

Paths of Assistance: Opportunities for Aid and Protection along the Thailand-Myanmar Border

Daniel P. Sullivan

REPORT | JULY 2022



Cover Photo Caption: Karen and Burmese refugees who fled Myanmar after the coup are settled in temporarily shelters along the Moei River Bank on the Thai-Myanmar border, in Mae Sot, Thailand, on April 3, 2022. Photo by Guillaume Payen/Anadolu Agency via Getty Images.

Table of Contents

Introduction	4
Research Overview	5
Background	5
Challenges with Humanitarian Access	7
Conditions and Humanitarian Needs in Karen and Karenni States	8
Cross-border Aid as a Lifeline	10
Addressing Barriers to Cross-border Aid	11
Protection for Myanmar Refugees in Thailand	13
Asylum Seekers from Myanmar in Thailand	15
Conditions in Longer Established Refugee Camps	16
The Importance of International Engagement with Thailand	16
Conclusion	18
Recommendations	18

Introduction

Nearly a year and a half since the military junta's coup in Myanmar, the country remains caught in a crisis of conflict, mass forced displacement, and growing humanitarian needs. Fighting among the junta's forces and multiple opposition groups has affected nearly every part of the country. The military junta has committed widespread atrocities and blocked international humanitarian groups from delivering aid to areas that desperately need it. The United States and other countries must pressure the junta to end its abuses and to allow aid to be delivered. In the meantime, delivery of international aid through Myanmar's neighbors, particularly through local groups active along the Thai-Myanmar border, presents an underutilized path for getting assistance to those in need.

More than 1 million people are now displaced in Myanmar, 750,000 of whom were forced to flee their homes since the coup. A quarter of the country's population – an estimated 14 million people – needs humanitarian assistance, as the military junta continues to restrict or outright block access to aid.

The most intense fighting in recent months has occurred in northwestern Myanmar's Chin, Sagaing, and Magway states and in Karen and Karenni states in the southeast, bordering Thailand. This report focuses on the latter area, both as one of the main areas facing widespread displacement and humanitarian crisis, and as the one with the most immediate potential for mitigating human suffering. It explores the challenges facing populations living along the Thai-Myanmar border and the role long-established local civil society and community-based organizations (CSOs and CBOs) along the border can play in addressing humanitarian needs. The report is informed by a research trip to the area in late May 2022, during which Refugees International interviewed dozens of UN actors, international NGOs, local organizations, and refugees recently arrived from inside Myanmar.

Currently, Thailand is restricting cross-border aid, and the Myanmar military junta's control of main roads and tough terrain limit how much and how far informal aid can reach into Myanmar. However, informal aid is providing a vital lifeline for hundreds of thousands of people in need. Indigenous community networks across a porous 1,500-mile border provide numerous entry points for further informal aid delivery. Increased engagement by the United States and like-minded countries with Thailand, along with donor support for the already active local networks, could enable aid to reach tens of thousands, if not hundreds of thousands, more people in need.

The international community must also continue to press the military to allow aid access for UN agencies and other humanitarian actors within the country, where the majority of those in need can best be reached. But since the junta denies aid to those deemed enemies, it should not be directly involved in aid delivery. UN agencies and donor countries must monitor aid delivery to ensure it is done impartially, equitably, and on a needs-basis.

Addressing the broader humanitarian fallout of the coup will require an array of efforts, including holding the military accountable for its actions. The United States and allies, including Myanmar's neighbors, must push the junta through further coordinated sanctions, including on military-owned oil and gas companies, an arms embargo, and accountability measures. But equally important, in the interim, will be finding ways to deliver humanitarian aid to the Myanmar people.

Myanmar's neighbors should work with local actors and the humanitarian and health agencies of

ethnic organizations to facilitate aid to areas accessible across borders. Neighboring countries must also ensure the safety and support of people fleeing from Myanmar by not pressuring them to return home and by allowing UN agencies and local and international NGOs to access newly arrived refugees. The United States and other countries should also engage Thailand to facilitate resettlement of people who are fleeing due to fears of being specifically targeted for their political activities and affiliations.

Addressing the causes of the crisis and reaching affected populations requires ongoing broader efforts by the United States, Myanmar's regional neighbors, and other allies to pressure and engage the junta. But the local networks along the Thai-Myanmar border offer the most readily available path to mitigating humanitarian suffering in the country.

