



GOVERNANCE

in REFUGEE CAMPS on the THAI/BURMA BORDER

Joanna Cohen

Holly Fuller

Kelly Scott



Global Trends

- 2007:
 - 11.4 million refugees
 - 26 million internally-displaced person (IDP)
- UNHCR gave assistance to 13.7 million
- 33% in Asia and Pacific region
 - Afghanistan 3.1 million
- 44% of refugees < 18 years old



Reasons that People Become Refugees

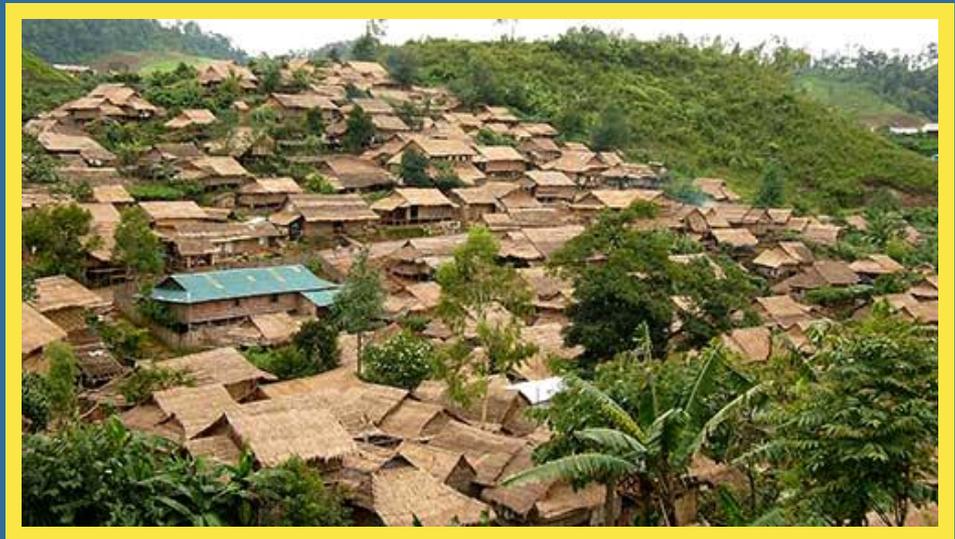
- Threats to personal integrity
 - Violence
 - Social and political unrest/instability/repression
 - Lack of economic opportunities
 - Natural disasters and other environmental factors





Establishing Refugee Camps

- Occupy unsettled area
- Hosted by different entity or community





Refugee Camps

Advantages

- Protection
- Temporary situation
- Easier coordination:
 - Basic services
 - Needs assessment
 - Health assessment
 - Repatriation
- Allows visibility and advocacy

Disadvantages

- Overcrowding
 - Spread of disease
- Dependence on external aid
- Social isolation
- Difficult to harvest food
- Negative environmental impact
- Security problems within the camp
- Not a durable solution



Site Planning

- Sufficient space
 - Family shelters
 - Latrines
 - Water
 - Health clinics
- Small camps (< 10,000 people)
- Local human and natural resources
- Local standards
- Environmental factors



Site Selection

- Safe site
 - Free of mines
 - Distance from border
 - Distance from war zone
- Available water and energy sources
- Space
- Accessibility
- Environmental factors
- Local population





Site Organization

- Map and road network
 - Sections accessible by road
 - Facilities for each section
- Required space/person or /facility
- Service accessibility
- Cultural habits and social organization
- Ethnic and security factors
- Distance



Time-line of Conflict in Burma

- 1948: Gained independence from UK
- 1962: Military regime
- 1984: 10,000 fled to Thailand
- 1988: Student uprising & government crackdown
- 1990: Democratic election; results not recognized
 - Aung San Suu Kyi: Only imprisoned Nobel Peace Prize Recipient
- 2007: Saffron Revolution
- 2008: Cyclone Nargis

