

THAILAND 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom, although there were some reports of abuses and the government restricted the activity of certain groups. The trend in the government's respect for religious freedom did not change significantly during the year.

There were 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 caused it to take on religious overtones. As a result violence in the region undermined citizens' abilities to undertake the full range of their religious activities in a number of cases.

The U.S. government discussed religious freedom with the government, visited religious leaders, hosted interreligious events, and promoted educational exchanges with the United States that supported religious freedom and tolerance.

Section I. Religious Demography

According to the 2010 census, the population of 66 million is 93 percent Buddhist and 5 percent Muslim. Nongovernmental organizations (NGOs), academics, and religious groups claim that 85 to 95 percent of the population is Theravada Buddhist and 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

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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 that, as of October, 3,744 mosques are registered in 68 of the country's 77 provinces, of which 3,179 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 in 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 is 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, as well as 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 can face up to one year's imprisonment or fines of up to 20,000 baht (approximately \$667). The 1956 penal code's sections 206 to 208 (last amended in 1976) prohibit the insult or

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disturbance of religious places or services of all officially recognized religious groups. Penalties range from imprisonment of one to seven years or a fine of 2,000 to 14,000 baht (\$67 to \$467).

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 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 operate freely, and the government's practice of not recognizing any new religious groups does not restrict their activities.

The law requires religious education 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 religious groups 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 create special curriculums for Buddhist and Islamic studies.

There are four types of Islamic educational institutions in the southern part of the country. The first comprises government-subsidized schools. This type of schooling offers Islamic education in conjunction with the national curriculum. The language of instruction is Thai, and there are approximately 271 schools in this category. The government recognizes these schools, supports them financially, and graduating students can continue to higher education within the country.

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The second type consists of private Islamic schools. There are approximately 202 schools in this category. In 2003 the government encouraged these schools to adopt a government-approved Islamic studies curriculum. Some private Islamic schools may offer non-Quranic subjects such as foreign languages (Arabic and English). These schools usually register with the government. Students finishing their studies under this curriculum may become eligible to pursue higher education if they take a state comparability examination.

The third type, traditional pondoks, or 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 do not register 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 unregistered pondoks 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.

Finally, 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 Ministry of Education supervises courses.

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. Pattaya Tourist Police reportedly arrested a group of five Falun Gong practitioners in December 2011 for trespass and nuisance while they were distributing leaflets. The five were reportedly released, with no new information of further legal action against them in 2012. The Ministry of Interior (MOI) denied Falun Gong representatives' request

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to register officially as a foundation or association. Falun Gong leaders petitioned the Administrative Court to reverse the denial, but the court concurred with the MOI. The ruling was appealed to the Supreme Administrative Court and remained pending at year's end.

In March 2009 Nima Kaseng, wife of Imam Yapa Kaseng, filed a civil suit against the Ministry of Defense, the army, and the police demanding 12,285,530 baht (approximately \$410,000) in compensation after the December 2008 Narathiwat Provincial Court ruled that Imam Yapa was killed in March 2008 while in military custody. The three defendants agreed to settle the civil case for 5.2 million baht (\$173,000) in July 2011. The Supreme Court of Justice closed its inquiry into the question of military or civilian court jurisdiction over criminal charges when the lower court that originally denied civilian jurisdiction did not certify the associated petition. The military court criminal case remained inactive pending the concurrent administrative investigation by the National Counter Corruption Commission, which reported no progress in 2012.

During the year, the government instituted several compensation programs for victims of southern violence with payments up to 7.5 million baht (approximately \$250,000).

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

The 2007 constitution required 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 4.3 billion baht (approximately \$143 million) for fiscal year 2012 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 365 million baht (\$12.2 million) for the RAD, including 190 million baht (\$6.3 million) for Buddhist organizations; 36 million baht (\$1.2 million) for Islamic organizations; and 2.1 million baht (\$70,000) for Christian, Brahmin-Hindu, and Sikh organizations. The RAD fiscal year budget also allocated 28.5 million baht (\$950,000) for religious lectures, 96 million baht (\$3.2 million) for Buddhist Sunday school, 12 million baht (\$400,000) for Islamic study centers, 7.5 million

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baht (\$250,000) for religious activities for persons with disabilities, and 4.6 million baht (\$153,000) for interfaith events. Pursuant to the Hajj Pilgrimage Promotion Act of 1981, the government budgeted 16.1 million baht (\$537,000) for the year, down from 19 million baht (\$613,000) the previous year, to promote and facilitate 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 militants targeting them and 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, to fund religious education programs in public and private schools, to provide daily allowances for monks and Muslim clerics who hold administrative and senior ecclesiastical posts, and to subsidize travel and health care for monks and Muslim clerics. They also included 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 392 million baht (\$13.1 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 year the RAD budgeted 20 million baht (\$667,000) for the restoration of 891 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 generally proselytized freely. Monks working as dhammaduta (Buddhist missionaries) were active, particularly in border areas among the country's tribal populations. According to the National Buddhism Bureau, there were 5,391 appointed dhammaduta working nationwide. In addition, the government appointed approximately 2,100 dhammaduta for international travel,

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and 1,481 were overseas working in 37 countries. There were 369 registered Thai Buddhist temples abroad, located in 32 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, but recruitment of monks to fill new vacancies was suspended in 2012.

