DIPLOMARBEIT

Titel

"Invited but not (always) willing to go

Refugees in Tham Hin camp (Thailand) as an example of migration theories´ shortcomings"

Verfasserin

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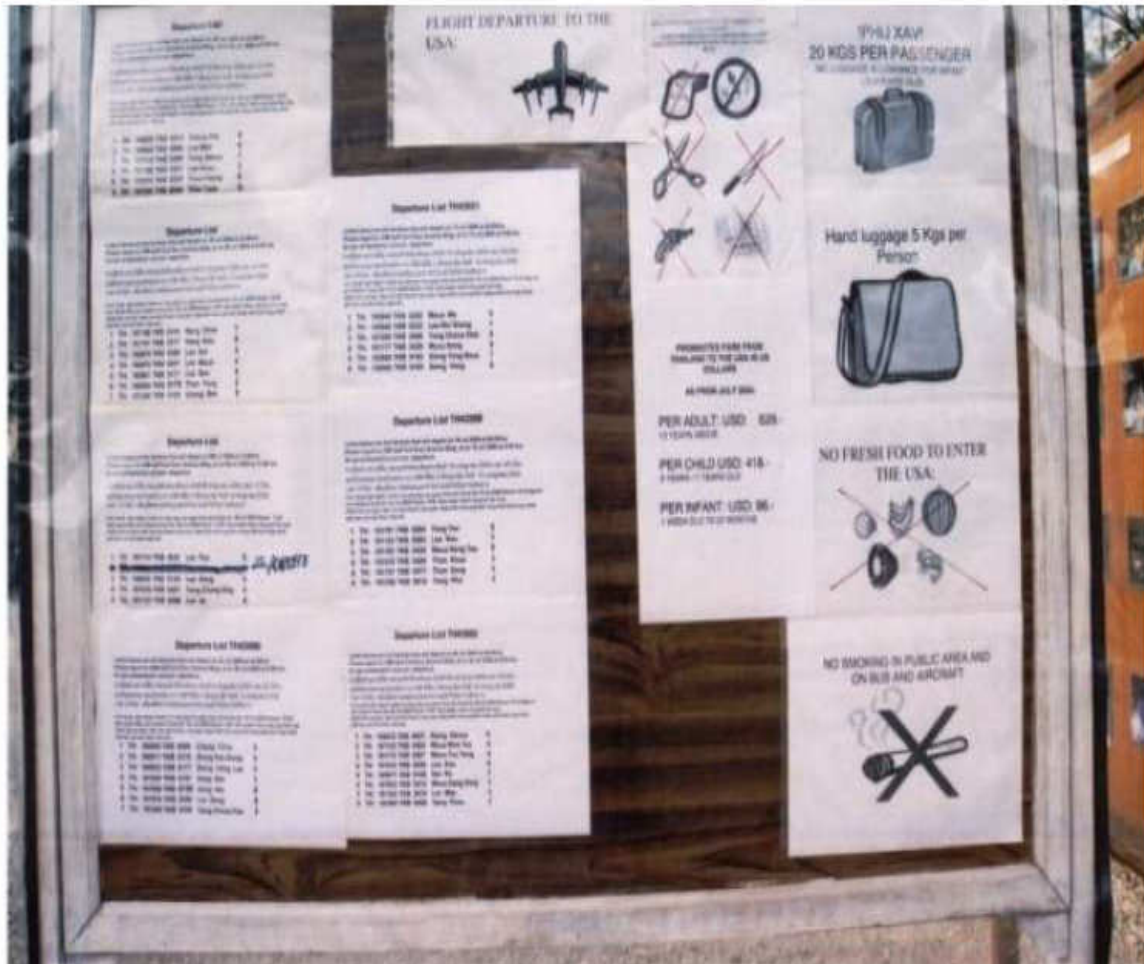
angestrebter akademischer Grad

Magistra (Mag.)

Wien, 2012

Preparing for America at Wat Thamkrabok (Lor 2009:30)

Abstract

Since Ravenstein´s "Laws of Migration", migration research and theories have developed significantly to look at migration from a variety of angles. My research question centers on the hypothesis that, despite these developments, social factors are still underrepresented in much of migration research and mostly assumed to be merely "side-players" in a community´s or individual´s decision whether to migrate. If they are taken into account at all, it is primarily in the study of transnational family networks, or integration processes in the destination country. The here presented case study of Tham Hin, one of the current nine Burmese refugee camps in Thailand, is an example of the importance of including social conditions in the home community as well. I discuss various migration models to support my hypothesis. Further, I outline the context in which the empirical example is situated, meaning the political situation of refugees in Thailand and their position therein. The plight of the Hmong refugees in Thailand at the end of the Indochina war is also contrasted with the current situation of Burmese refugees, situations that resemble each other in some ways but at the same time differ significantly in others, especially in regard to resettlement.

Acknowledgements

Abbreviations

CCSDPT   Committee for Coordination of Services to Displaced Persons in Thailand

IOM   International Organization for Migration

IRC   International Rescue Committee

FGD   Focus Group Discussion

KNU   Karen National Union

OPE   Overseas Processing Entity

PAB   Provincial Administration Board

RTG   Royal Thai Government

RSC   Resettlement Support Center

RST   Resettlement

SPDC   State Peace and Development Council

SLORC   State Law and Order Restoration Council

TBBC   Thai Burma Border Consortium

THI   Tham Hin camp

UNHCR   United Nations High Commission for Refugees

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1. Introduction

> *Case Study: A 44 year old married woman with six children has not considered resettlement. She prefers to remain in the camp and see if the situation*
>
> *in Myanmar, where her father siblings still live, will improve.*[1]

Even in the most basic theories about migration, there is an inherent assumption that people in the "Global South" are eager to move at the first opportunity, and that this decision is foremost a "rational choice" decision, depending in the largest part on economic considerations. This assumption, which applies to economic migrants moving from the periphery to the central developed states, is even more assumed for refugees, considering their often precarious, inhumane living conditions, in crowded camps with little possibilities for any improvements. It seems only natural, therefore, to assume that these groups of the most vulnerable would be eager to move at the first opportunity offered, even at the cost of making large sacrifices in order to become one of the "lucky few" able to move on. In regard to refugee situations, foremost in Africa, this seemed unfortunately to been confirmed in scandals involving UNHCR staff with taking bribes for resettlement placements.[2]

Over the years, we have seen not much of this assumption change, and the picture of "Europe as the El Dorado of the welfare state", beleaguered by the less-fortunate of the developing world" is ever-dominant – from a European perspective, there is a long list for "them" to come to "us".

Against this hype, however, the reality looks much different. Indeed, only a very small minority of migrants and refugees are actually arriving in "the West", or even trying to get there – the majority of both groups only move to neighboring countries, which are often as poor as their home region. Indeed, only a small proportion of any

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[1] Smith/UNHCR 2010:1; exemplary case study from Tham Hin survey, see chapter 6.
[2] As allegedly happened in UNHCR Nairobi, Kenya (cf. Frederiksson 2002:3).

"emigration country" would see migration to "the West" or "the North" as the best solution to their everyday problems, and this applies as well to the direst situations as we see in many refugee camps. Therefore, even if "Fortress Europe" would open its gates completely, the fear of an "inrush of people" is unjustified – most people, even in developing countries, are, just as in "the North", simply too very firmly rooted in their own communities.[3]

This paper is the outcome of a survey done by UNHCR in Tham Hin camp, one of the nine Burmese refugee camps in Thailand, which had the aim of creating a clearer picture as to why such a relatively large proportion of eligible refugees didn't chose to resettle, even when they were presented with this opportunity. More precisely, the survey found that less than half of eligible refugees in Tham Hin didn't come forward for resettlement at the start of the US resettlement program in the camp and only over the next years until the program´s closure in 2009 did this number grow slowly. This therefore contradicts the general assumptions about refugee communities stated above.

Consequently, my research evolved from the Tham Hin survey, having been involved with it during an internship with the UNHCR field office in Kanchanaburi between July and September 2010. My aim is to contribute to the literature challenging the general notion that migrants, or refugees, are completely untied individuals, whose only aim is to escape their situation at the first chance available. Contrarily, I argue that this picture is incorrect, as it negates the existence of social bonds or other ties that may influence an individual's choice on whether or not to move. This paper shall add its part to the discussion on migration theories by stressing the role of *social factors* in the process of migration. I hope that this paper and the case study contained within contributes to challenge the cliché that a "fortress Europe" is necessary and bolsters the concept that any theory which neglects to look at the social "fabric" inherent in *any* community is likely to be ineffective in trying to control, influence or predict migration movements.

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[3] Cf. Hammar 1997:1;21

In order to provide a better picture of resettlement in general and its role in refugee situations, I will commence chapter two by outlining the situation regarding refugees in general, including the emergence of refugee movements and their subsequent position in the international arena. Upon this, the focus will be on resettlement, followed by an outline of the US` role in resettlement, as the US have always been one of the biggest players in this matter.

When looking at the Burmese refugee situation today, it is important to remember the situation of the Hmong refugees in Thailand, following the Indochina war in the 1970s and onwards. In many respects the two communities resemble each other, however the way the Hmong situation was eventually resolved differs markedly from what we see today in the context of the Burmese. Therefore in chapter three, I will outline the process surrounding the resettlement of the last remaining Hmong refugees who stayed in the Wat Thamkrabok temple compound until as recent as 2010, when finally getting resettled as well. Comparing the eventual resettlement of this last group of Hmong with the Burmese resettlement situation today is giving us a good idea about what it depends on whether a resettlement operation is efficient. Literature in this context centers either on "America´s forgotten allies"[4], meaning the Hmong fighters who aided the US troops in Laos but were subsequently left behind to fend for themselves under the stringent Prathet Lao government, or it puts the spotlight on the US "airlifiting" of Hmong fighters, to provide them with a safe haven in the US. The latter includes extensive literature on various Hmong ethnic communities in the US and other resettlement countries (surprisingly even in one small rural community in southern Germany), as to the process of integration and coping in their new environment.

Little research exists for conditions in the refugee camps themselves along the Thai-Lao border, and especially in the last remaining "camp" at Wat Thamkrabok. For an outline on the situation Grigoleit (2006), Fink DeVivo (2005), as well as the Hmong Resettlement Task Force of Wisconsin (2004 and 2005) provide relevant insights into developments at the Wat.

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[4] Benjamin Zawacki has covered and campaigned for this issue continuously; see e.g. http://www.time.com/time/magazine/article/0,9171,447253,00.html

In order to understand the context in which the nine camps exist in Thailand, it makes sense to provide a brief outline of the political situation of refugees in Thailand. As such, I have outlined the government´s stance and refugees´ position in chapter four. This is followed by an outline of the developments in Burma that have led to the very establishments of the camps, going back to the 1980s, since which there have been considerable changes. Extensive literature exists for both of these areas. For example, Lang (2002) provides an extensive historical overview of developments in Burma since British rule, including the military´s strategies that have led to the establishment of the camps in Thailand. Further, the UNHCR, as one of the main actors in refugee protection concerns in Thailand, also offers up to date information on relevant issues. As there are recurrent critiques on Thailand´s migrant workers and refugee policies, various NGO´s and other organizations publish frequent articles and updates on these very issues.[5]

Following on this, I will discuss major migration theories and their respective focus points in chapter five, drawing on authors as Parnreiter (2000), Hammar (1997), Massey (1993), Sassen (1991) and Castles/Miller (2009), who have all written extensively on international migration and various aspects thereof. This shall be the main body of the thesis and it will further underline its core hypothesis through detailing the neglect of social factors in these popular theories.

Subsequently in chapter six, the empirical example of Tham Hin camp – based upon the survey done in 2010—will be the focus. I will brief the reader on the background situation of Tham Hin camp, its community composition and management structure, as well as the actors involved and, of course, the resettlement situation in the camp. This will be followed by an outline of the survey design and the methodology developed and used by UNHCR during the survey. The focus of the UNHCR was rather "technically-oriented", meaning that the intention was to find out reasons for non-resettlement which could then be used to improve UNHCR´s approach in the

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[5] See for example Therese M. Caouette and Mary E. Pack: *"Pushing past the definitions: Migration from Burma to Thailand"* (2002), *repository.forcedmigration.org/show_metadata.jsp?pid=fmo:3163, and Margaret Green-Rauenhorst*/Karen Jacobsen and Sandee Pyne: *"Invisible in Thailand. Documenting the need for international protection for Burmese"* (2008), www.phamit.org/download/Invisible%20in%20**Thailand**.pdf

camp. In order to look at the material from a more sociological angle I have also used Mayring´s suggestions for encoding the data, as to develop five of what I have called "reason-types" for non-resettlement. Further knowledge on analyzing interviews and group discussions were drawn from Mayer (2009) and Gläser/Laudel (2009).

 Finally also in chapter 6 the description of results, centering on statements by participants of the survey, will be discussed in detail. Likewise, I have drawn on a study of the faculty of sociology of the Ruhr-University Bochum (Germany) in order to test possible connections in a grid structure consisting of different variables.

Based on the main conclusions of the survey in terms of social factors, chapter seven will look at the dynamics inherent in a refugee camp environment, as well as the structure that determines social relations between the various actors involved and the camp population. Namely, flight itself and the circumstances of living in an – often crowded – refugee camp are traumatic experiences that influence the camp community; further, self-perceptions of refugees themselves may impact on the decision whether or not to resettle. New hierarchies in a refugee community and the way individuals place themselves within it are established, which also are likely to change women´s role in this society and their status of authority.

In finality, chapter eight holds the conclusion of the paper.

2. On the emergence of refugees

„Mass migrations of peoples have always occurred; however, `refugees` are a creation of the twentieth century state."[6]

Migration of people is nothing particular to the 20th century, nor is the existence of refugees *per se*; however, the emergence of "refugees" on such a large scale as we see today can be attributed to developments at the end of the Second World War, as well as the end of the Cold War.

As Anderson (1991) has pointed out with his concept of "imagined communities", the importance placed on *national boundaries*, which brought along permanent passports, identity papers and mapping were the decisive prerequisites that made the emergence of refugees, as we know them today, only possible. Here, the basic condition for counting as a refugee is the crossing of a national border, without which an individual may "only" count as an internally displaced person (IDP).[7]

The end of World War II saw thousands across Europe being persecuted, driven from their homes and dispersed in the chaos of war. These circumstances conditioned the establishment of the UNHCR in 1951, which on the onset was thought to be an only temporary agency.[8] Essentially, the scale of these displacements, their ever increasing duration as well as the growing importance of territorial states and nations´ sovereignty were decisive factors in the establishment of the Convention. As the scale of people fleeing violence and persecution outside of Europe increased as well, eventually the 1951 definition had to be widened by adding another Protocol in 1967[9], making the definition of who counts as a "refugee" applicable to a worldwide level. [10]

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[6] Malkki 1995, cited in Fink DeVivo 2005:5
[7] Kalnin 2010:79
[8] Only quite recently in 2003 was the UNHCR declared to be continuing to exist „until the refugee problem is solved"; previously, its mandate had only been extended on a five-year basis (Goodwin-Gill 2008: n.p.).
[9] After the 1967 amendment, the definition states that "any person who is **outside** their country of origin and unable or unwilling to return there or to avail themselves of its protection, on account of a

Up until the mid 1980s the UNHCR system with its definition of who counts as a refugee deserving international protection worked out quite reasonably; basic principles regarding human rights and dignities of refugees were respected, and a certain degree of burden-sharing of the international community was thought to be a necessary duty. However, as the Cold War came to an end with the fall of the Soviet Union, the necessity to fund certain "volatile" states was abandoned. As a result of the omission of financial contributions from "the West" "state implosions"/state collapses followed, which were subsequently followed by persecutions of certain groups and many atrocities, producing large flows of refugees moving partly towards Western Europe. These flows of refugees became increasingly challenging for the UNHCR.

Moreover, a certain degree of "re-thinking" began to emerge: no more "duties", but more how to *avoid* these, or at best make them not emerge at all, became the focus for many states, especially in the Western hemisphere. As Goodwin-Gill has pointed out: "Duties, once freely assumed, are taken less seriously".[11] With the abolition of a clearly divided line between the open market-oriented and the communist camp, states increasingly focused on themselves instead of the common good of "their" team, which became evident with less international cooperation in dealing with emerging refugee crises.[12]

As Lang has pointed out, *"[t]he essential condition of becoming a "refugee" emerges with the "rupture of the minimum relationship of protection, trust and loyalty between the citizen and the home state"* – meaning that the relationship between dutiful citizen and "fatherlike" state as a protector is taken away, leaving the individual concerned forced to look for sanctuary elsewhere. [13]

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well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular group, or political opinion" (Goodwin-Gill 2008#The Convention Refugee Definition, emphasis added by author).
[10] Fink DeVivo 2005:4
[11] Goodwin-Gill 2001:1
[12] Goodwin-Gill 2001:14
[13] Lang 2002:13ff

Such a definition concentrates on the relationship between the state and its citizen; however, to encompass the day-to-day activities of involved organizations and actors, and to define what *concrete conditions* make an individual a refugee, a more practical definition had to be drawn up. Subsequently, as for the above mentioned 1951 Geneva definition, an essential aspect of its formulation was to agree on a *common definition* on who would be regarded by all state parties involved as a "refugee" deserving international protection. As the convention was done under the background of the Second World War, its focus was on *European* persons fleeing fighting and acts of violence in connection to events occurring *prior* to *January 1st 1951*. However, as a matter of fact this approach proved to be too inadequate in the years to come and had therefore to be expanded in 1967 to include *all* persons fleeing fighting, irrespective of origin and of a time deadline.

Subsequently, this widened definition still stands until today as the most widely spread definition on which UNHCR refugee status determination procedures are based, as well as most countries´ criteria who counts as a "refugee". [14] However, there is quite extensive discussion about the limitations of this definition, particularly the importance of having a "well-founded fear of persecution" is very often argued to be *too subjective*: especially making the decision of awarding refugee status to an individual dependent on something as subjective as "fear" has always draws immense criticism. Suddenly this very subjective emotion has to be judged *objectively* by law authorities, judges and other decision makers who are at times not accustomed to refugee law or know little about an individual´s cultural background or conditions in the home country that may have led to the departure.   Additionally, the necessity for adequate interpreters is not always acknowledged, which understandably makes judging this "well-founded fear of prosecution" too often bordering on randomness and the good- or badwill of the authorities in charge. Moreover, the 1951 definition had been drawn up on the basis that individuals who flee from *political persecution* should be granted protection; however, even though political activism is still often the main reason for persecution and subsequent flight, a rather new development of our time is that today´s refugees often seek protection because of attacks by

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[14] Fink DeVivo 2005:4ff.

government or non-governmental actors, irrespective of any engagement in active political opposition – a situation that also fits for the case of a large part of Burmese refugees. Individuals or groups are targeted as "mere victims", not necessarily on the basis of social, cultural or other differences but nevertheless in a way that leaves no other choice for survival other than to leave one´s homeland.[15] Especially this third category of randomly targeted individuals is an inherent feature of many refugee situations of today, especially seen in Africa or South America.

Therefore, the continuing wars and war-like situations in Africa and Latin-America, which frequently witness large numbers of people fleeing fighting and grave human rights violations, finally called for a more regionally adequate version of the original definition. Subsequently in 1969 and 1984 respectively the OAU Refugee Convention as well as the Cartagena Declaration were created, trying to adapt the original definition to make it more applicable in a distinct African or Latin American context. Instead of emphasizing the need of a certain "*deliberateness*" of targeting an *individual*, these two definitions rather stress the persecution of more or less random groups of people who are forced to flee from either an outside aggressor, occupation, foreign domination or "events that seriously disturb public order". In this way, the special situations in Africa and Latin America, which often include hard to identify warring factions that don't necessarily target only one specific group, have been addressed. [16]

However, even though discussions surrounding the definition of who counts as a refugee are frequently debated, one core principle is inherent in all definitions and can be seen as the "basic" principle of refugee protection: Namely the provision of *non-refoulement* (enshrined also in the 1951 Geneva Convention). Essentially, this refers to the principle that no individual should be sent back to his or her country of origin if there is a fear that this might endanger his or her life or well-being (e.g. in the case of the threat of torture).[17]

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[15] Lang 2002:13ff
[16] Schreier 2008:55;57; Goodwin-Gill 2008
[17] Exact wording acc. to the Geneva Convention (Article 33): „No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom

This key principle of *non-refoulement* was also included in other international treaties, such as the International Covenant on Civil and Political Rights (ICCPR), and the European Convention on Human Rights (ECHR), as well as of course the above mentioned African and Latin American documents regarding refugees. Thus, even if countries such as Thailand haven't signed the Geneva Convention, they are nevertheless expected by customary international law to abide by this principle. Considering the almost regular deportations of Burmese nationals from Thailand, there is frequent critique regarding Thailand´s breach of this basic provision of customary law.

