

# THAILAND

## | Working environment |

### ◦ The context

While Thailand is not party to the 1951 Refugee Convention, the generosity of the Royal Thai Government in hosting refugees and asylum-seekers has spanned several decades. The country currently hosts some 84,900 registered refugees and an estimated 62,000 unregistered asylum-seekers from Myanmar in nine camps along the Thai-Myanmar border.

Thailand has been affected by events in neighbouring Myanmar, which saw unprecedented political developments in 2011 and 2012. Negotiations between the Government of Myanmar and ethnic armed groups have resulted in a series of ceasefire agreements that have brought relative calm to south-eastern Myanmar. The cessation of hostilities is significant for Myanmar refugees in Thailand: the vast majority of those registered and living in the Thai camps originate from areas in Myanmar where ceasefires have been announced. While the peace is fragile, it has increased the prospects for voluntary returns to Myanmar.

Admission to the refugee camps in Thailand is governed by Thailand's Provincial Admissions Board, which has not been functional since 2006. However, in 2012 the Thai Government initiated a fast-track procedure that provides access to the Board for unregistered camp residents – if they are immediate family members of registered individuals already resettled or in the process of being so – to facilitate their eventual resettlement and reunion with family members.

UNHCR operates in a challenging environment in Thailand characterized by inadequate protection space for many persons of concern. Thailand is at the centre of ever-larger migratory

movements in the region, and hosts an estimated 2 million migrants. Such numbers can lead to a blurring of the distinction between asylum-seekers and those coming predominantly for economic reasons. Refugees and asylum-seekers living outside the camps and in urban areas are regarded as illegal migrants



## Planning figures for Thailand

TYPE OF POPULATION	ORIGIN	JAN 2013		DEC 2013	
		TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR
Refugees	Myanmar	85,060	85,060	54,940	54,940
	Various	1,180	1,180	1,200	1,200
Asylum-seekers	Myanmar	11,400	11,140	10,400	10,140
	Various	860	860	760	760
Stateless people	Stateless	506,200	-	506,200	-
Others of concern	Myanmar	51,110	51,110	23,110	23,110
<b>Total</b>		<b>655,810</b>	<b>149,350</b>	<b>596,610</b>	<b>90,150</b>

under immigration law and are subject to arrest, detention and/or deportation. The number of people of concern to UNHCR in detention has declined recently, as many individuals have been released on bail with NGO assistance; however, arrests continue.

Although Thailand is not party to either of 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 help prevent statelessness.

Meanwhile, Government data indicates that some 506,200 people were deemed to be without a nationality, or stateless, as of 31 December 2011. UNHCR will coordinate closely with national authorities to update these figures periodically and reflect Thailand's progress in implementing the 2012 Comprehensive Strategy to Address Problems of Irregular Migrants, under which those without nationality would undergo verification and may acquire nationality and/or have their status regularized.

### ● *The needs*

Refugees from Myanmar in Thailand have been confined to nine closed camps since they began arriving in the 1980s, and this constitutes one of the most protracted displacement situations in the world. The prolonged confinement of these refugees in camps has created many social, psychological and protection concerns. It has also resulted in a dependency among the refugees on assistance.

The recent developments in Myanmar have prompted discussions among refugees and concerned stakeholders about eventual voluntary repatriation. While this presents an opportunity for UNHCR to seek durable solutions other than resettlement, it also brings a number of challenges. There is a need to ensure that repatriation is voluntary, undertaken in safety and dignity, and takes place only when conditions are conducive. Meanwhile, UNHCR will continue to work with concerned stakeholders to ensure that the rights to access asylum and assistance in Thailand are respected.

The introduction of third-country resettlement in 2005 has provided solutions for more than 80,000 individuals. Since 2010, the number of registered Myanmar refugees in the camps has decreased by more than 20,000. Despite this remarkable burden-sharing effort, the camp population has not declined substantially: the number of unregistered people in the camps has grown to an estimated 62,000. In view of the substantial total figures of persons of concern, UNHCR will continue to cooperate closely with the Government in order to find durable solutions for refugees and ensure that asylum-seekers have access to fair and efficient asylum procedures.

