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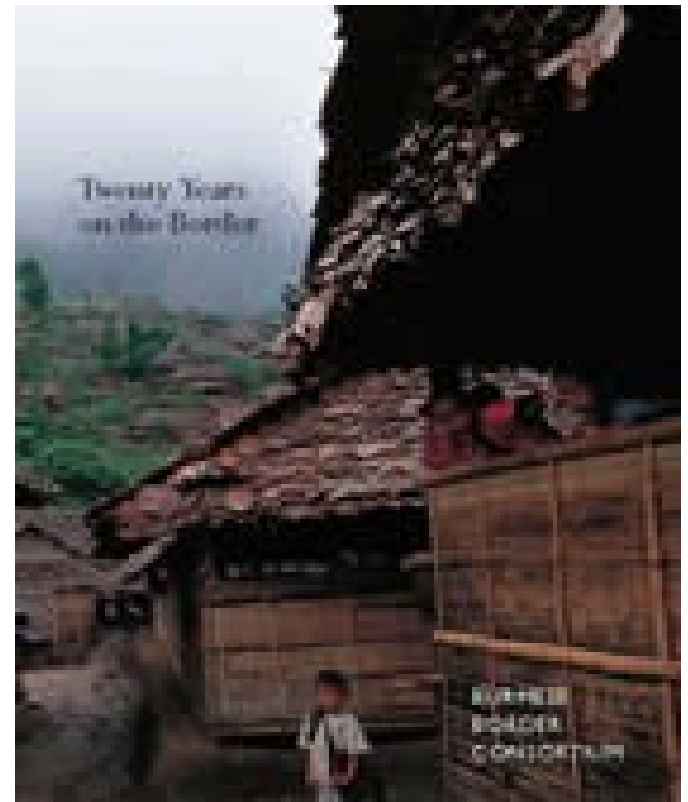
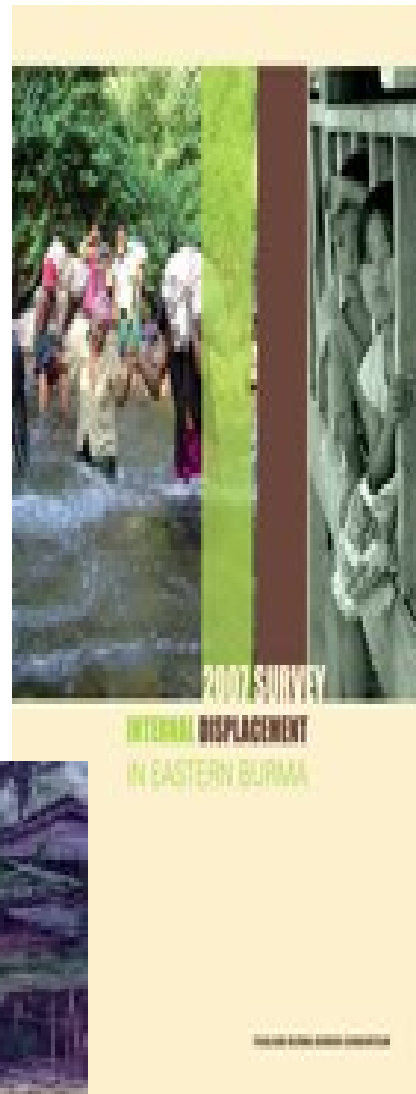
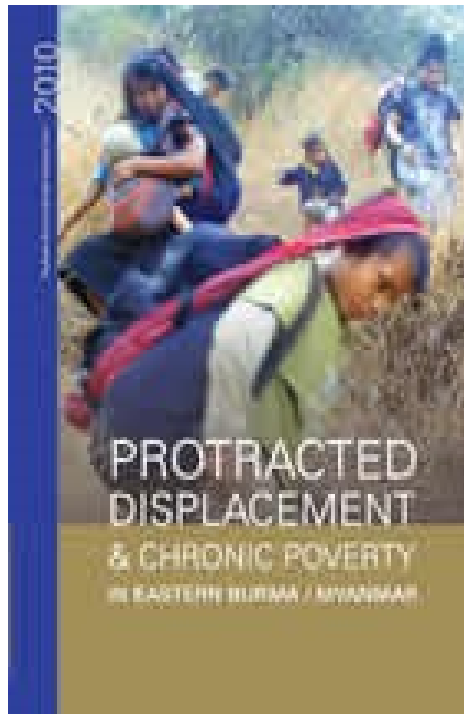


*A Rights-Based Approach for Risk
Reduction in the Thai-Burmese
Border region*

three different groups of vulnerable communities engaged in resilience building

- refugees in Thai camps
- registered and irregular migrant worker in Thailand,
- and internally displaced people (IDPs) inside Burma / Myanmar
- each group is developing coping mechanisms
- each group need specific types of solidarity and assistance in terms of accessing their rights and entitlements, from international policy makers / politicians, trade unionists, and the human rights community
- to effect a risk reduction to socio-economic and political disasters affecting them.
- but there are structural and community links between these groups

In 2004 the Thailand Burma Border Consortium published “Between World” to mark the occasion of working on the border for 20 years.



Some small NGOs ...

- **Help without Frontiers (Italy)** supports its projects in Thailand directly through its branch in Mae Sot and its motivated staff, including many volunteers. In addition, the association works together with trustful partners and people like Dr. Cynthia Maung of the Mae Tao Clinic, the school headmasters, the school and parents committees.

