



International
Labour
Organization

► Assessment of law, regulations, policy and practice

Thailand

Violence and Harassment
Convention, 2019 (No. 190)

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Violence and Harassment Convention, 2019 (No. 190)

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First published 2026.



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ISBN: 9789220438510 (print); 9789220438527 (web PDF)

DOI: <https://doi.org/10.54394/00035100>

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Printed in Thailand

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► Acknowledgements

We would like to acknowledge and sincerely thank the many individuals who contributed to the scoping, analysis, preparation, review and finalization of this assessment: Katherine Gilchrist, Nathita Popattanachai, Panadda Changmanee (consultants); Alain Pelce, Deepa Bharathi, Jittima Srisuknam, Karnmanee Thanesvorakul, Natthanicha LePhilibert, Ratna Mathai-Luke, Sophia Kagan, Yuka Otsuji (ILO).

We also extend our appreciation to representatives of the Royal Thai Government, trade unions, employers' organizations, social partners and civil society organizations for their participation in the validation workshop and for their valuable inputs on the draft assessment.

Manachaya Yankittikul provided editorial support and John Maloy copyedited the assessment. Kwantawan Hongladarom, Pichit Promkade, and Steve Needham (ILO) coordinated the design and layout of the report.

This technical report was led by the International Labour Organization (ILO) through the *Ensuring Decent Work and Reducing Vulnerabilities for Women and Children in the Context of Labour Migration in Southeast Asia (PROTECT)* project. The PROTECT project is funded by the European Union and implemented jointly by the ILO, UN Women, UNICEF and UNODC in Southeast Asia, particularly in Cambodia, Indonesia, Malaysia and Thailand.

► Acronyms

CSA	Civil Service Act, B.E. 2551 (2008)
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CEACR	Committee of Experts on the Application of Conventions and Recommendations
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CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
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GBV	Gender-based violence
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ILC	International Labour Conference
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LPA	Labour Protection Act, B.E. 2541 (1998)
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MSDHS	Ministry of Social Development and Human Security
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OSH	occupational safety and health
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SERLA	State Enterprises Labour Relations Act
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UN	United Nations
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► Introduction

This assessment reviews Thailand's laws, regulations, policies, and practice in relation to the ILO Violence and Harassment Convention, 2019 (No. 190). Structured according to the articles of the Convention, it examines the extent to which national frameworks align with its provisions and identifies gaps and opportunities for strengthening protection against violence and harassment in the world of work.

Before commencing the assessment, it is important to reflect on the background to the Violence and Harassment Convention (No. 190) and Recommendation (No. 206), adopted in 2019 by the International Labour Conference (ILC). The development of these instruments was the ultimate outcome of long-standing attention to the issue by both the United Nations (UN) and ILO treaty bodies responsible for the application of instruments fostering gender equality. In January 1992, the Committee on the Elimination of Discrimination against Women (CEDAW Committee) adopted its General Recommendation No. 19 on Violence against women, which emphasizes, with reference to Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), that “equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace”.¹ For its part, in December 2002, the ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) asserted in a General Observation addressed to all countries party to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), that “sexual harassment is a form of sex discrimination that should be addressed within the requirements of the Convention”.²

In June 2009, the ILC adopted the Resolution concerning gender equality at the heart of decent work, which affirms that sexual and other forms of harassment are serious forms of discrimination that undermine the dignity of women and men and negate gender equality. It also noted that gender-based violence in the workplace should be prohibited, and policies, programmes and measures should be implemented to prevent it.³ In June 2011, the ILC adopted the Domestic Workers Convention (No. 189) and Recommendation (No. 201), which provide for the effective protection of domestic workers against all forms of abuse, harassment and violence and recommend that mechanisms to that end include accessible complaint, investigation and prosecution procedures, as well as relocation and rehabilitation programmes for victims.

In November 2015, the Governing Body of the ILO decided to place a standard-setting item on “Violence against women and men in the world of work” on the agenda of the 107th Session (June 2018) of the ILC and to convene a tripartite meeting of experts. In November 2016, the ILO requested the Office to prepare the first discussion of possible instruments by the ILC, taking into account the guidance provided in the Conclusions of the Meeting of Experts on Violence against Women and Men in the World of Work held in October 2016. The Governing Body decided to replace the term “violence” with “violence and harassment” in the title of the item on the agenda.

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- 1 The General Recommendation further indicates that “sexual harassment includes such unwelcome sexually determined behaviour as physical contact and advances, sexually coloured remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment.”
 - 2 In the same observation, the Committee requested all governments to provide information on: applicable policies, laws or codes; definitions and whether they include quid pro quo and hostile working environment; the personal and material scope of protection; the scope of liability; administrative and enforcement procedures, including labour inspection; court decisions; educational and awareness measures; and cooperation with employers' and workers' organizations. In subsequent individual comments on the application of Convention No. 111 by ratifying countries, the CEACR would systematically address policies and measures adopted to combat sexual harassment at work.
 - 3 The Resolution further considers that the workplace is the right place for the prevention and education of women and men on the discriminatory nature of harassment and its productivity impacts, and that the issue should be addressed through social dialogue, including collective bargaining at various levels.

► Definitions

Article 1

1. For the purposes of this Convention:
 - (a) the term “violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment;
 - (b) the term “gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.
2. Without prejudice to subparagraphs (a) and (b) of paragraph 1 of this Article, definitions in national laws and regulations may provide for a single concept or separate concepts.

In Thai law, elements of definition of “violence and harassment” can be found in the following provisions:

Section 16 of the Labour Protection Act, B.E. 2541 (1998), (LPA) prohibits sexual abuse, harassment or nuisance by employers, supervisors or work inspectors towards employees.

Section 4 of the Occupational Safety, Health and Environment Act, B.E. 2554 (2011), (OSH Act) defines occupational safety and health as actions or working conditions which are safe from any cause that result in hazards to life, physique, mentality or health arising out of or related to work

Section 1(6) of the Thai Criminal Code, B.E. 2499 (1956), defines committing an act of violence as “to do an act of violence against the body or mind of a person, whether it be by physical force or by any other means, and included any act causing any person to be in a state of being unable to resist, whether it be using drug causing intoxication, by hypnotism or by any other similar means.”

The Act Amending the Criminal Code (No. 30), B.E. 2568 (2025), introduces specific provisions on sexual harassment. The amendment provides the definition for “sexual harassment” in section 1(19) as:

Any unwelcome act or conduct of a sexual nature, whether by physical act, verbal conduct, sound/noise, gesture, expression, communication, watching/surveillance, following/stalking/harassing, or any other conduct, including conduct carried out through computer, telecommunication, or electronic means, that causes or is likely to cause the targeted person annoyance/distress, embarrassment, humiliation/degradation, fear, or a sense of sexual insecurity/unsafe in a sexual sense.

However, the terms sexual abuse, violation, violence or nuisance – which are referred to in the LPA – are not defined in the Criminal Code.

Section 278 of the Criminal Code addresses the offence of indecency:

Whoever, committing an indecent act to the person who is over fifteen years of age by threatening with any means, by doing any act of violence, by taking advantage of that person to be in the condition of inability to resist, or by causing that person to mistake one for the other person, shall be punished with imprisonment not exceeding ten years or fined not exceeding twenty thousand baht, or both.

The Criminal Code does not provide a definition of “indecenty”. Legal practitioners often refer to established judicial precedents to ascertain what constitutes indecent acts. An academic legal publication associated with the Senate⁴ has provided a comprehensive analysis, concluding that:

“Indecency” encompasses behaviours that are sexually inappropriate or involve acts of sexual humiliation, particularly through direct physical contact. Such behaviours may include actions like grabbing a woman’s arm, engaging in hugging, kissing, stroking, groping, or touching an individual’s body. Moreover, the concept of indecency extends to behaviours that contravene established societal norms of morality and actions that elicit public embarrassment or humiliation. It is noteworthy that indecency transcends mere considerations of sexual desire or prostitution, encompassing instances of sexual humiliation, even in the absence of a primary carnal intent.

Precedent established by Supreme Court rulings⁵ concerning the offence of indecency define it as conduct of a sexually inappropriate nature, which may encompass acts involving sexual humiliation. In this context, indecency can encompass a spectrum of behaviours, ranging from actions such as hugging, kissing or touching others in a sexually inappropriate manner to milder manifestations such as placing an arm around someone’s shoulder or any conduct with a sexual undertone that induces discomfort in the recipient.

Notably, indecency extends to any behaviour that inflicts sexual humiliation upon another individual. In Supreme Court Judgment No. 12983/2558 (2015), where the defendant covertly used a camera to film beneath a woman’s skirt without her consent, the Court held that despite the absence of physical harm, the offender’s actions were deemed indecent as they were driven by a desire for sexual gratification. This led to the plaintiff’s humiliation, thereby qualifying as an act that inflicted mental harm. This case underscored the concept that mental harm is an integral element of indecency.

In its Judgment No. 7178/2562 (2019), the Supreme Court established that an “indecent act” includes any sexually inappropriate conduct, thereby widening the scope of what constitutes an “indecent act” under the provisions of the Criminal Code.