UNHCR conducts refugee status determinations (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 some 2,100 urban refugees and asylum-seekers of 39 nationalities in Thailand. Fear of arrest due to immigration offences, lack of legal employment, poverty, possible intimidation or exploitation, little or no access to low-cost medical services, and a paucity of

## Main objectives and targets for 2013

### Favourable protection environment

- Access to legal assistance and legal remedies is improved.
  - ☞ *More than 300 people of concern have access to legal services in the nine camps.*

### Fair protection processes and documentation

- Access to RSD procedures is improved and the efficiency of processing enhanced.
  - ☞ *People who wish to seek asylum and/or those who may have international protection needs have access to status determination procedures.*
- Civil-registration and civil-status documentation are strengthened.
  - ☞ *All children in the camps under 12 months of age are issued official birth certificates by the national authorities.*
- The identification of stateless individuals is improved.
  - ☞ *The clarification of guidelines for the identification of stateless individuals helps in their accurate identification.*

### Security from violence and exploitation

- The risk of sexual and gender-based violence (SGBV) in camps is reduced and the timing and quality of the response to SGBV is improved.
  - ☞ *All known survivors of SGBV receive support.*

### Basic needs and essential services

- The health and well-being of refugees and asylum-seekers in urban areas is improved.
  - ☞ *All refugees and asylum-seekers have access to primary health care.*

### Durable solutions

- The potential for resettlement is realized.
  - ☞ *All refugees deemed to be in need of resettlement are referred to resettlement countries.*
- The potential for voluntary return is realized.
  - ☞ *All persons of concern in the nine camps have access to information on conditions in potential return areas in Myanmar and on basic protection standards regarding voluntary repatriation.*

## UNHCR's presence in 2013

□ Number of offices	5
□ Total staff	162
International	13
National	54
JPOs	3
UNVs	8
Others	84

regular educational opportunities are some of their main concerns.

To mitigate these concerns, UNHCR makes protection interventions and lobbies for alternatives to detention and improvements in standards of treatment.

### | Strategy and activities |

For Myanmar refugees in camps, UNHCR will promote international protection standards in areas such as access to national justice systems, monitoring of children at risk, and SGBV prevention and response. UNHCR will support State efforts on birth registration and the Provincial Admission Board screening mechanism for Myanmar asylum-seekers.

UNHCR will intensify its engagement with States and donors to find all possible durable solutions and increase protection space. It will prepare for eventual voluntary repatriation, for instance by providing accurate information on conditions in potential areas of return. The offices in Thailand and Myanmar will also work closely together on a strategic approach to Myanmar refugees.

Pending the establishment of a national framework for RSD of non-Myanmar asylum-seekers, UNHCR will register and undertake RSD in urban areas. It will monitor and advocate for the rights and well-being of refugees and asylum-seekers, and intervene with the authorities where required. UNHCR will enhance advocacy for alternatives to detention and strive to meet the basic needs of asylum-seekers and refugees, including medical care and educational support.

UNHCR will train national authorities and various other stakeholders to identify, prevent and reduce statelessness. It will work to protect stateless persons, assess their needs, and advocate for their rights, including to legal documentation.

### ● Constraints

At the end of 2011, the newly-elected Thai Government had to respond to a flooding emergency that affected 15 of 77 provinces, including industrial areas of Bangkok. The disaster limited the political space for UNHCR to advocate for refugees' rights. In 2013, Thailand's refugee policies will likely



Refugees from Myanmar go to work in the fields around Ban Mae Nai Soi camp.

continue to be influenced by security concerns and bilateral considerations.

The overall protection environment in Thailand will likely remain uncertain and be marked by limited asylum space, especially for refugees and asylum-seekers in urban areas. It is also assumed that mixed-migration flows of refugees and asylum-seekers moving together with economic migrants will continue. Though UNHCR will continue to advocate for them, there are no indications that opportunities for legal employment and higher education for refugees will be attained in the short-term.

## Organization and implementation

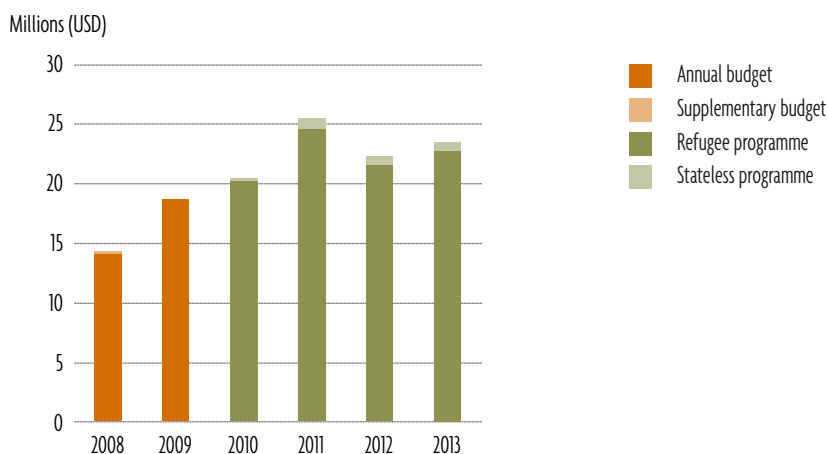
### Coordination

UNHCR relies on the cooperation and support of its international and local humanitarian partners in order to respond effectively to protection needs in Thailand. The border operation, which provides for an estimated 150,000 refugees and asylum-seekers from Myanmar, is implemented by some 20 international and local NGOs who cooperate closely with UNHCR and operate largely under the umbrella of the Committee for Coordination of Services to Displaced Persons in Thailand.

