

THAILAND 2021 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, as of September 30, violence in the Deep South resulted in at least 86 deaths – among them 59 Muslims, 26 Buddhists and two individuals with unidentified religious affiliation – compared with 116 deaths, including 83 Muslims, 29 Buddhists, and four with unidentified religious affiliation, in the same period in 2020. Observers attributed the decline to a combination of the resumption of peace talks, improved security operations, and the impact of the COVID-19 pandemic. Authorities blamed Muslim insurgents for an April 24 attack in Sai Buri District of Pattani Province in which three Buddhists were shot and killed, possibly in retaliation for the April 22 killing of two suspected insurgents by security forces. The Muslim community in the Deep South continued to express frustration with perceived discriminatory treatment by security forces and what they described as a judicial system that lacked adequate checks and balances. Duay Jai, an NGO working on peacebuilding efforts in the Deep South, said that authorities have used excessive use of force while conducting operations. 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. During the year, there was one insurgent attack against Buddhist monks, the first reported attack since 2019.

Some Buddhist groups continued to express frustration with perceived special allowances for Muslims, with one group protesting and obstructing the

construction of a new mosque in the northeastern city of Nakhon Ratchasima; construction continued after the group departed the area. Buddhist activists continued to campaign to designate Buddhism as the country's official religion.

U. S. embassy officials met with international NGOs, academics, and representatives of faith-based organizations to discuss religious pluralism, tolerance, and refugees fleeing religious persecution. Embassy officials awarded multiple grants to partners in the Deep South for projects focusing on digital literacy, diversity and inclusion, youth engagement, and community building. Embassy officials led quarterly virtual training sessions on digital citizenship for peace and diversity; the embassy also hosted interfaith meetings that brought together academics, religious leaders, community organizers, and youth influencers to create new connections, share perspectives on religious freedom issues, and consider future collaboration.

Section I. Religious Demography

The U.S. government estimates the country's total population at 69.5 million (midyear 2021). 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. The majority of Muslims there 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 are also represented among ethnic tribal groups in the north. 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, the 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 it 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 (\$600), 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 (\$600-\$4,200), 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 that 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 National Buddhism Bureau (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, serving in the House of Representatives or Senate, or taking public positions on political matters. According to the NBB, as of November there were 239,023 clergy who were thus ineligible to vote or run for office. Christian clergy are allowed to vote in elections as long as they are not wearing formal religious attire. 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 Penal Code bars any activity that insults or defames a religion, whether directed at a sacred object or place of religious worship, and it specifies that offenders shall be subject to two to seven years' imprisonment or a fine of 2,000 to 14,000 baht (\$60-\$420), or both.

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 religion courses as a component of their curricula and are 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 provides 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 primarily based on religious identity.

According to Deep South Watch, as of September 30, violence in the Deep South resulted in at least 86 deaths – among them 59 Muslims, 26 Buddhists, and two individuals with unidentified religious affiliation – compared with 116 deaths, including 83 Muslims, 29 Buddhists, and four with unidentified religious affiliation, in 2020. 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. One teacher was killed on April 6 in a combined bomb and gun attack in Pattani. Authorities said they suspected the teacher may have been killed accidentally, and the real target was a territorial defense volunteer who had survived four attacks in recent years. On August 18, a Muslim teacher was shot and killed in his house in the Nong Chik District of Pattani Province in an incident the authorities said they believed was related to the separatist insurgency.

Authorities blamed Muslim insurgents for an April 24 attack in Sai Buri District of Pattani Province in which three members of a Buddhist family were shot and killed. Authorities said they believed the killings were in retaliation for the April 22 killing of two suspected insurgents during a clash with security forces at a checkpoint in Narathiwat.

On December 11, a bomb went off outside a house in Ruso District of Narathiwat Province, wounding two rangers: a villager and a Buddhist monk. Authorities said they believed the bomb targeted two monks and two rangers who were protecting the monks during their morning alms collection. The insurgents hid the bomb in a roadside rubbish container and detonated it when the monks and the rangers passed by. This was the first insurgent attack against Buddhist monks since 2019.

According to Deep South Watch, as of October, authorities conducted 73 raid-and-search operations. During this period, seven suspected insurgents were killed in clashes with security forces. The human rights NGO Duay Jai said that authorities used excessive force while conducting operations.

Leaders in 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. According to media and social media sources, on July 24, a group of NGOs issued a statement calling on the government to stop collecting DNA from individuals in the Deep South, following a report that local authorities collected DNA samples from 11 children and elderly people in the Sai Buri District of Pattani Province. Duay Jai objected to the collection of DNA from family members of suspected insurgents. In previous years, 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 security in the Deep South, said the military would continue to collect DNA from military conscripts on what he called a voluntary basis.

In April, Khemthong Tonsakulrungruang from Chulalongkorn University published a paper stating some political groups had increased ties with the Buddhist nationalistic movement, Buddhist-as-Thainess, which aims to pressure the government to adopt a new constitutional relationship that would bring Buddhism and the state closer together. Khemthong said that religious extremists in this movement targeted both religious minorities as well as non-mainstream Buddhists, and that the rise of this movement could negatively affect religious freedom.

Authorities continued to use 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 by Muslims of unfair treatment – such as disproportionate searches of vehicles with Muslim passengers.