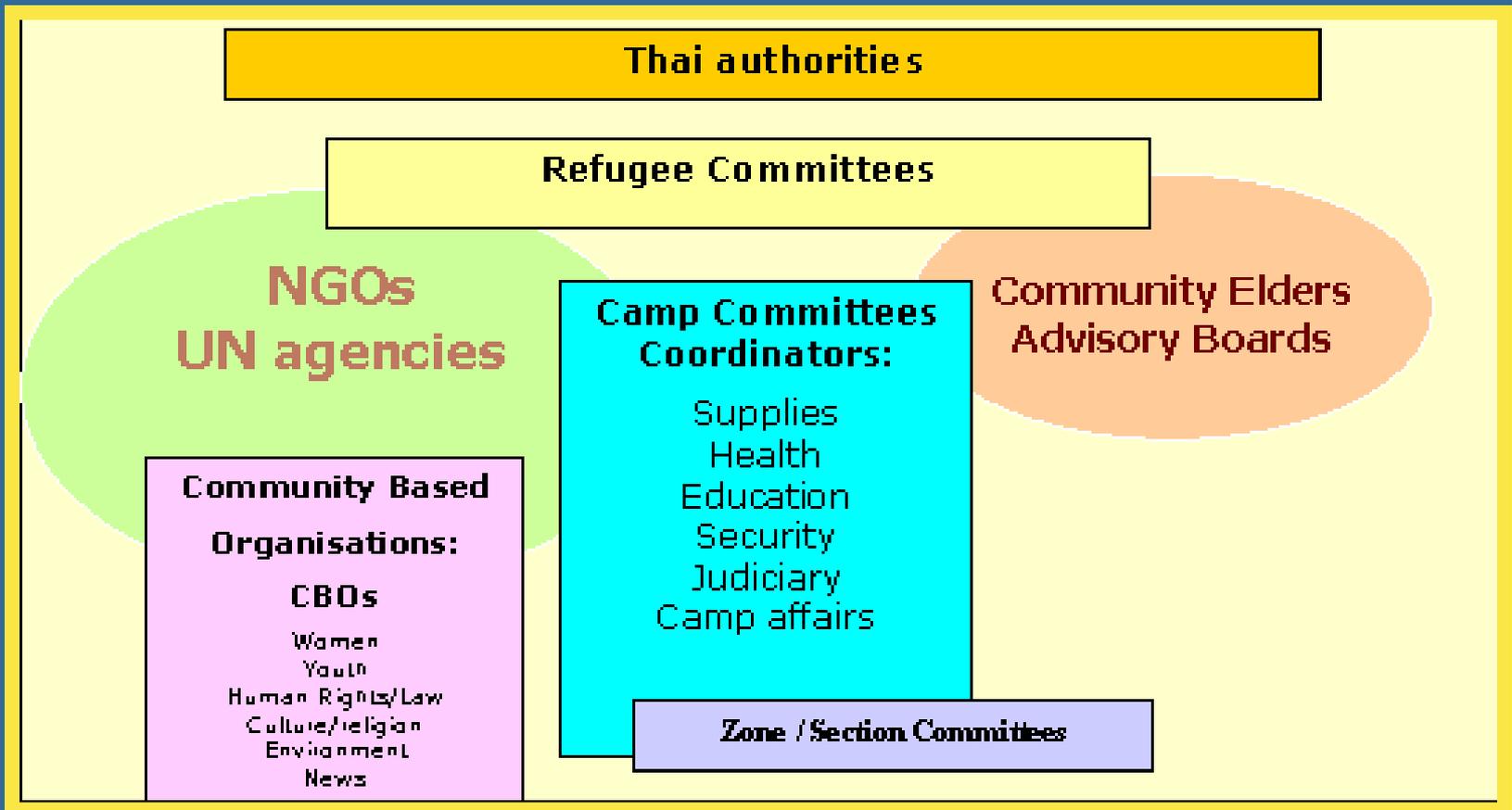


Refugee Camps in Thailand

- Currently 9 camps located on the Thai-Burmese border
- 62% of refugees are Karen
- 160,000 refugees live in Thailand alone
- 250,000 living as undocumented immigrants
- Thailand has not signed the UN Refugee Convention
- [Map](#)



Governance Structure- who are the key players?





Thai Authority

- Ultimate Authority
- Camp Commander
- Collaborate with Refugee and Camp Committees
- Implement Policy
- Provide Security
- Mandate and allow UNHCR
- Major legal/crime issues

