



# ► Social Protection in Action: Building Social Protection Floors for All

2022

## *Thailand: Extending social protection by anchoring rights in law*

### Summary

Over the past decades, Thailand has progressively developed a comprehensive legal framework to make the right to social protection a reality for all.

The adoption of the Social Security Act in 1990 provided a strong legal basis, which was supplemented over the years with other acts to make the social protection system more universal and comprehensive.

In Thailand, social security guarantees have been established by law, in line with the Social Protection Floors Recommendation, 2012 (No. 202), Paragraph 7, which allows individuals to exercise their right to social security.

Thailand's efforts in developing a comprehensive legal framework for social protection contributes to support key principles set out in Recommendation No. 202, including the entitlement to benefits prescribed by national law and ensuring coherence across institutions responsible for the delivery of social protection.

### Main Lessons Learned

- Legal frameworks are key to materializing national social protection policies and constitute the formal expression of the fundamental rights guaranteed by human rights instruments due to their binding and stable nature. In cases in which the constitution defines the State's responsibility in social security provisions, it provides an even stronger foundation for the implementation of the right to social security.
- Thailand's experience has shown that the introduction of rights-based universal social protection schemes in line with international social security instruments is feasible even in relatively resource-constrained environments, with political will being the main driver. Notably, in Thailand, health, sickness, unemployment, employment injury, maternity, invalidity, survivors' and old-age schemes are anchored in a series of laws and regulations.

### Social Protection Floors Recommendation, 2012 (No. 202)

SDG 1.3 aims to implement nationally appropriate social protection systems and measures for all, including floors, and by 2030, achieve substantial coverage of the poor and the vulnerable.

Social protection floors (SPFs) guarantee access to essential health care and basic income security for children, persons of working age and older persons.

187 countries have adopted the Social Protection Floors Recommendation, 2012 (No. 202), to achieve universal social protection.

Thailand's efforts in developing a comprehensive legal framework for social protection contributes supports key principles set out in Recommendation No. 202, including the entitlement to benefits prescribed by national law and ensuring coherence across institutions responsible for the delivery of social protection.

- Comprehensive legal frameworks help ensure coherence and coordination across contributory and non-contributory schemes and programmes that make up national social protection systems.
- Legal frameworks should be adapted with a view to progressively ensuring universal social protection, including universal coverage, adequate levels of benefits and protection across the life cycle.

## Context

Despite budgetary limitations, Thailand has become a global example of the extension of social protection coverage through a rights-based approach within a relatively short time frame. Indeed, the adoption of the Social Security Act in 1990 provided a legal vehicle for translating social security into rights.

In line with international social security standards (see box 1) and with a view to achieving comprehensive and adequate protection for all throughout the life course, all nine branches defined by the Social Security (Minimum Standards) Convention, 1952 (No. 102) are addressed in the Thai national legal framework. Social security is provided through a range of policy instruments, ranging from universal non-contributory mechanisms to tax-financed or subsidized non-contributory schemes.

Notably, the efforts to extend social protection to the informal economy and the initial establishment of universal protection through the introduction of the non-contributory universal pension and healthcare schemes demonstrate Thailand's commitment to translate the principles of Recommendation No. 202 and other up-to-date ILO instruments into practice.

## The right to social security in the Constitution of Thailand

The 2017 Constitution of Thailand encompasses important provisions on social protection rights. Section 74 of the Constitution underlines the need to promote the right to (appropriate) work in a safe environment and the right to a reasonable standard of living, including welfare, social security and other benefits suitable for the working life and after retirement.

Section 71 sets out the State's responsibility to assist and protect vulnerable groups, including children and young people, women, the elderly, persons with disabilities, indigent and underprivileged persons, by creating enabling

### ► Box 1: ILO social security standards

ILO social security standards represent a unique set of legal instruments that give a concrete meaning to the human right to social security enshrined in the Universal Declaration on Human Rights (1948) and the International Covenant of Economic, Social and Cultural Rights (1966). As such, they guide the development and implementation of comprehensive social security systems and contribute to attaining the 2030 Agenda for Sustainable Development, in particular the goals of eradicating poverty, ensuring good health and well-being, achieving gender equality, promoting decent work and reducing inequalities.

