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***Over the Border and Under the Radar:  
Should Illegal Migrants Be Active Citizens?***

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## **Abstract**

Active citizens can become a powerful driver of development by holding to popular account those that traditionally hold decision-making power at the local and national levels. Active citizenship draws from a long history of understanding the importance of community participation and ownership of development interventions. However, in spite of its inherent strengths, active citizenship may not be a possible (or optimal) outcome in all circumstances. This paper argues for the realistic expectation of active citizenship (and indeed participation) of one specific sub-population within Thailand. Estimates of the number of illegal migrants within Thailand vary from 800,000 to 1.5 million. The overwhelming majority of these migrants are Burmese, seeking to escape the political regime in Burma and improve their material standard of living. Working with these illegal Burmese migrants in Thailand is complex. The development needs that would be expected in any poor community, such as limited access to health services, economic insecurity, inadequate housing, etc. are added to by the precarious existence these migrants have in Thailand. This in turn hinders their ability to actively engage in the development process. This paper reviews the lessons learned by one Thai-based NGO working with illegal Burmese migrants for over 15 years. The unique strengths and weakness of these illegal communities are discussed, before the appropriateness of seeking to engage such communities as active citizens is explored.

**Keywords:** Burma, Thailand, Active citizenship, Illegal migrants, Sustainable development

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## 1. Introduction

Active citizenship has recently become of interest, due to its ability to link more directly micro-level community development processes and the macro-level national development processes. Active citizenship has therefore come to inhabit a new 'meso' space that bridges the local and the national. Within this space, active citizens can not only better hold to account decision makers at the national level, but also themselves become legitimate voices within the decision-making process (Burnell, 2007). This maturing of the role of community members within national-level forums has its antecedents within the longer history of community participation in community development interventions. Active citizenship therefore presupposes a level of community participation and ownership over development processes and interventions.

Korten (1990) long ago predicted the importance of community participation and ownership of development interventions in his four typologies of non-governmental organisations (NGOs). Since then, community participation within development interventions has become widely accepted as the minimum requirement for successful and sustained development outcomes (see Chambers, 2005). Without active involvement (as compared to passive acceptance) in all stages of community development, including needs analysis, project identification and design, implementation, monitoring and evaluation, it is unlikely that any impact of the particular intervention will be sustained beyond the funding period, if at all (Uphoff et al., 1998; Dale, 2004).

Sustaining the impact of a community development intervention is more likely to be achieved, experienced indicates, if the beneficiaries, local community and other key stakeholders have actively participated in, and 'own', the intervention. There are a number of reasons for this. Firstly, inclusion of those directly affected groups in the planning stages will more likely ensure that the right development needs and their causes are identified. Secondly, the responses planned will better take into account local resources and strengths of the local communities, which will ensure that there is less reliance on external inputs. Finally, community participation will also aid in the ongoing management of the project, as the decision-making processes will have been developed in the initial stages to include the relevant local beneficiaries and key stakeholders, which will continue once the external funding has ceased.

Such participation becomes self-supporting and participation begets further participation. Active citizenship can therefore be understood as the inevitable and logical conclusion of community participation. Active citizens can become a powerful driver of development, by holding to popular account those that traditionally hold decision-making power at the local and national levels. As noted, active citizenship draws from a long history of understanding the importance of community participation and ownership of development interventions. However, in spite of its inherent strengths, active citizenship may not be a possible (or optimal) outcome in all circumstances. This paper argues for the realistic expectation of active citizenship (and indeed participation) of one specific sub-population within Thailand – illegal Burmese migrants. This paper is also interested in considering the (lack of) potential for active citizenship for communities that are unable to initiate the first step of community participation, for a variety of reasons. It discusses whether active citizenship should always be a viable goal for community development practitioners. More specifically, this paper considers illegal Burmese migrants residing in various locations throughout Thailand, and describes the difficulty faced by NGOs and other community-based organisations in achieving minimal levels of community participation, let alone functioning levels of active citizenship.

This paper is set out as follows: Section 2 further discusses the importance of participation with community development, and situates it in the continuum that leads to active citizenship. Section 3 provides an overview of the circumstances of illegal Burmese migrants within Thailand. The difficulties of working with illegal Burmese migrants are discussed in Section 4, before the appropriateness of active citizenship in these circumstances is assessed in Section 5. The paper is concluded in Section 6.

