

Chapter 1

Introduction: Violence Against Women and Girls

Objectives

This chapter sets out the background, goal and rationale of this volume, and explains key terms and the mandate of the Commonwealth and UN Women. The aim is to familiarise readers with the aims and context of the project.

1.1 Background

Violence against Women and Girls (VAWG)¹ is ‘violence that is directed at a woman because she is a woman or affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty’.² As such it is a type, cause and consequence of discrimination. Five categories are usually distinguished within a definition of VAWG, although these are not exclusive: sexual violence; physical violence; emotional and psychological violence; harmful traditional practices; and socio-economic violence.³ VAWG occurs in the home, in state institutions and in the community. It is indiscriminate in cutting across racial, ethnic, class, economic, religious and cultural divides.

VAWG is recognised as a ‘form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men’.⁴ The rights that it violates include, but are not limited to, non-discrimination, equal protection before the law and equality before the law; the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment; the right to life; the right to health and the right to liberty and security of the person. As such, VAWG has numerous damaging consequences for the welfare of women and girls, impacting upon their physical, mental and sexual well-being.

VAWG manifests itself through all stages of the life cycle of women and girls.⁵ Some types of violence cut across all stages of the life cycle, e.g. commercial sexual exploitation; economic abuse; sexual abuse; emotional and physical abuse; honour crimes; psychological abuse; rape; sexual harassment; sexual assault and denial of sexual and reproductive rights.

1.2 VAWG in target countries

The statistics in this Judicial Resource Book are based on reported incidents of violence against women. It is worth bearing in mind that violence against women is universally under-reported. Reporting rates are not necessarily a good proxy for prevalence rates. The magnitude of VAW might be much more serious than what is represented in this book and it would be beneficial for judges and other stakeholders to keep themselves up to date regarding the prevalence of VAWG.

1.2.1 Cambodia

Violence against women and girls is endemic in Cambodia, affecting all levels of society in all regions of the country.⁶ Domestic violence continues to be the single most prevalent form of violence against women and girls in Cambodia.⁷ In a 2016 WHO study, just over one in five women admitted to being physically and/or sexually abused by their intimate partner at least once in their lifetime;⁸ and in a 2013 UN study, one in three men admitted to inflicting sexual or physical violence, or both, on a partner at least once in their lifetimes.⁹

Rape and sexual violence remain pervasive and continue to go unpunished. In a 2013 UN study on men and violence in Asia and the Pacific, just over one in five male respondents in Cambodia admitted to having committed rape at least once in their lifetime;¹⁰ and of that 20 per cent, almost half had perpetrated rape more than once.¹¹ The motivations behind the decision to rape were cited as: 'sexual entitlement' (45%);¹² 'anger or punishment' (42%);¹³ 'fun or boredom' (27%);¹⁴ and 'drinking or intoxication' (14%).¹⁵ Impunity for rape is widespread: 44.5 per cent of the male respondents who had admitted to perpetrating rape reported that they never faced any legal consequences (arrest or prosecution) for rape.¹⁶

Gender inequality and cultural attitudes play a significant role in enabling violence against women. A well-known saying in Khmer goes '[a] man is gold, a woman is cloth'.¹⁷ In a 2016 WHO study, almost half of women interviewed believed that men were justified in physically abusing their wives.¹⁸ Meanwhile, in a 2013 UN study, 96.2 per cent of men surveyed and 98.5 per cent of women surveyed believed that a woman should obey her husband.¹⁹

Early and forced marriage also remain a concern in Cambodia. Approximately 3 per cent of adolescent boys and 16 per cent of adolescent girls were married or living together in 2016.²⁰ Although the overall rate of early marriage has been generally decreasing since 2010,²¹ arranged and early marriages still occur, particularly in rural areas, and once a couple is married there is great

pressure on them to stay married. Early marriages are particularly common amongst hill tribe communities.²² It is also not unusual for rape to be settled through early forced marriage to avoid criminal charges.²³

Sexual harassment is not readily reported or discussed, despite being a widespread issue. In the absence of a clear legal definition of sexual harassment²⁴ and any guidelines on the prevention of sexual harassment, general awareness on the issue of sexual harassment remains low, thus enabling it to go under-reported and under-investigated.²⁵

1.2.2 India

Multiple forms of violence against women are widespread across the country: domestic violence including 'dowry deaths'; child, early and forced marriage; female infanticide and foeticide; forced prostitution; sexual harassment in public places; and sexual assault and sexual abuse. Some traditional harmful practices that continue to occur include child, early and forced marriages, dowry-related practices, witch-hunting of women, and communal violence perpetrated against cultural, racial and religious minorities. In some states these issues are more serious than in others.