The ILO's normative framework, notably the landmark Social Security (Minimum Standards) Convention, 1952 (No. 102) and the Social Protection Floors Recommendation, 2012 (No. 202), are globally recognized as a key reference for the design of rights-based, sound and sustainable social protection systems, including floors. Both standards are also grounded in a set of core financing, governance and administration principle.

Recommendation No. 202 calls on Member States to establish, as a priority, social protection floors for all in need, and to progressively ensure higher levels of social security to as many people as possible, as soon as possible (ILO 2019). In particular, the Recommendation provides that social protection floors should be comprised of basic social security guarantees, which should ensure at a minimum that, over the life cycle, all in need have access to essential health care and basic income security (Paragraph 4). It also builds on the principles set out in Convention No. 102, including universality of protection, progressive realization, social inclusion, solidarity in financing, regular monitoring, and evaluation and coherence across economic, social and employment policies.

conditions for quality living. Family ties are also protected specifically under section 71. The need for the State to support mothers during both pre- and postnatal periods and to provide sufficient income for persons over 60 years of age and indigent persons are set out in section 48.

The right to medical care is constitutionally backed by section 47, including the right to receive public health services provided by the State, while section 55 obliges the State to ensure the universal provision of efficient public

health services, including the control and prevention of diseases, medical treatment and rehabilitation, and to continuously improve the standard and quality of public health services.

The Constitution also reflects multiple fundamental principles in line with Convention No. 102 and Recommendation No. 202. For example, the principle of the universality of protection is enshrined in section 27, stating that all persons shall be protected equally under the law.

Thus, these constitutional provisions create State obligations to provide individuals with a right to social protection. Delineating the rights to social security in the Constitution is crucial in the development of effective national legislation and guides its implementation. In Thailand, social security provisions in the Constitution went hand in hand with the development of an extensive social protection legal framework.

## Legal architecture of the Thai social protection system

The State has acted on its responsibility to implement the constitutional social security right by developing a strong legal framework. This includes the 1990 Social Security Act as amended, the 1994 Workmen's Compensation Act and the 2002 National Health Security Act. The Social Security Act has been amended on numerous occasions in order to increase coverage and improve protection.<sup>1</sup> In the context of the COVID-19 pandemic, the Government issued emergency decrees that redefined force majeure in the Social Security Act and temporarily reduced contribution rates (Tilleke & Gibbins 2021).

### Access to healthcare

Mandated by sections 47 and 55 of the Constitution and guided by the principle of universality, Thailand developed one of the most comprehensive social health protection systems in the region. It is based on three pillars, as described below.

Public servants and retirees, as well as their dependants, are covered by the Civil Servant Medical Benefit Scheme (CSMBS), which is non-contributory, tax-financed and overseen by the Ministry of Finance (ILO 2014, 2).

Formal private sector employees are protected under the Social Security System's Medical Benefit Scheme (SSSMBS), which was established by the 1990 Social Security Act and is overseen by the Social Security Office, Ministry of Labour. It is contributory, mandatory and funded through tripartite payroll contributions of employers, employees and the Government equally (ILO 2014, 2). The Social Security Fund, as regulated by the Social Security Act 1990, covers not only Thai citizens but also migrant workers in the formal sector (ILO 2018, 89).

Although the right to medical care is enshrined in the Thai Constitution, at the turn of the millennium approximately 47 million Thai people, mostly informal-sector workers in lower socio-economic groups, had no health insurance or access to free healthcare (ILO 2016, 2). The political opportunity to extend health coverage, which was promoted by reformers in the Ministry of Public Health and Thai NGOs, followed the holding of national elections in 2001 (ILO 2016, 2).

The National Health Security Act adopted by the new Government in 2002 introduced the tax-financed Universal Health Care Coverage Scheme (UCS), which covers all Thai nationals not insured under the CSMBS or SSSMBS – approximately 76 per cent of the Thai population.<sup>2</sup> The UCS is overseen by the Ministry of Public Health and administered by the autonomous National Health Security Office. The UCS replaced and unified numerous schemes and initiatives and was successful in integrating many groups that were previously uncovered, particularly independent workers, regardless of income level. The establishment of the UCS in addition to the pre-existing CSMBS and SSSMBS led to near-universal population coverage (over 99 per cent) (ILO 2016, 2). To align the three systems and prevent duplication, sections 9 and 10 of the

<sup>1</sup> For example, under section 35 of the 2015 Amendment (Social Security Act (No. 4), B.E. 2558 (2015)), child benefits may now be paid for up to three children.