The offence of indecent exposure is a petty offence, considered less serious and attracting a lower penalty. Section 388 of the Criminal Code, B.E. 2499 (1956), notes: “Any person who commits any shameful act in public by being nude or indecently exposing his or her person, or by committing any other indecent act, shall be liable to a fine of not exceeding five thousand baht.” In Supreme Court Judgment No. 4836/2547 (2004) the term “in public” was taken to mean performing a shameful act openly, even if no one sees it at that time.

Section 397 of the Criminal Code addresses a wider range of misconduct. The section was revised under the Act Amending the Criminal Code (No. 30), B.E. 2568 (2025), to align with the provisions on sexual harassment and to increase the fine amount; it now states:

Any person who commits an act by any means to another to annoy, bully, harass or cause such other person to suffer embarrassment or annoyance shall be liable to a fine not exceeding ten thousand baht.

If the offence under paragraph one is committed in a public place or before the public, the perpetrator shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand baht or to both.

Section 397 is applicable to both sexual and non-sexual harassment. Furthermore, its application is not limited by the nature of the relationship between the parties involved; it applies to instances between any individuals, whether they are coworkers, clients or other individuals encountered in a professional setting. Nevertheless, the gravity of the offense escalates significantly when the perpetrator holds a position of authority, as an employer does. This offence can occur in any place, private or public, including at work.

The Civil and Commercial Code, B.E. 2468 (1925), in its section 420, covers injuries to “life, body, health, liberty, property or any right”, which could be assumed to include sexual harassment as well as any resulting harm.

4 Senate of the Kingdom of Thailand, *สารพันปัญหากฎหมาย: ความพิศเกี่ยวกับการอนาจารเด็กตามประมวลกฎหมายอาญา*. จุลนิติ Vol. March–April, 2018.

5 Supreme Court Judgment No. 4024/2534 (1991); Supreme Court Judgment No. 5694/2541 (1998); and Supreme Court Judgment No. 4836/2547 (2004).

Article 1

1. For the purposes of this Convention:

- (a) the term “violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment;
- (b) the term “gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.

2. Without prejudice to subparagraphs (a) and (b) of paragraph 1 of this Article, definitions in national laws and regulations may provide for a single concept or separate concepts.

While many of the provisions referred to above clearly address gender-based harassment, Thailand's legislation does not include an express reference to gender-based violence. The Gender Equality Act, B.E. 2558 (2015), indirectly refers to it in connection with the responsibilities of the two committees⁶ established by the Act. The Gender Equality Act provides a legal basis for addressing gender-based violence concerns through its provisions related to gender discrimination and promotion of gender equality.

The CEACR – writing on Thailand's application of Article 1(1)(a) of Convention No. 111, specifically in relation to discrimination based on sex and sexual harassment – has requested the Government to provide information on the following:⁷

- (1) whether the prohibition of sexual harassment under section 16 of the LPA covers both quid pro quo harassment (any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men which is unwelcome, unreasonable and offensive to the recipient; and a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job) and hostile work environment (conduct that creates an intimidating, hostile or humiliating working environment for the recipient);
- (2) examples of application of this provision in practice;
- (3) how protection from sexual harassment is ensured in law and practice in respect of harassment practiced by co-workers and clients or other persons met in connection with performance of work duties;
- (4) how protection from sexual harassment is ensured in law and practice in respect of vocational training, access to employment, and performing work in an occupation; and
- (5) examples of application of section 10(2) of the Gender Equality Act, which envisages the adoption of special measures to eliminate gender-based violence, with regard to employment and occupation.

The Ministry of Social Development and Human Security (MSDHS) has developed an Action Plan to Prevent and Address Rape and Sexual Assault, which focuses on changing societal attitudes towards rape and sexual assault, establishing high-quality preventive mechanisms and monitoring sexual violence, and creating safe public spaces. A National Action Plan for the Elimination of Violence against Women 2023–2027 has also been drafted.

⁶ The Gender Equality Act established two committees to advance gender equality. The first is the Gender Equality Promotion Committee, which is empowered to prescribe policies, measures and action plans aimed at fostering gender equality across governmental and private entities, encompassing central, provincial and local sectors. This includes the implementation of special measures intended “to improve the tradition of social and cultural behaviours between genders to eliminate biased practices based on disparity and gender-based violence in order to eliminate obstacles in accessing rights”. The second is the Committee on Consideration of Unfair Gender Discrimination, which is tasked with resolving complaints related to gender discrimination. Section 14 of the Act outlines its powers, including: (1) to consider issues submitted through petitions claiming unfair gender discrimination as per section 18; (2) to issue orders, which may include remedies for victims, as stipulated in section 20; and (3) to refer matters to the Ombudsman under section 21.

⁷ CEACR, Direct Request – Convention No. 111 – Thailand, adopted 2021.

► Scope

Article 2

1. This Convention protects workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer.
2. This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.

Section 16 of the LPA prohibits sexual abuse, harassment or nuisance by employers, supervisors or work inspectors against employees. The LPA's protection is therefore limited to workers in a formal employment relationship in accordance with the definition of "employee" under its section 5, to the exclusion of all other persons to be protected in accordance with Article 2(1) of Convention No. 190. The LPA applies only to private sector enterprises.

Section 6 of the OSH Act imposes on employers the duty of employees' protection. The Act follows the definition of section 5 of the LPA and also includes entrepreneurs (section 4). The OSH Act's definition of "employee" (section 4) includes individuals contributing to or providing benefits to an employer's establishment, irrespective of their title. This broad definition may cover unpaid interns, apprentices and volunteers, as they provide benefits to establishments. Individuals whose employment has ended, jobseekers, job applicants and individuals exercising the authority, duties or responsibilities of an employer may not be protected by this Act.

The Criminal Code applies to all individuals.

The State Enterprise Labour Relations Act, B.E. 2543 (2000), (SELRA) separately regulates employment conditions in state enterprises. Article 10 of the Notification of the State Enterprise Labour Relations Committee on Minimum Standards of Employment Conditions in State Enterprises, issued under the SELRA, prohibits employers, supervisors, controllers or inspectors from committing acts of sexual harassment or causing sexual distress to employees.

The Civil Service Act, B.E. 2551 (2008), (CSA) disciplines civil servants for sexual abuse or sexual harassment. The CSA⁸ and its subsidiary regulations⁹ provide detailed guidelines against sexual violence and harassment within the civil service. These include references to prohibited behaviours, such as physical, verbal and gestural conduct of a sexual nature. Sexual abuse or harassment are described in section 8(5) of the Office of the Civil Service Commission Regulation on Sexual Abuse or Sexual Harassment, B.E. 2553 (2010), as well as section 83(8) of the CSA.

The informal economy, which includes activities such as domestic work, largely remains outside the purview of the LPA. Section 22 of the LPA delineates sectors subject to specific regulations, providing that labour protection for agricultural work, marine fishing work, cargo transfer to and from maritime vessels, work performed at home, transportation work and other designated occupations may be governed differently through ministerial regulations. Ministerial Regulation No. 14, B.E. 2541 (1998), excludes domestic work from the application of a series of LPA provisions, while Ministerial Regulation No. 9, B.E. 2541 (1998), excluded agricultural work and home-based work from the application of the LPA. The provision of Ministerial Regulation No. 9 excluding agricultural work from the scope of the LPA was repealed by the Ministerial Regulation concerning Labour Protection in Agricultural Work, B.E. 2547 (2004). Workers employed in

8 Civil Service Act, B.E. 2551 (2008), Chapter 6, section 83: "A civil servant must not commit ... (8) acts which amount to a sexual violation or harassment as prescribed by the Civil Service Commission Regulation."

9 The Regulation of the Civil Service Commission on Sexual Violation and Sexual Harassment, B.E. 2553 (2010), clause 2, prohibits civil servants from conducting five types of sexual violation or sexual harassment against fellow civil servants and persons involved in the performance of official functions. The five types of sexual violation or sexual harassment are described as follows:

1. physical conduct in an implicit sexual way such as kissing, embracing, touching any part of the body;
2. verbal conduct in an implicit sexual way, such as criticizing the body, talking, teasing, vulgarity;
3. gestures in an implicit sexual way, such as sexually staring, making any signs or symbols;
4. any performance or communication in an implicit sexual way, such as showing pornographic images, sending letters, messages or other forms of communication;
5. other implicit sexual behaviour which is unwanted or an annoyance for the recipient.

agriculture on a year-round basis are fully covered under the LPA; while those working on an occasional or seasonal basis are only granted partial protection as outlined in the Ministerial Regulation concerning Labour Protection in Agricultural Work.

The OSH Act (section 3) excludes central administration, provincial administration and local administration, as well as other enterprises (in whole or in part) as prescribed in the ministerial regulations. These enterprises shall provide standards for administration and management on occupational safety, health and environment on their own, not lower than the standards on occupational safety, health and environment prescribed under the Act.

Article 3

This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- (c) during work-related trips, travel, training, events or social activities;
- (d) through work-related communications, including those enabled by information and communication technologies;
- (e) in employer-provided accommodation; and
- (f) when commuting to and from work.

The LPA, including its section 16, does not confine its application to specific locations or situations. The essence of its provisions lies in the relationship between the parties, establishing that it is the nature of their interactions, rather than how or where they take place, that gives rise to the offence. In 2023, section 23/1 was added to the LPA to provide employees with remote or work-from-home arrangements the same rights and protections as employees working on-site.

