

Streets taken, digital spaces belonged:
strengthening queer identities,
fortifying ally-ship and empowering
SOGIESC rights in Thailand



## Streets taken, digital spaces belonged: strengthening queer identities, fortifying ally-ship and empowering SOGIESC rights in Thailand

This publication is commissioned by ILGA Asia - the Asian Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, representing more than 170 LGBTI organizations in East, South, Southeast, and West Asia. The document has been produced in consultation with member organisations and key partners as suggested by member organisations in the country. Permission to quote or otherwise use the information has been provided by the informants.

The analysis in the report is intended to recommend ILGA Asia to produce a strategic plan for 2021-2025. Positions in the report lie with the participants of the consultations and interviews, and do not reflect the values and viewpoints of the collective network.

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# **Executive** Summary

ILGA Asia's Thailand Country Review 2020 encompasses updates on the human rights situations and a snapshot of LGBTIQ rights in Thailand with a highlight on prominent movements, prioritized issues, key challenges in advocacy, community approaches and common vision, shared by 18 informants with first-hand experience in Thai LGBTIQ activism and advocacy. As the violations of basic human rights continue and civil and political rights are limited, human rights defenders and activists resume efforts towards rights, equality and freedom. Granted rights leave some gaps for further development. The current prodemocracy movement led by youth leaders and activists thrives on a national scale and integrates other social issues, including LGBTIQ rights.

Although LGBTIQ people are socially accepted and the issues are shifting to mainstream political and social narratives, Thailand's 'Gay Paradise' slogan has been criticized due to the lack of legal protection in multiple facets of life. The current and consistent movements to protect and promote LGBTIQ rights in Thailand include marriage equality, legal gender recognition, sex workers' rights, media sensitization, youth empowerment, visibility of 'other' gender and the survival from the COVID-19 pandemic.

One of the major challenges that is collectively noted by advocacy-focused LGBTIQ activists and communityorganizers here concerns the conformity of their allies in positions of power - by giving into perceived narratives (assumed by political parties' ideologies) among the Thai society on the gueer community. Most Thai policymakers have the tendency to perceive LGBTIQ people (through observed public statements) as 'secondary citizens', resulting in compromised impacts. Leaders of LGBTIQ

organizations also noted the lack of robust technical support on digital or information technology (I.T.) aspects of their core work, where some of them noted the need to improve their digital security (given the current military-led governance and political uncertainties in Thailand) or to enhance their digital data collection system. Subsequently, technical knowledge or support that could be useful for their advocacy work are insufficient, thus slowing down the progress in their knowledge-sharing engagements, while creating gaps in data collection for statistical analyses. Domestic social attitudes towards LGBTIQ people are stereotyped, and media portrayal plays a significant part. There is a need to extend and update the current advocacy. networks and alliances among the LGBTIQ movement in Thailand; by reaching out to engage with new (or non) LGBTIQ community-leaders or organisations. Security and wellbeing of outspoken individuals are threatened at risks. Funding for new initiatives and projects has become highly competitive. In response to these challenges, LGBTIQ communities take strategic approaches to raise public awareness, tell real human stories, consolidate power of the people, seek collaboration and partnership, and bring activism into the cultural realm. Legal reforms, voices at position of power, deconstructed gender binarism, strong intersectional networks, financial sustainability, media sensitization and increased visibility and capacity are among the community vision.





## Introduction

In seven sections, ILGA Asia's Thailand Country Review 2020 encompasses the most up-to-date account of human rights situations and a snapshot of LGBTIQ rights in Thailand. Prominent movements and prioritised issues are elaborated on and followed by key challenges faced by activists who lobby and advocate on the policy level. The key findings of this report are derived from meaningful interviews with 18 informants from ILGA Asia's member organisations, representatives of diverse LGBTIQ communities in Thailand and regional and international organisations working on the protection and promotion of rights for people with non-conforming gender identities and expression, sexual orientation and atypical sex characteristics (SOGIESC). The informants also shared about possible community strategies and approaches as well as common visions for the next five to ten years.





# Human Rights and Civil Society in Thailand

Although dictatorial military governments have ruled the nation from time to time since 2014 until present day, relevant departments have been assigned to work on the advancement of LGBTIQ rights documented in the national human rights plans.[1] As civil society makes continuous efforts to lobby and demonstrate the vibrant dynamic of the communities, key issues are heard and debated, leading to the drafting of laws that protect human rights.

