

## FEMINISM AND THE DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN: A VIEWPOINT THROUGH THAI PUBLIC POLICY<sup>1</sup>

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### Abstract

This article aims to examine gender inequality which still exists in our society, as in every part of the world, by analyzing reports. Each report shows indicators which are core factors contributing to a females' lack of full rights when compared to males. The indicators in which each society needs to work closely in order to ensure women's rights are equal access to economics, education, and health care, and also opportunities in politics, political empowerment, human rights, and so forth. This article will show the roots of the gender gap that suppress women and form a social construct based on tradition. Having fewer opportunities than men makes women realize that their rights have been deprived and this results in a call for rights by publicizing the issue, marching, and other conventions. The women's rights movement has been ongoing for more than 200 years. Over time, the focus of women's rights has differed. These changes constitute the four waves of feminism. This article focuses on gender inequality and violence against women.

The United Nations has raised awareness of this issue through the Declaration on the Elimination of Violence against Women which was adopted by the United Nations General Assembly (UNGA) in 1993. This article will compare the Declaration on the Elimination of Violence against Women comparing to the Thai public policy dealing with the elimination of violence against women through its Victims of Domestic Violence Protection Act B.E. 2550. This passage of law shows the effort that Thailand has made in trying to eliminate domestic violence. As this law has encountered some obstacles in its implementation, the Ministry of the Social Development and Human Security proposed a new law titled Promoting Development and Protecting the Family Institution B.E. 2562 to take its place. Although it was passed by the National Legislative Assembly and published in the Royal Gazette, the passing of the Royal Decree on the amendment of the law was put on hold and the Victims of Domestic Violence Protection Act B.E. 2550 continues to be enforced until the amendment bill is enacted. Finally, this article provides some suggestions for building social awareness and changing the mindset of people on violence in order to pave the way for gender equality in our society.

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## 1. INTRODUCTION

### Gender Equality statistic

Eventhough we are in an era of disruptive technologies where society is advancing in the use technology, we have yet to reach a balance in gender equality. By studying the Global Gender Gap Report provided by the World Economic Forum each year We can see from the 2020 report that the global distance completed to parity is at 68.6% which means a 31.4% average gender gap still remains that needs to be closed globally. From such statistics, it will take 99.5 years to close the global gender gap in 186 countries (The Lancet, 2020). The rationale for measuring the Global Gender Gap is described in three concepts. The first measure focuses on gaps rather than levels. The gender-based gaps were measured by looking at the access to resources and opportunities in countries, such as the gap between male and female enrollment rates, but not the level of education in the country. The second measures outcome variables rather than inputs. It evaluated the outcome of the gap related to basic rights in each country, such as health, education, economic participation and political empowerment rather than inputs, which in this regard, meant the way to receive it. And the third concept, ranked countries based on gender equality rather than women's empowerment. With this in mind, the report looks for gender equality on the outer performance between women and men in each country, such as the rate of enrollment between sexes, and does not look at it from the perspective of the "battle of sexes" so it will score equally in the case of higher

enrollment for girls and the equal enrollment for both sexes. (World Economic Forum, 2018)

Also, the Global Gender Gap report examined the gender gaps in four sub-indexes which consisted of economic participation and opportunity, educational attainment, health and survival, and political empowerment. Moreover, UN Women also collected data on gender equality with indicators in 5 areas (Grum, 2014) (updated on June 2017) consisting of 1) economic structures and access to resources, 2) education, 3) health and related services, 4) public life and decision-making, and 5) human rights of women and children.

