



THE RIGHTS OF SEX WORKERS IN THAILAND:

Ending Criminalization, Stigma and Violence

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

During the 3rd UPR cycle in November 2021, Thailand received 278 recommendations from 106 States, of which it supported 218 and noted 60. **Only one recommendation explicitly referred to sex workers:** Finland called on Thailand to guarantee access to an adequate standard of health services for all, including sex workers. However, several other supported recommendations are directly relevant to their rights, including commitments to improve national human rights legislation; ensure safe working conditions and social protection; combat discrimination against women, LGBTIQ+ persons and migrant workers; prevent abuse by law-enforcement authorities; and ensure respect for human rights while combating trafficking.

Since the 3rd UPR, Thailand has taken limited steps towards reform. In October 2023, the offence of public solicitation under Section 5 of the Prevention and Suppression of Prostitution Act B.E. 2539 (1996) was converted from a criminal offence into a non-criminal Pinai regulatory offence. Between 2021 and 2023, the Ministry of Social Development and Human Security also worked with EMPOWER Foundation, relevant State agencies and experts on a **draft Protection of Sex Work Services Bill**, which underwent two rounds of public consultation and was finalized in November 2023. In August 2026, the Cabinet acknowledged the CEDAW Committee's Concluding Observations and directed relevant agencies to expedite priority measures, including the decriminalization of women engaged in sex work.

However, this assessment shows that Thailand has **not substantively advanced the human rights protection of sex workers** since the 3rd UPR cycle. The Prevention and Suppression of Prostitution Act B.E. 2539 (1996) remains in force and consensual adult sex work and related activities continue to be criminalized. Sex workers remain excluded from effective labour and social protection, while fear of arrest or prosecution deters them from reporting violence, exploitation and workplace abuses. Documented cases also indicate continuing police harassment, entrapment and extortion. Anti-trafficking laws and enforcement practices continue to conflate consensual adult sex work with trafficking, while comprehensive legislative reform remains stalled despite commitments to decriminalization and meaningful participation of sex workers.



1996 Prevention and Suppression of Prostitution Act remains in force
Consensual adult sex work and related activities remain criminalized



2023 draft sex work reform bill finalised
(Draft Protection of Sex Work Services Bill) but comprehensive reform remains stalled



REALITIES ON THE GROUND

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Challenge 1: Sex workers remain criminalized despite repeated commitments to rights-based legal reform

Thailand's legal framework continues to criminalize consensual adult sex work and related activities rather than recognize sex workers as rights holders and workers. Although there have been limited reforms and several legislative initiatives since the 3rd UPR, the Prevention and Suppression of Prostitution Act B.E. 2539 (1996) remains in force. Legislative reform has repeatedly stalled or proceeded without meaningful participation of sex workers, despite Thailand's international commitments to decriminalization and consultation.

The 1996 Prostitution Act remains the core punitive framework.

The Act continues to frame sex work as unlawful and immoral, and exposes sex workers to arrest, harassment, stigma and exploitation. Criminalization also increases the risks associated with disclosure of a person's occupation and creates barriers to accessing State institutions and essential services, particularly for women, LGBTIQ+ persons, migrants and other marginalized sex workers.



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Challenge 1: Sex workers remain criminalized despite repeated commitments to rights-based legal reform

Six years after legalisation, the number of authorised abortion facilities remains grossly inadequate for a population of approximately 66 million people. Provincial and regional inequalities are severe, and facilities routinely impose additional screening and eligibility requirements not required by law. This forces pregnant persons to travel across provinces, delay care until later gestational ages, or resort to unsafe methods, in direct contravention of the CESCR General Comment No. 22 on the right to sexual and reproductive health.



Sex workers and advocates push for legal recognition and protection in Parliament. EMPOWER Foundation and sex worker rights advocates call for repeal of the 1996 prostitution law and for new legislation decriminalising sex work and recognising sex workers' labour rights, safety and access to social protection.

SOURCE: EMPOWER Foundation / Angkaew News (2025)



Sex workers protest police entrapment operations in Thailand. EMPOWER Foundation and sex worker rights activists call for an end to sting operations in which sex workers are targeted, entrapped and prosecuted, including through the use of money and condoms as evidence.

SOURCE: Transborder News / EMPOWER Foundation (2018)

Partial reform has not amounted to decriminalization. In October 2023, the offence of public solicitation under Section 5 of the 1996 Act was converted from a criminal offence into a non-criminal Pinai regulatory offence. However, the prohibited conduct remains unlawful and other offences under the 1996 Act continue to carry criminal penalties.