Looking at current human rights and civil society situations in Thailand from the eyes of LGBTIQ advocates, it does not fully comply with international human rights treaties ratified by the State. The rights are not protected by the Constitution of Thailand, Violations of basic human rights continue to exist and impunity towards such violations prevail. Civil rights and political rights are limited and not fully exercised. The power and voice of people fear persecution. Freedom of expression, especially from outspoken activists, is critically questioned and could lead to arrest and enforced disappearances, especially during times of political unrest.[2] There is no law to protect human rights defenders and activists. The current political structure does not facilitate democratic movement and advocacy. In fact, when the demonstrations became popular, an emergency decree was enforced, out ruling such fundamental human rights, and freedoms of expressions and peaceful assemblies as illegal political activities.[3]

Thailand has a relatively good image of human rights and democratic leadership in the Southeast Asian context, regardless of its on-and-off democracy and governance. Asking the informants on their direct experience working with the government, it can be stated that most politicians in power are not equipped with genuine understanding of

the struggles faced by communities and impacts that the laws/policies would bring about. Instead, some rights are granted as a result of negotiations rather than the values of equal rights and are presented as "victories". Consequently, some granted rights do not serve to tackle the issue as a long-term solution. Thailand has enacted the legalisation of gender reassignment surgeries and become one of the top medical tourism destinations in the world. The popularity of sex reassignment surgery is well recognised. However, Thai transgender people are deprived of the right to change their legal gender status even after their transition. This illustrates that LGBTIQ rights are achieved slowly and step by step, rather than as a whole.

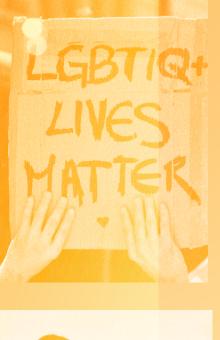
Towards the last quarter of 2020, mass demonstrations and rallies as a result of people's mobilisation have taken place. People have taken to the streets in anger and hope. The national movement is led by youth leaders and activists both in and outside the capital city. They have 3 demands, hence 'the 3 fingers', from the country: 1) the resignation of Prime Minister Prayuth Chan-O-Cha, 2) the revision of constitution and 3) the reform of monarchy. The pro-democracy demonstrations and rallies can be inferred as intersectional both from the observation of the researcher and key informants. A variety of social issues and movement is integrated in the scene. We hear the issues of abortion, disabilities, sex workers' rights, marriage equality, and the legalisation of sex toys being raised and demanded on the same stage. LGBTIQ rights defenders take active part in organizing and mobilizing the movement. This 'no single-leader or movement icons' approach enables a public space for advocates whose work intersects with civil and political rights advocacy to deliver their key messages. After all, these social issues share the same narrative of human rights, dignity and equality. Rainbow flags and concerned issues are raised in these protests. It is considered a new scene for LGBTIQ community. Pride parades are successfully organised after almost a decade. [4] Despite the success, we continue to witness the use of violence by the state against unarmed protestors who are mostly students.[5] The right to peaceful assembly was taken away. Freedoms of expression can put one at risk and in danger.



# Snapshot of LGBTIQ Rights in Thailand

"LGBTIQ rights in Thailand are not as good as they appear. If the government sees the importance of human rights and sees all people as equal citizens, activists would not even need to fight these battles in the first place."[6]

The informants believe that LGBTIQ persons remain as secondary citizens albeit the nature of Thailand's diverse society. Progressive victories usually are compromised along the journey. The state projects Thailand as a very LGBTIQ-friendly nation. It is a critical statement because LGBTIQ people are culturally and socially accepted to a great extent. They consciously respond to raise awareness. People have freedom to 'be' and 'act' as Thailand decriminalised sodomy in 1956.[7] But the lack of legal protection requires a separate fight. LGBTIQ rights are not seen as an important and basic priority by the government authorities. Consequently, advocacy and lobbying took decades to achieve its goals and many laws/acts have been enforced ineffectively, exemplified by the Gender Equality Act (2015). The widely known "Gay Paradise" notion especially for cities like Bangkok garners substantial fiscal revenues (hinging on the Pink-dollar economic opportunities) to the country. Sometimes, it is believed that progress on LGBTIQ rights are used as a political tool to gain benefits that might not be extended to local LGBTIQ communities, but rather for the economic growth and advancement of the country.





