Reform Council (first the National Reform Council (NRC), later disbanded and replaced by the National Reform Steering Assembly (NRSA), and a Constitution Drafting Committee (CDC). Members were all appointed by the junta and are collectively known as the “five rivers of power.”

On 31 July 2014, 200 members of the NLA were appointed, of whom 105 are military officers, 10 police officers, and the others academics, politicians, and businesspersons. On 21 August 2014, the NLA unanimously voted General Prayuth as the new prime minister, thus becoming the head of both the NCPO and the cabinet. The NRC was appointed for the purpose of national socio-economic and political reforms as per the promise the NCPO made when it seized power. All 250 members of the NRC were handpicked by the NCPO and the NRC has been tasked to study and provide recommendations for national reform across a number of areas.<sup>4</sup>

The first CDC consisted of 36 members, of which 20 were nominated by the NRC, five by the NLA, five by the Cabinet, and five by the NCPO. On 6 September 2015, the NRC rejected the draft charter by 135 votes to 105, with seven abstentions.<sup>5</sup> A new 21-member CDC was appointed by the head of the NCPO in October 2015 to write a new draft which will be put to a national referendum in August 2016. The earliest an election could be held according to the given timeline is late 2017. Until a new constitution is promulgated, the country is governed by an Interim Charter issued by the NCPO in 2014. The UN and civil society groups have voiced concerns over some aspects of the Interim Charter that may be at odds with international commitments and norms.

General Prayuth appointed 200 members of the NRSA to develop strategies to implement the national reform blueprint. The NRSA replaced the now-defunct NRC.<sup>6</sup> The NRSA is responsible for working out guidelines for reform and giving suggestions and recommendations on reform issues to the NLA, the Cabinet, the NCPO, and other relevant agencies. The NRSA will continue to push for national reform in areas that have already been studied by the NRC. The NCPO intends for the reform process to be binding for successive elected governments to implement the plans, as Prime Minister Prayuth noted that there would be a mechanism or a law to ensure that reform would move in accordance with the 20-Year National Strategy, starting from the 12th NESDP (2017-2021).<sup>7</sup> All government agencies must set their strategies in line with the National Strategy and the NESDP.

#### **4. National Political Conflict and Reconciliation**

Resolution of a decade-long political conflict in Thailand continues to be hampered by the lack of a commonly held narrative regarding the causes, consequences and possible solutions. Broadly, the political conflict exists between so-called “yellow shirts” and “red shirts” – the former affiliated with the Democrat Party, the bureaucracy, military and establishment groups such as the People’s Alliance

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<sup>4</sup> National Reform Council (2015). **A synthesis report for the national reform agenda**. Accessed from [library2.parliament.go.th/giventake/content\\_nrc2557/d081858-01.pdf](http://library2.parliament.go.th/giventake/content_nrc2557/d081858-01.pdf)

<sup>5</sup> Nearly all the military and police officers serving as NRC members rejected the draft.

<sup>6</sup> NRC was dissolved after the rejection of the constitution draft.

<sup>7</sup> Government Public Relations Department (2015). **National Reform Steering Assembly is starting its tasks**. Accessed from [http://thailand.prd.go.th/1700/ewt/thailand/ewt\\_news.php?nid=2281](http://thailand.prd.go.th/1700/ewt/thailand/ewt_news.php?nid=2281)

for Democracy (PAD) and the People's Democratic Reform Committee (PDRC); the latter is generally affiliated with the Pheu Thai Party while some also affiliate themselves with the United Front for Democracy Against Dictatorship (UDD), itself a reaction to the 2006 coup that ousted former PM Thaksin Shinawatra. However, some analysts point out that the fundamental force behind the red shirt movement goes beyond Thaksin as it focuses on inequality in the country.<sup>8</sup> Generally, yellow shirt partisans purport to stand for honest politics, promoting justice and the rule of law, fighting corruption among politicians and civil servants, and upholding the constitutional monarchy. The two groups remain bitterly divided throughout the country.

A month after the coup d'état, the NCPO set up the Centre for Reconciliation and Reform (CRR) aimed at healing a decade of political division that has often spilled into violence and to restore the nation to peace. The CRR is hosted by the Ministry of Interior whereas the Ministry of Defence and the ISOC were tasked to handle the matter at the provincial level. Governors of all provinces are to be the main drivers of the formation of the CRR at the provincial level and pushing for reconciliation at village and provincial levels. Since the CRR's establishment, leaders of all political camps involved with political conflict during the past decade have met at least 10 times under its guidance.

The NRC's Reconciliation Committee has proposed some measures to end the political deadlock and help bring about reconciliation in the country.<sup>9</sup> This plan includes: (1) forge a better understanding of causes of past political conflicts among members of the public; (2) fact finding and disclosing information regarding violence at the right time; (3) justice delivery, repentance and forgiveness; (4) rehabilitation and compensation; (5) promoting an environment that supports peaceful co-existence, including on-going major reform; and (6) Implementing preventive measures against violence. Little has been done to move this agenda forward.

## **5. Deep South**

The conflict in Thailand's southern border provinces persists with little end in sight, notwithstanding efforts by the government to engage in an informal peace dialogue process with insurgent groups under MARA Patani. Broadly speaking, no agreed-upon narrative exists regarding the causes of the conflict in Thailand's Deep South. This has prevented both sides from speaking to commonly held grievances and effectively addressing root causes of the conflict.

After the coup in 2014, the NCPO issued Announcement 34/2557 (34/2014) which placed the Southern Border Provinces Administrative Centre (SBPAC) administratively under the head of the NCPO and Internal Security Operations Command (ISOC), thereby subordinating the civilian agency to military authority. Martial law imposed in the region since 2004 together with the 2005 Emergency Decree and the 2008 Internal Security Act (ISA) remain unchanged. Civil society organisations and observers note the challenges facing the protection of human rights in the southern border provinces. Community radio stations were closed following the 2014 coup and only a few had resumed programming by mid-2015 with close monitoring from the military. Academics, NGO leaders, and activists have frequently been summoned for informal meetings with provincial governors and top

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<sup>8</sup> Kevin Hewison (2015). Inequality and politics in Thailand. *Kyoto Review of Southeast Asia*. Issue 17, March.

<sup>9</sup> NRC (2015). *Special Reform Agenda no. 15: Guidelines for reconciliation*. Bangkok: NRC. (in Thai)

military leaders as part of an effort to curtail political expression and activism. Civil society groups have noted, for example, the extensive DNA collection efforts by the security forces target individuals who have committed no crimes. The result is that the security forces have amassed a database of more than 40,000 DNA samples since the post-coup program began.<sup>10</sup>

A sharp decrease in violent incidents over the past two years has been recorded. With a total of 793 violent incidents, 2014 had the lowest level of violence in the past 11 years.<sup>11</sup> The number of incidents of 672 in 2015 marked the least violent year the Deep South has witnessed since 2004.<sup>12</sup> But previously, in 2008, violence also dropped substantially before eventually returning to near-former levels. Some analysts suggest that a rise in out-of-area attacks in the last few years, with insurgency-related bombings in Sadao, Phuket (unexploded), and most recently Koh Samui, indicates that militant groups remain capable of escalating the conflict should they choose to do so.

Considering the current political environment and the general lack of popular faith in current peacebuilding approaches, it seems that a lasting resolution to the problems in the Deep South will remain unattainable in the near future. Inclusive peace can only be attained if broad and open dialogue is undertaken to ensure that all people living in the Deep South have a stake in peace. Openness to competing narratives of history and conflict can lead toward constructive dialogues that bolster capacities for peace.

## 6. Economic Conditions

Thailand is now a service-led economy. In 2013 the service sector represented 53.63 percent of GDP with the industrial sector at 38.08 percent and the agricultural sector at only 8.29 percent.<sup>13</sup> However, out of the total 38.23 million employed labour force in 2015,<sup>14</sup> 33.5 percent are in the agricultural sector (12.81 million) whereas 66.5 percent (25.42 million) are in the non-agricultural sector, and 0.84 percent (3.22 million) are unemployed. After years of continuous growth, Thailand's economy has lately been in a difficult position in comparison with other countries in the ASEAN region. In a snapshot, Thailand's average growth rate between 2012 and 2014 was 3.68 percent per annum, however, the rate sharply dropped from 2.81 percent in 2013 to 0.9 percent in 2014, the year of Thailand's most recent military coup d'état.<sup>15</sup> The growth rate in 2015 is estimated to be at 2.7 percent or lower and growth rates in the coming years are expected to be lower than most of the countries in ASEAN (Table 1).<sup>16</sup>

**Table 1: Growth rate of GDP (% per year)**

Country	2014	2015	2016*
Thailand	0.9	2.7	3.8

<sup>10</sup> Reuters (2015). **Thailand's new weapon to beat deep-south insurgency - DNA swabs**. (7 May). Accessed from <http://in.reuters.com/article/2015/05/06/thailand-south-dna-idINKBN0NR2FM20150506>

<sup>11</sup> Deep South Incident Database, <http://www.deepsouthwatch.org/node/6596>

<sup>12</sup> Deep South Incident Database, January- December 2016.

<sup>13</sup> NESDB (2014). **Progress Report of the 11<sup>th</sup> National Economic and Social Development Plan**. Bangkok, NESDB. (In Thai)

<sup>14</sup> <http://service.nso.go.th/nso/nsopublish/themes/files/lfs58/reportJun.pdf>

<sup>15</sup> NESDB (2014).

<sup>16</sup> Asian Development Bank (ADB) (2015). **Asian Development Outlook update**. Manila: ADB.



Indonesia	5.0	4.9	5.4
Malaysia	6.0	4.7	4.9
Vietnam	6.0	6.5	6.6
Singapore	2.9	2.1	2.5

Source: ADB (2015)      \*Forecast figures

As an export dependent economy, the significant decline in Thai exports over the past two years has had an important impact on the economy – exports were down 6.7 percent and falling for the past 10 months. Moreover, household debt continues to climb, reaching its highest level in 10 years and increasing 13 percent since last year. In 2015, the country continued to suffer from drought, with reservoirs at historic lows. This could affect the Thai economy severely, especially the agricultural sector and these growth rates may derail the NESDB’s target of overcoming the middle-income trap within 10 years.

## **7. The 12<sup>th</sup> National Economic and Social Development Plan**

The NESDB has a mandate of formulating each 5-year NESDP that outlines Thailand’s direction and overall development framework as well as identifying short- and medium-term national priorities and strategies during the period of the plan. The current 11<sup>th</sup> NESDP will expire in 2016 and the new 12<sup>th</sup> NESDP is in the process of formulation which is due to be completed and in effect from 2017 to 2021. Based on the publication distributed at the 2015 NESDB Annual Conference in September 2015<sup>17</sup>, the direction of the NESDP is set to continue the vision from the 11<sup>th</sup> NESDP including the sufficiency economy philosophy, human-centred and participatory development, balanced and sustainable growth, transitioning toward a high-income country, equitable distribution of development results, and an ecologically-friendly nation. In sum, the vision is to make Thailand “*a high-income country with stability, prosperity and sustainability.*” The Plan sets the country’s strategic position as:

*Thailand will be a high-income country with fair income distribution, a hub of transportation and logistics of ASEAN, a trading and service nation, a centre of organic and safe agricultural products, creative industries and environmentally-friendly innovation.*

Based on this vision and position, 10 key priorities are defined in the document:

- 1) Human capital development
- 2) Reduction of inequality and promotion of justice
- 3) Strengthening the economy and competitiveness
- 4) Environmentally-friendly growth for sustainable development
- 5) National security<sup>18</sup>
- 6) Enhancing good governance

<sup>17</sup> NESDB (2015). **Direction of 12<sup>th</sup> NESDP (B.E. 2060-2564) (paper distributed at the 2015 NESDB Annual Conference).**

Bangkok: NESDB (paper distributed at the 2015 NESDB Annual Conference. (in Thai)

<sup>18</sup> This includes non-traditional security issues such as cyber-security, national resources, food security, energy security, water security, disaster and crisis management).

- 7) Infrastructure and logistical development
- 8) Scientific, technology and innovation
- 9) Development of sub-regions, cities and special economic zones
- 10) International and regional affairs in relations with neighbouring countries

Its seven key development priorities have the ultimate aim of increasing gross national income per capita to drive the country to a high-income status.

## SECTION 3: NATIONAL DEVELOPMENT PROGRESS, KEY OPPORTUNITIES AND CHALLENGES

### 1. Introduction

Although the 12<sup>th</sup> NESDP aims to promote growth in order to transit Thailand from an upper-middle to a high-income country, economic development alone is not a sufficient condition for Thailand to move towards becoming a high-income country. On the flip side of the coin, growth must be grounded on a solid foundation of inclusive development with social, political and environmental balance. This section presents the key development progress and challenges for Thailand in the coming years that may be taken into consideration in the process of developing the next UNPAF.

### 2. From Millennium Development Goals to the post-2015 Sustainable Development Goals

Thailand achieved many of the Millennium Development Goals (MDG). In particular, Thailand achieved MDG 1 on Eradication of Extreme Poverty and Hunger ahead of time. The country is unlikely to achieve MDG 2 on Universal Primary Education. Net enrolment ratio for primary students and quality of education still remain a challenge. For MDG 3 on Gender Equality and Empowerment of Women, gender disparity in primary and secondary education has been eliminated, however, the proportion of women in the national parliament and executive positions has remained low. Progress monitoring of MDG 4 on Reduce Child Mortality is declared fully achieved. Overall, the under-five mortality rate is decreasing except in the highlands and the three southernmost provinces. The situation with MDG 5 on Improve Maternal Health: MMR is too low to expect a three-quarters reduction of the target. Adolescent pregnancy and reproductive health still remain a challenge. MDG 6 on Combating HIV/AIDS, Malaria and Other Diseases bears the potential to be achieved, but the infection rate among high-risk populations remains high and TB infection and coronary artery disease are on the rise. Goal 7 is likely to be achieved, however with more attention needed on biodiversity loss. Finally, the achievement of MDG 8 will be dependent on the achievement of the ODA/GNI target. Key impending factors refer to staff capacity, policies and regulations, as well as budget of the ODA agency.<sup>19</sup>

**Table 2: Summary of the MDGs performance of Thailand**

<b>Goal 1. Eradicate Extreme Poverty and Hunger</b>	
1A Halve, between 1990 and 2015, the proportion of population living in extreme poverty between 1990-2015	Achieved
1B Achieve full and productive employment and decent work for all, including women and young people	Potentially
1C Halve, between 1990 and 2015, the proportion of people who suffer from hunger.	Achieved
MDG+ Reduce poverty to less than 4 per cent by 2009	Not achieved
<b>Goal 2. Achieve Universal Primary Education</b>	
2A1 Net primary enrolment rate of students per population.	Unlikely
2A2 Net primary retention rate.	Unlikely
2A3 Literacy rates of youths aged 15-24 years old.	Likely
MDG+ Net lower-secondary enrolment rate of students per population.	Not achieved
MDG+ Net upper-secondary enrolment rate of students per population.	Unlikely

<sup>19</sup> NESDB (2015a). **MDGs Thailand 2015**. Bangkok: NESDB. (in Thai)

<b>Goal 3. Promote Gender Equality and Empower Women</b>	
3A Eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015.	Achieved
MDG+ Double the proportion of women in national parliament, and TAO, and executive position in civil service between 2006.	Not achieved
<b>Goal 4. Reduce Child Mortality</b>	
4A Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate.	Unlikely
MDG+ Reduce infant mortality rate to 15 per 1,000 live births by 2006.	Achieved
MDG+ Reduce by half, between 2005 and 2015, the USMR in highland areas, selected northern provinces and three southernmost provinces.	Unlikely
<b>Goal 5. Improve Maternal Health</b>	
5A Reduce by three-quarters the maternal mortality ratio between 1990 and 2015.	Not achieved
MDG+ Reduce maternal mortality rate to 18 per 100,000 live births by 2006.	Achieved
5B Achieve universal access to reproductive health by 2015.	Likely
<b>Goal 6. Combating HIV/AIDS, Malaria and Other Diseases</b>	
6A Have halted and begun to reverse the spread of HIV/AIDS by 2015.	Likely
6B Achieve universal access to treatment for HIV/AIDS for all those who need it by 2010.	Likely
6C Halt and begin to reverse the incidence of malaria and other major diseases.	
- Malaria	Potentially
- Tuberculosis	Unlikely
- Coronary Artery Diseases	Unlikely
MDG+ Reduce malaria incidence in 30 border provinces to less than 1.4 per 1,000 by 2006.	Achieved
<b>Goal 7. Ensure Environmental Sustainability</b>	
7A Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources.	Potentially
7B Reduce biodiversity loss, achieving, by 2010, a significant reduction in the rate of loss.	Not achieved
MDG+ Increase the share of renewable energy to 8 per cent of the commercial final energy by 2011.	Achieved
MDG+ Increase the share of municipal waste recycled to 30 per cent by 2006.	Not achieved
7C Halve the proportion of people without sustainable access to safe drinking water and basic sanitation.	Achieved
7D By 2020, achieved a significant improvement in the lives of at least 100 million slum dwellers .	Likely
<b>Goal 8. Develop a Global Partnership for Development</b>	
8A Develop further an open, rule-based, predictable, non-discriminatory trading and financial system.	Achieved
- Trade Openness Index	

8B-8C Address the special needs of least developed countries, landlocked developing countries and small island developing states. - Proportion of Official Development Assistance (ODA) to Gross National Income (GNI).	Not achieved
- Proportion of ODA to LDCs to the Net ODA.	Achieved
- Proportion of ODA to landlocked countries and small island developing countries to net ODA.	Achieved
8D Deal comprehensively with the debt problems of developing states through national and international measures in order to make debt sustainable in the long term. - Proportion of foreign debt obligations to income derived from the export of goods and services (Debt Service Ratio).	Achieved
8E In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries. - Proportion of population with sustainable access to essential drugs.	Likely
8F In cooperation with private sector, make available the benefits of new technologies especially information and communications.	
- Number of telephone lines per 100 population	Not achieved
- Number of cellular subscribers per 100 population	Achieved
- Proportion of internet users (per cent).	Unlikely

Sources: NESDB (2015a)

The final year of the MDGs is 2015 and leads to the beginning of the new post-2015 global commitment – the Sustainable Development Goals (SDG), for which Thailand continues to be a champion and has served actively on the Open Working Group that developed them. Thailand has made substantial progress in recent years towards achieving the MDGs as shown in Table 2, yet unfinished work remains. At the 70<sup>th</sup> Regular Session of the United Nations General Assembly, Thailand made a commitment to the SDGs – 17 goals and 169 targets – which are integrated, indivisible and which balance the socio-economic-environmental dimensions of development. Based on the successes in meeting the commitments of the MDGs, but also the fact that there are unaccomplished MDG commitments, progress towards the fulfillment of commitments made in the SDGs for Thailand might need further attention as SDGs are far more ambitious than MDGs.

SDGs set out a transformational vision for the country. They aim to achieve a society free of poverty, hunger, disease and want, where all people can thrive: a country with equitable and universal access to quality education at all levels, to health care and social protection, where physical, mental and social well-being is assured; a country where food is sufficient, safe, affordable and nutritious for all people living within is realised; and a country where people are safe, resilient and sustainable and where there is universal access to affordable, reliable and sustainable energy. In other words, SDGs aim to include everyone in the development journey and to ensure that no one is left behind. All individuals within Thailand's borders are entitled to the same basic rights. Even if fulfilling the rights of some groups is financially, socially or politically more difficult, this cannot be accepted as a reason for denying, or even delaying, the fulfillment of those rights.

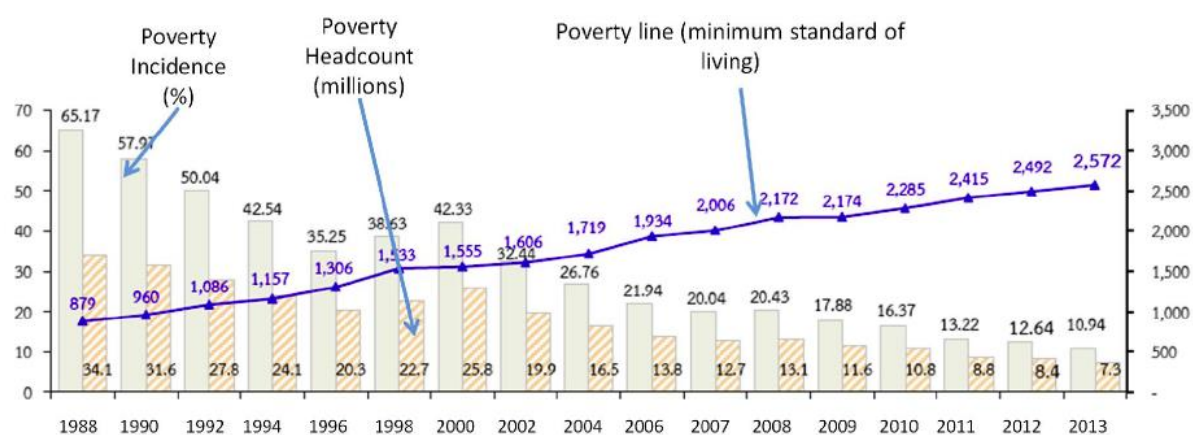
The next section of this CCA demonstrates the development situation and progress, as well as key issues for consideration to fulfill the SDGs. In light of this effort, a number of regions, groups and pockets of society who have been left behind or remain acutely vulnerable are highlighted.

### 3. Poverty and Inequality

#### 3.1 Situation

Thailand's rapid economic growth has contributed to a significant overall decline in poverty over the past decades. The latest estimates by the NESDB, on a poverty line<sup>20</sup> of 2,527 baht/person/month (approximately USD 80.84/month)<sup>21</sup> put the national figure of people living under the poverty line around 10.94 per cent or 7.3 million in 2013. The poverty headcount was reduced sharply by almost two-thirds from 25.8 million in 2000 (Figure 2). However, not everyone has benefited from poverty reduction and some regions and vulnerable groups have been left behind.

**Figure 2: Poverty line, poverty incidence and poverty headcount in Thailand**



Source: NESDB (2015b)<sup>22</sup>

Poverty incidence varies from region to region: the highest poverty incidence is in the Northeast, whereas the lowest poverty incidence is found in the Bangkok Metropolitan Area (Table 3).

**Table 3: Poverty incidence by region**

Region	2006	2014
BKK	2.88	1.64
Central	12.85	4.95
North	26.11	13.19

<sup>20</sup> Thailand's poverty line is calculated from expenditures incurred by individuals for obtaining food and non-food items necessary for living subsistence. It is based on the minimum standard of living of people which vary depending on difference in age-groups, consumption behaviors and commodity prices in urban and rural areas in different regions. People having expenditures lower than the poverty line are considered 'poor'. Detail calculation methods are explained in NESDB (2015b).

<sup>21</sup> This is based on a mid-year 2013 exchange rate which was 31.26 in October 2013, resulting in an amount of USD80.84.

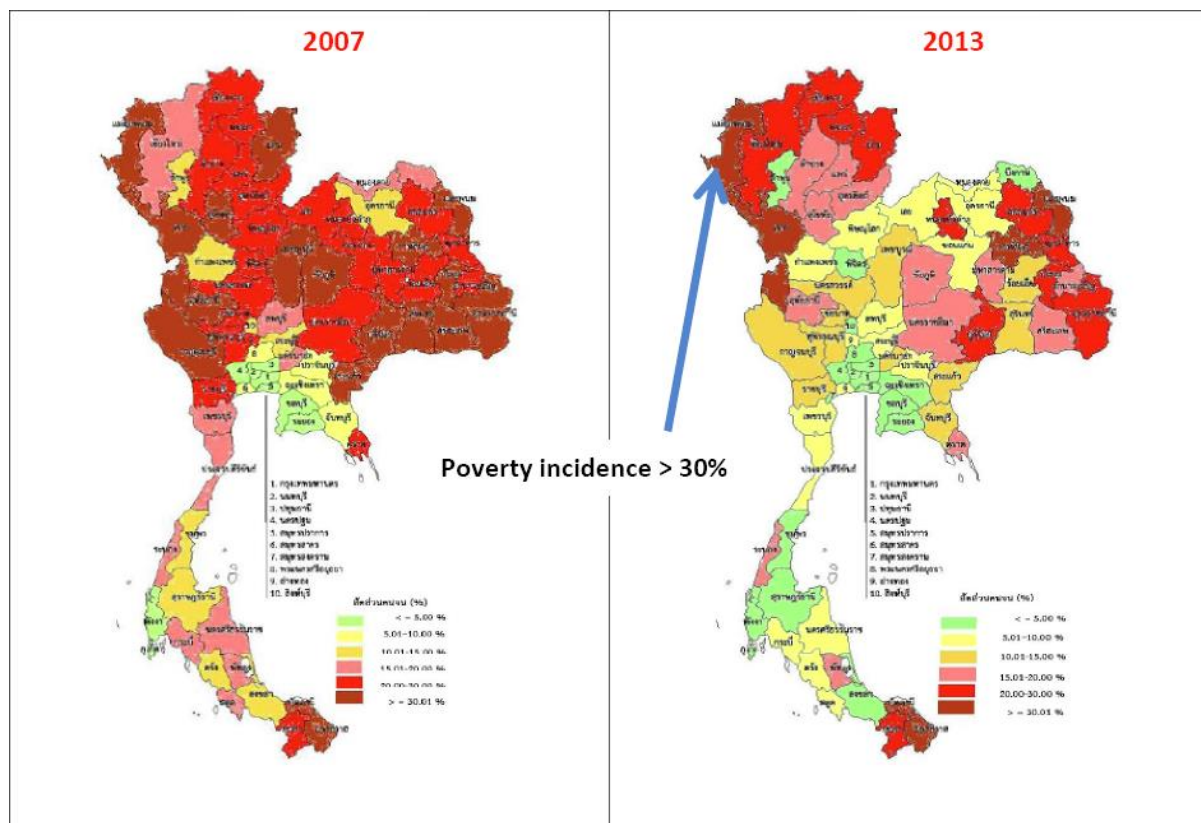
<sup>22</sup> NESDB (2015b). **Poverty and Inequalities Report 2013**. Bangkok: NESDB. (in Thai)

Region	2006	2014
Northeast	35.22	17.04
South	19.84	13.79
National	21.94	10.53

Source: NSO (2015)<sup>23</sup> calculated by NESDB (2015a).

The Northeast is still the poorest region and is home to almost half the country's poor (44.8 percent of the total poor in 2013).<sup>24</sup> Provinces with high poverty incidence in 2013 were: (1) Mae Hong Son (65.16 percent of population in the province), (2) Pattani (37.44 percent), (3) Narathiwat (35.31 percent), (4) Tak (34 percent), (5) Nakhon Phanom (31.03 percent) and (6) Kalasin (31.03 percent). Notably, these six provinces have always appeared on the chart of the top 10 provinces with high poverty incidences since 2006. It should be noted that in addition to differences between regions, there are also greater differences within regions – between provinces or districts. In the South, for example, the southernmost provinces are notably poorer than the others possibly due to the long-standing insurgency which has claimed thousands of lives in recent years. The concentration of poverty in the upper north, Deep South and far Northeast is shown on the Map 1.

**Map 1: Poverty concentration**



Source: NESDB (2015b)

<sup>23</sup> NSO (2015). **National Socio-economic Household Survey 2014**. Bangkok: NSO.

<sup>24</sup> NESDB (2015b).

The poor have low levels of education (Table 4). In 2014, 80.89 percent of the total poor had only a primary education or lower compared to the non-poor who generally had upper-secondary and higher. The higher the education level attained, the lower the poverty incidence. Access to education and skill development clearly are important in reducing the number of people affected by poverty. It should be noted that around one million poor people have had no education at all (14.28 percent of total poor) in which almost 300,000 poor people were children aged 15 or below. Statistics in 2014 showed that 24.92 percent of the total poor were in households with only children and elderly (skipped generation families<sup>25</sup>).

