

# Thailand



## Main objectives

Ensure that admission and reception of Myanmar asylum-seekers accord with international standards; monitor respect for fundamental refugee rights; prepare refugees from Myanmar for durable solutions; promote protection for urban refugees and asylum-seekers by urging close adherence to international asylum standards; seek durable solutions for urban refugees, including the processing of cases for resettlement; ensure the provision of care and social support for vulnerable groups; promote accession to the 1951 Refugee Convention and compliance with international refugee law.

## Impact

- The Royal Thai Government agreed to introduce a national asylum mechanism.
- The backlog of urban Myanmar refugee to undergo status determination (RSD) was cleared.

- Over 4,800 Myanmar refugees were processed for resettlement, and by the end of 2004 almost one third of these persons had departed.
- 15,000 Laotian Hmong refugees were accepted for resettlement, and by the year's end, 9,000 had departed.
- Formal protocols were developed and implemented to address SGBV in all camps.

## Working environment

### The context

Despite the absence of a legal framework for dealing with asylum-seekers and refugees, Thailand has continued, over a period of two decades, to maintain a generous asylum policy in relation to the approximately 140,000 refugees from Myanmar living in camps on the Thai-Myanmar border and to offer temporary asylum to some 1,000 urban asylum-seekers and refugees of other nationalities.

In 2004 a new political openness on refugee rights was in evidence. This can be attributed in part to UNHCR's continued advocacy efforts and in part to political developments in Myanmar, and the growing realization in Thailand that early repatriation of the majority of Myanmar refugees would be extremely unlikely. Progress included the recognition of new arrivals and the acceptance of UNHCR's proposal to establish a national asylum mechanism through the Provincial Admissions Boards (PABs) (expected to resume in 2005). The Government also agreed to UNHCR's proposals to resettle some 5,000 Myanmar refugees living in urban areas. By the end of 2004, the Government had expressed willingness to discuss issues such as enhancing refugee rights and extending the possibility of third country resettlement to refugees in camps. Other important positive developments included the migrant worker registration exercise, which gave prospective migrants options outside the asylum system. The new-found willingness of the Thai Government to address difficult issues – including some that had been shelved repeatedly over several years – was exemplified by its interest in establishing a national strategy to address statelessness.

## Constraints

In order to operate in the absence of definitive legal standards, UNHCR was obliged throughout 2004 to directly negotiate all aspects of its work relating to asylum-seekers and refugees. This led to delays in decision making, however, UNHCR successfully

intervened in a number of individual cases and advocated a change in policy on Myanmar refugees and asylum-seekers in particular.

## Funding

UNHCR's overall financial stability in 2004 had a positive effect on the operation in Thailand, enabling all planned activities to be carried out, despite a marked increase in expenses for the urban refugees.

## Achievements and impact

### Protection and solutions

One of UNHCR objectives in 2004 was to ensure the protection of refugees from Myanmar in the camps, as well as recognized urban refugees, through the provision of temporary asylum until a durable solution could be found.

At the request of the Government, UNHCR discontinued RSD procedures for urban Myanmar asylum-seekers except for a strictly limited number of urgent cases. However, all new asylum-seekers were allowed to register with UNHCR pending the formation of a national admissions mechanism. By the end of 2004, some 6,500 new applications had been received by UNHCR. The Government agreed to re-establish its national admissions mechanism, the

### Persons of concern

Population	Total in country	Of whom UNHCR assisted	Per cent female	Per cent under 18
Myanmar (refugees)	118,800	-	-	-
Myanmar (asylum-seekers)	2,000	-	-	-

### Income and expenditure (USD) Annual programme budget

Revised budget	Income from contributions <sup>1</sup>	Other funds available <sup>2</sup>	Total funds available	Total expenditure
7,627,942	1,950,590	5,649,303	7,599,893	7,599,893

<sup>1</sup> Includes income from contributions restricted at the country level.

<sup>2</sup> Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments. The above figures do not include costs at Headquarters.

PABs which was defunct since 2001. The Thai Government also agreed to expand the criteria for admission – previously limited to persons “fleeing fighting” – to include persons “fleeing persecution or for other reasons”.