<sup>2</sup> ILO (2016), p. 2. Due to the confined eligibility criteria of the CSMBS (public servants) and SSSMBS (formal employees), many Thai nationals, especially workers in the informal sector, fall out of the scopes of those schemes.

National Health Security Act govern the scope of the right to health services of persons covered under the CSMBS and SSSMBS.

Under section 5, the National Health Security Act stipulates that “every person shall enjoy the right to a standard and efficient health service”. Therefore, the National Health Security Act ensures that each registered beneficiary of the UCS scheme has a basic healthcare unit (consisting of health centres, cooperative provincial hospitals, and hospitals) that is not far from their residence, which functions as a gatekeeper to higher-level facilities (sections 7 and 8). In special circumstances, such as accidents, emergency illness or COVID-19 infection, the beneficiary may access another service facility at no extra cost.<sup>3</sup> The introduction of the UCS scheme led to a significant increase in service utilization rates (Health Insurance System Research Office, 2012, 11). Although small user fees of 30 Thai baht were initially charged for each visit, their abolishment in 2006 led to even higher service utilization rates (WHO 2019, 4).

All three schemes provide access to a comprehensive benefit package. Under the CSMBS, comprehensive healthcare services range from preventive to curative to palliative healthcare. The SSSMBS provides for a similar scope of care, including practitioner and specialist care, as well as ancillary services. This is laid out in section 63 of the 1990 Social Security Act. Since its launch, the UCS benefit package has progressively expanded to align more closely with the packages offered under the CSMBS and SSSMBS. It provides for comprehensive healthcare with few exclusions, the latter including treatments such as for infertility and cosmetic surgery.<sup>4</sup>

Under the principle of universality enshrined in section 27 of the Constitution, documented and undocumented migrant workers are covered by the Compulsory Migrant Health Insurance (CMHI).<sup>5</sup> On a contributory basis, the CMHI offers the same (extensive) benefit package as the UCS (ILO 2018, 89). Registration with CMHI is one of the requirements of applying for a work permit (ILO 2018, 89).

Although Thailand has made immense progress in realizing access to healthcare for all, the existence of four separate schemes is likely to introduce some inefficiencies. The harmonization of the four schemes to eliminate the inequalities and inefficiencies caused by their duplication of structures and investments remains a challenge (Bazyar et al. 2019).

## Social protection for children and families

The Constitution sets out a multisectoral approach to protecting the family. Specifically, the State is mandated to provide appropriate accommodation (section 71) and to protect children, in particular by ensuring the right to free education and to care and development prior to education (section 54) and decent living standards (section 71).

These guarantees are partly reflected in the Thai social protection system, which currently combines a contributory and a non-contributory family benefit scheme.

The contributory system of family allowances is grounded in the 1990 Social Security Act and covers private sector employees and self-employed workers who have voluntarily joined the system. In particular, the Act provides for a benefit for children up to six years of age for a maximum of three children per affiliate. The benefit is intended to cover children’s living expenses, tuition fees, medical expenses, and other necessary expenses (sections 75 and 75ter).

In addition, the Government implemented the non-contributory Child Support Grant in 2015–2016. Initially, households with an annual income of less than 36,000 baht received a non-contributory monthly benefit of 600 baht (around US\$18) for children under three years of age.<sup>6</sup> In 2019, the benefit was expanded to cover children under six years of age and the annual income threshold increased to 100,000 baht (Plangraphan and Chamornchan 2016). The programme obtained good results and has been commended for its rapid implementation (New Delhi Times 2020).<sup>7</sup> Notably, the Child Support Grant improved new-

<sup>3</sup> Section 7 of the National Health Security Act.

<sup>4</sup> Compare section 3 of the 2002 National Health Security Act.

<sup>5</sup> Non-nationals and especially undocumented migrants face difficulties affiliating to the UCS scheme, largely as a result of the requirement to provide national identification numbers. For more information, see ILO (2015), p. 3; and WHO (2019), p. 6.

<sup>6</sup> UNICEF (2020), p. 1. The gross monthly minimum wage level in 2019 was approximately B8,700 (US\$262); see ILO, *Global Wage Report 2020–21: Wages and Minimum Wages in the Time of COVID-19*, 2020, p. 106.

