

**Engaging Displaced Citizens**  
**An Examination of NGO Refugee Programming**  
**on the Thai-Burmese Border**

Thesis submitted in partial fulfilment of the requirements for the degree of  
Master of Arts in International Development Studies  
Saint Mary's University

Halifax, Nova Scotia, Canada

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## **ABSTRACT**

### **Engaging Displaced Citizens: An Examination of NGO Refugee Programming on the Thai-Burmese Border**

**Holly Melanson  
July 2004**

Nongovernmental organisations working with refugees have traditionally used a top-down, emergency relief approach. This type of assistance reinforces the idea of refugees as passive, apolitical beings that have no rights as citizens during their displacement. This thesis argues that such an approach is inadequate and that refugees are indeed necessary change agents in dealing with the conflicts they currently face as well as those that have led to their displacement. It is argued that organisations working within a participatory development framework are more able to encourage refugee action. This framework, based on the ideas of Korten and Macdonald, incorporates ideas of empowerment-based participation and programming that facilitates just, sustainable and inclusive development action. This framework is used to evaluate NGOs that are working with the more than 140,000 refugees on the Thai-Burmese border. The types of NGOs examined are international and local NGOs, including refugee-run organisations. Field research conducted in refugee camps on the Thai-Burmese border in 2000 as well as observations and experience while in Thailand from 2002-2004 provided the data for this study. The findings were that international NGOs with official mandates to provide relief assistance in the camps were most restrained in their ability to engage refugees as active participants through their programming. Agencies such as the UNHCR also fell into the top-down relief model and focused most of their attention on negotiations with government bodies. More successful in engaging refugees were the largely unregistered local NGOs working primarily on Burma issues and treating the problem of displacement as one of many addressed by their programming. Capacity-building programs as well as solidarity linkages led to many refugee participants beginning their own refugee-run organisations. These organisations are an important and positive step in the struggle for citizen action by refugees from Burma both now and also later when they will be tasked with the responsibility of rebuilding their communities in Burma.

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**ENGAGING DISPLACED CITIZENS:  
AN EXAMINATION OF NGO REFUGEE PROGRAMMING ON THE THAI-BURMESE  
BORDER**

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## ACRONYMS AND ABBREVIATIONS

ABSDF	All Burma Students' Democratic Front
AD	Another Development
AFPFL	Anti-Fascist People's Freedom League
BBC	Burmese Border Consortium
BERG	Burma Ethnic Research Group
BSPP	Burma Socialist Programme Party
CBO	Community Based Organisation
CBP	Capacity Building Programme
CCSDPT	Committee for Co-ordination of Services to Displaced Persons in Thailand
CF	Canada Fund [for Displaced Burmese in Thailand]
CPB	Communist Party of Burma
DAB	Democratic Alliance of Burma
DAC	Development Assistance Committee of the OECD
DKBA	Democratic Karen Buddhist Army
ERI	EarthRights International
GONGO	Government Organised Non-Governmental Organisation
GRO	Grassroots Organisation
IASC	Inter-Agency Standing Committee (UN)
ICARA	International Conference on Assistance to Refugees in Africa
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IGA	Income Generating Activities
ILO	International Labour Organisation
INGO	International Non-Governmental Organisation
KED	Karenni Education Department
KHD	Karenni Health Department
KNCC	Karenni NGO Coordination Committee

KNGO	Karenni Non-governmental Organisation
KNMEC	Karenni NGO Monitoring and Evaluation Committee
KNPP	Karenni National Progressive Party
KnRC	Karenni Refugee Committee
KNU	Karen National Union
KNWO	Karenni National Women's Organisation
KRC	Karen Refugee Committee
KSNLF	Karenni State Nationalities Liberation Front
KWO	Karen Women's Organisation
MOI	Ministry of Interior
MOU	Memorandum of Understanding
MPBANRDA	Ministry for Progress of Border Areas and National Races and Development Affairs
MSF	Médecins Sans Frontières
NCGUB	National Coalition Government of the Union of Burma
NCUB	National Council of the Union of Burma
NDF	National Democratic Front
NGDO	Non-governmental Development Organisation
NGO	Non-governmental Organisation
NIEO	New International Economic Order
NLD	National League for Democracy
OCHA	Office for the Coordination of Humanitarian Affairs
OECD	Organisation for Economic Cooperation and Development
QIP	Quick Impact Projects
RAD	Refugee Aid and Development
RTG	Royal Thai Government
SLORC	State Law and Order Restoration Council
SNGO	Southern Non-Governmental Organisation
SPDC	State Peace and Development Council
UNBRO	United Nations Border Relief Operation
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNLD	United Nationalities League for Democracy



## CHAPTER ONE

### ENGAGING REFUGEES AS CITIZENS

Political turmoil within and between states has contributed to more than twelve million refugees this year alone claiming asylum outside their home country. Non-governmental organisations, acting with the permission of host governments and often as implementing partners for the United Nations High Commission for Refugees (UNHCR), assist refugees during their time of asylum, meeting basic needs and helping to ensure their survival until they return home, or are integrated into a country of asylum.

Due to constraints placed on NGO programming by host governments and the common conception of 'refugee' as passive and apolitical, a top-down, relief-oriented model has traditionally dominated refugee assistance. In addition, refugees often remain in camps for extended lengths of time, making long-term relief programming the norm.

Examining the concept of 'refugee' it is clear that as individuals forced to flee their homes, they are assumed to have forfeited their rights as citizens upon their departure. Refugee programming based on a relief agenda reinforces the lack of citizenship of those in exile. This type of programming results in refugees without the power to make decisions about the most basic of life choices: where to live, where to work, what to eat, where to send one's children to school. Beyond the immediate, another effect of top down programming is the inability for refugees to '*contribute [their] instructed judgement to the common good.*' Defined as the role of 'citizen' according to Laski, refugee contribution (i.e. participation) is ultimately required for transformation of the conflicts that led to their displacement.

Participatory processes in the field of refugee assistance have recently become the identified 'missing link' needed to engage refugees, particularly by nongovernmental organisations (NGOs), which are specially situated for this role. Combining the evolving conceptions of 'development', this approach challenges the belief that refugees are passive,

apolitical beings and leads us closer to the ideal of refugees being active participants in their struggle for social and political change.

To explore these ideas in more detail, a case study examining NGO programming on the Thai-Burmese border will be presented. This study will look at the possibilities, challenges and outcomes of participatory development processes in assisting more than 140,000 refugees living in ten refugee camps along Thailand's western border.

## **BACKGROUND**

Perceived as enemies of the state and threats to national unity, ethnic minority groups from Burma<sup>1</sup> have been consistently marginalized and oppressed by the ruling Burmese military regime, known as the State Peace and Development Council (SPDC). Offensives have been launched against these groups for over fifty years in order to minimise their strength and opposition to the military government. Policies have included the systematic use of forced labour, seizure of crops and land, forced relocation, torture and extra-judicial killings. As a result, thousands of people from Burma have fled into Thailand in search of asylum. As of February 2004, approximately 140,000 ethnic minorities as well as Burmese student democracy activists reside along the Thai-Burmese border in increasingly overcrowded refugee camps.<sup>2</sup>

Movement in and out of the camps is restricted and refugees are prohibited from procuring employment. Those caught outside of the camps may be physically abused, deported or detained. This heightened level of confinement has been accompanied by camp relocations

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<sup>1</sup> Although officially renamed 'Myanmar' by the State Law and Order Restoration Council (SLORC) in 1989, 'Burma' and 'Burmese' shall be used throughout this paper. Opposition movements, particularly ethnic nationality groups, consider the name change illegitimate and continue to use 'Burma' as a form of protest against the present military regime's human rights abuses and lack of consultation regarding the name change. See Peter Carey, ed. (1997) *Burma: The Challenge of Change in a Divided Society*. London: MacMillan.

<sup>2</sup> Burmese Border Consortium, (2003) *Burmese Border Refugee Sites with Population Figures – February 2004* (Map) Bangkok: BBC. Although the total population assisted by the BBC is more than 152,000 people, 12,000 Mon have already been forced to 'resettled' in Mon State after the camps in Thailand were closed shortly after a ceasefire was signed between the New Mon State Party and the SPDC in 1996. Because of the continuing human rights abuses being perpetrated by the SPDC, these resettled Mon are considered internally displaced by most human rights organisations.

closer to the Burmese border, camp closures and an intensified push for repatriation of all Burmese refugees by the current Thai administration.<sup>3</sup>

Non-Burman ethnic refugees have systematically been viewed as having less of a right to membership in the state than the Burman majority. Furthermore, ethnic governments have traditionally operated in a top-down, hierarchical manner, typically excluding sub-groups, women and youth from access to decision-making. Together these factors have created a situation whereby ethnic minority refugees are perceived as being unable to contribute as citizens to change within either their own communities in exile or upon return, within the Burmese polity.

## **A Review of the Literature**

### ***Refugee: The Object of My Rejection***

In the decades following World War I, an international refugee regime began to study the movement of refugees. Scholars assumed the characteristics and actions of refugees were predictable and patterned. Furthermore, refugees began to be viewed as *objects* of knowledge. As Stein notes, the attitude emerged that

Refugee problems should be analysed from a general, historical, and comparative perspective that views them as *recurring phenomena with identifiable and often identical patterns of behaviour and sets of causalities*. Specific refugee situations should not be treated as unique, atypical, individual historical events but rather *as a part of a general subject*.<sup>4</sup>

As objects of knowledge, refugees were often viewed in a manner that was less than humane. This manifested itself in the creation of 'the refugee camp', first standardised during World War II in Europe. Such camps had multiple purposes. The inhabitants, like those in prisons or asylums, were not assumed to be liberal citizens capable of exercising choice. Well-

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<sup>3</sup> Interview with a UNHCR official, Mae Hong Son, Thailand. See also: Lang, Hazel (2001) "The repatriation predicament of Burmese refugees in Thailand: a preliminary analysis" *UNHCR Working Paper #46: New Issues in Refugee Research* Geneva: UNHCR Centre for Documentation and Research.

<sup>4</sup> As quoted in Lippert, Randy, "Governing Refugees: The Relevance of Governmentality to Understanding the International Refugee Regime." *Alternatives: Social Transformation & Humane Governance*, Vol. 24: 3: 515.

administered camps “promised to bring [refugees] in line with requirements of such citizenship.”<sup>5</sup> Camp authorities would judge refugee behaviour in terms of conformity or deviation, identifying a lucky few to be referred for resettlement. Discipline as well as aid was allocated through the camp structures and assistance programmes were typically implemented without refugee participation.

Over time, as the majority of the world’s refugees came from the global South, rather than Europe, and with a growing reluctance by western countries to accept large numbers of refugees for resettlement, extended care and maintenance became more common. Moreover, the longer one remained in a camp, the less potential they were deemed to have as liberal citizens.<sup>6</sup> Rhetoric also arose perpetuating the idea that refugees, as passive recipients of aid, were receiving handouts for which they had not worked.<sup>7</sup>

By imposing solutions aid agencies continuing to use this anti-participatory approach have rendered refugees powerless and dependent on others for their survival. Furthermore, the belief that refugees are less competent than humanitarian “experts” coming from afar to run the camps and assistance programmes persists. As Mark Malloch-Brown notes

Refugee work remains, perhaps, the last bastion of the ultra-paternalistic approach to aid and development. It is hard to think of another area where the blinkered nonsense of the ‘We know what’s best for them’ approach survives so unchallenged.<sup>8</sup>

Numerous scholars have linked these attitudes to the strict orientation of refugee assistance. Falling directly into the traditional relief model, the literature reveals that this type of programming typically excludes its beneficiaries from decision-making and participation is

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<sup>5</sup> Ibid., p 509.

<sup>6</sup> Ibid.

<sup>7</sup> Sorenson, John, (1994) “An Overview: Refugees and Development”, in H. Adelman and J. Sorenson, (eds.) *African Refugees: Development Aid and Repatriation*, Boulder: Westview Press, p 186.

<sup>8</sup> As quoted in Harrell-Bond, (1990) “Breaking the Vicious Circle: Refugees and Other Displaced Persons in Africa”, in African Centre for Applied Research and Training in Social Development, ed. *The African Social Situation: Crucial Factors of Development and Transformation*, London: Hans Zell, p 128.

limited. Barbara Harrell-Bond, among others, has pressed for the rethinking of such policies to better reflect the needs of refugees.<sup>9</sup>

### ***The Traditional Relief Model***

Fully established through post-World War II relief efforts, emergency response to disaster and displacement typically includes the distribution of aid and provision of essential services such as medical care. According to this model, when a crisis occurs, people need assistance and outside expertise to overcome it. Donors assess needs and plan strategies of how to meet those needs in the most efficient manner possible.<sup>10</sup> Programming generally includes short-term, life saving measures and some manner of action taken ‘on behalf of’ those in need. It typically includes ‘top-down’ management by organisations undertaking such work.<sup>11</sup> Criticisms include the creation of dependency, disempowerment of those affected by crisis and “its pathologising, medicalising and labelling assumptions [as well as] the danger of creating tensions between those groups who receive assistance and those who do not.”<sup>12</sup>

Humanitarian (also known as relief) assistance, is the “most apolitical of all acts,” says James Orbinski, former head of the medical NGO Médecins Sans Frontières (MSF).<sup>13</sup> According to the International Committee for the Red Cross (ICRC), “the goal of humanitarianism is not to correct wrongs or impose increased justice,” while the High Commissioner for Refugees notes, “humanitarian action must remain broadly non-judgemental.”<sup>14</sup> Thus, it is widely acknowledged that relief aid is palliative in nature and cannot lead to long-term solutions.<sup>15</sup> Alleviating

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<sup>9</sup> Harrell-Bond, B. (1986) *Imposing Aid: Emergency Assistance to Refugees*, Oxford: Oxford University Press, p 5.

<sup>10</sup> Mimica, Jadranka and Paul Stubbs, (1996) “Between Relief and Development: Theories, Practice and Evaluation of Psycho-social Projects in Croatia.” *Community Development Journal* Vol. 31: 4: 283.

<sup>11</sup> Demusz, Kerry (1998) “From Relief to Development: Negotiating the Continuum on the Thai-Burmese Border” *Journal of Refugee Studies* Vol. 11, No. 3, p 232.

<sup>12</sup> Mimica and Stubbs, op. cit. p 283.

<sup>13</sup> Orbinski, James, “The Ethics of Humanitarian Intervention” Talk given at the University of Alberta, Edmonton, Alberta. Broadcasted on CBC Ideas, May 30, 2001.

<sup>14</sup> Forsythe, David (2001) “UNHCR’s mandate: the politics of being non-political.” *Working Paper #33: New Issues in Refugee Research*. Geneva: UNHCR Centre for Documentation and Research.

<sup>15</sup> See Hathaway, James (1995) “New Directions to Avoid Hard Problems: The Distortion of the Palliative Role of Refugee Protection”, *Journal of Refugee Studies* Vol. 8:3: 288-294.

*symptoms* - hunger, homelessness, and disease - is the bedrock of relief operations and when these symptoms are superficially solved, the humanitarian mandate has been achieved.

Though necessary for survival, relief overlooks both root causes and potential solutions for refugee populations and refugee hosting governments. For this reason, policy makers and scholars began to consider the use of *development* programming in refugee settings as a potentially significant component of refugee assistance. The objectives and purpose of such refugee development has, however, changed dramatically over time.

### ***Spanning the divide: from Refugee Relief to...?***

The idea of incorporating development activities into refugee relief situations has been on the agenda for decades. In the late 1970s, recognition that large numbers of refugees were not being resettled or repatriated revealed that ‘care and maintenance’<sup>16</sup> had become the largest part of the UNHCR budget. Many donor states, reluctant to fund these open-ended programmes, began to consider alternative models of assistance. In 1983 Paul Hartling, High Commissioner of Refugees, organised a meeting among scholars and practitioners in this field to study “whether or how a development approach to refugee situations could remedy this situation and contribute to the solution of the problem.”<sup>17</sup> The international response that emerged during the late 1970s and early 1980s became known as the ‘*refugee aid and development*’ (RAD) strategy. This approach encouraged development-oriented assistance from the outset, focusing on refugee-populated areas rather than specifically on refugee camps. Refugee self-sufficiency and benefits to the local population were anticipated.<sup>18</sup> The strategy, however, perceived self-sufficiency through the lens of modernisation theory and it was thought that the “best way to make refugees self-sufficient is

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<sup>16</sup> The concept of ‘care and maintenance’ has been defined as being completely dependent on international assistance, whereby refugees lack even the ability to grow small amounts of food. See Harrell-Bond (1999) “The experience of refugees as recipients of aid” in Ager, Alistair (ed.) *Refugees: Perspectives on the Experience of Forced Migration*. London: Pinter. p 162.

<sup>17</sup> Cuénod, Jaques. (1989) “Refugees: Development or Relief?” in Gil Loescher and Laila Monahan, eds. *Refugees and International Relations*. Toronto: Oxford University Press. p 232.

to put them into camps where they can be managed and [aid agencies can] continue to resist the suggestion that refugees are capable of managing themselves.”<sup>19</sup>

Still falling within the RAD strategy, African governments requested, at the *Second International Conference on Assistance to Refugees in Africa* (ICARA II) in 1984, besides continued direct assistance to refugees, additional funds to be put towards development projects. Such projects were to address the increased infrastructure needs of their countries due to the presence of refugees.<sup>20</sup> The focus on development *in* and *for* the country of asylum was a key component of the RAD approach. Underlying this strategy was the anticipation that host countries, receiving this additional development assistance for *national* development requirements, would more readily acquiesce to refugees settling within their borders, even if only temporarily. Cuénod sums up this rationale by explaining

Over 90 per cent of the world's refugees are located in the developing countries. Under these circumstances, the least the industrialised countries can do is to provide the means to those developing countries of asylum to continue to keep their doors open.<sup>21</sup>

In many ways the refugee aid and development approach appeared to fill in gaps identified in the previous relief model. It intended to meet the needs of both refugee and local populations, was meant to be more cost-effective than simple maintenance of long-term refugees and was thought to bridge the elusive gap between refugee relief organisations and development organisations.<sup>22</sup> Projects falling within this framework took place in nineteen African countries and cost an estimated US\$430 million, yet in most cases failed to meet the predetermined objectives. Self-sufficiency among refugees was rarely achieved despite the efforts of various

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<sup>18</sup> Crisp, Jeff (2001) “Mind the gap! UNHCR, humanitarian assistance and the development process.” *UNHCR Working Paper #43: New Issues in Refugee Research*. Geneva: UNHCR Centre for Documentation and Research. p 2-3.

<sup>19</sup> Hyndman (1997), as quoted in Harrell-Bond (1999) p 147.

<sup>20</sup> Cuénod, op.cit. p 230.

<sup>21</sup> Ibid., p 245.

<sup>22</sup> Crisp, op.cit. p 3.

agencies and the costs of UNHCR care and maintenance did not appear to decrease despite the funds put into promoting such activities.<sup>23</sup>

A criticism of the RAD approach was the ambiguity regarding its objectives. It was unclear if its purpose was to integrate refugees into countries of asylum or to “ameliorate the situation of refugees, the host community and state, pending the day when those refugees returned to their country of origin?”<sup>24</sup> Donors, uncomfortable with the idea of linking refugee aid to development co-operation, also contributed to the weakness of the strategy. In addition, reluctance on the part of donors and relief and development agencies to work more closely limited the possibilities for development. Hence, with the weakness of this approach evident, interagency cooperation and an increased synergy between relief and development programming was seen as the next step in policy innovation. This was referred to as the *continuum* between relief and development.

### ***A Model of Relief to Development***

In the late 1980s and into the 1990s, there was a shift away from ICARA II-inspired development schemes that focused largely on host country infrastructure projects. A debate emerged which focused on the sequential move from relief to development, known as the *relief-development continuum*. Mechanistic in orientation, this approach was based on the idea that at each stage there would be a particular agency to fulfil a specialized task (relief, reconstruction, or development) and once that stage was over, the next agency would step in and do its part. Emphasizing a linear progression from one stage to another, development and relief were perceived as separate activities with no overlap.<sup>25</sup>

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<sup>23</sup> Cuénod, op. cit. p 231.

<sup>24</sup> Barry Stein as quoted in Crisp, op.cit. p 4.

<sup>25</sup> Smillie, Ian, (1998) “Relief and Development: The Struggle for Synergy” Thomas J. Watson Jr. Institute for International Studies, *Occasional Paper* #33, pxxiii.



As development activities were being promoted for returned refugees, in part to encourage further such repatriation, a key discussion during this time focused on the organisational roles and responsibilities of the UNHCR and the United Nations Development Programme (UNDP). ‘*Returnee aid and development*’ became the focal point for work on this continuum. The strategy was “unambiguously intended to promote and consolidate the solution of voluntary repatriation.”<sup>26</sup> It was also thought that development programming for the newly returned would also benefit the country of origin, while donors would appreciate the stabilisation of the affected regions which, in turn, would result in fewer refugees requiring international aid.

Although refugee scholars argued that cooperation between the UNHCR and the UNDP represented a key solution for refugees, difficulties arose in defining roles between the agencies. Loescher argued that the rehabilitation of refugee communities should not be carried out by the UNHCR but rather by the UNDP or other UN agencies better equipped to deal with development, requiring a full transfer of responsibility once the immediate emergency relief phase was over. The UNDP resisted this idea however, refusing to view itself as even partially emergency focused.<sup>27</sup> As noted in a 1997 UNHCR paper titled, “*Reintegration in the Transition from War to Peace*,”

The concept of the continuum from emergency relief through rehabilitation and on to development was intended to ensure a seamless web of activities. In practice, however, the continuum as applied by UNHCR and its partners often resulted in a disjuncture between their respective activities.<sup>28</sup>

This type of continuum thinking, focusing specifically on returnee aid, has neglected the needs of refugees who are not yet repatriated and has overlooked the lack of substantial political change in the countries of origin to which refugees were returned. The aim of this strategy, to encourage refugee repatriation, has failed to address the initial causes of displacement and has

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<sup>26</sup> Crisp, op. cit. p 10.