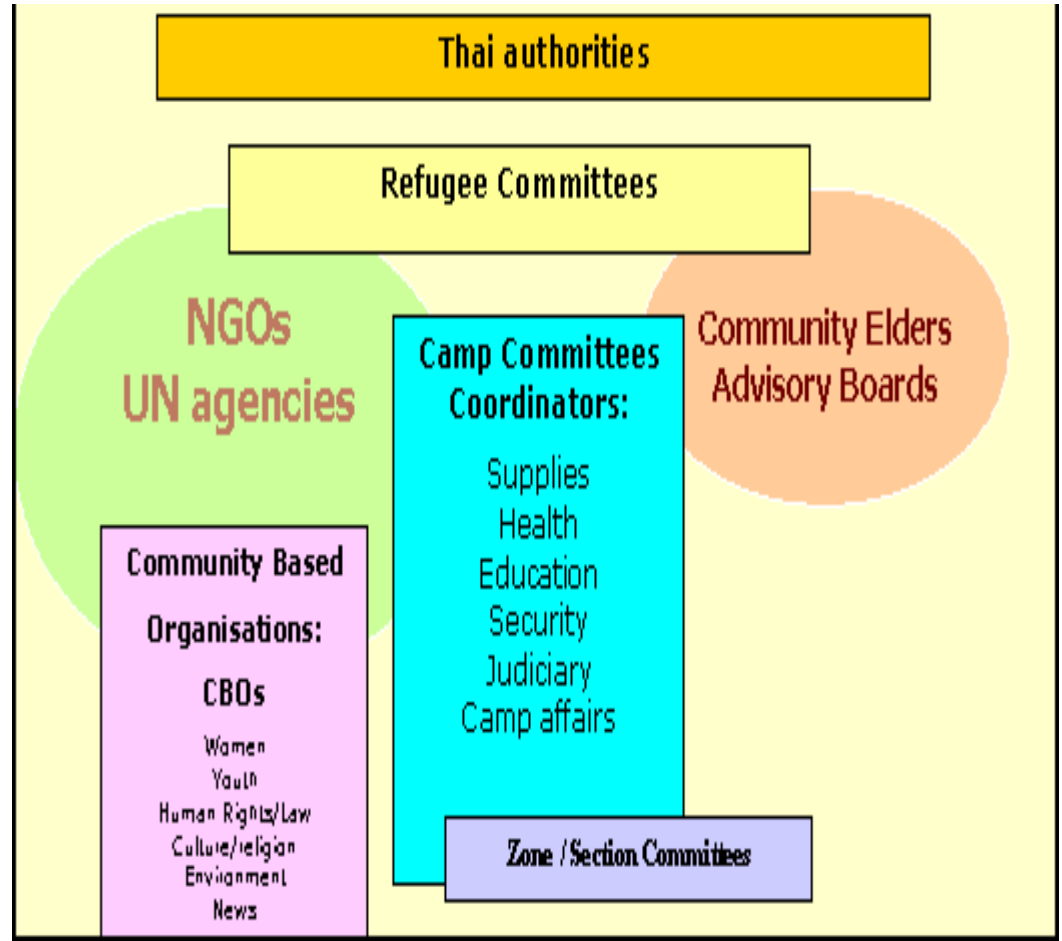


- **Burmalink UK has three main objectives:**
 - To advance the education of Burmese people in refugee camps and displaced communities in Thailand and Burma.
 - The relief of sickness and preservation of health amongst Burmese people residing permanently or temporarily in Thailand, or are displaced within Burma.
 - To promote human rights (as set out in the Universal Declaration of Human Rights and subsequent UN conventions and declarations) in Burma (and within refugee camps and displaced communities in Thailand) by the following means:
 - Relieving the needs of human rights abuses.
 - Educating the public about human rights.
 - Raising awareness of human rights issues.

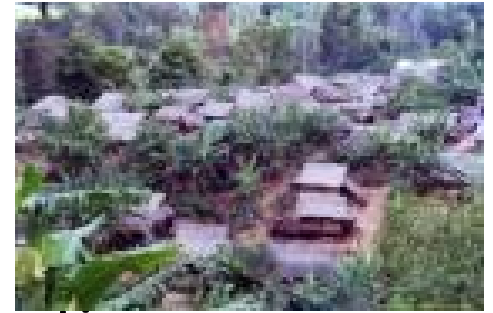
TBBC

- TBBC is a consortium of 12 international non-governmental organisations (NGOs) from ten countries **providing food, shelter and non food items to refugees and displaced people from Burma. TBBC also engages in research on the root causes of displacement and refugee outflows. Programmes are implemented in the field through refugees, community based organisations and local partners.**
- With **increased focus on a rights based approach**, the organisation is committed to **meeting international humanitarian best practices.**
- The organisation is based in Bangkok, Thailand with field offices in Mae Hong Son, Mae Sariang, Mae Sot and Sangklaburi. TBBC is a registered charity in England and Wales. TBBC currently employs 63 staff (36 female/ 27 male, 20 international/ 43 national).
- TBBC provides food, shelter and essential non food items to the displaced people from Burma.
- The **refugee camps** are the key locations for current activities, where TBBC also provides support for camp management through the refugee committees.
- TBBC also **conducts research into the ongoing causes of internal displacement in Eastern Burma.**