In October, the Governor of Yala Province, Pirom Nilthaya, issued an order prohibiting unvaccinated individuals from accessing government or banking services, and from attending daily prayers at mosques, the only places of worship cited by the order. Some members of the Muslim community criticized the government for allegedly interfering in religious practices while failing to provide sufficient COVID-19 vaccines for the population.

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 UNHCR. 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, in part due to the COVID-19 pandemic, according to UNHCR. 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. According to refugee advocates, authorities released many of the Pakistani Christians and Ahmadi Muslims, several of whom had asylum-seeker or refugee status, who were detained in prior years.

On January 27, authorities arrested 27 Cambodian migrants hiding in Wat Talom, a Buddhist temple in Bangkok, for allegedly entering the country illegally while disguised as Buddhist monks. The temple's abbot was under investigation for allegedly assisting and hiding illegal migrants.

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 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. According to international and nongovernmental organizations, however, there were multiple instances during the year 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 continued to assess that 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, including seven Uyghurs who remained in prison for crimes related to an escape attempt. 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 announced the completion of 52 cases, with 46 cases under investigation that involved the theft of 26.7 million Baht (\$799,000). An additional 24 cases were sent to police for further investigation.

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. Falun Gong members continued to report that 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 that 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. During the year, media reported that a small number of monks periodically defied the council order by participating in antigovernment street protests.

In June, Buddhist novice monk Saharat "Nen Folk" Sukhumla was issued a summons to face lese majeste charges for critical remarks about the monarchy in his speech at an antigovernment protest in 2020. He criticized Buddhist monks for failing to note the King's "bad deeds," and he challenged the NBB to stop acting as a "propaganda machine for the monarchy." In February, Nen Folk faced charges for allegedly insulting the Supreme Patriarchy and causing division among the clergy.

In September, a parliamentary committee summoned two Buddhist monks to explain their online activity and warned them about their "inappropriate behavior."

The monks became social media stars after their weekly livestreams, which appealed to young audiences by combining traditional teachings with humor and commentary, attracted millions of viewers. The monks told the committee they would tone down their jokes and “make constructive adjustments.” On October 29, one of the monks announced his intention to leave the monkhood, stating via livestream that his association created problems for his mentor and for his temple.

In February, the office of the Sheikhu Islam and the Central Islamic Committee of Thailand filed a petition with the Speaker of the National Assembly expressing concern over proposed legislation that would revoke existing laws related to Islamic religious affairs and organizations, including laws providing assistance for the Hajj pilgrimage. In March, representatives of the Speaker issued official response letters stating that the proposed legislation was unconstitutional and that parliament would not pursue the issue.

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 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,” the government excluded bhikkhunis from gender equality protection. Officials continued neither to oppose nor to 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 continuing case before the Yala Administrative Court on the legality of their attire. 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 beliefs and required them to wear the uniform agreed to by the school and temple, without accommodation for personal religious attire.

For the October 1, 2020-September 30, 2021 fiscal year, the government allocated the RAD approximately 294 million baht (\$8.80 million) to support non-Buddhist initiatives, compared with 435 million baht (\$13.02 million) the previous fiscal year. Approximately 261.4 million baht (\$7.83 million) of that allocation went to strategic planning for religious, artistic, and cultural development, including the promotion of interfaith cooperation through peace-building projects in the Deep South, compared with 341.8 million baht (\$10.23 million) the previous fiscal year. The government also allocated approximately 9.2 million baht (\$275,000) for dissemination in honor of the previous King, Rama IX. The RAD also received a 1.1 million baht (\$32,900) for Deep South conflict resolution and development projects. The NBB, funded separately from the RAD, received 2.58 billion baht (\$77.25 million) in government funding, compared with 4.85 billion baht (\$145.21 million) the previous fiscal year. Of that amount, 1.5 billion baht (\$44.91 million) went to empowerment and human capital development projects, 1.6 billion baht (\$47.90 million) to personnel administration, and 1.07 billion baht (\$32.04 million) to education 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 that 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, 5,243 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.

As of September 30, 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. The government reported that there were 1,357 registered foreign Christian missionaries. Muslims, Sikhs, and Hindus had smaller numbers of foreign missionaries in the country. Some foreigners entered the country using tourist visas and conducted missionary work, or activities in support of missionaries, and some 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, 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.

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

In April, the Buddhism Protection Organization for Peace protested and obstructed the construction of a new mosque in the northeastern city of Nakhon Ratchasima, stating it was not in accordance with the law. The group later left the area and the construction of the mosque continued.

Buddhist activists continued to campaign to designate Buddhism as the country's official religion. The platform of Pandin Dharma (Land of Dharma) Party, led by Buddhist nationalist Korn Meedee, 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 2020, the party had 8,573 members, with five regional party offices, according to the Election Commission of Thailand. In the 2019 election, the party received 21,463 votes and fielded 170 candidates; none of the party's candidates were elected.

Section IV. U.S. Government Policy and Engagement

Embassy officials met with UNHCR, international NGOs, academics, and representatives of faith-based organizations to discuss religious pluralism, tolerance, and assistance to refugees fleeing religious persecution. The embassy awarded multiple grants to partners in the country's Deep South area for projects focusing on digital literacy, diversity and inclusion, youth engagement, and community building. Embassy officials organized and led quarterly virtual training sessions on digital citizenship for peace and diversity. The embassy also hosted interfaith meetings bringing together academics, religious leaders, community organizers, and youth influencers from across the country to create new connections, share their perspectives on religious freedom issues, and consider future collaboration.