The report from the World Economic Forum that studied 149 countries in 2020 has four similar dimensions for measurement which are 1) economic participation and opportunity 2) educational attainment 3) health and survival, and 4) political empowerment. All the past reports and measurements clearly show that there is still a profound gap between women and men in many indicators and it will take a hundred years to close the gap. The Global Gender Gap Report mentioned that while they have observed the figure moving towards gender parity, policymakers and other stakeholders should fast-forward the process and take stronger actions for a more equal future. From the same report in 2018, Thailand ranked 73<sup>rd</sup> out of the 149 countries (World Economic Forum, 2018) while in 2020, Thailand ranked 75<sup>th</sup> overall. While looking at the sub-indexes for 2020 Thailand ranked 22<sup>nd</sup> in economic participation and opportunity, 80<sup>th</sup> in education, 52<sup>nd</sup> in health and survival, and 129<sup>th</sup> in political empowerment. Progress in closing

the gender gap worldwide continues to be slow according to research; however, in the case of Thailand, it is moving forward.

The gender index and empirical data on gender equality show that the main areas that need to be addressed for the gender gap to close mostly involve economics, education, health and politics in general. In the meantime, however, while we are working to close the gender gap as indicated in four sub-indexes, women still struggle as second-class citizens.

### **Feminists and Four Waves of Feminism**

To understand the root of gender disparity, history is revealed through the lives of famous feminists of the enlightenment era, which started with the work of Mary Wollstonecraft on “Vindication of the Rights of Woman” in 1792. As a girl, Mary was abused and suffered unequal treatment compared to her elder brother because she was female. That made her think about the status of women. In her book she compared them to “slaves” or a “despot” in the family. This meant being a woman was inherently a disadvantage. The causes of this lower status for women came from “the narrowness of mind and the very constitution of civil governments” that presented females with many obstacles to understanding their own rights. As Britain’s first feminist, she called for equal education for both sexes. She pointed out the means and reasons in a letter to M. Talleyrand-Périgord, a French politician and diplomat, that women’s rights would be legitimated when the constitution was revised and it would “demand justice for one half of the human race” (Poston, 1988). The book urged women across Europe to be

aware of their rights and was an inspiration for Elizabeth Cady Stanton who worked on the American women’s movement later on. It reiterated that women globally were facing the same obstacles so not only should Britain take note of the blossoming feminist movement but all countries across the world should awaken to women’s rights.

In 2017, Merriam-Webster announced its word of the year was “feminism”. The number of searches for the word was up 70% from 2016 (Merriam-Webster, n.d.). This meant that the movement had come a long way since its first publications and marches in the 1800s.

The rise of the women’s movement was also strong in the United State of America where Elizabeth Cady Stanton was fighting for women’s rights and women’s suffrage (Stanton, 2011). It began with marches and the concept that all females demanded equal rights. This was the first of the 4 waves of feminism (Roy, 2018). **The first wave** was from the 1800s to the 1900’s when women fought for their rights; especially the right to vote. Later they tried to amend laws that were obstacles for gender equality. The primary public figure in this era, Elizabeth Cady Stanton, wrote the Declaration of Sentiments which was declared at the women’s rights convention held in Seneca Falls, New York. The document was signed in 1848 by 68 women and 32 men to be amended to the Declaration of Independence (1776) stating that “governments should secure the rights of both men and women, that all men and women are created equal and are endowed by their creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness”. The Declaration of Sentiments was written as a response to the refusal to allow Lucretia Mott to speak at the

world anti-slavery convention in London. Lucretia Mott was the leading activist who worked alongside Elizabeth Cady Stanton in their quest to abolish slavery. The first wave's attempt to grant the right to vote for women finally succeeded in 1920 when the 19<sup>th</sup> Amendment was passed. **The second wave** was between 1960s-1990s when women focused on racial discrimination in the workplace. They broadened their debate on vital issues such as sexuality, family, workplace, and reproductive rights, and this drew attention to issues such as domestic violence and marital rape. **The Third wave** was from the 1990s to the early 2000s when women fought against many social constructs and shared various outlooks for women of all races. This wave also moved from individualism to the diversities of women. The issues of the fourth wave include the emergence of many feminist theories and other contemporary theories such as postmodern feminism, radicals, and ego-cultural feminists. **The Fourth wave** of feminism is claimed to have started around 2012 and relates to technology, sexual harassment, and violence against women. Numerous campaigns have been launched through the media such as #metoo and the #hewforshemovements.

