



THE RIGHTS OF INDIGENOUS WOMEN IN THAILAND

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

Indigenous women in Thailand face intersecting forms of discrimination based on gender, ethnicity, legal status, geography and poverty. They belong to over 60 ethnic groups and account for a significant part of the estimated 6.1 million Indigenous Peoples (9.7 per cent of the population). This factsheet focuses on the gender-specific dimensions of the human rights situation of Indigenous women. For the broader structural violations affecting Indigenous Peoples as a whole (legal non-recognition, statelessness framework, forest and conservation laws, corporate abuse, and reprisals against defenders), please refer to the companion factsheet on the Rights of Indigenous Peoples in Thailand.

During the 3rd UPR cycle in November 2021, Thailand supported multiple recommendations directly relevant to Indigenous women, including Ecuador's recommendation 52.27 on eliminating violence against women and girls from Indigenous communities, ethnic and religious minorities, and Peru's recommendation 52.72 on enhancing women's access to justice including for rural and Indigenous women. Thailand also received recommendations 51.77 to 51.85 on trafficking. During its 2nd UPR cycle, Thailand noted but did not accept the recommendation to ratify ILO Convention No. 169. The 2025 CEDAW Concluding Observations (CEDAW/C/THA/CO/8) and the 2022 CERD Concluding Observations addressed intersecting racial and gender discrimination against Indigenous women.

This assessment shows that Indigenous women continue to face structural gender-specific barriers to citizenship, protection from gender-based violence, healthcare, land rights and access to justice. Whilst the Ethnic Way of Life Protection and Promotion Act B.E. 2568 (2025), which entered into force on 19 September 2025, was adopted, it does not explicitly recognise Indigenous women as a distinct group requiring targeted protection and fails to address intersectional discrimination. The Gender Equality Act B.E. 2558 (2015) continues to contain an exception under Section 17(2) on grounds of religion, national security or public safety.

Indigenous women face additional structural barriers to:



Citizenship

Protection from
gender-based
violence

Healthcare



Land rights



Access to justice



2025 ETHNIC WAY OF LIFE ACT

Does not explicitly recognise
Indigenous women as a distinct group
requiring targeted protection.



REALITIES ON THE GROUND

Challenges

Case, Facts, and Comments



Challenge 1: Intersecting discrimination affecting Indigenous women, and the failure of national frameworks to address it

The Ethnic Way of Life Protection and Promotion Act B.E. 2568 (2025) does not explicitly recognise Indigenous women as a distinct group and fails to address intersectional discrimination based on gender, ethnicity, and legal status. The Gender Equality Act B.E. 2558 (2015) applies only to gender-based discrimination and Section 17(2) allows exceptions on grounds of religion, national security or public safety, undermining effective protection.

CEDAW (2025) recognised intersecting discrimination against Indigenous, ethnic minority and stateless women.

The CEDAW Committee (2025) expressed concern that women continue to face intersecting forms of discrimination, including Indigenous women, women belonging to ethnic minorities, and stateless women (para 45(a)). The Committee highlighted the persistence of gender stereotypes concerning women and girls from Indigenous and ethnic minority groups, which hamper their access to justice and public life, and called for comprehensive anti-discrimination legislation addressing intersectional discrimination (paras 23(b), 45(a)).



REALITIES ON THE GROUND

Challenges

Case, Facts, and Comments

The 2017 Constitution mandates gender-responsive budgeting but this has not been prioritised across ministries and agencies. Although the Department of Women's Affairs has developed guidelines, State agencies often neglect the specific challenges faced by Indigenous women, who continue to lack access to services and legal protection.

Indigenous women face compounded discrimination in public services. At hospitals and district offices, they are frequently mistreated due to language barriers, with reports of verbal abuse and derogatory remarks based on traditional dress and appearance. Indigenous women living with HIV face further compounded discrimination at the intersection of gender, ethnicity and health status.

(For the general framework on racial discrimination and stereotyping affecting Indigenous Peoples as a whole, see Challenge 5 of the companion factsheet on the Rights of Indigenous Peoples.)



Testimony from Pornchita Fahpratanprai, Karen woman defender:

"At hospitals and district offices, Indigenous women frequently face poor treatment from public service personnel, largely due to language barriers. Some community members report being scolded or shouted at, with derogatory comments such as 'You, Karen! Why don't you speak Thai?'"

Livelihood precarity gendered impacts in sea Indigenous communities.

In some sea Indigenous communities, men must travel far from home to work at sea for boat owners, where they face wage suppression and unsafe working conditions. As a result, communities are often composed primarily of women, children, youth and older persons with limited sources of income. Hazardous conditions at sea have led to disability and death, leaving many widows within communities.



