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Thailand

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

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The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom 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 66 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 between 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 is the dominant religion, although it 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, which grew out of a 19th-century reform movement led by King Mongkut (Rama IV). The same ecclesiastical hierarchy governs both groups.

Islam is the dominant religion in four of the five southernmost provinces. The majority of Muslims are ethnic Malay, but the Muslim population 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 that 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. Shi'a mosques make up the remaining 1 percent and are not located in the south but 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 438,600 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 114,260 adherents. The Catholic Mission of Bangkok has 335,100 believers. The Evangelical Foundation of Thailand has approximately 126,000 believers. The Seventh-day Adventists have approximately 13,300 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

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

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 previous requirement that the monarch be Buddhist. The constitution specifies that 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 prohibited the defamation or insult of

Buddhism and the Buddhist clergy. Violators of the law could face up to one year imprisonment or fines of up to \$581 (20,000 baht). The 1956 penal code sections 206 to 208 (last amended in 1976) prohibited the insult or disturbance of religious places or services of all officially recognized religions. Penalties ranged from imprisonment of one to seven years or a fine of \$58 to \$407 (2,000 to 14,000 baht).

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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).

During the reporting period, there were five officially recognized religious groups: Buddhists, Muslims, Brahmin-Hindus, Sikhs, and Christians. The RAD registered religious groups. Under the provisions of the Religious Organizations Act, and the relevant Regulations on Religious Organizations implemented in 1969 and amended in 1982, the RAD recognized a new religious group if a national census shows that it had at least 5,000 adherents, had a uniquely recognizable theology, and was 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 required that new groups receive acceptance from existing groups with similar belief systems. Government registration conferred 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 officially limits the number of foreign missionaries allowed to work in the country, although the numerical quotas for some religions have increased in recent years.

The 2007 constitution retains the past requirement 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 approximately \$110 million (3.6 billion baht) for fiscal year 2010 to support the National Buddhism Bureau, which was established in 2002 as an independent state agency. The bureau oversees the Buddhist clergy and approved the curriculums of Buddhist teachings for all Buddhist temples and educational institutions. In addition it sponsored educational and public relations materials on Buddhism as it relates to daily life. For fiscal year 2010 the government, through the RAD, budgeted approximately \$3.8 million (125 million baht) for Buddhist organizations; \$1.1 million (35.6 million baht) for Islamic organizations; and \$92,300 (3 million baht) for Christian, Brahmin-Hindu, and Sikh organizations. The RAD fiscal year 2010 budget also allocates \$1.2 million (38 million baht) for religious research, children's activities, and summer camps, as well as \$327, 000 (10.6 million baht) 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 \$12.4 million (403 million baht) 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 approximately \$615,000 (20 million baht) 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 were 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 are overseas working in 30 different 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 over 400 recently graduated monks with religious degrees to work in the provinces on a four-year tenured contract 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 operating in the country, both foreign and Thai, across all denominations. Sikhs and Hindu-Brahmin have smaller numbers reflecting their proportional percentage of the population.

Religious education was required in public schools at both the primary and secondary education levels. In 2003 the Ministry of Education formulated a course called "Social, Religion, and Culture Studies," which students in each grade study for one to two hours each week. The course contained information about all of the recognized religions in the country. Students who wished to pursue in-depth studies of a particular religion may study at the religious schools and can transfer credits to the public school. Individual schools, working in conjunction with their local administrative boards, were authorized to arrange additional religious studies courses. The Supreme Sangha Council and the Central Islamic Committee of Thailand have 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 took place in a mosque. The RAD was responsible for overseeing the program, except in the provinces of Satun, Narathiwat, Yala, Pattani, and parts of Songkhla Province, where the courses were supervised by the Ministry of Education. According to government statistics, there are currently 1,857 registered Islamic Religious and Moral Education centers teaching Tadika in the five southern provinces, with 202,832 students and 8,658 teachers. In the remainder of the country, the RAD registered 822 centers, with 91,000 students and 2,261 teachers.

