



Australian Government
Refugee Review Tribunal

Country Advice Thailand

Thailand – THA36436 – Treatment of
Muslims – Converts to Islam –
Intermarriage – Phua Farang – Mia Farang
– State Protection

21 April 2010

1. How are Muslims treated in Thailand?

The Muslim population of Thailand numbers in the millions, however no evidence has been located that indicates that Muslims suffer from either state-sponsored discrimination or from widespread ill-treatment by the non-Muslim population. The ongoing Malay Muslim secessionist conflict in the south and the arrest of Hambali in 2003 in Ayyuthaya reportedly contributed to heightened levels of suspicion of Thailand's Muslims by the wider Thai community (and possibly the authorities). However, tensions appear to have abated since the 2006 coup that deposed the government of Thaksin Shinawatra. The 2007 Constitution forbids 'unjust discrimination' on the basis of religion and obligates the state to financially assist all religious communities. Outside the southern conflict zone, no examples of human rights abuses of Muslims have been located. Muslims do, however, complain that their faith makes them less Thai in the eyes of the majority.

Estimates vary on precisely what proportion of Thailand's population is Muslim. The 2000 census states that 5 percent are Muslim, however some sources estimate that the proportion could be as high as 15 percent. A large proportion of Thailand's Muslim population resides in the five southernmost provinces; the US Department of State, quoting statistics from Thailand's Religious Affairs Department (RAD), states that "there are 3,644 registered mosques in 67 provinces, of which 3,088 are located in the 14 southern provinces. Of those, 2,331 are located in the five southernmost provinces. There are 488 mosques in the 25



provinces of the central region, 42 in the 13 provinces of the northern region, and 26 in the 15 provinces of the northeastern region."¹ These mosque numbers suggest that Muslims are free to practise their religion.

Studies, reportage and commentary regarding the Muslims of Thailand often delineate the population into two separate categories: the ethnic Malay Muslim population of southern Thailand; and the ethnically diverse, Thai-speaking population that resides throughout the rest of Thailand. The primary reason for this distinction is the long running secessionist struggle waged in the three southern-most provinces of Thailand by ethnic Malay irredentists (see map). Secessionist Muslim rebels have been fighting for many years to have the three provinces join the Malaysian Federation, bringing the community into often violent conflict with the Thai army and police.^{2 3} It is therefore

¹ US Department of State 2009, *International Religious Freedom Report – Thailand*, 26 October – Attachment 1

² Freedom House 2009, *Freedom in the World – Thailand*, 16 July – Attachment 2

appropriate to view the relationship of this community with the state through the prism of this conflict rather than interpret it as indicative of the state's general treatment of Muslims.

This response does not examine in any detail the origins and consequences of the southern conflict, however the conflict is relevant in so far as anecdotal evidence suggests that it may have coloured many non-Muslim Thais' attitudes and amplified state suspicion of Muslims by past political and military leaders. A 2006 article in the *Taipei Times* suggests that the southern conflict did have an impact on the 30,000 strong Muslim community in the northern city of Chang Mai. Nitaya Wangpaiboon, a Chinese-Muslim lawyer from Chiang Mai, is quoted in the article accusing the government of then Prime Minister, Thaksin Shinawatra of sending spies into "every mosque in Chiang Mai... They want to connect the southern problem with the northern Muslims... They want to link it but it is not true."⁴ The government at the time rejected such accusations however it should be noted that one of the stated reasons expressed by Army leaders for the 2006 coup was Thaksin Shinawatra's poor handling of the conflict; coup leader General Sonthi Boonyaratglin is a Muslim and according to John Funston at the Australian National University, is on record supporting a peaceful settlement to the conflict, including negotiation with the insurgents.⁵