Challenge 2: Gender-specific barriers to citizenship and disproportionate impact of statelessness on Indigenous women

Whilst Thailand announced a fast-track citizenship process in mid-2025 (see the companion Indigenous Peoples factsheet for the general framework), Indigenous women face gender-specific barriers. Many are unable to read, write or speak Thai and must depend on men for assistance, reinforcing unequal power dynamics. Geographic isolation, difficult roads (especially in the rainy season), and limited public transportation to district offices make it extremely hard for women to travel and complete the application process themselves.



When women submit documents to the village headman for assistance, requests are often overlooked or left incomplete, resulting in long delays or no progress. Local authorities have reportedly demanded illegal fees of THB 2,000 in exchange for processing nationality requests. Institutional support remains insufficient, with most assistance provided by NGOs and women's networks.

Indigenous women without nationality are particularly vulnerable to exploitation, wage discrimination, abusive labour conditions and trafficking (see Challenge 3). Their lack of legal status also limits access to inheritance and land rights (see Challenge 4) and to justice (see Challenge 5).

CEDAW (2025) on birth registration for Indigenous women and girls.

The CEDAW Committee (2025) expressed concern about the absence of birth registration of some Indigenous women and girls, leading to statelessness and limiting their access to justice, land rights and inheritance (para 35(b)). The Committee recommended simplified procedures and targeted outreach in remote areas (para 36(b)).

Testimony from Noraeri Thungmuangthong, Karen woman defender.

"Many women don't know where to register a birth or who to contact. Most have never left their village and are unfamiliar with government offices. In areas like Omkoi, where statelessness is widespread, there is no outreach or public information on how to access basic rights."

Omkoi case: gendered impact of citizenship reform.

In August 2022, following sustained advocacy by IWNT and Manushya Foundation, 227 Indigenous persons in Omkoi district obtained legal status, including women.



As Katima Leeja, Lisu Indigenous woman defender, testifies:

"Life took a completely different turn for one of the young community members who received citizenship. They were able to go abroad to work and send money back home. In contrast, those who have not obtained citizenship are forced to remain in low-paying jobs in Omkoi or migrate to cities such as Chiang Mai or Bangkok. They face limited opportunities and cannot access education loans..."

They were unable to participate in the last elections, yet remained hopeful."



REALITIES ON THE GROUND

Challenges

Case, Facts, and Comments



Challenge 3: Gender-based violence, harmful customary practices and trafficking of Indigenous women



Hmong child in traditional clothing at Wat Phra That Doi Suthep, Thailand

SOURCE: Dani Aláez / Unsplash (18 May 2017)

Indigenous women and girls experience domestic violence, sexual abuse, early and forced marriage, trafficking, and harmful customary practices, exacerbated by cultural discrimination, language barriers, limited legal protection and lack of accessible support services in rural and remote areas.

Domestic and sexual violence cases within Indigenous communities are often handled by male-dominated or religious leaders who disregard sexual violence, lack awareness of legal processes and pressure victims into informal settlements. Some community leaders pressure parents to accept financial settlements while neglecting survivors' rights to justice. Cases of rape involving women with intellectual disabilities have resulted in pregnancy without prosecution.

The Domestic Violence Victim Protection Act is currently undergoing amendments. Critics fear the draft prioritises "family unity" over women's safety and autonomy, includes insufficient victim support funding, and requires family involvement in safety planning without survivor consent. Under the Community Forest Act B.E. 2562, only one representative per jurisdiction (usually male) is allowed at provincial and national levels, resulting in little or no female representation and amounting to indirect discrimination against Indigenous women who actively contribute to forest conservation.

Trafficking and exploitation remain serious risks for Indigenous women, particularly in remote and border areas. Indigenous women without nationality are especially vulnerable, and lack of legal status discourages reporting due to fear of arrest, detention or deportation.

Harmful customary practices documented across Indigenous communities.

Documented practices include child abduction for forced marriage, forced marriage after rape, bride price return after divorce, social exclusion of divorced or widowed women, and humiliating public rituals targeting women who become pregnant before marriage. In some Hmong communities, divorced or widowed women are excluded from family and community protection because of beliefs relating to "bad spirits", leading to hardship, denial of funeral rites, prolonged social isolation, and severe psychological impacts including suicide.

In some Karen communities, women who become pregnant before marriage are publicly humiliated through degrading ceremonies. Domestic violence driven by poverty, debt and substance abuse has been documented in Mae Win. In some Hmong contexts, women may leave divorce without any share of marital property and without the ability to return to parental homes, forcing them into survival migration and precarious labour.