Throughout 2004, UNHCR also conducted RSD for the urban non-Myanmar population, which consisted of 414 refugees and 693 asylum-seekers of 44 different nationalities. The Office ensured that adequate protection and assistance were provided while resettlement opportunities were sought (as no other durable solution was available).

The year 2004 was a success in terms of the strategic use of resettlement as a durable solution in the operation in Thailand. The applications of some 4,800 urban Myanmar refugees were submitted for resettlement, and by the end of the year, 1,448 had departed. In addition, 15,000 Lao Hmong refugees from Wat Tham Krabok were submitted for resettlement to the United States. The Office also successfully brought in a wider range of actors, with more than 12 countries participating in the resettlement effort.

UNHCR continued to advocate for improved protection of the rights of Myanmar refugees in the border camps, including the removal of existing restrictions on freedom of movement and on the right to work outside the camps. UNHCR negotiated permission to conduct a re-registration exercise in the camps in 2004 using the new Project PROFILE software. This process safeguards key population data which will be useful in facilitating eventual durable solutions and records information on vulnerable individuals as well as those with protection concerns in the camps, thus enabling UNHCR to address their protection and assistance needs more effectively.

In support of the High Commissioner’s Five Commitments to Refugee Women, UNHCR developed successful SGBV programmes, in consultation with partner NGOs. These entailed the creation of formal protocols in all refugee camps to rationalize the treatment of SGBV victims and the courses of action available to responding organizations. UNHCR also implemented individual registration of refugee women through the re-registration exercise. The Office actively advocated for more balanced female representation on the camp committees, not merely in terms of numbers, but also as a reflection of women’s opinions and participation in actual

leadership roles. The selection of beneficiaries and the distribution of sanitary napkins were entrusted to refugee women’s committees.

## Activities and assistance

NGOs provided the bulk of assistance to Myanmar refugees in the camps. UNHCR’s remit was to “fill in the gaps”, i.e., to address unmet needs.

**Community services:** Countering SGBV was a key area of concern in the refugee camps, with sustained efforts to identify and catalogue instances of SGBV and introduce a coordinated response. Victims received counselling and specialized assistance while UNHCR focused on raising awareness amongst the refugees in the camps and urban centres as a preventive measure.

All female refugees above the age of puberty received sanitary kits. Interventions also included the provision of psycho-social support for 2,230 separated children in nine camps as well as regular monitoring of their welfare and living conditions.

Mine-risk education programmes were conducted in eight camps, focusing on high risk individuals and community leaders. Refugee workers were trained as rehabilitation technicians, carpenters and physical therapists; 172 mine victims received prosthetic devices.

**Domestic needs/Household support:** Urban refugees who have no legal status, and are therefore unable to seek employment, received a monthly cash allowance to meet the costs of accommodation and food.

**Education:** Over 44,300 children in nine camps were provided with school supplies. Almost 37,000 children attending 58 schools in the seven Karen camps also benefited from a curriculum development project, new textbooks and teacher training. In addition, over 540,000 children and 93,000 adults enjoyed library services in six refugee camps and surrounding villages. The libraries were transformed into makeshift community centres for additional activities such as puppet shows, storytelling, song and dance aimed to preserve customs and traditions. In seven camps, 857 refugees received vocational training on motorbike repair, tailoring, agriculture, and carpentry.

**Food:** Basic food rations and cooking fuel were provided to 36 Lao Hmong refugees in Ban Napho camp.

**Forestry:** A joint intervention was carried out by UNEP and UNHCR in partnership with a national NGO to prevent short-term soil erosion and to propose slope stabilizing measures in one camp. Some 52,500 trees were planted in the camps and surrounding villages to commemorate World Environment Day and World Refugee Day.

**Health/Nutrition:** Urban refugees and asylum-seekers in need of medical attention received basic treatment through the Bangkok Refugee Centre (BRC). Serious cases were referred to hospitals and

clinics and were treated in line with national standards. During 2004, there were some 6,400 visits to BRC's clinic, 1,800 visits to local hospitals and 25 refugees received psychiatric care. Health education programmes were conducted on Dengue fever, tuberculosis, diabetes, family planning, immunization, breastfeeding, ante-natal care and STI/HIV prevention.