Following the 2006 coup, in a bid to deescalate tensions between Muslims and non-Muslims, Thaksin's replacement, General Surayud Chulanont, publicly apologised in November 2006 for the deaths of 85 Muslims during October 2004 demonstrations at Tak Bai police station in Narathiwat Province, in the south of the country. Despite this apology, "no security personnel were brought to justice in connection with the deaths" according to Amnesty International. The coup leaders did have charges against 58 Muslim protesters dropped and "a court ruled that compensation would be provided to the families of the 78 protesters who were crushed to death while being transported in army trucks from the demonstrations."⁶ Human Rights Watch reported that "[n]o progress was made in 2009 in the criminal prosecution of soldiers from the army's 39th Taskforce who tortured and murdered Imam Yapa Kaseng in Narathiwat's Rue Soh district on March 21, 2008."⁷ However, the *Associated Press* reported in 2009 that a soldier in the south had been charged for beating Yapa Kaseng to death while in detention.⁸ It should be noted that human rights abuses have been perpetrated by both sides of the conflict.

Another incident that has caused distrust between Muslims and non-Muslims in Thailand was the 2003 arrest of Riduan Isamuddin, more commonly known as Hambali, in Ayyuthaya, 80 kilometres north of Bangkok. Hambali was then one of the world's most wanted persons, accused of masterminding the 2002 Bali bombings. Ayyuthaya is home to over 130,000 Muslims and Hambali's arrest in the city in August 2003 led some people to become increasingly suspicious of the city's Muslim community.⁹ Suggestions arose that the community had protected this proponent of violent jihad.

³ Amnesty International 2009, *Thailand: Torture In The Southern Counterinsurgency*, 13 January – Attachment 3

⁴ 'Muslims in Thai north not worried by southern woes' 2006, *Taipei Times* website, 1 August <http://www.taipeitimes.com/News/world/archives/2006/08/01/2003321346> – Accessed 14 December 2006 – Attachment 4

⁵ Funston, J. 2008, 'Thailand's Southern Fires: The Malaysian Factor', UNEAC Asia Papers No. 26, UNE website <http://www.une.edu.au/asiacentre/PDF/No26.pdf> – Accessed 16 April 2010 – Attachment 5

⁶ Amnesty International 2007, *Annual Report – Thailand*, 25 May – Attachment 6

⁷ Human Rights Watch 2010, *Human Rights Watch World Report Thailand*, 20 January – Attachment 7

⁸ 'Thai court praised for ruling on beating death' 2009, *Associated Press*, 8 January – Attachment 8

⁹ Macan-Markar, M. 2003, 'Thailand Joins Terror War's Front Line', *The Irrawaddy*, 18 August http://www.irrawaddy.org/article.php?art_id=52&page=1 – Accessed 15 April 2010 – Attachment 9

Muslims are generally not excluded from the institutions of political power in Thailand. The most high profile Thai Muslim (and ethnic Malay) is former foreign minister, UN Secretary General candidate and current ASEAN Secretary General, Surin Pitsuwan.^{10 11} After the arrest of Hambali, Mr Pitsuwan stated that “[t]here will be increased pressure on the Muslims, more scrutiny, more suspicion... I hope it will be done in a reasonable way... There can be an emotional spillover.” The extent to which such an emotional spillover occurred has not been particularly well documented by the English language press.

Since the arrest of Hambali and the 2006 coup, the climate of suspicion appears to have abated. In 2007 a new constitution was promulgated that states that “unjust discrimination against a person on the grounds of differences in ‘religious belief’ shall not be permitted.” The US Department of State reported in 2009 that “there was no significant pattern of religious discrimination by the Government during the period covered by this report.” Nevertheless, the 2007 Constitution does retain the requirement that the monarch be Buddhist. It also states that the state shall “protect Buddhism as the religion observed by most Thais for a long period of time and other religions, and shall also promote a good understanding and harmony among the followers of all religions as well as encourage the application of religious principles to create virtue and develop the quality of life.” The Constitution recognises five religions, including Islam, and in accordance with the requirement that the Government “patronize and protect Buddhism and other religions”, the Government “subsidizes activities of all five primary religious communities... For fiscal year 2009 the Government, through the RAD, budgeted approximately \$6.6 million (229 million baht) for Buddhist organizations, \$1.1 million (36.6 million baht) for Islamic organizations, and \$116,000 (4 million baht) for Christian, Brahmin-Hindu, and Sikh organizations.”¹²

