

THAILAND

| Working environment |

• The context

The volatility of the political and social climate in Thailand poses challenges for UNHCR as it advocates for policies favourable to refugees. While Thailand has over the last four decades been a major country of asylum, sheltering some 1.3 million refugees, it is not party to the 1951 Refugee Convention. Currently, the country hosts some 100,000 refugees from Myanmar who have been registered, and an estimated 53,000 who have not, in nine camps along the Thai-Myanmar border.

Groups of new arrivals, ranging from a few hundred to several thousand, have entered Thailand in the past year. Sporadic fighting in the border area of south-eastern Myanmar continues. Admission to the refugee camps on the Thai side of the border is governed by a national screening mechanism, but the number of those who are not registered continues to grow. Refugees and asylum-seekers living outside the camps are considered illegal migrants under Thai law, and are at risk of arrest, detention and deportation.

UNHCR has observed a marked erosion of the protection space for all groups of concern over the past two years, with some notable incidents of forced returns. In particular, no progress has been made in finding solutions for the Muslim residents from Myanmar's northern Rakhine State who arrived in Thailand by boat in January 2009 and who remain in detention.

Thailand is at the centre of numerous migratory movements in the region, and the country hosts an estimated two million migrants, with a blurring of the distinction between those arriving for economic reasons and asylum-seekers.

There are no official figures of the number of stateless people in Thailand and estimates from non-governmental sources vary. The Royal Thai Government and UNHCR will hold consultations on the issue. Although Thailand is not party to the Statelessness Conventions,

amendments to the Civil Registration Act in 2008 provide for universal birth registration. This allows for the issuance of birth certificates to all children born in the country, regardless of the status of their parents, and will substantially help prevent statelessness.



Planning figures for Thailand

TYPE OF POPULATION	ORIGIN	JAN 2011		DEC 2011	
		TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR
Refugees	Myanmar	96,800	96,800	88,700	88,700
	Various	1,300	1,300	1,200	1,200
Asylum-seekers	Myanmar	9,000	240	16,700	8,000
	Various	2,000	2,000	2,700	2,700
Others of concern	Myanmar	53,000	53,000	45,300	45,300
Stateless *		n/a	n/a	n/a	n/a
Total		162,100	153,340	154,600	145,900

* Not available - Figures previously cited for the number of stateless persons in Thailand are being reviewed according to clarified criteria. Official numbers on stateless persons are not available and estimates from non-government sources vary. The Royal Thai Government and UNHCR will hold consultations to determine the real scope of the issue.

In Mae La camp, playing football provides recreation for refugee children from Myanmar.



UNHCR / T. PALISE

• The needs

The situation of refugees from Myanmar in camps in Thailand is one of the most protracted in the world. These refugees have been confined to nine closed camps since they began arriving in the 1980s. According to Thai law, those found outside the camps are subject to arrest and deportation. Refugees in Thailand are not legally permitted to engage in gainful employment.

The prolonged stay of Myanmar refugees in camps has created many social, psychological and protection concerns. The coping mechanisms of refugees have been eroded, and the restrictions imposed on them have increased their dependence on assistance.

Main objectives and targets

Favourable protection environment

- Ensure access to asylum, protection and physical security for all people of concern.
 - ➔ Procedures for Government registration and admission to refugee camps are improved. By ensuring fair and efficient standards for the admission, screening and protection of Myanmar asylum-seekers, both unregistered camp residents and new arrivals are able to have their claims assessed in a timely manner.
 - ➔ The administration of justice in the camps is improved; refugees and asylum-seekers have access to judicial and legal remedies as well as traditional justice mechanisms.
 - ➔ UNHCR is able to meet and provide protection to asylum-seekers and refugees held in detention.
- Strengthen national bodies and procedures in support of a national protection regime.
 - ➔ Refugees are protected against refoulement, are physically safe and are not subjected to any form of violence.

- ➔ Birth certificates are progressively issued to all refugee children born in the country.

Fair protection processes

- Streamline refugee status determination (RSD) procedures for various groups of non-Myanmar asylum-seekers.
 - ➔ Urban asylum-seekers have access to fair and efficient RSD procedures.

Security from violence and exploitation

- Reduce the risk of sexual and gender-based violence and improve the quality of response.
 - ➔ Refugees with specific needs, especially women and children, benefit from enhanced protection against sexual and gender-based violence through the strengthening of prevention and response mechanisms in the camps.
- Strengthen the protection of children.
 - ➔ All unaccompanied and separated children are properly identified, registered, monitored and protected.

Basic needs and services

- Improve the social and economic well-being of refugees.
 - ➔ Urban refugees and asylum-seekers enjoy basic medical care and referrals to local hospitals.
 - ➔ Refugee children have access to primary, secondary and higher forms of education; adults can benefit from non-formal education.
 - ➔ Refugees enjoy HIV and AIDS services, and prevention and awareness-raising activities are implemented.

