

Working environment

The context

Thailand is not party to the 1951 Refugee Convention; nonetheless, it has given asylum to more than 1.2 million refugees over the last 33 years. In 2005, the Thai authorities reactivated a national system to regulate the admission of asylum-seekers and refugees from Myanmar in nine camps along the border.

In 2007, Thailand adopted a new constitution which was approved by a national referendum. A new civilian government was established following the general election in December, ending rule by a military government installed in 2006.

A narrowing of the protection space in Thailand which began in late-2006 has not ended. The Office has witnessed an increase in the deportation of Lao Hmong, to whom it has no access, as well as returns of asylum-seekers from Myanmar. At the end of 2007, the Office resumed its refugee status determination (RSD) activities. Some progress has been made recently in gaining access to refugees and asylum-seekers in detention centres.

Many of the significant number of migration movements in the region converge in Thailand. These regional flows include mixed population movements, leading to a blurring of the distinction between asylum-seekers and irregular migrants. Thailand, now host to more than 2 million migrants, has implemented a series of successful migration registration schemes since 2005.

The needs

Myanmar refugees on the Thai-Myanmar border

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 their arrival in the 1980s. According to Thai law, those found outside the camps are subject to arrest and deportation. Officially, refugees have no access to employment.

The prolonged confinement of the Myanmar refugees has created numerous social, psychological and protection concerns. The coping mechanisms of refugees have been eroded, and the restrictions imposed on them have increased their dependency on assistance.



Refugees from Myanmar at Nu Po camp.

UNHCR/Arnold

Against this background, the introduction of third-country resettlement has opened a durable solutions window. In 2009, UNHCR expects 18,000 departures. Despite this remarkable burden-sharing effort, the camp population is not likely to dwindle rapidly because of a number of factors, including the irregular functioning of the screening and admissions system for the camps. The Office will continue to work with the Government to find durable solutions for the refugees and ensure that asylum-seekers have access to fair and efficient asylum procedures.

Urban asylum-seekers

UNHCR conducts RSD under its mandate for all urban asylum-seekers, with the exception of those from Myanmar. The number of urban asylum-seekers has continued to grow, with an average of more than 50 cases each month. Risks are mainly related to their illegal status in Thailand. Fear of arrest, intimidation by

the host community, extreme poverty, exploitation and the lack of educational opportunities are some of their main concerns.

Some 8,000 Hmong from Laos have been living in temporary shelters in Petchabum province since 2005. Although the problem has been discussed several times by the Government and UNHCR, a shared understanding on the matter has not been reached. UNHCR has no access to this group, which the Government has categorized as illegal migrants.

Though the Government is conducting a screening exercise for the Lao Hmong, UNHCR does not have access to this procedure. This situation has been compounded by deportations carried out by the Government. No solution has been found for 152 Lao Hmong refugees who were arrested in 2006 and have since then been detained in Nong Khai detention center.

Planning figures

Type of population	Origin	Jan 2009		Dec 2009	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Myanmar	111,960	111,960	97,520	97,520
	Various	1,800	1,800	2,000	2,000
Asylum-seekers	Myanmar	8,700	-	8,700	-
	Various	900	900	1,100	1,100
Total		123,360	114,660	109,320	100,620

Main objectives

- Ensure protection and physical security for all people of concern, especially against sexual and gender-based violence.
- Strengthen national bodies and procedures in support of an international protection regime.
- Streamline RSD procedures for various groups of non-Myanmar asylum-seekers.
- Improve the social and economic well-being of refugees.
- Expand the search for durable solutions for refugees.

