

A Summary of the Situation and Recommendations

*Humanitarian relief and addressing the problems of Myanmar citizens
who have become Internally displaced persons (IDPs) in Myanmar
and refugees in Thailand*

By

*Civil Society Taskforce on Monitoring of Resolution
About Refugee from Myanmar*

Final edition on

2 August 2021

A Summary of the Situation and Recommendations

Humanitarian relief and addressing the problems of Myanmar¹ citizens who have become Internally displaced persons (IDPs) in Myanmar and refugees² in Thailand

1. Overall number of IDPs and the situation of refugees following the military coup in Myanmar

Armed conflicts in the Republic of the Union of Myanmar (Myanmar) and the Myanmar Army's offensive operations in the areas under the control of various ethnic armed organizations following the 1 February 2021 military coup have well-founded fear of persecution among a massive number of people. As a result, a large number of citizens have fled and become internally displaced persons (IDPs) and later refugees in Thailand. According to the Myanmar Emergency Update as of 01 July 2021 by the UN High Commissioner for Refugees (UNHCR), violence and instability in the conflict zones following the military coup have displaced more than 211,000 people in Myanmar. These IDPs are scattered in various places including Kachin State (around 10,200), Shan State (over 30,200), and Chin State (around 10,000).³ According to the Myanmar Humanitarian Update No. 9 covering 24 June - 27 July 2021 by the UN Office for the Coordination of Humanitarian Affairs (OCHA), most IDPs, around 170,200, live in Karen State and Kayah State, which border Thailand.⁴ Of this number, nearly ten thousand have fled the persecution to the Thailand-Myanmar border and most of the IDPs in Karen State and Kayah State continue to live in the forests and are unable to return to their communities. Most IDPs in Myanmar and refugees in Thailand are older persons, women and children. In addition, there are also various groups of people from Myanmar, many of whom are members of the younger generation who want to exercise their right to freedom of expression, including their opposition to the military coup, who have sought asylum in Thailand. All IDPs and refugees need protection and humanitarian relief to survive. They also need psycho-social support, education, medical treatment and legal advice.

¹ In this document, the term internally displaced persons (IDPs) refers to all people fleeing from persecution by the Myanmar Army who remain in Myanmar, and they shall be called "refugees" upon their crossing into Thailand.

² Hereafter, refugees refers to people who are by *de facto* refugees as defined in the 1951 Convention on the Status of Refugees

³ <https://reliefweb.int/sites/reliefweb.int/files/resources/Myanmar%20emergency%20update%201%20July%202021.pdf> (accessed on 2 August 2021)

⁴ <https://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Myanmar%20-%20Humanitarian%20Update%20No.9.pdf> (accessed on 31 July 2021)

2. The situation of IDPs in Myanmar and refugees along the Thai border: The case of Karen State

According to reports by the Karen Peace Support Network (KPSN) in May 2021, from 27 March-1 April 2021 and 28-29 April 2021, the Myanmar Army launched several airstrikes in Karen State, attacking the military bases of the Karen National Liberation Army. The attacks caused impacts on a number of communities, causing several casualties. There is also an unknown number of indirect casualties from the armed conflict and resulting displacement, including a near-term pregnant woman who died en route while seeking to deliver her baby in Thailand, and a disabled child who died while fleeing to Thailand. The airstrikes have taken a toll on civilian houses, school and hospital buildings. Meanwhile, the ground offensive and persecution related to the armed conflicts and incessant militarization of the Myanmar Army in Karen State have made people, mostly ethnic Karen, become IDPs. They have to live in the forests, as it is unsafe to return to their communities.

From 27 March-1 April 2021, the Myanmar Army started airstrikes, bombing and firing automatic machine guns on Day Pu No village and at least 14 other villages in three townships of Mutraw including Lu Thaw, Bu Tho and Dawelo causing 16 deaths among the villagers and some severely injured persons. Four Myanmar Army jetfighters also flew along the Salween and bombed two other villages. The incidence terrified the villagers, prompting some of them to flee from Mutraw city to Mae Nee Tha by the Salween River. Around 7,000 of them swam across the Salween into Thailand to seek refuge in Tambon Mae Sam Laep, Sob Moei District and Tambon Mae Kong, Mae Sariang District, Mae Hong Son. Later, from 29-31 March 2021, more than 2,000 refugees were pushed back to Myanmar amidst the volatile situation as the Myanmar Army continued airstrikes. Some refugees continue to live under the control of local military ranger units in Mae Sariang District, including around 500 older persons and children who were exempted from the pushback. They were eventually pushed back to Myanmar the following week, however.

Following the KNLA's 28-29 April 2021 attack on the Myanmar Army bases opposite Tambon Mae Sam Laep, the Myanmar Army launched air raids on two villages in Bu Tho and a village in Dakwe. In addition to the use of reconnaissance drones, mortar rounds were fired into Dakwe, a residential area. The Myanmar forces also mobilized from Hpapun to reclaim the Myanmar military bases opposite Tambon Mae Sam Laep. As a result, on April 27, around 3,112 villagers from Ratha, Mae Nee Tha, Au La Tha, Ei Tu Hta, Klo Pa, Koheklo and Dakwe fled from the armed conflict to Thailand again. On April 28, the Thai authorities started to push them back. But on April 29, more people crossed over to Thailand due to the continuing airstrikes and ground offensive. One week after their arrival, the refugees were gradually pushed back, one or two groups at a time, until all of them were gone.

Throughout May, there were around 193 clashes between Karen and Myanmar troops. In several townships of Mutraw, mortars were fired into villages almost every day, altogether 98 times. 40 houses in Dewalo were set on fire, including rice barns containing a year's supplies. The Myanmar Army attempted to mobilize their troops through Karenni State. If the Myanmar soldiers were not able to defeat the local Karen troops, they would fire mortars into villages to put indirect pressure on the Karen forces. Meanwhile, the Myanmar Army's reconnaissance drones flew into the city and along the Salween almost every day, causing fear so the villagers dared not return to their homes. They did not even dare to light fires during the night. Nevertheless, only around 300 villagers have crossed into Thailand since they know they will eventually be pushed back. It is estimated that nearly 7,000 have hid themselves in the forests. Most of them continue to along the Salween so that if there is an airstrike, they will be able to cross to Thailand immediately.

June saw intense clashes between the Karen and the Myanmar forces in various spots, 254 times in total. This caused two deaths and six injuries. The Myanmar soldiers fired 232 mortars at villagers while they were planting rice. The soldiers looted areas along their route. They have also confiscated property belonging to the villagers. The Myanmar troops and their supporting units from the Border Guard Forces (BGF) (affiliated with the Myanmar Army) continued to mobilize in the area under the overlapping control of the Bigrade 1 Doo Tha Htoo Distrist, Kaw thoo Lei. As they mobilized their forces in the inner area of the 5th Bigrade, the Myanmar troops captured local villagers and forced them to lead the way. If the villagers refused to comply, they were beaten up. Nevertheless, some IDPs have already returned to live in their villages while others are hiding out in nearby areas while preparing to grow food. Some remain on the Thailand-Myanmar border since it is still not safe in their villages.