<sup>27</sup> Loescher, Gil, (1994) “The International Refugee Regime: Stretched to the Limit?” *Journal of International Affairs* Vol. 47:2, pp 563-564.

<sup>28</sup> As quoted in Smillie (1998) op. cit., Chapter 1, p 4.

continued to overlook the possibilities of refugees as participants and decision-makers in their futures.

The shifting approaches regarding refugee assistance and development have been largely influenced by the broader development debates that have been occurring since the 1950s. At this juncture, an examination of the theoretical underpinnings of the term *development* and the general changes in implementation and policy over the past five decades will be presented. Understanding the diverse perspectives on development is a key to unravelling the complexities and the possibilities this process holds for refugees.

### ***Defining Development***

Pinpointing the exact variables necessary to encourage, create, or even identify development is an ongoing challenge for academics and practitioners alike. From *The Development Dictionary*, Sachs notes the Truman inauguration speech of 1949 as the true beginning of the development era.<sup>29</sup> President Truman asserted that his country should, “embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of *underdeveloped* areas.”<sup>30</sup>

It has been argued that from this moment forward, one of development’s primary goals has been for the developed world to assist more than two billion people escape from the degradation of underdevelopment. In the policy realm, development was equated explicitly with economic growth. In 1955 Arthur Lewis noted that ‘our subject matter is growth, and not distribution’, while Rostow’s ‘*non-communist manifesto*’ of 1960 presented a linear stages-of-growth understanding of development that epitomised the essence of modernisation theory. Espousing the irreversibility of change from traditional to modern societies and economies,

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<sup>29</sup> Sachs, W., ed. (1992) *The Development Dictionary: A Guide to Knowledge as Power*. London: Zed Books, p 2.

<sup>30</sup> As quoted by Gustavo Esteva in Sachs, op. cit. p 6. [italics added]

*stages of growth* theory was dependent on strong central authorities to disseminate pertinent ideas and technology, including the endorsement and encouragement of mass consumption.<sup>31</sup>

These early development strategists, as noted in the UN's "First Development Decade" (1960-70), continued to call for accelerated economic growth, confident that it would percolate, or 'trickle-down' to the masses in developing countries. Raising per capita income through state-led initiatives and shifting national economies from rural-agricultural to urban-industrial were encouraged. This development decade, with its nearly exclusive focus on economic growth, ended with the gap between the rich and poor having widened dramatically.<sup>32</sup>

The Second Development Decade (1970-1979), observing the failures of the previous approach, sought to fine-tune the system. An International Development Strategy, approved by the UN General Assembly in 1970, held on to the original expectations of the first development decade while half-heartedly responding to criticisms relating to the focus on economic growth.<sup>33</sup> McNamara, then president of the World Bank, insisted that the coming decade should see the 'dethronement of the GNP' as the key component of development.<sup>34</sup> Social aspects of development were to be integrated as 'redistribution with growth' and a unified approach to development planning was sought. By 1974 the *Declaration of Cocoyoc* had articulated the need for 'the development of man' [sic] as well as processes of growth that lead to the fulfillment of basic human needs. These ideas were expanded by the Dag Hammarskjöld Foundation which in 1975 came up with *Another Development*, empowerment-oriented and focusing on human-centred development and self-reliance.<sup>35</sup> Proponents of Another Development (AD) rejected the idea that market forces could be impartial arbiters of distribution and placed responsibility in the hands of governments and the world community of states to work in the interests of the poor.<sup>36</sup>

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<sup>31</sup> Esteve, *ibid.*, p 12.

<sup>32</sup> Seetharam, Mukkavilli (1990) *Citizen Participation in Rural Development* New Delhi: Mittal Publications, p 5.

<sup>33</sup> Wolfe, Marshall (1998) *Elusive Development* London: Zed Books, p 48.

<sup>34</sup> Esteve, *ibid.*, p 13.

<sup>35</sup> *Ibid.*, p 14-15.

<sup>36</sup> Wolfe, *op. cit.* p 124.

Acknowledging these ideas, a new mainstream approach appeared in 1976, out of the ILO Conference on Employment, Income Distribution and Social Progress.<sup>37</sup> Focusing on the social objectives of development, the *Basic Needs Approach* aimed to achieve certain minimum standards of living, including poverty reduction and increased employment.<sup>38</sup> Third World supporters of a New International Economic Order (NIEO), however, interpreted this sudden interest in human welfare as a tactic of the industrialised countries to ignore the concerns of the Third World in regards to trade restrictions and power structures, inhibiting their ability to put the 'big questions' onto the bargaining table. Basic Needs, continuing to be state-driven and working from a welfare perspective to eliminate the most pressing levels of poverty, also aimed to prevent the strengthening of more radical conceptualisations of development.

Critiques that had emerged from the left included the *Underdevelopment* and *Dependency* schools of thought. According to Baran in *The Political Economy of Growth* (1957), exploitation of the Third World was inherent to capitalism and most colonisers were "rapidly determined to extract the largest possible gains from the host countries, and to take their loot home."<sup>39</sup> Baran saw underdevelopment as a direct result of capitalist development in the West. He called it "a relationship that no amount of 'aid' or agrarian reform could disguise," thereby challenging the previously uncontested belief that capitalism was a necessary stage in the development of any society.<sup>40</sup>

The Dependency school of thought was another critique of mainstream economic development that emerged out of Latin America in the mid-1960s. Theorists from this school argued that the global economy could not be conceived as a system comprised of equal trading partners due to the practice of the centre (industrial societies) imposing conditions of unequal exchange on the periphery (underdeveloped societies) due to the centre's superior military, economic and political power. Unfavourable terms of trade for countries in the periphery led the

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<sup>37</sup> Esteva, op. cit., p 15.

<sup>38</sup> Seetharam, op. cit. p 6.

United Nations Economic Commissions for Latin America (ECLA) to embrace indigenous industrialisation, a policy commonly referred to as import substitution. Complete with protectionist measures against outside markets and high levels of state planning, it was argued that import substitution would increase employment levels and lead to more efficient utilisation of local capital.<sup>41</sup> Though these schools of thought elucidated the issue of inequality found in the development process, particularly in regards to international trade, they maintained the state as a key actor.

This changed with the onset of the neo-liberal development agenda in the 1980s. The basis for this framework included structural adjustment programmes (SAPs) for developing economies, a reduced role for the state (including a reduction in public services) and increased trade liberalisation – both domestically and internationally. State provision of welfare was deemed wasteful and inefficient and in many cases was cut back.<sup>42</sup>

The strengthening of the neo-liberal framework coincided with a resurgence of development initiatives based on *Another Development*. Multilateral institutions such as the UNDP started to create definitions using people-centred conceptions of development, though they continued to maintain the importance of economic growth. The *Human Development Report* of 1991, published by the UNDP, notes that

The basic objective of human development is to enlarge the range of people's choices to make development more democratic and participatory. These choices should include access to income and employment opportunities, education and health, and a clean and safe physical environment. Each individual should also have the opportunity to participate fully in community decisions and to enjoy human, economic and political freedoms.<sup>43</sup>

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<sup>39</sup> As quoted in Harrison, D. (1988) *The Sociology of Modernization and Development*, London: Unwin Hyman. p 71.

<sup>40</sup> Ibid., p 71.

<sup>41</sup> Ibid., p 75.

<sup>42</sup> Marchak, Patricia. 1991. *The Integrated Circus: the New Right and the Restructuring of Global Markets*. Montreal: McGill-Queen's University Press, p 100.

<sup>43</sup> UNDP, Human Development Report 1991 New York: Oxford University Press, p 1.

With the increasing acceptance of a more grassroots vision of development, large organisations looked to NGOs, who were more familiar with small-scale and alternative development, as the preferred agents to undertake this new agenda. Simultaneously, with the increase of NGOs in the field, the era of national development strategies complete with massive infrastructure projects, as reflected in the 'development-as-growth' strategy was further eroded in favour of Another Development. Brian Murphy notes that in the early 1990s, "new NGOs with these insights began to emerge, with a focus on the community-based self-help approach that has become the common place of NGO literature over the past two decades."<sup>44</sup>

### ***NGOs and Another Development***

It has been generally accepted that NGOs have an affinity for carrying out activities conducive to the 'Another Development' (AD) framework. Standing out by their role as social catalysts, NGOs are thought to enable individuals to exert more control over the decision-making processes that directly touch their lives.<sup>45</sup> The social involvement of NGOs has been described as having two components, the first being their ability to promote a collective sense of responsibility by making members of a community fully aware of their potential for action. The second is the mobilization of social movements by developing structures amenable to grass roots initiatives. With respect to governmental authorities, it is argued that NGOs constitute "the germ of a highly vigilant counter-balancing power infused with an activist's vision of politics."<sup>46</sup>

NGOs, according to some scholars, are characterized institutionally by their aptitude for innovation and experimentation, observable in the way they strive to adapt the means of production to local resources, capabilities and needs.<sup>47</sup> It is commonly thought that the NGO

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<sup>44</sup> Murphy, Brian K., (1991) "Canadian NGOs and the Politics of Participation" in Jamie Swift and Brian Tomlinson, eds. *Conflicts of Interest: Canada and the Third World*. Toronto: Between the Lines. p 169.

<sup>45</sup> Cernea, M. (1988) *Nongovernmental Organizations and Local Development*. Washington, World Bank Discussion Papers. p 3.

<sup>46</sup> Rouille d'Orfeuille as quoted in Thérien, Jean-Phillipe. (1991) "Non-governmental Organizations and International Development Assistance" *Canadian Journal of Development Studies*, vol.XII, No.2. p 272.

<sup>47</sup> Thérien, op.cit. p 272.

commitment to integrative values, over political and economic values, gives them a natural orientation towards the needs of disenfranchised segments of the population that are not met through the normal political procedures of government or economic processes of the market.<sup>48</sup>

A common theme in NGO development literature is the enhancement of capacities while simultaneously reducing vulnerabilities.<sup>49</sup> Oxfam states that these increased capacities should be promoted in order that people can better demand social and economic justice.<sup>50</sup> Korten emphasises that development assistance, unlike relief assistance, should attack the causes of global systems failures rather than merely the symptoms implying that development assistance should encompass an agenda that questions the structures contributing to disasters and displacement.<sup>51</sup>

Duffield, however, argues that most development approaches to displacement have resulted in refugees continuing to face the 'no-solution solution', which is indefinite care and maintenance in the country of first asylum. He notes that the widespread adoption of development as a tool for relief settings has fundamentally altered the interpretation of this concept. As Duffield says, "Ideas of relief and development have become somewhat blurred. Increasingly, development has been reduced to welfare and, indeed, relief."<sup>52</sup> As an example of the welfare role of development, Duffield points to the increasing use of NGOs as subcontractors for UN or national development agencies, dealing primarily with the *symptoms* of global problems. Dubbed 'separate development', it has resulted in "the provision of sustainable welfare safety-nets by private agencies,"<sup>53</sup> effectively severing the ties between development and wider political and economic issues.

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<sup>48</sup> Korten, David C. (1990) *Getting to the 21<sup>st</sup> Century: Voluntary Action and the Global Agenda*. West Hartford: Kumarian. p 98.

<sup>49</sup> Anderson, Mary B. and Peter J. Woodrow (1989) *Rising from the Ashes: Development Strategies in Times of Disaster*, Boulder: Westview Press. p 12

<sup>50</sup> Eade, Deborah and Suzanne Williams, (1995) *The Oxfam Handbook of Relief and Development*, Volume 1, Oxford: Oxfam, p. 9

<sup>51</sup> Korten, op. cit. p 204.

<sup>52</sup> Duffield, Mark (1997) "NGO Relief in War Zones: Towards an Analysis of the New Aid Paradigm." *Third World Quarterly* vol. 18 no.3, p 530.

<sup>53</sup> Duffield, op. cit. pp 529-530.

Zetter too, points out that "...the larger issue remains: that is, the extent to which NGOs, whatever their provenance, are really in the business of empowering refugees as opposed to providing palliative support which merely enforces refugee dependency on an international humanitarian regime."<sup>54</sup> Loescher agrees and says that, "the global refugee problem is not a humanitarian problem requiring charity but is a *political problem* requiring *political solutions* and...cannot be separated from...migration, human rights, international security and *development* assistance."<sup>55</sup>

This attitude emphasises the need for NGO development processes to challenge the causes, rather than treat the symptoms, of displacement which is very difficult in a refugee setting. The increasing number of organisations defining relief-oriented programming as 'developmental' leads to the challenge of accurate classification. By examining the pragmatic goals of the varying types of NGOs as well as the processes they use, it is possible to determine which organisations fall into the AD framework. Following is a 'typology of change' providing the criteria necessary to reveal the range of strategies and aims utilised by NGOs and their orientation towards social change.

### *A Typology of Change*

Though the activities of many NGOs remain rooted in the realm of relief assistance, others are working towards substantial structural change. David Korten, in *Getting to the 21<sup>st</sup> Century: Voluntary Action and the Global Agenda*, has noted this phenomenon and created a typology that explains four generations of NGO strategies, which articulates how the role of an NGO and its definition of 'the problem' will have a profound effect on the course of action it will

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<sup>54</sup> Zetter, Roger (1995) "Enhancing the capacity of local NGOs in Refugee Assistance: Experience from Malawi and Zimbabwe" *Forced Migration Review*, May 1995, (<http://www.fmreview.org/rpn197.htm>, 14 January 2001) p 5.

<sup>55</sup> Loescher, Gil, (1994) "The International Refugee Regime: Stretched to the Limit?" *Journal of International Affairs* vol. 47 no.2. p# [italics added]



pursue. This typology provides criteria to evaluate the role of NGO programming in refugee settings.

Korten's first generation strategy focuses primarily on direct service delivery and humanitarian or relief assistance, responding to an immediate or visible need. In such cases the NGO is perceived as the *doer*, while the beneficiaries are treated as passive recipients.<sup>56</sup> Solutions come from the agency rather than the people, and the decisions are typically restricted to head offices or relief staff rather than those affected by the process.

Second generation strategies go beyond a relief mandate and are referred to as 'developmental'. NGOs pursuing these strategies focus on developing the capacities of the people to better meet their own needs through self-reliant local action. These strategies also assume a partnership with the community, the latter being expected to contribute to both decision-making and implementation of projects and processes. In this case the NGO is viewed as a *mobiliser* of the community. Attempts are also made to change local power structures but with the realisation that national and international systems help to maintain local structures. A common criticism of this level of action is that the empowerment-oriented efforts of most NGOs are too limited and fragmented to impact the larger structures.<sup>57</sup>

Strategies from Korten's third generation seek to change policies and institutions at the local, national and global levels. The focus is on creating a policy and institutional setting that facilitates, rather than constrains, just, sustainable and inclusive local development action. In order to create this change it is necessary to work to build the capacity of the people to make demands on the system while simultaneously attempting to build alliances with enlightened power holders in support of action that makes the system more responsive to the people. In these cases, southern NGOs often benefit from money, technical assistance and political pressure

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<sup>56</sup> Ibid., p 115.

<sup>57</sup> Ibid., p 119.

provided by northern partners and the NGO is viewed as a *catalyst* of the people rather than a service provider.

The final generation strategy looks beyond focused initiatives aimed at changing specific policies and institutional sub-systems. The goal, rather, is to energise a critical mass of independent, decentralised initiatives in support of a common social vision. Such a strategy, according to Korten, calls for imbuing the public consciousness with an alternative vision adequate to mobilise voluntary action on a national or global scale. In this case, the NGO is considered a *service organisation* to the people's movement it supports. Organisations with this orientation are often found working in support of specific causes such as women's, peace, human rights, or environmental movements.<sup>58</sup>

***Korten's Strategies of Development-Oriented NGOs: Four Generations***

<b><i>Generation</i></b>	<b><i>First Relief and Welfare</i></b>	<b><i>Second Community Development</i></b>	<b><i>Third Sustainable Systems Development</i></b>	<b><i>Fourth People's Movements</i></b>
<b>Problem Definition</b>	Shortage	Local Inertia	Institutional and Policy Constraints	Inadequate Mobilising Vision
<b>Time Frame</b>	Immediate	Project Life	Ten to Twenty Years	Indefinite Future
<b>Actors</b>	NGO	NGO plus Community	All Relevant Public and Private Institutions	Loosely Defined Networks of People and Organisations
<b>NGO Role</b>	Doer	Mobiliser	Catalyst	Activist/Educator

Adapted from Korten, p 117.

This typology, as delineated by Korten, is useful in evaluating the activities of NGOs and interpreting the approaches used to achieve one's objectives. Elaborating upon these strategies, the following model looks specifically at the issue of participation, which is intrinsic to the debates on refugee assistance and development.

## ***NGOs and the Politics of Participation***

Laura Macdonald, in her book *Supporting Civil Society* presents a typology of non-governmental organisations with three ideological approaches; neo-conservative, pluralist and post-Marxist.<sup>59</sup> Participation is a key component of the model and can be classified according to its intended objective. Touted as everything from a radical and empowering alternative to a tool used by conventional organisations to achieve more efficient project outcomes, “participation means different things to different actors, depending on their position, interest, experience, location and ideological orientation.”<sup>60</sup> Macdonald presents three approaches to participation: *instrumental*, *localised*, and *political empowerment*. Each approach embraces radically different aims and objectives, as the following table illustrates:

### ***Typology of Non-governmental Organisations: Approaches to Participation***

<b><i>Type of NGO</i></b>	<b><i>Neo-Conservative</i></b>	<b><i>Liberal-Pluralist</i></b>	<b><i>Post-Marxist</i></b>
<b>Development Strategies</b>	Structural Adjustment	Micro-level basic needs	Economic Transformation
<b>Approach to Participation</b>	Instrumental	Localised	Political Empowerment
<b>Role of INGOs</b>	Paternalism	Laissez-faire	Accompaniment

Adapted from Macdonald (1997) p 23.

The neo-conservative (often referred to as neo-liberal) approach often results in NGOs being contracted out by the state to administer social services to those hardest hit by harsh economic policies. Promoting the neo-liberal policies advocated by the international financial institutions, states frequently look to NGOs, with their grassroots development expertise and their access to the disadvantaged segments of the population, to implement such programmes. Organisations with this orientation advocate the merits of market-led strategies in pursuing

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<sup>58</sup> Korten, op. cit. p 123.

<sup>59</sup> Macdonald, Laura. (1997) *Supporting Civil Society: The Political Role of Non-Governmental Organizations in Central America*. London: MacMillan. p 15.

development and see their role as assuaging the worst suffering caused by economic structural adjustment, in order to ensure social stability. Individualistic solutions to assorted crises are favoured. Amelia Cohn notes that

neo-liberal ideologues throw their weight against organised pressure groups, rich or poor, to selectively assist the poor as individuals. Their economic proposals “deorganize” society, while shrinking the state to a minimal, clientistic, social welfare role.<sup>61</sup>

NGOs that take on this service-oriented approach often foster the neo-liberal idea of “private responsibility for social problems and the importance of private resources to solve these problems.”<sup>62</sup> This approach also fits into a social welfare framework, whereby the poor are effectively disorganised and depoliticised. Within such frameworks participation is used as an *instrument* to meet predetermined objectives. It is thought that the inclusion of local people (often limited to providing cheap or voluntary labour) will lead to the improvement of development projects. Used to increase program cost effectiveness and efficiency, such a strategy can be seen as manipulative and status quo oriented.<sup>63</sup> Primarily concerned with economic growth and deeply rooted in the modernisation paradigm, institutions such as the World Bank and the Asian Development Bank encourage the use of instrumental participation in their existing development programming. Predictably, agendas are determined, objectives defined and solutions envisaged long before local people have the opportunity to become involved. Furthermore, the ‘beneficiary’ community remains “disarticulated and dependent on foreign funding and decision-making.”<sup>64</sup>

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<sup>60</sup> Poirier, Colette (1996) *Empowering Women in Rural Northern Nigeria: Towards a Framework for Feminist Participatory Development Practice*. Halifax: Saint Mary’s University, p. B47.

<sup>61</sup> Cohn, Amelia. (1995) “NGOs, Social Movements, and the Privatization of Health Care: Experiences in Sao Paulo.” in Reilly, Charles A., ed. *New Paths to Democratic Development in Latin America: The Rise of NGO-Municipal Collaboration*. Boulder, Lynne Rienner. p 95.

<sup>62</sup> Petras, James. (1997) “Imperialism and NGOs” *Monthly Review* vol. 49, p 14.

<sup>63</sup> Macdonald, op. cit., p 32.

<sup>64</sup> Ibid., p 10.

A middle ground can be found in what Macdonald terms *localised participation*. Associated with the liberal-pluralist view, NGOs within this framework take the place normally assigned to interest groups. Acting as intermediaries between the masses and the state, such groups try to organise those at the grassroots to stand up for their rights and to be included in society through increased participation.<sup>65</sup> Situated within Korten's 'Second Generation strategy' localised participation attempts to increase the abilities of participants to run their own affairs and should involve a degree of authentic control by local organisations. It is difficult to determine, however, how changes at the local level will affect larger institutions and structures.

This leads to the post-Marxist approach to participation, which Macdonald sees as encouraging *political empowerment*. Presenting a critical view of power relations within society, NGOs in this case typically choose the side of the poor, recognising that discrimination and oppression can occur in all locations.<sup>66</sup> Orlando Fals-Borda and Anisur Rahman among others define such participation as *empowering* and argue that it must encourage people to be active participants in all aspects of the processes intended to improve their lives and transform the contexts and conditions within which they live.<sup>67</sup>

This participation-as-empowerment approach, combined with third and fourth generation NGO strategies, results in the type of participatory development required to encourage social change. Yet the possibility for refugees to direct processes for change remains highly limited with the continuing implementation of outside directed assistance programming. It can be argued that the ubiquitous top-down relief model and the resultant passivity reflects the assumption that refugees cannot (or should not) strive to realise their capacity to act as citizens while displaced from their country of origin. By looking more closely at the concept of citizenship, it becomes clear that its emergence in refugee settings is a vital component in the realisation of social change through participatory development.

