

Social Institutions and Gender Index

Thailand

SIGI Country Profile

19 of March 2024

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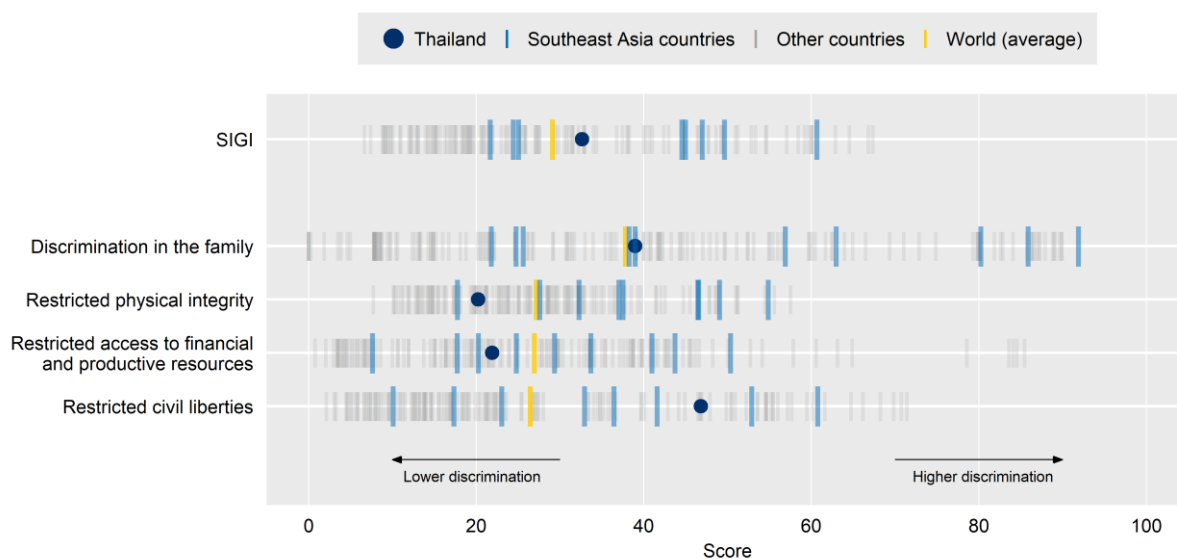
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Social institutions in Thailand

The state of gender equality in Thailand

The SIGI 2023 profile for Thailand provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI). The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

Figure 1. SIGI and dimension scores for Thailand, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

Source: OECD (2023), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

In 2023, Thailand obtained a SIGI score of 33 denoting medium levels of discrimination, compared to an average score of 39 in Southeast Asia, denoting medium levels of discrimination, and a world average score of 29 (Figure 1).¹ The country obtained a score of 47 in the "Restricted civil liberties" dimension,

¹ Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

followed by “Discrimination in the family” (39), “Restricted access to productive and financial resources” (22) and “Restricted physical integrity” (20).

Legislative framework in Thailand

The legal system of Thailand is based on civil law, with some roots tracing back to the ancient Hindu Code of Manu, which was modified to conform to local custom.² However, Section 3 of the Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun³ allows the practice of Sharia as a special legal process outside the national Civil Code for Muslim residents of the four southernmost provinces of the country, near the Malaysian border (Pattani, Narathiwat, Yala, and Satun Changwat).⁴ In these regions and in Courts of first instance, when both parties are Muslims, Islamic law pertaining to family and succession takes precedence over the provisions of the Civil and Commercial Code concerning these matters.

Section 27 of the Constitution of Thailand recognises and prohibits multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Moreover, Thailand ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁵ in 1985, but expressed reservations on Article 29(1) regarding the inter-State dispute procedure.⁶

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Thailand, there are applicable legal provisions regulating the production and dissemination of gender statistics. Gender is one of the 21 categories for which data is mandated under Thailand’s Statistical Act. The government gathers gender-disaggregated data through various means, including the census and additional surveys such as the Labour Force Survey, the Income Expenditure Survey, the Multiple Indicators Cluster Survey, and the Elderly Survey. The Bureau of Registration Administration, within the Department of Provincial Administration, has also created a national database which contains data categorised by gender and enables users to gain improved insights into the intersection of gender equality with other factors, such as disability.⁷

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

² University of Melbourne (2023), *Southeast Asian Region Countries Law: The Legal System of Thailand*, <https://unimelb.libguides.com/c.php?g=930183&p=6722017> (accessed on 1 October 2023).

³ Kingdom of Thailand (1946), “Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun, B.E. 2489”, *Royal Gazette (Ratchakitchanubeksa)*, Vol. 63, Part 77.

⁴ United States Department of State (2022), *International Religious Freedom Report for 2022*, Office of the International Religious Freedom, <https://www.state.gov/wp-content/uploads/2023/05/441219-THAILAND-2022-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf> (accessed on 1 October 2023).

⁵ United Nations (1979), “Convention on the Elimination of All Forms of Discrimination Against Women”, *Treaties Series*, vol. 1249, United Nations, New York, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

⁶ United Nations (2023), “Status of Treaties: Chapter IV - 8. Convention on the Elimination of All Forms of Discrimination against Women”, *Treaty Collection*, United Nations, New York, https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4.

⁷ Nicol, S., P. Guven and A. Pennisi (2021), “Thailand: Gender Budgeting Action Plan”, *OECD Journal on Budgeting*, <https://doi.org/10.1787/6c398fc7-en>.

The law in Thailand tends to guarantee men and women equal rights in most aspects of their lives. For instance, within the family, the law grants women and men equal rights to be the legal guardian of their child, to file for divorce, to inherit and to be considered as the head of the household or the family – with the exception of Muslim women in certain parts of the country. In the economic sphere, the law grants women the same rights as men to own and use land and non-land assets as well as financial services, which translates into a small gender gap in bank account ownership – women represent 51% of bank account holders. Finally, women and men enjoy equal rights to apply for national identity cards and passports, and to travel in- and outside the country.