Key informants collectively agreed that LGBTIQ issues are shifting to mainstream narratives since the general election in 2019. Movements for democracy, LGBTIQ politicians in the Parliament, the engagement of youth in the political sphere and people's bottom-up approach all promise a better future for LGBTIQ communities. Massive progress can be seen in how Thai political parties, both mainstream and the newly named Move Forward (originally known as Future Forward), Pheu Thai and Commoners (Samanchon), have announced clear stances on LGBTIQ rights.[8], [9] They took the initiative to include them in the planned agenda and proposed policies. Currently, there are four members of parliament, paving the way for more voices and channels to propose changes among decision makers, lawmakers and policymakers (See more in Section 3). A number of LGBTIQ rights issues namely marriage equality, legal gender recognition and sex workers 'are discussed and debated among lawmakers. Hitherto, neither the Thai Prime Minister nor any politicians have spoken against the communities. Even under the military government where people's basic rights were limited, advocates have managed to raise and maintain connections to mobilise well-known and somewhat successful movements. There is neither religious nor political opposition to the rights that are being demanded. LGBTIQ issues and advocacy are perceived as progressive moves and narratives for the nation. The government has presented the country as LGBTIQ-friendly, therefore it would be contradictory to resist voices for change. The effort to raise awareness among people in political and legal power continues.



# Prominent Movements and Prioritised Issues

In Thailand, movements to protect and promote the rights of LGBTIQ persons have been consistent with progress. It is fair to state that LGBTIQ people have gradually gained more acceptance in Thai society. The climate here is considerably more advanced than other ASEAN countries in the following aspects - legal, political, social, cultural and economic spaces. The issues are widely heard and discussed despite some controversial debates. However, ongoing advocacy projects and movements insinuate that there is room for further legislative protection and reforms that could better protect the rights of people with diverse gender identities and expression and sexual orientation who have been marginalised by the legal system and other aspects of life. This section elaborates on key issues and movements that are prominently prioritised by local activists and civil society.

#### **Marriage equality**

The incident that invoked the whole movement and legislative drafting can be dated back to August 2012. Natee Theerarojanapong (a renowned activist) and his partner were denied an access to marriage registration by Chiang Mai district, claiming on the legal ground that marriage in Thailand can only be registered between a man and a woman. Natee argued that the refusal is unconstitutional in violation of Article 30 of the 2010 Constitution that protects equal rights from gender-based discrimination. The complaint was taken to the Committee on Legal Affairs, Justice and Human Rights of the Thai Parliament and as a result a parliamentary drafting committee was formed to draft a civil union bill.

The current leading governmental agency that took initiative towards legal recognition, in the name of civil partnership, is the Rights and Liberty Protection Department (RLPD), which operates under the International Human Rights Division of the Ministry of Justice. They drafted four versions of the bill, the latest of which has been approved and endorsed by the Cabinet. However, this step-by-step approach towards marriage equality is criticised by other groups of activists who argue that marriage equality can only truly be achieved with the amendment of Article 1448 the national marriage law which states that marriage is a union between a man and a woman. Activists, scholars and some political parties have argued that the RLPD's endorsed bill does not fully protect marriage and family rights as heterosexual couples.[10] Property and inheritance rights are protected but there are no spousal benefits, access to adoption or custodial rights, which are fundamental to forming a legal family. The advocacy of LGBTIQ rights, including the pro-democracy movement, has integrated marriage equality in their narratives.

#### **Legal Gender Recognition**

Another highlight of legislative change and progress in Thailand is the journey to enact the legal gender recognition (LGR) law. This law would enable an

individual to change their legal gender marker that may be different to the one assigned at birth on the basis of self-determination. Ideally, the LGR should not be subjected to medical doctors' opinions or judges' permission because it takes time and resources that some individuals may not have. Most importantly, it should be determined by the individual or applicant. This is contradictory to the government's approach that LGR should be accompanied by 'irreversible' gender affirming surgeries as a requirement. It is problematic because such a requirement discriminates against those who cannot afford or have no wishes to undergo the surgery. Activists argue that the process should use the same mechanism as changing names (to prefer one at any time at any frequency) and that the government should have no say in their decisions. Not having a gender marker should be an option. When enforced, persons of all SOGIESC, not just transgender but also non-binary, intersex, gueer and non-LGBTIQ can also benefit from it. Such irregularities posed a challenge in itself as Thai laws are written in accordance to binary gender.

