

THEMATIC SERIES
THE INVISIBLE MAJORITY

This thematic series addresses the gap in awareness, data and knowledge about the relationship between internal displacement, cross-border movements and durable solutions.



“BEFORE YOU WERE BORN, YOUR MOTHER RAN”

Displacement and disillusion in south-east Myanmar

DECEMBER 2019

Acknowledgements

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Cover photo: Refugee in Thailand prepares to return to Myanmar. Credit © UNHCR/Rungtiva Karphon, July 2019

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YOUR MOTHER RAN”**

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Crossing the border between Thailand and Myanmar. Photo: IDMC/Chloe Sydney, 2012

EXECUTIVE SUMMARY

Myanmar has been making headlines for its apparent campaign of ethnic cleansing against the country's Rohingya. Violent attacks against civilians have forced over 745,000 people to flee into Bangladesh since August 2017.¹ Given the scale of the Rohingya crisis, the rest of the country is receiving little attention.

This study – part of the Internal Displacement Monitoring Centre's Invisible Majority thematic series – seeks to analyse the relationship between internal displacement, cross-border movements and durable solutions in south-east Myanmar.² Based on 163 interviews with internally displaced people (IDPs), returning refugees and refugees, the report examines drivers of displacement, priorities and preconditions for voluntary return, and obstacles and opportunities for durable solutions. The report presents the following key findings.

| Multiple displacements precede cross-border movements

The conflict opposing Myanmar's army and the Karen National Liberation Army in the south-east of the country is one of the longest ongoing ethnic conflicts in the world. Although a nationwide ceasefire agreement was signed in 2015, clashes continue. Violent counterinsurgency operations have included direct attacks against civilians, persecution and forced recruitment. A third of research participants have been displaced more than five times, often hiding in the jungle before returning to their homes. Cross-border movement is often a last resort; nearly half of the refugees and returning refugees surveyed were internally displaced before crossing into Thailand.

| Aid has been cut to IDP camps, but barriers to return remain

About 162,000 people – predominantly ethnic Karen – remain internally displaced in south-east Myanmar.³ Internal displacement in the region has many faces: some IDPs live in hiding in the jungle; the army have resettled others into forced relocation sites. Only a small

portion of IDPs in south-east Myanmar live in camps. Within Ee Tu Hta IDP camp, loss of donor support has affected the provision of food aid. Most IDPs surveyed intend to return to their areas of origin in the future, despite better safety in Ee Tu Hta. Insecurity continues to represent a key barrier to return; armed clashes in 2018 discouraged many potential returnees.

| Refugees in Thailand face protection challenges and lack of recognition

There are around 95,000 people from Myanmar in Thailand's nine refugee camps.⁴ A large share of the country's undocumented migrants may also have grounds to be recognised as refugees – but Thailand is a non-signatory of the 1951 Refugee Convention. As employment is officially prohibited for both refugees and undocumented migrants, access to income-generating opportunities is fraught with protection challenges. At the same time, decreased donor support is contributing to a reduction in monthly rice rations and worsening service provision, which may be encouraging potentially premature returns to Myanmar.

| Expectations regarding refugee returns have not been met

Following positive steps towards democratisation in Myanmar in 2012, the international community believed the majority of refugees would return. In reality, just over 19,000 people have returned from Thailand's refugee camps. The overwhelming majority of these returns have been spontaneous. Lack of trust in the current ceasefire agreement makes refugees hesitant to participate in the UN Refugee Agency's facilitated return process. Spontaneous returnees, however, do not benefit from the same level of support.

INTRODUCTION

Myanmar has some of the world's longest ongoing ethnic conflicts, pitting the army of Myanmar – known as the Tatmadaw – against ethnic minority groups fighting for political autonomy. The Karen, one of the country's better-known ethnic groups, have been engaged in conflict since 1949. The Tatmadaw's brutal counterinsurgency operations have been characterised by gross human rights violations including rape, forced labour, slavery, torture and arbitrary attacks against civilians.⁵ For many decades, conflict and human rights abuses have contributed to both internal displacement and cross-border movements. The country is also affected by recurrent natural hazards: disasters triggered 298,000 new displacements in 2018.⁶

Despite an apparent shift away from direct military rule marked by the landslide victory of Aung San Suu Kyi's National League for Democracy in 2015, the Tatmadaw continues to commit serious human rights abuses. A nationwide ceasefire agreement in 2015 failed to put a stop to armed conflict in northern Myanmar, where about 100,000 people remained displaced.⁷ Simultaneously, state-sponsored violence targeting the country's Muslim Rohingya minority in Rakhine State has triggered more than 745,000 cross-border displacements to Bangladesh since 2017.⁸

In south-east Myanmar – the focus of this study – around 162,000 people remain internally displaced,



Photo: NRC/Ingrid Prestetun, March 2017

despite a reduction in armed conflict.⁹ In violation of the nationwide ceasefire agreement, sporadic clashes continue to trigger new displacements. Over 11,000 people were displaced by conflict between 2013 and 2018, yet about 19,000 refugees have returned from Thailand.¹⁰ Nyein, pictured below on the previous page, fled to Thailand in 2005.¹¹ Last year, she returned to her home village in Myanmar. “I heard that the new government had signed a peace agreement with the Karen National Union, and trusted that it would be safe to return,” she says.

In line with the Internal Displacement Monitoring Centre’s (IDMC) Invisible Majority thematic series, this study will analyse the relationship between internal displacement, cross-border movements and durable solutions in south-east Myanmar.¹² The objectives of this study are to examine drivers of displacement, including onward and circular movement within and across borders; provide better understanding of priorities and preconditions for voluntary return; and examine obstacles and opportunities for durable solutions along the displacement continuum.