Key targets

- Refugees are protected against *refoulement*, are physically safe and enjoy a reduction in all forms of violence.
- Provincial Admissions Boards, which govern admissions to refugee camps, are revitalized and strengthened with fair and efficient standards for admission, screening and protection of Myanmar asylum-seekers. This ensures that both unregistered camp residents and new arrivals have their claims assessed on a timely basis.
- The administration of justice in the camps is improved, and refugees and asylum-seekers have access to judicial and legal remedies as well as traditional justice mechanisms. The Legal Assistance Centres in the camps function effectively and objectively.
- 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.
- All unaccompanied and separated children are properly identified, registered, monitored and protected.
- Refugee adults and adolescents have more opportunities to engage in income-generating activities, use their vocational skills, and take language courses.
- Refugees enjoy HIV and AIDS services, and prevention and awareness-building activities are implemented.
- Refugee women benefit from greater participation in camp management and related activities.
- Urban asylum-seekers have access to fair and efficient RSD.
- Urban refugees and asylum-seekers enjoy basic medical care and referrals to local hospitals.
- Urban refugee children have access to primary, secondary, and higher forms of education; adults avail themselves of non-formal education and vocational training.
- UNHCR is able to access and provide protection to asylum-seekers and refugees held in detention.

Strategy and activities

UNHCR, in cooperation with partners, has developed a medium-term strategy for refugees from Myanmar in the border areas which includes the following key activities:

- maximizing the use of resettlement as a durable solution;
- upholding the asylum space for newly arrived refugees;
- strengthening the efficiency of the existing assistance programme;
- increasing refugee skills and education to enhance livelihood opportunities;
- advocating for refugees' access to legal employment outside the camps; and
- ensuring refugees are included in Thailand's national development plans.

For urban refugees, in the absence of a national mechanism to process the claims of non-Myanmarese asylum-seekers, UNHCR will continue to conduct RSD and provide needs-based assistance, including medical care and education support.

Constraints

The Thai Government's policies remain restrictive and the reduction of the asylum space for urban refugees and asylum-seekers which began in late 2006 is continuing. Although UNHCR resumed RSD at the end of 2007, it remains difficult to gain access to refugees and asylum-seekers in Bangkok.

Some asylum-seekers from Myanmar at the border were returned to their country of origin without having had access to the existing screening mechanism. There has been no major progress on the implementation of self-reliance activities and access to the labour market for refugees.

Organization and implementation

UNHCR presence	
Number of offices	5
Total staff	166
International	20
National	51
JPOs	4
UNVs	11
Others	80

Coordination

The complex nature of the refugee situation in Thailand requires careful coordination with a range of key stakeholders. UNHCR relies on its international and local humanitarian partners in order to respond to refugees' protection needs and overcome political constraints. The border assistance operation, caring for more than 140,000 refugees from Myanmar, is mainly assumed by some 20 international and local NGOs. These organizations operate under the guidance of the Committee for Coordination of Services to Displaced Persons in Thailand, with which UNHCR works closely.

Partners

Implementing partners

Government agencies: Ministries of Education, the Interior, and Justice

NGOs: Aide Medicale Internationale, American Refugee Committee, Catholic Office for Emergency Relief and Refugees, Handicap International, International Rescue Committee, Malteser International, Right to Play, Ruam Mit Foundation for Youth, Shanti Volunteer Association, ZOA Refugee Care

Others: UNDP (UNV), UNOPS

Operational partners

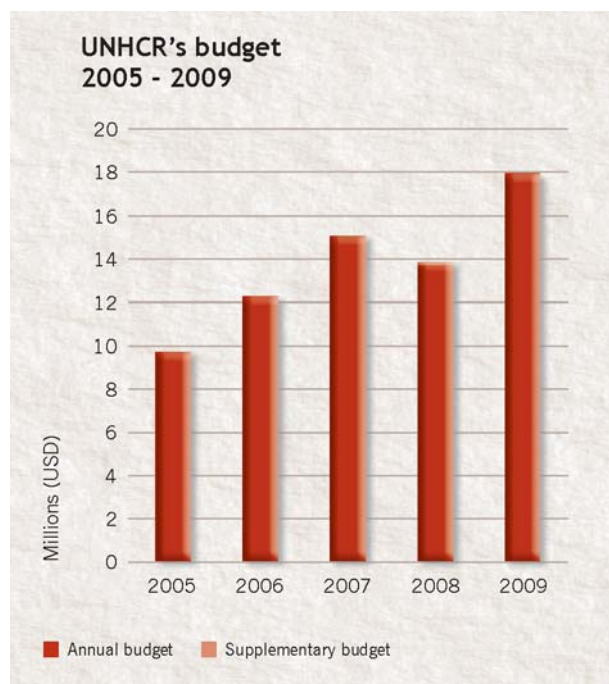
Government agencies: Ministries of Foreign Affairs, Social Development and Human Security, and the National Security Council