However, as concerning the definition of "refugees", even the principle of *non-refoulement* is frequently subject of discussion. Mainly, this discussion has been introduced by states that are concerned about subversion of their national sovereignty, as well as if there is a threat to national security. It is also unclear if the principle of *non-refoulement* applies equally to persons trying to *enter* a country as those being deported. [18]

As is evidence by the breakings of this principle of *non-refoulement* by various states, refugee protection was from the beginning and still is today subordinate to state sovereignty – to provide refugee protection has been agreed upon on the condition that the "final word" still belongs to the respective state, rendering refugee protection and the Geneva Convention essentially open to the same "toothless" criticism as, for example, the principle of Human Right law.[19] Moreover, even though UNHCR is seen as non-political, in reality it has proven itself to be highly political: namely, there can be no UNHCR intervention for humanitarian or other assistance if the government concerned rejects such assistance. Further, as the agency´s efforts would be impossible without due financial contributions by member states, this has

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would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."(Rodger 2002:II B)
[18] Rodger 2002: II B
[19] Rodger 2002: II B

created high dependency on state policies and allows the UNHCR to be shaped to a large degree by these forces.[20]

At the beginning of 2009 there were approx. 36 Million persons of concern to UNHCR , this being the highest figure since the agency´s inception. However, according to the aforementioned definition, "persons of concern" does not necessarily only mean "refugees" but also includes stateless persons, refugees returning home and internally displaced persons (IDPs). The number of *refugees* benefiting from UNHCR assistance in 2009 stood at around 10,4 Million persons. However, as with all official numbers, UNHCR figures have to be taken with care: Jeff Crisp points out that, "UNHCR statistics can be the result of negotiation between the Office and the host government, and typically include only those refugees under the mandate of UNHCR". This means that in cases where e.g. the host state hinders more persons from entering designated camps (managed by UNHCR), this of course decreases the number of persons under the UN mandate. However at the same time, refugee numbers are distorted as official figures only include these persons under UNHCR-protection in these camps, neglecting those that were hindered from entering the camps. . Further, as can be seen in the case of Burmese in Thailand, the divide between economic migrants and refugees is quite often blurred: many potential refugees live hidden in urban areas, rather than staying in the camps required by many host governments, as e.g. in Thailand. Such policies, therefore, do have an impact on UNHCR numbers[21].[22]

Despite the sometimes prevailing assumption about two thirds of all refugees worldwide are living in developing countries, mostly fleeing only to an imminent neighborhood country or to a country at best within their own continent. [23]

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[20] Loescher 2001:28
[21] Loescher et al 2008:22f
See also: Crisp, Jeff 1999: *"`Who has counted the Refugees?`: UNHCR and the Politics of Numbers"*, New Issue in Refugee Research, Working Paper No. 12, Geneva: UNHCR, June 1999.
[22] This shows again UNHCR´s status of being to a high degree a "playball" subject to government intentions and good-will.
[23] UNHCR 2009c:17f

Within these environments of refuge, many end up living in crowded camps under rather inhumane conditions; not seldom do they get stuck in limbo. Subsequently, there has been a great demand for a solution, especially with protracted refugee situations which have seen generations grow up in camp environments.

For such long-standing situations such as this there are generally three options available, which are known as "durable solutions" by UNHCR standards. Primarily, whenever possible and deemed safe, voluntary repatriation to the home country is seen as the most desirable solution for all stakeholders. Secondly, if the opportunity of local integration is given (meaning permitted on the host governments´ side), this could be an option for at least part of the refugee community. However, these options are not always available, which often makes the third solution, resettlement to a third country, the most attractive and the most *realistic* solution.

2.1. On resettlement issues

> *Myth: Most refugees want to be resettled. Truth: Most refugees want to go home.*
>
> *Resettlement is for refugees who have no other solution.*[24]

"Resettlement", by definition, refers to *"[T]he transfer of refugees and stateless people from the country in which they have sought refuge to another state that has agreed to admit them as refugees and/or to grant permanent settlement there."*[25]

On a more operational level this means several "practical" stages, compromised of case identification, needs assessment, identity validation, eligibility determination and processing, transportation and passage, and then eventual integration into the receiving community, with special emphasis being placed on resettlement as an *orderly* process, against other forms of migration as being more "unpredictable", or

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[24] UNHCR 2010d:4
[25] UNHCR 2009a:1

"random".[26] For all the above steps, various actors are involved, being responsible for respective parts of the whole complicated process of transferring an individual from country A to country B. As has been pointed out, under their refugee protection mandate, UNHCR is highly involved in this process and cooperates at almost every stage with various NGOs and governmental stakeholders. Another main actor without most resettlement operations would be unthinkable is the IOM (International Organization for Migration), which, depending on the respective host country, manages pre-departure cultural orientation programs and very essentially the logistics of movements. Apart from these two rather big players, the IOM and the UNHCR, several other NGOs are involved in the process.

Throughout the 1980s actual resettlement numbers were much higher than what we see today. The foremost reason for this was that the war in Indochina produced massive flows of refugees pouring into neighboring countries, amongst those Thailand, which were quite generously resettled to Western third countries. Vietnamese refugees alone numbered approx. 700,000, who were for the largest part eventually resettled overseas. The number of actually resettled persons has gone down since then, with annual numbers standing at less than 80,000 annually for all resettlement-receiving countries combined. However, figures for refugees *in need* of resettlement stay high and have even risen during the previous years: UNHCR estimates that approx. 780,000[27] refugees will be in need of resettlement over the next 3 to 5 years, a number which nevertheless only accounts for less than 10% of all refugees worldwide. For 2011 alone, needed placements have been estimated to be approx. 172,000 – basically, for every 100 refugees in need of resettlement, merely 10 get resettled each year.[28] At the Annual Tripartite Consultation on Resettlement in July 2011, the head of UNHCR´s resettlement division Wei-Meng Lim-Kabaa warned that under current conditions, about 100,000 refugees in need of resettlement will be left without a solution in 2011.[29]

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[26] Fredriksson 2002:28f
[27] This number is based on multiple-year projections where resettlement is envisioned for the next coming years.
[28] UNHCR 2009a:4f;UNHCR 2010c:1; ECRE Newsletter July 8th 2011
[29] ECRE Newsletter July 8th 2011

Appendix I shows UNHCR submission numbers and subsequent acceptance numbers; as can be seen from the divergence, only about half, if not less, of all proposed cases for resettlement actually get resettled in the end, suggesting that even though states might mostly adhere to UNHCR recommendations regarding who they should focus on taking in, final admission numbers are nevertheless quite significantly low.

Until today, the US is the largest refugee receiver. Nevertheless, how dire the resettlement placement situation is at present can be seen from a US example: In 2008 the *ceiling* of US resettlement admissions has been put at 80,000 placements – UNHCR figures put places actually *available* for UNHCR referred resettlement to the US at 56,750; however, eventually resettled refugees to the US in 2008 have only been 48,828 persons.[30] This demonstrates that the national maximum admittance number for resettlement is not achieved, and that also not all refugees that the UNHCR suggests for resettlement are taken in eventually.

Again in 2009, out of an expected arrival of 75,000 according to a US government report, actual arrivals have been 62,011 persons, according to UNHCR numbers.[31]

What is striking about the above figures is that actual UNHCR *submissions* for persons in need of resettlement in the US have been 94,590 and 102,586 persons for 2008 and 2009 respectively.[32] While naturally there ought to be some divergence between submissions and consequent acceptance numbers, the gap between these two figures seems to be widening over the last couple of years.[33]

Overall, refugee submission rates have been generally increasing in the new millennium, with an all-times high in 2009 (128,000 persons submitted, up from 121,000 in 2008 and decreasing slightly to 108,082 in 2010), which is mostly due to improved UNHCR and NGO staff competencies in their identification of vulnerable persons of concern and in the better communications between field and head

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[30] UNHCR 2009a:4f.; UNHCR 2010c:55
[31] UNHCR 2010c:44; US Dpt. of State, US Dpt. of Homeland Security and Dpt. of Health and Human Services Report 2008:5
[32] UNHCR 2009b:3;UNHCR 2010c:45
[33] See Appendix I for overview of submission/departure rates 2004-2010.

offices.[34] However, as has been noted already, state admissions do not keep step with the submission rate, and this remains to be the major problem. Due to this fact, the UNHCR had announced an increase of 10% in receiving states´ resettlement numbers as one of its major focus points for the period 2010-2011.[35]

Another point of concern which has been raised in recent times by UNHCR relates to the time of processing resettlement cases: the average duration of a "normal" case from submission by UNHCR to the receiving state concerned until the actual departure of the individual or the family should take approx. 12 months; however, in so called *emergency cases,* usually when the refugee concerned is in bad health or other dangerous circumstances, the processing time ought to be cut if possible to only several days until departure. This has proven not to be the case most of the time, with delays for screening, health and security checks etc. holding up the process, resulting in procedures taking an average about five months/140 days from submission to departure. This situation has been exacerbated by the 9/11 attacks in 2001, which created an additional increase in processing time due to even more rigorous security screenings. Also, due to increasingly strict criteria and screening procedures for such urgent cases, the total of 700 slots available in 2009 for such cases could not be utilized completely. For example, out of 1,022 persons submitted by UNHCR in 2009, only 653 persons eventually departed to a third country.[36]

Major *departure* countries (countries of first asylum from which refugees are resettling), as well as major countries of origin (refugees` home countries) haven´t changed much in the last couple of years; Nepal still ranks first regarding numbers of individuals submitted for resettlement, although numbers for Thailand fell out of the top three of departure countries, being replaced by Malaysia in 2010 (however, country of origin is still the same, namely Burma). Therefore, regarding nationalities affected, there haven't been any changes in recent years, with Iraqi refugees being

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[34] UNHCR 2010d:56;UNHCR Fact Sheet 2011:1
[35] UNHCR 2009b:3f
[36] UNHCR 2009a:8;UNHCR 2010d:12

the most prominent population of refugees worldwide, followed by Burmese and Bhutanese refugees.[37]

Not every country which might accept asylum seekers on their "doorstep" has an official resettlement program in place; up through the current day, the United States still stands at the largest taker with resettlement acceptance numbers. Other prominent resettlement countries have included Canada, the northern European countries, as well as Australia and New Zealand. However, recent years have seen countries such as Argentina, Brazil and Chile, amongst others, as well as the UK and France build up or reinstall their resettlement programs. Germany has also enacted an *ad hoc* resettlement program since 2009.[38] Relevant in the Asian context is the pilot project which Japan started in 2010, under which for three years 30 Burmese from one of the Thai camps will annually be resettled to Japan.[39]

However, connected to the problem of resettlement places available, European countries´ share up to today has been relatively minor, providing for only 13% in 2009 of overall places needed, an increase from merely 9% in 2007. Even though joining only in 2009, Germany had the highest number of acceptances as of 2009 (2,064 persons), thanks to special *ad hoc* admissions for mostly Iraqi refugees.[40]

Even though resettlement itself might be seen as a relatively "easy" means of relieving the plight of refugees worldwide, the process of moving individuals or families from place A to B must be understood as a process that not only includes refugees themselves and the receiving country, but also must include the host government´s cooperation and support as well, making the whole procedure of resettling refugees a complex process where dialogue, coordination and mutual understanding is crucial in achieving durable outcomes.

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[37] In fact, the three nationalities compromise about ¾ of all worldwide UNHCR refugee submissions (UNHCR 2010d:46).
[38] UNHCR online, 05.07. 2010. Resettlement countries as of 2011 compromise 24 states (UNHCR 2010d:9).
[39] ; Japan Today, 10.05.2011.
[40] UNHCR 2010d:8;10;46

 Further, for refugees themselves there exists neither a „right to resettlement", nor any obligation on receiving state´s side to accept any number of refugees or other persons in need (e.g. stateless persons). Admission criteria, as well as numbers, are at the sole discretion of the receiving state and its national resettlement policies. However, most major receiving countries orient their policies towards recommendations set by UNHCR; thus, receiving governments usually work together on a regular basis with UNHCR and generally accept refugees deemed eligible by UNHCR screening processes.

This sole discretion of state´s decision on resettlement slots available proves to be one of the major "dilemmas" regarding refugee resettlement: On the one hand stands UNHCR´s core mandate and responsibility to provide durable solutions and protection for refugees and on the other hand there is a state´s desire to *manage* migration effectively and if possible, only admit skilled migrants and family immigrants.[41] Therefore, as states generally try to regulate and control migration coming towards them, there is a well-founded fear that providing (orderly) resettlement places might be increasingly seen as a "quid pro quo" solution for admitting refugees, rather than having states deal with the unpredictability of arriving asylum-seekers at one´s doorstep. However, even if resettlement might be a viable solution for (smaller) states that would like to participate in burden-sharing, this shouldn't become a substitution for scaling down the possibility of seeking asylum individually. Both are two parts of the umbrella of refugee protection: where resettlement is dependent on the "vagueness" of state policy, asylum should continue to be a right under international human rights law and be dependent only on Convention criteria.[42]

As stated previously, the actual number of approx. refugees worldwide who might be involved in such a "managed migration" process stands at approx. 10% of all refugees worldwide- much less than one might expect; therefore, resettlement is hardly a "one fits all" solution and rather tends to play a minor role in finding solutions for refugees.

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[41] Fredriksson 2002:28f
[42] ibid.

Further, the warm welcome that asylum seekers and refugees in general have been granted during the 1990s and beforehand has been steadily declining – today´s attitude in most industrialized countries has gone cold, keeping acceptance numbers low. This also applies to resettlement places available, meaning that most likely the "halcyon days" of large-scale resettlements, as have been seen in the case of the Indochinese with about two million persons being accepted into third countries, will most likely not be repeated in the future.[43]

However, as concerning developments in refugee situations in recent times, resettlement, even though very small compared to overall refugee numbers, can indeed prove to be of significant importance: especially in the case of long-standing refugee encampments that have been emerging since the 1990s. One apparent change since then is the *duration* of these situations: increasingly, refugee camps turn into now called *Protracted Refugee Situations* (PRS[44]), which see generations grow up in the same encampments. Indeed, over two thirds of today´s refugees worldwide find themselves not in an emergency situation but rather stuck in one of these protracted, ongoing camp environments, of which there are about 30 worldwide. Some of them, as can be expected, are the ones we see today in Thailand, compromised of Burmese refugees stuck in limbo in these camps.[45] Many of these protracted camps throughout the world are closely connected to so called "failed/fragile states" which produce and maintain these situations. However, it is not only the continuing violence and absence of state protection for at least part of its citizens that can be seen as the source of PRS but moreover regional dynamics also help maintain these impasses. As Loescher et al have pointed out: "They [PRS] endure because of ongoing problems in the countries of origin, and stagnate and become protracted as a result of responses to refugee inflows, typically involving restrictions on refugee movement and employment possibilities, and confinement to

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[43] Loescher et al 2008:58f

[44] As taken as measurement by UNHCR, a refugee population of approx. 25,000 or more who live outside their home country for five or more years in a developing country. However, this measurement shouldn't be taken as absolutely given, meaning that even smaller populations than the above number can be counted as protracted, given their duration in exile (Loescher et al 2008:21ff).

[45] Loescher et al 2008:3f

camps". [46] Thus not only have host governments play a role in often maintaining protracted situations, but also "political impasses" of potential third countries may hinder any improvements of such environments.

Consequently, the option of third country resettlement is often regarded as one of the (only) options available for such cases, as Erika Feller, former UNHCR High Commissioner, noted in 2007:"While fewer than 1 percent of the world´s refugees may be resettled in any given year, resettlement is an important protection tool, a durable solution and a concrete manifestation of responsibility sharing."[47]

This viewpoint shows not only the role resettlement plays for refugees themselves in providing a secure new environment, but also argues that resettlement is an expression of burden, as well as responsibility sharing within the international community, and can thus be a way forward to "unlock" protracted refugee situations.[48] Coming out of this understanding, resettlement as a means of refugee protection in situations where no other solution is feasible has high level priority in UNHCR goals; at the Annual Tripartite Consultations on Resettlement (ATCR), issues thereof, as well as resettlement numbers and admission criteria are discussed among the main stakeholders consisting of states, NGOs, the IOM and UNHCR in order to improve resettlement as a protection tool for refugees. [49] Indeed, this official forum serves as the most important meeting arena for above actors and is used by UNHCR as an opportunity to try to increase commitments of receiving states to step up their intake numbers. The importance of this annual conference has been recognized by UNHCR itself, stating that one of the most important outcomes of the ATCR is actually the ATCR itself, showing that through its existence global partnerships and cooperation regarding resettlement is indeed promoted.[50]

However, the question of *when* resettlement is the best solution available continues to be debated: not only what *counts* as a "protracted situation" is subject to

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[46] ibid:27
[47] UNHCR 2009a:1
[48] UNHCR 2009a:1ff
[49] UNHCR 2010d:7
[50] ibid:16

discussion, but also which model to follow: questions such as "How long does a refugee have to spend time in limbo (to make resettlement the best solution)?" or "What groups should be referred for group resettlement?" continue to be not clearly defined.

2.1.1. Regarding US resettlement

As stated previously, the US still stands as the most "generous" intaker of resettled refugees, far exceeding acceptance numbers of any other country.

The events of 9/11 saw US immigration policies tighten significantly, especially in the months following the attacks; this meant not only increased security screenings and other control measures, but also had direct implications for to-be resettlement cases. In fact, the US resettlement program was the only US migration program to be completely brought to a halt following 9/11, with new arrivals through resettlement being less than 800 persons for the quarter of resettlement year October to December 2001, out of a projected 14,000 arrivals.[51]

Fortunately, this proved to be only a temporary measure – admission numbers picked up quickly again, with a major boost from 28,000 intakes in FY 2002 and FY 2003, increasing to 53,000 persons in FY 2004; however, former US President Bush´s announcement aiming to increase intake numbers to 75,000 hasn't been reached so far even under President Obama´s government. aimed at intake numbers of 75,000, this hasn't yet been reached even under Mr. Obama`s government.

Regarding admissions from the East Asian region, almost all of admissions are at present Burmese[52] cases (Karen and Karenni ethnic group from six of the nine Thai refugee camps, ethnic Chin refugees from Malaysia), with some minor number of remaining Vietnamese being resettled through the former Orderly Departure

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[51] Frederiksson 2002:1

[52] A short notice on choosing the name "Burma" instead of "Myanmar": Following the name change in July 1989 from „Union of Burma" to "Union of Myanmar" by the State Law and Order Restoration Council (SLORC), what to call the county has become a sign of protest in many publications and general discussion. Several countries (the US, Australia and several European countries) have chosen to stay with the original term "Burma", whereas the UN recognizes the name change towards "Myanmar". I have chosen to stay with the denomination "Burma" as a more familiar form, as well as "Rangoon" instead of "Yangon" for the country´s former capital. Further, "Burmese" refers to all citizen of Burma, whereas "Burman" means only this ethnic group.

Program (ODP), which has been in place until 1994. Admission numbers for 2009 were therefore standing at 19,000 persons, from which Burmese refugees accounted for 17,500 places. For 2010, interviews were expanded for all of the nine camps along the Thai-Burmese border, leading to number of admissions of approx. 16,500 Burmese. Regarding ceilings by region, East Asia therefore stands at second place, only overtaken by the Near East/South Asian region with a ceiling of 35,000 places for FY 2010.[53]

As with all refugee admission countries, US policies and rules for acceptance vary case by case and country by country, and are subject to changes from time to time. As such, I will only briefly outline the resettlement process of US referred resettlement cases from the specific case of Burmese refugees from a Thai refugee camp. Again, policies and guidelines for other admission countries or nationalities do vary.

Firstly, getting recognized by UNHCR as a person deserving international protection is the primary prerequisite for applying for resettlement referral in any refugee case. In Thailand, however, being recognized by the government´s screening board ("Provisional Admission Board", called PAB) comes even before UNHCR approval. Due to Thailand not having signed the Geneva Convention on the Status of Refugees of 1949, as well as not having signed the Protocol of 1967, it is first and foremost at the Thai government´s discretion as to whom to admit as being a "refugee" on its territory. Therefore, even before UNHCR status, determination of the status of a person applying for refugee status has to be declared so by one of the local PABs.

Subsequently, after receiving UNHCR refugee status in one of the nine camps along the border, cases are transferred mostly by UNHCR to one of the OPEs ("Overseas

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[53] US Dpt. of State, Dpt. of Homeland Security and Dpt. of Health and Human Services Report 2009:29ff.
Ceilings are, however, almost always not reached; moreover, since the beginning of the 1990s after the fall of the Soviet Union the gap between annual ceilings and actual acceptance numbers has continued to steadily widen into the new millennium and continues to do so (see Migration Information June 2004 http://www.migrationinformation.org/feature/display.cfm?ID=229).

Processing Entities", now called "Resettlement Support Centers" RSCs), responsible for handling the screening and processing of resettlement cases.[54]

OPE´s are mostly NGOs or other international bodies that collect biographic information about applicants, hold interviews and other screening procedures, refer cases and prepare cases for resettlement. In the case of US resettlement, they are overseen and funded by the US Department of State´s Bureau of Population, Refugees and Migration (PRM), which runs eight such RSCs around the world in cooperation with NGOs and other international organizations. The International Rescue Committee (IRC) is primarily responsible for US resettlement from Thailand.

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[54] In rare cases applicants can be referred from an US embassy or a NGO to an OPE (see Merchant, Brian April 2010: http://www.good.is/post/how-a-refugee-gets-from-the-camp-to-a-new-country-refugee-resettlement-101/).

3. Thailand´s first challenge: Indochina refugee influx

The end of the Indochina war, with the fall of the US backed Saigon in 1975, marked the starting point of one of the largest resettlement interventions in history; not without reason the Indochina situation became one of the "loud emergencies", as Vieira de Mello has pointed out. Media coverage was extensive, covering pictures of starving populations and desperate "boat people". With remembrances on the Second World War still relatively fresh in mind, the generosity of the international community was accordingly wide – the Indochina crisis initiated a resettlement program which hasn't been seen since then on a similar scale. Also, the amount of financial contributions to the UNHCR and governments of first asylum were people fled to were large-scale.[55] Out of all refugees who had been displaced from their respective countries, which amounted to approx. 3 million people, 2.5 Million were resettled worldwide with UNHCR assistance, the US being by far the largest taker with more than one million refugees.[56] About 0,5 Million eventually returned to their country of origin.

By the beginning of the 1990s, the "emergency" was considered over – most camps in first asylum countries had been closed and most of the inhabitants resettled. Subsequently, the international community started redefining their resettlement policies and practices: mentioning "compassion fatigue" or "budgetary constraints", some countries chose to decrease their resettlement quotas, others (re-)focused on only taking in specific (ethnic) groups or religious minorities – whichever the course chosen, it resulted in decreased resettlement slots available, especially for UNHCR referred cases, with most refugees being taken in through family reunification programs.

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[55] US aid to UNHCR during that time alone amounted to more than one billion US Dollar (Vieira de Mello 1987:1).