**Table 4: Poverty incidence by level of education (aged 6 and above) (2014)**

Level of education	Headcount (million)	per cent	Incidence
Primary and lower	5.32	80.89	14.91
Lower-secondary	0.80	12.2	8.58
Upper-secondary	0.33	4.99	5.19
Vocational	0.06	0.96	3.08
Tertiary	0.06	0.96	0.67
National	6.58	100	10.48

Source: NSO (2015)<sup>26</sup> calculated by NESDB (2015a).

Poverty in Thailand is largely rural. Most of Thailand's poor, about 4.74 million in 2014 (67.14 percent of the total population living under the poverty line) live in rural areas<sup>27</sup> and most work in the agricultural sector (around 47.7 percent of total poor in 2012). The majority of poor households either have very little land or none at all. Based on the 2014 household survey, only 17.9 percent of the poor in the agricultural sector own land. Notably, apart from being a driver of inequality, land is also a driver of conflict and political tension in the country. There is still a situation in which government denies traditional rights of ethnic minorities to their ancestral lands and natural resources, and the concentration of land ownership is in the hands of a very small proportion of the population. Currently the implementation of the government's forest conservation policy has resulted in the destruction of crops and forced eviction.<sup>28</sup>

Although most of the poor are in rural areas, there is also a substantial number of poor people living in urban areas, including municipalities (2.32 million in 2014).<sup>29</sup> Many of these people are found in the low-income or squatter settlements or scattered across urban areas in the compounds of temples, or living in the factories and construction sites where they work. Many of these are part of the informal economy: poverty often drives workers, especially women, to undertake unattractive and ill-defined income generating activities where many of them remain outside the social protection systems offered by the government.

<sup>25</sup> Skipped generation families are families in which grandparents raise children and parents are absent from the household.

<sup>26</sup> NSO (2015). **National Socio-economic Household Survey 2014**. Bangkok: NSO.

<sup>27</sup> The rural areas are considered the non-municipal areas.

<sup>28</sup> Committee on Economic, Social and Cultural Rights (CESCR) (2015). **Concluding observations on the combined initial and second periodic reports of Thailand**.

<sup>29</sup> NESDB (2015a).



Within both urban and rural areas, a significant proportion of the country's population is particularly vulnerable: small farmers; ethnic minorities in the mountainous and most remote areas; undocumented migrants; people without legal status across the country especially in the North and Northeast; individuals living with or affected by HIV; people with disabilities; gender and sexual minorities; the elderly; disadvantaged women; and children. They are also highly susceptible to unforeseen disasters such as floods, pandemics, droughts and economic crises. Data on these groups has only been collected sporadically so relatively little is known about their situation and data reflecting social differences are much scarcer than nationally averaged data.

### Children and the Elderly in Poverty

Available data shows that children and the elderly are particularly vulnerable to poverty. Based on NESDB's poverty reporting categories, there are 1.73 million children aged 14 and below who suffer from poverty, which is 14.43 percent of children in that age group. For people aged 60 and above, 14 percent suffer from poverty (Table 5). Both these groups have a higher rate of poverty than the national average.

**Table 5: Poverty incidence by age groups**

Age group	Headcount (million)	Incidence
0-14 years	1.73	14.43
15-59 years	3.69	8.53
Over 60 years	1.64	13.94
National	7.06	10.53

Source: NSO (2015)<sup>30</sup> calculated by NESDB (2015a).

Using the classic definition of children as the population aged 0 to 17 years old, 2.03 million children are considered poor with a child poverty rate of 13.82 percent in 2014 which was a decrease from 25.23 percent in 2008.<sup>31</sup> Child poverty rates decreased by almost similar proportions as the overall poverty rate in Thailand; however, poverty still affects children disproportionately more than adults. In 2014, the poverty rate was 87.3 percent for working adults<sup>32</sup> versus 13.8 percent for children aged 0-17, so the poverty incidence among children in Thailand is 40 percent higher than that of adults.

In addition, Thailand defines as 'near-poor' the households that are between the poverty line and the poverty line raised by 20 percent. Given this definition, the number of near-poor children is 1.64 million and the number of poor and near-poor children stands at a high of 3.67 million children. In other words, one in four children in Thailand was poor or near-poor in 2014.<sup>33</sup>

In terms of regional incidence, referring only to poor children (excluding near-poor), the poverty incidence varies from the highest 19.04 percent in the South and 18.98 percent in the Northeast to

<sup>30</sup> NSO (2015). **National Socio-economic Household Survey 2014**. Bangkok: NSO.

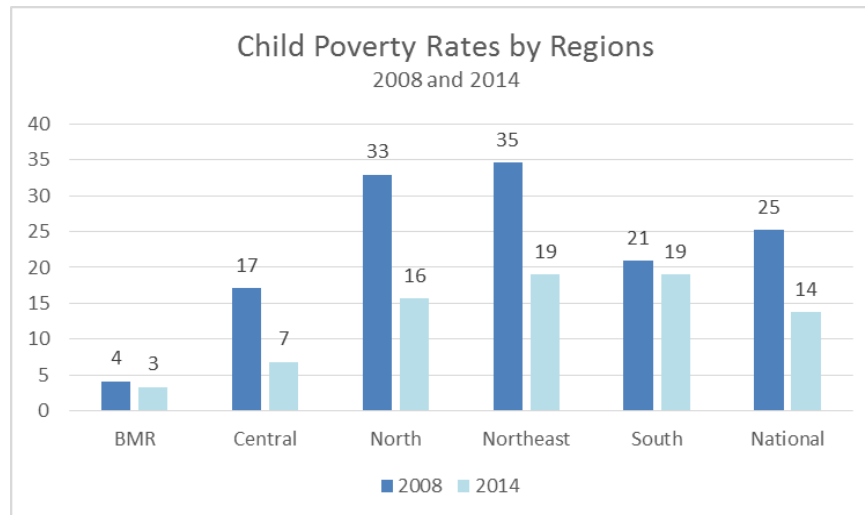
<sup>31</sup> Figures are based on the National Socio-Economic Surveys of 2014, calculated by the Thailand Development Research Institute (TDRI) with inputs provided by UNICEF.

<sup>32</sup> Working adults defined as population between 18 and 60 years old (60 years old being the official retirement age).

<sup>33</sup> Numbers are based on household survey/socio-economic survey conducted by the National Statistical Office which includes migrants.

15.69 percent in the North, 6.85 percent in the Central region and 3.35 percent in Bangkok. This means that about one out of five children in the South and Northeast still lived under the poverty line in 2014. Comparing this with data from 2008, the incidence dropped in all regions, however, the South experienced only a very modest decrease (Figure 3).

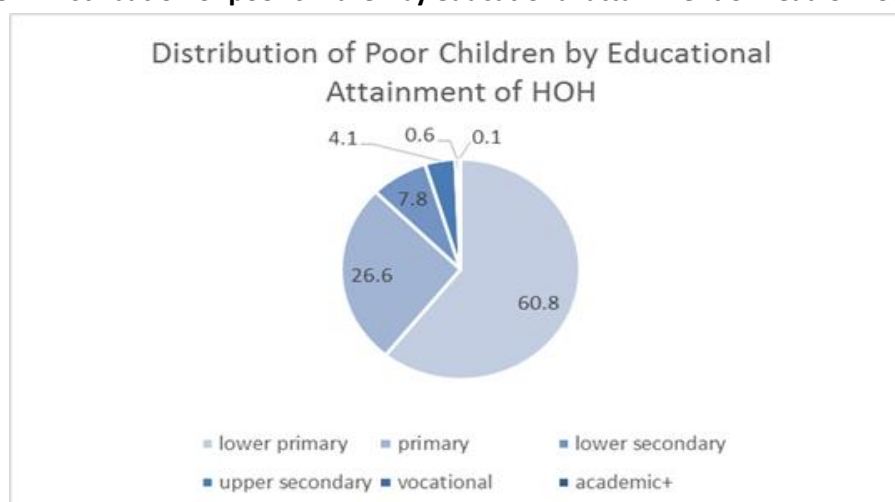
**Figure 3: Child poverty rates by regions (2008 and 2014)**



Source: NSO (2015)

Profiling child poverty in Thailand shows that poor children still predominantly reside in rural areas, belong to families where the head of the household has low educational achievements, limited job skills, with heavy dependence on subsistence agriculture, belong to different religious and ethnic groups, and experience exposure to natural hazards and risks. Similar to the national situation, in 2014, 87.4 percent of poor children in Thailand belonged to households where the head completed only primary education or lower (Figure 4).

**Figure 4: Distribution of poor children by educational attainment of head of household**

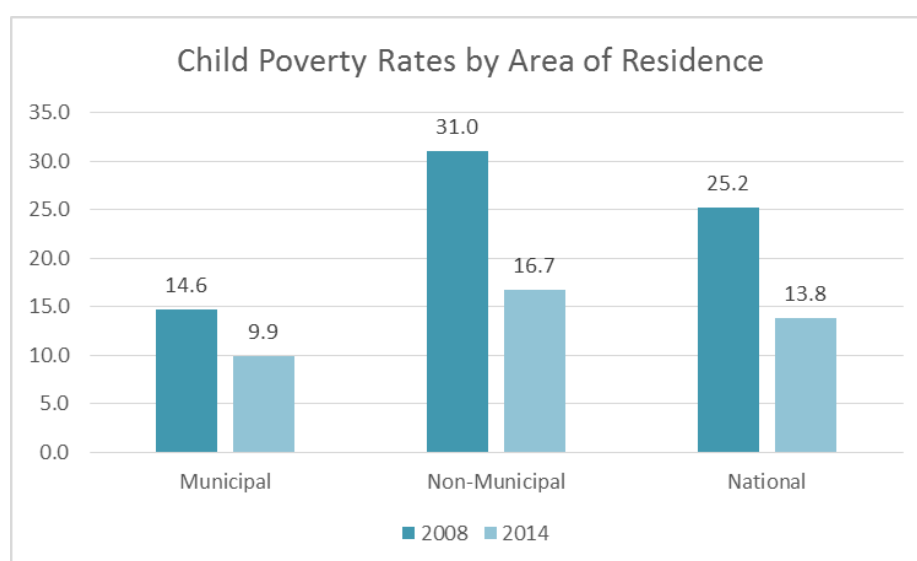


Another characteristic is that child poverty is concentrated in households in the informal sector and agricultural work settings. Fifty-five percent of poor children are in households where the head works

in the informal sector (33 percent) or is “inactive”<sup>34</sup> (12 percent). In 2015, the RTG initiated the Child Support Grant, through which registered families with poor children are entitled to state assistance of 400 baht per month.

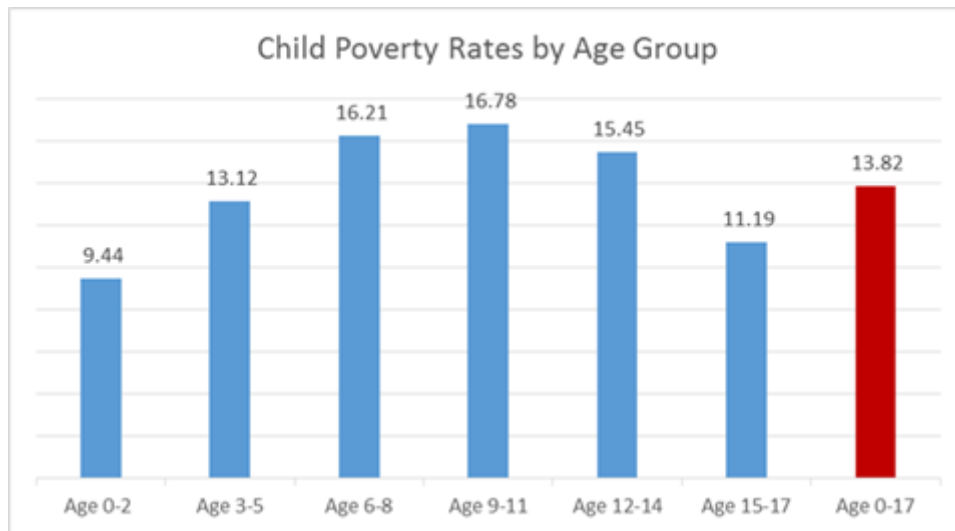
Child poverty remains mostly a rural phenomenon with one in six children considered poor in rural areas in 2014. In turn, in 2014, one in 10 children lives below the poverty line in the cities. Between 2008 and 2014, child poverty in urban areas decreased at a much more modest pace than rural poverty. As shown in Figure 5, the steep decrease by 46 percent in rural poverty down to 17 percent in 2014 drives the overall decrease in child poverty.

**Figure 5: Child poverty rates by area of residence**



Finally, the poverty rate among young children is high and increases by almost 40 percent between 0-3 to 3-6 year brackets (Figure 6). The former age group is partially covered by the 0-1 Child Support Grant but the latter group remains relatively under-served by government interventions as they are not in primary school yet.

<sup>34</sup> “Inactive” is the category of people who are not working and not looking for employment either. This category is almost completely constituted by retired and/or older people.

**Figure 6: Child poverty rate by age group**

Income inequality (as measured by the Gini coefficient<sup>35</sup>) has decreased slightly over the past two decades, from 0.536 in 1992 (the year with the highest Gini coefficient) to 0.465 in 2013. The decrease in income inequality within the country has varied. Inequality in Bangkok has remained unchanged whereas other regions of the country have experienced a slight decline in inequality (Figure 7). However, inequalities cannot be confined to an income-related definition only, but should be considered within a broader perspective. For example, in terms of income share held by people, the richest 10 percent of the population accounted for 36.8 percent of total income in 2013 whereas the poorest 10 percent held only 1.1 percent.<sup>36</sup> Inequality in land possession in Thailand was extremely high and research has shown that 79.93 percent of land is owned by 20 percent of the population (as measured by size of land).<sup>37</sup>

Inequality can also be viewed in terms of disparities among genders (including male, female, transgender, etc.) or among specific ethnic, age, minority or other social and population groups. Although other dimensions of inequalities are discussed in other parts of this CCA, it must be noted that poverty and disparities should also be approached from the angle of access to social services and overall empowerment to influence decision-making processes that directly affect lives of the most vulnerable strata of the population. The issue of access to social services cuts across many other sectors such as health and education that are considered in later parts of this report. Linkages between political, social and economic empowerment are the foundation of poverty and inequality reduction. Economic empowerment allows poor people to exercise greater control over their resources and life choices which enable them to make their own decisions around investments in health and education, and taking risks in order to increase their income. However, people cannot enjoy economic freedom

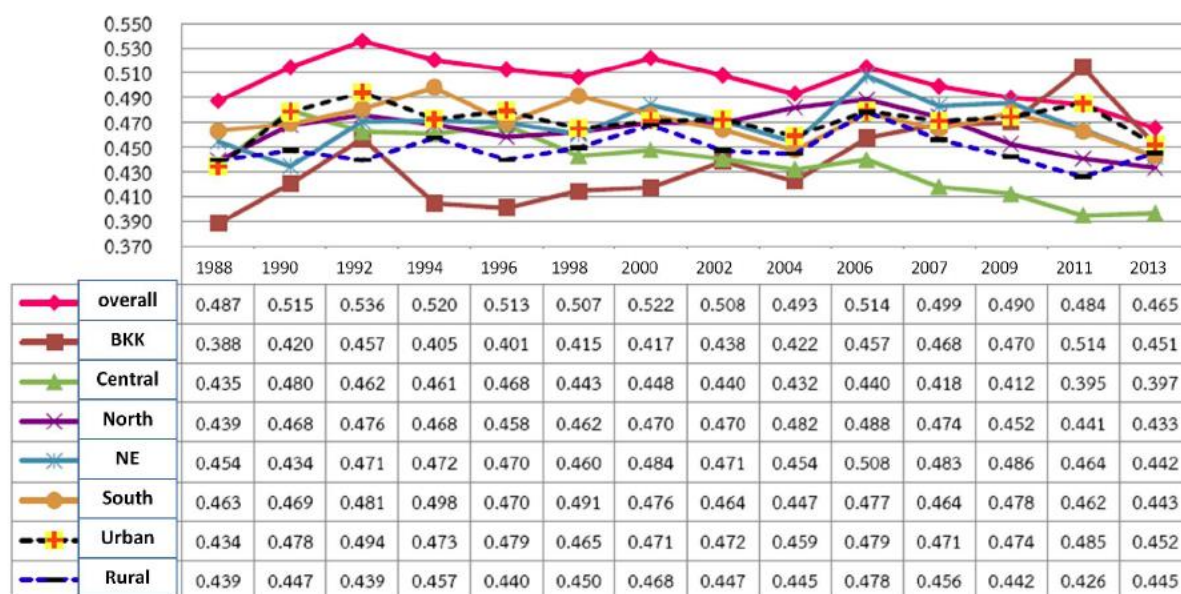
<sup>35</sup> The Gini coefficient measures the inequality among values of a frequency distribution (for example, levels of income). A Gini coefficient of zero expresses perfect equality, where all values are the same (for example, where everyone has the same income). A Gini coefficient of one (or 100 percent) expresses maximal inequality among values (for example, where only one person has all the income or consumption, and all others have none).

<sup>36</sup> NSO (2014).

<sup>37</sup> Duangmanee Laowakul (2013). "Concentration of wealth in Thai society". in Pasuk Pongpaichit (2013). **Toward the equality in Thai society: A study of structure of wealth and power for reform**. Bangkok: Thailand Research Fund.

without social and political empowerment. It is noted that poor people's empowerment, and their ability to hold others to account, is strongly influenced by their individual assets (such as land, housing, savings) and capabilities of all types: human (such as good health and education) and social (a sense of identity, leadership relations). This requires political empowerment which forms the basis of transformed relations with the state.

**Figure 7: Inequality as measured by Gini coefficient**



Source: NESDB (2015b)

### 3.2 Issues and recommendations for consideration

- Children in poverty groups remain relatively under-served by government interventions, such as free education.
- Consideration of policy areas for enhancing agricultural productivity, such as effective transformation from subsistence agriculture to more productive and market-oriented agribusiness; rural enterprise development; provision of market information and agricultural extension; on-farm and off-farm income generation; diversification; improved post-harvest systems in traditional supply chains and food commodity value chain development; and rural credit and community revolving funds.
- Improvements in income security mechanisms provided by the state, including social pensions.
- Security of land tenure with greater implementation of relevant laws for vulnerable groups. The Committee on Economic, Social and Cultural Rights recommends Thailand make efforts to effectively remove all obstacles to enjoyment of traditional individual and communal rights by ethnic minorities in their ancestral lands and take effective measures to guarantee land tenure rights without discrimination.<sup>38</sup>

<sup>38</sup> CESCR (2015).

## 4. Education

### 4.1 Situation

#### Access

Thailand has made some significant progress in education, especially in terms of free education for all, which includes both Thai and non-Thai children. Gross enrolment has increased steadily from 93.8 percent in 2008 to 99.3 percent in 2013.<sup>39</sup> However, efforts to increase the net enrolment need attention. Net enrolment of students in all levels of education has tended to increase since 2008 except for the lower-secondary education (Table 6) whereas the retention rate has tended to slightly decrease (Table 7). The higher the level of education, the lower enrolment rate there is.

**Table 6: Net enrolment rate (per cent of population at each school age level)**

Level of education	2008	2009	2010	2011	2012	2013
Kindergarten	63.3	65.0	65.1	53.1	65.7	66.9
Primary	87.6	87.1	86.1	87.2	87.6	88.1
Lower-secondary	67.9	68.6	69.9	69.6	67.6	67
Upper-secondary (including vocational)	55.4	57.3	57.6	55.9	55.1	57.7
Tertiary	23.9	23.9	23.1	21.9	28.5	29.7

Sources: NSO (2014)<sup>40</sup> calculated by and quoted in NESDB (2015b)

**Table 7: Retention rate by level of education**

Level of education	2010	2011	2012
Primary	95.5	94.2	93.5
Lower-secondary	92.8	93	91
Upper-secondary	88.8	88.3	86.8
Vocational	79.8	78.1	78.8

Sources: Office of Education Council (2013)<sup>41</sup>

For the 2013 academic year, there was a total of 4,905,460 children enrolled in primary education, 48 percent of whom were girls and 52 percent boys.<sup>42</sup> Ministry of Education administrative data indicates that this number is greater than the primary school age population (6-11), providing a gross enrolment rate of 102 percent. However, the 2012 Multiple Indicator Cluster Survey (MICS)<sup>43</sup> indicated that the net primary attendance rate was approximately 96 percent, a more likely reflection of the situation, meaning that hundreds of thousands of children are out of school at the primary level. This is despite government policy to ensure compulsory basic education of nine years for all children and the cabinet resolution in 2005 declaring that all children living in Thailand regardless of their citizenship and civil registration status have the right to schooling.

<sup>39</sup> Office of Education Council (2013). **Thailand's Education Situation 2013**. Bangkok: Ministry of Education.

<sup>40</sup> NSO (2014a). **National Socio-economic Household Survey 2013**. Bangkok: NSO.

<sup>41</sup> Office of Education Council (2013). **Thailand's Education Situation 2013**. Bangkok: Ministry of Education.

<sup>42</sup> Office of the Permanent Secretary (2013). **Education Statistics in Brief**. Bangkok: Ministry of Education.

<sup>43</sup> UNICEF (2012). **Multiple Indicator Cluster Survey (MICS): Thailand**. Bangkok: UNICEF. The MICS uses net primary attendance rate which comes quite closely to the net enrollment rate.

### Inequality

Disparities in education can be considered from different angles. For the net enrolment rate by region, some variations can be noticed (Table 8). The lowest school participation rates are in the North for pre-school and lower-secondary education, and Northeast for primary education. These are also regions which are some of the poorest areas in the country. Although education is free for 15 years from kindergarten to secondary school, poor families still find it difficult to meet many ancillary costs associated with schooling, such as transport and access to secondary schools which are normally located in cities. In addition, poor families consider the opportunity costs of losing their children either for household chores or for earning income – costs that will vary according to seasonal labour demands. Thus some parents decide not to allow their children to attend school although it is compulsory for parents to send their children to school until the completion of lower-secondary level.

While the opportunity for a free basic education has expanded to all groups in society, with a relatively high percentage of Thai children in the system, some children of ethnic minorities, as well as non-documented and non-Thai children, still do not have access.<sup>44</sup> Children who drop out and out-of-school children are from the more marginalised sections of society: children in poor families, ethnic minorities (ethnic groups, stateless children), children with migrant families, as well as children who are physically or mentally impaired.<sup>45</sup>

At the higher level of education, it was found that 67.3 percent of tertiary students were from the top 10 percent of well-off families.<sup>46</sup> Eighteen percent of rural populations ages 18-21 were enrolled in tertiary education compared to the figure of 39.5 percent from urban populations at the same age. Out of 134 universities and colleges, 65 are located in Bangkok, resulting in disparities of access to higher-level education as well.

**Table 8: Net enrolment rate by regions (2013) (percent of population at each school age level)**

Regions	Kindergarten	Primary	Lower-	Upper-	Tertiary
BKK	71.01	90.67	72.6	64.34	48.59
Central	64.71	88.71	67.76	58.13	28.43
North	63.28	87.58	63.21	60.53	30.07
Northeast	70.58	86.49	67.86	55.6	25.89
South	64.22	89.64	65.01	52.97	16.81
Total	66.89	88.08	67.01	57.74	29.68

Sources: NSO (2014)<sup>47</sup>

Education is a crucial factor to keep people out of poverty. Based on the data, the higher level of education attained, the lower the possibility for them to suffer from poverty. Although the policy of free education has been implemented for years, access to education is still an important issue in

<sup>44</sup> The Thai National Commission for UNESCO (2015) **Thailand Education for All 2015 National Review**. Bangkok: Ministry of Education.

<sup>45</sup> NESDB (2015a). **MDGs Thailand 2015**. Bangkok: NESDB. (in Thai)

<sup>46</sup> NESDB (2015b).

<sup>47</sup> NSO (2014). **National Socio-economic Household Survey 2013**. Bangkok: NSO.

Thailand especially for the poor and children living in remote areas. Quality in education is also a challenging issue as well as the skills development of the labour force. Based on the NSO survey in 2014, almost one million people under the poverty line had never been to school at all. Out of this one million poor, around 310,000 people are 15 or younger. It is very difficult for this group to escape from poverty.

### Quality of Education

Thai people are aware that the quality of their country's education is wanting and are concerned about it, not only the educational achievement of the students but also the quality of teachers' curricula and facilities. Thailand is ranked 48<sup>th</sup> out of 61 countries in the area of education as part of the World Competitiveness report.<sup>48</sup> Based on average scores from the national test in four main subjects (English, Thai, Mathematics and Science) of primary and secondary students, Thai students received very low scores, with less than 45 percent for five consecutive years (Table 9). Secondary school students received low scores in international tests such as PISA (Programme for International Student Assessment) and TIMS (Trends in International Mathematics and Science). This applies particularly to the teaching of Science, Mathematics and English.

**Table 9: Average scores of national test (4 main subjects) (score is out of 100)**

Level of education	2009	2010	2011	2012	2013
Primary	36.22	32.16	45.41	38.98	39.55
Lower-secondary	28.28	28.09	35.72	36.38	34.5
Upper-secondary	32.02	26.93	28.58	31.29	31.38

Source: NIETS (various years)<sup>49</sup>

However, students located in Bangkok performed better than those in other areas of the country, with the lowest scores being reported in the Northeast region. This is supported by the recent review of 12,230 primary schools across the country in 2013; more schools in urban areas passed the assessment (73.3 percent) compared to schools in rural areas (68.5 percent), with the highest rates being found in schools in Bangkok (90.7).<sup>50</sup>

Schools that failed to meet the quality standards set by the Office of National Education Standards and Quality Assessment (NESQA) were small schools, particularly in rural areas.<sup>51</sup> In addition, the operation of these small schools experienced similar problems: higher than the standard ratio of students to teachers, and students to classrooms; difficulty in travelling to other schools; and a serious shortage of teaching aids and equipment. Teaching and learning processes were not up to the required standards, with most teachers lacking skills in organising learning activities for situations where grade levels had to be combined because of a lack of teachers, and curriculum and teaching plans were often inconsistent with the local context. Teachers themselves were often unable to use their full energies or to spend full time in class because of additional operational duties required of them.

<sup>48</sup> Institute for Management Development (2015). **World Competitiveness Yearbook 2015**.

<sup>49</sup> National Institute of Educational Testing Service (2014).

<sup>50</sup> Office of for National Education Standards and Quality Assessment (2014).

<sup>51</sup> Office of for National Education Standards and Quality Assessment (2014).



The government has been pursuing reforms for years since the inception of Thailand's National Education Act B.E. 2542 (1999), but with little success. Lack of continuity in policymaking and frequent changes of ministerial level executives contributed to unsuccessful reform efforts. Between 1999 and 2014, sixteen ministers served the Ministry of Education during a fifteen-year period, each Minister was in a position approximately less than a year. Further involvement in the education system of parents, local communities and students is also needed.<sup>52</sup>

Thailand has continually increased its educational investment since reforms began in 1999, with the government sector investing heavily in Thailand's education. Based on information from UNESCO's Institute of Statistics, in 2012 the budget for education was 22 percent of the total national budget or equivalent to four percent of GDP. This is higher than other countries in ASEAN such as Vietnam (20 percent), Indonesia (17 percent), Philippines (15 percent), Lao PDR (13 percent) and Singapore (10 percent). This proportion is even higher than those in developed countries such as the Republic of Korea (16 percent), Norway (16 percent), Denmark (15 percent), USA (13 percent) and Sweden (13 percent). Given the poor quality of education results, the challenge remains on effectiveness in terms of resource utilisation. In a study of the National Education Account based on information from 2013, it was found that 61.66 percent of total public spending on education went to salaries for teachers and other staff as well as student subsidies (including uniforms, books and learning materials) for free education; 2.1 percent was allocated for activities for student development; 4.12 percent was assigned for teaching materials/curriculum development to improve student outcome; 1.89 percent went to development of teaching personnel; 0.73 percent for research and development expenses; 6.89 percent for students loans and scholarships.<sup>53</sup>

Information from the Office of Basic Education Commission (OBEC) showed that more non-Thai children enrolled in schools under the supervision of OBEC, with continuous increases from 45,872 students in 2011 to 81,607 in 2014. It is expected that there will be a number of non-Thai children after the ASEAN Economic Community starts from 1 January 2016 since the movement of people will be freer.

