

THAILAND 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution prohibits discrimination based on religious belief and protects religious liberty. 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” for family law, including inheritance. In September the Bangkok Criminal Court found nine Muslims from the Deep South guilty after they confessed in connection with what authorities said was a plan for bombings in Bangkok in 2016. Defendants reportedly said they were tortured in prison before confessing, but the court found the accusations baseless. As part of what the government said were broader immigration raids, authorities arrested and detained hundreds of suspected illegal immigrants, including persons from a number of vulnerable religious minority groups, some of whom had or were applying for asylum or refugee status from the Office of the UN High Commissioner for Refugees (UNHCR). The government stated these arrests were not motivated by religious affiliation and that members of a multitude of different religious groups were detained. A nongovernmental organization (NGO) said the detainees included Christians and Ahmadi Muslims from Pakistan, who fled for religious reasons, and 181 Christian Montagnards from Vietnam, whom the NGO said had asylum or refugee status. The NGO said the Montagnards were detained on August 28 and the adults were sent to an immigration detention facility, while approximately 50 children were sent to children’s shelters. The Ministry of Education amended a 2008 regulation to stipulate that when attending schools located on Buddhist temple property, students must wear the uniform agreed to by the school and temple. The Sangha Supreme Council issued an order prohibiting the use of temple land for political activities, rallies, meetings, or seminars for purposes that violate the law or impact national security, social order, or public morals. Following the marriage of a 41-year-old Malaysian man to an 11-year-old Thai girl in the Deep South, the Central Islamic Council issued a regulation setting 17 years old as the minimum age for marriage.

Insurgency-related violence continued in the Malay Muslim-majority Deep South, where religious and ethnic identity are closely linked in a longstanding separatist conflict. On August 1, a gunman reportedly shot and killed a Muslim teacher, Adul Sima, as he left prayers in a mosque in Pattani’s Mai Kaen District. The Election Commission and the Catholic Bishops’ Conference of Thailand signed a cooperation agreement to educate, train, empower, and develop the capacity of

Catholic communities, networks, schools, and students on democracy-related issues.

Embassy and consulate general officials met with government ministries, religious leaders, academics, and elected officials to promote religious pluralism and reconciliation and discuss complex religious issues in society, including ethnic identity and politics. The embassy and consulate general organized workshops on peace and facilitated the presentation of speakers from the United States on interfaith dialogue and conflict resolution.

Section I. Religious Demography

The U.S. government estimates the total population at 68.6 million (July 2018 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 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 are 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 military government in 2016 guarantees the state’s promotion and protection of “all recognized religions” in the country but mandates all state agencies to 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 may face up to one year’s imprisonment, fines of up to 20,000 baht (\$620), 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 (\$62 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 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 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, 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.

The constitution prohibits 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 were more than 41,000 Buddhist temples in the country with approximately 335,000 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), 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. In July the National Legislative Assembly amended the law to give the king full authority to unilaterally appoint or remove members from the Sangha Supreme Council irrespective of the monk's rank and without consent or consultation with the supreme patriarch.

In June the Ministry of Education amended a 2008 regulation, which permitted students to dress in accordance with their religious belief, to stipulate that when attending schools located on Buddhist temple property, students must wear the uniform agreed to by the school and temple.

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. 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 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 and the Central Islamic Committee of

Thailand create special curricula for Buddhist and Islamic studies required in public schools, respectively.

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 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 the NGO Deep South Watch, insurgency-related violence from January to August resulted in at least 146 deaths – among them 128 Muslims and 18 Buddhists. Deep South Watch also reported 196 persons were injured during that period – 91 Muslims and 105 Buddhists. For all of 2017, Deep South Watch

reported 187 Muslims, 64 Buddhists, and 12 unidentified persons were killed in the insurgency. Local NGOs reported insurgents often considered teachers, along with their military escorts, as affiliated with the state and hence legitimate targets. According to Deep South Watch, a Muslim teacher was killed, a Buddhist teacher was injured, and six Muslim students were injured as of August.