For home-based workers, the Homeworkers Act, B.E. 2553 (2010), (section 3) stipulates that the term “homeworker” means a person who agrees with an employer to undertake home-based work. “Home work” means work given out by an employer in an industrial enterprise to a homeworker to produce or assemble outside the place of business of the employer, or other works as prescribed in ministerial regulations.

The OSH Act (section 4) stipulates that the term “establishment” means each working unit of the employer where there is an employee working therein. As noted earlier, under the OSH Act an “employee” means an employee under the LPA and also any person allowed to work or to provide benefit for or in an establishment of an employer, regardless of the title of that person.

The Ministerial Regulation concerning Labour Protection in Agricultural Work, B.E. 2557 (2014), in clause 8, extends the employer’s duty to maintain safety and health in living areas.

Regarding the use of information and communication technologies, the Computer Crimes Act, B.E. 2550 (2007), section 16, addresses cyber violence and harassment. It makes it illegal to upload or share on a public computer system any altered images of someone that could ruin their reputation or make them feel isolated, disgusted, or embarrassed. Harmful online behaviour incurs specific penalties.

► Core principles

Article 4

1. Each Member which ratifies this Convention shall respect, promote and realize the right of everyone to a world of work free from violence and harassment.
2. Each Member shall adopt, in accordance with national law and circumstances and in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work. Such an approach should take into account violence and harassment involving third parties, where applicable, and includes:
 - (a) prohibiting in law violence and harassment;
 - (b) ensuring that relevant policies address violence and harassment;
 - (c) adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment;
 - (d) establishing or strengthening enforcement and monitoring mechanisms;
 - (e) ensuring access to remedies and support for victims;
 - (f) providing for sanctions;
 - (g) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and
 - (h) ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.
3. In adopting and implementing the approach referred to in paragraph 2 of this Article, each Member shall recognize the different and complementary roles and functions of governments, and employers and workers and their respective organizations, taking into account the varying nature and extent of their respective responsibilities.

The Constitution of the Kingdom of Thailand, B.E. 2560 (2017), emphasizes a commitment to creating a safe and equitable working environment. Key sections include the duty of the State to provide a safe working environment (section 74);¹⁰ the duty of the State to protect vulnerable persons from violence and unfair treatment (section 71);¹¹ and the right of all persons to equal treatment (non-discrimination) (section 27).¹²

Concerning the role of employers' and workers' organizations in implementing measures against violence and harassment, social partners participate in the legislative process through public hearings, as mandated by the law. Their involvement is crucial for identifying the need for and evaluating the effectiveness of new legislation. Additionally, there is an understanding that the Government, employers, workers and their respective organizations have their own distinct but interconnected roles. This perspective considers the different levels and types of responsibilities that each group holds, as prescribed in Article 4(3) of Convention No. 190.

10 Section 74: "The State should protect labour to ensure safety and vocational hygiene, and receive income, welfare, social security and other benefits which are suitable for their living. The State should provide a system of labour relations for all relevant parties to participate in."

11 Section 71: "The State should provide assistance to children, youth, women, the elderly, persons with disabilities, indigent persons and underprivileged persons to be able to have a quality living, and shall protect such persons from violence or unfair treatment, as well as provide treatment, rehabilitation and remedies to such injured persons. In allocating the budget, the State should take into account the different necessities and needs with respect to genders, ages and conditions of persons to ensure fairness."

12 Section 27 stipulates that "all persons are equal before the law, and shall have rights and liberties and be protected equally under the law. Men and women shall enjoy equal rights. Unjust discrimination against a person on the grounds of differences in origin, race, language, sex, age, disability, physical or health condition, personal status, economic and social standing, religious belief, education, or political view which is not contrary to the provisions of the Constitution, or on any other grounds shall not be permitted. Measures determined by the State in order to eliminate an obstacle to or to promote persons' ability to exercise their rights or liberties on the same basis as other person or to protect or facilitate children, women, the elderly, persons with disabilities or underprivileged persons shall not be deemed as unjust discrimination under paragraph three."

Article 5

With a view to preventing and eliminating violence and harassment in the world of work, each Member shall respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, the elimination of discrimination in respect of employment and occupation and a safe and healthy working environment, as well as promote decent work.

Thailand is a party to eight of the ten Conventions stipulating specific obligations stemming from the 1998 Declaration on Fundamental Principles and Rights at Work, as amended in 2022, including both fundamental Conventions on OSH – the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). Thailand has not ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), or the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Provisions of the Labour Relations Act, B.E. 2518 (1975), and the SELRA that unduly restrict the exercise of the freedoms and rights protected by Conventions Nos 87 and 98 – in particular the right of all workers to organize without distinction whatsoever (that is, to be enjoyed equally by informal workers, domestic workers, migrant workers, civil servants and so on) and the right of their organizations to voluntarily engage in collective bargaining to agree with employers on terms and conditions of employment – can only impede the use of collective bargaining as a means of addressing violence and harassment in the world of work (Paragraph 4(a) of Recommendation No. 206).

Article 6

Each Member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work.

Thailand has ratified the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Section 27 of Thailand's Constitution, B.E 2560 (2017), enshrines the principles of equality and non-discrimination.¹³

In reviewing Thailand's implementation of Convention No. 111, the CEACR noted that the LPA and its subsequent amendments do not explicitly prohibit discrimination in employment and occupation, and that a clear definition of discrimination only features in section 3 of the Gender Equality Act. Consequently, the Committee requested the Thai Government to clarify several aspects:¹⁴

1. Provide details on how section 27 of the Constitution, along with relevant LPA provisions and the Gender Equality Act, are practically implemented to ensure adherence to the Convention's principles across all employment and occupation aspects and discrimination grounds, especially the interpretation of "any other grounds" by the Courts.
2. Explain measures ensuring equal protection for all workers, including those not covered by the LPA.
3. Describe how non-discrimination and equality of opportunity are maintained, particularly for workers in provinces under emergency laws.
4. Provide information on how the Convention is applied to public sector workers in terms of employment, occupation and all discrimination grounds stated in the Convention.

¹³ Section 27 of the Constitution states, "All persons are equal before the law, and shall have rights and liberties and be protected equally under the law. Men and women shall enjoy equal rights. Unjust discrimination against a person on the grounds of differences in origin, race, language, sex, age, disability, physical or health condition, personal status, economic and social standing, religious belief, education, or political view which is not contrary to the provisions of the Constitution, or on any other grounds shall not be permitted. Measures determined by the State in order to eliminate an obstacle to or to promote persons' ability to exercise their rights or liberties on the same basis as other person or to protect or facilitate children, women, the elderly, persons with disabilities or underprivileged persons shall not be deemed as unjust discrimination under paragraph three."

¹⁴ CEACR, Direct Request – Convention No. 111 – Thailand, adopted 2021.

Women

Following ratification of the Equal Remuneration Convention, 1951 (No. 100), and of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Thailand amended the LPA. Section 15 mandates equal treatment for male and female employees, except where the employer is prevented by the nature or conditions of the work from doing so. The LPA also includes protections for pregnant employees against termination.

Persons with disabilities

Thailand has ratified the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159). The Empowerment of Persons with Disabilities Act, B.E. 2550 (2007), protects persons with disabilities from discrimination. Comments from the CEACR have urged the Thai Government to continue providing information on measures to ensure that persons with disabilities receive adequate services to secure, retain and advance in employment.¹⁵

Sexual orientation and gender identity

The Gender Equality Act, B.E. 2558 (2015), prohibits discrimination based on gender identity and sexual orientation. Section 3 of the Act defines unfair gender discrimination as any act or omission of the act which causes division, discrimination or limitation of any right and benefit either directly or indirectly without justification due to the fact that the person is male or female or of a different appearance from his/her own sex by birth.

Ethnic minorities

The Thai Constitution does not have a clear provision on the protection of indigenous communities.¹⁶ The CEACR has asked the Government to continue to provide information on the measures adopted to promote equality of opportunity and treatment in employment and occupation for Highland peoples and other ethnic groups.¹⁷

Migrant workers

According to Recommendation No. 206, Members “should take legislative or other measures to protect migrant workers, particularly women migrant workers, regardless of migrant status, in origin, transit and destination countries as appropriate, from violence and harassment in the world of work”.

Under Thai law, migrant workers with regular migrant status generally enjoy the same rights as Thai workers, including: minimum wage, working hours, and entitlements and benefits in accordance with the LPA; rights and welfare benefits in accordance with the Social Security Act, B.E. 2533 (1990); and the right to compensation from work-related illness or accidents in accordance with the Workmen’s Compensation Act, B.E. 2537 (1994).

¹⁵ CEACR, Direct Request – Convention No. 111 – Thailand, adopted 2021.

¹⁶ UN Human Rights Council, Compilation on Thailand, A/HRC/WG.6/39/THA/2, 2021, para. 66.

¹⁷ CEACR, Direct Request – Convention No. 111 – Thailand, adopted 2021.

► Protection and prevention

Article 7

Without prejudice to and consistent with Article 1, each Member shall adopt laws and regulations to define and prohibit violence and harassment in the world of work, including gender-based violence and harassment.