CEDAW (2025) on GBV underreporting and mediation.

CEDAW expressed concern about underreporting of gender-based violence due to lack of trust in law enforcement and fear of retaliation, absence of effective investigation and survivor protection mechanisms, and State reliance on mediation and family reconciliation procedures, which undermine accountability (para 25(b)-(c)). Third UPR recommendation 52.27 by Ecuador on eliminating violence against women and girls from Indigenous communities has not been effectively implemented.

CEDAW (2025) on trafficking and the National Referral Mechanism.

CEDAW expressed concern about the heightened risk of trafficking among women in the informal economy, insufficient implementation of protection mechanisms in provincial areas, and gaps in the National Referral Mechanism (para 27(a),(c)). Third UPR recommendations 51.77 to 51.85 on trafficking have not been effectively implemented for Indigenous women.



Challenge 4: Barriers to healthcare for Indigenous women

Indigenous women face significant barriers to healthcare, including maternal care, reproductive health services, emergency treatment and mental health support, compounded by remoteness, poor infrastructure, language barriers, lack of interpreters, discrimination by healthcare providers, and lack of legal documentation. Older women and women with disabilities often endure illness without treatment. Indigenous women describe the universal coverage card being perceived as a "welfare card for the poor", with reports that doctors do not conduct thorough examinations for gold-card holders.

Maternal deaths during transit to hospitals in Omkoi, 2023-2024.

In Omkoi District, Chiang Mai, during 2023-2024, several Indigenous women reportedly died or gave birth while en route to hospitals. At least six reported cases involved Indigenous women giving birth during transit, resulting in the death of either the mother or the newborn. Although hospitals attempted helicopter evacuation systems, lack of internet connectivity in remote villages limited access.

CEDAW (2025) on healthcare for Indigenous women.

CEDAW called for gender-appropriate healthcare including sexual and reproductive health (para 41(c)).



REALITIES ON THE GROUND

Challenges

Case, Facts, and Comments



Challenge 5: Disproportionate gendered impact of land dispossession on Indigenous women



Land dispossession affects Indigenous women disproportionately (for the general framework on forest conservation laws and forced evictions, see Challenge 3 of the companion Indigenous Peoples factsheet). Approximately 90 per cent of Indigenous women live in protected forest areas where land ownership is not legally recognised. For the remaining 10 per cent with land titles, these often bear the names of male family members due to cultural inheritance norms. No adequate compensation or redress mechanisms exist for Indigenous women in protected forest areas, as they are viewed as occupying state land.

Where families are forcibly relocated, women, who bear primary responsibility for childcare, food security and cultural transmission, are disproportionately affected. In their absence, older daughters are often forced into premature caregiving roles.

Kaeng Krachan Karen women: gendered impacts of forced eviction.

In Kaeng Krachan National Park, Karen communities have faced forced relocation to infertile and water-scarce areas despite court rulings affirming residency rights. Impacts fall particularly on women. Children are left without adequate care, with older daughters frequently forced into premature caregiving roles.

Koh Lipe: 30 Urak Lawoi women faced eviction lawsuits between 2019 and 2022.

At least 30 Urak Lawoi women reportedly faced eviction lawsuits between 2019 and 2022, reflecting the disproportionate burden Indigenous women bear in land conflicts. Four of the five defendants in the Ban Koh Lipe School land case scheduled for the Court of First Instance in May 2026 are women (see also the companion Indigenous Peoples factsheet).

CEDAW (2025) on land, FPIC and forced evictions of Indigenous women in Thailand.

CEDAW expressed concern over forced evictions of Indigenous women, relocations, criminalisation for trespassing in national parks, and the lack of mechanisms to secure their FPIC in decisions affecting their lands and resources (para 46(b)); and called for reforms of laws that criminalise traditional land use (para 45(b)).



Challenge 6: Barriers to justice, exclusion from leadership, and reprisals against Indigenous women human rights defenders

Indigenous women face significant barriers to formal justice due to structural discrimination, language obstacles, lack of legal documentation, remoteness and exclusion from decision-making. Whilst the Ministry of Justice has established community justice centres in every province, these remain ineffective for Indigenous women because they lack information, cannot easily reach them, and cannot access interpretation services.

Community-based justice mechanisms are typically dominated by male leaders and often prioritise social harmony over accountability. Most Indigenous women avoid the formal justice system because of mistrust. In cases of sexual violence, both State and customary systems frequently prioritise mediation over accountability. Legal action is discouraged under the belief that it would bring shame. Even where Indigenous women are aware of remedy tools such as the Justice Fund, they do not know how to access it, and there is no clear outreach.