Gender markers affect how people can access rights and social welfare, especially among transgender communities whose gender display mismatches their gender marker. LGR can legally help guarantee more equality and less discrimination. It can re-educate the public that treating gender as a binary is a foundation for gender-based discrimination. At the point of writing this report, the bills on gender markers are being drafted separately by the Senate Commissioner, by the Ministry of Social Development and Human Security and by civil society actors which consist of networks of activists, organisations and associations. Once drafted, the civil society actors will collect 15,000 signatures and propose the bill to the Parliament. The timeline was meant to be the end of 2020, however under this uncertain and unpredictable political climate, the group is reluctant to move forward. This is because the dissolution of Parliament is a possibility, and advocates may have to start again from scratch. So now, their focus is to raise awareness, organise public hearing and encourage participation from the public in the meantime.

# **Prominent Movements and Prioritised Issues**

#### **Sex workers**

Thailand is one of the top medical tourism destinations in the world, also renowned for its sex tourism, therefore perceived as a paradise for non-local LGBTIQ communities. However, there is a lack of legal protections for the population who work in this industry. Transgender women account for a significant number of sex workers in Thailand. As a result, sex workers are forced to work illegally and dangerously on a daily basis. Consequently, moral arguments overshadow legal protection; where sex work is rendered unsafe and shamed to its core by the general public. Unfair treatments, lack of protection on basic rights and social welfare, mistreatment and abuses of powers from law enforcers are some of the common predicaments faced daily by sex workers in Thailand.

Navigating through this journey, activists have strategised advocacy plans, focusing on addressing the legal aspects and not the moralities of these issues. They are educating the public and policymakers that the law can be good for both the communities and the country. An outspoken advocate lobbying for this campaign explained that the goal is not to legalise sex work but rather make it 'not illegal' because legalisations come with a hefty cost atop of many pre-conditions. By going from community to community, those who are involved are collecting 10,000 signatures from active citizens and the public so that the bill can be proposed to the Thai Parliament and supported by relevant ministries and political parties with keen interest in favour of and supporting the law. This advocacy asks to repeal the Prevention and Suppression of Prostitution Act (B.E. 2539) and protect sex workers with Labour Protection Act. Another public facing message is that sex workers should have as much dignity as other professions like doctors and politicians, and that they do not degrade humanity. A series of awareness-raising campaigns have demonstrated that society tends to accept and understand more with time.

#### Sensitisation of Media

Another project that promises the better depiction of LGBTIQ communities is to desensitise the media with appropriate knowledge relevant to SOGIESC. They have the power and influence over how society understands and perceives the group. LGBTIQ people are generally portrayed as humorous caricatures. Oftentimes, the news outlets also highlight and link gender identity and sexual orientation to the crimes they commit for sensationalism or newsworthy purposes. This Smart Media Consumer project is managed by the Thai Transgender Alliance (ThaiTGA) in collaboration with the Office of the National Broadcasting and Telecommunications Commission that is responsible for rating the programs on mass media-television and radio. Key tasks include the provision of guidelines on how the media should portray and present stories of LGBTIQ persons. This contributes to the reduction of social misperception, derogatory and/or overly dramatised narratives, stereotyping, and prejudice and bias against people with diverse SOGIE. It is believed to also help improve the quality of national media. A monitoring plan is also set in place by ThaiTGA.

#### **Youth Empowerment**

Current political movements have demonstrated that the youth has claimed the space in the development of our nation and society, including the protection and promotion of LGBTIQ rights. New faces and voices have joined the movement for advocacy and activism. The younger generation has great awareness of what is going on. They empower themselves, utilizing online and offline platforms to mobilise and take action to challenge the structure. For instance, the Bad Students movement is able to organise demonstrations and rallies to make demands from the government about what matters most to them i.e., uniform, discriminatory regulations and bullying/harassment. The youth is the main demographic that the Thai government and organisations have prioritised and invested in not only because they are the future but also, they integrate themselves into the development of society.

