

THE CHALLENGES AND LIVELIHOOD STRATEGIES OF PAKISTAN'S URBAN
WOMEN REFUGEES IN BANGKOK, THAILAND

Miss Margaret Mbeyu Nguma



บทคัดย่อและแฟ้มข้อมูลฉบับเต็มของวิทยานิพนธ์ตั้งแต่ปีการศึกษา 2554 ที่ให้บริการในคลังปัญญาจุฬาฯ (CUIR)
เป็นแฟ้มข้อมูลของนิสิตเจ้าของวิทยานิพนธ์ ที่ส่งผ่านทางบัณฑิตวิทยาลัย

The abstract and full text of theses from the academic year 2011 in Chulalongkorn University Intellectual Repository (CUIR)
are the thesis authors' files submitted through the University Graduate School.

A Thesis Submitted in Partial Fulfillment of the Requirements
for the Degree of Master of Arts Program in International Development Studies
Faculty of Political Science
Chulalongkorn University
Academic Year 2017
Copyright of Chulalongkorn University

อุปสรรคและกลยุทธ์ในการดำรงชีพของผู้หญิงเดี่ยวชาวปากีสถานในกรุงเทพฯ



วิทยานิพนธ์นี้เป็นส่วนหนึ่งของการศึกษาตามหลักสูตรปริญญาศิลปศาสตรมหาบัณฑิต

สาขาวิชาการพัฒนาระหว่างประเทศ

คณะรัฐศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย

ปีการศึกษา 2560

ลิขสิทธิ์ของจุฬาลงกรณ์มหาวิทยาลัย

Thesis Title THE CHALLENGES AND LIVELIHOOD STRATEGIES
OF PAKISTAN'S URBAN WOMEN REFUGEES IN
BANGKOK, THAILAND

By Miss Margaret Mbeyu Nguma

Field of Study International Development Studies

Thesis Advisor Ratchada Jayagupta, Ph.D.

Thesis Co-Advisor Jesper Kulvmann Kulvmann, Ph.D.

Accepted by the Faculty of Political Science, Chulalongkorn University in Partial
Fulfillment of the Requirements for the Master's Degree

..... Dean of the Faculty of Political Science
(Ake Tangsupvattana, Ph.D.)

THESIS COMMITTEE

..... Chairman
(Amara Pongsapich, Ph.D.)

..... Thesis Advisor
(Ratchada Jayagupta, Ph.D.)

..... Thesis Co-Advisor
(Jesper Kulvmann Kulvmann, Ph.D.)

..... External Examiner
(Jerrold W. Huguet)



จุฬาลงกรณ์มหาวิทยาลัย
CHULALONGKORN UNIVERSITY

มาร์เกริต มเบยูงมา : อุปสรรคและกลยุทธ์ในการดำรงชีพของผู้หญิงลี้ภัยชาวปากีสถานในกรุงเทพฯ (THE CHALLENGES AND LIVELIHOOD STRATEGIES OF PAKISTAN'S URBAN WOMEN REFUGEES IN BANGKOK, THAILAND) อ.ที่ปรึกษาวิทยานิพนธ์หลัก: รัชดา ไชยคุปต์, อ.ที่ปรึกษาวิทยานิพนธ์ร่วม: เจสเปอร์ คัลฟมานน์, 67 หน้า.

จริงอยู่ที่ประเทศไทยไม่ได้ลงนามในอนุสัญญาผู้ลี้ภัย ค.ศ. 1951 ที่เกี่ยวข้องกับสถานภาพผู้ลี้ภัยและสนธิสัญญาใน ค.ศ. 1967 แต่ประเทศไทยก็ได้กลายเป็นบ้านสำหรับคนจำนวนมากและยังให้การคุ้มครองขั้นพื้นฐานแก่ผู้อพยพและผู้แสวงหาที่ลี้ภัยด้วย ในหลักการยังขาดกรอบทางกฎหมายบางอย่างในการให้ความยอมรับและออกใบเอกสารให้กับผู้ลี้ภัยและผู้อพยพ บุคคลเหล่านี้จึงถูกปรณนิบัติในฐานะคนเข้าเมืองผิดกฎหมายตามมาตรา 12 แห่งพระราชบัญญัติคนเข้าเมืองของไทย ประเด็นสาระสำคัญในการศึกษาในครั้งนี้คือการเข้าใจกลยุทธ์การดำเนินชีวิตและประเมินความท้าทายที่ผู้ลี้ภัยหญิงและเด็กปากีสถานในเมืองต้องเผชิญ ในด้านการเข้าถึงบริการสุขภาพและการศึกษา เพื่อที่ว่าพวกเขาจะมีมือเพื่อให้อยู่รอดได้อย่างไรเมื่อปราศจากความช่วยเหลือ และเมื่อองค์กรระหว่างประเทศ องค์กรท้องถิ่น และสถาบันศาสนาเข้ามามีบทบาทในการให้ความช่วยเหลือและสงเคราะห์ต่อหญิงผู้ลี้ภัย การสัมภาษณ์เชิงลึกด้วยคำถามปลายเปิด และการสังเกตการณ์แบบไม่มีส่วนร่วม เป็นตัวบอกเล่าเรื่องราวประสบการณ์การเข้าถึงสวัสดิการสังคม งานวิจัยนี้พิจารณาวรรณกรรมเกี่ยวกับความไม่มั่นคงจากมุมมองกว้าง รวมไปถึง การเข้าถึงระบบสุขภาพของหญิงผู้อพยพในเมืองและผู้ลี้ภัย เช่นเดียวกับเรื่องการเข้าถึงการศึกษาของบุตรของพวกเขา เพื่อสร้างการพัฒนางานด้านนโยบายและงานวิจัยเพิ่มเติมในพื้นที่ จากการศึกษาพบว่าผู้อพยพและผู้ลี้ภัยประสบกับความลำบากตามสถานการณ์และเงื่อนไขในการเข้าถึงระบบสุขภาพและการศึกษา การตระหนักรู้เป็นสิ่งสำคัญเช่นเดียวความเข้าใจสิ่งที่ผู้อพยพและผู้ลี้ภัยได้รับและคุ้มครองตัวเองและครอบครัวในสภาพแวดล้อมที่ไม่ปลอดภัย นอกจากนี้การศึกษาพบว่าบุตรของผู้อพยพหญิงในเมืองได้เข้าถึงระบบการศึกษาเพียงเล็กน้อย การศึกษาได้ให้แนวทางในการทำความเข้าใจเกี่ยวกับวิธีการที่ผู้อพยพและผู้ลี้ภัยได้พัฒนาจุดแข็งและหน่วยงานของตนเพื่อต่อสู้กับเหตุการณ์ที่ยากลำบากและความท้าทายในชีวิตประจำวันเพื่อสนับสนุนและเสริมสร้างกลไกการเผชิญปัญหาเหล่านี้ ความสำคัญของงานนี้คือเพื่อช่วยปรับปรุงและสร้างความแตกต่างในชีวิตของผู้อพยพในเมืองโดยผ่านวิธีการเผชิญหน้ากับปัญหาการเข้าถึงระบบการศึกษาและสุขภาพ โดยหาทางเลือกเพื่อช่วยเหลือและมอบโอกาสที่ยั่งยืนให้แก่พวกเขา

สาขาวิชา การพัฒนาระหว่างประเทศ

ปีการศึกษา 2560

ลายมือชื่อนิติต

ลายมือชื่อ อ.ที่ปรึกษาหลัก

ลายมือชื่อ อ.ที่ปรึกษาร่วม

5981227724 : MAJOR INTERNATIONAL DEVELOPMENT STUDIES

KEYWORDS: URBAN REFUGEE, ASYLUM SEEKER, HUMAN RIGHTS, LIVELIHOOD,

MARGARET MBEYU NGUMA: THE CHALLENGES AND LIVELIHOOD STRATEGIES OF PAKISTAN'S URBAN WOMEN REFUGEES IN BANGKOK, THAILAND. ADVISOR: RATCHADA JAYAGUPTA, Ph.D., CO-ADVISOR: JESPER KULVMANN KULVMANN, Ph.D., 67 pp.

Despite the fact that Thailand is a non-signatory of the 1951 Refugee Convention relating to the Status of Refugee and its 1967 protocol, it has become a home to many and still provides basic protection for many refugees and those who seek asylum. In principle with lack of some legal framework that recognizes and provides documents for asylum seekers and refugees, these subjects are treated as illegal migrants under the Thai Law article 12 of Immigration act. The focus of the study is to understand and examine the challenges and the livelihood strategies faced by Pakistan urban women refugees on access to health and education on their children and how they cope with it in the absence of assistance in order to survive, and the given role played by international organization, local organization and religious institutions in helping provide assistance to women refugees. Through in-depth interviews of open ended questions and non-participant methodology, provided the account of their experience in accessing there social services. This research examines a broad view of the available literature on insecurity, women urban refugees and asylum seekers' access to health services as well as education for their children, in order to form the development of policy work and further research in this area. The study found that the difficulty with access to health situations and conditions faced by refugees and asylum-seekers awareness was vital; as well as understand the ways in which these refugees and Asylum Seekers provide for and protected themselves and their families in this hostile precarious environment. In addition, the study found that urban refugees had little access to education for their children. The study gave avenues for a better understanding of the ways in which refugees and asylum-seekers develop their strengths and agency to contend with traumatic events and daily challenges to better support and strengthen these coping mechanisms The significance of this paper is to help improve and make a difference in the lives of women urban refugees through coping strategies with access to education and health, finding alternative for assisting and providing them with sustainable opportunities.

Field of Study: International Development
Studies

Academic Year: 2017

Student's Signature

Advisor's Signature

Co-Advisor's Signature

ACKNOWLEDGEMENTS

The successful completion of my research would not be possible without the guidance and support of several individuals. I would like to thank my thesis committee for their support and knowledge throughout this experience. I offer my deepest gratitude to my Advisor, Dr. Ratchada Jayagupta, who persistently supported me with her guidance and knowledge throughout my thesis writing. Her valuable suggestions helped me in shaping up ideas during the early phase of my thesis writing and in successfully finishing this thesis. Sincere thanks are conveyed to my Co-advisor Dr. Jesper Kulvmann for his valuable advice, knowledge and encouragement. I am grateful to my Chair Professor Amara Pongsapich and External Committee, Mr. Jerrold W. Huguet for their comments and suggestions.

I would also like to express my appreciation to TICA organization for providing me with a scholarship that supported me throughout the duration of my studies and gave me the privilege and a chance to be able to do my research.

Finally, I must express my very profound gratitude to my parents and siblings for providing me with unfailing support and continuous encouragement throughout my year of study and through the process of researching and writing this thesis. This accomplishment would not have been possible without them. Thank you.