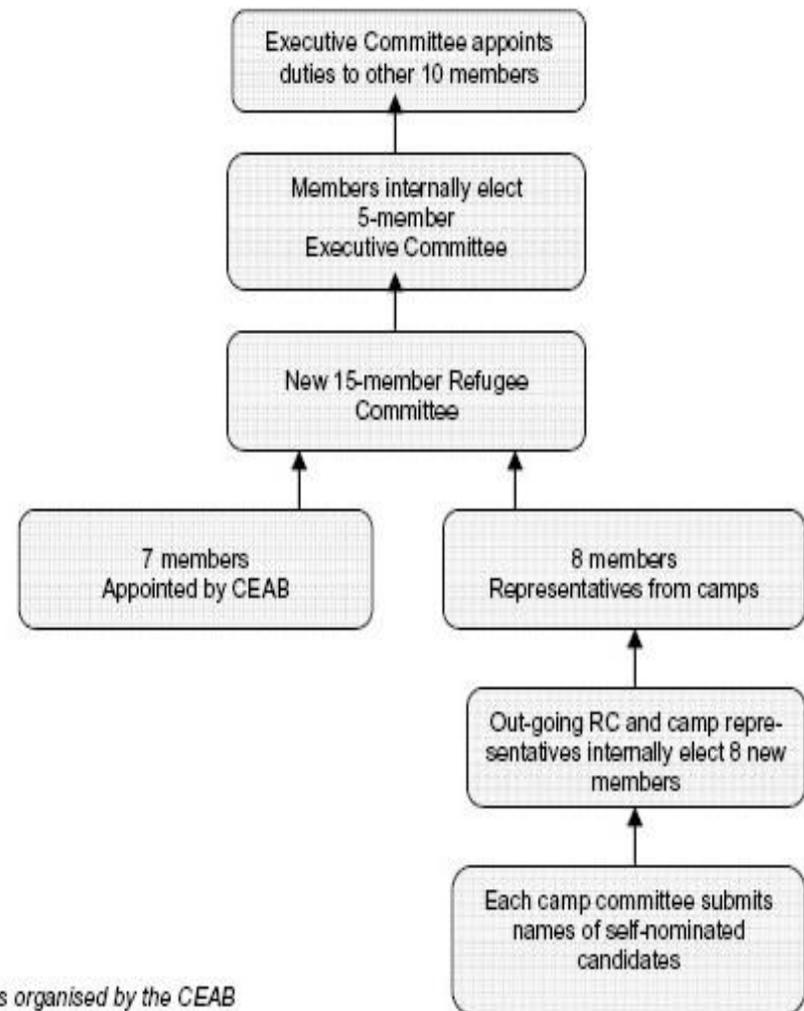




Refugee Committees

- Three: Karen, Karenni and Shan
- Responsibilities:
 - Location of camp
 - Records
 - Liaison with NGOs & Thai Authorities
 - Maintenance of roads
 - Monthly reports

Refugee Committee Selection Process

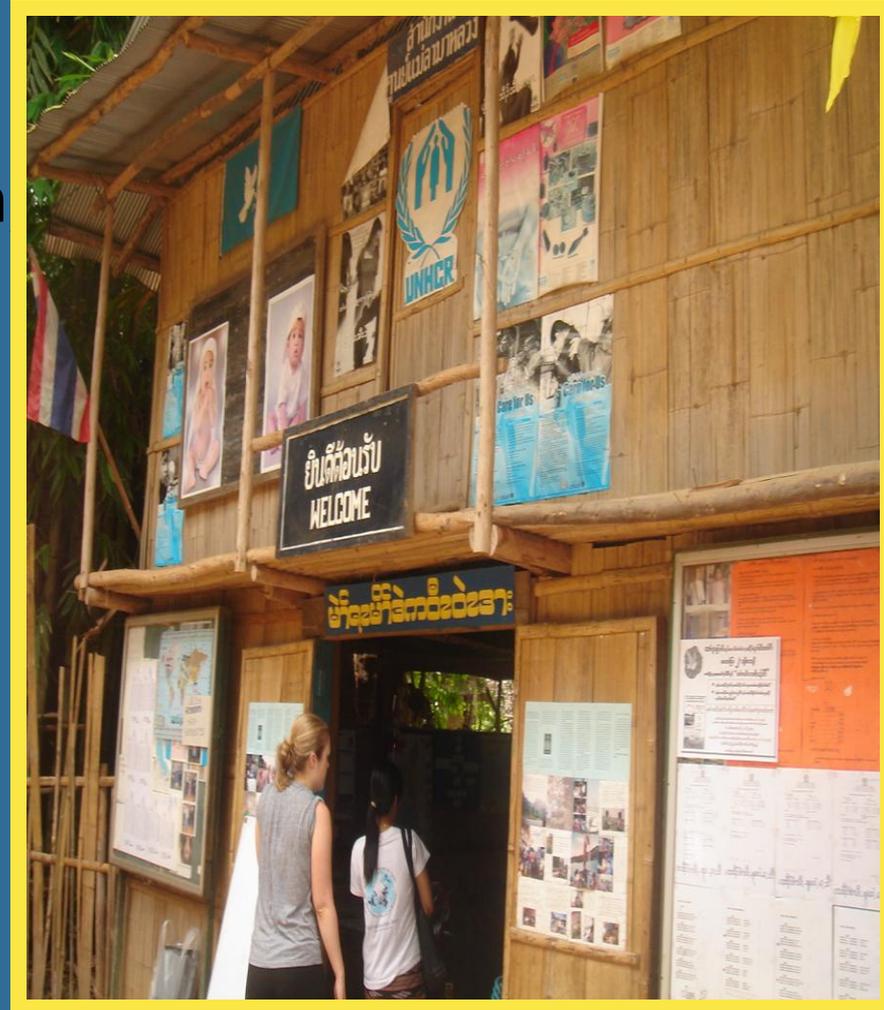


Note: selection process organised by the CEAB



Camp Committee

- Committees- supplies, health education, camp affairs, Judiciary, and security
- Responsibilities:
 - Registrations
 - Maintenance/sanitation
 - Dispute resolution
 - Distribution of aid