The risk of youth activism is that being so outspoken and visible puts them at risk, whether they are at home, schools or in political and other public spaces. Quick decisions are made by young activists without proper consultation with those who could provide intergenerational support and understanding. For example, activists with more experience can not only empower but also equip them with knowledge of the process and provide consultation where possible so that they are able to advocate with more caution. There is no support when emergency incidents occur. Over 500 youths have been disowned and made homeless, while some leaders face legal charges. [11]

#### Visibility of "Other" Gender

While LGBTIQ communities have witnessed progress in the advancement of sexual health and rights, new groups representing other identities have emerged in the past few years. We see that transgender men have formed groups and run some activities together; the same applies to the queer and nonbinary communities. Intersex activists face challenges in mobilising due to social stigma and the lack of information, which bars individual from coming out, being able to identify themselves autonomously, and seeking help in the first place. As a result, the key current mission of these new groups is to focus on educating the public about new concepts of SOGIESC in order to increase their visibility both in the public consciousness and funding scene within the community. A stronger network — among themselves and integrating with the greater LGBTIQ movement in the country - would lead to a stronger advocacy voice as a whole.

#### **Surviving the COVID-19 Pandemic**

Since the beginning of 2020, the lived realities and impact of the COVID-19 pandemic have affected humanity on a global scale. LGBTIQ people who are already marginalised face further critical challenges on top of existential ones. Emergency responses from organisations remain a huge gap. Funding has become scarce and inaccessible under several circumstances.

Advocate communities offer assistance in all possible ways they can. For the different communities affected, the guideline for LGBTIQ persons was developed to help them prepare and be aware of what to do during the pandemic. They have been directed to counselors. Some organisations provide competent services such as hormonal replacement and medical checkup, which has proven to be helpful especially for transgender people. They also work to fill the gap of government assistance. For instance, survival kits/ bags are disseminated to people in need, but they do not always meet the needs of LGBTIQ communities. As a result, LGBTIQ activists have managed to provide the same kits/bags but with the items that LGBTIQ persons need most. Resources have been mobilised from both inside and outside of Thailand to finance such activities. Struggles as a result of the mandated lockdown and pandemic in relation to access to rights and security, including domestic violence, harassment, cyberbullying, lack of access to governmental help and the like, have also been communicated to the policymakers. The pandemic does not only affect the priorities of the community but has also identified room to secure some budget and funding for emergency response.



# Key Challenges in Lobbying and Advocacy

#### **Policy Makers**

LGBTIQ rights have seats on the policy-making tables in Thailand. However, there are limitations to such opportunities. Many policymakers, especially from the baby-boomer generation, perceive LGBTIQ people as 'secondary citizens'. They approve and move forward with the agenda out of sympathy for this particular demographic rather than understanding and respecting the principles of equality and rights. Consequently, some pro-LGBTIQ policies come with compromise and conditions. LGBTIQ rights are also believed to be a tool to advance political reputation. Many informants expressed that there are multiple overlapped projects and works from different approaches and different officials, holding back the local movement and advocacy.

#### **Knowledge gap**

Data and statistics that could support LGBTIQ advocacy and allow advocates to address key issues with the authority remains insufficient. People in power do not have enough technical knowledge to make informed decisions. Even among LGBTIQ groups themselves, there is a gap in new and technical knowledge that is specific to each gender identity to understand the struggles faced by different communities. Transmen and intersex individuals cannot access information about their conditions, both socially and medically. It takes time and sensitivity to educate the group and the public on new identities (i.e., non-binary, queer, intersex) and their challenges, barring progressive moves from taking place.



#### **Social Attitudes**

In reality, Thailand does not reflect the "Gay Paradise" the government claims to promote to the rest of the world. Some understandings are based on misinformation. LGBTIQ people are negatively and stereotypically portrayed with twisted narratives both by media and state. As a result, they are deprived of their constitutional and fundamental human rights that they should be accorded with and do not have to fight for, to begin with. They are not taken seriously and are often considered asking too much when demanding for rights and justice.

#### **Familiar Faces**

The networks of LGBTIQ communities are impressive, yet it should be extended to the wider connection and public. Movements are mostly concentrated in Bangkok than other (urban) cities. Representation of new faces and voices, along with increasing visibility in the LGBTIQ scene should be promoted. These people can be non-LGBTIQ and non-activist. LGBTIQ communities should also partner with others who advocate in different areas, reaching out to new stakeholders.