Methodology

IDMC adopted a mixed methods approach including a preliminary desk review, a hybrid survey and additional qualitative interviews. With support from The Border Consortium (TBC), research took place with IDPs in Ee Thu Hta camp, returning refugees in Lay Kay Kaw resettlement site, and refugees and vulnerable migrants in neighbouring Thailand.

Local enumerators conducted the survey on mobile phones using KoboToolbox, developed by the Harvard Humanitarian Initiative for research in challenging environments. Prior to data collection, the local enumerators underwent a thorough two-day training on the objectives and wording of the survey, use of the software, and qualitative and quantitative data collection techniques. Enumerators were requested to make notes of stories shared by participants to supplement the findings with qualitative narratives, resulting in a hybrid research tool.

Because of the challenge of conducting research

with hard-to-reach populations in different settings, respondents were identified through a convenience sample combining non-probability sampling techniques, drawing upon the local knowledge and social networks of researchers, partners and participants.

Efforts were made to maximise the variety of the sample by purposively diversifying the age, gender and socio-economic background of participants. Given the ethnic complexity of Myanmar’s society and associated language variations, this research focused primarily on the Karen ethnic group, which represents a high percentage of those displaced in south-east Myanmar.

The research team conducted a total of 163 survey interviews and ten semi-structured interviews in Thailand and south-east Myanmar in April and May 2019, as detailed in the map below. The sample is not representative, but offers valuable insight into the experiences and aspirations of populations along the displacement continuum.



HISTORICAL CONTEXT

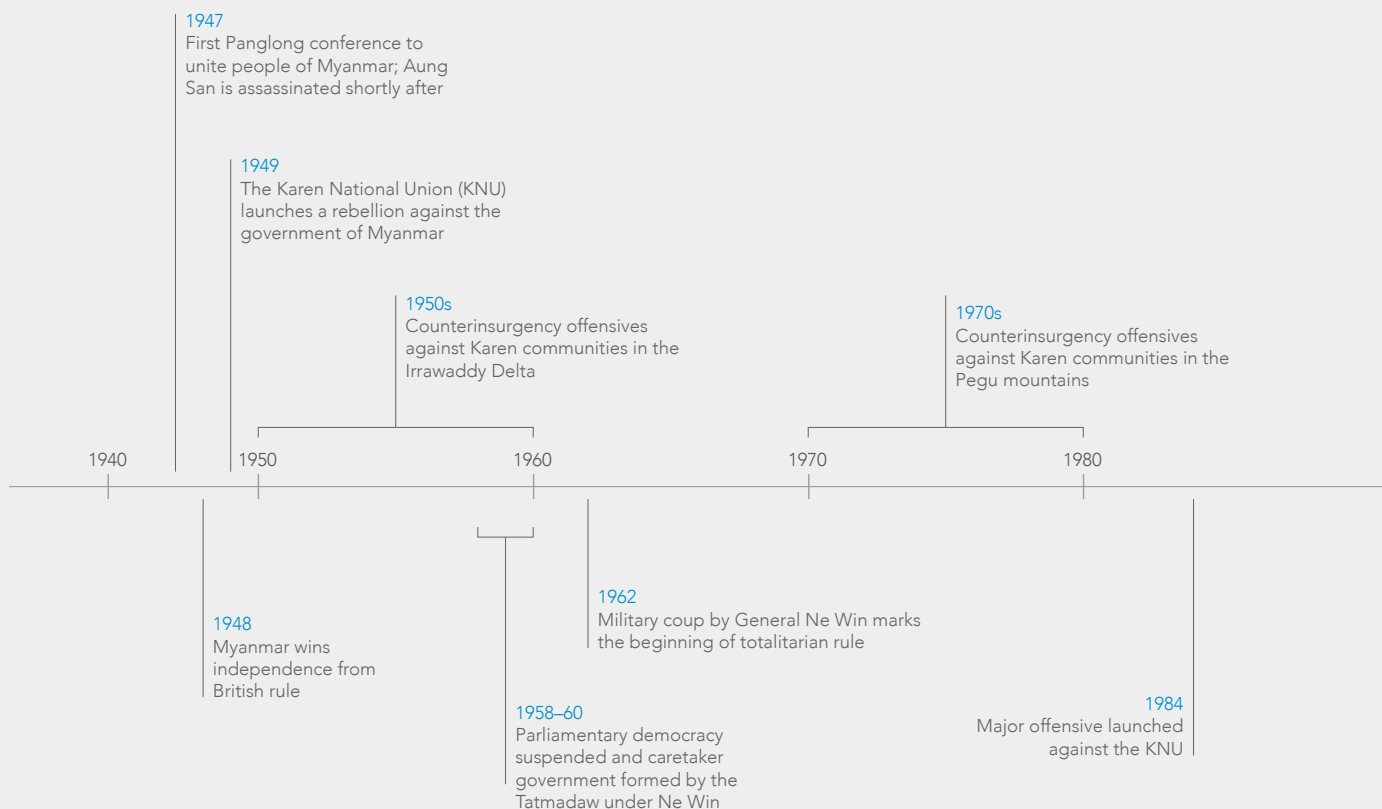
Myanmar is home to over 100 different ethnic groups. The Burman is the largest, accounting for little more than two-thirds of the total population. A wide number of different groups live in the border regions, each with their own history, language and culture. The Karen, predominantly located in south-east Myanmar, are one such group.¹³

The British colonial strategy of divide-and-rule exacerbated pre-existing tensions between ethnic groups, including the Burman and the Karen.¹⁴ During the three Anglo-Burmese wars of the 19th century, the Karen assisted the British by acting as guides in the country's mountainous jungles. Throughout the 20th century, they served during World War One, sided with the British to defeat the anti-colonial Saya San insurrection,

and supported the British in their fight against the Japanese during World War Two.¹⁵ To reward the Karen for their loyalty, the British made various promises regarding a future independent Karen state. When Myanmar (at the time known as Burma) gained independence in 1948 however, those promises were forgotten.¹⁶