CONTENTS

	Page
THAI ABSTRACT	iv
ENGLISH ABSTRACT.....	v
ACKNOWLEDGEMENTS.....	vi
CONTENTS.....	vii
ABBREVIATIONS	11
CHAPTER I INTRODUCTION.....	12
1.1 Background.....	12
1.2 Problem Statement.....	13
1.3 Research Questions	14
1.4 Research Objectives	15
1.5 Conceptual Framework	15
1.5.1 Human Rights.....	17
1.5.2 The International Covenant on Civil and Political Rights.....	18
1.5.3 The International Covenant on Economic, Social and Cultural Rights ...	18
1.5.4 The International Convention on the Elimination of all Forms of Racial Discrimination	19
1.5.5 The Convention on the Rights of the Child (CRC).....	19
1.5.6 ASEAN Declaration of Human Rights.....	19
1.5.7 Access to Health	20
1.5.8 Access to Education for their Children	21
1.6 Research Scope.....	22
1.7 Significance	23
1.8 Terms Used.....	24
1.8.1 Refugee.....	24
1.8.2 Urban_Refugee.....	24
1.8.3 Asylum seeker	24
1.8.4 Human rights	25
1.8.5 Livelihood.....	25

	Page
CHAPTER II LITERATURE REVIEW	25
2.1 Introduction	25
2.2 Thailand	26
2.3 Pakistan.....	28
2.4 Refugee Livelihood	29
2.5 Access to Social Services	30
2.5.1 Health.....	30
2.5.2 Mental and Psychological Health	31
2.5.3 Education	32
2.5.4 The Role Played by International, Local Organizations and Religious Institutions	33
CHAPTER III RESEARACH METHODOLOGY	37
3.1 Documentary Research.....	37
3.2 Data Collection and Method.....	37
3.2.1 In-depth Interviews	38
3.2.2 Non-participant Observation	38
3.2.3 Sample Population.....	38
3.3 Research Design	40
3.4 Ethical Issues	41
3.5 Limitations of the Study	42
CHAPTER IV LIVELIHOODS AND SECURITY RISKS OF URBAN REFUGEES AND ASYLUM SEEKERS THROUGH THE EYES OF WOMEN	44
4.1 Introduction.....	44
4.2 Urban refugee and asylum seekers in Bangkok and their risk situation.....	44
4.2.1 Security Risks, Arrest and Detention.....	45
4.2.2 Refugee Status Determination	49
4.3 Living Conditions	51
4.4 The role played by international, local organizations and religious institutions in helping urban refugees.....	55

	Page
4.5 Conclusion	56
CHAPTER V ACCESS TO HEALTH AND EDUCATION	57
5.1 Introduction.....	57
5.2 Refugee access to health services	57
5.2.1 Challenges in accessing health	59
5.2.2 Mental and Psychological Needs	60
5.2.3 The role played by international, local organizations and religious institutions in helping urban refugees.....	61
5.3 Education	62
5.3.1 Refugee children access to education	63
5.3.2.1 Children attending school	63
5.3.2.2 The type of school attended	63
5.3.2 Challenges in accessing education.....	65
5.3.3 The role played by international, local and religious institutions in helping urban refugees	67
5.4 Conclusion	67
CHAPTER VI ANALYSIS AND CONCLUSION	1
6.1 Summary of the findings	1
6.1.1. Insecure Situations and Risks experiences of Pakistan’s urban women refugee	1
6.1.2. Access to health of Pakistan’s urban refugee women and their challenges	2
6.1.3. Access to education of Pakistan’s urban refugee children and their challenges	3
6.1.4. The role played by international, local organizations and religious institutions in assisting urban refugees.....	5
6.2 Analysis	6
6.3 Recommendations.....	9
6.3.1 Immigration reforms	10
6.3.2 UNHCR	10
6.3.3 For the Thai government	10

	Page
6.4 Further research	11
6.5 Conclusion	11
REFERENCES	13
VITA.....	22



ABBREVIATIONS

AAT	Asylum Access Thailand
ASEAN	Association of South East Asian Nation
BRC	Bangkok Refugee Center
CERD	the Convention on the Elimination of All Forms of Racial Discrimination
COERR	Catholic Office for Emergency Relief and Refugees
HFA	Health for All
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDC	Immigration Detention Center
IDP	Internally displaced persons
JRS	Jesuit Refugee Service
MDG	Millennium Development Goals
NGO	Non-Governmental Organization
OHCHR	United Nations Office of the High Commissioner on Human Rights
RSD	Refugee Status Determination
TCR	Thai Committee for Refugee Foundation
UDHR	Universal Declaration of Human Rights
UNHCR	United Nations High Commissioner for Refugees
WHO	World Health Organization
WRC	Women Right Commission

CHAPTER I INTRODUCTION

1.1 Background

As far as the common man is concerned, people view the term refugee and picture in mind endless rows of plastic temporary shelters, white tents spread on open grounds and plain fields, thousands of people carrying part of their belongings walking to unknown destination, but in present world scenarios, this is not always the case. There are round 58% of refugees' populations living in the world's biggest cities such as Bangkok (BRC, 2009). Refugees living in urban areas are often unseen and anonymous people trying to hide by all means in order to survive. Many move to the city to find hope of a better place to stay and a community to interact with. They face a lot of challenges in accessing social services such as health and education for their children as they struggle with adapting to their new way of life. The hardships for daily survival combined with fear of being arrested and detained by the police is a harsh reality they face.

The aim of the thesis is to understand and examine the challenges and the livelihood strategies of Pakistani urban women refugees in regards to access to health and education for their children, and what role international, local organizations and religious institution play in assisting urban refugees. There is uniqueness to this type of study as the subjects appear to have a never ending situation of being one of the greatest populations of urban Pakistan asylum seekers and refugees in Thailand. Despite all the obstacles given to urban refugees as compared to the rest of asylum seekers, these refugees are granted asylum at the strict discretion of the Thai Government. Thailand is a non-signatory of the 1951 Refugee convention relating to Status of Refugees. It lacks national legislation that provides legal protection to refugees. (Samaddar, 2003) According to Article 31 of 1951 convention which relates to the status of refugees it states that:

“The Contracting States shall not apply to the movements of such refugee restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such

refugees a reasonable period and all the necessary facilities to obtain admission into another country” (Goodwin-Gill, 2001).

Despite the given provision, refugees face a lot of difficulties including constant threats, fear of arrest and detention from the Immigration police due to their presence or illegality in the country.

Freedom of movement, however, is also a key right for refugees within their host country. One also needs to know what the rights of these refugees are as follows: a refugee has the right to safe asylum. However, international protection comprises more than physical safety (UNHCR, 2002), refugees should receive at least the same rights and basic help as any other foreigner who is a legal resident, including freedom of thought, of movement, and freedom from torture and any form of degrading treatment. According to the International Conventions, refugees need to have these rights but this might not be the case as far as Pakistan urban women refugees are concerned.

For the urban refugees flying into Bangkok, the situation is different. When their tourist visa expires, they are seen as illegal and without any legal protection by or from the Thai government (Urbanrefugee.org, 2015). In most countries asylum is granted by the state and as far as Thailand is concerned the UN agency registers and undertakes the refugee status determination process for urban refugees. Sometimes people may have their application turned down, but remain in the country longer to maintain the status of asylum seeker. Due to the Immigration Act, a majority of the people seeking asylum are regarded as illegal migrants. Nevertheless even though refugees face challenges in living in the urban areas, the study revealed that urban refugees try to struggle with these challenges through determination and resilience. For the purposes of this study, the term “refugee” will be used to refer to any person whose refugee status claim has been accepted, rejected or still waiting for their status by the UN agency.

1.2 Problem Statement

The situation of having urban refugees, starting as illegal immigrants, is very unique in Thailand. When people are being persecuted in their homeland it is the most important reason for them to leave their country. It is one of the driving factors which make many vulnerable and to end up in undesirable situations. The reason for this being

international conventions agree on the principle that a person entering a country without proper documentation is in violation of its immigration laws but should not be deprived the fundamental human rights as a migrant. Having attempted to make their ends meet in order to survive in the city they also face many challenges living as refugees in an unfamiliar urban environment particularly for women and children. The reason why it is difficult to assist urban refugees is because of the insufficient information of their place of residence and the services they need. They often have scarce assets and less support networks, and are inhibited by legal, cultural and language barriers.

That being said, the aim of the thesis is to understand and examine the challenges and the livelihood strategies of Pakistani urban women refugees on how they access health and education for their children by focusing on the situation of Pakistan Christian women community in Bangkok. It was important to focus on this group because they are the majority as far as urban refugees in Bangkok are concerned. Effectively supporting urban refugee remains a challenge logistically, legally and financially, the UN agency reports that its budget “grew steadily” for five years until 2011, but in 2012, Thailand’s in-country operations were separated from the regional budget. This preceded an increase in the number of urban asylum seekers from 2,000 to 8,000 in 2013, many of whom were from Pakistan (Sally, 2015).

Although urban refugees experience many challenges as compared to those who live in camps, the primary focus of this research will be the women’s experiences in pursuing livelihood in their country of first asylum. Without legal documents, it is hard for them to be employed and end up in fear of being caught and deported back to their countries of origin. In this regard, the laws protecting refugees are not being implemented and it is the duty of the state to provide these rights so that it does not become a hindrance for the lives of refugees.

1.3 Research Questions

1. What are the insecure situations faced and risks experienced by Pakistan’s urban refugees through the eyes of women?
2. How do Pakistan’s urban refugees get access to health and what challenges do they face?

3. How do Pakistan's urban refugee's children gain access to education and what challenges do they face?
4. What role is played by the international, local organizations and religious institutions to support these urban refugees?

1.4 Research Objectives

The objectives of the study are to examine the challenges and livelihood strategies of Pakistan's urban refugee through the eyes of women in gaining access to health and education for their children in Bangkok, Thailand.

1. To examine the insecure situations faced and risks experienced by the Pakistan's urban refugees in Bangkok.
2. To search for the challenges and how Pakistani's urban refugees get access to health.
3. To search for the challenges and how Pakistani's urban refugee children gain access education.
4. To identify the role played by international and local organizations, and religious institutions to support these urban refugee.

CHULALONGKORN UNIVERSITY

1.5 Conceptual Framework

The recognition of human rights draws very deeply on the basic needs based on the satisfaction of the rights and justice of the individual. The idea that all humans possess human rights simply by existing and that these rights cannot be taken away from them are simply the direct descendants of natural rights. Issues of injustice and discrimination have created frameworks for developing strategies on how states set goals consistent with national and international declarations, with coherent strategies responsible for the perspective on the situation of human rights.