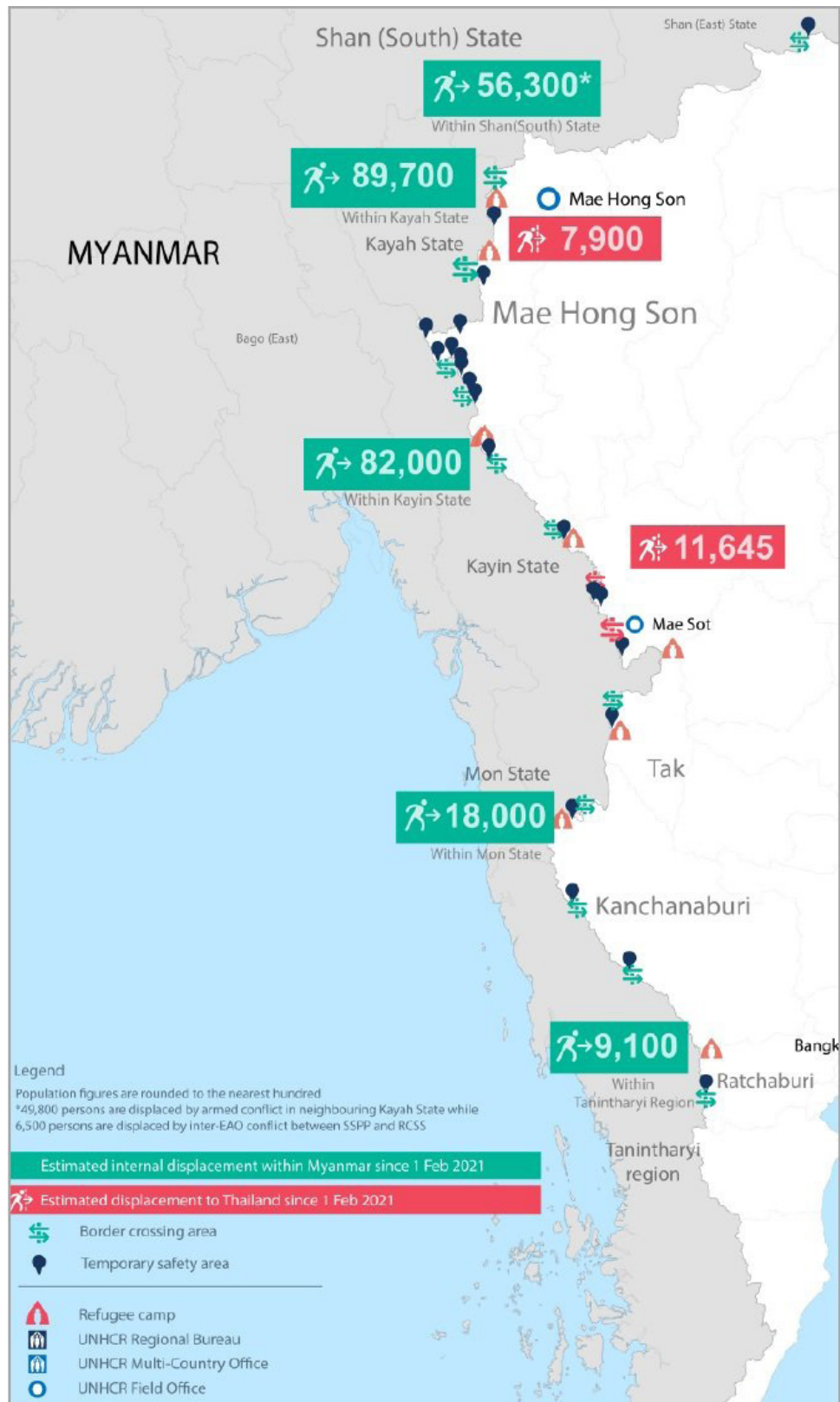
Research Overview

This report focuses on the Thai-Myanmar border area. It first addresses the current conditions inside areas of Myanmar bordering Thailand. Next it explores barriers and opportunities for the provision of humanitarian assistance and protection to those reachable along the border. It then examines protection concerns for people from Myanmar who have sought refuge in Thailand and the conditions in long-established camps on the Thai side of the border where 90,000 refugees still live. The report is based on visits in late May 2022 to Mae Sot, Mae Sariang, Mae Hong Son, Chiang Mai, and Bangkok.

Background

On February 1, 2021, the Myanmar military, led by Senior General Min Aung Hlaing, refused to accept the latest election results and launched a coup. A military junta arrested de facto civilian leader Aung San Suu Kyi, President Win Myint, and hundreds of other political leaders. In response, everyday citizens protested en masse, initially peacefully. The Civil Disobedience Movement (CDM) included boycotts of military products and walk-outs and strikes by civil servants, doctors, teachers, and others. While the junta formed a State Administrative Council (SAC) chaired by Senior General Min Aung Hlaing, elected officials, whom the military had removed from government, joined with the leaders of ethnic-based opposition groups to form a National Unity Consultative Council (NUCC) and a National Unity Government (NUG)—a government in exile. Following a brutal response and crackdown by the SAC military, people around the country formed civilian militias or People's Defense Forces (PDFs) and several long-established Ethnic Armed Organizations (EAOs) ended long-standing ceasefires. This led to fighting between the SAC military and EAOs and PDFs in nearly all parts of the country.

The fighting continues today, often marked by SAC military [attacks on civilians](#) and wholesale destruction of villages. At the time of this report, the military junta's forces had detained more than 14,000 people, [killed at least 2,000 civilians](#), and committed [numerous atrocities](#). Some PDFs have also targeted civilians seen as military sympathizers and fighting has killed thousands more armed actors on both sides. Neither the SAC military nor the opposition seem able to win outright in the short to intermediate term, meaning that fighting is likely to continue for some time.



