

Thailand



Main objectives

Ensure that admission of refugees from Myanmar conforms with international standards; ensure and verify respect for fundamental refugee rights in camps; prepare Myanmar refugees for durable solutions; ensure adherence to international standards of protection for urban refugees; and promote accession to the 1951 Refugee Convention and adherence to international refugee law.

- Over 90 incidents of SGBV were reported and appropriate interventions were made to assist the victims.
- A total of 2,012 mine victims or people with movement disabilities were provided with assistive devices/prostheses.
- School materials were supplied for 45,324 refugee students attending camp schools up to grade ten.
- An average of 1,560 urban refugees and 30 detainees were assisted every month in 2003.

Impact

- UNHCR identified 862 separated children and systematically monitored their situation.
- The access road to Ban Don Yang camp was repaired and maintained for year-round use.
- Vocational training centres were constructed in five Karen refugee camps; courses were chosen to meet the needs assessed in each camp and 857 refugees benefited from the centres' activities.

Working environment

The context

A fundamental policy change is taking place in Thailand. The nine refugee camps along the Thai-Myanmar border have existed for many years and the status quo was not questioned until the middle of 2003. At that time, the Government decided to move forward with

the process of political reconciliation with Myanmar, starting with the enhancement of economic cooperation. In this connection, Thailand and other countries in the region issued the Pagan Declaration on 12 November 2003. The Declaration outlined regional economic cooperation initiatives designed to stimulate development in the border areas and ultimately eliminate civil strife and consequent population displacements. On 15 December 2003, Thailand hosted a forum, dubbed the Bangkok Process, to enable the Myanmar authorities to explain their peace proposals. Earlier in the year, the Government ordered the closure of the offices of political dissidents that had been operating along the border for many years and encouraged the Myanmar opposition parties based in Thailand to enter into negotiations for a political settlement with the Myanmar Government. These advances have had far-reaching implications for UNHCR's protection strategy.

The number of Myanmar nationals seeking asylum in urban areas more than doubled during 2003. As a result, the issue of urban refugees became highly contentious. The Government felt that UNHCR was acting unilaterally in granting refugee status to those approaching UNHCR in urban centres. The Government believed that the process of status determination – leading to refugee status and the subsequent provision of financial assistance – was attracting Myanmar asylum-seekers from border areas to urban centres, creating political embarrassment and potential security problems. UNHCR meanwhile took the view that it had been left with no alternative, following the suspension of the Provincial

Admission Boards (PABs) responsible for examining the claims of Myanmar asylum-seekers. As for non-Myanmar refugees, UNHCR had always conducted refugee status determination in Bangkok and had kept the Government fully informed. UNHCR proposed several alternatives in a series of negotiations with the Government, but no agreement was reached during 2003.

Constraints

In the absence of definitive legal standards governing the treatment of refugees in Thailand, UNHCR was obliged to negotiate all aspects of the protection of refugees in Thailand. This constraint led to delays in decision-making, exacerbated by the pressures on the Government to deal with other matters of urgent nature. UNHCR had to make considerable efforts to convince the Government on the need for a predictable legal framework, including status determination. At the time of publication, UNHCR was in the midst of discussions with the Government on a screening mechanism for urban Myanmar and non-Myanmar refugees who approach UNHCR.

Funding

In 2003, the programme for Thailand was well funded with significant earmarking by a number of donors. However, in the absence of a signed agreement with the Government, many planned activities were either delayed or cancelled.

Persons of concern				
Main origin/Type of population	Total in country	Of whom UNHCR assisted	Per cent female	Per cent under 18
Myanmar (refugees)	118,800	118,400	48	44
Myanmar (asylum-seekers)	2,000	0	-	-

Income and expenditure (USD) Annual programme budget				
Revised budget	Income from contributions ¹	Other funds available ²	Total funds available	Total expenditure
6,284,606	3,373,883	2,209,969	5,583,852	5,583,852

¹ Includes income from contributions earmarked at the country level.

² Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.

Achievements and impact

Protection and solutions

The Government has reiterated its view that Thailand adopts a humanitarian approach towards people fleeing persecution and has been generous in granting asylum to those in need. While Thailand is unwilling to concede that it is bound by international instruments to which it has not specifically acceded, the Government believes that it can fully cooperate with UNHCR without compromising its sovereign prerogative to decide on asylum issues. This has been Thailand's position for more than two decades.