<sup>7</sup> UNICEF, *Thailand Child Support Grant (CSG): Impact Assessment Endline Report*, 2019, p. 67.

borns' health and nutrition and cash transfers reduced gender- based inequalities.<sup>8</sup> However, an evaluation in 2018 estimated that 30 per cent of eligible families do not receive the Child Support Grant due to errors in screening and registration.<sup>9</sup>

The constitutional right to free education (sections 54 and 258(e)) is implemented through the 1999 National Education Act and subsequent amendments, which guarantees free access to at least 12 years of basic formal education.<sup>10</sup> In addition, students from low- income families are awarded with scholarships and loans, as well as material benefits such as school uniforms. Besides the formal curriculum, non-formal and informal education activities, such as sports, library memberships and visits to museums, are also promoted (ILO 2013b, 15).<sup>11</sup>

Despite recent progress, social protection for children and families is still not universal. In particular, workers in the informal economy who have not joined the social security scheme and are ineligible for non-contributory child allowances are left behind. Workers who voluntarily affiliate under section 40 of the Social Security Act (see next paragraph) are provided a flat child benefit. According to the Oxford Poverty and Human Development Initiative, one out of five children in Thailand were still living in multidimensional poverty in 2019 (OPHI 2019, 7).

## Social protection for women and men of working age

Under the Constitution, “[t]he State should protect labour to ensure ... social security and other benefits which are suitable for ... living” (section 74). This broad constitutional mandate is mainly implemented by the amended (and in

2015 revised) 1990 Social Security Act. In addition, the 1990 Social Security Act, section 40, combined with the 2011 Royal Decree on the rate of contributions, contingencies and eligibility to benefits, enforces the informal-sector social security scheme.

The 1990 Social Security Act provides protection against the risk of sickness, disability and death of the breadwinner. It is provided both to formal- and informal-sector workers.<sup>12</sup> In the case of sickness or disability, affiliates are entitled to several benefits provided that contributions have been paid for at least 3 of the 15 months preceding the incapacity.<sup>13, 14</sup>

The 2011 Royal Decree expanded coverage to allow workers who have contributed at least three of the four months preceding the incapacity to access sickness benefits, and those who have contributed at least six out of the ten months preceding the disability to access disability benefits (ILO 2022, 3, 27).<sup>15</sup> Although the legal framework regarding sickness is in line with Convention No. 102 in terms of the level and periodicity of payments, in relation to disability national legislation does not provide for the benefit as long as the contingency lasts but limits the disability benefit to 15 years (ISSA 2018).

Pregnant women, new mothers and spouses of insured workers in the formal economy are entitled to maternity benefits.<sup>16</sup> The insured person is entitled to the benefit provided that they have paid contributions for at least 7 of the 15 months prior to the start of prenatal care services.<sup>17</sup> During maternity leave, beneficiaries receive 50 per cent of their average wages from the social security scheme. Maternity benefits are provided for 90 days, in line with international social security standards, but only for the first

<sup>8</sup> UNICEF, *Thailand Child Support Grant*, p. 67.

<sup>9</sup> UNICEF, *UNICEF calls for universal Child Support Grant to ensure no child left behind in Thailand's COVID-19 recovery*, 2022.

<sup>10</sup> Section 16 of the 1999 National Education Act.

<sup>11</sup> Sections 60 and 63 of the 1999 National Education Act.

<sup>12</sup> Formal-sector workers (employees between 15 and 60 years of age) are covered under sections 33 and 39 of the 1990 Social Security Act. Section 40 of the 1990 Social Security Act, in conjunction with the 2011 Royal Decree on the rate of contributions, contingencies and eligibility to receive benefits of insured persons, establishes a voluntary scheme for workers not covered by sections 33 and 39.

<sup>13</sup> Sections 62 and 63 of the 1990 Social Security Act. In such cases, the insured person may receive a benefit at the rate of 50 per cent for a maximum of 90 days on each occasion and a total of 180 days in a year, under section 64 of the 1990 Social Security Act.

<sup>14</sup> Section 69 of the 1990 Social Security Act.

<sup>15</sup> Although the 2011 Decree concerning section 40 of the 1990 Social Security Code targeted workers in the informal economy, the majority of the Thai labour force remain in informal employment and do not regularly contribute, so that they are not reached by the LSSO section 40 scheme.

<sup>16</sup> Section 65 of the 1990 Social Security Act.