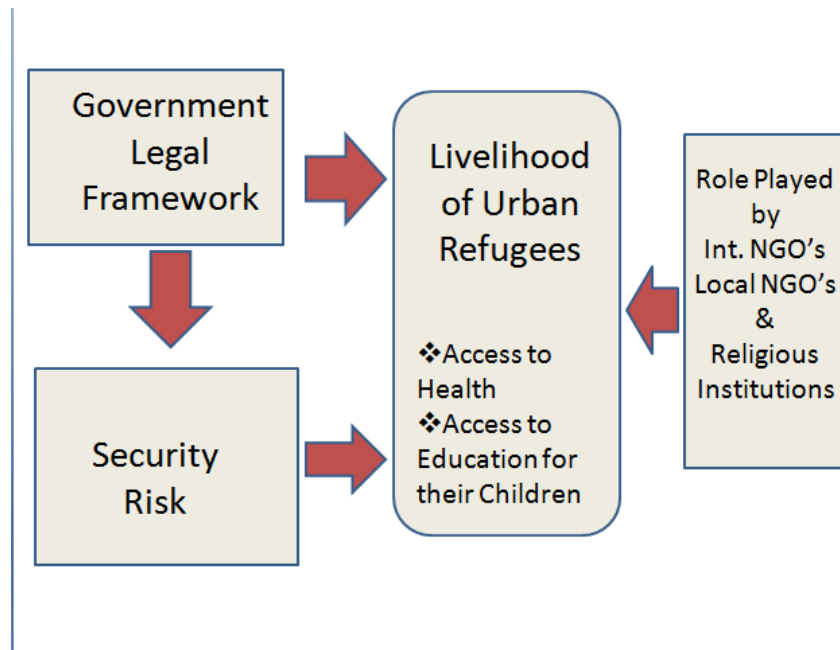


Figure 1 Livelihood of Urban Refugees

The conceptual framework (see figure 1) looks at the rights of refugees from the human rights perspective. UNHCR states that access to livelihood is a right for all people as this helps to achieve standard of living that is ultimately safe, sustainable and secure as well as fulfilling other rights with dignity with restrictions of movement, without fear of being caught, detained or sent back to their country of origin. Refugees are hindered from getting access to services and may rely on social capital in the form of support, advice, employment connections and (Jacobsen, 2006a). A country that lacks legal frameworks to protect refugees and asylum seekers results in difficulty finding a sustainable livelihood hence a struggle and a hindrance to claim their rights too.

For the purpose of this study and due to constraints of time, the researcher will primarily concentrate on two dimensions: health and education for urban refugee children in Bangkok, Thailand. The research will not focus on income due to the difficulty in obtaining such sensitive information. Health and education are basic human rights; women play a very important role in bringing up the family in the new environment, hence the improvement of health and education as far as international conventions are concerned should be pursued for the management of refugees to achieve a better status. The reason this framework was chosen is because health and education of those who are forced to flee from their country like the Pakistan urban refugees are important

priorities under the UN agency protection mechanism. The 1951 Refugee Convention Relating to Status of Refugees states that refugees should be able to enjoy access to these social services like those of the host population. Everyone has a right under international conventions to receive the best health services and at the same time have access to the basic standard of education.

1.5.1 Human Rights

Refugees are protected by the 1951 Refugee Convention Relating to the Status of Refugees and its 1967 Protocol embodying the core principles of refugees. This Convention has legal, ethical, and political significance (UNHCR, 2003). Moreover, according to the convention, refugees cannot be penalized for their illegal entry or stay in the country where they seek asylum, even though they breach domestic immigration laws (UNHCR, 2010). The 1951 Convention also protects other rights of refugees, such as the rights to access to justice, employment, and freedom of religion, movement, and the welfare of refugees and other freedoms and privileges under international and human rights treaties.

The 1951 Refugee Convention Relating to Status of Refugees in Article 16 states that refugees should be given equal access to the court and article 17 states that refugees should have the same access to employment as foreign nationals. Since a refugee is a person within a State party who has applied for recognition as a refugee and the asylum seeker is determined to meet the definition of a refugee, he or she is granted asylum. Despite these rights being protected in the Convention and under human rights treaties, refugees in various countries do not enjoy full or equal legal protection of fundamental privileges since refugee status is declaratory and not dependent on adjudication, any person who satisfies the definition under the Convention Relating to the Status of Refugees Convention is a refugee. ¹

The lack of understanding surrounding the fundamental human rights creates a barrier that prevents urban refugee women from full enjoyment of their fundamental basic human rights. While attempting to attain equality as a woman, this can assert their full rights regardless of their national background, cultural affiliation, level of education or

¹ The 1951 Refugee Convention Relating to the Status of Refugees and its 1967 Protocol.

their economic status. In this regard, it is significant for women especially those most vulnerable to have access and knowledge of their rights.

States have been made legally responsible to their human rights obligations through a number of human rights instruments. While refugees are in the country, the government has obligations under various international treaties to ensure that their human rights are respected, fulfilled and protected. Thailand is a member of some of the human rights instruments and uses them when dealing with matters of refugees in the urban setting.

1.5.2 The International Covenant on Civil and Political Rights

In Thailand the International Covenant on Civil and Political Rights (ICCPR) treaty became effective in 1966 to safeguard the protection of civil and political rights. Article 2 and 3 of ICCPR is on non-discrimination and ensure all individual enjoy full civil and political rights as stated by the convention .Article 7 states that no one shall be subjected to torture or cruel, inhumane of degrading treatment or punishment. Article 9 is for the right to freedom of arbitrary arrest and detention. In addition, the Human Rights Committee in matter of arbitrary arrest has said that prolonged detention may be arbitrary and the absence of effective court review renders detention (UNHCR, 2006b).In regards to Thailand, urban refugees are excluded to exercise their right to freedom of movement and are at constant risk of arrest and detention, regardless of their UNHCR certificates that confirm their refugee status. Once registered with the UN agency, Asylum Seeker Certificates' confirm that the holder is a person of concern to the UNHCR, but the certificates do not hold legal weight to protect against arrest and detention (UNHCR, 2006b).

1.5.3 The International Covenant on Economic, Social and Cultural Rights

In Thailand the International Covenant on Economic, Social and Cultural Rights (ICESCR) became effective in 1999. Article 6 of the convention safeguards the right to work; Article 11 offers for the right to an adequate standard of living. Article 12 deals with the right to health and article 13 is the right to education. These provisions are similar to protections articulated in 1951 Refugee Convention but are stated in a more comprehensive and direct language (Loper, 2006). Nonetheless, this Covenant would

apply to refugees in the territory of a state party. In practice, however, asylum seekers in Thailand do not enjoy any economic rights due to their lack of legal status (Muntarborn, 1992).

1.5.4 The International Convention on the Elimination of all Forms of Racial Discrimination

In Thailand the International Convention on the Elimination of all Forms of Racial Discrimination (CERD) became effective in 2003. In Thailand, an immigration detainee has to pay the cost of his detention whereas other detainees including ordinary criminals are free from such obligation (HRW, 2012). While the convention against racial discrimination, provides the opportunity to differentiate between citizens and non-citizens. Discrimination against non-citizens should be construed so as to have equality under human right treaties. Thus, while some political rights may be confined to citizens, states are under an obligation to guarantee equality between citizens and non-citizens as recognized under international law (HRW 2010).

1.5.5 The Convention on the Rights of the Child (CRC)

In Thailand the Convention on the Rights on the Child became effective in 1992. As far as children are concerned, this vulnerable refugee population is to be given the education they need which should be free and accessible to all children. The convention applies to everyone equally, with special protections for particular vulnerable groups such as religious and ethnic minority children. Parents have a significant role to play when bringing up their children. Article 5 of the Convention emphasizes parents should be aware of their children's level of development and encourages them to know their children's rights, and also protects children from neglect exploitation and abuse. According to Article 22 of the 1951 Refugee Convention and its Protocol it states the Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education (Muntarborn, 1992).

1.5.6 ASEAN Declaration of Human Rights

The Association of South East Asian Nations, known as ASEAN, is a regional intergovernmental organization consisting of ten nation-states: Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic (Lao PDR), Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. The Declaration was adopted by ASEAN members at its November 2012.

According the ASEAN Human Rights Declaration;-

“All human rights are universal, indivisible, interdependent and interrelated. All human rights and fundamental freedom in this Declaration must be treated in a fair and equal manner, on the same footing and with the same emphasis. At the same time the realization of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, historical and religious background. Every person has a right to seek and receive asylum in another state in accordance with the laws of such state and applicable international agreements. Every person has the right to adequate and affordable food, freedom from hunger and access to safe and nutritious food, the right to medical care and necessary social services, the right to safe drinking water and sanitation right to safe, clean and sustainable environment (ASEAN, 2013).

On the contrary if the ASEAN Human Rights Declaration clearly states that “Every person has the right to seek and receive asylum in another State in accordance with the laws of such state and applicable international agreements how are refugees made to understand that this does not apply to them entirely. If every individual has the right to work, and enjoy just decent and favorable conditions of work and to have access to assistance schemes for the unemployed. Refugees are always faced with dilemma on where to start just to make sure some of their basic needs and right to be where they are is as much respected and their plight is well understood as humans as well.

1.5.7 Access to Health

As far as refugees worldwide are concerned, it is clearly understood that refugees who need health services should be able to obtain them regardless of any status gender or creed, age or marital status, race, nationality, religion, sexual orientation or disability. Article 12 of ICESCR also guarantees the right to health. It outlines that state parties

should recognize this right for everyone to the enjoyment of the highest attainable standard of physical and mental health (OHCHR, 1996b). The principals laid down state that refugees and other persons of concern should have a similar or equal level of access and quality of care similar to that of where they came from and the country they are as refugees, but this is just not the case as far as refugees in Thailand are concerned. Children and adults also cannot find peace of mind to study in order to maintain good family values with some level of privacy. It is very important to mention that generally women who find it difficult to get safe accommodation are always prone to look for work in unsafe places and result in high safety and health risks and face greater health challenges. No access to free health services means that they are not able to seek medical attention hence the general poor health of women leads to lack of ability to help protect children (Patil-Deshmukh, 2011).

Despite health obstacles being an issue which needs to be looked into, there is always hope and few opportunities available for urban refugees based on referrals for treatment. On one hand those who live in Bangkok have some relief as urban refugees can have some form or access to free basic medical services provided by Tzu Chi Foundation, which has been providing outpatient services, health education, and referral services to refugees in Bangkok to help them cope with the prevailing urban condition as refugees.

1.5.8 Access to Education for their Children

The Convention on the Rights of the Child (Article 28 States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education compulsory and available to all; (b) Encourage the development of different forms of secondary education. The principle of non-discrimination is also discussed in article 2 of CRC, ensuring that access to education for all children regardless physical disabilities, gender and protection of linguistic and cultural rights of ethnic minority communities (OHCHR, 1996a).

Everyone has the right to education, which has been recognized since the Universal Declaration of Human Rights (UDHR, 1948) Access to education is a basic human

right, as a universal entitlement with the essential elements of the right to education as: a) Education should be available without any form of discrimination, b) Education must be accessible either within safe physical distance or by correspondence or some other form of distance education, c) Education must be acceptable, culturally and in other ways, to both students and their parents, and d) It must be adaptable so that it meets the different circumstances and changing needs of each individual student (Sidoti, 2000).

If this access to education is denied for urban refugee children, parents as well as children become frustrated when they cannot have access to schools (Dryden-Peterson, 2011a). According to Webb J, school is like a second home to the children; going to school gives them the opportunity to be able to learn basic knowledge of different subjects, read and write and count and this is not possible when a child stays at home. Spending time in school allows for the meeting of new people with whom later friendships are made, which can help reduce stress with the needed support, as well as giving an opportunity to acquire competence in learning and discipline. It gives a right to child to play and refresh and also enjoy cultural activities, learn how the society functions and also know their rights and duties (Webb, 2016). It is this aspect that in the long run will give them the needed potential to study onwards at a higher level when they repatriate or resettle after their papers come through.