According to the National Crime Records Bureau of India, some 337,922 cases of crimes against women were reported in the country during 2014, an increase of 9.2 per cent from the previous year. These records indicate a steady increase during 2010–14 with 213,585 cases reported in 2010, 228,649 cases in 2011, 244,270 in 2012 and 309,546 in 2013. The crimes reported include rape; attempt to commit rape; kidnapping and abduction of women; dowry deaths; assault on women with intent to 'outrage her modesty'; 'insult to the modesty' of women; cruelty by a husband or his relatives; and trafficking.²⁶

In 2014 there were 122,877 reported cases of cruelty by husband or his relatives; 82,235 cases of assault on women with intent to 'outrage modesty', 57,311 cases of kidnapping and abduction of women and 36,735 cases of rape.²⁷ An analysis of rape data published by NCRB indicates a nine per cent increase in crimes against women in 2014 compared to 2013, along with about 197 cases of custodial rape and 2,346 of gang rape cases recorded in 2014.²⁸

1.2.3 Pakistan

In Pakistan, violence against women in the form of domestic and sexual abuse, including child, early and forced marriages and dowry-related violence; acid attacks; and so-called 'honour killings' is pervasive. These crimes are grossly under-reported and seeking justice is difficult due to structural factors such as the lack of independence of women, a weak criminal justice system and a lack of societal support for women. In this

environment, progressive laws enacted to protect women against violence have been largely ineffective.²⁹

According to the Human Rights Commission of Pakistan (HRCP), in 2013 media reports indicated that 56 women were murdered simply for giving birth to girls, 150 women were burned in acid attacks, gas leakage and stove burning, while 389 incidents of domestic violence were reported in the media with husbands being the most common perpetrators. In the same year, the police crime statistics from one province, Punjab, stated that 2,576 cases of rape of women were registered during the year.³⁰

The HRCP has also reported a rise in ‘honour’ killings (murder of a woman who is perceived to have violated family ‘honour’ by having pre-marital or extra-marital sex, married of her own will or refused an arranged or forced marriage)³¹ with 1,005 honour killings reported in 2014, including 82 minor girls, compared to the 869 cases in 2013.³²

It is estimated that 21 per cent of girls in Pakistan are married before the age of 18.³³ Child marriages sometimes involve the transfer of money, settlement of debts³⁴ or exchange of daughters (Vani/Swara or Watta Satta).³⁵ Some of the settlements are sanctioned by a Jirga or Panchayat (council of elders from the community). Such practices also include giving women in marriage to the Holy Qur’an.³⁶

1.2.4 Thailand

Violence against women and girls is pervasive in Thailand. Discriminatory gender stereotypes, cultural and strong patriarchal attitudes play a significant role in propagating violence against women, undermining women’s access to remedy and reparations for gender-based violence.³⁷ It is estimated that a woman is raped every 15 minutes in Thailand, resulting in approximately 30,000 incidents of rape each year.³⁸ Yet less than 4,000 cases are reported and only 2,400 cases are followed up with an arrest.³⁹

Domestic violence continues to be a serious problem in Thailand.⁴⁰ In a recent UN study, 44 per cent of Thai women admitted to being a victim of physical violence or sexual violence or both by an intimate partner in their lifetime.⁴¹ Another 22 per cent admitted to being subjected to physical violence or sexual violence or both within the last 12 months.⁴² Previous studies have shown that as many as one in three households experienced some form of domestic violence over the course of the year.⁴³

Prevailing cultural attitudes play a significant role in propagating domestic violence in Thailand. There is a well-known saying in Thai culture that a woman is the ‘hind legs of the elephant’ following the man’s front legs.⁴⁴ It is not uncommon for women and girls to believe they are partially to blame

for incidents of physical abuse, or to agree that in some circumstances a man is justified in abusing his intimate partner.⁴⁵ In a WHO study, 53.4 per cent of women who had previously experienced some form of intimate partner violence, believed that a man was justified in beating his wife under certain circumstances.⁴⁶