For secondary school children, the Ministry of Education allowed two separate curriculums for private Islamic schools. The first curriculum taught both Islamic religious courses and traditional state education coursework. Currently 232 schools used this curriculum nationwide, employing 11,167 teachers and 193,296 students. The government recognized these private schools and supported them financially, and graduating students can continue to higher education within the country. The second type teaches only Islamic religious courses. There were 257 schools nationwide, with 1,519 teachers and 25,603 students using this curriculum. Previously, the government registered but did not certify these schools, and students from these schools were unable to continue on to any higher education within the country. However, in 2003 the government authorized these schools to adopt a government approved Islamic studies curriculum. Students finishing their studies under this curriculum received a government certification, and were eligible to pursue a higher education.

Traditional, private pondoks (Islamic day schools), located primarily in the south, offer a third type of Islamic education. As of June 2010 according to the government, there were 398 registered pondoks, 395 of which are in Songkhla, Satun, Pattani, Yala, and Narathiwat Provinces. Registered pondoks received government funding based on their number of teachers. Pondoks were not required to register until 2004, when a militant attack occurred in which pondoks were thought to have played a role. As a result the exact number of pondoks remained unknown. Credible sources believed that there

could be as many as 1,000. Students graduating from registered pondoks did not receive government certification for their studies. However, they may take a compatibility exam which compared their knowledge to the government approved Islamic Studies curriculum. Upon passing this exam, they received government certification.

Restrictions on Religious Freedom

The government does not recognize religious groups other than the five existing 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 has increased the missionary quota for a few religions in recent years. There were close to 1,600 registered foreign missionaries in the country, mostly Christians, 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 acknowledgement. There were no reports that foreign missionaries were deported or harassed for working without registration.

Muslim professors and clerics, particularly in the far south, continued to face additional scrutiny because of ongoing 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 Muslim 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

On April 9, 2009, three mainland Chinese members of Falun Gong were arrested at their home in Pattaya one day prior to the ASEAN summit meeting held there on immigration-related charges. The Special Branch and Immigration Police who conducted the raid on the home 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 have since been resettled in the United States, while the third detainee remains at the Immigration Detention Center.

On March 19, 2009, the wife and four children of Imam Yapa Kaseng filed a civil suit against the Ministry of Defense (MOD), the Royal Thai Army (RTA), and the Royal Thai Police (RTP) demanding \$436,000 (15 million baht) in compensation. This action followed a ruling by the Narathiwat Court in December 2008 that the imam was killed in March 2008 while in military custody. A military court had jurisdiction over this case; prosecutors were still examining the suit at the end of the reporting period. There was also a concurrent administrative investigation pending with the National Counter Corruption Commission. In late 2009 the family of Imam Yapa filed an additional criminal suit against the MOD, RTA, and RTP at the Narathiwat Provincial Court. This case was also pending at the end of the reporting period.

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

Forced Religious Conversion

There were no reports of forced religious conversions.

Improvements and Positive Developments in Respect for Religious Freedom

A clause retained 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 actively 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 19, 2009, the RAD held its annual interfaith assembly, and approximately 1,400 representatives and members of all registered religious groups participated. The RAD, in conjunction with provincial authorities, also sponsored Youth Reconciliation Camps in 38 provinces throughout the country. Each event lasted two to three days and drew between 120 and 200 participants.

Other events included the Religious Relations Caravan (a relief project for the poor held in January 2010); the celebrations for World Visakha Bucha Day (held during May 2010 in Bangkok and Nakhon Pathom, and involving approximately 2,000 participants), and Mobile Religions, Arts, and Cultures Program to the Southern Border Provinces (a series of events featuring religious exhibitions and seminars). In addition many state agencies, including the Ministry of Education, the Royal Thai Army, and provincial officials, organized religious relations/reconciliation programs--many of which did not receive widespread publicity.