[56] Indeed, US admission numbers were record high, even surpassing Cuban intake numbers which until then, had been the far highest group of refugees admitted. Whereas immigration to the US increased during the 1970s by approx 15%, the immigration flow from Asia increased by 250% (Desbarats 1985:523f). Other resettlement countries were Australia, Canada and several Western European countries. China took in about 300,000 refugees, mainly of Chinese origin. However other Asian countries, except Japan, where rather unwilling to accept intakes (Miller/Loescher 2009:142).

For UNHCR, this had negative consequences: under its protection mandate, resettlement is seen as an essential solution; decreasing slots were therefore endangering its capacity to provide such protection. Especially in situations where other solutions, e.g. repatriation, weren't feasible, this scaling back was a major challenge which hasn't yet become easier until today. Increasingly, an opinion that seemed to gain dominance was that there was something like a "solution hierarchy", with repatriation being the "happiest" durable solution and resettlement as the "least desirable". This notion can be seen even today among (host) governments, donors and other stakeholders. Ranging solutions is clearly the wrong way of handling refugee situations– which approach is the most durable, and the most beneficial to particular refugees is subject to various factors and therefore cannot be a "one fits all" attempt. However, when talking about the "best, most durable solution for a certain refugee situation", the question remains, as Fredriksson has pointed out, as in *whose* eyes this might be the most beneficial.[57]

3.1. The case of the Laos Hmong

The plight of the Hmong refugee group has been well followed as part of the general Indochina refugee movement; together with hundreds of Cambodian Khmer and Vietnamese, they have been accommodated for years in crowded camps along the northern Thai border.

However, when looking at the history of this particular group, it becomes evident that they have been one of the "big losers" of US cooperation during the war – for knowing the terrain and being of strategic importance, the ethnic Hmong hill tribes had been recruited, trained and supported by the US army throughout their campaigns in Southeast Asia. However, after the end of the war, they came to be known as America´s "forgotten allies", being left behind to fend for themselves, being outcasts in their own country and essentially being seen as enemies of the communist Prathet Lao government, which didn't favor their past involvement with

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[57] Fredriksson 2002:29

the US after their takeover in 1975.[58] As a result, as many as 10% of the whole population fled to Thailand from persecution and discrimination, ending in refugee camps established along the Thai/Lao border. In fact, already in 1976, their number had swollen to approx. 325,000.[59] Even though the ethnic composition, especially along the border regions between Thailand and Laos is very similar to Thailand`s northern population, the Thai government was wary of local integration of refugees. This policy has not changed since then, which will be elaborated further on. As a result, the Hmong were given the opportunity to resettle predominantly to the US, starting at the end of 1975. By the end of 2001, almost all Hmong refugees, approx. 200,000 in total, had been moved to the United States. Additionally, smaller numbers were resettled to Australia, Canada, French Guyana, France and Germany.[60]

It is noteworthy that very recently until December 2010, one last group of Hmong refugees was still holding out at a temple in central Thailand. This last remaining group refused to return to Laos for fear of being persecuted by the government connected to the above mentioned involvement with the US army back in the 1970s. The Thai government however refused to recognize them as refugees, even though they were indeed declared as such by UNHCR. Although most of this remaining population moved to the US eventually, the remaining part of approx. 4,500 persons who could or would not resettle to the US were forcefully repatriated to Laos in 2010, despite protests by UNHCR and various governments, which brought the number of turned back Hmong to around 7,500 by the end of 2010.

Although most of the remaining Hmong were moving to the United States eventually, *reasons* for being so reluctant to resettle until 2010, as Fink DeVivo has pointed out, were closely connected to insecurities about moving to a completely now location.

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[58] See e.g. Benjamin Zanicki´s work on this issue, who has been continuing to lobby for the remaining Hmong to be resettled to the US (Forced Migration Review No. 28,2007); Zanicki was also one of the very few who managed to provided the outside world with a rare insight account of "life on the run" inside Laos: Time´s article "Insight the Jungle" by Andrew Perrin. http://www.time.com/time/magazine/article/0,9171,447253,00.html

[59] IDMC 2010:5; Fink De Vivo 2005:7f; Radio Free Asia 2010:2

[60] On Hmong families in Gammertingen, Germany see Tou T. Yang (2003): "Hmong of Germany: Preliminary Report on the Resettlement of Lao Hmong Refugees in Germany", in: *Hmong Studies Journal 2003*, 4:1-14. On Hmong resettled in French Guyana see Patrick F. Clarkin (2005): "Hmong Resettlement in French Guiana", in: *Hmong Studies Journal 2005*, 6: 1-27.

"Rumors" were circulating among the border camp population, about American doctors hurting patients and eating livers and of violent gangs on American streets; this clearly reflected refugees´ fears about moving to an unknown new location; additionally, stories such as not being able to sacrifice animals in America showed worries and fears about how to sustain one´s own traditions and customs in such a completely new environment. Interestingly, however, refugees were also worried about being imprisoned without due process and foundation, which is something that Tham Hin refugees, as will be discussed further below, do not worry about too much: the process and the judicial system are seen as *positives* about resettlement, namely being *safe* from arbitrary arrest and assaults by officials.[61]

As for this remaining part of refugees, estimated to be around 15,000 persons, they chose to stay behind and eventually by mid 1990 had moved to the abovementioned temple Wat Thamkrabok, a monastery in Saraburi province about 70 km from Bangkok. Under the then charismatic Abbot Chamroon Parnchand, gradually a settlement evolved which, due to not being an official refugee camp, resembled more a Hmong village rather than a camp. Residents were free to leave or enter the camp as there was no registration system; also, employment was there for the work-willing, which resulted soon in different standards of living due to different engagement and skills levels.[62] However there was no assistance or services whatsoever provided by authorities or any other organization. Not only to increase one´s own living standard, but also *because* there was no assistance, people in Wat Thamkrabok *had* to work in order to buy food and other necessities, which is quite a different situation than what we see today in Burmese refugee camps in Thailand.

With the Abbot´s death in 2003, the situation changed significantly – the Thai government viewed the settlement situation suspiciously, with allegations of the Wat being a "hot spot" for illegal activities, including drug trafficking. Warnings were being issued to UNHCR and the US government that repatriation of the remaining Hmong was being considered. Also in 2004, the government sent in "Taskforce 546", named

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[61] Fink deVivo 2006:16f; Grigoleit 2006:4f
[62] Approx. 40% worked outside, either on construction sites, plantations or other similar sites (Lor 2009:11).

after the number of its members, in order to stabilize and "clean up" the situation. As a result, the settlement was fenced in and strict regulations regarding movements in and out and freedoms regarding work were imposed. Subsequently, the Wat resembled more a typical refugee camp than the previously naturally grown village. Additionally, living standards inside the compound deteriorated, making at least part of the inhabitants more dependent on relatives outside the Wat.

However when elections were coming close, the Royal Thai government was looking for a more durable solution. After consulting with the UNHCR in 2003, eventually it was agreed that this last group of Hmong would be admitted under a family reunification scheme to the US. Registrations by the Thai authorities were initiated inside the Wat, with the prerequisite that only those who could prove to have been living inside the compound before August 2003 would be registered (and subsequently become eligible for resettlement). Between April and August 2003, this led to a registration of 1740 families (approx. 15,000 individuals).[63]

 With this prerequisite, the government was trying to prevent resettlement being a "magnet" for new arrivals, as well as to try to separate "real" refugees from economic migrants. However, as is the case with Burmese refugee camps now, this system had the negative effect that it prevented an unknown number of individuals to resettle altogether, due to various factors. This has also been pointed out by Refugees International, which has argued that the registration policy is problematic due to its strict rules and criteria: foremost among these being the father/husband is taken as the "principle applicant of the household", meaning that even if the other family members are willing to resettle, they might not be able to. [64] As has also been pointed out by McLean, Hmong women in the camps access information and express opinion solely through a male counterpart, e.g. husband or father, other formal channels are rarely accessible.[65]

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[63] Grigoleit 2006:5ff; Fink DeVivo 2006:16f; Lor 2009:6f
[64] According to Refugees International based on camp workers estimates, the number of families where serious disagreements over resettlement arose numbered around 40. This apparently has also led to rare extreme cases of domestic violence and suicide (cf. Refugees International 2004a:1f).
[65] McLean 1999:10

A short excursion on Hmong social structures

Hmong culture is based on marriage, which serves as the bond to form social, economical and political ties between families. The society is patriarchic as well as patrilineal, with men sometimes having several wives and, accordingly, a rather high number of children.[66] As anthropologist Jo Ann Koltyk has pointed out, "Marriage is the creative principle which links clans and individuals. To the Hmong, marriage means having a family and also having good relationships with other clans."[67] Kinship ties are seen as the essential bond in Hmong society. "Household" also includes the children´s wives/husbands and *their* children, significantly widening who is part of the family. Filial duty and piety is expected from children, but also vice versa from the parents` side. Moreover, this understanding of loyalty and duty is not just limited to one´s own family, but rather entails the whole of one´s own clan[68], and to a wider extent, the whole Hmong society. Clearly defined duties and obligations are tied to an individual´s position in society, which follows a strict and relatively easy to follow lineage system. Kinship is the very basic fabric of Hmong society; it is seen as a mutual obligation of solidarity and respect to family, the clan and society at large. This makes it possible to rely on one another for help and support, which lasts for life.

This interdependence likewise shows itself in everyday Hmong life, which is predominantly agricultural – farming and harvesting is done collectively, as are almost all other spheres of Hmong life, be it consumption of the products or also spiritual rituals etc. Therefore, even if there were something like a clearly marked "core family" in Hmong society, they would hardly be able to survive independently in the community.[69]

Taking this build-up of Hmong society into consideration, it is hardly surprising that prospects of having to split families due to registration issues was the cause of a relatively large number of problems during the resettlement process at Wat

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[66] Even though polygamy seemed to be a problem in the resettlement process, in Hmong society in general it was not the norm to have several wives, as Moua has pointed out in a study of Hmong society (cf. Moua 2003:27).
[67] Koltyk 1998, cited in Fink DeVivo 2006:19
[68] There are 18 clans in Hmong society, distinguishable by their surnames (cf. Moua 2003:4).
[69] Moua 2003: 4ff;12;22ff

Thamkrabok. This has been pointed out by Refugees International in 2004, who noted that the extended family bonds should be taken into account in the process of registration by Thai authorities and when compiling resettlement lists. For example, the organization identified cases where married children were not on the list for resettlement but their (elderly) parents were, making it very likely that the parents themselves wouldn't resettle. Also, there were cases of individuals missing the registration date due to accidents, not being present in the camp on that day etc., which subsequently resulted in not being put on the resettlement list even though eligible. Refugee International has pointed out that there ought to be the possibility of "rethinking" one´s decision in cases where individuals or families first opt against resettlement and then change their mind on a later stage.[70]

As the whole process of registration and selection by Thai authorities was set up rather intransparently, not much information was distributed among the Wat´s population. Consequently, when Thai registration teams arrived, this was understood by some of the Hmong as a pretext by the government to repatriate them – as a result, many fled the Wat, going into hiding elsewhere throughout the country[71]. The rest of the Hmong, which was the larger part, finally left for the US starting in July 2004, with the "camp" being finally closed down by 2005.[72]

In retrospective, the resettlement program at Wat Thamkrabok was seen as a rather "well-managed" and uniquely "quick" program, with the remaining refugees at the Wat joining to 98% already resettled family members in the United States and the whole process being decided and completed between 2003 and 2005. By effectively controlling entries and exits of the Wat, the Thai government, in cooperation with UNHCR and other actors, successfully managed to control the "pull factor" which the announced resettlement program inevitably created. Consequently, it is still hoped

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[70] Refugees International 2004a:1f

[71] What subsequently happened to this part of the Hmong group is rather unclear – some of them apparently moved to a Thai military facility in Petchabun, from where they were mostly returned gradually to Laos (cf. US Department of State, Dpt. of Homeland Security and Dpt. of Health and Human Services Report (2009), "Report to the Congress, regarding proposed refugee admissions for Fiscal Year 2010", p.35). As the movements of these remaining groups of Hmong are hard to track, it is likely that at least some of them were with the last groups that were forcefully repatriated from the Thai border back to Laos over recent years until 2010.

[72] Lor 2009:3ff

that this could be taken as a positive example of how resettlement can indeed be successful for the Burmese refugee situation today.[73]

The international and domestic political climate in Thailand has changed in recent years in some respects. Moreover, the background situation of the Hmong and the Burmese refugees does differ in some points. However, as there can indeed be seen similarities, it makes sense to draw up a comparison of the situation at Wat Thamkrabok and the current situation of Burmese refugees, represented by the case study of Tham Hin camp.

First of all, the concept of extended family networks is nothing particular to only Hmong society, but can also be seen in Karen and Karenni society –"families" are extensive, compromising often more than 10 individuals. Also there are strong expectations of filial duty and loyalty towards parents, meaning that decisions by parents are regarded as superior to children´s decisions, even if the children already have families of their own. The same problems that became apparent due to the admissions criteria during the Hmong resettlement program can be found with the resettlement process in Tham Hin: eligibility dependent on a cut-off date is a major problem for refugees in the current camps as well. Even worse, as has been outlined previously, the Thai government´s, at times, inconsistent and opaque policy of registrations has resulted in separation of refugees into groups that can be labeled as "not registered at all", "semi-registered" and "registered", which in return does cause stress on families expected to make a resettlement decision.

Whereas younger Hmong were concerned about not being able to follow in education or not being able to be admitted to the US at all, the prospect of having to split families was a source of considerable stress and anxiety, primarily among the elder population. Taking into consideration the very strong kinship and family network bonds, parents were quite significantly worried about adult children being left behind due to registration issues.

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[73] Cf. Fink DeVivo 2006:18; Refugees International 2004b:1

Again in Tham Hin, we can see these same issues arising out of the registration process, as well as the process of resettlement; as pointed out, the importance of family and kinship is relatively strong in *both* situations, meaning that the same worries and problems in Tham Hin persist today as they have been in Wat Thamkrabok in regard to possible splits in families.

However, the general custom in Karen society as can be seen in Tham Hin is monogamy, meaning that it is not common to be married to more than one wife. Therefore, this at least leaves out the problem of adapting to American society where polygamy is illegal, which at times was indeed a problem in the Hmong resettlement operation.

Also, fears and worries about resettlement in Wat Thamkrabok resemble thoughts of Burmese refugees today – how to be able to cope in a new environment, how to keep up with education and language acquisition etc. seem to have been major concerns among the Hmong as well as again with the Burmese today. However, as has been pointed out previously, while the Hmong were rather worried about officials overseas and of not being treated according to the law in their new country, answers in Tham Hin were often the opposite, citing being able to *rely* on the law and its officials as a major benefit of resettlement. This divergence might most likely be due to different past experiences of the two groups – when having a look at how the Burmese regime treats its citizens, it is not much surprising that trust in the system and domestic laws has become rather weak. Compared to this, the Hmong experience with maltreatment by its own officials of course occurred as well and was the basis of flight, but compared to Burma was in most cases of less constant, systematic nature than compared to the situation in Burma.

Information about what to expect of their prospective 3rd country was rather scarce in the Wat, even though a large number of residents already had some form of ties to already resettled persons overseas. On the other hand in the Burmese camps today refugees seem to be generally well informed about what to expect in which third country; however, (negative) rumors do spread as well, at times painting a wrong picture of third country conditions.

The situation in Wat Thamkrabok prior to the taking over of Taskforce 546 in 2004 was much more relaxed and village-like than what we see today in the Burmese camps along the border. Living standards at the Wat were significantly higher, freedom of movement and work allowance was no major problem. Even though there was no assistance or services provided by NGOs or the Thai government, the compound functioned rather well and was self-sufficient. Answers given by interviewees during research done by Grigoleit in 2004 explained that residents were expected to work in order to improve their lives and to foster commerce in the community. With no free assistance available, residents were completely dependent on their own motivations and willingness to work. As compared with the Burmese camps we see today, which are almost completely dependent on outside aid, the prevailing mood in the Hmong "village camp" was therefore different, which in return likely had an influence on the decision to leave the camp for overseas or not.[74]

Finally, the question lingers as to why the Hmong operations went so well, whereas the Burmese resettlement program is moving very slow and has many obstacles. Moreover, since the family and community build-up in Hmong and Burmese culture is quite similar, it is not so far an assumption that both cases should have gone relatively smoothly.

An answer to this question cannot avoid looking at the *different political situations* locally, as well as on the international level. Namely, the circumstance that the Hmong fighters had been of vital support to the US in their combat operations in Laos during the war put them in a unique position afterwards as "reliable friends of the US". This, in return, was then taken up by the latter to create a rather big "hype" around the issue, effectively proclaiming that "America will come and rescue its former allies". Subsequently the resettlement operations that followed were large and well-funded, as were the reception facilities and other assistance mechanisms in the US. In return, the Hmong communities that became established through these systems helped significantly to facilitate the resettlement and integration of other Hmong who came afterwards.

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[74] Cf. Grigoleit 2006:5ff; Hmong Resettlement Task Force Report 2004:5f;8

In contrast, the situation of the Burmese refugees today is different: There is no similar "former support story" for the US as the Hmong had, and consequently there is less interest and less willingness on the US side for an efficient, quick resettlement and a durable solution to the Burmese refugee situation in Thailand. Additionally, the international and regional political circumstances are not the same: the Cold War has long ended, and the propaganda to "save former allies from communism" doesn't work anymore as it did before. Apart from this, the relationship with the Burmese regime cannot be left out of the picture: any action by either the Thai government regarding the camps or other countries involved in the Burmese refugee situation is likely to have economical, political and/or security consequences.

Lastly, there is little hope that the situation in Burma will significantly improve in the near future, therefore concerns about the resettlement program to become a "magnet" for more arrivals is justified to some extent. It is also unlikely, due to the ongoing situation in Burma, that even any such program would put an *end* to the *source* of refugee influxes into Thailand.

4. Refugees´ position in Thailand

4.1. The Royal Thai Government´s policies

Thailand is a Buddhist country of approx. 67 Million inhabitants, lying amongst regions that have been shaken by violent upheavals and turmoil for decades. Due to geographic, economic and political reasons, Thailand has been put in a role of "reluctant host" to thousands of refugees and migrants from these regions for the past three decades.

One of the major crises for which Thailand played host to refugees was the Indochina War, which saw about one million if not more refugees from neighboring Vietnam, Laos and Cambodia pour into the northern border regions of Thailand, which was a huge challenge to cope with by the Thai government. Even though this situation was rather well managed, with assistance by the international community consisting of large-scale resettlement programs, the thousands of Burmese refugees on Thai soil today prove to be an even greater challenge to deal with, with currently still no end solution in sight.[75]

Thailand is neither a member to the Geneva Convention, nor the 1967 Protocol, and there exists no legal basis to handle asylum-seekers in Thai national law. Consequently, denotations of refugee-related issues are a sensible issue in the country. Terms being used since 1990 such as "temporary shelters" (instead of "refugee camps"), or "temporarily displaced persons" (instead of "refugees") clearly show the government´s desire to point out the temporary nature of this situation, regardless of the fact that it has been persistent for almost thirty years.[76] The policy in practice is to "accept and assist displaced persons on a humanitarian basis"- in theory, this means no repatriations until the situation in Burma has improved and allows for such, but at the same time, discourages local integration. The government´s unwillingness for any measures which would point towards integrating these people eventually, as well as lack of concern regarding such influxes can be seen on a policy statement: "*… the intake of displaced persons has entailed huge*

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[75] Refugees International HP no date:#Thailand
[76] Lang 2002:18

cost[s] for Thailand in terms of administration and personnel, environmental degradation, deforestation, and epidemic control and the displacement affected Thai villages as well as the psychological impact on the local population".[77]

Even though UNHCR has been permitted to operate in Thailand from 1997 onwards, being recognized as a refugee according to the Geneva Convention does not mean security in Thailand. First, the government has to recognize an individual through its national screening process which is administered through so called "Provincial Admission Boards" (PABs), and only then can the UNHCR issue a subsequent recognition. As will be shown below, anything before PAB recognition is no assurance from detention or deportation. This shows, again, UNHCR´s rather inferior role against national policies, by respecting a country´s refugee handling before its own.[78]

As of March 2011, the Thai Burma Border Consortium (TBBC), which is the umbrella organization for managing the border camps, reported about 140,000[79] persons living in one of the nine camps along the border, of which approx. 83,000 are recognized by UNHCR and the Royal Thai government.[80] However, actual numbers vary widely across publications and years, ranging from approx. 100,000 to 150,000 persons living in camps between 2008 and 2011. This is also due to fluctuations in entries and exits, which are rather frequent. Also, as fighting continues across the border in Burma, so do new arrivals in the camps. Therefore, together with births and deaths, the number of camp residents hasn't gone down, even after the start of the resettlement programs. Another estimated 300,000 potential refugees live clandestinely in the rest of the country, mingling with another 1,5 to 2 Million economic migrants from Burma.[81] The distinction between these two groups remains blurred, which makes

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[77] Ministry of Foreign Affairs, UNHCR Newsletter, March 2000; cited in Lang 2002:18f
[78] Good Politics, April 14th 2010
[79] See for example Loescher et al. 2008; Refugees International HP no date:#Thailand; UNHCR Fact Sheet Jan. 2010. For detailed numbers of camp populations, see Appendix II.
[80] Yoshikawa 2011:2
[81] A short notice on numbers in this paper: As stated subsequently, the distinction between economic migrants and refugees is far from clear in Thailand; the whole Burmese migrant population is highly dynamic, movements back and forth across the porous border are rather frequent. Given the high percentage of unregistered residents in the nine camps, even the camp committees, TBBC, UNHCR or IOM can cite exact numbers for the camp population. Mostly camp numbers are based on the amount of food distributed, or the camp committee´s list of persons living in the camp, as reported by the

not only the work of UNHCR more difficult, but also poses a major challenges and problems for the Thai government. [82] The Royal Thai Government (RTG) only recognizes as "refugees" persons living *inside* one of the camps along the border. Everybody found outside, be it holding a form of recognition or not, is subject to arrest and detention as well as deportation.[83]

RSD processes (Refugee Status Determination) were generally conducted for all asylum-seekers in Bangkok, irrespective of nationality. However, in order to gain greater control over the RSD process and in order to maintain better oversight of the Burmese population in Thailand, this was halted by the Thai government in 2004. Subsequently, from November 2005 onward, status determination has been required to be done at the border, with all Burmese asylum-seekers being transferred from Bangkok to one of the nine camps.[84]

PAB national screening processes for asylum-seekers have been initiated already since 1999, but have been largely dysfunctional due to fears of being a "magnet" which could lead to ever more new arrivals.