Refugees in Thai camps



some issues

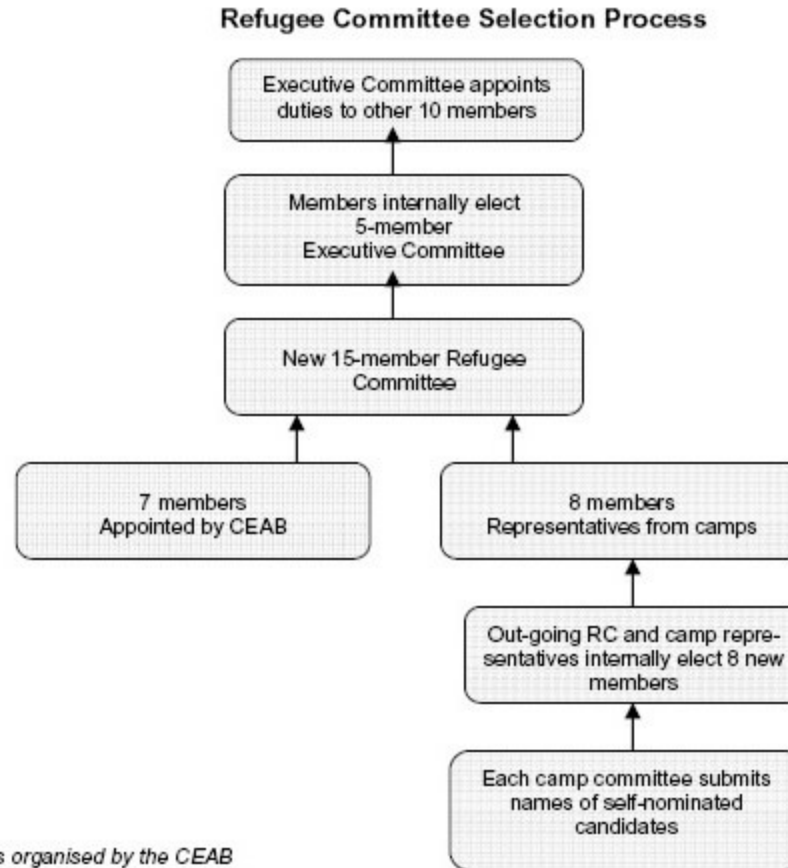


- Numbers (and supplies) capped: registration process
- But arrival of non-registered irregular camp residents which have no entitlements to supplies
- Depends on camp commander / committee how resource flow is managed
- Thai military police restricts movement
- Schools and clinics in camps under-resourced though curriculum development and some teacher training
- cultural limits of health education (reproduction)
- effects of international resettlement programme

Community Elder's Advisory Boards (CEABs)

- **Community Elder's Advisory Boards (CEABs)**
Community Elder's Advisory Boards are set up to provide guidance for refugee committees and camp committees in their work. They are made up of elders appointed from the local community and in theory consist of 15 members. In reality, a lot fewer than this actively make up each board. Specific aspects of their work include the organising and overseeing of refugee committee and camp committee elections, and assisting in solving conflict.
- CEAB members are appointed by senior elders from the local community in which the CEAB operates. There is rarely a fixed term of office, although in some camps they are reassigned every two years. However, members can be reappointed by the senior elders.
- The central Karen CEAB is based in Mae Sot, with camp-based boards present in each Karen camp made up from the local population. The central Karenni CEAB is based in Mae Hong Son, with camp-based boards in both Karenni camps. Members of these are also made up from the local population.

Refugee Committee in Thai Camps



Camp Committees

- **administrative and management bodies of the refugee camps.**
- **coordinate the day-to-day running of the camp and its services in collaboration with local MOI officials, and provide the main link between the camp population, NGOs, UNHCR and local Thai authorities.**
- **semi-autonomous nature,**
- **camp committee structures vary from camp to camp,** with differences in the number of camp committee members (although the standard complement is fifteen) and the duties assigned to them, generally operating at central zone and section level and are made up of elected representatives from within the camp population.

Basic duties of the camp committee subcommittees and its administrative staff:

- **Health:** Responsible for coordinating with health NGOs and other relevant organisations in the provision of all health services, including community-based organisations (CBOs) and the health worker's unions.
- **Education:** Responsible for ensuring the smooth management of all camp schools and their staff, and for coordinating with education NGOs and other relevant organisations in the provision of all education services, including CBOs and education worker's unions.
- **Camp Affairs:** Responsible for monitoring and responding to social issues and trends, and for supervising and coordinating social activities in camp. This includes those of the women's and youth groups. Also responsible for relations with external authorities.
- **Security:** Responsible for coordinating and maintaining camp security in collaboration with Thai authorities and other security personnel based outside of camp, and for supervising the management of security volunteers recruited from within the camp population.
- **Supplies:** Responsible for managing camp warehouses and their staff, and for monitoring and distribution of all supplies in cooperation with TBBC field staff.
- **Judiciary:** Responsible for intervening in, reconciling, and arbitrating over conflicts through a fair and due process often based on traditional customary principles, and for collaborating with UNHCR and Thai authorities in special cases.

Thailand and migrant workers

- Thailand is **not a party of the key international conventions concerning international migration**, and its **domestic policy development is not comprehensive**; as a result, its migration policies and programmes are marked by omissions and ambiguities. **Government policies in Thailand do not accord full rights to migrant workers, including such basic rights as education, movement and free association.** The lack of rights for migrant workers often leads to abuse, exploitation and trafficking.
- **All workers in Thailand are protected by the National Labour Laws of Thailand, but without registration, employers can have migrants arrested and deported by immigration authorities before the migrants can organize a case against the employer.** Migrants are only allowed to work for the employer named on the card, in the place and type of work designated on the card. They are not allowed to change employers unless they are re-registered with a new employer, paying another full registration fee. Migrants are also not allowed to travel in Thailand, registered or not. On paper, Thai and Burmese workers are equal, but in practice, this is far from reality. **Burmese migrant workers in Thailand are prohibited by law from forming their own trade unions or acting as union committee members**, so basic human rights such as the freedom of association and the right to form trade unions are systematically denied. Consequently, when some problems occur in the factory, workers cannot solve the problem themselves and they have to use the labour mechanism and legal process.

FIDH March 2010: Thailand/Migrants' Rights Migrants in Thailand Facing Detention and Imminent Deportation

The International Federation for Human Rights (FIDH) expresses its deep concern regarding recent reports of detention and forced deportation of a large number of migrant workers, especially along the Thai-Burma border.

