



Australian Refugee Rights Alliance

“No Compromise on Human Rights”

Draft Discussion Paper

Resettlement Issues on the Thai Burma Border

2007

The following briefing paper is based on research undertaken by The Karen Women's Organisation, the Women's League of Burma and the Centre for Refugee Research from 2005 – 2007.

Comments Invited

Contact: Sarah Fuller sarahbfuller@yahoo.com.au

Introduction

Refugees living in camps on the Thai Burma border continue to suffer the consequences of the protracted conflict in Burma and the ongoing worsening conditions of life in the camps. The introduction of resettlement programs to third countries over the past two years has provided a positive and durable solution for some in the ten camps along the border. However for many, most notably those remaining in the camps, it has also brought with it many serious issues. It has been identified by a significant number of Community Based Organisations (CBOs) working on the border that the current process of resettlement is poorly managed, and the repercussions of this are severe and ongoing. This paper will identify key findings regarding the resettlement process specific to the situation of refugees on the Thai Burma border and will make recommendations to address these.

Key Findings

- Insufficient information about the resettlement process and third countries is provided to those living in the camps.
- Pre-embarkation training is insufficient, which is impeding successful integration in third countries.
- The overall management of resettlement is poor and not transparent. This includes: family separation, gender insensitivity during medical checks, misinformation, poor conditions during pre-departure periods, a lack of food and appropriate clothing with which to resettle, conflicting ethnic groups from Burma being housed together in camps and resettlement facilities.
- The emergence of human rights violations, such as the Thai Government banning food to new camp entrants on the basis that resettlement is seen as a “pull factor” to camps.
- A disproportionate number of paramedics, teachers and community leaders/managers are being selected for resettlement which is severely affecting camps’ capacity to function effectively. As a result fear, anxiety and depression are manifesting in the camps.
- Inaccurate records issued by the International Organization for Migration (IOM) and UNHCR are an issue for those resettling and applying for school, social services and citizenship in third countries, as well as insufficient access to translators and support staff/networks on arrival.
- Limited community assistance is received in some countries of resettlement before refugees are required to begin work to pay back government loans granted to them to travel to the third country (US specific).
- Communication to camp and from third countries to camp from resettled families is poor.
- Resettlement needs to be one part of a broader, collaborative approach to developing durable solutions for refugees on the Thai Burma border.
- Higher education, work and vocational opportunities in camps are restricted and need to be improved as part of the overall strategy for the camps.
- Little to no consultation with CBOs is being undertaken regarding these issues.

Background to the conflict and Refugee Camps on the Thai Burma Border

Burma continues to be ruled by the oppressive military led State Peace and Development Council (SPDC). The SPDC continue to rule Burma with no indication of an intention to improve the rights of its people or address the violence and conflict faced by Burma’s ethnic minorities. As a result of the ongoing regime there are some 160,000 refugees (www.churchworldservice.org) in ten camps along

the border between Thailand and Burma. There are many more internally displaced within Burma, and large numbers living and working illegally in Thailand. "Recent estimates indicate that up to two million people from Burma currently reside in Thailand, reflecting one of the largest migration flows in Southeast Asia. Many factors contribute to this mass exodus, but the vast majority of people leaving Burma are clearly fleeing persecution, fear and human rights abuses" (www.refugeesinternational.org/content/article/detail/835/). Resettlement was requested by CBOs representing refugees in the camps, and in 2005 the Royal Thai Government invited third countries to begin the process of resettlement. Approximately 4,500 refugees were resettled to several third countries in 2006, and up to 15,000 are planned for by the end of 2007 (www.tbtc.org). The United States and Australia have recently significantly increased their intake for 2007/2008.

Resettlement and Relevant Literature

The situation in the camps along the border has worsened over the past 18 months due to the increasing lack of structure and capacity. These issues have been documented in detail and acknowledged by Thailand based and US based NGOs as well as UNHCR since at least January 2006. However, little to no action has been taken. While much needed research has provided meaningful insight into the situation in the camps, much of it is gender insensitive and has not been undertaken with sufficient consultation with CBOs to ensure the inclusion of necessary detail on particular ethnic groups. Letters have been written to third country governments regarding the issues and concerns of CBOs, but these elicited minimal response and no further funding was made available or further action taken.

Human Rights Concerns

- New refugees in camps are being denied food as a deterrent, as the Thai Government is concerned that resettlement is seen as an incentive to encampment.
- Insufficient medical care in camps due to the disproportionate number of those in the medical profession being selected for resettlement without replacement.
- Insufficient education in camps due to the disproportionate number of teachers being selected for resettlement without replacement.
- Families, particularly women and children identified as being at risk, are even more exposed due to significant degradation of camp management and infrastructure.

Recommendations

The following recommendations have been developed after significant consultation with CBOs and refugees currently on the Thai Burma border. They are considered the minimum requirement to address the currently eroding circumstances in the camps, which includes gender specific concerns.

a) Process

- Upon invitation to refugees to resettle, third country governments must provide the funding required to ensure that adequate information is disseminated in the camps, that adequate pre-embarkation training is undertaken, that there are sufficient female translators and doctors available for medical checks, and that the necessary resources (food, clothing and accommodation) are available and of a particular standard for those resettling in the final stages of the process.
- That host countries ensure that identification criteria is consistent with that mandated by the UNCHR Resettlement Handbook, and that a formal system of identifying those most at risk is

developed in line with the Heightened Risk Identification Tool.

- The process of data collection by UNHCR, IOM and other contracted organizations during the process of application for and registration of resettlement must be an organized system that is accessible and open to information sharing, to ensure that it is accurate, meaningful and transparent.

b) Capacity

- A coordinated response must be undertaken by all parties to ensure sufficient hand over and training for new staff from those resettling. This needs to be a formalized part of the overall resettlement process and resettlement timelines must reflect this.
- In consultation with CBOs, NGOs must explore how positive incentives may assist camp management and encourage those who are needed in the community to stay on to ensure continued and effective delivery of services.

c) Refugees Fleeing from Burma to Thailand

- The Royal Thai Government must be engaged to support the resettlement process as a whole so as to ensure that those entering the camps do not suffer the consequences of the apparent view that resettlement is attractive for encampment.

d) Integration in Third Countries

- Third country governments must provide the funding required to ensure that adequate pre-embarkation training is undertaken, to alleviate integration issues upon arrival in third countries.
- Adequate translators, counsellors and access to community services must be pre arranged and part of a useable system for refugees, and to support the work of CBOs in third countries.
- An effective system of communication to and from the camps must be developed to ensure accurate information is disseminated as required. This system must also apply to those who have resettled in third countries wanting to contact family members in camp.

e) Other Durable Solutions

The following solutions were drafted by the Karen Community Based Organisations at a meeting in April 2007:

- Embassies involved in resettlement to take every opportunity to advocate for increased freedom for refugees.
- Education in camps to be increased, particularly Thai language classes and vocational classes.
- High school graduates to have access to further education in Thailand, either through access to universities in the camps or within Thailand.
- Access to jobs to be heightened or job opportunities to be created for refugees.
- Freedom of movement for refugees to be increased, at least in their region or province.

“There is an urgent need for the governments involved and the international community to recognize the civil war and grave human rights abuses from which the majority of people from Burma have fled” (www.refugeesinternational.org/content/article/detail/835/).