Leading up to the closure of status determination procedures by UNHCR, Burmese asylum-seekers arriving after January 2004 could only register with UNHCR and obtain a slip, leading to about 10,887 persons being referred to as "slip-holders". After frequent interruptions of the PABs, another round of PAB registration took place in September 2006, during which more than 2000 "slip-holders" were transferred to camps in Tak Province and were subsequently finally recognized by PAB which included receiving a registration number which is the precondition for resettlement eligibility. Others, however, still remain in limbo. Subsequently in September 2007, as a result of the protests in Rangoon, UNHCR was allowed to

respective section leaders who keep track on persons in their sections. Consequently, numbers given by any NGO, UN or government institution are rather estimates, as are accordingly those in this paper.

[82] UNHCR Fact Sheet Jan. 2010; Loescher et al. 2008:306; US Department of State, Dpt. of Homeland Securities and Dpt. of Health and Human Services Report 2009:26

[83] UNHCR Fact Sheet Jan. 2010. Although in case of risk of deportation concerning persons who can proof their refugee recognition, usually these individuals will be freed and re-transferred to their camp on interference of UNHCR (personal observation, July-Sept. 2010, Kanchanaburi Thailand).

[84] Only other nationalities, mostly from Nepal, Sri Lanka and Laos, are still being processed in Bangkok. However, as even they are subject to arrest and detention, these cases are usually tried to be resettled as soon as possible (cf. UNHCR Fact Sheet Jan. 2010; Den Otter 2007:49).

conduct a new round of registrations, leading to a new batch of "slip-holders" –
however, as the PABs haven't resumed their activities especially in the southern
camps since then, a significant backlog of these "slip-holders" has been created.
Again in 2009, after urging by NGOs and UNHCR, a pilot pre-screening exercise in
order to "screen-out those without a manifestly just claim for asylum" was being
initiated in four of the nine camps along the border, with a resulting 11,000
individuals` cases sent to the National Security Council for approval. However, results
varied widely, with acceptance numbers in the northern camps being about 90%,
whereas in the southern camps (incl. Tham Hin), only approx. 3% were accepted.[85] At
the time of writing, there have been no follow-up actions by the Thai government and
it is unclear how the work of the PABs will continue. Further, registration done by
UNHCR is only proof of being registered in their asylum-claim/having come forward
to UNHCR with one´s claim, and merely serves to ask the government not to deport
such individuals concerned. Therefore, "slip-holders" as well aren't safe from arrest
or deportation and subsequently remain in a state of limbo, essentially being only
"one step" above those not registered at all.[86] Summing up, since the halt of status
determination procedures in Bangkok, the situation has become even more unstable
and intransparent, further complicated by the infrequent PAB screenings which have
resulted in a "mix" of persons of different status in the camps, depending on these
screenings. As will be discussed further below, the PAB registration plays an essential
part in resettlement.

One way of explaining the stance of the government for being rather unwilling to
conduct any regular screenings is the fear of attracting even larger numbers of new
arrivals from across the border. Indeed, as has been stated above, numbers of camp
residents haven't gone down as much as expected since the commencement of the
resettlement program in 2004, making the government even more careful with
(in)actions on the current situation. Finally, the volatile political climate in Thailand
itself has not been helpful to the situation regarding the camps, or refugees in
Thailand in general; protests and turmoil in recent years have put the issue down the

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[85] Briefing with UNHCR Kanchanaburi office, Akiko Tsujisawa, Protection Officer.
[86] Lee/Glaister 2008 33f; Yoshikawa 2011:2; TBBC 2009:11

government´s agenda and, additionally, a worsening of the attitude towards refugees has been detected, resulting in increased deportations and a harder stance on the issue in negotiations with stakeholders.[87]

4.2. An historical overview on Burmese developments

Thailand shares a porous string of approx. 2.400 km with its neighbor Burma, which, due to being hard to guard terrain, has always made it easy for crossings. This has sometimes resulted in trickles, sometimes in something more resembling a "stream" of Burmese fleeing across the border.

However, compared to the other major refugee crisis with which Thailand has been confronted, namely the influx of thousands of Khmer, Hmong and Vietnamese through the Indochine war, the situation of Burmese refugees has rather been a long-lasting and evolving one, enduring since the mid 1980s. Looking at the initial camps, or rather settlements in the 1980s, one can see that this situation has become increasingly more severe, tighter, and protracted over the years since its commencement, with up to now still no solution in sight. Quite naturally, as would be everywhere the case, out of a temporary *ad hoc* situation with few refugees who needed little assistance due to lack of improvement of conditions in Burma, the situation has become worse and worse, resembling, if one will, something like a "clogged bathtub", with ever more water damming the drain and a continuously running tab.

The primary reason for the flight of thousands of Burmese across the borders is for a large part connected to the variety of ethnic divisions in the country: right after independence in 1948, the country was released from Britain with a challenge very hard to come by, namely how to unify all the different groupings under one administration, in one territorial state. This was something quite different from the

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[87] For example, since 2006, despite protests by the international community and UNCHR in particular, approx. 4000 Hmong have been forcefully repatriated across the border into Laos (UNHCR 2009d:238f)

colonial past, and would have been a major challenge for any post-independent country in the world.

Therefore, almost immediately after 1948, ethnic conflicts erupted, of which some still drag on today. Even though the first Burmese government, the then Anti-Fascist People´s Freedom League (AFPFL) focused on a post-independence constitution that was designed after a federal model, with provisions to include various minority groups in the government and to allow some degree of autonomy for the different ethnic groups in their respective districts. The challenge was seen indeed: How to include all those several, quite different groups which had previously been separated under one administrative system while at the same time keep some degree of autonomy for each of them. Even the possibility of an eventual secession was discussed, which would have been an option after ten years time.[88] However, even though this initial form of autonomy was afforded, effective control remained with the central government in Rangoon.[89]

With the failure of Rangoon to cope with this mix of ethnic divisions, various ethnic insurgent units, para-military groupings and other more or less legal fractions continued fighting against each other and/or the government. "Official" accounts note that by 1949, approx. 75% of all towns and villages had fallen to one or the other insurgent group. Around 1950, however, the AFPFL government managed to at least gain back some form of control and stability under then President U Nu.[90]

 Partly this was also attributed to the establishment and training of the *tatmadaw*, the government´s army, which developed out of a disorganized, rather mercenary-like group of soldiers into "dependable custodians of the Union"[91], and are still one of the major player in today´s conflict. However, quasi democratic rule ended finally in 1962, with a coup putting the military under the control of General Ne Win. Federalism, at least the flawed form of it that had been established since

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[88] Although this was only planned for the Karenni ethnic minorities, if necessary (Lang 2002:35).
[89] The then AFPFL administration was titled the „Rangoon Government", due to its influence reaching not much further than the capital.
[90] Lang 2002:34ff
[91] Lang 2002:25

independence, hadn't proven to solve the challenge to unify the country in order to move ahead.[92]

In the decades to follow, war between the *tatmadaw,* representing the central government, and various ethnic insurgent groups continued. Although the government supported and supplied its military troops, they were often clearly in an inferior position against their opponents. Namely, several insurgent groups had found out the benefits of opening illegal trade points with neighboring Thailand, charging taxes, and then using the money for better equipment, arms and other supplies. They were also often clearly in an advantaged position through their knowledge of the local jungle terrain and by being supported, at least whenever possible, by the local population.

In 1997 the State Law and Order Restoration Council (SLORC) was dissolved, with several of its key figures being purged. However, even after the re-naming into the "State Peace and Development Council" (SPDC), major figures of the past continued to dominate the political stage. Thus the four original strongmen, Sr. General Than Shwe as the most prominent one, Gen. Maung Aye, Ltn. Khin Nyunt as well as Ltn. Gen. Tin Oo continue to hold the reins of power in the country.

In the years following and up through today, ethnic groups are continuing to fight against the *tatmadaw* mostly for political autonomy: the aim of the government to unify all the different ethnic groups under "one Burma" is still today the major point of distress between the sides. Moreover, the ongoing civil war has widened the gap between the government and its opponents, making reconciliation with every year of fighting more difficult. For the regime, the insurgents are seen as obstacles to national unity, whereas the ethnic groups see Rangoon as trying to extinguish them. With the walls drawn up on both sides, attempts for ceasefires have generally not been sustainable, with violence erupting again on both sides, especially along the border regions, including the one to Thailand.

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[92] Lang 2002:35ff

4.2.1. Camp establishments and developments since the 1990s

However inferior the position of the military troops seemed to be generally, the beginning of the 1990s saw the situation begin to turn: the *tatmadaw* were able to gain ground and hold territory, even through the rainy season, which had previously always seen them retreating to their original safe positions. This success is due to various reasons, of which ne clearly is the cutting of the local civilian support lines for the rebels, which was one of the "Four Cuts" measures of the army.[93] Through their prolonged attacks on the local civilian support bases which became eroded, they succeeded in establishing themselves firmly along the border opposite Thailand, eliminating the majority of the bases of the ethnic insurgent's groups. This military take-up subsequently drove more and more refugees across the border, whose numbers steadily increased to more than 90,000 persons by 1995.[94] Hence eventually the military´s strategy proved to be working: civilian support was increasingly eroded. Up to today this strategy is pursued, which is still one of the main reasons for continuing displacements inside Burma.

Even prior to the military´s successes, the democracy uprisings in 1988 and the chaos that succeeded the refusal of the regime to acknowledge the victory of the National League for Democracy (NLD) in 1990 were catalysts for major refugee flows across the border. Ethnic Mon, Shan, Karen[95] and Karenni ethnic groups were especially affected by the violence, and subsequently became the major groups in the camps.

 The first semi-permanent camps which had been established in Thailand by the Karen ethnic group date back to 1984, when the Burmese military launched an up-to-then unseen attack on the Karen National Union´s (KNU) frontline opposite the border with Thailand at Manerplaw, sending about 10,000 refugees into Thailand.

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[93] The "Four Cuts" strategy is still in use today and part of the very reason for the population fleeing and becoming refugees. It aims at cutting insurgents off from their support base by systematically targeting civilian (rural) residents – "denying water to the fish", as the *tatmadaw* are saying (cf. Lang 2002:38).

[94] Lang 2002:42f; TBBC 2007

[95] "Karen" compromises several subgroups of which the Karenni are one; linguistically and cultural variations exist between the groups, who predominantly live in eastern Burma and western Thailand along the border regions (cf. Oh 2010:2).

Without the opportunity to go back after the military had established themselves on the gained territory, these first camps were established. [96]

Prior to the successes of the Burmese military around 1990, refugee numbers were rather low and dynamic, always depending on the developments in Burma and the losses or gains of the ethnic insurgents against the *tatmadaw*. Especially the annual dry seasons were used frequently by the military to advance further and to launch new attacks, which subsequently resulted in the stream of refugees fleeing across the border swelling.

Camp structures in the first 15 years of existence resembled more "village-like" structures largely being unattended by the Thai government except for providing security, compromising relatively open, spread out areas. Camp management was run by appointed camp committees, with different departments for education, health and others sectors being similarly organized as they had been in Burma. The camps were quite cost-effective and self-sufficient establishments, with only very few international and some local NGOs[97] providing basic assistance in terms of food, equipment and other basic goods. Community networks acted as the "fabric" through which justice, social welfare and other services could be built on communal trust and neighborhood. Essentially, as Sally Thompson has pointed out , "the refugees used the system they had brought with them".[98] In fact, Tham Hin camp, which is the focus of this paper, was one of the first of these establishments and – regrettably – still stands today. This rather tolerating approach from the Thai government´s side shows that nobody was projecting that this refugee exodus would become so prolonged; the general expectation of all stakeholders involved was that as soon as the situation in Burma would improve, these persons would return home voluntarily. Indeed, "if

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[96] Apart from the refugee situation in Thailand which is the focus of this paper, the ongoing conflict in Burma has created three other in the meantime protracted refugee situations, with camps being built in neighboring India, Bangladesh as well as Malaysia.

[97] Médecins sans Frontières, TBBC as well as the Catholic Office for Emergency Relief and Refugees (COERR). All three are still operating in the camps today (TBBC 2007:#History of TBBC).

[98] Thompson 2008:26f

change would have come in Burma, refugees would have been able to return relatively unaffected by their stay in Thailand."[99]

Apart from being rather openly spread out camps, the Thai military covertly supported the KNU and the KNPP (Karenni National Progressive Party) and allowed them to administrate these "liberated zones" along to border to serve as a buffer between the Burmese army and Thailand. Even more, close links existed (and sometimes even exist today) between the civilian camp population and ethnic rebel groups: camps act(ed) as a supply line for food, medical help as well as personnel supplies and, especially during the 1990s, provided a "safe haven" for rebels.

With the fall of the KNU and KNPP insurgent bases along the border by 1997, it was no longer possible to uphold a buffer zone between the two sides, meaning that the Thai government gradually withdrew its military protection as well, opting instead for more "constructive engagement" with the regime; this included communications through trade and economic links. This path was also sought after by ASEAN, of which Burma became a member in 1997.[100]

The Burmese military subsequently launched massive village relocations along the border, aimed at bringing the population under military control and to finally eliminate all ethnic resistance. This caused an even larger number of potential refugees to flee to Thailand as well, numbering around 300,000 by 2007. However, numbers of this group are harder to pin down than for actual camp residents´ numbers, given the chaos inside the country and unknown population figures. Also important to note, as has been stated previously, the difference between Burmese refugees and economic migrants is highly blurred, making any counting of whichever group almost impossible to be precise.

The previous 25 camps along the border were consolidated into nine larger ones; mostly this was proclaimed to be for security reasons, with the former small, informal settlements being difficult to defend. Especially with several attacks from the *tatmadaw* on the camps, this came to be an especially convincing argument. As Black

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[99] ibid.
[100] Loescher et al. 2008:307

has pointed out, such measures by the Thai government to consolidate the existing camps into bigger ones were rather understandable. He argues that in most similar situations, specific reasons or events are taken as pretext to "finally" consolidate such settlements into better controllable ones. He makes a point in arguing that "[n]o government will be happy with the dispersed settlement of refugees in a border area if it makes that area vulnerable to attack by parties to the conflict" – which is exactly what the situation was in Thailand.[101]

However, in terms of improved security, this measure had a disastrous effect on the livelihood of camp residents: fences were erected, restricting any movement between the camps and working in the local vicinity was restricted and then forbidden by Thai law. The settlements essentially became fortified camps, with the Thai military as guards. As a result, camp residents have become almost entirely dependent on outside aid. Consequently, the number of local and international NGOs and other organizations has gone up significantly. Telling is the invitation of the UNHCR by the Thai government in 1997 – the establishment of the UN was, in a way, marking the final cut to self-sufficiency and autonomy for the camps.

The camps themselves, by their very nature of being "bubbles" fed by outside aid, are obstacles in many spheres; their tolerance on Thai soil are a constant thorn in the eye of the Rangoon regime, especially as it is an open secret that they are still used as recovering bases and supply centers for ethnic insurgents. This is straining the tolerance of the Thai government, which is also worried about the burgeoning drugs and arms trade across the border.[102]

Also, refugees are prone to become "scapegoats" for various issues arising in these already relatively hinterland regions along the border – there have been complaints by local Thai populations of drains on local resources and environmental damages on streams, land and the woods are evident. On the other hand, Thai villages do benefit

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[101] Black 1998:5

[102] Burma is still the second largest opium producer worldwide, as well as produces amphetamine-like stimultants. Understandably, the Thai government sees this anxiously (cf. Loescher et al. 2008:308f)

from the cheap labor of camp residents, who sneak out regularly to work at local plantations and fields.[103]

The situation in the camps itself is rather dire as expected – huts are constructed out of wood with bamboo thatches, there is little space in between and not much open area for activities etc.[104] The encampments are not connected to public services such as waste disposal, running water or electricity. Also, due to their remote locations, most of the camps are not connected to the Internet and mobile phone signals are scarce and unreliable. Fresh water comes out of local streams, which are connected to pipes being turned on several times a day. Trash is collected from time to time and then burned collectively outside the camp.

As mentioned earlier, Thailand does not allow for local integration. With voluntary repatriation neither being an option now or in the near future, 3rd country resettlement has come to be seen the most durable, realistic solution for Burmese refugees in Thailand.

On the Thai government´s side there was and still is growing concern about the continuing protracted situation on its borders; with improvements in Burma not very likely in the near future, Bangkok started thinking of other ways to improve the situation in the nine camps along the border. This was further pushed by a joint letter in 2005 by UNHCR and involved NGOs to the government, which again outlined the dire situation in the camps—which hadn't seen any improvements over many years and which called for necessary changes to be made. Following this initiative, there were slow changes in the government´s stance towards the situation – foremost, in an attempt to finally improve the livelihood conditions of residents, pilot projects were started, including various vocational training courses and agricultural projects in the vicinity of the camps. Also, in 2007, the government made a move to issue about 85,000 identity cards to camp residents, which was a significant step towards improving self-sufficiency of refugees. Since then, various educational and vocational

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[103] Loescher et al. 2008: 308ff

[104] According to Thai regulations, no concrete material is allowed to be used for building; however, regulations have been relaxed somewhat recently, allowing for e.g. schools to use some parts of concrete material (Oh 2010:7).

training programs are held in all of the nine camps, which have proven to be very popular especially among the younger generations. The ulterior motive of these programs is to try to equip refugees with a certain amount of skills which would be useful after third country resettlement.

By far the most significant steps in the attempt to bring some positive changes into this protracted situation was the agreement to launch a major resettlement operation. This was firstly agreed on in 2004 by the US to resettle Burmese refugees from Thailand. Subsequently, the first camp to be targeted for this was Tham Hin, being one of the oldest and most crowded camps. After having changed its legal requirements[105], resettlement operations to the US eventually began in late 2005. The US resettlement has been set to be on a group basis, meaning that the whole camp (PAB registered persons) is submitted for US resettlement, rather than individuals only. This was followed by Australia and Canada at a later stage, even though these countries tend to accept rather special cases such as urgent medical needs or women at risk (e.g. cases of sexual violence, single mothers, etc.). Other countries, mostly from Europe such as Finland or Norway, usually rely on "resettlement missions" led by some of the country´s representatives to hand pick a rather small number of mostly urgent cases to be transferred. Missions such as these are rather infrequent; for example there were only two such resettlement country missions (Australia and Finland) in 2009 for Tham Hin camp.[106] Since resettlement operations started in 2005, the number of referred individuals has surpassed the 50,000 mark in 2009, and has increased to more than 60,000 refugees at the time of writing, each departing to various third countries, foremost to the US.

Considering actual camp residents` numbers, which stand-- according to the TBBC´s July-December 2010 report-- at approx. 141,076 refugees (incl. 57,915 unregistered persons)[107], this number doesn't seem to be too high; especially considering the

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[105] US immigration didn´t at first allow entry to former combatants of armed insurgencies or persons aiding armed groups, effectively barring many of the ethnic refugees from being admitted. Therefore, a change in the US legislation had to be made to allow these persons to become admitted (cf. Loescher et al. 2008:318).

[106] Loescher et al. 2008:318; personal communication with UNHCR staff Kanchanaburi office, 2010.

[107] See Appendix II for camp population numbers.

expected *closure* of the camps which was hoped for to be achieved with these resettlement operations, the expressed dissatisfaction of the Thai government is somewhat understandably. To a relatively large extent this stagnation of camp population numbers can be attributed to births and new arrivals to the camps; especially since the border itself as well as the borders of the camps are porous and thus hard to guard, movements are relatively frequent. Besides these stagnant numbers of refugees in the camp – which remains a major "thorn in the government´s side" – the issue of these still relatively high numbers of registered camp residents stands as a major point of concern to the government, as well as all operating organizations in the camps.

5. Theorizing movements – a discussion of migration theories
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Several years into the new millennium, the world´s population has reached seven million people. Among those, approx. 3% live outside their country of birth, either permanently or on a temporary basis. Given that migration theories have, from their inception, pointed to the "draw factor" that economically more developed countries have on less developed ones, this share of people should be much higher. However as has become increasingly criticized, is this notion of reducing migration explanations to the economic level, with the basic assumption that individuals try to simply maximize their economic well-being. What has been missing, and subsequently has become more and more the focus in migration research, are social factors, which, in varying degrees amongst economic ones, do indeed shape migration decisions in multiple ways. Migration movements are the result of complex human behavior and can therefore hardly be explained with a "one size fits all" (economic) model.[109] Moreover, when looking at numbers, migrants themselves actually represent merely a minority – migration theories, however, tend to keep focusing on this rather "abnormal behavior" group. Therefore, a lot still has to be done to catch up on insights into the motives of "stayers", meaning individuals or groups who choose *not* to migrate.[110]

> *"It´s a basic need of all humans to improve themselves in material ways."*[111]

These were the words of Ernest George Ravenstein, "founder" of migration theory, who studied migration behavior in the context of the "high-time" of British labor movements in the late 19th century. Ravenstein, himself a cartographer and

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[108] In the following, major migration theories will be outlined briefly; for more details about respective theories as well as others, see e.g. Parnreiter et al. (2000):"Internationale Migration. Die globale Herausforderung des 21. Jahrhunderts?", *Historische Sozialkunde, Band 17*,Brandes&Aspsel:Frankfurt, or Massey et al. (1993):"Theories of International Migration: A Review and Appraisal", *Population and Development Review 19/3* or Castles, Stephen and Miller, Mark J.(2009):The Age of Migration. International Population Movements in the Modern World. 4[th]edition. Palgrave MacMillan:New York and Hampshire.
[109] Cf. Treibel 2000:30
[110] Cf. Hammar 1997:2
[111] Treibel 2000:41, translated into English by the author.

demographists, believed firmly on the rationality of economic benefit-maximizing, with the individual being the main decision-maker. His findings were purely based on labor migration, little if any thoughts were put in for the case of refugee movements at that time.