PABs, established by the Government to review the claims of Myanmar asylum-seekers, were suspended in 2002. Consequently there has been no formal mechanism by which new refugees can be allowed into the camps. However, the Government remains committed to a relaunch of the PABs, or some other form of screening to identify persons in need of protection. Progress in this respect is expected during 2004. UNHCR continued its efforts to raise awareness of UNHCR's mandate and international refugee protection standards among civil society, government officials, NGOs, the media, universities, and refugee communities themselves. UNHCR established partnerships with Thai human rights institutions to undertake advocacy and training activities. Advocacy on birth registration was particularly effective. UNHCR also hired a Thai expert on international law to analyze the prospects of accession to the 1951 Refugee Convention, and the obstacles, and to consider possible alternative ways in which principles of refugee protection might best be promoted. The study should be finalized in 2004.

Activities and assistance

The bulk of assistance to Myanmar refugees in the camps was provided by NGOs. UNHCR used its assistance to meet basic needs that were not fully covered by partners.

Community services: Countering SGBV was one of the main focuses in all the camps, with sustained efforts to identify and catalogue instances of SGBV. Collaboration with NGOs and the camp committees made it much easier to identify SGBV incidents and assist victims. Victims received counselling and

specialized assistance; perpetrators were prosecuted under Thai law. UNHCR invested significant financial and human resources in efforts to raise awareness among the refugees (male and female) in camps and in urban centres in a bid to prevent SGBV. All female refugees above the age of puberty received sanitary kits. The number of separated children in the nine refugee camps doubled to 2,063. Social workers visited separated children at least once a month at their places of residence.

The Mine Risk Education programme was organized for the residents of eight camps, targeting refugees aged 15-65. Refugee workers were trained as rehabilitation technicians, carpenters and physical therapy trainers. The programme aimed to reach out to the community at large through organized events on mine awareness, and publicity materials (posters, leaflets).

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

Education: All schools received adequate supplies, resulting in an eight per cent increase in school enrolment in 2003. A project to create libraries in the camps was expanded from five to six camps (to include Ban Don Yang camp in Kanchanaburi province). A set of Thai books (50 titles) was provided to 11 primary schools in the villages around Ban Don Yang camp. Teachers in Mae Hong Son and Kanchanaburi provinces were trained in story-telling; story-telling and puppet shows were performed at 21 primary schools near Umpium and Mae La camps. The vocational training activities, which started with the establishment of a centre in Tham Hin camp in 2002, were expanded into other camps.

Food: Basic food items such as rice, vegetable and canned fish were provided to the remaining 35 Laotian refugees in Ban Napho.

Forestry: Several events were organized in refugee camps and nearby Thai villages, to commemorate World Environment Day. Organized events included tree planting, drawing and poetry competitions with an environmental theme, seminars and training sessions on clean water, with mass cleaning of streams in camps by refugee volunteers.

Health/Nutrition: Urban refugees and asylum-seekers in need of medical attention received basic treatment, mainly through the Bangkok Refugee Centre (BRC). Serious cases were referred to hospitals and clinics and were treated in line with national standards. During 2003, there were 5,085 visits to the clinic at BRC and 1,053 at local hospitals, with 104 patient admissions and 38 refugees receiving psychiatric treatment. Health education was conducted on family planning, immunization, breast feeding, ante-natal care, STI/HIV prevention, personal hygiene and other topics.

Legal assistance: Registration of the refugees in nine camps along the Thai-Myanmar border was updated in 2003. UNHCR provided legal counselling and legal representation to refugees in need. A majority of the cases involved rape and other forms of SGBV. Training and promotion activities on refugee law and protection were conducted for government agencies, NGOs, academic institutions and refugee communities.

Operational support (to agencies): UNHCR provided support for the project management of partner agencies.

Sanitation: A community-based waste management system in Mae La camp effectively reduced health problems and vector-borne diseases. This entailed improved garbage collection and processing of garbage and solid waste materials in the camp.

Shelter/Other infrastructure: Four steeply-sloped areas on the road to Ban Don Yang camp were repaired and culverts were reinforced by refugee volunteers. Drainage was cleared of earth and debris deposited by landslides and the surface was reinforced with rocks. The road repairs and maintenance of the only access road to the camp had a direct impact on the protection of the camp residents by guaranteeing access to food supplies, health care and other essential services throughout the year.

