

Child and Youth-led UPR Report

Joint Submission to the 53rd session of the UPR Working Group,

2-13 November 2026

Amnesty International Thailand

In August 2025, children and young people from across Thailand from 13 groups and organisations, spent the following seven months turning the answer into evidence. They chose the issues. They designed a survey and ran it through their own peer networks. They analysed the results themselves, and in April 2026 a taskforce of child volunteers approved the final report. Amnesty International Thailand and Child Rights Connect provided process knowledge, facilitation and technical review.

The report reached the Office of the High Commissioner for Human Rights in time for the 53rd session of the UPR Working Group, 2-13 November 2026. What follows is what it found, and what it asks for.

1. Freedom of Expression, Peaceful Assembly and Association

Section 112 of the Criminal Code carries three to fifteen years' imprisonment per count, with no special exemptions or mitigating provisions for child offenders, and Section 116, on sedition, carries up to seven years on language the submission describes as broad and vague, permitting arbitrary interpretation by officials. Around these sit the Computer Crimes Act, the Public Assembly Act, and the Martial Law Act, the Emergency Decree and the Internal Security Act enforced in the southern border provinces; the Public Assembly Act contains no provisions recognising children's right to peaceful assembly, the Emergency Decree none protecting children's rights during states of emergency, and the Child Protection Act lacks explicit safeguards for children's rights to expression and assembly while being used in practice to exclude them from public assemblies as at-risk behaviour.

Four structural causes include; overbroad laws and disproportionate penalties producing a chilling effect; cultural norms subordinating children to adult authority, embedded in the family, educational establishments and political structures; the absence of safe spaces for student expression, as schools suppress it to avoid reputational consequences; and insufficient child rights awareness among law enforcement officials, compounded by the absence of effective oversight and accountability.

Two cases demonstrate the problems structurally, nine organisers and participants prosecuted under Section 116, criminal association and conspiracy charges after the

Melayu Raya gathering in Pattani on 4 May 2022, a peaceful cultural event with child and youth participants, and a 17-year-old detained at his home in Narathiwat on 17 February 2026 by approximately eleven vehicles of security forces, shortly after returning from school. Among those who reported being obstructed, 93 per cent felt that speaking out was difficult or that no one listened, and 60 per cent indicated such restrictions stemmed from adults' concerns about consequences for their families or educational institutions.

2. The Right to Participation of Children and Youth

The National Child and Youth Development Promotion Act has established more than 8,778 child and youth councils and mandates the Ministry of Social Development and Human Security to convene assemblies under Section 19(10), but the scope of activities remains largely limited to volunteerism and cultural initiatives, without genuine decision-making power in policy processes. Section 71 of the Constitution provides for the protection and assistance of children and youth but does not explicitly recognise their right to participation, and the right is not incorporated into the basic curriculum, leaving children unaware of what they are entitled to exercise.

Four structural causes were identified by the children and youth defenders themselves: legal and policy frameworks insufficient to guarantee the right in practice; participation mechanisms that remain under adult control, including the Children and Youth Council of Thailand at national and local levels, whose activities are largely determined by adults and government agencies, where children's views are collected but not followed up; social values treating children as lacking decision-making capacity, embedded in institutional systems and culture and reflected in the limited capacity of civil servants to facilitate meaningful participation; and the systematic exclusion of children in vulnerable situations; indigenous, ethnic minority, stateless and remote, through language barriers, legal status and access to information.

While 82 per cent of respondents reported participation at school level, this drops to 44 per cent at community level and 26 per cent at district or provincial level, where policies with the greatest impact on children's rights are determined. Although 83 per cent stated that all children have equal opportunities to participate, 63 per cent simultaneously acknowledged that in practice those opportunities remain insufficient — a contradiction the submission attributes to tokenistic or symbolic participation that children perceive and accept as equality.

3. Equality and Non-Discrimination

Section 27 of the Constitution and Section 22 of the Child Protection Act both prohibit unjust discrimination. Thailand nonetheless has no single anti-discrimination law

protecting all groups; the Gender Equality Act covers gender expression but Section 17(2) provides an exception where religious principles or national security are invoked, and the Protection and Promotion of Ethnic Groups Act defines an ethnic group in Section 3 as ethnic Thais. The Act therefore fails to recognize Indigenous Peoples as distinct peoples with specific rights under international standards.

Six structural causes emerged from the children's own analysis. First, Thailand has no comprehensive anti-discrimination law covering all groups. Second, children who are discriminated against have nowhere child-friendly to complain, a gap compounded in the southern border provinces where three special security laws are simultaneously enforced. Third, the national curriculum leaves out human rights, diversity and cultural sensitivity altogether. Fourth, prejudice is reproduced rather than checked, through mainstream media and through school policy, including dress codes that fail to accommodate diverse identities. Fifth, teachers receive no adequate training on diversity and equal treatment. And finally, indigenous and ethnic languages go unsupported, with central Thai imposed as the sole language of instruction nationwide.