According to information received, there has been a **sudden increase in the arrest, detention and deportation of Burmese migrant workers since March 5 in the Thai-Burma border town of Mae Sot.**

In January 2010, the Thai Cabinet adopted a resolution allowing for a 2-year extension of migrant work permits provided migrants participate in the process of Nationality Verification, requiring them to submit biographical information to their home government before February 28 or face deportation. The scheme does not apply to irregular migrants. **This resolution affects the safety and livelihood of over 1.3 million migrants who hold work permits and places a million others, who are undocumented, under threat of immediate deportation.**

Many registered Burmese migrants are unable or unwilling to submit biographical information to the Burmese authorities because they fear for their own safety and that of their family members in Burma. In addition, the period is too short and the procedures too complex for migrants to comply. Even for those who may wish to avail themselves to this process, the cost of travelling back to Burma may be prohibitive for most migrants who earn meager wages.

FIDH report / statement

FIDH believes that such drastic measures are not conducive to the objective of facilitating opportunities for migrant workers to work legally. FIDH is concerned that on the contrary, such measures risk driving more migrant workers underground, making them even more vulnerable to exploitation by employers. In addition, such deportations may in some cases violate the principle of non-refoulement.

FIDH notes with disappointment that the Thai authorities have not responded to calls of restraint by the United Nations Special Rapporteur on the Human Rights of Migrants, who expressed his concern that *“the scheme is only applicable to regular migrants who submit registration before February 28 and does not include irregular migrants,”* and that it *“does not offer options for protecting the human rights of migrants who have not or will not avail themselves of this process.”*

Amnesty International 2005 report
Thailand: The Plight of Burmese Migrant Workers
Index Number: ASA 39/001/2005

Fewer Thai people are willing to work in "demeaning" jobs and Burmese nationals have arrived to fill the labour shortage. This report examines some of the key issues and problems faced by Burmese migrant workers and their families, the Royal Thai Government (RTG) and the employers.

These include flaws in the registration implementation process; the RTG's obligations under international law; and general lack of labour rights for migrant workers, including adequate pay, living and working conditions; freedom from arrest and deportation; and adequate health care.

HRW Feb 2010: migrant worker in Thailand

- New York-based Human Rights Watch has made a fervent appeal to the Thai government to halt abuses by the police and withdraw discriminatory laws and policies against migrant workers from neighbouring countries (24 February 2010)

HRW released a report, "From the Tiger to the Crocodile: Abuse of Migrant Workers in Thailand," details the widespread and severe human rights abuses faced by migrant workers in Thailand.

- Abuses include killings, torture in detention, extortion, sexual abuse, and labour rights abuses such as trafficking, forced labour, and restrictions on organizations.
- Brad Adams, Asia Director of Human Rights Watch said that migrant workers make huge contributions to Thailand's economy, but receive little protection from abuse and exploitation. "Those from Burma, Cambodia, and Laos suffer horribly at the hands of corrupt civil servants and police, unscrupulous employers, and violent thugs, who all realize they can abuse migrants with little fear of consequences,"

The report is based on 82 interviews with migrants from neighbouring Burma, Cambodia, and Laos.

- HRW noted that migrant workers face an imminent threat from the Thai government's decision that all migrants must go through the national verification process by February 28, or face arrest and deportation. Eighty percent of the migrant workers in Thailand are from Burma.
- In addition, local police and officials frequently ignore or fail to effectively investigate complaints. Provincial decrees and national laws prohibit migrants from establishing their own organizations to assert their rights, while restrictions in policy on changing employers, moving outside designated areas, and convening meetings with more than a handful of persons leave migrants vulnerable to exploitation and ill-treatment.

Human Rights and Development Foundation June 2010

A rights group in Thailand says a government crackdown on unregistered migrant workers, most of them from Burma, could encourage rights abuses. The Human Rights and Development Foundation says Thai authorities are targeting for arrest migrant workers who failed to take part in a nationality verification program. The HRDF says the government this month set up a special center to manage a crackdown on about 300,000 migrant workers who missed a February deadline to begin the verification process. The rights group says hundreds of migrants have already been arrested and more arrests are expected. Somchai Homlaor is a human rights lawyer and secretary general of the HRDF. He says the crackdown and high demand for cheap migrant labor will only encourage bribes and other criminal activities that the registration program was meant to prevent. He says the deadline to apply for nationality verification should be extended. "The Thai government should open for the registering of these illegal migrant workers and allow them to become workers who work in Thailand legally, that they will not [be] subject to the exploitation and abuse of the power of the authority," he said. The nationality verification program is part of the government's effort to give migrant workers legal protections and better access to public services. There are more than two million migrant workers in Thailand, many of them illegally or without proper documentation. More than 80 percent are from Burma. **Their access to education and health care is limited and they are often taken advantage of by crooked employers, but have few legal remedies.** Only legal migrants were allowed to participate in the verification process. **About 800,000 from Burma applied while an estimated one million unregistered were excluded and are subject to arrest and deportation.** Under the program, migrant workers are required to verify their nationality with their home government before they will be issued a work permit in Thailand.

- <http://www.voanews.com/english/news/Rights-Group-Thailands-Crackdown-on-Unregistered-Migrant-Workers-Encourages-Abuse--96870089.html>

Karen Human Rights Group Feb 2010: “Abuse between borders: vulnerability for Burmese workers deported from Thailand” report

*The Royal Thai Government appears poised to deport as many as 1.4 million workers that fail to complete “nationality verification” procedures by the end of February 2010. The majority of these workers are Burmese. **Based upon extensive research conducted by KHRG and other organisations, it is likely that many of these workers came to Thailand not out of an apolitical desire for economic opportunity, but as a protection strategy initiated in response to the exploitative and violent abuse that drives poverty in their home areas. Moreover, even workers who do not face abuse upon return face abuse at the checkpoints to which Thai authorities transfer them during deportation procedures. These abuses include taxation, forced labour, beatings, killing and rape. Incidents documented in this report took place between November 2009 and February 2010.*** At least 3.5 million individuals from Burma, approximately 7% of the country’s population, currently reside abroad. **Most of these people have left to seek employment in neighbouring countries, and the overwhelming majority do not have status as refugees or forced migrants, which would entitle them to host-government or UN assistance. Many of these workers also do not have visas, work permits or other forms of legal permission to work in foreign countries, making them vulnerable to exploitative abuse by trafficking agents, unscrupulous employers, police and government officials.**