**Legal assistance:** UNHCR provided legal counselling and representation to refugees brought before either the Thai justice system or the traditional systems of justice used in the camps. Translation and interpretation services were also provided. Training programmes on refugee law and the protection of refugee rights was conducted for Thai Government



Thailand: Karen refugees from Myanmar, Tham Hin Camp. UNHCR/J. Pagonis

institutions, legal institutions, the military, civic and professional organizations and NGOs. Support was also provided to carry out the registration of refugees in the nine camps.

**Operational support (to agencies):** UNHCR provided support to partner agencies to meet their project management costs.

**Sanitation:** A community-based waste management system was fully operational in the largest camp, housing some 33,700 persons. This included improved refuse collection and composting. The system was managed by some 1,800 refugee volunteers who were trained in waste management and environmental conservation.

**Shelter/Other infrastructure:** The access roads to two camps were repaired and upgraded to facilitate the provision of food supplies, health care and other essential services through the rainy season.

**Transport/Logistics:** Some 1,500 refugees accepted for resettlement were transported from the border camps to Bangkok prior to their departure to a third country.

## Organization and implementation

### Management

The office in Bangkok supervises field offices in Kanchanaburi, Mae Hong Son and Mae Sot. In 2004, the Thai operation had 74 staff members comprising 18 international (including four JPOs), 48 national staff and eight UNVs.

### Working with others

UNHCR maintained implementing arrangements with three international and one national NGO. Excellent working relationships continued with the relevant Government ministries and other UN agencies. UNHCR was a key participant at regular coordination meetings attended by NGOs, embassies and donor agencies. The Office also held several meetings with embassies to encourage donor support to UNHCR's programmes in Thailand.

## Overall assessment

The programme in Thailand is an example of well-defined and efficient sharing of responsibilities with NGOs. UNHCR has overall responsibility for protection interventions and contributes to the assistance programme wherever gaps are identified. This allows UNHCR to be fully engaged in discharging its protection mandate in a well-coordinated and focused manner.

### Offices

#### Bangkok

Kanchanaburi  
Mae Hong Son  
Mae Sot

### Partners

#### Government agencies

Ministry of Foreign Affairs  
Ministry of Interior  
National Security Council

#### NGOs

Catholic Office for Emergency Relief and Refugees  
Handicap International  
*Shanti* Volunteer Association  
ZOA Refugee Care

#### Others

Law Society of Thailand  
National Human Rights Commission

Financial Report (USD)		
Expenditure breakdown	Current year's projects	Prior years' projects
	Annual programme budget	Annual and Supplementary programme budgets
Protection, monitoring and coordination	1,794,626	0
Community services	393,661	46,437
Domestic needs / household support	777,768	56,188
Education	885,590	215,479
Food	3,450	473
Forestry	45,631	0
Health and nutrition	115,236	18,727
Legal assistance	727,922	43,638
Operational support (to agencies)	333,957	39,470
Sanitation	34,678	5,750
Shelter and infrastructure	68,573	2,558
Transport and logistics	10,284	0
Water	5	8,504
Instalments with implementing partners	604,924	(437,224)
<b>Sub-total operational activities</b>	<b>5,796,309</b>	<b>0</b>
Programme support	1,803,584	0
<b>Total disbursements</b>	<b>7,599,893</b>	<b>0</b>
<b>Instalments with implementing partners</b>		
Payments made	3,311,540	
Reporting received	(2,706,616)	
<b>Balance</b>	<b>604,924</b>	
<b>Prior years' report</b>		
<b>Instalments with implementing partners</b>		
Outstanding 1 January		571,328
Payments made		63,050
Reporting received		(437,224)
Refunded to UNHCR		(172,067)
<b>Balance</b>		<b>25,087</b>
<b>Unliquidated obligations</b>		
Outstanding 1 January		225,520
Disbursements		(137,241)
Cancellations		(88,279)
<b>Outstanding 31 December</b>		<b>0</b>