



**Convention on the  
Rights of the Child**

Distr.  
GENERAL

CRC/C/THA/Q/2/Add.1  
29 December 2005

Original: ENGLISH

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COMMITTEE ON THE RIGHTS OF THE CHILD  
Forty-first session  
Geneva, 9-27 January 2006

**WRITTEN REPLIES BY THE GOVERNMENT OF THAILAND  
CONCERNING THE LIST OF ISSUES (CRC/C/THA/Q/2)  
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF  
THE CHILD RELATING TO THE CONSIDERATION OF  
THE SECOND PERIODIC REPORT OF THAILAND  
(CRC/C/83/Add.15)\***

[Received on 28 December 2005]

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\* This document has not been edited.

**PART I****A. Statistical data****Table 1****Statistical data of children under 18 years living in Thailand  
in 2002-2004, classified by gender and age groups**

Data/indicators	2002	2003	2004
1. Total number of population	62 799 872	63 079 765	61 973 621*
Male	31 139 647	31 255 350	30 616 790
Female	31 660 225	31 824 415	31 356 831
1.1 Number of children under 18 years	17 339 295	17 101 657	17 034 175
Percentage	27.61	27.12	27.49
Male	8 892 477	8 772 931	8 738 861
Percentage	14.16	13.91	14.10
Female	8 446 818	8 328 726	8 295 314
Percentage	13.45	13.21	13.39
1.2 Number of children age 0-2 years	2 323 832	2 248 237	2 332 027
Percentage	3.70	3.57	3.77
Male	1 196 307	1 158 120	1 200 344
Percentage	1.91	1.84	1.94
Female	1 127 525	1 090 117	1 131 683
Percentage	1.80	1.73	1.83
1.3 Number of children age 3-5 years	2 682 072	2 541 957	2 451 312
Percentage	4.27	4.03	3.96
Male	1 379 419	1 306 775	1 260 791
Percentage	2.20	2.08	2.04
Female	1 302 653	1 235 182	1 190 521
Percentage	2.08	1.96	1.93
1.4 Number of children age 6-11 years	5 792 636	5 789 168	5 723 597
Percentage	9.23	9.18	9.24
Male	2 973 456	2 971 719	2 938 341
Percentage	4.74	4.72	4.75
Female	2 819 180	2 817 449	2 785 256
Percentage	4.74	4.72	4.75
1.5 Number of children age 12-18 years	6 540 755	6 522 295	6 527 239
Percentage	10.42	10.34	10.54
Male	3 343 295	3 336 317	3 339 385
Percentage	5.33	5.29	5.39
Female	3 197 460	3 185 978	3 187 854
Percentage	5.10	5.05	5.15

*Source:* Department of Provincial Administration, Ministry of Interior.

\* The Ministry of Interior conducted surveys of population registered in house registrations all over the country. Findings indicated that there were duplications of names, or names that appeared in the house registration but the persons did not exist. The authority in charge, therefore, deleted those names out of the house registration system. As a result, the number of the population in 2004 decreased by 1,106,144 in comparison to the number of population in 2003.

**Table 2**  
**Number of foreign children under 18 years living in Thailand in 2004**  
**(Myanmar, Laotian and Cambodian nationalities)**

Age groups	2004
0-11	59 331
12-14	15 944
15 and over*	1 032 252

*Source:* Office of Foreign Workers Administration, Ministry of Labor.

\* Covered all age groups from 15 years.

**Table 3**  
**Budget allocations for the year 2002-2005**

(Unit: million baht)

Structural plan	2002	2003	2004	2005
	Amount	Amount	Amount	Amount
1. Education	180 776.00	191 865.90	209 166.60	215 161.80
Pre-primary and primary education	97 923.00	98 228.00	111 836.30	} 184 454.90
Secondary education	53 805.00	64 769.90	67 884.80	
Support programs for education	29 048.00	28 868.00	29 445.50	30 706.90
2. Health	438.74	59 876.61	92 530.35	70 052.86
Supplementary food (milk)	54.63	59.79	74.85	84.43
Powder milk for children under 2 years of HIV infected mothers	28.42	32.54	37.99	47.04
Lunch program	355.69	355.69	360.00	612.00
Other forms of health services for children	N.A.	32.79	36.61	29.99
Social insurance (all age groups)	N.A.	59 395.80	92 020.90	69 279.40
3. Children with disabilities	682.62	888.38	955.41	1 179.20
Expenditure for children with disabilities in welfare homes	35.05	35.05	37.40	37.40
Provision of special education for persons with disabilities	647.57	739.96	786.37	1 003.72
Programs and services for persons with disabilities	N.A.	113.37	131.64	138.08
4. Support for families living below the poverty line	106.96	154.96	154.96	154.96
Welfare fund for children in needy families	106.96	154.96	154.96	154.96
5. Protection of children who are in need of alternative care including support agencies providing care for children	12.98	12.98	12.98	12.98
Financial support for private welfare homes	12.98	12.98	12.98	12.98

Structural plan	2002	2003	2004	2005
	Amount	Amount	Amount	Amount
6. Support program for families	30.40	30.40	56.16	81.92
Welfare fund for families	6.00	6.00	6.00	6.00
Welfare fund for children in families	2.00	2.00	2.00	2.00
Welfare fund for families with HIV infected persons	22.40	22.40	22.40	22.40
Implementation budget/support budget for the families	N/A	N/A	24.68	41.84
Family potential development project	-	-	0.56	0.56
Family solidarity strengthening project	-	-	0.03	2.49
Agencies/organization capacity building projects for family development	-	-	0.49	6.63
7. Program and activities on the prevention and protection from child abuse, trafficking in children, child sexual exploitation and child labor	-	-	4.06	438.94
Programs/activities based on the National Policy and Plan on the Prevention and Resolution of Internal and Cross-border Trafficking of Children and Women covering three years (2005-2008)	-	-	-	437.91
Domestic violence elimination project	-	-	4.06	1.03
8. Programs and services for children belonging to minorities and ethnic groups	27.96	24.68	27.87	27.01
Implementation Budget for the Coordination Group for Welfare Services in Highland Communities	27.93	24.64	27.84	26.98
Budget for implementation of education for children belonging to minorities and ethnic groups	0.03	0.04	0.03	0.03
9. Programs and services for children in armed conflict				1 287.44
Assisting displaced persons who fled from fighting in Myanmar and residing in temporary shelters in four provinces (Tak, Mae Hongson, Kanchanaburi and Rachaburi)	-	-	-	1 287.44
10. Program and services for abandoned children including street children	127.93	127.93	198.88	207.40
Expenditure for children in welfare homes	127.93	127.93	198.78	207.20

Structural plan	2002	2003	2004	2005
	Amount	Amount	Amount	Amount
Building child rights affection project (art creation project)	-	-	0.10	-
Family affection camp	-	-	-	0.20
11. Juvenile justice rehabilitation and reintegration	616.34	714.26	915.69	980.88
Total	182 819.93	253 696.10	304 022.96	289 585.39

Exchange Rate: 1 US\$ is equivalent to 40 Thai baht.

- Sources:*
1. Ministry of Education.
  2. National Statistical Office.
  3. Bureau of the Budget.
  4. Department of Social Development and Welfare.
  5. Office of Women's Affairs and Family Development.
  6. Bureau of Empowerment for Persons with Disabilities.
  7. Department of Juvenile Observation and Protection.

**Table 4**  
**Budget allocations of private sector from 2002-2005**

(Unit: million baht)

Private sector's expenditure	2002		2003		2004		2005	
	Amount	(%)	Amount	(%)	Amount	(%)	Amount	(%)
Education	142.89	50.43	163.45	50.50	204.03	55.40	276.30	60.23
Health	28.26	9.98	41.50	12.83	50.81	13.80	79.73	17.38
Others	112.16	39.59	118.66	36.67	113.47	30.80	102.67	22.39
Total	283.31	100.00	323.61	100.00	368.31	100.00	458.70	100.00

Exchange Rate: 1 US\$ is equivalent to 40 Thai baht.

- Sources:*
1. World Vision Foundation of Thailand.
  2. Council for Child and Youth Development under the Royal Patronage of HRH Princess Mahachakri Sirindhorn.
  3. CCF Foundation in Thailand.
  4. Holt Sahatai Foundation.
  5. SOS Foundation of Thailand under the Royal Patronage.
  6. Foundation for Children with Disabilities.
  7. Sataban Saeng Sawang Foundation.
  8. The Center for the Protection of Children's Rights Foundation.
  9. Duang Prateep Foundation.
  10. Soon Klang Thewa Association (Adult Education Laboratory).
  11. Foundation for Child Development (FCD).
  12. Foundation for the Better Life of Children.
  13. Young People Development Center (YPDC).

**Table 5****Number of children living outside family environment  
and separated from parents (2002-2005)**

Types	2002	2003	2004	2005
Children in welfare homes	4 609	5 003	4 364	4 509
Children placed with foster families	396	396	396	412
Children adopted domestically	3 740	4 064	3 395	3 884
Children adopted through inter-country adoptions	538	594	586	504

*Source:* Department of Social Development and Welfare.

**Table 6****Number of children under 18 years living outside family environment  
and separated from parents (2002-2005)**

Types	2002	2003	2004	2005
1. Children placed with foster families	205	194	174	148
2. Children adopted domestically				
Male	2	-	-	1
Female	-	1	1	-
3. Children adopted through inter-country adoptions				
Male	34	41	34	27
Female	24	17	28	23

*Source:* Holt Sahatai Foundation.