Community Based Organizations (CBOs)

- Women's and Youth Committees
- Karen Women's organization
 - Over 30,000 members
 - In 7 refugee camps
 - Organizational objectives





NGOs

- Committee for Coordination of Services to Displaced Persons in Thailand (CCSDPT)- 20 NGOs and UNHCR
- Thailand Burma Border Consortium (TBBC)- 11 member NGOs
 - Implementation of programs





UNHCR



- Role
- Participatory Goals
- Handbook





UNHCR's Participatory Methods in Refugee Camps

- Founding idea: Refugees MUST be at the center of decision-making regarding their protection and well-being
- Include women, men, and children of all ages and backgrounds
- This structured dialogue is only one part of a situation analysis



Situational Analysis

- Comprised of 3 phases:
 - Phase 1: Analysis of existing information
 - Phase 2: Participatory Assessment
 - Phase 3: Participatory Planning



Who should implement this tool?

- Multifunctional team
 - protection, program, and community service staff
 - Include female/male, national/international, other organizations
 - Used during other times in a refugee's life cycle, i.e. repatriation, reintegration, local settlement



Guiding Principles

- Age, gender and diversity mainstreaming in UNHCR
- Community-based approach
- Rights-based approach
- Ethical participation



Methods of Inquiry & Facilitating Discussion

- Participatory observation and spot checks
- Semi-structured discussions
- Focus group discussions
- Plan ahead and allow other to plan ahead



ISSUES OF PROTECTION

- **Administration of Justice**
- Camp Security & Maintaining the Civilian and Humanitarian Character of Asylum
- Freedom of Movement
- Information Dissemination
- Protection Monitoring
- Registration and Documentation of Persons of Concern
- Sexual and Gender-based Violence (Prevention & Responses)
- Unaccompanied and Separated Children
- Access to legal resources



Addressing Gaps in Governance

- Prolonged encampment heightens tensions
- Lack of access to further education and lack of income generation or employment opportunities
 - Women and children are particularly vulnerable
- Burma Army and Revolutionary Groups
- Unclear distribution of responsibilities and environment of impunity
- **PROTECTION?!**



ADMINISTRATION OF JUSTICE

- **Overview:** System is not protecting those most vulnerable within the camp nor holding criminals accountable for their crimes.
- **Refugees:** We left Burma in the name of democracy and justice. First the military regime, now *this*?
- **UNHCR:** We can help!
- **NGOs:** We can help, too!
- **Thai Government:** I suppose we don't have much of a choice.
- **Q:** How should we go about improving the administration of justice?
- **A:** Participatory tools, of course.



Participatory Approaches to Improving the Administration of Justice

• UNHCR (w/ Thai Government-MOJ & refugee community): Situational Analysis in all 9 camps

- **Phase 1:** used PA in small and large groups to identify needs and training
- **Phase 2:** workshops with Thai officials to ensure loose commitments would be implemented on the ground and clarified role of traditional justice
- **Phase 3:** brought together Thai officials and refugee leaders

• **Limitations**

- women were there, but discussion was dominated by men
- reluctance of refugees who did not want domineering Thai involvement
- practical and logistical difficulties in administering Thai legal system due to remoteness of camp
- traditional justice does not always meet standards of due process, international and Thai law
- refugee want to keep problems hidden from host country to maintain receptiveness of refugees by Thailand



Participatory Approaches to Improving the Administration of Justice

➤ Results:

- camps are ill equipped for dealing with serious crimes
- refugees want to keep traditional justice system, but are open to integrating Thai justice system
- fostered better relations between refugees and Thai government
- legal counsel investigated 10 cases; some successfully prosecuted
 - ❖ soldier convicted!



Activity Part 1

- You are a member of the Karen Women's Group and you are having a meeting to identify the main challenges you feel you and your fellow refugees are facing. There has just been another military crackdown in Burma, and it is estimated that 10,000 refugees have already fled to neighboring countries. 3,000 of these newly arrived refugees have already been placed in your overcrowded camp. Please do a risk assessment to identify one problem you see occurring in your community.



Activity Part 2

- Now we would like you to switch roles. Please assign yourselves to the following roles:
 1. UNHCR Employee
 2. CBO women's group member
 3. Thai authority
 4. NGO employee
 5. Camp committee member
- Please take the identified issue and work together to come up with a strategic plan , knowing the different strengths and limitations of each of these groups.



Limitations/Criticisms

- Unclear and ambiguous boundaries and relationships between different authority groups
 - Administration
 - Camp Committees
 - Thai government
- Nepotism and Corruption
 - Revolutionary groups
- Laws are not publicized
 - No constitutions
- Limited detention facilities
- Limited knowledge and education by elected officials
 - Inconsistency



Thank You