### **Education in the Deep South**

Under the current education system in the Deep South, many parents still prefer to send their children to private Islamic schools rather than to government schools. This has resulted in a dual education system, preventing the majority of children and youth in the region from experiencing multiculturalism in the classroom. There are both formal and non-formal schools in the Deep South. There are 2,012 formal schools including 1,510 primary and 97 secondary schools under the jurisdiction of the Office of Basic Education Commission and 199 religious and general education schools. There are 2,617 non-formal schools which are made up of 2,565 private institutions; 59 religious-only schools, 436 *pondoks*, and 2,070 *tadika* schools.<sup>54</sup> The Ministry of Education has also established the Southern Border Provinces Coordination and Administrative Education Centre, to coordinate the work of all agencies supporting education in the Deep South.

<sup>52</sup> <http://thaipublica.org/2014/01/the-performance-period-of-the-minister-of-education/>

<sup>53</sup> Chaiyuth Punyasawatsut, et.al. (2015). **National Education Accounts for Thailand 2008-2013**.

<sup>54</sup> Regional Education Office 12 (2014). **Educational Information in Southern Border Provinces of Thailand**.

Provision of education in the three Southern border provinces presents a particular challenge. Violence and militarisation of the situation since 2004 has had a devastating impact on the education system, as teachers become victims, and many schools are targeted or caught in the violence. The number of students completing secondary schooling in the Deep South is considerably lower compared with the national average, especially for those attending non-government schools or whose primary language is Patani Malay. Among civilians, at least 134 teachers and 46 education personnel have been killed in the violence.<sup>55</sup> Arson attacks on schools have also been employed either as a direct attack on the school or to ambush government forces deployed to protect schools.

### **Education for Children with Disabilities**

The National Survey on Disability in 2012<sup>56</sup> estimated that 2.2 percent of the population or 1.5 million people in Thailand have disabilities.<sup>57</sup> The percentage of persons with disabilities in non-municipal areas (2.5 percent) is higher than in municipal areas (1.5 percent) with a large number living in the North and Northeast regions. For the types of disabilities, 2.1 percent of the population are persons who have health problems while 0.5 percent and 1.6 percent are persons who have difficulty and impairments respectively. Out of this total number of persons with disabilities, 4.28 percent are children not older than 17 years. As shown in Figure 8, the prevalence of child disability is highest in the Northeast and higher in non-municipal areas compared to municipal areas. In addition, the disability prevalence rate among children and youth from different age groups is 0.1 percent, 0.4 percent and 0.8 percent for children age 0-6 years old, 7-14 years old and 15-24 years old, respectively.<sup>58</sup> As of July 2015, about 1.6 million people with disabilities registered with the government. Of those, about 130,000 are children and youth below 20 years old.<sup>59</sup>

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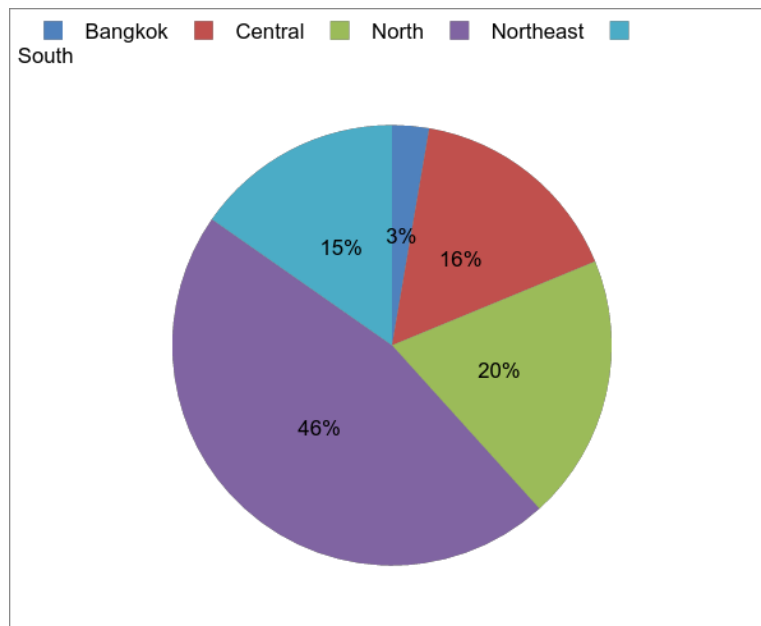
<sup>55</sup> Southern Border Provinces Coordination and Administrative Education Centre.

<sup>56</sup> NSO (2012). **National Survey on Disability**.

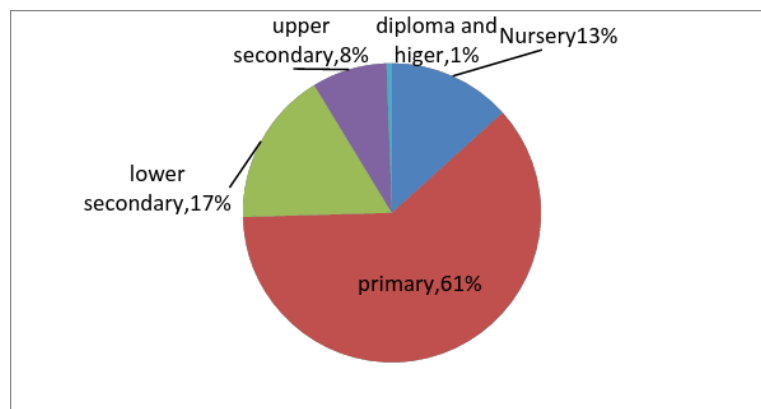
<sup>57</sup> The survey defined disabilities based the World Health Organization's International Classification of Functioning, Disabilities and Health: ICF) in three groups which include those who have mobility difficulties for over six months, those who have difficulties in taking care of themselves in basic activities such as eating, taking a shower, and those who have impairment.

<sup>58</sup> NSO (2012). **National Survey on Disability**.

<sup>59</sup> Monthly Disabled People Statistics, Department of Empowerment of Persons with Disabilities, Ministry of Social Development and Human Security.

**Figure 8: Prevalence of child disability by region**

Source: NSO (2012)

**Figure 9: Level of education of children with disabilities**

Thailand ratified the Convention on the Rights of Persons with Disabilities in 2008. From 2007 until the present, several laws and policies<sup>60</sup> have been developed and enacted to transform a charity-based society into a rights-based society.<sup>61</sup> Under the law, persons with disabilities who register with the government are entitled to benefits and services such as free education, medical rehabilitation and expenses, an 800-baht disability monthly allowance, tax reductions for caretakers, personal assistants, sign language interpreters, and home modification and renovation. In terms of education,

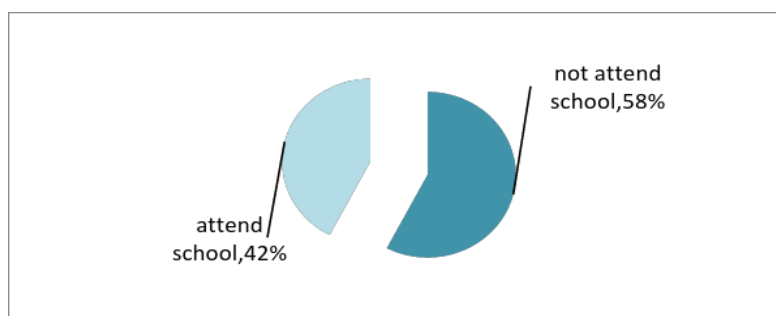
<sup>60</sup> These laws and policies include the Thai Constitution B.E. 2550 (2007); the Enactment of the Persons with Disabilities Empowerment Act 2007 (B.E. 2550) and its amendment (No.2) 2013; the Persons with Disabilities Education Act B.E. 2551 (2008); the National Disability Plan (2009-2012) (B.E.2552-2555) and 2012-2016 (B.E.2555-2559); the Women with Disabilities Empowerment Plan 2013-2016.

<sup>61</sup> <http://www.mfa.go.th/humanrights/implementation-of-un-resolutions/136-thailands-status-with-regard-to-the-convention-on-the-rights-of-persons-with-disabilities-crp-d-and-the-realization-of-the-mdgs-for-persons-with-disabilities>

all children with disabilities are entitled to receive free compulsory education and higher up to university level. The country's education policy focuses on providing various education models (including inclusive education) to address different needs and limitation of children with disabilities (CwD) and their families.

Despite a number of laws and policies in place, children with disabilities are still among the most vulnerable groups and are often excluded in Thai society. They often have problems accessing quality education and health care services. Currently, there are about 65 special schools nationwide providing education to some 18,000 children with disabilities. Some schools provide inclusive education where children with disabilities study alongside other children, but most of the schools face difficulties in implementation due to the limited capacity of teachers as well as the attitudes of parents and teachers. About 77 special education centres have been established nationwide to offer informal education for children with disabilities as well as to provide teacher training. Yet, more than half of children with disabilities did not attend school, as shown in Figure 10 below. The key reasons for this are attributed to a state of heavy disability of the children (71 percent), family concerns (3 percent), stigma and discrimination (3 percent) and absence of specialised schools for CwDs (3 percent).<sup>62</sup>

**Figure 10: School attendance of children with disabilities**



### Early Childhood Development

The early childhood period sets the foundation for life. Research confirms that the first five years are particularly important for the development of a child's brain and body.<sup>63</sup> Deprivation in care and poor nutrition in young children can cause permanent damage to brain development, with intellectual and economic repercussions, which can last into adulthood.<sup>64</sup> An estimated 4.5 million children aged between birth and five years live in Thailand. According to the 2012 MICS,<sup>65</sup> 92 percent of children between three and five years are overall developmentally on track.<sup>66</sup> However, the percentage of children on track in literacy and numeracy is lowest at 63 percent while most children are on track in other domains: 97 percent in physical development, 87 percent in social-emotional development and

<sup>62</sup> 2014 Data from Bureau of Special Education, Ministry of Education.

<sup>63</sup> UNICEF (2010). **Facts for Life**.

<sup>64</sup> Prado E., Dewey K. (2012). **Nutrition and Brain Development in Early Life**. A&T Technical Brief; Issue 4, January.

<sup>65</sup> UNICEF (2012). **Multiple Indicator Cluster Survey (MICS): Thailand**. Bangkok: UNICEF.

<sup>66</sup> This assessment takes into account the children's literacy and numeracy skills, physical development, social-emotional development, as well as learning skills.

97 percent in the development of learning skills. Findings from the Ministry of Public Health's Early Childhood Development Survey in 2014 shows a similar result that only 61 percent of children between three and five years were assessed on track in the domain of language skills.<sup>67</sup> The 2012 MICS data on numeracy and literacy skills shows that children from poorer households and different ethnic backgrounds are specifically disadvantaged, as are children who do not attend early childhood education programs.

Thailand has about 20,000 early childhood development (ECD) centres, either provided by local government or the private sector. The National Strategic Plan for Early Childhood Development prioritises the ECD centre and kindergarten to deliver essential services for health and nutrition to children aged 3-5 years of age. All ECD centres and kindergartens deliver annual health and dental check-ups to children through joint cooperation with local health centres. Monthly growth monitoring is conducted by ECD teachers with records of children's weight and height recorded and shared with caregivers. Essential nutrition services include the provision of a daily meal through government subsidies and guidelines provided on the reduction in the use of sugar, salt and fat in meal preparation. Children also receive 200 millilitres of milk every school day through the School Milk Programme and iodised salt is used during meal preparation in the ECD centre. Nutrition and health education is a component of core curriculum for ECD centres with a focus on food groups and good hygiene for children.

Although preschool enrolment (in early childhood development centres and kindergartens) is not compulsory, access to formal early childhood development services is high, in particular for children aged 4 and 5. The 2012 MICS shows an increase in attendance in early child development programs, from 60 percent in 2006 to nearly 85 percent in 2012. For the three southernmost provinces, access to formal ECD services is lower than the national average. For children aged 3-5, the enrolment rates are 73 percent for Yala, 52 percent for Pattani and 54 percent for Narathiwat.<sup>68</sup>

Delivery of integrated ECD activities such as service provision for medical check-ups, growth monitoring with nutrition counselling, provision of deworming treatment and iron supplementation and provision of a nutritionally balanced daily meal through the ECD centre are often not fully implemented nor monitored. Guidance on the implementation of health and nutrition services through the ECD centre exists, but service provision is often irregularly co-delivered by health centre staff rather than integrated as a component of the ECD program.

There is a lack of data on the coverage of early childhood development counselling for children aged 0-3. For children 3-5 years of age, the 2012 MICS data show that while 93 percent of children aged 4-5 years attend an ECD program, only 75 percent of children aged 3 years do so. Overall 84 percent of children aged 3-5 attend ECD programs, which is far from the objective of universal access outlined in the national strategic plan. In addition, only 55 percent of non-Thai children aged 4-5 attend ECD programs,<sup>69</sup> and 20 percent of ECD centres are considered to be of poor quality, under-staffed and

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<sup>67</sup> Department of Health (2014) **Early Childhood Development Survey**. Nonthaburi: Ministry of Public Health.

<sup>68</sup> Southern Border Provinces Coordination and Administrative Education Centre (2014).

<sup>69</sup> UNICEF (2012). **Multiple Indicator Cluster Survey (MICS)**. Bangkok: UNICEF.

poorly equipped.<sup>70</sup> In 2013, a Department of Health assessment of ECD centres revealed that only 67 percent of centres met the Department of Health standard.

The relatively low access to ECD services for three-year-olds can mainly be attributed to the fact that ‘pre-elementary’ provision by Ministry of Education (MOE) begins at age four, and that access for children aged three is limited to those attending private schools. Although ‘less-formal’ ECD centres by local authorities are available in most areas, some parents may prefer to wait until their child is old enough to attend kindergarten at MOE schools. For the three southernmost provinces, access to formal ECD services is lower than the national average. For children aged 3-5, the enrolment rates are 73 percent for Yala, 52 percent for Pattani and 54 percent for Narathiwat.<sup>71</sup>

As with basic education, access to high quality ECD programs is problematic for certain groups of children including migrant children, whose parents work in various low-paying jobs all around Thailand. Some informal ECD centres for migrant children are run by NGOs in a few provinces where there is a large migrant population. High mobility of parents’ work and language barriers are among the possible barriers that prevent migrant children from accessing ECD services.

Most ECD interventions for children 0-3 years of age are based in the health centre with some outreach activities in the community. However, overall, there are few complementary counselling services and support systems at the community level for nutrition, health and early child development. Potentially due to the lack of caregiver awareness, home environments continue not to provide adequate books and play things for young children, which is important for early child stimulation and cognitive development.

Coordination on quality standards and approaches to quality holistic programmes across the various service providers of ECD services (Ministry of Education, Department of Local Administration, and Bangkok Metropolitan Administration) remains a challenge, contributing to the varying levels of programme quality provided throughout the country. The provision of integrated ECD services is clearly outlined in The National Strategic Plan for Early Childhood Development. However, the plan lacks a budgeted implementation plan and joint monitoring plan to ensure inter-agency accountability and responsibility.

### **Violence Against Children**

Violence against children includes all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation (including child trafficking and child labour), and sexual abuse.<sup>72</sup> Thailand has issued several laws to address the protection of children from violence, including the Child Protection Act B.E.2546 (2003), the Protection of Domestic Violence Victims Act B.E.2550 (2007), the Adoption Act B.E.2553 (2010), the Act on Juvenile and Family Court Procedure B.E.2553 (2010). This impressive body of child protection legislation is however not currently matched by organisational and human capacity to ensure full implementation of the law and to monitor its enforcement. The harmonisation and implementation of these laws remains a challenge as the laws

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<sup>70</sup> Office for National Education Standards and Quality Assessment (ONESQA).

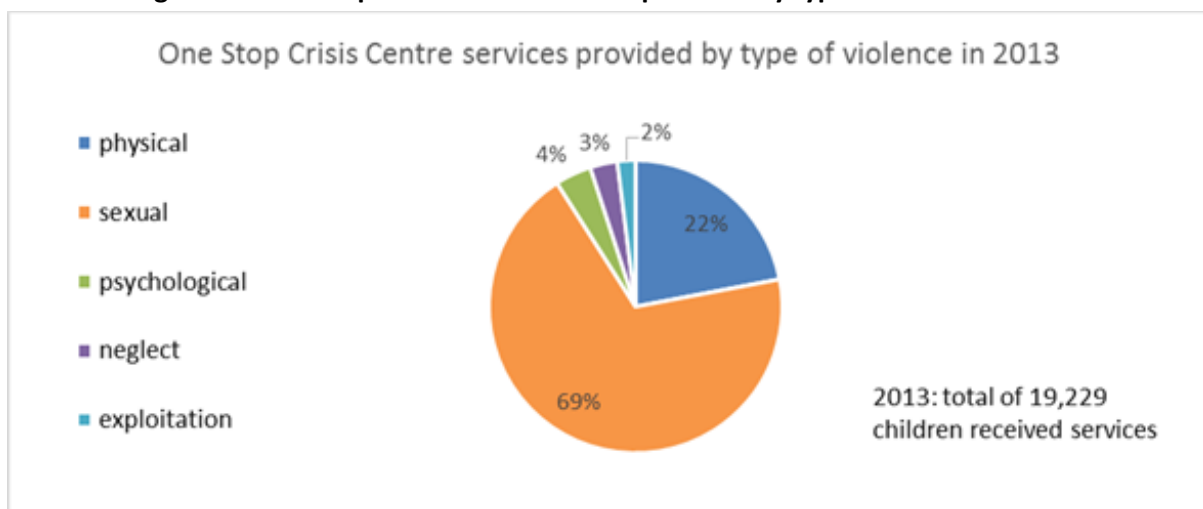
<sup>71</sup> Southern Border Provinces Coordination and Administrative Education Centre (2014).

<sup>72</sup> United Nations (2006). **United Nations study on violence against children.**

authorise different entities to enforce various aspects of child protection, but mechanisms to coordinate, monitor, and report amongst all duty bearers are still inefficient and have not functioned appropriately. The establishment of clear responsibilities and enforcement mechanisms remains vague.

Data from various sources reflects that many children in Thailand still experience abuse and violence in their communities and homes, inflicted by family members and others in their immediate environment. While actual rates of familial abuse and violence are difficult to measure, especially negligent cases which currently are not recognised by the public that it can be harmful to a child's future, broad statistics on child abuse and violence against women and children in Thailand indicate significant challenges. Data from the One Stop Crisis Centre under the Ministry of Public Health (MOPH) shows that 19,229 children from 631 hospitals sought help during 2013, equivalent to 52 cases per day, most of which were victims of sexual abuse. A regional study on corporal punishment in 2010<sup>73</sup> found that in Thailand 58 percent of girls and 72 percent of boys had experienced some forms of corporal punishment, while the situation is further exacerbated in institutional settings such as schools, institutions and justice facilities.<sup>74</sup> For more severe forms of violence, although confined to the southernmost parts of Thailand, the ongoing conflict continues to affect the lives of thousands of children, with more than 5,000 children becoming orphaned as a result of this conflict.<sup>75</sup>

**Figure 11: One Stop Crisis Centre services provided by type of violence in 2013**



Source: MOPH

The above situation of violence against children is rooted in a combination of social norms and weak policies and systems to protect children's rights. While there are no exact statistics, it is known that many people in Thai society believe that it is legitimate to use violence to discipline children when they misbehave. There have been no systematic efforts in educating or training parents on this matter. In the absence of culturally accepted alternatives, corporal punishment has been widely practiced in

<sup>73</sup> Lansford, J. et al, 2010, "Corporal Punishment of Children in Nine Countries as a Function of Child Gender and Parent Gender", International Journal of Pediatrics.

<sup>74</sup> Chiang Mai University, Survey on Knowledge, Attitude, and Practice of Corporal Punishment and Positive Discipline among staff in care institutions, Bangkok 2014.

<sup>75</sup> Deep South Incident Database: DSID and MSDHS.

families as well as other care settings. At the same time, the community's practice of non-interference has caused communities to stay out of family business, and resulted in delays for services. Despite its status as an upper middle income country, Thailand still has the traditional model of service provision in child protection largely focused on individual and fragmented issues such as commercial sexual exploitation and trafficking and migration, indicating the narrow, limited approach to address protection rights of children.

In a country like Thailand that is experiencing multiple and complex child protection challenges, including rapidly expanding risks on new issues such as internet violence<sup>76</sup>, there is a need for a more integrated and systems-based approach to prevent and protect children from all forms of violence, abuse, neglect and exploitation. The damage experienced by children of violence is immediate as well as lifelong, with consequences going beyond individual children and directly affecting social and economic development. Economic and societal costs can include poorer educational outcomes, erratic employment patterns, early parenting, unstable relationships, higher divorce rates, greater levels of drug and alcohol abuse, higher policing, court and prison costs, chronic physical and mental health problems, and increased levels of adult dependency. It is important to provide a continuum of care to better fulfil the protection of children's rights by initially setting an enabling environment of appropriate and adequate laws and policies to protect children, improving the availability and access to quality services with seamless coordination to those who may need them, putting in place a monitoring and reporting mechanism, and more importantly, reaching the families and communities to prevent violence, abuse, neglect and exploitation among children.

In 2015, a positive step made by the Thai government was the reorganization of the MSDHS, with the establishment of the Department of Child and Youth that pulls together all child and child protection related units within the Ministry from the central to provincial level. Although it will take some time to adequately function, the new structure will help address the main barrier in child protection management which is the lack of a systematic and effective coordination mechanism among different actors and sectors which results in the delay and disintegration of services.

Further work should be done to gradually shift from work with child victims towards interventions directed at the whole family, aiming to improve parents' capacities to provide appropriate care and protection, including a shift away from using corporal punishment. In the UPR submission, the CRC coalition Thailand recommends the amendment of related laws to prohibit all forms of corporal punishment or other cruel or degrading punishment of children in the home as well as all other settings in Thailand.

#### **4.2 Issues and recommendations for consideration**

- Efforts to ensure equitable opportunities for disadvantaged groups to access formal education, as well as non-formal services, to encourage independent lifelong learning are needed, for all children including disadvantaged and disabled children, as well as foreign and undocumented children.

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<sup>76</sup> ECPAT International (2015). **Desk Review of CSEC in Thailand**, draft report, August.



- It is necessary to develop education programmes in special needs schools and welfare schools to ensure equal access and opportunities for education consistent with the particular needs of the learners.
- Improving the quality of learning through better trained teachers, more modern teaching practices and new curricula for core subjects – including Science, Mathematics and English – as well as strengthened school management systems.
- The curriculum needs to be more sensitive to local concerns and should also be sufficiently broad to accommodate societal issues such as sustainable development, gender education, civic and peace education, and conflict resolution. It also needs to put more emphasis on life skills. Preventive education for HIV/AIDS and teenage pregnancy could be reinforced through the systematic introduction of sex education for all students. Sexual orientation, gender identity, and gender expression (SOGIE) issues are not included in formal sex education and are not integrated into the general national curriculum.
- The education budget allocation and utilisation needs attention since a very small proportion is allocated to the improvements of student performance, teacher development, and quality aspects of education.
- There is a lack of continuity and coherence of curriculum and teacher training between pre-school (which is defined as holistic, child-centred development) and primary education (which focuses instead on specific subject content). Thus, neither staff of ECD centres nor teachers in grades one and two have clear ideas about how to support children's transition from ECD to primary school.
- The UNCT recommends that security laws be reviewed to ensure their conformity with internationally accepted juvenile justice standards and the Convention on the Rights of the Child, that civil society organisations are part of the review process, and that an effective monitoring mechanism is established.

## **5. Health and Well-Being**

### **5.1 Situation**

#### **Nutrition**

According to an FAO report, the proportion of the population under the food poverty line, or undernourished, decreased from 18.5 percent of the total population in 2000 to 6.8 percent in 2013; however, regional disparities are still evident. Based on an NESDB analysis, an estimated 44 percent of all people who are classified as undernourished live in the Northeast, 35 percent in the North, 16 percent in the South, 5 percent in the Central region, and none in Bangkok and its municipalities.<sup>77</sup> Similarly, the proportion of undernourished population decreased by 81 percent over the past decades from 35.7 percent of the total population during 1990-1992 to 6.8 percent of the total population during 2012-2014 (Table 10).<sup>78</sup>

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<sup>77</sup> NESDB (2015a).

<sup>78</sup> FAO (2014). *The State of Food Insecurity in the World 2014*. Rome: FAO.

**Table 10: Prevalence of undernourishment<sup>79</sup>**

Period	No. of undernourished people (million)	Proportion of population
1990-92	20.4	35.7
2000-02	11.6	18.5
2005-07	7.7	11.7
2008-11	6.1	9.2
2012-14	4.6	6.8

Source: FAO (2014)

Based on the 2012 MICS,<sup>80</sup> 16 percent of children less than five years of age in Thailand are stunted or too short for their age, while an additional one out of 10 (9 percent) are underweight or too thin for their age. The prevalence of wasting, or being too thin for one's height, is 7 percent for children 0-5 years of age. Children living in the North eastern and Southern regions of Thailand are more likely to be underweight and stunted than other children. The prevalence of stunting is significantly higher among children of mothers with no education (34 percent) and in the lowest socio-economic quintiles (23 percent) than other groups. In Thailand, the burden of under-nutrition is highest in the youngest children with 18 percent of children 0-5 months of age underweight, 19 percent stunted and 16 percent wasted. Concurrently, there is a growing double burden of malnutrition amongst children under five years of age with one in 10 children (11 percent) overweight especially children in the richest households (15 percent) and in the Central (15 percent) and Bangkok (14 percent) regions. While the prevalence of overweight children was lowest in the North eastern region (8 percent) and in the poorest socio-economic quintile (8.5 percent), it should be noted that in both groups the prevalence of overweight children significantly increased from the 2005 MICS.<sup>81</sup>

Only 11 percent of infants fewer than six months are exclusively breastfed with early introduction of water and starchy foods common practice. Support for breastfeeding is provided through the health system, however, the scale and quality of counselling is not known. A new law on the use and sale of breast milk substitutes was approved in November 2015 by the Cabinet but is being challenged by the industry.

### **Non-Communicable Diseases**

Non-communicable diseases (NCD) have become a critical public health issue for Thailand. NCD deaths accounted for 71 percent of total 501,000 deaths in Thailand in 2014 and are predicted to continue to increase rapidly (Figure 11).<sup>82</sup> Cardiovascular diseases alone caused 29 percent of deaths compared to 18 percent from communicable, maternal, perinatal and nutritional conditions altogether. The top NCDs in Thailand are hypertension, cancer, cardiovascular diseases, chronic respiratory diseases, and stroke. Lifestyle changes related to consumerism are one of the major causes of NCDs.<sup>83</sup> Risky behaviours related to the modern lifestyle and urban living – such as consumption of processed, high-

<sup>79</sup> Undernourishment defined as people whose daily caloric intake is less than the defined national threshold.

<sup>80</sup> UNICEF (2013). **Multiple Indicator Cluster Survey**. Bangkok: UNICEF.

