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USDOS – US Department of State

2017 Report on International Religious Freedom - Thailand

Executive Summary

Based on a draft approved in a 2016 national referendum, the new constitution endorsed by King Maha Vajiralongkorn in April specifically prohibits discrimination based on religious belief and protects religious liberty. Insurgent violence continued in the Malay Muslim-majority Deep South, where there has been a longstanding separatist conflict, in which religious and ethnic identity are closely linked. There were no reports that monks were attacked or killed by Malay Muslim insurgents during the year. In October the government dropped all charges against three Amnesty International activists charged with criminal defamation and computer crimes for a 2016 report, which the government denied, that the military tortured and mistreated Malay Muslim insurgents under the continued use of the government’s emergency decree and martial law provisions. In January the ruling military government (NCPO) approved a plan to promote mutual understanding and reconciliation among peoples of different religious faiths. Areas covered included education, disseminating religious principles, promoting religion, preventing the subversion of religion, building understanding and cooperation among religious groups, and improving the awareness of and sensitivity to religious norms and traditions.

During the year some Buddhist monks defined themselves as part of the Buddhist nationalist movement and used social media to call for violence against Muslims. They also criticized what they said was the state’s accommodation of Islam. There were no reports of calls by Muslims advocating violence targeting Buddhists.

Embassy and consulate general officials discussed equal rights for religious minorities, continuing religious conflicts in the region, strategies to prevent similar interreligious fractures from emerging elsewhere in the country, and Buddhist-Muslim relations with government officials from the Ministry of Culture’s Religious Affairs Department and the National Buddhism Bureau. The embassy also led a discussion with 100 monks on religious diversity and tolerance prior to their traveling to the United States to serve in Buddhist temples. The embassy hosted two roundtable discussions on religious freedom for government representatives, academics, and religious leaders representing officially recognized religious groups. Roundtables discussed the role of the government, religious organizations, and the community in promoting interfaith dialogue.

Section I. Religious Demography

The U.S. government estimates the total population at 68.4 million (July 2017 estimate). The 2010 population census indicated 93 percent of the population is Theravada Buddhist and 5 percent Muslim. NGOs, academics, and religious groups state that 85 to 95 percent of the population is Theravada Buddhist and 5 to 10 percent Muslim. Groups that together constitute less than 5 percent of the population include animists, Christians, Confucians, Hindus, Jews, Sikhs, and Taoists.

Most Buddhists incorporate Hindu and animist practices into their worship. The Buddhist clergy (*sangha*) consists of two main schools of Theravada Buddhism: Mahanikaya and Dhammayuttika. The former is older and more prevalent within the monastic community.

Islam is the dominant religion in four of the five southernmost provinces (Narathiwat, Yala, Satun, and Pattani) near the Malaysian border, commonly referred to as the Deep South. The majority of Muslims in those provinces are ethnic Malay, but the Muslim population nationwide also includes descendants of immigrants from South Asia, China, Cambodia, and Indonesia, as well as ethnic Thai. Statistics provided by the Religious Affairs Department (RAD) of the Ministry of Culture indicate that almost all Muslims (99 percent) are Sunni.

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

The majority of Christians are ethnic Chinese, and more than half of the Christian community is Roman Catholic.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

A new constitution drafted by the NCPO and approved by popular referendum came into force on April 6 upon endorsement by the king. It carries over provisions from the 2007 constitution on religious freedom and states that all persons are equal before the law regardless of religious belief and allows all persons to profess, observe, or practice any religion of their choice. It also carries a new provision that these freedoms shall not “be harmful to the security of the State.” The new constitution empowers the state to patronize and protect Buddhism as well as other religions, but a new provision adds a mandate for the special promotion of Theravada Buddhism through education, propagation of its principles, and the establishment of measures and mechanisms “to prevent the desecration of Buddhism in any form.”