As noted above, prohibitions of violence and harassment are covered by different legislations; chiefly the LPA and the Criminal Code, but also sector specific acts and regulations, such as the Civil and Commercial Code, which also recognize violence and harassment as wrongful acts, although not specifically within the work context.

As also noted above, sexual abuse, harassment and nuisance are not defined by the LPA or the Criminal Code. Similarly, gender-based violence and harassment are not explicitly targeted by the Gender Equality Act, B.E. 2558 (2015), when referring to “unfair gender discrimination” as meaning “to perform or not to perform any act dividing, obstructing or limiting any direct or indirect privilege without fairness on the grounds that such person is male or female or expresses themselves differently from their inborn gender”.

In the context of its supervision of Thailand’s application of Convention No. 111, the CEACR has asked the Government to continue to provide examples of the application in practice of section 16 of the LPA, including cases of quid pro quo and hostile environment sexual harassment, and encouraged the Government to consider amending section 16 so as to also cover cases of sexual harassment committed by co-workers and clients or other persons met in connection with the performance of work duties.¹⁸

The Act Amending the Criminal Code (No. 30), B.E. 2568 (2025), addresses in its section 284/2 “abuse of authority”, which is particularly relevant to workplace harassment. Section 284/3 provides safety measures in sexual harassment cases, with the court granted the authority to prohibit perpetrators from committing certain acts when there are reasonable grounds to believe that the perpetrators will continue to interfere with the life of the victim, as well as to impose penalty if they violate such an order. Safety measures in relation to sexual harassment through computer systems are also introduced in section 284/4, which states that the court may order the person who uploaded the materials to suspend dissemination and remove such content or materials from the computer systems within the period specified by the court, or the court may order other relevant service providers or authorities to carry out the court’s order and report to the court within 15 days.

Regarding the provisions of the Criminal Code, the CEACR noted that addressing sexual harassment solely through criminal proceedings is often insufficient due to the sensitive nature of the issue, the high burden of proof, and the focus of criminal law on the most severe acts rather than the broader spectrum of behaviours constituting sexual harassment in employment and occupation.

The CEACR has specifically sought information on: (i) the application of section 397 of the Criminal Code to cases of sexual harassment in employment and occupation; (ii) any developments concerning the adoption and implementation of the draft Measures to Prevent and Address Sexual Abuse or Harassment in the Workplace; and (iii) any other measure adopted under section 10(2) of the Gender Equality Act to prevent and address sexual harassment in employment and occupation.

The Measures to Prevent and to Correct Sexual Harassment or Harassment Problems at Work was issued by the Ministry of Social Development and Human Security in 2015; it addresses both quid pro quo and hostile environment forms of sexual harassment and lists measures public sector entities should take to prevent and solve issues of sexual harassment within their institutions. In 2020, the Cabinet approved the Preventive and Corrective Measures of Sexual Harassment in the Workplace, which includes the establishment of internal complaint mechanisms and standard procedures to address cases of sexual harassment as well as establishing the Coordination Center¹⁹ for the preventive

¹⁸ CEACR, Direct Request – Convention No. 111 – Thailand, adopted 2021.

¹⁹ This Center is responsible for raising awareness and ensuring the proper and comprehensive implementation of the measures among government agencies, state entities and the private sector, and for monitoring and reporting the progress of these measures to the Gender Equality Promotion Committee annually. UN Women, *Review of Thailand’s Implementation of the Beijing Declaration and Platform for Action*, 2025.

and corrective measures of sexual harassment in the workplace, under the MSDHS' Department of Women's Affairs and Family Development.

The LPA and the OSH Act do not address non-sexual forms of violence and harassment. However, such acts are covered by the Criminal Code in its section 397, which deals with offenses related to causing annoyance. It applies to workplace environments and provides for increased sanctions for employers. However, the terms "bullying, maltreating, menacing" are not explicitly defined in this context.

Another concern as to scope relates to who is protected and by whom (see discussion on Article 2 of the Convention above). Section 16 of the LPA only protects employees from conduct by employers or supervisors. The LPA does not cover all sectors. This is narrower than the scope of the Convention, which protects a broader range of individuals at work, including those beyond the traditional employer–employee relationship.

Article 8

Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including:

- (a) recognizing the important role of public authorities in the case of informal economy workers; ...

Currently there are no effective measures to protect workers in the informal economy. The LPA primarily covers workers with formal employment status. As noted above, ministerial regulations specify which sections of the LPA apply to workers engaged in domestic work, fishing and agricultural work. The OSH Act generally applies to all workers.

The Department of Labour Protection and Welfare (Ministry of Labour) has issued the Guidance on Occupational Safety, Health and Environment for Informal Workers to protect informal workers against unsafe and unhygienic working conditions and environment by requiring all informal workers, including self-employed persons, to take care of their workplaces in order to promote safety and health at work and to meet applicable standards.²⁰ The Guidance states that informal workers are entitled to all rights and protections afforded to employees under OSH Act. The Informal Labour Protection Division under the Department of Labour Protection and Welfare has issued a work manual for central and regional labour officers to promote and enhance the quality of life of informal workers across all economic sectors.

Article 8

Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including: ...

- (b) identifying, in consultation with the employers' and workers' organizations concerned and through other means, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment; and
- (c) taking measures to effectively protect such persons.

Recommendation No. 206 gives examples of sectors or occupations and work arrangements in which exposure to violence and harassment may be more likely, "such as night work, work in isolation, health, hospitality, social services, emergency services, domestic work, transport, education or entertainment".

In relation to the agricultural sector, the Ministerial Regulation concerning Labour Protection in Agricultural Work, B.E. 2557 (2014), extended the legal protection of the LPA to agricultural workers. However, this regulation specifies that only employers who hire workers to perform agricultural work year-round must act in accordance with the Act (clause 3). Where workers are employed seasonally, employers are subject to only specific sections (clause 4).²¹

²⁰ Ministry of Labour Notification entitled Guidance on Occupational Safety, Health and Environment for Informal Workers (2011).

²¹ Clause 4 of the Ministerial Regulation states that employers who hire workers to perform agricultural work seasonally shall comply with sections 7–8, sections 12–15, sections 19–21, section 37, sections 40–44, sections 46–47, section 49, sections 53–55, section 70, section 76, sections 112–115, section 123, sections 126–129, section 134, sections 136–137, sections 139–140, sections 142–143 of the Labour Protection Act, B.E. 2541 (1998), and sections 9–11/1, sections 16–18, sections 38–39, section 51, section 124/1, section 125, section 135, and section 141 of the Labour Protection Act, B.E. 2541 (1998), amended by the Labour Protection Act (No. 2), B.E. 2551 (2008), and this Ministerial Regulation.

With regard to the fishing sector, Thailand has ratified the Work in Fishing Convention, 2007 (No. 188). The Labour Protection in Fishing Work Act, B.E. 2562 (2019), is the primary law governing workers' rights in this sector. It includes provisions for workers to return to their original employment location (section 9) and protects complainants from retaliation (section 15). Since the ratification of Convention No. 188, the Thai Government has taken measures to improve safety and health conditions for fishing vessel owners, fishers and others, including within section 6 of the Labour Protection in Fishing Work Act, B.E. 2562 (2019).

Protection of seafarers is ensured by measures giving effect to the Maritime Labour Convention, 2006, as amended (MLC, 2006), ratified by Thailand, with acceptance of the Amendments of 2016 to the provisions of the Code relating to Regulation 4.3 on occupational accidents and diseases that provide for the elimination of shipboard harassment and bullying.

Domestic workers in Thailand enjoy the same legal protection as other workers against abuse, harassment and violence. In particular, provisions of the LPA against exploitation (section 14(1)) and against sexual abuse, harassment or nuisance (section 16) are applicable to domestic workers. However, no specific measures were taken to make that protection effective under the special conditions of domestic workers, including domestic workers residing in the household of the employer. In November 2012, Ministerial Regulation No. 14, B.E. 2555 (2012), came into effect. Its primary objective was to enhance workplace rights for domestic workers in Thailand. This Regulation contains specific provisions to address violence and harassment in domestic work – section 16 prohibits employers, managers, supervisors or work inspectors from sexually harassing domestic workers. Ministerial Regulation No. 15 (2024) maintains the same prohibitions on sexual harassment.

The OSH Act applies to all employers and employees covered by the LPA, without excluding domestic work. Section 6 states, "An Employer is obligated to provide and keep an Establishment and an Employee in safe and hygienic working conditions and environment including to support and promote an operation of the Employee preventing the Employee from any harm on life, physique, mentality and health."

Article 9

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to:

- (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;

Currently, there is no specific requirement for private sector employers to adopt and implement a workplace policy specifically on violence and harassment.²²

OSH legislation and the LPA contain provisions that are broad enough to cover a workplace policy on violence and harassment.

These include the Ministerial Regulation on the Specification of Occupational Safety, Hygiene and Environment Management Standards, B.E. 2549 (2006), which was enacted on the basis of sections 6 and 103 of the LPA. This regulation requires the employer to ensure that there is a plan, measure or policy regarding safety and soundness of the workplace. In a workplace with over 50 employees, clause 23 requires the employer to ensure that there is an internal committee on occupational safety, health and environment in the workplace. The number of workers' representatives in the committee is based on the total number of employees (clauses 24–25). This committee establishes workplace OSH measures, monitors safety practices and reports compliance with OSH laws and standards in the interest of the employees, contractors and outsiders who enter the workplace to work or receive services.