Follow up theories also tended to rely on Ravenstein´s basic assumptions; in all of them the principle of "economic rationalism" (Ewers 1931) and demographic factors were strongly represented. Coming out of this, the *neoclassical model of migration* is still seen as one of the "bases" of migration theory, according to which "international migration is caused by geographic differences in the supply and demand of labor".[112] This means that in countries where you find a combination of one country with a relative abundance of (cheap) labor but accordingly low wages, and another country with comparable low amounts of available labor and therefore higher wages, migration is likely to occur from the former to the latter. Consequently, the relationship between labor availability and wages in both countries will change, leading to an eventual equilibrium. According to neoclassical theory, migration therefore only occurs as long as such wage differentials exist – put simply, with the end of wage differences comes an end to migration. The principle agent of the decision to migrate or not is the individual – he or she weighs all risks and possible benefits (obstacles might also be whether to cut social ties and the challenge of forming new ones) to come then to an informed conclusion.[113] That such a basic concept is insufficient in explaining all migration movements is rather obvious, which has led to much critique on the theory; especially the assumption that individuals have full information about their options and complete freedom of choice and movement. This assumption is absurd, as the reality is rather that potential migrants mostly have only limited information, resources and freedom of decision-making. However, for all its flaws, neoclassical thinking about migration does often still stand behind many national and regional policies even today.[114]

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[112] Massey et al. 1993:183

[113] Neoclassical theory even went as far as to come up with a mathematical equation, where, depending on the numerical outcome, migration will occur or not (Massey et al. 1993:185).

[114] Massey et al. 1993:183; Castles/Miller 2009:22

These assumptions were subsequently summarized in the so called "push-pull model: As the name suggests, potential migrants are "pushed" or "pulled" in either direction by different variables. While aspects of the "push"/"pull" model can be varied, researchers have pointed (again) to predominantly economic factors such as poverty, unemployment and general bad economic climate which "push" migrants out of their usual environments. Similarly, higher wages, better education opportunities or also the prospect of a "safe haven" might act as "pull" factors.[115] However, as much as such motivations are likely to play a role in migration, they are mostly just half the picture, as Olwig has argued:"[The above theories] … give the impression that migrants are pushed out of their place of origin because of extraordinary conditions, or pulled away by attractive opportunities abroad. When examining migration from the point of view of the life stories related by members of the family networks, quite another picture emerges."[116]

Trying to amend the obvious shortcomings of the neoclassic model, sociologists, anthropologists and researchers of other disciplines than economics have subsequently come up with several alternatives. One of the most cited is the *dual/segmented labor market theory*. Theorists such as Piore (1979) argue that, due to the structural demand for cheap labor in developed countries, a segmented labor market develops. Accordingly, international migration is caused by this demand, leading to migrants being primarily (or mostly exclusively) employed in the "lower" spheres of the labor market. As Saskia Sassen has pointed out: "[…] while the most dynamic `global cities` are market by economic polarization[,] a growing gulf between the highly paid core workers in finance, management and research, and the poorly paid workers who service their needs [emerges]."[117] Belonging to one or the other group depends naturally not only on skills and education but also to a large part also on ethnic factors and whether a person is part of the majority or minority group . Also, so-called "enclave communities" or "ethnic entrepreneurs" facilitate the division of the labor market with their exclusive character focusing mostly on ethnicity and

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[115] This has been summarized in the so called „job-vacancy hypothesis", as well as the "income-differentials hypothesis" (cf. Treibel 2000:40).
[116] Olwig 2001, cited in Fleischer 2007:416
[117] Sassen 1991, in Castles/Miller 2009:23

origin. Namely, in many immigration countries ethnic groups tend to stay together, forming "ethnic communities" overseas; likewise, they often determine where a newcomer is likely to live, work and who his/her new friends and colleagues will be."Ethnic entrepreneuers", likewise, cater to "their" ethnic customers, devising their business success out of these communities for the reason of being "one of them".Many immigrants old or new find themselves employed in the secondary labor market, because any other sector stays blocked for these groups; subsequently, these workers themselves introduce newcomers to similar jobs. Hence, dual labor market theory helps explain the role governments and employers (not to forget the market) play in migration by focusing on the segmentation of the labor market and its workers. Pointing to these ethnic communities also helps answer the question of why migration sustains itself even though wage differentials decline.[118]

Similarly looking at structural factors for migration were initiatives that developed from a Marxist perspective. What came to be known as the *historical-institutional approach* consisted of a focus on the worldwide "market", where demand for cheap labor draws migration from the periphery countries to the center. But rather than arguing that such migration movements were *voluntarily* in order to maximize one`s own benefit, theories such as the *world systems theory* proclaim that such movements are rather *structurally forced*: migrants have no alternatives, as resources such as land or employment are taken from them in their own country of origin, forcing them to leave their lands and look for survival elsewhere. Theorists such as Wallerstein (1984) or Amin (1974) pointed to the fact that unfair terms of trade made it possible to incorporate peripheral nations into the global world order as "dependencies" of the (rich) core countries, which then tend to exploit these peripheral natural and human resources for their own consumption. However, structural-historical theories such as the world systems theory were soon criticized as well for having similar flaws as the neoclassical model; critiques pointed to the over-stressing of structural factors and the dominant role of the state, while (again) neglecting the "human agency" factor of individuals and groups. This also meant that

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[118] Castles/Miller 2009:23f

such structural theories made the same mistake as its neoclassical counterpart in totally omitting social factors and the role ethnic or kinship ties might play.[119]

Against theories as the above with their assumptions that it is the isolated individual who decides to migrate or not the *new economics of migration model* emphasizes the role of the family or large community unit. In fact, it points out that it is in the interest of every household or larger unit to minimize risks and secure a stable, reliable income for the whole family. In this concept, migration of some family members is seen as a strategy for risk-diversification: for example, if crops fail and consequently income falls in one year, there would still be the financial contributions of one or more family members who work abroad to support the family. In developed countries with a usually high reliance on insurances and other hedging opportunities, this might seem rather uninteresting; however, in countries of the global South, where access to financial sources and insurances are often unreliable or non-existent, such strategies are more understandable.[120] Compared to neoclassic theory, which omits all social aspects in migration processes, the new economics of migration theory does seem to be more realistic in the way it tries to explain why migration occurs, as well as in the way it focuses on the influence of social groups in decision-making. Researchers relied on methods from sociology as well as anthropology for their analysis. However, again in this theory, even though the decision-making role of the larger household unit is emphasized, it is again economic reasons that are seen as the decisive motivation for migration or not.

Summarizing, it becomes evident that in order to explain migration movements more holistically, factors such as social relations and ethnic bondages cannot be omitted. Especially in today`s globalized world, where communication and transportation technologies make it possible to stay in touch irrelevant of geographic distance, it has become necessary to look at migration as a more flexible, dynamic process. In pre-globalised times, it might have been sufficient to look at migration as it occurs mostly from A to B, with relatively little communications remaining once the migrant had

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[119] Castles/Miller 2009:26f
[120] Massey et al. 1993:185

moved.[121] However, more and more it has become evident that migration, be it labor migration or forced migration, is *not* a one-way process. Rather, migrants do keep contact with their home region or remaining family or kinship members, which then again has a significant influence on these communities. Coming out of this awareness were studies on *network theory* that "link migrants and non-migrants".[122] These networks are being upheld by modern technology, and form one of the basic support structures for migrants. As Boyd has pointed out: "Informal networks bind `migrants and non-migrants together in a complex web of social roles and interpersonal relationships`"[123], which clearly points to the long neglected role that *social* factors play in migration. The growing interest in them stems from the awareness that they are crucial in understanding patterns of migration as well as settlement and, importantly, how these social factors influence links with "home". They are "crucial" in the way that they constitute essential sources of financial and social support, especially for newcomers. Consequently, it has become widely accepted today that migration is never an isolated, individualistic action but rather occurs in the context of a more or less stable and strong network.[124]

Connecting to this is the concept of so-called "social capital"; going back to the theories of Bourdieu and Coleman at the end of the 1980s. As has been argued, "[s]ocial capital is the sum of the resources, actual or virtual, that accrue to an individual or a group by virtue of possessing a durable network of more or less institutionalized relationships of mutual acquaintance and recognition."[125] Social capital therefore relates to the amount of social contact a potential migrant has at the destination country, on which he or she can then rely on and draw advantage from. Consequently, the closer the relationship is between an already migrated individual and a potential migrant, the more it becomes likely that the latter one will

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[121] Even though already in the 19th / early 20th century with the great labor movements across the Atlantic, family and kinship ties were analyzed as to how their role was in facilitation or encouraging (further) migration. One of the most prominent examples of this is two sociologists Thomas and Znaniecky´s case study of "The Polish Peasant in Europe and America".

[122] Ryan et al. 2008:673

[123] Boyd 1989, in Castles/Miller 2009:28

[124] Ryan et al. 2008:673

[125] Bourdieu/Wacquant 1992, in Faist 2000:111

eventually move as well.[126] However the converse could hold true as well, and the closer the relationship an individual has with family members/the community *at home*, the less likely he or she might be to move away.

This brings us to the deficit of social capital and network theory, namely the dominant assumption that social relations help *facilitate* migration, make it more likely and more attractive by providing the necessary human contacts for to-be migrants. A lot of research has been done on motivations for migration, but rather few on *constraints* for migration, be it economic, political or social ones. Even though research on how the status quo in the *original* community might influence migration decisions had been taken up by researchers in the 1950s, it has never gained as much popularity as its counterpart, which is quite understandable given the fact that countries` policies up to today are much more interested in foreseeing migration, in order to control arrivals at their doorstep.[127]

Individuals are not "separate atoms", but rather embedded in a whole set of social surroundings, which do influence to various degrees the decision to migrate. Moreover, the individual´s own benefit might not always be the dominant motive; depending on ethnic and social obligations and loyalties, the larger family´s or community´s benefit (which doesn't have to be the same as the individual´s) may be the initiating factor.[128] Shared beliefs and norms may be influencing an individual´s own wishes; also, how migration is seen by others, how migrants are judged by the wider community, in other words, the "culture of migration" might have significant influence on potential migrants.[129] Feelings of solidarity, be it towards an "imagined community" (as may be likely especially for refugee groups) or towards one´s own family might prevent individuals from moving; a felt obligation of having to help others, dependant on cultural customs and norms, may deter out-migration. For example, as mentioned above, this might be likely seen in refugee situations where a

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[126] Cf. Massey et al. 1993:210

[127] Quite recently and as one of the very few examples, Annett Fleischer has taken up the case study of Cameroon migrants and the role family plays in the decision-making of who migrates (see Fleischer, Annett (2007): "Family, obligations, and migration: The role of kinship in Cameroon", in: *Demographic Research Vol. 16,13).*

[128] In fact, this does indeed resemble the concept of the *new economics of migration theory*.

[129] Boswell 2008:553;556;558f; Faist 2000:96f

feeling of "having to stick together" might prevail. As will be discussed in more detail below, this also applies to the Burmese refugee situation in Thailand, where some of the interviewees stated hesitance to resettle because of family members still remaining in Burma.

Concepts such as the "affinity hypothesis" or "familism"[130] have been drawn up, countering the prevailing argument that networks not necessarily *increase* migration, but strong attachments to family and community at "home" might actually *hinder* migration.[131] As Sonja Haug has pointed out: "Social networks at the place of residence are a *preventive* factor."[132]

Summarizing, there is still need to look at communities of origin and the role they play in migration; as has been pointed out, decisions to move or not (or *who* should move) are mostly not taken on an individualistic level, but rather depend largely on the surrounding community and bonds with family or kinships.[133] When we look at current countries of emigration, which mostly consist of countries of the "global South", it makes sense to look at how family and community is built up in these societies, precisely because family cohesion often seems to play a greater role than may be the case in "Western" countries. Accordingly, and as will be further argued, in terms of the specific case of resettlement regulations it makes little sense to impose a "one fits all" concept of "family" on the respective refugee community as, most likely and as has been evident in the past, such regulations clash with local concepts, and have little chance of creating positive results for all stakeholders involved.

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[130] Meaning "the degree of attachment to family or the valence of the bound between the potential migrant and his family members" (Ritchey 1976:389).

[131] Focus Migration 2008:2

[132] Haug 2008:589, emphasis added by author.

[133] However, even there equality is absent, as inner hierarchies, often patriarchal, impact the decision of the household on the migration of individuals (cf. Faist 2000:96f).

5.1. Hypothesis: Social aspects tend to be neglected

*"Sometimes the basic problem is not **why** people migrate but rather why they do*

not."[134]

With the above outline of major migration theories I have tried to show the deficiencies that those models have, with their dominant reliance on economic motivations and the neglect of social surroundings in the home region. I argue that for a better understanding of what drives migration and to better comprehend migrants` *reasonings* for migration, any theory of migration must include more of the social fabric that surrounds (potential) migrants, meaning to look at how they are integrated in their own social networks and influenced by obligations towards family and kin. This is of course foregone by the assumption that not only are there social nets that surround migrants, but even more so in many emigration societies, these are significantly *stricter* and *wider* than what we see in destination countries in the "West". "Stricter" in the sense that social connections are taken more seriously; valuing one´s kin and family is seen as a key component of social relations. "Wider" in a way that the circle of connected relatives spans beyond the "nuclear family", also including more distant relatives who nevertheless are seen closely connected to oneself.

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[134] Uhlenberg 1973:1, emphasis added by author.

6. Concretizing theory – the case of Tham Hin camp

The theoretical concepts of migration models have been discussed in the previous section; moreover, I argued that it is social factors that often play a significant role in migration decisions, but which nevertheless tend to get neglected and overshadowed by more "obvious" factors such as economic motivations. If they do get addressed, research tends to focus on the circumstances in the destination community and the transnational links influencing the move. Seldom do the situation and the background in the origin country get the attention they deserve.

Consequently, on the concrete example of Tham Hin camp, which is one of the nine "temporary shelters" in Thailand for Burmese refugees, I will demonstrate the role that such factors in the "home base" can have on the decision on whether or not to migrate. Moreover, here in this "real case" example, the situation in the *outgoing* location should clearly *not* be omitted when looking at considerations for migration, as they are the primary influencing factor.

The reason for choosing Tham Hin is based on the author`s field work from July to September 2010. As it is also the camp where resettlement operation had been first started, and where they had subsequently been closed again in 2009, Tham Hin, in a way, represents a full "cycle" of a resettlement operation, and is therefore a prime example on which to illustrate above argument.

6.1. Background – Tham Hin camp
Tham Hin camp is situated in Ratchaburi province, Suanpheung district, approx. three hours drive from Bangkok. The location is rather secluded close to the border, although the nearest Thai village is not even one kilometer away. Access to the camp is difficult, as the road leading towards it is in bad condition and only accessible with a four wheel drive or similar type of vehicle. The camp falls under the responsibility of UNHCR Kanchanaburi Field Office, which also administers, apart from Tham Hin, the Ban Dong Yang camp. The sub-office is located in Kanchanaburi city, about 1,5 hrs.

drive from the camp. Tham Hin camp is one of the most crowded "temporary shelters", spreading about 11 hectares/28 acres, with houses being cramped together, leaving only tiny walkways in between. Open spaces for recreation are similarly rare. Water supply comes from a nearby stream, diverted into communal taps which provide water several times a day. Electricity is non-existent, as are phone signals. Compared to the biggest camp, Mae La, some hundred kilometers north, which has access to the Internet and which is very well connected to major trade and communication routes, Tham Hin is comparably remote and cut-off from its surroundings. Consequently, residents have less, or at least more difficult, opportunities to exchange with surrounding Thai communities, to access other information or stay in touch with family, friends outside the camp. Also, there is consequently less trade with Thai vendors etc. in Tham Hin.[135]

The camp population shares a common linguistic, ethnic and cultural background; even though the majority´s ethnicity is Karen (approx. 98%), followed by Burmans (approx. 1,4%) and a very small portion of other minority groups, ethnically motivated tensions are not a problem.[136] Religious affiliation is predominantly Christian (approx. 82%), followed by Buddhists (approx. 17%) and a very small minority being Muslim (approx. 0,04%).[137] The majority of residents are between 18-59 years (46%), followed by 5-17 years (33%). Very young (‹ 5yrs), as well as › 60yrs are rather few, with 15% and 5% respectively.[138] Approx. 68% of residents are married, about 26% are single, and the rest are widowed. Predominantly, as has also been reflected during interviews, the overall majority of residents have a rural background, having lived in rural Burma in their respective ethnic communities prior to finding themselves inhabiting the camp. Consequently, most refugees in Tham Hin have been

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[135] TBBC homepage http://www.tbbc.org/camps/skb.htm#th, #Tham Hin; personal observation July – September 2010.

[136] Ethnic composition varies with camp location – for example in the camps in northern Thailand the predominant ethnic group are the Karenni, in others the Shan are the major group. This depends mostly on the locations of the respective ethnic bases across the border in Burma, where refugees have fled from (cf. TBBC www.tbbc.org (#Camps).

[137] That the majority of residents is Christian is somewhat surprising, as Christians are usually only a minority among all Karen subgroups (see page 76).

[138] UNHCR Tham Hin camp profile information sheet 2010:1, numbers as of March 2010. It should be noted however that such biodata are always a "snapshot", frozen in time, as a refugee population is always in flux of people coming and going.

fleeing violence done to them or seen impaired on others, instead of having actively engaged in political activities against the government, therefore the sex distribution in the camp is also relatively balanced between male/female because usually it is whole villages or whole families which have fled together.[139]

Despite the limitedness of living space, the general health situation is good, so are nutrition levels – however, as mentioned below, if the announced tightening of food distributions in Tham Hin will be taken seriously, this could result in a worsening of nutrition levels in the future.

Though movement is restricted and working outside the camp is not allowed, most male refugees do engage in some form of manual, informal work in the vicinity of the camp, predominantly as day laborers on one of the local plantations or farms etc.

The camp is one of the oldest, having been consolidated out of several smaller settlements following the attacks by the *tatmadaw* on the KNU (Karen National Union) bases opposite the border in 1997. [140] Large refugee movements followed, which subsequently resulted in the Thai government´s decision to combine the existing settlements into a bigger, fenced-in camp, Tham Hin. Original resident numbers were approx. 7,200 persons; over the years, this increased steadily, and fell only after the initiation of the US resettlement program, which decreased numbers as of September 2010 down to somewhat over the 4000 mark (registered persons only). However, as this count only takes in registered persons (meaning approved by the PAB screening exercises), the actual number of Tham Hin residents is quite higher, and, as previously noted, fluctuates significantly. For example, a head-count exercise which was done prior to the start of resettlement operations in 2004 in order to "fix" the population of Tham Hin resulted in another 1,030 previously unregistered persons subsequently being registered. Another count in 2007 documented again

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[139] However, as mentioned in chapter 7, there are more adult women in Tham Hin than there are adult men; this stems from the fact that even though usually the men didn't stay behind in Burma, they nevertheless now often leave the camp for work, or have gone straight to work illegally in Thailand without entering the camp altogether. Likewise, some husbands are KNU soldiers and are hence not living in the camp.