3. The Situation of IDPs in Myanmar and Refugees along the Thai Border: The Case of Kayah State

Kayah State or Karenni State is not big compared to other states in Eastern Myanmar. Abundant with forests, rivers and mineral resources, the state is home to only 300,000 people, mostly Karenni, and also Karens and Kayan (Padaung). the state borders Khun Yuam and Muang Districts of Mae Hong Son, Thailand, Shan State to the North and Karen State to the South (the Salween River). The Karenni have formed a local armed force to protect themselves.

In the middle of June 2021, the Karenni Civil Society Network published a report summarizing the restive situation in Kayah State following the military coup, particularly after 21 May 2021. It reports that the Myanmar Army has been attacking people in Kayah State almost every day, particularly in key townships of Karenni State including Demoso, Hpruso, Loikaw, Hpasawng and Bawlakhe. The Myanmar Army has used jetfighters, helicopters and mortars to

attack people, houses, schools, and chapels, causing casualties among civilians. In addition, the Myanmar soldiers and snipers shoot dead anyone they set their sights on. According to an interview by phone with the Vice Chairperson of the Karenni National Progressive Party (KNPP) by *Transborder News* on 9 June 2021, several passersby were shot dead by the Myanmar troops, particularly in Demoso and the area bordering Shan State.

The Karenni Civil Society Network conducted a survey in Loikaw, the capital city of Karenni State, and found 13,061 IDPs in nine temporary shelters in the forests. The 91 temporary shelters in Demoso house 55,265 IDPs, and in Pekon there are 15 temporary shelters housing 30,000 IDOs. In Mesek (close to the Thai border), there are 1,000 IDPs and in Hpasawng (by the Salween River bordering Thailand), there are 4,000 IDPs. Bawlakhe hosts 300 IDPs.

Over ten thousand IDPs in Kayah State have fled persecution to live in the forests. They can neither return to their villagers nor flee to other areas. The current situation is critical as their supplies are nearly depleted and the rainy season is compounding their hardships. Their temporary shelters also face the attacks by the Myanmar soldiers, causing them to relocate and separate from their family members. People are starving, and it is too risky to return home to collect food. A lack of clean water has caused diarrhea. The IDPs hiding in the forests have no access to help, particularly healthcare. Despite efforts by humanitarian relief groups to reach out to them, it is highly risky since all road access is under the control of the Myanmar Army and landmines have been planted on the roads. The sound of clashes and mortar fire can be heard sporadically. Some humanitarian volunteers have suffered from injuries and have even been killed during their missions, particularly along the route between Mobi and Demoso. In addition, the Myanmar Army has recently mobilized 2,000 more troops in the area, most likely to launch an offensive against the Karen forces.

4. Help Offered to IDPs in Karen State and Kayah State and Refugees along Thailand-Myanmar Border

As of 25 May 2021, according to KPSN, airstrikes, the firing of mortar rounds and other violence from clashes between the Myanmar Army and KNLA have caused 70,738 IDPs and refugees to flee across the Thailand-Myanmar border from the three townships of Lu Thaw, Bu Tho and Dawelo. These 70,738 people account for 90% of the total population of Mutraw, which was 80,000 before the conflict. According to OCHA, attacks by the Myanmar Army in Kayah State have become more violent since 21 May, creating more than 103,500 IDPs. Meanwhile, according to the Karenni Civil Society Network, there are 107,084 IDPs in Kayah State, accounting for one fourth of the total population. Civil society, international organizations, and humanitarian organizations including KPSN, OCHA, the Karenni Civil Society Network and Thai civil society organizations concur that the IDPs in Myanmar urgently need

humanitarian relief, including shelter, food, healthcare, access to clean drinking water and sanitation. Nevertheless, it is still not possible to formally send help through the Thai border due to a lack of permission to travel in the area and other logistical problems.

Since the arrival of refugees by the Salween River in Thailand, Thai CSOs and other sectors have mobilized support to meet the refugees' basic demands and have called on the Thai government to offer shelter to the refugees. Thai civil society groups also urge the Thai authorities, including the Ministry of Interior, and particularly security forces, to devolve their power and duties to civilian agencies with experience in managing refugees and ensure access by international organizations, particularly the UN High Commissioner for Refugees (UNHCR) and Thai CSOs to support the humanitarian work currently being led by state agencies. Nevertheless, the CSOs' demands have garnered no response from the Thai government, and IDPs and refugees continue to face a human rights and humanitarian crisis.

The first influx of refugees affected by the initial airstrikes from 27 March-1 April 2021 and who crossed the Salween River into Thailand were later pushed back by the Thai authorities even though the situation in Myanmar was not yet peaceful. Access by humanitarian agencies to the refugees was also hindered. Thailand's actions in this case stand contrary to the principle of non-refoulement according to customary international law, and breaches Article 7 of the International Covenant on Civil and Political Rights (ICCPR) and Article 3 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) to which Thailand is obliged to act in compliance as a state party. In addition, Thailand's actions violated the principle of voluntary return, even though the Thai authorities argued that the refugees were informed and returned voluntarily. According to the UNHCR's Voluntary Repatriation Handbook, voluntary repatriation shall include a return to one's homeland safely, with dignity, voluntarily and with free will.

After forcibly repatriating the refugees, the Thai security forces deployed personnel to block river access and installed barbed wire along the Salween River to prevent any new influx. Such acts are a gross violation of international human rights laws and humanitarian principles. The Thai authorities argue that the operation stemmed from concern that the incoming refugees may cause an outbreak of Covid-19, and may strain official relations with Myanmar. They also expressed fear that the refugees would linger on in Thailand as the refugees in the existing nine temporary shelters have. They therefore want to confine the new refugees to the area under control of the Thai Army in order to push them back as soon as possible. Meanwhile, media, humanitarian organizations, international organizations, Thai civilians and Thai public agencies are denied access to them.

The response of the Thai security agencies toward the refugees has not changed from

previous times. For example, the refugees who fled the airstrikes from 28-29 April 2021 were permitted to stay in temporary shelters in Mae Sariang District for just one or two days, after which they were pushed back into Myanmar. The Thai authorities claimed that the armed conflicts had already subsided and that there were no more airstrikes in Karen State, although in reality, the situation was far from safe, and the refugees pleaded to stay in a safe place of refuge. In addition, the number of refugees reported by the Thai security agencies is often lower than the numbers tallied by local people. Such undercounting affects efforts to determine appropriate assistance and interferes with assessing the level of violence the refugees face.

Similarly, CSOs have met with difficulties in the delivery of humanitarian relief to refugees. Local, national and international organizations are denied permission by Thai security agencies to access the temporary shelters. There are no clear guidelines regarding the delivery of aid across the border. Such delivery has been allowed on a case-by-case basis, and delivery procedures have been ineffective and unsafe. For example, on 5 April 2021, the Royal Thai Army gave permission to deliver aid by boat to IDPs at Ei Tu Hta and other spots along the Salween River in Karen State. Mae Hong Son provincial authorities also reopened five checkpoints that had been closed since 1 November 2020 due to the Covid-19 pandemic. However, they also required that the delivery of donations be made via the Thai Red Cross Society's Mae Hong Son chapter and local chapters in Mae Sariang, Khun Yuam, and Pai Districts, and that aid must be hand-delivered by military officers. Given the lack of public relations and clear messaging, people who wanted to bring donations, including dried and fresh produce, were confused. People brought supplies to the checkpoints, but the officials there did not accept them. In addition, it was later found that many donations were left stranded at the local chapter of the Thai Red Cross Society in Mae Sariang District and other local chapters due to the requirements imposed by the Thai security agencies. Local CSOs reflect that aid delivery mechanisms were redundant and failed to facilitate the timely delivery of supplies to refugees. Supplies had to be loaded and unloaded several times, making delivery even more difficult. Eventually, all the deliveries had to be made by boat via the Salween River.