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<sup>65</sup> Ibid., p 17.

<sup>66</sup> Ibid., p 21.

## ***Emerging Citizenship through Participatory Development***

Citizenship...means the contribution of our instructed judgement to the common good. It may lead us to support the state; but it may lead us also to oppose it.

- Harold J. Laski, *A Grammar of Politics*.

An aspect of development assistance that rarely emerges, despite its importance, is the fundamental link between refugees and citizenship. As noted earlier, camp inhabitants were not traditionally assumed to be 'liberal citizens' capable of exercising choice. Encouraging refugee conformity, aid workers and external authorities would identify those considered worthy of *future* citizenship rights upon resettlement in a third country. Promoting citizenship within the camps was neither considered feasible nor a feasible aspect of assistance programming, particularly in regards to the necessity of neutrality by numerous aid organisations.

It is generally assumed that the right to citizenship is terminated once a person is labelled "refugee". The right to citizenship, however, is assured in international conventions such as those on the legal status of refugees. Article 15 of the Universal Declaration of Human Rights also "postulates everybody's right to a citizenship and that nobody shall be deprived arbitrarily of his or her nationality."<sup>68</sup> A citizen is considered the opposite of a subject, i.e. having basic rights in relationship with the state. As a refugee the ability to *claim* citizenship rights is highly limited.<sup>69</sup>

Also pressing, however, is the ability to regain, or learn anew, the process of 'acting as citizen' to create and work towards change even during displacement. Laski refers to this as contributing one's "instructed judgement towards the common good."<sup>70</sup> Acting as citizen is having the ability and the confidence to contemplate the future of one's community, to organize, to oppose oppression and to participate in decision-making processes.

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<sup>67</sup> Cleaver, Frances. (1999) "Paradoxes of Participation: Questioning Participatory Approaches to Development." *Journal of International Development* vol. 11, p 599.

<sup>68</sup> Bauböck, Rainer (1994) *Transnational Citizenship: Membership and Rights in International Migration*, Brookfield, Vermont: Edward Elgar Publishing p 28.

<sup>69</sup> *Ibid.*, p 27.

<sup>70</sup> Laski, Harold (1963) *A Grammar of Politics*, London: Allen and Unwin.

NGOs must see refugees capable *as citizens* (or future citizens) of working towards social change despite their typically long-term displacement. The continuing acceptance of the traditional relief model, with its encouragement of passivity and dependence among refugees, has obscured many NGOs from viewing refugees as fully capable of creating social change.

NGOs incorporating participatory development approaches in their work with refugees as based on criteria identified in the Korten/Macdonald model are, by the very nature of their mandate, utilising processes that encourage internally derived solutions to problems, while simultaneously addressing wider structural issues. Refugees should be able to reflect on their situation and work towards solutions as citizens despite their current displacement.

Incorporating this issue of citizenship into NGO work is a twofold process involving content of programming as well as the processes used and promoted by the organisations. NGOs incorporating these aspects of programming and process into their work are transforming what it means to be a refugee; that is, recognising that one's capacity to act as citizen despite displacement. This thesis, therefore, aims to illustrate that those NGOs most successful in implementing participatory development frameworks in the camps are those that consistently address this issue of social action among refugees through the content and processes of their work.

NGOs acknowledging the ability of refugees to act as citizens will be those that attempt through their programming to energize a critical mass of independent, decentralised initiatives in support of a common social vision and to influence policies and institutions at local, regional and global levels. Encouraging participation as political empowerment in programming undertaken in the camps as well as presenting a critical view of power relations, including the role of NGOs, within the refugee communities are processes that need to be incorporated into these activities.

To determine if the above criteria are present in the work of NGOs, a framework has been identified. This framework, combining aspects from Korten's and McDonald's work, consists of programming/process that;

- 1) Facilitates just, sustainable and inclusive development action in order to change policies and institutions at all levels (Korten's 3<sup>rd</sup> Generation Strategy).
- 2) Energises a critical mass of independent, decentralised (refugee-led) initiatives in support of a common social vision (Korten's 4<sup>th</sup> Generation Strategy).
- 3) Utilises participation that encourages people to be active participants in all aspects of the processes intended to improve their lives and transform the contexts and conditions within which they live (McDonald's Participation as Political Empowerment).

In a camp setting, capacity building initiatives are activities with the potential to encourage refugee-led social change through the formation of refugee-run organisations that have the ability to work towards social change. In addition, NGO solidarity efforts that encourage linkages between those in the camps with other groups/communities leading to the sharing of ideas, research, solutions and experiences is another aspect of participatory development that strengthens a common social vision.

NGOs encouraging the inclusion of citizenship in their work will undertake processes whereby; refugees are viewed as partners and take part in the decision-making processes; a broad range of refugees are engaged and participate in NGO programming and policy formation; NGOs maintain roles in which they are considered *catalysts*, *activists/educators* or 'hands-off' *donors*, and finally resist hierarchical/elitist practices in hiring, training, and utilisation of refugee staff or volunteers.

## **Methodology**

This study is based on research completed in Karen and Karenni refugee camps on the Thai-Burmese border from May to September 2000. This five-month field research process began in Bangkok and led to the jungles and mountain ranges of the Thai-Burmese border. Due to the difficulties associated with entering the refugee camps, it was unclear at the outset to which



locations I would have extended access. It was thus to my delight that my first interview respondent, an elderly refugee woman in Bangkok, decided my questions would be more easily answered if I accompanied her back to her camp on the border.<sup>71</sup> I quickly agreed. This process led me northward and upon arrival into the Karen refugee camp, I met the camp leaders, the school headmaster and many members of indigenous refugee organisations. Most rewarding however, was living with a refugee family, consisting of four children, their mother and grandmother and learning firsthand the struggles and triumphs they faced each day. Standing in line for rations, sleeping in a bamboo hut, walking from one section of the camp to another with a baby on my back, a bag of vegetables in one hand and a live chicken in the other are events I will always remember. Having the eldest daughter apply *thanaka* (traditional sandalwood paste) to my face each morning while the youngest sat on my knee and sang sweet folk songs, embedded into my memory the generosity and grace of those I had the good fortune to meet.

Upon departing this camp I continued northward up the border and was able to visit a number of other refugee camps including one Karenni camp for an extended length of time. Volunteering as an English teacher in the camp and assisting other refugee organisations with proposal writing and editing, I was able to get an in-depth understanding of the intricacies involved in promoting social change in such an uncertain setting. I also came face to face with issues relating to refugee security, NGO access to the camps, and the political intrigue of living a precarious existence as a refugee on a border where repatriation could occur at any time. This camp became the primary site for the study although activities and programming from other areas along the border have also contributed to the data collected and analysed in this thesis.

Using qualitative inquiry to achieve the research objectives, the data collected for this study includes the history and the current state of NGO programming and activities on the Thai-Burmese border, looking particularly at the philosophies and mandates of the various

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<sup>71</sup> Although most refugees cannot travel outside the camps without fear of deportation, some refugees have been able to procure identity documents which then allow them to travel freely throughout the country.

organisations; the participatory development processes used by NGOs including their objectives in using them; refugee leadership and decision-making structures in the camps and their level of collaboration with international NGOs; the opinions and experiences of refugees regarding the NGO presence in the camps; and the mandate, policies and activities of the UNHCR in regard to displaced Burmese in Thailand.

Data for this study were collected through open-ended and key informant interviews with NGO and UNHCR staff, refugees from a wide variety of backgrounds and donors, (approximately seventy interviews were completed during the course of the research); participation in NGO relief/development activities including meetings, workshops and brainstorming sessions (eleven meetings with various refugee groups/NGOs were attended and sixteen NGO projects were visited); participant observation in three refugee camps (two Karen and one Karenni) on the Thai-Burmese border; and a comprehensive review of secondary sources including published research papers, NGO surveys and human rights reports.

### ***Limitations and Sensitivity of the Study***

It is necessary to note that data gathered from the field was frequently provided by key informants who were English speakers and from particular religious and ethnic backgrounds. They generally had higher educational backgrounds with more access to international NGO workers and programming than non-English-speaking and less educated individuals in the camps. Translators from within the refugee communities typically fit into these categories as well. Though satisfied that the data collected is able to answer the questions posed in this study, there are myriad realities and power relations in the camps and it is beyond the ability of this study to fully address them all.<sup>72</sup>

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<sup>72</sup> For a greater understanding of intra-community dynamics and diversity in Karenni refugee camps, see Dudley, Sandra (1999) "'Traditional' culture and refugee welfare in north-west Thailand" *Forced Migration Review* December: 5-8.

In addition, conducting research in a country where the government does not approve, where the Burmese regime may use the information to pressure the Thailand to stop allowing 'excessive' support for the refugees, and where armed groups attack or infiltrate refugee communities, (spies are regularly found in the camps), the sensitive nature of this research cannot be overemphasised. All interviews have been coded to ensure confidentiality for refugee and NGO respondents. NGOs are only named if they have official permission by the Thai authorities to implement their programming and/or are so well known that the information provided here can be easily acquired from other sources.

The first chapter of this thesis introduces the study, provided an overview of the literature and explained the methodology. Chapter Two explores the role and mandate of the United Nations High Commission for Refugees looking at the impacts of its policies and practices and its understanding and implementation of the development process in refugee settings. The UNHCR's arrival on the Thai-Burmese border is presented and concludes with an analysis of the protection and assistance to Burmese refugees in Thailand. Chapter Three presents the political and historical background of Burma's struggle for independence, the emergence and failure of a post-independence democratic state and the ensuing and continuing struggles of the ethnic minority groups for their rights as citizens within the polity. Chapter Four examines NGO programming and processes and its impact on refugees in the camps. Chapter Five provides Conclusions and Recommendations.

## CHAPTER TWO

### THE UNHCR: PROTECTING WHOM?

As the prime multilateral institution dealing with refugee protection, the mandate, policies and programming of the United Nations High Commission for Refugees affects the possibilities for refugees as social change actors under the organisation's mandate as well as the effectiveness and possibilities of non-governmental assistance efforts. An examination of UNHCR protection and assistance efforts, particularly development assistance, will be presented. Following this, an examination of the organisation's move towards relief assistance as a form of protection, and development programming as an instrument of repatriation will take place. This second half of this chapter will present an overview of the UNHCR's arrival on the Thai-Burmese border and conclude with an analysis of its protection and assistance of Burmese refugees in Thailand.

#### Role and Mandate

In 1951 the United Nations High Commission for Refugees was set up by the United Nations Security Council with a mandate to provide international protection to refugees and to seek permanent solutions to the problem of refugees.<sup>73</sup> This went hand in hand with the simultaneously created *Convention Relating to the Status of Refugees*, a legally binding treaty and a cornerstone of international refugee law. The Convention defines refugees as 'Persons who are outside their country because of a well founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion.' The Convention, which introduced the principle of *non-refoulement*, (making forced repatriation illegal if one's life or freedom were at risk), laid down minimum standards for the treatment of European refugees who

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<sup>73</sup> Inter-Agency Standing Committee Secretariat (2000) *Humanitarian Action in the 21<sup>st</sup> Century*, New York: OCHA. p 26.

were forced to flee their homes before 1951. A later protocol abolished the 1951 deadline and made the Convention universally applicable to all refugees in 1967.<sup>74</sup>

As of November 2000, 133 states had ratified both the Convention and Protocol with 140 states party to either one or both of these instruments.<sup>75</sup> The UNHCR, however, lacks the authority to enforce the Convention or implement programming unilaterally. As Harrell-Bond notes, “Vis-à-vis governments that host refugees, UNHCR can only provide its services with permission, and such permission may not be forthcoming, particularly in cases where states are not parties to the conventions.”<sup>76</sup> States that have not signed the Convention (including Thailand and Burma) are not bound by the same conditions regarding their treatment of refugees.

### ***Protection***

Given the need for government endorsement prior to implementation of programming, the UNHCR has traditionally worked to implement its protection mandate by lobbying governments to sign international conventions relating to refugees. They also monitor the actions of states that have signed the refugee convention. Within states, protection activities include working with individual governments on admissions procedures, interviewing asylum seekers, determining refugee status and issuing identity documents. Activities do not, however, encompass the physical protection of refugees. UNHCR staff members are rarely in the camps and, as noted by the Independent Commission on International Humanitarian Issues, “it is clear that neither the UNHCR nor indeed any other humanitarian agency is adequately equipped to protect the physical integrity of people.”<sup>77</sup>

In reality, humanitarian NGOs are often left to the role of using their presence as a type of protection in the camps which they are not qualified or officially allowed to do. The UNHCR

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<sup>74</sup> Independent Commission on International Humanitarian Issues (1986) *Refugees: Dynamics of Displacement*. London: Zed Books, p 20.

<sup>75</sup> UNHCR, “Convention Relating to the Status of Refugees of 28 July 1951.” from *UNHCR REF WORLD*. (<http://www.unhcr.ch/refworld/refworld/legal/instrume/asylum/51engsp.htm>, 23 April, 2001)

<sup>76</sup> Harrell-Bond, B. (1990) op. cit., p 116.

needs to recognise the gap in protection for refugees and work to ensure physical protection of refugees, perhaps by placing this role on a host government body that they can then shame or cajole into protecting those under their stewardship. Unfortunately, refugees are more often seen as a threat to the host country rather than a group of people requiring protection from persecution.

### ***Solutions***

The second aspect of the UNHCR mandate is to “seek permanent solutions to the problem of refugees”. Official solutions to refugee crises have long been limited to three options: voluntary repatriation, local integration in the country of first asylum or third country resettlement. The UNHCR considers the first option, repatriation, to be the most favourable. It is also considerably easier for the UNHCR to repatriate than to persuade a third country, usually industrialised and developed, to accept increasing numbers of refugees. Countries of first asylum, located primarily in the south, are also becoming increasingly intolerant of hosting the refugees that reach their borders. Repatriation, therefore, remains the most preferred ‘solution’ and the official repatriation policy of the UNHCR has changed dramatically over the past few decades in order to reflect these circumstances.

Initially, refugees could not be repatriated unless the situation from which they had fled had visibly improved and there was no perceived threat to their well being upon return. From the 1980s, however, new categories were created which enabled repatriation to take place under less than ideal conditions. According to one UNHCR official, the organisation has moved away from the original principles guiding repatriation because states are increasingly demanding refugees return as quickly as possible and, furthermore, it is nearly impossible to objectively determine the level of safety in many ‘post-conflict’ settings. Thus, it appears that the concept of *non-refoulement* has been gradually debased. A UNHCR staff member, asked about the possibility of encouraging forced repatriation revealed, “We would never push refugees across a border at

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<sup>77</sup> Independent Commission on International Humanitarian Issues, (1986) op. cit. p 52.

gunpoint.”<sup>78</sup> Other measures carried out by countries of asylum, however, such as reductions in food aid, relocation of camps, and harassment by security forces are all inducements for refugees to return before the situation has improved.

With no jurisdiction over the local authorities and being based outside of the camps, the UNHCR is unable to physically protect refugees in situations of forced repatriation. It can be argued, therefore, that the facilitative role of the UNHCR in repatriation is not so much a solution to the refugee crisis, as evidence of their inability to act without the permission of host country governments or support from northern donors. Furthermore, with the organisation’s budget being stretched further each year, repatriation is the most cost-effective way to deal with refugees as once they are back in their country of origin the repatriated are technically no longer under the jurisdiction of the UNHCR.

Third country resettlement is another so-called durable solution and depends on the willingness and cooperation of foreign governments in order to be implemented. As the UNHCR *Resettlement Handbook* notes,

No country is legally obliged to resettle refugees. Only a small number of States do so on a regular basis.... Accepting refugees for resettlement is a mark of true generosity on the part of Governments.<sup>79</sup>

Looking at the effectiveness of this option, less than one percent of the world’s refugees were resettled in third countries in 1993.<sup>80</sup> The end of the cold war marked a decrease in the perceived political-strategic interest in refugees whose presence up until that point had been deemed substantive (and much needed) proof of the failure of the communist system.<sup>81</sup> The increasing reluctance of states to accept refugees in the post-cold war era has coincided with a

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<sup>78</sup> Barnett, Michael (2001) “UNHCR and the Politics of Repatriation” *Forced Migration Review*, Issue 10, p 31.

<sup>79</sup> UNHCR, (1997) *The Resettlement Handbook*. Geneva: UNHCR Documentation Unit.  
(<http://www.unhcr.ch/resettle/handbook/1.htm>, 14 May 2001)

<sup>80</sup> Loescher, Gil and Ann Dull Loescher (1994) *The Global Refugee Crisis*. Santa Barbara: ABC-CLIO. p 14.

<sup>81</sup> Roberts, Adam (1998) “More Refugees, less Asylum: A Regime in Transformation” *Journal of Refugee Studies* Vol.

willingness of both governments and multilateral institutions to finance humanitarian assistance in or near the country of origin.

This leads to the last of the traditional solutions, which is settlement in the country of first asylum. As with third country resettlement, local integration is contingent upon approval of the host government, which may not be forthcoming in situations of mass influx, given the likelihood of scarce resources as well as religious and ethnic tensions. Although the majority of the world's refugees are in the developing world, countries of asylum do not regularly grant them the right to local integration but more often limit their generosity to temporary asylum in closed refugee camps.

It is evident, therefore, that these traditional solutions often fail to ensure the safety of refugees or the resolution of the situation leading to their displacement. As Erika Feller, director of UNHCR's Department of International Protection notes, "The Convention [Relating to the Status of Refugees] is no panacea for all the problems of displacement. Root causes are outside its scope."<sup>82</sup> Many would agree that this statement applies equally to the mandate of the UNHCR.

### **UNHCR Programming**

Returning to the question regarding the impacts of UNHCR programming on refugees, does the UNHCR work to ensure the protection of refugees in the hopes that they may act as citizens capable of choice and action during their displacement? On the flip side, is the absence of UNHCR dialogue and debate with their refugee constituents regarding protection issues a reflection of the organisation's belief that refugees are incapable of choice and action due to their displacement?

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11, No. 4, p 378.

<sup>82</sup> Feller, Erika (2001) "The Convention at 50: the way ahead for refugee protection." in *Forced Migration Review*, Issue 10, p 6.



Shifting away from the root causes of displacement, the UNHCR, through the 1990s, has spent more time and resources on massive relief operations. This move into humanitarian assistance by UNHCR officials has been defended as a new form of protection. The 1999 UNHCR Global Report states that “identifying vulnerable groups and prioritising assistance to ensure their physical security, access to food, safe accommodation, and primary education” are all components of “the daily practice of protection.”<sup>83</sup> Critics of this policy point out that the shift in focus from legal protection to emergency assistance in recent years has “spawned a new cadre of logistics personnel and managers whose priorities are effectiveness of aid delivery rather than protection.”<sup>84</sup> Emergencies in these cases are perceived “in terms of logistics and not as failures of politics, the development process or ethnic relations.”<sup>85</sup>

### ***Capacity Building as Protection***

A feature of the UNHCR’s humanitarian assistance programming that has emerged with the shift away from traditional protection strategies has been capacity building. According to the organisation, capacity building: “focuses on existing initiatives, commitments and potential as distinct from relief, which addresses needs and problems. It aims to build a network of partners at various levels, is highly participatory by nature and requires shared commitments and objectives on the part of external and domestic actors.” As a set of activities, capacity building: “implies provision of technical support, including training, advisory services and specialised expertise in favour of national/local institutions or structures, aimed at fulfilling the UNHCR’s primary objectives of protection and solutions.”<sup>86</sup>

UNHCR involvement in capacity building initiatives in countries of asylum has been identified as fostering state responsibility for the management of asylum systems in line with

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<sup>83</sup> Feller, p 4.

<sup>84</sup> Loescher, Gil, (2001) “UNHCR and the Erosion of Refugee Protection” in *Forced Migration Review*, Issue 10, p 28.

<sup>85</sup> Ibid., p 29.

<sup>86</sup> Furley, Kemlin and Jenifer Otsea (1999) *A Practical Guide to Capacity Building as a Feature of UNHCR's Humanitarian Programmes*. Geneva: UNHCR Centre for Documentation and Research, p 3.

international standards and practices. Once this is accomplished, “UNHCR sets out to strengthen the capacity of those institutions tasked with its implementation.”<sup>87</sup> Activities closer to the people are also identified in the capacity building framework and focus on promoting reconciliation between communities and strengthening national protection, particularly at the local level. These activities are viewed as a means of preventing repeat instances of displacement.<sup>88</sup>

Assistance targeting returned refugees is also becoming more common. Veering away from the traditional protection mandate, another assistance initiative of the organisation is known as the ‘Quick Impact Project’ (QIP), first used in Nicaragua and extended to Afghanistan, Cambodia and Somalia. Used to stabilise recently returned refugee communities (in order to ensure they do not return to the country of asylum), QIPs are small-scale development projects aimed at alleviating extreme poverty and intended to lead to the quick rehabilitation of communities.<sup>89</sup>

This recent focus on refugee return through capacity building and limited development assistance exposes the shift of UNHCR operational priorities from countries of asylum to countries of origin. In addition, this shift may actually strengthen the ability of host countries to return refugees prematurely, long before the politics and security situation in the country of origin are able to ensure the safety of the refugees. From a broader policy perspective, these activities could be deemed detrimental to refugee populations, as the solutions to their displacement are reduced to issues of relief and limited development assistance while the root causes of the conflict leading to their displacement remain.

Indeed, increased incidents of *refoulement* not only result in refugees being forced back across borders against their will, but reflect the ultimate denial of human rights. In such cases, the ability of refugees to perceive themselves as citizens is highly limited. In Thailand, where

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<sup>87</sup> Ibid., p 5.