Martha Rampton, a professor and director of the Center for Gender Equity at Pacific University stated that the goals of the second wave have been met since there are more women in positions of leadership and in higher education, business and politics (Rampton, 2015). Women now have access to rights of control over their body, and there is legislation for the protection of battered women, and so on. Women have gained public awareness for the "rights of women" (even though it has not yet fully

been achieved). The third wave was harder to achieve because, while women were concerned with equal rights, their struggles were largely more individualistic.

One way to help develop the status of women in society is by publicizing the struggle and changing policies that would benefit women's rights. The United Nations has been a leader in trying to bring gender issues and the status of women into mainstream discussions and making it a major strategy in public policy. The UN's call to help the women's rights movement has been made through their various instruments, including the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, and the 2030 Agenda for Sustainable Development, etc.

## 2. KEY POINTS

### UN's Effort on Violence Against Women

Statistics from the National Sexual Violence Resource Center show that in the US, 1 in 3 women experience some form of sexual violence in their lifetime. The US Equal Employment Opportunity Commission, a government agency responsible for monitoring the report on sexual harassment, estimated in 2016 that between 25-85 percent of women have experienced sexual harassment at work (i-Sight, n.d.). From statistics recorded by the Stop Street Harassment, 81% of women experience some form of sexual harassment during their lifetime (National Republic Radio, Inc., 2018).

As for Thailand, statistics show there are at least 7 women each day who face some kind of violence against them and police reports indicate the number of victims could be up to 30,000 per year. (Suvetwethin, 2018) However, this is only the reported statistics and does not account for all unreported crimes of domestic violence. In 1993, there were many cases involving women's rights that the United Nations was well aware of. This issue was addressed by the adoption of the Declaration on the Elimination of Violence against Women by United Nations General Assembly on 20 December at the 85th plenary meeting. It became the first instrument on VAW.

The Declaration concerns the rights of women in many aspects as stated in article 3 consisting of the right to life, equality, liberty and security of person, equal protection under the law, freedom from all forms of discrimination, having the highest standard attainable of physical and mental health, enjoying just and favourable conditions at work, and not to be subjected to torture or other cruel inhumane or degrading treatment or punishment. Also mentioned are the notable 5 international instruments on human rights regarding women and violence's issues including 1) the Universal Declaration of Human Rights, 2) the International Covenant on Civil and Political Rights, 3) the International Covenant on Economic, Social and Cultural Rights, 4) the Convention on the Elimination of All Forms of Discrimination against Women, and 5) the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment which are fundamental instruments that women or any other human being should comply with and know their rights according to

international standards. There are 6 articles in the declaration and preamble clause containing all the reasons why we have to protect women from violence including the international instruments as mentioned. Article 1 and 2 provide a definition and outline the forms of violence which could harm women's lives. Article 3 relates to the fundamental rights that women should have. Article 4, which I will examine later together with article 1 on Thai public policy, shows how the state should provide projects or measures in order to ensure women's rights. Article 5 includes suggestions for the United Nations' specialized agencies to contribute to the recognition and realization of women's rights, and Article 6 contains the status of the declaration which does not affect any other laws or rules that are promoted on the elimination of violence against women in any nation states.

### **Thai public policy on women and the Declaration on the Elimination of Violence against Women**

Assoc. Prof. Mayuree Anumanrajadhon describes the meaning of public policy in three dimensions. The first is related to activities including the rules or laws that were endorsed by government for people or organizations, the second is the way that government makes decisions on public welfare issues which might relate to many actors and parties, in order to achieve its strategic planning, and the third is the projects, principles or planning from government to disseminate all the resources to the people.