[140] As became clear during the interviews taken, all interviewees stated to have come to Tham Hin in 1997.

over 2000 unregistered persons. As has been mentioned previously, another round of "pre-screenings" by the PAB in March 2009 resulted in 2,895 persons, who had previously been unregistered, becoming "slip-holders".[141]

Overall, between January 2005 and September 2010, UNHCR Thailand has submitted more than 110,000 Burmese refugees for resettlement to a total of 15 countries, of which the US is the major taker. As noted previously, in light of the fact that resettlement places can be likened to "winning the lottery", so to speak, this is an "astronomical" number of resettlement places from *one single country*, and is in fact the biggest UNHCR resettlement operation worldwide. The same applies for the acceptance rate, which lies at nearly 99%.[142] Also unusual is the *generosity* of this US resettlement operation: it happens not often that everybody is able to come forward and apply for resettlement, which is an exception to the usual struggle for UNHCR to select the "lucky few". In fact, Burmese refugees have the very rare opportunity to *choose* resettlement.[143]

As for the pilot-project to start US resettlement operations, Tham Hin represented a reasonable choice in 2005, due to its crowded conditions which had been kept intentionally rudimentary by the Thai government. Also, according to Refugees International, a relatively large share of Tham Hin residents already has resettled family members in the United States.[144]

Even though resettlement numbers in Tham Hin have been rising gradually over time, at the closure of the program in 2009 about 30% of residents were remaining despite the offer – a number that was surprising to all parties involved. Remaining residents were subsequently referred to as "fence-sitters", meaning refugees who just didn't make up their mind or would rather wait for the best "package" offered.[145] At the same time, resettlement has proven to have significant side-effects: Now referred to commonly as *"chuwa ma yeh, ga ma ye" (*"between a rock and a hard place"),

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[141] UNHCR Tham Hin camp profile information sheet 2010: 2f
[142] Smith/UNHCR 2010:2
[143] Smith/UNHCR 2010:2
[144] However, as will be shown with the interview results, this only applies to *some* of the interviewees` cases, and is far from being the norm.
[145] Smith/UNHCR 2010:2

refugees and camp workers feel the gaps that resettlement has created tremendously. Obviously, it is the skilled who take the opportunity to leave the camp first, but without providing for subsequent workers to fill the open positions in the camps, the situation of the remaining population worsens. As a result, resettlement in all camps has become a "love/hate issue", for refugees, as for camp workers.[146]

The ultimate motive behind the commencement of US resettlement operations in Tham Hin was to be able to eventually close down the camp; however, apart from the remaining eligible refugees who denied resettling, departures are at least partly filled again with either births or new arrivals. Alone in the post election period after November 2010, new arrivals to all of the nine camps have apparently been numbering about 10,000.[147] Thus, the previous success of the resettlement operation of the Hmong of Wat Thamkrabok didn't work to the same degree in Tham Hin. This "success story" which had gone exceptionally smooth and quick surely was a factor that contributed positively to convince the Thai government that the "magnet effect" (which an announced resettlement program often creates) could be prevented again for the case of Burmese refugees. However, when looking at current camp resident´s numbers, this clearly didn't prove to be the case for Tham Hin. Moreover, while the number of registered residents prior to resettlement operations stood at around **9,500** registered persons, this number had only gone down about halfway, with the registered number, as stated above, remaining at **4,348** refugees as of September 2010. In total, **10,457** refugees have eventually either departed for resettlement out of Tham Hin camp or are in the process of departure.[148]At the same time, this number shows how many people would be living in Tham Hin, if there had been no resettlement operation at all.[149]

When looking at the numbers of residents and resettlement across all nine camps, UNHCR suggests that the longer the resettlement operations stays open, the higher the number of people applying for it eventually climbs. This is rather obvious

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[146] Banki/Lang 2008:29f; Fuller/Pittaway/Karen Women´s Organization 2008:45f; Banki/Lang 2007:6f
[147] Integrated Regional Information Network March 2011
[148] Approx. 6100 are actually departed (Smith/UNHCR 2010:4).
[149] Smith/UNHCR 2010:3f
On exact numbers see Appendix III.

considering that when neighbors, family and friends leave and subsequently good news arrive back in the camp, even more "unwilling" refugee may consider moving.[150]

However, the eventual goal of this very generous and large-scale operation was to bring down camp numbers significantly, and to eventually be able to close down some, if not all nine camps. Looking at the actual resident numbers as of September 2010, however, makes it obvious that this goal hasn't been achieved. Rather, there has been at least partly a "re-filling" of places, which is one of the major concerns with the current situation. Accordingly, with resettlement operations obviously not bringing down refugee numbers to zero, the Thai government is growing increasingly impatient. This impatience has been marked by recent announcements at the time of writing of planning to close down the camps eventually. Further, in February this year TBBC, which runs the day-to-day distributions of food and other essential stuff, was ordered to change their food distribution system to hand out food to registered persons only. Also in Tham Hin, apart from the general registered population, only *vulnerable* unregistered persons will henceforth be allowed to receive food rations.[151]

6.2. Survey design

Tham Hin was chosen for the survey because it had seen a "full cycle" of resettlement operations: as the US pilot program started in 2005, after four and a half years a "last call" was announced, giving refugees another three months to finally make up their minds. In the end, of an initial population of about 9,500, by September 2010 approx. 7,600 had eventually resettled or were in the process of doing so, whereas some 3000 hadn´t shown an interest in resettlement or had withdrawn their application, which is about 30% of the registered population.

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[150] Smith/UNHCR 2010:2

[151] E.g. single mothers, unaccompanied minors, handicapped or other persons with special needs (Yoshikawa 2011:2).

The primary focus of the resettlement survey done in Tham Hin camp was to better understand reasons behind the high number of resettlement withdrawals. Similarly, better insights on how refugees consider resettlement and third country conditions were anticipated; by better understanding fears and worries refugees have about resettlement, gaps in the information and preparation process could be filled, in order to give refugees more confidence when moving and subsequently increase the number of persons resettling in the other camps in Thailand for which resettlement operations are planned.

Research was done between July and September 2010 and included approx. 15 field trips to Tham Hin camp. The survey consisted of two parts, with the first one consisting of *interviews* (henceforth referred as Part I), and the second part of *focus group discussions* (henceforth referred to as Part II).

Concerning Part I[152]

Interviews were half-structured, consisting of 54 questions which were either open questions leaving room for interviewees` own explanations, multiple answers or yes/no answer questions. As the focus was clearly on understanding reasons for non-resettlement, the interviews were problem-centered and clearly focused on this issue. Additionally in order to understand the individual´s background, demographic questions were asked at the beginning.

Consequently, due to including quantitative as well as qualitative questions with more or less open answers, Part I can be located between a qualitative and a quantitative approach. There was a clear outline of questions asked, whose continuing order could be changed somewhat by the interviewer during the interview when necessary. After understanding the demographic background of the interviewee, issues connected to resettlement perceptions in general, as well the interviewees´ personal experience with the resettlement process were asked, as were questions regarding the individual`s personal flight history. Further, questions were raised regarding family issues, such as whether any family members were still

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[152]Full questionnaire on request to the author.

remaining in Burma or whether some had already resettled (or where in the process of) resettling to a third country. Also, questions regarding future plans were addressed. If not already done so during the interview, refugees were given room at the end of the interview to ask own questions; also, there was room for the interviewer to note down comments etc.

The interview style was rather "soft", in order to build an aura of trust and assurance[153]; naturally, there was some suspicion on participants` side when being questioned by UNHCR staff, as well as being interviewed about *why* they wouldn't resettle. Consequently, it made sense to give refugees a feeling of not judging answers given, and to encourage them with fitful nods etc. to bring forward their opinions.

As an introduction the purpose of the survey was explained, and the respective interviewer and interpreter were introduced. Participants were also informed that they had been selected randomly; participating in the interview would not have any influence on any resettlement action they might consider now or at a later stage. Information given would be treated confidentially.

For Part I four (female) interviewers were active, which were UNHCR staff of the Kanchanaburi office as well as the author. Only one spoke Karen and Burmese, which made it necessary to have answers translated by an UNHCR interpreter. As will be taken up again further on, answers may therefore have been contorted to some extent by translation. Interviews were done either in the participants´ home, at the respective section office or at the UNHCR workstation in Tham Hin camp. The average duration was approx. 20-30 minutes per interview. Part I was completed until end of August 2010.

Originally 107 individual Head of Households were selected using UNHCR´s ProGres database which contains all registered[154] camp residents. Pre-selection was done

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[153] As classified by Grunow (see Grunow 1978, in Hiermansperger/Greindl no date:5).

[154] Again, it is important to note that the most basic prerequisite for resettlement eligibility is being registered by the PAB; being a "slip-holder" is insufficient. This plays a major role in reasons for opting out of resettlement, as will be discussed in detail further below.

taking only those individuals whose cases were withdrawn from resettlement and who were heads of households.[155] Out of this listing, every 5th person was chosen.

Out of these 107 interviewees selected, 69 interviews could eventually be completed.

Concerning Part II[156]

In order to get an insight into different opinions individuals might have about resettlement according to age and/or gender, six groups were identified again using the UNHCR ProGres database. However, as very specific individuals were sought, participants for the below group discussions were selected based on their profile, with again the precondition of being head of household. During the selection process it became evident that the number of possible participants would be rather small, especially for groups c), d), e) and f). Previously, it was planned to limit the age group for the adolescent groups from 14-17; however, it became evident very soon that they were literally no "heads of households" in the camp who were that young, and who would be responsible for their own resettlement decision. Consequently, the age group was changed to 18-24, which was nevertheless quite difficult to fill. Also, as can be seen below, the SPN (Special Needs) group[157] was very small, due to participants either not showing up at all or not being able to participate due to various problems.

In order of discussion round taken, groups were

a) Female adult group age 18-59 (6-10 participants) (7)[158]

b) Male adult group age 18-59 (6-10 participants) (6)

c) Female adolescent group age 18-24 (5-8 participants) (5)

d) Male adolescent group age 18-24 (5-8 participants) (3)

e) Elderly group 60+ any age (5-8 participants) (5)

f) SPN group any age (5-8 participants) (2)

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[155] Generally, it is the (male) head of household who makes the resettlement decision for the whole family; therefore, it made sense to question specifically those cases. However, in cases where the male head of household was not available, his wife was interviewed as a substitute.

[156] See Appendix IV for a complete list of questions asked.

[157] Special Needs are mostly refugees with physical or mental impairments, as well as single mothers, unaccompanied minors, the elderly etc.

[158] Numbers in brackets are actual participation numbers.

Location: UNHCR Workstation, Tham Hin camp; for the discussion rounds, chairs were placed in a circle, with drinks and snacks provided. Duration: approx. 30-40min per group. All group discussions were completed at the beginning of September 2010.

One UNHCR staff as well as the author were facilitating the six discussions; there were also two of the precedent interviewers acting as note takers, as well as one interpreter. All notes taken were subsequently evaluated and analyzed by the author. Part II was guided in the way that basic questions were asked, which had been formulated prior. As the question order was flexible, some of the questions were omitted when they proved to be not fitting or had already been answered. Additionally, other (side) questions were asked occasionally, to keep the discussion going or to get further clarification.

Even though Tham Hin is relatively small, not all participants know each other. Therefore, as an introduction the survey team decided on some "ice-breaking" games before starting the general discussion. For example, refugees were asked to stand in line according to the number of children they had, or to draw their favorite fruit on a sheet of paper. This proved to be an appropriate way to help open up the group.

The survey team members were introduced by the interpreter; as had been done previously prior to the interviews, participants were informed that their statements would have no impact on their resettlement cases or their cases in general; information given was confidential. Also, refugees were informed about how they had been selected, using the ProGres database that is known to Tham Hin residents as well.

Subsequently, participants were asked for such basic information as their name, age, and for how long they were in the camp. Following questions were then, as the precedent interviews, centered on the main issue of resettlement and refugees` perceptions thereof. The survey team tried to get a general knowledge about participants' background, family connections and experiences refugees might have had with the resettlement process in general. Also, questions were asked concerning

fears and worries about resettlement and/or the situation in 3rd countries, or problems participants might think of encountering.

6.2.1. Problems encountered

As stated above, 107 individual´s cases were chosen from ProGres for the interview part; however, only 70 of those could be completed. A major "challenge" the survey team encountered was to *find* the relevant individuals: Tham Hin camp is organized into zones which are subdivided again into sections, with the respective zone and section leaders being members of the community. As the section leaders generally know all residents of their respective section, it made sense to approach the section leaders with the list of requested individuals. However, in some cases, either even the section leader him/herself did not know the person (e.g. the individual searched had moved sections), or it turned out that the individual´s whereabouts where not known to the section leader and/or neighbors, family etc. In a relatively large number of cases the person had gone out for work, either on a daily basis or for a longer period of time, making it impossible to interview him[159]. In some of these cases interviewers chose to question the wife instead of the head of household, if she was available.[160]

Similarly with Part II, some chosen individuals were rather unwilling and/or not interested in participating in the focus group discussions. Even after inviting them personally by visiting their houses, a rather large number of the individuals chosen for the group discussions simply didn't show up at the UNHCR workstation on the planned date and time. One staff member of the survey team mentioned that refugees didn't expect to gain anything out of participating; they weren't interested in resettlement in the first place, and therefore – even when invited personally by a member of the survey team – weren't willing to show up.

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[159] In almost all cases the man leaves for work outside the camp, hardly any woman goes outside for work.
[160] However, when the wife was taken as a substitute for the husband, mostly answers were that the resettlement decision was the husband´s choice and that he didn't want to go. So whenever possible interviewers tried to interview the male head of household.

Further, as has been mentioned, it proved difficult to fill certain discussion groups; especially for adolescents as well as the elderly and SPN group, initial criteria couldn't be met. This made it necessary to relax the admission criteria somewhat. Age limits were altered from 14-17 to 18-24 for the two adolescent groups. Also, information as stated in ProGres proved to be at times not up to date: SPN cases had changed/resolved itself, or addresses weren't accurate anymore.

Also, conversations with participants had to be translated from Karen to English, which is likely to have had an impact on answers given.

Stemming from their different positions and tasks, the relationship between staff of organizations working in the camps and refugees is a rather official one. Thai or international staff do not, in almost all cases, speak Karen, Burmese or any other of refugees´ languages. Also, outside workers are only in camp at most a few times a week for a few hours, meaning that interactions with the camp population generally remain on a rather work-oriented basis. This is likely to have influenced answers given by refugees during interviews; likewise, being completely "foreign" to the camp and the population may have had an effect on refugees´ answers during interviews which were done by the author. Also, even though the survey team tried to close the interview session to outside listeners, due to the open construction of the huts and the crowdedness of the camp this was not always possible. Subsequently, feeling "listened to" may have influenced answers to some degree.

Last but not least, it must be mentioned that the ultimate motive of this survey was to find out gaps and insufficiencies in UNHCR´s protection scheme regarding resettlement, meaning to see what can be done *better* in order to *increase* resettlement numbers. Therefore, the survey was done in a rather "functional", technical oriented style, without the claim to be scientific. This is especially reflected in the questions asked during Part I. It should be taken into account when analyzing the data on a more sociological approach.

6.3. Data analysis – methodology

As an approach to analyzing qualitative material, Philipp Mayring, at the beginning of the 1980s, has developed a technique that has become known as "content analysis".[161] Based in principle on a *quantitative* content analysis, he emphasizes *coding* the original material, a similar approach as the grounded theory builds on. The basis for developing theoretical statements develops through a *category system* which is based on the original data, where statements of interviewees are organized according to their content. While shifting through the original material, as a first step, similar answers are summarized, forming categories of similar answers. Secondly, these categories are further *generalized*, leading to *abstract concepts* which form the theoretical final statements.

However, even these final concepts are not fixed at all; rather, their stability has to be re-checked again on the original material by controlling if given answers are, in fact, only fitting into exclusively one category. This "dry run" allows for a possible re-adaption of the existing categories and/or the concepts themselves, if necessary. Essentially, by encoding, the existing material gradually gets reduced, the most concise answers get "crystallized out", and this process finally leads to *abstractions* that are nevertheless still an image of the original data. As a result, the concepts which are developed by encoding are theoretical statements which shall be interpreted subsequently.[162]

Mayring´s technique is sometimes criticized for relying too much on a quantitative approach and for ultimately analyzing *frequencies* (only), instead of extracting *information*. By categorizing, the context of the original answers gets lost, making it impossible to identify causal connections. In short, for evaluating complex, subjective material (as with interviews or group discussions) it is inappropriate to use such more or less fixed categories, because they potentially hide the context of given answers and therefore can distort the final interpretation. Also, the question inevitably arises as to what bases these categories and concepts are built; as with all qualitative

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[161] However, this is not meant in the sense of the Anglo-American "content analysis" which is strictly quantitative.
[162] Cf. Mayring 2002:100;114f; Cropley 2002:127ff; Hiermansperger/Greindl no date:6

research, its analysis and interpretation will always be essentially *subjective* and to a large extent dependant on the researcher´s own personal experiences and background. Results are compiled through personal interactions between the researcher and his/her subjects. Compared to quantitative "sterile" research, qualitative data interpretation is therefore almost "humane", as Klotz has pointed out. At the same time, this also means that analyzing qualitatively compiled data is much more "chaotic" and "unsure" against the much more "uncompromising", "reliable" quantitative statistics.[163]

Consequently, doubts regarding qualitative research´s validity have always been its main point of criticism. However, as Mayring and others argue, qualitative research´s main goal is in the *formation* of theoretical statements out of empirical material, rather than in proving a certain reality with statistical "hard facts"; therefore it does not proclaim to hold any "ultimate, unchangeable truth".[164] Consequently, every empirical study and its analysis is only *one* possible interpretation of the given data; qualitative results do not claim to be holding any "exclusive truth" and, naturally, the same applies for the here discussed results and their interpretation.

Despite the justified criticism with qualitative research and Mayring´s technique, I have decided on using Mayring´s approach for analyzing the collected data of the Tham Hin survey because taking into account the *frequencies* of given answers has meaning in and of itself: Against the above mentioned critique that taking answers out of context and merely "counting them" may distort the interpretation, I argue that precisely the frequency of a given (similar) answer shows its weight among the camp population regarding the central question, *"Why not resettlement?".* Also, as the *topic* of the survey was relatively narrow, all answers were given in the context of the overall question regarding about resettlement, therefore the risk of interpreting given answers out of context was relatively minor. Consequently, organizing given answers in categories makes sense as to show where core concerns lie.

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[163] Cf. Klotz 2002:55ff
[164] Cf. Gläser/Laudel 2009:198f; Mayer 2009:22f; Klotz 2002:18ff;25f; Mayring 2002:100f

Answers of all interviews were subsequently entered into Excel and assigned to the respective questions. This alleviated organizing the categorizing and coding as mentioned above. Moreover, the semi-structured interview style with largely predetermined guided questions resulted in already relatively short answers. For the process of encoding, this alleviated the "stripping down" to only relevant sentences markedly, as insignificant sentences or filling words etc. were largely absent in the original answers Subsequently, the summarized statements were organized further, and summarized broader. In case answers regarding resettlement were multi-causal (e.g. *"I wouldn't know how to cope"* **and** *"I have an unregistered brother"*), both explanations were taken into the respective categories. Similarly, statements made during the focus group discussions were also taken into the category system.

6.4. Interpretation

For the coding process, all answers were taken into account. However, answers directly related to the question of why the individual wouldn't resettle predictably proved to be the most useful in terms of categorizing (Question 18, 43, 55). As for drawing up categories, it soon became evident that "reason types", rather than "types of individuals" or other factors were the bases on which it made sense to structure answers. Subsequently, the following concepts developed.

a) Social ties and obligations

b) Coping worries

c) Contention

d) Overstrain

e) Passiveness

Among these "reason types", social ties and obligations were the most prevalent; concerns about social connections and thoughts and considerations of family members were by far the most predominant statements for non-resettlement.

As for the above hypothesis that social ties ought to be included into migration theories as important factors, they are therefore the most fitting.

However, apart from this, reasons such as "coping worries" or "contention" resemble more the conventional Rational Choice theory, and what we were assuming to hear from potential migrants when considering to move or not. They therefore reflect the "typical" rationing whether the benefits of moving would outweigh the benefits of staying.

Regarding the definition of borders between categories, especially for Group a) distinctions were prone to be blurred. Accordingly, I have chosen to divide Group a) answers into whether the individual is held back by *somebody else`s decision*, the *status* of somebody else (not being able to resettle), whether the individual is held back by the *unwillingness* of somebody else, or lastly, family members *remaining in Burma*. However, in the process of generalizing these categories into a more abstract concept, I have summarized them as *all being connected to social relations, in one way or another.*

In the further section the concepts´ contents as well as the interpretation will be described in more detail.

6.4.1. Regarding a) Social ties and obligations

I have termed this first concept "social ties and obligations" because answers were either related to family or community ties, be it immediate family members or more distant ones, or connected to a feeling of obligation and bond with the wider community.

A very significant majority of refugees.[165] stated that they had withdrawn their individual resettlement application due to other members of their family not being able to join them. This was due to having family members that were either not registered at all (e.g. having arrived to Tham Hin rather recently), or only being slip-

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[165] Out of 70 interviews, 47 were exclusively related to reasons falling into this category.

holder (having gone through one of the PAB pre-registration exercises). This was evident during interviews, as well as a major answer through all focus group discussions regardless of gender/age. Some participants also stated that one or more of their immediate family members were living outside the camp (and/or married to a Thai person), which made them stay in the camp rather than resettle on their own or leave this member behind. Some female interviewees mentioned that their husbands were KNU soldiers outside the camp, some others said that they couldn't resettle because their husbands were working on fishing boats in southern Thailand. Interviews suggest that it is generally male refugees that leave the camp for work; if women leave, it is often to live in a nearby Thai village and/or to get married to a Thai national.

Therefore, the patriarchal structure, with generally the father/husband being the dominant figure in the household as well as the main decision-maker, became evident at an early stage of the survey. Frequent answers were "*My husband doesn't want to go*", or also "*My father-in law doesn't want to go*". This connects to the above mentioned situation where the husband is (temporarily) outside the camp and the wife stays behind with the children. There were only two cases where the husband seemed to "obey" the wishes of his wife.

Answers suggest that individuals´ decisions are mostly based on community behavior – some stated that they wouldn't move because "nobody else (in their family) did", or "nobody else around me (in the neighborhood) did". Similarly, the notion of being influenced by what the wider community thinks or does influences the individuals´ decision. Statements such as "We fled together, so our fate is bound together" or "There are still many people in the camp" reflect this.

As expected, filial duty towards parents was evident in answers given: children stated that they couldn't leave behind their elderly parents or other (disabled) family members. However, the same applied to the parents, who in many cases referred to the unwillingness of their children to resettle as for their reason for withdrawal.

Feeling obligated or attached to remaining family members in Burma was a main concern for some of the persons interviewed; however in these cases it was explicitly an individual´s own family members, rather than one´s own ethnic group remaining in Burma or the Burmese people in general towards which an obligation was felt. Interviewees stated that they were either in direct contact with relatives in Burma or waiting for them to come.

It is interestingly to note that in this group, which stated socially related reasons as their main withdrawal motivation, not in a single case were notions of "*friendship*" raised; participants of Part I as well as Part II stated not wanting to become separated from family members, or to leave behind family members as their main reason, but except for the few statements where comments such as "having to stick together as a group" were mentioned, it was constantly *family members*, however distant, that were the decisive factor. Forestalling, this is closely connected to cultural issues regarding family and kinship ties in Burma, which will be the focus further below.

Table 1.1 shows Group a) in more detail; the three variables compared (PRE/unreg. family members, RSTed/currently processed family members, remaining family members in Burma) are connected to what I call "social ties", meaning social connections that may either "hold back" an individual in the camp, or may also "draw" him/her to resettlement (as for already RSTed/processing family members).

As can be seen, the majority of this socially motivated group has either unregistered or only pre-registered family members and/or family members remaining in Myanmar, which correlates most obviously to their stated reasons for non-resettlement. Only one interviewee has only resettled family members, but no "ties" to hold him/her back. As discussed previously, migration theory, e.g. the network approach, suggests for such cases that already having migrated family makes it more likely for the remaining family members to move as well; social contacts overseas act as an incentive for potential migrants by providing assistance and "smoothing the way". Therefore, if strictly applying that theory, there should be no cases in the sampled population that have only resettled family members, but no other ties which may hold them back. Looking at this single case closer, however, reveals that it is,

again, unwilling family members who, even though eligible, are not resettling and therefore holding the individual back.