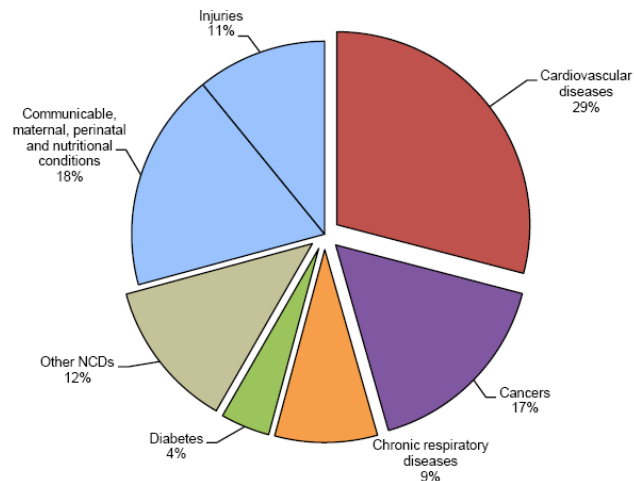
<sup>81</sup> Thailand has now moved from Thailand standards to WHO standards for nutrition indicators from latter part of 2015.

<sup>82</sup> WHO (2014). **Noncommunicable Diseases (NCD) Country Profiles**. Geneva: WHO.

<sup>83</sup> Ministry of Public Health (MoPH) (2011). **Thailand Healthy Lifestyle Strategic Plan B.E. 2554-2563 (2011-2020)**. Nonthaburi: MoPH.

sugar and fat food products; tobacco use; excessive alcohol consumption amongst the younger age groups; inadequate intake of vegetables and fruits; and physical inactivity – contributed to the rising prevalence of NCDs. Such factors were the causes of stress and inability to appropriately manage emotions, being overweight, abdominal obesity, hypertension, high blood cholesterol, high blood sugar, and metabolic syndrome. Other negative causes included lack of attention to the control and prevention of health risk factors or living in unsafe environments with health threats (such as farmers exposing themselves to chemical-based pesticide).

**Figure 12: Proportion of the causes of deaths of Thais (2014)**



Source: WHO (2014)

It should be noted here that the burden of NCDs usually falls disproportionately on the poor who often have excessive exposure to risk factors and limited access to health services. A study shows a higher percentage of daily smokers in the poorest income groups than in the highest.<sup>84</sup> The World Bank estimates that one third of the poorest two quintiles in developing countries die prematurely from NCDs, which affects their families and acts as a chronic poverty trap for them.<sup>85</sup> There are higher non-clinical costs (chronic care needs more frequent contacts and thus greater transport and opportunity costs for patients) and the cost of lifelong treatment drains a family's income. A study shows that a low-income household would spend 34 percent of its income if one of its members needed diabetes care.<sup>86</sup> Any technology in NCD care is usually concentrated in hospitals due to economies of scale making it harder to reach for rural dwellers.

## HIV

<sup>84</sup> Analysis of data from the World Health Survey (2006) quoted in WHO (2009) **Noncommunicable Diseases, Poverty and the Development Agenda**. Discussion paper for the ECOSOC/UNESCWA/Who Western Asia Ministerial Meeting, 10-11 May.

<sup>85</sup> Adeyi O, Smith O, Robles S. (2007). **Public Policy & the Challenge of Chronic Noncommunicable Diseases**. Washington DC: World Bank.

<sup>86</sup> Ramachandran A, et al. (2007). Increasing expenditure on health care incurred by diabetic subjects in a developing country: a study from India. **Diabetes Care**. Vol. 30, No. 2: pp. 252-6.

In the past decade, Thailand has been globally recognised for its successful effort to control the spread of HIV. The incidence of HIV infection has been declining in almost all age groups (Table 11). There were an estimated 7,816 new HIV infections, 20,492 AIDS-related deaths, and 445,504 persons living with HIV (PLHIV) at the end of 2014.<sup>87</sup> Out of this figure, 30,000 are PLHIV aged 10-24. Females accounted for 39 percent of total adult PLHIV and 47 percent of children living with HIV. The number of adults who were newly infected with HIV was continuing to decline but at a slower pace. The reduction of new HIV infections during 2000-2010 was 65 percent. Progress in eliminating new HIV infections among children has been dramatic in Thailand. In 2014, 121 children were estimated to be newly-infected with HIV through mother-to-child transmission. This represented about a 41 percent reduction compared to the 2010 level. However, the epidemic is still high in key populations – including men who have sex with men (MSM), people who inject drugs (PWID), and female sex workers (FSW).<sup>88</sup> Of an estimated 43,040 projected new infections between 2012 and 2016, approximately 62 percent would be among MSM (41 percent), PWID (11 percent), and FSW and clients (10 percent).

**Table 11: HIV/AIDS infection estimates**

Estimated number	2000	2005	2010	2012	2014
Total annual new infections	29,610	16,014	10,215	8,877	7,816
New infections in all adults	28,241	15,266	10,011	8,719	7,695
New infections in women adults	15,715	7,237	3,294	2,576	1,944
New infections in all children	1,378	148	204	158	121
New infections in girl children	669	363	99	76	59

Source: National AIDS Committee (2015)<sup>89</sup>

In general, Thailand has performed well to increase access to anti-retroviral therapy (ART), with a high quality of ART service provided in health care settings. Thailand was one of the first countries in Asia and the Pacific region to adopt the Test and Treat strategy; since 1 October 2014, the country offers ART to people with HIV irrespective of CD4 level (a CD4 count is a lab test that measures the number of CD4 T lymphocytes (CD4 cells) in a sample of blood). In people with HIV, it is the most important laboratory indicator of how well their immune system is working and the strongest predictor of HIV progression. At the end of 2014, a total of 426,274 adults and children were enrolled in HIV care, while 271,652 were receiving ART, which constituted 61 percent of all estimated people living with HIV in 2014.<sup>90</sup> However, the impact of wide accessibility of ART may yet be limited, as data indicate that half of people on ART started treatment quite late, when their CD4 count was less than 100. If Thailand were to accelerate the country's response to end AIDS by 2030, it is critical for the country to focus on young key populations for HIV prevention and provide people who are at higher risk of HIV with multiple options for prevention including treatment as prevention (pre-exposure prophylaxis). Thailand has adopted an ALL IN strategy to end AIDS among adolescents. The country is in the process of developing its national AIDS strategy for 2017-2030.

<sup>87</sup> National AIDS Committee (2015). **2015 Thailand AIDS Response Progress Report**. Bangkok: National AIDS Committee.

<sup>88</sup> National AIDS Management Center (2014). **Ending AIDS in Thailand through evidence-based responses: Conclusion from the National Consultation on data use**. Nonthaburi: Department of Disease Control, Ministry of Public Health.

<sup>89</sup> National AIDS Committee (2015). **2015 Thailand AIDS Response Progress Report**. Bangkok: National AIDS Committee.

<sup>90</sup> National AIDS Committee (2015).

HIV-related stigma has been identified as a key factor impeding or delaying people's access to life-saving services. Despite a more open and tolerant approach, those PLHIV in Thailand continue to suffer serious discriminatory attitudes in service provision. Even the health care system is not immune: some people with HIV have reported breaches of confidentiality and other types of discrimination or stigmatisation at the hands of health care workers. A pilot study conducted in 2014 in two provinces confirmed that stigma is present in health care settings: 23 percent of health workers reported directly observing stigma and discrimination by one of their colleagues in the past 12 months; among people living with HIV surveyed, about a quarter reported that they were not seeking treatment at local health care facilities because of fear of disclosure or poor treatment, and about a third reported having had their status disclosed without their consent. Low levels of awareness of stigma and discrimination practices, fear of infection and judgmental attitudes were the key drivers behind the evidence observed in health care settings.<sup>91</sup>

### Early Pregnancy

Adolescent pregnancies undermine a girl's ability to exercise her rights to education, health and autonomy.<sup>92</sup> The number of pregnant women aged 20 years or less is steadily rising. According to the Department of Health,<sup>93</sup> there were a total 801,737 births in 2012. Of that number, 129,451 mothers were teenagers aged 15-19. This means an average of 355 young mothers (aged less than 20 years) are giving birth every day. The proportion of teenage mothers to mothers of all age groups is 16.1 percent. Given that there is a total of 2.4 million female teens in the same age group, this implies that in 2012, the ratio of adolescents giving birth was 53.8 per 1,000 girls of the same age, which is a sharp increase from 31.1 to 1,000 in 2000.<sup>94</sup> Statistics for 2012 also revealed that 15,440 adolescents aged 15-19 had repeat pregnancies; 11.9 percent of births among the 129,451 women less than 20 years of age were repeat births. Alarming, 880 adolescent mothers gave birth for a third time. In addition, there were 3,725 girls pregnant before reaching the age of 15, 243 of whom gave birth for a second time. This data has showed an alarming increase in adolescent pregnancies in Thailand. The problem is, in part, caused by rapid economic and social change that induced changes in sexual values, younger-age sexual relationships, and a lack of self-respect and self-esteem<sup>95</sup>, as well as lack of availability and access to termination of pregnancy facilities.<sup>96</sup> Civil society organisations also play key roles in supporting the government to reduce adolescent pregnancy. The Thai Health Promotion Foundation has been supporting a project on "integration to prevention and solving of adolescent pregnancy" in 20 provinces of the country aiming to bring together all concerned agencies in each province to plan intervention and work in coordination in the respective province with a provincial-level plan to address the issue of adolescent pregnancy.

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<sup>91</sup> International Health Policy Program (2014). **Report of a pilot: Developing tools and methods to measure HIV-related stigma and discrimination in health care setting in Thailand**. Nonthaburi: Ministry of Public Health.

<sup>92</sup> UNFPA and NESDB (2014). **The State of Thailand's Population 2013**. Bangkok: UNFPA.

<sup>93</sup> Department of Health (2013). **Management of Thailand's Family Planning Service System Research Project**. A study conducted by the Health Science Research Institution, Chulalongkorn University with a support from United Nations Population Fund.

<sup>94</sup> UNFPA and NESDB (2014).

<sup>95</sup> Steering Committee on Formulation of 11<sup>th</sup> National Health Development Plan (2012). **The 11<sup>th</sup> National Health Development Plan under the National Economic and Social Development Plan B.E. 2555-2559 (A.D. 2012-2016)**. Nonthaburi: Ministry of Public Health.

<sup>96</sup> UNFPA and NESDB (2014).

Early pregnancy is linked to dropping out of school which can lead to a lack of education for young women and a tendency for them to fall under the poverty line. The Ministry of Public Health is supporting integrated reproductive health strategies designed to bring together all agencies in each province, including government, private actors and civil agencies. As part of this effort, a municipal-level policy was initiated to focus on the prevention of teenage pregnancy problems via a holistic approach that draws in the community, families, schools and public health facilities.

### **Migrant Health Care**

Studies have confirmed that migrants are needed for the long-term economic development of Thailand, with migrants currently accounting for five percent of the labour force in the country. An estimated three million migrants (both documented and undocumented) are living in Thailand, mostly from the Mekong countries. It is estimated that these migrant workers contribute about 6.2 percent to Thailand's GDP.<sup>97</sup> Currently, access to health services by non-Thai migrants is linked to a process of registration and obtaining a work permit, and then the purchase of a health insurance package for migrants. However, only 1.3 million migrants are registered. This means the remaining unregistered migrants are not eligible for health care services. Thus, a large number of migrants working in Thailand do not have health insurance. The uneven access to health services among migrants is a factor in the emerging resistance to drugs and the risk of outbreak-prone diseases in Thailand and the region. Existing language barriers limit the ability of migrants and their families to seek and receive health support in Thai hospitals.<sup>98</sup> The Committee on Economic, Social and Cultural Rights (CESCR) recommends that the RTG explore the need for additional measures to ensure that all migrant workers, regardless of legal status, are entitled to labour and social protection and can access justice for violations of their rights.<sup>99</sup>

### **Disparity Among Health Schemes**

In 2014, the entire (99 percent) Thai population was covered by one of three main public health schemes: 75.3 percent were with the Universal Health Coverage Scheme (UCS); 7.7 percent were under the Civil Servant Medical Benefit Scheme (CSMBS); and 16 percent were covered by the Social Health Insurance Scheme (SHI). Thailand is internationally recognised for its successful implementation of universal health coverage with a favourable pro-poor outcome. Health delivery systems are dominated by the public sector: public hospitals account for 75 percent of total hospital beds. Local governments have a very limited role in primary care and hospital service provision. Most private hospitals are small, with 69 percent having fewer than 100 beds. Large private hospitals include some hospital chains registered on the stock market, located in Bangkok or major cities.

Although most Thais receive health coverage, disparities in terms of quality, benefits and services are still prevalent. For instance, CSMBS covers not only civil servants but also their dependents, whereas the SHI covers only private sector employees who are with the scheme and not their dependents if they have any. Some other differences in benefit package of the three schemes are illustrated in Table 12.

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<sup>97</sup> Martin, Philip (2007). **The economic contribution of migrant workers to Thailand: Towards policy development**. Bangkok: International Labour Office.

<sup>98</sup> UNCT (2015).

<sup>99</sup> Committee on Economic, Social and Cultural Rights (CESCR) (2015). **Concluding observations on the combined initial and second periodic reports of Thailand**. (19 June 2015).

**Table 12: Benefits and coverage of each key health scheme in Thailand**

	UCS	SHI	CSMBS
Health service utilization	At contracting unit of primary care (CUP) both public and private	At registered main contractor hospital (>100 beds), public or private	At any public hospital for outpatient services; or private hospital, except accident and emergency. Only public hospitals for admission services
Health services	Ambulatory and inpatient care including accident and emergency and rehabilitation services, and preventive and health promotion services Note: prevention and health promotion for beneficiaries in all three schemes	Both ambulatory and inpatient care, including accident and emergency and rehabilitation services. No preventive services are provided, but NHSO manages prevention and health promotion for beneficiaries in all three schemes	Both ambulatory and inpatient care, including accident and emergency and rehabilitation services. No preventive services are provided, but NHSO manages prevention and health promotion for beneficiaries in all three schemes
Medicines	Limited; only essential drugs (ED)	Limited; only ED	Limited; only ED, but the use of nonessential (NED) can be approved by 3 doctors in the hospitals
Maternity (Delivery)	Limited; only 2 deliveries	Limited; only 2 deliveries and payment in cash (lump sum 13 000 Baht per delivery inclusive of ANC and PNC services)	No limit
Renal replacement therapy (RRT)	Covered and start with peritoneal dialysis, patient has to pay if choose haemodialysis	Covered; both haemodialysis and peritoneal dialysis, liable for copayment if beyond the ceiling	Covered; both haemodialysis and peritoneal dialysis, liable for copayment if beyond the ceiling
Antiretroviral therapy for HIV/AIDS	Included	Included	Included

Source: WHO (2015)

There are also inequities in access to quality health care in different parts of the country. Large gaps exist, for example, between Bangkok and the Northeastern region in health resource distribution. The Bangkok area has significantly more beds and physicians per head of population than the Northeastern region where most of the poor live (Table 13). While private hospital beds account for about 25 percent of total beds, these mostly serve wealthy patients living in big cities. In addition, health services inadequately cover the disadvantaged and marginalised.<sup>100</sup>

**Table 13: Ratios of health professionals to total populations in each region (2013)**

Region	Doctor	Dentist	Nurse
BKK	1,075	7,483	285
Central	2,263	10,159	487

<sup>100</sup> CESCR (2015).

North	2,803	9,512	542
Northeast	3,918	14,170	646
South	2,825	9,687	465
<b>National</b>	<b>2,521</b>	<b>10,580</b>	<b>503</b>

Source: MoPH (2013)<sup>101</sup>

Although health centres and community hospitals are the places where the poor, the marginalised and the vulnerable go for health services, a policy to upgrade health centres to Sub-district Health Promotion Hospitals was just merely renaming the health centres, without changing their functions or increasing the numbers of staff, which is far below the benchmark of 5-6 staff per health centre serving smaller populations and 8-10 staff serving larger populations.<sup>102</sup> In urban settings, there is the problem of coverage of primary health care services due to the weakness of local government in health care provision. The numbers of urban health centres belonging to municipalities are grossly inadequate for the entire urban population.<sup>103</sup> The situation is worse in Bangkok where investments have been in hospitals, both by the public and private sectors: the Bangkok Metropolitan Authority has 68 health centres serving an official population of eight million (though the unofficial figure is around 12 million, including three million Thais, and one million non-Thai migrants).

Continuous violence in the three southernmost provinces (Pattani, Yala and Narathiwat) since 2004, which has killed and injured many civilians, is also affecting health services. Increasing malaria incidences, comparatively low immunisation coverage, a diphtheria outbreak, and available data on infant and maternal mortality all suggest the need for tailored approaches to ensure demand and access to high-quality health services (preventive and curative).<sup>104</sup>

Ninety-six percent of children with disabilities received health care through the tax-financed UCS. A very small fraction received health care through either social security or government officer channels. This indicates that health care for CwD depends primarily on tax financing. Moreover, the quality of health care depends on the overall quality of the UCS programme itself, which can sometimes be under pressure.<sup>105</sup> In terms, of social benefits for children with disabilities, in 2013 only 35 percent of CwDs aged 0-17 received a disability grant. This situation is in line with the low levels of uptake of the disability grant by the population.<sup>106</sup>

Whereas health services for LGBTI persons are guaranteed under health regulations, health care services in general still focus mainly on males and females with little sensitivity to complications of LGBTI persons, such as issues related to HIV and other sexually transmitted diseases. Some health care professionals still look at LGBTI persons as patients or those who have a mental disorder and these

<sup>101</sup> Ministry of Public Health (2013). **Public Health Resources 2013**. Nonthaburi: PoPH.

<sup>102</sup> WHO (2015). **The Kingdom of Thailand health system review (Health Systems in Transition. Vol.5 No.5)**. Geneva: WHO.

<sup>103</sup> WHO (2015). **The Kingdom of Thailand health system review (Health Systems in Transition. Vol.5 No.5)**. Geneva: WHO.

<sup>104</sup> WHO (2011). **WHO Country Cooperation Strategy - Thailand (2012-2016)**. New Delhi: WHO.

<sup>105</sup> National Statistical Office (2013). **Disability Survey**.

<sup>106</sup> National Statistical Office (2013). **Disability Survey**.



perspectives lead to poor quality and treatment.<sup>107</sup> Health services under the operation of NGOs such as the Red Cross and Rainbow Sky, show better understanding and sensitivity on LGBTI issues.

## 5.2 Issues and recommendations for consideration

- Increasing prevalence of malnutrition may be associated with poor infant and feeding practices which are prevalent throughout the country for all subgroups. More awareness campaigns and support for breastfeeding through the health care system.
- Implementation of comprehensive prevention programmes need to be underpinned by an understanding among the population that the major NCD risk factors are largely preventable by modifying four common risk factors: tobacco use, unhealthy diet, physical inactivity and harmful use of alcohol.
- HIV-related stigma has been identified as a key factor impeding or delaying people's access to life-saving services. Efforts for shaping a response that upholds the fundamental rights and dignity of all those affected by HIV/AIDS require improvements in the legal, policy and regulatory environment along with capacity development for service providers, combined with high-profile public information campaigns.
  - Implementation challenges of such programmes include the delivery of sexual education, the priority of such programmes over other subjects and a lack of skills development to match the curriculum.
- Health inequity is evident in the health care benefits package and financing. Harmonisation is therefore needed to reduce the disparities among the three schemes. However, this harmonisation has shown slow progress due to a lack of political will and resistance from CSMBS members and hospitals.<sup>108</sup>
- A recognised lack of long-term planning and policy coherence across the relevant ministries on long-term policy toward migrants, making it difficult to plan for migrant health needs and ensure better health security for all in Thailand.<sup>109</sup> Language is also one of the main barriers for migrants to access health services. Translation services such as documents or forms in the migrants' own languages or translators are recommended.<sup>110</sup>

## 6. Gender Equality and Women's Empowerment

### 6.1 Situation

Thailand has taken significant strides towards gender equality.<sup>111</sup> In 2012, the RTG established the Thai Women Empowerment Fund for all women above the age of 15 to become members. From 2012 to 2015, the government had allocated USD \$10 million per year to the promotion of gender equality and to be used as a revolving fund from which members can borrow for career development, job creation and income generation. The interest rate is three percent a year and the repayment period cannot exceed two years. Second, there is a 'subsidy fund' which is used to promote quality of life and

<sup>107</sup> Comments from LGBTI participants at the focus group consultation.

<sup>108</sup> WHO (2015). *The Kingdom of Thailand health system review (Health Systems in Transition)*. Vol.5 No.5. Geneva: WHO.

<sup>109</sup> Information gained from focus group consultation.

<sup>110</sup> Comment from participants at the focus group consultation.

<sup>111</sup> The National Women's Development Plan (2012–2016) provides a framework for advancing the situation of women.

knowledge. The Thai Women Empowerment Fund provided some USD \$18 million to local women's groups in 2014. In 2015, the Gender Equality Act, which was drafted in accordance with UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), was enacted.<sup>112</sup> This new law refers to "gender expression" and is understood to cover LGBTI persons.<sup>113</sup> Although results of the Act will need more time to be clearly seen, progress in gender equality can be somewhat noticed. Equally, while some of the challenges have been overcome, some remain.

### Gender Equality in Education and Employment

Many more girls are now in education especially at the higher level (Table 14). Although at the lower-secondary education and below, more boys are in school than girls; girls' enrolment is higher than boys at the upper-secondary and tertiary levels. For instance, in 2014, 59.62 percent of the students enrolled at the Bachelor level were female, while 40.38 percent were male.

**Table 14: Proportion between boys and girls in education (2014)**

Level	Boy (per cent)	Girl (per cent)
Kindergarten	54.78	45.22
Primary	53.34	46.66
Lower-secondary	51.97	48.03
Upper-secondary	41.69	58.31
Vocational	61.79	38.21
Bachelor	40.38	59.62
Graduate	39.62	60.38

Source: ICT Center, Ministry of Education (2014)<sup>114</sup>

Education is the area in which gender equality has been prominent. However, in the workplace, women have had difficulty advancing to higher positions in almost all sectors, but the most glaring gap has been noticed in public decision-making.

In terms of employment opportunities, the share of women participating in waged non-agricultural employment (government, state enterprise, private sector) has increased from 45.59 percent in 2008 to 47.21 percent in 2014.<sup>115</sup> However, this is still lower than men. By law, women and men should receive the same wages for the same work. Although men still generally have a better chance at career advancement, the ratio of women's to men's income in non-agricultural employment showed some improvement with an increase from 93.63 percent in 2009 to 97.18 percent in 2014.<sup>116</sup>

### Gender Stereotypes and Traditional Attitudes

Recognising that traditional attitudes are an obstacle to women's advancement, efforts to change societal attitudes and mindsets related to gender equality are needed. MSDHS initiated the Gender in Family training curriculum aiming to address traditional attitudes regarding gender roles and

<sup>112</sup> Women groups at the focus group consultations in Bangkok and in Khon Kaen view this as a commendable progress over the past few years.

<sup>113</sup> Feedback from focus group consultation with participants from LGBTI organizations.

<sup>114</sup> ICT Center (2014). **Numbers of enrolled student classified by level of education**. Bangkok: Ministry of Education.

<sup>115</sup> NSO (2014). **Labour Force Survey (3<sup>rd</sup> Quarter)**. Bangkok: NSO.

<sup>116</sup> NSO (2014).

responsibilities. The Ministry of Education has promoted gender sensitisation through trainings and seminars for educational personnel, teachers and executives. In 2007, the Office of the Basic Education Commission conducted a review of textbooks, teaching tools and materials from kindergarten to secondary level and found 1,118 books that contained elements of gender biases. In addition, activities aiming towards attitudinal change targeting the young generation have been implemented. The contents of those activities were structured around gender perspectives and mobilisation of strategies to promote gender equality, through various types of media produced by youth. Although the government has put effort into changing the attitudes of people toward women, one notes that the attitudes of women themselves somehow becomes an obstacle as many women are not yet aware of their abilities and unconsciously disqualify themselves and other women.<sup>117</sup>

### Women in Decision-Making Roles

Women are very under-represented in public decision-making even though the National Women's Development Plan (2012-2016) set ambitious goals to tackle this issue. Although some positive trends can be noticed, the share of female representation in the National Assembly, Tambon (sub-district) Administrative Organisations (TAO), and high-level executives in government are still minimal. Female candidates for both senator and MP increased over the past 10 years (Table 15). Similarly, the share of successful female candidates also increased in both assemblies but the share is still not more than 20 percent. Positive trends can also be noticed at the local level. However, a very small number of women have been elected to local governments, and the share of women in local administrative organisations is only around 15-20 percent except for president of TAO which had a lower share at around 7 percent.

**Table 15: Share of women in MP and senatorial candidates and successful candidates**

Senators					MPs				
	2000	2008	2011	2014		2001	2005	2007	2011
Candidates	7.44	15.01	12.67	13.80	Candidates	13.43	12.36	16.40	19.21
Selected		16.1	12.67		Party list	15.74	17.01	21.51	22.06
Elected	7.44	12.67		13.80	Constituency	12.65	10.78	14.74	17.55
Successful candidates	10.50	16.00	17.87	15.58	Successful Candidates	9.2	10.60	11.67	15.8
Selected		16.22	17.87		Party list	7.0	6.0	8.75	15.2
Elected	10.50	15.79		15.58	Constituency	9.75	11.75	12.25	16.0

Source: Election Commission of Thailand (2008-2014)

In the civil service, women have not advanced to the executive level. In 1993, the share of top female executives in the public sector was around 10.55 percent while in 2013 it had increased to 24.28 percent. However, it was still three times less than men. Comparing the role of women in the public and private sectors, the proportion of senior management roles held by women in the private sector is 39 percent, 36 percent, and 38 percent in 2012, 2013, and 2014 respectively. Thailand ranks seventh globally for senior female business leaders, as reported in 2014.<sup>118</sup>

<sup>117</sup> Comment from the women's focus group consultation.

<sup>118</sup> Grant Thornton (2014). **Thailand: the business growth environment (Grant Thornton International Business Report 2014)**. London: Grant Thornton International.

**Table 16: Proportion of female high-level executives in local administrative organisations**

Position	2005	2008	2009	2010	2011	2012	2013	2014	2015
Presidents of Provincial Administrative Organizations	12.0	8.0	9.33	9.33	11.34	11.79	11.8	15.6	15.6
Provincial Councillors	4.6	11.11	11.48	12.71	11.8	11.8	13.45	13.7	13.7
Presidents of Tambon (Sub-district) Administrative Organization (TAO)	4.4	4.67	4.8	5.48	5.53	6.1	7.1	7.3	7.1
TAO Councillors	6.7	11.58	13.19	13.35	13.33	12.38	17.6	20.52	20.52

Source: Ministry of Interior (2015)

Overall, female government officials were 54.64 percent in 2013 which slightly increased from 54.19 percent in 2012. However, there are only 18 percent at the executive levels in the government sector who are females. There were 15.58 percent of female senators as the result of elections in 2014 and 10 percent of Parliament members as the result of elections in 2011. There are only 15 percent female members in the National Reform Committee. It is noted that there are no women in the NCPO and its Board of Consultants.

Women still have very little role in decision-making compared to men. Women's participation in politics and public decision-making is considerably low. One of the reasons could link to the persistent gender-role stereotypes in the family and society, which results in a low level of women's representation in appointed and elected positions in public and political decision-making.<sup>119</sup> Measures to eliminate gender-role stereotypes and ensure equal enjoyment of political rights by men and women are in need. Thailand claims to have taken initiatives to increase the participation of women in politics over the past years through capacity building of women leaders, public awareness on the importance of having women in decision-making, and advocacy for partnership and collaboration among government agencies, non-governmental organisations and women's networks for increased women participation.<sup>120</sup> However, the government has not endorsed a quota system which would increase the number of women in politics. A proposal from the Women's Status Promotion Association on setting appropriate proportions of men and women in local administrative organisations was not accepted by the government, and the Gender Equality Act does not enact temporary special measures to promote women in decision-making.<sup>121</sup> Policies which are said to promote women's empowerment still stress occupational development and income generation. Women still lack important skills for participation in decision-making. Although women do participate in many civil society initiatives to

<sup>119</sup> CESCR (2015).<sup>120</sup> Department of Women's Affairs and Family Development (2015). **Thailand's Combine sixth and Seventh Periodic Report on the Implementation of the Convention on the Elimination of All forms of Discrimination against Women (2003-2010)**. Ministry of Social Development and Human Security.<sup>121</sup> Comment from the women focus group consultation.

promote women's roles in politics, trainings that intend to empower women are short-lived, unsustainable and unbeneficial to women.<sup>122</sup>

In some specific contexts, local culture can play a role in limiting women in decision-making. Women in the Deep South of Thailand are living in a context of a male-dominated society, thus making it more difficult to have an opportunity to participate in the decision-making level locally and limits their participation in efforts to solve problems affecting women in conflict areas.<sup>123</sup> Religious teachings are suppressing women from voicing their demands and concerns.