The NCPO issued a special order in August 2016 guaranteeing the state’s promotion and protection of “all recognized religions” in the country but mandating all state agencies monitor the “right teaching” of all religions to ensure they are not “distorted to upset social harmony.” A law specifically prohibits the defamation or insult of Buddhism and Buddhist clergy. Violators can face up to one year’s imprisonment, fines of up to 20,000 baht (\$610), or both. The penal code prohibits the insult or disturbance of religious places or services of all officially recognized religious groups. Penalties range from imprisonment for one to seven years, a fine of 2,000 to 14,000 baht (\$61 to \$430), or both.

The law officially recognizes five religious groups: Buddhists, Muslims, Brahmin-Hindus, Sikhs, and Christians. As a matter of policy, the government will not recognize any new religious groups outside the five umbrella groups. While there is no official state religion, the constitution continues to require the king to be Buddhist and says he is the “upholder of religions.”

Religious groups associated with one of the five officially recognized religions may register to receive state benefits such as tax exemption, visa status, or government subsidies. Registration as a religious group is not mandatory and religious groups may still operate without government interference whether or not they are officially registered or recognized. Under the law, the RAD is responsible for registering religious groups, excluding Buddhist groups, which the National Buddhism Bureau, an independent state agency under direct supervision of the prime minister, oversees.

The RAD may register a new religious denomination within one of the five recognized religious groups only if it meets the following qualifications: the national census indicates the group has at least 5,000 adherents, it possesses a uniquely recognizable theology, is not politically active, and it obtains formal approval in a RAD-organized meeting of representatives from the concerned ministries and the five recognized umbrella religions. To register with the RAD, a religious group’s leader also must submit documentation on its objectives and procedures, any relationship to a foreign country, a list of executive members and senior officials, and locations of administrative, religious, and teaching sites. Registration is voluntary, but once approved, the RAD issues a certificate of registration and the group is then eligible for benefits that include access to state subsidies, exemption from property and income taxes, and preferential allocation of resident visas for the registered organization’s officials.

The constitution continues to prohibit Buddhist priests, novices, monks, and other clergy from voting in an election or running for seats in the House of Representatives or Senate. According to the National Buddhism Bureau, as of September there are more than 40,000 Buddhist temples in the country with approximately 360,000 clergy who are thus ineligible to vote or run for office. Christian clergy are prohibited from voting in elections if they are in formal religious dress. Except for the *chularajmontri* (grand mufti) himself, imams are not regarded as priests or clergy and are thus allowed to vote in elections and assume political positions.

The law requires religious education for all students at both the primary and secondary levels; students may not opt out. The curriculum must contain information about all of the five recognized umbrella religious groups in the country. Students who wish to pursue in-depth studies of a particular religion may study at private religious schools and can transfer credits to public schools. Individual schools, working in conjunction with their local administrative boards, are authorized to arrange additional religious studies courses. There are two private Christian universities open to the public with religious curricula. There are 10 Catholic grade schools whose curriculum and registration the Ministry of Education oversees. The Sangha Supreme Council serves as Thai Buddhism’s governing clerical body. The Sangha Supreme Council and the Central Islamic Committee of Thailand create respectively special curricula for Buddhist and Islamic studies required in public schools.

The Central Islamic Council of Thailand, whose members are Muslims appointed by royal proclamation, advises the Ministries of Education and Interior on Islamic issues. The government provides funding for Islamic educational institutions, the construction of mosques, and participation in the Hajj. There are several hundred primary and secondary Islamic schools throughout the country. There are four options for students to obtain Islamic education in the Deep South: government-subsidized schools offering Islamic education with the national curriculum; private Islamic schools that may offer non-Quranic subjects such as foreign languages (Arabic and English) but whose curriculum may not be approved by the government; traditional *pondoks*, or private Islamic day schools, offering Islamic education according to their own curriculum to students of all ages; and *tadika*, an after-school religious course for children in grades one through six, often held in a mosque.

The Ministry of Justice allows the practice of sharia as a special legal process, outside of the national civil code, for Muslim residents of the Deep South for family law, including inheritance. Provincial courts apply this law and a sharia expert advises the judge. The law officially lays out the administrative structure of Muslim communities in the Deep South including the process of appointing the *chularajmontri*, whom the king appoints as the state advisor on Islamic affairs.