The RAD has a religious interfaith subcommittee that is comprised of approximately 30 representatives from all religious groups in the country and RAD officials. This subcommittee convenes at least every two months, but it meets more frequently when planning events. The RAD also produces a weekly television program, Thailand: Land of Good People, as well as CDs/DVDs and the periodic newsletter, Religion Direct. In February 2007 the 17-member Subcommittee on Religious Relations, located within the Prime Minister's National Identity Promotion Office, reorganized to become the 30-member Subcommittee of Moral and Religious Promotion. The subcommittee's mission was to work with religious organizations, community leaders, youth networks, and the government on how they might better apply religious principles and practices in their organizations. The subcommittee was chaired by a retired army general, Phongthep Thepprathep, and was composed of representatives from all five recognized organized religions, several government agencies, and the private sector.

Previously, government regulations prohibited female civil servants from wearing headscarves while dressed in civil servant uniforms. This policy changed with the implementation of the Prime Minister Office's Regulation No. 94, dated April 12, 2010. The new regulation authorized Islamic headscarves as part of a civil service uniform for female Muslims nationwide.

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. The majority of the deaths in the far south since the escalation of the conflict have been the result of Muslim on Muslim violence. However, violence perpetrated by ethnic Malay Muslim Thais against ethnic Thai Buddhists in the southernmost provinces perpetuated increased tensions between religious groups and invited retaliatory killings and human rights abuses by both groups. While the conflict in the south was primarily about 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 the ability of citizens to practice the full range of their religious activities.

Extremists continued to target Islamic mosques and Buddhist temples. On June 20, 2010, two men riding on a motorcycle threw a grenade into a mosque in the Sai Buri District of Pattani, injuring a woman and two boys. On April 15, 2010, unknown assailants fired two M-79 grenades into the Choeng Khao Buddhist Temple in Narathiwat; no injuries were reported.

Insurgents continued a pattern of high profile attacks during the holy month of Ramadan (the Islamic month of fasting) in areas of the southernmost provinces populated predominantly by Buddhists. On August 25, 2009, a bomb exploded in front of a busy restaurant during lunch hours (a time when Muslims would be fasting), injuring 42 people. On September 3, 2009, a bomb went off outside a crowded restaurant in the late morning, killing one and injuring 29.

There were at least four imams (Thais generally use the term "imam" to refer to religious leaders elected by the local mosque and appointed by the Provincial Islamic Committees) killed during the reporting period: Imam Doro Mae was killed in Yala on June 6, 2010; Imam Sakkariya Makathung was fatally shot while riding in a car in Narathiwat on June 4, 2010; Imam Maneh Sama-ae was killed by rifle fire, while riding his motorcycle on December 25, 2009; and Imam Tuan-ae Niyama was killed along with his 13-year-old son by gunfire, while riding in his car on September 2, 2009.

Buddhist monks continued to report that 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 March 5, 2010, security forces disarmed an improvised explosive device in Yala designed to target Buddhist monks as they collected their morning alms; on September 19, 2009, a bomb exploded near a group of soldiers as they guarded monks collecting alms in Narathiwat; and on August 17, 2009, a phuyaiwaan (village headman) received gunshot wounds from unknown assailants while guarding monks collecting alms in Pattani.

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 goal of understanding 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: a camp for Muslim youth to increase environmental awareness and promote social and religious values; a talk by the ambassador at one of the country's largest Buddhist universities on *U.S.-Thai Relations and Religious Freedom*; a radio interview on *Interreligious dialogue in the U.S. and Muslim life in America*; a week-long 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; and a speaking program entitled *U.S. Foreign Policy in the Muslim World*. The embassy also produced and gave out 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 Fiscal Year 2010, the U.S. Department of State financed the participation of 20 Thais from the predominantly Muslim southern regions for the Youth Exchange and Study program, and the embassy agreed to fund five additional scholarships for the American Field Service (AFS) high school exchange. Using embassy funding AFS sent 12 Thai Muslim teachers to the United States for a two-month training and observation visit. Finally, nine leading U.S. religious figures, primarily Muslims, participated in a U.S. government-funded citizen exchange trip to the country entitled "Faith and Community."

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