Section 96 of the LPA requires employers with 50 employees or more to establish a "Welfare Committee" with at least five elected employee representatives. This Committee should meet on a quarterly basis or upon request by more than

²² In 2020, the Ministry of Labour issued the Thai Labour Standard TLS 8001-2020, which recommends work establishments to conduct preventive measures and solve the problems of employees being threatened or exposed to sexual harassment by verbal abuses, gestures, physical contact, or by any other means (section 4.9.1), and to conduct measures to prevent and end violence in the workplace (section 4.9.2). This standard can voluntarily be applied to all types of establishments and sizes.

half of the total number of committee members or the labour union with appropriate reason. This Committee has the role to inspect, control and supervise the provision of welfare to employees, and to advise employers on the same.

Article 9

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to: ...

- (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;

There is no express requirement in Thai law to incorporate violence and harassment and associated psychosocial risks in the management of occupational safety and health. However, the coverage of the law is broad enough to encompass the obligations specified in Article 9(b) of the Convention.

The definition of occupational safety, health and environment set out in section 4 of the OSH Act covers protection from any hazards to life, physique, mentality or health arising out of or related to work.

In addition, the term “occupational injury” is defined by the Workmen’s Compensation Act, B.E. 2537 (1994), for the purpose of compensation claims, to mean physical or mental injury or death suffered by an employee as the result of work employment or in the course of protecting the interest of the employer or according to the commands of the employer; therefore, the coverage under the Workmen’s Compensation Act, B.E. 2537 does not apply to all circumstances of violence and harassment. However, if an employee is subjected to violence or harassment in their workplace, the compensation will be covered under Social Security Act.

Article 9

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to: ...

- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and

There are no explicit requirements in Thai law to assess risks relating to workplace violence and harassment. However, section 32 of the OSH Act requires employers to conduct hazard assessments and studies on working conditions that have impacts on employees. Section 21 of the OSH Act requires employees to inform their supervisors or the occupation safety officers of risks and hazards that they cannot rectify themselves.

Article 9

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to: ...

- (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the policy referred to in subparagraph (a) of this Article.

There is no explicit requirement in Thai law to provide training specifically related to violence and harassment risks and hazards. Section 14 of the OSH Act requires employers to inform employees of the dangers that may arise from assigned work and work environments that may be harmful to the life, physique, mentality and health of the employee. Section 16 of the OSH Act requires employers to provide occupational safety, health and environment training that should be attended by executives, supervisors and employees in order to safely administer, manage and execute occupational safety, health and environment.

► Enforcement and remedies

Article 10

Each Member shall take appropriate measures to:

- (a) monitor and enforce national laws and regulations regarding violence and harassment in the world of work; ...
- (h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.

In relation to the monitoring and enforcement of laws and regulations that address violence and harassment in the workplace, the existing framework does provide for monitoring and enforcement measures – however, these are for breaches of the LPA and OSH Act; sexual harassment complaints are treated differently.

In the framework of the LPA, clause 5 of the Rules of the Department of Labour Protection and Welfare on Labour Inspection of Establishment requires labour inspectors to inspect establishments located in the area of their responsibility; this can include employer-provided accommodation (for example, workers' dormitories). In a case where it is found that the employer has violated or failed to comply with the LPA, the labour inspector shall issue a written order in accordance with section 139(3) of the law for the employer to comply with the law and shall comply with the order.

Section 35 of the OSH Act gives safety inspectors the power to enter work establishments or offices to investigate, inspect and provide advice. Section 36 empowers them to issue orders, notices and penalties, revoke or suspend licenses, stop work, or initiate prosecutions against employers, employees or any concerned person if they find violations of the provisions of the Act or any of the ministerial regulations.

The Rules of the Department of Labour Protection and Welfare on Labour Inspection of Establishment under the LPA, and the amendment in B.E. 2558 (2015) allow labour inspectors to enter and inspect enterprises in the areas under their responsibilities, as prescribed in clause 5, if they find an employer has violated the LPA. The Rules authorize the labour inspectors to receive complaints, investigate and order employers to comply with the law (clause 7).

For offences under section 16 of the LPA – the sexual harassment provision – a labour inspector is required to submit the case to the inquiry official, without any orders to the employer (clause 9). An inquiry official has the power and duty to conduct an inquiry under section 2(6) of the Criminal Procedure Code, B.E. 2477 (1934). The inquiry can be conducted at any place, and at any time, deemed practical, whether or not in the presence of the alleged offender (section 130). The inquiry official can collect all kinds of evidence to ascertain the facts and circumstances relating to the alleged offence (section 131).

This means that offences of sexual harassment are treated differently from other breaches of the LPA. Complaints are referred to an inquiry official and not acted upon by labour inspectors.

With regard to labour inspection of violence and harassment in workplaces of the informal sector or in domestic work, labour inspectors do not often have access to these workplaces, which are generally not registered with the Ministry of Labour. In addition, they do not have legal authorization to inspect private residences without a court order. Section 139 of the LPA and section 14 of Ministerial Regulation No. 15 (2024) provide labour inspectors with the authority to enter and inspect the employee's workplace and issue a summons calling on the employer to clarify information, as well as to issue a written order for the employer or employee to comply with the law. In practice the residence owners/employers and the village committee can reject inspection. However, if the inspection is based on a received complaint, the labour inspectors can enter private residences without the employer's permission.

Article 10

Each Member shall take appropriate measures to: ...

- (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as:
 - i. complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level;
 - ii. dispute resolution mechanisms external to the workplace;
 - iii. courts or tribunals;
 - iv. protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and
 - v. legal, social, medical and administrative support measures for complainants and victims;

A review of the legal framework suggests that existing complaint mechanisms to report cases of violence and harassment in the world of work are limited.

Section 45 of the Labour Relations Act, B.E. 2518 (1975), provides that in a place of business with more than 50 workers, an “Employees Committee” may be established by the employees. This committee can consider complaints and effect compromises and settle disputes. It may even submit a motion to the Labour Court for decision if it considers that an employer’s action is unfair or causing excessive hardship to employees (section 50).

Section 96 of the LPA requires employers with 50 employees or more at their place of business to establish a “Welfare Committee” that includes workers’ representatives – its role is to give advice and recommendations to the Employer regarding welfare provisions for employees, and to inspect and supervise welfare arrangements provided to employees. The LPA provides that in workplaces where an Employee Committee under the Labour Relations Act has already been established, the Employee Committee shall act as the welfare committee.

For employers with a smaller number of workers, section 108 of the LPA requires that “an employer who employs ten or more employees shall arrange to have workplace rules and regulations prepared in the Thai language”. Subsection 7 states that such rules and regulations must provide for, among other things, lodging of complaints. Section 109 specifies that a complaint lodged pursuant to section 108(7) shall at least contain the following details:

- (1) Scope and meaning of the complaint;
- (2) Methods and procedure for the lodging of complaints;
- (3) Investigation and consideration of complaints;
- (4) Procedure for the settlement of complaints;
- (5) Protection for the complainant and other persons involved.

For the specific offences of sexual harassment and abuse – and aside from the offence of sexual abuse, harassment or nuisance under section 16 of LPA – if the experience of the victim fits another criminal offence, such as the offence of causing annoyance and bullying under section 397 of the Criminal Code or the offence of indecent exposure under section 388, the victim can make a complaint directly to the police.

For sexual harassment that occurs within government agencies, sections 122 and 123 of the CSA prescribe the complaint or grievance procedures; however, there are no provisions on mechanisms for reporting violence and harassment at work.

There are no provisions in Thai law protecting whistle-blowers, nor is the term defined. However, the Labour Relations Act B.E. 2518 (1975), provides some level of protection for employees who report unethical practices. The Act prohibits employers from terminating employees or taking actions that would prevent them from continuing their work due to protesting, filing complaints or serving as witnesses in labour law matters.,

The OSH Act, section 21, requires employees who deem the workplace unsafe, to report it to their employer, and if the employer does not take any action to remove the danger properly, the employees may remove themselves from the environment. If this is the case, the employees are protected by section 42 of the OSH Act against any unreasonable punishment from their employer.

Article 10

Each Member shall take appropriate measures to: ...

- (e) provide that victims of gender-based violence and harassment in the world of work have effective access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies;

While there are no provisions in the law to this effect, some resources do exist for victims of sexual abuse and harassment – such as national hotlines and one-stop crisis centres operated under the Ministry of Public Health, which is relevant to Paragraph 17 of Recommendation No. 206.

The penalty for infringement of section 16 of the LPA (on sexual harassment, abuse and nuisance) is a fine of a maximum 20,000 Thai baht (US\$632). There is no distinction between sexual abuse (or violation), harassment and nuisance in terms of penalty (section 147). This, however, is not a direct remedy to the victim. The fine paid by the offender is to be put into the employee welfare fund, in accordance with section 127 of the LPA.

