



## SITUATION OF CHILDREN AND YOUTH WITH DIVERSE SEXUAL ORIENTATION, GENDER IDENTITY, EXPRESSION, AND SEX CHARACTERISTICS (SOGIESC) IN THAILAND

During the 2nd cycle in 2016, Thailand received one recommendation on SOGIESC from Mexico to eradicate violence against women regardless of sexual identity. Although no specific recommendation on children and youth with diverse SOGIESC, continued efforts and progress have been made. This includes drafts of gender recognition laws, draft marriage equality bill, establishment of sexual harassment support center for students, and more universities allow students to dress according to their gender identity. At a national level, the Gender Equality Act (2015) prohibits gender-based discrimination; however, no child has filed any complaint through this mechanism due to the lack of information, awareness and child-friendly access.

**The Coalition of CSOs and INGOs for Children's SOGIESC Rights - Thailand**, consisting of eight leading child rights and LGBTIQ+ organizations, led five consultations with 84 children and youth, spanning the ages of 12 to 23, to gather their reflections on their respective situations and recommendations concerning their rights.

### Challenges

#### Violence in schools

SOGIESC topics were included in the Health subject at primary and secondary levels in 2019, without revision in the Basic Education Core Curriculum nor adequate measures to build understanding with teachers, resulting in persistent negative attitudes and rights violations against LGBTIQ+ students. Binary school regulations and policies also harm LGBTIQ+ students.

#### Online abuse and exploitation

LGBTIQ+ children are more likely to face cyberbullying and online sexual abuse. Even though Thailand Internet Crimes Against Children was set up in 2016, there is minimal progress in prevention measures targeting LGBTIQ+ children.

### Cases, facts, comments, impact

#### Case

A non-binary 14-year-old child who had to wear male uniform because of their sex assigned at birth, wore a feminine undershirt to school. Their teacher noticed this piece of clothing under their shirt and humiliated the student by mocking them and making other male students touch their undershirt.

It is reported that more than half of LGBTIQ+ students are bullied, 30.9% experienced physical abuse and 24.4% faced sexual harassment. While many universities have started to allow students to wear uniforms and hairstyles according to their gender identity, it is still impossible at primary and secondary level. Teachers and school staff in private and public institutions punish students on the basis of SOGIESC, including shaving their heads and shaming them publicly. Once these incidents occur, there are no safe channels for LGBTIQ+ students to seek help due to the imbalance of power and fear of repercussions.

Children and youth report that there is a lack of safe spaces for counselling of children victims of online abuse. While LGBTIQ+ children are more at risk of online sexual exploitation, boys and youth with diverse SOGIESC often face increased risk once they reveal to others that they have been abused due to bias. For instance, it is reported that frontline providers do not perceive a boy as a victim if the boy is gay and the perpetrator is a man. Further vulnerability can impede reporting incidents, such as being stateless as law enforcers demand ID cards during reporting.



## Challenges

## Cases, facts, comments, impact

### Lack of acceptance and understanding in families

Thai people are more accepting of LGBTIQ+ people who are outside of their family than within. A lack of family acceptance by family members can result in harassment and abuse from relatives, including physical and sexual abuse. A survey found that LGBTIQ+ children and youth ran away from home at least once to escape domestic violence and abuse. This leads to other protection risks.

### Right to identity and mental health

Transgender children and youth struggle with restricted opportunities due to lack of legal gender recognition. The draft Gender Recognition Act in 2017 required surgery, which is against rights to self-determination and bodily autonomy. Furthermore, there are no SOGIESC-sensitive mental health services for LGBTIQ+ children and youth.

### Case

“My father hit me severely because he saw me in women’s lingerie. Every time my father found out that I was dressing up or made any girly sounds, I often got hit. This has made me very scared of my own father and whenever I am home, I have to pretend to be manly all the time.” - Reflection from a child

Children and youth are under pressure to live up to parents’ expectations, including the aspect of their SOGIESC. During COVID-19 pandemic, while the mental health of children has been negatively impacted, LGBTIQ+ children suffered an additional layer as many had to conceal their identity while being at home without external support. A national survey found that LGBTIQ+ youth who faced discrimination from family members were most at risk of suicide as they report 2.5 times higher suicide contemplation compared to other vulnerable groups.

Transgender children and youth have to follow regulations based on their sex assigned at birth, including school uniform, admission to either male or female hospital ward, the military service requirement or employment opportunities. There is also limited access to proper transition processes. Many cannot access or afford a psychological assessment, which leads to children buying hormonal pills by themselves without prescription or any blood testing, resulting in overdose and other health risks.

Moreover, LGBTIQ+ children and youth face insensitive practitioners. For instance, a psychiatrist suggested a youth with same-sex attraction that becoming heterosexual could be better for her mental health. This shows lack of appropriate and accessible service for LGBTIQ+ children and youth.

## Recommendations

1. Implement training for education staff, in public and private institutions, and revise the Basic Education Core Curriculum to build positive attitude and respect towards diversity, including diverse sexual orientation, gender identity, expression and sex characteristics.
2. Establish safe, accessible, and confidential reporting mechanisms, in which LGBTIQ+ children can report incidents of violence and discrimination, which also provides remedy and counselling.
3. Establish a system to promote acceptance of diverse sexuality and gender identities, especially among parents, through public communication or enhancing participation of LGBTIQ+ people in public and political decision-making.
4. Adopt a gender recognition law that is available to children, based on self-determination principle and does not require medical intervention.
5. Establish child-friendly and accessible mental health services for LGBTIQ+ children.
6. Take measures to protect vulnerable children from online abuse and exploitation, with a safe reporting mechanism for all children, including stateless and LGBTIQ+ children.

## Sources

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## About the Coalition

The Coalition of CSOs and INGOs for Children's SOGIESC Rights Thailand is composed of eight civil society organizations and international non-governmental organizations working to promote the rights of children with diverse SOGIESC:

Save the Children Thailand

Plan International Thailand

ECPAT Foundation

World Vision Foundation of Thailand

The Life Skills Development Foundation (TLSDF)

PYNA Organisation

Association of Children and Youth for the Peace in the Southernmost Provinces of Thailand  
(Luukrieang)

The Foundation of Transgender Alliance for Human Rights

This report is based on five consultations with 84 children and youth (age range from 12 - 23) organized by the Coalition. In pursuit of inclusion and participation of children on the ground, a series of consultations were conducted in select areas of the country, particularly Phayao, Chiang Mai, Chiang Rai, and Yala. Children and youth were given information on child rights, rights concerning sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC) as well as the significance of the UPR process.