

GLOBAL INFORMATION SOCIETY WATCH 2013

Women's rights, gender and ICTs



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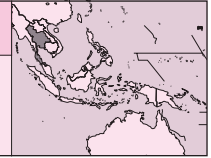
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THAILAND

Thai cyber sexuality: Liberation, empowerment and suppression



Thai Netizen Network

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Introduction

Thai women can be said to enjoy more equality than women in other countries in the region. For instance, Thailand is now ruled by its first female prime minister. Premarital sex, though taboo in conversation, is actually common. Thailand is also well known for its tolerance. Despite this, the society is dominated by patriarchal values, firmly held by the older generation. There is a lack of legal recognition for the lesbian, gay, bisexual and transgender (LGBT) community, which is heavily stigmatised by the media. As a result of social norms, sexualities are not openly discussed in Thai society except within the narrow frame of reproductive health and sexually transmitted infection (STI) prevention, and most formal sex education discourses involve abstinence-based approaches to prevent STIs and teen pregnancy.

Cyberspace has been a new frontier to address the emerging issues and to challenge the abstinence-based approaches through direct communication with teens and young adults – particularly women and teenage girls – as well as parents who seek information, advice and peer recommendations or just want to talk with someone who shares the same situation.

Policy and political background

“Public morality” plays a key role in Thai law as several sexual practices are considered to contravene public morality. In the name of public morality, prostitution, pornography, sex toys, swinging, group sex, swinger clubs, as well as some forms of kink, are illegal under the Criminal Code in Thailand and penalised with up to 15 years of prison. Nevertheless, the law is not strictly enforced: such services and products are easily found on the streets of Bangkok.

The current Thai constitution (2007) does not clearly stipulate respect for sexual orientation. However, the charter has a broad prohibition against “unfair” discrimination based on “personal

status” – although the civil liberties it respects must be in accordance with “public morality” and national security.

The Thai Computer Crime Act (CCA) also banned pornographic sites and information related to them in the name of public morality. From 2007 to 2012, the Thai authorities blocked access to 23,456 websites with obscene content.¹ Under the CCA anyone who posts immoral or obscene information or pornography on the internet can face a maximum imprisonment of five years or a fine of not more than USD 32,000 or both.

The internet as a tool to help sexual well-being

Relationship counselling is not popular and rarely available in Thailand because social norms dictate that sexualities and sexual well-being are not topics for discussion even with spouses, parents or doctors. The internet provides an anonymous connection to various online resources, including social media sites and web boards, to answer questions on sexual health and sexualities in an authoritative way. Some websites also provide online counselling or advice. Women and young people can openly discuss sexual and reproductive health and get primary counselling on various topics, from STIs, to planned and unplanned pregnancy, to sexual pleasure. For example, sexual health Q&A websites run by doctors or medical personnel can substitute for professional sex and relationship counselling services, given that these are scarce. The internet also helps to complement sexual and relationship counselling columns found in newspapers or magazines with interactive forums. For example, middle-aged women post questions on how to improve their boring sex lives with their husbands on one of the most popular public web forums in Thailand, Pantip.com. This site has a Suan Lum² sub-forum created specifically for discussion on sexual health and an 18+ sign is used to signify that the content is for adults only. Several members are medical doctors and experienced, knowledgeable users. Meanwhile, “Can I get pregnant from?” may be one of the most

¹ freedom.ilaw.or.th/sites/default/files/2012Statistic.pdf

² pantip.com/forum/lumpini

frequently asked questions on Teenpath.net, but is seldom asked of Thai parents.

The internet as a channel for SOGI activism

Peer support groups on the internet can support people with different sexual orientations and gender identities (SOGI). User-organised online platforms for SOGI and specific gender- and sexuality-related interest groups can provide counselling, share life experiences and often extend to offline support and connections, such as discussion groups for those who want to come out.

The internet is also a new frontier for campaigns on sexual identities, sexual health and gender identity issues. Gender and SOGI activists use social media to recruit new participants to online and offline campaigns, such as mobilisation to reduce prejudice and homophobia on the International Day against Homophobia and Transphobia. The Anjaree and Saphan groups, for example, use the internet and social media to raise awareness on gender identities, and to counter haters and misconceptions in mainstream society, such as by affirming that lesbians, gays and trans people are not “mentally ill”.

The internet as a space to explore sexualities

Because of the repressive cultural norms on proper sexualities and legitimate relationships (i.e. sex within marriage), which are heavily promoted by the Thai state, individuals use the internet to escape conventions by exploring sexual practices and intimate relationships by themselves.

Unlike girls in the United States who may face cyber bullying after their half-naked photos are published on the internet, Thai teens enjoy popularity and fame from posting sexy half-naked photos of themselves as a way to gain acceptance. Due to the wide distribution of affordable smartphones with high-definition cameras, the practice of teenagers aged 13 to 20 taking pictures of themselves and sharing the photos on social network sites, such as Facebook, has become popular and fashionable.