*Note:* Tables 5 and 6 both cover children living outside family environment and separated from parents in 2002-2005, but are derived from different sources.

**Table 7****Number and percentage of children with disabilities classified  
by gender and age groups in 2002**

Age groups	Number of disability population			
	No.	Male	Female	Percentage
Total	1 097 900	552 500	545 100	100
0-4	10 000	7 000	3 000	0.9
5-9	28 300	15 300	13 000	2.6
10-14	32 200	19 200	13 000	2.9
15-19	29 100	17 200	11 900	2.7

*Source:* Bureau of Empowerment of Persons with Disabilities, Ministry of Social Development and Human Security.

**Table 8**  
**Number of children with disabilities under 18 years who received  
assistance and services (2002-2005)**

Types	2002	2003	2004	2005
Children in welfare homes	1 909	1 962	2 062	2 081
Children attending regular schools	N/A	N/A	10 597	26 541
Children attending special schools	14 127	14 497	15 142	12 992
Children in non-formal education	16 640	9 590	6 039	7 770

*Sources:* Department of Social Development and Welfare.  
Bureau of Policy and Strategy, Office of the Permanent Secretary,  
Ministry of Education.

**Table 9**  
**Statistical data on health (2002-2004)**

Data/indicators	2002	2003	2004
1. Infant mortality rate (under 1 year) per 1 000 live births	6.50	7.20	7.50
Male	7.03	7.62	8.14
Female	5.97	6.77	6.72
Child mortality rate (under 5 years) per 1 000 live births	11.70	12	11.26
Male	12.51	12.40	12.30
Female	10.89	11.04	10.14
2. Coverage of immunization (%)			
BCG	98.10	99.50	N/A
DPT 3	89.80	97.60	N/A
DPV 3	89.70	97.60	N/A
Measles	83.70	99.10	N/A
HBV 3	88.80	96	N/A
3. Rate of malnutrition (%)			
First degree	8.00	8.00	N/A
Second and third degree	0.60	0.70	N/A
Rate of low birth weight (under 2 500 grams)	8.80	8.89	8.54
4. Number of children age 0-14 with/or affected by HIV/AIDS	860	860	591
0-4 years   Male	186	167	115
Female	181	157	101
5-14 years  Male	249	241	220
Female	244	295	255

Data/indicators	2002	2003	2004
5. Adolescent health			
Early pregnancy by mothers under 20 years of age (%)	10.82	12.76	13.85
Sexually transmitted infections (STIs)	0.25/1 000	0.22/1 000	N/A
Mental health	34/1 000	37.1/1 000	N/A
Suicide Male	7.83/10 000	9.66/10 000	N/A
Female	2.18/10 000	2.64/10 000	N/A
6. Number of public health officers (per population)			
Number of doctors	1/3 569	1/3 476	N/A
Number of dentists	1/17 606	1/17 182	N/A
Number of pharmacists	1/9 948	1/8 807	N/A
Number of registered nurses	1/733	1/687	N/A
Number of technical nurses	1/2 233	1/2 625	N/A

Source: Ministry of Public Health.

**Table 10**

**Number of population age 11-19 classified by cigarette smoking habit in 2004**

Age groups	Population	Cigarette smoking habit		
		Regularly	Occasionally	Total
11-14	4 340 271	4 240	2 936	7 176
Percentage		0.09	0.06	0.16
15-19	5 517 136	301 119	150 445	451 564
Percentage		5.45	7.72	8.18

Source: National Statistical Office.

**Table 11**

**Number of population age 11-19 classified by alcoholic drinking habit in 2004**

Age groups	Population	Alcoholic drinking habit					Total
		Everyday	3-4 times a week	1-2 times a week	1-2 times a month	Occasionally	
11-14	4 340 241	-	198	-	1 737	5 891	7 825
Percentage		-	0.004	-	0.04	0.13	0.18
15-19	5 517 136	11 890	52 170	150 361	152 853	390 719	757 993
Percentage		0.21	0.94	2.72	2.77	7.08	13.73

Source: National Statistical Office.



**Table 12**

**Number of reported child abuse cases and types of child abuse (2002-2005)**

Types of child abuse	2002	2003	2004	2005*
1. Child physical abuse				
Department of Social Development and Welfare	N/A	N/A	234	193
Centre for the Protection of Children's Rights Foundation	41	23	N/A	N/A
Bureau of Epidemiology, Ministry of Health	N/A	N/A	659	N/A
Pavena Foundation	253	130	148	226
2. Emotional abuse				
Department of Social Development and Welfare	N/A	N/A	N/A	18
Assistance Center, Ministry of Public Health	N/A	N/A	245	18
3. Sexual abuse				
Department of Social Development and Welfare	N/A	N/A	268	436
Assistance Center, Ministry of Public Health	N/A	N/A	2 151	N/A
Center for the Protection of Children's Rights Foundation	113	104	N/A	N/A
Child Protection Foundation	N/A	94	N/A	N/A
Pavena Foundation	314	268	192	277
Total	721	864	3 897	1 150

\* Statistical data from January-September 2005.

**Table 13**

**Number of judicial proceedings on sexual transgression cases where the injured persons were children and women in 2002**

Type of cases	2002
Criminal proceedings where the injured persons were children and women	4 445
Sexual transgression cases under judicial proceedings of the court of first instance nationwide	7 142

Sources: 1. Royal Thai Police.  
2. Ministry of Justice.

**Table 14**

**Number of children victims of abuse who received counseling and recovery assistance (2002-2004)**

Types of assistance	2002	2003	2004
1. Children whose rights were violated and received recovery assistance	191	193	2 626
2. Children and women who received phone counseling	488	N/A	N/A
3. Children and women who received recovery assistance	745	N/A	N/A

*Sources:* 1. Ministry of Public Health.  
2. Center for the Protection of Children's Rights Foundation.  
3. Women Foundation.  
4. Emergency Home.

**Table 15**

**The percentage of children age 6-18 who experienced domestic violence, classified by gender and areas in 2003**

Types of violence	Aged 6<13					Aged 13<18				
	Total	Municipal area	Outside municipal area	Male	Female	Total	Municipal area	Outside municipal area	Male	Female
Being yelled at/scolded at	45.9	44.1	47.8	45.6	46.1	51.5	51.1	51.8	52.5	50.6
Being cursed with bad words	31.1	29.8	32.6	31.4	30.8	32.1	29.3	35.0	35.2	29.5
Being condemned	6.0	5.7	6.3	6.0	6.0	8.2	7.3	9.3	10.2	6.0
Being compared to an animal	8.3	7.6	9.1	8.0	8.6	11.8	11.2	12.3	15.3	8.8
Being whipped (with a belt); being caned (with a stick)	27.9	28.5	27.2	27.0	28.7	7.8	8.7	6.8	9.9	6.1
Being thrown at with an object	6.6	5.8	7.3	6.4	6.7	7.2	6.9	7.5	7.9	6.6
Being pulled hair	5.0	5.0	4.9	5.5	4.5	2.2	2.0	2.4	2.1	2.3
Being slapped	3.7	4.1	3.2	3.5	3.8	3.0	3.3	2.6	3.2	2.7
Being kicked and punched	2.9	2.9	2.9	2.4	3.3	2.5	3.1	2.0	4.1	1.3
Being trampled on	1.4	1.7	1.2	1.1	1.8	0.9	1.0	0.7	1.2	0.6
Being knocked one's head against the wall	0.7	0.8	0.6	0.8	0.6	0.2	0.3	0.1	0.3	0.1
Being burned with a cigarette	0.3	0.2	0.4	0.3	0.2	0.1	0.1	0.1	0.1	0.1

*Source:* Associate Prof. Ladda Mohsuwan (MD) and team (2003).

**Table 16**  
**Literacy rate of population age 15 and over in 2001**

Age 15 years and over	2001
Literacy rate	95.7

*Source:* Ministry of Public Health.

**Table 17**  
**Number and percentage of children's enrolment in pre-primary schools, primary schools, secondary schools and high schools in 2002-2004**

Level of education	2002	2003	2004
Pre-primary school			
Number of enrolment	2 070 760	1 941 723	1 824 650
Percentage	69.94	65	74.44
Primary school			
Number of enrolment	6 097 425	6 068 807	5 966 215
Percentage	104.77	104.49	104.24
Secondary school			
Number of enrolment	2 368 920	2 447 702	2 672 082
Percentage	82.23	84.01	92.46
High school			
Number of enrolment	1 699 734	1 657 717	1 672 072
Percentage	59.82	58.73	61.70

*Source:* National Statistical Office.

**Table 18**  
**Number of children completing primary school, secondary school, and high school in 2002-2003**

Level of completed education	2002*	2003**
Primary school	979 376	751 506
Secondary school	N/A	656 867
High school	N/A	312 495

*Source:* \* Draft Policy, Strategy, and Plan of Action according to World Fit for Children Guidelines.

\*\* Bureau of Policy and Strategy, Ministry of Education.

**Table 19****Number and percentage of school drop-outs (2002-2003)**

School drop-outs	2003
Primary school	23 292
Percentage	0.47
Secondary school	31 690
Percentage	1.45
High school	13 642
Percentage	0.47

*Source:* Ministry of Education.