As Thailand is a part of some of the major human rights treaties and conventions, it has a responsibility to give human rights protection. But in the scenario of Pakistani urban women refugees, this also goes along with other refugee nationalities this isn't the case, in particular their freedom of movement, freedom from arrest and detention, insufficient right to education and the medical services are not provided to them.

1.6 Research Scope

According to Ronald Martella, the target population is that population which a researcher wants to generalize the results of the study (Ronald C. Martella, 2013). The Pakistan Christian women community was chosen as the target population for the research because a majority of the urban refugees are originating from Pakistan, making it one of the largest urban refugee communities in Bangkok. As of January 2017, there were 3,801 urban refugees and 4,130 asylum seekers registered with

UNHCR Thailand. Over the last three years there has been a notable increase in the number of asylum seekers in Bangkok with the majority originating from Pakistan. This sudden increase has put a strain on already under-resourced service providers (APRRN, 2017). An estimated 5000 Pakistani men, women and children live in Bangkok (caritas, 2017). Reliable statistics and data on the exact number of Pakistan refugees in Bangkok are extremely difficult to collect, especially when considering that the UNHCR only reports the total number of asylum seekers and refugees in the city, without dividing it according to the country of origin (UNHCR, 2015). The reason behind this choice is that if safety appliances were to be put in practice, the first recipients would be the largest and most vulnerable communities, such as in the case of the Pakistan women and children nationals under this study. Efforts made in getting contacts were able to provide the researcher with relevant data pertaining to the study at hand in order to get a clearer perspective based on the aims and objectives of the study given the insecurity situation, putting the subjects under study and the perceived fear they portrayed at first hand through their narrations and the living conditions they were in.

1.7 Significance

Pakistan's urban refugees are one of the biggest communities living in Bangkok. As far as research to this particular nationality is concerned, relatively very little is known about the precise numbers of these Pakistani refugees in terms of their demographics, basic health and educational needs, security and protection problems and above all, their insecure legal status. Even the United Nations High Commissioner for Refugees (UNHCR) recognized the scale and complexity of urban refugees and refocused its attention to the influx of Pakistan refugees. By examining the role played by the Thai Government in providing conformity access to health and education to the Pakistan refugees as well as the insecure situation they fall through via the different International Conventions as part of the legal framework. The outcome of this given research will play a big role in contributing to bringing awareness to the plight of Pakistani women urban refugees in Bangkok while seeking ways with regards to their legal status they find themselves in and ways on how to help provide health and educational access in

their urban environment. The significance is highlighted by examining the various challenges urban refugee women face on access to health and education for their children and consequently recommendations on the way forward on how agencies can and should assist. Lastly, by listening to the refugees themselves and focusing on subjects of access to health and education, the study hopes to present empirical data on the various means by which refugee women conduct themselves on these subjects in Thailand.

1.8 Terms Used

1.8.1 Refugee

Article 1(A) (2) of the 1951 Convention defines a refugee as *“an individual who is outside his or her country of nationality or habitual residence who is unable or unwilling to return due to a well-founded fear of persecution based on his or her race, religion, nationality, political opinion, or membership in a particular social group.”* Applying this definition, internally displaced persons (IDPs) including individuals fleeing natural disasters and generalized violence, stateless individuals not outside their country of habitual residence or not facing persecution, and individuals who have crossed an international border fleeing generalized violence are not considered refugees under either the 1951 Convention or the 1967 Optional Protocol.

1.8.2 Urban Refugee

Urban refugees are simply refugees who live in an urban setting instead of a camp or shelter sanctioned by UNHCR or the host (Campbell & Landau, 2006,).

1.8.3 Asylum seeker

An asylum seeker is person who seeks rescue from persecution in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In cases of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or

unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.(IOM, 2011).

1.8.4 Human rights

Human rights are rights inherent to all human beings, regardless of nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. All humans are equally entitled to human rights without discrimination. The rights are all interrelated, interdependent and indivisible (OHCHR, 2011).

1.8.5 Livelihood

A livelihood comprises the capabilities, assets and activities required for a means of living. A sustainable livelihood allows one to cope with and to recover from stress and shocks, to maintain or enhance its capabilities and assets to provide sustainable livelihood opportunities for the next generation (Conwaychambers, 1992)

CHAPTER II LITERATURE REVIEW

2.1 Introduction

This chapter discusses the available literature related to this study; reviews on Thailand's legal frameworks and policies, the challenges that urban refugees face on access to social services such as health and education for their children and how international and local organizations and religious institutions providing assistance to urban refugees.

When looking at text and literature focused on Pakistani refugees in Thailand especially in Bangkok, there is lack of adequate examination of the challenges that urban refugees face in accessing services, the livelihood strategies that urban refugees employ, as well as how agencies can more effectively provide assistance to these Pakistan asylum seekers and refugees who are some of the most vulnerable hidden populations in Thailand. Thailand also hosts refugees from other countries around the world. The largest influx of new arrivals is primarily from Sri Lanka, Vietnam, Syria and Pakistan (JRSASIAPACIFIC, 2013)

Services to refugees, particularly material assistance, are being withdrawn or are no longer sufficient to meet the growing needs. Refugees are now relying on assistance, in particular of churches, to fill the gaps in material provision that are not being covered by UNHCR or NGOs. Many urban refugees now depend on assistance from churches to survive, and this has presented a variety of challenges for the churches, their mission and their congregations as well as other NGOs working in Bangkok and the refugees themselves.

2.2 Thailand

Legal and humanitarian assistance

Thailand has been a home state shelter for many refugees but up until now it has lacked a steady approach when it comes to dealing with refugee issues. In a country with no legal legislation, refugee's norms are regulated using the immigration laws which treat anyone with no valid visa and document as an illegal immigrant. Under international law, Thailand has an obligation to protect the rights of refugees. Even though Thailand does not have refugee legislation, Thailand has signed and ratified to a number of international conventions that are focused on the protection and promotion of the rights of women and children which also cover displaced persons. Human rights treaties oblige State parties to implement international standards; in this regard, key principles are non-discrimination and equality.

Like a number of ASEAN countries, Thailand is also a non-signatory to the 1951 Refugee Convention and its 1967 Protocol on the Status of Refugees, signing this convention means accommodating the instruments within signing country's national legal framework, law and regulations. Therefore, as a non-signatory, it is not constrained to construct a legal system of refugees. Two out of ten countries in ASEAN that have ratified the convention and protocol are Cambodia and Philippines, because signing this convention means accommodating the instruments within signing country's national legal framework, law and regulations while the main recipient and transit countries of refugees and asylum seekers in this sub-region, Indonesia, Malaysia and Thailand, are non-parties (Maguire, 2014).

The waiting period for accessing UNHCR registration and the refugee status determination (RSD) process takes a period of time which ranges between two and

three years and one of the major challenges during this waiting leads to risk of exploitation and creates worry for this vulnerable group of being arrested and detained in appalling conditions at the IDC (JRSASIA, 2010). Refugees can wait several years for their refugee status determination process to be finalized. The process can be problematic, not being able to apply for asylum or not attaining refugee status increases the vulnerability of refugees by preventing them from exercising their rights and from receiving necessary protection and services (Verdirame, 2005).

All denied applicants have a right to appeal in the first decision concerning their status within thirty days of the notification of the rejection. If the applicants' appeal is denied, the decision is final until new clarifying information is provided (UNHCR, 2006a) . Even after a successful status recognition, many wait additional years until formal resettlement (Palmgren, 2014). During this prolonged wait, refugees experience social isolation and face major difficulties, which are exacerbated by the uncertainty of the process (JRSASIA, 2010). While some urban refugees have completed the refugees status determination process and as a result, are officially recognized as refugees by the UNHCR, the host country may still place restrictions on their ability to work, their movement, and may continue to treat them as illegal migrants with no or little repercussions (Brees, 2008).

There is currently no domestic legal framework related to urban refugees in Thailand, so the government uses and applies the immigration Act to make a distinction between a Thai national and an alien. Article 12 of Immigration Act classifies aliens into different categories; those who enter Thailand without proper documentation, a passport or a valid visa are classified as illegal migrants. The law also does not differentiate between who is a refugees or asylum seekers with illegal migrants. Refugees are aliens because there are no regulatory laws on them; hence they are subject to immigration and are treated as illegal immigrants.

This lack of a legal and political framework results in the labeling of urban refugees as illegal because they do not live in the formal UNHCR camps and have either entered Thailand illegally or have overstayed the terms of their visas (Brees, 2008). Their illegal status also leaves them vulnerable to arrest, indefinite detention, deportation, exploitation, extortion, and poverty , (Cheung, 2012). Furthermore, Thailand

recognizes resettlement and repatriation as the only viable solution for refugees so local integration is currently not a legal or political option

2.3 Pakistan.

Pakistan is also not a party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and has also not enacted any national legislation for the protection of refugees nor established procedures to determine the refugee status of persons who are seeking international protection within its territory. Reasons why many people come to Thailand are:

- a) The misperception that it is a good place and once one is in Thailand, things might be better;
- b) Thailand is a popular tourist destination hence one can attain entry into the country using a 60 day tourist visa because it is cheap;
- c) Bangkok has a regional office for United Nations Commission for Refugees (UNHCR) where asylum seekers can more easily apply for their refugee status.

The Islamic Republic of Pakistan is 95 percent Muslim, and 2.3 percent Christian. According to Open Doors, a charity that provides support to Christians in places where they are under pressure, extremist Islamic parties don't enjoy wide voter support, but anti-Christian forces are active at the grass roots level blasphemy of Islam carries a minimum sentence of life in prison, with the death penalty as an option. Pakistan's anti-blasphemy laws are widely popular among politically significant blocs of voters, even as they are criticized in world capitals as tools of Muslim intimidation (WorldWatchMonitor, 2016).

These are the most stringent provisions in Section XV, and the least compatible with international legal standards (FreedomHouseReport, 2011). According to the UN Convention and Protocol, a refugee is "someone who is unable or unwilling to return to their country owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" (UNHCR, 2010)

The violence caused by a number of extremist, militant, and insurgent groups together with social persecution of religious minorities, who not only generate a lot of push factors, but gives a majority of the Pakistan's fear to run away from their own

country. Out of the 175 million people in Pakistan, roughly three to five million are Christian, two to four million are Hindu, 700,000 are Zikris, 285,000 are Ahmadiyya, and the Sikhs number is at about 50,000 (Gregory, 2012). Religious minorities face various forms of religious persecution inflicted by the state, communities, and individuals. Legally and politically, religious minorities are marginalized through Pakistan's anti-blasphemy laws embedded in the Pakistan Penal Code and Constitution (Gregory, 2012; Malik, 2011b). The number of urban refugees from Pakistan, however, is growing due to persecution of religious minorities and its internal war with militant, sectarian, and insurgent groups like the Afghan Taliban, Pakistan Taliban, and Kashmiri-Punjabi extremist groups (Gregory, 2012; Jones, 2009; Malik, 2011a).

The rise of extremist, militant, sectarian, and insurgent groups in Pakistan has led to the destabilization of the country for its general population and has compounded the marginalization of its religious minorities. Recent reports of suicide bombings by militant groups at Christian churches and Shia mosques confirm the increase in violence against religious minorities (Khan, 2015 ; Masood, 2015).

