

THAILAND 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution “prohibits discrimination based on religious belief” and protects religious liberty, as long as the exercise of religious freedom is not “harmful to the security of the State.” The law officially recognizes five religious groups: Buddhists, Muslims, Brahmin-Hindus, Sikhs, and Christians. The Ministry of Justice allows the practice of sharia as a special legal process outside the national civil code for Muslim residents of the “Deep South” – described as the four southernmost provinces near the Malaysian border, including three with a Muslim majority – for family law, including inheritance. Ethnic Malay insurgents continued to attack Buddhists and Muslims in the Malay Muslim-majority Deep South, where religious and ethnic identity are closely linked in a longstanding separatist conflict. According to the nongovernmental organization (NGO) Deep South Watch, violence during the year resulted in at least 116 deaths – among them 83 Muslims, 29 Buddhists and four individuals with unidentified religious affiliation – compared with 180 deaths, including 123 Muslims, 54 Buddhists, and three with unidentified religious affiliation, in the same period in 2019. Observers attributed the decline to a combination of the resumption of peace talks, improved security operations, and the impact of the COVID-19 pandemic. The Muslim community in the Deep South continued to express frustration with perceived discriminatory treatment by security forces and what they said was a judicial system that lacked adequate checks and balances. On July 16, a group of activists from the Federation of Patani Students and Youths (PERMAS) submitted a petition to the House Committee on Legal Affairs, Justice and Human Rights asking that the military stop collecting DNA from military conscripts in the Deep South, who were predominantly Muslim, as this practice was not conducted in other regions. Compared to previous years, immigration authorities conducted fewer raids to detain refugees (including those fleeing religious persecution) registered with the Office of the UN High Commissioner for Refugees (UNHCR), as a part of what the government said were routine measures against illegal immigration. Media and NGOs reported during the year that several dozen Uyghur Muslims from China remained in immigrant detention centers (IDCs) across the country, most of them detained since 2015.

Authorities blamed Muslim insurgents for a February 24 bomb attack in Songkhla Province that injured at least 10 people, including nine Buddhists and one Muslim. Authorities said they believed the attack was in retaliation for the killing of five

Muslim villagers in Narathiwat Province on February 23. In contrast to previous years, there were no reports of attacks on monks or temples during the year.

U.S. embassy officials met with officials from the National Buddhism Bureau (NBB) and the Religious Affairs Department (RAD) at the Ministry of Culture, as well as a broad range of religious leaders, academics and members of civil society, to discuss efforts to promote religious pluralism, tolerance, and interfaith dialogue. The Ambassador met the country's highest Buddhist official, gave a speech on religious freedom at the country's oldest Buddhist academic institution, hosted a religious freedom roundtable, and released an op-ed commemorating the country's promulgation of the 1878 Edict of Religious Tolerance.

Section I. Religious Demography

The U.S. government estimates the country's total population at 69.0 million (midyear 2020 estimate). The 2010 population census, the most recent available, 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. Other groups, including animists, Christians, Confucians, Hindus, Jews, Sikhs, and Taoists, constitute the remainder of the population.

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 three of the four southernmost provinces (Narathiwat, Yala, 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 99 percent of Muslims 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

The constitution 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 as long as the exercise of these freedoms is not “harmful to the security of the State.” The constitution empowers the state to patronize and protect Buddhism as well as other religions, but it also provides for 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.”

A special order issued by the former military government in 2016 and still in effect guarantees the state’s promotion and protection of “all recognized religions” in the country, but mandates that all state agencies monitor the “right teaching” of all religions to ensure they are not “distorted to upset social harmony.” Defaming or insulting Buddhism and Buddhist clergy is specifically prohibited by law. Violators may face up to one year’s imprisonment, fines of up to 20,000 baht (\$670), 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 20,000 to 140,000 baht (\$670-\$4,700), or both.

The law officially recognizes five religious groups: Buddhists, Muslims, Brahmin-Hindus, Sikhs, and Christians. While there is no official state religion, the constitution requires the King to be Buddhist and declares he is the “upholder of religions.”

Religious groups associated with one of the five officially recognized religions may register to receive state benefits that include access to state subsidies, exemption from property and income taxes, and preferential allocation of resident visas for the registered organization’s foreign officials. Registration as a religious group is not mandatory, and religious groups may operate without government interference whether or not they are officially registered or recognized. The RAD is responsible for registering religious groups, excluding Buddhist groups, which

are overseen by the NBB, an independent state agency under direct supervision of the Prime Minister.

The RAD may register a new religious denomination outside 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, it 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 religious groups. 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. In practice, however, the government as a matter of policy will not recognize any new religious groups outside the five umbrella groups.