<sup>88</sup> Ibid., p 6.

repatriation is a looming possibility, an examination of the UNHCR's presence and policies towards refugees from Burma is necessary. The following section will examine the UNHCR history of programming and presence in the region.

### ***The UNHCR Presence in Thailand***

Although there has been cross border flight from Burma into Thailand since the military *coup d'état* of 1962, and particularly since the late 1980s and the early 1990s, the UNHCR was only recently granted a mandate on the Thai-Burmese border. Reluctance on the part of the Thai government to allow UNHCR a presence on this border stems from Thailand's previous experiences with the UNHCR and the United Nations Border Relief Operation (UNBRO) during the Indochinese refugee crisis. Highly internationalised, drawn out, and resulting in Thailand having the single largest refugee burden of any of the ASEAN states (1.3 million refugees have found refuge in Thailand since 1975), the UNHCR has traditionally been viewed as slow and bureaucratic by the Thai government.<sup>90</sup>

Consistent in its denial of granting refugee status, Thailand insists that those from Burma (as the Cambodians before them) are not refugees but "displaced persons". Choosing not to sign the 1951 *Convention Relating to the Status of Refugees*, Thailand is not obligated to have the UNHCR work within its borders. Nonetheless, in 1998 after persistent urging from refugee leaders and NGO lobbying efforts<sup>91</sup>, the UNHCR was finally granted permission by the Royal Thai Government (RTG) to have a presence on the Burmese border. By 1999 the UNHCR had set up three offices in Thailand based in Mae Hong Son, Mae Sot and Kanchanaburi provinces.<sup>92</sup>

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<sup>89</sup> Loescher, Gil, (1994) "The International Refugee Regime: Stretched to the Limit?" *Journal of International Affairs* Vol. 47: 2, p 63-64.

<sup>90</sup> Nakavachara, Netnapi and John Rogge, (1987) "Thailand's Refugee Experience", in John Rogge, ed. *Refugees: A Third World Dilemma*. Totowa, New Jersey: Rowman & Littlefield, p 271.

<sup>91</sup> Lobbying efforts by the Burmese Border Consortium led to High Commissioner Ogata authorising the first UNHCR visit to the border in 1992. From this visit by UNHCR staff in Bangkok the Karen were first deemed (by the UNHCR, not Thailand) to be genuine refugees. See Burma Ethnic Research Group and Friedrich Naumann Foundation (1998) *Forgotten Victims of a Hidden War: Internally Displaced Karen in Burma*. Chiang Mai: Nopburi Press, p 53.

<sup>92</sup> UNHCR, (January 2000) *UNHCR Activities at the Thai/Myanmar Border* (Briefing Note), Bangkok: UNHCR.

Given that the assistance programming in these areas was already being provided by NGOs active on the border since the beginning of the refugee influx, the focus for the UNHCR in Thailand has remained focused on setting up clear admissions procedures.<sup>93</sup> The UNHCR has also provided funding for 'protection-related' activities that fall outside current NGO mandates such as improving access roads into camps and environmental training activities.<sup>94</sup> As a UNHCR official explains

...assistance is also leverage for the protection....because if you don't start any activities in the camps you don't have any contact with the refugees... You don't have any leverage vis-à-vis the [Thai] authorities. We support also a little bit the authorities on the local level.... because you know, protection is a lot of talking.<sup>95</sup>

Other activities undertaken by the agency include advocating for the expansion of the camps (as many are overcrowded) and providing training and promotional activities to various segments of the population (media, NGOs, refugees and Thai authorities) to disseminate information about the UNHCR's role and mandate in the refugee camps. Providing information directly to the refugees has been slow to occur, as the Thai government does not encourage a UNHCR presence in the camps. As an official at UNHCR head office in Bangkok explained

In this situation on the Thai-Myanmar [Burma] border, we are not allowed to have offices in the camp. So we have to travel and it's quite far. When you arrive in the camps, you don't have any place to sit down except the [Thai] MOI office. You know, sometime it can be embarrassing to have the refugees come to the MOI office and talk with UNHCR. So we are like a visitor, in fact, in the camps.<sup>96</sup>

Despite these difficulties, one UNHCR protection officer on the border has initiated meetings with refugee groups in order to discuss the laws regarding forced repatriation and the

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<sup>93</sup> Interview 2M with UNHCR Official in Bangkok, Thailand.

<sup>94</sup> UNHCR, (June 2000) *UNHCR-funded Activities on the Thai-Myanmar Border/UNHCR Activities/Budgets in Maneeloy Students Centre*, Bangkok: UNHCR.

<sup>95</sup> Interview 2M, with UNHCR official in Thailand.

role of the UNHCR. Believing that more refugees would be willing to cooperate with the organisation if its role were more clearly understood, the initiative is unique along the border. The reality remains that many of the policies are beyond the control of the UNHCR and they are able to only implement policies outlined by the Thai government.

Also difficult is the widespread fear among refugees that the UNHCR is on the border to help with future repatriation efforts. As a member a refugee women's organisation explained, once a UNHCR office is established in Burma that has access to the border (ethnic minority) areas, it is thought that repatriation efforts will be allowed to commence.<sup>97</sup> Due to this belief, many refugees are reluctant to register with the organisation fearing that in the event of an involuntary repatriation they would be targeted by the Burmese authorities upon their return.

UNHCR officials maintain that the requirements of voluntary repatriation first need to be met despite Thailand's insistence on imminent repatriation

[Thai] Authorities are talking about the three-year plan [for repatriation of all refugees], but they never say what the starting date is for these three years.... the situation evolves all the time, so we cannot plan like that to return the people. We try to increase our relationship with UNHCR Myanmar. We have regular contact with them, and we try to have access on the other side because we cannot repatriate unless we have access and can monitor their return.<sup>98</sup>

On March 11, 2004 the UNHCR was granted permission by the Burmese government to visit the border regions inside Burma, namely Mon and Karen States and Tenasserim Division. Their objective is to hold workshops in order to assess the situation regarding health, education, community services, infrastructure development and landmines. An official from Bangkok explains that "There are some minimum conditions that need to be met before people are offered the opportunity to go home."<sup>99</sup> The fear of current refugees is that the camps will be closed

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<sup>96</sup> Ibid.

<sup>97</sup> Personal communication with a staff member from a refugee women's organisation (22H), on file with author.

<sup>98</sup> Interview 2M, on file with author.

<sup>99</sup> Macan-Markar, Marwaan, "Burma: UN says refugees' return won't be easy or quick" IPS News, 17 March, 2004. p 1.

before conditions in Burma improve and those that refuse to leave Thailand will be treated as illegal migrants, subject to detention and forced deportation. UNHCR assistance in these repatriation efforts, despite the continuing oppression of the military regime, has created an impression among the Thai public that the refugees' right to claim asylum in their country is over.

### *The NGO Perspective on Refugee Protection*

With the absence of a protection-mandated organisation such as the UNHCR on the border, NGOs often found themselves in difficult situations, observing human rights abuses, attacks on camps and the forcible return of refugees. Without an official forum in which to air these protection-related issues there was very little action that could be taken. NGOs working without a Memorandum of Understanding (MOU) with the Thai government were particularly incapable of action as their programming could be threatened if they were publicly critical of Thai policies. The arrival of the UNHCR in 1999 raised hopes among NGOs that the issue of protection would now be officially handled by an agency capable of such a role. Though NGOs were able to achieve program objectives in the camps,

Once protection was an issue, it became clear that while NGOs could monitor the situation and foster international interest in the refugees and understanding of the problems,... they could not alone provide the protection which UN agencies are mandated to do.<sup>100</sup>

NGOs with programs on the Thai-Burma border saw UNHCR's arrival onto the scene as long overdue. Now that the UNHCR has been on the border for a few years, the 'honeymoon' period is over and it is felt by many NGOs and refugee groups that the UNHCR is failing to take a lead in protection issues along the border. As one NGO director noted, "The UNHCR has no proactive role in the camps."<sup>101</sup> Activities are largely limited to high-level meetings with policy makers, though admissions boards have been established in three provinces. But as an UNHCR

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<sup>100</sup> Burma Ethnic Research Group (1998) op. cit., p 58.

official notes, “the admission boards are more or less in place and we should be observers, but so far the government didn’t invite us to attend this admission board.”<sup>102</sup> Despite the limited role that Thai government has allowed the UNHCR, an NGO worker on the border explains “we’re going to keep pushing UNHCR to keep trying to make sure refugees have proper protection.”<sup>103</sup>

NGOs have requested protection training to learn about the procedures in place, when and if they should contact the UNHCR and how they can ensure better coordination with the agency. As one NGO director explained, “we want to engage [the UNHCR] at the Thailand level to see what could be done better.”<sup>104</sup> Training sessions by UNHCR staff presenting examples drawn from their operations and successes in Africa failed, however, to provide relevant information about the policies and circumstances of protection issued in Thailand. Officials interviewed in the UNHCR Bangkok office had neither been to the border areas, nor were they aware of the day-to-day realities of life in a Thai refugee camp.

In conclusion, the UNHCR plays a necessary and challenging role negotiating with host governments as well as refugee-producing governments in order to fulfill their mandate to provide international protection to refugees and to seek permanent solutions to the problems of refugees. Particularly in the case of the Thai-Burma border, the UNHCR relies heavily on NGOs to coordinate and provide humanitarian assistance. The NGO presence is also the primary way in which widespread awareness of protection issues emerges from the isolated camp locations. The UNHCR does not engage directly with their refugee constituents, neither during policy formation nor in the planning of their activities. UNHCR activities that take place during displacement rarely encourage decision-making or participation by refugees on the ground.

The UNHCR, given its role dealing bilaterally with governments is operating from a perspective whereby government actions and policies are prioritised in working to resolve the

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<sup>101</sup> Interview 26GA with NGO director, on file with author.

<sup>102</sup> Interview 2M, on file with author.

<sup>103</sup> Interview 3M, on file with author.

<sup>104</sup> Interview 8HFN, on file with author.

issue of displacement. However, in the case of Burma, deep-rooted animosity and distrust between the military regime and ethnic nationality groups remain. Repatriated refugees will continue to be treated with suspicion and have few rights as members of the Burmese polity upon their return. The roots of these feelings and beliefs will be explored further in Chapter Three.



## **CHAPTER THREE**

### **LIMITS TO THE RIGHTS OF CITIZENSHIP IN BURMA**

This chapter will examine the political traditions of Burma that have limited the rights of citizenship within the state and the limits to both citizenship and citizen action, particularly for ethnic nationalities, under current military rule. Citizenship can be defined as not only official status as citizen within the state, but also the ability to engage (whether to support or oppose the state, according to Laski) as a member of the polity without reprisal. To begin, the background of Burma's struggle for independence from colonial rule, the emergence and failure of a post-independence democratic state and the ensuing and continuing struggles of the ethnic minority groups, particularly the Karenni will be presented. This will include an examination of the regime's actions to eliminate ethnic opposition groups through the Four Cuts strategy, the assimilation policy of Burmanisation and the regime's standard model of state development (which relies heavily on forced labour and relocation) to reveal the absence of citizenship rights in Burma.

#### **The Diversity of Burma's Population**

Burma is bordered by China, Laos, Thailand, Bangladesh, and India. With over one hundred identified languages, Burma has an ethnic mix that is undoubtedly one of the most complex in the world.<sup>105</sup> Of its population of approximately 48 million, it is estimated that two-thirds are ethnically Burman while the remaining one-third of the population is comprised of a wide array of non-Burman ethnic groups. Politically, the country is divided into seven divisions which are largely populated by the majority Burmans and seven ethnic minority states which are located along the mountainous border regions of the country (Arakan, Chin, Kachin, Shan Karen, Karenni and Mon states). Within each state there is a diverse mix of ethnic peoples with some state names referring only to the predominant ethnic group in that area (ex. Karenni, Mon and

Shan states) while others are collective names for the numerous sub-groups within each state (such as the Chin, Kachin and Karen states).<sup>106</sup> There are also Burmans, Chinese and Burmese of Indian descent settled throughout the country.

### **Burma's Struggle for Independence**

Colonised by the British between 1824 and 1886, the peoples of Burma spent over sixty years resenting their foreign ruler. Major protests erupted during the 1920s by Burma's intelligentsia and Buddhist monks. In 1930 peasants frustrated at increasingly difficult conditions and an obvious lack of support from high-level politicians also rebelled. Known as the Hsaya San rebellion, 1300 peasants were killed by government troops, while 9000 peasants were arrested, captured or surrendered. According to Robert Taylor, the government's suppression of the protest taught the peasants that "there was little they or national leaders could do to protect themselves, and independence was the only way of gaining a state that might listen to them."<sup>107</sup> Shortly after, in 1935, the Students' Union at Rangoon University was at the forefront of what would become an active and powerful call for independence. A law student named Aung San, executive-committee member of the Union, emerged as the potential new leader of the national movement.

At the outbreak of the Second World War, Aung San along with 29 others left Burma to undergo military training in Japan. Known as the 'Thirty Comrades', they fought alongside the Japanese when they invaded Burma, having been promised their freedom if the British were defeated. It became clear, however, that the Japanese would not live up to their promise and so the Comrades switched sides, working to expel the Japanese in May 1945. Hailed as an architect of Burma's liberty from foreign rule, Aung San, the *Bogyoke* or Major General, negotiated an agreement for independence in January 1947 with colonial Britain. An election was held and

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<sup>105</sup> Smith, Martin (1999) *Burma: Insurgency and the Politics of Ethnicity*. London: Zed Books. p 30.

<sup>106</sup> Smith, op. cit. p 30-31.

<sup>107</sup> Taylor, Robert (1987) *The State in Burma*. London: C. Hurst, p 199.

Aung San's Anti-Fascist People's Freedom League, receiving 248 out of 255 assembly seats, was the clear winner. Only six months later on 19 July 1947, Aung San and members of his cabinet were assassinated at the bidding of U Saw, a senior politician in pursuit of the country's leadership role. U Nu, a member of cabinet, replaced Aung San as Prime Minister.<sup>108</sup> Despite the violent and sudden loss of so many of its political leaders, Burma was granted freedom from British rule on 4 January 1948.

### ***The Burmese Way to Socialism***

The Government in Rangoon struggled for 14 years "from one political and constitutional crisis to another" until 1958 when Ne Win was invited on a temporary basis to take control the country, including the ethnic minority states, forcing them to remain under the jurisdiction of the central government. Although U Nu was re-elected Prime Minister in 1960, in 1962 Ne Win seized power in a military coup that ended Burma's brief era of parliamentary democracy. In 1974 a new constitution was introduced and Ne Win's *Burmese Way to Socialism* was implemented through the one-party rule of the Burma Socialist Programme Party (BSPP).<sup>109</sup>

Ne Win's new Revolutionary Council suspended the constitution and instituted authoritarian military rule. The country was closed off from the outside world and attention was turned to defeating the communist and ethnic minority opposition groups. For the next three decades Ne Win set Burma on a disastrous path of cultural, environmental and economic ruin. By 1987, Burma was deemed a Least Developed Country (LDC) by the United Nations (which, incidentally, the government wanted in order to secure more UN funding).<sup>110</sup>

The following year, Ne Win announced that he was preparing to retire and seeing an escape from military rule, thousands of people took to the streets during what became known as 'democracy summer'. A series of vicious crackdowns by the *Tatmadaw* (Burma Army) during

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<sup>108</sup> Fink, Christina (2001) *Living Silence: Burma Under Military Rule*. London: Zed Books. p 23.

<sup>109</sup> Ibid., p 28.

mass democracy protests took the lives of over 10,000 non-violent protesters, most of them students. Thousands more were imprisoned or forced to flee to the border areas. Universities were shut as student protests and organising were viewed as serious threats to the stability of the regime. On 18 September 1988, the State Law and Order Restoration Council (SLORC) came to power in yet another military coup engineered from behind the scenes by Ne Win.<sup>111</sup>

In 1990, SLORC called for open and democratic elections, confident that the party would win and remain in power. The National League for Democracy (NLD) however, led by Aung San Suu Kyi (Aung San's daughter) received an overwhelming 82 per cent of the popular vote, winning 392 out of 484 seats.<sup>112</sup> SLORC refused to accept the election results and consequently began to detain and frequently torture democratically elected MPs as well as other party members. Despite the election, SLORC continued Ne Win's legacy of exercising all legislative, executive and judicial powers. Many decrees made by the regime rendered violations of human rights legitimate, according to the UN Human Rights Special Rapporteur.<sup>113</sup>

Aung San Suu Kyi was placed under house arrest for 'endangering the state' in 1989 and was forced to remain there for six years. In 1996, students and other protestors rose up again but the military government (renamed State Peace and Development Council on 15 November 1997, likely on the advice of a US public relations firm)<sup>114</sup> came down swiftly and violently to repress the movement. The universities and colleges of Burma were again closed and for the twelve years between 1988 and 2000, were open for a total of only thirty months.<sup>115</sup> A country with no external enemies, the SPDC regime continues to spend up to 60 per cent of the country's gross domestic product on military expenditures that are used against its own citizens.<sup>116</sup>

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<sup>110</sup> Carey, Peter, ed. (1997) *Burma: The Challenge of Change in a Divided Society*. London: MacMillan. p xii.

<sup>111</sup> Smith (1999) *Burma: Insurgency and the Politics of Ethnicity*. London: Zed Books (Revised Edition) p 15-16.

<sup>112</sup> Matthews, Bruce. (1999) "Burma/Myanmar. Government à la mode - From SLORC to SPDC: A Change of Public Dress-Up and Manner?" *Round Table*. Issue 349, p 7.

<sup>113</sup> Oo, U Ne. (1998) "Moving Towards Human Rights." *Adelaide Voices*. February/March 1998. p 2.

<sup>114</sup> *Ibid.*, p. 4.

<sup>115</sup> The Campaign Committee for Open School, *Position Paper on Recent Re-Opening of Schools in Burma*. ([http://www.burmaproject.org/072400\\_ccos.html](http://www.burmaproject.org/072400_ccos.html), 24 July 2000)

<sup>116</sup> Husarska, Anna. (1999) "Lady in Waiting." *New Republic*. Vol.20, Issue 15. p. 2.

### **Ethnic Minorities: Aliens in Their Own Land**

Although non-Burman ethnic groups make up approximately one-third of the country's population, their continuing struggles for rights and representation within Burma continue to be overshadowed by the mainstream democracy movement dominated by the Burman majority.<sup>117</sup> Despite the potential for this to change after the 1990 elections, Matthews notes, "so striking were the political problems confronting the majority BaMa [Burmans] in the heartland of the nation that regional and ethnic issues became sidelined. Once again, at a critical hour, important ethnic constituencies, needs, wants and ambitions went unrepresented."<sup>118</sup>

Historically, the non-Burman ethnic groups focused on the struggle for sovereignty based on their customary control of the ethnic territories. Michael Aung Thwin argues there was previously a system of stable tributary relationships between the Burmese majority and the ethnic peoples living in the border areas which was compromised by colonialism.<sup>119</sup> Many ethnic leaders, however, refute there was ever a fair system established.

In the case of the Karenni peoples, living primarily in Karenni state, located north of Karen state, an agreement signed between the Burmese and British governments in 1875 recognised the independence of the four western Karenni states. Although Britain annexed the eastern state of Kantarawaddy in 1888, (due in large part to the presence of valuable teak stands) neither eastern nor western Karenni states were included in the official boundaries of colonial Burma.<sup>120</sup> Despite promising varying levels of independence for the Karenni states during the late 1800s, the colonial stance shifted in the lead up to Burmese independence. British policies began to favour Karenni integration with lowland Burma while the Panglong Agreement of 1947

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<sup>117</sup> Smith (1991) op. cit., p 31.

<sup>118</sup> Matthews, Bruce. (2001) "Ethnic and Religious Diversity: Myanmar's Unfolding Nemesis" *Visiting Researchers Series* No. 3, Pasir Panjang, Singapore: Institute of Southeast Asian Studies, p 9.

<sup>119</sup> Aung Thwin, Michael (1985) "The British Pacification of Burma: Order Without Meaning" *Journal of Southeast Asian Studies* Vol. XVI, No. 2, pp245 – 262.

<sup>120</sup> Bamforth, Vicky, Steven Lanjouw and Graham Mortimer (2000) *Conflict and Displacement in Karenni: The Need for Considered Responses*, Chiang Mai: Burma Ethnic Research Group, p 29.

under the direction of Aung San and the AFPFL attempted to create a federal system that would incorporate all ethnic groups. Arguing that it was the colonial powers that had kept the peoples of Burma divided, Aung San stated

...there should be no insuperable difficulties in the way of a unified Burma provided all races are given full freedom and the opportunity to meet together and to work without the interference of outside interests. ...we stand for full freedom of all the races of our country, including those so-called Karenni states, and we hold strongly the view that no such race and no regime in our country should now be denied the fruits of the freedom that must shortly be achieved by our country and our people.<sup>121</sup>

Thus, the Karenni states were reconstituted into one state and incorporated into an independent Burma under the country's 1947 Constitution. The Panglong Agreement, however, granted Karenni and Shan states the right of extraordinary succession after a ten-year trial period.<sup>122</sup> Yet the assassination of pro-separatist Karenni leader Khu Bee Htu Re on 9 August 1948 by government military forces resulted in an armed uprising against the AFPFL-backed administration in Kantarawaddy. Martial law was imposed throughout the state and this day was recognised by subsequent opposition groups as the beginning of the Karenni nationalist uprising.<sup>123</sup>

The right to succession was never granted by the central government despite the clause in the Panglong Agreement and so separatist forces came together in 1957 to form the Karenni National Progressive Party (KNPP), a political organisation with an armed wing.<sup>124</sup> The KNPP has maintained strong resistance to the Burmese government, although the formation of splinter groups, beginning with the emergence of the Karenni National People's Liberation Front (KNPLF) in 1978, has weakened the party. Ideologically opposed to the KNPP, the KNPLF faction worked in alliance with the Communist Party of Burma (CPB). The split grew violent

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<sup>121</sup> *The Times* (London), 14 Jan. 1947, as quoted in Smith (1999) op. cit., p 78.