<sup>17</sup> Section 65 of the 1990 Social Security Act.

two births.<sup>18</sup> In addition, employers pay an additional 50 per cent of wages, but only up until the first 45 days of leave, according to section 59 of the 1998 Labour Protection Act as amended.

The 1990 Social Security Act also grants a survivors' benefit to a widow or widower, children, parent or a named beneficiary of formal-sector employees in the form of a lump sum. The amount varies according to the number of contributions paid (requiring at least one monthly contribution for entitlement to the survivors' benefit).<sup>19</sup> The survivors of informal-sector insured's dependants, including a widow or widower, children, parent or a named beneficiary, may also access a lump sum.<sup>20</sup> It should be noted, however, that international social security standards require that benefits in the case of the death of a breadwinner be paid periodically.<sup>21</sup>

The Social Security Act also provides for unemployment protection. Insured persons are entitled to unemployment benefits if they contributed at least 6 months of the 15 months prior to unemployment. For eligible workers who were laid off, a benefit of 50 per cent of the previous wage is provided for 180 days, while those who quit voluntarily or whose contract ended are provided 30 per cent of the previous wage for up to 90 days each calendar year.<sup>22</sup> The benefits are paid after a waiting period of eight days.<sup>23</sup>

Employment injuries are covered under the 1994 Workmen's Compensation Act, insuring the risk of sickness, disability or death as a result of work activities.<sup>24</sup> Beneficiaries include the employees of industrial and commercial companies and their dependants – explicitly

excluding domestic workers, specific civil servants or employees in non-profit activities.<sup>25</sup>

In summary, the Thai social protection legislation for people of working age provides benefits for the six categories enshrined in Convention No. 102 – sickness, unemployment, employment injury, maternity, disability and survivors' benefits. Therefore, it not only provides normative content for section 74 of the Thai Constitution and other constitutional rights but also ensures that the benefits of Convention No. 102 are converted into rights.

## Social protection for older women and men

The Thai Constitution guarantees State support for persons over 60 years of age and with income below subsistence levels (section 48). This constitutional right has been secured in practice through a combination of contributory and non-contributory schemes, building upon mainly three legal sources: the 1990 Social Security Act, the 2011 National Savings Fund Act and the 2003 Act on the Elderly. In its architecture – similar to the healthcare scheme – the pension scheme is grounded on three pillars, as described below.

Public sector employees are covered under the 1996 Government Pension Fund Act and the CSMBs or other specific schemes.<sup>26</sup> Private sector employees' old-age benefits are governed by the contributory scheme under the 1990 Social Security Act.<sup>27</sup> In both cases, a pension is granted at the age of 55 provided that contributions have been made for at least 180 months (15 years), in line with ILO Convention No. 102.<sup>28</sup>

<sup>18</sup> Sections 65 and 67 of the 1990 Social Security Act.

<sup>19</sup> Section 73 of the 1990 Social Security Act.

<sup>20</sup> Section 36 of the 2011 National Savings Fund Act.

<sup>21</sup> Article 62 of Convention No. 102.

<sup>22</sup> Section 78 of the 1990 Social Security Act.

<sup>23</sup> Section 79 of the 1990 Social Security Act.

<sup>24</sup> Sections 13 and 16 of the 1994 Workmen's Compensation Act.

<sup>25</sup> Sections 5 and 7 of the 1994 Workmen's Compensation Act.

<sup>26</sup> For example, the Bangkok Metropolitan Administration Pension Fund or a local government pension fund. In addition, for private workers and civil servants, it is also possible to participate in Provident Fund Schemes (1987 Provident Fund Act), contributing to a fund established by the employer, and to receive the benefit of a lump sum upon retirement.

<sup>27</sup> Private school teachers may also participate in a special provident fund introduced by the Private School Act of 1954. Other exceptions are specified in section 4 of the 1990 Social Security Act.

<sup>28</sup> Sections 76 and 77bis of the 1990 Social Security Act.

In 2011, the National Savings Fund Act came into force, providing an alternative to the old-age voluntary pension scheme under section 40 of the Social Security Act. It established a voluntary scheme of savings accounts for all workers not insured by other mandatory pension schemes (ILO 2022, 27). Workers make individual contributions that are complemented by the Government at rates that increase with the age of the respective affiliate.<sup>29</sup>

Workers in the informal economy may contribute to the voluntary contributory scheme established under the Social Security Act or to the voluntary individual savings scheme established under the 2011 National Savings Fund Act.