! Significant challenges

Discriminatory social institutions continue to undermine women's rights and opportunities in specific spheres of their lives. The minimum legal age of marriage stands at 17 for both girls and boys, with exceptions permitting marriages prior to reaching the minimum legal age. Consequently, approximately 20% of women in the country aged 20-24 have entered into marriage or a union before turning 18. The application of Islamic law for family and inheritance matters in four states located in the south of Thailand also creates discrepancies between non-Muslim and Muslim women in the country. Moreover, the law does not comprehensively protect women from all forms of violence and allows for removal of legal punishments in certain cases of rape if the perpetrator marries the victim (see below). In this context, 24% of women aged 15-49 years report having suffered intimate-partner violence at least once during their lifetime. In the economic sphere, the law restricts women's ability to enter certain professions. Discriminatory attitudes and traditional gender roles further undermine women's economic empowerment. For instance, 39% of the population agrees that when a mother works, the children suffer, and women spend 3 times more time on unpaid care and domestic work than men do. Finally, women in Thailand also face discrimination regarding their civil rights. Married women do not have the same rights as married men to acquire or transfer nationality to their spouse.

Summary of results for Thailand

Discrimination in the family	Unit	Value
Laws on child marriage	Score	75
Girl child marriage rate ¹	%	9.6
Boy child marriage rate ¹	%	4.2
Laws on household responsibilities	Score	0
Share of the population that agrees or strongly agrees that “if a woman earns more than her husband, it is a problem”	%	30.9
Share of the population that agrees or strongly agrees that “when a mother works for pay, the children will suffer”	%	38.7
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	3.2
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	0.9
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	2.8
Laws on divorce	Score	50
Laws on inheritance	Score	50
Restricted physical integrity	Unit	Value
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	8
Lifetime intimate-partner violence rate ²	%	24
12-month intimate-partner violence rate ²	%	7.1
Laws on female genital mutilation	%	25
Share of the female population who has heard about female genital mutilation and think the practice should continue	%	-
Prevalence of female genital mutilation (% of women aged 15-49 years who have undergone FGM)	%	-
Boy-to-girl ratio at birth (natural = 105) ³	Ratio	106.2
Laws on reproductive autonomy	Score	0
Unmet needs for family planning ⁴	%	6.2
Restricted access to productive and financial resources	Unit	Value
Laws on land assets	Score	0
Share of women among landowners	%	-
Laws on non-land assets	Score	0
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	50.8
Laws on workplace rights	Score	100
Share of the population declaring that “when jobs are scarce, men should have more right to a job than women”	%	31.3
Share of the population declaring that “men make better business executives than women do”	%	41.2
Share of women among managers	%	39.2
Share of firms with a woman as top manager	%	64.8
Restricted civil liberties	Unit	Value
Laws on citizenship rights	Score	100
Laws on political voice	Score	0
Share of the population declaring that “men make better political leaders than women do”	%	46.1
Share of women in Parliament (lower chamber)	%	15.8
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	65.2
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	50.3

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.

¹ % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.

² % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV: 15 years and older.

³ A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

⁴ % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.

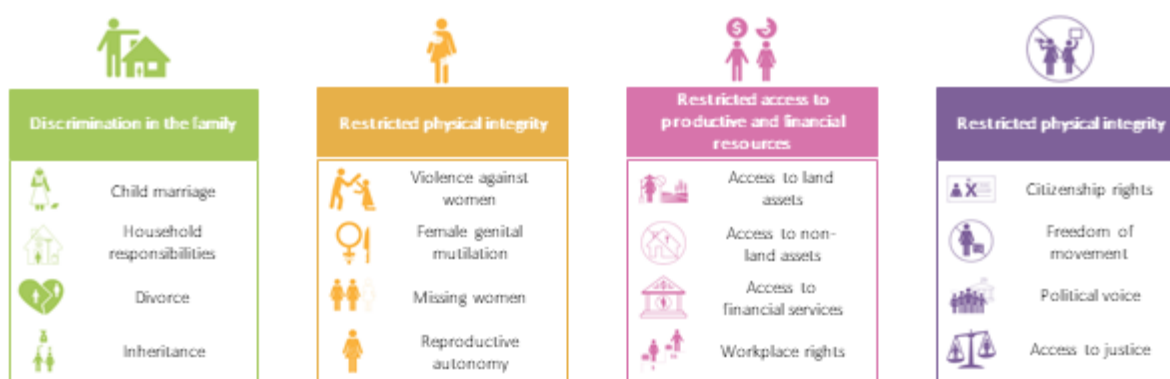
Source: OECD Development Centre/OECD (2023), “Gender, Institutions and Development Database”, <https://doi.org/10.1787/7b0af638-en>.

Results across the SIGI's four dimensions

The SIGI measures gender-based discrimination across four dimensions covering the major socio-economic areas that affect women and girls throughout their lifetime:



- The **“Discrimination in the family”** dimension captures social institutions that limit women’s decision-making power and weaken their status in the household and the family.
- The **“Restricted physical integrity”** dimension captures social institutions that increase women’s and girls’ vulnerability to multiple forms of violence and limit their control over their reproductive autonomy.
- The **“Restricted access to productive and financial resources”** dimension captures social institutions that limit women’s economic opportunities and rights.
- The **“Restricted civil liberties”** dimension captures social institutions restricting women’s access to, and participation and voice in, the public and political spheres.

Figure 2. Conceptual framework of the fifth edition of the SIGI



Each dimension builds on four indicators which, in turn, build on one to three variables depending on data availability (Figure 2). This section features the results by dimension, examining the pertinent social norms, practices and legal frameworks for each indicator.

The legal information collected through the *SIGI 2023 Legal Survey* covers both formal and codified laws, as well as informal laws. The information is assessed based on whether the law protects women’s rights or not, and is icon-coded as follows:

-  : The legal framework protects women’s rights.
-  : The legal framework does not fully protect women’s rights.

There is no universal agreement on what informal laws refer to, given contextual differences across time and place, as well as distinct disciplinary or theoretical approaches. In the context of the SIGI, informal laws (customary, traditional or religious laws/rules) describe mechanisms that operate outside the formal legal system of state-based laws. Informal laws vary from one community to another and are generally uncodified and unwritten. In some cases, informal laws may reflect unequal power dynamics within a given community and discriminatory social norms, with adverse consequences on women and girls and other vulnerable groups. Informal laws are unsteady and have been adapted over time in response to external factors.