Indigenous women also face barriers to leadership within community and public structures, with some communities recognising only men as heads of households. According to Noraeri Thungmuangthong: “women are expected to prioritize caregiving and household responsibilities, and those who pursue leadership roles may face criticism or rejection from their families or communities.”

Indigenous women defenders face gender-specific reprisals. (For the general framework on the criminalisation of Indigenous defenders, anti-SLAPP legislation and impunity, see Challenge 5 of the companion Indigenous Peoples factsheet.)

CEDAW (2025) on rural and ethnic women's access to justice.

CEDAW expressed concern about persistent barriers faced by rural and ethnic women in accessing justice, highlighting the lack of effective legal aid, limited awareness of rights, discriminatory attitudes within the justice system, and reliance on informal dispute resolution mechanisms (para 23(b), 25(c)). Third UPR recommendation 52.72 by Peru on enhancing women's access to justice for rural and Indigenous women has not been effectively implemented.

Gender-specific reprisals against Indigenous women defenders.

In 2021, Min, an Indigenous woman human rights defender in Chiang Mai, faced harassment at security checkpoints as government authorities photographed her ID card and licence plate without legal grounds. Nawa Ja-ue, who advocated for justice after the extrajudicial killing of 17-year-old Lahu defender Chaiyaphum Pasae in 2017, was arrested, wrongly accused of drug possession, and spent a year in prison. Among the 11 Indigenous defenders SLAPPED in May 2025 under the Public Assembly Act, Indigenous women defenders are included and face gender-specific patterns of intimidation.

CEDAW (2025) on Indigenous women defenders.

CEDAW called for protection of Indigenous women human rights defenders from judicial harassment, violence and reprisals, and for a safe and enabling environment for their work.



RECOMMENDATIONS



1. On Challenge 1: Address intersectional discrimination affecting Indigenous women

1.1

In line with the 2025 CEDAW Concluding Observations (para 45(a)), ensure that comprehensive anti-discrimination legislation explicitly addresses intersecting forms of discrimination faced by Indigenous women, including on grounds of gender, ethnicity, legal status, HIV status, and geographic location.

1.2

Amend Section 17(2) of the Gender Equality Act B.E. 2558 (2015) to remove the exception on grounds of religion, national security or public safety, which undermines effective protection.

1.3

Amend the Ethnic Way of Life Protection and Promotion Act B.E. 2568 (2025) to explicitly recognise Indigenous women as a distinct group requiring targeted protection and to address intersectional discrimination.

1.4

In line with the 2025 CEDAW Concluding Observations (para 23(b)), eliminate discriminatory practices and stereotypes against Indigenous women in public services and ensure culturally appropriate, gender-sensitive and inclusive policies, including mandatory training for public officials and healthcare providers.

1.5

Prioritise gender-responsive budgeting across ministries and agencies in accordance with the Constitution, ensuring it accounts for the specific realities of Indigenous women, including sea Indigenous women disproportionately affected by the loss of male family members to hazardous work at sea.



2. On Challenge 2: Address gender-specific barriers to citizenship for Indigenous women and girls

2.1

In line with the 2025 CEDAW Concluding Observations (paras 35(b) and 36(b)), address the gender-specific barriers to citizenship faced by Indigenous women and girls, including through simplified procedures accessible without dependence on male relatives, proactive outreach targeted at women, mobile registration mechanisms, interpretation services and information in Indigenous languages.

2.2

Investigate and address the gender-specific corruption exposure of Indigenous women in the nationality application process, including demands for illegal fees, and establish confidential reporting channels accessible to Indigenous women.

2.3

Ensure that Indigenous women and girls without nationality are able to access healthcare, education, employment protection, land rights and inheritance rights without discrimination, pending resolution of their citizenship status.



RECOMMENDATIONS

2.4

Provide legal literacy programmes in Indigenous languages targeted specifically at Indigenous women, including on birth registration, nationality procedures, and civil rights such as voting.

2.5

Support Indigenous women's networks such as IWNT, IWAD and Manushya Foundation which have been documenting citizenship barriers and delivering direct assistance in the absence of adequate State institutional support.



3. On Challenge 3: End gender-based violence, harmful practices and trafficking of Indigenous women

3.1

In line with the 2025 CEDAW Concluding Observations (para 25(b)-(c)), strengthen prevention, investigation and prosecution of gender-based violence against Indigenous women and girls, and ensure survivor-centred justice mechanisms.

3.2

Prohibit mediation and reconciliation in cases of gender-based violence, in State and customary systems alike, and guarantee accessible, adequately resourced and culturally appropriate support services, including shelters, healthcare, psychosocial support, legal aid and long-term reintegration in Indigenous languages.