A year before independence – brokered by General Aung San (father of Aung San Suu Kyi) – the first Panglong conference was held to unite the people of Myanmar in a federal union, guaranteeing rights and privileges for ethnic minority groups. After the assassination of Aung San only months after the conference however, the Panglong process slowly collapsed.¹⁷

FIGURE 1: Timeline of events



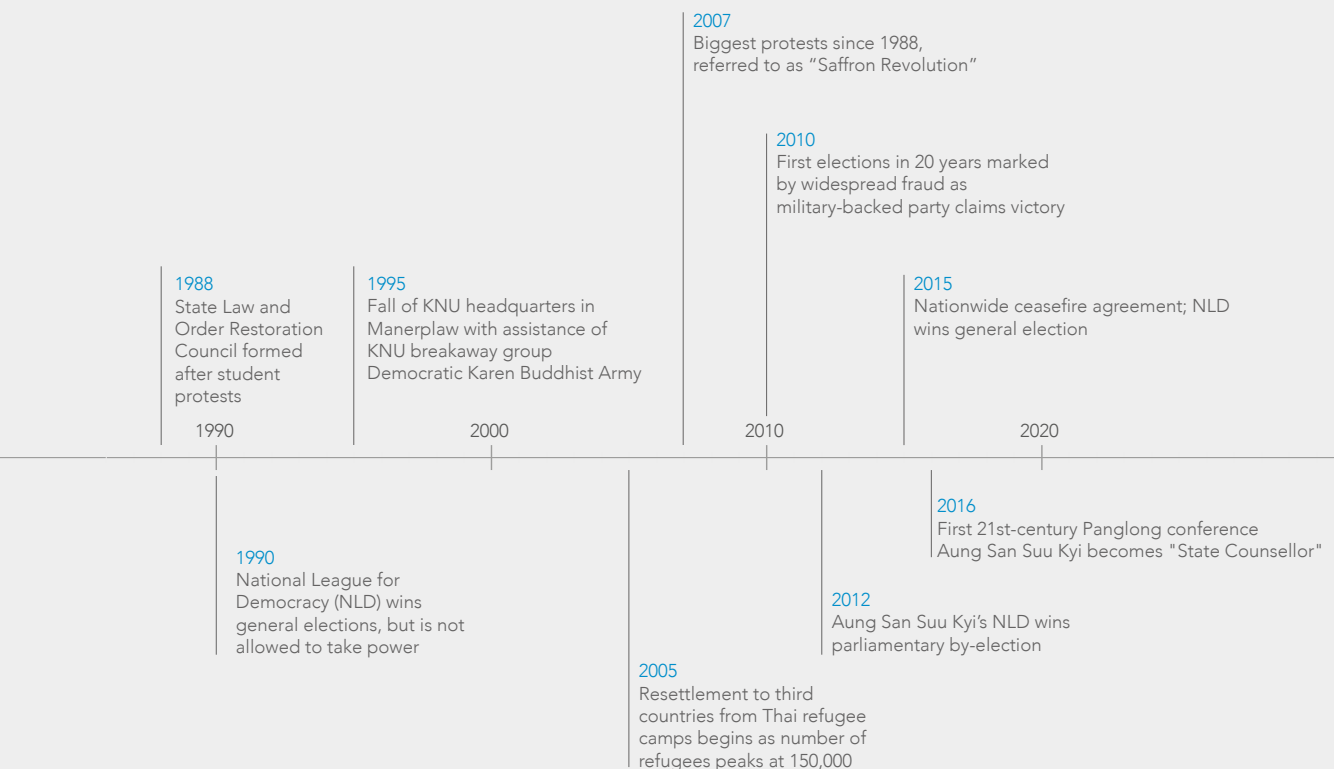
Following independence, prospects for ethnic autonomy for the Karen started to look increasingly bleak. Peaceful protests were ignored and the growing tensions slowly turned to conflict. In 1949, the Karen National Union (KNU) and its armed wing, the Karen National Liberation Army (KNLA), declared war on the newly formed government of Myanmar.¹⁸

Following a military coup in 1962, the Tatmadaw intensified counterinsurgency efforts and the *Four Cuts* policy deprived Karen resistance of food, funds, intelligence and recruits.¹⁹ Military advances continued throughout the next decades. In 1995, the army overran KNU headquarters in Manerplaw.²⁰

After the '8/8/88' student protests, a new dictatorship – known as the State Law and Order Restoration Council (SLORC) – replaced former General Ne Win.²¹ When Aung San Suu Kyi's National League for Democracy (NLD) won an overwhelming majority in the 1990 elections, the SLORC refused to hand over power. They remained in control until 2010, albeit under the new name of State Peace and Development Council.

An apparent shift towards democratisation began in 2010. Although the first elections in two decades were marked by widespread fraud and were boycotted by the NLD, they paved the way towards quasi-civilian rule. The NLD won the parliamentary by-elections of 2012 and went on to win the general election in 2015. The following year, Aung San Suu Kyi was granted the position of State Counsellor. The military, however, continues to maintain high levels of control: 25 per cent of seats in parliament are guaranteed by the constitution for the military, and it has administrative authority over key government ministries.²²

A nationwide ceasefire agreement was signed in 2015. The following year, a 21st-century Panglong conference was held to promote country-wide reconciliation. Although follow-up conferences have taken place, the peace process has made little headway.²³ During the opening speech of the last conference in 2018, the Tatmadaw Commander-in-Chief controversially blamed ethnic armed groups for prolonging the conflict.²⁴



REPEATED DISPLACEMENT: “WE RUN, WE COME BACK”

Displacement in south-east Myanmar has been ongoing for decades: nearly a quarter of respondents were displaced for the first time before the 1990s. Over 1,000 villages in Karen State were destroyed, abandoned or forcibly relocated between 1996 and 2011.²⁵ By 2002, close to 633,000 people had been internally displaced.²⁶ Among research participants, the main causes of displacement were direct attacks against their villages, persecution by the Tatmadaw or forced recruitment.

