

THAILAND

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and in practice; however, it restricted the activities of some groups. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were some reports of societal abuses based on religious affiliation, belief or practice. In the southernmost border provinces, continued separatist violence contributed to tense relations between ethnic Thai Buddhist and ethnic Malay Muslim communities. While the conflict in the South primarily involves ethnicity and nationalism, the close affiliation between ethnic and religious identity has caused it to take on religious overtones. As a result there were a number of cases in which the violence in the region undermined citizens' abilities to undertake the full range of their religious activities.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 198,000 square miles and a population of 67 million. According to the 2000 census, 94 percent of the population is Buddhist and 5 percent is Muslim. Nongovernmental organizations (NGOs), academics, and religious groups claim 85 to 95 percent of the population is Theravada Buddhist and from 5 to 10 percent is Muslim. Groups that constitute less than 5 percent of the population include animist, Christian, Confucian, Hindu, Jewish, Sikh, and Taoist populations.

Theravada Buddhism, the dominant religion, is not an exclusive belief system, and most Buddhists also incorporate Brahmin-Hindu and animist practices. The Buddhist clergy (Sangha) consists of two main schools: Mahanikaya and Dhammayuttika. The former is older and more prevalent within the monastic community than the latter. The same ecclesiastical hierarchy governs both groups.

Islam is the dominant religion in four of the five southernmost provinces. The majority of Muslims in those provinces are ethnic Malay, but the Muslim population country-wide also includes descendants of immigrants from South Asia, China, Cambodia, Indonesia, and those who consider themselves ethnic Thai. The Ministry of Interior's Islamic Affairs Section reported there are 3,679 registered mosques in 67 of the country's 76 provinces, of which 3,121 are located in the 14 southern provinces. According to the Religious Affairs Department (RAD) of the Ministry of Culture, 99 percent of these mosques are associated with the Sunni branch of Islam. Shia mosques make up 1 percent and are in Bangkok and the provinces of Nakhon Sithammarat and Krabi. There are 39 Provincial Islamic Committees nationwide.

According to the 2000 census, there are an estimated 440,000 Christians in the country, constituting 0.7 percent of the population. While there are a number of denominations, the government recognizes five Christian umbrella organizations: the Catholic Mission of Bangkok (Roman Catholic); the Church of Christ in Thailand (Protestant); the Evangelical Fellowship of Thailand (Protestant); Saha Christchak (Baptist); and the Seventh-day Adventist Church of Thailand. The oldest of these groupings, the Church of Christ in Thailand (CCT), was formed in 1934 and claims 114,000 adherents. The Catholic Mission of Bangkok has 335,000 believers. The Evangelical Fellowship of Thailand has approximately 126,000 believers. The Seventh-day Adventists have approximately 13,000 members, and the Saha Christchak Baptists report 10,000 followers.

According to a 2002 government survey, there are nine recognized chao khao (tribal groups), composed of approximately 920,000 persons. These groups generally practice syncretistic forms of Buddhism, Christianity, Taoism, or animism.

The Secretary-General of the Sikh Council of Thailand estimates there are up to 30,000 Sikhs. Although there are 16 Sikh temples, only 10 or 11 are active. According to RAD statistics and local Hindu organizations, there are an estimated 100,000 Hindus.

The majority of ethnic Chinese and Vietnamese practice Mahayana or Theravada Buddhism. There are more than 750 Chinese and Vietnamese Mahayana Buddhist shrines and temples throughout the country. Many ethnic Chinese, as well as members of the Mien hill tribe, practice forms of Taoism. Some ethnic Chinese also practice Christianity, mainly Protestantism.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The 2007 constitution states that unjust discrimination against a person on the grounds of differences in "religious belief" shall not be permitted, and there was no significant pattern of religious discrimination by the government during the reporting period.

There is no state religion; however, Theravada Buddhism receives significant government support, and the 2007 constitution retains the requirement from the previous charter that the monarch be Buddhist. The constitution specifies the state shall "protect Buddhism as the religion observed by most Thais for a long period of time and other religions, and shall also promote a good understanding and harmony among the followers of all religions as well as encourage the application of religious principles to create virtue and develop the quality of life."

The 2007 constitution generally provides for freedom of speech; however, laws prohibiting speech likely to insult Buddhism remain in place. The 1962 Sangha Act (amended in 1992) specifically prohibits the defamation or insult of Buddhism and the Buddhist clergy. Violators of the law could face up to one year's imprisonment or fines of up to 20,000 baht (approximately \$664). The 1956 penal code's sections 206 to 208 (last amended in 1976) prohibit the insult or disturbance of religious places or services of all officially recognized religions. Penalties range from imprisonment of one to seven years or a fine of 2,000 to 14,000 baht (\$66 to \$465).

