



South-East Consultations  
Summit Parkview Hotel, Yangon  
24 September 2014

**I. Update on the Myanmar Peace Process**

- Last update at previous Consultations in May 2014; several discussions since then between government and the armed groups. The issue for the armed groups remains to have a political dialogue afterwards, and their position on how far to go with a ceasefire depends on that negotiation. Meetings in May were significant, with direct engagement by the Tatmadaw in the process.
- In July meetings, the outstanding issues were 1) guarantees for political dialogue, 2) the preamble of the ceasefire, and 3) unresolved military issues, particularly questions of redeployment, monitoring and verification (verifying alleged violations), what weapons will be stocked where and how will that be verified, and the content of the code of conduct for behavior in the ceasefire.
- The purpose of the ceasefire is to establish a military document that paves the way for political dialogue. What the advisors proposed in August was a parallel informal process to discuss the political framework, but remains at the stage of a preliminary ceasefire. Union Peace Working Committee (UPWC), National Ceasefire Coordination Team (NCCT), and political parties are negotiating how political dialogue will take place. Some confusion about what those will be about and what will be addressed in the framework. Overall, still moving forward but challenges remain.
- Challenges: 1) For ceasefire, either you can discuss everything ahead of time to yield a detailed ceasefire, or you sign a ceasefire and sort out the details later. Both approaches are valid, but difficult to agree considering the variations between the 16 armed groups, which necessitates sub-agreements. 2) How do you get everybody together on how to structure that framework? 3) Trying to get 16 armed groups to have a common position is difficult; requires time to develop a common vision, hence tensions of late.
- Another source of pressure are the elections – the pro-democracy agenda is not the same as the ethnic agenda. They overlap, but have different priorities. Overall, quite optimistic that some kind of ceasefire is forthcoming. What kind of political framework follows remains an open question.
- Have not been official discussions on the composition of ceasefire monitoring. Monitoring and verifying are different, and no evidence that international presence will

benefit monitoring in this context, nor any agreement (yet) on international presence in verification. Mechanism will only be discussed once structure is in place.

- Regarding persons of concern, can have provisions for humanitarian access and aid in the ceasefire agreement, but issues such as return and repatriation typically come in a political settlement.

## **II. Myanmar/Thailand border refugee situation and presentation of refugee profiling survey findings**

- Objective of refugee profiling in Thailand to provide information that help us plan for solutions. Survey was done by the Mae Fa Luang Foundation (MFLF). First camp was Mae La in June-July 2013, and the last camp was Nupo in May-June 2014.
- Started with brainstorming and discussions with the refugee community to ensure buy-in. Massive information campaign in first half of 2013, including focus group discussions in the camps. MFLF mapped each of the camps, and trained volunteers to undertake the survey, with oversight from their field officers. Surveys were conducted at household-level, although individual information was collected, and multiple forms were completed if family members had different preferences regarding the question on life after camps.
- Mae La camp was the pilot, as selected by the refugees. Was not ideal considering it is by far the largest camp. Registered the lowest participation rate (80%), relative to overall participation rate (92%). Participants from the Mae La camps were still cautious in their responses to the survey. Refugees gained confidence over time as the survey went on to other camps. Lessons from the pilot were incorporated into a modified questionnaire.
- Two components of the survey. 1) profile of the refugee community – demographics, skills, livelihoods, and 2) intentions of the refugee community – a snapshot of what they see for their future. The former will not change over time, the latter may have already.
- Profile results – almost 50/50 split between men and women. Majority are Karen. Christian and Buddhist the two leading religions. Education levels – 31% primary school, but 23% have none. Language – dominant language is S'gaw Karen. Years of residency – 33% said 6-10 years, 31% less than 5 years and another 30% between 11-20 years.
- Majority of refugees are from Kayin State, with the exception of Ban Mai Nai Soi and Ban Mae Surin near Kayah, and Tham Hin and Ban Don Yang near Tanintharyi/Mon. Asked all households to identify preferred township of return (even those who have not yet made up their mind about life after camps), but this was not done in the pilot in Mae La, where only those who expressed a desire to return were asked.
- 92% of refugees have no identification documents of any kind. Many refugees misinterpret this as statelessness. Working on advocacy and information campaigns to address this misconception. Roughly 50/50 split on registered and unregistered.

Government of Thailand stopped registering new arrivals in 2006-7, although assistance continues for all.

- For future solutions, preference is split between resettlement and stay in Thailand, although some camps register higher numbers on returning to Myanmar. Many who said resettlement are not eligible (ie. unregistered).
- The top townships of interest for return, for those who expressed such choices, are Hpapun, Kyainseikgyi, Dawei and Shadaw. A large segment of the community is quite inclined to follow their leadership; many just do not know where. Some now identify as part of the community they live within the camps in Thailand, even if they are from disparate states/regions and townships of origin.
- Concerns regarding return include lack of trust in government and non-state actors and a lack of confidence in the peace process. Those who expressed desire to return identified basic services and livelihoods as the support they would like.
- Regarding occupations held prior to displacement, most did agriculture, but many had to survive on various kinds of skills and labour as coping mechanisms. Training received in the shelter different than occupations – agriculture training has been provided, but without access to land for cultivation around camps, limited opportunity to practice skills. For future livelihoods, many answered agriculture, animal husbandry and general labour, which is reflective of what people were doing before and may change upon return.
- Final report will be shared in October 2014. Doing regression analysis to cross-reference variables. Will share aggregate data – not personal data – to refugee community and agencies, to support advocacy and to facilitate decision-making by RTG, GOUM and donors.
- One of the purposes of the survey was to cover the entire population, including unregistered, because previously there was only detailed data on the registered population. With a view to solutions for all, survey aimed capture the profile of the entire population.
- Over 100,000 Shan previously displaced in Thailand, most of whom have integrated. One camp on the border, but receives limited assistance at the moment. Not the same level of UNHCR involvement, but UNHCR monitors solutions options.
- It was made clear to refugees that the survey was not a commitment to anything, including each option being available to them. Same as with resettlement – those ineligible could still indicate that was their preference. Many who wish to stay in Thailand were articulating that this is their desire for the time being as they have not yet made up their mind for the future. Local integration, as in previous refugee situations in Thailand, is not currently an option as a durable solution. One option that has been considered is transitioning to migrant status, but no framework exists at the moment.