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.

In 1982 the RAD limited the number of foreign missionaries registered with the government to an official quota organized along both religious and denominational lines. The RAD increased the missionary quota for a few religious groups 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 lived and worked 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 the government deported or harassed foreign missionaries for working without registration.

Muslim professors and clerics, particularly in the southernmost provinces, faced 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 indoctrinated 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 (see Section III, below, which notes violence against school personnel).

A clause in the 2007 constitution required 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 carried out and oversaw many of these

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efforts. On August 25-26, the RAD held its annual interfaith assembly in Chiang Rai, and approximately 1,000 representatives and members of all registered religious groups participated. The RAD, in conjunction with provincial authorities, also sponsored Youth Reconciliation Camps in 62 provinces throughout the country. Each event lasted two to three days and drew at least 100 participants from all major religious groups in each province, mostly students in grades 10-12. The goals of the camps were to create and strengthen mutual religious understanding through activities, games, religious classes, and interaction. The camp in the southern province of Songkhla drew approximately 300 participants.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Ethnicity and religion are often inextricably linked; for this reason 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. 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, in a number of cases 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 99 incidents during the month killing 52 and injuring 98 others. For the first time in the conflict, insurgents used at least three 50kg bombs during Ramadan, a substantial increase from the 20kg bombs used to date. During the first week of Ramadan attacks killed at least nine persons and injured 28: on July 20, a 50kg bomb exploded as a military unit drove by in an armored truck, injuring seven soldiers and one Muslim villager in Narathiwat Province. On July 25, five policemen in a patrol squad in Yala Province died after a 50kg improvised explosive device (IED) detonated as their unit passed. Another 50 kg bomb exploded behind a popular hotel in Pattani city on July 31, injuring five persons. A surveillance camera captured the most brazen attack in Pattani Province, which was later leaked to the press: a group of at least 16 insurgents in three trucks shot and killed four paramilitary rangers on motorcycles and injured two others and then stole their weapons.

At least one imam was killed: two gunmen on a motorcycle shot and killed Imam Abdullateh Todir, Chairman of the Imam Association in Amphoe Yaha and a

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member of the Yala Provincial Islamic Committee, on November 14 while he drove his pick-up truck. After his death and the fatal shooting of a Muslim teacher on October 30, insurgents put Buddhist teachers back on their hit list, and shot and killed four teachers between November 22 and December 11. Before these incidents, the government provided most teachers with security escorts for their travel to and from work. After these incidents, authorities increased security measures for teachers in highly sensitive areas and offered them around-the-clock protection.

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 performed in the evening in the afternoon instead. A roadside bomb injured two monks in Pattani Province when it exploded while they collected morning alms on June 9. The same explosion also injured three members of their military escort and two Buddhist villagers.

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.

On January 10, an estimated 400 demonstrators gathered at Government House, the executive office complex for the prime minister and cabinet, to protest the decision by Wat Nong Chok Secondary School in Bangkok prohibiting female students from wearing headscarves at school. The Ministry of Education attempted to negotiate a compromise, but the school's abbot refused to end the ban.

On November 11, in an apparently isolated incident, a group of approximately 20 Buddhist villagers in Udon Thani province stormed a Christian church and destroyed its contents, allegedly in reaction to the church's proselytizing activities.

Section IV. U.S. Government Policy

U.S. embassy officers and high-level visitors from the Department of State discussed religious freedom with the government. They 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.

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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. During Ramadan, a local Muslim magazine interviewed the ambassador and featured the interview on the cover of the issue published during the month. The ambassador met with the newly appointed Apostolic Nuncio to Thailand and Cambodia and hosted a large reception celebrating diversity in Thailand. The guests included a wide range of religious leaders. The embassy organized several other cultural programs, including events focusing specifically on religious freedom and tolerance or on the predominantly Muslim southern regions, such as digital video conferences with American Corners in the south to promote study in the U.S. and English-language skills development.

The embassy also sponsored a speaker who talked about her life as a female Muslim American. The speaker met with various Muslim groups throughout the country, including students, community leaders, and a Muslim women's group. She also met with the leadership of the Songkhla Central Islamic Committee and Mosque. That mosque, the country's largest, also serves as a cultural center and Islamic administrative center in the south, the region with the highest population of Muslim citizens.

The Department of State's under secretary for civilian security, democracy, and human rights engaged Muslim youth at an event with the Chiang Mai Muslim Student Society. After touring Hedaytul Islam Mosque, the under secretary held a youth roundtable discussion with 25 young people to discuss activities and challenges facing the 15,000 Muslims in Chiang Mai. The under secretary took the opportunity to highlight U.S. initiatives to engage youth and strengthen relationships with Muslim communities. Officers from the consulate general in Chiang Mai participated in several interreligious events organized by the Chiang Mai Interreligious Relations Committee.