In September the Bangkok Criminal Court found nine Muslims from the Deep South guilty of belonging to an underground criminal group and conspiracy and sentenced each to four years' imprisonment. One was also found guilty of illegal possession of explosive devices and given an additional two years. Their original sentences were halved because they confessed. Five defendants were acquitted. According to a human rights group, at least seven of the defendants said they were tortured in prison, including being beaten and being doused with water and left in cold rooms before confessing, but the court found the accusations baseless and without evidence. The cases arose from arrests in 2016 in connection with what authorities said was a plan for bombings in Bangkok.

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 give 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.

In August online newspaper *Prachatai* reported an unidentified unit arrested five Malay Muslims, two of whom were activists campaigning for peace in the Deep South. The arrestees' relatives were not informed of the charges, but authorities told them the five were arrested under "a special law."

According to human rights groups, a portion of the country's refugee and asylum seeker population was fleeing religious persecution elsewhere. According to UNHCR, many of them lived in the country without legal permission to stay and as a result, as with the entire refugee and asylum seeker population, they faced the possibility of arrest, detention, and deportation regardless of whether they had registered with the agency. During the year, immigration authorities reported conducting a series of raids targeting any person living illegally in the country. As part of those operations, thousands were arrested, including some UNHCR-registered refugees and asylum seekers. UNHCR reported that those detainees who were registered with them were released shortly after arrest. The government said the raids did not target any specific religious group, and they arrested

individuals with various religious affiliations. Media coverage consistently highlighted that the arrests were part of the broader immigration crackdown and not motivated by religion. The government and UNHCR stated the government did not deport any UNHCR-registered refugees or asylum seekers from these raids and allowed UNHCR access to these individuals. In September the NGO International Christian Concern said more than 70 Pakistani Christians were confined to the Bangkok Immigration Center in what were described as “degrading, unclean, and overcrowded” conditions. The same NGO said that on August 28, 181 mostly Christian Montegnards (or Degar) refugees from Vietnam were arrested and the adults were detained at the Bangkok facility, while more than 50 children were separated from their parents and sent to three shelters.

Human rights and migrant assistance groups reported difficulties among Muslim and South Asian migrants in obtaining legal status, especially after a new decree came into effect early in the year. Muslim migrants from Burma, many of whom reportedly fled persecution, said they were unable to acquire the necessary documentation from Burma. In April the Thai labor minister stated more than 250,000 migrants would have to leave the country.

Activists, including Human Rights Watch, expressed concerns about how the government might react to requests from China to extradite Chinese dissidents, including those associated with religious groups banned in China. No members of banned religious groups were forcibly deported to China during the year. Tourist police in March arrested seven Chinese nationals for distributing Falun Gong documents and fined them for overstaying their visas.

In what the government said was a move against corruption, in the spring it arrested six leading monks, including elderly monks on the Sangha Supreme Council, two senior abbots at Bangkok’s Golden Mount Temple, and Phra Buddha Issara, a monk who had previously urged the government to act against corrupt monks. One press report described the act as an effort to assert the government’s authority over temples, while the prevailing view among close observers was that the arrests were politically motivated and designed to curry favor before the 2019 elections with voters who were concerned about reported corruption among monks.

In September police shut down a forum organized by foreign journalists to discuss whether senior military officers in Burma should face justice for alleged human rights abuses committed by their forces against Rohingya Muslims and other ethnic minorities. According to press reports, approximately one dozen police arrived

ahead of the scheduled panel discussion at the Foreign Correspondents Club of Thailand and ordered the panelists not to speak.

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. 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.

On October 10, a group of monks petitioned the Election Commission to amend the laws restricting monks' political rights.