The most important Thai public policy that seeks to help women's status is the law proposed by the Ministry of Social

Development and Human Security, the ‘Victims of Domestic Violence Protection Act B.E. 2550’. This law aims to protect women from domestic violence and helps to restore family life; especially in refraining husbands from violent behavior and causing

stress between family members. Below is a table that compares the Declaration on the Elimination of Violence against Women and the Law on the Victims of Domestic Violence Protection Act B.E. 2550 to see a reflection on women’s status in Thai Public Policy.

**Table 1:** Comparison between the Declaration on the Elimination of Violence against Women on Article 4 and Thai public policies, and the law on the Victims of Domestic Violence Protection Act B.E. 2550

Article 4	Declaration on the Elimination of Violence Against Women on Article 4	Victims of Domestic Violence Protection Act B.E. 2550	Outcome / Review
(a)	Ratify or aced CEDAW or withdrawing reservations of CEDAW.	N/A	<ul style="list-style-type: none"> <li>- Thailand ratified CEDAW on 9 August 1985 and it came into effect on 8 September 1985.</li> <li>- Thailand made 7 reservations which are in the Articles 7,9,10, 11, 15,16 and 29. However, they were withdrawn as follows: Article 11 and 15 on 8 September 1990, Article 9 on 8 September 1992, Article 7 and 10 on 28 November 1995, and Article 16 on 18 July 2012.</li> <li>- Article 29 was the last reservation on CEDAW from Thailand as it related to the dispute of settlement that victims can submit for the case to be sent to arbitration and to the International Court of Justice.</li> </ul>

<b>Article 4</b>	<b>Declaration on the Elimination of Violence Against Women on Article 4</b>	<b>Victims of Domestic Violence Protection Act B.E. 2550</b>	<b>Outcome / Review</b>
(b)	Refrain from involvement in the Act of Violence Against Women.	N/A	N/A
(c)	Exercise according to the laws on violence against women and punish people who perform acts of violence against women.	Section 13 stated that the Ministry of Social Development and Human Security shall arrange the system to support the operation and enforcement of sections 10, 11 and 12 by ministerial regulation.	Even though there is a law for the protection of victims of domestic violence, it does not aim to punish people who act violently but aims to protect the victim and divert the case by giving a chance to the violent person to be cured from their violent personality in order to maintain the family status.
(d)	<p>1) Develop penal code to punish people who commit violence.</p> <p>2) Women who experience violence should be able to access justice or rehabilitation.</p> <p>3) Provide information for women on the compensation mechanism regarding violence against them.</p>	<p>1) Section 4 states that the person who violates the law shall be liable to a term of imprisonment not exceeding 6 months or a fine not exceeding 6,000 baht, or both.</p> <p>2) Section 5 and 6 also state that a witness or victim could report in various available channels.</p> <p>A competent official shall arrange medical treatment and advice from a psychiatrist, psychologist or social worker and file a complaint instead of the victim in case the victim does not have the opportunity to do so.</p>	<p>1) NGOs oppose such penalty due to the fact when violence occurs, women could be severely injured and compared to the criminal code for violence act (section 295) will be jailed for maximum of 2 years.</p> <p>2) The most commonly known among social workers is the emergency call for Social Assistance Center, 1300, which is belonged to the Ministry of Social Development and Human Security. The number of domestic violent cases in 2017 totaled 1,869 in 2018 totaled 1,774 and in 2019 totaled 2,108. (1300 Statistic, 2019)</p> <p>3) N/A</p>

