



Concept Note

Training Workshop on Criminal Justice Processes on the Protection of Women 23-25 January 2019

I. Background

Thailand has transitioned to an upper-middle-income country where gender equality and women's empowerment challenges largely remain in the area of accountability and implementation, particularly in institutionalization and functioning of gender mainstreaming structure and tools, such as gender statistics and gender responsive budgeting, capacity building of service providers notably the justice system actors, and fulfilment of rights of vulnerable groups of women. Persistent development challenges remain, particularly for certain groups and geographical regions including indigenous women, displaced and migrant women and women in the southern border provinces of Thailand in which violent conflicts have hindered human development leading to serious human insecurity, inequality, deprivation, and socioeconomic disparities.

The 2030 Agenda for Sustainable Development calls for a new and transformative vision with a set of 17 Sustainable Development Goals (SDGs). While Thailand has made progress in reducing poverty overall, persistent and newly emerging development challenges can still be seen. Ensuring women's equal rights, access and opportunities for participation and leadership in the economy, society and political decision-making is at the core of UN Women's work in Thailand. While there has been much progress in advancing gender equality, such progress is unevenly experienced by women who are marginalized because of a complex interplay of factors.

The right of access to justice for women is a fundamental component of the rule of law, good governance, and human rights guarantees. Enhancing the ability of women to access justice is essential for reducing gender inequality and discrimination, and for furthering development and human security. Women's empowerment in every aspect of their lives is reliant upon systems of law and justice that work for women. To effectively enhance women's access to justice in Asia Pacific, approaches must focus on combatting gender stereotypes and discriminatory practices and on engaging women from the grassroots to inform and lead change.

There has been an increase in attention towards violence against women (VAW) particularly in forms of domestic violence and sexual conducts. Criminal justice process requires indisputable evidence to hold perpetrators accountable for their actions. The process can result in woman victim/witness at risk of secondary victimization throughout collection of evidence, forensic examinations and legal process. Initial inquiry from authority when reporting violence case, investigation and persecution requires extensive questioning back and forth repeatedly making victim relive trauma. In general, the trial and taking of evidence must be conducted in open court and in the presence of the accused. Cases related to sexual violence are highly sensitive and emotionally arduous and stigmatized for the victims.

Thailand has put in place protection mechanisms for women during criminal justice process; however, challenges remain in accessibility to complaint and justice process for cases such as domestic violence, harassment in work force or in working environment. Factors include lack of knowledge on rights, protection and entitlements in justice process, limited information available from relevant service providers during criminal justice process, language barrier for non-Thais, etc.

The Public Prosecutor Center for Protection of Children, Women and Family's Rights Region 1-9 was established under the Order 1691/2018 (B.E. 2561) dated 28 September 2018 by the Office of the Attorney General (OAG), one of the key government agencies in criminal justice process. The Center aims to provide protection and criminal justice services to women both Thais and migrants. Since its establishment, no concrete operation has been implemented. Therefore, there is a need for relevant OAG officials including Director General for Regional Public Prosecution, Executive Director of Regional Office of Civil Rights Protection and Legal Aid and Provincial Chief Public Prosecutor from provinces that have concerns on women protection for both Thais and migrants.

UN Women in Thailand has worked with the Office of the Attorney General and the Thailand Institute of Justice (TIJ) in capacity building of prosecutors and multi-sectoral team working on criminal justice system, information campaign and research contributing to policy recommendations to eliminate violence against women and improve the protection of women in the criminal justice system. The partnership will continue in 2018 and 2019 focusing on strengthening legislation, building capacity and sharing knowledge of practitioners to eliminate all forms of violence against women and girls and increase access to justice.

Building on the strong partnership and collaboration between TIJ and UN Women, the parties will continue to implement the joint project entitled "Women's Empowerment and Access to Justice Phase II" in 2018 and 2019 in order to eliminate all form of violence against women, promote access to justice and advocate for the achievement of the Sustainable Development Goals.

II. Scope of Work

In this connection, UN Women, the Office of the Attorney General and the Thailand Institute of Justice (TIJ) will organize the Training Workshop on Criminal Justice Processes on the Protection of Women for prosecutors in Thailand. This is to share and brainstorm knowledge and experience on criminal justice processes on the protection of women, challenges in law enforcement to develop inclusive, practical and standardized operational guidelines; and to improve skills and enforcement of women and family related legislations.