In February a group of female Buddhist monks submitted a petition to the National Human Rights Commission to follow up on a February 2017 petition to amend the law to recognize female monks. No action had been taken as of September. 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 360,000 Buddhist clergy in the country, 229 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 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 (*bhikkhus*), *bhikkhunis* received no special government protection from public verbal and physical attacks that sometimes involved male monks opposing the ordination of female monks.

In August the Sangha Supreme Council issued an order prohibiting the use of temple land for political activities or rallies, meetings, or seminars for purposes that violate the law or impact national security, social order, or public morals. The order also reiterated the prohibition against monks and novices participating in political activity.

The Central Islamic Council in August issued a regulation setting 17 years as the minimum age for marriage. According to the law, the minimum legal age for marriage, regardless of religion, is 17. The regulation followed in the wake of the May marriage of a 41-year-old Malaysian man to an 11-year-old Thai girl in the Deep South. The girl was returned to her family in August.

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 3,300 students and 480 academic personnel were affiliated with the school.

In January the governor of Narathiwat Province in the Deep South mandated the addition of monarchy studies – a course focused on Thai history and the relationship between Thai kings and their subjects – to the curriculum taught at *pondoks*.

In May the Education Ministry selected 13 committee members to develop Buddhist-only teaching for schools. At present, more instruction time is dedicated to teaching Buddhism than other religions.

The June Ministry of Education amendment on students wearing the uniform agreed to by the school and temple was the result of a controversy that arose in May, when the director of a public school located on the grounds of a Buddhist temple in Pattani Province in the Deep South refused a request from a group of Muslim students' parents to allow their children to wear a headscarf to school. The school's student body is 40 percent Muslim; however, the school dress code required students to wear a uniform, without accommodation for religious attire. On October 29, the Songkhla Administrative Court, which had jurisdiction over Pattani Province, issued an injunction banning the school from penalizing students for wearing Islamic dress.

According to the association and faculty at a prominent university in the Deep South, scrutiny of Muslim professors and clerics continued to decline; however, the military continued to scrutinize Muslim teachers at private schools.

Duay Jai, a local human rights advocacy group in the Deep South, reported in February that a group of military officers went to a *tadika* in Pattani Province and demanded a list of students and photographs of teachers' identity cards. According

to press reports, the government said the school committed financial fraud and funneled funds to a militant. The school remained open as the investigation continued. There were reports that security officials searched several Islamic schools on allegations of corruption and possible connection to insurgency funding.

Starting with the October 1, 2017-September 30, 2018 fiscal year, the government transferred the management of the approximately 410 million baht (\$12.67 million) budget for non-Buddhist initiatives from the RAD to the Ministry of Interior (MOI). Approximately 333 million baht (\$10.29 million) of that allocation went to strategic planning for religious, art, and cultural development. The budget included grants of approximately 18 million baht (\$556,000) for the maintenance and restoration of non-Buddhist religious sites of the five officially recognized religious groups and 240,000 baht (\$7,400) for the *chularajmontri*'s annual per diem. The Muslim community reportedly said that it preferred the MOI to manage the budget as it was easier to navigate, and the MOI had more capacity to manage the budget.

The National Buddhism Bureau, funded separately from the RAD, received 4.9 billion baht (\$151.47 million) in government funding, 1.9 billion baht (\$58.73 million) of which went to empowerment and human capital development projects. A total of 1.6 billion baht (\$49.46 million) was allocated for personnel administration, 1.2 billion baht (\$37.09 million) for education projects, including scripture and bookkeeping instruction for monks and novices, and 256 million baht (\$7.91 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 continued to proselytize 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 5,426 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.

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. There were 1,357 registered foreign Christian missionaries. The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), which is not an officially recognized Christian group, continued to exercise its 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. 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.