While it is not the case that all of these workers left Burma to flee persecution, it is also not the case that they left apolitical poverty and sought financial opportunities abroad for the sake of personal convenience. In June 2009, KHRG released the report *Abuse, Poverty and Migration: Investigating migrants’ motivations to leave home in Burma*, which concluded that most people traditionally understood as ‘economic migrants’ flee Burma to avoid the life-threatening poverty that results from persistent exploitative abuse; roughly 78% of Burmese workers interviewed by KHRG cited exploitative abuse as a factor that negatively affected their own, and their communities’, economic situations in Burma. **1 This conclusion mirrors that of a study undertaken by the International Rescue Committee and Tufts University, which conducted more than 1,700 interviews among Burmese workers in Thailand during 2006.** This study, which sought to assess the degree to which Burmese workers in Thailand merit international protection as refugees, concluded that “as many as fifty percent of Burmese working in Thailand merit further investigation as to their refugee status.

- <http://www.khrg.org/khrg2010/khrg10f1.pdf>

Burmese Migrant Workers Association: (Yaung Chi Oo WA)

- <http://yaungchioo.org/>
- The recent surge in inflation has also created a devastating economic situation in Burma, further contributing to a rising number of Burmese migrant workers in Thailand. They are generally working in factories, fisheries, agriculture, farming, construction, entertainment and domestic sectors. In addition, the military regime's violations of human rights, which includes rape, torture, imprisonment and the use of forced and unpaid labour, has forced the people to take refuge along the border areas and in neighboring countries, particularly in Thailand.
- There are some one and a half million Burmese migrant workers in Thailand, as various reports have estimated. In Mae Sot, Tak near the Thai-Burma border, there are some 100,000 Burmese migrants working in various industries, mostly in garment and textile factories. More than 200 garment and textile factories are located in Mae Sot.



Yaung Chi Oo Workers Association

- Working in collaboration with Lawyer Council of Thailand and MAP Foundation to assist 732 workers in 11 cases both at the Thai Government Labour Protection and Welfare Office and Labour Tribunal Courts to pursue justice for exploitative working conditions
- Providing advice and counselling to Burmese migrant workers on their difficulties related to employment
- Organizing workshops and trainings on labour rights, human rights and democracy
- Providing training on organizational development, community-organizing skills and vocational skills
- Organizing roundtable discussion on political and social issues among Burmese migrant workers
- Assisting workers find jobs
- Coordinating with Thai legal NGOs to provide legal assistance to workers who have suffered accidents on the job, being denied their salaries, or being subjected to other abuses
- Providing temporary shelter to workers who have lost their jobs, or are ill, to victims of sexual assault and to pregnant women
- Coordinating social and religious events of Burmese migrant workers in Thailand
- Publishing “Yaung Chi Oo Labor Affair Journal” in Burmese monthly
- Networking and regular communication with both YCOWA branches and associated workers’ groups across Thailand
- Representing workers in negotiation with employers

International Union Solidarity

- <http://www.icem.org/en/78-ICEM-InBrief/4093-Burmese-Migrant-Workers-in-Thailand-Warrants-Support>

- International Federation of Chemical, Energy, Mine and General Workers' Unions



- The ICEM continues to support the campaign for the rights of Burmese migrant workers in Thailand. The State Enterprise Workers' Relations Confederation of Thailand (SERC) has teamed with LabourStart to call on the Royal Thai Government to end the illegal and unjust practice of blocking Burmese migrants from access to the Workers' Compensation Fund (WCF).

The social security fund provides compensation for workers who incur injuries or disease from their work. Burmese migrants are denied rehabilitation assistance and are denied the right to register as disabled if they suffer permanent disabilities from occupational accidents.

Following three years of protest by the ITUC-affiliated SERC, the ILO's Committee of Experts in February 2010 ruled that this denial of access for Burmese migrants was a breach of ILO Convention 19, on equality of accident compensation, which Thailand has ratified.

- The Thai government's response has been to outsource the compensation of migrant workers to private insurance firms. This cannot create equality of accident compensation with Thai nationals who remain covered by the WCF, and is in breach of international law and human rights standards.

Over two million Burmese migrants currently work in Thailand, most in low-skilled, dangerous jobs. While the majority of these workers entered Thailand illegally, over one million have registered to work.

Labour activists submitted a petition to United Nations Secretary-General Ban Ki-moon on 26 October, calling for action on this issue and on the general abuse of migrant workers in Thailand. The LabourStart campaign condemns the Thai government's inaction on the human trafficking of migrants.

- <http://www.economist.com/node/13334070>

The Burmese Migrant Workers Education Committee

- BMWEC is conducting a pilot project with the Thai Ministry of Education for the proper recognition of Migrant Education. This project involves providing accreditation to migrant schools by the government. We have come far, but the process is very long. We are still only half way and need much more international support to succeed. Advocacy and awareness is a necessity for the schools, which are still illegal, to be able to run.