## **2. Participation and citizenship**

Community participation and active citizenship are driving forces in achieving sustainable development outcomes, at both the local and national level. This because a commitment to sustainability, based on open and inclusive participatory processes, is more likely to lead to more positive long-term results and more robust development interventions. Over a period of time, considerable resources have been expended on developing tools and techniques that facilitate participation. A number of common participatory techniques exist, including Rapid Rural Appraisal (RRA), Participatory Research Action (PRA) and Participatory Learning Action (PLA). Underpinning these approaches is a basic tenet that the members of the community are experts of their own circumstances and they are the holders of the knowledge required to resolve the issues and problems they are currently experiencing (Dale, 2004). Whilst it is accepted that external funds, technical expertise and the need to facilitate the sharing of community knowledge are also required, the paradigm within these techniques calls for communities to be acknowledged as the primary holders of information and skills (Chambers, 2005)

International financial institutions, multilateral agencies, national governments and NGOs have, by and large, incorporated the term 'participation' into their development jargon (see Chambers, 1983; Stiglitz, 1999; Craig & Porter, 1997; Sihlongonyane, 2003). If the rhetoric is transformed into practice, this means that community members are actively encouraged to identify their own needs, design the response, implement the project activities and also monitor it and evaluate its progress. The processes that are used differ between institutional types, as well as between institutions themselves, but a common approach is the establishment of Project Community Management Committees (PCMCs). Such a committee holds the decision-making power and is inclusive of the local beneficiaries, key stakeholders and local partners.

Community participation requires participation from all sectors of the community – not just entrenched community leaders or those with interests to protect and enhance. Community participation requires the voices of women, the young, old, landless, disabled and other marginalised groups, just as it does traditional leaders, religious leaders and land owners. Such participation necessarily requires the assisting agency to reconsider itself as a 'partner' to these communities. Re-imagining these relationships is not without difficulty.

## 2.1 Participation is difficult

If there have been delays in transforming rhetoric around participation into current practice, it is largely because achieving full and active participation<sup>1</sup> is difficult within most communities. Ensuring that all key stakeholders are actively engaged is difficult and made more so, given the complication of poverty.

Achieving active participation requires a conscious effort. Participation is not automatic, nor can it be assumed without developing relationships over time with key stakeholder groups. Relationships must be built with beneficiaries, other NGOs or community-based organisations and associations, local religious groups and, depending on the intervention itself, local support networks (i.e. it is common with HIV/AIDS prevention and care interventions to include hairdressers and taxi drivers, as these are, respectively, 'natural' support networks for commercial sex workers and their clients (Clarke, 2002)).

Active participation requires that all these (often disparate) groups are included at the very initial stages of the project planning process, including the needs analysis and project identification. By actively engaging with these stakeholders at this phase, the 'power' or initiative is clearly given over to the local community. This is a powerful statement of intent, and indicates to local communities that there is a real recognition of their own expertise and ability to address current and future problems. By handing over the decision-making power to the local community, the traditional 'passive' position of the community can no longer be sustained and community members must actively participate or the intervention will fail. This responsibility is therefore an impetus for action (Zivets, 2003).

It is naïve, though, to think that such participation is easily achieved. It is at the very least a time-consuming process that can be demanding on both the NGO involved and the local community. Poor communities are similar to communities found in any other part of the world. They are heterogeneous and consist of sub-groups and individuals who seek to pursue their own interests at the expense of others. It is therefore necessary that NGOs negotiate the partnerships between the various (sometimes competing) interests and act as brokers when allowing the decision-making process to reside within the community (Gosling & Edwards, 1995). The role of NGOs therefore does not simply expire once they hand over power to the community. In reality, their role becomes increasingly important in assisting the community to work cohesively in designing, implementing, managing and monitoring the intervention. Such skills are largely gained through experience over time and therefore the selection of staff becomes a paramount factor in facilitating community participation.

## 2.2 Participation of the poor

The preceding discussion mentions the various groups that must actively participate in any development intervention, if it is to be sustained over the long-term. The group, however, that is the major beneficiary of development interventions is the group most unlikely to actively participate – that is, very poor people. (Most communities will have various levels of poverty – even if they all look relatively poor to the uninitiated outsider.) Poverty – especially extreme poverty – directly affects people's ability to participate

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<sup>1</sup> The phrase 'active participation' is being used purposely to denote that participation must require greater incorporation of the community than simply attending 'consultative community meetings', at which they are spoken to rather than being part of a dialogue – Chambers (1983) speaks of an *unconstrained* dialogue with the poor.

and contribute to local community development interventions. As discussed in the remainder of the paper, these participation constraints are magnified when seeking to have poor communities move from being participants at the micro- level, to active citizens at the meso- and macro-levels.