Transport/Logistics: Refugees accepted for resettlement were transported from Tham Hin camp to Bangkok. A total of 351 refugees departed for resettlement to third countries in 2003.

Water: Assistance was extended to two Thai villages in the vicinity of Mae La camp to improve their water supply systems. Three cement water storage tanks were constructed in one village and the water piping system was repaired in the other.





Thailand

Refugees selling produce to supplement their incomes. UNHCR/P. Herzig

Organization and implementation

Management

The office in Bangkok supervises field offices in Kanchanaburi, Mae Hong Son and Mae Sot. The operation in Thailand has 66 members of staff: 15 international (including 4 JPOs), 48 national staff and three UNVs.

Working with others

UNHCR maintained implementing arrangements with five international NGOs and one local NGO. UNHCR's Regional Office in Thailand works closely with the Ministry of Foreign Affairs and the Ministry of the Interior as well as with a number of UN agencies such as UNEP, UNDP, and UNICEF. UNHCR participated at the highest level in regular coordination meetings for assistance to refugees. These meetings were attended by the majority of NGOs working along the Thai-Myanmar border and several donor embassies. This enhanced confidence-building, and the sharing of information among the NGOs, the donor community, and UNHCR. The Office hosted a monthly meeting of the Heads of NGOs to further develop partnerships with them. The Office also participated in the UNDAF process under the coordinating umbrella of the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP).

Overall assessment

Thailand's moves toward political reconciliation with Myanmar shifted the emphasis of UNHCR's work in camps: from long-term protection goals, such as bringing about attitudinal changes among the refugees on SGBV, to more immediate and urgent protection activities and durable solutions, such as resettlement, registration and contingency planning for voluntary repatriation. Resettlement will still be considered as an option for those most in need, but will not be pursued on a scale that might diminish the prospect of repatriation. A comprehensive registration is planned as part of a contingency plan being developed and will underpin the issuance of identity papers for protection as well as for future repatriation purposes.

Offices

Bangkok

Kanchanaburi
Mae Hong Son
Mae Sot

Partners

Government agencies

Ministry of Foreign Affairs
Ministry of Interior
National Human Rights Commission
National Security Council

NGOs

Catholic Office for Emergency Relief and Refugees
Danish Refugee Council
Handicap International
International Catholic Migration Commission
International Rescue Committee
Norwegian Refugee Council
Shanti Volunteer Association
ZOA Refugee Care

Others

Law Society of Thailand

Financial Report (USD)

Expenditure breakdown	Current year's projects		Prior years' projects	
	Annual programme budget	notes	Annual and supplementary programme budgets	notes
Protection, Monitoring and Coordination	1,494,181		2,730	
Community Services	295,933		56,053	
Crop Production	0		3,702	
Domestic Needs / Household Support	571,121		79,581	
Education	341,976		101,149	
Food	3,342		165	
Forestry	6,497		41,220	
Health / Nutrition	76,737		15,741	
Legal Assistance	233,716		49,489	
Operational Support (to Agencies)	156,673		49,874	
Sanitation	35,962		9,271	
Shelter / Other Infrastructure	31,559		9,855	
Transport / Logistics	4,502		(389)	
Water (non-agricultural)	905		124	
Transit Accounts	6,265		0	
Instalments with Implementing Partners	571,328		(409,595)	
Sub - total Operational	3,830,697		8,970	
Programme Support	1,527,635		0	
Sub - total Disbursements / Deliveries	5,358,332	(3)	8,970	(5)
Unliquidated Obligations	225,520	(3)	0	(5)
Total	5,583,852	(1) (3)	8,970	
Instalments with Implementing Partners				
Payments Made	2,068,703		7,404	
Reporting Received	1,497,375		416,999	
Balance	571,328		(409,595)	
Outstanding 1st January	0		430,171	
Refunded to UNHCR	0		5,784	
Currency Adjustment	0		(14,793)	
Outstanding 31 December	571,328		0	
Unliquidated Obligations				
Outstanding 1st January	0		20,608	(5)
New Obligations	5,583,852	(1)	0	
Disbursements	5,358,332	(3)	8,970	(5)
Cancellations	0		11,638	(5)
Outstanding 31 December	225,520	(3)	0	(5)

Figures which can be cross-referenced to the Accounts:

(1) Annex to Statement 1

(3) Schedule 3

(5) Schedule 5