Victims of violence and harassment at work are entitled to compensation according to section 17 the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act, B.E. 2544 (2001), if they are a victim of an offence relating to sexuality, or an “offence against life and body” under the Criminal Code.²³

The Civil and Commercial Code, B.E. 2468 (1925), makes provision for victims to claim compensation for moral damages, which are considered a nonpecuniary loss, under section 446, which states: “In the case of injury to the body or health of another, or in the case of deprivation of liberty, the injured person may also claim compensation for the damage which is non-pecuniary loss. Women who had been morally damaged by a person who committed a crime shall have the same claim”. The victim must submit a petition or sue the offender for civil damages (section 420).

SSO would like to clarify that the coverage under Workmen’s Compensation Act only applies to injury from work or while acting under the commands of the employer, it does not cover all circumstances of violence and harassment. However, if an employee is subjected to violence or harassment in the workplace, which is not covered under Workman’s Compensation Act, this would still be covered under Social Security Act.

Article 10

Each Member shall take appropriate measures to: ...

- (c) protect the privacy of those individuals involved and confidentiality, to the extent possible and as appropriate, and ensure that requirements for privacy and confidentiality are not misused;

There are no specific protective measures of privacy and confidentiality in Thai law, although personal information, including the confidentiality of complaints, is protected by Thailand’s Personal Data Privacy Act, B.E. 2562 (2019).

The Witness Protection Act, B.E. 2546 (2003), provides for the security of witnesses who are participating in criminal investigation or criminal proceedings. Section 3 defines “witness” as a person who commits himself/herself to be present at, or testify, or give evidence to a competent official for investigation, a criminal interrogation, a court for criminal proceedings, and includes an expert but not a defendant who himself/herself is a witness.

Article 10

Each Member shall take appropriate measures to: ...

- (d) provide for sanctions, where appropriate, in cases of violence and harassment in the world of work;

²³ See List annexed to the Damages for the Injured Person and Compensations and Expenses for the Accused in the Criminal Case Act, B.E. 2544 (2001).

As noted above, the Criminal Code provides for penalties for the offence of indecency (section 278), indecent exposure (section 388), and bullying, maltreating, menacing or causing to suffer humiliation or annoyance (section 397). The LPA also provides for penalties for the infringement of section 16 on sexual harassment, abuse and nuisance.

Section 53 of the OSH Act provides for penalties of fines and/or imprisonment for violations of the Act. There is also the possibility of criminal prosecution if an employee's death is caused by negligence as a result of improper or inadequate fulfillment by the employer or any natural person of his or her professional OSH obligations. Under the Act, the maximum term of imprisonment for a natural person is two years.

In case of violence and harassment in a government agency subject to the CSA, the Regulation of the Office of the Civil Service Commission on Sexual Abuse or Sexual Harassment, B.E. 2553 (2010), prescribes administrative sanctions against wrongdoing officers, including disciplinary actions and termination of service.

Article 10

Each Member shall take appropriate measures to: ...

- (f) recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work;

The Family Development and Protection Act, B.E. 2562 (2019), stipulates that any person who witnesses an act of family violence must report it to the competent official, the social help centre or to the centre created under the Act directly – reporting may be done by employers and co-workers (section 23). The Act does not limit the site where domestic violence incidents can occur. In 2025, the Cabinet approved a draft bill to provide greater protection for victims of domestic violence. The bill, which was proposed by the Ministry of Social Development and Human Security, seeks to amend the Domestic Violence Victim Protection Act, B.E. 2550 (2007) by broadening the definition of “domestic violence” to cover sexual harassment and actions that intend to cause physical, mental and health-related harm, as well as damaging a person's reputation.

No specific measures appear to be in place to mitigate the impact of domestic violence in the world of work.

Article 10

Each Member shall take appropriate measures to: ...

- (g) ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life, health or safety due to violence and harassment, without suffering retaliation or other undue consequences, and the duty to inform management;

This provision of the Convention is adapted from Article 13 of the Occupational Safety and Health Convention, 1981 (No. 155), which reads: “A worker who has removed himself from a work situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health shall be protected from undue consequences in accordance with national conditions and practice.”

In the context of technical consultations for the preparation of ratification by Thailand of Convention No. 155, it was found that the provisions of section 21 of the OSH Act, on the obligations of the employer to take action to address a danger reported by an employee, do not protect the right of employees to remove themselves from a situation presenting an imminent and serious danger to life, health or safety, and therefore do not give effect to Article 13 of Convention No. 155.

Section 21 of the OSH Act therefore also does not give effect to Article 10(g) of Convention No. 190.

► Guidance, training and awareness-raising

Article 11

Each Member, in consultation with representative employers' and workers' organizations, shall seek to ensure that:

- (a) violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration;
- (b) employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, training or other tools, in accessible formats as appropriate, on violence and harassment in the world of work, including on gender-based violence and harassment; and
- (c) initiatives, including awareness-raising campaigns, are undertaken.

While national policies on occupational safety and health (OSH) and non-discrimination do not yet make explicit provisions for protection against violence and harassment in the world of work, the provisions described above hint at a comprehensive, non-discriminatory protection, albeit more effective for those in formal employment and those with regular migrant status.

Thailand is making efforts to improve awareness and action to address violence and harassment in the world of work, in line with Paragraph 23 of Recommendation No. 206. These include:

- In 2020, the House of Representatives established an Extraordinary Commission to Study the Ways to Prevent the Problem of Rape and Sexual Harassment, which is, inter alia, tasked to consider ways that sexual violence and harassment affect the world of work.²⁴
- One Stop Crisis Centers were launched by the Thai Government in 2013 to combat violence against women. They consist of 22,000 crisis centres spread all over the country, 1,300 mobile units to reach out to communities, and a 24-hour hotline. The organization provides counseling, medical treatment and legal support to victims of violence.
- The Ministry of Labour, in partnership with the ILO, has conducted trainings for its inspectorate on gender-sensitive labour inspection, with a view to identifying violence and harassment in the workplace
- Government agencies, such as the Office of the Economic and Social Development Council and the Department of Agriculture Extension, have put information on sexual abuse and sexual harassment into infographics or leaflets to catch attention and make it easily understood.
- The Employers Confederation of Thailand has, in partnership with the ILO, developed templates and guidance on addressing violence and harassment in the workplace.

²⁴ Royal Thai Government, "Announcement of the House of Representatives regarding the Establishment of a Special Committee to Consider and Study Ways to Prevent and Address the Issues of Rape and Sexual Assault", Government Gazette 137, chapter 21, 2020. See also Royal Thai Government, "Announcement of the House of Representatives on Establishing Committees in the Extraordinary Committee to Consider Ways to Prevent and Resolve Rape, Sex Offences and Sexual Harassment in Place of Vacancies", 23 April 2020.

► Methods of application

Article 12

The provisions of this Convention shall be applied by means of national laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending or adapting existing occupational safety and health measures to cover violence and harassment and developing specific measures where necessary.

To fully apply the provisions of the Convention, Thailand will likely be expected to, as a minimum, adopt the following measures.

Article 2. Personal scope. Measures to extend the protection afforded to employees by section 16 of the LPA to all other persons working irrespective of their contractual status, including persons in training, interns, apprentices, volunteers, jobseekers and job applicants, as well as individuals exercising the authority, duties or responsibilities of an employer.

Article 3. Territorial scope. Measures to ensure that protections of the LPA and OSH Act apply in all places and circumstances linked with, or arising out of, work.

Article 4 (2-3). Inclusive, integrated and gender-responsive approach. Measures to adopt and implement, in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment; extent to which that approach takes into account violence and harassment involving third parties.

Article 9(a). Workplace policy. Measures to require employers to adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment.

Article 9(b-c). OSH management, including in relation to hazards and risks of violence and harassment. Measures taken, in application of the OSH Act, to identify hazards and assess risks of violence and harassment, with the participation of workers and their representatives.

Article 10(f). Domestic violence. Measures taken or contemplated to recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work.

Article 10(g). Right to remove from a work situation. Measures to amend or supplement section 21 of the OSH Act to ensure the right of workers to remove themselves from a work situation which they have a reasonable justification to believe presents an imminent and serious danger to life, health or safety, including due to violence or harassment.