### **Violence Against Women and Gender-Based Violence**

Thailand has issued several laws to address the protection of women from violence, for example, the Protection of Domestic Violence Victims B.E. 2550 (2007), the Criminal Code Amendment Act (No 19) B.E. 2550 (2007) on marital rape, the Prevention and Suppression on Human Trafficking Act B.E. 2551 (2008). Thai law also does not criminalise homosexuality, but it does not explicitly ban discrimination on the grounds of sexual orientation and gender identity. Lesbian, gay, bisexual, and transgender people are somewhat protected under different laws and regulations. For example, the penal code of Thailand has defined "rape" covering raping of people of all sexes and all types of sexual penetration. However, there are gaps in implementation, enforcement and the justice system process on the issue of gender-based violence due to gender biases or the lack of understanding of gender, women's human rights and the laws themselves. For example, investigators' and other law practitioners' preferred approach of reaching easy compromises on violence against women (VAW) cases is by persuading women to view the issue as a normal family matter. Many of the law enforcement officers and the public do not realise the existence of some of these laws, e.g., the Domestic Violence Law.<sup>124</sup> Law enforcement still lacks gender sensitivity when it comes to the issue of sexual violence.

Despite the common perception that Thailand is open to people of diverse sexualities, an ILO study found that LGBTI people are not fully accepted by Thai society due to persistent prejudices and lack of understanding about different sexual orientations and gender identities.<sup>125</sup> Many forms of gender-based harassment have been noted, from mild teasing, taunting, gossips, slurs, insults and groping, to more serious forms of physical and sexual violence, including hazing, bullying, physical assaults and rape. Transgender persons and young feminine gay students face the severest bullying. There are cases of toms raped by co-workers, transgender individuals raped in male prisons, and intersex persons facing sexual assaults in their community because of their ambiguous gender identity. Thai media have also reported the rapes and murders of toms which fits the definition of a hate crime. Transgender sex workers are routinely harassed and extorted by police in red light districts popular with foreign tourists. Compared to freelance female sex workers, freelance or street-walking transgender sex workers are more vulnerable to being arrested and "fined" for solicitation and subject to periodic crackdowns.

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<sup>122</sup> Thai women's CSOs (2014). **Summary report of Thai Women's CSOs on Beijing +20 Review**. Bangkok.

<sup>123</sup> Comment from the women focus group consultation.

<sup>124</sup> Thai women's CSOs (2014). **Summary report of Thai Women's CSOs on Beijing +20 Review**. Bangkok.

<sup>125</sup> Busakorn Suriyasarn (2014). **Gender identity and sexual orientation in Thailand** (Promoting Rights, Diversity and Equality in the World of Work Project). Bangkok: ILO.

In 2013, it was reported that 90.64 percent of victims of violence in the family were women; an increase from 87.38 percent in 2009.<sup>126</sup> VAW is usually perceived as a personal or family matter. Investigators often cast doubt on female victims' lack of consent or tend to view domestic violence as a family issue and thus, are not willing to register the cases but try to compromise instead. Thus, VAW cases may be under-reported. Moreover, despite the establishment of the One Stop Crisis Centre (OSCC), it is reported that OSCC is not known to the public and officers who work at the centre lack gender sensitivity in working with affected women and may have inadequate understanding on the issue. Some women who are affected by domestic violence do not know their rights.<sup>127</sup> They do not know the channels through which they can bring their cases.

Ethnic minority, indigenous women, transgender women and transgender men, and lesbians are marginalised from access to information, knowledge, as well as legal assistance which hinder them from requesting assistance when facing gender-based violence. These groups still have insufficient access to information and knowledge to deal with violent situations. There was previous evidence of school bullying in Thailand, and overall, 55.7 percent of self-identified LGBTI students reported having been bullied in the month prior to the study. Nearly one-third of self-identified LGBTI students (30 percent) experienced physical abuse, 29.3 percent reported verbal abuse, and 24.4 percent reported being victims of sexual harassment specifically because they were LGBTI.<sup>128</sup>

The RTG set up 1,300 OSCCs coordinated by the MSDHS as an effort for a comprehensive initiative for reporting and coordinating on VAW cases. In the UPR submission, the UNCT recommends strengthening of the coordination of the OSCC with other agencies, such as the hospital-based One Stop Crisis Centre under the Ministry of Public Health, including the development of a comprehensive data system on VAW. However, the UNCT notes that there is no single law on VAW in Thailand and recommends that the criminal justice system be reviewed to be more gender-sensitive.<sup>129</sup> The UNCT notes that research has shown that in only about five percent of the reported cases of violence against women are the suspects arrested and legal actions taken. Moreover, there is also no functioning system to track cases from reporting to sentencing, making it impossible to track the attrition rate.<sup>130</sup> There are still barriers, such as the costs of forensic tests, fear of stigma and availability of the services in only a few selected hospitals for the victims to seek health services and legal recourse in VAW cases. It is recommended that the RTG undertake a comprehensive prevalence study of VAW and develop a systematic plan for sensitisation and capacity-building of local authorities in prevention and response.

Violence against women based on culture is persistent in some communities, and especially in indigenous communities. There are still ineffective mechanisms to create awareness that violence against women is a human rights violation. The issues of discrimination and violence against women

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<sup>126</sup> Department of Women's Affairs and Family Development (2015). **Report on the Status of Women B.E. 2558**. Bangkok: Ministry of Social Development and Human Security.

<sup>127</sup> Thai women's CSOs (2014). **Summary report of Thai Women's CSOs on Beijing +20 Review**. Bangkok.

<sup>128</sup> Mahidol University, Plan International Thailand, and UNESCO Bangkok Office (2014) **Bullying targeting secondary school students who are or are perceived to be transgender or same-sex attracted**. Bangkok: UNESCO.

<sup>129</sup> UNCT (2015).

<sup>130</sup> Thailand Institute of Justice (2014). **The Thailand component of the UN Women-UNDP-UNODC multi-country study on policing and prosecution on sexual violence**. (draft)

of marginalised groups – including women with disabilities, indigenous women, lesbian, bisexual and transgender women, and migrant women – receive little attention from relevant agencies. Women in the Deep South face gender-based violence by family and authorities, but few get access to protection due to local culture and impunity by administrative decree.

### **Health Services with Gender and SOGIE Perspectives**

It is reported that policy implementation and programmes in health services still lack a gender perspective. Women's health policies typically focus on women's reproductive health and child care, whilst ignoring other important women's health issues.<sup>131</sup> Unmarried women, women who are of post-reproductive age, and women with unwanted pregnancies are inadequately covered in health policies. As a result, health services for these women are insufficient and do not effectively respond to their health issues. Teenage pregnancy in Thailand is still high as sex education and information on reproductive health is not efficient. Women are often discriminated against in the process of health policy formation, especially ethnic minorities, indigenous women, lesbian, bisexual and transgender women and women with disabilities.<sup>132</sup> Moreover, women are burdened with social stigmatisation and discrimination, specifically on the issue of unwanted pregnancy.

## **6.2 Issues and Recommendations for Consideration**

- Social stigmatisation and discrimination based on gender and sexual preferences still prevalent.
- Recognising that traditional attitudes are an obstacle to women's advancement, efforts to change societal attitudes and mindsets related to gender equality are needed.
- Although the government has put efforts to change attitudes of people toward women, one notes that attitudes of women themselves somehow become an obstacle as many women are not yet aware of their ability and unconsciously disqualify themselves and other women.<sup>133</sup>
- Increase in women's representation in politics by endorsing a quota system would have the ability to increase the number of women in politics.
- Lack of gender-sensitive education.
- RTG set up 1,300 OSCCs coordinated by the MSDHS as an effort for a comprehensive initiative for reporting and coordinating on VAW cases. In the UPR submission, the UNCT recommended strengthening of the coordination of the OSCC with other agencies, such as the hospital-based One Stop Crisis Centre under the Ministry of Public Health, including development of a comprehensive data system on VAW. The UNCT further noted that there is no single law on VAW in Thailand and recommends that the criminal justice system be reviewed to be more gender-sensitive.<sup>134</sup>
- Unequal access to protection, especially for women in the Deep South who face gender-based violence by family and authorities.
- Policy implementation and programmes in health services lack gender perspective.

<sup>131</sup> Thai women's CSOs (2014). **Summary report of Thai Women's CSOs on Beijing +20 Review**. Bangkok.

<sup>132</sup> Thai women's CSOs (2014). **Summary report of Thai Women's CSOs on Beijing +20 Review**. Bangkok.

<sup>133</sup> Comment from the women focus group consultation.

<sup>134</sup> UNCT (2015).

- Challenges in child protection management - lack of systematic and effective coordination mechanism among different actors and sectors which resulted in the delay and disintegration of services.
- Women's groups and LGBTI groups expressed concerns during the focus group consultations organised by the UNCT that Article 17 of the Gender Equality Act does not consider the actions undertaken in accordance with religious principles and for national security as an unjust gender discrimination and it could potentially leave room for interpretations barring equal enjoyment of rights between women and men and on the basis of gender.

## **7. Environment, Natural Resources and Climate Change**

### **7.1 Situation**

Over the past decades, Thailand's dramatic economic growth, moving the country towards becoming a middle income country has produced new environmental challenges to the once agrarian society. The country now faces problems with air and water pollution, declining wildlife populations, deforestation, soil erosion, water scarcity and hazardous waste. The open burning of fields in Northern Thailand causes major smog every year. Environmental degradation, disruption of ecosystems and climate change are some of the factors that contribute to the frequent floods and increasing incidence of vector-borne diseases such as dengue fever in Thailand.

Thailand ratified the Convention on Biological Diversity in 2004 and assessed the status of the vertebrates in the country including mammals, birds, reptiles, amphibians and fish in accordance with the IUCN Red List Categories. It was found that 11.91 percent of Thailand's vertebrates are under threat (Table 17). Another study reports that threatened species consist of 121 mammals, 184 birds, 33 reptiles, 5 amphibians, and 218 fish. Vertebrates which are critically endangered comprise 12 species of mammals, 43 species of birds, 11 species of reptiles and 18 species of fish.<sup>135</sup> Thailand's biodiversity has been shrinking.

**Table 17: Registered threatened vertebrates of Thailand**

<b>Vertebrates</b>	<b>Number of species in Thailand*</b>	<b>Number of threatened species**</b>	<b>Percentages of threatened species</b>
Mammals	302	116	38.41
Birds	982	180	18.33
Reptiles	350	32	9.02
Amphibians	137	5	3.62
Fishes	2,820	215	7.62
Total	4,591	548	11.91

\* Including extinct species

\*\* Including critically endangered, endangered and vulnerable

Sources: Office of Natural Resources and Environment Policy and Planning (2005) quoted in NESDB (2015)

<sup>135</sup> Office of Natural Resources and Environment Policy and Planning (2009). **Thailand: National Report on the Implementation of Convention on Biological Diversity**. Bangkok: Ministry of Natural Resources and Environment.



Forest area has steadily diminished from 33.44 percent of total land in 2008 to 31.62 percent in 2014.<sup>136</sup> Illegal logging and subsequent trafficking, forest fires, expansion of farmland, and extension of public infrastructure and residences have been the main cause of forest loss. Soil erosion is a major problem, especially for agricultural land, due to the misuse of land and chemical-based agricultural practices which have impacted soil quality. However, legally conserved land areas slightly increased from 20.05 percent in 2009 to 20.28 percent of total areas. But at the same time, there are also concerns about ethnic minorities' access and rights to own and use their lands and resources.<sup>137</sup>

Marine and coastal resources diminished as well. Ninety percent of the sea grass and coral reef ecosystems are seriously damaged. The catch from fisheries decreased from 1.835 million tons in 2011 to 1.719 million tonnes in 2012.<sup>138</sup> On the other hand, mangrove swamps increased from 2,333.08 sq.km in 2004 to 2,455.34 sq.km in 2014. The increase was due to rehabilitation efforts in mangrove areas that had been encroached and converted into shrimp farms along with projects of mangrove plantations which were promoted by the government.<sup>139</sup>

The country also suffers from increased pollution levels. The proportion of acceptable quality of water in main rivers and fresh water lakes is getting worse, decreasing from 82 percent in 2012 to 78 percent in 2014. Based on a survey by the Pollution Control Department, it was found that in 29 percent of cases water quality was good, 49 percent was moderate, and 22 percent was bad.<sup>140</sup> Available water from all sources was 102,140 million cubic metres, but the demand for water is much higher, at 151,750 million cubic metres. It leaves a gap in demand of around 49,610 million cubic metres. The down-scaled model of potential climate change impacts indicates that climate change can make rainfall, the main source of water for Thailand, more erratic, resulting in floods and droughts, which in turn leads to conflicts over water resources among users in different sectors and areas. A comprehensive water management policy and systems at the national and local levels is something that needs attention. Lack of progress in the substantive water sector (including agricultural water management) reform and the ineffective participatory natural resources management are issues for future consideration in relation to water management.

Demand for energy has continuously increased over the past three decades. According to the Ministry of Energy, the country's energy consumption increased from 61.262 mtoe (million tonnes of oil equivalent) in 2004 to 75.214 mtoe in 2013.<sup>141</sup> Thailand's primary energy consumption is mostly from fossil fuels, accounting for over 76.22 percent of the country's total energy consumption in 2013. Since the country has limited domestic oil production and reserves, imports make up a significant portion of the country's oil consumption. However, there is a positive trend of energy efficiency in Thailand,

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<sup>136</sup> Royal Forest Department (2015). **Forest Information Report 2014**. Bangkok: Ministry of Natural Resources and Environment.

<sup>137</sup> CESC (2015).

<sup>138</sup> Department of Fisheries (2013) Fisheries Statistics (various years). Accessed from [www.fisheries.go.th/it-stat/](http://www.fisheries.go.th/it-stat/)

<sup>139</sup> Department of Marine and Coastal Resources (2015). **Central Database System and Data Standard for Marine and Coastal Resources**. Accessed from <http://marinegiscenter.dmcr.go.th/mis/#.Vj1rtdlrKt8>

<sup>140</sup> Pollution Control Department (2015). **Thailand State of Pollution Report 2014**.

<sup>141</sup> Department of Alternative Energy Development and Efficiency (2014). **Energy in Thailand: Facts and Figures 2013**. Bangkok: Ministry of Energy.

with overall energy intensity decreasing from 15.65 ktoe (kilo tonnes of oil equivalent)/thousand million baht in 2009 to 14.93 ktoe/thousand million baht in 2013. Although Thailand's final energy consumption in 2013 increased by 2.6 percent from 2012, the final consumption of alternative energy grew faster, by 12.6 percent during the same period.

Thailand's national greenhouse gas (GHG) emissions represented only 0.84 percent of global emissions in 2012. The country's share of cumulative emissions from 1990-2012 is 0.75 percent. In 2012, per capita GHG emissions was at 5.63 tCO<sub>2</sub>e and emissions per GDP (US\$ million) is 409.54 tCO<sub>2</sub>e, which is lower than world average.<sup>142</sup> In terms of emission profile, the Second National Communication indicates that 67 percent of total GHG emissions in Thailand in 2000 is from the energy sector. In 2012, Climate Change Analysis and Indicators Tool (CAIT) data indicated a 73 percent share is from energy. Consequently, Thailand's mitigation efforts have focused primarily on energy, including the transport sector.

Solid waste has been increasing, from a total of 23.93 million tons in 2008 to 26.19 million tons in 2013.<sup>143</sup> About 2.69 million tons of hazardous and chemical waste was generated in 2013, mainly from waste electronic appliances. In contrast to the levels of waste generation, waste disposal capacity is very limited. Only 18 percent of total waste generated in 2013 was recycled. Of the remainder, only 37 percent was disposed of correctly. The rest (63 percent) was poorly or improperly disposed of, indicating that waste still undergoes ineffective treatment and disposal.

Thailand is vulnerable to natural hazards, including floods, tsunamis, storms, droughts, landslides, forest fires, earthquakes and epidemics. Thailand is frequently affected by floods and tropical cyclones have also caused disasters.

Based on Thailand's most recent Intended Nationally Determined Contribution (INDC), the country is considered one of 16 countries in the "extreme risk" category that are most vulnerable to future climate change impacts over the next 30 years. From 1955 to 2005, Thailand experienced an increase of 0.95°C in mean temperature, 0.86°C in maximum temperature and 1.45°C in minimum temperature. From 1955-2014, the number of rain days in Thailand significantly decreased by 0.99 day per decade while daily rainfall intensity increased.<sup>144</sup> National projections indicate heavier rainfalls are expected in areas with already high precipitation levels, such as the southern peninsula, whereas for the arid, inland northeastern region, the level of precipitation is expected to decline even further. As a result, severe flooding and drought can be expected.

Disaster incidents from 1991-2011 showed a rising trend in the frequency and severity of events. The tragic Indian Ocean tsunami in December 2004 killed 8,345 people in Thailand, affected 67,007 others,

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<sup>142</sup> Office of Natural Resources and Environmental Policy and Planning (2015). Thailand's Intended Nationally Determines Contribution.

<sup>143</sup> Pollution Control Department (2014).

<sup>144</sup> Office of Natural Resources and Environmental Policy and Planning (2015). **Thailand's Intended Nationally Determined Contribution.**

and resulted in a tremendous economic loss to the country.<sup>145</sup> Flood incidents occurred 224 times during this period. The floods in 2011 were assessed as the worst disaster in Thailand in half a century as they flooded 66 of the country's 77 provinces. They affected 13.6 million people; more than 884 people were killed and millions of residents were either left homeless or displaced across the country.<sup>146</sup> The total damage and losses amounted to THB 1.43 trillion (\$46.5 billion).<sup>147</sup> Overall the private sector suffered approximately 90 percent of the damage and losses, with the manufacturing sector incurring roughly 70 percent. The damage to physical assets amounted to THB 630.3 billion (\$20.5 billion), with additional losses in associated economic activities estimated to amount to about THB 795 billion (\$26 billion). Droughts have also been a significant hazard and can be expected to happen more frequently due to climate change. Disaster management policy in the past focused more on relief and response operations post-disaster rather than on proactive prevention initiatives to manage risks and reduce the potential impacts of disaster beforehand. The recently launched Disaster Prevention and Mitigation Plan B.E. 2558 (2015) portrays the shift of emphasis from disaster management to disaster risk management, but the realisation of such movement remains a challenge.

### **Green Economy and Society**

It is necessary to promote awareness and consciousness for the collective responsibility of people in general and the industrial and energy sector in particular to cope with natural and man-made risks that could lead to socio-economic and environmental changes and which could have an impact on climate change. Shifting the country toward a green economy is an issue for consideration since it is a necessary pathway for sustainability. This will link to, among other things, measures to support sustainable patterns of production and consumption by reducing the dependence on high-carbon, high-pollution industries and products, R&D and investment in low-carbon energy generation by promoting more use renewable forms of energy (such as solar, wind, small hydropower, biomass, geothermal) in electricity generation<sup>148</sup> as well as in green, environmentally-friendly technologies, and in the development and dissemination of know-how on effective waste management leading to circular economies.

The basis for building a green society is people having knowledge and awareness regarding environmental issues at hand. The Thai people have become more aware of environmental issues, partly due to efforts by the government, private sector and NGOs. The government in particular has implemented several programmes and projects on environmental education and awareness, including through both the formal and non-formal education systems. Nevertheless, much more needs to be done to promote awareness among the general public, and to disseminate success stories on community-based environmental management. Capacity building of information and media professionals could also be undertaken to help raise people's awareness and knowledge about the environment. It needs to integrate the environment and other sustainable development issues into school curricula at all educational levels.

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<sup>145</sup> Ladawan Kumpa (2015). **Towards the 12<sup>th</sup> National Economic and Social Development Plan**. A presentation given at the UN Conference Centre on 29 June. NESDB.

<sup>146</sup> ESCAP and UNISDR (2013). **Reducing Vulnerability and Exposure to Disasters**. Bangkok: ESCAP and UNISDR.

<sup>147</sup> World Bank (2012). **Rapid Assessment for Resilient Recovery and Reconstruction Planning**, GFDRR.

<sup>148</sup> Department of Alternative Energy Development and Efficiency (2012). **Alternative energy Development Plan (2012-2021)**. Bangkok: Ministry of Energy.

### **Natural Resources Use and Biodiversity**

Protecting ecosystems and their values must be considered, and land, forests, water and oceans must be treated in a well-integrated manner. While Thailand has many organisations directly and indirectly involved in land and water management, it needs to develop comprehensive land and water policies and mechanisms which reach agreement among the relevant agencies and stakeholders, and implement these through strong cooperative efforts. It is also necessary to strengthen incentives, valuing and investing in ecosystems and natural resources. Technical support to strengthen policies and regulations towards resource efficiency and sustainable consumption and production would contribute to sustainable growth while also reducing environmental impacts.

A number of local agencies now have the responsibility in natural resources and environmental management as a result of the decentralisation process. However, some carry out their responsibilities effectively while others find it more difficult, either because they have insufficient financial resources or they lack the human resources or technical know-how for effective planning and monitoring.

The adverse effects of economic activities connected with the exploitation of natural resources, including large-scale projects such as the Map Ta Phut Industrial Estate, or the enjoyment of economic, social and cultural rights by people living in the areas concerned are noted by The Committee on Economic, Social and Cultural Rights.<sup>149</sup> The Committee notes the lack of participatory mechanisms and consultations, as well as limited access to information for affected individuals and communities. Thus the Committee recommends the adoption of a human rights-based approach in its development projects, as well as establishing participatory mechanisms in order to ensure that no decision is made that may affect access to resources without consulting the individuals and communities concerned, with a view to seeking their free, prior and informed consent.

### **Waste Management**

The worst water pollution problems are in the most densely populated areas. Responsibility for collecting and treating wastewater and solid waste lies with municipalities, but they often lack the manpower and technical capacity to operate these facilities and have problems collecting fees. Regulation and enforcement are inadequate, often resulting in improper management and handling of wastewater. For solid waste and hazardous waste, management and treatment facilities are adequate for industrial waste, but not for that produced by households. There is also an increase in concern regarding waste from electronic equipment such as computers and cellular phones. Thailand will need to step up its efforts to promote sustainable consumption and production. Both the government budget and the environmental fund have provided resources for local authorities to construct and operate systems to treat wastewater and dispose of solid waste. However, there are problems with fee collection since people do not fully understand the “polluter pays principle”. Technical support and capacity building are needed to further develop policies and their implementation, including standard setting, targeted regulations and law enforcement related to effective waste management at the national and local levels in Thailand.

### **Climate Change and Disaster Resilience**

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<sup>149</sup> The Committee on Economic, Social and Cultural Rights (CESCR) (2015).

Thailand is vulnerable to the adverse impacts of climate change and extreme weather events like floods and droughts. Enhancing resilience is an issue not only for people living in cities and in key economic sectors and infrastructure, but also for rural communities. Floods and droughts are more frequent and more common, affecting agricultural production in crops, fisheries, livestock and forestry, which often make rural people subject to food insecurity and poverty. The poor and the vulnerable in rural areas, whose lives depend on natural resources for their livelihoods, will be affected first and foremost by the impacts of climate change and severe weather events. More attention to rural areas should be paid where addressing climate change and resilience.

Apart from rural people, some groups in society like women and children, people with disabilities and the aged, experience additional vulnerability to disaster risks and have different needs to reduce those vulnerabilities. Some case studies demonstrate that women suffer more in disasters and their specific needs are mostly ignored in relief and rehabilitation measures. Emergency response systems throughout the region remain dominated by men.<sup>150</sup> It is noted that very few standard operating protocols exist for early warning, evacuation, and search and rescue operations that adequately consider the special physical, health, psychosocial needs or capacities of women and girls. For children, they are more vulnerable as they must depend on others, and mostly family members, for much of their well-being and survival. When a disaster strikes and destroys assets and sources of livelihoods, households often respond with coping strategies that are harmful to children.<sup>151</sup> Households are forced to withdraw children from school, sell livestock and other assets, and cut down on food consumption to cope with disaster losses.

Policies such as climate change adaptation, mitigation, and disaster risk reduction and preparedness, have been introduced and well adopted in Thailand's National Climate Change Master Plan (2015-2050) and National Disaster Prevention and Mitigation Plan. However, there is a clear need to further strengthen resilience, particularly in cities and in key economic sectors and on infrastructure. It is noteworthy that by now, nine cities, municipalities and communities in Thailand have joined the "Making Cities Resilient" global campaign, addressing issues of local governance and urban risk, and two cities (Bangkok, Patong) have been recognised as role models by UNISDR.<sup>152</sup>

Climate change and disaster issues should not be treated in complete separation, especially when the adaptation part of climate change contributes significantly to the reduction of climate-induced disaster risks. There is a need for technical support for Thailand to enhance its resilience and strengthen its capacity to reduce the risks of, prepare for, and respond to disasters and to implement mitigation commitments. Key priorities in the plan are defined in the areas of integrated water risk management, food security, and control of health issues induced by climate change and disasters, GHG emission reduction in all sectors, waste management, and data management.<sup>153</sup> There is also a need to engage the private sector, households and local communities in the efforts.

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<sup>150</sup> ESCAP and UNISDR (2013). **Reducing Vulnerability and Exposure to Disasters**. Bangkok: ESCAP and UNISDR.

<sup>151</sup> UNICEF EAPRO (2014). **Protecting children from poverty, disaster and climate risks: Linking Social Protection with Disaster Risk and Climate Change Adaptation in East Asia and the Pacific – Reflections from a Symposium**. Bangkok: UNICEF EAPRO.

<sup>152</sup> Official website of the global campaign: <http://www.unisdr.org/campaign/resilientcities/home/cities>

<sup>153</sup> Draft National Climate Change Mitigation and Adaptation Master Plan (2015-2050).

UNICEF proposes that social protection approaches are effective for understanding current social and economic child vulnerabilities at the household level. Disaster risk management and climate change adaptation approaches are strong in localising and assessing the potential future risks to populations exposed to natural hazards and climate change, including the poorest. Combining both enables us to identify current and future vulnerabilities and risks, and those children and families most in need of assistance.<sup>154</sup>

Local governments and communities also need to develop a capability for emergency response in case of natural and human-made disasters such as flood or drought which can immediately put some people into poverty. Resilience capacity should be well grounded at the community level in terms of awareness, prevention, protection and evacuation of individuals, families and communities.

### **Disaster Risk Management**

Thailand is actively involved in international processes directed towards disaster risk reduction. The Royal Thai Government has played a key role in the process leading to the Third World Conference on Disaster Risk Reduction and the adoption of the Sendai Framework for Disaster Risk Reduction 2015-2030 (SFDRR).<sup>155</sup> At the global level, it co-chaired the negotiations of the SFDRR, and at the regional level, the government showed its leadership by hosting the 6th Asian Ministerial Conference for Disaster Risk Reduction (AMCDRR), with the technical support of UNISDR.

Thailand is a signatory to the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), a legally binding treaty and ASEAN's instrument for coordination in all phases of a disaster, and a member country of Asian Disaster Reduction Center (ADRC).