The reasons for this difficulty in participating are directly linked to the status of 'poor'. Day-to-day survival for those that are extremely poor requires enormously hard work (see Easterly (2002) and Yunnis (2003) for numerous vignettes describing the long days and hard work undertaken by poor men and women to earn sufficient income to barely feed, cloth and provide shelter for their families). Participation (and ownership) requires a commitment of time and effort that extremely poor people are unlikely to have the ability to give. Participation often requires long discussions, travel to and from meetings, and assisting with building or delivering interventions during the implementation phase. If poor people are working long hours, they will be unable to contribute greatly to such interventions and therefore their participation can be quite marginal. Certainly, their desire to participate may be quite low if their immediate goal is simply survival.

The importance of having poor people participate in community development intervention therefore requires NGO staff to purposely seek them out and find ways to accommodate their particular circumstances. Such accommodation need not be complicated, but may in fact be predicated on a simple acknowledgement of their poverty of time, as well as their economic poverty. Therefore, it may be necessary for meetings of stakeholders to be held where poor people naturally congregate – either at their own homes or at local community venues – so that the distance they need to travel is reduced. PCMC meetings may have to be timed in a way that takes account of the commitments of the poorer members of the community. If there are peak periods of work (such as harvest time), it may be better to postpone PCMCs or plan them for more convenient times. Finally, it may also be necessary to compensate poor community members for their time in participating. This is contentious, but the provision of food and a small per diem to pay for transport costs or lost earnings may be necessary to ensure participation of all representatives of the community.

The difficulties discussed above are simply multiplied when the overriding characteristic of the poor people in question is their illegal migrant status. Issues of time, personal freedom of movement, and ability to work cooperatively, that are necessary to participate effectively, likewise diminish their ability to remain invisible to authorities, which is necessary for illegal migrants to ensure personal safety and to avoid harassment and deportation. As such, participation is a risk behaviour for those without legal status.

### **3. Overview of illegal migrants in Thailand**

Estimates of the number of migrants within Thailand vary from 800,000 to 1.5 million (AMC, 2002) but it is commonly thought that they number no less than one million people (Thailand's population is approximately 65 million).<sup>2</sup> Estimates are difficult to make, as different authorities use different data on

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<sup>2</sup> This excludes the political refugees who are currently located in the refugee camps located along the Thai-Burma border within Mae Sot province. Indeed, the ensuing discussion focuses on those illegal migrants who can be more accurately described as economic refugees than political refugees – acknowledging of course that the parlous economic state of Burma is directly linked to the long military dictatorship and the economic and political policies instigated by the dictatorship.

which they base their estimates. For example, estimates of migrants can differ by a factor of four between the Labour Ministry (based on registrations and employer surveys) and the Health Ministry (based on hospital treatments) (Urbano, 2006). The status of Burmese workers in Thailand is also fluid, which further complicates estimates of migrant numbers. Policies towards migrants have changed over time and enforcement of the law is largely dependent on local authorities.

The Thai government's treatment of migrant workers, particularly Burmese, has fluctuated with economic and political agendas. After the Asian financial crisis in 1997, the government cracked down on illegal migrants and expelled thousands of unregistered workers (Urbano, 2006, p. 29).

More recently, the Thai government reviewed the status of migrant workers, with a 2003 Memorandum of Understanding with the Burmese government, in which migrant workers were to be protected by certain conditions, including minimum wages, eight-hour working shifts and national holidays (Belton, 2005). This is reviewed annually through cabinet resolutions. Whilst still considered 'illegal', registered workers are permitted to work. Migrants must be sponsored by their Thai employer and registration itself is not without costs. In addition to fees for the permit (around THB2,000), migrants must also purchase a photo card, health insurance and undergo a medical examination (totalling almost THB 3,000).

Migration into Thailand from neighbouring countries is not new. As a relatively recent affluent country within the region, Thailand is attractive to migrant workers seeking to improve their economic circumstances<sup>3</sup> (see Table 1), with the vast majority of migrants within Thailand being Burmese. However, it is rare for Burmese migrants to move beyond Thailand or the Mekong region (ILO, 2001; ARCM, 2004).

Migration from Burma to Thailand is also not difficult. The shared border is over 2,400km long and runs through ten Thai provinces. This border is not commonly patrolled or policed in any effective manner.