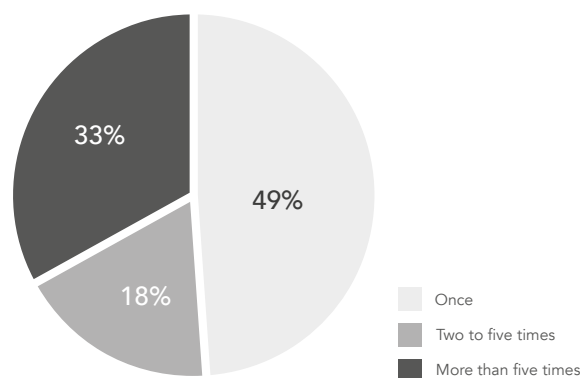
The Tatmadaw had forced many respondents to work as porters. “I had to work as a porter so many times I can’t count”, recalled Say Say. “While working as a porter, I was kicked, punched and slapped many times by the Tatmadaw soldiers when I could not carry the load.”

Other forms of human rights abuses were reported. Saw Eh Taw was caught and tortured by soldiers while he was tending his land: “They tied my hands from behind. They asked me many questions and one soldier hit my head with his gun from behind. So much blood came out from my head.” In areas contested by non-state armed groups, the Tatmadaw shot villagers on sight: “Everyone they saw they killed”, said Tee Ko The.

In this context of widespread human rights abuses and attacks against civilians, a third of respondents have been displaced more than five times (see figure 2). Before seeking longer-term refuge in safer locations, many temporarily fled their homes to the jungle, returning to their villages when the danger had passed. Out of the IDPs surveyed, 70 per cent had unsuccessfully tried to return to their homes, as had 36 per cent of refugees and returning refugees.

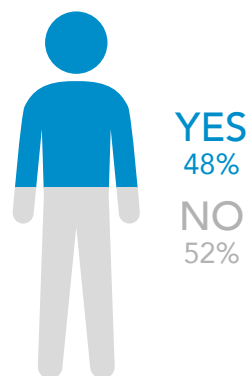
“We run, we come back, we run, we come back. We are very used to running in the middle of the gunshots”, shared Thaw Thi. “For many IDPs, gunshots are very normal. Before you were born your mother ran. Many before your grandfather also ran. It becomes very normal.”

FIGURE 2: Multiple displacements among survey respondents



In many cases, cross-border movement is a last resort. Nearly half of refugees and returning refugees interviewed had been internally displaced before crossing the border into Thailand (see figure 3). A lack of safe passage to Thailand is an important barrier to cross-border movements, as reported by 47 per cent of IDPs. The cost of transportation can also limit their ability to seek refuge abroad: for example, Pu Ta Ku was unable to leave Myanmar because she didn’t have the money to pay for transportation – instead, she made her way to the Ee Thu Hta camp for IDPs.

FIGURE 3: Interviewees who experienced prior displacement before crossing the border



INTERNAL DISPLACEMENT: “I DON’T HAVE ANYWHERE ELSE TO GO”

Today, there are around 162,000 people living in internal displacement in south-east Myanmar. Only a small portion of these live in camps.

According to the Committee for Internally Displaced Karen People (CIDKP), over 100,000 people are still living in forced relocation sites in government-controlled areas, after they were relocated there during past military operations. These forced relocation sites “appear much like other large villages in surrounding areas, except that they were established by force”.²⁷ Inhabitants of forced relocation sites reportedly receive neither compensation nor support; despite this, about half have been able to re-establish their livelihoods and are no longer considered IDPs.²⁸

Aside from those living in forced relocation sites, most other IDPs are thought to be living in hiding in the jungle, afraid to return to their home villages. In 2010, the number of IDPs in hiding was estimated at 115,000.²⁹ Tha Maw Glay, who spent time in the jungle before going to Thailand, reflected on some of the hardships she faced:

While we were fleeing into the forest my mother gave me a basket with some clothing, blankets and pots inside. This was for us to carry while hiding in the jungle ... When we did not have enough food my parents had to boil rice and mix with forest vegetables so that we would all have enough ... A few times I was almost arrested by the Tatmadaw while running in the jungle hiding from them. I could see them from my hiding place and I kept as quiet as I could.



In the border Thailand-Myanmar Salween river area have many migrant vilage. Photo: Shutterstock/ZONGTINY

Rather than remaining in the jungle, Tee Ko The walked for 15 days to reach Ee Thu Hta camp for IDPs. Located in Hpapun district on the banks of the Salween river, Ee Tu Hta camp is a large collection of traditional bamboo shelters.

The camp is currently home to about 2,400 people. It previously housed over 4,000 IDPs; some speculate that the decrease in the camp’s population can be partly attributed to the decline in donor support resulting from “the narrative of democratic transition”.³⁰ Foreign aid ceased altogether in September 2017.

