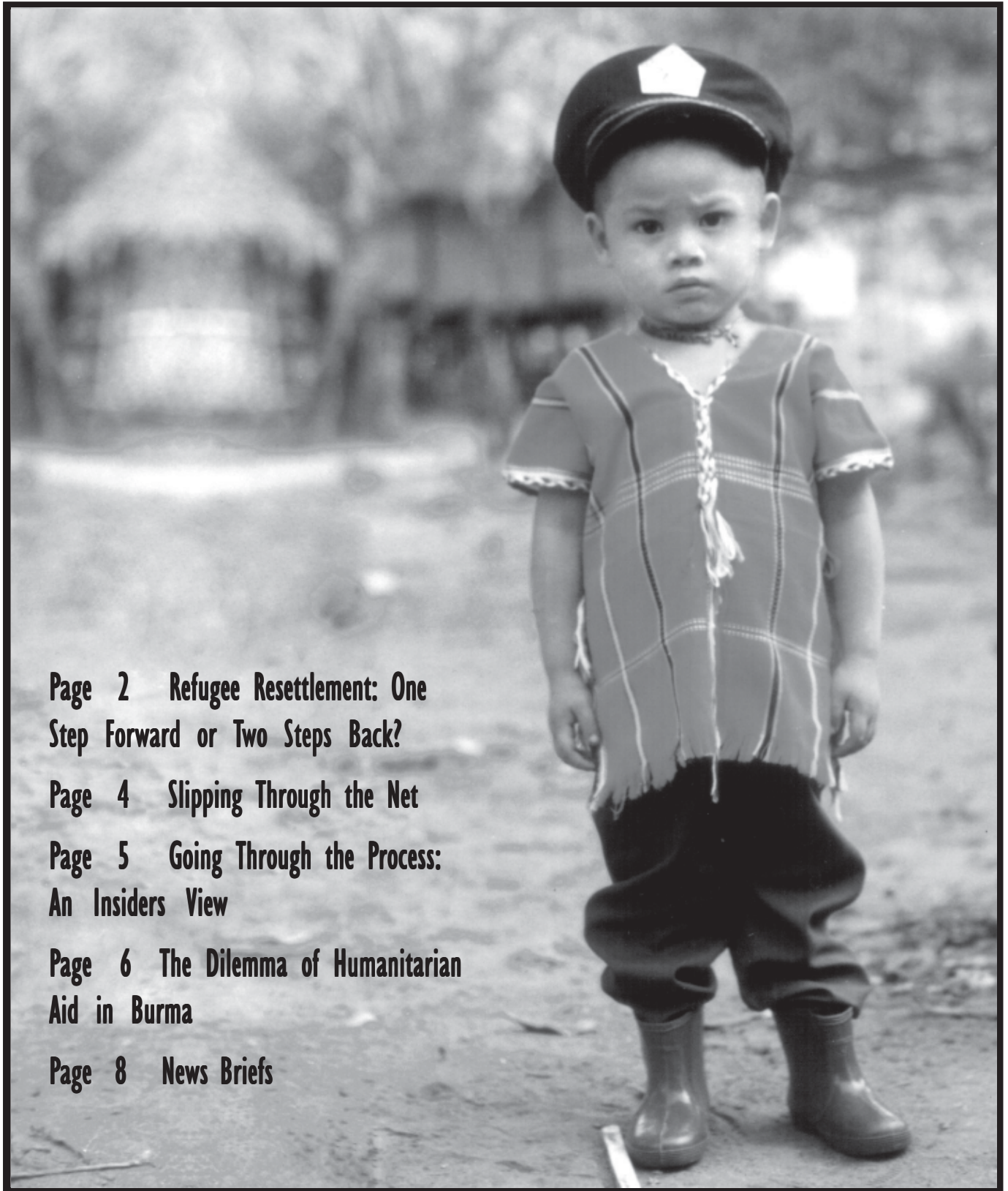




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Page 2 Refugee Resettlement: One Step Forward or Two Steps Back?

Page 4 Slipping Through the Net

Page 5 Going Through the Process: An Insiders View

Page 6 The Dilemma of Humanitarian Aid in Burma

Page 8 News Briefs

REFUGEE RESETTLEMENT: ONE STEP FORWARD OR TWO STEPS BACK?