The RAD sets a quota for the number of foreign missionaries permitted to register and operate in the country: 1,357 Christian, six Muslim, 20 Hindu, and 41 Sikh. Registration confers some benefits, such as longer visa validity.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Since religion and ethnicity are often closely linked, it was difficult to categorize many incidents of violence due to the Malay Muslim insurgency as being solely based on religious identity.

According to Deep South Watch, insurgent-related violence during the year resulted in at least 263 deaths – among them 187 Muslims, 64 Buddhists, and 12 unidentified. Deep South Watch also reported 374 persons injured, including 195 Muslims, 178 Buddhists, and one unidentified. In 2016 there were reports of 307 killed and 628 injured; most of those killed were civilians. There were no reports any of those killed or injured were targeted due to their religion. The insurgents often considered teachers, along with their military escorts, as affiliated with the state and hence legitimate targets. According to the Ministry of Education, there were no deaths of students, teachers, or other education personnel during the year, but according to Deep South Watch, insurgents killed two teachers and one student. According to Deep South Watch, no monks or imams were killed during the year, unlike in 2016.

According to news reports, on June 21, insurgents shot and killed an Islamic teacher, Ahwae Tohsatu, as he left prayers with his family. Tohsatu was an adviser to the Internal Security Operations Command and known for his campaign to convince Muslim insurgents to lay down their arms.

There were reports authorities continued to use the emergency decree and martial law provisions in effect in the Deep South since 2005 and 2004, respectively, that gave military, police, and civilian authorities significant powers to restrict certain basic rights, including pretrial detention and searches without warrant. Authorities delegated certain internal security powers to the armed forces, often resulting in accusations of unfair treatment. Human rights groups continued to denounce insurgent attacks on civilians. The Young Muslim Association of Thailand (YMAT), the Fasai Youth Center, the Institute of Human Rights and Peace Studies of Mahidol University, the Look Rieng Group, the Peaceful Southern Boundary Organization, and the Buddhist Network for Peace issued statements denouncing the shooting attack on a school bus that took place in Rueso District of Narathiwat on March 2.

In September military personnel arrested a Buddhist monk, Apichat Punnajanatho, in the Deep South city of Songkhla with the stated purpose of preventing the monk's violent, anti-Islamic, hate speech. According to news reports, soldiers flew him to Bangkok's Wat Benchamabophit, where he was disrobed and expelled from the monkhood upon orders from the Supreme Sangha Council. Subsequently he was turned over to police for violating the law on computer crimes and for inciting public disorder, but police did not file any charges, and he was later released. The monk had attracted public attention for his anti-Muslim Facebook and other online posts, and in 2015 he had called for the burning down of mosques in response to Buddhist deaths in the Deep South.

In October the government withdrew criminal defamation and computer crime charges against three Amnesty International activists who worked on a 2016 report that stated the military tortured and mistreated at least 24 insurgents detained in the Deep South between 2013 and 2015. The government denied the claims.

According to human rights groups, a majority of the country's relatively small urban refugee and asylum seeker population were fleeing religious persecution elsewhere. Many of them, both those registered by the United Nations and others who were not, faced prolonged detention in crowded immigration detention centers, some for years. Since the country is not a party to the United Nations Convention Relating to the Status of Refugees, even UN-designees may be considered to be in the country illegally. As a result, authorities reportedly arrested and detained some UN-designated refugees, some of whom claimed they faced religious persecution in their home countries. Those without asylum-seeking status faced eventual deportation.

Activists expressed fear the government was assisting with requests to extradite Chinese dissidents associated with religious groups banned in China, but there were no reports of any members of the banned religious group in China being forcibly deported to China during the reporting period. Members of a Falun Gong performance group stated the government canceled their January performance at the behest of the Chinese government. In 2015 a Supreme Administrative Court ruling allowed the Falun Gong to register as an NGO. Unlike in previous years, there were no reports of Falun Gong members seeking asylum being arrested on immigration charges during the year.