Community participation and self-management

- Strengthen self-reliance and livelihoods.
 - ➔ Refugee adults and adolescents have more opportunities to engage in income-generating activities, use their vocational skills and benefit from non-formal education.

Durable solutions

- Expand the search for durable solutions for refugees.
 - ➔ The use of resettlement as a protection tool, as a durable solution and as a responsibility-sharing mechanism is maximized.

UNHCR's presence in 2011

□ Number of offices	5
□ Total staff	149
International	23
National	107
JPOs	1
UNVs	17
Others	1

PARTNERS

Implementing partners

Government agencies:

Ministries of Education and Interior

NGOs:

Aide Médicale Internationale

American Refugee Committee International

Catholic Office for Emergency Relief and Refugees

Committee for Coordination of Services to Displaced Persons in Thailand

Handicap International

International Rescue Committee

Malteser International

Right to Play

Shanti Volunteer Association

ZOA Refugee Care

Others:

UNDP (UNV)

UNOPS

Operational partners

Government agencies:

Ministries of Foreign Affairs, Justice, and Social Development and Human Security

National Security Council

NGOs:

Adventist Development and Relief Agency

Jesuit Refugee Service

Solidarités International

Taipei Overseas Peace Service

Thailand Burma Border Consortium

Women's Education for Advancement and Empowerment

World Education

Others:

FAO

ILO

IOM

OHCHR

UNDP

UNESCO

UNFPA

UNICEF

WHO

However, third-country resettlement, which commenced in 2005, has provided resettlement solutions for more than 65,000 individuals, and some 10,000 more departures are expected in 2011.

In spite of these efforts, there is a steady flow of new entrants into the camps. The Office will continue to work with the Government to find durable solutions for refugees and ensure that asylum-seekers have access to fair and efficient asylum procedures. A pilot pre-screening exercise resulted in the completion of over 11,000 interviews with unregistered persons in 2009. Further implementation of the pilot exercise is being discussed with the Government as well as processing by the national admission boards of unregistered people who have close family links with registered cases.

UNHCR conducts refugee status determination (RSD) under its mandate for all urban asylum-seekers, with the exception of those from Myanmar, for whom a camp-based Government-led procedure is in place.

There are more than 2,600 urban refugees and asylum-seekers from 40 different nationalities in Thailand, with the number growing at a rate of 90 persons a month. Fear of arrest, intimidation by the host community, extreme poverty, exploitation and lack of educational opportunities are some of this group's main concerns.

Asylum-seekers and refugees are subject to indefinite detention under Thailand's immigration laws. Some 5 per cent of the urban caseload, including a number of children and refugees suffering from serious medical problems, are currently held in immigration detention. UNHCR will strengthen its interventions and advocacy to address these serious issues.

Strategy and activities in 2011

For the camp-based population of Myanmar refugees, UNHCR's strategy will focus on consolidating protection activities. This will mean increasing border monitoring to prevent *refoulement* and supporting State efforts to improve the national screening mechanism for Myanmar asylum-seekers. Protection leadership will be strengthened through advocacy and interventions with the authorities.

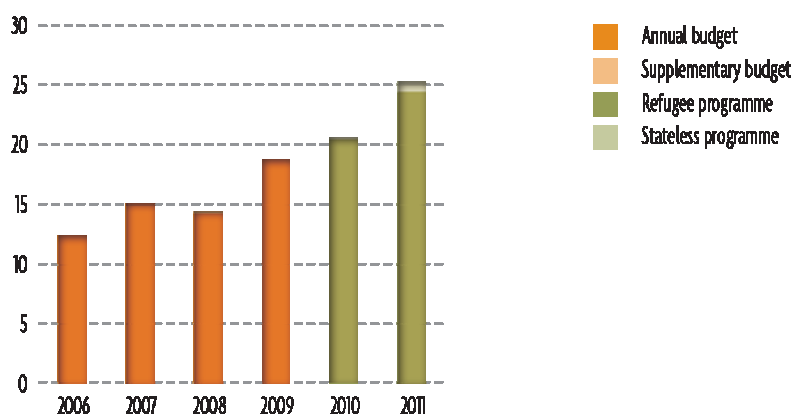
UNHCR will continue to engage relevant actors, including governments and donors, in discussions to support policy changes aimed at finding durable solutions and increasing the protection space. The Five-Year Strategy developed by UNHCR and the Committee for Coordination of Services to Displaced Persons in Thailand is being used as a platform for discussion amongst the various stakeholders involved in providing protection and assistance to Myanmar refugees along the Thai-Myanmar border. The document continues to be reviewed and regularly updated.

In the absence of a national mechanism to process the claims of non-Myanmar asylum-seekers, UNHCR will continue to register and conduct RSD for urban refugees. The Office will also monitor the rights and well-being of people of concern, intervening with the national authorities on their behalf and striving to meet their basic needs, including medical care and educational support.

UNHCR will continue its advocacy efforts aimed at sensitizing the Government to statelessness issues, and raising awareness among all stakeholders. Efforts to identify stateless groups, assess their protection needs and help them enjoy their fundamental rights, including access to documentation, will continue.