Article 4	Declaration on the Elimination of Violence Against Women on Article 4	Victims of Domestic Violence Protection Act B.E. 2550	Outcome / Review
		<p>Section 12 states that if the court finds that the person who commits domestic violence is guilty under section 4, the court shall have the power to determine the method to treat, rehabilitate in order to control the behavior of the offender. It also could order compensation for the victim for suffering, perform public service, and to refrain from the act which causes domestic violence or be placed under parole.</p>	
(e)	<p>Considering national plans to promote and protect violence against women or to include cooperation from the NGOs that work on the issue of violence against women.</p>	N/A	<p>As seen in the media, some of the programs on violence against women are from the mutual work between governmental agencies and NGOs. The government programs/plans welcome NGOs to work as their counterpart and NGOs use this opportunity as other channels being their platform to propose what women need.</p>
(f)	<p>1) Develop preventive approaches to protect violence against women. 2) Ensure no re-victimization due to insensitive laws on gender bias.</p>	<p>1) N/A 2) Under section 8, paragraph 3 stated that during the interrogation of a domestic violence victim, the official should have a psychiatrist,</p>	<p>1) Thai Health Promotion Foundation have launched many programs on drinking such as the campaign on stop drinking during the Buddhist Lent and stop drinking while driving. themselves or any other</p>

<b>Article 4</b>	<b>Declaration on the Elimination of Violence Against Women on Article 4</b>	<b>Victims of Domestic Violence Protection Act B.E. 2550</b>	<b>Outcome / Review</b>
		<p>psychologist or social worker or a person required by the domestic violence victim to join.</p>	<p>related issues in term of human security. The reason is to tackle the cause of violence which derive from alcohol. Also the program from the Ministry of Social Development and Human Security to call on emergency number 1300 if anyone have seen or facing the violence against themselves or any other related issues in term of human security.</p> <p>2) The woman official will be the first priority required to the interrogation with the domestic violence victims in order to provide them a safe environment and an open up session which much better than the official from the opposite sex.</p>
(g)	<p>Ensure that women and children who face violence will receive appropriate assistance, programs and measures to enhance their safety and health care.</p>	<p>Section 10 states that the protection order shall order the person who commits domestic violence to receive a medical examination and treatment, pay for the basic relief fund, and be prohibited from entering the dwelling of the family or close to any person in the family and</p>	<p>Competent officials shall assist women who face the domestic violence with these protocols:</p> <ul style="list-style-type: none"> <li>- Enter housing to stop violent behavior at the scene</li> <li>- Take the victims to get a medical checkup, prepare to summon multidisciplinary team consisting of</li> </ul>

Article 4	Declaration on the Elimination of Violence Against Women on Article 4	Victims of Domestic Violence Protection Act B.E. 2550	Outcome / Review
		order concerning taking care of children.	psychiatrist, psychologist, social workers and other related / trusted person - Prepare for filing a lawsuit against the perpetrator - Other related activities
(h)	Provide adequate budget and resources for activities regarding the elimination of violence against women.	N/A	- General budget of the organization is provided. According to the website of the Office of the Official Information Commission, the 2019 budget and expense from the Department of Women's Affairs and Family Development is 1,978,725 Bht, actual usage is 1,535,895 Bht. This means that the 77.62% of the purposed budget have been used during 2019. - The budget details showed that out of 13 times of its usage are not only go through the domestic victim cases but also other activities to help support a stronger family and decrease disparity in society. However, within this small amount of budget are not adequate to gear up in decreasing the number of domestic violence of every regions.

Article 4	Declaration on the Elimination of Violence Against Women on Article 4	Victims of Domestic Violence Protection Act B.E. 2550	Outcome / Review
(i)	Provide measures or training for the law enforcement officers and public officials responsible for implementing policies to be gender sensitive for violent cases.	N/A	The regulations of the Ministry of Social Development and Human Security on the principles for appointed inquiry officials to be competent and their status not be lower than the higher ranking official in protection of the victim of the domestic B.E. 2551; section 9 states that the Department of Women’s Affairs and Family Development is responsible for conducting training for the said officials every 3 years.
(j)	Eliminate prejudices of both sexes and the stereotype of the role of men and women through the education or other social or cultural construct of gender roles.	N/A	Even though no direct program to eliminate prejudices of both sexes, the NGOs’ stronger movement is continuing to campaign on the problem of ‘Gender Stereotypes’ as they proposed the letter to the Ministry of Education to update content in textbooks that seem to eradicate or diminish women’s rights.
(k)	Promote research and collect data and compile statistics on domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and	Section 17 states that the Ministry of Social Development and Human Security shall prepare an annual report displaying the number of domestic violence cases, the number of orders prescribing the measures	- The Ministry of Social Development and Human Security disseminate the report on domestic violent situations according to section 17 of the law each year. Also, the statistics shall be accessible from the website