There are five officially recognized religious groups: Buddhists, Muslims, Brahmin-Hindus, Sikhs, and Christians. The RAD is responsible for registering religious groups. Under provisions of the Religious Organizations Act, and the Regulations on Religious Organizations implemented in 1969 and amended in 1982, the RAD recognizes a new religious group if a national census shows that it has at least 5,000 adherents, has a uniquely recognizable theology, and is not politically active. A religious organization must also be accepted into at least one

of the five existing recognized religious groups before the RAD will grant registration. Generally, the government requires that new groups receive acceptance from existing groups with similar belief systems. Government registration confers some benefits, including access to state subsidies, tax exempt status, and preferential allocation of resident visas for organization officials; however, since 1984 the government has not recognized any new religious groups. In practice unregistered religious groups operated freely, and the government's practice of not recognizing any new religious groups did not restrict their activities.

The government limits the number of foreign missionaries allowed to work in the country, although the quotas for some religions have increased in recent years.

The 2007 constitution requires that the government "patronize and protect Buddhism and other religions." In accordance with this requirement, the government subsidized activities of all five primary religious communities. The government allocated 3.6 billion baht (\$119.6 million) for fiscal year 2010 to support the National Buddhism Bureau, an independent state agency. The bureau oversees the Buddhist clergy and approves the curriculums of Buddhist teachings for all Buddhist temples and educational institutions. In addition, the bureau sponsored educational and public relations materials on Buddhism as it relates to daily life. For fiscal year 2010 the government, through the RAD, budgeted 125 million baht (\$4.15 million) for Buddhist organizations; 35.6 million baht (\$1.2 million) for Islamic organizations; and 3 million baht (\$99,667) for Christian, Brahmin-Hindu, and Sikh organizations. The RAD fiscal year 2010 budget also allocated 38 million baht (\$1.26 million) for religious research, children's activities, and summer camps, as well as 10.6 million baht (\$352,159) for the Religious Promotion Project in the southern border provinces.

The budgets for Buddhist and Islamic organizations included funds to support Buddhist and Islamic institutes of higher education, fund religious education programs in public and private schools, provide daily allowances for monks and Muslim clerics who hold administrative and senior ecclesiastical posts, and subsidize travel and health care for monks and Muslim clerics. Also included was an annual budget for the renovation and repair of temples and mosques, the maintenance of historic Buddhist sites, and the daily upkeep of the central mosque in Pattani. The National Buddhism Bureau allocated 403 million baht (\$13.4 million) for the maintenance of Buddhist temples and institutions.

Other registered religious groups can request government support for renovation and repair work but do not receive a regular budget to maintain religious buildings,

nor do they receive government assistance to support their clergy. In 2009 the RAD budgeted 20 million baht (\$664,451) for the restoration of religious buildings of non-Buddhist religious groups. These funds were used to repair 515 mosques, 78 churches, and one Brahmin-Hindu temple. The 2010 RAD budget for the maintenance of religious buildings remained unchanged from the previous year. Private donations to registered religious organizations are tax deductible.

Religious groups proselytized freely. Monks working as dhammaduta (Buddhist missionaries) have long been active, particularly in border areas among the country's tribal populations. According to the National Buddhism Bureau, there are 5,609 appointed dhammaduta working nationwide. In addition the government appointed 1,857 dhammaduta for international travel, and 1,380 were overseas working in 30 countries. There are 317 registered Thai Buddhist temples abroad, located in 27 countries. In 2009 the Supreme Sangha Council and the National Buddhism Bureau recruited more than 400 recently graduated monks with religious degrees to work in the provinces on four-year tenured contracts as part of a domestic religious dissemination program. It was also general practice for the government and the Supreme Sangha Council to encourage men who are unemployed or otherwise adversely affected by the economic climate to be ordained as monks.

Muslim and Christian missionaries did not receive public funds or state subsidies. Islamic organizations had small numbers of citizens working as missionaries in the country and abroad. Christian organizations had much larger numbers of missionaries, both foreign and Thai, across all denominations operating in the country. Sikhs and Hindu-Brahmins had smaller numbers reflecting their proportion of the population.