3.3

Adopt targeted measures to end harmful practices documented in Indigenous communities, including forced marriage, bride price return after divorce, exclusion of divorced or widowed women (Hmong "bad spirits" beliefs), and humiliating public rituals (Karen), through community-led, women-led and rights-based approaches.

3.4

Revise the amendments to the Domestic Violence Victim Protection Act to prioritise survivors' individual safety and autonomy over "family unity", increase victim support funding, and remove requirements for family involvement in safety planning without survivor consent.

3.5

In line with the 2025 CEDAW Concluding Observations (para 27(a),(c)) and 3rd UPR recommendations 51.77 to 51.85, strengthen measures to prevent and combat trafficking of Indigenous women, ensure effective implementation of the National Referral Mechanism, and adopt a survivor-centred approach regardless of nationality status.

3.6

Amend the Community Forest Act B.E. 2562 to guarantee at least equal female representation at provincial and national committees, addressing the current "one representative per jurisdiction" rule that produces indirect discrimination against Indigenous women.



RECOMMENDATIONS



4. On Challenge 4: Address barriers to healthcare for Indigenous women

4.1

In line with the 2025 CEDAW Concluding Observations (para 41(c)), ensure access to free, quality and culturally appropriate healthcare services for Indigenous women and girls, including sexual and reproductive health services and safe abortion, and expand mobile healthcare services to rural areas.

4.2

Provide gender-sensitive and culturally competent training to healthcare providers, dissemination of health information in Indigenous languages, and specialised women's health personnel and equipment in local health facilities.

4.3

Address the underlying stigmatisation of the universal healthcare coverage card as a "welfare card for the poor", ensuring that Indigenous women receive thorough medical examinations without discrimination based on their coverage scheme or ethnicity.

4.4

Address maternal mortality among Indigenous women in remote areas through reliable emergency transportation, expanded internet connectivity in villages to enable helicopter evacuation, and skilled birth attendants in remote highland communities such as Omkoi.



5. On Challenge 5: Address the disproportionate gendered impact of land dispossession on Indigenous women

5.1

In line with the 2025 CEDAW Concluding Observations (para 46(b)), further protect Indigenous women's access to and collective ownership of traditional lands, ensure their meaningful participation in decision-making, and establish mechanisms to secure their FPIC. Ensure legal recognition of Indigenous women's customary and collective land tenure irrespective of formal titling and address the gendered impact of forced evictions in Kaeng Krachan, Koh Lipe, Sap Wai and elsewhere.

5.2

Ensure that where forest and conservation reform occurs (see companion Indigenous Peoples factsheet), the reform explicitly addresses the disproportionate impact on the 90 per cent of Indigenous women living in protected forest areas without recognised land ownership, and the 10 per cent whose titles are typically held by male relatives.



Scan to access the
**Joint UPR submission on the
Rights of Indigenous Women
in Thailand**



RECOMMENDATIONS



6. On Challenge 6: Gender-responsive access to justice, Indigenous women's leadership, and protection of women defenders

6.1

In line with the 2025 CEDAW Concluding Observations (paras 23(b) and 25(c)) and 3rd UPR recommendation 52.72, ensure the effective and practical accessibility of legal aid mechanisms, including the Justice Fund, through proactive outreach, legal literacy programmes, application support in Indigenous languages, and removal of administrative barriers.

6.2

Regulate customary justice systems to ensure compliance with international human rights standards, particularly the rights of women and girls, and prohibit mediation in cases of violence within both State and customary systems.

6.3

Promote Indigenous women's leadership in community, land governance, environmental decision-making, and public office. Ensure that the 2025 Ethnic Way of Life Act's implementing structures include gender parity and meaningful participation of Indigenous women, and support Indigenous women defenders such as those testifying in this submission.

6.4

In line with the 2025 CEDAW Concluding Observations, ensure the protection of Indigenous women human rights defenders from gender-specific patterns of judicial harassment, violence and reprisals, and create a safe and enabling environment for their work. Ensure that anti-SLAPP protections called for in the companion Indigenous Peoples factsheet are gender-responsive and address defamation cases arising from land, environmental and community advocacy by women.

6.5

Ensure that legal recognition of Indigenous Peoples (see companion Indigenous Peoples factsheet) explicitly recognises Indigenous women as rights-holders, addresses intersecting discrimination, and guarantees their meaningful participation in the design of implementing legislation and policy.



Scan to access the
**Joint UPR submission on the
Rights of Indigenous Women
in Thailand**