The border between Burma and Thailand cuts through jungle, the navigable river courses of the Salween and Thaungyin, and the Dalween ranges. The Asian Highway, funded by the UN and the Asia Development Bank, carves a swathe through Northern Thailand, Burma and onto India, expanding the travel and trading routes. Many of the borders are unmarked and unpatrolled.

There are four permanent crossing points connecting Burmese and Thai towns respectively: Tachelik and Mae Sai, Myawaddy and Mae Sot, Kawthaung and Ranong; and the Three Pagodas Pass between Ye and Kanchanaburi. These are the most important towns for cross border trade (Human Rights Watch, 2004). There are an estimated 320 unofficial land and sea crossing points too (AMC, 2002). As a gauge of the ease of passage and of the potential number of Burmese in Thailand, locals estimate that around 500 Burmese cross the Thai-Burma Friendship Bridge between Myawaddy and Mae Sot every day (Panam et al., 2004; Urbano, 2006, p. 16).

Crossing the border is more akin to moving from one town into another, rather than crossing an international border. It is common for Burmese to cross into Thailand on a daily basis (with or without a day pass) for employment or shopping. Thai currency is commonly used in the Burma border townships. In Mae Sot it was reported by the Mae Tao Clinic that a significant proportion of their clients travel from

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<sup>3</sup> Fifty years ago, Thailand and Burma were at similar stages of development, with similar per capita GDP levels.

Burma for the express purpose of receiving healthcare that is unavailable to them in Burma. Further, one person having AIDS in Ranong returns to her home village in Dawei every three months to access antiretroviral treatment (from MSF Holland), as this is not available to her in Thailand.

Over a period of 40 years, in which the political, social and economic conditions have worsened in Myanmar, there has been a corresponding improvement in all facets of life within Thailand, as a result of the extraordinary levels of economic growth (notwithstanding the 1997 financial crisis) over the past number of decades (Clarke & Islam, 2004). This economic growth has occurred in all sectors and caused a greater demand for both skilled and unskilled labour. As the Thai economy has developed, there has been an observed aversion to some jobs (coined the three 'Ds' – dangerous, dirty and disdained) (Physicians for Human Rights, 2004). 'Conveniently, Burma is a plentiful source of cheap, pliant labour for Thai industry' (Urbano, 2006, p. 22). Whilst risky and illegal, many Burmese have sought to relocate to Thailand (either temporarily or permanently), in order to escape the turmoil occurring in their own country and take advantage of the relative prosperity available in Thailand. Certainly economic reasons underpinned migrants' decisions to travel to Thailand, with migrants most commonly citing the poor employment opportunities, and poverty in Burma compared to the situation in Thailand.

**Table 1. Comparison of key indices between Thailand and Burma**

	Burma	Thailand
<b>Population (million)</b>	50	65
<b>GDP (PPP\$)</b>	258	2,440
<b>GDP composition by sector (%)</b>	Agriculture 42 Manufacturing 17 Services 41	Agriculture 11 Manufacturing 40 Services 49
<b>Life expectancy at birth (years)</b>	56.2 (males) 61.8 (females)	66.0 (males) 72.7 (females)
<b>Under five child mortality (per 1,000 live births)</b>	109	28
<b>Infant mortality (per 1,000 live births)</b>	77	24
<b>Total per capita expenditure on health (PPP\$)</b>	26	254
<b>Adult literacy (%)</b>	85	96
<b>Girls in primary school (%)</b>	49	97

Source: World Bank (2008)

It is important to note, however, that migrant populations are not homogenous throughout Thailand (ARCM, 2004). Different locales have their own characteristics and these must be considered when planning and implementing development interventions. Most important is the difference in the ratio between Burmese migrants and the local Thai population. For example, in Mae Sot, illegal Burmese migrants outnumber Thais by a ratio of three to one, whereas in Phuket, Thais outnumber Burmese four to one (with the population being relatively equal in Ranong). In Mae Sot the majority of migrants are



ethnic Burmese, whilst the majority in Ranong are Dawei peoples. Ranong has the largest number of migrants without registration, whereas Mae Sot has the larger number of migrants with registration. Interestingly, there are also differences in the support groups in the different sites. For example, Mae Sot has the largest number of migrants who migrated without any support networks, and Ranong has the largest number of migrants who travelled with family members. The majority of migrants working in Ranong have worked in other areas previously, compared to the situation in Mae Sot, which is the first destination in Thailand reached by these migrant workers. The majority of migrant workers in Ranong work in the fishing industry, compared to the largest occupation in Mae Sot being factory work. Having noted these differences between the three sites, however, it is important to note that the age of migrants is common across each site, with the majority being aged between 19 and 25 years of age (ARCM, 2004).

