

SPCP-Thailand

Update March 2007

Objectives and methodology

UNHCR has introduced the Strengthening Protection Capacity Project (SPCP) in Thailand. The SPCP is supported by initial financial contributions from the Governments of Australia and the United States. It is being implemented with the full support and co-operation of the Royal Thai Government (RTG). The key objective of this project is to identify gaps in refugee protection capacity, and to facilitate the development, funding, and implementation of projects to fill those gaps. The SPCP relies on a consultative methodology, involving a range of stakeholders at each stage of the process.

Context

In the context of Thailand, the SPCP is being introduced at an opportune time, coinciding as it does with a similar initiative already launched jointly by a consortium of NGOs and UNHCR in Thailand - the 'CCSDPT/UNHCR Comprehensive Plan'. The SPCP seeks to support this ongoing process, by both drawing on existing information and partnerships, and by contributing resources and experiences gained from SPCP projects in other countries. To this end, the SPCP is collaborating with the RTG, NGO partners, donors and refugee communities.

Identifying protection gaps

The SPCP process has also benefited from the Age, Gender and Diversity Mainstreaming (AGDM) initiative, which was launched by UNHCR and CCSDPT partners in Thailand in late 2005. The AGDM process has involved a series of participatory assessments carried out with refugees living in urban and camp locations across Thailand, and has provided valuable insight on refugees' own views on protection gaps and ways to address them. Drawing on this process and on existing NGO and UNHCR documents, an SPCP report on Protection Gaps in Thailand was prepared and published on the UNHCR website in November 2006.

Some of the major protection gaps which have been identified include: security risks faced by refugees, particularly women and children, in the camps; the precarious legal status of any refugees caught outside the camps; the under-representation of women and minority groups in camp administration; the lack of post-Grade 10 education opportunities; and, in particular, the current obstacles to refugees becoming self-reliant in Thailand.

Development of projects

The SPCP has undertaken a range of discussions with governmental partners, refugee committees, community-based organisations, and NGOs, in camp and urban locations across Thailand. The purpose of these discussions is to develop projects which will respond to the identified protection gaps.

On the basis of this ongoing consultation, SPCP has compiled a package of projects for strengthening refugee protection in Thailand. These projects cover a range of sectors, including SGBV prevention and response, child protection, health and psychosocial services, education (from primary to post-Grade 10 levels), and the development of income generating activities.

Funding and implementation of projects

A number of projects that have been identified as necessary in the collaborative process are already being implemented through the SPCP process. Firstly, the SPCP is funding the provision of ID cards for 80,000 camp-based Myanmar refugees. This project will be implemented by the Royal Thai Government, and seeks to address an important gap in the protection of refugees in Thailand. It is envisaged that the ID cards will be issued from April 2007.

The SPCP is also supporting the expansion of NGO activities aimed at countering drug and alcohol abuse in the refugee camps. The links between substance abuse and violence, particularly domestic violence, in the camps have been frequently highlighted. The need for expansion of existing activities in this area had been emphasised by refugee communities and NGO partners in all camps.

In addition, a selection of SPCP projects have recently been approved for funding as part of the High Commissioner's initiative to provide additional funding for special projects in the areas of health, nutrition and SGBV in 2007. These projects will bring tangible benefits to refugee women and girls in all nine camps on the Thai-Myanmar border, through improved SGBV prevention and response mechanisms, health education and access to reproductive health for refugee children and adolescents, activities for refugee children living in boarding-houses, and the empowerment of refugee women through agricultural activities.

While the above projects will bring significant improvements, further strengthening of refugee protection in Thailand remains essential. Fundraising for the remaining SPCP projects will therefore continue in 2007, in cooperation with NGO and governmental partners.

Strengthening refugee self-reliance

There have been encouraging signs in recent years of an interest on the part of the RTG to work in cooperation with UNHCR and other partners in improving the situation of refugees in Thailand. In particular, the RTG appears increasingly open to the possibility of vocational training, income-generation projects, and legal employment for refugees in Thailand.

UNHCR and partners felt it was essential to support and inform these welcome policy developments by implementing a livelihood project in cooperation with the ILO in Thailand. The livelihoods project, which is being supported by a financial contribution

from the US Government, builds on existing NGO work in this area and draws on the technical expertise of the ILO with the aim of producing a comprehensive strategy for facilitating refugee self-reliance while maximizing the benefits to Thai society.