Section III. Status of Societal Respect for Religious Freedom

Ethnic Malay insurgents continued to attack Buddhists and Muslims in the Deep South. As in 2017, there were no reports of Muslims advocating violence against Buddhists. According to human rights and civil society groups, more than a decade of continuing violence had decreased interaction between the Muslim and Buddhist communities. The Duay Jai Group reported the prohibition on Islamic dress in certain schools, which was later overturned, further distanced the two populations. Some press reports indicated a rise in anti-Muslim sentiment in the country. *Deutsche Welle*, a German news site, reported that Buddhists in Thailand and other places saw Buddhism under threat, and “fear ‘Islam and Muslims are trying to take over their country.’” Both Buddhist and Muslim religious leaders, however, stated the majority of their communities continued to advocate for interfaith dialogue and cultural understanding. As evidence, local media reported on a regional survey on extremism conducted by the Malaysia-based Merdeka Center for Opinion Research that found while respondents in nearby countries revealed high rates of intolerance toward persons of other faiths, Muslims and Buddhists in Thailand expressed favorable views of one another.

According to news reports, on August 1, a gunman shot and killed an Islamic teacher, Adul Sima, as he left prayers in a mosque in Pattani's Mai Kaen District. Authorities stated they believed his killing was related to the insurgency.

The Duay Jai Group, Look Rieng Group, Deep South Student Council, and Buddhist Network for Peace issued statements denouncing an August 11 shooting that killed a Buddhist mother and her 13-year-old daughter riding a motorcycle to a market in Narathiwat Province. A Muslim man was arrested and confessed to the shooting. Human Rights Watch and the Buddhist Network for Peace also issued statements condemning a series of landmine attacks in June and July targeting Buddhist farmers in Yala Province.

Buddhist activists continued to campaign to designate Buddhism as the country's official religion. In June a Buddhist movement in Bungkan Province staged a campaign to name Buddhism as the province's official religion and to designate the province the Buddhism capital of Thailand.

In February the Election Commission and the Catholic Bishops' Conference of Thailand signed a cooperation agreement to educate, train, empower, and develop the capacity of Catholic communities, networks, schools, and students on democracy-related issues.

Section IV. U.S. Government Policy and Engagement

Embassy and consulate general officials discussed religious freedom and steps for increasing interreligious harmony with senior government officials from the Ministry of Culture's Religious Affairs Department and the National Office of Buddhism.

The Ambassador met with Supreme Patriarch and President of the Sangha Supreme Council Somdet Phra Maha Muneewong to share ideas on bringing together religious communities of different faiths to reduce conflict and misunderstanding, as well as a potential role for the United States in strengthening interfaith relations. The Ambassador met separately with the *chularajmontri* to discuss Buddhist-Muslim relations and the role of the international community in helping to deepen religious tolerance. Other embassy and consulate general officials discussed religious harmony with high-level Buddhist leaders.

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 religious issues in society, including ethnic identity and politics. In May the embassy organized a technology camp focused on advocacy and campaign management related to interfaith dialogue and conflict resolution. In October the embassy organized an interreligious workshop

on peace in Pattani Province with a prominent U.S. speaker on interfaith dialogue and conflict resolution. The embassy sponsored the visits of a prominent religious freedom scholar to the United States as part of a program for leaders focused on interfaith dialogue and religious freedom.

The embassy organized programs in Yala Province focused on using person-to-person engagement to bridge conflict, including a discussion on religious pluralism and Muslims in America led by a former participant in a U.S. government exchange program.

The embassy and the consulate general in Chiang Mai regularly engaged with religious minority groups – Muslims, Christians, the Church of Jesus Christ, and Hindus – through events such as interfaith dialogues to promote respect for individual rights to worship and the importance of religious pluralism, using social media to amplify the importance of these and other meetings and programs advancing religious freedom and tolerance.

Muslim communities in the country, citing the U.S. government's recognition of Jerusalem as the capital of Israel, declined invitations to participate in iftars hosted by the embassy and consulate general, breaking with previous practice. The embassy and consulate general, however, continued to receive support from local Muslim communities to cohost events to promote religious tolerance.