มูลนิธิเพื่อความยุติธรรมทางเพศ
SHERO THAILAND

UPR Pre-session 53 – Thailand

Thematic Issue: Gender-Based Violence

by SHero Thailand

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KEY CONCERNS:
GENDER-BASED VIOLENCE IN THAILAND

01 | Domestic Violence Protection Act (and the government draft bill)

Family Reconciliation over survivor safety

The law does not fully protect non-cohabiting intimate partners and continues to prioritise family reconciliation.

02 | Rape & Consent

No consent-based definition

The legal framework remains focused on force and resistance rather than the absence of freely given consent.

03 | Access to Justice

Justice remains out of reach

- 12,440 survivors recorded in 2023, but no court-issued protection measures were recorded among 231 cases filed directly with courts.

- Only 763 of 11,607 inquiry officers nationwide are women (6.6%)

- 77 shelters nationwide generally not designed for adult survivors without children.

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RECOMMENDATION

1. **immediately, through the current parliamentary amendment process**, amend the Domestic Violence Victim Protection Act to protect all survivors of intimate partner violence regardless of cohabitation status and **remove provisions that prioritise family reconciliation over survivor safety.**
2. amend Sections 1(18) and Section 276 of the Criminal Code without delay to adopt a **consent-based definition of rape**, making the absence of freely given consent the central element of the offence, ensuring that all forms of non-consensual sexual penetration are criminalised, and removing provisions that allow marital rape offences to be settled or penalties reduced.
3. ensure that all survivors, including undocumented migrants, asylum seekers and refugees, can safely report gender-based violence **without fear of arrest, detention or deportation.**