

# Put on that happy face

Looking under the surface in Thailand at gender-based violence



UN Photo/Shehzad Noorani



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**T**here are many reasons to smile in Thailand. On most visitors' minds the warm climate, pristine beaches, and delicious food provide more than enough reasons to keep a smile on your face for the duration of a stay. Indeed, Thailand *is* the land of smiles. Even many Thais, who may not share

the enormous appeal of warm temperatures and the vast number of beaches as those coming from colder climates do, seem to be happy.

This land of smiles, however, is in many ways an artificially constructed façade. I strongly believe that if you were to poll those who have spent significant time in Thailand, they would tell you that while Thais are generally happy, they are not more so than other cultures. In fact, there is a great deal *not* to smile about in Thailand. Here I am referring to the prolific and systemic gender-based violence (GBV) by men, both local and foreign, towards women, which in many cases is ignored by the police or in some instances controlled by them.

Before highlighting the situation in Thailand I would like to

preface this article with the fact that violence against women is a historical problem in all cultures and societies. This is an unfortunate and deeply troubling truth. Thankfully progress is being made by the diligent and continuing efforts of many organisations such as UNIFEM.

Violence against women, as officially defined in 1993 by the UN General Assembly, is: *“any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women.”* Reference to “gender-based” is made as this violence is rooted in gender inequality and is often tolerated and condoned by laws and institutions with the effect of enforcing the violence rather than preventing it. I will not be making the claim that the current socio-political

climate in Thailand is enforcing it, I will stop just shy of that, but rather what I am hoping to do is simply open the eyes of readers to this issue as it exists in Thailand.

Taking the necessary step and exposing gender-based violence in Thailand, the most appropriate place to begin is with hill tribe women in Thailand and recent migrants from Burma. The reason for this is that both social groups have increased levels of gender-based violence within their rural communities. This can be said to be attributed to the fact that their lack of legal status, frequent discrimination and exploitation, lack of personal security, and inability to access health care, amongst other services, results in elevated risk. They lack basic fundamental human rights and this lack translates into exploitation and violence. Furthermore, because they are not afforded legal rights, the government is often slow to react if at all.

Imagine there was a job posting which stated that you will suffer from harsh and endangering abuse, including but not limited to beatings, sexual assault, and unsafe sex practices by traffickers, your boss, clients, and police. I need not say no one with a real choice would ever willingly take this job. And no one really does. Often these women are forced into this job through various methods including threats of arrest

and, frequently, debt-bondage: modern slavery.

Those abused suffer extraordinarily. Health consequences including physical injury, STDs (HIV included), pregnancy and subsequent

*“The world has never yet seen a truly great and virtuous nation because in the degradation of woman the very fountains of life are poisoned at their source.”*

Lucretia Coffin Mott (1793-1880)

complications with abortion due to lack of proper medical care, and mental health impacts, are the norms.

In 1997 a clause which guaranteed equal rights for women including the right to be free of forced labour was introduced into Thai law. Steps are being taken to combat this blemish but haphazardly at best. Only a few years ago in 2004, while laws existed regarding sexual violence, there were no laws in the Thai legislature specifically addressing domestic violence. As a large portion of gender-based violence occurs domestically, this is a deep flaw in the legal system. Even more shocking, marital rape is not a crime, and enforcement of the rape law is lax. If raped it is the woman that must

provide proof of non-consent, while additionally one means of escaping punishment for the man is to marry his victim. This can be said to be nothing other than a life sentence for the victim further jeopardising her health and prolonging the violence.

Considering the apparent lack of legal protection for women under Thai law the reaction by those being victimised is often to remain harmfully silent. When one reads from Thailand-based Burmese women’s organisations that sexual subjugation and exploitation of women occurs by the Thai military, police, and immigration officials at checkpoints, border crossings, detention centres, and brothels, it is no surprise that many cases do not get reported. Victims know, not just feel, that there is no sufficient legal protection. They are essentially bullied into submission from the fear of further abuse.

As it is apparent that gender-based violence is not adequately being addressed from within Thailand, bilateral donors and multilateral institutions play an important role. Through funding research, encouraging science-based evaluations of gender-based programmes and disseminating results across countries, and through effective preventative investments, progress can and is being made - slowly.

Mobilization at all levels is needed as awareness is only useful to a point. Once people have been made aware, that knowledge must be acted

1979 The UN General Assembly adopts the Convention on the Elimination of all Forms of Discrimination against Women. The Convention is often considered to be the single most important international legal instrument for women’s rights.



1985 As a result of the Third World Conference on Women in Nairobi, the mandate of the Voluntary Fund for the United Nations Decade for Women is expanded to become the United Nations Development Fund for Women (UNIFEM).



upon. A long-term commitment is needed that enforces change based on the recognition that GBV is a violation of human rights.

Looking under the surface in Thailand is disconcerting but it needs to be done, as it should be done in all countries. How much of this problem, for instance, is propagated from the demand of Thais as opposed to foreigners? It would not continue if it was not profitable. ■

The number of sex workers operating in Thailand is uncertain, due to the clandestine nature of the work. Studies have put the figure at anywhere between 200,000 and 2.8 million women, men and children involved in the Thai sex trade.\* It has been calculated that the sex trade is worth 4.3 billion US dollars per year, or 3% of the Thai economy.\*\* Many Thai prostitutes are believed to have their roots in the impoverished northern parts of the country. Although prostitution remains illegal in Thailand, legalisation and regulation was considered as recently as 2003.

\* <http://www.nationmultimedia.com/search/read.php?newsid=91309>

\*\* <http://www.theage.com.au/articles/2003/11/26/1069825832486.html?oneclick=true>



**1995** The United Nations *Fourth World Conference on Women* is held in Beijing, China. The delegates prepared a *Platform of Action*, also known as the *Beijing Declaration*, aimed at achieving greater equality and opportunity for women.



*“The term “gender” was so disputed among government representatives during the drafting process of the Beijing Platform for Action that all references to the word gender were in square brackets when the Conference started in 1995. But during the process in Beijing, all square brackets were removed, gender literally broke out, and the concept of gender became accepted UN language.”*  
- Hilikka Pietilä, *The Unfinished Story of Women and the United Nations*, 2007.



**2000** Gender becomes a cross-cutting theme of the *Millennium Development Goals*. Women are especially highlighted in the third target: “Promote gender equality and empower women.”