In addition, on 17, 20 and 22 April 2021, it was reported that Myanmar troops stationed at Dagwin base opposite Ban Tha Ta Fang, Sob Moei District, fired shots at a civilian boat from Thailand at Ban Mae Sam Laep. The cargo boat was then stopped for goods inspection, even though there had been no such practice prior to this. Three days later, there was another report of shots fired at a villager's boat from Mae Sam Laep that was carrying four officials from the Border Patrol Police Company 337. Meanwhile, Myanmar jetfighters were continuously attacking the Karen soldiers who had been operating around Dagwin base since 27 April 2021. Local Thai villagers in Ban Tha Ta Fang heard the clamoring noise of jetfighters, mortar rounds and

machine guns and noted that the planes may have flown over the airspace above Ban Tha Ta Fang. Nevertheless, the Thai authorities did not retaliate against the Myanmar troops. This has led to questions around the Thai security agencies' role to uphold the country's sovereignty and their willingness to respond to the humanitarian crisis faced by IDPs in Myanmar and refugees in Thailand.

On 19 May 2021, the Mae Hong Son Provincial Governor signed order no. 1031/2021 appointing a taskforce to coordinate, care for and assist refugees from Myanmar. The taskforce was composed of representatives from selected CSOs, the UNHCR, public health agencies, military units, and administrative authorities. The mission of the taskforce and its action plan are, however, confined to addressing the needs of refugees who have already crossed into Thailand, not IDPs in Myanmar, even though the National Security Council issued an informal order to help the IDPs as well. According to the minutes from a 25 June 2021 meeting of the taskforce to help war refugees along the Thailand-Myanmar border, the Thai army and concerned agencies had yet to approve the action plan proposed by the taskforce. Until now, Thailand has not determined a clear policy to offer such help. There are no clear and long-term guidelines for the delivery of supplies by CSOs to IDPs in Myanmar including food, medicine and other necessary items. Donations have so far been made through informal channels relying on connections among concerned citizens on both sides of the Salween River. At times, bribes have been paid to local officials to facilitate the delivery of aid to Myanmar.

The Mae Hong Son Provincial Governor as Director of the Command Center of the Border between Thailand and Myanmar signed an order to reopen a checkpoint in Tambon Mae Sam Laep, Sob Moei District, effective 1 July 2021. As a result of the order, Thai CSOs will be able to deliver aid to IDPs through the checkpoint. The reopening of checkpoints is an initial step in the right direction to ensure the delivery of humanitarian relief to people affected by the conflicts in Karen and Kayah States and other areas along the border between Myanmar and Thailand. Nevertheless, as long as no guidelines at the national and local levels are laid down as to how to deliver relief to IDPs and refugees, there is no assurance that the delivery of aid will not be impeded as before. There is also a lack of clarity in terms of the response to the incoming refugees along the border based on the principles of non-refoulement and voluntary repatriation.

5. The Situation of Urban Refugees

Since refugees from Myanmar are not allowed to stay in the temporary shelters along the Thailand-Myanmar border and due to their fear of arrest, refoulement and deportation, some refugees have managed to travel through natural routes to major cities in Thailand including Chiang Mai, Kanchanaburi and Bangkok. There, they face the same predicament as

other urban refugees, including being vulnerable to arrest and detention since they have entered the country without documentation. Myanmar refugees are also vulnerable to being deported, which would lead them to face the same persecution that prompted them to leave in the first place. Myanmar refugees are often lumped together with undocumented migrant workers and accused of flouting disease control and prevention measures. No genuine effort has been made to consider the reasons that prompted them to flee persecution in the first place.

According to the UNHCR, at present, Thailand is home to about 5,000 refugees and asylum seekers from 40 countries. In reality, the number of urban refugees could be much higher. In addition, the military coup in Myanmar in February has led to a new group of refugees, including Myanmar citizens who want to exercise their right to freedom of expression, activists/CSOs, media, opposition politicians, and dissenters to the military regime. They have fled from arrest and persecution and left Myanmar to take asylum in Thailand. This includes reporters from the Democratic Voice of Burma, who escaped into Thailand in June 2021. But such refugees have no right to reside in Thailand.

It should be noted that the Thailand government has publicly committed to protecting refugees. During the 2016 Leaders' Summit on Refugees, Prime Minister General Prayut Chan-ocha pledged that Thailand would stop detaining children in immigration detention centers and would develop an effective national screening mechanism to differentiate refugees from economic migrants. He also pledged support for the principle of non-refoulement. In addition, Thailand endorsed the Global Compact for Safe, Orderly and Regular Migration, an international agreement on refugees, during the UN General Assembly in December 2018.

During the first Global Refugee Forum on 16- 18 December 2019 in Geneva, National Security Council Secretary-General Gen Somsak Roongsita, as the head of the Thai delegation, pledged the following to the international community:

1. Continuing work to ensure mutual recognition of educational certificates and documents for children of Myanmar refugees.
2. To provide employment opportunities for returnees in accordance with laws and regulations and relevant trainings prior to their return to Myanmar
3. To enhance cooperation in the repatriation process of Myanmar refugees
4. To take a development-led approach to help prepare receiving areas for Myanmar refugees and local communities
5. To enhance capacity-building of officers involved in implementing the national

screening system to differentiate between those in need of international protection and those seeking economic opportunities

6. Effective application of alternative to detention measures for children in need of international protection

7. Provision of access to age-appropriate health care for children in need of international protection in Thailand

8. To provide assistance under the “Justice Care” programme to ensure that all victims, including those in need of international protection residing in Thailand, have access to the criminal justice system without discrimination

The commitments given at the international forum led to two concrete outcomes for refugees:

1. On 21 January 2019, the development of a “Memorandum of Understanding on the Determination of Measures and Approaches Alternative to Detention of Children in Immigration Detention Centers” (ATD MOU) signed by seven government agencies

2. On 25 December 2019, Regulations of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Country of Origin B.E. 2562 was issued and came into force on 22 June 2020. This is part of an effort to develop a national screening mechanism. Even though Thailand is not a state party to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, the national screening mechanism would ensure that individuals in need of international protection are able to stay in Thailand temporarily and legally, and it would ensure more stable protection of refugees.