Displacement in Myanmar. Credit: United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

As detailed in an earlier Refugees International [report](#), the humanitarian fallout from the coup has been immense. More than [750,000 people](#) have been forcibly displaced from their homes since the coup began. In the first months following the coup, the estimated number of people in need tripled from 1 million to 3 million. Violence, displacement, the COVID-19 pandemic, and economic mismanagement have caused that number to skyrocket to an estimated [14 million people in need](#) of humanitarian assistance in 2022. In addition, the coup has made the prospect of return for the 1 million Rohingya refugees living in dire conditions in Bangladesh – most of whom fled genocidal attacks by the Myanmar military in 2017 – even less likely.

The highest levels of displacement and need exist in areas facing the most intense fighting in the northwest and southeast. The junta's forces have [burned thousands of homes](#) in the northwest and fighting and airstrikes have caused more than 500,000 people to flee their homes [according to the UN's Office for the Coordination of Humanitarian Affairs \(OCHA\)](#). This includes tens of thousands of people who have fled across the border into India, more than 330,000 people who have been [displaced](#) in Sagaing, and another 90,000 in Magway and Chin states. In the southeast, more than 240,000 people have been forced to flee their homes, many displaced multiple times. Local groups with whom Refugees International spoke report that these UN estimates are conservative and that 170,000 people have been displaced in Karen state alone with an equal number displaced in Karenni state, roughly two-thirds of the population there. Thousands more people have fled across the border into Thailand for limited periods of time.

Even as displacement and humanitarian needs grow, barriers to aid delivery have increased. Part of this is due to fighting and insecurity, but in many instances the military junta has either directly or indirectly blocked the delivery of aid. In several documented cases, the military has [seized or destroyed aid](#) or attacked humanitarian workers. Physicians for Human Rights [reported](#) more than 415 attacks and threats on health workers and health infrastructure during the first year since the coup. In December 2021, [two humanitarian workers](#) with Save the Children were among at least 35 people, including women and children, killed in a Myanmar military attack. [Military bombardments and use of land mines](#) by both military and opposition forces have also prevented farmers from planting crops. [UN agencies](#) and international non-government organizations (INGOs) still operating in Myanmar have consistently reported delayed travel authorizations from the junta, and INGOs with whom Refugees International spoke have cited banking restrictions as significant challenges. Increased costs of transporting and purchasing aid materials have further exacerbated the challenges. These are due in part to global trends (including the effects of the Russian invasion of Ukraine on commodity prices) and in part to the junta's own [economic mismanagement](#).

Challenges with Humanitarian Access

From within Myanmar, UN agencies and INGOs have been able to deliver some aid to SAC military-controlled areas and to a few opposition-held areas, largely through local civil society partners. [UN OCHA reports](#) that humanitarian actors provided assistance to 2.6 million people in the first quarter of 2022, but that is just 41 percent of those targeted to receive aid under the latest humanitarian response plan. The vast majority of those provided with aid were in urban areas, meaning that only a small portion of those in rural and conflict-affected communities received any aid. UN efforts have also led to some short-term access to non-military-controlled areas in need. For example, [OCHA reports](#) that concerted advocacy efforts helped to secure the first UN access to Karenni State in April 2022, after which the UN Refugee Agency (UNHCR) was able to deliver

core relief items to 53,000 individuals, and OCHA further reports that the World Food Program (WFP) has begun distributing relief food assistance to up to 80,000 internally displaced people (IDPs). Expanding access to this aid will require further advocacy since significant barriers to delivery remain.

Efforts to expand aid have been discussed within the Association of Southeast Asian Nations (ASEAN) regional block. Humanitarian aid is a key part of the block's [Five-Point Consensus](#) on addressing the crisis in Myanmar. The ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management and a Myanmar Task Force that includes the military junta are planning to conduct humanitarian needs assessments. But [regional CSOs](#) have raised serious concerns about the junta's involvement, the failure to include the NUG and other opposition groups, and the real risks of aid being weaponized through junta denials of access to certain areas. Any UN or ASEAN efforts to work through or around the junta to deliver aid will be fraught with questions of misuse and unequal allocation. To address these challenges will require the involvement of credible third parties, such as the International Committee of the Red Cross or UNHCR, and delivery of aid impartially and according to needs, ideally through local groups unaffiliated with the military.

Despite these obstacles, efforts by the UN and the regional block to get the military to allow impartial and independent delivery of aid by third parties must continue, especially since cross-border aid will not reach the majority of those in need. In the meantime, there are a significant number of people living along Myanmar's border who could be accessed with cross-border aid. This includes the potential delivery of aid from Bangladesh, China, and India, but most readily in the short term from Thailand.

Conditions and Humanitarian Needs in Karen and Karenni States

Refugees International spoke with several people who were or who had recently been inside of Karen and Karenni states and who have been working directly to assist IDPs—and many of our interlocutors were IDPs themselves. They described widespread displacement from villages, children hiding in the jungle in caves and trenches, and constant fear of airstrikes or artillery fire. As one Karenni CBO representative described to Refugees International, “there’s no safe place in Karenni state. If you stay in the village, you risk bombs. But if you flee too far, it is tough to get aid.” Similarly, a Karen woman who recently returned from assisting IDPs in Karen state summarized the conditions by saying, “This is not a way we can survive for long.”