<b>Article 4</b>	<b>Declaration on the Elimination of Violence Against Women on Article 4</b>	<b>Victims of Domestic Violence Protection Act B.E. 2550</b>	<b>Outcome / Review</b>
	<p>consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; those statistics and findings of the research will be made public;</p>	<p>or methods to remediate suffering, the number of violations of orders and the number of settlements to the cabinet and parliament once a year.</p>	<p>www.violence.in.th                      - The collected statistic reported from both government and NGOs side so that some information is difficult to compare, for example the period to collect the statistic from the government is different from the calendar year in other organizations. Also the range of victim's ages and forms of violence collected data are different. However, the number of the organizations who are willing to report on the statistic they collected are getting larger in each year, showing the good sign of reliable statistic that might be close to the number of the victims in reality and the extended networks for mutual collaboration between government and private sector.                      - An adequate data on collecting statistic or conducted researches are provided at the beginning of the first wave of feminism as it required much of empirical data. However, the concerned issues are to bring about the suggestions from those data and researches to be</p>

Article 4	Declaration on the Elimination of Violence Against Women on Article 4	Victims of Domestic Violence Protection Act B.E. 2550	Outcome / Review
			the public policy with efficiency and effectiveness.
(l)	Adopt measures on the elimination of violence against women especially those who are vulnerable to violence.	N/A	N/A
(m)	Submit the reports as required under the relevant human rights instruments of the UN.	N/A	The Ministry of Social Development and Human Security submitted the 6 <sup>th</sup> and 7 <sup>th</sup> reports to the CEDAW Committee on July 2017.
(n)	Encourage the development of appropriate guidelines to implement the principles of the declaration.	N/A	<p>- There are 14 regulations for the related officials or organizations to work according to the law but nothing related to the declaration.</p> <p>- The Ministry launched a campaign to ending violence against women by using the motto: <i>“Do not accept, do not ignore, do not commit violence against children, women and family members”</i>.</p>
(o)	Recognize the work of NGOs in women’s movement to alleviate the problem of violence against women.	N/A	N/A
(p)	Facilitate and enhance the work of NGOs on the women’s movement at the local, national and regional levels.	N/A	N/A

Article 4	Declaration on the Elimination of Violence Against Women on Article 4	Victims of Domestic Violence Protection Act B.E. 2550	Outcome / Review
(q)	Encourage intergovernmental regional organizations to include programmes on the elimination of violence against women as appropriate.	N/A	ASEAN Regional Plan of Action on the Elimination of Violence against Women (ASEAN RPA on EVAW)

Remark: N/A means there is no evidence on the topic.

**From the comparison table, there are three main points of concern:**

1) The purposes of the two instruments are totally different. It is obvious that the Declaration on the Elimination of Violence against Women centers on women as the victims of violence and the management of the development of public policy, penalties and involvement of other parties such as NGOs to assist with such matters. However, the law on the Victims of Domestic Violence Protection focuses on compromise between family members. The law does not aim to file criminal cases against the offender as it stated clearly in section 15 that “the court shall try to achieve compromise among the litigants by focusing on the peace and co-existence of the family as priority”. It seeks to help both the offender and the victims by arranging treatment of the cause of the violence and physical or mental treatment for the victims. The victim of domestic violence could also ask for a protection order to help guarantee that there will be no re-victimization. In the table, section (d), shows the difference between the centers on women and the UN instrument, while in section 12 of the law

on Victims of Domestic Violence Protection Act the focus is on rehabilitation to control the offender’s behavior. The purpose of the law is to keep the family together rather than lead to a so-called wrecked home caused by violence. This could be seen as how the law reflects the mindset of people in one country where they believe that keeping families together is better than separation of the family and punishment of the offenders.