By Moo Ko Htee

Since the mid-80s waves of refugees have fled war-torn Burma for the asylum oasis that is Thailand. As Burma's dictatorship continues to launch military offensives and carry out systematic human rights abuses, people escape by crossing the border to seek shelter in neighbouring countries. While this exodus does not solve the root causes of the problem, it is a way for them to survive. Unfortunately, Thailand, where the largest number of Burmese refugees have fled too, is not an oasis, but rather a mirage.

The refugees have exchanged the confines of a war-zone for what is, for all intents and purposes, a prison. They are firmly kept within the parameters of the camp by barb-wire and guards. In the camps there are limited educational opportunities, especially beyond elementary level, and the refugees are prohibited from working. This situation makes the camps' residents solely dependent on international organizations for the provision of humanitarian aid. However, a small number of camp residents do work illegally outside the camps, but ever looming is the threat of deportation if the refugees are caught more than 300 metres outside the camp¹.

Currently there is a generation of refugees from Burma who have never seen their homeland. Born in the camps, they know no other life. These children are not classed as Thai citizens nor are they officially Burmese, because

both governments volley this political issue between themselves. As these children are reaching adulthood, questions are being increasingly raised with regards to the long-term future for the refugees along the Thai-Burma border.

The United Nations High Commission for Refugees (UNHCR) has three universal long-term solutions to the refugee situation. These include: integration into the local community of the asylum country, voluntary repatriation and resettlement to a third country². In the case of the refugees in the camps along the Thai-Burma border, Burma is their first country, Thailand is the second and the resettlement country is the third.

For the people in the camps their options are limited. Voluntary repatriation is not possible due to the horrendous conditions in Burma. So the refugees either remain in the camps in Thailand, a country where the government and society barely tolerates their existence, or seek resettlement.

Like any bureaucratic process, resettlement takes time and is complicated. There are two ways to be resettled, either through the UNHCR referral system or independently by the resettlement country. Under the UNHCR system potential resettlement cases are identified, by the UNHCR staff or a partner organization and are passed on to representatives of the resettlement country. It is then up to the representatives whether they accept the refugee. Under the second option, refugees approach the resettlement country's representatives independently and present their case³.

Following identification of possible resettlement cases, refugees undergo a number of intensive interview processes and medical screenings before a decision is made. If a refugee is accepted the resettlement process begins. Once they arrive in their resettlement country the host government and private agencies will provide support and assistance to them.

Whilst it is the most vulnerable that are suppose to be prioritized for resettlement, this is not always the case. Each country has their own agendas when it comes to hand picking refugees for resettlement. Generally the selected refugees are the people with easily transferable skills, such as teachers, medics, community leaders and refugees with linguistic abilities. Unfortunately, for those not selected or excluded for a specific reason there is no av-

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enue to over-turn the decision. All they can do is re-submit their application to another country and hope for the best.

Currently 11 countries have resettlement programs or global resettlement quotas, including Australia, Canada, Denmark, Finland, Ireland, the Netherlands, New Zealand, Norway, Sweden, the UK and the US. Additional countries have started to implement resettlement programs in co-operation with the UNHCR⁴.

Each year thousands of refugees around the world are resettled. In 2004 almost 30,000 people left their asylum countries for a new host country⁵. Most resettlement cases come from Africa and in 2003 57 per cent of all refugees resettled were from this continent. The next largest group of resettled refugees was from the Middle East, with 35 per cent, then Asia/Oceania with 4 per cent and the rest from other geographical areas⁶.

The reality of resettlement does not always live up to the refugees high expectations. Despite efforts taken to prepare the refugees before departure, there will inevitably be culture shock and a long period of adjustment. While some refugees will be settled within immigrant hubs or reunited with their families, others will have to begin a new life without a pre-established support network. Those resettled will have a very different lifestyle from that of their home countries and the camps.



There are of course advantages. They will receive residency, and in some cases eventually citizenship from the third country. With these documents comes access to education, including at the tertiary level, health care and employment opportunities. For many there is a sense of freedom that they had never previously experienced. In resettlement countries there are less human rights abuses and police and military harassment and extortion than in Burma. Those that resettle will be able to freely discuss politics and to believe that there is an alternative future for them, besides that forced upon them by the junta.

Moreover, according to the UNHCR refugee resettlement web pages, the benefits of resettlement do not just apply to those being resettled. So as the skilled depart the camps for a better future, what advantages are there for those left behind?

As the overcrowded camps empty out an obvious benefit is people will have more space. The pressure on the already over-stretched infrastructure in the camp will be reduced. The financial burden of feeding and providing housing, education and health care to the remaining refugees will decrease.