Two key national laws pertaining to disaster risk management in Thailand are: 1) the National Social and Development Act, B.E. 2521 (1978) and 2) the Disaster Prevention and Mitigation Act, B.E. 2550 (2007). This first law established the National Social and Economic Development Board (NESDB), which provides advisory services and development planning to the prime minister and the cabinet, including how best to provide disaster resilience in Thailand as it relates to its social and economic development. The second law established the Department of Disaster Prevention and Mitigation (DDPM), the focal agency to carry out disaster management planning and response in Thailand. It also established the National Disaster Prevention and Mitigation Committee (NDPMC) that is chaired by the prime minister or deputy prime minister. Both the NESDB and the DDPM have a key role in the development of plans in relation to disaster management and mitigation.<sup>156</sup>

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<sup>154</sup> UNICEF EAPRO (2014). **Protecting children from poverty, disaster and climate risks: Linking Social Protection with Disaster Risk and Climate Change Adaptation in East Asia and the Pacific – Reflections from a Symposium**. Bangkok: UNICEF EAPRO.

<sup>155</sup> The Sendai Framework for Disaster Risk Reduction 2015-2030 was adopted by UN Member States on 18 March 2015 at the WCDRR. The Sendai Framework is the first major agreement of the Post-2015 development agenda and a global blueprint for disaster reduction.

<sup>156</sup> Summary Report: Assessment of Disaster Management Planning, Policies and Responses in Thailand, March 2013 (prepared by Asian Disaster Preparedness Center; conducted by HelpAge International and AADMER Partnership Group).

The Disaster Prevention and Mitigation Act 2007 is oriented to the harmonisation and systematisation of disaster management practices of all stakeholders at all levels, focusing more prominently on disaster response and recovery operations. According to the Act, disaster management organisational structure, roles and procedures are identified for all administrative levels; national, provincial, district, and sub-district. The National Disaster Prevention and Mitigation Plan 2015 was formulated with a clearer focus on disaster risk management (DRM), with emphasis on understanding risks and more proactive disaster risk reduction and management. Overall emergency preparedness and response (EPR) activities are coordinated by the Department of Disaster Prevention and Mitigation (DDPM) of the Ministry of Interior. However, the structure and frameworks in the plan have not yet been effectively implemented. Coordination and implementation mechanisms to proactively mainstream disaster risk reduction (DRR) across different sectors and stakeholders also remain unclear.

That being said, the most challenging gap is people's awareness and understanding on disaster and disaster risks. Risk awareness and disaster prevention should also be founded at the local level. It is important that an effective DRR practice must be in tune with the fostering of "disaster safety culture" in every part of society, particularly among local community members, local authorities, and children and teachers who have the capability to build, promote and maintain a culture of safety awareness.<sup>157</sup> However, past experiences have shown that Thai people are not well aware of hazards, disasters and risks. The lack of safety culture has resulted in limited knowledge and capacities, and unorganised disaster risk management.

In addition, for effective disaster risk management, the issue of consideration should not focus only on the reduction of disaster risk, as part of comprehensive disaster risk management, rehabilitation needs to be emphasised. It is recommended that setting up rehabilitation plans and capacity building on rehabilitation at national, regional and community levels should be taken into account when thinking about disaster management.

Effective disaster risk management also requires good systematic information support. Currently, there is no evidence-based multi-hazard risk information available at the national and sub-national levels. More importantly, there is limited understanding on how risk information can be used to inform effective planning and development decisions.<sup>158</sup> More qualitative and subjective risk assessments have been implemented in some pilot areas by DDPM with data collected from communities including event history of disaster, damages and loss information, and vulnerable groups in the communities. Some multi-hazard assessment maps can be observed, but these are limited to risk prone communities/areas and often mistaken as risk maps. A commitment to multi-hazard risk assessment requires all sectors and stakeholders' commitments and needs cross-sectoral collaboration, appropriate technology and expertise as well as data sets in a quality and format suitable for analysis. All of these do not usually co-exist at both national and local levels. Thus, supporting the development of risk information, information accessibility and dissemination and utilising it for decision-making on disaster risk management of all stakeholders in every level remains crucial.

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<sup>157</sup> Department of Disaster Prevention and Mitigation (2015). **National progress report on the implementation of the Hyogo Framework for Action (2013-2015).**

<sup>158</sup> Department of Disaster Prevention and Mitigation (2015).

Thus the challenges of a disaster database system still remain for Thailand.<sup>159</sup> Data collection and updating have not yet been implemented in a systematic way, especially at the local level and in many sectors. A more user-friendly and simple approach for risk assessment should be developed and introduced to local partners for they are at the frontline for disaster risk reduction. In addition, responsible agencies on risk assessment still have limited knowledge, resulting in an ineffective training/knowledge transfer to the local level.

Therefore, there is a need to promote investing in information system development, as well as building knowledge and coordination with government officials at the national and local levels, civil society, communities and volunteers including private sector, through training and sharing lessons learnt/good practices on risk assessment and disaster risk reduction.<sup>160</sup>

### **Access to Quality Water of Vulnerable Groups**

The UN Special Rapporteur's report on the human right to safe drinking water and sanitation<sup>161</sup> commends Thailand for achievements to ensure access to water and sanitation, particularly in the challenging area of basic rural sanitation. However, some groups of people are still being left behind from improvements including migrants, indigenous peoples, informal settlement dwellers and prisoners. For example, migrant workers in an irregular situation could access water and sanitation in their construction workers' camp which was far below the standard set by the Building Control Act. The camp only had 10 non-sex-segregated toilets and one open bathing point. These were shared by nearly 300 workers, including 70 women, as well as by 40 children living in the camp. These migrants suffer not only from a lack of access to sufficient water and sanitation, but also from stigma and the denial of privacy and dignity. It is the employer's responsibility, from a human rights perspective, to respect human rights. From a human rights point of view, an individual, regardless of nationality, language or ethnicity, is entitled to water and sanitation. Their legal status cannot exempt the state from its obligations to ensure access to water and sanitation. The Special Rapporteur strongly encourages the RTG to revisit the situation of access to water and sanitation from a human rights point of view to ensure these human rights are fully realised for all in terms of quality, availability, affordability, accessibility and adaptability of services and the inequalities in access are eliminated.

### **7.2 Issues and Recommendations for Consideration**

- Shifting the country toward a green economy is an issue for consideration since it is a necessary pathway for sustainability. It is necessary to promote awareness and consciousness raising for collective responsibility of people in general and the industrial and energy sector in particular to cope with natural and man-made risks that could lead to socio-economic and environmental changes and which could have an impact on climate change.
- Develop comprehensive land and water policies and mechanisms which reach an agreement among relevant agencies and stakeholders, and implement these through strong cooperative efforts.

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<sup>159</sup> Interview with DDPM.

<sup>160</sup> UNDP (2011). **Disaster Risk Management Post Disaster Needs Assessment for Sustainable Recovery Thai Flood 2011**.

<sup>161</sup> United Nations General Assembly (2013). **Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque**. Human Rights Council twenty-fourth session. Agenda item 3.



- The Committee on Economic, Social and Cultural Rights recommends the adoption of a human rights-based approach in its development projects, as well as to establish participatory mechanisms in order to ensure that no decision is made that may affect access to resources without consulting the individuals and communities concerned, with a view to seeking their free, prior and informed consent.
- In regards to waste management, technical support and capacity building are needed to further develop policies and their implementation, including standard setting, targeted regulations and law enforcement related to effective waste management at the national and local levels in Thailand.
- Enhancing climate change and disaster resilience particularly in cities and in key economic sectors and on infrastructure.
- Very few standard operating protocols exist for early warning, evacuation, and search and rescue operations that adequately consider the special physical, health, psychosocial needs or capacities of women and girls and other vulnerable groups.
- Capacity building for emergency response in case of natural and human-made disasters such as flood or drought which can immediately put some people into poverty. Resilience capacity should be well grounded at the community level in terms of awareness, prevention, protection and evacuation of individuals, families and communities.
- Increase awareness of disaster risks and prevention, capacity building in disaster risk management – focus not only on reduction of disaster risk, but also rehabilitation needs to be emphasised at national, regional and community levels.
- Access to quality water for vulnerable groups (migrants, indigenous people, informal settlement dwellers and prisoners). The Special Rapporteur strongly encourages the RTG to revisit the situation of access to water and sanitation from a human rights point of view to ensure these human rights are fully realised for all in terms of quality, availability, affordability, accessibility and adaptability of services and the inequalities in access are eliminated

## **8. Population Changes and Movement**

### **8.1 Situation**

#### **Ageing Society**

Thailand is now transitioning into an ageing society as a result of a rapid decline in the birth rate and people living longer. The life expectancy for males will rise to 71.1 years in 2020 while the life expectancy for females will rise to 77 years. As for the birth rate, some 40 years ago a Thai woman had, on average, 5-6 children, but that has now fallen to 1-2 children. More women choose to stay single, and those who do marry now have children later and some do not have children at all. The total fertility rate<sup>162</sup> has dropped to just 1.62 in 2015 compared to an ASEAN average of 2.4. As a result of these two trends, the proportion of older persons aged 60 and above in the total population will increase from 15.8 percent in 2015 to 20 percent in 2024 and 32.1 percent by 2040.<sup>163</sup> Compared with

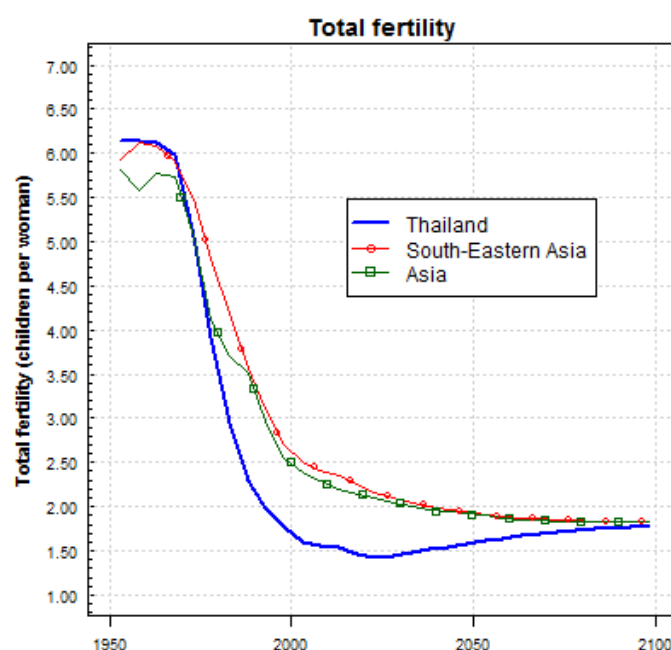
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<sup>162</sup> This means an average number of children born to a woman of reproductive age.

<sup>163</sup> NESDB (2015). **NESDB Annual Conference 2015**. Bangkok: NESDB.

other ASEAN countries, Thailand is likely to have a higher proportion of ageing people than neighbouring countries except for Singapore (Table 18).

**Figure 13: Total fertility rate in Thailand**



Source: United Nations, Department of Economic and Social Affairs, Population Division (2015)<sup>164</sup>

**Table 18: Estimated percentage of population aged 60 and over in some ASEAN countries (2015 and 2050)**

Country	Year 2015	Year 2050
Indonesia	8.2	19.2
Malaysia	9.2	23.6
Philippines	7.3	14
Singapore	17.9	40.4
Thailand	15.8	37.1

Source: United Nations, Department of Economic and Social Affairs, Population Division (2015)

In contrast, the proportion of children in the total population is expected to decrease from 18.1 percent in 2015 to 12.8 percent in 2040. Similarly, the working age population is expected to decrease from 66 percent of the total population in 2015 to 55.1 percent in 2040. In 2015, 4.2 working age individuals are responsible for one elderly person. By 2040, this ratio will be 1.7:1.

With an ageing population, the long-term health care burden for the elderly is expected to grow and be associated with higher costs. Only five percent of older persons were reported to be in good health which suggests that the rest need some level of health care. In addition, as older people reach 75 and

<sup>164</sup> United Nations, Department of Economic and Social Affairs, Population Division (2015). **World Population Prospects: The 2015 Revision.**

beyond, many require some personal care and support. Traditionally in Thailand, this was done at home by family members. However, the shift to low fertility and an increase in migration of adult children to find employment in other cities outside their hometown lowers the ratio of working age adults who are able to support older people in their family. About 50 percent of older people have reported that they do not have a child living in the same village/municipality and 16 percent have no living children. Older persons are therefore likely to have to pay for their caretakers on their own. However, around 65.4 percent of older persons have reported that they do not have enough savings or have no savings at all. For the poor elderly, this might imply that support is needed from the government or communities. This condition could lead to a greater fiscal burden through higher social security costs.

In the view of health professionals, Thailand is under-prepared for the impending ageing society. Infrastructure has been built with little concern for the use of the elderly. Public facilities and daily-use equipment are not elder-friendly and most Thais have not participated in any saving schemes. The government launched the National Saving Fund in August 2015, which aims to be another source of income for future older persons. It aims to serve as a safety net for self-employed people and help to slightly narrow the income parity gap.<sup>165</sup> Although the sum is not high, the fund does serve as a social protection mechanism that is a dependable source of income regardless of economic condition. As such, it provides some protection from economic shocks, particularly for the poor and near-poor older people. Apart from the Saving Fund, under the current policy on income support for elderly, older persons aged between 60 and 69 receive a monthly allowance of 600 baht. Those aged between 70 and 79 receive 700 baht, and those aged 80-89 receive 800 baht. A monthly allowance of 1,000 baht will be offered to persons aged 90 and over. Although this is also another social protection mechanism especially for the poor elderly, a careful fiscal space calculation and analysis may provide appropriate answer or sustainable solution to this mechanism when the size of elder persons increases to 32.2 percent of total population. The increase in the number of elderly would mean more demand for professional caretakers. The concern is whether there will be sufficient professional caretakers to meet future demand.

All of these issues need a set of clear and comprehensive measures to address them in a more systematic and integrated manner. Measures to address income security for the elderly are needed apart from the current allowance and saving fund. Issues related to education and lifelong learning for the elderly will soon become a priority. There is a need to raise the social consciences of individuals with respect for and recognition of the elderly and making a contribution towards this cause. Health promotion and prevention against disease and primary health care specifically for the elderly is in its infancy. Making public infrastructure more elder-friendly is also an issue that is under-concerned among government agencies. Lastly, several issues related to employment policy and work for the elderly is not fully addressed. An example of this is whether or not to extend the retirement age beyond 60.

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<sup>165</sup> Compared to the civil servants who are protected by the Government Pension Fund (GPF), while salaried workers generally are members of the Social Security Office and/or their companies' provident funds, the Fund will act as a state-run provident fund for some 30 million self-employed workers who are not members of the GPF or private provident funds. To qualify for the scheme, applicants must be aged between 15 and 60 years of age. The government will contribute to the fund at a rate that varies based on a member's savings and age.

Pre-elderly health promotion to maintain a healthy ageing population was adopted as a national policy agenda. The health system in Thailand is organised for acute care and not long-term care (LTC).<sup>166</sup> LTC requires integrated health and social care. Almost all older people in Thailand who need LTC receive informal care provided by their family members or relatives. There are some LTC institutions organised by private for-profit organisations, but the costs are not affordable for the majority of people. In addition, there are some pilot sites on LTC delivery in Thailand and since 2015, the MoPH has started the process of developing overall policies for care of elderly.

Rather than being viewed as a burden to society, older persons should be seen as valuable resources who can pass on wisdom and experience to younger generations. People should be aware of the importance of older persons' capacities, so that they can receive greater opportunities to make use of their knowledge and experience in working for society.<sup>167</sup>

### **International Migrants, Asylum-Seekers, Stateless and Displaced Persons**

Thailand is a country of destination and transit for migrants and asylum-seekers. In addition to 1.47 million registered migrants<sup>168</sup> from Lao PDR, Cambodia and Myanmar, it is estimated that Thailand also hosts at least two million unregistered migrants who currently do not benefit from the protection of labour laws and social services. For several decades, Thailand has also been a safe haven for people seeking refuge from conflict and distress in the region. In the past two decades alone, with international support Thailand has provided sanctuary for more than 100,000 displaced persons from Myanmar in camps along the Thai-Myanmar border.

As of November 2015, there were approximately 443,860 stateless persons.<sup>169</sup> A significant percentage of the population in these districts is undocumented and therefore not reflected in official statistics.

Thailand is not a signatory to the 1951 Refugee Convention or its 1967 Protocol and does not have a formal national asylum framework, nor does it have processes and procedures for addressing its responsibilities towards persons with international protection needs, notwithstanding its commitments vis-à-vis, *inter alia*, the CAT, the ICCPR or the customary international law principle of non-refoulement. Approximately 1,600 urban refugees and 7,400 asylum-seekers of more than 40 nationalities are residing in Thailand.<sup>170</sup> Many live in Bangkok and the surrounding urban areas with

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<sup>166</sup> Long-term care refers to a continuum of medical and social services designed to support the needs of people living with chronic health problems that affect their ability to perform everyday activities. LTC services include traditional medical services, social services, and housing. While the primary goal of acute care is to return an individual to a previous functioning level, LTC aims to prevent deterioration and promote social adjustment to stages of decline. LTC include traditional medical providers such as physicians and hospitals, formal community caregivers such as home care agencies, facility providers such as nursing homes and assisted living facilities, and informal caregivers such as friends or family members.

<sup>167</sup> Comments from the focus group consultation.

<sup>168</sup> Office of Foreign Worker Administration (2015). **Migrant Labor Statistics**. Accessed from <http://wp.doe.go.th/wp/images/statistic/sm/58/sm0858.pdf>

<sup>169</sup> UNHCR (2015).

<sup>170</sup> UNHCR (2015).

no legal means to sustain themselves. Close to 380 persons of concern to UNHCR are held in immigration detention centres throughout the country. Those who are not detained risk arrest and detention, as well as deportation, if found without valid visas. There were at least 155 persons subject to refoulement either from within the territory of the Kingdom or as a result of non-admission between 2012 to mid-2015.<sup>171</sup> Refoulement is against international standards as persons are being returned to countries in which they might be subject to arbitrary arrest, torture and ill-treatment, or other types of human rights violations.

Although significant steps have been taken to regularise the status of migrants and their access to social services, in particular health care, challenges in protecting the rights of migrant workers still remain significant. Undocumented migrant workers, including adolescents, can be subject to deception and human trafficking by means of debt bondage, passport retention and physical abuse, particularly in fisheries, agriculture and as domestic helpers. There are also cases of mass expulsions of migrant workers. Further steps need to be taken to ensure migrant workers' rights to access social services. It is recommended that foreign migrant workers have opportunities to register at regular intervals on the basis of procedures that have been well publicised in advance and in the appropriate languages. Registration could also be made simpler and cheaper. Close coordination of relevant ministries would help streamline registration – to the advantage of migrants, their employers and the government. The government can also ensure that migrant workers are protected through the existing legal framework as well as through the implementation of Memoranda of Understanding with Lao PDR, Myanmar and Cambodia. This ought to afford protection to many specific migrant worker categories, including domestic workers. The efforts of the Thai government to establish a regular recruitment process from Lao PDR, Cambodia and Myanmar should continue to be strengthened. The Thai government could also work with these neighbouring governments to ensure that migrant workers are aware of the risks of irregular migration to Thailand. More generally, the Memoranda of Understanding can be used to maximise the opportunities to both sending countries and Thailand while at the same time protecting migrant workers from the risks of abuse and exploitation.

In general, migrants, highland people, urban refugees and asylum-seekers, and other mobile populations often find it difficult to access basic social services, for example, health information and services including reproductive health, vaccinations and primary health care. Migrants, asylum-seekers and persons without Thai citizenship or rights to stay in the country, are especially vulnerable to communicable diseases (including tuberculosis, filariasis and malaria) and HIV infection because of their isolation from local communities, their separation from regular partners, their anonymity and their lack of access to HIV and AIDS information, counseling and care. In this regard there is an urgent need for attention to be given to the prevention and treatment of HIV infection and AIDS, sexually transmitted infections and communicable diseases.

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<sup>171</sup> This includes some 109 persons of Turkic origin who were forcibly deported to a country they expressed fear of being sent to. Earlier some 172 women and children of Turkic origin (include spouses/children of those mentioned above) were permitted by RTG to be deported to a country of their choice. 58 such persons remain and RTG is urged to allow them to be deported to a country of their choice, provided that country is willing to receive as is their right under the ICCPR, which is consistent both with the CAT and Thai domestic law which does not expressly envision any specific protocol concerning destination of deportation.

Refugees of school age and children of asylum-seekers in urban areas need to be given access to education. Children of refugees undergoing lengthy resettlement procedures and long-staying refugees have a chance to integrate into the Thai school system which is permitted under the RTG's Education for All Policy. An intensive Thai language curriculum that aims to provide the children of concern with the required Thai language skill helps to allow them to integrate into the Thai public schools more easily.

According to the UPR submission,<sup>172</sup> Thailand is advised to refrain from the refoulement (forcible return) of asylum-seekers, refugees, migrants in refugee-like situations, asylum-seeking or refugee victims of trafficking, and asylum-seeking or refugee victims of smuggling, especially to places where their lives or freedom would be threatened. Implement a CAT screening process and/or accede to the 1951 Refugee Convention should be considered. Thailand could seek clear and consistent alternatives to Immigration detention for refugees and asylum-seekers (especially children, families and vulnerable persons) and use detention as a last and limited resort and, if it insists on detention, ensure that immigration authorities have the financial resources, personnel capacity and physical infrastructure to detain persons in appropriate conditions.

A strong political will to address the statelessness issue, either through increased recognition of nationality or "regularisation through residency" for some stateless persons, is increasingly visible at different levels of political decision-making, within the Department of Provincial Administration (DoPA) and Bureau of Registration Administration (BoRA), at national as well as district levels. This commitment to the nationality application process presents an opportunity for future collaboration between the RTG and the UN.

CESCR recommends measures to facilitate the naturalisation and integration of stateless persons by addressing remaining gaps in the Nationality Act, as well as ensuring their basic rights are protected. Given the absence of an overall legal framework protecting the rights of asylum-seekers and refugees and lack of a formal national refugee status determination procedure, the Committee urges the RTG to adapt a legal framework on asylum-seekers with a view to ensuring due protection of their rights.<sup>173</sup>

The aim is to align policies on migration with other policies on economic and social development – incorporating international migration into projections of the population and the labour force, for example. This entails reviewing migration trends and analysing their social and economic impact – as well as establishing a migration management system for more accurate monitoring. All these issues need to incorporate a gender and human rights perspective. It will also be important to disseminate public information in the appropriate languages to ensure that migrants, employers, public officials and members of the general public are aware of their rights and obligations while also promoting an informed public dialogue.

### **8.1.3 Trafficking in Persons**

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<sup>172</sup> UNCT (2015).

<sup>173</sup> CESCR (2015).

Trafficking in persons is linked to issues of employment, sexual exploitation, forced labour and child labour in Thailand. The linkages tie to and have implication for export-led sectors including fishing, seafood processing, and agricultural commodities such as sugar, rubber and wood, as well as garments. Given the labour-intensive nature of these sectors, their dependency on migrant workers and the close connectivity with global supply chains, this has broader implications for migration and trade policies as well as efforts to protect vulnerable persons and address unacceptable forms of work.

**Map 2: Migrant smuggling and labour trafficking to Thailand**



Source: UNODC (2013).<sup>174</sup>

Thailand is a source, destination and transit country for women, men and children subjected to forced labour and sex trafficking from neighbouring countries (Map 2). Common forms of human trafficking

<sup>174</sup> UNODC (2013). *Transnational Organized Crime in East Asia and the Pacific: A threat assessment*. Bangkok: UNODC

in Thailand are sexual exploitation, forced labour or service and begging.<sup>175</sup> Domestic work forms a significant portion of labour trafficking victims within Thailand, together with fishing and fishing-related industries, low-end garment factories, street begging, and the sex trade.<sup>176</sup> Alongside the increase in the number of identified victims, there has also been an increase in convictions of traffickers, as shown in Table 19. In 2013, for example, of 1,020 victims officially identified, 657 were Thai nationals.<sup>177</sup>

**Table 19: Number of formally identified victims of trafficking and trafficking convictions in Thailand**

Year	2009	2010	2011	2012	2013
Number of formally identified victims	530	509	279	592	1,020
Number of offenders convicted	40	46	55	49	225

Sources: Ministry of Social Development and Human Security (2013).<sup>178</sup>

Many trafficking victims from Myanmar, Cambodia, Lao PDR, China, Vietnam, Uzbekistan and India migrate willingly to Thailand seeking employment, often with the assistance of relatives and community members or informal recruitment networks. Some migrant workers incur exorbitant debts, both in Thailand and in their country of origin, to obtain employment and are subjected to debt bondage.<sup>179</sup> Trafficking in the fisheries industry has been highlighted in recent years as a particularly vulnerable industry, both onshore and offshore.<sup>180</sup> Undocumented migrants constitute a large part of the workforce on fishing boats and employment conditions are rarely monitored, particularly on long-haul boats. Based on recent research, the conditions of surveyed fishermen were found to be in violation of Thai labour legislation and regulations, and not in line with international standards established in the ILO Work in Fishing Convention, 2007 (No. 188).<sup>181</sup> Thai, Burmese, Cambodian and Indonesian men are subjected to forced labour on Thai fishing boats; some men remain at sea for several years, are paid very little or irregularly, work as much as 18 to 20 hours per day for seven days a week, or are threatened and physically beaten. Some victims of trafficking in the fishing sector were unable to return home due to isolated workplaces, unpaid wages, and the lack of legitimate identity documents or safe means to travel back to their home country.

Women, men, boys, and girls from Thailand, Lao PDR, Vietnam, and Myanmar are subjected to sex trafficking in Thailand.<sup>182</sup> The RTG has sustained anti-trafficking law enforcement efforts. A 2008 anti-

<sup>175</sup> Ministry of Social Development and Human Security (2013). **Thailand Situation and Progress Report on Prevention and Suppression of Trafficking in Person.**

<sup>176</sup> US Department of State (2015). **2015 Trafficking in Persons Report.**

<sup>177</sup> Royal Thai Government (2013). **Efforts and Progress on the Implementation of Anti-Human Trafficking Action Plan in 2012.** Bangkok.

<sup>178</sup> Ministry of Social Development and Human Security (2013). **Situation and Progress Report on Prevention and Suppression of Trafficking in Persons in Thailand.** Bangkok.

<sup>179</sup> US Department of State (2015).

<sup>180</sup> Jerrold W. Hugué (ed.) (2014). **Thailand Migration Report 2014.** UN Thematic Working Group on Migration in Thailand.

<sup>181</sup> ILO and Asian Research Center for Migration (ARCM) (2013) **Employment Practices and Working Conditions in Thailand's Fishing Sector.** Bangkok: ILO.

<sup>182</sup> US Department of State (2015). **2015 Trafficking in Persons Report.**



trafficking law criminally prohibits all forms of trafficking and prescribes penalties ranging from four to 10 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. In March 2015, the government amended the law to impose harsher penalties on human traffickers (up to life imprisonment and a maximum fine of \$13,333 and the protection of whistleblowers). The new laws also give authorities the power to temporarily halt operations and immediately suspend licenses of businesses involved in human trafficking.<sup>183</sup>

The government continued to provide training to thousands of public officials on trafficking victim identification and the provisions of the anti-trafficking law and reported multiple cooperative international investigations. Challenges with collaboration between police and prosecutors, and frequent personnel changes among law enforcement, prosecutors and multidisciplinary team members limited the success of prosecution efforts.<sup>184</sup>

The government has initiated a process to establish a new data collection system that could improve interagency information sharing. More formalised interagency coordination occurred in 2014, including expanded use of multidisciplinary teams. The justice system increased the speed at which it resolved criminal cases for most cases, though some trafficking cases continued to take three years or longer to reach completion. The Office of the Judiciary announced new measures in December 2014 requiring that verdicts in all human trafficking cases be rendered preferably within six months and prioritising court procedures related to human trafficking, such as the use of videoconferences for testimonies of witnesses outside Thailand and the use of professional translators in court.