The National Buddhism Office issued an order in September for police to investigate temples where state funds were allegedly misappropriated. The police charged five abbots for abusing state authority and collusion, among other charges, amid a broader investigation of 35 temples and 29 individuals.

In February the NCPO issued an order authorizing police and military personnel to restrict exit from and entry to Dhammakaya temple while authorities searched the temple in an attempt to arrest Abbot Chaiyaboon Dhammajayo for his alleged role in the laundering of millions of dollars as part of the Klongchan Credit Union Cooperative embezzlement scandal. The government reportedly already sentenced the bank's former chairman and Dhammakaya temple treasurer to prison and charged another prominent businessman in June. Temple followers and monks protested the raid. The NCPO lifted the entrance/exit restriction order in April. The investigation into Dhammajayo again drew small protests in the United States, Europe, Hong Kong, and Australia and Dhammajayo's followers said the abbot was targeted because the popularity of his temple threatened the country's political and religious elite. Dhammakaya supporters also said the charges and investigation were politically motivated because of reports that the movement had links to a former deposed prime minister.

Since 1984 the government has not recognized any new religious groups. Despite the lack of formal legal recognition or registration, civil society groups continued to report unregistered religious groups operated freely, and the government's practice of not recognizing or registering new religious groups did not restrict their activities.

A group of female Buddhist monks petitioned the National Human Rights Commission in February to amend the law to recognize officially female monks. The Sangha Supreme Council continued to prohibit women from becoming monks, however; women wishing to join the monkhood usually travelled to Sri Lanka to be ordained. Of the 360,000 Buddhist clergy in the country, only 280 were women. Since a gender equality law exempts cases involving “compliance with religious principles,” female monks (*bhikkhunis*) were excluded from gender equality protection by the government. Officials had neither formally opposed nor supported female ordination. Officials allowed *bhikkhunis* to practice and establish monasteries and temples. Without official recognition, however, monasteries led by women continued to be ineligible for any of the government benefits received by other sanctioned Buddhist temples, primarily tax exemptions, free medical care, and subsidies for building construction and running social welfare programs. Unlike male monks (*bhikkhus*), *bhikkhunis* received no special government protection from public attacks that sometimes involved male monks opposing the ordination of female monks.

The first Thai *bhikkhuni* ordained in Sri Lanka, Dhammananda Bhikkhuni, Abbess of the Songdhammakalyani Monastery, continued to lead a movement advocating for recognizing *bhikkhunis* and allowing their ordination within the country. Her movement continued to encounter resistance. The abbess stated the Religious Affairs Department, the Ministry of Culture, and the Royal Household Bureau twice prevented female monks from entering the Grand Palace to pay their respects to the Late King Bhumibol at the end of 2016 and the beginning of 2017. The abbess filed a case alleging the Secretary of the Committee Screening Buddhist Monks and Novices violated gender equality. After negotiations, the government permitted female monks to enter the palace to pay their respects in February.

The Sangha Supreme Council issued an order in October prohibiting monks from using social media to criticize the kingdom, Buddhism, or the monarchy, or otherwise behaving in a manner inappropriate to their religious status. The order reportedly included steps to make finances more transparent such as telling monks to stop asking for donations.

The only government-certified Islamic university in the Deep South, Fatoni University, continued to teach special curricula for Muslim students, including instruction in Thai, English, Arabic, and Bahasa Malayu, a mandatory peace studies course, and the integration of religious principles into most course offerings. As of September 30, approximately 4,000 students and 470 academic personnel were affiliated with the school.

According to the Association of Private Islamic Schools of Thailand, no Islamic schools were closed by the government during the year, a change from 2016. According to the association and faculty at a prominent university in the Deep South, scrutiny of Muslim professors and clerics declined substantially; however, the military continued to scrutinize Muslim teachers at private schools.