For example, customary laws are laws that are embodied in customs, rules or traditions and accepted by members of the community as binding but remain adaptable, dynamic and flexible.⁸ The CEDAW General Recommendation No. 33 also recognises indigenous laws.⁹ These are similar to customary laws but are often given a distinct identity in recognition of the specific international standards related to the rights and protections of indigenous peoples and their justice systems. Informal religious laws may refer to norms that are derived from interpretations of codified religious texts and/or longstanding traditions.

⁸ United Nations (2018), "Module 1: The Theory and Practice of Women's Access to Justice Programming", *A Practitioner's Toolkit on Women's Access to Justice Programming*, UN Women, UNDP, UNDOC and OHCHR, New York, Vienna and Geneva, https://www.ohchr.org/sites/default/files/Documents/Publications/PractitionerToolkit/WA2J_Module1.pdf.

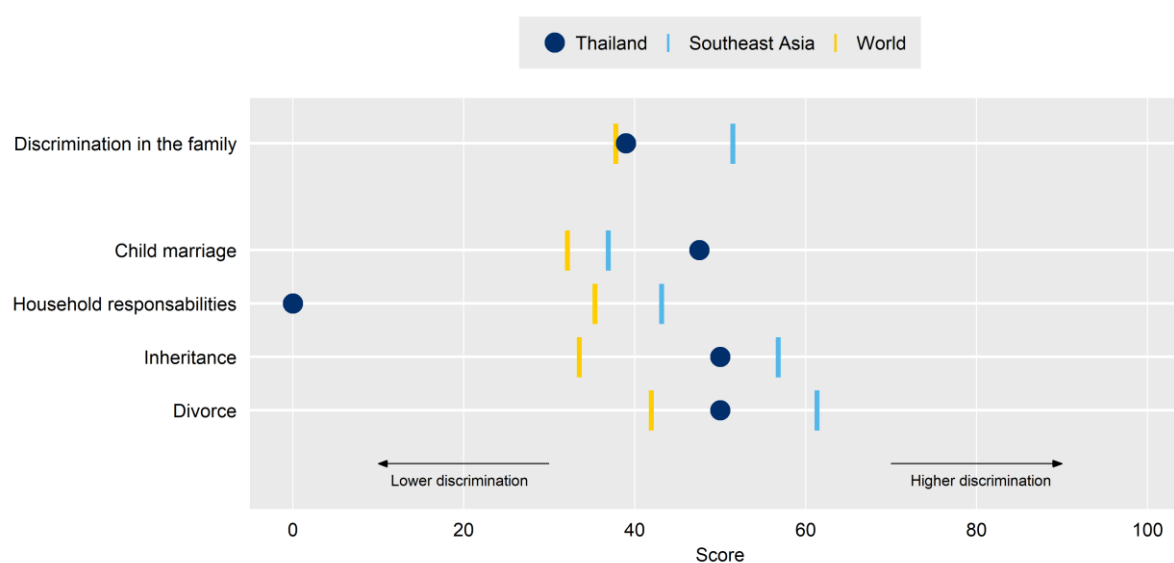
⁹ UN Committee on the Elimination of Discrimination against Women (2015), "General recommendation No. 33 on women's access to justice", *CEDAW/C/GC/33*, United Nations, New York, <https://digitallibrary.un.org/record/807253>.

Discrimination in the family

Thailand exhibits medium levels of discrimination within the family with a score of 39, compared to a world average of 38 and an average score of 52 in Southeast Asia – based on countries for which scores could be calculated.

In this dimension, women and girls in Thailand experience the highest levels of discrimination in the “Child marriage” indicator, with a score of 48. No discrimination is found in the “Household responsibilities,” “Divorce” and “Inheritance” indicators, with scores of 0.

Figure 3. Discrimination in the family scores for Thailand, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics (database)*, <https://doi.org/10.1787/33beb96e-en>.

Child marriage

Practices related to child marriage

Child marriage remains a concern in Thailand. In 2023, 10% of girls aged 15-19 were or are still married, divorced, widowed or in an informal union, compared to 4% of boys. In addition, 20% of women aged 20-24 were married or in a union before the age of 18,¹⁰ compared to a world average of 26% and an average of 17% in Southeast Asia – based on countries for which data are available.

Legal frameworks concerning child marriage

Section 1448 of the Civil and Commercial Code,¹¹ as amended, sets the minimum legal age of marriage at 17 for both women and men. The same article introduces exceptions to the minimum legal age of

¹⁰ This indicator corresponds to SDG indicator 5.3.1

¹¹ Kingdom of Thailand (1925), “Civil and Commercial Code”.

marriage and authorises individuals to get married before the age of 17 years with the authorisation of the Court. Pursuant to Article 3 of the Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun,¹² Islamic law governs family and inheritance matters for the Muslim population in those four states. In 2018, the Central Board of the Islamic Religious Council of Thailand set the minimum legal age for Muslims at 17 years.¹³

Question	Answer	Assessment
What is the legal age of marriage for men?	17	!
What is the legal age of marriage for women?	17	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of parent and/or legal guardian?	No	✓
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of judge or court?	Yes	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of another person or institution?	No	✓
Does the legal age of marriage apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that allow or encourage the early marriage of girls?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Household responsibilities

Practices and social norms related to household responsibilities

In Thailand, domestic responsibilities disproportionately fall on women's shoulders. On average, women dedicate 2.8 hours per day to unpaid care and domestic tasks – such as caring for household members, preparing food and cleaning – compared to 0.9 hour for men. This translates into women dedicating 3.2 times more time on unpaid care and domestic work than men.¹⁴ In comparison, the world average ratio is 2.6 and the average ratio for Southeast Asia is 3.1 – based on countries for which data are available.

These differences are rooted in discriminatory social norms that confine women to the household. In Thailand, 31% of the population thinks that if a woman earns more than her husband, it is almost certain to cause problems. Moreover, 39% of the population agrees that children will suffer if the mother has a paid job outside the home, compared to a world average of 56% and an average of 35% in Southeast Asia. Likewise, 47% of the population thinks that being a housewife is just as fulfilling as working for pay.