The constitution prohibits Buddhist priests, novices, monks, and other clergy from voting in an election, running for seats in the House of Representatives or Senate, or taking public positions on political matters. According to the NBB, as of August, there were 239,023 clergy who were 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 *Chularatchamontri* (Grand Mufti), imams are not regarded as priests or clergy and are thus allowed to vote in elections and assume political positions.

The Sangha Supreme Council serves as Thai Buddhism's governing clerical body. The King has unilateral authority to appoint or remove members from the Sangha Supreme Council irrespective of the monk's rank and without consent or consultation with the Supreme Patriarch, whom the King also has legal authority to appoint.

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. More instruction time is dedicated to teaching Buddhism than other religions. Students who wish to pursue in-depth studies of a particular religion may study at private religious schools and may 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 and one Catholic-run college, which provide religious instruction open to the public. There are approximately 350 Catholic- and Protestant-run primary

and secondary schools, whose curricula and registration the Ministry of Education oversees. The Sangha Supreme Council and the Central Islamic Committee of Thailand, respectively, create 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 in conjunction 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; private Islamic day schools offering Islamic education according to their own curriculum to students of all ages; and after-school religious courses for children in grades one through six, often held in mosques.

The Ministry of Justice allows the practice of sharia as a special legal process outside the national civil code for Muslim residents of the Deep South for issues involving 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 for appointing the Chularatchamontri, 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. Representatives of the five officially recognized religious groups may apply for one-year visas that are renewable. Foreign missionaries from other religious groups must renew their visas every 90 days.

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 primarily based on religious identity.

According to Deep South Watch, during the year violence in the country resulted in at least 116 deaths – among them 83 Muslims, 29 Buddhists, and four individuals with unidentified religious affiliation – compared with 180 deaths, including 123 Muslims, 54 Buddhists, and three with unidentified religious affiliation, in 2019. Observers attributed the decline to a combination of the resumption of peace talks, improved security operations, and the impact of COVID-19. Local NGOs reported insurgents often considered teachers, along with their military escorts, as affiliated with the state and hence legitimate targets. According to statistics collected from the daily reports of the Provincial Police Region 9, no teachers or students were killed in insurgent attacks during the year. There were insurgent attacks in July and August on teacher protection units, however, that resulted in the deaths of three army rangers.

In February, a paramilitary unit exchanged gunfire with a group of suspected Muslim insurgents, killing five of them, during a raid in Narathiwat Province. Deep South Watch described the incident as an extrajudicial killing. A bomb attack the following day, reportedly in retaliation, left 10 people – mostly Buddhists – injured.

According to *Radio Free Asia*, authorities sentenced seven Uyghurs who broke out of a Mukdaharn immigration detention center in January to two years in prison. The seven had also attempted to escape in February 2019. The article stated they were among approximately 50 Uyghurs remaining in the country from among the more than 400 who fled persecution from China around 2014. Chalida, the head of the Thai NGO that worked to assist Uyghurs in the country, said the seven broke out because they could no longer tolerate living conditions at the center.

The Muslim community in the Deep South continued to express frustration with perceived discriminatory treatment by security forces and what they said was a judicial system lacking adequate checks and balances. On July 16, a group of activists from PERMAS submitted a petition to the House Committee on Legal Affairs, Justice and Human Rights asking that the military stop collecting DNA from military conscripts in the Deep South, who were predominantly Muslim. In the previous year, the military collected DNA from conscripts in the Deep South, but not from conscripts in other regions. A spokesperson for the Internal Security Operation Command for Region 4, which is in charge of the Deep South, said the military would continue to collect DNA from military conscripts on what he called a voluntary basis.

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 extending pretrial detention and expanding warrantless searches. Authorities delegated certain internal security powers to the armed forces, often resulting in accusations of unfair treatment by Muslims – such as disproportionate searches of vehicles with Muslim passengers.

In June, members of the Muslim community in the Deep South expressed frustration concerning a search of an Islamic school in Saba Yoi District, Songkhla Province, in which the military seized a large number of unused gas tanks. The military stated it was concerned the gas tanks might be used to make bombs for insurgent attacks. The school said the tanks were discarded fuel canisters, and that it did not support insurgent movements.

According to human rights groups and media reports, many of the refugees and asylum seekers in the country were fleeing religious persecution in their countries of origin. According to UNHCR, local law considered refugees and asylum seekers who entered the country without valid visas to be illegal aliens, and thus they faced the possibility of arrest, detention, and deportation, regardless of whether they had registered with the agency. Compared with previous years, immigration authorities conducted fewer raids to detain persons living illegally in the country, including some UNHCR-registered refugees and asylum seekers, according to UNHCR. According to refugee advocates, during the year authorities conducted sporadic immigration raids, arresting at least 10 Pakistani Christians and 13 Pakistani Ahmadi Muslims, several of whom had asylum-seeker or refugee status. The government and UNHCR said the raids did not target any specific religious group and that the arrests were part of ongoing immigration enforcement against illegal aliens.