However, as it is expected that the teachers, the medics and the camp leaders that will have been resettled, there are concerns that the subsequent "brain drain" will cause the camps to fall into chaos, as the inexperienced and untrained try to take over. Efforts are being undertaken to try and prevent this situation. But a unified approach from the UNHCR, non-government organizations working in the camps and the Royal Thai Government is needed if these good intentions are going to be turned into a reality.

The Royal Thai Government is not a signatory to the 1951 Refugee Convention. The people from neighbouring countries that cross the border into Thailand seeking asylum are here at the discretion of the current government. Until recently the attitude of the Thai government has been that they were providing temporary shelter. However, as some of the refugee population has

been in the camps for over 20 years, hopefully the government is re-evaluating this stance.

To address the root causes of the problems in Burma is a long-term struggle. Changes and progress will come, but it will take time. For those most oppressed by the regime, time is a luxury they do not have. When people choose to continue their lives in a third country, they are dispersed to opposite corners of the earth. As more people seek out this option, there are concerns about what will happen to these fragile cultures that the junta has been trying to exterminate for more than half a century.

Furthermore, the prospect of resettlement could influence people's decision to seek asylum in Thailand. Through resettlement, people will have access to opportunities and resources that they would not have in camps or in Burma. Most people want a better life for themselves and their children and so they will pursue avenues that enable them to make that dream a reality.

Worldwide there are 9.2 million refugees⁷. Of these people, only a tiny minority will ever get the chance of resettlement. Perhaps if the refugees in the camps along the Thai-Burma border had been given more freedom, access to higher education and employment opportunities, there would not be this “need” for resettlement. Every refugee is currently making a decision that will not only affect their lives, but that of their current and future family members. As they ponder this dilemma: apply for resettlement or stay indefinitely in the camps, activists around the world should embrace this opportunity. The resettlement of refugees from Burma could be used to draw attention to the situation inside the country and the need for democratic reforms. It is also an opportunity, for resettlement countries to re-evaluate their policies towards refugees to ensure that their transition into a new culture and community is as smooth as possible.

sible.

However, the 150,000 refugees in the camps on the Thai-Burma border are only a small portion of Burma’s population (estimated to be 50 million). The plight of those inside the country’s borders should not be forgotten or overlooked. Efforts should be undertaken to ensure that all the people of Burma, not just the resettled refugees, can enjoy life in a peaceful country.

Endnotes:

- ¹ Refugee International Website, November 2005
- ² UNHCR Website, November 2005
- ³ Ibid
- ⁴ Ibid
- ⁵ “2004 Global Refugee Trends”, UNHCR, June 17, 2005
- ⁶ Ibid
- ⁷ Ibid

SLIPPING THROUGH THE NET

Between December 2004 and October 2005 the Royal Thai Government and the UNHCR undertook comprehensive registration of those living in the nine refugee camps along the Thai-Burma Border. The process aimed to enable the UNHCR to provide greater protection to the refugees and also assist in finding a durable solution. Resettling refugees to third countries has since become a major part of such a solution.



Yet a significant number of people who have been forced to flee human rights abuses and continued fighting in their homeland remain outside this process. Only a small percentage of the Burmese population in Thailand have any legal status, as refugees or migrant workers. Many of those outside the system work in low paying jobs, have no access to medical care, adequate schooling for their children and are at risk of sudden, forced repatriation.

Such problems are particularly acute for the Shan people. Since the mid 1990’s they have been fleeing conflict between ethnic Shan fighters and the Burmese army (*Tatmadaw*), aided in recent years by the United WA State Army (UWSA). They have also fled from substantial human rights violations by the *Tatmadaw*. In 2004 there were an estimated 200,000 Shan asylum seekers in Thailand². In May 2005 Human Rights Watch estimated that 200-500 people were fleeing into the Chiang Mai Province in Northern Thailand on a daily basis. Despite this, the Shan have been offered no protection from the Royal Thai Government who have prevented the UNHCR from accessing the Shan population in Thailand³.

Huge numbers of Shan people who enter Thailand after fleeing abuse and harassment by Burmese forces have no access to a formal support structure or any legal protection and often take badly paid exploitative employment to survive. Many women, often having been previously victims of sexual violence, are trafficked into prostitution. Others live in informal camps along the border with no real security. For those living outside the safety-net the reality is constant fear of exploitation, arrest and forced repatriation.