Since the coup, Karen and Karenni states have seen some of the most intense levels of fighting, displacement, and humanitarian need in the country. As [reported](#) by Thai-based human rights group Altsean-Burma, Karenni state has seen by far the most attacks per capita in the country. Since the coup, many CDM protestors have fled to non-SAC military-controlled areas in Karen and Karenni states. Long-standing EAO's in Karen and Karenni states, particularly the Karen National Union (KNU) and its Karen National Liberation Army (KNLA) and the Karenni National Progressive Party (KNPP) and its Karenni Army (KA) wing provided refuge to those fleeing the military crackdown and soon engaged in fighting with the SAC military themselves. Both of these groups have resisted the military for decades but signed a ceasefire with the military in 2012 as a period of democratic reforms was beginning. The ceasefires lasted until the coup in 2021. PDFs also



Temporary IDP site in Karen state May 2022. Photo Credit: Asia Reports.

sought refuge in these territories and have engaged SAC forces both independently and alongside EAOs. The EAOs have controlled large rural areas in both states and have at times seized various SAC military outposts. But junta forces have largely controlled main roads and urban areas and responded to resistance with aerial attacks and shelling, often of civilian areas.

Fighting between the SAC military and these groups has intensified in several areas of both Karen and Karenni state since April 2022. The SAC military has turned to regular aerial bombardments from fighter jets and intense shelling. For example, on May 19, during Refugees International's visit, [28 airstrikes](#) were reported by local media and a local human rights group near the Thai-Myanmar border. The effect on the battlefield has been mixed, but the impact on the civilian population has been devastating.

One woman who leads a local community-based organization described people hiding in the jungle at night, not using lights for fear of drawing the attention of bombers and being fearful of falling asleep. She told Refugees International that she is afraid to check her text messages at night, because too often they bring news of another injury or death. "There's too much killing," she told the Refugees International team, "It's unforgettable, unforgiveable."

Others described the SAC military forcing civilians to carry their supplies or using them as human shields. Local groups also reported the use of land mines by the SAC and opposition forces alike. Reports from those who had been inside Karen and Karenni state were largely in line with the [reports](#) of atrocities documented by Amnesty International, described as "war crimes and likely crimes against humanity."

The result of these serious human rights abuses, airstrikes, and general fighting has been widespread and often repeated displacement of civilians in both Karen and Karenni states. Some

villages and localities have been completely or nearly completely abandoned. Spillover from fighting in Karenni state has also added to the numbers of people displaced in Shan, another state bordering Thailand, which is housing an estimated 56,600 IDPs, including several thousand in close proximity to the border and only accessible through cross-border aid.

Those displaced in each of these states in Myanmar face similar needs for food and shelter, particularly as the rainy season started early in 2022 and has continued. The rainy season also increases the need for mosquito nets and medicines. The trauma of flight from people's homes and the constant threat of bombardments have also given rise to an acute need for psycho-social support. Educating children is difficult. CDM teachers have set up schools in the jungle but need supplies like pens and pencils, according to one CBO representative. Local groups are organizing educational activities and even building new makeshift structures to serve as schools. But resources are limited, and the risk of attacks looms ever-present.

Cross-border Aid as a Lifeline

For those living in non-SAC military-controlled areas in Karen, Karenni, and southern Shan states, unofficial aid provided by local civil society organizations with links to Thailand has been a vital lifeline. While Thailand does not officially sanction such aid, long established local cross-border networks have gotten significant amounts of aid across. Those involved include small ad hoc community groups of Myanmar migrants and concerned Thai citizens, long-established ethnic community-based organizations, and international NGOs that have worked to aid IDPs and refugees on both sides of the border.

Many of these groups have been operating since the early 1990s, when tens of thousands of refugees fled across the border and have continued working with the remaining 90,000 Myanmar refugees in camps in Thailand or with IDPs in Myanmar. These groups have close and long-established links with the humanitarian and health wings of EAOs that control land across the border and with local leaders on both sides of the border. Their track record has built up significant trust among local ethnic groups making IDPs more willing to walk long distances to receive it. This stands in sharp contrast to the high levels of distrust of the SAC military and any aid it might deliver.

While exact estimates of aid delivered are difficult to ascertain given the complex and unofficial operating environment, Refugees International's discussions with dozens of CSO and CBO representatives suggest that more than \$10 million worth of aid from across the border has reached up to a million people in need since the coup. Much of this has come in the form of cash transfers through both official and unofficial money transferring networks, allowing humanitarian actors to buy needed supplies in Myanmar, even far from the border.

Other in-kind assistance is delivered via boats or trucks across bridges and includes food, non-food items, temporary shelter, water filtration units, and medical supplies. At least one CBO focused on the needs of women and girls has also been able to get dignity kits across the border. Other smaller scale, one-off efforts to provide aid include delivery of home-cooked meals to people fleeing air strikes.