The government continued to screen for trafficking indicators among fishermen returning to Thailand. Interviews were often brief and conducted in open environments where brokers sometimes were present in the same room. Interpretation services for potential victims remained limited, and poor understanding of trafficking indicators by front-line officers, as well as the lack of private spaces to screen potential victims, may have led to many trafficking victims not being identified.

The quality of victim screening varied depending on the area and the understanding of multidisciplinary team officials. In some cases, well-trained, designated mobile multidisciplinary teams were very effective in interviewing potential victims and could be good models to be used in areas where local officials have limited experience and understanding of human trafficking. However, investigators and multidisciplinary teams may also have failed to recognise signs of forced labour and bonded labour in cases where victims originally consented to work, but were deceived about working conditions and subjected to trafficking conditions. Many victims, particularly undocumented migrants who feared legal consequences from interacting with authorities, were hesitant to self-identify.

The government has also increased efforts to prevent trafficking. It conducted campaigns through the use of radio, television, billboards and handouts to raise public awareness of the dangers of human trafficking throughout the country. Nonetheless, awareness efforts in many areas continued to

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<sup>183</sup> Ministry of Foreign Affairs (2015). Press Releases in response to recent reports on Forced Labour in Fisheries (28 March 2015).

<sup>184</sup> US Department of State (2015). **2015 Trafficking in Persons Report**.

concentrate on Thai populations and did not adequately reach out to migrant populations, who are also vulnerable to trafficking.

The Prime Minister chaired a new committee to combat trafficking in persons and established new sub-committees to address trafficking issues, inviting more ministries to be involved in this effort, and acknowledged human trafficking as a national priority. The Ministry of Labour established centres in 10 provinces to provide information and services to Thai workers seeking employment overseas; however, the Department of Employment remained ineffective in regulating the excessive fees incurred by these workers in order to obtain employment abroad or in Thailand, which made them vulnerable to debt bondage or exploitative working and living conditions.

The government registered and offered work permits to 1.6 million migrant workers in an attempt to regularise their legal status in Thailand. National verification by origin countries (Burma, Cambodia, and Lao PDR) still remained pending at the end of the reporting year. The government did not make efforts to regulate service providers or employment service agencies that provide services to migrant workers.

### **Child Labour**

One of the key concerns about children in Thailand stems from their vulnerability to exploitation, as many of them are migrant children. A study estimates that half of the child beggars in Thailand are migrants; children from Cambodia are particularly seen as vulnerable to becoming street children in Thailand.<sup>185</sup> Another study examined the extent of exploitation of young workers in four key industries (fishing, domestic work, manufacturing and agriculture) and found evidence of child labour and exploitation in all sectors.<sup>186</sup> Overall 25 percent of their sample was under the age of 18 and 75 percent were females. In the fishing industry, those aged 15-17 years were most likely to say that they had been forced into their job; overall 20 percent on fishing boats and eight percent in fish processing said they were forced to work. Among domestic workers, eight percent said they had been locked up by their employer and 60 percent said they were not allowed to leave the house. Another study of the Thai fishing industry found six percent of workers surveyed were under the age of 18 years<sup>187</sup> and working conditions were in violation of labour laws. A study of child agricultural workers in Tak province found that “a substantial majority” worked in conditions defined under the worst forms of child labour, including long working hours, no holidays, low wages and poor working conditions.<sup>188</sup> Table 20 provides an overview of children’s work by sector and activity.

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<sup>185</sup> Bourny, Y. and N. Chaiphet (2012). **Situational Analysis in Support of Global Fund Supported Programming**. ICF International.

<sup>186</sup> Pearson, E. et al. (2006). **The Mekong Challenge Underpaid, Overworked and Overlooked: The realities of young migrant workers in Thailand Volume One**. Bangkok: ILO.

<sup>187</sup> ILO and Asian Research Center for Migration (ARCM) (2013) **Employment Practices and Working Conditions in Thailand’s Fishing Sector**. Bangkok: ILO.

<sup>188</sup> Nawarat, N. (2006). **An Investigation of Child Labour under Globalised Agricultural Enterprises in Mae Sot and Phob Phra Districts**. Bangkok: ILO.

**Table 20: Overview of children's work by sector and activity**

<b>Sector/Industry</b>	<b>Activity</b>
Agriculture	Processing shrimp and seafood
	Fishing, including work performed on sea vessels
	Planting and harvesting sugarcane
	Production of rubber, roses, oranges, and pineapples
Industry	Manufacturing, including garment production
	Domestic service
	Work on construction sites
Services	Muay Thai paid fighters
	Work in karaoke bars, restaurants, motorcycle repair shops, and gas stations
	Street work, including begging and vending
Categorical Worst Forms of Child Labour	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking
	Vending, begging, and domestic service each as a result of human trafficking
	Forced labour in the production of garments, in shrimp and seafood processing, in domestic service, and in begging
	Use of children in armed violence, such as serving as scouts, informants, and committing acts of arson

Source: United States Department of Labor's Bureau of International Affairs (2014).<sup>189</sup>

A study about child labour in Thailand's shrimp and other seafood supply chains found that:<sup>190</sup> a high proportion of children working in this industry worked with fire, gas or flames (25.9 percent); nearly 70 percent of working children did not have a contract; migrant children worked longer hours on average than the law permits (49.6 hours/week); one in three children (40.7 percent) were currently not attending any school. Children are also trafficked to and within Thailand for commercial sexual exploitation and labour exploitation. They are trafficked to Thailand primarily from Myanmar, Cambodia and Lao PDR, and from within Thailand, for commercial sexual exploitation.<sup>191</sup> Children are also trafficked to and within Thailand into Bangkok and other urban areas to work as domestic servants.<sup>192</sup> Access to education, particularly for migrant and ethnic minority children, is limited by a variety of factors. These factors include a lack of awareness among local government officials and migrant families of migrant children's rights to an education; language barriers, including class instruction and school applications only available in the Thai language; the long distances children must travel to attend school; and family pressure to work rather than attend school.<sup>193</sup> In the Deep South, separatist groups recruit children to commit acts of arson, serve as scouts or informants, and sometimes as combatants.<sup>194</sup>

<sup>189</sup> United States Department of Labor's Bureau of International Affairs (2014). **2014 Findings on the Worst Forms of Child Labor: Thailand.**

<sup>190</sup> ILO and Asia Foundation (2015). **Migrant and Child Labor in Thailand's Shrimp and Other Seafood Supply Chains: Labor Conditions and the Decision to Study or Work.**

<sup>191</sup> US Department of State (2015).

<sup>192</sup> United States Department of Labor's Bureau of International Affairs (2014). **2014 Findings on the Worst Forms of Child Labor: Thailand.**

<sup>193</sup> United States Department of Labor's Bureau of International Affairs (2014).

<sup>194</sup> U.S. Department of State (2014). **Country Reports on Human Rights Practices 2013 (Thailand).** Washington, DC.

In 2014, the government made several changes to strengthen the legal framework to combat child labour. The Labour Protection Act's Ministerial Regulation on Agricultural Work increased the minimum age for agricultural work from age 13 to 15 in order to comply with ILO C. 138. The LPA Ministerial Regulation on Sea Fishing Vessels includes an increase in the minimum age of workers from age 16 to 18. The regulation applies protections for fishermen on all fishing boats regardless of the number of workers, and mandates employment contracts and payroll records. However, neither the new Ministerial Regulation on Agricultural Work nor the Ministerial Regulation on Labour and Welfare Protection for Domestic Workers specifies the maximum number of hours children ages 15 to 17 may work. Additionally, Thailand does not have legislation specifically to protect children and punish offenders in all aspects of child pornography. These gaps hinder the prosecution of child pornography offenders and protection for child pornography victims.

A national policy committee, including several sub-committees and task forces, to improve policy formulation, interagency coordination, and implementation regarding migrant workers and human trafficking problems has been established. In addition, the government funded and participated in multiple programmes that include the goal of eliminating or preventing child labour, including its worst forms. However, Thailand remains weak in its enforcement efforts, particularly in the fishing, agriculture, manufacturing and home-based business sectors, as well as in the informal sector. CESCR recommends that the RTG needs to increase its efforts to effectively enforce legislation which prohibits child labour and hold accountable those responsible for non-compliance with the legislation and reinforce the labour inspection system to monitor and detect child labour.<sup>195</sup>

In 2014, Thailand created multidisciplinary inspection teams consisting of labour inspectors, police and NGO representatives to conduct inspections in targeted geographic areas and sectors such as shrimp and seafood processing and fishing. These inspections have been reported as more cost-effective, reducing opportunities for bribery, increasing the ability to enforce the laws under the authority of different agencies, and beneficial in particularly hard-to-reach workplaces such as on fishing boats. Observers commented that inspections were focused on medium-size workplaces and export-oriented industries, and neglected other sectors and workplaces where child labour may also exist.<sup>196</sup>

However, labour inspectors have limited access to the entities covered by the Act, including home-based businesses and employment sites, which require a warrant to access an individual's property. This makes it very challenging to inspect private homes in order to monitor the welfare of child domestic workers or children working in home-based employment.<sup>197</sup> Additionally, at times, labour inspectors are afraid of being sued by employers, as neither the law nor the institutional policies provide adequate protection or financial assistance to labour inspectors who are sued.<sup>198</sup> The lack of nationwide data on child labour hampers the ability to conduct targeted inspections and thus impedes the effectiveness of policies and programmes.

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<sup>195</sup> CESCR (2015).

<sup>196</sup> United States Department of Labor's Bureau of International Affairs (2014). **2014 Findings on the Worst Forms of Child Labor: Thailand.**

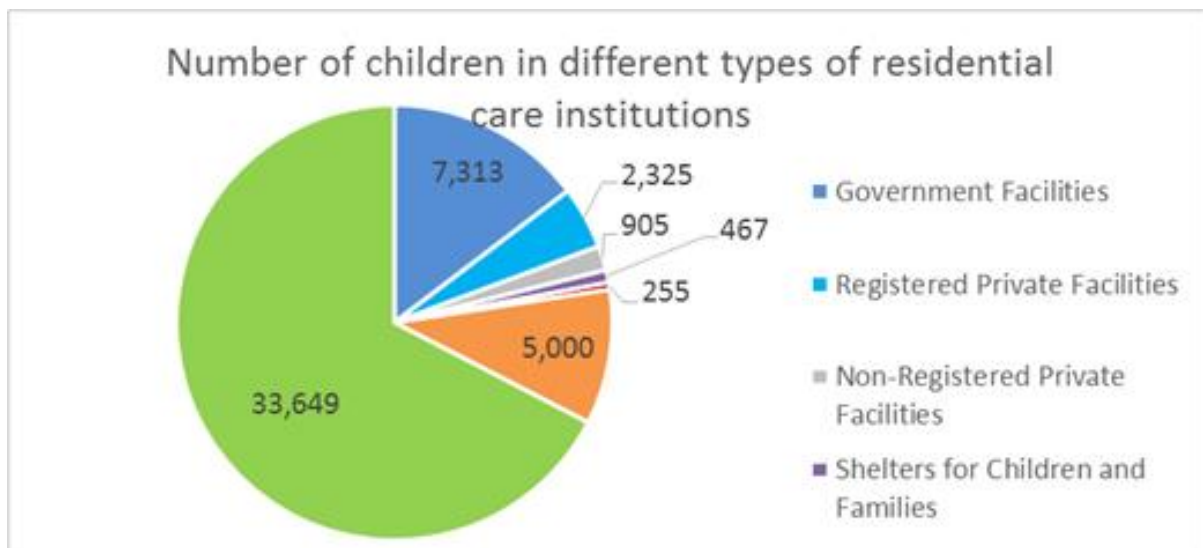
<sup>197</sup> U.S. Department of State (2014). **Country Reports on Human Rights Practices 2013 (Thailand).** Washington, DC.

<sup>198</sup> United States Department of Labor's Bureau of International Affairs (2014).

### Child Protection in Alternative Care

Thailand has established a broad framework of laws and regulations to protect children in alternative care. However, this significant body of legislation is not currently matched by the organisational infrastructure and accompanying human capacity to ensure full implementation of the law and monitoring of its enforcement. This extends to regulations, policies and standard operating procedures already enacted; there are upwards of 17,000 children in official alternative care in Thailand, of which more than 60 percent are in residential facilities.<sup>199</sup> There are also many private residential facilities that have received limited to no official oversight and the private sector appears to function as a parallel system with its own standards of care and management processes. A similar situation characterises boarding schools which are under the jurisdiction of the Ministry of Education and that tend to function as residential care facilities, often accepting children referred by government facilities that cannot provide care for children with special needs, especially behaviour problems.

**Figure 14: Number of children in different types of residential care institutions**



Source: School of Global Studies, Thammasat University (2015).<sup>200</sup>

In March 2015 there were 5,408 children living in government facilities, of which 56 percent were boys.<sup>201</sup> While standards of care exist to guide the work of government facilities, they also commonly described difficulties in implementing the policies and meeting the standards of care, with gaps between policies and practices. The majority of the children (40 percent) were between 7 to 13 years, and an almost equally high number were between 0 and 6 years of age (37.8 percent).<sup>202</sup> Additionally,

<sup>199</sup> School of Global Studies, Thammasat University (2015). **Review of the Alternative Care in Thailand: Policy to Implementation with Special Focus on Children Affected by HIV/AIDS (CABA), Thailand.** May.

<sup>200</sup> Data based on telephone interviews and self-administered questionnaires.

<sup>201</sup> According to official data from the MSDHS' Bureau of Women and Child Protection and Welfare.

<sup>202</sup> School of Global Studies, Thammasat University and UNICEF (2015).

there were 382 children classified as ‘orphans’ residing in government institutions.<sup>203</sup> In government institutions, 427 children have been classified with physical disabilities.<sup>204</sup> While the government has no clear estimates on the number of child victims and child witnesses in the criminal justice system, the number of juvenile cases (10-18 years old) handled by juvenile observation and protection centers in 2014 was 36,537 cases.<sup>205</sup> These large numbers of children in residential care indicate critical system barriers related to scarcity of specialised community-based services that can address the various needs of children and their families.

The current legal framework is not entirely harmonised with the CRC as it allows long-term institutionalisation (up to the age of 24 years) including in juvenile justice facilities and thus undermines efforts to prioritise family-based care. It also runs counter to the principles of necessity, suitability and the best interest of the child<sup>206</sup> and disregards the principle of institutionalisation as a last resort. Additionally, even though the policy for residential care specifies criteria based on which institutions are to admit children, this policy is not being enforced which means that many children are brought to institutions for reasons such as poverty. The practice has also been supported by cultural beliefs that children in difficult conditions, such as orphans, or children from poor families are placed into institutions. There is widespread belief at all levels of society that institutionalisation is the best option for such children. On the other hand, foster care, which is family-based care, remains at the margins of the alternative care system due to socio-cultural biases against non-kin related care. Foster care remains confined at the periphery of the alternative care system and limited to a few small programmes which are fragmented and have never been fully integrated with kinship or residential care.

In its concluding observations on Thailand’s latest report to the Committee on the Rights of the Child, the Committee expressed similar concern over the reported over-reliance on institutional care for children deprived of a family environment (7,000 children in 29 institutions) and the lack of monitoring and oversight of such institutions. It is further concerned at the lack of regulations governing institutions and the foster care system, including kinship care, as well as the lack of permanency planning for children once they enter alternative care settings.

The absence of a regulatory framework and appropriate guidelines in line with international instruments has resulted in a lack of oversight and different approaches and outcomes for children in alternative care. On the other hand, the disproportionate focus on meeting standards of care in residential care settings resulted in insufficient focus on prioritising re-integration into family-based care, including original family, foster care and adoption.

Meanwhile, there is little focus as yet on family strengthening to prevent family separation, as the policy framework has limited focus on primary prevention of separation and at the operational level, most resources are used for residential care.

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<sup>203</sup> The Bureau of Anti-Trafficking in Women and Children. Women and Child Protection Division of the MSDHS reported that in 2013.

<sup>204</sup> School of Global Studies, Thammasat University and UNICEF (2015). Data collected from Self-administered Survey and telephone interviews, 2015

<sup>205</sup> Ministry of Justice (2014). **Annual Report 2014**.

<sup>206</sup> United Nations (2009). **UN Guidelines for the Alternative Care of Children**.

## 8.2 Issues and Recommendations for Consideration

### Preparation for Ageing Society and Social Protection

- Little concern for building infrastructure for elderly use.
- Measures to address income security for the elderly are needed apart from the current allowance and saving fund.
- Social conscience of individuals with respect for and recognition of the elderly needs to be raised.
- Underdeveloped health promotion and prevention against disease and primary health care specifically for the elderly.
- Employment policy and work for the elderly is not fully addressed. An example of this is whether or not to extend the retirement age beyond 60.
- All the alternative care in the government and private sectors are generally under-resourced and understaffed. There is a widespread lack of qualified personnel, especially social workers, which hinders provision of individualised care and consistent case management, thus jeopardising re-integration and de-institutionalisation efforts.
- A need for investment in quality young people to become a productive workforce.
- In response to low fertility, a family policy and support system needs to be in place to ensure that the government and society provide an enabling environment for people to make decisions about having/raising children to become the country's assets for the future.
- Support the country to have a clear direction as to what Thailand's niche would be to sustain the country's economic growth in the future. To reach high income status, what investments need to be in place to overcome the problem of declining birth and eventually declining workforce.
- Review and strengthen migration policy as the demand for workers from other countries will continue.

### Migrant Labour

- It is recommended that foreign migrant workers have opportunities to register at regular intervals on the basis of procedures that have been well publicised in advance and in appropriate languages. Registration could also be made simpler and cheaper.
- Close coordination of the relevant ministries would help streamline registration – to the advantage of the migrants, their employers, and the government.
- The government can also ensure that migrant workers are protected through the existing legal framework as well as through the implementation of Memoranda of Understanding with Lao PDR, Myanmar and Cambodia. This ought to afford protection to many specific migrant worker categories, including domestic workers.
- The efforts of the Thai government to establish a regular recruitment process from Lao PDR, Cambodia and Myanmar should continue to be strengthened. The Thai government could also work with these neighbouring governments to ensure that migrant workers are aware of the risks of irregular migration to Thailand.
- The Memoranda of Understanding can be used to maximise the opportunities to both sending countries and Thailand while at the same time protecting migrant workers from the risks of abuse and exploitation.

### **Child Labour and Child Protection**

- Neither the new Ministerial Regulation on Agricultural Work nor the Ministerial Regulation on Labour and Welfare Protection for Domestic Workers specifies the maximum number of hours children ages 15 to 17 may work.
- Thailand does not have legislation specifically to protect children and punish pornography offenders in all aspects of child pornography.
- Thailand remains weak in its enforcement efforts, particularly in the fishing, agriculture, manufacturing, and home-based business sectors, as well as in the informal sector. The CESCR recommends that the RTG needs to increase its efforts to effectively enforce legislation which prohibits child labour and hold accountable those responsible for non-compliance with this legislation and reinforce the labour inspection system to monitor and detect child labour.
- Labour inspectors have limited access to the entities covered by the Act, including home-based businesses and employment sites, which require a warrant to access an individual's property. This makes it very challenging to inspect private homes in order to monitor the welfare of child domestic workers or children working in home-based employment.
- The following actions need to be taken:
  - Clarify the maximum number of hours that children age 15 to 17 may work in the agricultural sector.
  - Ensure that the law protects child domestic workers from working an excessive number of hours; provide labour inspectors with the capacity to communicate in the languages of migrants or ethnic minorities during labour inspections.
  - Remove administrative barriers that impede inspections of home-based businesses.
  - Integrate child labour elimination and prevention strategies into the National Child and Youth Development Plan.
  - Raise awareness of migrant children's right to education among migrant families and local government officials.
  - Carry out a national survey on child labour, including the worst forms of child labour.
  - Ensure that national reporting and statistics on child labour include children working on the streets and migrant children.<sup>207</sup>
- More efforts to strengthen the legal framework to combat child labour.
- Lack of nationwide statistics on child labour hampers the ability to conduct targeted inspections and thus impedes the effectiveness of policies and programmes.

### **Migrants, Asylum-Seekers, Displaced People and Persons without Legal Status in Thailand**

- Unequal access to basic social services, such as education and health care, to asylum-seekers, displaced people and persons without legal status in Thailand.
- There is an urgent need for attention to be given to the prevention and treatment of HIV infection and AIDS, sexually transmitted infections and communicable diseases.
- According to the UPR submission, Thailand is advised to refrain from the refoulement of asylum-seekers, refugees, migrants in refugee-like situations, asylum-seeking or refugee victims of trafficking, and asylum seeking or refugee victims of smuggling, especially to places where their lives or freedom would be threatened.

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<sup>207</sup> United States Department of Labor's Bureau of International Affairs (2014).



- ICESCR recommends measures to facilitate the naturalisation and integration of stateless persons by addressing the remaining gaps in the Nationality Act, as well as to ensure their basic rights are provided. Given the absence of an overall legal framework protecting the rights of asylum-seekers and refugees and lack of a formal national refugee status determination procedure, the Committee urges the RTG to adapt the legal framework on asylum-seekers with a view to ensuring due protection of their rights.
- Alignment of policies on migrations with other policies on economic and social development.
- Disseminating public information in the appropriate languages to ensure migrants, employers, public officials and members of the general public are aware of their rights and obligations while also promoting an informed public dialogue.
- Regulate service providers or employment service agencies that provided service to migrant workers.

### **Anti-trafficking**

- The remaining issues to be taken into consideration include:<sup>208</sup>
  - Implement broad and proactive procedures for identifying forced labour in industries with significant numbers of vulnerable workers, with trained officials and interpreters.
  - Target efforts to address forced labour on fishing boats, reducing vulnerabilities and implement remedies.
  - Implement a long-term plan for the regularisation of migrant workers to meet the needs of industry, while providing corresponding labour protections.
  - Strengthen anti-trafficking law enforcement capacity to undertake high-quality, ethical and proactive investigations.
  - Strengthen the capacity of the judiciary to support effective prosecutions in coordination with investigators, and with the ability to expedite trafficking cases.
  - Increase anti-corruption efforts specifically related to trafficking and migrant labour, with criminal justice and suppression strategies.
- Ensure trafficked persons are provided the individually tailored services they need for their recovery and (re)integration, irrespective of whether they support criminal justice processes or stay in shelters.
- Interviews are often brief and conducted in open environments where brokers sometimes were present in the same room. Interpretation services for potential victims remained limited, and poor understanding of trafficking indicators by front-line officers, as well as the lack of private spaces to screen potential victims, may have led to many trafficking victims not being identified.
- Awareness efforts in many areas continued to concentrate on Thai populations and did not adequately reach out to migrant populations, who are also vulnerable to trafficking.

## **9. Governance and Public Administration**

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<sup>208</sup> US Department of State (2015). **2015 Trafficking in Persons Report**.

## 9.1 Situation

### Decentralisation

All levels of Thai society continue to suffer from endemic corruption. Bribery and conflicts of interest are common in Thailand's private and public sectors. "Facilitation payments" are common in most sectors but are particularly widespread in the intersection between business and government. Indeed, the main source of corruption in Thailand is considered to be money politics (the flow of money within the political scene), stemming from the high degree of interconnectedness between the business sector and the political system. Thailand has the legal framework and a range of institutions aimed at countering corruption; however, their implementation is relatively ineffective. Transparency International, in its Corruption Perceptions Index 2014, ranked Thailand 85<sup>th</sup> out of 175 countries. More recently, an active role from the non-governmental sector has been observed. The private sector, through the Thai Chamber of Commerce, has set up an anti-corruption network which includes 47 members from the private sector and academic institutions, aiming to promote awareness among Thais regarding anti-corruption efforts and to prevent new cases by taking on a 'watchdog role'.

Since the early 1990s, Thailand has experienced a trend towards more decentralisation. The transfer of authority, responsibility, functions and resources from the central to local governments has been implemented to some extent. Table 21 shows that 72.98 percent of functions have been transferred to local governments.

**Table 21: Progress of functions transfer from central to local governments**

Plan of function transfer	Target	Result	Percentage
First plan (determined in year 2000)	245	186	75.92
Second plan (determined in year 2008)	114	76	66.67
Total	359	262	72.98

Source: Office of the Decentralisation to Local Government Organisation Committee (2015)<sup>209</sup>

However, there are a number of challenges impeding the move to more local governance, noticeably attempts by bureaucrats in the central government to maintain and protect their power and interests.<sup>210</sup> Relations between central and local governments in Thailand are in flux for a couple of reasons. There are many key issues that are impeding progress on decentralisation. First, local governments do not have as much fiscal autonomy as was planned, depending heavily on the national government's decisions on how much power and revenue to share with them.<sup>211</sup> Despite the decentralisation plan stipulating that by 2006, 35 percent of total revenue of the national government in each fiscal year should be allocated to local governments, in practice over the past years, the share has been somewhere around 25-28 percent. Local governments are still far from being financially independent, relying heavily on subsidies from the central government; these account for almost 40 percent of total revenue. In addition, many central government ministries have been reluctant to hand

<sup>209</sup> Office of the Decentralisation to Local Government Organization Committee (2015). **Summary of the progress of function transfer to local government plan**. [http://www.odloc.go.th/web/?page\\_id=2585](http://www.odloc.go.th/web/?page_id=2585)

<sup>210</sup> Chardchawarn, S. (2010). **Local Governance in Thailand: The Politics of Decentralization and the Roles of Bureaucrats, Politicians, and the People**. Chiba: Institute of Developing Economies, Japan External Trade Organization.

<sup>211</sup> Krueathep, W. (2004). Local government initiatives in Thailand: Cases and lessons learned. **The Asia Pacific Journal of Public Administration**, 26(2), 217-239.

over their full responsibilities and functions. Notable among these are the Ministries of Interior, Public Health and Education. These central agencies argue that local officers lack knowledge and experience.

In recent years, there have been calls for greater decentralisation from diverse groups—for instance, supporters of the “self-governing Chiang Mai” movement; and supporters of the Student and People Network for Thailand’s Reform, which proposed a nationwide decentralised criminal justice system. Even local government politicians and officers have taken part in rallies asking for a higher share of the national revenue. The proposals put forward by these groups differ but what they share is the belief that local governance is the key to national development, and that decentralisation of greater responsibilities and resources is needed.

### **Corruption**

Even though Thailand has the legal framework and a range of institutions to counter corruption, all levels of Thai society continue to suffer from endemic corruption. Bribery and conflicts of interest are common within Thailand’s private and public sectors. In addition, facilitation payments are common in most sectors but are particularly widespread in the intersection between business and government. Indeed, the main source of corruption in Thailand is considered to be money politics (the flow of money within the political scene), stemming from the high degree of interconnectedness between the business sector and the political system. The government has implemented anti-corruption laws to mitigate these obstacles; however, the country still suffers from an ineffective government bureaucracy. Thailand is ranked 85<sup>th</sup> of 175 countries in the most recent 2014 Corruption Perception Index.<sup>212</sup> In the 2014 PricewaterhouseCoopers Consulting’s Global Economic Crime Survey<sup>213</sup> found that 37 percent of Thai companies suffered economic crime over the past year. The report revealed that 89 percent of fraud cases in Thailand stemmed from within organisations. Compare this to 61 percent in the Asia-Pacific region and 56 percent globally. Asset misappropriation, procurement fraud, bribery, and corruption were the most common fraud types in Thailand.

### **Rule of Law**

Following the coup d’état in 2014, the Thai military imposed martial law nationwide and replaced the civilian government with military rule. On 1 April 2015, martial law was revoked nationwide and replaced by NCPO Order No. 3/2015 issued under Section 44 of the interim constitution. Section 44 provides unlimited executive, judicial and legislative power to the head of the NCPO without any oversight. Additionally, NCPO Order No. 3 grants law enforcement powers to a broad range of soldiers, including the power to detain anybody without judicial review for seven days. Since the coup d’état, at least 856 civilians have been tried in military court raising a number of concerns, including the capacity and independence of the military courts and the right to a fair trial. Moreover, more than 1,200 people have been summoned, arrested, and/or detained by the military since the coup.

