



## Thailand

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2009**

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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. The Government does not register new religious groups that have not been accepted into one of the existing religious governing bodies on doctrinal or other grounds. In practice, however, unregistered religious organizations operated freely, and the Government's practice of not recognizing new religious groups did not restrict their activities. The Government officially limits the number of foreign missionaries allowed to work in the country, although unregistered missionaries were present in large numbers and allowed to work freely, and the numerical quotas have increased in recent years.

There were some reports of societal abuses or discrimination 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 64 million. According to the 2000 census, approximately 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 15 percent is Muslim. There are also small animist, Christian, Confucian, Hindu, Jewish, Sikh, and Taoist populations. According to the Religious Affairs Department (RAD), persons who do not profess a religious faith make up less than one percent of the population.

Theravada Buddhism is the dominant religion, although it is not an exclusive belief system, and most Thai 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, which border Malaysia. The majority of Muslims are ethnic Malay, but the Muslim population also includes descendants of immigrants from South Asia,

China, Cambodia, and Indonesia. The RAD reported that there are 3,644 registered mosques in 67 provinces, of which 3,088 are located in the 14 southern provinces. Of those, 2,331 are located in the five southernmost provinces. There are 488 mosques in the 25 provinces of the central region, 42 in the 13 provinces of the northern region, and 26 in the 15 provinces of the northeastern region. According to the RAD, 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 38 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 Adventists. The oldest of these groupings, the Church of Christ in Thailand (CCT), was formed in 1934 and claims 1,080 churches and 149,125 adherents. The Catholic Mission of Bangkok has 406 churches and 333,240 believers. The Evangelical Foundation of Thailand has 1,200 churches and approximately 150,000 believers. The Seventh-day Adventists have approximately 200 churches and 12,712 members, and the Saha Christchak Baptists report 95 churches and 10,531 followers.

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

The Secretary-General of the Sikh Council of Thailand estimates that 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 and nine Hindu temples.

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. Included in this statistic are 20 Vietnamese temples, 17 Chinese temples, and 682 Chinese shrines that registered with the Ministry of Interior. 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 period covered by this report.

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 provides for, and citizens generally enjoyed, a large measure of freedom of speech; however, laws prohibiting speech likely to insult Buddhism remain in place. The 1962 Sangha Act (as amended, 1992) specifically prohibits 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 206-208 (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 \$58 to \$407 (2,000 to 14,000 baht).

During the reporting period, there were five officially recognized religious groups: Buddhists, Muslims, Brahmin-Hindus, Sikhs, and Christians. The RAD, which is located in the Ministry of Culture, registers 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 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 required 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 2007 Constitution retains the past requirement that the Government "patronize and protect Buddhism and other religions." In accordance with this, the Government subsidizes activities of all five primary religious communities. The Government allocated approximately \$100 million (3.5 billion baht) for fiscal year 2009 to support the National Buddhism Bureau, which was established in 2002 as 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, it sponsors educational and public relations materials on Buddhism as it relates to daily life. For fiscal year 2009 the Government, through the RAD, budgeted approximately \$6.6 million (229 million baht) for Buddhist organizations, \$1.1 million (36.6 million baht) for Islamic organizations, and \$116,000 (4 million baht) for Christian, Brahmin-Hindu, and Sikh organizations. The RAD fiscal year 2009 budget also allocates funds for religious research, children's activities, and summer camps, as well as 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 is 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 \$10.8 million (372 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 2008 the RAD budgeted approximately \$517,000 (17.8 million baht) for the restoration of religious buildings of religious groups, of which \$378,000 (13 million baht) was allotted for the Muslim community and \$139,500 (4.8 million baht) for the Christian, Brahmin-Hindu, and Sikh communities. The RAD budget for fiscal year 2009 allocates \$581,000 (20 million baht) for the maintenance of religious buildings and locations of these groups. Private donations to registered religious organizations are tax deductible.

Religious groups proselytized freely. Monks working as Buddhist missionaries (dhammaduta) have long been active, particularly in border areas among the country's tribal populations. According to the National Buddhism Bureau there are 6,390 appointed dhammaduta working nationwide. In addition, the Government appointed 1,857 dhammaduta for international travel, and 1,460 are overseas working in 24 different countries. There are 318 registered Thai Buddhist temples abroad. There is also a newly-organized domestic religious dissemination program organized by the Supreme Sangha Council and the National Buddhism Bureau, which has recruited over 400 recently graduated monks with religious degrees to work in the provinces. In addition, the Supreme Sangha Council has launched a government-sponsored project encouraging men who are unemployed or otherwise adversely affected by the economic climate to be ordained as monks. Muslim and Christian missionaries do not receive public funds or state subsidies. Islamic organizations have small numbers of citizens working as missionaries in the country and abroad. Christian organizations have much larger numbers of missionaries operating in the country, both foreign and Thai, across all denominations. Sikh and Hindu-Brahmin have smaller numbers reflecting their proportional percentage of the population.