Education in the camp has been particularly affected. Some schools have closed as a result of the loss of donor support, with teachers searching for other sources of income. “Services in the camp are becoming poorer and poorer”, said the Ee Thu Hta camp secretary. There is

currently only one health clinic in the camp – patients requiring more intensive care make a four-hour boat ride to Mae La Oon refugee camp in Thailand, where they are sometimes referred to the Thai government hospital in Mae Sariang, another two or three hours away.³¹

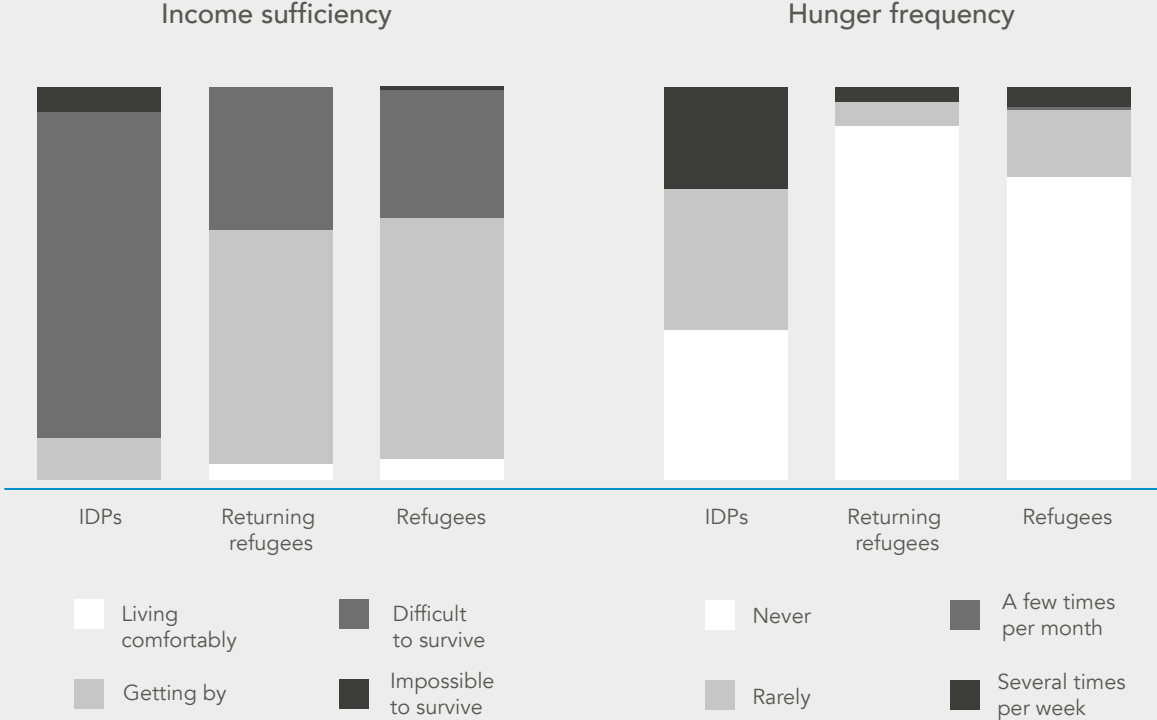
Lack of documentation represents a challenge for IDPs seeking to access services in other areas: none of the IDPs surveyed had all the documents needed to access services, and only 13 per cent had any documents at all. Just under a third of IDPs in this study were aware of mechanisms to access documentation. People in KNU-controlled areas often cannot get new documentation because they do not dare to approach the government.

Loss of funding has also affected the provision of food aid.³² Rations of soybean paste, fish paste, mung beans and cooking oil from The Border Consortium (TBC) were

BOX 1: CONDITIONS ON THE DISPLACEMENT CONTINUUM

IDPs surveyed in Ee Tu Hta camp appear to face more difficult conditions than returning refugees in Lay Kaw Kaw resettlement sites or refugees in Thailand. The graphs below show that, among those

surveyed, IDPs were more likely to find it difficult or impossible to survive on their current income; they were also more likely than refugees or returning refugees to experience hunger.



phased out between 2008–09, and monthly rice rations first decreased in 2013. In the absence of funding from foreign governments, support is now limited to children under five, representing around 10 per cent of the assistance they previously provided.³³ Over 60 per cent of the IDPs surveyed in Ee Thu Hta reported sometimes being hungry and some talked of boiling their rice into soup to make the stocks last longer, a common strategy in the face of food shortages.³⁴

Because of a lack of job opportunities beyond daily labour, IDPs often do not have the necessary income to purchase additional food. None of the IDPs in this study reported living comfortably on their income, and the majority find it difficult to survive (see Box 1).

While some IDPs living in Ee Tu Hta are able to farm, the lands near the camp are privately owned and IDPs have to pay to cultivate them. According to the camp secretary, there are three Tatmadaw outposts within a two-hour walk of the camp, which prevents IDPs from going further to farm. Landmine contamination is another concern.

Despite these challenges, IDPs' perceptions of security in Ee Thu Hta are much more positive than of security in areas of origin. On a scale of one to ten, the mean score attributed to security in Ee Thu Hta by survey respondents was 4.38, compared to a mean score of 1.79 for security in areas of origin. Security around the camp is provided by KNLA soldiers, but "if Tatmadaw troops approach the camp, then it is sure that IDPs will have to run for their safety to other areas or probably cross to the Thai side", according to the camp secretary.

Although Ee Tu Hta is considered safer than areas of origin, Tee Ko The is one of only eight of all IDPs surveyed who intends to remain in the camp. Most of the IDPs who participated in the study say they will probably return to their areas of origin in the future: 38 per cent want to return and the same percentage say they will maybe return.

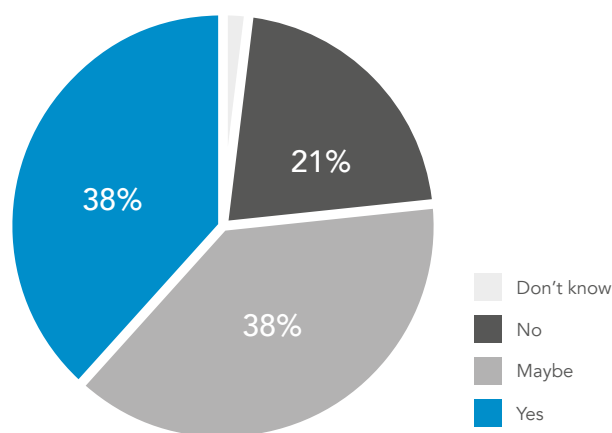
Ongoing insecurity continues to represent a key barrier to return, however. The armed clashes that occurred in 2018 discouraged many potential returnees: the majority of those displaced had only recently returned to rebuild their homes following decades of displacement.³⁵ "I want to go back to my old village but I'm afraid of mili-

tary troops and I'm afraid of landmines", said Tee Ser Paw. Lack of information makes returning a dangerous gamble: less than a quarter of IDPs surveyed consider themselves well or very well informed about conditions in their areas of origin.