With the array of actors providing ad hoc aid, coordination issues are a concern. Refugees In-



Delivery of aid to displaced people from Myanmar along the Thai-Myanmar border December 2021. Credit: Asia Reports.

ternational heard some reports of duplication of aid efforts or delivery of unneeded items (e.g. sweaters at the height of summer). But the larger CBOs are communicating regularly and EAO humanitarian entities are playing a leading role in assessing needs and assuring aid gets to the right people without duplication. As one long-time humanitarian actor put it, “At the end of the day, needs exceed response capacity. It’s not about duplication. On the list of things to be worried about, not a priority.”

It is also difficult to estimate how much this aid could be scaled up and how many people it could ultimately reach, given security and terrain barriers. The SAC military controls most main roads and the landscape along the border is made up of hills and jungles. But Refugees International’s discussions indicate that there is much more that can be done to support such efforts and at least hundreds of thousands more people who could be reached.

Addressing Barriers to Cross-border Aid

There are four main limitations to delivering aid across the border from Thailand, each of which can be mitigated to varying extent. These are: (1) Thai restrictions reflecting junta pressure; (2) SAC military control of roads and banks; (3) difficult terrain; and (4) lack of sufficient funding.

The first, most obvious barrier is the refusal of the SAC and, by extension, Thailand to officially allow aid into the country. With a 1,500-mile border with Myanmar, Thailand is concerned with its relationship with the SAC and is seeking to balance economic and security interests. Part of



Members of the Karenni National Women's Organization, one of many community-based organizations operating for decades along the Thai-Myanmar border. Photo Credit: Refugees International.

this balance has been to withhold any official approval of cross-border aid and crackdown on it to varying extents. But local groups have been able to find indirect ways to deliver aid, often via boat across the border river or in limited quantities within vehicles.

The second main barrier is the fact that the SAC military controls most main roads and restricts cash transfers via banks. But alternative roads and paths are available and used by local groups to deliver aid beyond the main roads. Local groups use informal cash transfer networks like the hundi system, a trust-based practice originating in India and long-established in Myanmar, in which local agents transfer sums of money on behalf of friends, relatives, or other agents without legal protection or supervision.

The third limitation is navigating the difficult hilly jungle terrain along the border. However, the ceasefire era enabled an expansion of roads in EAO administered areas. Moreover, the SAC military's area of influence in rural areas has decreased since the coup. Local groups use motorbikes, horses and donkeys, or backpacks to transport aid beyond the immediate border area.

The largest and most consistent barrier to aid delivery cited by CBOs was deficiency of humanitarian funding. Local CBOs have the networks and modalities for getting more aid across but not the funds to reach many more people in need. While a few governments are supporting local groups involved in aid efforts, donor countries should step up support for these underutilized and low-profile mechanisms. International donors should also engage the NUG and the humanitarian wings of EAOs to better assess needs and ensure coordination of aid delivery.

Donors must also recognize the complex dynamics and greater risks local groups face in de-

livelihood aid and be appropriately flexible with their reporting requirements. Groups with which Refugees International spoke often complained about too frequent and onerous of reporting schedules, impractical demands for receipts, and unrealistic procurement protocols. For example, one group cited being required to show quotes from three different suppliers in an environment where just one was realistically available. These requirements have been so onerous that some groups said they have foregone significant amounts of potential funding.

The potential for further provision of aid through experienced networks is abundant. Groups like The Border Consortium have been coordinating and providing aid to some 90,000 refugees who have remained in camps in Thailand for the past three decades. Ethnic-based organizations like the Karen Women's Organization and Karenni National Women's Organization have networks and experience working to promote protection of women and girls on both sides of the border. Similarly, members of the Karenni Civil Society Network, Karen Peace Support Network, and Shan State Refugee Committee have the networks and experience to assess needs and facilitate the delivery of aid through their member agencies. Ethnic health organizations are well placed to promote access to basic health care, clean water, and nutrition. And human rights groups like the Karen Human Rights Group, Karenni Human Rights Group, and Shan Human Rights Foundation have the ability to document abuses and monitor aid to ensure that it is protection sensitive.

Protection for Myanmar Refugees in Thailand

In addition to the hundreds of thousands of people displaced in Myanmar's states bordering Thailand, there have been thousands of people who have crossed the border from Myanmar to seek refuge in Thailand since the start of the coup. They fall largely into two groups: people who have been internally displaced in bordering states and seek temporary refuge in Thailand and CDM protestors and high-profile individuals seeking longer-term refuge, whether in Thailand or third countries.

Those in the first group have crossed into Thailand at different times when fighting and airstrikes have been particularly intense and close to the border, though usually for only a matter of days. Thai authorities have said that they will respect their international obligation of non-refoulement and not force refugees to return, but there are consistent [reports of Thai authorities pressuring](#) them to return. This is consistent with what Thai authorities have done in the past. During earlier battles between the Myanmar military and EAOs, the Thai authorities allowed people to take refuge in Thailand only while fighting was active and expected them to return to Myanmar once it had paused. But the intensity and frequency of battles and extent of displacement are much greater today, increasing concerns of extensive refoulement.