**Table 20****Ratio of teacher per children and number of children per class (2002-2004)**

Educational level	2002		2003		2004	
	Teacher/ children	Class/ children	Teacher/ children	Class/ children	Teacher/ children	Class/ children
Primary	1 : 20	1 : 24	1 : 21	1 : 24	1 : 21	1 : 23
Secondary	1 : 21	1 : 34	1 : 20	1 : 34	1 : 19	1 : 43

*Source:* Bureau of Policy and Strategy, Ministry of Education.

**Table 21****Number of juvenile cases handled by all Juvenile Observation and Protection Centres, classified by age and gender (2002-2005)**

(Unit: case)

Age groups	2002		2003		2004		2005*	
	Male	Female	Male	Female	Male	Female	Male	Female
7-14	3 973	523	3 760	553	4 605	572	3 826	507
15-18	28 202	2 587	23 414	2 188	25 763	2 368	20 467	2 016
Total	32 175	3 110	27 174	2 741	30 368	2 940	24 293	2 523
Total	35 285		29 915		33 308		26 816	

*Source:* Department of Juvenile Observation and Protection.

\* Statistical data from January-September 2005.

**Table 22**

**Number and percentage of juvenile conviction from 2003-2005, classified  
by court's judgment and gender**

(Unit: case)

Court's judgments	2003		2004		2005*	
	Male	Female	Male	Female	Male	Female
Warning/caution	1 695	212	1 677	200	1 016	184
Fine	1 809	262	1 448	276	935	124
Parole	11 556	892	10 132	806	8 659	633
Rehabilitation in Juvenile Training Centres	4 769	348	4 444	266	3 640	218
Suspended conviction	1 147	168	881	177	662	112
Suspended sentence	1 360	134	1 578	350	1 236	122
Private Rehabilitation Centre	172	8	172	44	122	28
Total	22 508	2 024	20 332	2 119	16 270	1 421
Total	24 532		22 451		17 691	

Source: Department of Juvenile Observation and Protection.

\* Statistical data from January-September 2005.

**Table 23**

**Comparative number and percentage of juvenile cases handled by all Juvenile  
Observation and Protection Centres, classified by offence (2002-2005)**

(Unit: case)

Nature of the offence	2002	2003	2004	2005*
Properties	7 949	8 886	10 496	7 937
Manslaughter and physical assault	3 054	4 843	5 969	4 533
Sexual assault	1 479	1 735	2 416	2 062
Drug abuse	16 723	5 897	5 310	4 762
Firearm and explosive	1 380	1 957	2 031	1 694
Others**	4 700	6 597	7 086	5 828
Total	35 282	29 915	33 308	26 816

Source: Department of Juvenile Observation and Protection.

\* Statistical data from January-September 2005.

\*\* Other offences according to violation with penalty e.g. gambling, violating traffic law, etc.

Provided facilities in Juvenile Observation and Protection Centre

On October 3, 2002, the Ministry of Justice announced the “Standards for providing care for children and youth” in accordance with United Nations’ standard regarding facilities provided in the Juvenile Observation Protection Centre which cover four aspects:

1. Living aspect - consisting of food, clothes, living instruments, sleeping instruments and health care;
2. Educational aspect - formal education, non-formal education, moral education, physical education and recreation;
3. Environmental management aspect - dormitory, classroom, ratio of security management, cleaning, etc.;
4. Transportation of children and youth - considering the fitness of vehicles, conditions, capacity and safety.

Children under 18 years who were tortured during their stays in Juvenile Observation and Protection Centres

There is a ministerial regulation which prohibits corporal punishment on children who misbehave or break regulations while residing in those centers. From 2002-2004, ten juvenile offenders in Juvenile Observation and Protection Centre were tortured by juvenile offenders in the centers.

Children under 18 who are confined and under investigation, including the average duration of imprisonment

According to the Act Instituting the Juvenile and Family Courts and the Juvenile and Family Procedures of 1991, it is unlawful to keep alleged offenders who are children and youth in custody with adult alleged offenders. Juvenile offenders will be placed in Juvenile Observation and Protection Centres which are specially arranged places for keeping alleged offenders under 18 years in custody. Under this law, police officers have to conduct the investigation within 24 hours and submit the investigation result to an attorney to take action in court as soon as possible. The stipulated deadline period for entering an action in court varies in accordance with the seriousness of the penalties. For example, in case where the highest penalty is of not more than six months’ imprisonment, the attorney has to enter an action in court within 30 days. In case where the highest penalty is of 5 years’ imprisonment, the attorney has to enter an action in court within 90 days. In this regard, after 30 days, the investigation officer or the attorney can file a motion to court requesting for an extension of the period.

After a Juvenile Observation and Protection Centre has taken a juvenile offender in custody, the Director of the Juvenile Observation and Protection Centre has the authority to immediately provisionally release that juvenile offender. The Director or mandated officer shall consider within 24 hours the motion for provisional release. In practice, 50 percent of juvenile offenders are granted provisional release. Juvenile offenders who remain in the custody of a Juvenile Observation and Protection Centre are usually those who do not have parents or their parents want the center to correct their behavior.

Additionally, directors of Juvenile Observation and Protection Centres have to investigate and evaluate the facts and environment of juvenile offenders, analyze the cause of their wrongdoing and propose an appropriate punishment for the children. In minor cases where the highest penalty is less than five years imprisonment, the directors can turn such cases away from the justice system. If the attorneys agree with the directors' recommendations, they can issue a non-prosecution order even though the alleged juvenile offenders had committed a crime. In this regard, the directors have to set up a family and community meeting in order to monitor and assist those children so that they can live their lives in the society and not commit crimes again. Since June 2003 to October 2005, there were 7,300 children who were issued non-prosecution orders. Among these children, less than three percent re-commit a wrong doing.

**Table 24**

**Number of children involved in or as victims of trafficking  
or prostitution (2002-2005)**

Type of children involved	2003	2004	2005*
Prostitution	6	57	59
Being victims of trafficking for prostitution	54	138	136
Total	60	195	195

*Source:* Department of Social Development and Welfare.

\* Statistical data from January-September 2005.

**Table 25**

**Number of cases under the Prostitution Prevention and Suppression Act  
of 1996, classified by age group and gender in 2002-2005**

Age groups	2002		2003		2004		2005	
	Male	Female	Male	Female	Male	Female	Male	Female
1. Total number of offenders	180	784	106	552	198	538	71	91
2. Age 7-13 years								
Children in prostitution	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A
Children as procurers	N/A	N/A	N/A	N/A	1	3	N/A	N/A
3. Age 14-17 years								
Children in prostitution	N/A	N/A	N/A	8	1	6	N/A	N/A
Children as procurers	4	10	4	5	4	1	N/A	N/A
4. Age 18 years and over								
Children in prostitution	149	740	49	493	172	485	62	82
Children as procurers	27	33	53	46	20	43	9	9

*Source:* Office of Court of Justice.

**Table 26**

**Number of foreign children and women rescued who received assistance from trafficking, classified by nationalities in 2002-2005**

Nationality	2002	2003	2004	2005
Cambodian	134	128	152	159
Myanmar	113	220	66	38
Laotian	66	74	159	142
Chinese	11	11	2	3
Vietnamese	2	0	6	5
Other nationalities	1	2	6	0
Not identified	1	0	0	0
Total	328	435	391	347

*Source:* Department of Social Development and Welfare.

**Table 27**

**Number of foreign women and children who received assistance from trafficking classified by nationality and age groups (from January 2004-October 2005)**

Nationality	Age groups			Total
	0-6	6-12	12-18	
Cambodian	53	82	51	186
Myanmar	10	16	27	53
Laotian	6	21	240	267
Vietnamese	2	0	0	2
Chinese	0	0	7	7
Others	1	2	1	4
Total	72	121	326	519

*Source:* IOM.

**Table 28**

**Number of children under 18 addicted to narcotics and received treatment and rehabilitation, classified by age groups (2003-2005)**

Age groups	2003	2004	2005
<7	446	9	1
7-17	16 030	1 838	3 538
Total	16 476	1 847	3 539

*Source:* Department of Health Service Support, Ministry of Public Health.



**Table 29**  
**Child labour inspection in 2004**

Gender	Number of child labourers inspected	Maltreatment child labour cases	Employment of children under 15 years	Sexual violation cases
Total number	34 332	5 305	35	-
Male	16 108	-	-	-
Female	18 224	-	-	-

*Source:* Ministry of Labour.

**Table 30**  
**Number of children age 15-18 reported employment, classified by gender and age groups (2003-2005)**

Years	15 years		16 years		17 years		Total
	Male	Female	Male	Female	Male	Female	
2003	1	0	4	3	163	314	485
2004	5	4	315	451	1 610	2 794	5 179
2005	310	486	1 883	2 808	2 849	4 251	12 587
Total	316	490	2 202	3 262	4 625	7 359	18 254

*Source:* Ministry of Labour.

**Table 31**  
**Number of non-Thai citizens who did not apply for work permit, classified by nationalities, gender and age group**

Gender/age groups	(July 2004-April 2005)		
	Myanmar	Laotian	Cambodian
New born to 11			
Total	58 754	4 278	5 539
Male	30 874	2 135	2 768
Female	27 880	2 143	2 771
12-14			
Total	12 536	1 800	1 455
Male	6 767	741	715
Female	5 769	1 059	740
15 and over			
Total	264 115	69 972	63 505
Male	140 200	30 255	42 955
Female	123 915	39 717	20 550

*Source:* Ministry of Labour.