Early and forced marriage is also a concern in Thailand. Thai law does not prohibit child or early marriage: the minimum age to marry is 17 years⁴⁷ but it is possible for adolescents as young as 13 years to be married with the permission of the Court.⁴⁸ Also, underage marriage is not a basis to annul a marriage under Thai law. According to UNICEF, approximately 16 per cent of adolescent girls in Thailand were living in a marriage or union in 2016.⁴⁹ Forced marriage is tacitly permitted under Thai law: section 277(5) of the Criminal Code allows a perpetrator (who is under 18 years of age) to avoid prosecution for statutory rape by marrying the victim (who must be above 13 years of age but below 15 years of age) where the Court grants approval.⁵⁰

Sexual harassment occurs widely, however. With no specific legislation defining sexual harassment, and provisions under the Criminal Code⁵¹ and Labour Protection Act⁵² with minimal penalties, the issue remains under-reported and under-investigated. The criminal offence of public indecency was amended to increase punishment for sexual harassment in December 2014. The Cabinet of the Thai Government issued a resolution on 15 June 2015 to address sexual harassment and further developed a set of guidelines on how to prevent sexual harassment in the workplace.⁵³

1.3 Terminology

To assist readers, a brief discussion on the commonly used key terms is reproduced below from the World Bank Group Guide on *Violence against Women and Girls*:

- The terms ‘**gender-based violence**’ (GBV) and ‘**violence against women**’ (VAW) are often used interchangeably, since most gender-based violence is perpetrated by men against women. GBV, however, includes violence against men, boys, and sexual minorities or those with gender-nonconforming identities. As such, violence against women (VAW) is one type of GBV.
- **Violence against women** (VAW) is any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (UN General Assembly, 1993).

- **Gender-based violence (GBV)** is violence that is directed against a person on the basis of gender. It constitutes a breach of the fundamental right to life, liberty, security, dignity, equality between women and men, non-discrimination and physical and mental integrity (Council of Europe, 2012).
- **Intimate partner violence (IPV)** refers to behaviour by an intimate partner or ex-partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological abuse, and controlling behaviours (WHO, 2013).
- **Sexual violence/sexual assault** is any sexual act, attempt to obtain a sexual act, or other act directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. It includes rape, defined as the physically forced or otherwise coerced penetration of the vulva or anus with a penis, other body part, or object (WHO, 2012).
- **Sexual exploitation** means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another (UN Secretary General, 2003).
- **Sexual harassment** is unwelcomed sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature (UN Secretary General, 2008).
- **Female genital mutilation/cutting** includes all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons (WHO, 2013).
- **Child marriage** is a formal marriage or informal union before age 18.⁵⁴

A Study of the Secretary-General of the United Nations on *Ending Violence Against Women, From Words to Action* has provided helpful definitions of the following terms:

- **Harmful traditional practices** female infanticide and prenatal sex selection, early marriage, dowry-related violence, female genital mutilation/cutting, crimes against women committed in the name of "honour", and maltreatment of widows, including inciting widows to commit suicide, are forms of violence against women that are considered harmful traditional practices, and may involve both family and community. While data has been gathered on some of these forms, this is not a comprehensive list of such

practices. Others (...) include the dedication of young girls to temples, restrictions on a second daughter's right to marry, dietary restrictions for pregnant women, forced feeding and nutritional taboos, marriage to a deceased husband's brother and witch hunts.⁵⁵

- **A forced marriage** is one lacking the free and valid consent of at least one of the parties. In its most extreme form, forced marriage can involve threatening behaviour, abduction, imprisonment, physical violence, rape and, in some cases, murder.⁵⁶
- **Dowry-related violence** is violence related to demands for dowry — which is the payment of cash or goods by the bride's family to the groom's family — which may lead to women being killed in dowry-related femicide.⁵⁷

1.4 Commonwealth and UN Women

Gender equality is one of the Commonwealth's core values. The Commonwealth Secretariat was given a strong mandate for action on VAWG by Commonwealth Heads of Government at their summit in Malta, November 2015: 'Heads agreed to continue efforts to eliminate all forms of gender-based violence, including in conflict and other emergency situations. Heads welcomed the continuing efforts by member states and Commonwealth bodies to prevent and eliminate child, early and forced marriage and female genital mutilation as barriers to development and the full realisation of girls' and women's human rights.' This mandate builds on previous iterations made by Heads of Government where the need to tackle VAWG was affirmed.