Analysts have discussed the consequences of security legislation such as the Internal Security Act (ISA), Martial Law, Computer Crimes Act and the Emergency Decree on the rule of law within the context of human rights protections. In Thailand’s southern border provinces, the martial and special emergency

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<sup>212</sup> Transparency International (2015). **Corruption Perceptions Index 2014**.

<sup>213</sup> PricewaterhouseCoopers Consulting (PwC) (2014). **PwC’s 2014 Global Economic Crime Survey: Economic Crime in Thailand**. Bangkok: PwC.

laws have been in effect for almost a decade as a response to the armed insurgency. These laws have had implications on the rule of law including due process guarantees. It has also curtailed citizens' fundamental freedoms, put them at risk of intimidation and harassment and created an environment of impunity whereby security authorities are rarely held accountable for abuses.

### **Civic Space**

In the days surrounding the coup, the military took unprecedented action to control information flows within the country. From 20-24 May 2014, the military closed or blocked nearly 15 radio and television channels, an act of censorship that affected virtually the entire sector. Those media outlets which were not shut down were forced to air programmes and information directly from the NCPO.<sup>214</sup> Since the coup, the NCPO has overseen the suspension of civil liberties in an attempt to stifle criticism and popular protest. It has issued a number of orders aimed to limit press freedom and freedom of expression. NCPO orders prohibit criticism of the military government, prohibit any dialogue or discussion on political issues and set conditions for reporting and broadcasting. While a number of media outlets have since resumed operations, the NCPO has subsequently introduced several constricting regulations aimed at censoring reporting critical of the military. The continued restrictions on freedom of expression until the present include the closing down of anti-junta media and websites; banning of books, arrests of persons for the expression of opinions; and strict enforcement of broadly-defined *lèse majesté* laws where the accused are tried in military courts.<sup>215</sup> Since the coup, the number of convictions being brought under the *lèse majesté* laws, in which criticism of the monarchy is banned, has also substantially increased.<sup>216</sup>

The NCPO's announcement No. 7/2014, now replaced by No. 3/2015, bans organising or taking part in public gatherings of more than five people and announcement No. 14/2014 bans any anti-NCPO protest/activities. Those who violate the law are subjected to penalties including one year in prison or a fine of up to 20,000 baht (approximately USD 572). A new Public Assembly Act which came into effect on 13 August 2015 requires protest organisers to notify authorities 24 hours in advance of the purpose of the gathering, duration of the gathering and the venue. The law also bans public gatherings within 150 meters of government offices, airports, ports, bus and train stations, hospitals, or royal residences. Since the coup, it is noticeable that protests, regardless of size, that are deemed to be against the government or its policies, have been stopped or repressed.

Despite the ban, a number of activists have sought to organise demonstrations opposing the military takeover. Large numbers of demonstrators have since been summarily arrested and detained in connection to their peaceful activities.

### **Data Management**

The need for comprehensive and systematic data sources to support the implementation and monitoring of SDGs could be very important for Thailand in forming a strategic information management system.<sup>217</sup> One thing that most government ministries have realised is that the

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<sup>214</sup> Civicus (2014). **Civicus Brief – Thailand**. (20 August).

<sup>215</sup> UNCT (2015).

<sup>216</sup> Human Rights Watch (2015). **World Report 2015: Thailand**.

<sup>217</sup> Several government ministries, including NESDB as a secretariat of the SDGs Committee, mentioned this issue during the interview.

data/information management demands for monitoring and reporting on the 169 targets are tremendous. Thailand still suffers from a serious lack of systematic data management in many development areas, and currently data in many areas are missing. Data of the same indicator collected from different agencies/ministries are inconsistent due to different methodologies used. Data collected in numerous government surveys do not reflect social differences based on religion, ethnicity, gender, nationality and citizenship, and other statuses. One example is the disaster database and the absence of data on vulnerable groups. Vulnerable groups are highly susceptible to unforeseen disasters such as avian flu, tsunamis, drought, and flood crises. Data on these groups is only collected sporadically so relatively little is known about their situation. Another example, the administrative data of the Ministry of Health, is well managed, however data gaps exist in some remote areas. Additionally, administrative data on education is collected from a number of units within the Ministry of Education and often the data on the same category is completely different.

Thailand requires a more comprehensive system of data collection and utilisation. However, the emphasis in the SDGs on the need for a data revolution bears additional emphasis. Building the capacity of RTG institutions to collect reliable and meaningful data on the SDGs and, importantly, to further data coordination between RTG agencies, contributes not only to measuring SDG progress but to improving the objective-based policy development and decision-making of respective ministries. For example, the priority area for the Ministry of Labour should also include direct references to demographic dynamics, their implications for labour markets and the capacity to forecast labour market needs in terms of skills, demands from different economic sectors and industries and the mix of national and migrant workers required to fill those labour market gaps.<sup>218</sup>

## 9.2 Issues and Recommendations for Consideration

### Capacity of Local Government

A centralised government that controls development from the centre with insufficient participation from a broader range of various groups in society is an issue that hampers local development. The concentration of economic growth and political power is in the Bangkok area. The decentralisation process is moving along but still has a long way to materialise to its full capacity when many public service functions have been assigned to the local bodies. Transparency and accountability in local governments are quite undervalued as can be seen from the public's perception toward corruption as an acceptable practice. Public engagement in anti-corruption efforts led by the civic and private sector is necessary. Strengthening people's participation in the public policy decision-making process is an area that needs attention.<sup>219</sup> It is assumed that by bridging the gap between the centre and the peripheries of the country, social tensions that arise at the local levels will lessen, and the state will favourably recognise regional cultural diversity.

It will be important to establish a system of fiscal transfers based on a clear formula to ensure timely, predictable and transparent transfers and the continuity of service delivery. Increasing the proportion of general grants would also enable local authorities to provide more responsive and effective public

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<sup>218</sup> These issues were raised by the Ministry of Labour during an interview.

<sup>219</sup> Based on observation from the NESDB regional consultations.

services. Allocation of resources will also need to be gender responsive and meet the requirements of many different groups.

On personnel issues, decentralisation has many implications for government staff. To date, around 10,265 central officials have moved to the local level. If compared with the number of full time employees in local governments, this figure is just 2.28 percent of the total 455,044 local personnel across the country. There need to be sufficient incentives and clear career paths if civil servants are to be encouraged to move from central line ministries to local administrations. In addition, locally appointed administrators will need support and training to take on new responsibilities. And if they are to fulfil their functions, local governments will also need sufficient budgets to be able to employ new types of staff such as social workers or caretakers. Transferring responsibility from line ministries to local authorities will also require changing many laws related to service delivery. Either the laws will have to be amended individually or there will have to be one new law created, related to the distribution of responsibility.

### **Restoring the Rule of Law and Civic Space**

In the recent UPR submission,<sup>220</sup> the UNCT raises several issues in relation to restoring the rule of law and broadening civic space. First, as civilian courts in Thailand remain functional, the NCPO should refrain from using military courts to try civilians, stop the practice of arbitrarily summoning and cease detaining individuals not charged with crimes, who are often held incommunicado and without access to lawyers. In the Deep South, it is reported that the way security forces collect DNA samples (exceeding 40,000 people currently) has resulted in intimidation, harassment and detention of youths of Malay ethnicity. Therefore, it is necessary for the RTG to take concrete measures to stop the practice of checks and arrests based on ethnicity, to review special laws with a view to meeting international human rights standards and to thoroughly investigate all allegations of human rights violations and prosecute those found responsible. The broad interpretations of ‘political gatherings’ leads to the cancellation of public forums and meetings organised not only by academics, journalists, human rights organisations or political activists, but also by farmers and landless people. The United Nations and other civil society groups have encouraged the RTG to repeal the orders limiting the freedom of peaceful assembly and to facilitate the exercise of the peaceful assembly by all groups.

### **Civic-Private Engagement in Anti-Corruption**

Corruption is a serious problem rooted in the values and structures of Thai society. The socio-cultural root of values links back to the patron-client social relationship established in Thailand in ancient times.<sup>221</sup> The Thai justice system is also weak and manipulated by so-called “persons of influence,” politicians and others wielding power. In addition, the general public lacks basic understanding and knowledge both of legislation and the steps in justice administration.<sup>222</sup> To fight corruption requires strong contributions of the government, businesses and citizens. There is a need for public, private, and civil society actors to work together to identify sectoral corruption risks as well as share

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<sup>220</sup> UNCT (2015).

<sup>221</sup> Ake Tangsupvattana (2011). **Political de-development, corruption and governance in Thailand**. The JSPS AA Science Platform Program. Graduate School of International Development, Nagoya University. Accessed from [www2.gsid.nagoya-u.ac.jp/blog/anda/publications/files/2011/08/24-ake\\_tangsupvattanae38080.pdf](http://www2.gsid.nagoya-u.ac.jp/blog/anda/publications/files/2011/08/24-ake_tangsupvattanae38080.pdf)

<sup>222</sup> NACC (n.d.). **Thailand’s National Anti-Corruption Strategy**. Accessed from <https://www.nacc.go.th/download/doc/National%20Anti-Corruption%20Strategy.pdf>

information to help shape anti-corruption strategies, policies and advocacy based on evidence of the underlying causes of corruption. At the same time, it is critical to instil norms and values, such as integrity, democracy and transparency, through youth empowerment to give them a voice and ways to exercise their active role of citizenship and promote civic education.

Anti-corruption efforts will not be made possible without collaboration from the private sector. Recently, an active role from the non-governmental sector was observed. The private sector, initiated by the Thai Chamber of Commerce, set up an anti-corruption network, the Anti-Corruption Organisation of Thailand (ACT), which includes 47 members from the private sector and academic institutions, aiming to promote awareness among Thais regarding anti-corruption efforts and prevent new cases by functioning as a 'watchdog'. The ACT also takes an active role in promoting Integrity Pacts as a tool for preventing corruption in public contracting. The pacts are essentially an agreement between the government agency offering a contract and the companies bidding for it that they will abstain from bribery, collusion and other corrupt practices for the extent of the contract. To ensure accountability, Integrity Pacts also include a monitoring system typically led by civil society groups.

Additionally, the CESCR<sup>223</sup> recommends that Thailand ensures protection of victims of human rights violations caused by corruption and their lawyers, as well as to whistle-blowers and witnesses of corruption cases; and to implement awareness-raising campaigns about the detrimental impact of corruption on the allocation of maximum available resources for the fulfilment of economic, social and cultural rights.

### **Data Revolution**

Baseline data may be needed for some SDG targets, and the process of data collection should start very soon. To make the system more efficient and effective, an issue to be considered includes the strengthening of administrative and survey data (or a routine reporting system) to enrich the data availability and to help RTG with timely data and response to problems. It is very appropriate for Thailand as infrastructure, technology and resources are in place.

In addition to collecting information on standard indicators, it is also important to develop a joint process among relevant line ministries since some of the SDG targets are likely to relate to several ministries. At the same time, it will be crucial to ensure harmonisation of the various sources of data, as well as coordination of data gathering and maintenance of databases at the national, provincial and local levels. Data management will be a very demanding process. The United Nations agencies can capitalise on their international experience and expertise to support better systems of data collection and analysis. This would enable Thailand's future development agenda to be much more evidence driven.

Therefore, there should be a budget allocation for data management which includes data planning (what data are needed and how to collect it), data analysis and data sharing. To achieve that, it is critical to strengthen human capacity of ministries in statistical knowledge and skills on data collection, analysis, and use for policy making, along with effective implementation and coordination with other ministries and departments.

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<sup>223</sup> CESCR (2015).





## EPILOGUE:

### **Toward a New Level of Engagement with People in Thailand**

On 12 January 2016, Thailand assumed the chairmanship of the Group of 77 (G77) for the coming year. This represents recognition of Thailand's leadership, both within the region and globally, on key economic and technical cooperation issues vitally important to the world's emerging economies. Building upon its historic engagements with the United Nations, and importantly its key role in the Open Working Group that developed the Sustainable Development Goals, this chairmanship signifies to no small extent that Thailand embraces the responsibility of regional and global leadership for which the United Nations stands ready to support. As chair of the G77, Thailand has committed itself to ensure "full and effective implementation of the SDGs,"<sup>224</sup> promote South-South cooperation and build a solid foundation to address emerging global challenges. Thailand envisions leveraging its leadership within the G77 to promote inclusive participation across multi-stakeholder groups including the public sector, private enterprise and people with the view toward building an inclusive partnership for sustainable development.

As global experience has come to prove, effective economic, social and political development that benefits all people hinges on inclusive approaches that embrace citizens, expand space for civil society action and participation, enhance collaboration between citizens and their government and promote meaningful participation by the private sector as development partners and co-creators. Thailand's own impressive development over the years has in large part been achieved because of a commitment to openness, inclusion and the application of the greatest minds to tackle the most pressing challenges facing the nation. As the SDGs recognise, development gaps and pockets of vulnerability persist in all corners of the world, and Thailand is no exception. However, Thailand's status of an upper middle income country attests to the historic investments by consecutive governments to build national capacities for sustainable approaches to development. It is therefore fit and proper for the longstanding relationship between the United Nations and Thailand to evolve and to be commensurate with the new challenges faced by an advancing economy. These include strengthening the policymaking infrastructure on which much of the country's future development successes will be built; expanding the space for civil society to contribute actively to national development and associated policymaking; sharing experience and practice Thailand has achieved over the past decades to benefit other nations as well as drawing reflexively from regional and global collaboration to ensure that the best possible ideas are adopted and adapted to the needs of Thailand; and embracing the private sector as critical partners in national development.

This CCA has identified historic successes for which Thailand deserves much credit. It also identified pockets of vulnerability that exist, sometimes as a result of geographic circumstances, sometimes due to stigma and discrimination, and sometimes as a result of economic inequalities. Many of the challenges associated with the infamous "last mile" of development are directly proportional to the investments made in structures, systems and processes throughout the policymaking and governance spectrum. While the critical areas identified in this CCA illustrate the gaps that remain, discussions across stakeholders has indicated a desire to collaborate with the UN at a greater strategic level so as to yield downstream benefits that will strengthen national capacities for achieving the SDGs throughout the country and within the lives of all people living in Thailand.

Clearly, the UN brings significant comparative, practical and policy expertise and must leverage these

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<sup>224</sup> Press Release: The Minister of Foreign Affairs will attend the Handover Ceremony of the Chairmanship of the Group of 77, Ministry of Foreign Affairs of Thailand, 12 January 2016.

assets during the period of the new UNPAF. The strength of the UN rests in no small part on the normative principles of the UN system, manifested in rights-based approaches to development, gender equality, non-discrimination, universality of human rights, and equity among others. Meanwhile, Thailand's own international commitments to conventions and treaties to which it is a state-party remain powerful tools for the Thai government and its range of stakeholders to ensure government policies and endeavours roll out as effectively and justly as possible. In doing so, it will be possible to ensure that no one is left behind. In this regard, the UN's normative functions, an extension of the will of the UN General Assembly and the UN Security Council, are an additional tool that can greatly benefit the people living in Thailand.

This CCA has captured the reality of Thailand's current social and political conditions. Uncertainty remains surrounding the efforts of the current government to enforce long-term reform measures that will potentially impact the lives of everyone in the country. Disagreements persist across social and political groups on how to best and most effectively address national conflicts. To date, no commonly accepted agreed narrative has emerged around which all stakeholders can agree in discussing the root causes and, in many cases, the manifestations of the political conflicts. It is hoped that inclusive approaches that encourage diverse dialogue across stakeholders will be consistently implemented within the timeframe of the next UNPAF. It is therefore important that new forms of engagement between the UN and the Thai government provide the space and the opportunity to advance the dialogue and move the inclusive development agenda forward. A flexible programme of collaboration between the UNCT and Thai partners must be at the core of the new partnership approach. In this sense, UN - Thailand cooperation presents an excellent opportunity to move beyond the framework of a traditional UNPAF, resulting in a collaboration much more attuned to the needs and exigencies of an upper middle income country.

**Firstly**, the UNCT can play a crucial role in advancing a more **effective, inclusive and sustainable policymaking architecture** within core technical areas of mutual interest where successful collaborative efforts in one sector can serve as benchmarks for policymaking in others. This kind of higher level, strategic partnership can focus on efforts that develop new systems, processes and structures of the policymaking architecture across a range of sectors. This may include key challenges the country will undoubtedly face in the coming years such as an ageing society, human capacities, people movement, climate change, managing conflicts, or addressing economic and social inequalities, to name a few. The UNCT stands ready to draw on global knowledge and comparative experience upon which it can bolster efforts in Thailand. For example, addressing the inevitable structural changes in the labour force will become not only a development priority, but also a national security priority for the country in the coming years. The UN's vast experience will add to Thailand's arsenal of knowledge to be better positioned to answer critical policy questions such as they relate to long-term policies on retirement, workforce planning and social welfare schemes, preparations for LTC, public facilities, and health care.<sup>225</sup> These are just some of the important questions Thailand must address, with the solutions being readily accepted by the population.

Importantly, it must be noted that any complex policy issue, such as climate change or human trafficking or stigma and discrimination, cannot be solved by government alone. This leads to the **second** area of strategic focus: developing effective public policy requires greater involvement of citizens through an **expanded civic space for civil society engagement**. The civil society sector is a strong contributor to social development, especially in the case of Thailand. CSOs are development actors whose efforts complement those of governments and the private sector, and who play a

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<sup>225</sup> These examples of questions were raised by Ministry of Labour and Ministry of Public Health during interviews.

significant role in development in Thailand. The Thai civil society sector is varied and diverse, working through many mechanisms and in many areas such as children, education, environment, gender, health, HIV, indigenous peoples, land rights, migrants, politics, rural development and poverty, trafficking, water and natural resource management. Many of them have experience in working with UN organisations within different contexts, through policy- and country strategy-level consultation, and in designing, implementing, and monitoring projects.<sup>226</sup> Importantly, their strengths lie in their direct, close work with the vulnerable and marginalised populations of society which critically contributes to the inclusion agenda of SDGs. Thus, in order to realise the ‘no one left behind’ principle of the SDGs, the next UNPAF must not leave the Thai civil society sector behind.

The most effective, meaningful and sustainable solutions to the most pressing challenges of our time arise from dialogue and collaboration between government and citizens and other stakeholders who come together in a solution-finding mode. Citizens are more likely to expect their government’s decision-making processes be more open and consultative based upon democratic principles. Inclusive policymaking is thus essential as it enhances transparency and accountability, public participation and builds civic capacity. Creating conditions for a vibrant civic space contributes greatly toward enhanced levels of policy performance and effectiveness. Citizens as active agents of change within their communities offer government a powerful tool to building lasting solutions through public service delivery that is responsive, transparent and beneficial to all regardless of intrinsic factors. At their core, the SDGs themselves recognise the inherent power of an empowered civil society and the necessity of effective collaboration between civil society and government. Neither can achieve development results on their own. The UNCT can draw substantially from global, regional and national experience, collaborating with the Thai government to connect more dots that will result in stronger, more durable policies and services. The UN’s global experience in supporting the creative development of civic space, one that is both rights-based and responsibility-based, can assist in unleashing powerful forces for sustainable development as a result of consistent approaches to an enabling environment of civic space and cooperation. In this sense, as an impartial partner to all, the UNCT can play a convening role in bridging the differences among stakeholders who normally do not closely work with each other.<sup>227</sup>

**Thirdly**, the UN recognises that as much as inclusive and open civic space can unleash powerful forces of national development, the **private sector can and should be drawn in as an active partner for national development**. As reflected in the UN Global Compact, companies must do business responsibly and then pursue opportunities to solve societal challenges through business innovation and collaboration – both important contributions to the SDGs. Gender equality, climate, water, peace, good governance, human rights, poverty and education are example of areas where the UN family has experience in working with business around the world to minimise risks in these areas and then go beyond to provide solutions that are good for both society and business’s bottom line. The UNCT is in a strong position, given the long-standing global experience and in-depth knowledge across different development sectors, to engage the private sector in jointly working on more meaningful and higher level of impact initiatives and promote the private sector as an active, strong collaborator in the

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<sup>226</sup> Examples are some of CSOs participated in the focus group consultations.

<sup>227</sup> Recommendations gained from focus group consultations with CSOs and interviews with some line ministry counterparts.

national development agenda for Thailand. While big corporations in Thailand have adopted policies to conduct social responsibility practices and contribute to society under the corporate social responsibility (CSR) platform, as promoted by the SET and enforced by related line ministries such as the Ministry of Industry, Ministry of Natural Resources and Environment, and the Ministry of Labour, a more advanced form of collaboration is necessary, both from business and other development actors. Development actors have yet to catch up with their pace of “doing business” and as a result often miss out on opportunities with potentially profound benefits for society. For their part, private enterprise must recognise its role in contributing actively to the country’s development agenda beyond just check-writing or public relations value. The UNCT will ensure that new, innovative collaborations with the business community are front-and-centre in development programmes, not after-thoughts and not simply as sources of supplementary funding. This occurs through, for example, funding and/or carrying out development projects, adopting and implementing inclusive business models, aligning core activities to explicitly contribute to the achievement of development outcomes, creating inclusive value chains, adopting and supporting the widespread adoption of responsible business practices in areas such as environmental sustainability and human rights, improving accountability and transparency in business operations, and targeting the transfer of technologies to host communities.<sup>228</sup>

**Fourthly**, the UNCT can collaborate with the Thai government on **cross-border exchange and learning between Thailand and other countries** thus supporting the two-way South-South collaboration agenda of the Thai government. On the occasion of Thailand being selected for the 2016 chairmanship of the Group of 77, the largest intergovernmental group of developing countries within the United Nations, Thailand aims to not only promote cooperation among developing countries in implementing the SDGs, but also to become a link between developed and developing countries. In fact, Thailand has experience and several good practices in promoting sustainable development in many fields such as universal health care programs, HIV/AIDS control, and disease outbreak response. This experience can benefit other developing countries, not only their neighbours in ASEAN but on other continents as well. In fact, some UN organisations in Thailand have already supported their line ministry counterparts to promote exchange and cooperation between Thailand and other countries such as on the HIV/AIDS prevention and treatment, health insurance scheme and social protection.<sup>229</sup> However, better coordination and harmonisation of international assistance and support among UN organisations and the RTG could help increase the level of impact and develop a better way of resource utilisation in overseas assistance and cooperation. This role should support the role of Thailand within the ASEAN region and help facilitate the efforts to resolve the cross-border issues that relate to Thailand.

At the same time, for Thailand to contribute significantly to South-South cooperation in a meaningful and lasting manner, institutions (including state, non-state and private sector) must be adequately prepared to share with and learn from others. This ties in with the benefits of a strong civil space and private sector participation in development. From think tanks to research centres to academic

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<sup>228</sup> Bella, Jose Di *et al.* (2013). **Mapping private sector engagements in development cooperation**. The North-South Institute.

<sup>229</sup> Comments from interviews with UN organisations.

institutions to NGO expertise, the depth of Thai collaborative assets can be enhanced through joint efforts between the UN, the Thai government and development actors.

This CCA presents a view of Thailand as a nation moving forward, aiming to ensure that no one is left behind as the country moves toward the next level of economic development. Small, project-based approaches are insufficient and are not commensurate with Thailand's development status, and certainly do not meet the needs of a well-established, capacitated system of public service delivery. Achieving the last mile of development in a way that brings everyone forward – in other words, addressing the development gaps and pockets of vulnerability identified in this CCA – requires stronger, inclusive and transparent policymaking infrastructure bolstered through the collaborative support of civil society and the private sector, finely tuned through regional and global cooperation.

These four, high-level strategies can form the bedrock of an innovative, new partnership between the UN and the people of Thailand.

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## **Annex 1**

### **UN Organizations**

- FAO
- ILO
- IOM
- OHCHR
- UN Women
- UNAIDS
- UNDP
- UNEP
- UNESCO
- UNFPA
- UNHCR
- UNICEF
- UNIDO
- UNISDR
- UNODC
- WHO

### **Donors**

- Delegation of the European Union to Thailand

### **Private Sector**

- The Federation of Thai Industries

### **Academia**

- Institute of Future Studies for Development (IFD)
- National Institute of Development Administration (NIDA)

### **Government Counterparts**

- Bureau of International Cooperation, Ministry of Education
- Climate Change Management and Coordination Division, Office of Natural Resources and Environmental Policy and Planning (ONEP), Ministry of Natural Resources and Environment
- Department of Child and Youth, Ministry of Social Development and Human Security
- Department of Women's Affairs and Family Development, Ministry of Social Development and Human Security
- Department of Disaster Prevention and Mitigation, Ministry of Interior
- Department of Provincial Administration (DoPA), Ministry of Interior
- Bureau of International Health, Ministry of Public Health
- Department of Labour Protection and Welfare, Ministry of Labour
- Department of Skill Development, Ministry of Labour
- Social Security Office, Ministry of Labour
- Department of Rights and Liberties Protection, Ministry of Justice

- International Organisation, Ministry of Foreign Affairs
- Office of Industrial Economics, Ministry of Industry
- Officer of the Permanent Secretary
- Social Database and Indicator Development Office, NESDB

**Annex 2****Organisations participating in the focus group consultations**

- Rainbow Sky Association of Thailand
- The Foundation of Thai Transgender Alliance for Human Rights (TGA)
- Ozone Foundation
- Migrant Working Group
- Baan Luuk Rak Foundation
- Children and Youth Council, Khon Kaen
- Khon Kaen Elderly Association
- Khon Kaen Disability Rehabilitation Center
- AIDS Net
- Thai Population Living Improvement Association
- Northeastern Muslim Club
- Center for Civil Society and Non Profit Management
- Friends for Development Group
- Human Rights Commissioner
- Foundation for Women
- Institute for Education and Development of Conflict Management by Peaceful Means Foundation (I.D.P.)
- Association for the Promotion of the Status of Women (Emergency Home)
- Teerarat Kanjanauksorn Foundation
- Youth Care Thailand
- Children and Youth Council
- Paldao Group
- Holt Sahathai Foundation
- Youth Network on HIV
- Association for the Promotion of the Status of Women
- Peace Gen (New Generation for Peace)

## Annex 3

Ratifications for Thailand	Signed	Ratification Date, Accession, Succession Date
International Human Rights Mechanisms		
International Covenant on Civil and Political Rights (ICCPR)		29 October 1996
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol		09 August 1985
The International Covenant on Economic, Social and Cultural Rights (ICESCR)		05 September 1999
The Convention on the Rights of the Child (CRC) and its two Optional Protocols on the Involvement of Children in Armed Conflict and on the Sale of Children, Child Prostitution, and Child Pornography		27 March 1992
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)		28 January 2003
Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)		02 October 2007
Convention on the Rights of the Persons with Disabilities (CPRD)		
Convention for the Protection of all Persons against Enforced Disappearance	January 2012	<i>Note yet ratified.</i>
Labour Conventions		
Forced Labour Convention, 1930		26 February 1969
Equal Remuneration Convention, 1951		8 February 1999
Abolition of Forced Labour Convention, 1957		2 December 1969
Minimum Age Convention, 1973		11 May 2004
Worst Forms of Child Labour Convention, 1999		16 February 2001
Employment Policy Convention, 1964		26 February 1969
Weekly Rest (Industry) Convention, 1921		5 April 1968

Equality of Treatment (Accident Compensation) Convention, 1925		<i>5 April 1968</i>
Final Articles Revision Convention, 1946		<i>5 December 1947</i>
Employment Service Convention, 1948		<i>26 February 1969</i>
Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955		<i>29 July 1964</i>
Final Articles Revision Convention, 1961		<i>24 September 1962</i>
Maximum Weight Convention, 1967		<i>26 February 1969</i>
Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983		<i>11 October 2007</i>
Promotional Framework for Occupational Safety and Health Convention, 2006	Will enter into force 23 March 2017	<i>23 March 2016</i>
Others		
Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention		1954
Convention concerning the Protection of the World Cultural and Natural Heritage		1972