**Table 32**

**Number of child labourers receiving assistance from the  
Foundation for Child Development (FCD) in 2001-2005**

Type of assistance	2001	2002	2003	2004	2005 Jan-Jun
Physical assistance	114	116	83	71	85
Receiving legal assistance regarding the labour law, criminal law and other laws	56	26	4	26	2

*Source:* Foundation for Child Development (FCD).

**Table 33**

**Statistical Data of Children Seeking Shelters and Displaced Children in  
Thailand's Camp, classified by gender and age groups in 2005**

Separated children	0-4			5-17			Totals		
	F	M	Total	F	M	Total	F	M	Indiv.
Child living with other relatives	94	84	178	641	707	1 348	735	791	1 526
Child in institutional care	0	0	0	16	18	34	16	18	34
Child in foster care	11	9	20	22	21	43	33	30	63
Unaccompanied child	1	0	1	26	61	87	27	61	88
Total	106	93	199	705	807	1 512	811	900	1 711

The status of separated children in this category has been regularized by the Royal Thai Government.

*Source:* UNHCR.

Statistical data as of 1 October 2005.

**Table 34**

**Pending Provincial Admission Board's Consideration in 2005**

Separated children	0-4			5-17			Totals		
	F	M	Total	F	M	Total	F	M	Indiv.
Child living with other relatives	39	34	73	1 512	1 663	3 175	1 551	1 697	3 248
Child in institutional care	0	2	2	678	995	1 673	678	997	1 675
Child in foster care	3	7	10	34	33	67	37	40	77
Unaccompanied child	1	2	3	52	63	115	53	65	118
Total	43	45	88	2 276	2 754	5 030	2 319	2 799	5 118

The status of separated children in this category has been regularized by the Royal Thai Government.

*Source:* UNHCR.

Statistical data as of 1 October 2005.

## **B. General measures**

### **1. Implementation pursuant to the recommendations made by the Committee on the Rights of the Child regarding the first report of Thailand**

Thailand has given serious consideration to the recommendations of the Committee on the Rights of the Child regarding the first report of Thailand by organising meetings and passing on the Committee's recommendations to relevant agencies. Efforts have been made to follow a number of the Committee's recommendations. Some of the major developments can be summarised as follows:

**1.1 Withdrawal of the reservations with respect to articles 7 and 22 of the Convention** - The Sub-Committee on the Rights of the Child and private agencies have placed a great deal of importance on having the reservations reconsidered. A number of meetings have been organised to compile information with a view to withdrawing the reservations. While a majority of participants at these meetings were in favour of withdrawal, a certain sector of the government continued to feel that the time was not right due to still unclear implementing measures. Also, there was a concern particularly about article 22 because of possible influxes of refugee and illegal immigration from neighboring countries if Thailand withdraws this article. However, there has been a positive policy development in this regard. For example,

(1) The Cabinet Resolution issued on 5 July 2005, stipulates an expansion of education opportunities and budget allocation for educational institutions which organize education from elementary to secondary levels for people who have no civil registration documents or are non-Thai. It also requires the Ministry of Education to provide appropriate forms of education for children from neighboring countries who have fled armed conflicts.

(2) The Ministry of Interior is required to set up a data base of people who have no civil registration documents or Thai nationality and allow these people to travel for the purpose of education within the timeframe of the curricula in question.

(3) In addition, on 18 January 2005, the Cabinet of Ministers endorsed the "Strategy to Address the Problem of Legal Status and Right to Identity" and that a national survey of all groups of inhabitants in the Kingdom be conducted. In this regard, the Central Registrar Bureau has issued the "Regulation on the Survey and Registration of Persons without Registrar Status" B.E.2548 (2005) with the aim to registering all births, deaths, and changes of domiciles, including issuing documents to prove the person's identity. The said measures will ensure that every inhabitant in Thailand is registered at birth. In addition, there is a framework of consideration on status designation of persons who have problems with rights and status. These persons include:

1. Migrant people;
2. Children and persons who are studying in educational institutions of Thailand without legal status;
3. Unknown family history persons;

4. Persons who contribute to Thailand;
5. Registered alien labor that have Myanmar or Laotian or Cambodian nationalities and the host countries reject their country return;
6. Other aliens who are not fit any above categories and the host countries reject their country return.

**1.2 Compilation of data** - The National Statistical Office and various ministries related to child welfare, including the Ministry of Public Health, Ministry of Education, Ministry of Social Development and Human Security, together with UNICEF, UNESCO, UNDP and the ILO, have collaborated in the appraisal of the situation of children in Thailand by using Multiple Indicator Cluster Survey (MICS). MICS contains 93 indicators which are related to health and education of children and mothers. It is comprised of three questionnaires: a household questionnaire, a questionnaire for women aged 15-49, and a questionnaire for children under the age of five. The surveys have been conducted since mid-2005 and are expected to produce findings and conclusions by mid-2006. Advisory and technical committees, consisting of representatives from public and private agencies working with children, experts and academics, were established to determine guidelines for implementation, monitoring and evaluation, as well as to promote coordination of systems for the collection of data.

**1.3 The age of criminal responsibility** - In 2003, the Revised Penal Code No. 16 was issued which prohibits the imposition of corporal punishment and life imprisonment on an offender under 18 years of age. Meetings were convened to compile information and suggestions regarding the revision of the age of criminal responsibility, lifting the minimum age from seven to 12 years old. However, the matter has been put on hold due to disagreement on what the appropriate age should be.

**1.4 The principle of non-discrimination** - The Child Protection Act was enacted in 2003. Chapter 2 of the Act regarding the treatment of the child stipulates that the treatment of the child in all cases shall consider as of primary importance the best interests of the child and discrimination of an unfair nature shall not be allowed. It also requires senior civil servants, both at the national and regional levels, as well as heads of local administration organizations to protect the safety of children living in the areas under their jurisdictions, regardless of whether or not they have parents or guardians, and to have the authority and duty to supervise and inspect various types of child welfare centres. In determining if an act is in the best interests of or unfairly discriminatory to the child, guidelines stipulated in the ministerial regulations shall be applied. Article 6 empowers the Minister of Interior, Minister of Social Development and Human Security, Minister of Education and Minister of Justice to be in charge of the enforcement of this Act, and shall, in relation to their respective Ministries, have the power to issue ministerial regulations or regulations to enable the implementation of this Act.

**1.5 The right to participation** - Thailand has given attention to providing fora for children to air their opinions, particularly in relation to the implementation of CRC. Since the inception of the 8<sup>th</sup> National Children and Youth Development Plan (1997-2002), and, particularly, during the process of developing the National Plan of Action to implement

“A World Fit for Children”, efforts have been made to organize assemblies for 144 children and youth groups in 43 provinces, covering 12,000 children and youths, in order to compile suggestions and information for the development of the NPA. The assemblies resulted in a recommendation to expand the plan for the period of 2005-2014 from four areas as determined by the United Nations to 11 areas (cross reference to question 3), particularly in relation to the promotion of children’s participation which focuses on capacity-building and establishment of children’s organizations at both local and national levels.

During 2005 the Thai Government initiated a process that led to the establishment of children and youth councils in four provinces of Thailand, namely Chiangrai in the North, Surin in the Northeast, Satool in the South and Prajeenburi in Central Thailand, with a view to expanding it throughout the country in 2006. Working groups have been formed and children and youth councils established at village, sub-district, municipal, district and national levels.

Children and youth were also involved in the preparation of the second report of Thailand. They also prepared their own separate report, which was submitted to the Committee on the Rights of the Child.

**1.6 Birth registration** - Birth registration is in accordance with the Act for Registration of Inhabitants B.E. 2534 (1991) which stipulates that it is the duty of the owner of the house (where the child is delivered), father or mother of the child to notify the birth to the district/local registrar within fifteen days after the birth. In case that the child is delivered outside the house, the father or mother has a similar duty to notify the district/local registrar within 15 days after the birth. In case that the delivery took place in a very remote area, such notification could be made with that village’s or community’s registrar. In cases other than those above-mentioned, the birth attendant could issue a delivery certificate to the notifier which is also considered as birth registration for children born in Thailand in accordance with the country’s registration of inhabitants procedures.

Thai citizenship is conferred to a person born to a Thai father or mother, or in Thailand. However in the latter case, there is an exception if at the time of birth, the parents were aliens who illegally entered the country or were granted temporary stay.

The Cabinet has given particular attention to the problem of status and rights of persons. The Cabinet’s resolution issued on 18 January 2005 designated the Ministry of Interior and the National Security Council as the main agencies responsible for developing a strategy to deal with this problem and grant appropriate status to those without clear status. These measures include:

1. Survey and preparation of civil registration documents;
2. Revision of criteria/conditions and lessening procedures by establishing an ad hoc committee;
3. Formation of framework for determining the status of persons;
4. Following an approach which favors giving some sort of status first and then revoking it later if deemed inappropriate;

5. Decentralization of authorization;
6. Participation of academic sector and non-governmental organizations in the decision-making process.

These measures also apply to street children and people of ethnic groups in Thailand who are not registered, rendering their existence illegal before the law, such as hill-tribe people. Efforts have been made to address the problem of hill-tribe people to a certain extent by recording Thai nationality in hill-tribe house registration. Out of 90,739 hill-tribe persons targeted by the Department of Local Administration, 73,133 have had their status determined. The remaining 17,606 cases are still being addressed.