The Commonwealth **Plan of Action for Gender Equality 2005–15** (PoA) identified VAWG as one of the critical areas for action, and recognises that women and girls experience different forms of discrimination and that gender biases, inequalities and inequities intensify their disadvantages. To ensure gender justice, the PoA calls for gender-sensitive laws, customs, practices and mechanisms.

Eliminating discrimination against women and girls is a cornerstone of UN Women's mandate and one of the two aspirations underpinning the UN General Assembly's creation of UN Women – the United Nations Entity for Gender Equality and Empowerment of Women in July 2010.⁵⁸ Gender Equality was further entrenched as one of the core goals under the 2015 Sustainable Development Goals. Under Goal Five, Gender Equality is described as 'not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world'.⁵⁹ UN Women estimates that 35 per cent of women globally experience some form of

physical or sexual violence in their lifetime. Ending Violence against Women and Girls is a core component of UN Women's programmatic response to gender equality and one of the key targets under Goal 5. To realise its objective of ending violence against women and girls, UN Women employs a range of different responses and approaches, which include advocacy; supporting innovative approaches to end VAWG; improving knowledge and evidence on VAWG; expanding access to services for women and girls and improving prevention. The judiciary plays a critical role not only in promoting and advancing gender equality but also in prohibiting and preventing all forms of VAWG.

Jurisprudence of equality is the focus of the Commonwealth's collaboration with UN Women as spelled out in the **Memorandum of Understanding** adopted in 2015. In the context of this collaboration two judicial resource books are being produced for East Africa and Asia regions.

The Commonwealth Secretariat has also produced expert papers such as *Addressing Violence against Women in the Commonwealth within States' Obligations under International Law*.

1.5 Rationale and methodology

This resource book is the outcome of extensive research, numerous experts' meetings and workshops. The focus of these meetings was to identify laws, key judgments on VAWG and good practices from different jurisdictions, especially the four target countries. The effort was supported by leading independent experts on women's human rights.

The Commonwealth Secretariat and UN Women Asia-Pacific Regional Office convened an Asia regional consultation on strengthening the jurisprudence of equality to eliminate violence against women and girls from 25–27 November 2014 in Bangkok, Thailand. The consultations comprised presentations and discussions for the identification of key policies, advocacy strategies and concrete priority actions for strengthening the jurisprudence of equality on VAWG. One of the outcomes of the regional consultations was a recommendation for the development of a judicial resource book on the growing jurisprudence on violence against women and girls, which would assist the judiciary and other stakeholders in addressing violence against women in the region.

The *Judicial Resource Book on Violence Against Women for Asia* is a first in the region bringing together information on key judgments of apex courts seeking to advance protections for women against violence; through application of constitutional guarantees and international norms of equality;

in the context of the relevant legislative framework; and highlighting best practices in relation to addressing gender bias within the justice system.

In discussing VAWG, this *Judicial Resource Book* focuses on four forms of VAW: **rape, domestic violence, child and forced marriage and sexual harassment**. Forced marriage includes the forced marriage of widows. We have considered the incidence of such violence, and the law in four countries – two common law countries within South Asia (India and Pakistan) and two civil law countries in South-East Asia (Thailand and Cambodia). This geographical distribution enables consideration of the extent to which sub-regional intergovernmental bodies provide for common standards or processes to address VAW, within South Asia and South-East Asia respectively. While this discussion is necessarily schematic and broad, it makes it possible to identify the emergence of relevant domestic standards for legal protection of women and girls against violence, as well as jurisprudence highlighting the domestic application by national courts of international human rights standards. Case studies of landmark judgments by the highest courts of India and Pakistan invoking constitutional rights and human rights standards are referred to throughout the text. Given that Cambodia and Thailand are civil law jurisdictions, there is not much case law from those countries but it is hoped that the cross-fertilisation of case law between and among jurisdictions across the Asia-Pacific will help to further the evolution of jurisprudence to secure women's rights to legal protection against violence.

1.6 Goal and beneficiaries

This resource book aims to assist and enable judges and other stakeholders to contribute to the protection of women's human rights, especially victims of VAWG, by making informed and human rights compliant decisions. The ultimate goal is to contribute to better enjoyment of human rights of women and girls in the target countries.

The beneficiaries of this project are the women and girls of Cambodia, India, Pakistan and Thailand. Better enjoyment of human rights by women and girls contributes to a better, peaceful and a secure society.