A participatory reform process stalled and was displaced by a new State-led draft. From 2021 to 2023, EMPOWER worked with the Ministry of Social Development and Human Security, other State agencies and experts to the draft Protection of Sex Work Services Bill. The process included two rounds of public consultation and was expected to reach Parliament in 2024, but stalled without explanation. In June 2025, EMPOWER learned that the Government had developed a new "Sex Workers Supervision and Care Act B.E. ..." without sex workers' participation. According to EMPOWER, the new draft retains punitive provisions and increases penalties despite claiming to decriminalise sex work. It also removes the chapter on "Sex Business Operators," which would have provided for legal recognition of sex industry establishments. EMPOWER points to previous studies showing that such recognition reduces corruption, helps combat trafficking and improves workplace safety. **EMPOWER states the Government is using the claim that the drafting process is "still ongoing" as an excuse for delaying reform, although the participatory process was completed.** The Government is holding another round of public consultations in September 2026, despite having already conducted consultations in 2021-2023. On 24 September 2026, EMPOWER and sex workers marched to the Ministry of Social Development and Human Security to demand their participation in law reform and support for their separate, citizen-backed "Sex Workers Protection Bill".

The 'Sex Workers Protection Bill': A rights-affirming citizen bill remains pending. On 28 May 2026, EMPOWER and sex worker networks submitted a **citizen-initiated "Draft Sex Workers Protection Act"**, backed by 10,293 signatories. It seeks to repeal the 1996 Act, decriminalise consensual adult sex work, recognise sex work as labour and extend labour and social protection. In July 2026, the bill was classified as a money bill, requiring the Prime Minister's approval before Parliament could consider it. **That approval had still not been given when EMPOWER and sex workers marched to the Ministry of Social Development and Human Security on 24 September 2026,** calling on the Ministry to support the bill and ensure sex workers' participation throughout the legislative process.

Thailand has committed to decriminalization but has yet to deliver comprehensive reform. In 2025, the CEDAW Committee called on Thailand to expedite decriminalization and ensure consultation with women engaged in sex work. In August 2026, the Cabinet acknowledged these recommendations and directed relevant agencies to expedite implementation. Despite the Government's own commitment, the 1996 Act remains in force.



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Challenge 2: Weak environmental safeguards and exclusion from decision-making expose communities to business-related harm

Thailand's legal and enforcement framework continues to blur the fundamental distinction between consensual adult sex work and trafficking involving force, coercion, deception or exploitation. Sex workers may be subjected to enforcement under the Anti-Trafficking in Persons Act B.E. 2551 (2008) alongside offences under the Prevention and Suppression of Prostitution Act. Anti-trafficking measures are consequently used against adult sex workers themselves, exposing them to criminalization rather than protection. This approach not only violates sex workers' rights but can also undermine Thailand's ability to identify and protect people who are actually subjected to trafficking and exploitation.

Conflation undermines the protection of trafficking victims. Inadequate understanding among frontline officials and the wider public of the distinction between consensual sex work and trafficking for sexual exploitation can impede effective victim identification and protection. Criminalization can also deter sex workers from reporting trafficking, coercion or exploitation for fear that they themselves will be arrested or prosecuted.

Human-rights compliant anti-trafficking measures must target exploitation, not consensual sex work. Thailand has an obligation to prevent, investigate and prosecute trafficking, forced labour and sexual exploitation, including the sexual exploitation of children. These obligations are fully compatible with the decriminalization of consensual adult sex work. Criminal and anti-trafficking measures should instead target conduct involving force, coercion, deception and exploitation, while ensuring that consenting adult sex workers are not criminalized or subjected to rights violations under the guise of anti-trafficking enforcement.



Consensual adult sex work $\neq$ trafficking



Challenge 3: Sex workers are denied labour rights and social protection

Sex work is not recognized and protected as work on an equal basis with other forms of labour. Thus, sex workers remain excluded from effective labour and social protections. Criminalization enables sex work businesses to operate with little effective labour oversight, leaving workers exposed to exploitative working conditions without adequate occupational health and safety standards, workplace benefits, social security, contractual protection or accessible labour grievance mechanisms.

Exclusion from labour protection enables exploitative working conditions. Manushya documents wage deductions, unpaid work, denial of leave and exclusion from social security, while EMPOWER reports compulsory drink targets and deductions for absence, lateness, performance and health checks.

"Pond", a worker at a go-go bar, completed a job application, regularly clocked in and out and received daily remuneration, but was never registered for social security. After being dismissed, she received no compensation and could not access unemployment benefits, leaving her reliant on high-interest informal loans.

Sex workers lack effective mechanisms to challenge labour abuses. EMPOWER reports that sex workers lack effective access to labour complaints mechanisms, occupational health and safety protection, contractual safeguards, social security and redress. Fear of arrest, prosecution or discriminatory treatment further deters workers from reporting workplace exploitation, violence or abuse, reinforcing their economic and legal vulnerability.



Challenge 4: Criminalization enables police abuse and obstructs access to justice

Criminalization places sex workers in a position where the authorities responsible for protecting them can also arrest or prosecute them. EMPOWER documents allegations of entrapment, arbitrary or additional charges, confiscation of phones and extortion by police, while fear of arrest or discriminatory treatment discourages sex workers from reporting violence, exploitation and other abuses.

Sex workers report entrapment, extortion and abusive policing. EMPOWER documents the case of **"Kee"**, who was arrested while working on a beach in Pattaya and charged with prostitution despite reporting no fight or disturbance. Kee and two colleagues were later allegedly told to pay THB 10,000 each in an unofficial "media closure fee" or face prosecution; their phones were confiscated during the interaction.