► Annex 1. Laws, regulations and other measures

Legislation/regulation	Notes/explanations and links to English translations (unofficial) where possible
Constitution, organic or primary laws	
Constitution of the Kingdom of Thailand, B.E. 2560 (2017)	The supreme law that is the basis for governance in Thailand, including the guarantees and safeguards for individual liberty and human rights for its subjects. https://cdc.parliament.go.th/draftconstitution2/ewt_dl_link.php?nid=1460&filename=index
Criminal Code, B.E. 2499 (1956)	Basic laws on criminal offences and penalties for their corresponding commission On 30 December 2025, the Royal Gazette published the Act Amending the Criminal Code (No. 30) B.E. 2568 (2025)
Civil and Commercial Code, B.E. 2468 (1925)	Basic laws on private legal affairs and rights of private persons (both natural and juristic)
Labour Protection Act, B.E. 2541 (1998)	Legislation that sets out the legal relationship between workers, employing entities, labour unions and the Government. https://www.labour.go.th/attachments/article/47756/Labour_Protection_Act_BE2541.pdf
Labour Protection Act (No. 7), B.E. 2562 (2019)	The most recent amendment of the LPA. https://asean.org/wp-content/uploads/2021/09/Labour-Protection-Act-No.7-B.E.-2562.pdf
Labour Relations Act, B.E. 2518 (1975)	https://www.mol.go.th/wp-content/uploads/sites/2/2019/03/labourRelation2518_en.pdf
State Enterprise Labour Relations Act, B.E. 2543 (2000)	https://relation.labour.go.th/attachments/category/91/22102567-0003.pdf
Occupational Safety, Health and Environment Act, B.E. 2554 (2011)	Legislation that contains provisions for actions or working conditions which are safe from any cause resulting in hazards to life, physique, mentality or health arising out of or related to work. http://web.krisdika.go.th/data/outsitedata/outside21/file/OCCUPATIONAL_SAFETY_HEALTH_AND_ENVIRONMENT_ACT,B.E. 2554.pdf
Gender Equality Act, B.E. 2558 (2015)	Legislation that prevents actions that can be considered unfair gender discrimination. http://law.m-society.go.th/law2016/uploads/lawfile/594cc091ca739.pdf
Civil Service Act, B.E. 2551 (2008)	Legislation that sets out rules and regulation for the Government's personnel management system. https://www.ocsc.go.th/sites/default/files/attachment/law/act_law2551en.pdf
Foreigners' Working Management Emergency Decree, B.E. 2560 (2017) and (No. 2), B.E. 2561 (2018)	Legislation that sets out the management of foreign workers, including provisions regarding the licensing procedure, workplace relationships. https://asean.org/storage/2016/08/Foreigners%E2%80%99-Working-Management-Emergency-Decree-2017.pdf

Legislation/regulation	Notes/explanations and links to English translations (unofficial) where possible
Workmen's Compensation Act, B.E. 2537 (1994)	https://www.mol.go.th/wp-content/uploads/sites/2/2018/06/194-en-1.pdf
Home-based Workers Protection Act, B.E. 2553 (2010)	https://www.mol.go.th/wp-content/uploads/sites/2/2010/01/%E0%B8%9E%E0%B8%A3%E0%B8%9A-%E0%B8%A3%E0%B8%B1%E0%B8%9A%E0%B8%87%E0%B8%B2%E0%B8%99.pdf
Empowerment of Persons with Disabilities Act, B.E. 2550 (2007)	https://www.mdes.go.th/law/detail/3712-EMPOWERMENT-OF-PERSONS-WITH-DISABILITIES-ACT--B-E--2550--2007-
Labour Protection in Fishing Work Act, B.E. 2562 (2019)	https://www.mol.go.th/wp-content/uploads/sites/2/2019/01/01-LABOUR-PROTECTION.pdf
Emergency Decree Amending Family Development and Protection Act, B.E. 2562 (2019)	Legislation that amends the Family Development and Protection Act, B.E. 2562 (2019).
Relevant subordinate laws/regulations	
Ministerial Regulation No. 14, B.E. 2555 (2012)	https://natlex.ilo.org/dyn/natlex2/r/natlex/fe/details?p3_isn=93543
Ministerial Regulation No. 15 on Domestic Work, B.E. 2567 (2024)	
Ministerial Regulation concerning Labour Protection in Agricultural Work, B.E. 2557 (2014)	https://www.labour.go.th/attachments/article/47753/Ministerial_Regulation_Concerning_Labour_Protection_in_Agricultural_Work_BE2557.pdf
Regulation of the Office of the Civil Service Commission on Sexual Abuse or Sexual Harassment, B.E. 2553 (2010)	
Guidance on Occupational Safety, Health and Environment for Informal Workers, B.E. 2554 (2011)	http://www.shawpat.or.th/index.php?option=com_content&view=article&id=415%3A-m-ms&catid=57%3A-m-m-s&Itemid=165&lang=th
Ministerial Regulation concerning Labour Protection in Sea Fisheries, B.E. 2557 (2014)	https://faolex.fao.org/docs/pdf/tha160105.pdf
Rules of the Department of Labour Protection and Welfare on Labour Inspection of Establishment under the Labour Protection Act, B.E. 2541 (1998), B.E. 2558 (2015) and the amendment in B.E. 2558 (2015)	
Ministerial Regulation on the Prescribing of Criteria and Method of Conducting Health Check Up of Employees and Forwarding the Results of Health Check Up to Labour Inspectors, B.E. 2547 (2004)	https://data.thailand.opendevlopmentmekong.net/th/laws_record/ministerial-regulation-on-the-prescribing-of-criteria-and-method-of-conducting-health-check-up-of-e

► Annex 2. Preparatory work for the 2019 instruments

- ILO. 2016a. *Background Paper for Discussion at the Meeting of Experts on Violence against Women and Men in the World of Work*. MEVWM/2016. https://www.ilo.org/gender/Informationresources/Publications/WCMS_522932/lang--en/index.htm.
- . 2016b. *Final Report: Meeting of Experts on Violence against Women and Men in the World of Work*. MEVWM/2016/7. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40gender/documents/meetingdocument/wcms_546303.pdf
- . 2018a. *Reports of the Standard-Setting Committee on Violence and Harassment in the World of Work: Summary of Proceedings*. ILC.107/PR8B(Rev.1). https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_631807.pdf.
- . 2018b. *Reports of the Standard-Setting Committee: Resolution and Proposed Conclusions Submitted for Adoption by the Conference*. ILC.107/PR8A. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_631787.pdf.
- . 2018c. *Ending Violence and Harassment in the World of Work*, ILC.107/V/1. https://www.ilo.org/ilc/ILCSessions/108/reports/reports-to-the-conference/WCMS_637108/lang--en/index.htm.
- . 2019a. *Ending Violence and Harassment in the World of Work*. ILC.108/V/1. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_637108.pdf.
- . 2019b. *Reports of the Standard-Setting Committee on Violence and Harassment in the World of Work: Instruments Submitted for Adoption by the Conference*. ILC.108/PR7A. https://www.ilo.org/ilc/ILCSessions/108/reports/provisional-records/WCMS_711242/lang--en/index.htm.
- . 2019c. *Reports of the Standard-Setting Committee on Violence and Harassment in the World of Work: Summary of Proceedings*. ILC.108/PR7B(Rev.). https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_711386.pdf.
- . 2019d. *Eliminating Violence and Harassment in the World of Work: ILO Convention No. 190, Recommendation No. 206, and the Accompanying Resolution*. https://www.ilo.org/global/publications/meeting-reports/WCMS_721160/lang--en/index.htm.

► Annex 3. Legal provisions relevant to the application of Convention No. 190

Law/regulation	Provision
Section 4 of the Occupational Safety, Health and Environment Act, B.E. 2554 (2011)	Section 4 "Occupational safety, health and environment" means actions or working conditions which are safe from any cause resulting in hazard to life, physique, mentality or health arising out of or related to work.
Section 6 of the Occupational Safety, Health and Environment Act, B.E. 2554 (2011)	Section 6 An employer shall have the duty to arrange and maintain the establishment and its employees in safe and hygienic working conditions and environment, and to support and promote the work operation of employees in order to prevent them from harm to life, physique, mentality and health. The employees shall cooperate with the employer in the execution and promotion of occupational safety, health and environment in order to ensure safety to the employee and the establishment.
Section 16 of the Labour Protection Act, B.E. 2541 (1998) (amended)	Section 16 An employer, a chief, a supervisor, or a labour inspector shall be prohibited from committing sexual abuse, harassment, or nuisance against an employee.
Criminal Code, B.E. 2499 (1956)	The Criminal Code covers multiple offenses: Section 1(6) "To commit an act of violence" means to injure the body or mind of a person, either by using physical force or by any other means, and shall include any act which causes any person to have the condition of being unable to resist, either by using intoxicants, hypnotism or by any other similar means. Section 1(19) Sexual harassment means any unwelcome act or conduct of a sexual nature, whether by physical act, verbal conduct, sound/noise, gesture, expression, communication, watching/surveillance, following/stalking/harassing, or any other conduct, including conduct carried out through computer, telecommunication, or electronic means, that causes or is likely to cause the targeted person annoyance/distress, embarrassment, humiliation/degradation, fear, or a sense of sexual insecurity/unsafe in a sexual sense. Section 276 Any person who commits sexual intercourse with another person against that person's will with a threat by any means, or with an act of violence, or when such other person has the condition of being unable to resist, or by making such other person mistake him or her for any other person, shall be liable to imprisonment for a term of four to twenty years and to a fine of eighty thousand to four hundred thousand baht. If the offence under paragraph one is committed by causing the victim to understand that the perpetrator has a firearm or explosive, such person shall be liable to imprisonment for a term of seven to twenty years and to a fine of one hundred and forty thousand to four hundred thousand baht. If the offence under paragraph one is committed by carrying a firearm or explosive, or by using arms, or with participation of persons in the nature of sexual assault, the perpetrator shall be liable to imprisonment for a term of fifteen to twenty years and to a fine of three hundred thousand to four hundred thousand baht, or to imprisonment for life. If the offence under paragraph one is committed between spouses and such spouses still wish to cohabit as husband and wife, the court may impose a lesser punishment to any extent than that provided by law or may prescribe conditions for controlling the behaviour in lieu of imposing the punishment. In the case where the court has rendered a judgment of imprisonment and either spouse does not wish to continue their cohabitation and wishes to divorce, such spouse shall inform the court accordingly and the court shall inform a public prosecutor to proceed in bringing an action for divorce.