2.4 Refugee Livelihood

As far as the social and legal rights under the paradigm of human rights are concerned, the livelihood environment becomes increasingly dangerous when a country is not a signatory to the Refugee Convention or Protocol. This lack of legal framework may put refugees in a situation where they attempt to sustain a difficult, dangerous livelihood, as they rely on social capital in the form of support, advice and connections. Even if such networks do exist, the absence of civil, social and economic rights creates struggles as they may experience exploitation, discrimination and be underpaid in the informal employment sector (Jacobsen., 2004; Macchiavello, 2004)

Due to the limited protection and assistance to refugees in urban areas, refugees' livelihoods are resourceful yet often unsustainable (Bernstein, 2005). Refugees have been victims of arrest by police due to lack of legal status. Risk analysts argue that men and women perceive risk differently, however, for women specifically; experiences involve transformative struggles through which they work to empower themselves by reshaping their identities, lives and relationships within households and communities

(Smith, 1997). Women with children often carry a double burden of reproductive and productive duties as they balance paid work with childbearing obligations. Some refugee women take on the primary role of provider and wage earner for their family. Men and women experience livelihood environments and the risks and strategies involved differently, hence the focus of women as far as the research is concerned. Refugees living in urban areas face a myriad of protection and livelihood problems in the city (Jacobsen, 2006b). This is shown through the lack of resources related to the real experience of urban refugees. The issue is raised by Mar fleet, who attributes the problem to the fact that states, agencies and researchers often have little information about urban refugees (Marfleet, 2007).

The central form of insecurity for urban refugees is mistreatment from the local population which takes various forms, including discrimination and harassment (Campbell, 2005; Grabska, 2006; Landau, 2004). Asylum decisions can take up to three years, leaving refugee claimants without identity documents for a dangerously long period (Jacobsen., 2004; Landau, 2004) The accompanying delays in processing times expose refugees to protracted periods of vulnerability

However, refugees and asylum seekers living in urban areas face additional challenges, as they are at risk of arrest and have difficulty accessing secure housing, employment and public services such as education and health care, urban adult refugees and asylum seekers in Bangkok have difficulty supporting themselves financially, since they do not have work permits and tend to live in precarious neighborhoods (JRSASIAPACIFIC, 2013).

2.5 Access to Social Services

2.5.1 Health

Lack of access to health care is a global issue. The World Health Organization (WHO) is a global health agency that advocates equal access to health for all in all countries. Their campaign, “Health for All” (HFA) by the year 2000, represented a commitment to an inclusive goal for improvement in health, both national and globally (WHO, 2014).According to D.W. Brock, access to health care is a central component of personal well-being (Brock, 1994) He urges that access to health works by avoiding or

relieving pain and suffering , secondly access to health care can safeguard an individual's livelihood opportunity and has the ability to relieve worry and enable patients to adjust to their situation Lastly, every human being is a subject to getting ill and the prospect of death, health care has a special interpersonal importance as it expresses and nurtures bonds of empathy and compassion and reflects some of society's basic attitude about what it is to be a member of the human community. Unfortunately, "Health for All" is not accessible to all (Moran 7 Simpkin, 2000).

While many of the refugees may have already undergone or somehow experienced some form of traumatic violent incidences personally and are now living under stressful living conditions, there are multiple health service providers in cities including state, private and local and international non-governmental organizations (NGOs) that can provide assistance. UNHCR's major role in urban settings is to advocate for and facilitate quality health services to be available to and accessed by refugees. While working with government and city authorities, the UNHCR engages with a wide range of actors promoting shared responsibility, and advocates for an appropriate resource base to enable the needs of refugees to be met. According to a recent study of non-communicable diseases (NCDs) among urban refugees in the global South, the most common health issues are hypertension, musculoskeletal disease, diabetes, and chronic respiratory diseases (Amara, 2014). Access to adequate health services is one of the many challenges that urban refugees face (Coker, 2003). An example Briant and Kennedy (2004) found was that the most beneficial help that NGO could provide to refugees in Cairo was medical aid. (Alexander, 2008) claims that discrimination and language barriers inhibit the access to healthcare in Malaysia, while (Landau, 2006) reaches the same conclusions regarding South Africa

2.5.2 Mental and Psychological Health

When addressing the issues and challenged faced by refugees, it is important to give more emphasis on their experiences prior to arrival in a new country and what caused them to seek refuge in another country. Most literature does not recognize the experiences of the refugees and the psychological challenges that they undergo once they are in the country of refuge. The lack of formal recognition by host governments

and agencies such as the UNHCR exacerbates these feelings of a lack of formal recognition, vulnerability and insecurity that refugees experience (Bernstein, 2005). Refugees often lack human agency when it comes to their health and living conditions. The experience of trauma affects the physical, mental and emotional health of refugee post- migration, as evidenced in higher “levels of posttraumatic stress, anxiety and depression” (Schweitzer, 2008). In most countries, asylum seekers are not screened for mental health problems at any point during the asylum procedure. Consequently, it is not surprising that recent findings on Iraqi asylum seekers in the Netherlands indicate that this population receives very little specific psychiatric treatment (J Mueller, 2012). Refugees flee due to fear of persecution based on race, national origins, religious background and other factors usually beyond their control (United Nations, 1951). Studies have shown some approaches on the importance of mental health for refugees from an individual perspective, where as it is important to put more emphasis on culture informed knowledge. Health and well-being go beyond the absence of disease and also includes the capacity and condition that promotes wellness. Some of the Pakistanis who came to Bangkok fled from their places because of the religious beliefs of persecution and in a country like Thailand, whereas their destination country is non-signatory of the 1951 Convention and the 1967 Protocol related to Refugees, they end up being in a legal and political vacuum with no framework to offer them protection and as refugees, they cannot repatriate as third country resettlement takes many years for confirmation of eligibility or sometimes not at all. With an already overburdened healthcare system, there is little attention to mental health care among the urban refugees.

2.5.3 Education

The principle of equal educational opportunities is at the core of the right to education, which is inspired by the movements of Universal Primary Education (UPE) and Education for All (EFA) goals, (UNESCO, 2012). Access to education is a challenge for the children of urban refugees in the Global South. Refugee children in urban areas who lack legal status may not meet school admissions requirements (Kennedy,

2004). Alternately, refugees may be legally entitled to access certain educational services but not be able to afford them (Alexander, 2008; Landau, 2006). Education is a priority for many urban refugees but formal education remains inaccessible for several reasons, including their lack of legal rights, racial discrimination, financial costs and systemic discrimination (Grabska, 2006; Palmgren, 2014). When formal education is possible, only the primary level is perceived as a universal right for most host countries and few educational opportunities are made available for youth, young adults, or adults (Grabska, 2006; Palmgren, 2014).

For refugee mothers, fathers and children, education is emphasized as the key to the future, that it will help bring peace to their countries that despite not knowing what will happen tomorrow, education brings stability and hope (Dryden-Peterson, 2011b). The new urban policy states that UNHCR will prioritize “ensuring that children receive primary school education” in urban areas ((UNHCR, 2009). A lot of literature shows that there is limited protection in the urban areas due to lack of legal status for refugees hence making it a struggle and hindrance for them to claim their rights. Additionally, discrimination can bar urban refugees from much needed services such as basic healthcare and public education (Grabska, 2006; Landau, 2006). The fundamental principle behind sustainable livelihood is the social connection that these refugees have, but barriers to accessing a stable livelihood opportunity like the right to work makes them to struggle through the informal sector which causes uncertainty amongst employers and the refugees themselves. According to Kibreab the main obstacle for refugees in the process of looking for a livelihood does not only depend on their lack of legal status but rather on the fact that they do not depend on their lack of legal status but rather on the fact that they do not belong to any state entity or enclosed community (Kibreab, 1996).

2.5.4 The Role Played by International, Local Organizations and Religious Institutions

The UNHCR states that its mandate is to provide refugee assistance and was established in 1951 with the objective of protecting the rights of refugees and seeking a durable solution for their problems. One of the duties is to conduct the refugees’ status determination process. It is mandated to impose Refugee Conventions agreements to

contracting States parties by various means such as requesting information about the condition of refugees and monitoring the implementation of the Conventions law, regulations and decrees (UNHCR, 2003). It states that the Refugee Status Determination recognizes an individual as refugees but does not force people to become one. In situations where states show an inability to conduct the RSD, it takes this responsibility under its mandate. In most refugee cases, the agency collaborates with local NGOs like the Bangkok Refugee Center.

The agency works with most Asian governments such as Thailand, Singapore, Pakistan, Laos, and Vietnam (Feith, 1988). It has a task to ensure that refugees in urban areas are fully incorporated into its needs assessment activities, while recognizing that funding shortfalls may prevent the needs of those people from being fully met. Thailand is not a party to the 1951 Refugee Convention or its 1967 Protocol. This means that it owes few obligations to refugees at the international law level, and, in practice, does not recognize refugees as having any special status under its domestic laws but they will be treated as illegal migrant or provided protection if he or she is a victim or human right social violence.

In Thailand, the agency also undertakes some protection activities for urban refugees. Its implementing partner, the COERR Bangkok Refugee Center, provides basic medical care, restricted educational facilities, minimal psycho-social support and vocational training, and limited food and financial support for urban refugees. However, due to budgetary constraints, these services are inadequate for even the most basic needs of Thailand's urban refugee population. In the general principle of international law, treaties in force are binding upon the parties to it and must be performed in good faith. Countries that have ratified the Refugee Convention are obliged to protect refugees that are on their territory, in accordance with its terms.

Urban Refugees are hindered from getting access to services and may rely on social capital in the form of support (Jacobsen, 2006a). They live under low profile because due to lack of legal documents they are at risk of arrest, detention or being deported back to their country of origin. Even with the few opportunities they get for work the amount of money get is not enough to accommodate their needs. Opportunities tend to be minimal and the refugees rely on charitable donations from organizations, churches, aid groups as well as individuals who offer to provide for them assistance.

Asylum Access Thailand assists refugees by giving guidance and the steps to follow during the refugee status determination process. It organizes workshops and provides tips and skills for refugees who are waiting for their interviews on how they should be able to explain themselves by narrating their stories and writing testimonies in case any resettlement opportunity occurs. AAT also has community Legal Interpreters Program that trains refugee volunteers from different countries who assist in interpretation, in order to ensure that clients are able to express themselves in their own language. Lastly it collaborates and works hand in hand with other local organizations, the Thai government and other human rights organizations to help improve the living conditions for urban refugees in Bangkok.

Farruk Sief Foundation is a religious institution that assists a number of Christian refugees in Bangkok. It provides support by giving food package to those who are hungry and poor. FSF intervenes and helps bail out some of the Christians detained in the IDC hence this brings joy into their lives again so that they can reunite with their loved ones. Access to affordable, nutritious, and culturally-appropriate food is a serious obstacle for many urban refugees in Bangkok. A number of charities provide subsidies to supplement meals, but this is often not sufficient to meet nutritional needs, particularly of children and those with health needs. St. Michael Church and Holy Redeemer Church are some of the religious institutions that try to help refugees with food package once per month, although access to this among the refugee population depends on the active pursuing of such services by the refugees themselves.