The Government observes 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) as national holidays.

Religious education is 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 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 the religious schools 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 have created special curriculums for Buddhist and Islamic studies.

There are a variety of Islamic education opportunities for children. Tadika is an after-school religious course for children in grades one through six, which often takes place in a mosque. The RAD is responsible for overseeing the program, except in the provinces of Satun, Narathiwat, Yala, Pattani, and parts of Songkhla Province, where the courses are supervised by the Ministry of Education. According to government statistics, there are currently 2,014 registered Islamic Religious and Moral Education centers teaching Tadika in the five southern provinces, with 230,656 students and 14,368 teachers. In the remainder of the country, the RAD registered 727 centers, with 83,404 students and 2,009 teachers.

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. Currently 287 schools used this curriculum nationwide, with 7,945 teachers and 167,998 students. The Government recognizes these private schools and supports them financially, and graduating students can continue to higher education within the country. The second type teaches only Islamic religious courses. There are 277 schools nationwide, with 1,519 teachers and 25,603 students using this curriculum. The Government registers but does not certify these schools, and students from these schools cannot continue to any higher education within the country.

Traditional private Islamic day schools (pondoks), located primarily in the south, offer a third type of Islamic education. As of May 2009, according to the Government, there were 398 registered pondoks, 391 of which are in Songkhla, Satun, Pattani, Yala, and Narathiwat Provinces. Registered pondoks receive government funding based on the number of teachers. Because pondoks were not required to register until 2004, after a militant attack in which pondoks were thought to have played a role, the exact number of pondoks remains unknown. Credible sources believed that there could be as many as 1,000.

### Restrictions on Religious Freedom

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

The number of foreign missionaries registered with the Government is limited to an official quota established by the RAD in 1982. The quota system is organized along both religious and denominational lines. 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 longer terms for visa stays, 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, continue 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 the Muslim insurgents target state schools and teachers because they perceived them to be part of an effort to impose Buddhist Thai culture on the region.

Government regulations prohibit female civil servants from wearing headscarves when dressed in civil servant uniforms, and most supervisors strictly adhere to this rule. However, superiors occasionally allowed female civil servants to wear headscarves if they wished, particularly in the southernmost provinces. Muslim female civil servants not required to wear uniforms were allowed to wear headscarves.

### 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 on April 26, 2009, and were to remain there without bail until a third country accepted them.

On March 19, 2009, the wife and four children of Imam Yapa Kaseng filed a civil suit against the Ministry of Defense, the Royal Thai Army, and the Royal Thai Police demanding \$436,000 (15 million baht) in compensation. This followed a ruling by the Narathiwat Court in December 2008 that the imam was killed in military custody. A military court had jurisdiction over this case; prosecutors had not initiated prosecution at the end of the reporting period. There was also a concurrent administrative investigation pending with the National Counter Corruption Commission.

### Forced Religious Conversion

There were no reports of forced religious conversions, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

### 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, 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 18, 2008, the RAD held its annual interfaith assembly, and approximately 1,200 representatives and members of all registered religious groups participated. From May 12-14, 2009, the RAD sponsored a Youth Reconciliation Camp in Chonburi Province, just outside of Bangkok, that attracted 214 participants. Further, the Ministry of Public Health conducted a religious camp in Chiang Mai that brought together Buddhist, Muslim, and Christian youth to participate in activities that promoted religious reconciliation.

Other events included the Religious Relations Caravan (a relief project for the poor in January 2009), the celebrations for World Visakha Bucha Day (held during May 2009 in Bangkok and Nakhon, 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--the first event was in May 2008 in Natahiwat and the second was in June 2009 in Pattani.) In addition, the Police Crime Suppression Division in Bangkok conducted an interfaith seminar on crime prevention in January 2009. Members of the Buddhist, Muslim, and Christian religious communities in Bangkok participated. Finally, a group of "peace ambassadors" comprised of representatives of the Buddhist, Muslim, and Christian communities met with the 4th Army Chief, Pichet Wisajorn, at the Sufficiency Economy Learning Center in Pattani in May 2009 for a peace conference.

The RAD has a religious interfaith subcommittee that is comprised of approximately 30 representatives from all religious groups in the country and RAD officials, and convenes every two months, or 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 is 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 is chaired by a retired army general, Phongthep Thepprathep, and is composed of representatives from all five recognized organized religions, several government agencies and the private sector.

### 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 Deep South caused tensions between religious groups to remain high and invited retaliatory killings and human rights abuses by both groups. While the conflict in the south is 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 citizens' abilities to undertake the full range of their religious activities.