While the employment conditions for migrant workers (whether they be fishermen, construction workers, factory workers, day labourers) are difficult, close to 90 percent self-report that they are not exploited Thailand (ARCM, 2004). Indeed, migration was normally organised by friends, family or the migrant themselves and did not involve a third party or 'trafficking' syndicate (ILO-IPEC, 2001, Urbano 2006). So, whilst the migrants have actively sought to relocate to Thailand, this ability to be active actually is not to their advantage in the circumstances of being an illegal migrant – whereby 'invisibility' becomes an advantage for survival.

#### **4. Difficulties of working with Burmese migrants**

Working with illegal Burmese migrants is complicated. However, the needs of these communities demand that they be given prominence when NGOs are facilitating community development activities in these border towns. One such NGO<sup>4</sup> has been working within these communities for 15 years in four major locations: Mae Sot, Mae Sai, Ranong and the fishing port town of Phuket. During this time, this NGO has undertaken a range of community development interventions, but with a primary focus on healthcare and prevention. The following discussion is based on a meta-evaluation of 15 years of work by this NGO undertaken by the author.

A number of difficulties can be identified that distinguish working with illegal Burmese migrants from working with poor Thai communities. Firstly, all Burmese migrants are illegal, whether they are registered to work or not. Those unregistered to work have no formal protection under law, lack access to education and health services and are regularly exploited by employers and landlords. They can also be arrested and deported without any recourse at any time (see Table 2 for types of abuses experienced, for example, in Mae Sot). Secondly, given this precarious existence, mobility amongst these communities is also high. It is estimated that 50 percent of migrants in Mae Sot move each year to avoid debt, police harassment or to seek improved employment opportunities<sup>5</sup>.

Working with such mobile communities is difficult. The majority of past and current project interventions are largely based on training local communities in various health issues (HIV/AIDS, reproductive health, etc.) to achieve sustainable behaviour change. However, as individuals move in and out of these

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<sup>4</sup> Given the political nature of working with illegal populations and the potential consequences which might constraint working with other communities within Thailand, the identity of this Thai-based NGO will remain anonymous.

<sup>5</sup> Personal communication with local Thai-based NGO staff working in Mae Sot.

communities, it is difficult to provide sufficient support and information to achieve this behaviour change. Likewise, project associates, such as community health volunteers, frontline social networkers, etc., are similarly likely to move and thus these resources are not maintained within the community. Thirdly, not all Burmese migrants are Burman. Numerous ethnic minorities from Burma exist within these communities. Thus, even though the information, education and communication materials prepared are in Burmese, there is a proportion of the target group unable to read these materials. It is also difficult to find suitable staff with the requisite language skills to be able to train and work with these different language groups. Fourthly, cooperation from local Thai authorities is required for organisations working with Burmese migrants. This tacit approval is necessary, as working with those outside the law necessarily places the local NGO outside the law as well. Without the support (or at least knowledge) of the Thai authorities, the local NGO would be unable to work effectively. This requires strong relationships and the ability to maintain those relationships over time. Whilst some Burmese target groups live on-site at factories, etc., many live in nominally Thai communities. As with the Thai authorities, support is also required from the local Thai community leaders, as they are also wary of activities being implemented within their communities which might attract police raids, etc. Finally, unlike development interventions aimed at improving the circumstances of the Thai population, there are few (if any) institutional linkages that can expand the benefits of these projects. As migrants cannot access health and education services, projects must therefore be self-sufficient, as they cannot leverage additional goods and services from various Thai ministries.

**Table 2. Types of abuse encountered by Thai authorities in Mae Sot**

<b>Type of abuse</b>	<b>Percentage</b>
Threatened	31.1
Yelled at	21.3
Cheated or had money stolen	9.8
Sworn at	7.3
Locked up or confined	2.8
Tricked or lied to	0.7
Punished	2.8
Touched inappropriately	2.8
Sexually touched	2.4
Pushed	1.0
Pinched	0.3
<b>(Number of respondents</b>	<b>286)</b>

Source: adapted from Panam et al. (2004)

These difficulties are overlaid with an underlying racism of many Thais towards Burmese people. Thailand and Burma have a long history of conflict and an equally long history (perhaps dating back to the conquest of Ayuttha in 1767 by the Burmese) of distrust and antipathy (Lang, 2002). The Asian Migrant Centre report (AMC, 2002) that Burmese suffer greater discrimination than other migrants within

Thailand. This latent discrimination is expressed in the inability of Burmese migrants to register for employment, other than that which is considered 'unskilled' (Pearson, 2005).