1.7 Structure of the Judicial Resource Book

The book consists of eight chapters and two annexes, starting with this introductory chapter. The introduction briefly sets the scene by defining violence against women, sets out the goal of the book, the mandate of the Commonwealth and UN Women and the rationale and methodology used in producing this book. Key terms used in the book are also explained in the introduction.

Chapter 2 is a substantive chapter setting out the nature and various forms of VAWG and how international human rights law – both UN and regional – treats the issue of VAWG. It also briefly introduces readers to IHRL, especially highlighting the obligations of state organs for implementing and compliance with IHRL.

Chapter 3 focuses on the commitment of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) to combating VAWG. Decisions of the CEDAW Committee and concluding observations provide insights into the working of the committee and how it monitors compliance with and implements CEDAW. General recommendations by the CEDAW Committee also contribute to better understanding of substantive rights as well as States parties' obligations under CEDAW.

Chapter 4 deals with some of the challenges facing victims seeking to access the justice system and provides guidelines to the judiciary to improve victims' access to effective remedy and reparations for violence.

Chapter 5 addresses the topic of early, child and forced marriage. Chapter 6 addresses domestic violence, while Chapter 7 focuses on rape and sexual violence. Chapter 8 addresses sexual harassment.

For ease of reference, Annex 1 contains texts of the Convention on the Elimination of All Forms of Discrimination against Women 1979 and the Optional Protocol to CEDAW 1999.

Annex 2 contains a table of treaties ratified/acceded to by Cambodia, India, Pakistan and Thailand.

Notes

- 1 The actual wording is about VAW but in this book 'VAW' and 'VAWG' are used interchangeably.
- 2 CEDAW Committee, General Recommendation No. 19, 1992, para 6.
- 3 *Gender and Human Rights in the Commonwealth* (2004) 113.
- 4 CEDAW Committee, General Recommendation No. 19, 1992, para 1.
- 5 Gender equality is one of the 17 SDGs; see UN Women, 'Women and the Sustainable Development Goals (SDGs)' (25 September 2015), <http://www.unwomen.org/en/news/in-focus/women-and-the-sdgs> accessed 10 November 2016.
- 6 World Health Organization 'National Survey on Women's Health and Life Experiences in Cambodia – Report' (March 2016) 107, <http://asiapacific.unwomen.org/en/digital-library/publications/2015/11/national-survey-on-women-s-health-and-life-experiences-in-cambodia> accessed 20 November 2016.
- 7 *Ibid*, page 107.
- 8 *Ibid*, page 46.
- 9 Emma Fulu, Xian Warner, Stephanie Miedema, Rachel Jewkes, Tim Roselli and James Lang, *Why do some men use violence against women and how can we prevent it? Quantitative findings from the United Nations multi-country study on men and violence in Asia and the Pacific* (UNDP, UNFPA, UN Women, UNV, Bangkok, 2013), page 29.

- 10 Ibid, page 40.
- 11 Ibid, page 43.
- 12 Ibid, page 44.
- 13 Ibid, page 44.
- 14 Ibid, page 44.
- 15 Ibid, page 44.
- 16 Ibid, page 45.
- 17 *National Survey on Women's Health and Life Experiences in Cambodia – Report (no. 6)*, page 23.
- 18 Ibid, page 64.
- 19 Emma Fulu, Xian Warner, Stephanie Miedema, Rachel Jewkes, Tim Roselli and James Lang, *Why do some men use violence against women and how can we prevent it? Quantitative findings from the United Nations multi-country study on men and violence in Asia and the Pacific* (UNDP, UNFPA, UN Women, UNV, Bangkok, 2013), page 53.
- 20 UNICEF, *The State of the World's Children 2016* (UNICEF, June 2016), https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf 158
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- 24 Leang Lo and OP Vibol, 'Legal Analysis: Sexual Harassment in Cambodia' (CARE Cambodia, 2015), http://media.wix.com/ugd/ff000a_f907ab0dcd704844b47d7651a13ae23f.pdf accessed 24 January 2017.
- 25 Ibid.
- 26 National Crime Records Bureau, *Crime in India 2014* (2014), <http://ncrb.nic.in/StatPublications/CII/CII2014/cii2014.asp> accessed 30 November 2017.
- 27 Ibid.
- 28 Ibid.
- 29 M. Munshey, 'Violence against Women in Pakistan – Between Law and Reality' (*Oxford Human Rights Hub*: Blog, 2015) <http://ohrh.law.ox.ac.uk/violence-against-women-in-pakistan-between-law-and-reality/> accessed 2 December 2015.
- 30 Human Rights Commission of Pakistan, 'State of Human Rights in 2014' (2015), <http://hrcp-web.org/hrcpweb/data/HRCP%20Annual%20Report%202014%20-%20English.pdf> accessed 2 December 2015.
- 31 Ibid.
- 32 Ibid.
- 33 Ibid.
- 34 Ibid.
- 35 Ibid.
- 36 Ibid.
- 37 UN Women, 'Strengthening the Capacity of the Thai Judiciary to Protect Survivors of Domestic Violence: Justice for Society's "Little Dots"' (UN Women Regional Office for Asia and the Pacific, September 2013), http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2013/promising_practice_report_final.pdf?vs=809074935 accessed 30 November 2017; Eileen Skinnider, Ruth Montgomery and Stephanie Garrett, 'The Trial of Rape: Understanding the criminal justice system response to sexual violence in India, Thailand and Viet Nam – Discussion Paper' (UN Women, UNDP, UNODC and UNiTE, October 2015); Lucy McMahon, Catalina Droppelmann and Dr Shailaja Fennell, 'Scoping Study, Women's Access to Justice: Perspectives from the ASEAN region' (Thailand Institute of