The Thai Committee for refugee Foundation (TCR) through its advocating program campaigns for policies, amendments of the Immigration act on arrest and detention and legal reforms concerning the rights of refugees and stateless persons. One of the international conventions that provide protection to refugees is the 1951refugee Convention relating to Status of Refugee and its 1967 Protocol (AsylumAccess, 2009). If states do not comply to the international agreements this creates insecurity for urban refugees. While the effects of this protection gap cannot be isolated, they are invariably a contributing factor to the lack of access to services, and problems with authorities.

Caritas Organization bases its programs on Pastoral care for the needy people of every religion who cannot survive by themselves, and also provides food distribution for needy families. It tries to reach out and visit different homes to build amiable

relationships with the refugees and to help the children and the sick by provide some useful information and training such as how to live in a new country as well as understanding of the Thai laws. This organization keeps on supporting children to have an education and Thai language classes for both children and adults. It also provides Pastoral care and Religious services for those of the Catholic faith.



CHAPTER III RESEARCH METHODOLOGY

This chapter outlines the steps used during the research process. A qualitative method, which consists of documentary research, in-depth, open ended interviews, key informant interviews, documentary data and non-participant observation, was used in order to answer the research questions.

3.1 Documentary Research

A documentary research was used to assess available information that was relevant and related to urban refugee and asylum seekers with regards to access to education and health services to support the viewpoint, argument and reliable sources of evidence on academic work. This refers to the data which have already been collected and analyzed by someone else. Secondary data may either be published data or unpublished data (P. Sam Daniel, 2011). The study reviewed some of the information related to urban refugee and asylum seekers was secondary data from academic papers, news articles, books, reports, journals and NGOs website from the internet source. Information related to the situation of asylum seekers and refugees was collected from key informants and other organizations. The use of statistics and data, mainly gathered through international and local organization reports on the phenomenon of urban refugees globally and regionally, was collected and reported in order to determine trends and tendencies which paved the way to my own research. The scope of the study envisages human rights principles and concepts, justifications and the issues of Thai domestic laws and legal framework in accordance with treaty obligations and the implementation in practice with regards to research question.

3.2 Data Collection and Method

This section entails the various tools and methods that were used in data collection. In-depth interviews and non-participant observations, sample population was conducted for the research. The section of data collection is one of the key sections in any research,

which involves gathering data from the target population so as to answer the research questions.

3.2.1 In-depth Interviews

Primary data was collected through in-depth interviews which were used to obtain detailed information from Pakistani Christian women refugees, which allowed them to provide a base from which to make comparative analysis. Key persons were contacted and responded as they are the ones who work in such programs because they are knowledgeable on the issues of urban refugee hence being able to offer important ideas. An in-depth interview allowed freedom for both the interviewer and the interviewee to explore additional points and change direction, if necessary. A qualitative data collection method, in-depth interviews offered the opportunity to capture rich, descriptive data about people's behaviors, their attitudes and perceptions, and unfolding complex processes.

3.2.2 Non-participant Observation

Non-participant observation was used during meetings, living conditions, location, relevant behavior, environmental condition. It was used in the research to observe the surrounding, the different activities happening around, tone and facial expression seen during the interviews. Non-participant Observation involves observing participants without actively participating. This option is used to understand the phenomenon, while staying separate from the activities being observed. This was used to analyze the current living conditions and situation faced by the Pakistan refugee women in Bangkok. The languages used were English and Urdu with the help of a Pakistani translator to assist in explaining in Urdu language for the Pakistan women for a better understanding in order to make sure all the information was clear with no paraphrasing or summary of any kind.

3.2.3 Sample Population

Sampling is a technique used to select a representative part from a population of study. (Mugenda, 2003). Through referral sampling, access to the Pakistan Christian women

was identified and gained by the help and through assistance of AAT representative and Pastor (A). The participants were prepared earlier on the kind of questions that were going to be asked. The interviews with the key informants were conducted in English and for the Pakistan Christian women; pastor (A) who is a Pakistani was the translator who assisted during the interviews. The study focused on Pakistan Christian women in Bangkok so as to have a better understanding of urban refugees in the city. The sample of women was chosen because as a woman, it is interesting to get the perception of women, access in getting Christian women was easier because 90% of the Pakistan refugee populations right now are Christian and that is how the sample of Pakistan Christian women refugee was found. An interview guide was used to ensure that some information was gathered and collected from each interview, with open ended questions. A total number of 21 qualitative interviews were conducted from Pakistan Christian women; who consisted of 3 refugees, 15 asylum seekers and 3 key informants. The table below shows basic information of the 18 Pakistan urban refugee women. All 18 women are living together with their husbands in Bangkok. The husbands are instrumental in bringing additional income to support the livelihood of the families.

No	Age	Number of children	Work status	Status
1	54	2		Received Poc card
2	39	5		rejected
3	37	3		rejected
4	37	2		In progress
5	36	4		in progress
6	36	2		in progress
7	35	3		rejected
8	34	1		in progress
9	32	3	●	Received Poc card
10	32	3		rejected
11	31	2		in progress

12	30	3		in progress
13	30	3		Received Poc card
14	30	2		in progress
15	30	3		rejected
16	30	2		rejected
17	30	1		in progress
18	29	2	●	in progress

Table 1: Respondents Basic Information

The key informants include:

- Founder and executive director- Thai Committee for Refugees Foundation.
- Tzu chi foundation- Officer Personnel in Communication
- Asylum Access Thailand – Program Coordinator

3.3 Research Design

Research design provides the framework for the collection and analysis of data. A choice of research design reflects decisions about the priority being given to a range of dimensions of the research process (Bryman, 2005). One of the greatest challenges faced while working or gathering data about refugees in urban areas is getting information and regularly updating accurate information on the locations, demographics as well as protection and assistance needs to those who are mostly affected and urgently in need. According to Mugenda sampling is a procedure used to select a representative part from a population of study. In this regard, referral sampling in the light of the urban refugees given above, this sampling technique was used because of the hidden urban Pakistan women refugee population which was very difficult to have access.

The interviews were conducted at the respondents' residence in the suburb areas in Bangkok. Upon arrival at the interview destinations and locations, the courtesy was given to introduce myself to everyone, explained what my research was seeking to address, gave refugees the relevant information pertaining to the protection of human subjects and allowed for time to answer any questions they may have. Narratives from

the refugees was gathered on the challenges they faced in terms of accessing services, how they were sustaining their livelihoods, and what their future hopes were.

Each Interview took around an hour, questions started with the demographic data. Later on, the research moved to questions relating to their social situation in Thailand, their refugee status, insecure situation, detailed information on their access to health and their children access to school together with their experience in Bangkok Thailand. Finally, the perception of the mothers as to how important education was to their children and what they were doing about it. Their safety for themselves and for their family since they came to how the situation has been, the challenges they are undergoing when accessing these services security situations and their future hopes, if any (See appendix 1).

Qualitative research methods are useful when one wants to look into a problem deeply whilst a quantitative method is useful when one wants to look into the problem widely. In view of the researcher, qualitative methods include approaches that seek to uncover the thoughts, perceptions and feelings experienced by informants. The strategy in qualitative research is to allow important dimensions to emerge from analysis of the cases under study. The study seeks to take an in-depth look at the challenges and livelihood strategies among urban, female refugees, with a focus on their access to health and education, employing a qualitative method of data analysis.

3.4 Ethical Issues

According to the research ethics guide book, research should be designed, reviewed and undertaken to ensure integrity and quality. Research staff and subjects must be informed fully about the purpose, methods and intended possible uses of the research, what their participation in the research entails and what risks, if any, are involved. Some variation is allowed in very specific and exceptional research contexts for which detailed guidance is provided in the policy guidelines. The confidentiality of information supplied by research subjects and the anonymity of respondents must be respected. Research participants must participate in a voluntary way, free from any coercion and above all, harm to research participants must be avoided. The independence of research must be clear, and any conflicts of interest or partiality must be explicit (Boddy, 2011).

The research was conducted in accordance with research ethical guidelines. During the research, confidentiality was the first priority, strictly maintained due to the fear of insecurity which these refugees had in order to ensure and maintain their utmost safety and anonymity of the informants. When the researcher arrived at the site location, Pastor gave the opportunity for an introduction and before the interview was conducted, all interviewees were aware of the purpose of the research and what it entailed. All women refugees who took part were given information about the study being conducted and acknowledged that they were willing to take part in the interviews. All responses to the interview questions were handwritten by the interviewer and the names used in this thesis are pseudonym and therefore confidentiality of information and informants will be maintained in order to ensure their safety. Photographs of the subjects and their premises were not taken and their voices were not recorded. The respondents were asked to be open with the research throughout the study and only answered questions they were comfortable with. The respondents were assured that the information gathered is meant to for academic purposes only and confidentiality was upheld in dealing with the responses

3.5 Limitations of the Study

Kahn describes limitations of a study as the conditions in which a researcher cannot control and can lay restrictions in making the conclusions of the study and the submission to the situation (kahn, 1998). Time constraints are one of the major factors and the biggest limitation of this study. Given the magnitude and the general development of refugees developing and evolving around the world, there is no proper justice that can be given as far as time is concerned in comprehensively bringing to light to this social problem which needs to be continuously addressed. Urban refugees represent a vulnerable population group in Bangkok and consistent data and statistics on the number of refugees is not accessible and when it does exist, it cannot be shared and published because of issues of confidentiality; this is one factor that was faced in terms of limitation of this study. For the purpose of this study, the researcher had little control over the overall sample; a less biased selection might have been conducted by contacting urban refugees through referral sampling. However, the study used “Pastor A” and organization contacts as a gate keeper to provide the list of interviewees and

key informant. The study may not be able to claim that it will represent all urban refugee women population but it can argue that based on the information I found out. The findings are based on 18 Pakistan urban refugee women.



CHAPTER IV LIVELIHOODS AND SECURITY RISKS OF URBAN REFUGEES AND ASYLUM SEEKERS THROUGH THE EYES OF WOMEN

4.1 Introduction

This chapter presents the findings of the thesis based on the existing Refugees Status Determination process legislation based on the following sections: First, giving an overview on security risks faced by urban refugees in Bangkok in relation to their access to refugee rights and barriers, including the processes of Refugee Status Determination (RSD) arrest and detention. Secondly, this section looks at challenges and livelihood strategies of Pakistan urban refugee women during waiting for RSD process. The final section looks at the role of international, local and religious organizations in providing assistance of those who face arrest and detention. Throughout Chapter Four, the study applies human rights perspectives, the International Convention on Civil and Political Rights (ICCPR) and refugee rights in order to best analyze the situation.