Lack of housing can also prevent returns. Among IDPs who participated in this study, 69 per cent still have property in their areas of origin. Over half of these, however, said that their property is in bad condition. Because of the protracted nature of the crisis, many villages have been destroyed, if not by the military then by the encroaching jungle – roofs of traditional houses are made out of leaves, and need replacing every few years. "I don't have anywhere else to go", shrugged Tee Ko The, who plans on remaining in Ee Thu Hta.

Among those who do return, limited trust in the nationwide ceasefire agreement hampers sustainability. "Many people return, but they do not build a good house", said a CIDKP representative, who estimated that only 10 per cent of returning IDPs build permanent housing. "They are not permanent returnees, they are temporary returnees. Most still keep their hideout in the jungle."

FIGURE 4: Intention to return among IDPs



REFUGEE IN THAILAND: “WE WILL NOT BE HERE FOREVER”

Across the border, those who have sought refuge in Thailand face different challenges. A non-signatory of the 1951 Refugee Convention, Thailand maintains a strict policy of encampment. Around 95,000 people continue to live in the Thai-Myanmar border's nine refugee camps.³⁶ A significant number of the camps' residents are already entering their third decade of displacement.

In the absence of valid documentation, those living outside official camps are perceived as illegal migrants and are exposed to deportation. How many refugees are actually living outside of the camps is, however, uncertain. There are over two million migrant workers from Myanmar in Thailand.³⁷ The International Rescue Committee has previously expressed concern that up to 50 per cent of undocumented migrants from Myanmar in Thailand may have grounds to be recognised as refugees.³⁸

Although official Thai policy prohibits refugee labour, refugees make a significant contribution to the country's economy.³⁹ Despite being legally unable to work, two-thirds of the refugees and returning refugees surveyed reported engaging in daily labour while in Thailand. “There are no economic opportunities inside the camp so we have to sneak out to work outside the camp for our family income,” said Umpiem Camp resident Wa Lone.

In the absence of freedom of movement, many people like Wa Lone try to remain under the radar. Getting permission to leave the camps is reportedly becoming increasingly difficult. Kaw Soe Oo, who lives in Umpiem but who had a job outside the camp, has not been able to return to work: “the security guard force won't allow me to go out anymore”.

Those who work outside the camps face abuse from employers and threats of deportation. The median minimum wage in Thailand's Tak Province is 315 THB per day, but migrant workers often receive less than the provincial minimum wage.⁴⁰ Htoo Wah has been working for the same employer for 20 years; despite the low pay, he is unable to leave because his employer is withholding his residence permit, without which he is at risk of being deported. Hee La Paw says that she and her family are regularly arrested and sent back to Myanmar because they don't have any documentation, but they always return to Thailand.

Despite these significant challenges, the majority of the refugees and returning refugees surveyed were getting by on their income in Thailand (see Box 1, p.12). Hunger is not widespread, even though food rations in Thai refugee camps are reported to have decreased. According to the Mae La camp committee, adults used to each receive 15 kilogrammes of rice per month, but now receive only nine kilogrammes. While the decrease in rice over the past decade is partly a result of increased diversity in the food provided, recent reductions in monthly rice rations can also be attributed to decreased donor support.

People surveyed broadly perceive services in the camps to be of better quality than those available in neighbouring Myanmar. Quality of services is also being impacted by reduced donor support, however. Healthcare services are said to be operating at reduced capacity. Support for post-end schools, designed to provide further education for the camps' high-school graduates, has been reduced significantly. In Umpiem camp, two of the camp's three *post-end* schools have shut down. Secondary schools have also been affected: in Mae La,

the salaries of teachers at middle and high schools are now reportedly dependent on parents' contributions.

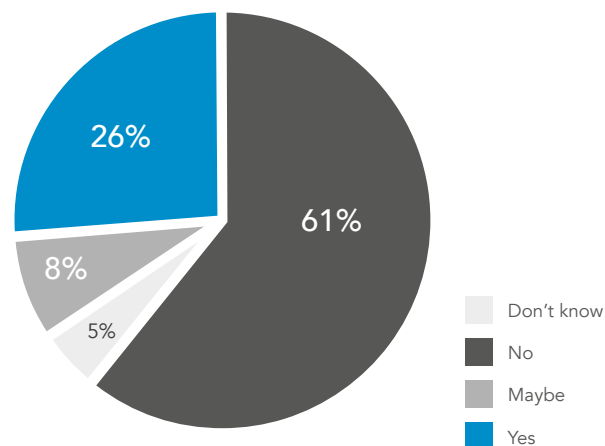
Decreasing assistance in the camps may be encouraging potentially premature returns. Ever since Aung San Suu Kyi's NLD won the parliamentary by-elections in 2012, reduced food rations and rumours of forced repatriation have contributed to feelings of uncertainty among refugees on the Thai-Myanmar border.⁴¹ These concerns have been amplified by emerging efforts to encourage and facilitate returns. According to the UN Refugee Agency (UNHCR) in Thailand, "Since the signing of a Nationwide Ceasefire Agreement, successful national elections and continuing positive developments in South East Myanmar, one of the world's most protracted refugee situations, offer real opportunities for safe and dignified voluntary return."⁴²

Among the refugees who participated in this study, just over a quarter want to return to Myanmar in the future, and another 8 per cent think they will maybe return (see figure 5). Of these, only three refugees think they will return in the next year.