6. The Need to Offer Help to the Thai Government’s Effort to Manage Refugees from Myanmar

The protracted political and armed conflicts in Myanmar since February 2021 have forced people from Myanmar to flee from violence and persecution and to seek refuge in Thailand, both along the border and in urban areas. Still, refugees have not been allowed to live safely in Thailand. They can only seek temporary shelter along the Myanmar border, preparing themselves to cross into Thailand as soon as conflicts arise, or when bombs are dropped in their area. In addition, some Myanmar and ethnic Karen people have managed to seek refuge in urban areas in Thailand. They live in hiding, fearing arrest and deportation to face the same persecution they initially fled. There are reports of arrests of reporters and migrant workers who fled Myanmar, and CSOs have no access to these people and no channel to offer them humanitarian aid. Representatives of CSOs urge the government to come up with policies

to offer help and to manage the refugee situation based on human rights laws and humanitarian principles. Such implementation would benefit Thailand as follows:

1. In order to ensure effective prevention of the Covid-19 outbreak in Thailand, it is necessary to know the accurate number of refugees from Myanmar. This would enable us to conduct a proactive testing campaign and to offer help when people test positive. It would help to provide accurate information to assess government efforts towards effective prevention of the outbreak.

2. Legal protection would prevent refugees from becoming victims of human trafficking. Without protection, refugees can fall prey to those who exploit them, particularly children and women. This is particularly important since Thailand has been downgraded to the Tier 2 Watch List according to the latest Trafficking in Persons (TIPs) report.

3. The positive image of Thailand in international forum would be enhanced. The Thai government has pledged at international forums on refugees including the Leaders' Summit on Refugees in 1996 and the Global Refugee Forum in 2019 to better manage refugees. There were recommendations from various countries regarding refugees during the Universal Periodic Review (UPR) rounds one and two, including respect of non-refoulement, response to the need of protection among vulnerable populations, and access to asylum seeking procedures. By coming up with measures to assist refugees from Myanmar, the Thai government can make good on their promise to genuinely respect human rights. Thailand can set an example for other ASEAN nations.

7. Recommendations for Support and Management of Refugees

Representatives from CSOs developed recommendations for the Thai government to develop policies concerning support and management of refugees based on human rights law and humanitarian principles. Procedures should be made official, transparent, and with accountability to ensure systematic support and management of refugees in the short mid-, and long term as follows:

1. Thailand should adhere to and comply with the principle of non-refoulement by taking into account the overall situation, and if it appears that the conflict has yet to cease, Thailand should not repatriate refugees on the grounds that the conflict has ended, even temporarily.

2. The state should facilitate rather than impede efforts by Thai civil society to deliver aid to IDPs in Myanmar and refugees in Thailand. This will enhance security in both areas in the long term, particularly among people living along the border who maintain social and cultural

relations. This would enable people to bring relief through checkpoints or other informal networks.

3. Implement the five-point consensus agreed upon at the ASEAN Special Leaders Meeting on Myanmar on 24 April 2021, particularly the fourth priority agenda for ASEAN to ensure delivery of humanitarian relief to Myanmar.

4. Thailand should set up a taskforce to help refugees along the Thailand-Myanmar border and an action plan, and should set up other taskforces to work with refugees in other areas along the border including the border areas opposite the areas under the control of Bigrade 7 (Hpa-an) and Bigrade 6 (Du Pla Ya) Karenni State

The taskforce should be composed of the following representatives:

- 1) CSOs with representatives from community organizations along the border, groups that monitor and offer help to IDPs and refugees, legal organizations, organizations which offer psychosocial support, and representatives from the UNHCR at the local level
- 2) Agencies under the Ministry of Interior at the district and provincial levels to coordinate with local public health agencies to take the lead on disease control work, and other humanitarian organizations with experience and financial capacity to offer help

Mission of the Taskforce

The scope of duties of the taskforce should include assistance to refugees in Thailand and IDPs in Myanmar. Any action undertaken by taskforce in Thailand should be based on collaboration, heeding the input and recommendations from CSOs who represent local people along the border.

Taskforce duties should include:

- (1) Assess and analyze levels of violence, future prospects, and numbers of refugees
- (2) Coordinate for contingent assistance in accordance with (1) and develop plans for aid including food, water, sanitation, healthcare and shelter
- (3) Inventory donation items and oversee their delivery

5. Thailand must not deny applications for asylum by invoking the Covid-19 pandemic or by claiming that refugees are able to voluntarily repatriate. Thailand should consider all persons entering through the Thailand-Myanmar border as potential refugees on a *prima facie* basis, and

ensure that they have access to protection. Their need for protection must not be denied, and they shall not be forcibly returned. Efforts should be made to prevent illegal entry into urban areas and to enhance the prevention and control of Covid-19 nationwide.

In regards to the protection and management of refugees, security agencies should allow refugees to stay in a designated shelter in Thailand based on humanitarian principles and human rights law until peace is restored. Agencies under the Ministry of Interior at the district and provincial levels should be responsible to coordinate with local public health agencies to work on disease control and collaborate with other humanitarian organizations with experience and financial capacity to offer assistance.

6. Thailand should grant refugees the right to stay temporarily by issuing a cabinet resolution invoking Section 17 of the Immigration Act BE 2522 to allow all refugees to stay in Thailand legally.

7. Upon their arrest and prosecution, a refugee should have access to a lawyer and the right to meet with their lawyer privately. They should be entitled to bail with affordable surety and persons in custody shall have the right to refuse receive visitors

8. Refugees from Myanmar should have access to the national screening mechanism and the opportunity to apply for the status of “protected person” according to the Regulation of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Country of Origin B.E. 2562.

9. During the Covid-19 pandemic, efforts should be made to ensure access to disease screening, treatment and vaccination.

10. Thailand should offer help to ensure refugees can return to their country of origin voluntarily, when they are ready, and when it is genuinely safe. The decision to return any refugee, individually or collectively, to their country of origin must be made jointly with agencies concerned with the protection of refugees through collaboration with the taskforce. The decision should not be unilaterally made by security agencies, and human rights concerns must be taken into account.

11. Thailand should disclose information concerning assistance offered to refugees from Myanmar. The information must be made transparent, accessible and should not be distorted in terms of the number of refugees or the nature of the assistance offered by the state. An effort should be made to determine clear responsibilities, policies and structures of agencies or groups of individuals involved in response to the situation to enhance collaboration to provide aid based on humanitarian and human rights principles.

Appendices

Appendix 1: Public statement and recommendations from a coalition of civil society organizations in Thailand, 5 April 2021

Appendix 2 : Open letter of serious concern from Thai Civil Society on humanitarian assistance to those escaping from war and conflicts along Thai-Karen borders to Gen. Prayut Chan-o-cha, Prime Minister and Chairperson of the National Security Council, 10 April 2021

Appendix 3: Open letter of network of civil society, academics and people who are concerned with humanity to Gen. Prayut Chan-o-cha, Prime Minister and Chairperson of the National Security Council, 2 June 2021

Appendix 4: Open letter from network of civil society, academics and people who are concerned with humanity to members of the House of Representatives of Thailand, 14 June 2021

Appendix 5: Letter to The House Standing Committee on National Security, Thai Border's Affairs, National Strategies and National Reform, 8 July 2021

Appendix 6: Letter to Mr. Pita Limjaroenrat, Member of the ASEAN Parliamentarians for Human Rights, 8 July 2021

Appendix 1

Refugees from Myanmar are Thai people's neighbors

Public statement and recommendations from a coalition of civil society organizations in Thailand, 5 April 2021

(Updated 8 April 2021)

Airstrikes by the Myanmar military on communities in Karen state's Mutraw District on 27 March 2021, and subsequent airstrikes and shelling across the area throughout the week, have caused an influx of up to 4,000 war refugees who crossed the Salween River to seek refuge in Sop Moei and Mae Sariang Districts, in Thailand's Mae Hong Son Province. More than 2,000 refugees were pushed back between 29–31 March, and further 2,000 or more are scattered around the border under the charge of Thai ranger units and border patrol police.