In implementing these measures, the Ministry of Interior convened a number of meetings in various parts of the country to clarify relevant implementation guidelines. Some of the difficulties faced by practitioners can be summarised as follows:

1. Lack of knowledge and understanding among officials. Clearer implementation guidelines and regular review of implementation measures are needed;
2. Shortage of officials who are directly responsible for the matter. Frequent transfer of personnel means there is no consistency in implementation; and
3. Absence of data base of persons and linkage of data for verification purpose.

**1.7 Violence, care and treatment in case of illness and abuse, including corporal punishment** - The Ministry of Public Health established crisis centres for children and women in hospitals, providing one stop service through multidisciplinary approach. In 2005, under the “Healthy Thailand” plan, Thailand adopted a policy to establish centres for providing assistance to children and women who are victims of abuse in 120 public hospitals throughout the country. Hotlines and Call Centres attached to Narentorn Emergency Medical Centre were established with the intention to provide multiple services, such as counseling, welfare assistance, treatment, home visits, legal assistance, sheltering and occupational training.

In 2005, The Ministry of Education issued a ministerial regulation to prohibit the use of violent forms of punishment of students, and encouraging the use of activities to promote behavioral change instead of corporal punishment.

**1.8 Breastfeeding status** - In the Ninth National Economic and Social Development Plan (2002-2006), the Ministry of Public Health adopted a policy to promote exclusive breastfeeding for a minimum period of six months, setting a goal at 30%, through exclusive breastfeeding campaigns in hospitals and health centres. The National Master Plan of Operation to implement “A World Fit for Children” has set a goal for six-month exclusive breastfeeding at no less than 40% by the year 2014. A series of measures have been adopted with a view to promoting mother and child nutrition, including public education campaigns. Workplaces, government agencies and the private sector are encouraged to

provide services to promote breastfeeding and healthy diet. The plan also requires provisions for health care in early childhood centres, kindergartens, and public and private welfare homes.

**1.9 Adolescent health** - A campaign dubbed “To be Number One” was initiated by the Ministry of Public Health with the aim of providing knowledge on sex and drugs, and reducing aggressive behavior among adolescents. A counselling unit called “Friend Corner” was established at the national level and training organised for teenage volunteers to train them as “pre-counselors”. In collaboration with the Ministry of Education, the Ministry of Public Health has implemented a health-promotion school project to strengthen students’ knowledge and understanding of health and sanitation. In relation to HIV/AIDS, a project to prevent HIV/AIDS infection among youth, together with a project to promote educational opportunities for children and youth affected by HIV/AIDS, have been implemented. In 2005, a project to encourage more resistance to casual sex has been implemented with secondary school students, along with a campaign and youth networks to combat consumption of alcohol and cigarettes throughout the country.

**1.10 Lack of legislative framework for unaccompanied children and children seeking asylum** - Despite the lack of legislative framework in this respect, Thailand has provided assistance to these groups of children as described in the answer to question 1.6. In addition, the Sub-committee on the Revisions of Child-Related Laws, which will be elaborated on in the answer to question no. 2, is drafting laws which will benefit these groups of children, namely the Draft Birth Registration of Children Born in Thailand Act and Draft Nationality of Children Born in Thailand.

**1.11 Children who are sexually violated, including commercial sexual exploitation of children, trafficking and sale of children** - The Prevention and Suppression of Prostitution Act of 1996 and the Prevention and Suppression of Trafficking in Women and Children Act of 1997 have been enforced as some of the measures to prevent and prosecute perpetrators. In addition, a number of initiatives in this respect were developed, including the Memorandum of Understanding on the Collaboration to Combat Trafficking in Children and Women among relevant agencies in the country, and the bilateral MOU signed with Cambodia and Laos, as well as a multilateral MOU on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region with Cambodia, China, Laos, Myanmar and Vietnam.

**1.12 Juvenile Justice System** - At present, Juvenile and Family Courts exist in 62 provinces of Thailand, while the remaining 14 only have Juvenile and Family Sections in their provincial courts. It is expected that Juvenile and Family Courts will be expanded to cover the whole country by August 2006. In 2002, the Department of Juvenile Observation and Protection, which has under its jurisdiction 62 Observation and Protection Centres and 17 training centres, initiated a shift in concept and approach in providing care to children in their training centres, by focusing more on the rehabilitation and social skills of children who come into contact with the justice system. Collaborating with various agencies from both the public and private sectors, and international organizations, the Department of Juvenile Observation and Protection established Baan Karnchanapisek Training Centre, which uses the concept of home in their operations. Officials are seen as guardians who have the duties and responsibilities to care for the children and develop their life skills. The centre employs a

democratic and participation-based approach. Corporal punishment and reprimanding are shunned in favour of a reward method to encourage children and youth to realize their self-worth.

In addition, an alternative judicial approach has been adopted to divert children and youth committing minor offences out of the justice system by requiring the Juvenile Observation and Protection Centres to use family and community group therapy, involving the families of both the victims and the offenders and relevant officials, in finding and planning the solutions collectively. The results will be compiled into a report which will be used as a supporting document for the Court's consideration. As a result, it was found that during the period of 1 June 2003-28 February 2005, 3,943 out of 4,004 cases (98.47%) were not further pursued by the public prosecutors, and only 61 cases (1.52%) were charged.

## **2. Efforts to harmonize national laws with the provisions and principles of the Convention on the Rights of the Child**

Thailand has taken consistent steps to revise and enact legislation in order to harmonize its national laws with the principles and provisions of the Convention on the Rights of the Child. Particularly in 2003, the Child Protection Act was enacted and entered into force on 30 March 2004. The Act intends to provide better care for children and enable them to develop appropriately, as well as to protect them from abuse, exploitation and unfair discrimination.

In 2002, the Sub-Committee on the Revisions of Child-Related Laws was established to harmonize national laws with the standards of the new Constitution of Thailand and the Convention on the Rights of the Child. The Sub-Committee, composed of experts, lawyers, and representatives of NGOs, is responsible for proposing and drafting relevant laws. At present, the draft laws which are pending Cabinet's approval include the Draft Prevention and Suppression of Human Trafficking Act and the Draft Child and Youth Development Act. Some of the draft laws which are being considered include: the Draft Birth Registration of Children Born in Thailand Act; the Draft Nationality of Children Born in Thailand Act; the Reproductive Technology Induced-Pregnancy Act; and the Draft Measures for the Suppression of Provocative Materials Act.

## **3. Measures and mechanisms for strengthening the collection of data and compilation of statistical data, as well as the procedures for the implementation of all the provisions of the CRC**

In addition to the efforts of the National Statistical Office and related agencies in collecting statistical data as described in the answer to question no. 1.2 which is due for completion by the year 2006, the Ministry of Social Development and Human Security has instructed all of its 75 provincial offices to conduct surveys and compile statistical data on all population groups, including children, within their respective provinces. In 2005, Chulalongkorn University conducted surveys of children and youth in 76 provinces, targeting areas with specific problems. The information collected has been shared for planning purposes.



With respect to Thailand's implementation of the provisions of the CRC, the content of the CRC was integrated into the National Economic and Social Development Plans, from the Seventh Plan (1992-1996) to the current Ninth Plan (2002-2006). The National Master Plan of Operation to implement "A World Fit for Children" has expanded the target areas from the original 4 to 11, in order to cover all of the main provisions of the CRC and to take heed of the recommendation of the children and youth's groups who participated in the preparation of the plan. After the Cabinet's approval of the plan, relevant agencies will be required to formulate plans, projects and activities in support of the implementation. Monitoring and evaluation will be conducted periodically to produce a report on the situation of child and youth development every two years. The report will be presented at the National Assembly, organized in collaboration with the National Council for Child and Youth Development.

#### **4. Enforcement of the Child Protection Act of 2003**

A National Child Protection Committee was established with the Minister of Social Development and Human Security acting as Chairman of the Committee. A Secretariat of the National Child Protection Committee was also established to take responsibility for the actions taken by the Committee. Since the entry into force of this Act on 30 March 2004, there have been several developments as follows:

- Eight relevant regulations and ten ministerial regulations were issued;
- Competent officials were appointed to perform in accordance with the Child Protection Act. In 2005 five classes had completed the training, out of which 280 participants were registered as competent officials. In 2006 there will be training for six more classes, with 360 participants;
- Child Protection Fund. Since 2005 the Government has allocated an annual budget of 30 million baht to be used for providing welfare assistance to children and their families and supporting the projects and activities for children implemented by provincial agencies;
- Provincial Child Protection Committees were encouraged to convene meetings to formulate provincial action plans. In 2005, 48 out of 76 Provincial Offices of Social Development and Human Security organized 1-4 meetings of the Provincial Child Protection Committees; 51 provinces organized 1-4 meetings of the Provincial Child Protection Sub-Committees; and 42 provinces organized one training of child protection leaders;
- Joint meetings between National and Provincial Child Protection Committees have been encouraged in order to motivate provincial child protection committees to accelerate their implementation pursuant to the Child Protection Act. In 2006, the National Child Protection Committee has planned 12 meetings with 38 provinces, by appointing a multidisciplinary team, consisting of committee members and representatives from relevant government agencies, who will undertake visits and discuss the implementation of the Act.