In March 2021, an estimated [3,000 Karen people fled airstrikes](#) into Thailand. Another [8,000 people](#) fled artillery and air attacks in Lay Kay Kaw in Karen state into Thailand in December 2021. As of February 2022, the Thai government estimated that [17,000 Myanmar refugees](#) had crossed into Thailand since the coup. And [UNHCR reports](#) that 3,000 others have crossed the border from Karenni State since March 2022, though only 246 refugees remain. According to UNHCR, those remaining face extensive humanitarian needs including access to safe drinking water, medicine, and sanitation facilities.

In the first weeks following the coup, Thailand worked with UN agencies to develop contingency



Photojournalist who fled Myanmar after covering Myanmar military abuses shows tattoo. Photo Credit: Refugees International.

cy plans for large numbers of refugees fleeing into Thailand. This included the establishment of Temporary Safety Areas (TSAs) that were to be overseen by civilian federal and local authorities. But the initial contingency planning exercises were not implemented once refugees began coming across the border in large numbers. Since then, areas established to temporarily shelter refugees have been overseen by the Thai military, which has refused international support.

Conditions at the sites are deplorable. One site, established after a bout of bombing and displacement in December 2021, is called the cowshed since that was its previous use. Thai authorities did allow local community organizations and volunteers to deliver and distribute pre-cooked meals, tarps, and a few other non-food items. But the site was not fit for human habitation, and Thai authorities declined offers of international support. Refugees International saw video footage of overcrowded accommodations that lacked the most basic necessities. As one CBO representative who visited the location at the time told Refugees International, the displaced people there “need more than a cow farm along the river. They need systematic protection.” He warned of serious risks to women and girls amid a lack of privacy and sufficient toilets.

The Thai government should give UNHCR and local and international NGOs access to these TSAs to provide critical nutrition, sanitation, health, and protection services, including the establishment of women friendly spaces and referral pathways. Thai authorities must also live up to their commitments to non-refoulement and refrain from pressuring people fleeing violence in Myanmar from returning before it is safe to do so. UNHCR and local and international NGOs should also be included in contingency planning for possible further numbers of people seeking refuge in Thailand as the fighting in Myanmar shows little sign of subsiding in the near term.

Asylum Seekers from Myanmar in Thailand

People seeking longer-term refuge in Thailand and beyond are higher-profile individuals or those who have taken part in CDM protests. This group includes doctors, teachers, students, celebrities, politicians, and military-defectors who fear they will be targeted for persecution by the junta and are now seeking a safe haven in Thailand or longer-term refugee resettlement in third countries.

Local groups with whom Refugees International spoke estimated, conservatively, that around 2,000 to 4,000 asylum seekers are staying in and around the town of Mae Sot. When areas in Thailand beyond Mae Sot are included, those estimates reach as many as 30,000 asylum seekers. Such numbers are difficult to determine with any certainty as Thai authorities do not provide any form of refugee registration nor allow UNHCR to carry out registrations.

In Mae Sot, Refugees International met with a group of teachers and students who had taken part in the CDM protests in Kachin state. They had arrived in Mae Sot a few days before. They described feeling unsafe going out in public for fear of being detained and forced to pay bribes, as well as uncertainty about how they might find jobs or continue their education. Some diaspora and local groups are supporting initial rent payments, provision of basic goods like rice and oil, and online education, but the needs are great.

In Mae Hong Son, Refugees International met with a photojournalist from Mandalay who had been documenting protests and the military crack-down there. He was forced to flee to Lay Kay Kaw in Karen state, and then again following attacks in December 2021. He spent some time in an IDP site, then recently fled further fighting and arrived in Thailand after several days of trekking through the jungle, first to Mae Sot then to Mae Hong Son. He plans to return to Karen state to continue documenting the abuses of the military.

In Chiang Mai and Mae Hong Son, Refugees International met separately with two doctors. One had fled a government hospital in Yangon after leading CDM protests and being targeted by the junta. The other fled a hospital in Myawaddy after being targeted by the junta for assisting civilians injured following protests. Both are seeking refuge in third countries through humanitarian visas.

In Mae Sot, Refugees International met with an army-defector. He fled once his family was safe and is now awaiting resettlement to Australia.

All of these asylum seekers felt insecure because of their lack of official status and the constant risk of detention or demand of bribes from local police. They also expressed concerns about the lack of access to work and to education for their children. One CBO focused on women and girls expressed growing concerns with the risks of abuse and exploitation amid a lack of protection through referral pathways and safe spaces for women and girls. Another, who had worked along the border in an earlier phase of mass displacement across the border warned of signs of growing sex trafficking risks.

Thailand should allow access for UNHCR and INGOs to all new arrivals and allow UNHCR to register asylum seekers and carry out refugee status determinations as it does around the world. Thai authorities could also give refugees status that provides access to livelihood opportunities. Alternatively, Thailand could carry out its own registration and identity card distribution as part of

the National Screening Mechanism for refugees proposed in 2020 but yet to be implemented. A registration system will both help to prevent exploitation and the threat of detention and refoulement and allow UN agencies or Thai authorities to better track who is in the country. As one CBO representative put it, those can breathe.” Registration of asylum seekers would also facilitate tracking COVID-19, distribution of vaccines, and prevention of trafficking and other criminal activities.