The government of Thailand also assists in the provision of after-school Islamic education (Tadika) for years 1 to 6. Outside of the southern provinces there are 727 RAD registered centres with 2009 teachers. Muslim secondary students can attend one of 287 schools nationwide that teaches both the standard curriculum and Islamic studies. In 2009 these schools received government finance, employed 7,945 teachers and had some 167,998 students enrolled. A second type of secondary teaches only Islamic religious courses. According to the US Department of State, there are 277 such schools throughout Thailand, with 25,603 enrolments in 2009.¹³ Again, the provision of such education resources and opportunities supports the argument that the Thai state does not inhibit Islamic identity, custom and practice.

According to the US Department of State, female civil servants are prohibited from “wearing headscarves when dressed in civil servant uniforms, and most supervisors strictly adhere to this rule. However, superiors occasionally allowed female civil servants to wear headscarves if they wished, particularly in the southernmost provinces. Muslim female civil servants not required to wear uniforms were allowed to wear headscarves.”¹⁴

¹⁰ Amirrachman, A. 2007, ‘Surin Pitsuwan: A bridge between East and West’, *The Jakarta Post*, 2 June <http://www.thejakartapost.com/news/2007/02/06/surin-pitsuwan-bridge-between-east-and-west.html> – Accessed 13 April 2010 – Attachment 10

¹¹ Klein, J. 2006, ‘A “Moderate” Muslim for UN Secretary-General?’, *FrontPageMagazine.com*, 03 October <http://97.74.65.51/readArticle.aspx?ARTID=2301> – Accessed 15 April 2010 – Attachment 11

¹² US Department of State 2009, *International Religious Freedom Report – Thailand*, 26 October – Attachment 1

¹³ US Department of State 2009, *International Religious Freedom Report – Thailand*, 26 October – Attachment 1

¹⁴ US Department of State 2009, *International Religious Freedom Report – Thailand*, 26 October – Attachment 1

Aside from secessionism related violence in the south, the only report of violence directed at Muslims elsewhere in Thailand in 2009 involved shots being fired at the Daral Amarn mosque in Bangkok during April protests and a subsequent melee that ensued.¹⁵

Writing in 2004 on the history of Chang Mai's diverse Muslim community, Andrew Forbes does state that Muslims of South Asian origin are often referred to by the "somewhat disrespectful" term *khaek* by the wider Chang Mai community, however no mention is made of this community suffering any other forms of harm or discrimination. On the contrary, Forbes portrays a stable and productive relationship. Forbes describes the relationship between the Yunnanese Muslim community and the Buddhist community as 'good', however he also states that the Yunnanese Muslims "are anxious to stress their links with the wider Chiang Mai Muslim community as a whole, as well as to distance themselves from recent non-Muslim Chinese migrants from Burma who may be associated in the public mind with the KMT, opium smuggling, and other illegal activities." On the subject of identity, Forbes states that "it should not be forgotten that all Muslims holding Thai nationality consider themselves to be Thai first and foremost in mundane concerns, Muslim first and foremost in matters spiritual."¹⁶ It is not known whether Buddhist Thais view the diverse and ethnically mixed community as foreigners. Anecdotal evidence suggests that at least some Thais associate being Thai with being Buddhist and therefore look upon Thai Muslims as less Thai than their Buddhist compatriots.¹⁷

2. How are Buddhist converts to Islam treated in Thailand? How are Buddhist women who marry Muslims and convert to Islam treated?

As stated in the response to question one, reporting of Islam in Thailand overwhelmingly tends to focus on communities and conflict in the far south. Little anthropological or sociological work has been conducted on the non-Malay Muslim communities of Thailand and few stories have been published in the press about their lives and their treatment. One academic paper has been located that examines the subject of religious intermarriage and conversion to Islam by Buddhists. A 2005 anthropological paper by Nishii Ryoko at The University of Münster restricts its gaze to intermarriage and conversion in the south, with particular emphasis on several small villages. Ryoko states that ethno-religious intermarriage in the southern region is uncommon, however where it has been recorded it usually results in the conversion to Islam, rather than vice versa. Ryoko does indicate that these converts are not typically shunned by their Buddhist families. In one particular village located on the west coast, Ryoko writes that it was common for Muslims whose families were once Buddhists to observe Buddhist rituals without raising the ire of the local Muslim community.¹⁸ The extent to which such customs, attitudes and behaviour is confined to these remote communities is unknown.