<sup>122</sup> Smith (1999) op. cit., p 79.

<sup>123</sup> Smith (1999) op. cit., p 112.

<sup>124</sup> Bamforth, et. al, (2000) op. cit., p 31.

when a KNPLF leader was killed, further contributing to the weakening of the Karenni opposition and restricting KNPP access to KNPLF-controlled villages.<sup>125</sup>

In 1995, after a short-lived cease-fire with SLORC, the KNPP lost much of its strategically important territory bordering Thailand east of the Salween River, due to an intense offensive by the Burmese army. In early 1996 air attacks near the Thai border led to the abandonment of some KNPP bases in the area and their last border military base, *Kaut Kaut*, fell on 27 March 1996.<sup>126</sup> Many Karenni fled to Thailand at this time. Presently, the KNPP is one of the only remaining parties continuing the struggle for self-determination in Karenni state, controlling about twenty-five percent of the state and maintaining a parallel administration in the Karenni refugee camps on the Thai border.<sup>127</sup>

The historical implications of colonialism and the ethnic struggle remain for the Karenni as well as other ethnic nationality groups. According to Smith, the British rarely interfered with the traditional governing systems of the Karenni and other ethnic minority groups throughout their rule.<sup>128</sup> Yet Taylor notes that the British favoured certain ethnic groups (particularly Karen, Karenni and Chin) and gave them leadership positions under colonial rule which then “backfired after independence because the Burma government felt that the ethnic groups were traitors and hence did not deserve the same rights as the majority Burmans.”<sup>129</sup> Aung Thwin uses this argument to justify the overthrow of democratic rule in 1962 as a way to restore order to Burmese society. Burma scholars such as Taylor and Aung Thwin see the roots of ethnic discontent through this lens. The view that the ethnic nationalities are less worthy of rights than the Burman majority is clearly revealed by the actions of the successive military

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<sup>125</sup> Bamforth, et. al, (2000) op. cit, p 34-35.

<sup>126</sup> Project Ploughshares, (2000) *Armed Conflicts Report 2000: Burma*. Waterloo, Canada: Institute of Peace and Conflict Studies (<http://www.ploughshares.ca/CONTENT/ACR/ACR00/ACR00-Burma.html>, 28 July 2001), p 3. See also ABSDF, (1997) *Forced Relocation and Human Rights Abuses in Karenni State, Burma*. Bangkok: ABSDF. (<http://www.geocities.com/CapitolHill/Lobby/3190/public/kmrrep.txt>, 28 July 2001) p 2-3.

<sup>127</sup> Bamforth, et. al, (2000) op. cit., p 35.

<sup>128</sup> Smith (1991), op cit. p 33.

<sup>129</sup> Taylor (1987), op cit. p 222.

regimes. The rights to citizenship in Burma, dubious as they are under a dictatorship, remain unattainable for the ethnic nationality groups.<sup>130</sup>

### ***Government Rule Restricting Rights***

The military regimes in Burma have consistently and illegitimately ruled the country without the input of its citizens, including the Burman majority. As Curt Lambrecht notes,

Power is highly centralised with few institutional provisions for the involvement of the citizenry in policy-making. As a consequence, the government's domestic policies are often uninformed by the needs of the populace and unacceptable to them. Lacking legitimacy throughout the country, the principal means by which the regime has maintained its hold on power and implemented its policies has been through violence and repression.<sup>131</sup>

The non-Burman ethnic groups, perceived as threats to the security of the country due to their frequent opposition to the regime have been subjected to government policies that deny them their rights. More aggressively, the military has actively pursued policies to eliminate opposition groups. These aims have been pursued through the *Four Cuts* and *Burmanisation* strategies common throughout the border regions, with dire consequences for these ethnic groups.

### ***Pya Ley Pya (The Four Cuts Campaign)***

Throughout 1984-1990, a counter-insurgency strategy carried out by the Burmese military in the border areas, known as *Pya Ley Pya (Four Cuts Campaign)* aimed to cut off access to the four main necessities of opposition groups - food, funds, intelligence and recruits - through

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<sup>130</sup> Immigrants and their children also face discrimination based on ethnicity resulting in limited access to education and loss of other rights that citizens are granted. Christina Fink explains that, "Indian and Chinese children who have been denied full citizenship are not allowed to attend the medical or technological institutes.... Although these children were born in Burma, as were most of their parents, the military regime did not continue the parliamentary government's policy of granting automatic citizenship to life-time foreign residents." Fink (2001) op cit., p 117.

<sup>131</sup> Lambrecht, Curtis (2000) "Destruction and Violation: Burma's border development policies" *Watershed* Vol. 5 No. 2 (November 1999 – February 2000) p 31.



the use of “strategic hamletting”.<sup>132</sup> A key component of this tactic includes the forced relocation of villagers to locations secured by the military where they can then be used as ‘volunteer’ (i.e. forced) labour for the army. It has been argued that the *Four Cuts Campaign* by the Burmese army has been one of the most brutal military operations since independence. Extra-judicial killings, systematic rape, and torture were perpetrated simultaneously. In addition, villages were burnt, crops confiscated, and fields destroyed, eliminating any chance of food security for the impacted civilians. During this time, particularly 1984-88, villagers in these areas started to flee over the border into Thailand in order to escape the continuing atrocities.<sup>133</sup>

#### *Burmanisation: In Pursuit of Ethnic Assimilation*

In the words of Clifford Geertz, the “vigorously assimilationist policies” of Burmanisation, as undertaken by the military government, rest upon highly discriminatory ideas regarding ethnicity.<sup>134</sup> Promoted by the military, the idea purports that Burmans sit at the top of an ethnically based hierarchy. The assimilation of the diverse ethnic peoples into the mainstream Burman culture is promoted because they are considered inferior to the dominant group and thought to be a threat to national unity.<sup>135</sup>

Other policies have been put in place by the military government to not only assimilate but to eliminate the ethnic minorities but also increase the strength of the Burman majority. This has been done through the rape of ethnic minority women, the denial of indigenous languages and cultures and, as explained in the *Four Cuts* approach, massive violations of human rights in order to root out opposition forces.

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<sup>132</sup> Smith (1999) op.cit., p 259.

<sup>133</sup> Smith (1991) op. cit., p 397.

<sup>134</sup> As noted in Arnott, David (1997) *Once the Ricebowl of Asia: The military destruction of Burma's economy* (<http://www.ibiblio.org/obl/docs/ricebowl98.htm> 23 April 2001).

<sup>135</sup> Ibid.

### *Sexual Violence against Ethnic Minority Women*

It has been argued that SPDC soldiers, as part of the government's Burmanisation strategy of assimilation, systematically use rape as a tool of war against ethnic minority women in order to change the ethnic balance as well as to demoralize and terrorise ethnic communities, particularly the women. According to Betsy Apple, "the Tatmadaw ideology vilifies both ethnic minorities and women"<sup>136</sup> and this is clearly revealed through their actions. As one Karen villager explains

The soldiers tell us that KNU [Karen National Union] nation is their enemy and we are the KNU people. The Karen girls are the KNU people so they rape them. They say to us there must not be any other nationalities in Burma, just the Burman.<sup>137</sup>

Soldiers also coerce women from non-Burman ethnicities to marry them after perpetuating unwanted physical contact including rape. The effect of this 'tool' is not only a pervasive sense of fear and oppression, but also results in ethnic minority women becoming pregnant and bearing children considered ethnically Burman. Central to this strategy is the use of patrilineal lines of descent in which both males and females belong to their father's kin group. In this system, therefore, the child's ethnicity, even in cases of rape, is based only on the father's ethnicity.

It is also reported by women who have escaped from such terror that HIV-positive soldiers are more likely to be sent to perpetuate these gross violations of women's human rights with the intention of spreading the disease to the ethnic populations.<sup>138</sup> Despite the military regime's ratification of the Convention on the Elimination of All Forms of Discrimination Against Women, (CEDAW) on 21 August 1997, sexual violence against women continues to be

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<sup>136</sup> Apple, Betsy (1998) *School for Rape: The Burmese Military and Sexual Violence*. Bangkok: EarthRights, pp. 94.

<sup>137</sup> Ibid., p 97.

<sup>138</sup> Greer, Jed and Tyler Giannini (2001) *Valued Less Than a Milk Tin: Discrimination Against Ethnic Minorities in Burma by the Ruling Military Regime*. Washington D.C.: EarthRights International, p 39.

systematically perpetrated by the SPDC.<sup>139</sup> Shan and Karen women's and human rights organisation's have recently documented and produced comprehensive reports about the ongoing and shocking cases of systematic rape in their regions.<sup>140</sup>

### *The Denial of Indigenous Languages and Cultures*

The denial and restriction of indigenous languages and culture remains a central feature of the discriminatory practices pursued by the military government. Though essential to cultural identity, the use of languages other than Burmese has been highly restricted throughout Burma. Ethnic minority students attending state schools must receive instruction and speak only in Burmese, which is usually their second or third language. The teaching of ethnic minority languages, even as a second language, is absolutely forbidden in the state-run schools, even when the schools are in areas populated primarily by ethnic minorities. A student attending school in Shan state explains

There are no Shan teachers in the official school.... The teachers just came from Mandalay or Rangoon, but I don't know why they are not Shan teachers. Maybe the military doesn't want them to be Shan teachers because they want the students to learn the Burmese language. If Shan people have a chance to learn Shan language, they will have to learn Shan history. The military would like to conceal Shan history and culture so that the children would not gain knowledge about that. This prevents Shan people from rebelling.<sup>141</sup>

With the lack of instruction in one's indigenous language comes the belief that the Burman language and culture are more advanced than those of the ethnic minority groups. According to Greer and Giannini, "Where Burma's dilapidated educational system does function,

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<sup>139</sup> The Women's Rights Project and The Burma UN Service Office (1998) *The Situation of Women in Burma: A Review of Women's Rights in the Context of the Convention on the Elimination of All Forms of Discrimination Against Women* (<http://www.earthrights.org/women/document.html>, 26 August 2001) p 4.

<sup>140</sup> See Karen Women's Organization (2004) SHATTERING SILENCES: Karen Women speak out about the Burmese Military Regime's use of Rape as a Strategy of War in Karen State and Shan Human Rights Foundation and Shan Women's Action Network (2002) LICENSE TO RAPE: The Burmese military regime's use of sexual violence in the ongoing war in Shan State for the most recent and accurate information regarding the use of sexual violence as government policy against ethnic nationalities women.

<sup>141</sup> Greer, Jed and Tyler Giannini (2001) *Valued Less Than a Milk Tin: Discrimination Against Ethnic Minorities in Burma by the Ruling Military Regime*. Washington D.C.: EarthRights International, p 23.

there has been a concerted effort by the military regime to use education as a means to instil in minorities a notion of Burman superiority.”<sup>142</sup> In addition, Fink notes that “it is in the regime’s interest that fluency in other languages be gradually eliminated and minority populations become assimilated into the Burman majority population. In this way there will be less basis for minority claims against the state’s unifying projects.”<sup>143</sup> Such overt discrimination against ethnic nationality groups has resulted in the declining use and knowledge of indigenous languages and the decline of indigenous customs and culture. The cumulative effect of these Burmanisation strategies on the ethnic minority peoples has been immense and has severely limited their rights.

### **State Development: The SPDC Vision**

The military leaders of Burma have coerced people particularly from the border regions of the country to participate in activities they refer to as developmental. Unlike Korten’s definition of development as strategies focusing on improving the capacities of the people to better meet their own needs through self-reliant local action, the aim of the SPDC is to maintain their hold on power through control of the land and an increase in revenue via the export of the country’s resources. Development as undertaken by the SPDC has been widely critiqued by the UN, Amnesty International and Human Rights Watch who have documented and condemned the regime for human rights abuses that take place in the name of development.<sup>144</sup> The International Labour Organisation (ILO) expelled Burma from its ranks in 1998 in response to the military’s continued use of forced labour on development projects such as hotel construction and foreign-

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<sup>142</sup> Ibid., p 22.

<sup>143</sup> Fink (2001) op cit., p 176.

<sup>144</sup> In April 2000 the UN Commission on Human Rights made its annual statement deploring conditions of abuse in Burma. It states, “The continuing pattern of gross and systemic violations of human rights abuses in Myanmar [Burma], including extrajudicial, summary or arbitrary executions, particularly in areas of ethnic tension, and enforced disappearances, torture, harsh prison conditions, abuse of women and children by government agents, arbitrary seizures of land and property, and the imposition of oppressive measures directed in particular at ethnic and religious minorities, including systemic programmes of forced relocation, destruction of crops and fields, the continued widespread use of forced labour, including for work on infrastructure, production of food for the military and as porters for the army; [and] the continued violations of the human rights of, and widespread discriminatory practices against persons belonging to minorities...[has resulted] in the large-scale displacement of persons and flows of refugees.” As quoted in EarthRights International (2000) Total Denial Continues: Earth Rights Abuses Along the Yadana and Yetagun

funded energy programmes.<sup>145</sup> This section will examine the activities of the 'State Peace and Development Council's vision of development and the effects on the country's citizens. This includes an examination of *Ministry for Progress of Border Areas and Development of National Races*, the building of foreign-financed infrastructure projects in and near the border areas and the resultant human rights abuses common to these projects.

### *Development and Forced Relocation*

Since 1990, the SPDC, under the auspices of the *Ministry for Progress of Border Areas and Development of National Races*, has worked to implement the 'all round development' of rural populations. The program, which aims to promote national unity and help secure basic needs through the use of rural relocation, considers former insurgents who have given up their weapons and village populations already displaced due to the ongoing civil war as eligible to 'participate'. The areas from which people are chosen include those that are "isolated from other regions of the country and lagging behind in all areas of development including economic and social [sic]."<sup>146</sup> In actuality this differs little from other attempts at forced relocation that have taken place in both rural and urban areas against the will of the communities involved.

An additional example of forced relocation for development purposes has emerged with the building of the Yadana and Yetagun natural gas pipelines, financed by international oil companies. Starting from the Andaman Sea and traversing 60 kilometres of Burmese soil before it crosses over into Thailand, the building of the pipeline is contingent upon a military presence along the pipeline corridor. In early 1993 Karen villages near the pipeline route were forced to move closer to the military outposts in order to stop villagers from contacting or supporting armed opposition groups. This policy of forced relocations by the Burmese army was thought to

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<sup>145</sup> In August 1998 the ILO's Commission of Enquiry published a comprehensive report on Burma's failure to implement the provisions of ILO Convention No. 29 on forced labour, and states that the SPDC was guilty of "an international crime that is also, if committed in a widespread or systematic manner, is a crime against humanity." *Amnesty International 1999 Report*, p. 257.

<sup>146</sup> MPBANRDA, 1994 as quoted in Bamforth, et. al, (2000) op. cit., p 55.

eliminate any local resistance and ensure the security of the pipeline.<sup>147</sup> To convince people to relocate, the military used threats and violence. One villager explains the way in which the orders to relocate were given.

SLORC told the village head, “your village has to move in one month starting from today. After one month, your village will be a free-fire zone.” Then no villager dared to stay, so everyone moved.<sup>148</sup>

Other ethnic areas have also faced forced relocation due to so-called development projects including the building of dams and hydropower plants. In Karenni State, for instance, the building of the Lawpita hydropower plant (Balauchaung I) in the early 1960s resulted in the displacement of thousands of people.<sup>149</sup> When the plant was renovated in 1991 several more villages near the plant were forcibly relocated to secure the area from ethnic insurgents. Landmines were also laid in order to ensure villagers did not attempt to continue living or farming in the area. The hydroelectricity produced is sent to the large urban centres including Mandalay and the capital of Rangoon (Yangon) while, as KNPP foreign minister Saw Doh Say states, “the Karennis [near the plant] don’t have a single light [bulb]. They have to buy candles to burn.”<sup>150</sup>

Besides the military’s attempt to ensure the Karenni opposition does not interfere with the hydro plants in the area (the KNPP’s armed wing attacked and damaged a plant in 1996) the forced relocations, according to the ABSDF, were also used to pressure the KNPP into signing a cease-fire agreement. This was in the hopes that the area would then become secure enough to open up to tourists during the “Visit Myanmar” tourism promotion of 1996. The KNPP estimated

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<sup>146</sup> MPBANRDA, 1994 as quoted in Bamforth, et. al, (2000) op. cit., p 55.

<sup>147</sup> EarthRights International (2000) op. cit., p 39.

<sup>148</sup> Ibid. Note: “Free-fire zones” refer to the policy whereby the Burmese military considers any person remaining in the villages after the relocation deadline has passed to be enemies of the state. Anyone seen by the military will be shot on sight. For more details see the Karen Human Rights Group, (1997) *Free-Fire Zones in Southern Tenasserim: An Independent Report by the Karen Human Rights Group*, August 20, 1997:KHRG #97-09, (<http://www.ibiblio.org/freeburma/humanrights/khrg/archive/khrg97/khrg9709.html>, 25 June 2001)

<sup>149</sup> Bamforth, et al, (2001) op. cit., p 64-65.

<sup>150</sup> Capital Watch Asia Pacific (2001) *Ethnic Karennis protest Japanese aid for Myanmar hydropower plant*. (<http://pesean.uhome.net/capitalwatch/newsroom/b010426.html>, 28 July, 2001)

in 1997 that out of a population of 300,000, up to 75,000 people had already been affected by large-scale relocation in Karenni State.<sup>151</sup> It is evident that relocation of villagers against their will and without their input is a key component of development projects implemented by the SPDC.

#### *Forced Labour as a Component of Development*

As a method of development, forced labour is also widespread and systematic in Burma. According to Giannini and Greer, “The military has long considered its citizenry to be a ready source of free labour and thus has tried to develop Burma literally on the backs of its people, especially ethnic minorities.”<sup>152</sup> This has included clearing land for road construction, cutting lumber/bamboo, building barracks and heliports. Many of the activities are components of larger infrastructure projects such as internationally financed pipelines and hydroelectric dams. These projects have not been discussed with those who will be affected by them, nor those forced to build them, often without pay and always with overt threats of violence.

International oil companies including Unocal (United States), Total (France) and Premier (United Kingdom) have also contributed to the widespread use of forced labour in the pipeline region. Although “the pipelines bring the army, which lives off the people and brings poverty, oppression, and cultural destruction, along with the violence that destroys their lives,” oil companies consistently claim that the only effect is to bring development to the people.<sup>153</sup> Despite the overwhelming evidence collected revealing the forced labour used during the pipeline construction, the oil companies continue to present their work as highly beneficial to the citizens of Burma. As the Unocal web site asserts, the corporation sees its self as “being a good corporate citizen wherever we work. We believe that Myanmar will be a better country in the future

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<sup>151</sup> ABSDF (1997) op. cit. pp. 4 and 6.

<sup>152</sup> Greer and Giannini, (2001) op. cit., p 28.

<sup>153</sup> EarthRights International (2000) op. cit., p 100.

because of our investment today.”<sup>154</sup> Yet it is difficult to agree that forcing people to work for a military government without choice or pay are the actions of a good corporate citizen. One NGO working on the issue of human rights and environmental abuses in Burma is currently representing plaintiffs from Burma in a lawsuit against Unocal for the abuses perpetrated during the pipeline construction.

Members of the Thai Government, also party to this project, have admitted knowledge of the abuses found along the pipeline corridor. Thai Deputy Foreign Minister Sukumbhand Paribatra spoke out about the economic and political effects of the deal. He states

Our links with SLORC grew very strongly because of the business interests....what happened was that the minorities who used to be our buffer were crushed, on the one hand, between SLORC's growing state power and...our...greed for natural resources.... I regret very strongly that...the Petroleum Authority of Thailand...was part of a deal which bought gas from Burma, and hence opened up the suppression of the Karens [and others] in the area where the gas pipeline has to pass.<sup>155</sup>

In the case of the SPDC, so-called ‘development’ projects are outside driven, exploitative and destructive to the lives of the local people. The systematic use of forced relocation and forced labour in addition to Four Cuts offensives and Burmanisation policies, including the systematic use of sexual violence, have contributed to the continued marginalisation of the ethnic nationality groups, evident by the sharp increase in the number of internally displaced persons (IDPs) found throughout Burma. Though exact numbers are unknown, analysts estimate that there are now between one and two million IDPs living in dire circumstances throughout Burma due to the highly abusive and destructive nature of the regime’s rule.<sup>156</sup>

Treated as less deserving of rights than the Burma majority, the ethnic minority groups are consistently denied participation in development and other decisions directly affecting their

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<sup>154</sup> See [www.unocal.com](http://www.unocal.com), 18 September 2001.

<sup>155</sup> EarthRights International (2000) op. cit, p 167.

<sup>156</sup> Norwegian Refugee Council, “IDPs in Myanmar (Burma)” *Global IDP Database*. ([http://www.db.idpproject.org/Sites/idpSurvey.nsf/wViewSingleEnv/Myanmar+\(Burma\)Profile+Summary](http://www.db.idpproject.org/Sites/idpSurvey.nsf/wViewSingleEnv/Myanmar+(Burma)Profile+Summary), 25 August, 2001)



livelihoods and ability to survive within Burma. For those forced to flee to Thailand to avoid the SPDC's border development projects, the result is a long-term, tightly controlled existence in Thai refugee camps. Coming from the political tradition of being denied rights or freedoms, in what capacity can the Karenni and others ethnic nationalities who have become refugees work for the betterment of their communities and influence the larger issues as future citizens within a democratic Burma? Returning to the primary question of this study, how are NGOs providing assistance in the camps and are they working in collaboration with the refugee population to increase the likelihood of citizen-led participatory development now and in the future? These issues will be addressed in the following chapter.

