

Thailand's 4th Universal Periodic Review on the Situation of LGBTI+ Youth in Thailand

Brief Assessment of the Implementation of the 3rd Cycle UPR Recommendations in 2021

During its 3rd UPR cycle, Thailand accepted 7 out of 12 recommendations specifically addressing the rights of LGBTI+ persons. These included commitments to combat discrimination and violence based on sexual orientation and gender identity and strengthen inclusive policies and education for LGBTI+ communities. However, Thailand did not accept five recommendations calling for legal recognition of same-sex relationships and legal gender recognition. Despite the marriage equality laws in 2025, Thailand has also received recommendations from UN human rights mechanisms, including the CEDAW Committee, the CERD Committee, the Special Rapporteur on the Right to Health, and the Working Group on Discrimination against Women and Girls, urging stronger legal and policy protections for LGBTI+ persons. Transgender, non-binary, and intersex young persons continue to lack legal gender recognition, leaving them to navigate education systems, healthcare services, and public institutions that remain structured around rigid gender binaries. In schools and universities, this affects access to uniforms, dormitories, and safe learning environments. LGBTI+ youth, particularly those facing intersecting forms of marginalization such as those living in rural areas.

Key Challenges & REALITIES ON THE GROUND

Key Challenges

Cases, Statistics, Testimonials

Challenge 1: Legal Recognition and Protection

Gender Equality Act B.E. 2558 (2015)

- Non-binary and gender non-conforming persons lack explicit legal recognition.
- Section 17 paragraph 2 of the Act has been interpreted as limiting its application in the southern border provinces.
- Access to justice remains difficult for children, youth, and vulnerable groups.

Gender Equality Act remains Thailand's main legal protection against gender-based discrimination. However, implementation gaps continue to limit its effectiveness. The Act does not explicitly recognize non-binary or gender non-conforming identities, and third parties cannot file complaints on behalf of victims, restricting access to justice for children and vulnerable groups. CEDAW has raised concerns over Section 17 paragraph 2, warning that exemptions based on religious principles or national security may undermine protections.

In Thailand's southern border provinces, including Pattani, Narathiwat, Yala, and Satun, where legal exemptions based on religious principles may weaken protection against discrimination. Interviews in 2024 revealed that stigmatizing narratives against LGBTI+ persons continue to be promoted in religious sermons, contributing to social pressure, family rejection, and forcing some LGBTI+ youth to leave their homes in search of safer environments where they can live openly.

The Absence of Legal Gender Recognition

- Transgender and non-binary persons cannot amend legal gender markers based on self-identification.
- The absence of legal recognition contributes to discrimination in education.

Thailand still lacks a Gender Recognition Act despite four draft proposals. This remains a significant protection gap, limiting transgender and gender-diverse persons' access to equal participation in society, especially in education. Young Pride Foundation and LGBTIQ+ CSOs submitted a 2025 Spotlight Report noting that despite marriage equality, many LGBTIQ+ youth continue to face discrimination, especially transgender and non-binary individuals lacking legal gender recognition, with structural barriers persisting across education, healthcare, and employment.

Mental Health and Wellbeing of LGBTI+ Youth

LGBTI+ youth in Thailand continue to face bullying, discrimination, and violence in educational settings, contributing to poorer mental health outcomes and reduced access to safe learning environments. 55.6% of LGBT students reported experiencing bullying at school because of their sexual orientation or gender expression, according to research by Mahidol University, UNESCO, and Plan International (2014).

A 2025 Save the Children Thailand study found that 58.2% of LGBTI+ young people had engaged in non-suicidal self-harm, with the highest prevalence among transmasculine and bi/pansexual youth, reflecting significant unmet mental health needs. Similarly, the Luke Kaew Project in 2025 reported that 49% of LGBTI+ youth experienced stigma and discrimination, 38% had been subjected to verbal or psychological harassment, and 15% had experienced physical violence because of their gender identity.

Challenge 2: Education

Stereotypes and Rigid Gender Binary in Thai Schools

Gender-based stereotypes and the enforcement of a rigid gender binary are not marginal issues in Thai education but a systemic pattern spanning law, policy, and daily school practice. During the 2025 CEDAW review, the Government acknowledged that gender stereotypes are "ingrained" and would require "a lifetime effort" to change, while the Committee noted the absence of a comprehensive strategy to eliminate such stereotypes.

In Phang Nga, a student was subjected to punitive hair-cutting by a teacher, while in Bangkok, a vocational instructor was accused of sexual harassment and physical assault against students, including LGBTQ+ individuals. Institutional responses reportedly minimized these incidents as disciplinary issues, raising concerns about victim-blaming and weak accountability.

Rigid Gender Binary Policies in Thai Universities

Universities continue to restrict transgender students' ability to present according to their gender identity at graduation.

In 2026, a transgender woman, graduate of Maejo University, participating in this Joint UPR submission was denied permission to receive her graduation certificate while wearing academic dress consistent with her gender identity and was instead required to wear a male academic attire. Following the University's refusal to approve her graduation photograph, she was unable to obtain her graduation certificate. She subsequently filed a complaint with the Committee on the Consideration of Unfair Gender Discrimination, which remained pending at the time of submission, while no corrective action had been taken by the University. More than 30 transgender students have reportedly experienced similar barriers in exercising their right to graduate.

Dormitories and Amenities

University dormitory policies based on birth-assigned sex continue to compromise the safety and dignity of transgender students.

In 2026, a student from Chulalongkorn University publicly criticized dormitory policies for forcing students into unsafe housing arrangements based on sex assigned at birth. Similar concerns were documented in 2024, when a transgender woman assigned to male housing reported harassment, safety risks, and discomfort using male-designated facilities.

