TRANSADVOCATE

Thai Army Ordered By Court To Halt Problematic Trans Classification

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Abstract

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Article



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There has been a lawsuit filed, activism centered on the issue and changes to that policy are being discussed in the 'Land of Smiles'.

Because the birth records of Thai transwomen are not changed to reflect the persons they are now, after age 18 they are subject to being conscripted into the Thai military. The Thai army routinely disqualifies transpeople and when doing so classifies them in their conscription documents as having a 'permanent mental disorder'.

Because people considered male in Thailand have to present those conscription documents when applying for jobs at government agencies or private companies to confirm they have fulfilled their military obligations, that classification can have deleterious effects on your employment prospects as Samart Meecharoen discovered in 2005.



She filed a lawsuit against defense officials in 2006 to end the practice and yesterday the Central Administrative Court, which handles lawsuits concerning the performance of government officials, ordered the Thai Army to end the practice of labeling transpeople they reject for service with that term.

The Bangkok based court said that the label was inaccurate and unlawful. The court did not bar the military from rejecting transpeople nor did it mandate new language to put on the conscription documents, but Meecharoen was happy with the verdict.

“Now we will no longer be viewed as crazy people,” Meecharoen said.

Thai Defense spokesman Col. Thanatip Sawangsaeng said the ministry will comply with the ruling, and has proposed “current sexual status does not match that of birth” as the new phrasing for conscription documents, pending the necessary Cabinet resolution to take effect.

But thanks to Samart Meecharoen for not only standing up for her dignity and human rights, but for the human rights of all her fellow Thai transpeople.

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