Legal frameworks concerning household responsibilities

Pursuant to Article 3 of the Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun,¹⁵ Islamic law governs family and inheritance matters for the Muslim population in those four states. Under Islamic law, the spouse's duties and responsibilities are clearly regulated. For instance, the man is required to financially maintain his spouse in exchange for her obedience, thus establishing the man as

¹² Kingdom of Thailand (1946), "Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun, B.E. 2489", *Royal Gazette (Ratchakitchanubeksa)*, Vol. 63, Part 77.

¹³ Fa, J. et al. (2023). "The Application of Underage Marriage in the Islamic Religious Council Patani Region of Southern Thailand". *Al Hurriyah: Jurnal Hukum Islam*, Vol. 8, No. 1, p. 64 – 74, <https://ejournal.uinbukittinggi.ac.id/index.php/alhurriyah/article/view/5471>.

¹⁴ This indicator corresponds to SDG indicator 5.4.1

¹⁵ Kingdom of Thailand (1946), "Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun, B.E. 2489", *Royal Gazette (Ratchakitchanubeksa)*, Vol. 63, Part 77.

the *de facto* head of household.¹⁶ The concept of family or household head is not included in non-Islamic legislation, thus establishing equal rights for non-Muslim Thai men and women.

Question	Answer	Assessment
Does the law provide women with the same rights as men to be “head of household” or “head of family”?	n.a.	n.a.
Does the law provide women with the same rights as men to be the legal guardians of their children during marriage?	Yes	✓
Does the law provide women with the same rights as men to be legal guardians of their children in informal unions?	Yes	✓
Regarding women’s legal rights to be recognised as head of household or head of family, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being recognised as the head of household?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being the legal guardians of their children?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to the choice of where to live?	No	✓

Note: Cut-off date for the legal data is 31 August 2022. The law in Thailand does not refer to the “head of household” or “head of family”.
Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Divorce

Legal frameworks concerning divorce

Men and women enjoy the same divorce rights under Thailand’s secular legislation. However, Article 3 of the Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun¹⁷ establishes that Islamic law governs family and inheritance matters for the Muslim population in those four states. Under Islamic Law, men and women do not have the same rights to file for and finalise a divorce.

Question	Answer	Assessment
Do women and men have the same rights to initiate/file for a divorce?	Yes	✓
Can women and men finalise a divorce or annulment with the same requirements?	Yes	✓
Do women and men have the same rights to child custody following a divorce?	Yes	✓
Regarding divorce, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to initiating divorce?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being the legal guardians of their children after divorce?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.
Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Inheritance

Legal frameworks concerning inheritance rights

Men and women enjoy the same inheritance rights under Thailand’s secular legislation. However, Article 3 of the Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun¹⁸ establishes that Islamic law governs family and inheritance matters for the Muslim population in those four states.

¹⁶ Dorloh, S. et al. (2021). “Malay-Muslim women right in deep south of Thailand under the Muslim family law and law of inheritance code, 1946.”, <http://conference.kuis.edu.my/iconsyal/images/eprosiding/2008.pdf>

¹⁷ Kingdom of Thailand (1946), “Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun, B.E. 2489”, *Royal Gazette (Ratchakitchanubeksa)*, Vol. 63, Part 77.

¹⁸ Kingdom of Thailand (1946), “Act on the Application of Islamic Law in Areas of Pattani, Narathiwat, Yala and Satun, B.E. 2489”, *Royal Gazette (Ratchakitchanubeksa)*, Vol. 63, Part 77.

Pursuant to the principles of Islamic Sharia, female heirs are entitled to half of the inheritance share of male heirs.

Question	Answer	Assessment
Do daughters and sons have the same rights to inherit?	Yes	✓
Do female and male surviving spouses have the same rights to inherit?	Yes	✓
Regarding inheritance rights of daughters, does the law apply to all groups of women?	No	!
Regarding inheritance rights of female surviving spouses, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between sons and daughters when it comes to inheritance?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between male and female surviving spouses when it comes to inheritance?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

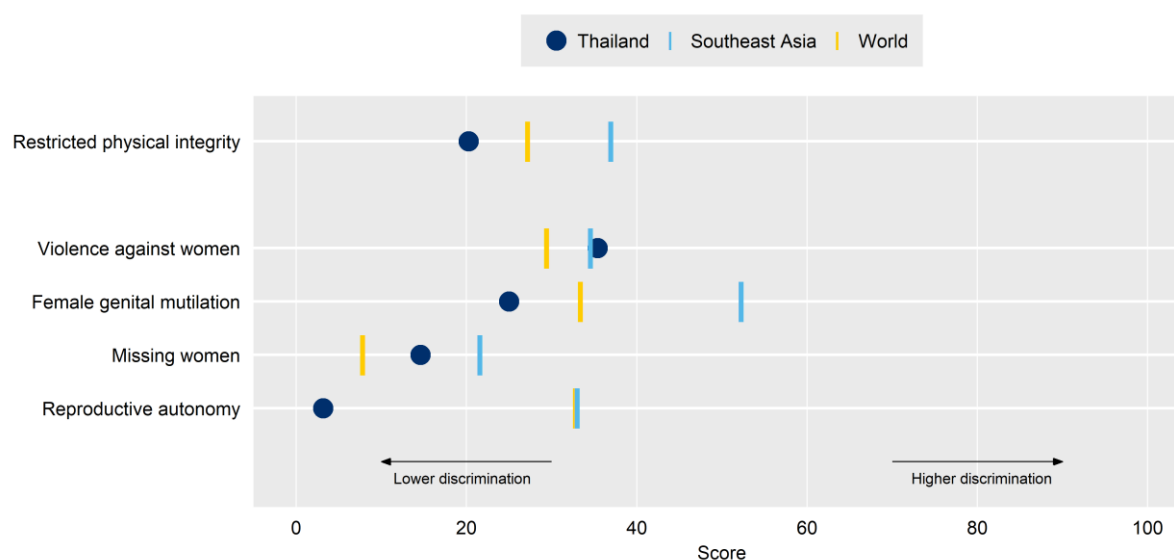
Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Restricted physical integrity

Thailand exhibits low levels of discrimination within the family with a score of 20, compared to a world average of 27 and an average score of 37 in Southeast Asia – based on countries for which scores could be calculated.