Authorities generally did not deport persons holding valid UNHCR asylum-seeker or refugee status. The government generally allowed UNHCR access to detained asylum seekers and refugees. In some cases, UNHCR-recognized refugees, including those fleeing religious persecution, reported staying in immigrant detention centers (IDCs) in crowded conditions for multiple years. The government, in many cases, placed mothers and children in shelters, in accordance with a policy to cease detention of migrant children; in practice, such shelters provided greater space than IDCs, but still severely restricted freedom of movement. There were multiple instances during the year, however, of the government detaining refugee and asylum seeking minors, including Rohingya

Muslims fleeing religious and ethnic persecution in Burma, in IDCs or local police stations.

Human rights activists reported during the year that police periodically monitored or detained Falun Gong practitioners, who were recognized refugees from China. UNHCR assessed the majority of asylum seekers and refugees from China, including those in detention, were not at risk of refoulement to China.

Media and NGOs reported during the year that several dozen Uyghur Muslims from China remained in IDCs across the country, most of them in detention since 2015. Humanitarian organizations reported that Chinese authorities continued to pressure the government to return the Uyghurs to China against their will. The humanitarian groups called on the government to allow these individuals to relocate to a safe country of their choosing.

The government continued to investigate and prosecute embezzlement crimes allegedly committed by senior Buddhist monks and government officials from the NBB. In March, the National Anti-Corruption Commission (NACC) announced it had completed 11 cases and that there were ongoing ones involving the theft of 26.7 million baht (\$892,000). By the end of the year, NACC said it had forwarded 27 cases to the police for further investigation and 25 additional cases to public prosecutors and the courts for prosecution. It said more than 30 cases were still under NACC review.

The government did not recognize any new religious groups and has not done so since 1984. Despite the lack of formal legal recognition or registration, civil society organizations continued to report that unregistered religious groups operated freely and that the government's practice of not recognizing or registering new religious groups did not restrict their activities. A leading member of Falun Gong, however, reported security authorities continued to closely monitor and sometimes intimidate practitioners distributing Falun Gong materials. Although registration provided some benefits, such as visas with longer validity, religious groups reported being unregistered was not a significant barrier to foreign missionary activity, and many unregistered missionaries worked in the country without government interference.

Monks and temple authorities continued to comply with a 2018 Sangha Supreme Council order prohibiting the use of temple land for political activities or rallies, meetings, or seminars for purposes that violated the law or affected national security, social order, or public morals. While there were no media reports of

monks defying the council order, a small number of monks participated in anti-government street protests.

The law denying legal recognition to female monks (*bhikkhunis*) remained in effect despite the National Human Rights Commission's 2015 recommendation that the government amend the law. The Sangha Supreme Council continued to prohibit women from becoming monks; women wishing to join the monkhood usually travelled to Sri Lanka to be ordained. Of the approximately 239,023 Buddhist clergy in the country, between 250 and 300 were women. Since a gender equality law exempts cases involving "compliance with religious principles," *bhikkhunis* were excluded from gender equality protection by the government. Officials continued to neither formally oppose nor support 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, *bhikkhunis* continued to receive no special government protection from verbal and physical attacks.

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. At year's end, approximately 3,000 students and 250 academic personnel were affiliated with the school.

Muslim students attending a public school on the grounds of a Buddhist temple in Muslim-majority Pattani Province in the Deep South continued to wear religious head scarves, pending the outcome of a case before the Yala Administrative Court on the legality of their attire that was ongoing at year's end. The case was based on a 2018 challenge by Muslim parents to a new Ministry of Education regulation that barred students from dressing in accordance with their religious belief and required them to wear the uniform agreed to by the school and temple, without accommodation for personal religious attire.

For the October 1, 2019-September 30, 2020 fiscal year, the government allocated the RAD a budget of approximately 435 million baht (\$14.54 million) to support non-Buddhist initiatives, compared with 415 million baht (\$13.87 million) the previous fiscal year. Approximately 341.8 million baht (\$11.42 million) of that

allocation went to strategic planning for religious, artistic, and cultural development, including promotion of interfaith cooperation through peace-building projects in the Deep South, compared with 341.5 million baht (\$11.41 million) the previous fiscal year. The government also allocated approximately 22.7 million baht (\$759,000) for dissemination in honor of the previous King, Rama IX. The NBB, funded separately from the RAD, received 4.85 billion baht (\$162.1 million) in government funding, the same amount as the previous fiscal year. Of that amount, 1.87 billion baht (\$62.5 million) went to empowerment and human capital development projects, 1.6 billion baht (\$53.48 million) to personnel administration, 1.1 billion baht (\$36.76 million) to education projects, and 242 million baht (\$8.09 million) for Deep South conflict resolution and development projects.

