

## *Unofficial Translation*

**First National Health Assembly  
Agenda 3.3**

**Annex 1/3/1 Revised 1  
13 December 2008**

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### **Recommendations on Guidelines for Health System Development in Multicultural Areas in Southern Border Provinces**

The Southern Border Provinces Administrative Centre, Southern Health Research Institute, Prince of Songkla University, Yala Islamic University, Princess of Naradhiwas University, health networks in the three Southern border provinces, and Political Sciences and Public Administration networks of in the Southern region together have developed a national policy for health system development in multicultural areas to be submitted to the First National Health Assembly together with recommendations for agencies concerned as follows:

#### **1. Recommendations to set up new local government and administrative structures in the Southern border provinces:**

- 1.1 A law should be passed on the establishment of “the Southern Border Provinces Development Administration Bureau (SBPAB)” with a ministerial status as a special local government and administrative agency supervised by a minister, while the permanent secretary of the bureau, deputy permanent secretaries, and zone directors will look after various zones under their responsibilities in the capacity of special local civil servants working in conjunction with local administrative organizations at every level. The bureau will act as a coordinating agency in the administration and government of the Southern border provinces similar to the Southern Border Provinces Administrative Centre (SBPAC). It will be the main organization with the power and duty to direct action and solve policy-related problems in the three Southern border provinces. It will also advocate a clear strategy, combining the strength of the civil society sector, local sector and public sector.
- 1.2 Arrangements shall be made for a Chamber of Southern Border Provinces (CSBP) or a people council in the southern border provinces to be set up as prescribed in the Constitution, acting as an advisory and policy-screening body whose members are selected or elected from diverse groups/representatives from the people sectors, local leaders, leaders of all religious faiths, knowledgeable persons in education and culture, and various professional groups, including local government authorities. The Chamber

will act as a coordinator for policy and plans that have undergone a community planning process, as well as facilitating justice and supervising personnel and budgets allocated for the provinces, districts, and local government units at every level.

- 1.3 Local government organizations at the Tambon (sub-district) and municipal levels shall be set up with the same structure as before, i.e. elected by local people, with full power to collect taxes and manage local fiscal budgets, power to issue bylaws, and additional power for local management regarding morality, culture and tradition, such as setting vice-free zones, creating moral police units, or making announcements forbidding young people to leave the house at improper times at night unless accompanied by their parent.
- 1.4 At the local level there should be a Tambon-level council of persons knowledgeable in religion or of local sages. Local policy needs to be endorsed by such council of persons knowledgeable in religion as well as by the people. Council members are nominated and selected by community committees, religious leaders, people sector organizations and local educational institutes. The council of persons knowledgeable in religion will give advice on religious activities and social morality of the local administrative organizations. One-third of the selected council members should be *ex officio* from local government organizations so that the council will have enough power to stop local leaders who commit policy breach and engage in corrupt and illegal practice.
- 1.5 Efforts shall be made to develop Islamic law and traditional law or alternative justice system and community justice system by coordinating with legitimate political authorities so as to lend greater confidence and credibility to such law.
- 1.6 There must be safe and secure government and administration at the village and community levels for which the Ministry of Justice will be responsible for developing strategies for justice in the Southern border provinces so that Islamic law on family and inheritance can be duly observed.
- 1.7 There should be an integrated security management system in the village and community pursuant to the Local Administrative Act, B.E. 2551 (2008) under which the village headman will hold office until the retirement age of 60. Efforts should be made to improve the work of the village committee to be more secure and participatory, able to steer development at grassroots level.

- 1.8 Sub-systems should be inter-connected, including leadership system, local government system, justice system, education system, civil service system, economic development system, cultural system, conflict management system and community security system, as well as community-based social welfare system.

## **2. Recommendations on policy for reform of the justice system in the Southern border provinces**

2.1 A “complaints committee” should be set up with the following important characteristics:

- 1) Being a truly “independent organization” responsible to the Prime Minister or SBPAC;
- 2) Being an organization in which people in the locality are involved in and have a sense of ownership;
- 3) Being an organization that people can trust, get access to, and feel comfortable to communicate in their own dialect;
- 4) Being an organization with networks connecting with religious organizations in the community such as monasteries, mosques and Islamic Provincial Committee.

2.2 A Muslim family and inheritance court should be set up as a separate section in the court of justice with the following important characteristics:

- 1) Having complete independence in taking action in litigation cases as prescribed by Islamic law;
- 2) The Muslim family and inheritance court shall be divided in two levels: court of first instance and Dika court;
- 3) A Justice Dato shall have the sole power to decide the case in the Muslim family and inheritance court;
- 4) Current “Islamic law” should be revised and amended to become a (new) drafted “Islamic substantive law” and “Islamic adjective law” together with the following guideline framework:
  - 4.1) It should be used as the Islamic law on family and inheritance and other related legal provisions that will facilitate court proceedings without breaching Islamic law.

- 4.2) Religious principles must be adhered to along the line of (*madhhab*) *Shafii* in preparing the “Islamic substantive law” and “Islamic adjective law”.
- 5) The case in which the plaintiff and defendant are both Muslim and the case in which the defendant is Muslim shall also come under the jurisdiction of the Muslim family and inheritance court.
- 2.3 Provisions on attorneys-at-law, experts, and assistants to Justice Dato and on settlements shall also be contained in the adjective law.
- 2.4 More personnel on Muslim law shall be produced and developed at the master’s and doctoral levels.
- 2.5 At least one forensic science centre should be established in the Southern border provinces or nearby.