¹⁵ US Department of State 2009, *International Religious Freedom Report – Thailand*, 26 October – Attachment 1

¹⁶ Forbes, A. 2004, 'The Crescent in North Thailand: Muslims of Chiang Mai', CPA Media website http://www.cpamedia.com/history/north_thailand_muslims/ – Accessed 16 April 2010 – Attachment 12

¹⁷ Rupert, J. 2005, 'An insurgency in Thailand', *Newsday.com* website, 4 May <http://www.newsday.com/news/nationworld/world/ny-wothai244244525may04,0,2764127.story?coll=ny-worldnews-toputility> – Accessed 13 December 2006 – Attachment 13

¹⁸ Ryoko, N. 2005, 'A way of Negotiating with the other within the self: Muslim's acknowledgement of Buddhist ancestors in Southern Thailand', The University of Münster website, pp.2-3 http://www.uni-muenster.de/Ethnologie/South_Thai/working_paper/Nishii_Negotiation.pdf – Accessed 22 November 2006 – Attachment 14

Andrew Forbes in the article referred to above argues that intermarriage between Muslims of various ethnic backgrounds and ethnic Thais was once not uncommon and suggests that although the Thai wives overwhelmingly adopted Islam, the Muslim husbands (often Yunnanese or Malay) in turn adopted Northern Thai culture and language.¹⁹ As stated in the response to question one, it is not clear how the ethnically mixed community is viewed by Chiang Mai's Buddhist community. Forbes makes no commentary on this; he simply remarks that the relationship between the Muslim and wider Thai community was good at the time of writing. Nor does Forbes comment on whether or not Thai women continue to marry into this Muslim community in the present day.

The only openly hostile language located condemning conversion to Islam in Thailand for marriage purposes were located in blogs. One post from February 2009 on the conversion of Thai actor Hugo Chakrapong to Islam in order to marry his fiancé elicited a mixed response from reader, covering the full spectrum of emotions.²⁰

3. How are Thai women who marry foreigners treated in Thailand?

Thais who marry foreigners, particularly westerners, are known as 'phuua farang' or 'mia-farang'. Both are considered pejorative terms.²¹ Part of the stigma of being married to a foreigner is the common perception in Thailand that the wife met her future husband through the sex industry. Marriage to foreigners (farangs), however, is quite common in Thailand, especially in the Eastern Isaan region; one 2005 article reported "that in some northeastern Thai villages, it is reported that as many as one-third of families have female members who have western husbands."²² Indeed, most studies of Thai women who marry foreigners focus on the phenomena in the Isaan. Economically less developed regions such as the Isaan have also begun to recognise the economic benefits of women marrying foreigners; a 2004 *BBC News* report states that annual remittances to the Isaan were then worth \$35 million annually.²³ Such benefits have also been reported in the Thai press.²⁴

While the apparent economic and cultural benefits have been promoted by politicians in the Isaan, it is not clear what attitudes are elsewhere in Thailand. A number of blog and chat-room entries collectively indicate that pejorative terms and gossip concerning the employment history and motivation of women who marry foreign men remain common. Most of these blog entries and chat-room posts are written by the foreign husbands and therefore they tend not to discuss discriminatory practices that affect the women. It appears that in most cases, the married couple reside in the husband's native country and therefore any discriminatory practices or negative attitudes are immaterial (for the husband at least).