The economic implications of Burmese migrants must also be fully considered, as the relationship between Thais and illegal Burmese migrants is not linear. Sections of the Thai economy are dependent upon migrant Burmese communities for labour.

The ILO observes that labour-intensive industrialisation has been integral to Thailand's growth, and that the influx of migrant workers has enabled Thailand to maintain a labour force to support its economic development. Conveniently, Burma is a plentiful source of cheap, pliant labour for Thai industry (Urbano, 2006, p.22).

Migrant labour, both registered and unregistered, plays a role (although more significant in Mae Sot than Phuket, for instance) in ensuring economic growth occurs. Given the main driving force for migration is the poor economic performance in Burma, should a newly democratic Burma occur in the near future, bringing with it new investment and rapid economic growth, it is possible that migration to Thailand will not only halt, but also reverse as Burmese return home. Thus, a strong case can be made for improved migration procedures and conditions for migrants between Burma and Thailand. This would ensure a reliable supply of labour to Thailand, should the economic conditions in Burma improve.

While community participation may be necessary for sustained outcomes and impact, similar participation can also result in harassment and deportation for illegal Burmese migrants. There are a number of characteristics of these communities that make community participation unlikely at best, and harmful at worse.

**Mobility.** Burmese migrants are mobile. For example, staff of the local NGO estimate that up to 50 percent of migrants move each year to avoid debt and harassment or to seek improved employment opportunities elsewhere.

**Lack of freedom of movement.** Due to the threat of arrest, unregistered migrants generally do not venture beyond their workplace or communities. But even registered migrants have restricted freedoms and cannot travel throughout Thailand, or even drive a motorcycle.

**Harassment.** Migrants are subject to harassment by Thai authorities, on both a regular and irregular basis. Crackdowns are unpredictable and, depending on the location, Thai authorities have been accused of soliciting bribes and other payments from migrants under threat of deportation. (Migrants with permits also report harassment by Thai authorities.) Burmese migrants are wary of working with those outside of their immediate communities, as they are nervous of inviting potential harassment. Likewise, host Thai communities or Thai brothel or factory owners are wary of working with NGOs, due to the perceptions of potential conflict and harassment from Thai authorities that doing so might cause.

**Difficulty accessing community members.** Burmese community members often live at their workplace and have limited free time. Fishermen, for example, work throughout the night and have only a few hours onshore in the mid-morning to mid-afternoon; factory workers are on call except for one or two days per month and must therefore remain on the factory premises; commercial sex

workers must be available to clients at all times; and construction workers generally work 12 hours a day, with one-half a day off each week. Those not working – perhaps mothers or the elderly – do not have the ability to move outside of their community, for fear of harassment.

**Migrants suffer exploitation.** Whilst nearly 90 percent of Burmese migrants do not claim they were exploited in their actual migration (ie trafficked), they do suffer exploitation in their working conditions, in terms of low pay, lack of holidays and poor occupational health and safety precautions within the workplace. Burmese migrants are routinely exploited by their employers and by the Thai and Burmese authorities. They have little recourse to the law, even if they are formally registered. There have been a number of reported cases where Thai authorities have deported workers (registered and unregistered) when they have taken industrial action against their employers (Urbano, 2006; ARCM 2004).

**Lack of government support.** Illegal migrants are ineligible for any government services, including health and education. Thus, it is difficult for the local NGO to access any services or goods (such as ante-retroviral medications) for those Burmese in need.

**Developing trust with migrant Burmese communities.** Given the precarious nature of the migrants, and the inherent likelihood of arrest and deportation, there is a natural hesitation and suspicion towards individuals and organisations seeking to assist them. Past experiences of spies (representing both Thai and Burmese authorities) and raids has resulted in communities being wary of trusting ‘outsiders’.

**Language difficulties.** Working with Burmese people requires the local NGO to work not only in Burmese, but also any number of ethnic languages. It is difficult to find appropriate staff with these language skills.

**Difficulty of attracting funding.** The local NGOs programmes have been implemented on an ad hoc basis, in reaction to funding opportunities, rather than guided by a comprehensive, multi-sectoral development plan. As a result, not all the development needs of migrant Burmese communities are addressed.