### **3. Recommendations on education**

- 3.1 Local educational administrations should be restructured, by having agencies at district and provincial levels supervising educational management of private religious schools and engaging local people with a profound understanding of Islam and good local educational management as heads of such agencies;
- 3.2 Consideration should be given to increase subsidies to registered Tadika and Pondok institutes on the per-capita basis;
- 3.3 Funds should be set up to provide interest-free loans to Tadika and Pondok institute as well as funds for interest-free loans for graduate levels;
- 3.4 Every school shall prepare timetables that allow students to observe their religious activities in a concrete manner;
- 3.5 Opportunity shall be given to local schools to designate Friday and Saturday or other religious days as the school weekly holidays, taking into account lifestyle and culture of the locality thus marking the beginning of the acceptance of cultural diversity;
- 3.6 The central curriculum shall include contents on peace studies, local lifestyle and comparative religion;
- 3.7 Support shall be given to special schools or special classes in the school for educational purposes for special children in the locality.

#### **4. Recommendations on economic policy**

4.1 An economic council for Southern border areas should be set up to determine economic policy for the government and state agencies.

4.2 Legal provisions should be made to set up an independent organization or institute to manage resources, involving participation from various sectors both at the national and local level, representatives from local fisheries organizations and commercial fisheries organizations. Its functions are to oversee the implementation of the law and issue policies and measures to manage marine resources.

4.3 Rules, regulations to protect consumers consuming Haalal food should be issued. A science centre on Halal food in the areas should also be set up, in order to enhance confidence and standards of Halal food in Thailand. In addition, laws should be issued to protect Muslim consumers in Thailand in accordance with Muslim requirements on Halal food. Operators will be held legally responsible for fake or contaminated substances are found in Halal food.

4.4 Laws should be issued for Islamic cooperatives to be deemed as a form of cooperative and permitted to perform more types of financial transactions, in order to meet the needs of people in the area.

4.5 The State shall arrange for facilities to cater for the storage of agricultural and fisheries products such as granaries, freezers, and other necessary facilities.

#### **5. Policy recommendations on social reform, tradition, and culture**

5.1 That the Ministry of Interior in conjunction with the local government organizations in the five Southern border provinces plan and organize a social order that is in harmony with religious principles, specifying such areas as drug-free and vice-free areas.

5.2 That *Aidilfitri* day (marking the end of Ramadan, falling on the first day of the month of Syawal of the Muslim calendar,) and *Raya Aidiladha* day (the Festival of Sacrifice, marking the end of Hajj, falling on the 10<sup>th</sup> day of the month of Zulhijah of the Muslim calendar), and the Islamic New Year's Day be made public holidays in the five Southern border provinces.

5.3 That Friday or one day in the work week be made a day that the sale of liquor is forbidden and entertainment places close in the five Southern border provinces on a voluntary basis and subject to the context of each locality.

5.4 That the ministries and any other central agencies concerned issue written orders to exempt Muslims from attending ceremonies or activities related to other religions, subject to the context of the locality concerned.

5.5 That the Ministry of Social Development and Human Security and the Ministry of Public Health in cooperation with the Islamic councils in the five Southern border provinces strengthen the family institution, by organizing curriculums on preparing for married life and on understanding the rights of husband and wife, as well as courses on raising children in accordance with religious principles, setting up a family assistance fund, including health examination and family healthcare.

5.6 That the Department of Public Relations in cooperation with the Ministry of Culture arrange to provide television and radio programmes designed especially to strengthen the family institution.

5.7 That the government issue law allowing for an insurance fund to be set up in accordance with religious principles and for a Zakat fund to be set up as a legally approved social welfare scheme.

5.8 That the Ministry of Culture set up an institute for the development of religious leaders in the five Southern border provinces.

5.9 That a centre for Malay-Pattani culture and languages be set up, covering three Southern border provinces, with the functions to promote and support the use of Malay-Patanni language as well as monitoring to ensure the correct usage of the Malay-Pattani language.

5.10 That a master plan for the development of mass media in the localities be drawn up, emphasizing the content and use of the Malay-Pattani language, involving local participation, and ensuring that the messages communicated by the mass media are truthful and reliable..

## **6. Policy recommendations on medicine, public health and environment**

6.1 That the State support and promote health development of every religion in accordance with the multiculturalism of the people in an integrated manner, covering health promotion, protection against diseases, disease control medical care, and rehabilitation, including development of the environment that facilitates good health.

6.2 That arrangements be made to provide medical and public health services with acceptable quality and standard, and in accordance with the context of the community, religion, culture, and way of life, using a participatory mechanism of every sector in the locality.

6.3 That the Ministry of Public Health further develop the public health management system, for example, in policy and planning of human resources, personnel resource management, and other supporting systems such as the security system and data and information system congruent with the context of multiculturalism.

6.4 That the State come up with guarantees and mechanisms of protection leading to good health, providing basic health services that rely on the structure and mechanisms of the State such as health surveillance, control of diseases, rapid intervention in emergency health situations, demonstration of practices, follow-up and assessment, and research and development. All efforts are to be done with sensitivity to the existing situation, in accordance with the social context, and embedded with a process of development of potential, with the notion of participation so that people in the locality are capable of being involved in implementation in the long run.

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