4.2 Urban refugee and asylum seekers in Bangkok and their risk situation

An estimated ten thousand asylum seekers and refugees, representing more than 40 nationalities live outside refugee camps in urban areas. As of January 2016, the number of recognized refugees in Bangkok was 1,912 and asylum seekers were 7,082, for a total of 8,994. While as of January 2017 there have been 3,801 urban refugees and 4,130 asylum seekers registered with UNHCR Thailand. For the last three years there has been an increase in the number of asylum seekers in Bangkok with the majority originating from Pakistan. This sudden increase has put a strain on already under resourced service providers (APRRN, 2017). An estimated 5000 are of Pakistani origin, all living in Bangkok (caritas, 2017). A majority of them are from minority groups such

as Christians. These refugees face various religious persecutions, torture and accusations of blasphemy; hence this gives many in Pakistan a well-founded fear to flee their country. All the families interviewed were Pakistani, Christian women, even though reliable statistics and data on the exact number of Pakistan asylum seekers and refugees in Bangkok are extremely difficult to collect, especially when considering that the UNHCR only reports the total number of asylum seekers and refugees in the city, without dividing it according to the country of origin (UNHCR, 2015).

4.2.1 Security Risks, Arrest and Detention

The state of fear within these communities is real, with no one wanting to get caught and sent back. “The Pakistani family no longer fears for their lives, but they face other fears like arrest, hunger and the possibility that they will never be able to live freely” (Dawn, 2015). Over the past years, the number of refugees and asylum seekers from Pakistan seemed to slow but later increased due to the intense incidences of persecution that made several of them flee from their country. The process for claiming their refugee status when they arrive was relatively short as the waiting period usually lasted just a few months between submitting their applications papers for refugee status and their Refugee Status Determination interview conducted by the UN Agency. Currently the waiting period from application to their Refugee Status Determination interview can take over two to three years. These asylum seekers and refugees feel that they are being victims of circumstances which are as a result of the inevitable delayed process brought about during the registration process.

At home

The Thai government views any refugees who has overstayed after visa expiry as an illegal migrant and is subject to arrest and fines at any given time and place. Due to lack of registration together with the long Refugee Status Determination process, this has triggered fear of security risks as identified as a main problem during the interviewing process. Security is a risk for survival and breaches happen many times. The burden of survival, combined with social isolation is what affects a majority of the refugees in

Bangkok and the absolute lack of access to mental health care only add to the pervasive feeling of desperation. According to refugee family no. 8, she said 2015 was one of the worst memorable years for the urban refugees. The refugees said that they had to stay indoors for almost a month and forced to keep a low profile due to police raids that took a majority of the Pakistan men, women and children to the IDC.

The police harass people and all they generally want to see is a valid visa; if an individual is unable to provide this, then they have no choice but to arrest the individual lacking official documentation. In order for refugees to keep on living in peace, they often serve as each other's keepers and try to communicate among themselves as soon as they get any news concerning the police. Hence, it is always difficult to capture the exclusion felt by refugees unable to communicate with their new hosts. None of these factors are caused by poverty, but are certainly aggravated by it. While most of the time the official statistics mostly measure income and access to services, they do not venture into accounts of the fear felt by these refugees, who appear to always be full of fear. They also do not measure fear of arrest, detention or deportation.

At work place

The right to work is clearly stated in the ICESCR; on the other hand, despite Thailand's obligations under international conventions, one finds that the majority of refugees do not have a legal visa that can enable them to have a work permit; hence they cannot enjoy their right to work legally in Thailand. With few options, they end up working in the informal sector so as to keep their status hidden. Employers take advantage of their situation but with no other choice; they end up being exploited with low wages, long working hours and sometimes are required to work in dangerous conditions. Despite all this, the availability of manual daily odd jobs is hard to come by and the wages they get is sometimes insufficient to support refugees and their families.

Under the 2008 Alien Working Act, foreigners require a work permit and can only be employed in accordance with regulations issued by the Ministry of Labor. It is also very important to note that a migrant who applies for a work permit must either be a resident or authorized to enter Thailand. It is this circumstance that becomes a barrier to many of the migrants who find themselves with no help given the reality at hand

according to the stated laws of the land. Survival is a way for life for all individuals, but it is the children that often face the most difficulty and challenges, with a little help coming from a small allowance from the UNHCR.

“We can survive as adults but children cannot” (refugee family no.2).

From the findings, only two out of eighteen have had the opportunity to work, but it was again risky and those individuals had to take the chances so as to make ends meet. The kind of risk encountered by refugees is exploitation as feeling safe influences whether and how one goes about pursuing their livelihood.

“I work on online company (A) and try to get some money to be able to take care of my kids as well as my husband tries to do daily wages but for him it’s not a guarantee job it’s like he gets once per week or even misses at all” (refugee family no.9).

According to interview, refugee family 18, she works as a household keeper for an Indian family, her job is to clean and do daily home chores. She has been doing the job for several years but now, due to deterioration of her health she lacks the energy to keep her going to work on daily bases due to her health condition.

Throughout the interviews, it was concluded that it was mostly the husband who searches all avenues to work to make daily wages in unknown places, so that they can get money to cater for their family’s needs even, regardless of the risk. Many of the respondents complained, stating living in Bangkok is not easy plus with the harassment from the police makes life more difficult.

A majority of female, urban refugees did not feel safe in Bangkok, which may be attributed to the various security risks they face at home or when outside. The elongated process of resettlement has been a major hindrance forcing the population to stay for a longer period, escalating more fear into the lives of these people. The delayed process of RSD that makes refugees overstay puts them in a vulnerable situation of being considered illegal immigrants under the Immigration Law. Due to fear of arrest this creates tension with the lack of freedom of movement, hence making it difficult for them to move freely to even receive access to social services like health and education for their children.

Urban refugees are at risk of being arrested and detained in Bangkok regardless of whether they are registered with UNHCR or not. Concerning police involvement, with

regular stops on the streets and raids conducted on several occasions in their homes they are likely to be identified. It is sometimes reported that the authorities demand bribes to avoid detention, but most of the time people are arrested and detained in Bangkok's IDC.

“It is just few days during the “World Refugee Day” when my son was caught coming from BRC. We had to pay 1500 baht for him to be released” (refugee family no .2).

The fear of arrest and detention has made a huge impact to the freedom of movement for these refugees and asylum seekers. When asked if they live in constant fear of arrest and detention, twelve out of eighteen participants confirmed that they do. From the findings, a majority of the women felt they were not safe while a handful said that they felt they were safe and a couple of them felt they were moderately safe. They all believed that Jesus is the only hope in seeking protection as they pray in Thailand.

Once an individual is caught and taken to the IDC, leaving custody is difficult. If the bail option is closed, which means the only options available are to wait for the day of repatriation which is unknown .It take months or years or if one voluntarily decides to return to their country of origin. Young children in Thailand are also not exempt as far as arrest and detention is concerned. On 16 September 2015, the HRW reported that 64 asylum seekers together with several children were arrested by the police. One family's children were caught and taken to IDC and when asked about their situation and living conditions in IDC, the participants said they were living in a poor environment.

Due to a lack of proper hygiene at the Center, skin allergies and rashes are common as well as insufficient water access and lack of sufficient, healthy food. As far as the living situation inside the quarters is concerned, the place is said to be very small with no beds. Hence every individual sleeps on the floor. With a lot of noise from the crowded circumstances, this scenario makes it impossible for someone to lay down and get proper rest.

“My husband had taken me to the hospital one day. While in the hospital he got a call from my neighbors that police had come into our building and took several people .My two daughters, 15 and 19 years old, were taken to IDC. If it wasn't for the Farruk Foundation that helped us out with the bail, I do not know

how life could have been now. We thank God for everything “(refugee family no14).

There are several detention centers in Thailand, in cities like Chiang Mai, Mae Sot, Poi Pet and Ranong, but asylum seekers are usually transferred for long-term detention to the Immigration Detention Centre (IDC) in Bangkok where facilities are overcrowded (HRW, 2014). Asylum seekers can wait several years for the UNHCR Refugee Status Determination (RSD) process to be finalized. Even after successful refugee status determination recognition, many wait additional years until resettlement (Palmgren, 2014). During this prolonged wait, refugees and asylum seekers experience social isolation and face major difficulties, which are exacerbated by the uncertainty of the process (JRS Asia Pacific 2010). The security risk arises from the problem of having an illegal status caused by the long refugee status determination process putting them into a state of limbo, exploitation in arrest, detention and deportation. Due to lack of legal status, this escalates the insecurity situation and leaves urban refugees and asylum seekers in a precarious state making their survival and stay in Bangkok uncertain and their status unclear.

4.2.2 Refugee Status Determination

The refugee status determination is a legal process that allows the government or UNHCR to determine through several individual interviews whether the person seeking international protection is considered a refugee under international, regional or national law (UNHCR, 2015). In most Asian countries, RSD is not conducted by governments but by the UNHCR. Its role in providing international protection to refugees through RSD represents a major part of UNHCR's work in many Asian countries (Alexander, 1999). In the case for Thailand, UNHCR deals with all matters of refugee status determination process of asylum seekers; this is because Thailand is non-signatory of the 1951 refugee convention. This will be examined by showing the status of several women together with their families and their RSD results as a factor that restricts them from freedom of movement and puts their lives at risk.

The waiting periods for accessing UNHCR registration and RSD is between two to three years, spent at risk of exploitation and always worried of being arrested and

detained in appalling conditions in IDC (JRSASIA, 2010). The process is said to take a longer period of time than the one officially written on the UNHCR brochure. A majority of the women interviewed had already done their process of seeking asylum, some had received their refugee status, and others were waiting for their results while others their claims had been rejected. As it is known anyone who is unregistered or her claims have been rejected have no access to UNHCR services or implementations hence they are left with no social security which puts their life at stake with no hopes for the future. This means that they have no access to health and education services and aren't eligible for any financial support from UNHCR hence causing a huge impact into their lives, mental health, their ability to care for family.

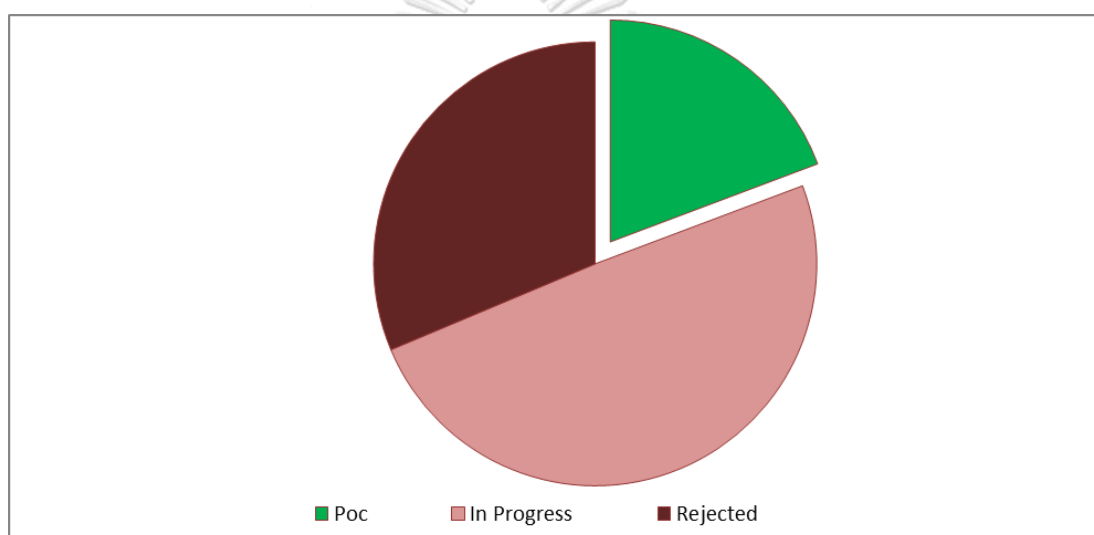


Figure 2: Refugee Status Determination (Fieldtrip interview, 26 June 2017)

In Figure 2 above, based on the interviews of 18 Pakistani, female, urban refugees, 3 were categorized as refugees and 15 asylum seekers. Of the 15 Asylum seekers 9 were in progress of waiting for their refugee status and 6 were rejected. The rejected cases of the respondents reapplied the second time and their files were closed. That means they are neither illegible to seek asylum and are living illegally in the country and are not in a position to get any further support or assistance.

