

Thailand



Main objectives

- Ensure admission, documentation, and reception of asylum-seekers and refugees and support the establishment of state-owned asylum procedures.
- Undertake measures to improve refugee rights, mitigate the consequences of a protracted refugee situation and better prepare refugees for durable solutions.
- Address security-related concerns more effectively and ensure the physical safety of refugees.
- Ensure age- and gender-based operations planning and implementation.
- Consolidate and expand the strategic use of resettlement as a protection and durable solutions tool.
- Further strengthen partnership with donors, governments, UN and intergovernmental agencies and NGOs.
- Improve the protection environment through the promotion of international standards on refugees and stateless persons.

Planning figures		
Population	Jan 2006	Dec 2006
Myanmar (refugees)	140,000	140,000
Asylum-seekers	550	600
Other refugees	450	400
Others of concern	5	5
Total	141,005	141,005

Total requirements: USD 7,665,945

Working environment

Recent developments

There are an estimated 140,000 refugees from Myanmar living in nine camps on the Thai-Myanmar border, including some 20,000 unregistered people in the camps. A joint re-registration exercise took place in 2005 using the software developed by Project Profile. Besides providing accurate numbers, this exercise will also yield information on vulnerability as well as protection and resettlement needs. Some of the refugees have been living in the camps for more than 20 years. The protracted nature of the problem is compounded by two factors: the prolonged stay in a secluded camp environment and the fact that conditions in Myanmar are not yet conducive to voluntary repatriation. This static situation is creating a host of social and psychological problems, ultimately leading to an erosion of the refugees' coping mechanisms. In addition, there are some 1,000 refugees and asylum-seekers from elsewhere for whom resettlement is the only viable durable solution, albeit an increasingly difficult goal to achieve.

Thailand is not party to the 1951 Refugee Convention but has traditionally maintained a generous asylum policy. There is no asylum procedure incorporating the principles of the Convention. The status of refugees in the camps is regulated by *ad hoc* administrative arrangements whilst refugees outside the camps would fall under the provisions of the Immigration Law and are considered illegal migrants. The re-registration exercise is expected to regularize this situation and provide all refugees with a registration document.

The UNHCR operation for 2006 aims at building upon several positive developments to date. The successful implementation of the resettlement programme for 15,500 Hmong Lao refugees who were living in Tham Krabok, Thailand, has paved the way for the recognition of resettlement as a strategic and burden-sharing tool. The Government's openness towards resettlement is a new development which contrasts with the restrictive approach adopted in the past. The Government has confirmed that resettlement of camp-based

refugees is now an accepted policy, and has also agreed to the resettlement of some 5,000 Myanmar urban refugees. This policy shift will allow resettlement to become an increasingly dominant feature of this operation. On the other hand, while ceasefire negotiations in Myanmar in early 2004 led to expectations of an impending voluntary repatriation, it has now become an increasingly elusive prospect.

In 2004, an agreement was reached on the reactivation of the Provincial Admission Boards (PABs), which came to a halt at the end of 2001. This included an expansion of the admission criteria which had previously been restricted to persons "fleeing fighting" to now include those "fleeing persecution or for other reasons". This was a very significant improvement on the previous "working arrangements". However, the agreement foresees that persons admitted under the new expanded criteria will have to be resettled. Although the PABs are yet to start operating, this is an important step towards the establishment of a national asylum structure in a non-Convention environment.

Another encouraging development was the successful implementation of the migrant workers' registration scheme. Some 1.3 million were registered, including nearly a million from Myanmar. This paved the way for refugees and those in a refugee-like situation to regularize their status and reduce pressure on the asylum channel, and is a compelling example of best practice in the region. The policy had a dual purpose: addressing labour shortages in Thailand and regularizing the situation of illegal migrants whose lack of registration was perceived as creating a security problem. An important aspect of this labour management policy is the effective way it addresses the interface between migration and asylum.

Recently, the Government has become increasingly aware of the negative consequences of the perpetuation of a protracted camp situation and the limited rights accorded to refugees. Besides inactivity and the loss of professional skills, psychosocial problems and domestic violence are on the rise in the camps. Malnutrition is considered to be unusually prevalent for a stable refugee situation. This is attributable to the lack of diversity in the diet and the lack of resources with



Karen refugees learn new skills at the vocational centre funded by UNHCR's Goodwill Ambassador Angelina Jolie in Tham Hin Camp.
UNHCR / J. Pagonis

which to purchase additional food items. Clearly a disturbing threshold has been reached, and a change of approach to this protracted refugee situation is now needed. The Government has now requested that a sharper focus be placed on vocational and language training.

Constraints

UNHCR's approach is based upon the assumption that the PABs will be operational and that the Government will follow through on its willingness to allow resettlement of camp-based refugees and generally expand resettlement opportunities so as to ensure a comprehensive approach to the problem of refugees and asylum-seekers in



Thailand. Potential constraints lie primarily in a lack of will on the part of the Government to work with UNHCR on these issues, particularly on the establishment of the national asylum procedure, refugees' enjoyment of rights, the improvement of physical security in the camps, and the expanded use of resettlement. Other risks may arise from an inability of resettlement States to accept sufficient numbers for group resettlement, an inability

to resettle complex cases, and issues related to the coordination of protection activities with other partners, such as reporting on protection or incidents of sexual and gender-based violence in the camps.