According to the Thai authorities, Thailand is concerned that the new arrivals may cause a spread of Covid-19 and a problem regarding Thailand's relations with Myanmar. They are also concerned that these refugees will remain in Thailand in the long run, similar to the around 90,000 people in the nine existing refugee camps. Thus, the measure is to confine these new arrivals in designated areas under the control of the Royal Thai Army pending deportation as soon as possible. Meanwhile, media, humanitarian organizations, international organizations, Thai civil society groups, and other government agencies are being denied access.

Regarding the Thai government's response to the new refugee influx, a coalition of Thai civil society groups regard all refugees from Myanmar as our dear neighbors and have the following observations.

1. Pushing back refugees amidst the ongoing airstrikes and ground attacks in the same area where they have fled is a violation of humanitarian principles and Thailand's obligations to international human rights laws as well as the principle of *non-refoulement*. International customary law forbids the deportation of a refugee to danger.
2. By not allowing agencies with experience in refugee protection and management, which include the Ministry of Interior and its humanitarian organization counterparts, to do their jobs, the Royal Thai Army leaves the great task to local ranger units. These units do not have sufficient capacities, experiences, and resources to meet international humanitarian and human rights standards.
3. The Thai army's blockage of Thai civil society's aid and access to the refugees, citing national security and Covid-19 concerns, could give rise to a humanitarian crisis. The refugees, including women, children, older persons, and sick persons, are starving and lack medicine and other necessities, including materials to protect themselves and their belongings from the sun and rain.
4. Such a lack of readiness is a cause of concern in both the immediate and long term. As long as there is no positive change in Myanmar, there could well be more refugees. Given the circumstance that more politicians, activists, media, government officials, and

their families have recently fled from urban areas to seek refuge under the protection of ethnic armed organizations along the border, it is likely that the Myanmar military will launch an attack on border communities, prompting both local and urban people to seek refuge in Thailand.

In addition, the coalition of Thai civil society organizations has these responses to the concerns raised by the Thai authorities.

1. Regarding the concern that the refugees will remain in Thailand permanently, these new arrivals have no wish to stay in Thailand in the long term. On the contrary, they hope to return to their homeland as soon as possible. Each family has left behind their houses, property, crops, and livestock. Throughout the time before the airstrikes, these villagers had tried to remain in their homes and only fled to hide in the forests when they were directly attacked. If not necessary, they would not try to take refuge in Thailand.

An example of refugees that made it clear they did not wish to stay in Thailand for long are the Karen refugees from Paan District, Karen State. They fled offensive attacks by the Myanmar Army and sought refuge in Tha Song Yang District, Tak Province, from June 2009 to April 2010. At the time, they were hosted in two separate temporary shelters, which other state agencies and Thai civil society groups could access and offered help. Thai authorities allowed refugees to build makeshift and temporary schools to educate their children until they went back home.

The case of over 90,000 refugees in the nine camps in four provinces is entirely different. After the first camp was established in 1984, the number of refugees multiplied to more than a hundred thousand in 1995. The ethnic armed organizations had lost their control of the border area to the Burma (Myanmar) Army. Therefore, it is almost impossible for the refugees to return to their homeland. As time passes by and the situation may improve, the land which previously belonged to the refugees has since been occupied by newcomers. Nevertheless, according to the International Organization of Migration (IOM), from 2005–2021, more than a hundred thousand refugees have been resettled in a third country.

2. Regarding the concern on the spread of Covid-19 and a problem with relations with Myanmar, the fact is according to the international laws and humanitarian principles, refugees are entitled to international protection and are not the sole responsibility of the host country. In addition, given proper management according to the recommendations below, Thailand will control Covid-19 without violating human rights and humanitarian principles.

Since refugees from Myanmar are our neighbors, the undersigned civil society groups and individuals have these recommendations for the Thai government in response to the influx of refugees.

1. Thailand must not deny alyssum. The Thai Army must allow refugees to take refuge according to humanitarian and human rights principles. They may stay in prepared

temporary shelters, as has been mentioned during several press interviews by the Thai authorities.

2. In the reception shelter, the responsibility in protection and management must be under the local chapters of the Ministry of Interior that will collaborate with experienced humanitarian organizations with resources and local public health authorities who shall take the lead on disease control.

3. Rather than blocking, Thailand should facilitate access to Thai civil society groups that wish to deliver aid to refugees. Strengthening of relations between civil society sectors in both countries is a promotion of sustainable national security.

4. If the new arrivals are coming from an area that is believed to host those fleeing persecution from urban areas, the U.N. High Commissioner for Refugees (UNHCR) must be able to access the people. Thai government should apply *the Regulation of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Country of Origin B.E. 2562* to identify people in need of special protection. These people include those from the urban areas who cannot return to their homes, similarly to villagers arriving from border communities.

5. Any decision on the repatriation of refugees must be a collective one with stakeholders or agencies that offer protection and care to the refugees. The security agencies must not make such decisions independently.

With faith in human dignity

**Letter of Serious Concern from Thai Civil Society
on Humanitarian Assistance to those escaping from War and
Conflicts along Thai - Karen Border**

April 10, 2021

**Call upon the PM as the Chair of National Security Council to take
Urgent Action for humanitarian support to those who in need along the border**

**TO: The Prime Minister and Chair of the Thailand National Security Council -
General Prayut Chan-o-cha**

The recent political upheaval in Burma/ Myanmar broke out on February 1, 2021 and has brought about the violence crash among various factions throughout the country. Particularly intense have been the military attacks along Thai-Karen State border. Villagers in the area have attempted to escape attacks and sought safe refuge from the war zone in many areas since March 27, 2021 when violence escalated. These Karen ethnic minorities are predominantly children, women, and the elderly, as well as those infirmed or injured from the clash. They number in the several thousands and might well increase into the tens of thousands.

In the past, there was a degree of coordination between the governmental sector and groups of individuals/ organizations in Thailand in providing humanitarian assistance to those who were in need. Recently, however, there has been some difficulty in delivering this humanitarian assistance and service at the local level, provincial level in Mar Hong Sorn province; district level (Mae Sarieng, Sop Moey, etc.).

Coordination among various agencies such as the Third Regional Army, Provincial, the Local Red Cross of Mae Sarieng, and local volunteers in Mae Sam Lap village in Sop Moey district, have been particularly problematic, without smooth collaboration and effective delivery of assistance.

Hence, to ensure a meaningful operation base on humanitarian principles, concerned Civil Society Organizations and individuals in Thailand call upon the Royal Thai Government and the National Security Council to take the following action urgently:

1. Open the border and allow the refugees/ displaced persons to seek humanitarian assistance bearing in mind the danger they face of serious injury, loss of live, and loss of all assets.