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Sex worker confronts tourist police on Pattaya's Walking Street

The criminalisation of sex work can leave workers vulnerable to policing while limiting their ability to seek protection and effective remedies for abuse.

SOURCE: Pattaya Mail (18 March 2023)

EMPOWER also documents “Kwan”, an online sex worker who was allegedly entrapped by a person claiming to be a police officer, had her phone seized as evidence and was asked to pay THB 40,000 to avoid prosecution under the Computer Crimes Act.

Fear of criminalization undermines access to protection and remedies.

Because reporting abuse can expose sex workers themselves to arrest, prosecution or discriminatory treatment, criminalization can deter them from approaching police, labour authorities or other State institutions. This leaves workers with limited access to safe and confidential complaint mechanisms and effective remedies for workplace exploitation, violence and other rights violations.

Marginalized groups face intersectional discrimination. In a case examined by the National Human Rights Commission of Thailand, LGBTIQ+ sex workers in Pattaya were fined more heavily than other sex workers. As a justification, the police referred to thefts committed by other LGBTIQ+ sex workers earlier. The NHRCT found this amounted to gender-based discrimination and a human rights violation.

Challenge 5: Sex workers face violence, threats and extortion, stigma and discrimination in accessing essential services

Sex workers continue to face violence and pervasive stigma, while the current legal framework provides inadequate protection against these harms. Criminalization heightens the consequences of disclosure of a person's occupation and creates barriers to healthcare and other State services, while violence specifically targeting sex workers remains inconsistently addressed in law and practice.



A relative holds a portrait of transwoman sex worker Woranun Pannacha at the guesthouse where she was murdered.

SOURCE: Chaiyot Pupattapanong / Bangkok Post (April 2025)

Sex workers remain exposed to severe violence without adequate protection. In April 2025, **Woranun Pannacha**, a Thai trans woman sex worker, was killed after meeting a foreign client in Pattaya. Her killing illustrates the severe violence to which sex workers may be exposed and, for trans sex workers, the compounded vulnerability associated with gender identity, criminalization and precarious working conditions.

Stigma creates barriers to healthcare and essential services. Sex workers report discriminatory treatment and unequal access to healthcare, housing, employment and State institutions. Non-consensual disclosure of information about their occupation, health or private lives can expose them to further stigma, discrimination or violence. EMPOWER reports that sex workers working in public areas face arrest and THB 500 baht fines; those who do not cooperate fear harassment and being unable to return to their work. Criminalization amplifies these risks and can discourage sex workers from seeking essential services.



RECOMMENDATIONS



1. Challenge 1: Fully decriminalize consensual adult sex work and advance rights-based legal reform

1.1

Revise and advance the Ministry's Draft Act Protection of Sex Work Services through a process in which sex workers and sex worker-led organisations have a central role, building on their participation in drafting and consultations from 2021 to 2023. Remove punitive provisions, restore protections for sex business operators, and ensure their direct participation in the law's implementation and review.

1.2

Promptly grant the Prime Minister's approval required for Parliament to consider EMPOWER and sex worker networks' citizen-initiated Draft Sex Workers Protection Act, and advance its consideration and enactment with sex workers and sex worker-led organisations central to parliamentary deliberations, implementation and review. Ensure the law decriminalises consensual adult sex work, recognises sex work as labour, and extends labour and social protection.



RECOMMENDATIONS



2. Challenge 2: Clearly distinguish consensual adult sex work from human trafficking

2.1

Clearly distinguish consensual adult sex work from human trafficking, sexual exploitation involving force or coercion, and the sexual exploitation of children in law, policy and enforcement practice, ensuring that anti-trafficking measures do not result in the criminalization or rights violations of consenting adult sex workers.



3. Challenge 3: Guarantee labour rights and social protection for sex workers

3.1

Revise labour and social security legislation to recognize and protect sex workers as workers and guarantee equal access to fair working conditions, occupational health and safety, contractual protection, social security and employment-related benefits, as well as effective labour complaint and remedy mechanisms.



4. Challenge 4: End abusive and discriminatory policing and ensure access to justice

4.1

Protect sex workers from violence, coercion and exploitation and establish safe, accessible and confidential complaint mechanisms through which they can report abuses and obtain protection and effective remedies without fear of arrest or prosecution merely because they engage in sex work.

4.2

End discrimination and stigma against sex workers in the justice system, employment and public services and ensure equal protection without discrimination, including for women, LGBTIQ+ persons, migrants and other marginalized sex workers; investigate and hold accountable officials responsible for discriminatory or abusive enforcement practices.



5. Challenge 5: End stigma and discrimination and ensure access to essential services

5.1

In line with the UPR recommendation from Finland, guarantee equal and confidential access to healthcare for sex workers, including sexual and reproductive health services, without discrimination or stigma.

5.2

Protect sex workers' right to privacy and personal data, particularly information concerning their occupation, health and private lives, and prevent its disclosure without their consent or other arbitrary interference.



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