The Ministry of Education has taken steps as follows:

- Issuing relevant regulations and ministerial regulations;
- Developing strategies and guidelines for the prevention of behavioral problems among students and appropriate interventions;
- Establishing centres for the protection of child rights and families in the Ministry and 175 field offices. The centres have the responsibilities of promoting and protecting the rights of children and families, as well as campaigning and building networks for the promotion and protection of child rights, and receiving grievances and emergency calls in relation to rights violations.

**5. Information on the development measures, implementation and operation of the national policy and strategy in pursuant to “A World Fit for Children” guidelines, as well as monitoring and evaluation**

In regard to the implementation of the “World Fit for Children” document, adopted at the 54th session of the General Assembly meeting in 2002, Thailand has taken steps as follows:

- The Cabinet passed a resolution in support of the implementation of “A World Fit for Children”, designating Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups, Ministry of Social Development and Human Security as the main agency responsible for the formulation of national policy and plan of action;
- An ad-hoc sub-committee was established to develop policy, strategy and plan of action for the implementation of “A World Fit for Children”, comprising representatives from both the public and private sectors, experts and professionals working with children and youth, with Dr. Saisuree Chutikul as the Chairperson of the Sub-committee;
- A working group was established to coordinate the process of child and youth participation in the development of the policy and plan of action, by organising child and youth fora in various parts of the country, involving approximately 12,000 children and youth, to gather ideas and suggestions for the development of the plan;
- The National Plan of Action (NPA) was completed and is pending the approval of the cabinet. Chairman of the National Youth Commission, Deputy Prime Minister Suwat Liptapallop, has agreed to propose the NPA as the national agenda and organized a meeting on 30 November 2005 with relevant agencies in both the public and private sectors to make an official announcement and designate responsibilities;
- A sub-committee will be established to implement, monitor and evaluate the NPA;

- Regional meetings will be organized to clarify, and disseminate information about the NPA;
- A report of the monitoring and evaluation results will be prepared and submitted to the National Youth Commission and the Cabinet;
- Continuing improvements to the NPA have been planned.

**6. The operations of the Human Rights Commission and the Sub-Committee on Children, Youth and Families**

The first Human Rights Commission was appointed on 13 July 2001 in compliance with the National Human Rights Commission Act of 1999. The Act requires that the Human Rights Commission be composed of six male members and five female members, who will hold the positions for the duration of six years. The Commission has the responsibilities of examining and reporting actions or inactions which constitute human rights violations or are not in compliance with the international human rights treaties which Thailand has ratified. It also has the responsibilities to suggest policies and proposals for legislative reforms to the parliament and cabinet, as well as to promote and disseminate research and studies on human rights. The Commission operates through various working groups, between 20 and 30 in number.

The Sub-Committee on Child, Youth and Families has a central role in examining and advocating work related to the implementation of the CRC. Major efforts made during the period of 2004-2005 included:

1. The submission of questions/issues and meeting invitations to 8 government agencies working in relation, to the promotion and protection of child rights according to the CRC, with a view to gathering information and opinions on ways and means to improve the promotion and protection of child rights as enshrined in the CRC.
2. Inspection visits to, and monitoring of, the agencies and institutions responsible for the promotion and protection of child rights, including 6 police stations, immigration office, provincial prisons/detention centres, juvenile observation and protection centres and welfare institutions in nine provinces.
3. Research projects on such issues as children in justice system; child rights situation, surveillance and protection in the welfare centres; inspection of places that pose risks to children's health and rights violations; mechanisms for complying with the provisions of the CRC; stateless children; children and the media; sustainable guidelines and approaches on the prevention of violence against children; guidelines for the protection of children involved in child labour; safety measures for and prevention of child injury; and the promotion of child, youth and family participations. The Sub-Committee established a public communication team to disseminate the findings from these researches and studies.

4. Consideration and examination of complaints. The Sub-Committee examined 10 complaint cases relating to children and youth, including detention and restraint of children; harmful luring of children by teachers and police offices; excessive punishment of students by teachers; nationality application; and domestic violence.

**7. Information on the implementation of the following issues and their outcomes**

**7.1 National Policy and Strategy on the Development of Family Institution (2004-2013)**

The implementation of the said policy and strategy can be categorized as follows:

1. Development of family institution:
  - In 2005, a meeting was held to give a guideline to Provincial Administrative Organizations nationwide on how to implement the National Policy and Strategy on the Development of Family Institutions. Such meeting is also planned to be expanded to other agencies concerned.
  - Community-Based Family Development Centers were established as gathering centers for people in the community functioning as family networks. The centers are administered by a working group who mutually look after, protect and solve problems for families in the community. The centers are to be established in every community in 7,240 sub-districts nationwide.
2. Strengthening of the family institution:
  - This is undertaken by creating public awareness of the issue by campaigning for every Sunday to be “family day” and encouraging the public to create a loving family where family members love and understand each other, have quality time and creative conversation with each other, aware of social changes and take care of our benefactors.
  - Urgent measures on family strengthening are also implemented through concerned agencies by organizing a meeting among these agencies.
  - Knowledge is also directly provided to families through community-based family development centers, which organize a learning process using a participatory approach and a family forum. There are currently 1,835 centers, 752 of which will be expanded in 2006.

## **7.2 Plan to Prevent and Solve the Problems of Children in Difficult Situations (2002-2006)**

The Department of Social Development and Welfare under the Ministry of Social Development and Human Security, a focal point for the implementation of the plan, has undertaken the following interventions:

1. Assist, protect and develop children and youth in shelters, vocational training centers, reception centers, protection centers and homes for children and families.
2. Assist, protect and develop children and youth in families and communities so that they can live happily with their families.
3. Assist children affected by HIV/AIDS in four shelters so that they can have better quality of life.

The following projects and activities have been implemented:

1. *Creating a Bond of Love for Child Protection Project*  
  
Forums and training are organized for children who are homeless and concerned officials to educate them about life skills and life planning so that they can be reintegrated into society as other children.
2. *Training on Child Protection Act (2003) Project*  
  
Training courses on the said law are organized to government officials and the media.
3. *Development of Children and Youth for the Benefit of the Society Project*  
  
The project aims to develop the capacity of children and youth, and create a network to prevent and solve social problems.

The Department of Social Development and Welfare is in the process of drafting a plan of action in accordance with the policy on the provision of education to underprivileged children which covers five areas as follows:

1. Provision of education on the basis of equality and accessibility.
2. Provision of quality education.
3. Establishment of resources system.
4. Administrative management.
5. Creation and development of networks.

### **7.3 National Plan of Action on the Elimination of the Worst Forms of Child Labor**

To ensure effective implementation of Thailand's international obligations under ILO Convention No. 182 concerning the worst forms of child labor and ILO Convention No. 138 concerning the minimum age for admission to employment which Thailand ratified on 16 February 2001 and 11 May 2004 respectively, the Ministry of Labor and the International Labor Organization (ILO) concluded a Memorandum of Understanding on the development of a National Plan of Action to eliminate the worst forms of child labor. The draft Plan of Action has already been finalized. Its content comprises three parts namely 1) Part 1 – situation of child labor both before and after the ratification of ILO Convention No. 182 2) Part 2 – measures and strategies to prevent and suppress the worst forms of child labor, rehabilitate and reintegrate children into the society and strengthen the Plan of Action and 3) Part 3 – framework for future actions. Currently, the Ministry of Labor is in the process of establishing a national committee to consider the content of the draft Plan of Action, before proposing to the Cabinet for approval for the draft Plan to come into effect.

With regard to the protection of child labor, information from the Foundation for Child Development, an NGO working for the protection of child labor, indicates that between 2001 and 2005, the foundation has provided assistance to 71-116 children and has filed for approximately 2-56 legal cases each year. It was found that major issues regarding child labor include not receiving wages or receiving wages at an amount which is below a legal rate, hiring of children below 15 years old, performing inappropriate types of work, heavy workload or work that is harmful to their health and not having any holiday, for instance. An example in 2003 is a case of a twenty-year-old Laotian woman who had worked as a domestic worker since she was 13 years old. She never received any wage and was tortured but was able to escape and asked for assistance in Laos. Her employer was later charged with physical abuse and detention, and had been forced to pay her back wages at a reasonable amount and acceptable to her.

### **7.4 National Policy and Plan of Action on the Prevention and Suppression of Sexual Establishments and National Policy and Plan on the Prevention and Suppression of Domestic and International Trafficking in Children and Women**

Thailand has attached great importance to the issue of sexual establishments. The Cabinet resolution on 27 August 1996 approved that all concerned agencies in both public and private sectors implement the National Policy and Plan of Action on the Prevention and Suppression of Sexual Establishments. Measures have been established with regard to the protection, suppression, assistance, protection, rehabilitation and social reintegration. Significant developments include the implementation of the Prostitution Prevention and Suppression Act of 1996 and the Measures for the Prevention and Suppression of Trafficking in Women and Children Act of 1997 to perpetrators of the crime. However, trafficking in children and women has developed into a national, sub-regional and regional issue. In response to this, concerned agencies in Thailand in both public and private sectors concluded the National Policy and Plan on the Prevention and Suppression of Domestic and International Trafficking in Children and Women, which the Cabinet approved on 1 July 2003. A sub-committee was established to draft

a plan of action in accordance with the national policy and plan. As indicated in a questionnaire to gather the information on the implementation of the plan of action of 53 concerned agencies, it was found that 201 projects and activities are to be implemented between 2005 and 2007.