มูลนิธิร่วมมิตรไทย-พม่า(มรพ.) Thai Allied Committee with Desegregated Burma foundation (TACDB)

246 ซอย 2 แขวงบางจาก เขตพระโขนง กรุงเทพฯ 10260 โทร.02-216-4463, 02-611-1211 โทรสาร.02-216-4463

246 Soi2Bangjak, PhakhanongBangkok10260 Tel.02-216-4463, 02-611-1211 Fax.02-216-4463

อีเมล Tacdb@truemail.co.th, tacdbthaiaction@gmail.com

2. Facilitate the operation of Humanitarian agencies and personnel and enable them to perform their duties effectively and efficiency in delivering food, clothes, medicine, and health care as well as basic safety;
3. Uphold Humanitarian principles strictly. Do not repatriate any asylum seekers, thus forcing them back into the danger zones. This is the key principle of Non Refoulement, an internationally recognized standard and ethical practice.
4. Speed up coordination and establish the Adhoc Cooperating Center in collaboration with various agencies in different important areas, including District Chief Officials, local Red Cross units, and local civil society groups such as the Child and Community Network Development Center, Karen-Thai Group, in the spirit of resolving the myriad of challenges. A concrete and practical operating mechanism that is efficient in mapping out a plan of action is urgent.
5. Coordinate the joint efforts of the Governmental Sector and Private/ Civil Society sector such as NGOs, Humanitarian agencies in Thailand and International agencies such as the Red Cross, ICRC, UNHCR. UNICEF, IOM, TBC and the like. Thailand must be prepared for a possible influx of asylum seekers and has the potential to model best practice.

Yours Sincerely,

Dr. Laddawan Tantivitayapitak, Ph.D.
Chairperson, TACDB

Associate Professor Dr. Gothom Arya
Asian Cultural Forum on Development Foundation

Professor Surichai Wungaeo
Director, Rotary Peace Center of Chulalongkorn University

Surapong Kongchantuk
Chairperson, Cross Cultural Foundation (CrCF)

Uayporn Kuenkaew
International Women's Partnership for Peace and Justice
Peace Way Foundation



มูลนิธิร่วมมิตรไทย-พม่า(มรพ) Thai Allied Committee with Desegregated Burma foundation (TACDB)

246 ซอย 2 แขวงบางจาก เขตพระโขนงกรุงเทพฯ 10260 โทร.02-216-4463, 02-611-1211 โทรสาร.02-216-4463

246 Soi2Bangjak, PhakhanongBangkok10260 Tel.02-216-4463, 02-611-1211 Fax.02-216-4463

อีเมล Tacdb@truemail.co.th, tacdbthaiaction@gmail.com

Atty. Somchai Homlaor
Chairperson, Human Rights and Development Foundation

Associate Professor Dr, Chainarong Sethachua
Faculty of Humanity and Social Sciences, Mahasarakam University

Dr, Chayan Vaddhanaphuti
Regional Center for Social Science and Sustainable Development (RCSD)
Chiangmai University

H.E. Kasit Piromya
Former Minister of Foreign Affairs

Contact Persons:

Dr. Laddawan Tantivitayapitak
Tel. 092 553 8855

Boonthan T. Verawongse
Tel. 096 972 8201

Email: acfod.bangkok@gmail.com



Appendix 3



Network of Civil Society, Academics and People Who Are Concerned with Humanity

2 June 2021

Subject: Offering humanitarian relief to the people of Myanmar

Dear Gen. Prayut Chan-o-cha, Prime Minister and Chairperson of the National Security Council

Ref: A letter to the Prime Minister on 10 April 2021

Following the military coup in Myanmar on 1 February 2021, there have been incessantly armed suppressions, the issuing of arrest warrants and persecution of dissenters in Myanmar. It has prompted international community, the United Nations and ASEAN community to demand the Myanmar Army to stop the use of violence, to release those being held in custody and to stop harassing its own people. The incidence has also displaced the people of Myanmar causing a mass exodus of war refugees running toward the Thailand-Myanmar border and the India-Myanmar border more than one million and more than 200,000 people, respectively. The number is expected to climb to 3-4 million. People are living with the loss of income, food, water, medicine, and consumables. Attempts have been made to mobilize humanitarian relief within Myanmar and along the borders. This has been hampered by a lack of cooperation or obstruction from the Myanmar Army making the transportation and distribution of aid very challenging. Meanwhile, in Thailand, the distribution of humanitarian relief and care including the provision of temporary shelter and basic health services has also suffered from setbacks due to a lack of clear policies and measures and a lack of coordination between the central and local Thai administrations and with the United Nations and its allies as well as non-state actors or not-for-profit organizations.

We, a group of not-for-profit and non-governmental organizations and academics and journalist as well as sympathetic members of the public, have met and collaborated regularly to ensure the distribution of aid to the people of Myanmar along the border and inside Myanmar. We urge you, the Prime Minister, to set out policies with an emphasis on meeting humanitarian needs. The people of Myanmar have been living a miserable life and have no choice but to run away from their places to

seek refuge elsewhere. Previously, we have sent you a letter on 10 April. In response to the grave situation and the urgent needs, we have the following recommendations for you.

1. Declare a no fly zone for the Myanmar aircrafts along the Thailand-Myanmar border to ensure Thailand's safety, sovereignty, and security
2. The Prime Minister and the Minister of Interior as the Minister in charge of the execution of duties under the Immigration Act 1979, should invoke its Section 17 and seek a cabinet resolution to allow war refugees and those fleeing from political conflicts in Myanmar to have the right to stay in Thailand in an exceptional case. Being put under the charge of the Ministry of Interior, the refugees should be accommodated in a shelter along the border as provided or by the Ministry of Interior. Communicable disease control measures should be put in place as designated by the Ministry of Interior. For those who may need protection considering the grave danger to their lives due to political conflicts, they should be allowed to undergo the screening process to obtain the status of protected persons under the Regulation of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Country of Origin 2019. This can be done in a special case and supervised by the Ministry of Interior in compliance with humanitarian standards which are universally recognized and should attain more importance and necessity over the immigration law. The immigration law fails to meet the needs in a special situation in Myanmar and at the Thailand-Myanmar border. Any immediate deportation or prosecution on illegal entry shall reflect our oblivion to the situation in Myanmar. It shows our lack of compassion toward fellow human being and is a breach to humanitarian principle (and Buddhism or other religions).
3. To ensure systematic and effective protection and care for war refugees from Myanmar, the government should form a national taskforce to coordinate assistance for the war refugees composed of concerned agencies, academics, and civil society. They should have oversight. Develop the system and coordinate efforts to help war refugees from Myanmar between the central and local administrations as well as to set out policy proposals for the government.
4. Thailand has much experience and has been international recognized for offering humanitarian relief to the refugees from Vietnam during the French Indochina war, the civil wars in Vietnam, the boat people from Vietnam, the Cambodians who fled the Khmer Rouge and the seizure of Cambodia by Vietnam, and during civil wars. We have also assisted the Hmong Lao and the people of Myanmar in over the past 30 years. More than 100,000 of them are still housed in temporary shelters and lately the Rohingya and the people of Myanmar following the coup on 1 February. This should serve as a lesson to open our border based on humanitarian principle and this should be further developed.
5. The Thai government and ASEAN should recognize the National Union Government of Myanmar (NUG), as a legitimate government which has been elected by the people through constitutional elections. The Thai government and ASEAN should recognize NUG and ensure universally recognized democracy shall prevail in Myanmar.