In this dimension, women and girls in Thailand experience the highest levels of discrimination in the “Violence against women” indicator, with a score of 35, followed by “Female genital mutilation” and “Missing women” with scores of 25 and 15, respectively. The lowest levels of discrimination are found in the “Reproductive autonomy” indicator with a score of 3.

Figure 4. Restricted physical integrity scores for Thailand, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Violence against women

Practices and social norms related to violence against women

Violence against women remains a concern in Thailand. In 2023, 24% of women aged 15-49 have experienced physical and/or sexual violence by a current or former partner at least once during their lifetime, and 7% of women aged more than 15 have experienced such violence at least once over the last 12 months.¹⁹

These levels of intimate-partner violence are usually rooted in its social acceptance, although levels of acceptance remain limited in Thailand. In 2023, only 8% of women aged 15-49 think that it is justified for a husband to hit or beat his wife under certain circumstances, such as burning the food, arguing with the spouse, going out without telling him, neglecting the children, or refusing to have sex. In comparison, 30%

¹⁹ This indicator corresponds to SDG indicator 5.2.1

of women holds these discriminatory attitudes worldwide, and 33% in Southeast Asia – based on countries for which data are available.

Legal frameworks concerning violence against women

Thailand does not have a dedicated law addressing all forms of violence against women. Different forms of violence against women (such as domestic violence or sexual violence) are covered in separate or general pieces of legislation. Section 4 of the Protection of Victims of Domestic Violence Act²⁰ criminalises domestic violence and provides a definition that covers physical, sexual, and psychological violence (Section 2); however, this definition does not cover economic violence. Article 276 of the Criminal Code,²¹ as amended in 2007,²² criminalises rape and grounds the definition on the notion of consent. The 2007 amendment also removed the existing legal exception to marital rape and expanded the definition of rape to cover people of all sexes and all types of sexual penetration. However, the definition of rape remains based on sexual intercourse, which is defined as penetration. Moreover, Section 277 establishes a special case for situation when the perpetrator is under the age of 18 years and the victim is aged between 13 and 15 years. In this case, the offense and penalty shall be extinguished if the offender marries the woman against whom the offense has been committed.

Question	Answer	Assessment
Is there a law specifically addressing violence against women?	No	!
If there is a specific law addressing violence against women, are there specific provisions for investigation, prosecution and punishment of the perpetrator?	n.a.	n.a.
If there is a specific law addressing violence against women, are there specific provisions for protection and support services for victims/survivors?	n.a.	n.a.
Does the law include reduced penalties in case of so-called "honour crimes"?	No	✓
Domestic violence		
Is domestic violence a criminal offence?	Yes	✓
Does domestic violence legislation cover physical abuse?	Yes	✓
Does domestic violence legislation cover sexual abuse?	Yes	✓
Does domestic violence legislation cover psychological abuse?	Yes	✓
Does domestic violence legislation cover economic abuse?	No	!
Are there any exceptions included in informal laws (traditional, religious, and/or customary rules/laws) that reduce penalties for domestic violence?	No	✓
Rape		
Is rape a criminal offence?	Yes	✓
Is the legal definition of rape based on lack of consent?	Yes	✓
If the legal definition of rape is based on lack of consent, does this require proof of physical force?	Yes	!
If the legal definition of rape is based on lack of consent, does this require proof of penetration?	Yes	!
Does the legal definition of rape include marital rape?	Yes	✓
Does the law permit the reduction or removal of legal punishment if the perpetrator marries the victim?	Yes	!
Sexual harassment		
Does the law prohibit sexual harassment?	Yes	✓
Does the law on sexual harassment include criminal penalties?	Yes	✓
Do legal protections from sexual harassment apply in the workplace?	Yes	✓
Do legal protections from sexual harassment apply in educational establishments?	Yes	✓
Do legal protections from sexual harassment apply in public spaces?	Yes	✓
Do legal protections from sexual harassment apply online / on the internet?	Yes	✓

²⁰ Kingdom of Thailand (2007), "Victims of Domestic Violence Protection Act, B.E. 2550", *Royal Gazette (Ratchakitchanubeksa)*, Vol. 124, Part 41A.

²¹ Kingdom of Thailand (1956), "Criminal Code", *Royal Gazette (Ratchakitchanubeksa)*, Vol. 73, Part 95A.)

²² Kingdom of Thailand (2007), "Act Amending the Penal Code (No. 19), B.E. 2550", *Royal Gazette (Ratchakitchanubeksa)*, Vol. 124, Part 56A.

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Female genital mutilation

Practices and social norms related to female genital mutilation and cutting (FGM/C)

Female genital mutilation and cutting (FGM/C) is traditionally concentrated in a limited number of countries that have been well-identified and documented by international organisations at the forefront of the fight against this harmful practice. Yet, evidence highlights that FGM/C takes place across all regions, among indigenous and/or diaspora communities originating from countries where FGM/C is known to be common. In some contexts, girls are taken across national borders to undergo FGM/C in a country where the legislation against the practice is either non-existent or less strict.²³

There are no available data in Thailand that are comparable to other countries on practices and social norms related to female genital mutilation and cutting.

Legal frameworks concerning female genital mutilation and cutting (FGM/C)

Articles 295, 296 and 297 of the Criminal Code,²⁴ as amended in 2007,²⁵ allow for the prosecution of FGM/C acts on narrow grounds, namely under acts of grievous bodily harm encompassing the loss of genital organs or reproductive ability.

Question	Answer	Assessment
Does the law criminalise FGM/C on broad or narrow grounds?	Yes	✓
Does the law criminalise FGM/C on narrow grounds only?	Yes	✓
Are there informal laws (customary, traditional or religious laws) that allow or encourage FGM/C?	Yes	!
Does the law take precedence over informal laws (customary, traditional or religious laws) that allow, condone or prescribe FGM?	n.a.	n.a.