**Difficulty of staffing.** The local NGO has found it difficult to employ certain Burmese staff, especially medical doctors.

As ‘outsiders’, these illegal Burmese migrants are unable to participate in community development interventions in similar way to their Thai neighbours. They are unable to move freely within their community. They are unable to advocate on their own behalf to local authorities. They are suspicious of, and have difficulty communicating with, the staff of the local NGO. Finally, they are wary of any activities that may bring them to the attention of local Thai authorities, which may in turn result in harassment or deportation. Their residency in Thailand is largely dependent upon a high level of passivity and dependence on others – in effect they must remain ‘invisible’.

However, having made that observation, success can be achieved within these communities, in spite of the limited opportunities and ability of illegal Burmese migrants to participate in a ‘traditional’ manner.

These communities, despite their mobility, lack of personal freedom and constraints on self-organisation, do have some strengths that aid local NGOs in achieving useful development outcomes.

**Behaviour change is possible.** Despite the difficulties experienced by staff of the local NGO over time, there has been reported success in sustained behaviour change within certain sections of migrant Burmese communities, around some risk behaviours associated with the transmission of HIV/AIDs, for example. Thus, in spite of the difficult and trying circumstances, it is possible for projects to achieve their goals and outcomes.

**Great desire for improvement within migrant Burmese communities.** The local NGO has been able to develop trusting relationships with the more permanent sections of the illegal Burmese migrant communities and the communities have responded with a great desire to improve their own situations. Rather than a sense of hopelessness and helplessness, there is genuine enthusiasm within the communities for change and development. Their limited ability to self-organise, however, renders them largely dependent upon the local NGO for support and assistance.

**Commitment of local NGO staff to migrant Burmese communities.** The local NGO Thai and Burmese staff have demonstrated their personal commitment to working with illegal Burmese migrant communities over a sustained period.

**Commitment of senior Thai public sector officials to migrant Burmese communities.** It would not be possible for the local NGO to continue working with illegal Burmese migrant communities without the implicit support of senior Thai authorities. Over time, a number of officials have expressed their appreciation of the work undertaken by the local NGO. They acknowledge that without their assistance, the migrant Burmese communities would be in much more difficult circumstances.

It must also be understood that the successes achieved by the local NGO, in working with these communities and their strengths and weaknesses, have a particular context which overlays them. These circumstances include a high reliance on personal relationships with key Thai public officials. Whilst the Thai authorities cannot provide material support for the local NGO's work with illegal Burmese migrant communities, their implicit personal support is necessary to ensure that the NGO is not stymied in its efforts to work with these communities. Significant time is required to establish and nurture these relationships. Also, there is a level of interdependence between Thai employers and Burmese workers. In certain locations, the local economy is reliant on Burmese labour. Without the Burmese in Mae Sot, for instance, the local industry would fail because of the lack of Thai labour available. In this regard, the Thai employers are just as dependent upon the Burmese as the Burmese are reliant upon them for employment. Recognition of this mutual dependence is low amongst both groups. Of course, there are wider development needs than health. Whilst the local NGO's projects to date have largely centred on health needs (and more precisely HIV/AIDS), the development needs of illegal Burmese migrant communities are greater than this and include education, water and sanitation, income generation, etc. Whether success in these areas can be achieved, given the low level of participation that is possible, is yet to be tested. Finally, it is also important to note the constantly changing nature of illegal Burmese migrants. Over time, there has been shift in the type and number of Burmese migrants. For example, in Phuket, migrants were traditionally single men working in the fishing industry. This has shifted, so that there are now many migrants working in the construction industry and these migrants are often men and women living as families. This changes risk behaviour, and development needs.

## 5. Illegal migrants as active citizens

The constraints discussed above are very real, and clearly work against full participation of illegal Burmese migrants within community development interventions. Without a basis or platform of participation at the micro-level, it is distinctly unlikely that this significant cohort of illegal Burmese migrants residing in Thailand can achieve any level of active citizenship at the meso- or macro-level.

Encouraging participation, as discussed above, is problematic for a number of reasons, not least of which are the illegal nature of the migrants and their high levels of mobility. Such constraints are multiplied when moving from local participation to active citizenship. While illegal Burmese migrants who are registered to work theoretically have limited recourse to some protection under the law, in practice they are largely at the mercy of the local Thai authorities, including the Thai army and immigration police. Burmese migrants are routinely arrested en masse and deported back to Burma.<sup>6</sup> While their presence may be overlooked by Thai authorities for economic reasons (indeed in Mae Sot, for example, illegal Burmese outnumber Thai citizens and it is upon these illegal Burmese migrants that the local economy depends for its growth and strength), any semblance of civil disobedience or community organisation results in arrest and harassment.