Endnotes:

- ¹ UNHCR, Country Operations Plan, Thailand 2005
- ² The Shan in Thailand, A case of protection and assistance failure, Refugee International 2004
- ³ Ibid

GOING THROUGH THE PROCESS:

AN INSIDERS VIEW

BY NGA MOO

As a refugee applying for resettlement, and having many friends who are also applying, I understand well the reasons why so many are hoping to leave Thailand and move to the West. As a refugee here life is full of uncertainty: people feel that they want to have security in their lives without the constant fear of arrest and punishment. Aside from the fear of the Thai authorities there is the ever present risk of repatriation back to Burma, which for some, such as those who have been involved with political organizations, could be a virtual death sentence were the State Peace and Development Council to become aware of their activities while in exile. The limited access to education for refugees in Thailand leads many parents to think that if their children are to have a brighter future they cannot remain in the camps.

The horizons of people living in the camps are very limited. People feel they cannot develop themselves. Those who have finished school have an opportunity to work for the camp authorities as a teacher or a health worker but this does not lead to much of a change of scenery as they are still working in the same places with the same people and have little hope of advancement in the future. Some people manage to find work with an outside organization, despite being prohibited by the Thai authorities, however their refugee status still holds them back. The salaries are lower than for staff with proper documentation and their opportunities for advancement in the organization are less. For the many people who do not have education life is even more limited. There are few jobs available and fighting off boredom and depression is a never ending battle. People see little chance of their situation changing. Some leave the camp to look for food from the jungle which they can bring back and sell but this entails risking arrest by the Thai authorities or even being shot at by Burmese troops if they stray over the border to where the forests are less degraded.

Despite all that has been said many people are sure to miss things from camp life. Although the camp is not their real home there are aspects of Karenni life which continue in the camp that will be hard to transfer to a third country. People will be spread around and will be unable to organize Karenni festivals and brew the tra-

ditional rice wine. Other traditional parts of Karenni culture may not be compatible with peoples' new lives. Animist rites involving specific materials and even the sacrifice of animals will certainly be a lot harder in Finland! The sense of community present in the camps will also be difficult to maintain in the West where people will have to learn to rely on themselves.

As to what life in the West will be like for those that are successful it is hard to say. Most applicants want to keep working for their communities and the Karenni people but they will have to balance this with earning a living and supporting their families. Many seem unaware of the financial pressures they will face as refugees in the West. People talk of coming back often to visit their friends and family, but I wonder where will the money come from?

“...Traditional parts of Karenni culture may not be compatible with people’s new lives...”

In August the UNHCR announced that refugees wishing to resettle from Site 1 Ban Kwai/Nai Soi Camp, near Mae Hong Son, could register their applications. Due to the large number of refugees wanting to apply the registration period had to be extended. After registration the resettlement cases were sorted and those of us who had passed the first round of the selection process were called to be interviewed individually by UNHCR in the camp. We were then asked about why we were applying, what problems we face in Thailand and why we cannot go back to Burma. After that we had to wait until November for an interview with the countries that had selected us for potential resettlement. In this interview we had to go over the details of our application again and were also asked questions about our lives; why we want to resettle?, have we ever been arrested?, have we ever used amphetamines?, and many more along those lines.

The change of the mood in the camp since the application process began can be seen and felt. Those confident of success have begun reducing the prices of goods in their shops, selling off their possessions and celebrating. Others are still racked by uncertainty as to whether they have done the right thing or not. Now though, all that is left to do is to wait for the results.

THE DILEMMA OF HUMANITARIAN AID IN BURMA

BY K. LANGE AND S. SEEBACH

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The current humanitarian situation in Burma is frightening and the prospects for improvement are grim. A quarter of the Burmese population lives below the dollar-a-day poverty line and the already fragile social network is being increasingly undermined. The State Peace and Development Council (SPDC) spends only 0.5 per cent of GDP on education and 0.2 per cent on health care¹. Consequently, HIV/AIDS and other highly infectious, yet preventable, diseases like hepatitis A, typhoid, diarrhoea, malaria and tuberculosis have spread throughout the country. In 2003 more than 20,000 deaths were caused by AIDS related diseases. Currently, 71 per cent of the population is at risk of malaria infection, the country has the highest rate of tuberculosis worldwide. There is a distinct possibility that these diseases will reach epidemic proportions.

Despite the deteriorating humanitarian situation, the junta has been consistently more interested in financing military projects than social services. The paranoia of the SPDC, stemming primarily from the political system it operates within, has placed it in a dilemma. While the SPDC wants to increase humanitarian aid to assuage internal unrest, it simultaneously wishes to limit the potential influence that foreign agencies might have on the internal affairs of the country.