Note: The SIGI methodology assesses laws on FGM/C according to two scenarios: (1) criminalisation on narrow grounds includes laws that contain criminal penalties for acts of “female genital mutilation”, “permanent altering/removal of external genitalia”, “female circumcision”, “excision”, “infibulation” and “genital mutilation”; (2) criminalisation on broad grounds includes “mutilation”, “harming of a person’s organs”, “serious bodily injury” and “bodily injury/hurt/assault.” The presence of informal laws that allow or encourage FGM/C is proxied by the existence of nationally representative data on FGM/C or the existence of indirect estimates (usually used in countries where FGM/C is mainly practiced by diaspora communities), small-scale studies, or anecdotal evidence and media reports as reported by Equality Now, the End FGM European Network and the US End FGM/C Network in 2020.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>, and Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

Missing women

Practices related to missing women

The “Missing women” indicator captures whether there are any existing imbalances in the natural sex ratio between girls and boys aged 0-4 due to pre- and postnatal gender-biased sex selection. These imbalances can result from sex-selective abortions, female infanticide, and/or inadequate healthcare and nutrition for

²³ Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

²⁴ Kingdom of Thailand (1956), “Criminal Code”, *Royal Gazette (Ratchakitchanubeksa)*, Vol. 73, Part 95A.)

²⁵ Kingdom of Thailand (2007), “Act Amending the Penal Code (No. 19), B.E. 2550”, *Royal Gazette (Ratchakitchanubeksa)*, Vol. 124, Part 56A.

girls. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

In Thailand, the “missing women” phenomenon is present. The boy-to-girl sex ratio for children aged 0-4 is estimated at 106.2, which means that there are approximately 106.2 boys aged 0-4 for 100 girls of the same age. This ratio is slightly higher than the natural sex ratio at birth.

Reproductive autonomy

Practices related to women’s reproductive autonomy

Unmet needs for family planning are calculated as the proportion of women of reproductive age (15-49 years), married or in union, who wish to interrupt or delay childbearing but do not use any method of contraception.

In Thailand, the gap between women’s reproductive intentions and their contraceptive behaviour is limited, with 6% of women aged 15-49 who declare having an unmet need for family planning, compared to a world average of 12% and an average of 11% in Southeast Asia – based on countries for which data are available.

Legal frameworks concerning women’s reproductive autonomy

Women’s reproductive autonomy can be restricted by laws that prohibit the access to safe and legal abortion under essential circumstances (in cases of rape, incest, threats to the life or health of the pregnant woman and severe foetal impairment).²⁶ Evidence shows that the share of unsafe abortions is higher in countries with restrictive abortion laws. Unsafe abortions are a leading but preventable cause of maternal mortality and millions of girls and women are hospitalised every year following complications of unsafe abortion procedures.²⁷

Question	Answer	Assessment
Is abortion illegal under any circumstances?	No	✓
Is abortion legally permitted in cases where: it is essential to save the woman’s life?	Yes	✓
Is abortion legally permitted in cases where: it is essential to preserve the physical health of the woman?	Yes	✓
Is abortion legally permitted in cases where: it is essential to preserve the mental health of the woman?	Yes	✓
Is abortion legally permitted in cases where: pregnancy is the result of rape or statutory rape?	Yes	✓
Is abortion legally permitted in cases where: pregnancy is the result of incest?	Yes	✓
Is abortion legally permitted in cases where: social and economic reasons do not allow the mother to sustain a pregnancy?	Yes	✓
Is abortion legally permitted in cases where: foetal impairment?	Yes	✓
Does a woman require the approval of a medical practitioner to seek a legal abortion?	No	✓
Does the law require the approval of the father of the foetus to seek a legal abortion?	No	✓
Is there any national plan or policy that provide universal access to family planning services?	Yes	✓
Is there any law or national policy that provide free or subsidised access to contraception?	Yes	✓
Does the national school curricula include mandatory and comprehensive sexuality education?	Yes	✓

Note: Cut-off date for the legal data is 31 August 2022.

²⁶ CEDAW (2022), *Access to safe and legal abortion: Urgent call for United States to adhere to women’s rights convention*, <https://www.ohchr.org/en/statements/2022/07/access-safe-and-legal-abortion-urgent-call-united-states-adhere-womens-rights>.

²⁷ UNFPA (2022), *State of World Population 2022: Seeing the Unseen - The Case for Action in the Neglected Crisis of Unintended Pregnancy*, UNFPA, Geneva, <https://doi.org/10.18356/9789210015004>.

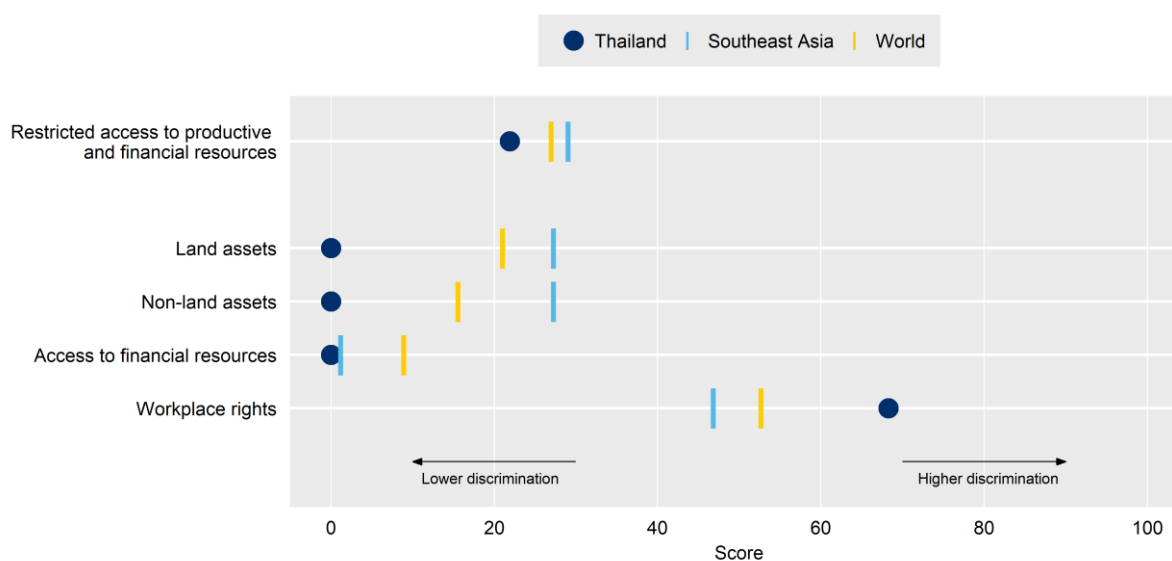
Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Restricted access to productive and financial resources

Thailand exhibits low levels of discrimination within the family with a score of 22, compared to a world average of 27 and an average score of 29 in Southeast Asia – based on countries for which scores could be calculated.