## Financial information

The budget for the Thailand operation grew steadily in the five years prior to

### UNHCR's budget in Thailand 2008 – 2013



2011. As of 2012, the budgets for the Thailand country operation and the Thailand regional operation have been separated. The 2013 budget for Thailand is slightly greater than the 2012 budget, primarily because of provisional preparations for voluntary repatriation to Myanmar.

## Consequences of a funding shortfall

- UNHCR would have to reduce its contribution to several NGO partners working for the benefit of refugees from Myanmar in the nine border camps and similar cuts would have to be made in livelihood activities.
- Refugees in Thailand depend on a subsistence allowance from UNHCR and partners. Funding constraints have prevented UNHCR from increasing the allowance, which does not cover refugees' living costs. As a result, refugees must live in overcrowded accommodation and often face hygiene issues and physical and mental problems. Funding shortfalls would worsen this situation.
- Due to a lack of capacity in the schools for refugee children, in 2011 and 2012 children of asylum-seekers received classes only one day per week. Funding shortfalls in 2013 could hamper UNHCR's ability to provide even these basic services.

## PARTNERS

### Implementing partners

#### Government agencies

Ministry of Education  
Ministry of Interior

#### NGOs

Adventist Development and Relief Agency  
American Refugee Committee  
Catholic Office for Emergency Relief and Refugees  
Handicap International  
International Rescue Committee  
*Première Urgence-Aide Médicale Internationale*  
ZOA Refugee Care

#### Others

UNDP  
UNOPS  
UNV

### Operational partners

#### Government agencies

Ministry of Foreign Affairs  
Ministry of Social Development and Human Security  
National Security Council

#### NGOs

Committee for Coordination of Services to Displaced Persons in Thailand  
Jesuit Refugee Service  
Malteser International  
Right to Play  
*Shanti* Volunteer Association  
*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

## 2013 UNHCR's budget in Thailand (USD)

BUDGET BREAKDOWN	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
<b>Favourable protection environment</b>			
Law and policy	0	246,236	246,236
Access to legal assistance and remedies	3,153,018	0	3,153,018
Access to territory and <i>non-refoulement</i>	1,551,091	0	1,551,091
<b>Subtotal</b>	<b>4,704,109</b>	<b>246,236</b>	<b>4,950,345</b>
<b>Fair protection processes and documentation</b>			
Identification of statelessness	0	270,708	270,708
Registration and profiling	472,739	0	472,739
Refugee status determination	1,471,801	0	1,471,801
Civil registration and civil status documentation	552,199	0	552,199
<b>Subtotal</b>	<b>2,496,738</b>	<b>270,708</b>	<b>2,767,447</b>
<b>Security from violence and exploitation</b>			
Prevention and response to SGBV	823,216	0	823,216
Freedom of movement and reduction of detention risks	201,983	0	201,983
Protection of children	1,240,591	0	1,240,591
<b>Subtotal</b>	<b>2,265,790</b>	<b>0</b>	<b>2,265,790</b>
<b>Basic needs and essential services</b>			
Health	1,104,362	0	1,104,362
Reproductive health and HIV services	519,346	0	519,346
Sanitation and hygiene	999,554	0	999,554
Basic domestic items	1,511,721	0	1,511,721
Services for people with specific needs	472,739	0	472,739
Education	3,022,362	0	3,022,362
<b>Subtotal</b>	<b>7,630,084</b>	<b>0</b>	<b>7,630,084</b>
<b>Community empowerment and self-reliance</b>			
Self-reliance and livelihoods	860,477	0	860,477
<b>Subtotal</b>	<b>860,477</b>	<b>0</b>	<b>860,477</b>
<b>Durable solutions</b>			
Voluntary return	1,396,404	0	1,396,404
Resettlement	1,693,224	0	1,693,224
<b>Subtotal</b>	<b>3,089,628</b>	<b>0</b>	<b>3,089,628</b>
<b>Leadership, coordination and partnerships</b>			
Coordination and partnerships	993,731	100,708	1,094,440
<b>Subtotal</b>	<b>993,731</b>	<b>100,708</b>	<b>1,094,440</b>
<b>Logistics and operations support</b>			
Logistics and supply	251,239	0	251,239
Operations management, coordination and support	712,181	76,022	788,203
<b>Subtotal</b>	<b>963,420</b>	<b>76,022</b>	<b>1,039,442</b>
<b>Total</b>	<b>23,003,978</b>	<b>693,675</b>	<b>23,697,653</b>
<b>2012 Revised budget (as of 30 June 2012)</b>	<b>21,640,907</b>	<b>706,230</b>	<b>22,347,137</b>