Five out of the 47 cases fulfill neither of the variables, and remain blank for all three fields; however, looking at these cases more closely reveals again that even though they have neither of the three criteria, their main motivation is nevertheless resettlement-unwilling family members.

In order to see if these variables are more frequent for this socially motivated group than for the others, Table 1.2. compares all other groups on the same variables. As can be seen, there is no outstanding difference in terms of the criteria observed between the two tables. This suggests that even though interviewees of Table 1.2. may have social related "hindering" or "drawing" ties as well, obviously for them this isn't the main reason not to resettle.

A separate note on Part II:

Answers given by participants of the group discussions were generally similar to answers given during interviews; in many cases the reasons for opting out of resettlement where family or community related, either having unregistered or pre-registered family members or other obligations and strong attachments to family members.

However, a striking distinction which became especially apparent between the female and the male adult participants (as well as to some extent with the adolescent groups) was repeated statements such as "I would like to resettle but my husband doesn't", or "I am interested in resettlement but I have to take care of my frail husband/father-in-law" etc. There was a *clear difference* between the perceptions females had of resettling, and their male counterparts. Considering that group participants were all chosen from the "resettlement application withdrawn" group according to ProGres, females´ outstanding positive stance towards resettlement and third countries was surprising to the survey team. On the contrary, male adult refugees were rather "indiscriminate" or "simply not interested" to resettle, which was more in line with the attitude during the precedent interview part. Prospects of

better living standards or even helping their children to better life chances didn't seem to matter for the male adult group, whereas the female discussion members were relatively "eager" and clearly more interested in improving their situation and that of their children. Still, their main reason for having dropped their application was family bondages as well; but answers suggested that the percentage of female resettlements might be considerably higher if they were not bound by patriarchal domination.

Table 1.1 Group a) Social ties and obligations

Interview No.	4	6	7	8	10	12	13	14	15	16	17	19	21	22	23	25	26	27	28	29	30	31	33	37	39	40	41	42	43	44	45	46	47
PRE/unreg.family members		X		X	X			X			X	X	X		X		X			X								X	X	X	X	X	X
Fam. members RSTted/process of	X		X	X	X	X	X	X		X			X	X		X	X	X	X	X	X	X			X	X	X	X	X	X		X	X
Fam.members in Burma	X		X	X	X	X	X	X		X	X	X	X	X				X	X	X			X		X	X	X			X	X	X	

Interview No.	49	50	51	52	53	54	55	59	60	63	65	67	68	69
PRE/unreg.family members						X	X	X	X	X		X		
Fam. members RSTed/process of	X				X	X		X	X	X		X	X	
Fam. members in Burma			X	X	X			X	X	X			X	X

Table 1.2. All other groups

Interview No.	2	3	5	9	11	20	24	32	34	35	36	38	48	56	57	58	61	62	64	66	70
PRE/unreg. family members		X	X	X		X			X		X						X			X	
Fam. members RSTed/process of	X	X	X	X		X	X	X	X	X	X	X	X		X	X		X			X
Fam. members in Burma	X	X	X	X	X			X		X	X				X	X				X	

6.4.2. Regarding b) Coping worries

Besides social ties and obligations, relatively frequent statements by interviewees were connected to fears and worries of not being able to cope in a third country, concerns regarding lack of English, as concerns regarding a general lack of skills and training. In comparison to the later group discussions, answers regarding concerns and worries during the interview part were frequent. Rumors and other news that came back into the camp from resettled refugees seem to have been having a negative impact on perceptions about third countries and, predominantly, about the United States. Some refugees also mentioned preference to resettle to a smaller country, such as Finland, instead of the US. *It is very likely that such opinions of the "best option" are influenced by such rumors that filter back into the general camp population. As is the tendency with gossip, negative stories tend to stick around the longest.* Elderly refugees were concerned about how to get by in a foreign country with a specific focus on assistance as they wouldn't be able to work anymore; one elderly interviewee mentioned not wanting to be a burden to others. Similar statements came from parents with (disabled) children who were primarily concerned about childcare. Naturally, not having any relatives overseas was seen as a reason to stay in camp as well.

Regarding the focus group discussions, images of third countries were predominantly positive throughout all groups. Refugees were not very worried about coping or were even not worried at all; a participant of the female adult group mentioned the benefit to be able work and move freely overseas. It was suggested by almost all groups that if a person would work hard or had skills, he or she would get by anywhere and wouldn't have to worry. However, there were some concerns about not being able to follow working hours, or of accidents and violence on the streets. Some mentioned that the beginning might be especially hard. Interestingly, as has been mentioned in the case of the Hmong resettlement operation, where officials in a foreign country were rather seen as "negative", whereas refugees in Tham Hin mentioned the benefits of being able to *rely* on police and authorities abroad. [166] As for the elderly, issues were generally related to old age: some mentioned that they felt too old to move, and would only be a burden on their children. Others were willing to resettle but couldn't do so on their own (due to old age). A concern one female adult

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[166] See page 32/33.

participant raised was to lose one´s sense of direction and to get lost, which found common approval by the others.

The difference in attitude towards resettlement and third countries between Part I and Part II is outstanding; Mayring notes that in group discussions it is likely that psychological constraints get broken through, and during interactions in the group the individual´s true opinions and thinking can be seen. It is often through group discussions that public opinions and collective attitudes of a society become revealed.[167] This should be taken into account when trying to explain the divergence between answers of Part I and Part II; especially statements by female adults, whose answers when talking about their general wish to "leave their unwilling husband behind" point towards more openness in these group discussions in an environment of similar "peer thinking".

However, divergence in statements of Part I and Part II could also be due to a certain degree of "group pressure" – for example, if one person states not to be worried at all about resettlement, it may have been difficult for the others to say the opposite.

6.4.3. Regarding Group c) Contention

Apart from above reasons, contention levels in Tham Hin seem to be relatively high; several interviewees mentioned to "like living in the camp"; the benefits of free education, food rations and "being safe" were among the answers given for this. A similar attitude could be observed during all focus group discussions. I have also included refugees who stated that, rather than resettle, they would like to wait for peace in Burma, as this suggests that camp environments are not intolerable. Even though restriction of movement is limited and there is generally little entertainment or meaningful activities in the camp, there were only few statements of discontent and/or impatience with the current camp situation. Similarly, though some refugees indicated that they have some form of relation to local villages outside the camp (e.g. to send their children to a Thai school or to have the opportunity to leave the camp to get more food), there were very few remarks regarding any desire to integrate into Thai society. When asked where they would like to live in five years, the

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[167] Cf. Mayring 2002:77

majority of answers indicated a willingness to stay in Tham Hin – likewise, by far the most frequently asked question when asked if interviewees had any more things they would like to know was whether the interviewer knew how long the camp would continue to exist or how long they [refugees] would be allowed by the Thai government to remain in Tham Hin.

The security of the camp as well as the provision of free basic services is rather good and stable in all of the nine camps. The cost of nutrition and other supplies is covered by outside funding from foreign donors (governments´ contributions to organizations/UN), private contributions as well as the Thai government. These funds have been more or less stable over the last years, with only some cuts and concerns for further reductions in the supply of yellow beans (one of the main stables in the camps) during the rise in food prices in 2010.[168]

However, with the announcements of the Thai government to TBBC to limit food distributions only to registered persons in Tham Hin (with the exception of *vulnerable* unregistered refugees)[169], this situation is likely to change in the near future, which may also influence this current level of "content" in the camp.

6.4.4. Regarding Group d) Passiveness

Another, however not as frequently, mentioned point were comments of participants which I have summarized under the concept of "passiveness", meaning answers that tended to point towards interviewees being simply "idle", and not feeling any necessity to make up their minds about a decision; "passiveness" in the way that refugees were all inactive or indecisive about what to do. When asked specifically why they opted against resettlement, some mentioned simply no desire to move, or merely "I don't know". Again others showed an interest to resettle, but were still torn between decisions.

At least partly this may have to do with a cultural understanding that it is impolite or too straight forward to be very direct about one´s personal opinion, especially in public and with strangers. Consequently, vague answers as the above are likely to hide other, more specific reasons. On the other hand however, Oliver Smith (UNHCR Resettlement officer Bangkok)

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[168] See e.g. Naw/Democratic Voice of Burma article, June 25th 2010
 http://www.dvb.no/news/food-aid-cut-to-thailand-refugee-camps/10454
[169] See also chapter 4.2.1. on this issue.

noted that such "indecisiveness" is a trait that has been linked to those who have been referred to as "fence-sitters" – refugees who simply don't feel any need to make up their minds, and who are waiting for the best "country package" being offered (which some refugees in Ban Dong Yang and Tham Hin stated as meaning Northern European countries or Australia, rather than the US).

6.4.5. Regarding e) No understanding

approximately comparable in numbers to Group d) were answers which I have summarized under the concept of "no understanding", meaning that answers suggested more or less a *willingness* and/or *interest* to resettle, but due to being unfamiliar with the process the relevant cases were closed. Essentially, confusion about the application and resettlement process were raised regarding reasons for non-resettlement; still others mentioned that they had missed the deadline or some (eligible) family members hadn't shown up for the interviews. When asked during the focus group discussions if participants knew that the US resettlement program had already been closed in November 2009, some said they thought this was only temporary.

This suggests that the whole process of resettlement in Tham Hin was/still is intransparent, at least for some refugees; further, answers in general evidence that information circulates in the camp through informal channels, rather than through official material.

Together with answers of group b) Coping worries, this suggests that still more information may be needed to be made available in the camps; not only the *process* of resettlement, with its various cut-off dates and obligation for interviews etc. be made more transparent, but also the conditions and what to expect in which third country should be explained in more detail in the camps, especially were resettlement is still an option.

6.5. Conclusion on results

Answers given by participants suggest that reasons for opting against resettlement in Tham Hin are multiple. In many cases, a mix of insecurity, considerations for others and worries about the "unknown" play their part in the decision-making.

Moreover, as has been pointed out, by far the greatest influence comes from the family itself: family members are in many cases unwilling to split the family, *even though this would have no negative consequences for remaining family members, regardless of their status*.

The Thai government´s (in)actions regarding registrations have led over the years to a considerable high number of unregistered or pre-registered refugees in the camps who, even though receiving services and supplies, are ineligible for resettlement. Though the agreement of the Thai government to open limited PAB registrations again for some immediate unregistered family members may, in the future, enable further hundreds, if not more, refugees to resettle as well.

 Apart from this, answers suggest that there is a lack of (official) information surrounding the general resettlement process as well as conditions and assistance in third countries. This has led to some interested refugees having their application dropped, as well as some applicants who withdrew their claim due to misinformation or lack of information about how to cope overseas. As every single US resettlement program in the other camps will have an eventual closing date in the near future, it is important to communicate to refugees the necessity of registering *prior* to the deadline, and that closure would not be temporary but permanent.

The average family today not only in Tham Hin, but in all the other camps compromises registered, pre-registered as well as unregistered family members; again, this is predominantly connected to the Thai government´s careful position not to create a "magnet effect" through being too generous with registrations. However, the fact that these "mixed" families are not willing to split the family apart is also an indicator for something else, which is what I have been arguing in Chapter 5 in regard to migration theories and the failure to take into account conditions at "home" when trying to explain – and control – migration movements. Namely, the decision to stay behind *collectively* goes against the general assumption that potential migrants "move" as soon as there is a chance, quite regardless of

social bonds. Also, it shows the importance of social factors which are so decisive in Tham Hin. Subsequently, I have aimed to underscore with the above empirical example the importance that family as well as kinship ties have in the decision whether to move or to stay; moreover in Tham Hin, these kinship ties constitute the *underlying reason* for the (unexpected) high number of resettlement withdrawals, even before the apparent government constraints.

7. Food for thought: Social dynamics and cohesion

After outlining migration theories´ shortcomings in chapter five, which was followed by a discussion of the results of the survey in Tham Hin camp in chapter six, chapter seven will now recapitalize on these previous chapters; namely, we will look at questions such as what can be learnt from the statements made in Tham Hin camp? What do they tell us about motivations and dynamics in a refugee setting, vis à vis the general assumption that it is predominantly economic considerations that matter in most migrant`s decision whether to move or not? Also, as outlined in chapter three, as the previous Hmong refugee situation does have indeed some similarities to the current Burmese camps, we will look back again to the former one, in order to identify differences and/or similarities in terms of the role that social aspects played back then and now.

The social fabric, including the dynamics that develop *within* a enclosed refugee community strongly shape how the community functions, how the camp is managed, and refugees attitudes towards each other and the outside world. That is to say, the experience of becoming a refugee, including histories of flight, possible violence and being forced to live in an otherwise unknown, restricted community is an experience that is taken up differently by every refugee community. Namely, these traumatic experiences can either work *cohesively*, creating a feeling of bondage between community members; on the other hand, the opposite may occur as well: Especially in dire situations where survival is at stake, an atmosphere of "everyone for him- or herself" may prevail. Likewise, refugee camps are likely to have a tendency to hold more female than male refugees due to various circumstances – in return, women´s position in the camp may be strengthened.

These dynamics shape a refugee community, and have consequences on all aspects of camp life and beyond; without being able to explore every aspect of this very interesting area within the frame of this thesis, chapter seven will still hold a few thought-provoking points on this.

Economic considerations are the main drawing factor behind migration decisions; in terms of including social factors in the discussion, to a large extent transnational bonds, family influences across distances and the way in which absent family members (and the remittances they send home) shape the remaining members are areas that are usually considered in discussions of migration theories. However, in chapter six, Tham Hin camp has shown us that there are other factors as well that strongly influence migration decisions, which are grounded in a community´s social coherence and feelings of bonds and cohesiveness between its members. Although my argumentation is based on the situation found in a refugee camp, which is obviously different than the situation of migrant workers in many aspects, for both groups it is rewarding to include all aspects of social factors when trying to understand the dynamics of migration.

Hence, and to come back to the introductory questions of this chapter, what can be learnt from survey participants in Tham Hin is clear: When trying to understand what drives migrants, be they migrant workers or refugees, it is insufficient to only look at economic considerations, conditions in the host community, or transnational family networks. Social circumstances in the *outgoing* community matter as well. Although chapter six has shown us that there are indeed other reasons refugees stated for non-resettlement beside social attachments, such as fears and worries, or just "passiveness", family bonds, and/or feelings of obligation to one´s kin or family were repeated over and over again by survey participants.

Addressing the question of the current Burmese situation vis à vis the circumstances surrounding the Hmong resettlement operations in the past, it is worth noting that the family "build-up" in Wat Thamkrabok was indeed different than what we have in many of the Burmese camps today: As stated, one predominant picture which became apparent during the Tham Hin survey was that it is very common for many male refugees in the current Burmese camps to leave the camp on a more or less regular basis (which is due to the fact that many male Burmese laborers are engaged in seasonal work on the coast or construction not in the vicinity of the camp). Hence many husbands/fathers are very infrequently present in the camp, leaving many wives in a state of being "quasi" heads of household. Although many males are only temporary outside the camp and do return on a

time by time bases to their families in the camp, the role that women come to inhabit does change, which was also an issue the survey team had to deal with when deciding who to interview for the essential question of "Why are you not resettling?".

In contrast, what the observations and the available material of the Hmong refugee community in Wat Thamkrabok suggests is that families there were much more "complete": As least prior to the tightening of entries and exits of the Wat, male Hmong would be engaged in day labor outside the camp, but were otherwise living *in* the camp. Indeed, by the time that the Royal Thai Government announced its final plan to resettle the whole remaining Hmong, the Wat community resembled more a village than an enclosed, guarded camp that we have today along the border. A situation of long-time or very frequent *absence* of the father/husband was not as common as it is in the Burmese camps today. Therefore, when resettlement operations were opened, mothers/wives opting out of resettlement due the father/husband being away for work and thus the wives couldn't make a decision was not a main concern in the Hmong resettlement situation. As mentioned shortly in chapter three in connection to Hmong social build-up, there were indeed some problems when registrations were taken up in the Wat regarding a possible split of families due to family members not being able to attend registration exercises. However, this was not an issue to the extent as it is in the Burmese camps today.

Also, in terms of expectations of the situation in resettlement countries, as has already been pointed out in chapter three, the Hmong remaining in Thailand could expect to draw on the support of already existing large Hmong ethnic communities especially in the United States. In comparison, the network and community support that Burmese refugees can expect to find in any of the resettlement countries at present is much smaller in numbers. A fact that has also been pointed out by Oliver Smith of UNHCR Thailand in his observation of the resettlement situation in Tham Hin is that there seems to be a dynamic developing: Namely, the longer resettlement operations are ongoing, and subsequently the more refugees see their neighbors and friends resettle, the more likely it becomes that the remaining "fence-sitters" make up their mind to move as well.

Another noteworthy difference to the Hmong resettlement situation is the fact that Wat Thamkrabok was very clearly a "dead-end": The Royal Thai Government was very clear that

the remaining Hmong population at this Wat would not be allowed to stay any longer, and that essentially, the Hmong refugee situation which had started so many years prior was indeed a closed chapter. Hence, and in contrast to the situation today, there was simply no option to *stay* in the Wat. Although with the Burmese camps, as mentioned, there are also intentions for the future to close some if not all of the currently nine camps, this is not imminent; refugees on the border camps today do not face an urgent "now or never" situation as the last remaining Hmong at Wat Thamkrabok had. Referring back to the introductory question of the Hmong versus the Burmese camp situations, again it is social networks, social bonds and structures that played their important part.

Finally, let us address the last point mentioned in the introduction of this chapter. As the title of this chapter suggests, this will not come to a final conclusion but mainly points out questions and issues that are noteworthy indeed.

Becoming a refugee is always a very distressing, traumatic experience in an individuals´ life; in the case of whole communities forced to flee, this also often entails great shifts in the community´s social fabric, and brings with it the need to adapt to this new situation. As a result, *power structures* inside the community are very likely to shift as well: For example, a refugee camp´s population often compromises more female than male refugees because the men are either killed/abducted beforehand (the worst case scenario), have joined opposition forces themselves, or, as for example in the camps along the Thai border, men have gone to work illegally in Thailand or elsewhere. At the same time, even though the build-up of a refugee camp may reflect an original village structure, the management of the camp, and with it the hierarchies and power structures within, are different. Obviously, refugees are to a large extent subject to the host government´s will and dependent on aid provisions from NGOs and other organizations. However, the refugee community is far from equal and homogenous itself, and is shaped by these new structures of authority. Inherent power structures within the camp community can determine not only access to resources, but are also an influencing factor in regard to decision-making.

Further, the upheaval of movement not only changes social structures but can also go as far as to *damage* social cohesion among community members: The experience of becoming a refugee may result in a loss of perceptions of belonging to a wider group; feelings of bonds with one´s community may weaken or break away completely.[170] On the other hand, the opposite scenario is conceivable as well, in which social ties may become strengthened and the perception of "having to stick together" in this dire situation prevails. Notions of "we" against "them" developing within the camp community are a likely result. For example, as has become apparent in a study done in one of the Karenni refugee camps in northern Thailand, Dudley found out that perceiving oneself as a "refugee" or not depends essentially on interactions with the wider camp community and with new arrivals. Davis (1992) has called this cohesion a "*bond of suffering*": In Dudley´s study, "old" refugees, who had been one of the first to arrive in the 1990s in this Karenni camp, felt a sense of affinity and understanding towards newcomers, through whose stories their own suffering and traumatic flight history became personally re-lived, having gone themselves through very similar arduous experiences previously.[171] The creation of such feelings of sharing common histories of distress and the imagined homogeneity of one´s community of suffering may become indeed a hindering factor when resettlement operations are underway: Perceptions of "letting down" one's group may prevail, which may as well cause applications to remain few. For example, statements by refugees in Tham Hin such as "*Camp residents have to stick together*" or "[*We] fled together, we are bound together by [the] same fate*" suggest a similar thinking and reflect the relatively strong social cohesion inside the camp, not only between family members but also between the community as a whole.

Further, self-perceptions of oneself as a "refugee" may also depend on *length of displacement*. Initially only seen as a temporary absence from "home", Karenni refugees noted some emotional developments over the years, with more and more feelings of lethargy, depression and general frustration with their situation dominating the camp atmosphere. It could be said that from being newcomers in a camp, it is *time* that actually transforms new arrivals into refugees who, little by little, start perceiving themselves as such

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[170] Cf. McLean 1999:1-13
[171] Cf. Dudley 2010:44f

as well. Hence, once resettlement is offered, this might be more willingly accepted if lethargy and a general feeling of "having given up on returning home" have already set in.

The above mentioned unavoidable shifts in power structures that develop within the refugee camp ought to be taken into account for every aspect of camp management. However, such inherent (new) power hierarchies and re-definitions of status are likely to have an influence on *women´s* roles as well; especially as the gaps that men create by not being present with their families in the camp are taken over by the wife/mother. For example, as mentioned before, in Tham Hin the majority of *men* are at least temporarily outside of the camp for work or have stayed behind with opposition forces in Burma. Hence even though the *formal* head of household may still be the father/husband, the role of the mother/wife is very likely to have become *strengthened* in the camp environment. As Moussa and McSpadden (1993) have observed:

[T]raditional social and cultural fabric of life is rent apart in unpredictable ways [and often…] takes away the assumed permanence of the social relationships between men and women. There is, therefore, the likely consequence of a shift in the previously experienced and expected power hierarchies and power differentials."[172]

In how far women´s roles has actually changed would obviously need a profound background knowledge of the social build-up of the original community (for the case of Tham Hin, one would have to look at social structures and gender-roles in Karen communities). The strengthening of women´s roles in absence of the husband/father has become "famous" not in the here discussed context of refugee movements, but rather in studies of work migration movements in countries where going abroad for (temporary) work has become the norm and, indeed, is often seen as a part of the life-cycle.[173] There, the often long-term absence of the husband and the new responsibilities that are put on the wife result in a redefinition of (gender) roles in the household, which would otherwise be clearly defined. It is easy to understand that the increased autonomy of the wife in the absence of the husband may however lead to tensions once the husband returns.