Challenge 3: Intersectionality

Intersectional Discrimination, Deep South and Hill-Tribe Communities

Research conducted by youth-led LGBTIQ+ organizations, including Young Pride Foundation's 2025 submission to the UN IE SOGI, demonstrates that a transmasculine Muslim student from Thailand's Southern broader described living a "double life," openly expressing his gender identity at university while concealing it at home due to religious and social expectations.

These findings are consistent with the concerns expressed by CEDAW in its 2025 concluding observations, which highlighted the persistence of intersecting discrimination affecting indigenous and ethnic minority women, as well as lesbian, bisexual, transgender and intersex persons. The Committee urged Thailand to address discriminatory stereotypes and adopt targeted legislative and policy measures to eliminate intersectional discrimination and improve access to justice and public life.

LGBTI+ Youth with Disabilities

In 2025, A documented case involving a deaf transgender student at Ramkhamhaeng University highlighted inaccessible online learning systems lacking captions and transcripts, limiting equal participation. This case demonstrates how disability and gender identity intersect to deepen exclusion.

RECOMMENDATIONS

1. **Enact self-determination-based legal gender recognition**, ensuring that trans, non-binary, and gender-diverse persons and those facing intersecting forms of marginalization—such as trans youth, can obtain legal documents that reflect their lived gender identity without requirements of medical diagnosis, surgical intervention, or sterilization by 2030 in line with UPR 3rd Cycle's recommendations (2021), UN WG DAWG's official visit to Thailand report (2025), and CEDAW (2025), and CERD Concluding Observations (2021).

2. **Amend the Gender Equality Act B.E. 2558 (2015) to eliminate the exemptions under Section 17(2)** that permit gender-based discrimination on grounds of religious principles or national security and to incorporate non-binary identities within the Act's scope, ensuring fuller protection for all individuals of diverse sexual orientations and gender identities in line with UPR 3rd Cycle's recommendations (2021), WG DAWG's official visit to Thailand report (2025), CEDAW (2025), and CERD Concluding Observations (2021).

3. **Anti-discrimination law and Mandatory Training on SOGIESC** to ensure equal treatment and eliminate discrimination in all aspects. Explicitly covering online violence, hate speech, discriminatory takedowns, shadow banning, and algorithmic bias. in line with UPR 3rd Cycle's recommendation (2021), WG DAWG's official visit to Thailand report (2025), and CEDAW Concluding Observations (2025).

4. **Strengthen implementation of the Gender Equality Act B.E. 2558 (2015) by integrating mandatory training on SOGIESC across all sectors**, including public institutions, the private sector, healthcare, and education ensure that all personnel engage with LGBTI+ persons in a respectful and non-discriminatory manner, and respect and affirm the diverse gender identities and expressions of all LGBTIQ+ students and staff by abolition of mandatory gender-binary regulations in educational institutions, including sex-segregated uniform requirements, dormitory assignments, gender-segregated facilities in line with UPR 3rd Cycle's recommendation (2021), and CEDAW Concluding Observations (2025).

5. **Take all legislative, administrative, and training measures necessary to ensure the highest attainable standard of health without discrimination based on sexual orientation or gender identity.** Ensure clinically appropriate, non-pathologizing, and evidence-based care, with continuing professional development on SOGIESC to prevent discrimination against LGBTI+ youth in line with UPR 3rd Cycle's recommendation (2021) and the UN Special Rapporteur on the Right to Health's official visit to Thailand report (2025).

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the Cycle 3 of the UPR recommendations for Thailand in the issue of SOGIESC

Issuing State, Response, and Topic	Recommendation
Argentina (Accepted) • Education • School Curriculum • Trainings	Train educational personnel, both in public and private institutions, and review the Basic Education curriculum to promote a positive and respectful attitude towards diversity, including sexual orientation and gender identity
Canada (Accepted) • Discrimination	In line with Thailand's international commitments, strengthen efforts to protect the rights of persons who are marginalized and most vulnerable, including women, migrant workers, children, and LGBTI persons, while also taking steps to foster their fuller inclusion and to increase women's participation in decision-making
Chile (Accepted) • Discrimination	Maintain efforts to promote and protect the rights of LGBTIQ + people
Fiji (Accepted) • Discrimination • Violence	Take the necessary steps to combat discrimination and violence against women and children, and on the basis of sexual orientation and gender identity
Finland (Accepted) • Comp. Sexuality Educ. • Discrimination • Health	Include the right to non-discrimination of people of diverse sexual orientations and gender identities in sexual health education
Isreal (Accepted) • Discrimination • Public Policy	Further develop policies to ensure full enjoyment of rights and equality to LGBTQI persons
Mexico (Accepted) • Discrimination (Services) • Education • Employment • Health	Combat discrimination based on sexual orientation and gender identity, especially in education, employment and health
France (Noted) • Legislation • Marriage • Same Sex Couple	Amend the Civil and Commercial Code to recognise same-sex marriage
Iceland (Noted) • Marriage • Same Sex Couple	Recognize same-sex marriage by the end of 2022
Iceland (Noted) • COOP. W. Civil Society • Legislation • Legal Gender Recognition	Enact a Gender Identity, Gender Expression and Sex Characteristics Act by 2023 in consultation with LGBTI+ groups in Thailand
Luxembourg (Noted) • Legislation • Marriage • Same Sex Couple	Amend the Civil and Commercial Code to recognise same-sex marriage
Netherland (Noted) • Legislation • Marriage • Same Sex Couple	Amend legislation to recognize equality in marriage for LGBTI persons