At the age of 60, a pension based on the member's account balance is paid.<sup>30</sup> While anchored in law, such (individual) savings schemes are generally not in line with international social security principles. The scheme does provide for the payment of a lump sum.<sup>31</sup> Also, the adequacy of protection is uncertain, partly due to the voluntary nature of contributions and their resulting low levels and frequency (ILO 2022, 56). The adequacy of protection is further undermined by the fact that under section 38 of the 2011 National Savings Fund Act, members are legally able to withdraw part of their savings before retirement, a modality that is not in line with international standards (ILO 2016b, 3).

To achieve universal coverage of old-age pensions, Thailand has instituted the tax-financed (universal) Old-Age Allowance (OAA) (ILO 2016b, 3), which was introduced by the 2003 Act on Older Persons and implemented in 2009 and currently covers four out of five older persons in Thailand (ILO 2013, 11; HelpAge International 2018).<sup>32</sup>

Thai nationals at least 60 years of age who reside in Thailand receive monthly payments of 600 baht to 1,000 baht (around US\$18–30) if they receive no other regular old-age benefits from a social security institution (Ratanabanchuen 2019, 35). However, these amounts fall significantly below Thai poverty lines, which in 2019 were set at a daily income of 180 baht (US\$5.50), which may indicate that the income support does not allow for a life in

dignity as recommended in Recommendation No. 202 on social protection floors (Ratanabanchuen 2019, 35).

The introduction of the tax-financed OAA led to a considerable expansion of old-age pension coverage in Thailand (ILO 2016b, 3). To ensure its sustained success in the light of expected demographic shifts, it is important that Thailand overcomes the deficiencies in terms of adequacy as well as financial sustainability and policy consistency (ILO 2022, 56).

## Main results: towards a comprehensive social protection legal framework based on international social security standards

Figure 1 illustrates how the social protection legal framework in Thailand anchors constitutional social security rights in a far-reaching legal system. Notably, the Universal Health Scheme and the Universal Pension Scheme established in the National Health Security Act and the Act on the Elderly translate the constitutional rights to medical care and old-age benefits into common legal rights.

On the other hand, figure 1 also reveals the remaining legal gaps and flaws. Prima facie, the complex legal and administrative structures create risks of inefficiency and may cause confusion among the population about their entitlements. For example, persons employed in the private formal sector may be entitled to old-age benefits under different legal schemes. This leads to duplicate structures and possibly additional costs in the transfer of benefits.

Thailand's great achievements in extending social protection to workers in the informal economy through a rights-based approach demonstrate its commitment to making the right to social security a reality for all, in accordance with Recommendation No. 202 and other advanced ILO instruments, notably the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).

<sup>29</sup> Section 32 of the 2011 National Savings Fund Act, in conjunction with its Annex.

<sup>30</sup> Section 34 of the 2011 National Savings Fund Act.

<sup>31</sup> Section 34 of the 2011 National Savings Fund.

<sup>32</sup> Government officers are not covered under the OAA.

Figure 1: Overview of the Thai social protection legal framework

<b>Formal Sector</b>	Public Sector	CSMBS			1996 Government Pension Fund Act & CSMBS***
	Private Sector	1990 Social Security Act	1990 Social Security Act	1990 Social Security Act**	1990 Social Security Act & 2011 National Savings Fund Act
<b>Workers in the Informal Economy</b>	Rural Wage Workers	2002 National Health Security Act	1990 Social Security Act*	1990 Social Security Act & 2011 Royal Decree	1990 Social Security Act & 2011 National Savings Fund Act*
	Domestic Workers				
	Self-employed				
<b>Poor and Extremely Poor all Sectors</b>	Others		Child Support Grant		2003 Act on the Elderly ****
		Health	Children and Families	Working Age	Old Age
<b>CONSTITUTION Sections 27, 47, 48, 55, 71, 74</b>					

► Notes: \* Voluntary Compensation Act \*\* For maternity protection additionally 1998 Labour Protection Act; For employment injuries additionally 1994 Workmen's Compensation Act \*\*\* Further specific schemes \*\*\*\* 2003 Act on the Elderly applies as long as the beneficiary does not receive other regular old-age benefits.  
 ► Source: Author's elaboration.