Thank you very much.

Yours sincerely,

Dr. Laddawan Tantivitayapitak
Chairperson of Thai Action Committee for Democracy in Burma (TACDB)

Dr. Gothom Arya
Chairperson, Asian Cultural Forum on Development (ACFOD)

Prof. Surichai Wun'gaeo
Director, Rotary Peace Center at Chulalongkorn University

Surapong Kongchantuk
President, Cross Cultural Foundation (CrCF)

Ouyporn Khuankaew
International Women's Partnership for Peace and Justice (IWP), Burma Issue

Somchai Homlaor
Chairperson, Human Rights and Development Foundation (HRDF)

Dr. Chayan Vaddhanaphuti
Regional Center for Social Science and Sustainable Development [RCSD]

Sompong Srakaew
Labour Protection Network (LPN)

Adisorn Kerdmongkhol
Migrant Working Group (MWG)

Asst Prof Dr.Chainarong Setthachua
Faculty of Humanity and Social Science, Mahasarakham University

Asst. Prof. Dr.Narumon Thapchumphon
Faculty of Political Science, Chulalongkorn University

Kasit Piromya
Former Member of Parliament and Minister of Foreign Affairs

Women Workers for Justice
Non-Binary Thailand
Free Mekong
WeMove
Relatives Committee of May 1992 Heroes for Democracy
Campaign for Popular Democracy
Campaign Committee for Human Rights
We Fair

NET Foundation
NET Foundation - Surin
Friends of Women Foundation
Community Resource Centre (CRC)
Center for AIDS Rights (CAR)
The International Alliance of Indigenous and Tribal Peoples of the
Tropical Forest, South East Asia Region
Peace and Human Rights Resource Center
Joint Action Center for the Resolution of the Problems of Highland Peoples (CPH)
Institute for Democratic Society
Salween Restoration and Development Association
Union for Civil Liberties (UCL)
Climate Watch Thailand
Thailand HLPF Alliance

Contact persons

Dr. LaddawanTantivitayapitak Phone 092 5539955
Boonthan T. Verawongse Phone 081 8662136
Email: acfod.bangkok@gmail.com

Appendix 4



Network of Civil Society, Academics and People Who Are Concerned with Humanity

An open letter to members of the House of Representatives of Thailand

14 June 2021

Dear Members of the House of Representatives,

Following the military coup to seize ruling power from the people of Burma/ Myanmar and the rescinding of the opening of the House session scheduled to take place on 1 February 2021, after the general elections on 8 November 2020, we, a group of not-for-profit and non-governmental organizations and academics and journalist as well as local leaders have met and exchanged with various parties in Burma/ Myanmar and have been mobilizing efforts from all parties to ensure access to humanitarian relief among the people fleeing from the tight grip of the Myanmar Army in over the past four months.

You are the members of the House of Representatives and are pro-democracy representing the people of Thailand and you have been elected by the people through a democratic election. Your fellow politicians who share the same democratic ideals in Burma/ Myanmar and the people of Burma/ Myanmar are losing their sovereign power to the Myanmar Army which has abusively, unlawfully, irresponsibly and illegitimately dismantled the parliamentary democracy and the sovereign power of the people of Burma/ Myanmar. We, therefore, expect that fellow parliamentarians in Thailand would also show their opposition to the seizure of power by the Myanmar Army, to put an end to the use of violence, threat, persecution and mass arrest of dissenters in Burma/ Myanmar who cherish democracy, rights and freedoms. You as members of the House of Representatives should therefore show your solidarity with fellow parliamentarians in Burma/ Myanmar and the peoples of Burma/ Myanmar in general.

In addition, we urge that the House of Representatives raise and extensively discuss the issues concerning Burma/ Myanmar as far as Thailand's policies and stance are concerned, and those of ASEAN. It should aim at expediting the efforts to restore democracy in our neighboring country and to end repercussions from the events on 1 February which are affecting our national security along the Thailand-Burma/ Myanmar border. It has also impeded our efforts to prevent international crime and triggered an influx of refugees who are fleeing from the Myanmar Army.

We urge that the members of the House of Representatives call on, ensure that, supervise and monitor in order that the Thai administration led by Prime Minister Gen. Prayut Chan-o-cha will

place an importance on rights, freedoms, democracy, safety and security in life of the people of Burma/ Myanmar. The Thai government should stop unreasonably mincing their words on the Myanmar Army since what they have done is both brazenly illegal and inhumane.

We urge you as MPs to help to call on and advocate for measures to ensure the opening of the Thailand-Burma/ Myanmar border and the management system to deal with the incoming refugees from Burma/ Myanmar. This should be done in close collaboration with various UN agencies and humanitarian relief organizations from various countries.

We bear in mind how Thailand has been showing its generosity opening its arms to embrace a number of people who have fled from war and sought refuge here. Thailand is remarkably known and commended by people around the world for its offering humanitarian relief to refugees from various countries including the refugees from Vietnam during the French-Indochina war, the civil wars in Vietnam, the boat people from Vietnam, the Cambodians who fled the Khmer Rouge and the seizure of Cambodia by Vietnam, and during civil wars. We have also assisted the Hmong Lao and the people of Burma/ Myanmar in over the past 30 years. More than 100]000 of them are still housed in temporary shelters and lately the Rohingya and the people of Burma/ Myanmar following the coup on 1 February. This should serve as a lesson to open our border based on humanitarian principle and this should be further developed. In your capacity as MPs, you have a role to play as representatives of the peoples of Thailand to extend our care and compassion to people from a neighboring country in order to bring peace in the region. This can be done by promptly tabling relevant motions for deliberation or issuing joint statements of all MPs who are concerned with democracy and humanity. It should serve as a very first step toward a highly commendable task.

Thank you very much for your kind attention and consideration.

Yours sincerely,

Dr. Laddawan Tantivitayapitak
Chairperson of Thai Action Committee for Democracy in Burma (TACDB)

Dr. Gothom Arya
Chairperson, Asian Cultural Forum on Development (ACFOD)

Prof. Surichai Wun'gao
Director, Rotary Peace Center at Chulalongkorn University

Surapong Kongchantuk President, Cross Cultural Foundation (CrCF)

Ouyporn Khuankaew
International Women's Partnership for Peace and Justice (IWP),Burma Issue

Somchai Homlaor
Chairperson, Human Rights and Development Foundation (HRDF) Dr. Chayan Vaddhanaphuti
Regional Center for Social Science and Sustainable Development (RCSD)

Sompong Srakaew Labour Protection Network (LPN)

Adisorn Kerdmongkhol Migrant Working Group (MWG)

Asst. Prof Dr.Chainarong Sethachua
Faculty of Humanity and Social Science, Mahasarakham University

Asst. Prof. Dr. Narumon Thabchumphon Faculty of Political Science, Chulalongkorn University

Thammasart Sodhathibhand
Institute of Peace Studies, Prince of Songkhla University

Kasit Piromya
Former Member of Parliament and Minister of Foreign Affairs

Nikorn Vispen
Chairperson, Union for Civil Liberty (UCL)

Boonthan T. Verawongse
Secretary General, Campaign Committee for Human Rights (CCHR)