- Justice and University of Cambridge, 2015), <http://www.tijthailand.org/main/en/content/459.html> accessed 30 November 2017.
- 38 Lucy McMahon, Catalina Droppelmann and Dr Shailaja Fennell, 'Scoping Study, Women's Access to Justice: Perspectives from the ASEAN region' (Thailand Institute of Justice and University of Cambridge, 2015), <http://www.tijthailand.org/main/en/content/459.html> accessed 30 November 2017, page 29.
- 39 Ibid.
- 40 Dr Churnrurtai Kanchanachitra, 'WHO Multi-country Study on Women's Health and Domestic Violence against Women: Country Findings – Thailand' (Department of Women, Gender and Health, World Health Organization, 2005), http://www.who.int/gender/violence/who_multicountry_study/fact_sheets/Thailand2.pdf accessed 1 December 2017.
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- 45 Claudia Garcia-Moreno, Henrica A.F.M. Jansen, Mary Ellsberg, Lori Heise & Charlotte Watts, *WHO Multi-country Study on Women's Health and Domestic Violence against Women – Initial results on prevalence, health outcomes and women's responses* (World Health Organization, 2005), <http://www.who.int/reproductivehealth/publications/violence/24159358X/en/> accessed 10 December 2016.
- 46 Ibid, page 38.
- 47 The Civil and Commercial Code B.E. 2468 (1925), Book V – Family, Title I – Marriage, Chapter I – Betrothal, Section 1435.
- 48 Ibid, section 1448; see The Criminal Code B.E. 2499 (1956) As Amended until the Criminal Code (No. 21) B.E. 2551 (2008), Book II – Specific Offences, Title IX – Offence Relating to Sexuality, s 277 para 5.
- 49 UNICEF, *The State of the World's Children* (2016), https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf accessed 17 January 2017, page 160.
- 50 The Criminal Code B.E. 2499 (1956) As Amended until the Criminal Code (No. 21) B.E. 2551 (2008), Book II – Specific Offences, Title IX – Offence Relating to Sexuality, Section 277 para 5.
- 51 Ibid, section 397.
- 52 Labour Protection Act B.E. 2541 (1998), Chapter 1 – General Provisions, Section 16 and Chapter 16 – Penalty Provisions, section 147.
- 53 Cabinet Resolution, Royal Kingdom of Thailand Government, 16 June 2015 (on file with the author); 'Guidelines for preventing and addressing sexual harassment', Royal Kingdom of Thailand Government, June 2015 (on file with the author).
- 54 The World Bank Group, *Violence against Women and Girls: A Resource Guide* (2014), <http://www.vawresourceguide.org/terminology> accessed 14 October 2016.
- 55 Ibid, page 45.
- 56 Ibid, page 41.
- 57 Ibid, page 47.
- 58 UN Women website (2017), <http://www.unwomen.org/en/about-us/about-un-women> accessed April 2017.
- 59 UN Sustainable Development Goals (2015) <http://www.un.org/sustainabledevelopment/gender-equality/> accessed April 2017.