The government allocated approximately 404 million baht (\$12.4 million) for the fiscal year (October 1-September 30) to the RAD as an agency under the Ministry of Culture. Approximately 325 million baht (\$10 million) of that allocation went to strategic planning for religious, art, and cultural development. The budget included grants of approximately 18 million baht (\$552,000) for the maintenance and restoration of non-Buddhist religious sites of the five officially recognized religious groups; 240,000 baht (\$7,400) for the *Chularajmontri's* annual per diem; and 2.2 million baht (\$67,500) to educate Thai pilgrims traveling for the Hajj on proceedings at the grand mosques and logistics for long-distance air travel. The Hajj Pilgrim Fund was transferred from the RAD to the Ministry of Interior, and the fund's fiscal year 2018 budget was expected to be 48 million baht (\$1.47 million).

The National Buddhism Bureau, funded separately from the RAD, received 5 billion baht (\$153.4 million) in government funding. Half of that budget, 2.5 billion baht (\$76.7 million), went to empowerment and human capital development projects. 1.6 billion baht (\$49.1 million) was allocated for personnel administration, 682 million baht (\$20.9 million) for education projects, including scripture and bookkeeping instruction for monks and novices, and 255 million baht (\$7.8 million) for Deep South conflict resolution and development projects.

The government continued to recognize 39 elected Provincial Islamic Committees nationwide. Their responsibilities included providing advice to provincial governors on Islamic issues; deciding on the establishment, relocation, merger, and dissolution of mosques; appointing persons to serve as imams; and issuing announcements and approvals of Islamic religious activities. Committee members in the Deep South continued to report acting as advisers to government officials in dealing with the area's ethnonationalist and religious tensions.

Religious groups proselytized without reported interference. Thai Buddhist monks working as missionaries were active, particularly in border areas among the country's tribal populations, and received some public funding. According to the National Buddhism Bureau, there were 6,300 Buddhist missionaries working nationwide. Buddhist missionaries needed to pass training and educational programs at Maha Makut Buddhist University and Maha Chulalongkorn Rajavidyalaya University before receiving appointments as missionaries by the Sangha Supreme Council. Per government regulations, no foreign monks were permitted to serve as Buddhist missionaries within the country.

There were 11 registered foreign missionary groups operating in the country during the year: six Christian, one Muslim, two Hindu, and two Sikh groups. There were 1,357 registered foreign Christian missionary organizations. The Church of Jesus Christ of Latter-day Saints (Mormons), which is not an officially recognized Christian group, has obtained a special quota for 200 missionaries through the Ministry of Foreign Affairs and National Security Council. Muslims, Sikhs, and Hindus had smaller numbers of missionaries in the country. Although registration provided some benefits, such as visas with longer validity, religious groups reported that being unregistered was not a

significant barrier to foreign missionary activity, and many unregistered missionaries worked in the country without government interference. Many foreign missionaries entered the country using tourist visas and proselytized without the RAD's authorization. Non-Buddhist missionaries did not receive public funds or state subsidies.

According to online newspaper *Prachatai*, the NGO Cross Cultural Foundation reported that in July six men who said they were from the Internal Security Operation Command ordered Anchana Heemmina, the Muslim president of Duay Jai, a local human rights advocacy group in the Deep South, to stop posting on Facebook information on human rights violations concerning jailed insurgency suspects.

In December, according to *Prachatai*, six police officers interrogated four Malay Muslims and illegally collected detailed personal information about the individuals, including fingerprints, in Nakhon Si Thammarat. One of those detained said police arrived in a pickup truck without a license plate and told him they were from the provincial “Special Crimes Suppression Division” and were “searching for Muslim Malays from Pattani, Yala, and Narathiwat.”

On January 31, the NCPO approved a plan by the Sangha Supreme Council, National Buddhism Bureau, Ministry of Culture, Ministry of Justice, Ministry of Interior, National Security Council, and Southern Border Provinces Administration Center to promote mutual understanding and reconciliation among peoples of different religious faiths in key areas. Areas covered included education, disseminating religious principles, promoting religion, preventing the subversion of religion, building understanding and cooperation among religious groups, and improving the awareness of and sensitivity to religious norms and traditions. There was no action on the plan during the year.