A significant mechanism to implement the said projects and activities is the conclusion of Memoranda of Understanding among concerned agencies at the national, regional, bilateral and multilateral levels with neighboring countries, as mentioned earlier in 1.11. Moreover, the Government declared anti-human trafficking efforts a national agenda on 6 August 2004. On 14 June 2005, the Cabinet approved the establishment of Operation Centers on Human Trafficking, operating at the national and provincial levels and at Thai missions abroad. These focal points would coordinate works among the concerned agencies from the respective sectors to protect and assist victims of human trafficking.

An example of the implementation of a Memorandum of Understanding among concerned agencies on anti-trafficking is the case of child labor in connection with the answer of 7.3. The Foundation for Child Development reported that the aforementioned Laotian woman informed Laotian authorities that there were two other children who were also abused by employers. Hence, the Foundation in cooperation with Thai police assisted the two children. It was found that they were both 17 years old, with bruises all over their bodies, frequently beaten and never received any wages. The children were taken care of and rehabilitated in Kred Trakarn Shelter for Assistance and Vocational Training, Department of Social Development and Welfare. Family assessment was undertaken and the children were safely repatriated.

## **8. Educational reforms, information on Islamic schools and differences between national and Islamic curricula**

Since the population in Thailand's three southern border provinces – Pattani, Yala, Narathiwat – are predominantly Muslim with 1:4 of the citizens in that area a Buddhist, the Ministry of Education has galvanized support from various concerned organizations in order to come up with education policies appropriate for the three southernmost provinces as follows.

- (1) Restructure the Educational Administrative System to be more unified by:
  - Establishing an “Educational Policy Coordination Center for the Three Southern Border Provinces” with the Ministry of Education playing the leading role. The Center is located in Yala province.
  - Reassess total budgets for the fiscal year 2006 which include regular budget, requested budget which was previously curtailed but was later reinstated, and additional special budget requested for administering educational policies.
  - The Bureau of the Budget transferred 155 million baht from the Ministry of Interior to the Ministry of Education to support Tadika schools.
- (2) Revision of rules and regulations that may be obstacles to the development of education in the southern border provinces by separating Pattani campus of Songkhla Nakharin University to become an independent university.

- (3) Development of curricula geared towards Islamic education:
  - Completing a new curriculum by integrating the 2001 basic education curriculum with the 2003 Islamic curriculum for the third and fourth grades.
  - Organizing workshops on integrated learning plans in accordance with the afore-mentioned new curriculum for teachers in Islamic private schools in the three southern border provinces. So far 684 teachers have been trained in the workshops (six workshops altogether with 114 participants in each).
  - Completing the compilation of sixteen subjects of Islamic education in ponoh schools (Islamic private schools also known as Pondoks).
- (4) Improvement of public schools:
  - Construction of archetypical schools that provide comprehensive education on both religion and vocation (six schools completed).
  - Allocating budgets for developing educational institutions in the forms of assistant education schools and science schools that are open to both Thai Buddhists as well as Thai Muslims, and the school environment is conducive to religious practices.
- (5) Improvement of private schools:
  - Renovating the physical appearance of ponoh schools (211 schools completed).
  - Improving private schools that are under Her Royal Highness Princess Maha Chakri Sirindhorn's support together with promoting seven model schools.
  - Organizing the personnel system and following up on the performance of schools run by private foundations (seven schools completed).
  - Providing vocational training in ponoh schools.
- (6) Personnel development by focusing on instructors in ponoh schools and private schools teaching Islam according to Article 15 (2) (300 instructors completed the program).
- (7) Improvement of language curriculum:
  - Providing language training in Mandarin Chinese and Malay in order to promote trade and communication with bordering countries.
  - Providing tutorials on the local Malay dialect for interested government officials.



- (8) Promotion and campaigns to establish mutual understanding in the community:
  - Meetings to provide framework for activities that promote better understanding in society and acknowledgement about education development.
  - Meetings to organize an exhibition on “Education of the Muslim World” (two meetings already organized).

## **9. Information on the draft Prevention and Resolution of Domestic Violence Act**

The Department of Women’s Affairs and Family Development, Ministry of Social Development and Human Security has set up a working group to study laws against domestic violence in many countries and to draft the said Act. It was approved in principle by the Cabinet on 12 July 2005 and is currently under the State Council’s consideration. The draft Act comprises 17 articles, the content of which is summarized as follows:

- (1) Protective measures both during the investigation process and the court trial.
- (2) Definition of domestic violence and people in the family.
- (3) Employment of reconciling judicial process, with participation of families and communities.
- (4) Provision of rehabilitation and assistance by establishing a fund.

## **10. Distribution of the Convention of the Rights of the Child and National Reports**

Both public and private agencies have contributed their efforts to distributing the Convention on the Rights of the Child. Dissemination is carried out in various forms such as distribution of documents and organization of meetings nationwide. UNICEF is the main financial supporter of these activities.

- (1) The Convention on the Rights of the Child, national reports, and the Child Protection Act B.E. 2546 (2003) are distributed in meetings of both public and private agencies, especially in the meetings of regional and local government agencies. Regional and local agencies include the Provincial Office of the Social Development and Human Security as well as Administrative Offices at the provincial, municipal, and local levels. Moreover, national public agencies will cooperate with their regional and local counterparts to distribute the Convention on the Rights of the Child at the community level through a program called Child Promotion Caravan.
- (2) The Ministry of Education has instructed its 175 district offices nationwide to hold a meeting with local school and education administrators. The meeting is meant to raise awareness of the legislation on children, especially the Convention on the Rights of the Child and the Child Protection Act B.E. 2546 (2003).

- (3) The Office of the Attorney-General has instructed its provincial offices to establish a Protection of Rights and Legal Assistance Office, which will set the promotion of the Convention on the Rights of the Child as one of its top priorities.

Moreover, the report on the implementation of the Convention is under production. At the moment, drafts of the report have been circulated to not only national, regional, local public and private agencies but also children, youths, and community leaders, asking for comments. The authors of the report also encourage the agencies mentioned earlier to organize meetings in order to brainstorm for comments and suggestions on the report. After being presented to the Committee on the Rights of the Child, the report will be published and distributed to public and private agencies as well as educational institutions nationwide. The information contained in the report will also be publicized in relevant national and local meetings.

## **11. Training of various target groups to raise awareness of the rights of the child**

Thailand has developed a training program on the rights of the child as initiated by UNICEF. The program includes multiple aspects, for example: the content of the Convention on the Rights of the Child; efforts to raise awareness of the rights of the child; construction of communities appropriate for children; child protection in accordance with the Child Protection Act B.E. 2546 (2003); techniques on child counseling and assisting in various situations. The program is divided into national/regional levels, which takes five days to complete and local/community levels, which take three days to complete. The program has been carried out as follows:

- (1) National Course on Training of Trainers on the rights of the child. This program offers three courses per year with forty participants in each course. Participants include officials of the Provincial Offices of the Ministry Social Development and Human Security, teachers, police officers, public health officials, representatives of local organizations, and youths nationwide.
- (2) Public agencies and private organizations have organized regional trainings of trainers on the rights of the child – in the northern, the northeastern, the central, and the southern regions. Two courses are offered to about thirty to forty participants. Participants include officials from both public and private agencies, instructors, teachers, administrators and staff members of Local and Municipal Administrative Offices, community and youth leaders.
- (3) Public agencies such as the Office of the Attorney-General, the Department of Juvenile Observation and Protection of the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Education, and the Royal Thai Police have organized training courses for their officials (both domestic and overseas) as well as for children and youth. The courses are meant to promote better understanding of principles contained in the Convention on the Rights of the Child and any new legislation.

- (4) Foundation for Child Development, Sahathai Foundation, Yuwa-Buddha-Bhaddhana (Development of Buddhist Youths) Foundation, and the Office of Welfare Promotion, Protection, and Empowerment of Vulnerable Groups under the Ministry of Social Development and Human Security, with the support of UNICEF, set up the Volunteers for Child Rights program. The objective of the program is to build up groups of volunteers in communities. The volunteers may include children, youths, teachers, community leaders, and staff members of Local and Municipal Administrative Offices, and government officials. Their responsibilities involve promoting knowledge on the rights of the child, looking out and assisting neglected or abused children and women in their community. The volunteers are required to attend a course focused on raising awareness on the rights of the child, and teaching proper assistance to children and women in various situations. The Volunteers program has been completed as follows:
- (a) Phase I (2001-2003): 390 volunteers total registered and trained in thirteen provinces;
  - (b) Phase II (2003-2005): 570 volunteers total registered and trained in eighteen provinces;
  - (c) Phase III, beginning at the end of 2005, aimed at expanding the number of volunteers in the provinces from Phase I and II while adding four provinces.

Moreover, educational institutions such as universities, Police Cadet, Joint Staff College, primary and secondary schools have included the rights of the child in their curricula as a way to promote understanding on the rights of the child and human rights in general.

## **12. Updated information on the cooperation between Thailand and the international community including non-governmental organizations, in the efforts to implement the Convention**

### **12.1 Agreements**

(1) The Thai Government has concluded bilateral agreements with neighboring countries to assist victims of trafficking which the majority are women and children. The Memorandum of Understanding between the Government of Thailand and the Government of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking, which was signed on 31 May 2003, not only states that Parties should take appropriate measures to ensure the safe and effective reintegration of trafficking victims into their families, and communities, but also to provide training programmes to sensitize those working for victims with regard to child development, child rights, and child/gender issues with reference to the Convention on the Rights of the Child, and etc. A similar MOU was signed between Thailand and Laos on 13 July 2005, and another is between Thailand and Vietnam is under negotiation.