Learning Centres

- Primary
- Middle
- High
- Post-Ten

Umphang RD | Mae Sot | Tak

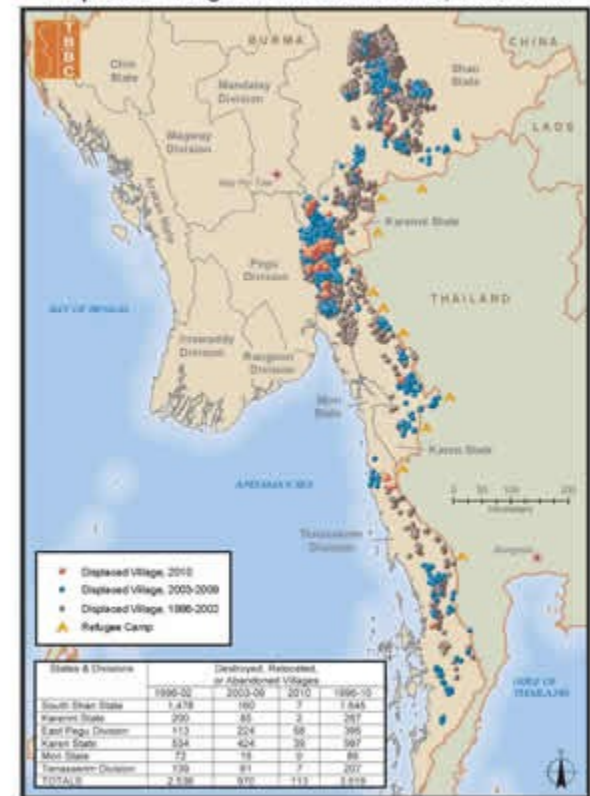


IDPs in eastern Burma

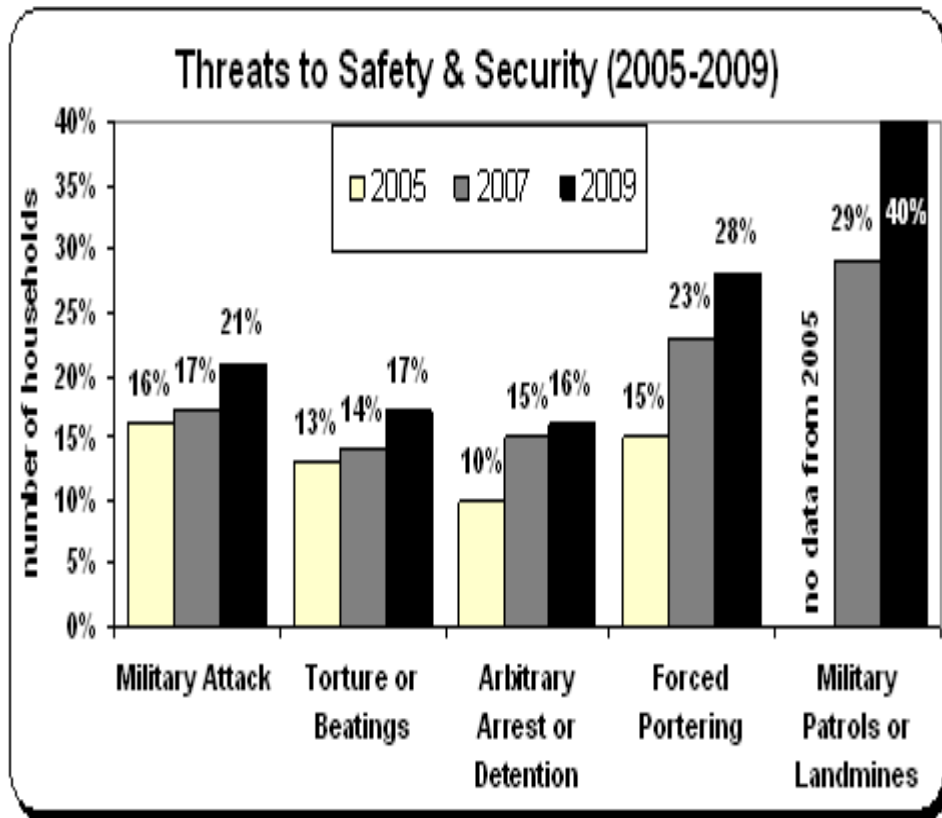
Development Projects Associated with Human Rights Abuses in Eastern Burma, 2010