UNHCR's approach is also based upon the assumption that the Government will continue to grant temporary asylum to urban refugees and asylum-seekers of nationalities other than Myanmar upon registration with UNHCR. However, due to the absence of refugee-specific legislation, UNHCR will intervene in any situation arising in relation to this population. As humanitarian issues relating to asylum-seekers and refugees might not be a priority concern of the Government, decision making may be protracted. This may have a negative impact on UNHCR's ability to ensure protection of rights and efficiently meet beneficiary needs. In addition, the Government's policy that refugees outside of the camps are illegal immigrants subject to Thai immigration law will continue to place limitations on the Office's capacity to negotiate appropriate protection, including preventing deportations.

Strategy

Protection and solutions

UNHCR's strategy is based upon the assumption that conditions in Myanmar will not be conducive to voluntary repatriation in the near future. The operation is also premised upon the expectation that all Myanmar refugees will be housed in the nine camps on the Thai-Myanmar border pending resettlement. At present, this represents the only viable durable solution. Thus, UNHCR will focus on mitigating the effects of this protracted situation, such as advocating for the removal of current restrictions on freedom of movement, freedom to seek employment and access to higher education opportunities outside the camps. In addition, a number of protection-based operational projects will be implemented to improve the situation in the camps, including the establishment of legal aid centres, the development of camp protocols to address and prevent

sexual and gender-based violence, as well as child protection initiatives. These projects have a two-fold purpose: not only will they assist refugees in the camps to lead a more normal existence, less constrained by material dependence, but they will also help prepare them for resettlement in a third country or an eventual return to Myanmar.

Assistance

Since humanitarian assistance in the camps is primarily provided by NGOs with their own funding, UNHCR's focus will remain on protection, advocacy and the search for durable solutions. The Office will thus support limited interventions in areas where there is a gap in the assistance framework, for instance in the provision of sanitary napkins, and will expand programmes in the areas of vocational training and income generation activities, to increase the employment opportunities of refugees within Thailand, upon resettlement or upon return to Myanmar.

UNHCR will renew its efforts to expedite resettlement for urban refugees and will continue to provide protection and ensure minimum living standards to those who cannot sustain themselves until durable solutions are identified.

Desired impact

The situation of Myanmar refugees in Thailand continues to remain protracted and is expected to remain so for the foreseeable future. UNHCR interventions will help mitigate the impact of this situation on refugees who have been confined to camps for over 20 years, and will serve to identify alternative solutions, building on the Government's agreement to expand resettlement opportunities. UNHCR advocacy with the Government will also aim at improving the situation inside the camps, and bringing about a relaxation of the regulations prohibiting freedom of movement outside the camps and preventing refugees seeking employment.

Organization and implementation

Management structure

In 2006, UNHCR will operate with a total of 78 staff members: 26 internationals, including JPOs, UNVs and secondments from other agencies, and 52 nationals, including one national UNV.

The Bangkok office also covers activities in Cambodia, the Lao People's Democratic Republic and Viet Nam. In Thailand, the UNHCR Representation is responsible for the overall management of the programme, for liaison with the Government and embassies, leadership in inter-agency and partnership coordination, as well as a significant segment of the resettlement processing and the protection and processing of non-Myanmar asylum cases. The office is supported by field offices in Kanchanaburi, Mae Hong Son and Mae Sot, covering Myanmar refugees in camps.

Coordination

UNHCR closely coordinates its protection and assistance programme with the Government, NGOs and donors. The Office is an active participant in the monthly meetings of the Committee for Coordination of Services to Displaced Persons in Thailand, a coordinating mechanism for protection and humanitarian assistance initiatives, which is attended by all NGOs working on the Thai-Myanmar border and by several embassies and donor agencies. UNHCR also participates in various inter-agency working groups which are organized by the Government, the UN Resident Coordinator, the UN Country Team and the Security Management Team.

Offices
Bangkok
Kanchanaburi
Mae Hong Son
Mae Sot

Partners
Government agencies
Ministry of Interior
Operations Centre for Displaced Persons
NGOs
Catholic Office for Emergency Relief and Refugees
Handicap International
International Rescue Committee
Norwegian Refugee Council
<i>Shanti</i> Volunteer Association
Zoa Refugee Care
Others
UNDP
UNEP
UNICEF

Budget (USD)	
Activities and services	Annual Programme Budget
Protection, monitoring and coordination	2,561,490
Community services	740,000
Domestic needs	375,000
Education	500,000
Forestry	120,000
Health	90,000
Legal assistance	940,000
Operational support (to agencies)	310,000
Sanitation	50,000
Shelter/other infrastructure	100,000
Transport/logistics	25,000
Total operations	5,811,490
Programme support	1,854,455
Total	7,665,945