Dr. Krisada Boonchai Thai Climate Change for All

Women Workers for Justice

Non-Binary Thailand

Mekong Butterfly

WeMove

Relatives Committee of May 1992 Heroes for Democracy Campaign for Popular Democracy (CPD)

Campaign Committee for Human Rights (CCHR)

We Fair

Esarn Community Foundation

NET Foundation - Surin

SWING Thailand

Friends of Women Foundation

Community Resource Centre (CRC)

Center for AIDS Rights (CAR)

The International Alliance of Indigenous and Tribal Peoples of the Tropical Forest, South East Asia Region

Peace and Human Rights Resource Center

Joint Action Center for the Resolution of the Problems of Highland Peoples (CPH) Institute for Social Democracy

Salween Restoration and Development Association

Union for Civil Liberties (UCL)

International Federation of Medical Student Association (IFMSA) - Thailand Ethnic and Minority Development Foundation (EMF)

Climate Watch Thailand Thailand HLPF Alliance

Contact persons

Dr. LaddawanTantivitayapitak Phone 092 5539955

Boonthan T. Verawongse Phone 081 8662136

Email: acfod.bangkok@gmail.com

Appendix 5

8 July 2021

Subject: A summary of the situation and recommendations on humanitarian relief and addressing the problems of the people from Myanmar who have become internally Displaced Persons in Myanmar and refugees in Thailand to explore solutions to address the needs of those fleeing from the military coup and armed conflicts in Myanmar

Dear The House Standing Committee on National Security, Thai Border's Affairs, National Strategies and National Reform

Attachments:

1. Briefing on “A summary of the situation and recommendations on humanitarian relief and addressing the problems of the people from Myanmar who have become Internally Displaced Persons in Myanmar and refugees in Thailand”
2. Public Statement “Refugees from Myanmar are Thailand’s neighbors: Statement and recommendations from the alliance of civil society organizations on 5 April 2021
3. Letter from civil society organizations to the Prime Minister and the Chairperson of the National Security Council regarding the delivery of assistance to war refugees along the Thailand-Karen border on 10 April 2021
4. Open letter from the alliance of civil society organizations to the Prime Minister and the Chairperson of the National Security Council on 2 June 2021
5. Open letter from the alliance of civil society organizations to members of the House of Representatives on 14 June 2021

The clashes between the Myanmar Army led by the Myanmar military regime and the ethnic armed groups and the People's Defense Force (PDF) following the military coup on 1 February 2021 to seize power from a democratically elected government have lasted for over six months and has caused a large number of Internally Displaced Persons in Myanmar and refugees in Thailand consequently. Between March-June 2021, nearly 30,000 IDPs in Myanmar have fled the war and persecution by the Myanmar Army to seek refuge along the Thai border, particularly the border provinces including Mae Hong Son and Tak. Some have also ventured to inner cities in Thailand. While fleeing from the armed conflicts and persecution by the Myanmar Army, the refugees have to go through hardships while trying to hide themselves including a lack of basic necessities and medical treatment and other health concerns as well as a lack of protection according to domestic and international laws.

Despite efforts being made to ensure access to humanitarian relief among those fleeing from war in Myanmar and crossing into Thailand, there have been problems caused by the Thai administration’s policy to push back the refugees to face danger in the country of origin. The Thai state has also impeded access to humanitarian relief offered by the Thai public and has prevented media from investigating the operation of the authorities. In addition, refugees in urban area have to live with uncertainty and fear of

arrest and prosecution by both the administrative and security authorities since they may be deported to face persecution in their own country.

The Civil Society Taskforce which has been monitoring efforts to address the problems of refugees from Myanmar would therefore like to take this opportunity to furnish you with the report of the situation, the problems and the obstacles as well as our recommendations to resolve the humanitarian relief crisis of a large influx of refugees along the border and urban refugee and hope it can be useful for the advocacies to urgently resolve the problems at the national and ASEAN levels.

Yours sincerely,

The Taskforce's Coordinator

Areewan Sombunwatthanakun

0800 722 858

ae@sem-edu.org

Appendix 6

8 July 2021

Subject: A summary of the situation and recommendations on humanitarian relief and addressing the problems of the people from Myanmar who have become internally Displaced Persons in Myanmar and refugees in Thailand to explore solutions to address the needs of those fleeing from the military coup and armed conflicts in Myanmar

Dear Mr. Pita Limjaroenrat. Member of the ASEAN Parliamentarians for Human Rights

Attachments:

1. Briefing on “A summary of the situation and recommendations on humanitarian relief and addressing the problems of the people from Myanmar who have become Internally Displaced Persons in Myanmar and refugees in Thailand”
2. Public Statement “Refugees from Myanmar are Thailand’s neighbors: Statement and recommendations from the alliance of civil society organizations on 5 April 2021
3. Letter from civil society organizations to the Prime Minister and the Chairperson of the National Security Council regarding the delivery of assistance to war refugees along the Thailand-Karen border on 10 April 2021
4. Open letter from the alliance of civil society organizations to the Prime Minister and the Chairperson of the National Security Council on 2 June 2021
5. Open letter from the alliance of civil society organizations to members of the House of Representatives on 14 June 2021

The clashes between the Myanmar Army led by the Myanmar military regime and the ethnic armed groups and the People's Defense Force (PDF) following the military coup on 1 February 2021 to seize power from a democratically elected government have lasted for over six months and has caused a large number of Internally Displaced Persons in Myanmar and refugees in Thailand consequently. Between March-June 2021, nearly 30,000 IDPs in Myanmar have fled the war and persecution by the Myanmar Army to seek refuge along the Thai border, particularly the border provinces including Mae Hong Son and Tak. Some have also ventured to inner cities in Thailand. While fleeing from the armed conflicts and persecution by the Myanmar Army, the refugees have to go through hardships while trying to hide themselves including a lack of basic necessities and medical treatment and other health concerns as well as a lack of protection according to domestic and international laws.

Despite efforts being made to ensure access to humanitarian relief among those fleeing from war in Myanmar and crossing into Thailand, there have been problems caused by the Thai administration’s policy to push back the refugees to face danger in the country of origin. The Thai state has also impeded access to humanitarian relief offered by the Thai public and has prevented media from investigating the operation of the authorities. In addition, refugees in urban area have to live with uncertainty and fear of

arrest and prosecution by both the administrative and security authorities since they may be deported to face persecution in their own country.

As to ASEAN's mechanisms, despite the consensus made during the ASEAN's Special Leaders Meeting on Myanmar on 24 April whereby ASEAN shall proceed to ensure the delivery of humanitarian relief through the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA), but until now, there has not been concrete progress to such implementation

The Civil Society Taskforce which has been monitoring efforts to address the problems of refugees from Myanmar would like to take this opportunity to furnish you with the report of the situation, the problems and the obstacles as well as our recommendations to resolve the humanitarian relief crisis of a large influx of refugees along the border and urban refugee since you are a member of the ASEAN Parliamentarians for Human Rights and hope it can be useful for the advocacies to urgently resolve the problems at the national and ASEAN levels.

Yours sincerely,

The Taskforce's Coordinator

Areewan Sombunwatthanakun

0800 722 858

ae@sem-edu.org