2) Since the purposes of both instruments are different, there are many issues that the law does not address in regards to the recommendations in the declaration. As shown in the second column, there are parts that the law does not mention, such as the inclusiveness of cooperation from the NGOs to the government program as suggested in section (e), (o) and (p). Also, the attempt on the development of the law for the elimination of violence against women including the preventive approach (f), budget allocation (h), elimination of prejudice of either sex and (j) adoption of the measures in order to work with vulnerable groups of women (l) were not reflected in the law.

3) The third column describes the desired outcome or related assessment of

the government policy. However, at some point, it ceased to disseminate this information to society; therefore, the exceptional assessment that shows effort from the Ministry now comes from the report on violent issues in Thailand under section 17 of the law.

### 3. SUGGESTIONS

1) Article 4 (j) of the Declaration recommends to remove the prejudice of people under the education system. Moreover, it is significant for the government to elevate and intensify the work of NGOs which could help make the work of the government move faster. Also, the state should use social media as a platform to connect people with information. The advantage of using social media is that it not only reaches many people but it is also inexpensive to place commercials or distribute knowledge on laws regarding women's rights. Women could benefit from the proposed system and better understand their rights from both education and the media.

2) International instruments shall be used as a framework for domestic legislation and should be included in the research before writing laws in order to use their methods, best practices, measures, or programs, that might benefit people the most. Moreover, the Constitution of the Kingdom of Thailand in article 77 requests the person or organization who wants to propose a law should follow a 10-item checklist on the necessary procedure in order to obstruct ineffective bill proposal.

3) The law should be reviewed by conducting an assessment after its implementation, and then study it thoroughly

to decide a path to law amendment. The amendment of each section in the law will help to remove outdated laws and develop procedures and penalties in order to be modernized to comply with the current political and social context.

### 4. CONCLUSION

As the empirical data shows, there is still disparity between genders and it is undeniable that we are still in a patriarchal world where gender bias is real and remains prevalent in society. The United Nations is concerned about violence against women and has identified this as an obstacle to women achieving equality. From the first wave of feminism to the third wave, the voice of women has been heard globally on issues from universal suffrage and the gender pay gap, to rights for healthcare and education. The realization of the importance of women rights has been achieved through collaboration within the United Nations forum and with the ratification of the Convention on the Elimination of Discrimination Against Women of the UN member states, the General Assembly adopted the 'Declaration on the Elimination of Violence against Women' to accelerate the achievement of the CEDAW. The Ministry of Social Development and Human Security, as the government agency concerned with this issue, is also well aware of ongoing violence against women, especially domestic abuse. The Ministry proposed the law known as the 'Victims of Domestic Violence Protection Act in 2007'. However, a comparison between the Declaration on the VAW and the 2007 Act shows that the purpose and focus of the two instruments are different from each other. The first focuses on women and the appropriate

assistance they require while the latter focuses on maintaining the family unit by diverting violent cases from the mainstream criminal justice process and stresses instead the treatment of the perpetrator. Many other recommendations should be considered to achieve effective elimination of all forms of violence against women. This includes changing people's mindset through education, providing sufficient budget and training of related staff, and inviting NGOs to work alongside the related government agencies. Most of all, a policy assessment should be conducted by responsible agencies and the result of this assessment should be used as the basis to amend the law and regulations by adapting them according to the social context and removing any irrelevant articles.

As in the proverbial "old liquor in a new bottle", the law on 'Supporting the Development and Protection of the Family Institution' will soon be implemented and the 'Victims of Domestic Violence Protection Act B.E. 2550' will be terminated. Nevertheless, some of the suggestions from the past law could still be continued, especially those for the assessment and review of the law. These acts should be conducted by responsible departments in order to advance the law and set procedures to correct existing weaknesses.

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