Illegal Burmese migrants therefore do not aspire to be active citizens, as they are not equipped with the supporting legal and political mechanisms required to assume such a role. For this population, pressure to assume such a role would be harmful and result in detrimental outcomes. Community participation itself must also be managed differently to other 'legal' populations. This necessarily means that development interventions undertaken to improve the lives of illegal migrants cannot fully 'give-over' decision-making power to the intended beneficiaries, as this will attract unwanted attention from the local authorities and threaten the very safety of those supposedly being assisted.

NGOs must be willing to return to Korten's (1990) initial typology, and be willing to undertake welfare-orientated interventions for the long term when working with this population. While this may be seen as a step backwards, it is appropriate that NGOs be willing to consider the circumstances and context of the beneficiaries they are working with, and recognise the very real constraints that illegal migrants have in a host country. Such illegal migrants are unable to be anything other than 'invisible' to local authorities, or risk repatriation and harassment. Whilst these illegal migrants are very mobile in a general sense, with a large proportion of their settlements moving frequently and therefore making a sense of community difficult, they are also in a real sense highly immobile, with restrictions of travel placed upon them. In order to maintain a level of 'invisibility', illegal migrants are limited to those places where they can live and work unencumbered by constant surveillance. Generally these areas are the immediate workplace and the accommodation that is generally adjacent (or co-located) to these workplaces. For examples, those working in the fishing industry work and live on the boats or the fishing canneries adjacent to the ports, while those in the gem trade, or other manufacturing industries, live on the factory site, and those engaged in construction also generally reside on site. These migrants are unable to move freely around the wider town or province, and so accessing healthcare, for example, is difficult. NGOs must therefore provide mobile clinics that visit different locations on a regular basis. But it is not possible for the local

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<sup>6</sup> Just as frequently, they return back across the border to Thailand – often on the same day – and resume their illegal life, as if the arrest and deportation was a simple distraction in their day-to-day lives.

illegal Burmese migrant community themselves to organise and fund such a mobile clinic, because of the spectre of 'permanency' to which this would give rise.

Thai authorities are compelled to project a vision that illegal migrants do not exist, or if they do exist will do so only for a short period. Thai authorities are unable to allow any activities to continue that would undermine this illusion. By the same token, illegal Burmese migrants are also themselves aware of this pantomime, and understand the role that they must play in order to maintain a 'peaceful' status quo. There is therefore little demand by illegal Burmese migrants for greater control and participation in local development initiatives, as this would endanger their current situation. At the meso- or macro-level there is even less interest in becoming active citizens. NGOs must therefore respect the positions of both the Thai authorities and illegal Burmese migrants in this regard, and facilitate ongoing, welfare-oriented development interventions.

Illegal Burmese migrants will not *graduate* into active citizens, as we might expect other community participants to do, due to their unique circumstances. More importantly, nor should they be forced to become active citizens by dint of the current 'norms' and conventions of community development practice. If participation is 'best practice' within community development, so too is contextualisation in planning and design, so that, in this instance, the vulnerability of these illegal Burmese migrant communities must be given precedence, and expectations of participation and active citizenship lowered.

## **6. Conclusion**

Community participation and active citizenship are valuable tools in driving sustainable community development outcomes. Experience indicates that development interventions that are owned by beneficiaries, and in which local beneficiaries and communities participate in identifying, planning, implementing and monitoring, are more likely to have a greater and longer-lasting impact than those interventions provided within a welfare and passive recipient model. However, to general rules there are exceptions. Illegal Burmese migrant communities in Thailand are one such exception. These communities have a very precarious existence within Thailand and whilst the communities have existed for many years, they are permeated by a lack of permanency and sense of insecurity. There is a high level of mobility, low level of trust, no protection from exploitation, lack of personal freedom and fear of harassment from Thai authorities. Past experience indicates that the Thai authorities respond to self-help and self-organisation by repatriation and harassment. As illegal migrants, these communities cannot challenge those in authority. They must, in short, remain invisible non-citizens.

Development interventions within these communities may require a return to a welfare approach. Whilst this may not be sustainable or completely adequate, the context and circumstances of these communities do not allow alternatives that put at risk the safety of the community members. Participation and active citizenship is a powerful driver of change, but those who are not citizens cannot be active in this sense and nor should they be expected to be.

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