Religious education is required in public schools at both the primary and secondary levels. In 2003 the Ministry of Education introduced a course called "Social, Religion, and Culture Studies," which students in each grade study for one to two hours each week. The course contains information about all of the recognized religions in the country. Students who wish to pursue in-depth studies of a particular religion may study at a religious school and can transfer credits to the public school. Individual schools, working in conjunction with their local administrative boards, are authorized to arrange additional religious studies courses. The Supreme Sangha Council and the Central Islamic Committee of Thailand created special curriculums for Buddhist and Islamic studies.

There were a variety of Islamic education opportunities for children. Tadika is an after-school religious course for children in grades one through six, which often is held in a mosque. The RAD was responsible for overseeing the program, except in the southernmost provinces of Satun, Narathiwat, Yala, Pattani, and parts of Songkhla, where the courses were supervised by the Ministry of Education.

For secondary school children, the Ministry of Education allows two separate curriculums for private Islamic schools. The first curriculum teaches both Islamic religious courses and traditional state education coursework. The government recognizes these private schools and supports them financially, and graduating students can continue to higher education within the country. The second type of private Islamic school curriculum teaches only religious courses. In 2003 the government authorized these schools to adopt a government-approved Islamic studies curriculum. Students finishing their studies under this curriculum receive government certification and are eligible to pursue a higher education.

Traditional pondoks (private Islamic day schools), located primarily in the South, offer a third type of Islamic education. Registered pondoks received government funding based on a school's number of teachers. The exact number of pondoks was unknown, however, as pondoks were not required to register with the government until 2004. Credible sources stated there could be as many as 1,000 pondoks. Students graduating from registered pondoks do not receive government certification of their studies but are able to take a compatibility exam that compares their knowledge to the government-approved Islamic Studies curriculum. Those who pass this exam receive government certification.

The government observes the following religious holidays as national holidays: Maka Bucha Day (the full moon day of the third lunar month, typically in February); Visakha Bucha Day (the full moon day of the sixth lunar month, typically in May); Asalaha Bucha Day (the full moon day of the eighth lunar month, typically in July); and Khao Phan Sa Day (beginning of the Buddhist Lent, typically during the summer).

Restrictions on Religious Freedom

The government does not recognize religious groups other than the five existing registered communities; however, unregistered religious organizations operated freely during the reporting period.

The number of foreign missionaries registered with the government was limited to an official quota established by the RAD in 1982. The quota system is organized along both religious and denominational lines. The RAD increased the missionary quota for a few religions in recent years. There were close to 1,600 registered foreign missionaries in the country, mostly Christian, during the reporting period. In addition to these formal quotas, many unregistered missionaries were able to live and work in the country without government interference. While registration conferred some benefits, such as visas with longer validity, being unregistered was not a significant barrier to foreign missionary activity. Many foreign missionaries entered the country using tourist visas and proselytized without RAD's authorization. There were no reports foreign missionaries were deported or harassed for working without registration.

Muslim professors and clerics, particularly in the deep South, continued to face additional scrutiny because of continuing government concern about Malay Muslim separatist activities. While this usually did not appear to inhibit their religious activities, government officials continued to be concerned that some Islamic schools were used by Malay Muslim extremists to indoctrinate youth into the conflict. Conversely, some reports concluded that southern insurgents targeted state schools and teachers because they perceived them to be part of an effort to impose Thai Buddhist culture on the region.

Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country. On April 9, 2009, three mainland Chinese members of Falun Gong were arrested on immigration-related charges at their home in Pattaya one day prior to the Association of Southeast Asian Nations (ASEAN) summit meeting held there. The Special Branch and Immigration Police who conducted the raid confiscated religious materials and a digital camera owned by the occupants. The religious materials were later returned to a Bangkok-based Falun Gong representative. All the detainees were transferred to the Bangkok Immigration Detention Center in April 2009. Two of the detainees were resettled abroad, while the third detainee remained at the center.

In March 2009 Nima Kaseng, wife of Imam Yapa Kaseng, filed a civil suit against the Ministry of Defense, the Royal Thai Army, and the Royal Thai Police demanding 15 million baht (\$498,338) in compensation after the December 2008 Narathiwat Provincial Court ruling that Imam Yapa was killed in March 2008 while in military custody. A military court had jurisdiction over this case;

prosecutors continued to examine the suit at the end of the reporting period. A concurrent administrative investigation with the National Counter Corruption Commission remained pending. On September 2, the Narathiwat Provincial Court dismissed the case filed in late 2009 against one police officer and five military officers. The court cleared the police officer, stating the charges of violating police regulations were not covered by the constitution. The court also declared it had no jurisdiction over the five military officers named in the suit and that Nima Kaseng would have to file separate charges with the Military Court.

There were no reports of religious prisoners or detainees in the country.

