Thailand | Universal Periodic Review (Fourth Cycle)

Gender-Based Violence: Strengthening Access to Justice

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KEY DEVELOPMENTS SINCE THE PREVIOUS UPR

Thailand

has introduced important legal reforms since the previous UPR cycle, including amendments to sexual offence legislation and ongoing discussions to amend the Domestic Violence Victim Protection Act.

Significant gaps

remain in legislation, implementation and access to justice, preventing survivors of gender-based violence from fully enjoying their rights.

(1) Domestic violence law prioritises family unity over survivor safety

Thailand's Domestic Violence Victim Protection Act continues to prioritise reconciliation and family unity over survivor safety. Domestic violence remains a compoundable offence, survivors face short time limits to report abuse, and investigations are not routinely initiated by authorities. These barriers undermine accountability and are inconsistent with international human rights standards.

Both the current Act and the Government's proposed draft bill, recently submitted to Parliament, fail to provide comprehensive protection for survivors of intimate partner violence. The definition of a person protected under the law remains limited to spouses and partners who are cohabiting or have previously lived together as spouses, excluding survivors in intimate relationships where partners do not live together. This approach is inconsistent with international human rights standards, which recognise domestic violence regardless of marital status or cohabitation.

Furthermore, both the current Act and the Government's draft continue to prioritise family reconciliation and the preservation of family unity over survivor safety and perpetrator accountability, reinforcing a framework that may expose survivors to further harm. This contrasts with the Draft Domestic Violence Victim Protection Bill proposed by civil society and the general public, which adopts a survivor-centred approach and proposes reforms that prioritise safety, accountability, and access to justice.

The ongoing reform provides a timely opportunity to align domestic legislation with international human rights standards and strengthen legal protection for survivors. Yet, the current government draft fails to address these gaps, including its continued emphasis on family reconciliation as a central principle.

(2) Sexual violence: The law remains inconsistent with international standards

Thailand's definition of rape continues to rely on force, threats, violence or the survivor's inability to resist rather than the absence of freely given consent. Consequently, investigations frequently focus on physical injuries and forensic evidence instead of examining coercion and whether consent was freely given.

The 2025 amendment to the Criminal Code broadened the scope of rape to cover more forms of penetration, the offence is still not built on consent.

Rape resulting in death also remains punishable by death, a retrogressive measure inconsistent with the right to life and the prohibition of cruel, inhuman, or degrading punishment.

Certain marital rape offences remain compoundable, *allowing criminal proceedings to end through settlement, and the law still provides for mitigating circumstances where spouses wish to remain together. Both run contrary to survivor-centred standards.*

Sexual harassment was criminalised in December 2025. A longstanding gap has been closed. However, the legal definition of sexual harassment also remains overly broad and lacks sufficient clarity, creating inconsistent interpretation and weak enforcement in practice.

Barriers to justice remain for many survivors

Many survivors continue to face significant obstacles when seeking protection. In 2023, Thailand's one-stop crisis centres recorded 12,440 survivors of violence. Yet among 231 domestic violence cases filed directly with the courts, no protection measures were issued by the courts themselves; only two temporary protection orders issued by authorised officials were subsequently approved by the courts. Survivors also face secondary victimisation through victim-blaming, repeated interviews and inadequate privacy. Access to female justice officials remains extremely limited, with women comprising only 763 of 11,607 inquiry officers nationwide, or 6.6 per cent.

These barriers are particularly acute for ***migrant survivors***. Even those with legal documentation may fear reporting abuse due to concerns over their immigration status, employment security or possible deportation. For ***undocumented migrants, asylum seekers and refugees***, reporting gender-based violence may expose them to arrest, immigration detention or deportation, leaving many unable to seek protection safely.

Access to essential support services remains insufficient due to inadequate public investment, limited shelter capacity, insufficient psychosocial support and inaccessible services for women and girls with disabilities. Thailand's justice system has ***no gender quota for judges or prosecutors handling GBV cases***, leaving survivors to face untrained male officials, inappropriate questioning, and lenient sentencing. ***Technology-facilitated gender-based violence*** is increasing, yet Thailand lacks effective mechanisms to ensure accountability where perpetrators or digital service providers are located outside the country.

Criminalisation continues to undermine women's rights

Sex work remains criminalised under the Prevention and Suppression of Prostitution Act. Criminalisation exposes sex workers to arbitrary arrest, extortion, discrimination and violence while discouraging them from reporting abuse or accessing justice and essential services. It also limits labour protections and increases vulnerability to exploitation.

Although abortion law has been partially reformed, women and pregnant persons continue to face significant barriers in accessing safe and legal abortion. Access remains uneven across the country due to shortages of trained providers, stigma, conscientious objection, inconsistent implementation of the law, and inadequate public awareness of legal entitlements. These barriers disproportionately affect adolescents, low-income women, migrants and women living in rural areas.

Terminology: this factsheet uses the term survivor to reflect a survivor-centred approach. We recognise that individuals may identify as either victims or survivors, and respect each person's preferred terminology. The term victim is retained where it forms part of the official title of legislation or is used in legal contexts.

Recommendations

We encourage recommending States to call on Thailand to:

- **Amend the Domestic Violence Victim Protection Act** to protect all victims and survivors of intimate partner violence regardless of cohabitation status, remove family reconciliation as a guiding principle, and prioritise survivor rights, safety, access to justice and perpetrator accountability.
- **Adopt a consent-based definition of rape**, ensure that all forms of non-consensual sexual penetration are criminalised, repeal compoundability provisions and sentencing concessions in cases of marital rape, and clarify the legal definition of sexual harassment in line with international human rights standards.
- **Guarantee safe and equal access to justice** by institutionalising survivor-centred and gender-sensitive procedures, strengthening responses to technology-facilitated gender-based violence, and ensuring effective cross-border cooperation.
- **Allocate adequate and sustainable resources** to provide accessible shelters, comprehensive health care, long-term psychosocial support and disability-inclusive services for all survivors of gender-based violence.
- **Review and reform laws and practices that undermine women's bodily autonomy and access to justice**, including ensuring that undocumented migrants, asylum seekers and refugees can report gender-based violence without fear of arrest or deportation, decriminalising sex work and ensuring effective, equitable and non-discriminatory access to safe and legal abortion services throughout the country.

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