

Human Rights Council - 49th Session
Outcome of the Universal Periodic Review- Thailand
Action Canada for Population and Development

Thank you, Mr President.

Action Canada makes this statement on behalf of Kaleidoscope Human Rights Foundation and the Sexual Rights Initiative.

It is disappointing that the government of Thailand has noted all recommendations that are specific to sexual and gender minorities when stigma and discrimination against these communities persists. This stigma and discrimination are rooted in, inter alia, the glorification of the traditional heteronormative and patriarchal family structure as evidenced by s71 of the Constitution. It is also visible in the dearth of positive media representation, and in the barriers to access to education, work, housing, or even accurate identity documentation. The stigma and discrimination is also visible in narrow legal construction of what constitutes a family - and who can found one.

In order to improve the status of sexual and gender minorities, the government of Thailand needs to:

1. Review and amend the Gender Equality Act to:
 - Extend the Act's purview beyond preventing discrimination and include completing research and promoting acceptance and cultural understanding.
 - Explicitly include protected grounds of gender identity, sexual orientation, or intersex status in the Gender Equality Act (GEA).
 - Allow special interest groups and NGOs to bring complaints, adding a provision against victimisation of complainants, adding key definitions, and clarifying exemptions under Section 17 to ensure it cannot be used as a tool to unfairly discriminate against LGBTQI+ people.
2. Define the role of the Gender Equality Promotion Committee in the receiving and managing of gender discrimination complaints for the process to be accessible to all individuals of different backgrounds.
 - Include 'other' or 'non-binary' as a third option under gender marker on identity and other official documents and allow transgender people to change gender markers on identity documents and other official documents, including at school, university and work. This should be recognised regardless of how one physically appears and whether they have transitioned or not.
3. Require schools, universities, and workplaces to provide more fluid uniform options so that people of all genders can feel comfortable at work or school by choosing which to wear, including swapping between them or combining aspects of them.
4. Adopt a 'whole-school approach' whereby facilities, policies, and pedagogical approaches respond to the needs and challenges of LGBTQI+ students.

Thank you.