The training workshop will include:

- UN Women work on access to justice and criminal justice system on the protection of women
- Protection of women as survivors of domestic and sexual violence
- Protection of women affected by different forms of violence including Battered Woman Syndrome
- Protection of women migrant workers in criminal justice process

III. Participants (70)

Director General / Deputy Director General for Regional Public Prosecution Region 1-9 (9)

Executive Director of Regional Office of Civil Rights Protection and Legal Aid Region 1-9 (9)

Prosecutors in provinces with concerns on women migrant workers (40)

Region 1: Thanyaburi and Pathumthauni

Region 2: Chonburi

Region 3: Ubonrathani

Region 4: Nongkhai

Region 5: Chiang Mai and Lampang

Region 6: Mae Sot

Region 7: Kanjanaburi and Thong Pha Phum

Region 8: Suratthani and Ranong

Region 9: Songkhla

The Office of the Attorney General (8)

Thailand Institute of Justice (2)

UN Women (2)

IV. Process

- Brainstorm and share knowledge, experiences, challenges on law enforcement and issues of women protection for both Thais and migrants.
- Review and practice operational procedures and legislation.
- Develop operational guideline for the Attorney Center for Protection of Children, Women and Family's Rights Region 1-9.

V. Indicators

- Increased brainstorming and discussion platform on criminal justice processes on the protection of women.

- Enhanced knowledge and skills on relevant operational procedures and legislation.

VI. Duration

3-Day workshop from 23-25 January 2018

VII. Venue

Landmark Hotel, Bangkok, Thailand

VIII. Funding

Thailand Institute of Justice (TIJ)

IX. Expected outcomes

Workshop participants have increased knowledge and understanding on VAW legislation and clear and standardized operational guideline for the Attorney Center for Protection of Children, Women and Family's Rights Region 1-9.

X. Agenda (Draft)

22 January 2018:

Arrival of participants

23 January 2018:

9.00 – 9.30 Hrs.	Opening Ceremony and Keynote Speech on implementation policy of the Attorney Center for Protection of Children, Women and Family's Rights Region 1-9 By the Office of the Attorney General
9.30 – 10.30 Hrs.	Women protection in criminal justice process By UN Women
10.30 – 10.45 Hrs.	Coffee Break
10.45 – 12.30 Hrs.	International law and practices on protection of women By Prof. Peter Duff, Professor of Criminal Justice Law, School University of Aberdeen, Scotland
12.30 – 13.30 Hrs.	Lunch
13.30 – 15.30 Hrs.	Forensic and psychology of women in criminal justice process

By Dr. Nirut Voravat, Department Head's Counsellor, forensic medicine,
Siriraj Hospital

15.30 – 15.45 Hrs. Coffee Break

15.45 – 17.45 Hrs. Situation and protection of women migrant
By Department of Labour Protection and Welfare, Ministry of Labour

24 January 2018:

9.00 – 10.30 Hrs. Roles and responsibilities of the Attorney Center for Protection of
Children, Women and Family's Rights

10.30 – 10.45 Hrs. Coffee Break

10.45 – 12.00 Hrs. Roles and responsibilities of the Attorney Center for Protection of
Children, Women and Family's Rights (cont.)

12.00 – 13.00 Hrs. Lunch

13.00 – 14.30 Hrs. Group work: Challenges, policy and scope of work to develop
implementation guideline for prosecutors

14.30 – 14.45 Hrs. Coffee Break

14.45 – 17.30 Hrs. Group work: Challenges, policy and scope of work to develop
implementation guideline for prosecutors (cont.)

25 January 2018:

09.00 – 10.30 Hrs. Discussion on challenges, policy and scope of work to develop
implementation guideline

10.30 – 10.45 Hrs. Coffee Break

10.45 – 12.00 Hrs. Discussion on challenges, policy and scope of work to develop
implementation guideline (cont.)

12.00 – 13.00 Hrs. Lunch

13.00 – 14.30 Hrs. Wrap-up discussion on policy, scope of work and implementation
guideline

14.30 – 14.45 Hrs. Coffee Break

14.45 – 16.00 Hrs. Wrap-up discussion on policy, scope of work and implementation guideline (cont.)

16.00 – 16.30 Hrs. Closing