The United States and other receiving countries should also engage Thailand to facilitate resettlement of people who are fleeing due to fears of being specifically targeted for their political activities and affiliations. This will not be a solution for most of those who have fled but will have a significant impact on many individual lives.

Conditions in Longer Established Refugee Camps

In addition to civilians displaced by violence in Karen and Karenni states and CDM protestors and others fleeing persecution, there is a third group of people from Myanmar living on the Thai side of the border. These are the 90,000 refugees who have been living in camps since the 1990s. At the height of displacement in the early 1990s, more than 130,000 refugees fled from Myanmar into Thailand. Tens of thousands of these refugees were resettled in third countries like the United States. Many others returned to Myanmar following the democratic opening in the last decade before the coup. Today, there are nine official refugee sites in Thailand. The largest, Mae La, hosts some [34,000 refugees](#). Funding to these camps has dropped dramatically in recent years. In addition, measures to prevent the spread of COVID have heavily restricted the ability of these refugees to leave the camps, cutting them off from access to education and livelihood opportunities.

As new populations flee violence in Myanmar, this longer-term population must not be forgotten. Thailand should work with UNHCR and INGOs operating in the camps regarding the ability to move out of the camps to access accredited education and work opportunities. Thailand, which is currently facing a need for more migrant workers, could benefit from offering migrant permits to this population. As in the past, countries like the United States should offer scholarships and resettlement slots to refugees in the camps.

The Importance of International Engagement with Thailand

The engagement of the United States and key allies with Thailand will be critical in creating political space for cross-border aid and protection of people from Myanmar seeking refuge in and near the border. Thailand faces a range of challenges from economic and security risks and pressure from the Myanmar junta to the risks of instability stemming from the lack of aid and formal registration for refugees. Thailand is reluctant to do anything to incentivize more refugees coming into the country, but failure to allow cross-border aid – and thus allowing conditions for people across the border to deteriorate – could do just that. Similarly, failure to register refugees makes

it more difficult to monitor and prevent the spread of infectious disease or to stop trafficking and other criminal activities. The United States and allies should highlight these points and encourage Thai authorities to support cross-border aid and protection of refugees both for humanitarian reasons and for the positive impacts on stability these measures can bring. Partners should also be clear that failure to take such measures will damage bilateral relationships with Thailand.

U.S. officials have raised the need for cross-border assistance and a commitment to non-refoulement on several high-level visits and Thai officials have rhetorically responded positively. U.S. Ambassador to the UN Linda Thomas-Greenfield visited Thailand in August 2021. U.S. Deputy Secretary of State Wendy Sherman visited in May 2021, and State Department Counselor Derek Chollet traveled to Thailand in October 2021. Thailand's Foreign Minister expressed an openness to cross-border assistance following Chollet's visit and, in a January 2022 meeting with the UN Special Envoy on Myanmar, Thai Prime Minister Prayut Chan-o-cha reaffirmed a commitment to non-refoulement. In June 2022, Chollet traveled to Thailand again. He visited areas near the border including Mae La refugee camp and met with local CSOs. A July 2022 visit to Bangkok by U.S. Secretary of State Antony Blinken included the Myanmar crisis on the agenda among several broader issues.

In March 2022, in a letter to the Thai Foreign Minister, a group of U.S. senators raised concerns about push backs of refugees and urged the facilitation of cross-border aid.

But it is not clear if concerns such as these were raised by U.S. President Joseph Biden during the U.S.-ASEAN Summit in May 2022 or by U.S. Secretary of Defense Lloyd Austin in his trip to Thailand following Chollet's visit in June 2022. Public statements coming out of those meetings indicate that defense, trade, and geo-political concerns with China dominated the conversations.

Cross-border aid remains restricted, and reports of refugees being pressured to return to Myanmar continue to emerge. Sustained international engagement is essential to opening further paths to protection and provision of life-saving aid. The United States and allies should emphasize to Thailand that its official policy of restricting both aid and access to asylum exacerbates human suffering and creates challenges for local Thai authorities. A more nuanced approach of allowing, or at least not objecting to, cross-border assistance and fulfilling its obligation to provide safe haven to asylum seekers is in Thailand's own national interest, as it would help stabilize a deteriorating complex emergency on Thailand's doorstep. The United States and allies must continue to engage Thailand on these points and prioritize calls for aid delivery and non-refoulement in bilateral talks. Confirmation of already nominated U.S. ambassadors to Thailand and ASEAN would help to amplify these messages. The U.S. Congress should act swiftly to provide consent to these nominations.

At the same time, the United States must work with Thailand and other ASEAN and allied countries to increase pressure on Myanmar's military junta toward ending abuses and allowing unfettered humanitarian access to those in need. This should include implementation of a global arms embargo, further coordinated targeted sanctions on the SAC military and its assets, and support for accountability measures, including through the International Court of Justice and the International Criminal Court. The U.S. Congress should pass the BURMA Act, which includes measures along these lines and would authorize further humanitarian assistance.

