



Statement for the UPR Pre-session

The Rights of Children with Diverse Sexual Orientation, Gender Identity, Expression, And Sex Characteristics

The Coalition of CSOs and INGOs for Children's SOGIESC Rights - Thailand

This statement is from the Coalition of CSOs and INGOs for Children's SOGIESC Rights - Thailand, consisting of eight leading child rights and LGBTQI+ organizations. The Coalition has led consultations with children and youth in different areas for children and youth to reflect on their respective situations and recommendations concerning their rights. This is to contribute to all children achieving equal opportunities and rights.

In this statement, 3 main issues will be addressed: 1) violence in education; 2) making homes and families safe; 3) legal gender recognition and mental health.

1) Violence in education

Although no specific recommendation on children's SOGIESC rights was formulated in the previous cycle, Thailand received a recommendation on education rights: Palestine gave a recommendation to Continue its efforts to ensure that all children have access to free basic education, and to improve the overall quality of education, including by ensuring that teachers are well trained and fully qualified. Venezuela and Lao People's Democratic Republic also recommended to ensure equal access to education of marginalized groups. Since 2016, there have been new developments, including

- SOGIESC topics have been included in Health subjects at primary and secondary levels but the core curriculum of the Ministry of Education has not been revised accordingly, which misinformation is still being taught. Additionally, there has been no adequate measures to build understanding with teachers to teach SOGIESC topics.
- The ministry of education established the sexual harassment support center for students, but it does not include gender-based discrimination

The situations that still occur are:

- LGBTQI+ students face bullying in school. They are punished for dress code and hairstyles. The punishment often includes public shaming.
- Students are shaved and marked with an 'X' to distinguish them as LGBT.
- Once these incidents occur in educational institutions, there is no safe mechanism to report, impacting students' safety and mental health.

From these situations, we'd like to make recommendations to make educational institutions safe to LGBTQI+ students:

- I. 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.
- II. Establish safe, accessible, and confidential reporting mechanisms, in which LGBTQI+ children can report incidents of violence and discrimination, which also provides remedy and counselling.



2) Making homes and families safe

In the second cycle, Thailand received recommendations to prohibit corporal punishment in all settings from Bolivia, Slovenia, Madagascar, and Sweden.

- Research found that most LGBTIQ+ children and youth ran away from home at least once to escape domestic violence and abuse as well as rejection and discrimination.
- Families lack acceptance as they understand gender only in binary. They feel ashamed having LGBTIQ+ children. They do not allow transition process for transgender. These incidents lead to children to leave home or conceal their identities.

Therefore, we'd like to make a recommendation to

- I. 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.

3) Right to identity and mental health

- Although there was a draft Gender Recognition Act in 2017, but the draft required surgery. Transgender children and youth cannot change their gender marker in any documents, which leads to restricted opportunities, including education and employment, uniform, hospital ward (male or female), and military requirements. They also lack access to proper transition process.
- LGBTIQ+ children and youth are likely to struggle with depression and suicidality. In addition, they face challenges in accessing friendly mental health services. For instance, a psychiatrist told a youth with same-sex attraction that changing her sexual orientation could be better for her mental health.

Therefore, we'd like to request the State to

- I. Adopt a gender recognition law that is available to children, based on self-determination principle and does not require medical intervention
- II. Establish child-friendly and accessible mental health services for LGBTIQ+ children

These are the realities that we, children and youth with diverse SOGIESC, still face. We'd hope that our voices today will lead to greater change, so that these obstacles will end in our generation. Thank you.

You may find advocacy sheet for further information here [3rd CYCLE UNIVERSAL PERIODIC REVIEW Thailand UPR 2021 – ADVOCACY SHEET \(savethechildren.net\)](#)