Law/regulation	Provision
Criminal Code, B.E. 2499 (1956)	If the offence under paragraph one is committed between spouses and such spouses still wish to cohabit as husband and wife, the court may impose a lesser punishment to any extent than that provided by law or may prescribe conditions for controlling the behaviour in lieu of imposing the punishment. In the case where the court has rendered a judgment of imprisonment and either spouse does not wish to continue their cohabitation and wishes to divorce, such spouse shall inform the court accordingly and the court shall inform a public prosecutor to proceed in bringing an action for divorce. Section 276 Any person who commits sexual intercourse with another person against that person's will with a threat by any means, or with an act of violence, or when such other person has the condition of being unable to resist, or by making such other person mistake him or her for any other person, shall be liable to imprisonment for a term of four to twenty years and to a fine of eighty thousand to four hundred thousand baht. If the offence under paragraph one is committed by causing the victim to understand that the perpetrator has a firearm or explosive, such person shall be liable to imprisonment for a term of seven to twenty years and to a fine of one hundred and forty thousand to four hundred thousand baht. If the offence under paragraph one is committed by carrying a firearm or explosive, or by using arms, or with participation of persons in the nature of sexual assault, the perpetrator shall be liable to imprisonment for a term of fifteen to twenty years and to a fine of three hundred thousand to four hundred thousand baht, or to imprisonment for life. If the offence under paragraph one is committed between spouses and such spouses still wish to cohabit as husband and wife, the court may impose a lesser punishment to any extent than that provided by law or may prescribe conditions for controlling the behaviour in lieu of imposing the punishment. In the case where the court has rendered a judgment of imprisonment and either spouse does not wish to continue their cohabitation and wishes to divorce, such spouse shall inform the court accordingly and the court shall inform a public prosecutor to proceed in bringing an action for divorce. Section 278 Any person who commits an indecent act upon a person over fifteen years of age with a threat by any means, or with an act of violence, or when such other person has the condition of being unable to resist, or by making such other person mistake him or her for any other person, shall be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding two hundred thousand baht or to both. If the offence under paragraph one is committed by using an object or any other organ than a sexual organ to penetrate the sexual organ or anus of such other person, the perpetrator shall be liable to imprisonment for a term of four to twenty years and to a fine of eighty thousand to four hundred thousand baht. If the offence under paragraph two is committed by causing the victim to understand that the perpetrator has a firearm or explosive, the perpetrator shall be liable to imprisonment for a term of seven to twenty years and to a fine of one hundred and forty thousand to four hundred thousand baht. If the offence under paragraph two is committed by carrying a firearm or explosive, or by using arms, or with participation of persons in the nature of sexual assault, the perpetrator shall be liable to imprisonment for a term of fifteen to twenty years and to a fine of three hundred thousand to four hundred thousand baht, or to imprisonment for life. [The rates of punishment have been amended by section 11 of the Penal Code Amendment Act (No. 26), B.E. 2560 (2017).] Section 284/1 Whoever commits sexual harassment—whether by act, word, sound, gesture, behaviour, expression, or any other conduct, including by watching, following, harassing, or by communication through computer, telecommunication, or electronic devices—in a manner having a sexual connotation, and which causes or is likely to cause the other person to feel distress, annoyance, embarrassment, humiliation, fear, or sexual insecurity, shall be liable to imprisonment not exceeding one year or a fine not exceeding twenty thousand baht, or both.

Law/regulation	Provision
Criminal Code, B.E. 2499 (1956)	If such offence is committed repeatedly or continuously so as to cause the other person to be unable to live their normal life, the offender shall be liable to imprisonment not exceeding two years or a fine not exceeding forty thousand baht, or both. If the offence under paragraph one or paragraph two is committed in public, or in such a manner that can be seen, heard, or accessed by the public, including through computer or electronic systems accessible to the public, the offender shall be liable to imprisonment not exceeding three years or a fine not exceeding sixty thousand baht, or both. If the offence under this section is committed against a child not over fifteen years of age, whether or not the child consents, the offender shall be liable to imprisonment not exceeding five years or a fine not exceeding one hundred thousand baht, or both. The offence under paragraph one, paragraph two, and paragraph three is compoundable. Section 284/2 If the offence under section 284/1 is committed by exploiting authority over the victim, such as being a supervisor, employer, or other person with power, the penalty shall be liable to imprisonment not exceeding three years, or a fine not exceeding sixty thousand baht, or both. Section 284/3 In sexual harassment cases, if the court becomes aware or is informed by the prosecutor, plaintiff, victim, or official that the defendant is likely to continuously sexually harass or disturb the victim's normal life, regardless of conviction, the court may prohibit the defendant from certain acts under conditions and for a period not exceeding two years. A defendant who violates the court orders under paragraph one shall be liable to imprisonment not exceeding six months, or a fine not exceeding ten thousand baht, or both. Section 284/4 If the offence related to sexual harassment under section 284/1 paragraph three involving obscene material uploaded into a computer system accessible to the public, upon the court's investigation and request by the victim or official, to maintain public order or morality, the court may order the person who uploaded the material to stop dissemination and remove the material within a specified time. If necessary, the court may order the system controller or service provider to do the same or instruct authorized officials to enforce the order and report to the court within fifteen days. A defendant who violates the court's order under paragraph one shall be liable to imprisonment not exceeding six months, or a fine not exceeding ten thousand baht, or both. Section 388 Any person who commits any shameful act in public by being nude or indecently exposing his or her person, or by committing any other indecent act, shall be liable to a fine of not exceeding five thousand Baht. [The rates of punishment have been amended by section 11 of the Penal Code Amendment Act (No. 26), B.E. 2560 (2017).] Section 390 Any person who negligently commits an act resulting in bodily or mental harm of any other person shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand baht or to both. [The rates of punishment have been amended by section 6 of the Penal Code Amendment Act (No. 22), B.E. 2558 (2015).] Section 391 Any person who attacks another not amounting to bodily or mental harm shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand baht or to both. [The rates of punishment have been amended by section 6 of the Penal Code Amendment Act (No. 22), B.E. 2558 (2015).]

Law/regulation	Provision
Criminal Code, B.E. 2499 (1956)	Section 392 Any person who puts any other person in fear or in fright by a threat shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand baht or to both. [The rates of punishment have been amended by section 6 of the Penal Code Amendment Act (No. 22), B.E. 2558 (2015).] Section 393 Any person who abuses another directly or by publication shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand baht or to both. [The rates of punishment have been amended by section 6 of the Penal Code Amendment Act (No. 22), B.E. 2558 (2015).] Section 397 Any person who commits an act by any means to another to annoy, bully, threaten or cause such other person to suffer disgrace or trouble or annoyance shall be liable to a fine not exceeding ten thousand baht. If the offence under paragraph one is committed in a public place or before the public, the perpetrator shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand baht or to both. Additional sections Sections 288–290 cover “murder” under various circumstances; section 295 addresses “bodily harm”, which covers both injury to body and mind; section 297 covers “grievous bodily harm”; and section 300 addresses “mental and physical harm to another through negligence”.
Civil Service Act, B.E. 2551 (2008)	Section 83 A civil servant must not commit any of the following prohibitions: (1) to not make false reports to the supervising official; the concealment of facts that should be disclosed shall also be deemed as a false report; (2) to not perform official functions which amount to bypassing one's superior official, except where one's superior official has ordered the act or special permission has been given on a case-by-case basis; (3) to not use or consent to other's use of one's official position for the exploitation of gains for oneself or others; (4) to not act negligently in the discharge of official duties; (5) to not commit acts or consent to other's commission of acts in seeking gains which may prejudice fairness or be detrimental to the honour of one's official position; (6) to not be a managing director or manager or hold any other position entailing a similar nature of work in a partnership or a company; (7) to not commit any act which amounts to an abuse, oppression or intimidation of others in the performance of official functions; (8) to not commit acts which amount to a sexual violation or harassment as prescribed by Civil Service Commission Regulation; (9) to not insult, disparage, oppress or intimidate members of the public in contact with officials; (10) to not commit any other act as prescribed by Civil Service Commission Regulation.
Regulation of the Civil Service Commission on Sexual Violation or Sexual Harassment, B.E. 2553 (2010), issued under the Civil Service Act, B.E. 2551 (2008)	The Regulation of the Civil Service Commission on Sexual Violation and Sexual Harassment, B.E. 2553 (2010), clause 2, prohibits civil servants from conducting five types of sexual violation or sexual harassment against fellow civil servants and persons involved in the performance of official functions. The five types of sexual violation or sexual harassment are described as follows: (1) physical conduct in an implicit sexual way such as kissing, embracing, touching any part of the body; (2) verbal conduct in an implicit sexual way, such as criticizing the body, talking, teasing, vulgarity; (3) gestures in an implicit sexual way, such as sexually staring, making any signs or symbols; (4) any performance or communication in an implicit sexual way, such as showing pornographic images, sending letters, messages or other forms of communication; (5) other implicit sexual behaviour which is unwanted or an annoyance for the recipient.

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