- Land emerges as a major issue in the survey, with an extremely high number saying they did not have land. Surprisingly, lack of access to land was not identified as a key challenge to return, ranking sixth on the list, which may reflect an assumption on the part of the refugees that land will be provided.
- LWF is not based in Thailand but has experience in repatriation, and is piloting a rural development project in ten villages across three townships in Kayin State. Worth noting from Thai side that the issue of return is now discussed quite openly, which was not the case two years ago. But not conducting formal go-and-see visits because that is only done, in UNHCR terms, when ready to promote return, which is not yet the case. Nonetheless, informal go-and-see visits are taking place, and UNHCR believes this is a good thing.
- Concerns expressed about possibility of re-integration of Muslim communities. For UNHCR, no distinction between different communities, and their views are reflected in the survey, including where they are from and where they would like to go.
- Both lack of trust in government/NSAs and in peace process are subjective things, listed as priority concerns about return. Difficult to measure. Reflective of how many refugees feel out of the loop, and highlights the importance of ensuring they have access to information, especially with respect to the peace process and other political/security developments.

### **III. South-East Myanmar update and presentation of return assessment findings**

- As ceasefire negotiations move forward, issue of refugee and IDP returns and reintegration are starting to emerge on the margins of negotiations, and appears it will be on the table for the political dialogue. Coming out of Laiza meetings among NSAs, five committees were reportedly proposed, including one on humanitarian issues and refugee/IDP 'resettlement' inside Myanmar.
- At state-level in the South-East, UNHCR has cross-border meetings to Thailand and meetings with Chief Ministers in Kayin and Kayah. Both Chief Ministers have expressed a desire to meet directly with refugee leaders (Karen Refugee Committee and Karenni Refugee Committee), and asked UNHCR to facilitate those discussions. UNHCR is prepared to do so, if/when refugees are willing. Demonstrates an interest at state-level in hearing from refugees about their perspectives about return.
- Have not witnessed an acceleration in spontaneous returns, not surprising through rainy season. Further discussion on this concept of "pilot projects" which are typically government and NSA plans for models that target reintegration of a particular population. Only about nine appear to have begun so far, and beneficiary groups seem to vary – sometimes IDPs, families of KNU members, or disabled ex-combatants. Refugees have been mentioned in discussions a couple of times, and very possible that this model will increasingly be put on the table for initial refugee returns. So far, refugees and refugee leaders have not been engaged directly on these plans. UNHCR is also not directly involved at this point, only monitoring and tracking. In the discussion

which followed, the Nippon Foundation clarified that they had received proposals from ethnic armed groups, for some 37 infrastructure projects, but that the terminology of 'pilot projects' should be avoided. It is anticipated that more proposals will be presented as part of a dynamic process. Projects must be developed in consultation with the state governments.

- Return monitoring system in South-East Myanmar has been active since June 2013, and represents an overall focus by UNHCR on preparation for return. Includes trying to identify if refugees are returning on their own, where and how is that happening, and what support can be targeted towards those locations. Monitoring also includes both refugee returns and IDP returns. Contents of the presentation are in an interim report released at the meeting by UNHCR, and available online at [commonsense.info](http://commonsense.info).
- Return assessments are community-level, not individual-level, and focus on spontaneous returns which have taken place since January 2012. Three components: 1) confirm presence of returnees; 2) needs assessment, 3) community profile. Challenges include access, authorization and protection space. All three have significantly improved over the past year, with only Kayin remaining challenging. Methodology remains quite modest because of limited protection space and presence of government and NSAs. Another key purpose, particularly in community profile section, is to gather information that can be provided to refugees about the situation in their villages.
- UNHCR working to create a network of partners who are willing and able to report of returns in the areas they work. Those return reports are entered into the return log, which cross-referenced with refugee population data, allows for identification of potential return villages where we do the return assessments. Where possible, complete a protection assessment. Output products and assistance and response come out of return assessment database.
- Regarding definition of IDPs, UNHCR uses international definition, but don't ask IDPs to self-identify. Frame the question to the key informant in a way that is consistent with the definition. Otherwise, not all return reports are verified because access remains incomplete, and sometimes there is misinformation on the types of returnees (eg. Migrants). However, communities seem quite open to receiving returnees, despite some perception that refugees are privileged; hence community-based approach to aid.
- OCHA highlighted that the 2014 Strategic Response Plan mentions a population of 400,000 people with humanitarian needs in the SE, not covered by the strategy for a variety of reasons. Need to decide whether the 2015 SRP should include the South-East. In response, it was mentioned that it was important not to conflate the situation in the South-East with those in Rakhine and Kachin; very different situations. Discussions of a JPNA last year, but was put on hold pending further process with ceasefire negotiations. But there are humanitarian risks that remain, such as landmines.
- Community consultation with the host community, because neither the government nor the KNU can really speak with authority to the views of the community. UNHCR has not yet launched any kind of consultations with local communities regarding preparedness for refugee return, as this would be premature for now however and this will be critical

if/when conditions become conducive to return and we start to move towards an organised voluntary repatriation operation.

- Regarding precaution and data protection, return monitoring system in a way that is conscious that many returnees want to keep a low profile, hence the community-level information, not household level.

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