UNHCR has secured two ILO consultants who are tasked with analyzing the impact of an expansion of self-reliance opportunities on Thai society, and developing a livelihoods strategy to comprehensively address the gaps identified in this area, with particular consideration to opportunities for youth and women. The livelihood strategy will include specific projects designed to expand opportunities for self-reliance among refugee populations and provide benefits to hosting communities. A Livelihoods Stakeholder Committee, made up of ILO, UNHCR and NGO representatives, has recently been established to inform the work of the consultants.

The consultative methodology serves to enhance cooperation between international and national NGOs, and with other UN partners. It will also serve to forge closer links with the Royal Thai Government, including some governmental departments not usually involved in refugee matters, and establish new links with Thai business leaders.

UNHCR Thailand is also hoping to engage the private sector to provide business expertise to refugees and local communities in Thailand, by partnering with PricewaterhouseCoopers (PwC) on the 'Ulysses Project' in 2007. This project would see a PwC team providing support to NGOs and community leaders to enhance refugees' capacity to undertake income generating activities. PwC has previously undertaken projects to benefit local communities in Thailand, and is a member of UNHCR's Council of Business Leaders. A PwC team recently conducted an exploratory mission to Bangkok and a refugee camp on the Thai-Myanmar border. It is hoped that a PwC mission would complement the broader livelihoods work currently being undertaken in cooperation with the ILO. A final decision on the feasibility of this project will be made shortly.

Working alongside Thai civil society

As part of the broader SPCP initiative, UNHCR is partnering with the US Committee for Refugees and Immigrants (USCRI) on a project to engage Thai civil society organisations in refugee protection. This project is supported by a financial contribution from the Government of the United States.

The overall goal of this 12-month project is to advance the policy environment in Thailand toward the realization of refugees' rights; in particular, the rights to work and freedom of movement.

The project seeks to identify and mobilize a core constituency of civil society actors drawn from the business, labour, faith, academic, and human rights/legal communities. This constituency will carry out grassroots advocacy and public education to raise awareness of the refugee situation and sympathy for refugee rights and to present their realization as mutually beneficial to refugees and their host society. It will also enter into dialogue with policy makers to formulate and popularize alternative policies more

conducive to refugees' rights, and liaise with civil society allies in donor nations to ensure international responsibility sharing.

While most refugee rights require no direct fiscal outlay, some—such as education, health services, and public assistance—do. Therefore, an international liaison between civil society in Thailand and in donor nations will seek to direct humanitarian assistance to support Thai institutions that provide these services to refugees and nationals alike.

The USCRI office in Bangkok was established in late 2006 with the hiring of a Country Director and two Program Officers—all three are Thai nationals with a range of skills in advocacy, public relations, and government. In January 2007, USCRI Thailand organised an Open House Panel Discussion on refugee rights; there were over 70 participants at this event, including representatives from Thai business sector, labour organisations, international and local NGOs. In addition, USCRI has established a network of Thai civil society groups, and a project Steering Committee is being established in March 2007, with members drawn from faith groups, academia, human rights and legal communities, as well as business and labour organisations.

USCRI is presently assessing how much Thais know about the living conditions of refugees in Thailand, and how Thais believe refugees should be treated. Two studies are being carried out to this end, the first should be finalised by the end of March 2007. USCRI also seeks to engage Thai media to educate the public on refugee living conditions and refugee rights.

Administration of Justice

One of the priority protection gaps identified in Thailand has been the relatively large number of security incidents reported in the camps, including violence against women and children. There are insufficient prevention and response mechanisms in place to ensure that the rule of law is respected. As one means to address this problem, UNHCR and the International Rescue Committee recently opened the first Legal Aid Centres in two refugee camps in Thailand. The key aim is to promote the establishment of the rule of law in the camps by providing greater access to the Thai justice system and through improving the refugee's own traditional justice mechanisms.

In parallel, UNHCR commissioned a study on the administration of justice (AOJ) in the camps which was presented at a workshop co-organised with the Thai Ministry of Justice in December 2006. The workshop reviewed how justice is administered in the camps, with the aim of improving refugee justice mechanisms collaboratively with the RTG. The workshop focused, in particular, on juvenile justice and community-based justice issues.

As a result of the workshop, the Ministry of Justice has established an inter-ministerial working committee to focus specifically on the administration of justice in the camps. This committee is presently engaged in developing Memoranda of Understanding among governmental agencies, UNHCR and IRC, as well as manuals on AOJ in the camps for local authorities in each field location (to include standard operating

procedures). Training sessions on Thai law will be provided in 2007, for both RTG authorities working in camps as well as refugee community leaders.

UNHCR is also exploring a potential partnership with Griffith University / Austcare on building the capacity of refugee justice/governance systems.