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

Buddhist monks worked as missionaries, particularly in border areas among the country's tribal populations, and received some public funding. According to the NBB, 5,383 Buddhist missionaries worked nationwide. Buddhist missionaries were required to pass training and educational programs at Maha Makut Buddhist University or 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.

During the year, there were 11 registered foreign missionary groups with visas operating in the country: six Christian, one Muslim, two Hindu, and two Sikh groups, unchanged from the previous year. There were 1,357 registered foreign Christian missionaries. Muslims, Sikhs, and Hindus had smaller numbers of foreign missionaries in the country. 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.

The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), which is not an officially recognized religious group, continued to fill its special quota of 200 foreign missionaries, granted by the Ministry of Foreign Affairs and National

Security Council. The COVID-19 outbreak and subsequent immigration restrictions significantly reduced the number of Church of Jesus Christ missionaries entering the country during the year.

Section III. Status of Societal Respect for Religious Freedom

Reports of violence against religious groups were largely confined to the Deep South, where ethnic Malay Muslim insurgents continued to attack Buddhists and Muslims. Authorities blamed Muslim insurgents for a February 24 bomb attack in Songkhla Province that injured at least 10 persons, including nine Buddhists and one Muslim. The victims included a deputy district chief, security volunteers, villagers, and students. Authorities said they believed the attack was retaliation for the killing of five Muslim villagers in Narathiwat Province on February 23, which Deep South Watch said was extrajudicial. There were no reports of attacks on monks or temples, and no reports of major attacks on security checkpoints, in contrast to previous years.

Some Buddhist groups expressed frustration with perceived special allowances for Muslims, such as financial assistance, job placement, and lower testing standards for Muslim university students.

In February, the Chiang Mai Provincial Islamic Committee petitioned authorities regarding anti-Muslim activities in Chiang Mai and Lamphun by “the Buddhism Protection Organization for Peace,” which the committee called an extremist movement. During a June parliamentary session, a member of the coalition Democrat Party raised a motion with the Prime Minister against the group, citing its efforts to organize anti-Muslim events and materials and to obstruct the construction and registration of mosques. In June, Deputy House Speaker Supachai Phosu and Minister attached to the Prime Minister’s Office Tewan Liptapanlop, whose responsibilities included overseeing religious affairs, responded by stating the NBB and the Supreme Sangha Council had already instructed monks and temples not to associate with the movement.

Buddhist activists continued to campaign to designate Buddhism as the country’s official religion. The Pandin Dharma (Land of Dharma) Party, led by Buddhist nationalist Korn Meedee, had a platform that advocated making Buddhism the state religion and called for the establishment of segregated, Buddhist-only communities in the country’s three southern Muslim-majority provinces. As of October, the party had 8,573 members with five regional party offices, according to the Election Commission of Thailand.

Section IV. U.S. Government Policy and Engagement

Embassy officials met with officials from the National Buddhism Bureau (NBB) and the Religious Affairs Department (RAD) at the Ministry of Culture, as well as diverse groups of religious leaders, academics, and members of civil society, to discuss efforts to promote religious pluralism, tolerance, and interfaith dialogue. In September, the Ambassador hosted 16 religious leaders, government officials, and representatives of civil society and academia for a roundtable discussion commemorating the 142nd anniversary of the country's 1878 Edict of Religious Tolerance. Participants discussed religious tolerance in the context of the country's cultural, legal, and economic history, and considered how religious freedom could promote social and economic development. The embassy published an op-ed by the Ambassador in both English and Thai language news outlets emphasizing religious tolerance and interfaith cooperation.

In August, the Ambassador addressed a group of monks at Mahachulalongkornrajavidyalaya University (MCU), the country's oldest Buddhist university. The audience included "diplomat" monks who would eventually pursue residencies in Thai Buddhist temples around the world, including in over 100 Thai Buddhist temples in the United States. The speech highlighted religious freedom in both the United States and Thailand and the positive role religious freedom can play in a country's social and economic prosperity. The visit also supported the ongoing partnership between MCU and the embassy in promoting interfaith dialogue, including between the Buddhist majority and the Thai Muslim community.

In June, the Ambassador met with Supreme Patriarch Somdej Phra Ariyavamsagatanana, the most senior Thai Buddhist figure, and discussed the potential for joint activities to promote religious freedom.