(2) A multilateral agreement among countries in the Mekong Sub-region was also signed on 29 October 2004 and a Joint Action Plan was also developed. Efforts in this regard, both at the national and international levels, have been jointly undertaken by multi-sector partners, namely governmental sectors, private sectors, and international organizations such as IOM, UNICEF and ILO.

## **12.2 Seminars/training programmes**

(1) Thailand International Development Cooperation Agency (under the Ministry of Foreign Affairs), jointly with the Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups (under the Ministry of Social Development and Human Security) and UNICEF, offers annual training sessions under the “Technical Cooperation among Developing Countries (TCDC) Programme” to personnel working with children and youth from 13 countries in the Mekong Sub-region and Asia and the Pacific Region. The courses include:

- Child Rights Sensitization Course: duration 2 weeks, in July.
- Child and Youth Participation: duration 2 weeks, in January.

(2) Thailand has been working in close cooperation with the UN and the Governments of the Mekong Sub-region (Cambodia, China, Laos, Myanmar, and Vietnam) and with countries in the Asia-Pacific Region under the Bali Process<sup>1</sup> to step up cooperation in combating trafficking. Thailand has also developed good practices on child protection and efforts against trafficking and has become a learning center for other countries.

(3) Thailand and the Office of the UN High Commissioner for Human Rights (OHCHR) held a sub-regional workshop on the Implementation of the Concluding Observations of the Committee on the Rights of the Child, in Bangkok from 11-13 November 2004. The workshop focused on 4 particular themes (a) juvenile justice (b) independent monitoring mechanisms (c) HIV/AIDS and (d) economic exploitation, including trafficking.

(4) Thailand, with the cooperation of IOM and the Australian Federal Police, hosted a “Regional Strategy Seminar on Child Sex Tourism” in Bangkok from 14-16 November 2005, as part of activities under the Bali Process. The purpose of the seminar was to develop a framework that will allow the ongoing and increased cooperation in the region, in the areas of:

- (a) best practices for law enforcement;
- (b) model legislation; and
- (c) victim protection and support.

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<sup>1</sup> Regional Ministerial Conference on Peoples’ Smuggling, Trafficking in Persons, and related Transnational crimes or known as Bali Process.

**13. Issues affecting children that Thailand considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention**

The Thai Government has recently collected national data for the purpose of developing the country's National Policy and Action Plan for children for the year 2005-2014 based on the approach suggested in the UN's agreed outcome document "a World Fit for Children (WFFC)". As a result, in addition to the 4 areas highlighted in WFFC which include health, education, protection and HIV/AIDS, the Thai Government has identified seven other areas which also deserve priority attention:

1. Family Strengthening
2. Recreation
3. Children's participation
4. Media
5. Culture and Religion
6. Safety and Injuries in Children
7. Laws, Regulations, and Administrative Measures related to Children.

For each of the afore-mentioned issues, the Government has also identified both immediate and long-term measures which need to be implemented.

**PART II**

Thailand has translated the Convention on the Rights of the Child into its official language as well as local dialects. The translations of the Convention on the Rights of the Child in printing and in electronic forms are in the following languages:

1. Thai language (National language)
2. Yawee language, a local dialect of Muslim people in southern Thailand
3. Braille.

Also, Thailand has disseminated the Convention on the Rights of the Child into seven local dialects of ethnic groups in northern Thailand in audio tape forms.

1. Iu Mien language
2. Hmong language
3. Lisu language

4. Shans or Tai language
5. Karen language
6. Ahka language
7. Lahu or Musso language.

### **PART III**

#### **Laws, regulations, policies and plans, and new organizations concerning about children**

##### **1. Laws and regulations concerning children**

###### *Protection*

1. Child Protection Act B.E. 2546 (2003)
  - 1.1 The Regulation of Ministry of Justice on Children and Youth Punishment and Provisional Permission for Children and Youth B.E. 2546 (2003) (no corporal punishment allowed)
  - 1.2 Regulation of the National Committee on Child Protection on Procedures of Child Protection Officers Involved in Providing Assistance and Protection 2004
  - 1.3 The Regulation of the National Committee on Child Protection on Procedures of Child Protection Officers Involved in Promoting the Behavior of Students B.E. 2548 (2005)
  - 1.4 The Regulation of the National Committee on Child Protection on Protection Procedures of Abused or Maltreated Children B.E. 2548 (2005)
  - 1.5 The Regulation of the National Committee on Child Protection on the Administration of Child Protection Fund, the Approve of Payment, and Report of the Financial Situations of Child Protection Fund B.E 2548 (2005)
  - 1.6 The Regulation of the National Committee on Child Protection on Receiving the Money, Payment, Saving the Money, Benefit Administration and the Administration of Child Protection Fund B.E. 2548 (2005)
  - 1.7 The Regulation of Ministry of Social Development and Human Security on Working Procedures of Reception Home, Safety Protection Home, and Development and Rehabilitation Centre B.E 2547 (2004)

- 1.8 The Regulation of Ministry of Social Development and Human Security on Procedures of Child Assistance B.E 2547 (2004)
- 1.9 The Regulation of Ministry of Social Development and Human Security on Child Punishment B.E. 2548 (2005)
- 1.10 The Regulation of Ministry of Education on Working Procedures of Child Protection Officers Involved in Promoting Behavior of Students B.E. 2548 (2005)
- 1.11 The Regulation of Ministry of Education on Students Punishment B.E. 2548 (2005)
- 1.12 The Regulation of Ministry of Education on Taking Students to Outside School B.E. 2548 (2005)
2. The Penal Code (No. 16) B.E. 2546 (2004) to prohibit death penalty and life imprisonment to under 18 offender
3. The Criminal Procedure Code Amending Act (NO. 22) B.E. 2547 (2004) to protect alleged person and defendant
4. Memorandum of Understanding on common Guidelines and Practices for Agencies Concerned with Cases of Trafficking in Children and Women in the Nine Northern Provinces B.E. 2546 (2003)
5. Memorandum of Understanding on Common Guidelines and Practices for Government Agencies Concerned with Cases of Trafficking in Children and Women (2nd Issue) B.E. 2546 (2003)
6. Memorandum of Understanding on the Procedural Cooperation Between Government and Non-Government Agencies Working with Cases of Trafficking in Children and Women B.E. 2546 (2003)
7. Memorandum of Understanding on the Operational Guidelines of Non-Governmental Agencies Concerned with Cases of Trafficking in Children and Women B.E. 2546 (2003)
8. Memorandum of Understanding Between the Government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking. Done at Siem Reap on 31 May 2003
9. Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region (Thailand, Cambodia, China, Lao PDR, Myanmar and Vietnam). Done at Yangon on 29 October 2004

10. Memorandum of Understanding Between the Government of the Kingdom of Thailand and the Government of the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children. Done at Bangkok on 13 July 2005
11. The Regulation of Central Registration Bureau Related to Inventory and Creation of Registration For An Individual Who Is Lack Of Registry Status B.E. 2548
12. The Regulation of Central Registration Bureau Related to Creation of Chronicle Concerning Any Alien Who Has Got Permitted to Stay Particularly In Kingdom B.E. 2547

#### *Education*

13. National Education Act. B.E. 2542 (1999)
14. Compulsory Education Act, B.E. 2545 (2002)
15. Labour Skill Development Promotion Act B.E. 2545 (2002)
16. The Regulation of Ministry of Education on Date of Birth Documents for Entering Educational Institutions B.E 2548 (2005)

#### *Health*

17. Social Welfare Promotion Act B.E. 2546 (2003)
18. National Health Security Act B.E. 2545 (2002)
19. Narcotic Addict Rehabilitation Act B.E. 2545 (2002)
20. Health Promotion Fund Act B.E. 2544 (2001)

## **2. New institutions**

1. The National Child Protection Committee
2. Crime Against Child, Juvenile and Women Suppression Division, Royal Thai Police
3. Child and Youth Council
4. Child Safety Promotion and Injury Prevention Research Centre
5. Thai Health Promotion Foundation



**3. New policies**

1. Policy on providing education for disadvantaged children
2. The National Policy and Plan on Prevention, Suppression and Combating Domestic and Trafficking in Women and Children (1 July 2003)
3. Establishment “Operational Centre on Human Trafficking” (Cabinet Approved on 14 June 2005)
4. Policy on Promoting Sunday to be a Family Day
5. Policy on increasing air time for children and family programs on T.V. and radio

**4. New projects and plans for children**

1. Mobile Units on Child Promotion Project
2. Ideal School Project
3. Family Institution Development Center in Community Project
4. Love and Care, Providing Motorcycle Helmets for Young People (Promoting motorcycle helmets wearing among young children and youth project)
5. To Be Number One Project (The program about anti-drug abuse and promoting admirable behaviors among teenagers)
6. Campaigning the enforcement of the law on prohibiting the selling of alcohol and cigarette to children under 18 years
7. Safety School Project
8. Gift Set for New Born Children (The gift set is consisted of a child rearing manual, towels, toys, etc in order to promote a better child rearing.)
9. Thai Kids Can Make It Project
10. Restorative Practice for Juvenile Offenders
11. Media for Children Strategy Project

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