Section III. Status of Societal Respect for Religious Freedom

Ethnic Malay insurgents continued to attack Buddhists and Muslims in the Deep South. There were no reports of Muslims advocating violence against Buddhists. According to Crisis Group, in keeping with the nationalistic nature of the Deep South conflict, the Malay Muslim insurgency was against the “Siamese colonizers” of the Deep South region. Some Buddhist monks regarded as part of the Buddhist “nationalist” movement used social media to call for violence against Muslims. The government tried to stop the violence by arresting Buddhist monk Apichat Punnajanatho and removing inflammatory content posted on Facebook and other social media platforms. Academics and human rights activists in the Deep South said extremism, fueled by anti-Muslim sentiment, continued to increase within the Buddhist community and, according to religious studies experts, was seldom reported. Both Buddhist and Muslim religious leaders, however, stated the majority of the Buddhist community continued to advocate for interfaith dialogue and cultural understanding between their communities.

According to media reports, there were reports some Buddhist residents in Khon Kaen and Sakon Nakhon provinces protested the construction of mosques, citing fear of terrorism and a threat to the Buddhist character of the country. Some Buddhist monks posted on social media their opposition to what they considered the state's accommodation of Islam. A Buddhist group in the Deep South petitioned the Southern Border Provinces Administrative Center for, among other requests, Buddhist temples to receive the same subsidies as mosques.

According to human rights and civil society groups, more than a decade of continuing violence has decreased interaction between the Muslim and Buddhist communities.

In December academics, NGOs, journalists, and government officials held a seminar on societal roles regarding the peace-building process in the Deep South. NGO representatives said there was tension between Buddhist and Muslim students at most schools. An NGO representative said they no longer have access to interrogation centers. A major general said families had access to such centers, and NGO access was on a case-by-case basis. He also said insurgents were no longer focusing on attacking “soft targets” like teachers and monks.

Section IV. U.S. Government Policy and Engagement

Embassy and consulate general officials discussed religious freedom with senior government officials from the Ministry of Culture's Department of Religious Affairs and with the National Buddhism Bureau. They discussed continuing religious conflicts in the region and ways to prevent similar interreligious fractures from emerging elsewhere in the country.

The Ambassador met with Somdet Phra Maha Muneewong, the new Supreme Patriarch and President of the Sangha Supreme Council chosen by King Maha Vajiralongkorn at the beginning of the year. The Ambassador met separately with the *chularajmontri* to discuss Buddhist-Muslim relations and the role of the international community in helping to reduce religious conflict.

Embassy and consulate officials regularly met Muslim and Buddhist religious leaders, academics, and elected officials as part of the embassy's effort to promote tolerance and reconciliation and to discuss complex religious issues in society, including ethnic identity and politics. In January and November, a high-level embassy official held a roundtable discussion on religious freedom with a dozen leaders representing the five officially recognized religious groups to gain a greater understanding of the groups' treatment under the law and government, religious leader, and community efforts to promote interfaith dialogue. Another embassy official participated in a discussion on American respect for religious tolerance and diversity with 100 monks prior to their traveling to the United States to serve in Buddhist temples. The embassy sponsored two centers in Pattani and Yala Provinces in the Deep South, which served as platforms for peace building and conflict mitigation projects targeting Buddhist and Muslim youth.

Embassy representatives organized a youth camp that included a discussion of interfaith issues, as well as presentations on Muslims in the United States and on Muslims living in a multicultural society.

The embassy also continued two initiatives in Yala and Pattani provinces to improve the capacity of local civil society to aid the process of peacebuilding. The first initiative focused on building trust between Muslims and Buddhists in six communities through youth leadership and community activities. The second focused on using person-to-person engagement to bridge conflict, including a discussion on living in an interfaith community led by an alumnus of a U.S. exchange program.

The embassy and the consulate general in Chiang Mai regularly engaged with religious minority groups through events such as iftars and interfaith dialogues to promote respect for individual rights to worship and the importance of religious pluralism – using Facebook to amplify the importance of these and other meetings and programs advancing religious freedom and tolerance.

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