#### **Security and Wellbeing**

Lobbying and advocating for LGBTIQ rights can put outspoken individuals at risk of physical and mental harms of being shamed, bullied, and harassed. These incidents take place online and offline. Activists and right defenders often feel unsafe and it has severe impacts on their everyday lives. There is neither authority nor system in place to offer help let alone remedy. The victims outnumber available assistance.

#### **Social Structure**

Gender binarism is foundational to social structures as well as advocacy across LGBTIQ movements in Thailand as in most parts globally. Due to its intersectionality with religion, politics, morality and the law, discriminations faced by LGBTIQ communities are exacerbated as detriments of the binary structure.

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#### **Funding**

Application for grants and/or funds remains challenging. Bigger organisations calling for grantees on small scale projects usually receive high traffic of applicants. The entire process is highly competitive, especially for small and newly emerged organisations. Most financial support is also not sustainable in the long run because local organisations depend on foreign donors and/or their intermediaries. Some grants could only last for months with no foreseeable promises of continuity and are not sufficient to sustain organisational activities and projects, resulting in initiatives to be postponed. Many of the key informants shared that non-traditional options such as engagement with private sectors, social enterprises and crowdfunding have to be explored or employed.



# Community Strategies and Approaches

"Even if we win legal battles, we will never stop raising the awareness"[12]

Public education and awareness: to educate and raise awareness among the general public about the SOGIESC rights being fought for. The explanation of how it is good and beneficial not only for LGBTIQ communities but for society as a whole must be highlighted. Good knowledge and understanding on how to foster friendly attitudes towards people with diverse SOGIESC shall garner more respect, equality and access to rights and social welfare.

#### "Our stories, our voices"[13]

Storytelling: to own and preserve the diverse narratives of the communities. It is important that lived experiences and personal individual stories are being told and amplified from people within the communities, especially among marginalised LGBTIQ groups. Diverse stories should include the voices that are either silenced or left behind i.e., from transmen and non-binary communities. These narratives shall convey and highlight the equal and unique potentials of LGBTIQ people and their contributions to society - while tackling stereotypical stigmas and beliefs. Framing narratives through strategic advocacy is utmost crucial when targeting the right audience at the right time with appropriate avenues. For example, activists focus on employing legal and rights protection mechanisms to frame their advocacy rather than asking for sympathy. International mechanisms such as the UPR (universal periodic review) process and ratified international human rights treaties are referred to when lobbying with the

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government. Digital platforms such as Facebook page and groups, Signal and Twitter are also used to connect people domestically and internationally, exchange knowledge, and share pertinent messages.

## "This is not the problems of LGBTIQ community, it's everyone."[14]

Solidarity: to bring the power of people to the journey of change. The movement invites the wider public to engage in shared goals and advocacy work towards the fight for equality. LGBTIQ rights should concern everyone in the country, not only marginalised communities. More importantly, intersectionality has to be integrated in the agenda. It leads to a stronger movement and network of stakeholders. A singular approach may not be enough to combat discrimination — which is inherently an intersectional matter. LGBTIQ advocates continue to work with allies who are also working towards achieving equality and equity for all. Currently, we see that the new generation has claimed the space in LGBTIQ advocacy in Thailand. They are well aware of the structural problems and are empowered to take actions and lead the movement.

## "Knowing how the decision makers make decisions is already a win."

**Collaboration and partnership:** to proactively engage with non-civil society partners or stakeholders. Some organisations have a good and promising relationship with government authorities. They have managed to desensitise LGBTIQ issues with key departments in the government. Having a place within the system without losing the fundamental goal of advocacy brings about pragmatic advantages. Changes can be made when advocates speak the same language with the state and know their mechanisms towards affecting change. A representative from Rainbow Sky Association Thailand expressed that this strategy has benefitted some LGBTIQ people, however it does not mean that the wider LGBTIQ community desires similar partnerships. Moreover, Thai activists also extend their efforts to collaborate with the private sector.

When mutual benefits are highlighted in discussions with businesses and (social) enterprises, windows of opportunities open.