## CHAPTER FOUR

### NGO PROGRAMMING ON THE THAI-BURMESE BORDER: IN SEARCH OF CITIZENSHIP

*Our role is to help change a refugee camp from something to survive in to a time and place for growth.*

- Mark Raper, Jesuit Refugee Service

The transformation of refugee camps from locations of strict control and limited rights, to a 'time and place for growth' has been a controversial idea since refugee camps on the Thai-Burma were first established in the 1980s. This 'search for citizenship' has not progressed in a linear fashion, but has been strongly influenced by multiple factors including fluctuating Thai policies towards refugees, the introduction of a UNHCR presence and the role of NGO processes and programming. The purpose of this chapter is to examine the processes and programming undertaken in the camps in order to assess the ability of NGOs to engage in activities promoting 'citizen action' by refugees.

#### ***Background***

Prior to official camps being set up in Thailand, people primarily from the neighbouring ethnic states (Karen, Mon and Karenni) sporadically crossed over from Burma to avoid the dry season offensive by the Burmese army. They would then return to their villages when the army had retreated. Over time the offensives increased in frequency and intensity resulting in destroyed crops, land being seized and villages forcibly relocated, making it impossible for the villagers to safely return to Burma.<sup>157</sup>

Refugees began to set up rural camps near the Burmese border. Most are located in mountainous jungle terrain. Each family must build their own bamboo shelter on a small plot of

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<sup>157</sup> Although this thesis deals specifically with the refugee situation in Thailand, people living in western Burma, particularly the Rohingya, have also fled from Burma to India and Bangladesh to escape from their brutal repression in Arakan State. For more information see Lewa, Chris, (2003) *The Plight of Burma's Stateless, Rohingya Muslims* Asia Forum for Human Rights and Development, (<http://www.twf.org/News/Y2003/0630-Burma.html>, July 2004)

land. Communal wells provide the water supply and sanitation systems have been introduced by relief agencies. There is no electricity or running water and cooking is done over an open flame, using either wood or charcoal. Roads, if they exist, are often washed out in the rainy season and people must navigate rivers and streams by foot and the narrow paths between huts and through the jungle in order to access the different sections of the camps. The camps have primary schools, churches, temples and usually a primary health care clinic. Refugees run small teashops, barbershops and dry goods stores with supplies periodically brought in by Thai merchants. Checkpoints are fixed at camp entrances where visitors and NGO workers must possess official passes in order to be admitted by the Thai military. Refugees are not officially permitted to leave the camps although arrangements are occasionally made with the Thai authorities for permission to travel to nearby cities or villages.

Originally, with more than 30 camps spread out along the border, camps remained small and replicated the village structures from which the refugees had fled. With the increasing belief by Thai authorities that refugees should be repatriated to Burma, the Ministry of Interior has begun to consolidate camps in an effort to increase their control over the movement of refugees. This has resulted in fewer, more crowded camps with much larger populations along the entire border. In 2003 and 2004 both a Karenni and Karen camp were closed and residents forced to relocate to camps closer to the Burmese border. The number of refugees in these camps is now estimated at more than 142,000. As of February 2004, there were over 22,000 refugees living within the two Karenni refugee camps located in Mae Hong Son province in north-western Thailand, 117,000 inhabitants in eight Karen refugee camps and more than 12,000 Mon in resettlement sites just inside the Burma border.<sup>158</sup> These numbers do not take into account the thousands of people from Burma's Shan state that have also fled from human rights abuses but have been denied refugee status or the setting up of refugee camps along the Shan-Thai border by

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<sup>158</sup> BBC February 2004 Population Figures.

the Thai government.<sup>159</sup> For an overview of current camp locations and populations on the Thai-Burmese border, see Appendix 2.

### **Political and Administrative Structures in the Camps**

The political and administrative structures in the camps influence the way that NGOs can operate within the camps. Each camp committee is comprised of the camp and section leaders. Under the jurisdiction of ethnic parties, the camp committees are responsible for the day-to-day administration of the camps. This includes registering new arrivals, births and deaths, resolving disputes, maintaining social harmony and ensuring internal camp security.

The camps also have refugee committees which seek out and co-ordinate donor funding for programming and projects in the camps. In the case of the Karenni Refugee Committee (KnRC), their mandate deals with external issues affecting all the camps such as Thai security, the international assistance programmes and UNHCR policies. NGOs with official programming in the camps usually work closely with these committees. See Appendix 3 for a diagram of the Karenni Refugee Camp Committee administrative structure.

### **Thai Assistance Policies**

NGOs working along the Thai-Burma border are restricted by the Thai government from implementing projects that might be deemed “pull factors” by the victims of Burmese military oppression. By offering assistance and services that are not available on the Burmese side of the border, the Thai government fears that NGOs will be responsible for more and more people coming into the country. It is for this reason that only the most essential and basic assistance mandates are permitted for any organisation working on this border. The most common types of

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<sup>159</sup> For more information regarding the plight of Shan refugees in Thailand see, [http://www.shanland.org/HR/HR\\_Frame.htm](http://www.shanland.org/HR/HR_Frame.htm).

assistance in the camps include primary health care and sanitation, education and rations (including food and other basic necessities).

NGOs working officially in the camps have permission from the Thai Ministry of Interior (MOI). Though the health and education sectors remain the most visible in terms of assistance programming, other non-registered NGOs provide training on the environment, human rights, gender and community management. Computer and video documentation skills have been taught by advocacy NGOs while agricultural training and small income generation projects have also take place. Non-registered NGOs, considered to be operating illegally, must remain discreet as Thai authorities will periodically 'raid' organisations and shut them down if their programming becomes too open or controversial.

Influencing NGO programming, Thai policies in the camps have changed over time from "what was a relatively free and open climate, which encouraged refugees to be as autonomous as possible, to really the reverse. Now they are facing more and more restrictions everyday, more controls..."<sup>160</sup> In fact, the situation for the Karen refugees was far more open when they first arrived in Thailand. A NGO spokeswoman explains,

The Thais in the beginning let [the refugees] take care of themselves. They encouraged them to be as self-sufficient as possible except they didn't allow them to plant rice. But aside from that they allowed them to cut bamboo in the forest, they allowed them to build their own camps.... They didn't contain them.<sup>161</sup>

Current Thai policies do not allow refugees to forage in the forests, cut trees or bamboo, or plant vegetable gardens. Refugees also cannot go outside the camps to work in nearby villages or farms. If caught doing any of the above, they are denied food rations for up to 2 months and given punishment of 15 days hard labour inside the camp.<sup>162</sup> Self-sufficiency has not been promoted and the need for humanitarian assistance, therefore, has not declined.

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<sup>160</sup> Interview 3OC, on file with author.

<sup>161</sup> Interview 3OC, on file with author.

<sup>162</sup> Camp Policies as quoted in paper by Khu Lee Peh (2004) "Crossing the Thai-Burma Border for Survival: The Case of Karenni Refugees in Camp #1", unpublished research paper.

### *The Nongovernmental Organisations*

Although there are many types of nongovernmental organisations on the Thai-Burma border, the primary distinctions identified in this study are international NGOs (INGO) and local (Thailand-based) NGOs (LNGO).

International NGOs normally have projects and field offices in various locations around the world. Their operations on this border are typically only one aspect of their overall work. Head offices are generally located in the nations of the global north, although some advocacy-based INGOs are located in Southeast Asia. Both primary health care and education/teacher training, though run by the refugee government departments, are supported by international NGOs.

Local (Thai-based) NGOs, fall into two categories. The first, often run by expatriates, were formed in specific response to the refugee crisis on the Thai-Burmese border. The most well known of these organisations is the Burmese Border Consortium (BBC) which provides basic food rations, building materials, cooking fuel, sleeping mats and mosquito nets to the camp inhabitants. On the border since 1984, the BBC negotiated with the refugees and the Thai authorities in order to provide relief assistance to refugees along the entire border.<sup>163</sup> Other local NGOs have mandates that focus on women's rights and gender, income generation activities, nursery school programmes, community management courses, medics training, research and advocacy work. Many local organisations have a mixture of Thai, foreign and Burmese staff.

The second type of LNGOs are those formed by refugees. Although there are numerous Burmese political organisations and parties operating in exile from Thailand, only recently have NGOs formed by peoples from Burma emerged in greater numbers. The first ones were offshoots of ethnic governments-in-exile and other political opposition groups. Other groups formed after

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<sup>163</sup> Burmese Border Consortium (2000) *Relief Programme: Programme Report for the Period January to June 2000*. Bangkok, Thailand, p 32.

receiving training from local and international NGOs. Their level of independence varies from group to group. Refugee-led NGOs include women's groups, environmental NGOs, development groups focusing on IDP relief assistance within Burma, as well as media, advocacy and human rights organisations.

By comparing process and programming among these different organisations, it is hoped a clearer model for engaging refugee-as-citizen will emerge. This section will refer to the criteria outlined in Chapter One in order to examine the challenges and successes of NGOs in both their programming and processes.

### *Criteria for NGOs*

Referring back to the literature in Chapter One, NGOs acknowledging the ability of refugees to act as citizens in the struggle for social change are those utilising a participatory development framework. This framework, combining aspects from Korten's and McDonald's work, consists of programming/process that;

- 1) Facilitates just, sustainable and inclusive development action in order to change policies and institutions at all levels (Korten's 3<sup>rd</sup> Generation Strategy).
- 2) Energizes a critical mass of independent, decentralised (refugee-led) initiatives in support of a common social vision (Korten's 4<sup>th</sup> Generation Strategy).
- 3) Utilises participation that encourages people to be active participants in all aspects of the processes intended to improve their lives and transform the contexts and conditions within which they live (McDonald's Participation as Political Empowerment).

In a camp setting, capacity building initiatives are activities with the potential to encourage refugee-led social change. The following section will examine the successes and challenges of both INGOs and LNGOs that have implemented capacity building activities with refugee populations. In addition, encouraging solidarity linkages between those in the camps with other

groups/communities in order to facilitate the sharing of ideas, research, solutions and experiences is another aspect of participatory development that strengthens a common social vision. The role of NGO solidarity efforts will also be examined.

### **Capacity Building as a Participatory Development Strategy**

Capacity building as a part of NGO programming has over time become more accepted by both development-oriented NGOs and relief organisations. This type of programming has the potential to encourage the formation of independent refugee organisations that have the confidence and ability to work towards social change. As a member of the National Council of the Union of Burma (the *de facto* parliament under military rule) remarks, “In the camps there is no opportunity for higher education, but NGOs are implementing some capacity building programs... We take it very seriously, this need for capacity building and transitional training.”<sup>164</sup>

Not an objective in itself, capacity building implies “*both* a set of activities and a strategic approach aimed at securing sustainable change in institutional and/or human behaviour.”<sup>165</sup> Yet are nongovernmental organisations working with Burmese refugees in Thailand able to create such change through their capacity building programming? The following section will present the challenges and successes of an international relief organisation using capacity building activities as a part of their programming on the Thai-Burma border.

### **An International Medical NGO’s Experience with Capacity Building**

International NGOs have been primarily engaged in humanitarian efforts in the refugee camps. Nonetheless, some of these organisations have also been able to stretch their mandate in order to engage in capacity building programs. This section will examine the experiences and activities of one international NGO providing primary health care services in the Karenni refugee

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<sup>164</sup> Interview with NCUB Foreign Affairs Committee member. Interview 28LB, on file with author.

<sup>165</sup> Furley, Kemlin and Jenifer Otsea (1999) *op. cit.*, p 5.



camps.

In 1992 this international medical NGO, in cooperation with the Karenni Health Department, began providing health care as well as water and sanitation assistance to Karenni refugees. They expanded their programming with an internship programme in 1995 which aimed to build skills for young educated refugees from the camp to be able to work with the Karenni Government with increased capabilities to negotiate.<sup>166</sup> Later a gap was identified revealing other organisations in the camps also needed training and the program expanded to become the Capacity Building Program (CBP) in 1997.

Through the CBP, moves were made to strengthen the Karenni Refugee Committee (KnRC) and provide training to camp section leaders, assistants and Karenni NGOs. Activities through the CBP have included Community Development training for camp section leaders, organisation and management training for the KnRC and KHD; access to small grants for food security projects, educational support and income generating activities.<sup>167</sup>

Knowing their mandate with a refugee community is finite, this NGO emphasises training those in the camps to take over their programming and activities in the future. “Our strategy is to increase the capacities of the refugees themselves so they can manage the projects themselves in the camps with the KnRC.”<sup>168</sup> Many of these activities focus on building the skills of refugee committee members and leaders with the hope that these groups will then initiate further training and skills-building among the general camp population. Speaking of the processes involved in these activities, the CBP manager says,

Capacity building isn’t just about training. It’s about allowing people the opportunity to develop the awareness that they can do things themselves, self-learning is the best learning while [our role is to] encourage them.<sup>169</sup>

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<sup>166</sup> The need for this type of capacity building emerged after a KNPP ceasefire with the Burmese military broke down after only three months. It was thought that improving the negotiating skills of those in the Karenni Government could result in a clearer agreement in any future negotiations.

<sup>167</sup> NGO literature, *Capacity Building Program: Burma Border Program*. Mae Hong Son, Thailand, (Unpublished document).

<sup>168</sup> Interview with NGO staff member, 26JB on file with author.

<sup>169</sup> Interview 26JB on file with author.

A graduate of this NGO's initial internship programme who transitioned into a staff member of the capacity building program explains his role and ability to pass his knowledge on to others;

At first the capacity-building coordinator asked me to translate all the [training materials] into Burmese.... After two or three modules, he asked me to teach by myself, but...gave me feedback. I enjoyed it and I'm used to it now because most of the people are familiar with me and...when I teach them they can understand directly and they can ask whatever they want to know, they can clarify with me.<sup>170</sup>

By engaging and mobilising community leaders, this relief organisation has been successful at utilising Korten's 2<sup>nd</sup> Generation strategy to develop the capacities of people in the camps to better meet their own needs in terms of local training and the running of refugee-led organisations. Challenges also exist, however, for INGOs implementing capacity building programs as a means to engage refugees as active participants in their struggle for change. These will be examined in the following section.

### ***Challenges of Capacity Building by INGOs***

In this case of a relief-mandated INGO implementing capacity building programming, three main challenges have been identified. These include securing permission and funding for development-focused activities, reaching a diverse group of beneficiaries/participants (such as youth, women and underrepresented sub-ethnic groups and religions) and the tension between controlling decisions and resources versus encouraging the formation of independent refugee-led organisations.

In trying to promote development-focused activities in the camps, the INGO's Field Director noted that the move away from its traditional relief role remained limited. The first issue

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<sup>170</sup> INGO refugee staff member (interview 14H), on file with author.

is the limitation on permitted activities by the Thai Ministry of Interior. He explains, “There’s no chance for [official] development for the refugee population...because Thailand doesn’t want development of this population in Thailand.... They don’t want refugees to get settled here.”<sup>171</sup>

Another staff member perceived the challenge of expanding beyond relief activities as an organisational issue saying, “The capacity building programme is not a big thing in [the organisation] overall. No one [from the organisation] is doing development in other places.”<sup>172</sup> Part of this challenge is the perceived preference among donors for relief programming. The CBP manager of this NGO explains,

In a relief setting you can control everything. Setting the number of doctors, the amount of pay for staff, etc. So a donor with tight controls is happy. But there is less control in development [programming]; accountability less easy to control. Donors don’t like it.<sup>173</sup>

With limited support by the Thai government and donors, as well as an organisational mandate that remains focused on direct services to the camp population, capacity building programming continues to be only a small part of this humanitarian organisation’s work on the border.

Reaching a diverse group of beneficiaries through capacity building training is also a challenge for this INGO. Given the structures within the camps, participants usually remain limited to those with a position within the Karenni government or a relationship with decision-makers. This is a challenge common to other groups providing training programs as well. It is difficult to significantly broaden the pool of those receiving training because INGOs usually use well-established networks such as the ethnic government bodies or the refugee camp committees. (If an outside NGO attempts to recruit participants without any relationship or consultation with the camp leaders, the project may be criticised or rejected by the leaders.) The capacity building

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<sup>171</sup> Interview 16JN, on file with author.

<sup>172</sup> Interview 26JB, on file with author.

<sup>173</sup> Interview 26JB, on file with author.

and training programme of this international NGO, connected closely to the KHD and the camp committee, has therefore been most effective in strengthening the abilities and knowledge of those already connected to leaders and organisations within their community. This expectation is that these trained leaders will then pass on their knowledge and skills to others in the camps.

A local refugee leader, however, urges INGOs to consider more comprehensive support for the wider community saying "...without political civil education for everybody, if people at the grassroots cannot understand and participate, no government can keep democracy alive. So the international community should look at this strategy."<sup>174</sup> Local power holders in the camps also need to open up opportunities to a wider range of people in their communities such as women, Muslims and sub-ethnic groups who may have been overlooked for participation in capacity building activities in the past.<sup>175</sup>

Finally, the tension between controlling decisions and resources versus supporting the formation of independent refugee-led organisations has also emerged as an issue in this case. Though refugee control and decision-making is often promoted by international NGOs,

Responsibility for meaningful decision-making cannot be separated from the resources necessary to carry out decisions taken... [if the agencies] are unwilling to relinquish any of the economic means which would enable refugee self-management to occur, they will defeat the proposed objectives of refugee self-governance and democratic process.<sup>176</sup>

The strong control of resources and decision-making as often found in head offices of large INGOs is at odds with the flexibility required to implement participatory capacity building that can move beyond skills-building as an end in of itself. Programming that INGO field staff feel is appropriate and programming encouraged by the head offices is not always compatible. The capacity-building manager of this INGO explained that getting those from head office 'on board' to the idea of implementing capacity building programmes was a difficulty, which

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<sup>174</sup> Interview with refugee committee respondent 14JB, on file with author.

<sup>175</sup> In the Karen and Karenni camps leaders are typically Christian. The Mon are primarily Buddhists. Muslims hold

included having to find new development focused donors who would fund projects of that nature.<sup>177</sup>

The handing over of genuine decision-making power to refugees in regards to resources and agendas is still a challenge for many INGOs. As a young man in a Karenni refugee camp explains, a top-down approach by NGOs in the camps is not beneficial to the people.

NGOs can't solve our problems. People here think we have to rely on NGOs.... But we have to understand each other, share our experiences [and] discuss how to do development... If only one side makes decisions one side is controlled by the other.<sup>178</sup>

Refugee participants have also been concerned about the lack of INGO follow-up once capacity-building training sessions are over. After being taught how to write proposals for funding and encouraged to submit them to this organisation's small grants fund, only one out of eighteen proposals submitted was given a positive response for tentative funding.<sup>179</sup> Capacity building in these cases has the potential to lead to increased frustration as people are given skills in the camp setting, with little or no possibility of utilising them under the relief-oriented assistance policies put into place by the Thai Government and implemented by INGOs.

A related challenge regarding the use of resources as identified by refugee participants is the training of people through capacity building programs and then "snatching up the best and brightest" to work for the INGO. This is perceived by the community as undermining their efforts at starting and running their own indigenous organisations. An NGO staff member notes, "There are very few indigenous, intelligent, capable and interested people to work and these are the ones usually wearing 16 different hats, everyone wants them."<sup>180</sup> Petras notes that INGOs hiring local refugee staff can be "diverting people from their own struggles as they are seconded

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few leadership positions in either the Christian or Buddhist majority camps.

<sup>176</sup> Hyndman (1996) referring to Giddens, as quoted in Harrell-Bond (1999) op. cit. p 158.

<sup>177</sup> Interview 26JB, on file with author.

<sup>178</sup> Interview 1JC, on file with author.

<sup>179</sup> Interview 17JFN, on file with author.

<sup>180</sup> Interview 4K, on file with author.

to work for an external organisation.”<sup>181</sup> However, for an international NGO, having competent, skilled Burmese staff can make their programming more responsive and appropriate for the community they are serving. To ensure more than just instrumental participation by refugee staff, INGOs must commit to participatory processes and decision-making that includes all staff.

The capacity building program of this international organisation has increased the skills and confidence among those trained. However, formally registered international NGOs continue to focus primarily on much needed services such as health care and education in order to meet basic needs of those in the camps. Their focus on humanitarian assistance as well as limited mandates and resources for capacity building programming mean that INGO capacity building programming remains at this time only a limited tool as a means to engage refugees as citizens in their struggles for change in Burma.

### ***Local NGOs and Capacity Building as Empowerment***

Local NGOs established in Thailand are usually smaller organisations (often run by non-Thais) with more long-term as well as Burmese staff and ‘an ear closer to the ground’.<sup>182</sup> Individuals who have started these local organisations typically have previous experiences on the border or inside Burma. Some LNGO directors and staff have been in Thailand since the first influx of refugees in 1984 while others have volunteered and/or taught inside ethnic minority states in Burma or in the refugee camps before taking up their present posts.

In their efforts to provide capacity building to refugee groups, these NGOs are much less likely to go through official government channels and usually work more directly with those at the grassroots. LNGOs, though allowed few official freedoms in Thailand, are in some ways less restricted in their activities than INGOs because they do not have to contend with distant head office directives and can tailor their programming directly to the needs of those with whom they

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<sup>181</sup> Petras, James (1997) “Imperialism and NGOs” *Monthly Review* Vol. 49, p 25.

<sup>182</sup> Although there are some non-registered Thai NGOs working on refugee issues, most focus on domestic issues. Thai

are working. Agendas are more fluid and based on the expressed needs of the refugee groups. Speaking of the reasons for her organisation's move towards development programming, for example, a LNGO director explains

Relief in itself is not very satisfactory, it's just an emergency thing, and [the refugees] were looking long term. At that stage we had no experience in development at all. But given that they wanted it, whether or not we had the skills, we tried to find ways of addressing these needs.<sup>183</sup>

Capacity building activities undertaken by LNGOs include teaching journalism, documentation and research of human rights and environmental abuses for both local and international advocacy efforts, peacebuilding workshops, community management courses delivered via distance education and language training. Other projects have emerged as needs are identified. Providing a wide array of capacity building projects is not only more responsive, it also reaches a larger and wider range of participants. As the director of a local organisation explains,

Basically we do capacity building – assist any of the women's groups to do whatever they want to do which is often small projects to generate income, projects to raise awareness amongst their members, like newsletters or publications, travel costs to go to meetings. Anything to help them organise themselves which is really key because they are generally not getting that support from the men's [refugee] organisations. Without that [support] they aren't able to organise.<sup>184</sup>

In this case, the ideas for the activities are emerging from the community, while the LNGO is acting as a catalyst (rather than a service provider) as outlined in Korten's 3<sup>rd</sup> Generation strategy.