Conclusion

Displacement along the Thai-Myanmar border is just a part of the regional crisis sparked by the coup. But addressing it is the most immediate way to mitigate acute human suffering. While humanitarian actors will need to grapple with how best to ensure fair and unfettered delivery of aid in the broader context of the country, the opportunity to scale up cross-border aid to a significant portion of the Myanmar population in need should not be missed. All of Myanmar's neighbors, including Bangladesh, China, and India should explore similar channels for aid delivery and provide access to refuge. Thailand has a chance to be a leader in asylum and protection to a population in great need. Allies seeking to alter the trajectory of suffering in Myanmar must remind Thailand why this is in its interest and provide support to local actors already providing lifesaving aid.

Recommendations

The government of Thailand should:

- Engage regional partners to press the military junta in Myanmar to end grave human rights abuses and allow those in need unfettered access to humanitarian aid.
- Uphold the international legal obligation of non-refoulement of individuals seeking refuge from threats to their life and freedom in Myanmar.
- Allow the UN Refugee Agency (UNHCR) and international and local NGOs access to newly arrived people seeking refuge from Myanmar to assess needs, carry out services, and establish women-friendly spaces in temporary safe areas along the border.
- Include the UNHCR and local and international NGOs in contingency planning for possible larger numbers of people seeking refuge in Thailand.
- Allow and facilitate the delivery of cross-border humanitarian aid through local civil-society and community-based organizations.
- Allow access to education and livelihoods opportunities for long-time refugees in camps along the Myanmar border.
- Work with UNHCR to create a protection framework for people from Myanmar who are seeking refuge in Thailand, including possibly through application of the proposed National Screening Mechanism for refugees in Thailand and the provision of identity cards and status that could provide access to livelihood opportunities and act as a barrier to detention and exploitation.
- Work with the United States and other countries to facilitate resettlement of refugees from Myanmar.

The U.S. government should:

- Step up diplomatic efforts with Thailand and other ASEAN and allied countries to pressure the Myanmar junta to end grave human rights abuses and allow unfettered humanitarian access to those in need. Such actions should include:
 - Further targeted sanctions on the military and military-owned enterprises, including oil and gas revenues;
 - A global arms embargo on Myanmar;
 - Support for accountability efforts including the Independent Investigative Mechanism for Myanmar and through the International Court of Justice and International Criminal Court.
- Maintain regular high-level government visits to Thailand and Myanmar's other neighbors, prioritizing pressure on the Myanmar junta, access to asylum for people from Myanmar, and provision of cross-border aid.
- Engage Thailand and other countries hosting asylum seekers from Myanmar to expedite resettlement of at-risk individuals who have fled persecution in Myanmar.
- Offer pathways to the United States for long-time refugees in camps along the Thailand-Myanmar border, including scholarships and resettlement.
- Engage and support the National Unity Consultative Council (NUCC), National Unity Government (NUG), and ethnic armed organizations, including through coordination of aid and COVID vaccine distribution.

U.S. Members of Congress should:

- Support and pass the BURMA Act of 2021-22, which would:
 - Authorize additional humanitarian assistance for those in need in Myanmar and surrounding countries, including through cross-border delivery of aid;
 - Support local civil society organizations in Myanmar;
 - Demand further targeted sanctions on military leaders and military-owned enterprises;
 - Support accountability efforts;
 - Call upon the U.S. government to engage the UN Security Council toward a global arms embargo, coordinated targeted sanctions, and other measures to press the military junta to end abuses and allow unfettered humanitarian access to those in need.
- Ensure high-level diplomatic presence in the region by swiftly confirming the nominated U.S. ambassadors to Thailand and the Association of Southeast Asian Nations (ASEAN).

International donor countries should:

- Increase funding for local civil society and community-based organizations operating along the Myanmar-Thailand border and adjust reporting requirements to reflect the com-

plex nature of aid delivery to those in need in Myanmar.

- Press the junta to allow unfettered delivery of humanitarian aid, while establishing safeguards to prevent the military usurping aid and avoiding legitimization of the junta. Such safeguards should include distribution through credible interlocutors like the International Federation of the Red Cross and access for UN agencies to monitor and assess aid delivery.

The Myanmar military junta should:

- Cease attacks on civilians and other grave human rights abuses.
- Allow unfettered access for UN agencies and NGOs to all those in need of humanitarian aid.
- Release all political prisoners and open the path toward a truly inclusive and representative democratically elected civilian government.

About the Author

Daniel P. Sullivan is the deputy director for Africa, Asia, and the Middle East at Refugees International.

About Refugees International

Refugees International advocates for lifesaving assistance, human rights, and protection for displaced people and promotes solutions to displacement crises around the world. We do not accept any government or UN funding, ensuring the independence and credibility of our work.

REFUGEES INTERNATIONAL

refugeesinternational.org

PO Box 20036
Washington, DC 20033

Phone: (202) 828 0110
Fax: (202) 828 0819
Email: ri@refintl.org

Twitter: @RefugeesIntl

Instagram: @RefugeesIntl

Facebook: Refugees International