## "Activism can be personal and personal is political."[15]

Cultural Activism: to engage and advocate through cultural spaces. While the LGBTIQ movement has become much more political where activists actively take up crucial roles in political movements and leadership, cultural activism has been introduced. The Queer Riot group, for instance, has been creatively connecting queer advocacy to people's lifestyle, by bringing awareness to a wider audience. Hosting LGBTIQ rights awareness parties and night outings can create new experiences where the vibrant and fun side of activism is highlighted. Consequently, LGBTIQ issues and rights have become more interpersonal and relatable to members of the general public.





# Community Vision in five – ten Years

A total of 18 informants have individual and/or organisational visions that are commonly shared, as well as those specific to the population they are working for:

- To witness current legal advocacy resulting in positive legal reforms.
- To have LGBTIQ persons who genuinely care about equal rights and serve in prominent positions of power that can eventually bring positive change to the community.
- To deconstruct the gender binarism system and structure.
- To build a stronger and more intersectional network through engagements with regional and international activists, organisations, relevant stakeholders, movements and partnerships.
- To see new organisations thrive and existing ones progress with improved capacity.
- To have better financial sustainability and funding allocations.
- To have a change in attitude and allyship within the media community, desensitisation of SOCIESC issues in news reporting by avoiding derogatory terms referring to LGBTIQ persons.
- To increase the visibility of LGBTIQ communities.





#### References

- [1] The Rights and Liberty Protection Department, The Summary of Thailand's 3rd National Human Rights Plan (2014 - 2018), http://www.rlpd.go.th/rlpdnew/images/ rlpd\_1/2556/thaigov\_Plan3/10plan3.pdf
- [2] Human Rights Watch, Thailand: Over 20 Democracy Activists Arrested, https://www.hrw.org/news/2020/10/13/ thailand-over-20-democracy-activists-arrested
- [3] Human Rights Watch, Thailand: Emergency Decree Pretext for Crackdown, https://www.hrw.org/ news/2020/10/15/thailand-emergency-decree-pretextcrackdown
- [4] Thai Post, 'ม็อบตั้งตึ๊ง 2' รวมพลเดินขบวนช 'ความหลากหลายทางเพศ ', https://www.thaipost.net/main/detail/83088
- <sup>[5</sup>] Post Today, ตำรวจฉีดน้ำผสมแก็สน้ำตา-ผ้ชมนมถอยร่นไปจฬา, https://www.posttoday.com/politic/news/635675
- [6] Undisclosed ILGA Asia interview, online, 2 October 2020.
- [7] United Nation Development Programme. Being LGBT in Asia: Thailand Country Report, A Participatory Review and Analysis of the Legal and Social Environment for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons and Civil Society, https://www.undp.org/content/dam/rbap/docs/ Research%20&%20Publications/hiv\_aids/rbap-hhd-2014blia-thailand-country-report.pdf
- [8] The Standard, พรรคการเมือง กับนโยบายความหลากหลายทาง เพศ, https://thestandard.co/political-party-gender-sexdiversity-policy/
- [<sup>9</sup>] Prachathai, พรรคการเมืองหนุน LGBT มีสิทธิเท่าเทียมคนทั่วไป, https://prachatai.com/journal/2018/12/79909
- [10] Undisclosed ILGA Asia interview, Bangkok, Thailand, 7 October 2020.
- [11] Undisclosed ILGA Asia interview, online, 10 October 2020.

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- [12] Undisclosed ILGA Asia interview, online, 2 October 2020.
- [13] Undisclosed ILGA Asia interview, online, 11 October 2020.
- [14] Undisclosed ILGA Asia interview, online, 6 October 2020.
- [15] Undisclosed ILGA Asia interview, online, 6 October 2020.



**ILGA Asia** is the Asian Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, representing more than 170 member organizations in East Asia, South Asia, Southeast Asia and West Asia.

Our vision is a world where Asia is a safe place for all, where all can live in freedom and equality, be properly informed in the nature of sexual orientation and gender identity & expression and sex characteristic (SOGIESC) rights, have access to justice, and diversity is respected.

Asian Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA Asia)

Spring Tower, Floor 11, Suite 132 Phayathai Road, Phayathai Ratchathewi Bangkok 10400 Thailand





@ilgaasia



www.ilgaasia.org



info@ilgaasia.org