

Thailand Gender Certification Bill - Our genders need no approval from the state: LGBT activists

Saturday 18 March 2017, by [PRACHATAI](#) (Date first published: 15 March 2017).

Citing further legal protections for LGBT people, the Thai authorities has introduced a bill to 'certify' gender identifications. LGBT experts, however, have raised question as to why they need the state to approve their gender identifications at all.

On 14 March 2017, leading LGBT activists and legal officers from the Department of Women's Affairs and Family (DWF) under the Ministry of Social Development and Human Security gathered at a public forum to discuss about Gender Certification Bill, which was drafted by DWF.

The forum was organised by Foundation for SOGIE (sexual orientations and gender identifications and expressions) Rights and Justice (For SOGIE) at Asia Hotel in Bangkok.

Trirat Fahpakasit, DWF legal expert, said the bill was drafted to provide specific legal protections to LGBT groups by establishing a national level committee to promote public awareness about LGBT communities.

Under the bill, the committee could provide legal approval to 'certify' alternative genders and create legal mechanisms to protect and enhance their rights.

It classifies people of alternative genders into three groups, which are transgenders who have had sexual reassignment surgeries, transgenders want to have sexual reassignment surgeries, but do not possess enough financial means, and other LGBT groups who do not want to undergo the surgery.

Critical of the bill, Parit Chomchuen, an LGBT activist, said the logic of the bill was still drafted under the male-female mindset, adding that gender identifications of people are more diverse as some people even prefer to be gender neutral.

LGBT people tend to become aware of their genders at very early ages, but the bill states that people who could submit a request for gender certification have to be at least 20 years old, Parit pointed out.

"Is it necessary to have the committee to approve a person's gender identification," Parit raised a question at the forum.

Similarly, Asst Prof Suchada Thaweessit, lecturer at Mahidol University's Institute for Population and Social Research, said the bill seems to put priorities on genders according to genitals rather than on psychological gender identifications.

Even if the bill is enacted, how can it make sure that it will enhance and protect the rights of the LGBT groups in the same way that heterosexuals enjoy, Suchada said.

“The most important thing is how inclusive it is? Does it only include people who have had sexual reassignment surgery....If it is going to become a law it should be conclusive enough to the point that we do not have to push for civil union bill again,” said the Mahidol lecturer.

She pointed out that the authorities should consider about the 2015 Gender Equality Act if the act is still effective and inclusive enough to protect people of alternative genders. If not, the law should be amended for the better, Suchada said.

Under the veneer of being an LGBT paradise in Southeast Asia, LGBT people in Thailand still face many challenges in the society. Despite the fact that the military government in 2015 enacted Gender Equality Act, discriminations against LGBT people still persist in workplaces or even mainstream media.

In 2014, LGBT right groups submitted Civil Partnership Bill to the parliament for consideration. However, there has been no progress in the process to legislate the bill since then.

Many LGBT activists pointed out that although the bill allows for greater equality, it still discriminates against gay people because the Civil Partnership Bill does not entitle homosexual partners to raise children. Moreover, the minimum age of those allowed to register civil partnerships is 20, while for the heterosexual marriage it is 17.

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* Prachatai. 15 Mar 2017 03:00 AM PDT:
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