Since the beginning of the 1990s, international non-governmental organisations (NGOs) have attempted to partially fill the huge gap in social services, consequently mitigating some of the humanitarian fallout of poor government provisions. Aid agencies have attempted to address the humanitarian situation in the country by introducing projects to provide social services. International NGOs and aid agencies like the UNHCR, UNICEF, WHO, ILO, Care, World Vision and the UN Global Fund to Fight AIDS, Tuberculosis and Malaria (hereafter the Global Fund) have invested large amounts of money and effort into developing a better network of aid provision. Targeted areas have included education and health care systems, access to food and clean water, and human and labour rights programs.

International aid agencies involved in Burma must confront the humanitarian problem and a political system that serves to enrich and consolidate military power at the expense of humanitarian concerns. A paradoxical situation emerges whereby the resources and legitimacy that international humanitarian aid brings to the country are manipulated for the benefit of the very regime that perpetuates the crisis. The SPDC's disregard for humanitarian issues ensures that international assistance remains a stopgap measure. Also, the Bur-

mese governments' continuing actions vis-à-vis the populace creates new humanitarian problems. The humanitarian assistance that does actually come into the country reaches only a small minority of those in need.

The military regime in Burma has oppressed the populace in order to maintain control in the face of a clear lack of popular domestic support and international legitimacy. This system of oppression simultaneously foments paranoia about potential dissent. The junta's insecurity has led it to violently enforce conformity with its ideas and values. This is done through constant control by the central authority of the country's social, political, and communicative elements. The junta is not only worried about internal unrest but also extremely distrustful of outside influences that do not match their political and social ideology. It tries to avoid or minimize external influences like non-governmental organisations as much as possible. The SPDC fears such organisations because of the critical perspectives that they may encourage in the domestic populace as well as their influence over the internal affairs of the country. As a result, the junta has sought to establish firm control over foreign agencies working in Burma.

The SPDC's strategy for engaging foreign organisations includes systematic obstructions to the implementation of aid programs. These need to be understood in relation to the paradoxical attitude that the SPDC holds towards humanitarian agencies. An understanding of the connection between state perception and policies would allow international organisations to more adequately evaluate their role in the country and in turn develop strategies to more effectively reach their target populations.

One obstacle present in SPDC policies on foreign aid is the lack of cooperation with the regime itself. The junta is simultaneously the sole conduit for humanitarian aid as well as being a primary root cause of the humanitarian problem. Many human rights abuses, such as food scarcity and forced displacement are the result of SPDC military policies, especially in parts of the country with an active armed opposition.

Another impediment to international organisations is the level of restriction placed on the movement of NGO workers and the issues in which they may engage. Such constraints are ensured by a government counterpart assigned to work alongside foreign aid programmes. Furthermore, the Memoranda of Understanding that aid agencies must sign with the government of Burma restricts them from working in 'political' or 'religious' fields². The junta's perception of what constitutes the 'political' blocks

many of the conventional means of implementing aid programs. For example, NGOs are consistently denied permission to access and work in the remote ethnic areas, which represent some of the locations of greatest need, due to their political sensitivity. Even where aid workers are allowed to travel, they must often be accompanied by governmental representatives and occasionally by 'experts' who observe and report on NGO activities. This hinders contact and openness between the Burmese population and foreign aid workers.



A further concern of foreign organisations in Burma is the potential raid and seizure of their offices and resources. There have been recent rumours about a potential takeover of NGO offices by the government-backed Union Solidarity and Development Association to occur in early 2006. Such possibilities put psychological pressure on international NGOs who may in turn self-restrict their programmes in order to lessen the likelihood of being raided.

A further obstruction to international aid work is the corruption of the state bureaucracy.

The government requires that aid money and in-kind provisions be channelled through state agencies; a process that takes it through several departments and the hands of several state or local politicians. In this process, government and military leaders take 'their quota' from the total amount of aid finances and resources that pass through their departments. Organisations cannot control the amount of financing or goods actually getting to the people. Furthermore, what little amount does reach the intended target is embellished by the junta and promoted as coming from state initiatives. An example of this occurred in the delivery of aid to victims of a cyclone which hit the Arakan coast on May 19th, 2004. In this case, aid money and resources were sent through SPDC-backed agencies. The military forced victims to sign documents stating that they had received 20,000 kyat, when only 14,000 had been delivered and provisions of rice, cooking pots, and blankets were similarly exaggerated³.