NGOs: ICS Asia, JRS, Solidarites, TBBC, WEAVE

Others: FAO, ILO, OHCHR, UNDP, UNFPA, UNICEF, WHO

Financial information

The budget for the Thailand operation has increased steadily over the past five years. Additional funds have supported protection activities and efforts to prevent and respond to sexual and gender-based violence as well as resettlement, education and sanitation projects.



Global Needs Assessment

In 2008, Thailand was the first of UNHCR's operations in Asia to pilot the Global Needs Assessment (GNA). The assessment, which drew on the methodology of the Strengthening Protection Capacity Project and the work of the Committee for the Coordination of Services to Displaced Persons in Thailand, mapped the needs of refugees and others of concern in a comprehensive manner. The results show that UNHCR must boost its operations substantially to enhance protection and facilitate solutions for refugees. Addressing camp confinement and related risks such as sexual and gender-based violence and the weak administration of justice will be ongoing challenges in 2009. For urban asylum-seekers, UNHCR will have to strengthen its efforts to remove their difficulties in accessing efficient RSD procedures. Moreover, UNHCR will need further support to optimise the resettlement process, to accelerate durable solutions, and mitigate the effects of resettlement departures on communities and camp services.

To meet all the needs in Thailand, UNHCR requires USD 17,930,920 for 2009. New GNA targets to improve protection and promote durable solutions include:

- More use of resettlement as a refugee protection tool, durable solution, and responsibility-sharing mechanism.
- The quality of health and education services, and help given to survivors of sexual and other violence and exploitation, is maintained by training new refugee workers to replace those resettled.
- Improved access to RSD procedures for urban asylum-seekers.
- Increased access of camp refugees to legal counselling and information services and strengthened administration of justice in camps.
- Strengthened communication and equal gender participation in refugee camp affairs.
- Increased awareness among the general public and media of refugee protection concerns in Thailand.
- Greater public awareness of statelessness issues.

Budget (USD)				
Activities and services	2008			2009
	Annual budget	Supplementary budget Water and sanitation	Total	Annual budget
Protection, monitoring and coordination	3,497,988	0	3,497,988	3,709,741
Community services	1,209,843	0	1,209,843	1,350,870
Domestic needs	567,238	0	567,238	932,387
Education	820,806	0	820,806	1,154,338
Forestry	110,500	0	110,500	0
Health	380,277	0	380,277	256,252
Income generation	281,700	0	281,700	357,214
Legal assistance	1,623,324	0	1,623,324	1,640,678
Operational support (to agencies)	472,530	0	472,530	572,710
Sanitation	165,800	14,955	180,755	108,058
Shelter and infrastructure	153,700	0	153,700	282,508
Transport and logistics	14,283	0	14,283	3,705
Water	0	34,895	34,895	0
Global Needs Assessment	0	0	0	4,500,000
Total operations	9,297,988	49,850	9,347,838	14,868,461
Programme support	2,282,406	0	2,282,406	3,062,459
Total	11,580,394	49,850	11,630,244	17,930,920

Note: Supplementary programme budgets exclude 7 per cent support costs that are recovered from contributions to meet indirect costs for UNHCR.