Willingness to return appears related to perceptions of security: among those who do not wish to return, the main score attributed to safety in Myanmar is 1.75 out of ten; among those who do wish to return, it is 4.67 (see figure 6). Conflict and violence continue to be the main barriers to return, with refugees appearing to have little trust in the nationwide ceasefire agreement.

Short visits to Myanmar help assuage the fears some refugees have about conditions of potential return. Out of the refugees surveyed, over a third have already returned to visit Myanmar, often more than once and mostly to visit family and friends. Refugee representatives have also conducted 'go and see' visits in KNU-controlled and mix-controlled areas to share information with refugees.

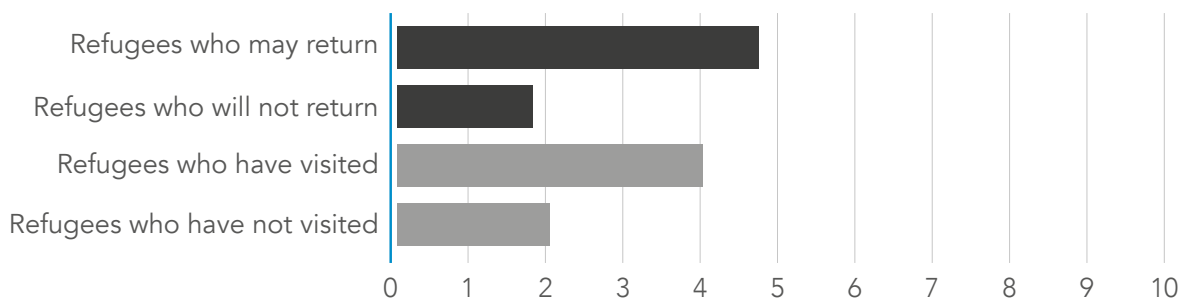
FIGURE 5: Intention to return among refugees



Those who have returned to visit are more likely to want to return permanently, at 43 per cent compared to 18 per cent of those who have not visited. This is related to altered perceptions of security: those who have not visited perceive Myanmar to be less safe than those who have returned to visit, with safety scores of 1.97 and 3.95 respectively (see figure 6).

Among those who do not want to return, resettlement to a third country is the favourite option. With the shifted focus towards supporting the facilitation of voluntary return and sustainable integration, however, the rate of resettlement has reduced significantly. Group resettlement to the US has ceased altogether. Although over 31,000 refugees were resettled between 2013 and 2018, just over 2,300 departures took place in 2018.⁴³

FIGURE 6: Mean safety scores, on a scale of 1 (unsafe) to 10 (very safe)



RETURN TO MYANMAR: “MY HEART IS BRIGHTER”

Aung San Suu Kyi remarked during her 2012 visit to the Thai-Myanmar border that “you don’t really need to return refugees, because if conditions were right refugees would go back of their own free will”.⁴⁵ So far, four years after the signing of the nationwide ceasefire agreement, just over 19,000 people have returned from Thailand’s nine refugee camps, which continue to host around 95,000 refugees.⁴⁶

According to members of the Mae La camp committee and the Karen Refugee Committee, besides decreasing assistance, many of the returns have been motivated by fears of land confiscation. “They think if they don’t go back now others will take their land”, shared one TBC staff member. Returning refugees surveyed in the resettlement site of Lay Kay Kaw, however, often had no land to go back to: their main reason for staying in the resettlement site upon return to Myanmar was lack of housing in their areas of origin (cited by 87 per cent).

Located a short distance from the border with Thailand, Lay Kay Kaw resettlement site was the result of

an initiative of the Nippon Foundation in coordination with the KNU and the Myanmar government’s Ministry of Border Affairs. The orderly concrete houses project a very different image than the nearby refugee camps. Eighty per cent of the returning refugees surveyed in Lay Kay Kaw returned through formal programmes and received support for return (see Box 2). They still face numerous challenges in the resettlement site, however, and it is unclear as to what extent durable solutions have been reached.

Water shortages is one of the most significant concerns.⁴⁷ Of the returning refugees surveyed, 39 per cent report lack of water as a challenge. “People want to plant vegetable gardens, but there isn’t even enough water for drinking”, said a member of the Karen Refugee Committee, adding that no feasibility study appears to have been conducted ahead of the construction of Lay Kay Kaw.

Lack of job opportunities is a further challenge; 62 per cent of respondents cited a lack of jobs as a barrier



Lay Kay Kaw resettlement site. Photo: CIDKPI/TBC, 2018⁴⁴

BOX 2: FACILITATED VOLUNTARY REPATRIATION

A total of 729 refugees have returned to Myanmar through UNHCR’s facilitated voluntary repatriation operation, supported by the Royal Thai Government and the government of Myanmar. Ahead of repatriation, returnees who express interest in returning undergo protection counselling to determine whether their return is voluntary. Besides transportation to the border and in-kind assistance (including mosquito nets, sanitary kits and travel bags), returning refugees receive about \$300 per adult and \$240 per child. Upon return, they may receive support obtaining civil documentation and referrals to relevant service providers. Only refugees living in Thailand’s refugee camps are able to apply for facilitated voluntary repatriation – the de facto refugees living as vulnerable migrants outside the camps, in contrast, have no access to support for return.