In this dimension, women and girls in Thailand experience the highest levels of discrimination in the “Workplace rights” indicator with a score of 68. No discrimination is found in the “Access to land assets,” “Access to non-land assets” and “Access to financial services” indicators, with scores of 0.

Figure 5. Restricted access to productive and financial resources scores for Thailand, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics (database)*, <https://doi.org/10.1787/33beb96e-en>.

Access to land assets

Practices related to women’s access to secure land assets

In Thailand, there are no available data that are comparable to other countries on practices related to access to land assets.

Legal frameworks concerning women’s access to land assets

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own land?	Yes	✓
Does the law provide married women with the same rights as married men to use land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use land?	Yes	✓
Regarding land, does the law apply to all groups of women?	Yes	✓

Question	Answer	Assessment
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of land assets?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to non-land assets

Practices related to women's secure access to non-land assets

In Thailand, there are no available data that are comparable to other countries on practices related to access to non-land assets.

Legal frameworks concerning women's access to non-land assets

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own property and other non-land assets?	Yes	✓
Does the law provide married women with the same rights as married men to use property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use property and other non-land assets?	Yes	✓
Regarding property and other non-land assets, does the law apply to all groups of women?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of non-land assets?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to financial services

Practices related to women's access to formal financial services

Gender imbalances in terms of access to financial services are limited in Thailand, and the overall access of the population is relatively high. In 2023, 92% of women have a bank account at a financial institution, compared to 96% of men. This translates into women accounting for 51% of bank account holders. In comparison, at the global level, 67% of women have a bank account, compared to 72% of men. Across Southeast Asia, on average, 52% of women have a bank account, compared to 54% of men.

Legal frameworks concerning women's access to financial services

Question	Answer	Assessment
Does the law provide women with the same rights as men to open a bank account at a formal financial institution?	Yes	✓
Does the law require married women to obtain the signature and authority of their husband to open a bank account at a formal financial institution?	No	✓
Does the law provide women with the same rights as men to obtain credit?	Yes	✓
Regarding access to formal financial services, does the law apply to all groups of women (regardless of race, ethnicity, caste, etc.)?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to opening a bank account?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to obtaining credit?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Workplace rights

Practices and social norms related to women's workplace rights

Women remain partially excluded from decision-making power positions in the economic sphere. Women account for 39% of employees in a managerial position,²⁸ compared to a world average of 25% and an average of 36% in Southeast Asia – based on countries for which data are available. At the same time, 65% of companies in the country are headed by women.

These gender gaps are upheld by discriminatory social norms that establish men as the main breadwinners and more fit to hold leadership positions. In Thailand, 41% of the population believes that men make better business executives than women, compared to a world average of 42% and an average of 53% in Southeast Asia. Likewise, 31% of the population agrees that when jobs are scarce, men should have more right to a job than women. In comparison, 45% of the population holds these discriminatory attitudes worldwide, and 64% of the people across Southeast Asia – based on countries for which data are available

Legal frameworks concerning women's workplace rights

Section 38 of the Labour Protection Act,²⁹ as amended, prohibits women from entering certain professions. For example, women are prohibited from participating in activities such as mining, underground construction, working on scaffolds elevated ten meters or more above the ground, and handling the transportation of flammable materials.

Question	Answer	Assessment
Does the law prohibit discrimination in employment on the basis of sex?	Yes	✓
Does the law mandate equal remuneration for work of equal value?	Yes	✓
Does the law prohibit women from entering certain professions?	Yes	!
Does the law allow women to work the same night hours as men?	Yes	✓
Does the law mandate paid maternity leave?	Yes	✓
Does the law mandate paid paternity leave?	No	!
Does the law mandate paid parental leave?	No	!
Does the law require women to have permission from their husband or legal guardian to take a paid job?	No	✓
Does the law require women to have permission from their husband or legal guardian to register a business?	No	✓
Regarding women's legal right to take a paid job or work and/or register a business, does the law apply to all groups of women (regardless of race, ethnicity caste, etc.)?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to entering certain professions?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to take a paid job?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to register a business?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

²⁸ This indicator corresponds to SDG indicator 5.2.2

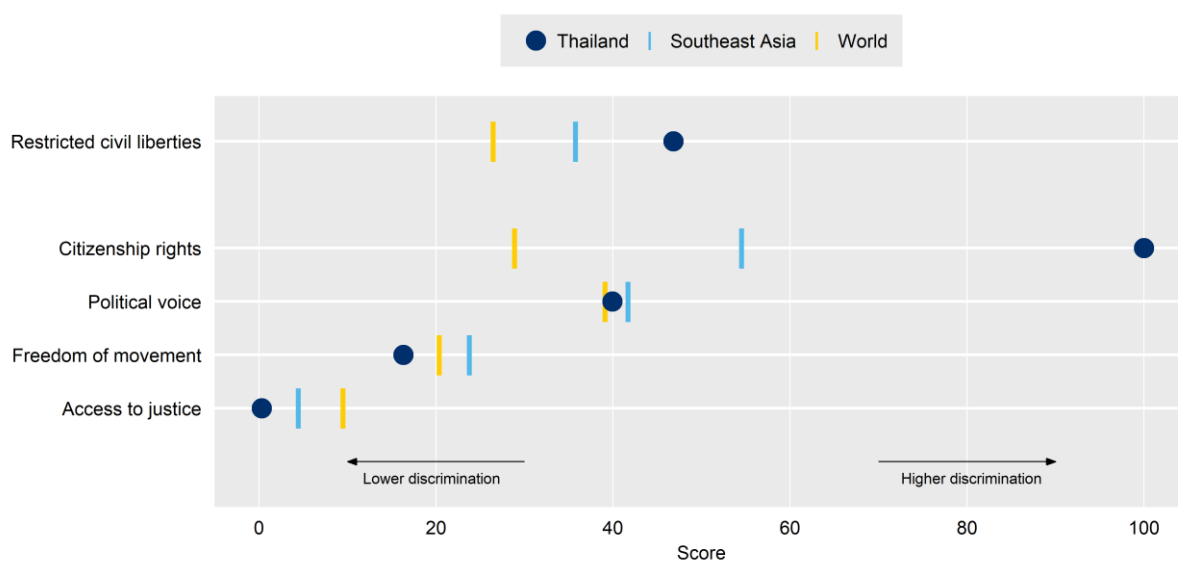
²⁹ Kingdom of Thailand (1998), "Labour Protection Act, B.E. 2541", *Royal Gazette (Ratchakitchanubeksa)*, Vol. 115, Part 8 kor.

