

THAILAND

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom, although it restricted the activity of some groups. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom.

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 discussed religious freedom with the government, visited religious leaders, hosted interreligious events, and promoted educational exchanges with the United States.

Section I. Religious Demography

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 that 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 nationally 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 3,722 registered mosques in 68 of the country's 77 provinces, of which 3,158 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, Krabi, and Phatthalung. There are 39 Provincial Islamic Committees nationwide.

The majority of ethnic Chinese and Vietnamese practice Mahayana or Theravada Buddhism. Many ethnic Chinese, as well as members of the Mien hill tribe, practice forms of Taoism.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom.

The 2007 constitution protects religious liberty (Constitution Section 37) and states that unjust discrimination against a person on the grounds of differences in "religious belief" shall not be permitted (Constitution Section 30). There was no significant pattern of religious discrimination by the government.

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 "patronize and 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 and other religions 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 \$645). 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 (\$65 to \$452).

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 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 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).

Government Practices

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 in 2009 and 2010, while

the third detainee was released on bail in 2011. Pattaya Tourist Police reportedly arrested a group of five Falun Gong practitioners in December for trespass and nuisance while they were distributing leaflets. The five were reportedly released with no further legal action against them.

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 (approximately \$484,000) in compensation after the December 2008 Narathiwat Provincial Court ruled that Imam Yapa was killed in March 2008 while in military custody. On July 20, the three defendants agreed to settle the civil case for 5.2 million baht (\$168,000). The Supreme Court of Justice continued to examine the question of military or civilian court jurisdiction over the criminal charges associated with the case. A concurrent administrative investigation with the National Counter Corruption Commission remained pending.

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

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 3.8 billion baht (approximately \$122.6 million) for fiscal year 2011 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. During the year the government budgeted 380 million baht (\$12.3 million) for the RAD, including 172 million baht (\$5.5 million) for Buddhist organizations; 44 million baht (\$1.4 million) for Islamic organizations; and 3 million baht (\$97,000) for Christian, Brahmin-Hindu, and Sikh organizations. The RAD fiscal year budget also allocated 74 million baht (\$2.4 million) for religious research, children’s centers and activities, and summer camps, as well as 11 million baht (\$355,000) for the Religious Promotion Project in the southern border provinces. Pursuant to the Hajj Pilgrimage Promotion Act of 1981 the government budgeted 19 million baht (\$613,000) for the year, up from 13.5 million baht (\$435,000) the previous two years, to promote and facilitate Thai Muslim participation in the Hajj pilgrimage.

In areas of the southern provinces where violence has occurred, 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 the perceived costs, such as higher utility bills and the effort involved in controlling behavior on temple grounds. Many temples therefore preferred to rely on Buddhist volunteers for security.

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 423 million baht (\$13.6 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. During the previous year the RAD budgeted 20 million baht (\$645,000) for the restoration of 912 religious buildings of non-Buddhist religious groups. The 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 4,990 appointed dhammaduta working nationwide. In addition, the government appointed approximately 2,100 dhammaduta for international travel, and 1,383 were overseas working in 27 countries. There are 360 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. The program continued, with new recruits replacing those who vacated positions.

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 are four types of educational institutions in Southern Thailand. The first is government-sponsored schools. This type of schooling offers Islamic education in conjunction with the national curriculum. The language of instruction is Thai and there are approximately 190 schools in this category. The government recognizes these schools, supports them financially, and graduating students can continue to higher education within the country.

The second type is private Islamic schools. There are approximately 109 schools in this category. In 2003 the government authorized these schools to adopt a government-approved Islamic studies curriculum. Some private Islamic schools may offer non-Qur’anic subjects such as science and math, as well as the teaching of foreign languages (Arabic and English). These schools are usually registered with the government. Students finishing their studies under this curriculum receive government certification and are eligible to pursue higher education.

Traditional pondoks (private Islamic day schools) offer Islamic education to students of all ages. Each school chooses its own curriculum, which has traditionally been built around the teacher, often the local imam or founder. The language of instruction at many pondoks is Malay. Many of these schools are not registered with the government. Since they are unregistered, the exact number of traditional pondoks in the country is unknown. Estimates range from 328-1,000.

Students graduating from pondoks which choose to register with the government do not receive automatic government certification of their studies. They are, however, 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.

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

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. 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 that foreign missionaries were deported or harassed for working without registration.

Muslim professors and clerics, particularly in the southernmost provinces, 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 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.

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, 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 at the National Theater in Bangkok, and approximately 700 representatives and members of all registered religious groups participated. The RAD, in conjunction with provincial authorities, also sponsored Youth Reconciliation Camps in 32 provinces throughout the country. Each event lasted two to three days and drew at least 100 participants. Camps in the five southernmost provinces drew approximately 500 participants each.

Section III. Status of Societal Respect for Religious Freedom

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Because ethnicity and religion are often inextricably linked, it is difficult to categorize many incidents specifically as ethnic or religious intolerance. 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 with at least 73 attacks during the month. At least seven persons were killed during the last week of Ramadan: five defense volunteers died after an IED exploded underneath their vehicle as they responded to a report that insurgents had killed a Buddhist villager in Narathiwat Province on August 26. The day prior a group of about 30 men attacked the house of a Malay Muslim village chief in the early morning hours, killing the man and his daughter and wounding 10 other people. Over a dozen other people were injured in multiple explosions that same week.

At least one imam was killed – Imam Mama Samoh and his wife were killed on July 10 as they were leaving their home in Narathiwat.

As in previous years, 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, customarily conducted in the evening, in the afternoon instead. Gunmen killed one monk and wounded two others in a March 5 attack in Pattani Province; the monks

did not have a security detail accompanying them. Two monks in Yala Province were killed when a roadside bomb exploded while they were collecting morning alms on May 16. The explosion that killed both monks also injured two of their military escorts. A small bomb in Pattani Province wounded three monks and their police escort on November 21.

There were reports of several incidents involving intimidation and violence by unidentified attackers against peaceful Falun Gong protesters, some near the embassy of China, but no arrests were reported.

Section IV. U.S. Government Policy

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

The ambassador met with the leadership of the Songkhla Central Islamic Committee and Mosque. The mosque, Thailand's largest, also serves as a cultural center and Islamic administrative center for Thailand's South, the region with the highest population of Muslim citizens. 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 and religious projects, including events focusing specifically on the predominantly Muslim southern regions, such as several digital video conferences with American Corners in the South to promote study in the U.S. and English-language skills development. The embassy also organized several interfaith dialogues in Bangkok and the South with Islamic student leaders, women, executives, and the Islamic Council, and Buddhist students and leaders. The consulate general in Chiang Mai participated in interreligious events organized by the Chiang Mai Interreligious Relations Committee. The consul general attended a service for Guru Gobind Singh, the 10th Sikh master, and spoke on the importance of religious freedom – in the U.S. as in Thailand – and the history of Sikh migration in America.