Voluntary repatriation centre (pictured on UNHCR flyer)

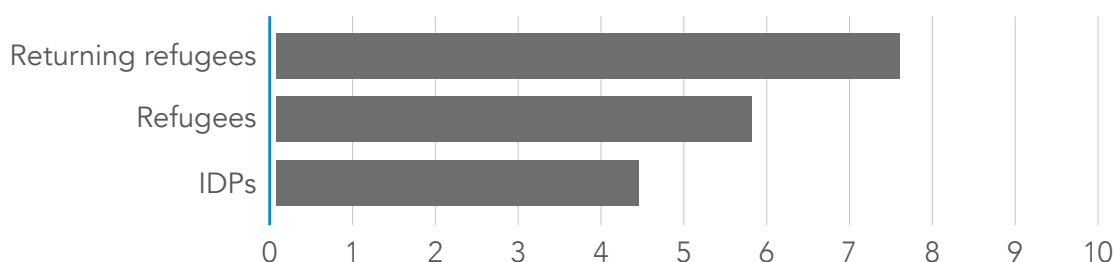
to employment, and 44 per cent rely on daily labour. According to key informants, some of the returnees in fact go back across the border to work in neighbouring Mae Sot, where they benefit from a more favourable exchange rate. Most returning refugees interviewed in Lay Kay Kaw are, however, getting by on their income, and hunger is uncommon (see Box 1, p.12).

Returning refugees also have mixed perceptions of services. They report numerous barriers to healthcare, including lack of documentation. Over a quarter of returning refugees surveyed lack some documentation, although the majority are aware of mechanisms to get new documentation. Other barriers to healthcare include language, discrimination, and distance from health facilities.

Perceptions of education are more positive, but still mitigated. The main barrier is cost, although many returning refugees also note that the education they received in refugee camps in Thailand is not recognised in Myanmar.

Despite the challenges, 92 per cent of the returning refugees surveyed plan to stay in Lay Kay Kaw, predominantly because it offers better living conditions and better security. “I feel like my heart is brighter”, said Naw Mu, who had recently arrived from Umpiem refugee camp. Respondents in Lay Kay Kaw felt safer than other populations surveyed, with a mean safety score of 7.53 out of 10 compared to 5.74 for refugees and 4.38 for IDPs.

FIGURE 7: Mean safety scores, on a scale of 1 (unsafe) to 10 (very safe)



CONCLUSION

Positive steps towards democratisation in Myanmar in 2012 led the international community to expect rapid returns. UNHCR planning figures indicate that a total of 51,000 refugees were expected to have returned to Myanmar by December 2015.⁴⁸ Yet just over 19,000 have returned, overwhelmingly through unofficial channels.⁴⁹ Based on this belief in rapid returns, donor support has decreased more quickly than the caseload of people in need. Total government-backed funding to TBC in 2018, for example, amounted to around \$15 million – less than half of what was received in 2011.⁵⁰

Loss of international support appears to be having a serious impact on the lives and wellbeing of both IDPs and refugees. Food rations have been reduced and services have also been impacted. This may be encouraging both IDPs and refugees, perhaps prematurely, to return.

According to TBC, “the average annual rate of displacement in rural areas of south eastern Myanmar appears to have decreased from 75,000 people per year between 2003 and 2011 to 10,000 people per year since 2012”.⁵¹ Despite these welcome developments, implementation of the national ceasefire agreement is considered to be weak. Clashes between Tatmadaw and the KNLA in 2018 over road construction in Hpapun strengthened fears of renewed conflict. Some research participants raised concerns that road construction could be a strategy to facilitate future military operations. “There is no guarantee of security, fighting could happen at any time”, worried a CIDKP representative. “Killing, burning and extortion have reduced a lot. But land grabbing and forced labour are still a problem.”

Alongside continued abuses and military activity, landmine contamination is a significant challenge in areas of return, prompting UNHCR to make mine risk education a core component of the facilitated voluntary repatriation process. “Once Tatmadaw soldiers hid a landmine under my rice ... I accidentally touched it and it exploded. I lost my sight and most of my fingers”, shared Tun Tun Win. Community-based organisations established lists of necessary pre-conditions for voluntary and sustainable

return in 2012. Landmine clearance featured as one of the top priorities, alongside troop withdrawal and political settlement.⁵² These conditions remain unmet.



Mine risk education is a core component of UNHCR’s voluntary facilitated return procedures (pictured on UNHCR flyer)

Concerns over a breakdown of the ceasefire agreement encourage spontaneous rather than assisted returns, because those who leave through UNHCR’s facilitated return process cannot easily return to the refugee camps, where their shelters are dismantled following departure. Many refugees who return spontaneously to Myanmar are reported to keep a house in the camp and build only a temporary shelter in their country of origin, hedging their bets by maintaining the option of returning to Thailand. According to a member of the Karen Refugee Committee, “some return spontaneously but not permanently, they still come back to the camp because they’re afraid conflict might resume”.

Fear of providing personal details to the government of Myanmar is another barrier to facilitated repatriation. “If the peace process fails, they have provided information about their family and that could put them in danger”, said one TBC staff member. Spontaneous returnees, however, do not benefit from the same level of support as those whose return is facilitated by UNHCR. The facilitated return process, in particular, supports access to citizenship cards and household registration documents. As such, spontaneous returnees encourage other refugees to return through UNHCR’s facilitated return process.⁵³

Hla Thun, who came to Lay Kay Kaw spontaneously, reports that he is planning to go back to Umpiem refugee

camp so that he can come back to Myanmar with UNHCR assistance. He will not be the first person to do so: according to one TBC staff member, many of UNHCR's assisted returns were already deregistered from TBC's database, because they had travelled to Myanmar before coming back to Thailand in order to return with assistance.

What next, then, for those displaced on the Thai-Myanmar border? Despite the nationwide ceasefire agreement, confidence in the peace process is low, with most parties sensing a lack of commitment on behalf of the military.⁵⁴ In Thailand, some refugees are waiting for the results of the 2020

general election in Myanmar before deciding whether to return. It is expected that communal, religious and nationalist claims will be central to the election campaign.⁵⁵

In the meantime, the international community needs to recognise that returns are not taking place at the anticipated rate – and adjust strategic thinking accordingly. Displaced people in both Thailand and Myanmar need continued and strengthened support along the entire displacement continuum to avoid potentially premature and unsustainable returns.

NOTES

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