Restricted civil liberties

Thailand exhibits high levels of discrimination within the family with a score of 47, compared to a world average of 26 and an average score of 36 in Southeast Asia – based on countries for which scores could be calculated.

In this dimension, women and girls in Thailand experience the highest levels of discrimination in the “Citizenship rights” indicator, with a score of 100, followed by “Political voice” (40) and “Freedom of movement” (16). No discrimination is found in the “Access to justice” indicator, with a score of 0.

Figure 6. Restricted civil liberties scores for Thailand, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The Southeast Asia region covers Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics (database)*, <https://doi.org/10.1787/33beb96e-en>.

Citizenship rights

Legal frameworks concerning women’s citizenship rights

Sections 9, 10 and 11 of the Thailand Nationality Act,³⁰ as amended, introduce different conditions and requirements for men and women to acquire the Thai nationality, or to confer it to their spouse. The foreign spouse of a Thai man has the right to obtain Thai nationality. In contrast, the foreign spouse of a Thai woman does not have the same right and can only acquire Thai nationality by officially requesting naturalisation. Moreover, when a foreign man acquires the Thai nationality, his foreign spouse will also obtain it. The same provision does not exist for the opposite case – the spouse of a foreign married woman who acquires the Thai nationality does not automatically acquire himself the Thai nationality.

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to acquire nationality?	No	!
Does the law provide unmarried women with the same rights as unmarried men to acquire nationality?	Yes	✓

³⁰ Kingdom of Thailand (1965), “Nationality Act, B.E. 2508”, *Royal Gazette (Ratchakitchanubeksa)*, Vol. 82, Part 63.

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to change their nationality?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to change their nationality?	Yes	✓
Does the law provide married women with the same rights as married men to retain their nationality?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to retain their nationality?	Yes	✓
Does the law provide married women with the same rights as married men to confer nationality to their spouse?	No	!
Does the law provide married women with the same rights as married men to confer nationality to their children?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to confer nationality to their children?	Yes	✓
Regarding women's nationality rights, does the law apply to all groups of women (regardless of race, caste, ethnicity, etc.)?	Yes	✓
Are there informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women when it comes to acquiring, changing, or retaining their nationality?	No	✓
Are there informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women when it comes to conferring nationality to their spouse and/or children?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Freedom of movement

Practices related to women's freedom of movement

Freedom of movement is recognised as a human right and mobility is essential in everyday life, for instance to reach the workplace or healthcare facilities. In Thailand, women feel more unsafe than men, and a large part of the overall population feels that way. Across the country, 45% of women declare not feeling safe walking alone at night in the city or in the area where they live, compared to 28% of men. This translates into women accounting for 65% of those who do not feel safe walking alone at night.

Legal frameworks concerning women's freedom of movement

Beyond the challenge of ensuring that everyone feels safe enough to move around in public spaces, laws must guarantee women and men the same rights to obtain identification documents and to travel by themselves within and outside of their country.

Question	Answer	Assessment
Does the government provide national identity cards?	Yes	✓
Can a married woman apply for a national identity card in the same way as a married man? (in terms of rights and procedures)	Yes	✓
Can an unmarried woman apply for a national identity card in the same way as an unmarried man? (in terms of rights and procedures)	Yes	✓
Can a married woman apply for a passport in the same way as a married man (in terms of rights and procedures)?	Yes	✓
Can an unmarried woman apply for a passport in the same way as an unmarried man (in terms of rights and procedures)?	Yes	✓
Regarding identity cards and/or passports, does the law apply to all groups of women (regardless of race, caste, ethnicity, etc.)?	Yes	✓
Does the law provide married women with the same rights as married men to travel outside the country?	Yes	✓
Does the law provide married women with the same rights as married men to travel outside their homes?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to applying for identity cards or passports?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Political voice

Practices and social norms related to women's political voice

Women's political representation in the country is very low, with women accounting for only 16% of the members of parliament in 2023, compared to a world average of 27% and an average of 22% in Southeast Asia.

Discriminatory attitudes that exclude women from positions of power in the political sphere are widespread, with 46% of the country's population declaring that men make better political leaders than women.

Legal frameworks concerning women's political voice

Question	Answer	Assessment
Does the law provide women with the same rights as men to vote?	Yes	✓
Does the law provide women with the same rights as men to hold public and political office in the legislative branch?	Yes	✓
Does the law provide women with the same rights as men to hold public and political office in the executive branch?	Yes	✓
Does the law provide women with the same rights as men to hold public office in the judiciary branch?	Yes	✓
Do constitutional/legislated gender quotas exist to promote women's political representation at the national level?	No	!
Do constitutional/legislated gender quotas exist to promote women's political representation at the local level?	No	!
Does the law provide for special measures other than quotas to promote women's political representation at the national level?	Yes	✓
Does the law provide for special measures other than quotas to promote women's political representation at the local level?	No	!
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to voting?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to holding public office?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to justice

Practices related to women's access to justice

In Thailand, 48% of women do not trust the judicial system and courts, compared to 55% of men. This translates into women accounting for 50% of those who do not trust the country's judicial system.

Legal frameworks concerning women's access to justice

Question	Answer	Assessment
Does the law provide women with the same rights as men to sue?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the civil courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the criminal courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the family courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the tribunals?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes suing someone?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to providing testimony in court?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to being judges, advocates or other court officers?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.