Discussions between Thailand and the ILO are under way to study the possibility for Thailand to ratify Convention No. 102 to demonstrate its commitment to continuing and expanding its social protection systems, setting a precedent in the Asia-Pacific region, where despite recent progress made in advancing social protection, only Japan has ratified Convention No. 102 to date.

### What's next?

The social protection legal framework of Thailand has established a foundation for social security with a human-

rights-based approach. Thailand is continuing to improve its application of international principles and standards. The national legal framework provides a strong pathway through which the right to universal, comprehensive and adequate social protection can be realized.

## References

- Bazyar, Mohammad, et al. 2021. "The Experiences of Merging Health Insurance Funds in South Korea, Turkey, Thailand, and Indonesia: A Cross-Country Comparative Study". In *International Journal of Equity in Health* 20 (66).
- Health Insurance System Research Office. 2012. *Thailand's Universal Coverage Scheme: Achievements and Challenges. An Independent Assessment of the First 10 years (2001–2010)*.
- HelpAge International. 2018. "Social Pensions Database: Thailand".
- ILO. 2008. *Universal Health Care Coverage through Pluralistic Approaches. Experience from Thailand*.
- . 2009. *Thailand. Pension Reform in Times of Crisis. A Report Requested by the Ministry of Finance*.
- . 2011. *General Survey concerning Social Security Instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization*. ILC.100/III/1B.
- . 2013a. *Thailand. Report to the Government: Actuarial Valuation of Thailand Social Security Scheme Administered by the Social Security Office as of 31 December 2013*.
- . 2013b. *Social Protection Assessment Based National Dialogue. Towards a Nationally Defined Social Protection Floor in Thailand*.
- . 2014. "Thailand. Universal Health Coverage". Social Protection in Action.
- . 2016a. "Thailand: Universal Health-Care Coverage Scheme". Social Protection in Action.
- . 2016b. "Improving the Lives of Older Persons through Universal Social Pensions: Thailand". Social Protection in Action.
- . 2017. *World Social Protection Report 2017–19: Universal Social Protection to Achieve the Sustainable Development Goals*.
- . 2018. *Social Protection for Migrant Workers in ASEAN: Developments, Challenges, and Prospects*.
- . 2019. *Universal social protection for human dignity, social justice and sustainable development: General Survey Concerning the Social Protection Floors Recommendation, 2012 (No. 202)*. ILC.108/III/B.
- . 2020. "Toolkit on ILO Social Security Standards".
- . 2021. *World Social Protection Report 2020–22: Social Protection at the Crossroads – In Pursuit of a Better Future*.
- . 2022. *Thailand Social Protection Diagnostic Review: Review of the pension system in Thailand*. ISSA (International Social Security Association). 2018. "Country Profiles: Thailand".
- ISSA and SSA (United States Social Security Administration). 2016. *Social Security Programs Throughout the World: Thailand 2016*.
- New Delhi Times. 2020. "Thailand's 'Child Support Grant' Initiative". 8 June.
- OPHI (Oxford Poverty and Human Development Initiative). 2019. *Child Multidimensional Poverty in Thailand*. University of Oxford.
- Plangraphan, Jirahorn and Proudpong Chamornchan. 2016. "Child Support for Inclusive Growth".
- TDRI.
- Ratanabanchuen, Roongkiat. 2019. "The Pension System in Thailand". In *Nomura Journal of Asian Capital Markets* 3 (2): 34–39.
- Tilleke & Gibbins. 2021. "Thailand Announces Social Security Assistance for Second Wave of COVID-19". 12 January.
- UNDP (United Nations Development Programme). 2011a. "The Universal Coverage Scheme: Thailand". In *Successful Social Protection Floor Experiences*, Vol. 18, 385–400.
- . 2011b. "The 500 Baht Universal Pension Scheme: Thailand". In *Successful Social Protection Floor Experiences*, Vol. 18, 401–415.
- UNICEF (United Nations Children's Fund). 2020. "The 1st Three: Thailand's Progressive Road Towards Universal Child Grant Coverage".
- . 2016. "Thailand's Child Support Grant Helps Vulnerable Families". UNICEF Connect (blog). 4 October.
- WHO (World Health Organization). 2019. "UHC Law in Practice: Legal Access Rights to Health Care: Country Profile: Thailand".
- World Bank. 2019. "Poverty Headcount Ratio at \$5.50 a Day (2011 PPP) (percentage of Population) – Thailand".

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