UNHCR's budget in Thailand 2006 – 2011

Millions (USD)



○ Constraints

Refugee issues are likely to remain low on the national agenda and Thailand's refugee policy will continue to be shaped by security concerns and bilateral considerations. It is also assumed that the intermingling of economic migrants and people of concern to UNHCR will continue. The overall protection environment in Thailand is set to remain uncertain, marked by detention and a shrinking of the asylum space for urban refugees and asylum-seekers.

There has been little progress in obtaining greater access for refugees to the labour market, and opportunities for higher education will probably remain limited. Sustained advocacy will be required to enhance the self-reliance of refugees pending durable solutions.

Organization and implementation

○ Coordination

The refugee situation in Thailand requires careful coordination with key stakeholders. UNHCR relies on its international and local humanitarian

partners to help it respond effectively to protection needs, overcome political constraints and advocate for favourable policies towards refugees. The border assistance operation, which provides for some 160,000 refugees and asylum-seekers from Myanmar, is mainly implemented by some 18 international and local NGOs. These organizations work closely with UNHCR and operate under the guidance of the Committee for Coordination of Services to Displaced Persons in Thailand. Cross-border situational coordination between UNHCR Offices in the region is also being improved.

Financial information

The budget for the Thailand operation has grown steadily over the past five years. The Regional Office in Thailand continues to strengthen its capacity by consolidating regional posts in Bangkok. The Office serves as a base for regional officers who provide support functions to the region in the fields of protection, protection training, registration, resettlement, HIV and AIDS, public information and community services, under the overall coordination and supervision of the Regional Coordinator.

Consequences of a 20 – 40 per cent funding shortfall

- Advocacy for the protection of people of concern to UNHCR in Thailand will be curtailed.
- Pilot programmes to enhance the self-reliance and livelihoods of refugees in camps will not be initiated.
- UNHCR's capacity to conduct efficient and timely RSD for urban asylum-seekers will be reduced.
- The subsistence allowances rates for urban refugees, who are not allowed to work in Thailand, will remain well below the minimum required.

2011 UNHCR Budget for Thailand (USD)

RIGHTS GROUPS AND OBJECTIVES	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
Favourable protection environment			
Prevention of statelessness	0	580,893	580,893
Cooperation with partners	495,744	390,893	886,637
Access to territory	74,016	0	74,016
Non-refoulement	635,163	0	635,163
Subtotal	1,204,923	971,786	2,176,709
Fair protection processes and documentation			
Registration and profiling	1,657,398	0	1,657,398
Access to asylum procedures	54,976	0	54,976
Fair and efficient status determination	949,187	0	949,187
Family reunification	41,090	0	41,090
Civil status documentation	509,611	0	509,611
Subtotal	3,212,260	0	3,212,260
Security from violence and exploitation			
Law enforcement	35,786	0	35,786
Community security management system	34,241	0	34,241
Gender-based violence	1,034,439	0	1,034,439
Protection of children	1,913,200	0	1,913,200
Non-arbitrary detention	86,458	0	86,458
Access to legal remedies	2,555,555	0	2,555,555
Subtotal	5,659,680	0	5,659,680

RIGHTS GROUPS AND OBJECTIVES	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
Basic needs and essential services			
Shelter and other infrastructure	385,108	0	385,108
Basic domestic and hygiene items	1,570,917	0	1,570,917
Primary health care	668,381	0	668,381
HIV and AIDS	228,384	0	228,384
Education	1,141,900	0	1,141,900
Services for groups with specific needs	493,267	0	493,267
Subtotal	4,487,957	0	4,487,957
Community participation and self-management			
Participatory assessment and community mobilisation	996,614	0	996,614
Self-reliance and livelihoods	2,662,638	0	2,662,638
Subtotal	3,659,252	0	3,659,252
Durable solutions			
Durable solutions strategy	364,712	0	364,712
Voluntary return	123,309	0	123,309
Resettlement	2,108,987	0	2,108,987
Subtotal	2,597,008	0	2,597,008
External relations			
Public information	471,961	0	471,961
Subtotal	471,961	0	471,961
Logistics and operations support			
Supply chain and logistics	623,003	0	623,003
Programme management, coordination and support	1,642,699	17,092	1,659,790
Subtotal	2,265,701	17,092	2,282,793
Headquarters and regional support			
Policy development	10,026	0	10,026
Global strategic direction and management	233,463	0	233,463
Protection advice and support	200,027	0	200,027
Prioritization, resource allocation and financial management	37,236	0	37,236
External affairs	187,236	0	187,236
Media relations and public affairs	22,026	0	22,026
Capacity building, skill development and knowledge management	15,026	0	15,026
Technical advice and support to operations	53,026	0	53,026
Subtotal	758,065	0	758,065
Total	24,316,807	988,878	25,305,685
2010 Revised budget	20,298,090	240,858	20,538,948