The most notable example was a teenager with the Facebook username Nuey Pramannanlae. In early 2005, she became an online celebrity attracting admiration among Thai teens after she posted hundred of photos of herself in various sexy poses. Most of the photos show her wearing tight shirts or dresses and focus on her breasts. This inspired other teenage girls to imitate her. Since 2006, numerous Nuey copycats have appeared, revealing themselves to a greater degree – going beyond sexy

to half naked, to nudity. Many of them show half or most of their breasts. Some have gone further by posting pictures of themselves making love. Most of these did this purely to attract attention and gain admiration.

The internet as a space to escape repression

Mainstream Thai society has strict rules on what proper intimacy should entail: heterosexual relationships within the monogamous marriage institution, which is promoted by the state and the mainstream media. Additionally, the law also criminalises certain sexual activities, such as partner exchanges and sex shops, as “indecent”.

Cyberspace allows the opportunity to escape from the “norm” and lets people explore sexualities and enjoy a sexual freedom that is not allowed in the offline world. For instance, online platforms provide even wider opportunities for dating, such as casual relationship personal web boards, and websites for Thais seeking Thais and Thais seeking foreign partners. Explicit casual dating websites and online dating services are not blocked by Thai authorities. Websites such as www.sexdatenow.net offer localised dating services as well as warnings about consensual casual relationships and condom use.

Despite being criminalised under Thai law, swinging parties are not a new phenomenon, but the internet has decentralised the practice, moving it from paid organised events to self-organised appointments through social media and online websites where couples can check one another’s details. Some websites may require membership fees. Most of the websites require registration to prevent police crackdown and arrest under the CCA.

Sex shops are not legalised in Thailand. Buying a sex toy in a roadside shop in a tourist night bazaar can be an awkward experience, especially for women. Online sex shops offer a better experience and anonymity for women and buyers in general. Some websites also have women receptionists or are operated by women. “Ae AengKa Oratai” (in Thai) and “Morning Love” are examples of YouTube users that advertise sex toy products with educational sexuality videos and product demonstrations for women. Some online sex shops also feature products for LGBT people.

Under the current legal framework and cultural norms, online sex shops help overcome legal barriers and embarrassment for women and LGBT people who seek pleasure by allowing them to remain anonymous and enjoy privacy.

TABLE 1.		
Selected examples of online gender and SOGI advocacy and activism		
Target audiences	Website	Topics
Teenagers, students, young adults, parents, teachers	Teen Path , an online source of sexuality-related and reproductive health awareness and information www.teenpath.net	
Lesbian women, LGBT, SOGI and gender activists	Anjaree www.anjaree.org Social media: www.facebook.com/anjaree and www.facebook.com/anjareefanpage Bangkok International Day Against Homophobia and Transphobia Social media: www.facebook.com/bkk.IDAHOT Sapaan Group: Alternative Media for SOGI Rights sapaan.org	
Women and victims of domestic violence	Thailand Domestic Violence Information Centre (governmental) www.violence.in.th/publicweb/Default.aspx	
Men who have sex with men (MSM)	Adam's Love , a web counselling centre for MSM www.adamslove.org Social media: www.facebook.com/adamslovethailand	

Conclusions

- Although numerous services, products and activities related to sexuality are illegal, in practice Thai law is loosely enforced. Most of the services, products and activities are widely available, at least in Bangkok. This does not mean that harsher law enforcement is called for, but suggests that the law is not realistic or practical.
- Because of the structure of the internet, attempts by the Thai authorities to block access to pornography and websites related to sexuality are futile. Most Thai internet users can still access porn sites.
- The Thai authorities, especially the police and the ministry of culture, tend to impose conservative values upon Thai society. Laws against LGBT people are usually invoked when scandals break out or when the authorities want to make a splash in the media.
- Because of the anonymity of the internet, it plays a very important role in improving the sexual well-being of Thai people who live in a

society that discourages open talk about sexuality.

- The internet gives LGBT people a space where they can relax from social constraints and also empowers them by connecting them with peers for peer counselling or creating activist groups against discrimination or for STIs awareness.
- Cyberspace offers the “others” who do not conform to the norm a space to explore their sexualities, meet people with the same interests and even use the internet to enjoy sexual freedom, all of which is obstructed in the offline world.

Action steps

- Sexuality has to do with personal taste and this should be a clearly guaranteed right in the constitution regardless of “public morality”, which is subjective and tends to be interpreted from a conservative point of view.
- The Thai authorities should change their attitude toward sexuality, from control and suppression to tolerance and regulation.

- Instead of suppressing sexual activities, services and products, forcing users to go underground, the Thai authorities should decriminalise and regulate them in order to better control standards, safety and the age of consumers and providers.
- The Computer Crime Act should be amended to decriminalise pornography and obscene websites, but establish measures, such as age verification, to regulate access to this content.
- Internet literacy should be included in the educational curriculum so teens can understand the risk of posting their photos or personal information on the internet, and know how to control any damage that may result.
- The Thai authorities should establish a centre to receive complaints and provide remedial measures for those (especially minors) who suffer from abuse online. ■