Improvements and Positive Developments in Respect for Religious Freedom

A clause in the 2007 constitution requires the government to "promote good understanding and harmony among followers of all religions." In accordance with this clause, during the reporting period, the government sponsored interfaith dialogue through regular meetings and public education programs. The RAD was responsible for carrying out and overseeing many of these efforts. On August 16, the RAD held its annual interfaith assembly in Bangkok, and approximately 900 representatives and members of all registered religious groups participated. The RAD, in conjunction with provincial authorities, also sponsored Youth Reconciliation Camps in several provinces throughout the country. Each event lasted two to three days and drew up to 250 participants.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice. While the conflict in the South was primarily about ethnicity and nationalism, the close connection between ethnic and religious identity caused it to take on religious overtones. The majority of killings in the deep South since the escalation of the conflict have been the result of Muslim on Muslim violence. However, violence perpetrated by ethnic Malay Muslims against ethnic Thai Buddhists in the southernmost provinces exacerbated tensions and invited retaliatory killings and human rights abuses by both groups. As a result there were a number of cases in which the violence in the region undermined the ability of citizens to practice the full range of their religious activities.

Insurgents continued high-profile attacks during the holy month of Ramadan in areas of the southernmost provinces populated predominantly by Buddhists. At least five persons were killed over the weekend of August 27-29: a Thai Buddhist

husband and wife and a Malay Muslim child were killed in drive-by shootings, and two other Malay Muslims were shot while riding their motorcycles. Insurgents punctuated the end of Ramadan with a series of 30 coordinated attacks across Narathiwat Province on September 5, which included arson, bombings, and shootings.

At least one imam was killed during the reporting period; Imam Sukree Dahi and two local government officials were killed in a drive-by shooting on November 24 in Narathiwat shortly after leaving a meeting with district military figures.

Buddhist monks continued to report they were fearful and thus no longer able to travel freely through southern communities to receive alms or perform rites. As a safety precaution, they often conducted religious rites that were customarily conducted in the evening in the afternoon instead. In contrast to previous years, there were no reports during this reporting period of Buddhist monks being killed in the southernmost provinces; however, they remained targets. On December 18, six insurgents killed two soldiers escorting a monk collecting morning alms; the monk was not injured in the attack.

The government continued to provide armed escorts for Buddhist monks for their daily rounds, to receive alms, and during Buddhist festivals. Government troops also continued to station themselves within Buddhist temples, which some NGOs and ethnic Malay Muslims perceived as a militarization of Buddhist temples. Other NGOs viewed the military presence as a response to the prior attacks on Buddhist temples. Some temples declined to have military protection, both to avoid being targeted by militants, and also due to cost (the military units do not contribute to the increased electric and water bills). Therefore, many temples preferred to rely on Buddhist volunteers for security.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officers regularly visited Muslim and Buddhist religious leaders, academics, and elected officials as part of the embassy's effort to understand the complex ethnic and religious issues at play in society.

During the reporting period, both the embassy and the U.S. consulate general in Chiang Mai hosted iftars (dinners during the month of Ramadan) to demonstrate respect for, and an understanding of, Islamic traditions and to share information

about Muslim life in the United States as well as the importance of religious freedom. The embassy also organized several other cultural religious projects, including the following: a 10-day U.S. speaker program with Georgetown University's Muslim chaplain, who discussed peace, tolerance, and respect among religious, cultural, and gender groups in venues throughout the country; a ceremony with the Ministry of Culture marking the repatriation of a smuggled Thai bronze antique Buddha statue intercepted by U.S. Immigration and Customs Enforcement; and a soccer camp that brought young persons from around the country, including more than 20 from the Muslim-majority southern provinces, to Bangkok to be trained by professional U.S. athletes. Events focusing specifically on the predominantly Muslim southern regions included several digital video conferences with American Corners in the south to promote study in the U.S. and English-language skills development; a culture camp for young persons to learn about American culture and practice their English skills; and student advising outreach focused on the region. The embassy also produced and distributed more than 800 articles and publications, including *Being Muslim in America*, and articles from *Muslim Americans: A National Portrait (Washington Report on Middle East Affairs)*, *Muslims in America (Contexts)*, and *From Muslims in America to American Muslims (Journal of Islamic Law & Culture)*.

During the reporting period, the U.S. Department of State financed the participation of 20 students from predominantly Muslim areas for the Youth Exchange and Study program, and regional funding provided five additional scholarships for the American Field Service (AFS) high school exchange program. Using embassy, Department of State, and regional funds, AFS sent six Muslim teachers to the United States for a two-month training and observation visit.