In another example, an objective of one LNGO's capacity building programme is to help refugees understand how NGOs and donors give assistance. Participants that learn to write proposals, talk to donors, identify programme objectives and appropriate activities have the skills

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NGOs with official status to work in the camps are also restricted to providing humanitarian aid.

<sup>183</sup> Interview with LNGO director, interview 5H, on file with author.

<sup>184</sup> Interview 5H, on file with author.

needed to start an independent group or organisation. The director of a long running LNGO in Chiang Mai notes, “Definitely the idea is to capacity build – we just give the seed funds and then hopefully they can get direct funding. We certainly have no plans to monopolise them.”<sup>185</sup> This fits well with Korten’s definition of a second generation ‘developmental’ NGO acting as a *mobiliser* to the community with which it works. This particular LNGO assumes a partnership with the community and expects the members to work on implementation as well as decision-making of projects and processes.

The ability of LNGOs to encourage the formation of refugee-run NGOs through the programming provided and the processes adapted is one of their main successes. Environmental training in 1995 by a media-focused NGO resulted in the formation of Karenni Evergreen (KEG). A refugee-run organisation, their activities include environmental awareness activities, distributing environmental resources to camp residents and working with the Karenni education minister to incorporate environmental issues into the primary school curriculum. KEG is also attempting to raise awareness about the Salween Dam project, which will have huge environmental consequences inside Burma. Some members of KEG have also volunteered with the Thai forestry department to help with reforestation activities. The activities of the organisation are broad-based with tremendous potential to create a more informed and environmentally active citizenry in Karenni areas. As the secretary of the organisation also notes, “Our younger generation is becoming more educated compared to the older generation. Now we have many more educated youth to get involved in NGO activities, so we will be more successful in the future.”<sup>186</sup>

Other refugee-run organisations were formed after camp members received external training from other LNGOs. Members of the Karenni News Agency for Human Rights, for instance, learned human rights research and documentation skills from a human rights and

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<sup>185</sup> Interview SH, on file with author.

<sup>186</sup> Interview with KEG Secretary, interview 10JB, on file with author.



environmental NGO and now publishes a newsletter for distribution within the camps and NGO community regarding human rights abuses. Their objective is to “expose human rights violations in Karenni state and make the international community aware of the situation, [thereby] increasing international support for the Karenni people.”<sup>187</sup> In 2003, a member of this organisation along with two other colleagues who had also attended the same year-long training program in human rights and environmental issues started a similar training program based on the LNGO’s training curriculum. Called the ‘Social Development Centre’ and based inside their refugee camp, this program now reaches youth who would not otherwise have the opportunity to attend such a capacity building training.

LNGOs are able to utilise capacity building as a successful strategy to encourage refugee initiatives. Though the programs are unable to reach the majority of those in the camps, they are able to have a wider impact due to the establishment of similar programmes within the camps by refugee participants. Numerous LNGOs then provide small grants to help with start up costs and activities identified by the refugee communities and organisations. The establishment of refugee-led initiatives is the objective of most LNGOs providing capacity building training on the border. With the skills to teach, farm, do research, provide medical care, and organise, among other skills, those in the camps are ensuring they can meet their own needs and work to create a just and sustainable community both in the camps and after their return to Burma.

### ***Challenges for Local (unregistered) NGOs***

Although LNGOs are able to successfully implement a variety of capacity building programs, problems remain for those that are not officially registered with the Thai government. These include difficulties accessing the camps and therefore unreliable communication uncertain timelines for projects, and finally, general fear and insecurity.

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<sup>187</sup> Interview 30HB, on file with author.

With mandates that go beyond relief, most LNGOs are unable to gain official permission to enter and work in the refugee camps on the Thai-Burma border. This lack of access to the camp population makes communication much more difficult. Scheduling of meetings and travel in or out of the camps is difficult, particularly since the relocation of Karenni Camp 3 and Mae Khong Kha Camp further away from Thai towns and closer to the border. Oftentimes capacity building programmes (particularly long-term trainings) must take place outside of the camps. This results in high transportation and security costs since the participants are considered illegal once outside of the refugee camps.<sup>188</sup> For capacity building activities held outside the camps, security continues to be a problem as Thai military and police often stop people to check their identity documents. During extended training programs in Thai towns or cities, the potential for participants to be arrested is a constant worry. An LNGO worker explains her experience;

Right from the beginning we were working with [Burmese] students who were arrested the whole time by the Thai police. And up till now, it's just hit or miss. For example, this workshop we've just arranged. Are they going to be arrested on the way there, on the way back? Is it going to be shut down? ... And the costs of funding anything like that are doubled, because you have to pay security, fines, etc....the costs are doubled and the stress is doubled, so that's bad.<sup>189</sup>

A related challenge is the inability to openly assist refugee participants if they are arrested. In such cases, the participant's political organisation is called upon to assist. Large fines must usually be paid to the police and if not, the person will remain in custody or be deported. This is also the case for staff of local NGOs. In addition, during politically sensitive times in Thailand, such as during international meetings with the Asian Development Bank, unregistered NGOs are cautioned to close down in order to avoid 'visits' by Thai authorities.

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<sup>188</sup> Under the current government administration, with attitudes shifting favourably towards the Burmese military junta, Thai policies are changing and it is much more difficult to arrange for transportation for refugees to participate in trainings or meetings outside of the refugee camps. There have been recent incidences where Thai intelligence will provide a travel pass to a refugee. However, upon reaching a military checkpoint, the pass has been rejected and onward travel denied by the soldiers on duty. (Personal communication with Karen colleague, 2004.)

<sup>189</sup> Interview 5H, on file with author.

With unexpected events such as these, with plans and schedules changing at a moment's notice, local NGO staff must remain flexible and open to change.

### ***Refugee-organised NGOs: Successes and Challenges***

Refugee-organised NGOs and community-based organisations also face many challenges as well as successes in their work. The first issue is similar to unregistered NGOs, and that is the inability to travel and work outside the camp freely. Another major challenge for refugee organisations includes the issue of outside control. Adequate funding can be extremely difficult to secure for refugee organisations, despite the purported prevalence of international organisations willing to help those at the grassroots. A refugee organisation that has started a program to “empower through education and increase the participation of women in decision making and politics” has found funding extremely difficult to obtain. A volunteer with this refugee organisation explains

We have only tenuous funding for the project. As with all indigenous group-initiated projects it is very difficult to find funding. [I]NGOs have it coming out of their ears but we are told to go through NGOs [because] donors give it to them rather than refugee groups directly - and most [NGOs] keep it for their own projects that they ‘do on’ the refugees ...<sup>190</sup>

The challenge for refugee-organised NGOs to gain legitimacy and be perceived as accountable in the eyes of INGOs and donors rooted in a relief framework also remains substantial. In light of this reality, some refugee organisations have begun to coordinate their efforts at fundraising and co-operation. The following is one such example.

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<sup>190</sup> Personal communication with a volunteer working with an ethnic women's organisation on the Thai-Burmese border, June 2001.

## **The Karenni NGO Coordination Committee**

In 1999 Karenni NGOs formed the Karenni NGO Coordination Committee (KNCC) in order to work on joint projects and fundraising initiatives. The member organisations had the support of a solidarity organisation from the Philippines to assist them with outlining their goals and objectives. Though the process was guided by the outside facilitator, the decisions and outcomes of the planning sessions were those of the coordinating committee. KNCC objectives include; identifying, developing and implementing joint initiatives that will ensure the delivery of services for Karenni peoples; facilitate information exchanges, capacity building, and resources to develop and strengthen strategies and action to empower member NGOs as well as the people in the communities; facilitate coordination of local [Karenni] NGO activities; building partnerships and solidarity efforts with individuals and organisations (both governmental and non-governmental) working in the promotion of issues such as justice, peace, human rights and democracy locally and internationally.<sup>191</sup>

According to a KNGO member, "Before the KNCC was formed, [international] NGOs went to individuals in a camp [to propose projects] and there was no control and it was confusing. With the KNCC duplication can be avoided."<sup>192</sup> Other members noted that it is "better [for KNGOs] to work together because our aims are all focusing on the Karenni people."<sup>193</sup> The creation of the KNCC has led to KNGOs consolidating their strength and resources. With the skills and knowledge gained from a variety of NGOs, they are now more able to write proposals, implement their own projects, and also to train and educate others in these areas. One member, however, explains the difficulties of coming together to form the committee,

If we all have the same idea, same knowledge, it is possible [to coordinate]. But maybe, probably in my head, we have different ideas... So all people they should [be] convince[d] that the KNCC is the coordinating body. If they not understand, [they will expect] more than this... They [also] have to think about the policy of the

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<sup>191</sup> KNCC Brochure, 2000.

<sup>192</sup> Interview 14JB, on file with author.

<sup>193</sup> Interview 30H, on file with author.

KNPP. If you do according to your [organisation's] constitution it will be OK. If you don't...maybe you will have conflict.<sup>194</sup>

The member organisations of the KNCC have varying levels of association with the Karenni Government and the Karenni National Progressive Party (KNPP). Some KNGOs were formed after participating in INGO training but others such as the KNWO were formed under the party structure and have only more recently received international training and assistance as an indigenous NGO. The relationship between these groups and the KNPP remains intertwined, as many NGO directors hold posts within the government. A member of the KNPP explains the political structure

The KNPP leader is elected and then the leader appoints the leader of the Karenni Government [which operates in the refugee camps]. KNPP controls and monitors the government. Some areas in Karenni State are still controlled by the KNPP.<sup>195</sup>

The Karenni NGO Monitoring and Evaluation Committee (KNMEC), as part of the Karenni Government, as its name suggests, monitors the work of the KNGOs that operate under the umbrella of the KNCC. As the KNMEC secretary explains

[Karenni] NGOs are all familiar with [KNPP] party policies.... We don't mean to control, we are just watching their activities to see if they work properly or not. Because sometimes some projects or proposals can clash with Karenni foreign policy.<sup>196</sup>

Engaged in a war against their assimilation, the Karenni leadership maintains that there is little room for dissent among the diverse population that make up the Karenni camps. The Karenni have maintained their own camp administrative system, which according to some scholars has been an integral factor leading to high levels of refugee participation.<sup>197</sup> This is evident specifically in the health and education sectors where the INGOs working in these areas

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<sup>194</sup> Interview with KNCC member, interview 11JA, on file with author.

<sup>195</sup> Interview with KNPP official, interview 18J, on file with author.

<sup>196</sup> Interview with KNPP official, *ibid.*

<sup>197</sup> Bowles, Edith (1997) *Assistance, Protection, and Policy in Refugee Camps on the Thailand-Burma Border: An Overview*, Refugee Studies Programme, Queen Elizabeth House, Oxford University.

do so in partnership with their Karenni government counterparts. Although the advantages of refugee structures being maintained cannot be denied, the hierarchies that existed in these societies before they came to Thailand still, for the most part, exist in the camps. According to Bowles

Those who are economically better off, politically well connected, or religiously affiliated with powerful groups (these factors are not necessarily synonymous), have often had disproportionate access to resources. They tend to be better educated and speak English.<sup>198</sup>

NGOs wanting to ensure representation of all sectors of the society in their programmes may find this difficult to achieve as the Karenni leadership operates according to traditional hierarchies of age, education and kinship ties. The KNPP's selection criteria for participants wanting to take part in (non-refugee) NGO programming typically includes looking at one's character, skills (such as language abilities and education), and patriotism, defined as their interest and commitment to work for their people.<sup>199</sup>

Entrenched hierarchies within a society are difficult to break down, even by insiders. Yet, by addressing the issue of power relations within the camp setting, people become aware of the hierarchies and power structures under which they currently operate. These may not have been previously questioned within the society, at least not easily or openly. A foreign NGO worker who began her work with the Karen at the KNU headquarters at Manerplaw in the late 1980s explains,

...young people...are often sidelined; old people want to stay in power. Fundamental things, [such as] how we view organisations, reverence for hierarchy, elites etc., needs to be overcome. It could be ten years of operating in relative "freedom" before some of these things can be changed.<sup>200</sup>

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<sup>198</sup> Bowles, (1997) op. cit.

<sup>199</sup> Interview with KNPP official, interview 27J, on file with author.

<sup>200</sup> Interview 4K, on file with author.

Because the Karenni, as other ethnic nationality groups, are resisting unequal and repressive power relations with the Burmese government authorities, examining this issue openly may increase the number of citizens involved in the community's own decision making structures. Refugee-organised NGOs run by people already in power (namely positions of political leadership) tend to maintain these traditional structures.

The role of independent refugee organisations (able to act separately from their ethnic governments) has grown and is considered a challenge to established power structures. Some groups that have emerged have been trained by an NGO that aims to help refugees “develop the skills necessary to participate in their communities as informed, involved citizens.”<sup>201</sup> Though these groups are small, many are ethnically and religiously diverse and are implementing their own programming, including training others in the camps and operating independently from the political leadership in the community. The formation of these independent, decentralised groups who are working towards social change is a significant achievement for organisations wanting to assist those at the grassroots through capacity building programmes. Furthermore, the emergence of these organisations is a testimony to the ability of refugees to work as citizens towards a common social vision while the independence of these organisations ensures that the members are active participants in the processes intended to improved and transform their communities.

### ***Solidarity Linkages***

Within a participatory development framework, building solidarity and connections among refugee groups as well as with overseas groups and communities is a useful way to share ideas, research and strategies. In addition, such linkages can raise awareness regarding the difficulties of life in exile and provides opportunities to contemplate the current challenges as well as potential solutions. All the components of participatory development (working to change policies and institutions, encouraging initiatives in support of common vision and active

participation) can be incorporated into solidarity work.

Clear examples of solidarity linkages by relief-mandated NGOs doing traditional relief activities or capacity building were not discovered during the field research. Solidarity work is encouraged by a small number of local organisations however. One LNGO has played an instrumental role in catalyzing refugee-led development groups from Burma and the border areas to come together and learn from the experiences of the others. The activities of these groups are risky and complicated, such as clandestinely crossing the border into Burma to provide assistance to IDPs. Being all from Burma, working in similar contexts, the learning and sharing was particularly relevant for these organisations. A Burmese facilitator of the seminar noted

This is a first time experiment, to explain our groups to one another, to field questions and to try to understand what we ourselves are doing... the international speakers are useful, but the local knowledge shared [is the] most exciting.<sup>202</sup>

Involving development organisations from six ethnic groups/committees that are all working in different regions, the knowledge and action emerging out of their work is tremendous. A participant noted, “There is a certain amount of energy in the air, people working for solutions, really challenging one another and doing things that they believe in.”<sup>203</sup> Activities included sharing of experiences, guest speakers and workshops on evaluation and development theory and visits to NGO projects within Thailand. The facilitative role of the organisers also contributed to the success of the seminar. In this case, they provided funding and logistical support, but encouraged the refugee groups to take the lead in presentations and information-sharing activities. By encouraging facilitation by the refugee organisations rather than the LNGO, the sharing can be more empowering for the participants.

Organisations with a gendered perspective and mandates that deal with women’s rights have also been very active in solidarity efforts. A local NGO involved in action research has

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<sup>202</sup> Personal communication with seminar facilitator, 24JFN, on file with author.

<sup>203</sup> Ibid.



been part of a process to include ethnic minority women in international discussions regarding the plight of refugee women from Burma. Invited by the international CEDAW committee and funded by a local NGO, a member from each Burmese woman's organisation on the border attended the meeting and spoke about their plight to an international audience.<sup>204</sup> Prior to attending these international meetings, the same NGO conducted workshops on the CEDAW with women from the camps and interviewed more than 300 women about the situation inside Burma. In addition, a CEDAW shadow report highlighting the plight of ethnic minority women in Burma was written with NGO support by representatives from five women's organisations based on the Thai-Burma border.<sup>205</sup>

Another example of a solidarity effort by refugee women is the monthly "Women's Exchange." Funded by an Australian donor and facilitated by an LNGO, meetings are held in various locations along the border for refugee and migrant women to share their experiences as well as create awareness and solidarity linkages among them. Dedicated to women's empowerment, these meetings are flexible and open to democratic decision-making processes. Each month a different woman takes responsibility for facilitating the meeting. The interaction between the women and the sharing of ideas helps to overcome the traditional mistrust between various ethnic groups. It also provides a space for the voices of women within the traditionally male dominated refugee organisations. The coordinator of the programme explains

These meetings...are linking women of different ethnic groups and backgrounds.... The Women's Exchange is a monthly meeting to motivate people, [to encourage] critical thinking. The women can go back to their own groups, as they want, to do action.<sup>206</sup>

Other NGOs have been involved with research that is taken to international conferences

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<sup>203</sup> Ibid.

<sup>204</sup> Interview 4K, on file with author.

<sup>205</sup> The member organisations include the Karen and Karenni Women's Organisations, the Burmese Women's Union, the Shan Women's Action Network and the Tavoyan Women's Union. See: Women's Organizations of Burma's Shadow Report Writing Committee (2000) "Burma: The Current State of Women – Conflict Area Specific" *A Shadow Report to the 22<sup>nd</sup> Session of CEDAW* (<http://www.soros.org/burma/burmadebate/winter99report.html>, 24 April 2000)

<sup>206</sup> Interview with local NGO director, interview 1K, on file with author.

and meetings in order to provide up-to-date information to decision-makers. Given the lack of accurate information that comes out of Burma, these researchers provide a vital role for policy makers who would otherwise not have access to accurate information. This also builds direct connections between the refugee organisations and policy makers in other countries. Building up direct connections between refugee constituents and others provides a way for voices to be heard, opinions expressed and taken into account when decisions are made by foreign policy makers.

The next example reveals the strength of inter-refugee camp solidarity and cooperation, which emerged out of an unmet need and a donor's 'mobiliser' approach. In response to restrictions on the cutting of trees in or near the refugee camps, refugees have faced significant hardship due to the ensuing shortage of fuel and building supplies. In response, the Burmese Border Consortium began to provide limited amounts of bamboo and charcoal to the residents of the camps. Yet those located at higher elevations, such as people living in the Umphiem Mae refugee camp, reported that the fuel received was insufficient to meet their needs. In this case the relief agency looked to a UNHCR fuel consultant to determine if it was necessary to provide more charcoal. The refugees, meanwhile, requiring more fuel to cook their food and to stay warm in the cold season, came up with their own coping strategies. As a Karen woman explains,

They give the charcoal, but it's not enough and it is crushed. But we use our brain, we mix the charcoal powder with the rice liquid, we make a ball, we put it in the sun. When it's dry we use it.<sup>207</sup>

In 1997, after KnRC members worked out a system for making charcoal with locally available materials and means, a stove-making project was initiated by the Karenni Refugee Committee in response to the continuing fuel shortages in the camps. More energy efficient than cooking over an open flame, 5000 clay stoves were produced and distributed to families in the Karenni camps. Funded by the Canada Fund for Displaced Burmese in Thailand, (CF) the project has been highly praised by fuel experts and has contributed to the well-being of the refugee

communities. Also, given the similar needs of refugees all along the border, the project soon spread from the Karenni camps down to Karen camps. As the CF co-ordinator explains

This project started in the Karenni camps and even though these camps are very far apart there is a great jungle telephone,... So the northern Karen camps found out about this and said, "We like this idea, can we do it too?" So the northern Karen Refugee Committee applied [for funding] and they were able to go up to the Karenni camps to do a study tour and actually learned how they were doing it, learned the system and then brought it back [to their camps].<sup>208</sup>

This refugee-led process results in better assessment of needs and more creative and appropriate solutions to commonly identified problems. In addition, besides encouraging solidarity among the refugee committees, the project also meets the criteria of a successful capacity building activity. Providing funding without an NGO intermediary the donor notes,

...we've really tried to work directly with the refugee committees because they have to be responsible and they have to own the projects. You can't build someone's capacity to do that unless you give them the responsibility as well.<sup>209</sup>

In these cases, where the communities already possess a solution to their problem and want to share the idea with other communities, the role of a 'hands-off' donor, working as a catalyst rather than a service provider, thereby respecting the need for local control of the process, is empowering and participatory for refugee groups.

Other initiatives in the camps have encouraged international solidarity linkages, including an organisation that promotes south-south solidarity through internships for refugee activists and assisting KNGOs with the formation of its coordination committee. A local NGO also promotes linkages between refugee and European students, providing scholarships for some students to receive higher education outside the camp. The effects of such linkages are great, with the flow of information going both ways. Furthermore, solidarity linkages are a key to acknowledging the

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<sup>207</sup> Interview 8G, on file with author.

<sup>208</sup> Interview with Christine Munro, Coordinator of the Canada Fund for Displaced Burmese in Thailand, interview

struggles of refugee communities and learning how they cope and organise. Falling within the 4<sup>th</sup> Generation strategy, outsiders learning and knowing about the struggles of displaced citizens from Burma are more likely to make efforts to influence their own government's policies towards the Burmese military regime. Solidarity linkages are being used as a tool for refugee groups to put active pressure on decision-makers and institutions working on Burma issues.

To sum up, this chapter has examined the processes and programming undertaken in the camps by different types of NGOs in order to assess their ability to engage in activities promoting 'citizen action' by refugees. The first finding was that external government policies limit the types of programming officially allowed in the camps and with the refugee communities. Despite this, INGOs with relief-focused mandates are still able to implement capacity building programs that build up the skills and participation of refugee leaders within the camps. This has led to engaged and mobilised community leaders better able to run government departments such as schools and health clinics. A challenge is their ability to gain official mandates to do programming that extends beyond relief activities. Furthermore, INGOs tend to use well-established networks to choose participants and therefore the diversity of those participating in their capacity-building activities usually remains limited to leaders and those connected to people with power in the camp communities.