On June 8, 2009, a group of five or six gunmen with assault rifles attacked a mosque in Narathiwat during evening prayers, killing 11 (including the imam) and wounding more than a dozen. This attack triggered a series of violent reprisals, including the June 12 shooting of two Buddhist monks in Yala while they collected morning alms. The gunmen used AK-47s, killing one monk and seriously wounding the other. As a result, the Supreme Sangha Council ordered the monks in the Deep South to stop morning alms collection due to safety concerns. The National Buddhism Bureau was providing the approximately 1,000 monks in the area with subsistence expenses in the interim. On June 22, gunmen fired into a Buddhist temple in Narathiwat, wounding eight people.

The fifth anniversary of the 2004 Krue Se Mosque incident triggered a series of attacks in the Deep South in April 2009 that resulted in nine deaths and several injuries. Several NGOs in the region continued to call for the prosecution of the officers identified by the post-mortem inquest report of the Pattani Provincial Court as responsible for the original killings in 2004. The Office of the Attorney General (OAG) stated in February 2009 that it had decided not to press charges against those officers. The relatives of the Krue Se victims received approximately \$39,000 (1.3 million baht) in compensation and victim assistance from the Government. Their civil suit is still pending.

During the political protests that occurred in Bangkok in April 2009, it was reported that rioters fired guns at the Daral Amarn mosque, and a confrontation between a group of local Muslims and anti-government demonstrators of unknown religious faith soon followed. Subsequent accusations of property destruction were leveled at both sides of the altercation. Police eventually intervened.

On February 16, 2009, in Waeng District in Narathiwat, five civilians were wounded in a bombing while a team of soldiers was escorting monks collecting alms.

On January 31, 2009, in Rue-Soh District in Narathiwat, a former Islamic religious teacher who sold goods near a local mosque was killed in a drive-by shooting.

There were at least three 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 or injured during the reporting period: Imam Abdulkarim Yusoh was fatally shot in front of a mosque in the Ban Kayi community in Pattani on January 30, 2009; Imam Muhammadsidee Pohsa was killed by rifle fire on November 3, 2008; and Imam Imron Salae was injured by gunfire on November 2, 2008.

During the first three months of 2009, there were at least seven beheadings (the victims were six Buddhists and one Muslim, both security officials and civilians) in the Deep South. The press speculated that Malay Muslim militants who believed the imams were killed by security forces committed these acts in retribution.

In September 2008, southern student activists organized a peaceful protest in Pattani to request that the midterm exams that were scheduled during the end of Ramadan be postponed to allow them to observe the holiday. University authorities granted this request. Despite the success of this endeavor, some NGOs reported concern that this had drawn additional security attention to the student movement.

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. Often, as a safety precaution, they conducted religious rites that are customarily conducted in the evening in the afternoon. In response to the killings, the Government stationed troops to protect the religious practitioners and structures of all faiths in communities where the potential for violence existed and provided armed escort for Buddhist monks, where necessary, for their daily rounds to receive alms and during Buddhist festivals. However, government troops were often located 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. In June 2009 a group of monks led by Reverend Surin Panyathipo submitted a formal complaint to the Government related to the difficulty practicing in the Deep South. They enumerated the challenges related to collecting alms because of the Buddhist migration out of the area and the threat to their physical well-being. However, the spokesman of the Supreme Sangha Council stated that they are recruiting monks nationwide to go to the Deep South for the three-month Buddhist Lent period in 2009 due to a severe monk shortage related to the

violence there.

#### 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 visit 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, the Embassy hosted three iftars to demonstrate respect for, and an understanding of, Islamic traditions, and to share information about Muslim life in the United States and the importance of religious freedom. The Embassy also organized several other cultural religious projects, including a painting project for students from Buddhist, Muslim, and Christian schools; a musical performance at the Islamic College of Thailand; and two speaking programs on Art and Muslim Life in America. In June 2009 the consul general and staff in Chiang Mai met with the Inter-faith Solidarity Committee, an organization founded in 2008 to promote long-term community reconciliation that includes members representing all five of the officially recognized religions.

During Fiscal Year 2008, the State Department selected nine Thai Muslims from a broad range of professions for the International Visitor Leadership Program and the Voluntary Visitor Program. During their visits to the United States, they observed individuals from all religious groups openly practice their faith freely and without conflict. In Fiscal Year 2009, the State Department again selected a group of Thai Muslims to participate in these programs. In addition, during the 2008-9 academic year, 31 Thai Muslim students studied at a U.S. high school, 20 as participants in the State Department-funded Youth Exchange and Study (YES) program and 11 through scholarships directly sponsored by Embassy Bangkok to participate in AFS high school exchange. During Fiscal Year 2009, the State Department accepted 19 Thai Muslims into the YES program, and the Embassy agreed to finance two additional scholarships for the AFS high school exchange. The Embassy also issued a grant to AFS to send 12 Thai Muslim teachers to the United States for a two-month training and observation visit. Finally, six Thai Muslims participated in a U.S. Government-funded citizen exchange trip to the United States entitled "Faith and Community."