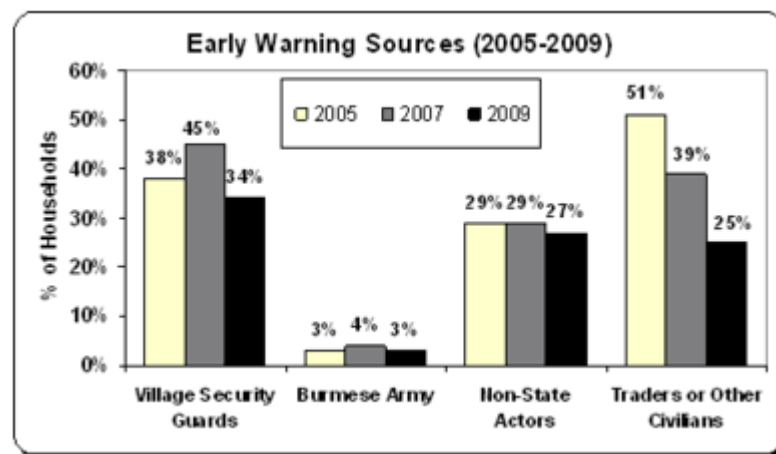
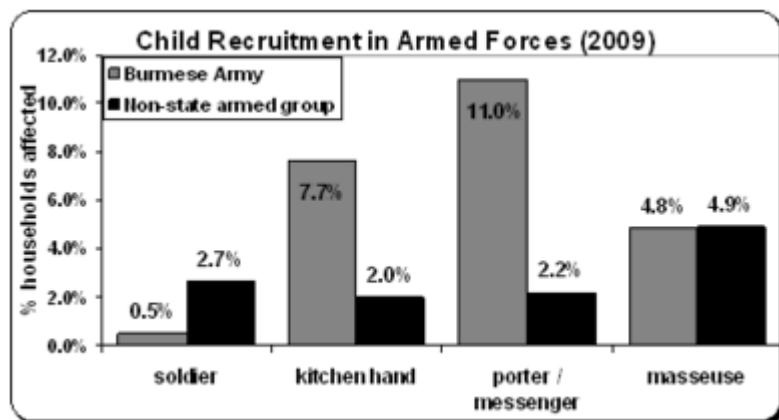
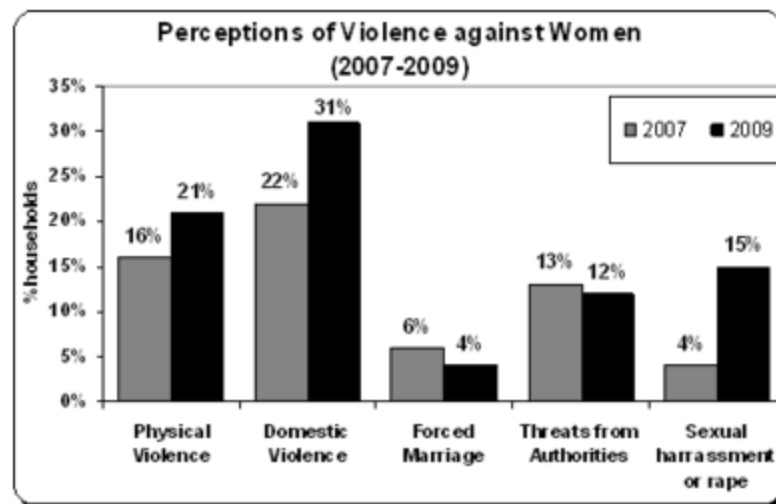
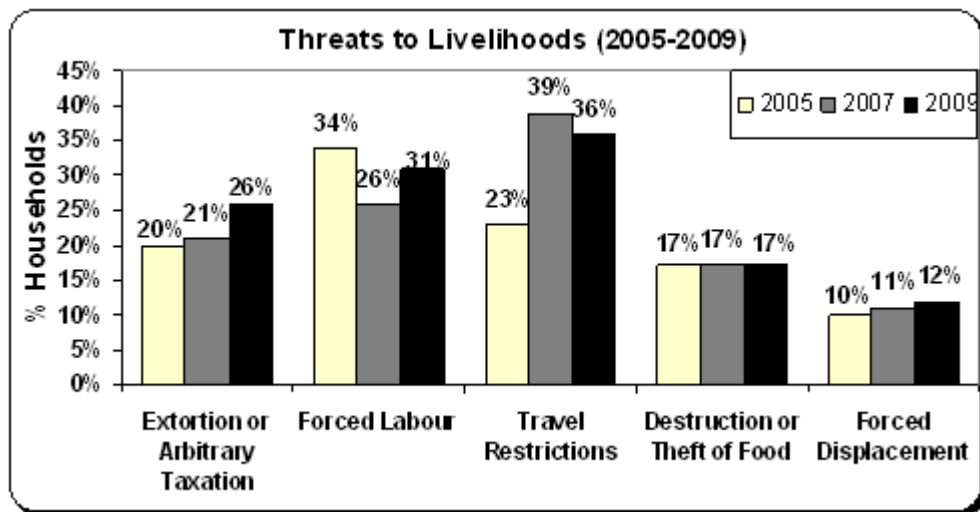
Displaced Villages in Eastern Burma, 1996-2010



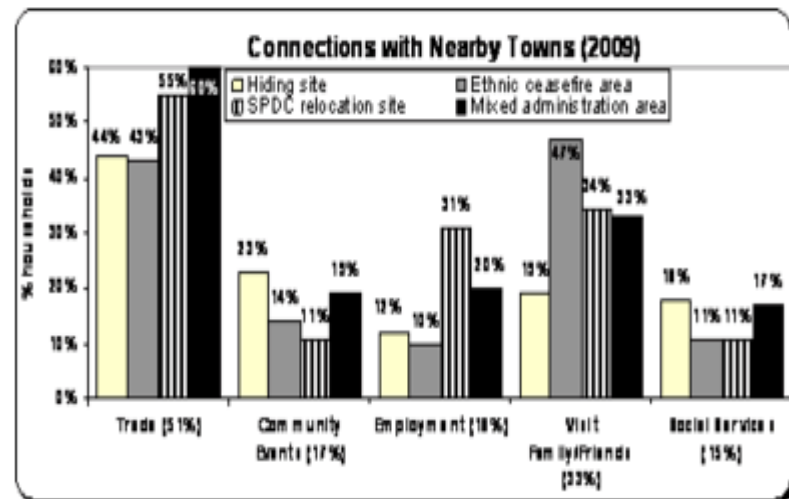
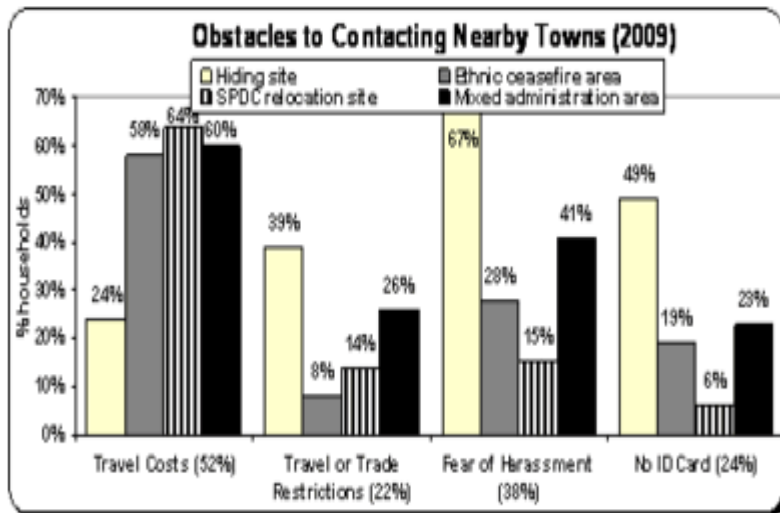
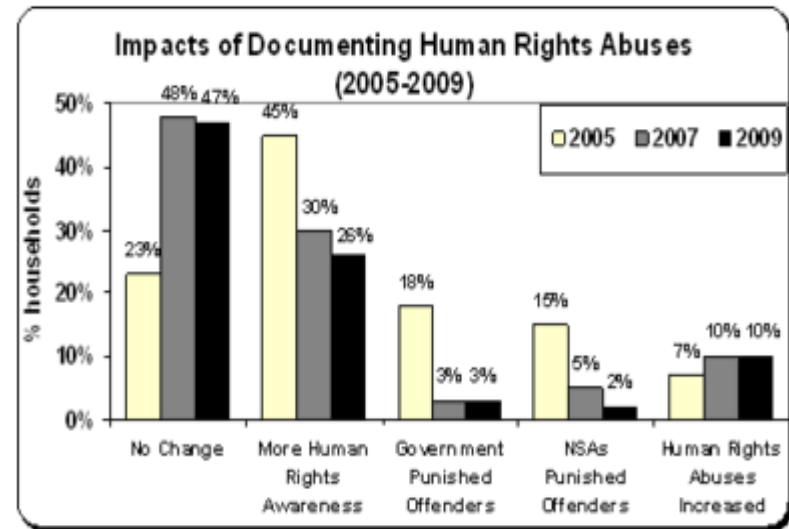
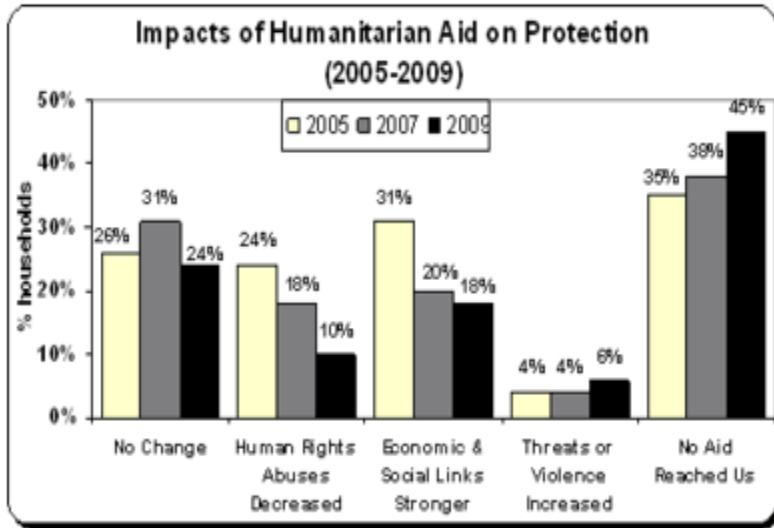
IDPs in Burma (TBBC 2009 CBO survey)