¹⁹ Forbes, A. 2004, 'The Crescent in North Thailand: Muslims of Chiang Mai', CPA Media website http://www.cpamedia.com/history/north_thailand_muslims/ – Accessed 16 April 2010 – Attachment 12

²⁰ Lakorn, L. 2009, 'Actor Hugo converts to Islam', Introducing Lyn's Lakorn Blog <http://iheartlakorns.com/2009/02/actor-hugo-converts-to-islam/?cp=all> – Accessed 16 April 2010 – Attachment 15

²¹ Klausner, W.J. 2004 'Valuing cross-cultural marriage', Thailand Monitor, source: *The Nation*, 24 June http://www.thaiworld.org/en/thailand_monitor/answer.php?question_id=60 – Accessed 14 April 2010 – Attachment 16

²² Chumnankul, N. 2005, 'Phanrayaa-Farang: Take Their Roots with Them', Thailand Monitor, source: *The Nation*, 15 May http://www.thaiworld.org/en/thailand_monitor/answer.php?question_id=148 – Accessed 15 April 2010 – Attachment 17

²³ Montlake, S. 'Thailand's 'Swiss village'', *BBC News*, 20 July <http://news.bbc.co.uk/2/hi/asia-pacific/3907581.stm> – Accessed 15 April 2010 – Attachment 18

²⁴ Sukin, K. & Phopayak, S. 2004, 'MIA FARANG': When Harry weds Somsri, business blooms', *The Nation*, 14 June <http://www.nationmultimedia.com/search/read.php?newsid=100579&keyword=nation> – Accessed 14 April 2010 – Attachment 19

For those couples who choose to live in Thailand two problems that have arisen in the past are difficulties associated with land ownership²⁵, and the residency status of the husbands. Another problem often cited is the unrealistic expectations that mia-farangs and their husbands can and should financially support the extended family in Thailand. A 2007 article on Thai women who have married Dutch husbands and the remittances these marriages provide to Thailand suggests that the wives frequently provide gifts and money transfers way beyond their means, much to the chagrin of their Dutch husbands.²⁶

4. Would such persons face persecution or be denied State protection as a result of these characteristics?

No reports have been located that indicate that Thai Buddhist converts, male or female, face discrimination or other forms of harm from their families, the wider community or the state for either converting to Islam or for marrying foreigners. Subsequently, no reports have been located that indicate that police withhold protection for such people.

Women who are subject to harm from family members, however, can often face police indifference and inaction. A 2006 report in Bangkok-based English daily *The Nation* states that “the police, when called in, are unwilling to help because, they say, it’s a private problem.”²⁷ An article in *The Bangkok Post* following the 2006 coup states that public confidence in the police force was low and that the coup’s chosen leader, Prime Minister Surayud Chulanont, stated that reforms to police were required.²⁸ However, the article indicates that the reform is primarily aimed at depoliticising the police force rather than making it a more professional and effective institution that protects citizens’ rights.

Attachments

1. US Department of State 2009, *International Religious Freedom Report – Thailand*, 26 October.
2. Freedom House 2009, *Freedom in the World – Thailand*, 16 July. (REFINFO)
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²⁵ CEDAW 1999, ‘Concluding comments on the combined second and third periodic reports of Thailand (CEDAW/C/THA/2-3) at its 417th and 418th meetings’, Utrecht School of Law website, 05 February <http://sim.law.uu.nl/SIM/CaseLaw/uncom.nsf/fe005fcb50d8277cc12569d5003e4aaa/6bb82ebbadf8fc2ec1256789004cffa7?OpenDocument> – Accessed 16 April 2010 – Attachment 20

²⁶ Suksomboon, P. 2007, ‘Remittances and ‘social remittances: Their impact on cross-cultural marriage and social transformation’, IIAS Newsletter # 45, Autumn, p.6 http://www.iias.nl/files/IIAS_NL45_06.pdf – Accessed 15 April 2010 – Attachment 21

²⁷ ‘Ending the Violence’ 2006, *The Nation*, 25 March – Attachment 22

²⁸ Tansubhapol, W. ‘Revamp police ‘to restore trust’’ 2006, *Bangkok Post*, 29 November http://www.bangkokpost.com/News/29Nov2006_news09.php – Accessed 29 November 2006 – Attachment 23

6. Amnesty International 2007, *Annual Report – Thailand*, 25 May.
7. Human Rights Watch 2010, *Human Rights Watch World Report Thailand*, 20 January. (CISNET Thailand CX238972)
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