Children were direct about the teachers: "In school, teachers are the ones in charge; if teachers themselves do not understand, do not listen, or treat students unequally, other students can also view us negatively." Survey data showed that 77% of respondents had experienced or knew someone who had experienced discrimination, with 69% reporting frequent incidents. Children called for comprehensive anti-discrimination legislation, 78%; safe spaces, 61%; child-friendly complaints mechanisms and respect for cultural diversity, 58%; and recognition of Indigenous Peoples' rights, 44%.

4. Protection of Children and Youth from Violence and Bullying in Schools

Section 24 of the Child Protection Act requires provincial governors and district chiefs to protect the welfare of children in their areas, and the Ministry of Education Regulation on Discipline of Students prohibits punishment through violent, bullying or vindictive means, though it lacks clear enforcement mechanisms and physical punishment continues in schools in practice. Thailand lacks specific legislation on bullying and cyberbullying providing clear definitions, preventive measures and school accountability, though a draft amendment to the Penal Code establishing cyberbullying as a criminal offence remains under consideration.

Three structural causes came out of the children's analysis: school grievance mechanisms neither independent nor confidential of school administration, where children expressed concern that what they share could reach parents without consent, creating further safety risks; insufficient knowledge among teachers and parents of children's rights and their

protection obligations, contributing to the normalisation of bullying and compounded by the absence of systematic training; and too few trained psychologists, often inaccessible where they exist, leaving bullied children without meaningful psychosocial support and, in serious cases, at risk of depression or self-harm.

Fifty-four per cent reported feeling unsafe at school on some occasions and 46 per cent had directly experienced bullying or violence, with adults in positions of trust implicated in nearly half of all reported cases, 47 per cent identified both children and adults as perpetrators, and 5 per cent teachers or adults alone.

5. Right to Nationality and Legal Identity

The Civil Registration Act guarantees birth registration for all children regardless of parental status, though in practice local officials often require additional documents from migrant families; the Nationality Act allows stateless individuals to apply on proof of birth and residence, evidence often difficult to obtain especially in rural communities, and the process takes an average of 4.5 years.

Four structural causes were identified. Children and families frequently lack awareness of nationality and application processes, with some children becoming "stateless children holding a zero card"—an identification document for persons without recognized civil-registration status that does not confer Thai nationality—because no one understands proper birth registration procedures, compounded by authorities' use of formal and bureaucratic language. State officials abuse their power for personal gain, with some families having to pay bribes to have documents considered, and corruption at local level identified as a key cause of delay. Officials and educational institutions discriminate in practice despite protective policies, children reported being unable to enroll in certain programmes and being told nationality is required for low-income scholarships, a requirement that does not exist in policy. And the process is complex and burdensome, spanning multiple agencies and difficult travel, with officials lacking updated policy knowledge, verification not adapted to local language, documentation type or available evidence, and no interpreters for ethnic languages.

Twenty-two per cent of respondents were uncertain of their own documentation status, suggesting a hidden population of people not counted by the system who do not themselves know their status, while 81 per cent faced barriers to healthcare and 68 per cent were denied access to education.

Recommendations

The report puts forward 30 recommendations. In summary, they ask the State to:

1. Review, amend or repeal legislation restricting freedom of expression, peaceful assembly and association within two years, and guarantee that no child is prosecuted for exercising these rights, online or offline; and review, amend or repeal the Martial Law Act, the Emergency Decree and the Internal Security Act within three years to bring them into conformity with international human rights obligations.
2. Enact a law protecting human rights defenders with specific provision for children and youth, including penalties for harassment, intimidation and reprisals.
3. Guarantee meaningful participation through legislation or a policy framework with institutional mechanisms across state agencies at all levels within two years, including participation in curriculum development, mandatory student consultation with published annual follow-up, and free, prior and informed consent processes that include children in projects affecting indigenous and ethnic communities.
4. Enact comprehensive anti-discrimination legislation covering race, religion, gender, social status and nationality, and establish accessible, transparent, child-friendly complaints mechanisms staffed with child rights expertise.
5. Make human rights education compulsory at all levels of compulsory education within two years, and provide human rights training; on children's assembly rights, participation, non-discrimination and child rights standards, to teachers, security agencies and officials, with annual assessment.
6. Establish school and community mechanisms within two years to monitor enforcement of the prohibition of corporal punishment and violence, with annual public reporting of data disaggregated by type, sex and age, and sufficient mental health professionals in every school.
7. Enact specific legislation on bullying and cyberbullying in educational institutions, with clear definitions, preventive measures and institutional accountability.
8. Make nationality and legal identity procedures accessible, transparent and traceable, available in indigenous and ethnic languages at every stage with a guaranteed right to interpretation, and sanction corrupt officials through an independent oversight body receiving complaints from children.

Between 2 and 13 November 2026, Thailand will be reviewed in Geneva. Other states will ask questions; Thailand will answer; recommendations will be issued for it to accept or note.

Produced by: Children and Youth Council of Thailand · Uttaradit Children and Youth Council · Indigenous Youth Network (TKN) · Isaan Gender Diversity Network (IGDN) · Seed For Development · Wanita for Change · The Sea Walk · Bad Student (นักเรียนเลว) · San Kamphaeng Civic Youth · Mok Luang Rim Nam Group · Students from

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