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[172] Moussa/McSpadden (1993) in McLean 1999:6, second bracket in the original.
[173] For example, extensive studies have dealt with changes in women´s role in countries such as the Philippines or India.

In the here discussed case of power hierarchies in refugee camp settings, the above consideration has to be taken into account: the fact that a large part of male refugee population is either temporary or permanently outside of camp creates "quasi" single-mother households, in which the decision-making falls on the wife. In regard to crucial decisions such as resettlement, it would therefore be distorting to concentrate only on *male* head of households, with the assumption that they are the sole dominators of the household.

However above arguments, such as strength of solidarity within the camp community and shifted power relations between its members and within families, are not exclusive; even though certain conclusions could be drawn by Dudley´s study in one of the Karenni camps as described above, and the situation seems to be reflected in Tham Hin, the situation may differ significantly in other refugee situations. There, the distress of camp life may well create feelings of "every man/woman for him/herself" – if resettlement is offered in such an environment, outcomes may differ hugely from the results presented in this paper. In the case of Karenni refugees, sharing a common history of trauma has apparently created a feeling of community and of mutual affinity, in which ethnic belonging seems to be of minor importance.[174] However, the opposite may well be true in other situations where ethnic composition *does* play a role. Namely, in situations where the relevant refugee population is made up of different ethnic groups, who have fled and ended up in the same refugee camp, perceptions of "*we as one refugee community*" may well be weak or non-existent.

Finally, the above discussion of dynamics and power hierarchies within a refugee community are well beyond the scope of this thesis. Again, as every refugee situation and every refugee camp is different, every one of them has to be judged on a case-by-case basis. However, the discussion keeps its direction in pointing towards the necessity to look more closely at the *social structures of the sending community*, instead of merely assuming that individuals will move on the whim of economic betterment.

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[174] However, one ought to take into consideration that the majority of the population in the camp that Dudley studied is Karen; ethnic differences, therefore, are obviously not a major issue.

8. Conclusion – lessons learnt (?)

As has been preliminarily pointed out, migration research has moved forward from Ravenstein´s "Laws of Migration" and its emphasis on purely economic motivations. Nevertheless what can be seen today in migration research is a somewhat still prevailing concentration on economic factors. The assumption that "*migrants move to where economic opportunities are better*" is still very much present in the discourse about international migration and in national policies concerning immigration regulations. Admittedly, migration research has expanded: Social phenomena such as transnational networks connecting and influencing family and community members across geographical distances has made significant contributions to understand migration movements; moreover, in terms of what *triggers* and also what *sustains* migration, there have been much needed add-ons to the conventional assumption of purely economic factors. An area that receives very much attention from migration scholars as well as from national governments is *integration*, and the various factors, including social ones, that influence this process. Also, one has to admit that prospects of economic betterment are indeed one of the main motivating factors for many migrants and refugees alike, the latter having an understandably strong desire to escape their dire living environments and seek a better future.

Still, however diversified the discussion surrounding migration has become, what I have been arguing in this thesis is the still relative neglect of social structures in the *home* community. I have pointed out, with the empirical example of Tham Hin camp, that those conditions are *influencing* individuals, much in the way that they are pushed or pulled by destination country conditions or the economic and/or political situation at home.

As for the case study of Tham Hin camp, over time, it seems, the "willingness" to eventually resettle does indeed increase as refugees see their neighbors and friends depart and positive feedback of third country conditions arrives back in the camp. This reflects what has been touched upon in chapter five with the concept of "chain migration", and which is closely connected to developments of transnational links between sending and receiving country. Consequently, developments of Burmese refugees are likely to follow what we have seen in the case of the Hmong resettlements – provided that families are given the option to

resettle as a whole. In that the case of the Hmong, after some stable Hmong communities had been established in the US and other third countries, the remaining Hmong from Thailand were following suit rather soon, as the "ethnic security net" was already established overseas.

Yet, the main problem regarding Burmese refugees in the camps in Thailand resembles, in a way, a "vicious circle" and is much more complicated that the situation has been in the case of the Hmong: Burmese refugees who are attached to unregistered (and thus resettlement-ineligible) family members are likely to stay behind as well. The percentage of people definitely remaining in camp despite their neighbors steadily departing is comparatively high (around 30% in Tham Hin). Yet the Thai government, for fear of creating a "magnet effect", on the other hand, is unwilling to be more generous with registrations. Very likely, a major part of this now remaining 30% of Tham Hin residents would be willing to move as well if their relocation would *include* their unregistered family members. However, simply making resettlement for *all* currently residing refugees in Tham Hin possible would make it very likely that the number of *new* arrivals subsequently rises. Hence the Thai government is very reluctant and careful with opening the PAB registration process in the camp again. Compared to the Hmong resettlement, the current situation therefore differs depending on the political willingness of all sides.

However, as there have recently been at least *some* speedily done registrations for immediate family members of refugees waiting to resettle, it seems the Thai government has by now realized the aforementioned problem and the "strings attached" persisting in the camp community. Yet achieving a resettlement figure closer to the 100% bench mark would necessitate a *very* generous approach by the government. Considering Bangkok´s understandably concerns, this is unlikely to occur in the near future and under current conditions. Further, statements by Bangkok indicating plans to close the camps in the near future and already implemented cutting of food rations make it clear that patience is running low and that Bangkok as well is eagerly looking for a final solution.

Assumptions held prior to the study in Tham Hin concerning reasons for non-resettlement were confirmed with this survey; what has been achieved therefore is the affirmation that it is primarily social bonds that prevent this relatively high number of eligible refugees to opt

against resettlement. However, as mentioned, there is relatively little room for maneuvering possible.

The political situation in Burma has not improved over recent years, and is likely to remain volatile; in terms of durable solutions available for Burmese refugees, this means that resettlement will continue to be the most realistic option. The challenge will be to make resettlement possible for all current camp residents, and to allow for whole families to resettle together, while at the same time preventing new arrivals from increasing – it remains to be seen how far the recent political improvements reflect positively on the camps and new arrivals.

Finally, Tham Hin stands as an example in the debate against the general notion that migrants, as well as refugees, are willing to move at all costs and at the first chance possible to the "West". This argumentation is widely spread, especially in the political arena, as a convenient argument to justify tighter border controls, restrictions on the labor market or integration problems.

It has therefore been my aim to provide data and material for challenging this assumption. Moreover, one lesson learnt from past measures to regulate or prevent migration ought to be that migration is far from a "tap" that can simply be opened or closed according to a nation´s or region´s needs, but rather constitutes a dynamic and flexible *flow of human beings*, who are obviously socially connected in various ways and various directions. In as much as migrants are indeed influenced by economic factors, in as much they are socially influenced.

Finally, as examples on studies such as Tham Hin are relatively few, it is my hope that the here presented empirical example provides guidance for similar refugee situations concerning issues of resettlement.

9. Appendices

9.1. Appendix I: Worldwide UNHCR Resettlement Submissions vs. Departures 2003-2010
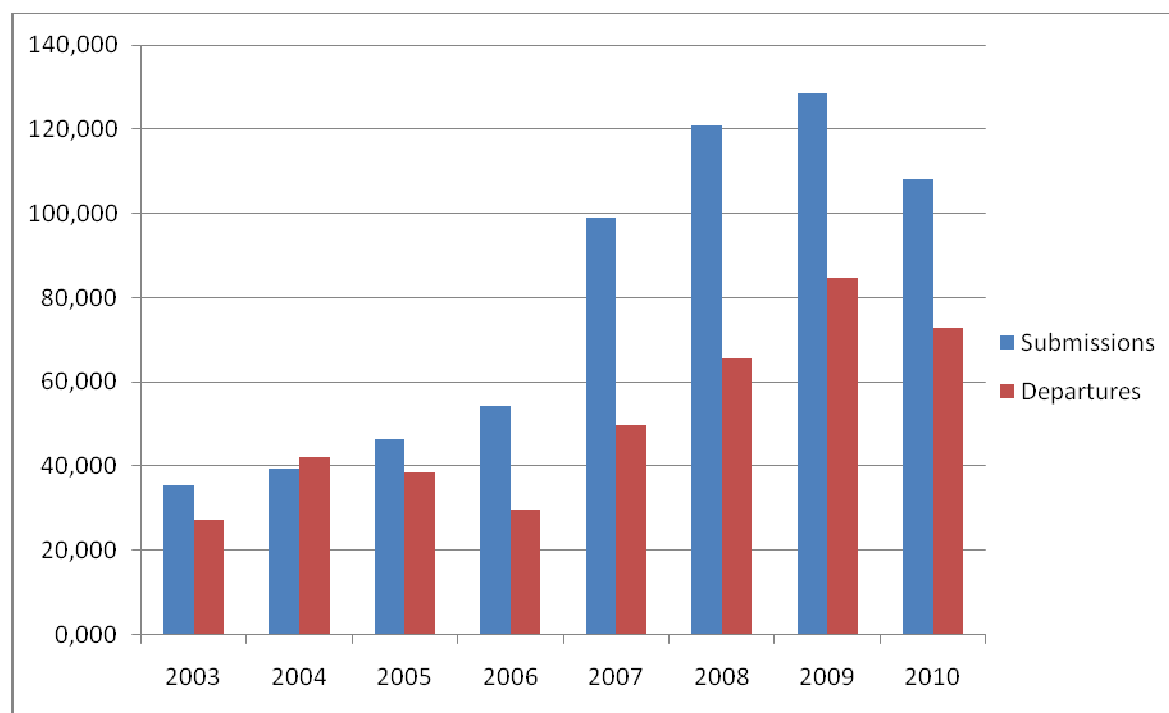
Year	2003	2004	2005	2006	2007	2008	2009	2010
Submissions	35,314	39,509	46,260	54,182	98,999	120,800	128,558	108,086
Departures	27,338	42,008	38,507	29,560	49,868	65,548	84,657	72,942

Source: UNHCR Global Resettlement Statistical Report 2009;UNHCR 2010a,2011 Resettlement Fact Sheets

9.2. Appendix II: Camp population numbers 2007-2011

Camp	2007	2008	2009	2010	2011
Ban Kwai/Nai Soi	18,913	19,406	13,499	12,349	11,253
Ban Mae Surin	3,448	3,531	3,133	2,246	2,090
Mae La Oon	13,746	13,823	14,400	12,579	10,720
Mae Ra Ma Luang	11,775	11,492	13,910	12,088	10,943
Mae La	39,239	33,962	31,173	30,287	28,156
Umpiem Mai	19,851	14,505	12,948	12,196	11,293
Nu Po	13,779	11,515	10,202	9,664	8,984
Ban Don Yang	3,659	3,674	3,158	2,942	2,796
Tham Hin	6,025 (7,978)	5,08 (8,091)	4,605 (8,013)	4,293 (7,559)	4,254 (7,686)

Source: TBBC; numbers as of December each year, except for 2011 which is July 2011 and at the time of writing the most recent count.

Note: *Numbers are registered and pending PAB (pre-screened) only; TBBC numbers are higher because all individuals who receive food rations are included, irrespective if registered by UNHCR or PAB or not (for comparison, TBBC numbers in Tham Hin camp are included in brackets).*

9.3. Appendix III: UNHCR Resettlement numbers

Camp	Resettlement Departure - Confirmed	Current Camp Population	Population without RST (Departed + Current)
Ban Mae Surin	838	2,208	3,046
Mae La Oon	4,276	12,099	16,375
Mae Ra Ma Luang	3,715	12,013	15,728
Mai Nai Soi	9,147	12,799	21,946
Mae La	20,500	29,526	50,026
Nu Po	5,515	9,410	14,925
Umpium	9,182	11,856	21,038
Ban Don Yang	1,576	3,000	4,576
Tham Hin	6,109	4,348	10,457
Grand Total	60,858	97,259	158,117

Source: Smith/UNHCR 2010: 3

Note: *Row 2 includes only registered person (registered by PAB = eligible for resettlement); row 3 shows resident numbers had there been no resettlement.*

## 9.4. Appendix IV: Questions of Focus Group Discussions

- Is there anybody who has relatives/family members overseas? Do you know where? Do you know when they left the camp? Are you in contact with them/have you heard from them since they left?

- What comes to your mind if you think about a country overseas (meaning a RST country)? What are your impressions/feelings when you think about 'abroad'?

- Have you heard from friends/neighbors/other community members (who are already RST) about their experiences in their new country?

   If yes, what did they tell you/what did you hear? Do you think it's true what they tell?

   If no (haven't heard anything), would you like to hear more about moving to another country/what it is like to live in an overseas country? Would you be interested to get more information?

- What do you think would be the most difficult part about resettling? If you think about that you would go, what would you be worried about *(e.g. know nobody overseas, don't know the language, culture, no support available)?*

- What were the reasons for your decision (not to resettle)? Do other group members have the same reason?

- Was it an easy decision? If yes, why were you so sure about it? If no, then how did you think first and what made you change your mind in the end? What did your other family members say? Maybe they thought otherwise?

- Image somebody from UNHCR/OPE came up to you and asked you to tell him/her anything that they could do for you to make you resettle; what would you tell them? What could they change/what would you ask them to do for you?

- We talked about problems that might arise when moving; could you think of a group which might have some other difficulties? Problems that you yourself wouldn't have? (*e.g. single parents, persons with disabilities etc*.)

- What are your plans for the next years/your intentions? What do you think you will be doing in, say five years from now?

9.5. Appendix V: Map of Thai refugee camps

Source: TBBC

9.6. Appendix VI: Map of Karen settlements
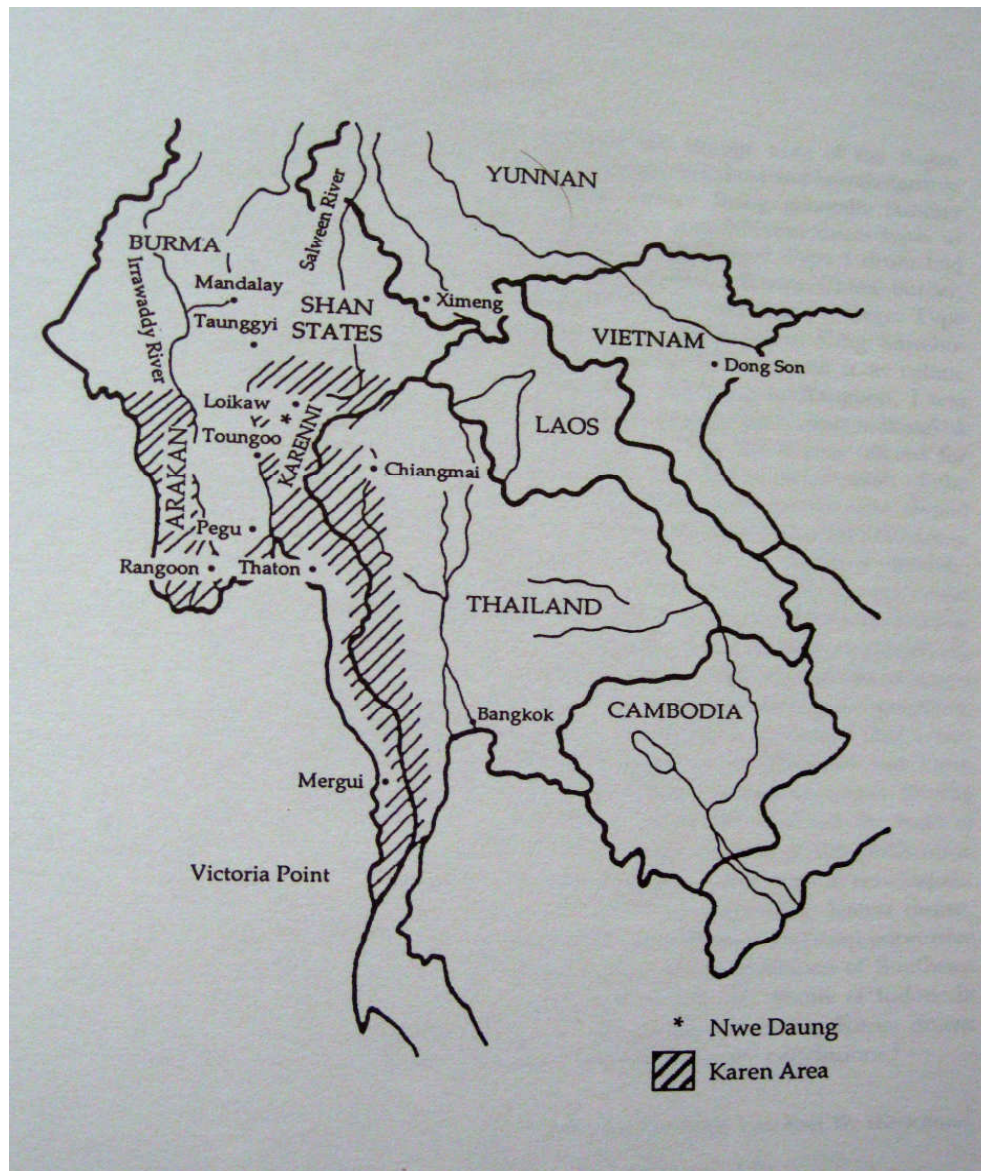
Source: Cooler 1995: no page

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Thesis Summary

This thesis centers on resettlement operations in one of the nine Burmese refugee camps situated along the Thai-Burma border in Thailand, and the social dynamics that influence refugees whether to resettle or not.

Thailand is host to Burmese refugees since approximately 20 years, for whom resettlement has become the only durable solution due to the impossibility of return or local integration into Thailand. The US has one of the largest resettlement operations out of Thailand, and has resettled since the start of the program in 2005 approximately 80,000 refugees. Other resettlement opportunities, although smaller in scale, are to Australia, Canada, New Zealand, as well as to some European countries.

This thesis is the outcome of a survey which was conducted by UNHCR in the summer of 2010 in Tham Hin camp, which is the most southern and the longest standing camp in Thailand; the aim of the study was to better understand motivations of refugees opting *against* resettlement, whose figure stands at approximately 30% of the camp population.

As it became apparent, many refugees were withdrawing their resettlement applications due to other family members unable to resettle together, which is due to the complex process and preconditions of registrations of refugees in the camps.

Hence even though individually eligible to resettle, many refugees chose to stay behind with their unregistered family members.

Migration theories in general have tended to focus very predominantly on economic considerations as to what influences migration decisions; the role that social factors play, be it for migrant workers or refugees, has only become included in migration theories relatively recently, mostly focusing on transnational family networks, influences on the remaining family or issues of local integration. However, as the survey in Tham Hin camp has shown, social bonds in the outgoing community may likewise have significant influence on the decision whether to move or not.

Hence it is my aim to provide the reader not only with insights into the social fabric of a refugee community in Thailand, but also importantly to add the aspect of social bonds in the *sending* community to the discussions of migration theories. I argue that to these social factors tend to be neglected in debate surrounding what influences migrants` decisions whether to move or not. Although admittedly economic considerations are in many cases determining factors, especially for migrants, Tham Hin stands as a rare empirical example showing us that social bonds and considerations for family and community members can indeed be overriding the desire for economic betterment.

Diplomarbeits-Zusammenfassung

Die vorliegende Diplomarbeit konzentriert sich auf die Situation in einem der neun Flüchtlingscamps an der Grenze zu Burma in Thailand und die inneren sozialen Dynamiken, die Entscheidungen zu Weiterwanderung beeinflussen.

Obwohl Thailand bereits seit ca. 20 Jahren burmesische Flüchtlinge beherbergt ist lokale Integration oder freiwillige Rückkehr nach Burma keine realistische Option, was Weiterwanderung als die sicherste Lösung für burmesische Flüchtlinge in Thailand macht. Als eines der größten Weiterwanderungsprogramme der USA sind hiermit seit 2005 ca. 80,000 Flüchtlinge nach Amerika übersiedelt worden. Weitere Aufnahmeländer, obgleich nicht im Ausmaß der USA, sind Australien, Neuseeland, Kanada sowie einige europäische Staaten.

Die hier vorliegende Diplomarbeit gründet sich auf eine Studie des UNHCR, der im Sommer 2010 Gründe und Motivationen von Flüchtlingen in Tham Hin untersucht hatte, die sich *gegen* Weiterwanderung entschieden hatten. Diese Entwicklung war dahingehend überraschend, da es gegen die generelle Annahme geht, Flüchtlinge bzw. MigrantInnen ergriffen jede sich bietende Gelegenheit, in den „Westen" zu übersiedeln. Besonders der relativ hohe Prozentsatz von ca. 30% „Nicht-Wanderungswilligen" war für alle Beteiligten überraschend.

Ähnliche Annahmen finden sich in Diskussionen rund um Migrationstheorien: MigrantInnen bzw. Flüchtlinge migrieren basierend schlicht auf Kosten-Nutzen Überlegungen. Soziale Faktoren sind zwar mehr und mehr integriert in gängige Diskussionen, bleiben jedoch überwiegend beschränkt auf transnationale Familienbande, Einflüsse auf die zurückbleibende Gemeinde bzw. Familie, oder Integrationsprozesse in der *host community*. Das Einflusspotential der *outgoing community* und die hier inhärenten sozialen Bande bleiben weitgehend außen vor.

Die hier vorliegende Diplomarbeit soll einen Beitrag zur Migrationstheorie-Debatte leisten, indem am Beispiel von Tham Hin gezeigt wird, wie soziale Überlegungen und Familienbande maßgeblich Migrationsentscheidungen beeinflussen können. Auch wenn ökomische Überlegungen und Erwartungen tatsächlich einer der Hauptfaktoren in Migrationsentscheidungen spielen, und sich selbstverständlich die Lage von MigrantInnen und Flüchtlingen in wichtigen Punkten unterscheiden mag, möchte ich in der hier vorliegenden Arbeit das Einflusspotential sozialer Faktoren in der *Heimat*gemeinde darstellen und hiermit einen Beitrag zur Diskussion um Dynamiken und Motivation von Migrationsbewegungen leisten.

Lebenslauf

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