TBBC 2009 Survey: Vulnerability



TBBC 2009 Survey: Coping Strategies



Karen Womens Ogranisation – part of

Karen National Union



Empowerment
Equality
Freedom

- [*Walking Amongst Sharp Knives*](#) (Feb 2010) reveals previously unreported abuses taking place against ethnic Karen women in Burma.
- The practice of the Burmese Army to execute village heads has led to traditional Karen culture being turned upside-down, with women now being appointed village chiefs as they are seen as less likely to be killed. However, this change has put women in the frontline of human rights abuses. These abuses constitute crimes against humanity and war crimes.
- <http://www.karenwomen.org/Reports/WalkingAmongstSharpKnives.pdf>

KWO role within the KNU

The objectives of the KWO are:

- To assist women in the endeavour to be free from all forms of oppression.
- To promote and empower women in all spheres of life, including education and general living standards.
- To encourage women to participate in the struggle for freedom, democracy and equality.
- To develop women's knowledge, ability and skills, including political and organisational skills.
- To achieve the rights of women and equal status with men.
- To promote and maintain Karen culture and traditions.
- To care for the well-being of girls and children.
- KWO aims to empower women through offering various capacity building trainings to teach skills, build confidence and create new opportunities so that women will be better able to solve problems. We are working hard to educate ourselves and our communities so that we can work more effectively and advocate for our struggle on the international stage.

KWO Education & Training Project

- KWO empowers Karen women through training and informal education to build their skills and confidence.
- Leadership Training teaches women the skills they need to work side by side with men in community decision-making.
- Literacy and Non-formal Education aims to increase literacy rates among Karen refugees with a special focus on women. This project is active in 6 of the Karen refugee camps on the Thai/Burma border and is open to all camp residents offering literacy, numeracy and non-formal education in Sgaw and Poe Karen and Burmese languages.
- The Karen Young Women's Leadership School aims to empower young women to have a voice, to realise their leadership ability and move towards women's participation, as equal partners with men, in decision-making processes at all levels. Founded in 2001, the school offers a 1 year course. 86 graduates of the school are currently actively working for their community in various roles and organisations.
- Women's Empowerment Training addresses the needs for training in self reliance and community development for women in the refugee camps and inside Karen State.
- Women's Protection Program: The first part of this program is Girl's Health Education, awareness-raising activities targeting adolescents to prevent violence against women; and increased advocacy of women's protection issues in the camps. The second part is the Safe Houses (see Community Caregiving and Relief). Thirdly, Women's Discussion Forums encourage sharing among women of knowledge, ideas and support on relevant topics within the community.

Conclusions

- Coping Mechanisms are being established by the communities at grassroots level, supported by their associations and organisations
- Those do increasingly network – though not without some difficulties of institutional, logistical, personal and gender nature
- Some of this is faith-driven, some bilateral and some educational / curriculum-driven which can pose limitations but mostly is useful and appropriate
- CBOs do have some capacity building and training advise internationally (Australia, Italy, UK, US) largely from Thai and international NGOs

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continued

- <http://www.khrq.org/khrq2010/khrq10f1.pdf>
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- <http://thaipoliticalprisoners.wordpress.com/2010/03/10/fidh-statement-on-migrant-workers-in-thailand/>
- <http://www.karenwomen.org/projects.html>
- <http://www.aiutaresenzaconfini.org/projects/>
- <http://burmalinkuk.org.uk/index.html>
- http://www.tbbsc.org/learn_more
- <http://www.helpwithoutfrontiers.org/>