Additionally, it is impossible to get an accurate picture of the progress of an NGO's involvement because feedback is often given by the government or state-backed organizations and informants. Those who do attempt to provide accurate information to international organisations are often at risk. Following a report published by the International Labor Organization (ILO) about military-directed forced labour, two individuals who provided relevant information were arrested under charges of treason. One was sentenced to death, although the sentence was later commuted to seven years in prison, and the other sentenced outright to 18 months imprisonment⁴. Furthermore, subsequent to the release of the report, the head of the ILO in Burma, Richard Horsey, and one of his staff received a number of death threats⁵. Such intimidation dissuades Burmese people from informing NGOs about other human right violations.

These obstructions to aid work clarify why some NGOs are contemplating removing their projects from Burma. The Global Fund, for example, recently decided to quit its five-year US\$98.4 million HIV/

AIDS prevention program during the first year of operation because of the numerous difficulties of working within the junta's restrictions⁶. Regardless of the choice that aid agencies make, the humanitarian-political dilemma remains. If foreign organisations stay, the government uses the finances and legitimacy they provide to strengthen their power. If these organisations leave, the humanitarian crisis grows and the government blames the situation on the international community. Understanding the ambiguous position of foreign humanitarian agencies in relation to the junta is fundamental to the development of more effective aid strategies. NGOs must decide whether they can, and want, to deal with a junta that perpetuates the humanitarian crisis. For those agencies that decide to maintain their projects in Burma, there may be room to manoeuvre if the present challenges are taken into account. For example, strengthening the present NGO network could assist the transfer of information and provision of aid to those in need. Some information gaps could be closed by sharing concepts, data and strategies. On this path NGOs could gain more control over their work and the humanitarian situation in Burma.

Endnotes:

- ¹ Department for International Development (UK Government) website, November 2005
- ² Purcell, Marc, 1999, 'Axe-handles or Willing Minions?' In Strengthening Civil Society in Burma: Possibilities and Dilemmas for International NGOs
- ³ "Nine Arakanese Arrested by MI for Complaining to Prime Minister Khin Nyunt", Narinjara News, August 9th, 2004
- ⁴ "Burma junta pressurizing forced labor victims not to report the ILO", Democratic Voice of Burma, June 3rd, 2005
- ⁵ "US leads condemnation of junta over ILO report", Irrawaddy, October 31st, 2005
- ⁶ "Termination of Grants to Myanmar", The Global Fund to Fight AIDS, Tuberculosis and Malaria, August 18th, 2005

news brief

Government Ministries move to Pyinmama: Burma's information minister confirmed that the country's ministries were relocating from Rangoon to a new administrative center nearly 400 km to the North in Pyinmana, central Burma.

The area is strategically located within easy range of ethnic frontiers and sources say the generals have already constructed anti-aircraft missiles and underground tunnels. Outside the country the move has been widely viewed as the paranoid action of a regime fearful of foreign invasion.

Burmese authorities have relocated, dismantled and destroyed 100 homes in Pyinmana in order to widen a road leading to the new capital from Rangoon.

Shan leaders sentenced to lengthy Prison Terms: Lengthy prison terms were recently handed out by the SPDC to eight Shan leaders, including Shan National League for Democracy chairman Khun Htun Oo

and Shan State National Council patron Gen Hso Ten. The leaders were arrested in February 2005.

Minister for Information Brig-Gen Kyaw Hsan said the Shan leaders activities were "very dangerous to the stability of the nation and national solidarity".

Bush urges ASEAN to Influence Burma: US President George Bush urged ASEAN leaders to use their neighbourly influence on Burma's military regime to move towards democratic change.

But the leaders told him they could not change their policy of "constructive engagement," rather than confrontation, towards the country.

American officials accompanying Bush said he wanted a "frank discussion" with ASEAN about how the grouping could work with the US to improve people's lives in Burma.

Junta extends Suu Kyi's Detention: Officials confirmed that

Burma's junta had extended by six months the house arrest order of Aung San Suu Kyi.

The decision came as the generals prepared for the resumption of talks on the constitution in December.

The Nobel peace laureate has been confined for 10 of the past 16 years

TOTAL pays out 5.2 million in compensation: French oil giant TOTAL will offer a total of 5.2 million Euros as compensation to Burmese villagers who allege they were used as forced labour during the building of the Yadana Pipeline.

The announcement ends a four year legal battle and does not imply any liability.

Earlier this year UNOCAL, a partner on the project, paid an undisclosed amount in compensation to villagers who alleged the Burmese soldiers guarding the pipeline committed rape and murder.

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