Local NGOs working on the Thai-Burma border often are not registered with the Thai government. This gives these LNGOs less security, unstable work environments and less access to the refugee communities. On the other hand, they are not restricted in their programming because they have no official (government approved) mandate. Therefore, LNGOs are more likely to act as catalysts and provide capacity-building trainings that go far beyond a relief mandate. Refugee participants of LNGO programs are more diverse than those attending INGO training programs and afterwards these refugee participants often start their own independent organisations that work on issues such as community building, environmental protection, human

rights and advocacy. Another benefit of these trainings is the long-term impact of these refugee-run organisations providing capacity building programs in their own communities (in the refugee camps or inside Burma) with a much wider range of participants.

The formation of refugee-run and organised NGOs is an indication that NGOs have used a participatory development framework. Once formed, however, these groups face the challenge of finding adequate resources to carry out their work. Another issue is creating a new, independent relationship with the NGO that provided the initial capacity building. Some (but not all) of these groups also struggle to break out of the hierarchical structures that are still in place within their communities.

Solidarity linkages and connections are also a strategy to encourage 'citizen action' among refugee communities. INGOs, in this case study, did not undertake solidarity work on any significant level. LNGOs and locally based donors were more active in promoting solidarity linkages. Refugee to refugee linkages occurred along the border which led to more relevant and appropriate solutions for refugee groups implementing their own programming. It also improved cooperation and respect between various ethnic communities from Burma. Links between refugees and foreign citizens led to greater international awareness of the current situation for refugees as well as encouraged policy decisions that challenged the Burmese regime. The following concluding chapter will link these findings to the literature presented in chapter One.

## **CHAPTER FIVE**

### **CONCLUSIONS AND RECOMMENDATIONS**

This study has examined the roles of international, local and refugee-run (local) nongovernmental organisations assisting the more than 140,000 refugees living along the Thai-Burmese border, looking specifically at the possibilities, challenges and outcomes of using participatory development processes. The literature presented argued that the international refugee regime, which treats refugees as passive recipients of aid, is inadequate. The view advocated is that refugees are necessary change agents in dealing with the conflicts that have led to their displacement. NGOs working within a participatory development framework will encourage citizen action by refugees. The participatory development framework created to evaluate NGO activities and processes were based on the ideas of Korten and Macdonald and acknowledged the need for refugee action as citizen/social change agent. Field research conducted on the Thai-Burma border for five months in 2000 as well as observations and experience while working with an NGO in Thailand for the past two years provided the evidence for this study.

### **CONCLUSIONS**

The UNHCR, the UN refugee protection agency, through its programming on the Thai-Burma border sees refugees and displacement as problems to be solved. The agency's bilateral discussions with the Thai and Burmese governments focus on national-level policies and agreements. Meetings with camp leaders or other refugees do not occur and the protection of refugees by the UNHCR on this border has been minimal. Camps have closed, been relocated and plans are being made for repatriation without the consultation of refugee groups. This lack of dialogue is a serious limitation that overlooks the energy and enthusiasm refugees can contribute to addressing the problems they face. The UNHCR continues to operate from the worldview that displacement is a situation solely characterised by the need for relief and emergency aid. Refugee

participation as political or social change agents has not been integrated into UNHCR programming.

International NGOs working on the Thai-Burma border and operating with the permission of the Thai government have extremely limited Memorandums of Understanding which restrict the types of programming they can provide to refugees. Only relief and maintenance programming by INGOs are allowed in the refugee camps. This limitation on programming reinforces the idea of refugee as non-citizen. Camp inhabitants are treated as passive recipients of humanitarian aid without choice or involvement in the assistance policies impacting their day-to-day survival.

Nonetheless, within the framework provided by the Thai authorities, international health and education organisations have worked to include training and upgrading of skills for medics, teachers and camp leaders. The participants of these capacity-building programs usually reach those that are better educated and come from positions of power or leadership within the camp setting. The participation that takes place is instrumental, resulting in programs better run with skilled refugee staff. Overall the INGOs on this border are restricted by their mandates and continue to operate within the mainstream relief paradigm. Although they have included more moves towards participatory development through limited capacity-building, refugee responses and solutions to conflict and displacement are not emphasised. Refugees in the camps, for the most part, continue to be viewed as recipients of aid rather than social change agents.

Local nongovernmental organisations have provided the most successful examples of using participatory development on the Thai-Burma border. Their capacity building and other programs have led to the formation of numerous independent, refugee-led organisations. Working outside official government channels, LNGOs have responded to the needs of refugee communities by engaging them as partners in the struggle for social, political and environmental change. Programming decisions are made in collaboration with the communities and are tailored to meet their expressed needs. Displacement is not viewed as the principal problem but rather a

side effect of the wider conflicts and struggles that those from Burma are facing. Given this approach, training programs on topics such as politics, foreign affairs, the environment, human rights, journalism, peacebuilding, community organising, among others, are offered. Trainers are often from the refugee communities themselves and teach in Burmese. Participants come from more diverse backgrounds than those involved in INGO training programs. The skills gained are used by the participants to assess and work on the issues with their communities in exile and inside Burma.

Local NGOs continue to face challenges, however, and must be careful of their own safety and that of their refugee participants. The political setting in Thailand makes assisting refugees in this way uncertain and risky. Thai government policies fluctuate but as they become less refugee-friendly, the ability of LNGOs to engage in participatory development programming becomes more limited. In previous times of more explicit government acceptance of refugees on Thai soil, NGOs were more easily able to institute participatory programming conducive to citizen action.

The emergence and growth of refugee-run and organised NGOs is solid proof of the ability of refugees to function as citizens. Assisted in part by organisations that promote citizen action through participatory development, these newly formed organisations are now conducting cross-border medical assistance to IDPs in Burma, documenting human rights abuses, and participating in international solidarity activities and broader debates regarding their displacement and political reform in Burma. Their actions contribute to social change within the camps and in Burma, which will continue when they, as citizens, return home.

Referring to the thesis of this study, it is concluded that NGOs working with refugees can successfully implement a participatory development framework. Organisations that do so are more able to encourage and engage refugees as socially active citizens working towards change in their communities. Refugee organisations have also refused to limit their activities to relief and together with these LNGOs have allowed the refugee camps on the Thai-Burma border to become



‘a time and place for growth’. Upon return to Burma, those involved in refugee organisations, LINGO programs, as well as member of the refugee government departments, will have the skills and experience necessary to participate as members of the Burmese polity. It is my hope that NGOs in other refugee settings will also work to acknowledge the strength and commitment of those who have been displaced and work to engage them as partners in the struggle for change.

## **RECOMMENDATIONS**

The following recommendations are provided for those nongovernmental organisations, multilateral and government agencies working to improve their programming and processes in order to recognise the dignity and rights of all refugees and displaced persons on the Thai-Burma border.

### **To the International and Local NGOs operating on the Thai-Burma border:**

- Consult with and support existing refugee organisations whenever possible.
- Encourage the formation of refugee-run organisations through capacity building and other training programs. Lobby the Thai government for expanded mandates that include such programming.
- Assist refugee organisations with fundraising efforts and when possible create links between one's funding sources and local refugee groups who have less access to outside funding opportunities.
- Promote refugee participation in policy discussions and international advocacy efforts concerning the political and humanitarian situation in Burma. Arrange for meetings to occur in settings where refugee participation is possible. Assist refugee representatives with travel costs and arrangements to meetings if necessary.
- Encourage the UNHCR to take a more active role in protection issues for both border and urban refugees. NGOs should push the UNHCR to see refugees, not only host governments, as stakeholders in the processes affecting their futures and urge the UNHCR to continue monitoring the situation of refugees, including those that have been forced back to Burma and remain near the border in IDP camps.

### **To the UNHCR:**

- Publicly object to the forced repatriation efforts of Burmese refugees by the Burmese and Thai governments.
- Object to the Thai government's relocation of refugee camps to less secure locations closer to the Burmese border and SPDC troops.
- Monitor the camp relocations to ensure that the rights of the refugees are being respected.
- Assist refugees that have been detained by the Thai authorities for travelling outside the refugee camps. Encourage the Thai government to allow freedom of movement for Burmese refugees in Thailand.

- Encourage the Thai government to grant refugee status and assistance to all refugees from Burma, particularly Shan refugees who have until now been denied any assistance by the Thai government.
- Monitor the amount of assistance being provided by NGOs in the camps and ensure that it is adequate for survival. Provide additional funding to NGOs if they are unable to provide sufficient food supplies and building materials.
- Implement training programs and income generation projects in the camps using a participatory development framework.
- Dialogue with Thai human rights organisations to ensure Thai nationals as well as international organisations place pressure in the government to respect the human rights of refugees.

**To the Royal Thai Government:**

- Allow international and Thai NGOs mandates beyond humanitarian assistance to Burmese refugees (both border and urban cases).
- Allow access to the camps by NGO workers and others, including trainers, teachers, and the media.
- Provide refugees with a legal means to obtain travel documents in order to attend meetings, trainings and conferences as needed.
- Include refugee communities in major decisions regarding policies and future plans that will affect them (for example, camp relocations and repatriation).
- Respect the *Convention Relating to the Status of Refugees* and do not force refugees on Thai soil to return to Burma until the conditions for repatriation have been met.

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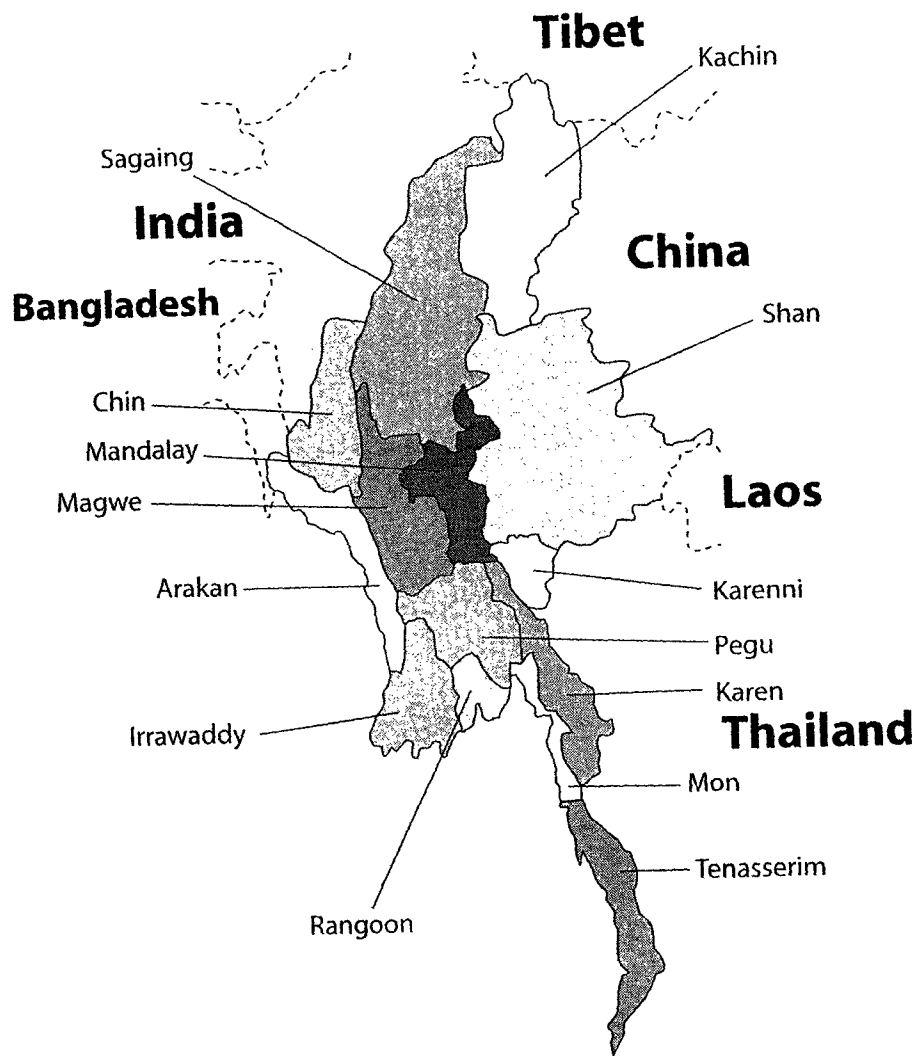
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**APPENDIX ONE**  
**MAP OF BURMA**

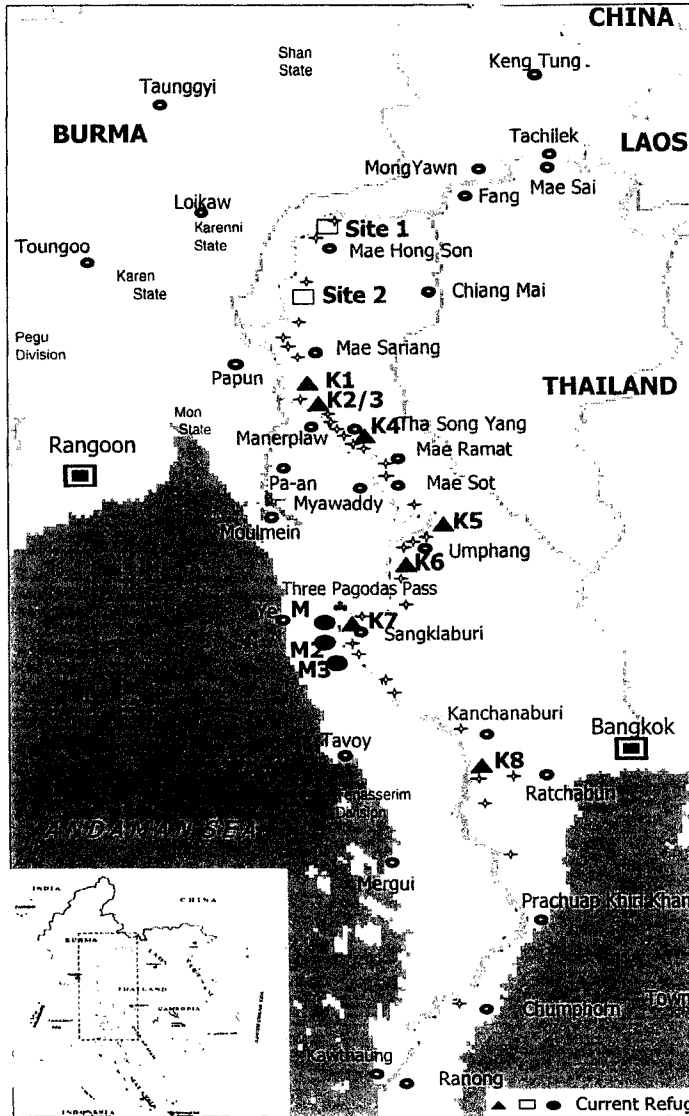
**STATES AND DIVISIONS OF BURMA**



## APPENDIX TWO

### MAP OF THAI-BURMESE BORDER WITH CAMP POPULATIONS

#### BURMESE BORDER REFUGEE SITES WITH POPULATION - March 2004



Burmese Border Consortium (BBC)

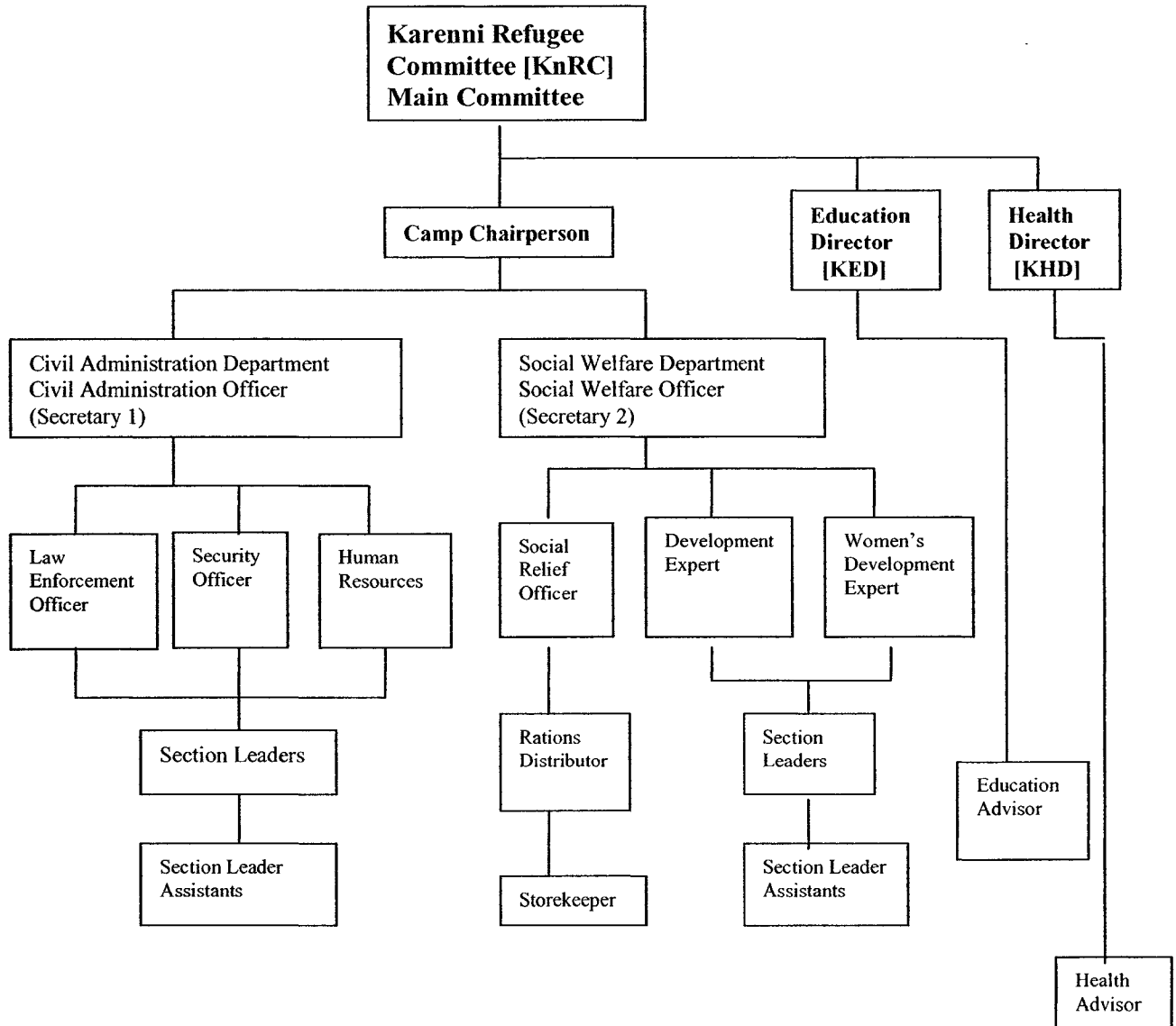
▲ □ ● Current Refugee Camps  
 + ◊ Former Refugee Camps  
 --- Border Line

	BBC Mar-04		
	Female	Male	Total
<b>Mae Hong Son Province</b>			
Site 1 Ban Kwa/Nai Soi	8,953	9,727	18,680
Site 2 Ban Mae Surin	1,656	1,850	3,506
K1 Mae Kong Kha (Site 3)	-	-	-
K2 Mae La Oon (Site 3)	6,704	7,287	13,991
K3 Mae Ra Ma Luang (Site 4)	5,739	5,781	11,520
Subtotal:	23,052	24,645	47,697
<b>Tak Province</b>			
K4 Mae La	22,552	22,972	45,524
K5 Umpiem Mai	9,470	9,926	19,396
K6 Nu Po	6,164	6,460	12,624
Subtotal:	38,186	39,358	77,544
<b>Kanchanaburi Province</b>			
K7 Ban Don Yang	1,972	1,903	3,875
<b>Ratchaburi Province</b>			
K8 Tham Hin Main Camp	4,788	4,647	9,435
Tham Hin Zone 4	32	37	69
Subtotal:	4,820	4,684	9,504
<b>Total for sites in Thailand:</b>	<b>68,030</b>	<b>70,590</b>	<b>138,620</b>
<b>MON - Resettlement Sites</b>			
M1 Halochanee	2,579	2,704	5,283
M2 Bee Ree	1,937	1,801	3,738
M3 Tavoy	1,806	1,613	3,219
Subtotal Mon sites:	6,122	6,118	12,240
<b>Grand total all sites:</b>	<b>74,152</b>	<b>76,708</b>	<b>150,860</b>

**APPENDIX THREE**

**KARENNI REFUGEE CAMPS**

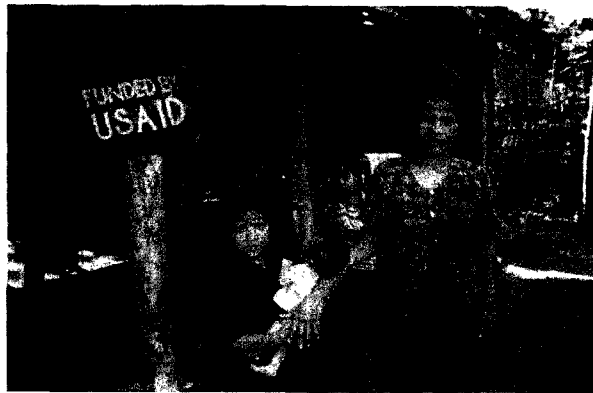
**ADMINISTRATIVE STRUCTURE**



**APPENDIX FOUR**  
**PHOTOS: LIFE IN THE REFUGEE CAMPS**



Karenni Refugee Camp 3 Primary Health Clinic



New Arrivals to the Camp  
(formerly internally displaced inside Burma)



Health Checks by Karenni Health Department