It's this reality which makes all the difference which comes alive when hopes start to diminish and the rest of their lives are in limbo, not knowing what to do or to whom to seek help from. From the interviews, many of the women with their families are not aware of the situation in Thailand and choose it as a destination because of misperceptions. It is relatively easy to obtain a visa referred to by friends that they

know. They can find a UNHCR Office in the country and that is how a majority of them found their way into the country. From the interviews, it was captured that a number of the refugee families, even though they are still waiting for their refugee status results, find looking at their neighbors' situation is discouraging to their hopes because most of the people have stayed for so long and did not see good results.

“The RSD process the rate of refusal is high because we have seen it happening to other Christians whom we met here; UNHCR rules have become very tight. Some of us are still waiting and are in the process and the only thing we have is hope for the best but when you look at your neighbors' results since they came, some of them are still waiting and one is left with all the internal pressure whether their cases will fall through or they will be rejected” (Refugee family 11).

After the refugee status is determined, then a person can enjoy some of the provisions given by the UNHCR, but they do not receive any protection as far as their refugee status is concerned and are subject to indefinite arrest and detention by the Thai police and Immigration officer. The duration of time for the repatriation process that refugees need to wait for an unknown period for their third country resettlement. During this period of time while they are still in Bangkok as their visas have expired and are living illegally, refugees in Thailand are not allowed to work and with the long waiting period. Majority of them are not able to extend their visas due to financial issues. The visa fee cost is quite expensive for them to renew and the savings they carried are either finished or coming to an end. This puts them in a state of limbo of not knowing what to do but to keep a low profile as to not be identified as they wait for their repatriation

4.3 Living Conditions

Throughout my observation while visiting the respondent households, life was difficult for them to live and it was not easy to manage on a daily basis and with lack of employment many claimed that whatever they had brought with them, it's either almost finishing or had already finished. They only survive with the help of several churches that provide them with a pack of food, such as the Holy Redeemer Church and St. Michael Church, of which depending on the number of family members that one has,

they only receive two meals per day: “late breakfast” and “early dinner” and that is how the day ends.

“We cook roti “chapatti” and eat with vegetables, sometimes rice. But considering vegetables are expensive we only cook once and we eat bread in the morning and at night” (Refugee family 9).

The rooms they rent are small, just a single room where all members (generally composed of a mother, father and child unit) stay and sleep although some have a spare room where there is a balcony for cooking and one toilet. The room rent ranges from 1800-3000 baht, plus electricity and water bills.

“In March I experienced something in the company of my husband. We didn’t pay for the water services in the place where we stay as we had not paid rent on time and both light and water services were disconnected and it was difficult even to sleep. We used to contemplate on how we were going to pay the bills and we were forced to borrow from neighbors in order to pay for the reconnection of these basic necessities of life”. You can imagine living without water and electricity while having a small child it was not easy”. “By 5th of every month you have to make sure you have paid you bills or else the landlord comes and disconnects the water and electricity and you pay a fine of 200 Baht’s per week until the day you pay your rent”. (Refugee family 17)

Most families live in a barren room in Bangkok, where the children share a bed and the parents sleep on the floor; in some cases they have no bed, simply a mattress. A picture of a cross as their only source of solace and their troubles hangs on the inside of the door (Dawn, 2015). A mattress is laid down for the whole family to sleep on. It is in the same room where they have their suitcases with clothes, utensils, children’s toys to play with and books for some of them to read. They cook on a propane burner on the tiny balcony. They also have a Bible that is put on the side of the room and with walls having pictures of baby Jesus and Mary. Some wall pictures contain portraits of themselves while others had groups or family pictures, serving as a reminder of the places where they used to be and work back in their home country. Prayer is the only thing that gives them hope as Christians, that one day things might be better.

Children cannot play freely and they just move around the tiny single room, they play with toys, some take their parents phone and play games, ride a bicycle inside. At times one can see that these circumstances can cause boredom for the children, who often become frustrated and upset. Refugee family 6 said that the living situation is tougher here than their home country because at least back home they were just hiding from one group that was a threat to them, whereas here they have to hide from all faces because of cultural and physical differences they can more easily be identified. With a similar environment of restriction of movement, feelings of depression can become escalated as many of the women perceived their lives as being stuck in one place.

No.	Age	No. of children per woman	Duration of stay in Thailand (years)	status	Source of household income			
					Husband	Wife	Charity	Savings
1	54	2	7	Received Pocard		•	▪	•
2	39	5	4	rejected	▪		▪	▪
3	37	3	4	rejected	▪		▪	▪
4	37	2	3	in progress	▪			
5	36	4	3.5	in progress	▪			▪
6	36	2	2	in progress	▪			▪
7	35	3	5	rejected	▪		▪	▪
8	34	1	3	in progress	▪		▪	
9	32	3	4	Receive	▪	▪		▪

				d Poc card				
10	32	3	4	rejected	▪			▪
11	31	2	3	in progress	▪		•	▪
12	30	3	3.5	in progress	▪		•	▪
13	30	3	4	Receive d Poc card	•		•	▪
14	30	2	3	in progress	▪			▪
15	30	3	4	rejected	▪			•
16	30	2	4	rejected	•			▪
17	30	1	2	in progress	▪		•	•
18	29	2	4	in progress		•	•	•

Table 2: Socio-demographic characteristics of the Pakistan urban women refugee²

Table 2 above looks at the number of children, duration of stay, working status and sources of income of the Pakistani refugees.

Many of these families had arrived in the year 2013. It was at this time that there were a number of villages being burnt in Pakistan due to religious unrest. From the above table, almost all families relied on husbands as the source of income which had been derived from their personal savings or the daily wages. However, finding a daily wage was not something which could be guaranteed and even with a job, daily wages averaged around 300 baht per day. Only two women provided for their family, and the rest of the women stay at home or their husbands were the ones involved with the

² Source: Fieldtrip interview, 26th June 2017

livelihood of the family. The alternative was to seek help from well-wishers and charity organizations as a way of survival and to make ends meet.

4.4 The role played by international, local organizations and religious institutions in helping urban refugees

Local and international organizations have been playing a big role in alleviating some of the most pressing issues refugee face, as far as hearing their plight and trying to assure the urban refugees a way forward. With little help available, organizations like Asylum Access Thailand (AAT), provide help to these refugees at the grassroots level, in order to assist the plight of the urban, Pakistani refugees. The AAT started its community legal interpretation program to help train volunteer refugees for the purpose of interpreting for other refugees in order to ensure clients can communicate and express themselves in their own language and have the confidence so that their point of view is being understood. Those who are doing the interpretation feel the great honor of contributing to humanity as they keep on helping their own fellow refugees. Asylum Access Thailand assists refugees by giving guidance and instructions to follow during the refugee status determination process. It organizes workshops and provides tips on how the refugees should explain themselves by narrating their stories and writing testimonies in case any resettlement opportunity occurs. Lastly, AAT collaborates and works hand in hand with other local organizations, the Thai government and other human rights organizations to help improve the living conditions of the urban refugees in Bangkok by exploring alternatives to detention, improving detention conditions, and for the protection women and children.

On the other hand, the Farruk Sief Foundation is a religious institution that has been playing a big role as far as helping urban refugees in Thailand is concerned. The Bangkok urban refugees have been benefiting a lot from the food packages that are being provided by this organization. FSF intervenes when necessary and helps by bailing out some of the Christians refugees detained in the IDC. It's this kind of help which brings back the joy to these urban refugees who have no income and know that there are good people who can hear their cries for help. While access to an affordable,

balanced, culturally-appropriate diet is a serious obstacle for many urban refugees in Bangkok, a number of charities provide subsidies to supplement meals on a regular level but this is often not sufficient to meet nutritional needs, particularly of children and those with special health constraints. St. Michael's Church and the Holy Redeemer Church are some of the religious institutions that try to help refugees with food packages once per month, although access to this among the refugee population depends on actively pursuing such services by the refugees themselves.

4.5 Conclusion

In conclusion, this chapter found that the situation these urban refugees are facing is against the rights of refugees. Even though Thailand is a non-signatory of the 1951 Convention related to the Status of refugees and its 1967 Protocol, it is still a member state to international conventions such as ICCPR and ICESCR. Refugees' situations of insecurity are brought about by the lack of fundamental human rights which comes from fear according to the refugees who were interviewed during the research. The conventions call for protection of refugee to live as free human beings enjoying civil and political freedom and freedom from fear as they continue to pursue their civil and political rights, as well as economic, social and cultural rights. However, these fundamental rights are not being extended to these urban refugees according to the respondents who feel that they are denied the freedom to live as free human beings.

CHAPTER V ACCESS TO HEALTH AND EDUCATION

5.1 Introduction

This chapter first looks at issues relating to the access to health of Pakistani urban refugees, their challenges and the roles civil society organizations play in providing assistance to access to health. Secondly, the section looks at the rights and access to education for urban refugee children, their challenges and the role played by local and community organization for educational support. The final section concludes with an analysis surrounding the rights of refugees, access to health and education and the challenges created from a lack of security (Guterres, 2008).

5.2 Refugee access to health services

When individuals migrate from one place to another, they shift to a new different culture and a social economic environment all together. During the prolonged period, urban refugees experience prolonged uncertainties concerning their Refugee Status Determination process combined with the daily challenges they face in order to sustain them. Urban refugees experience harsh living conditions once they are detained into the IDC, which makes them to feel a sense of powerlessness, accelerating depression and many other mental health problems.

From the findings, a number of the respondents indicated that they appreciate the efforts made by the UNHCR, BRC and Tzu Chi Foundation for providing the free medical treatment as it's a burden relief to them they can't complain.

“My husband has diabetic and we go to Tzu Chi every month for a checkup and medicine, even though it doesn't provide everything, but at least they give medicine to him” (refugee family 1).

Most women interviewed did not have any special medical care or needs apart from the regular checkups and they were sent home with take home medication depending on their medical needs or complaints. Prior to registration at the UNHCR, refugees are not

entitled access to free health care. As such, it is only available to them through public health care services if they are able to pay the costs along with additional difficulties such as language barriers. Those who are registered as asylum seekers with the UNHCR may access health care free of charge through UNHCR's implementing partners if they have a serious illness or are in need of immediate medical attention. Recognized refugees may access basic medical services but life-threatening physical conditions usually receive priority.

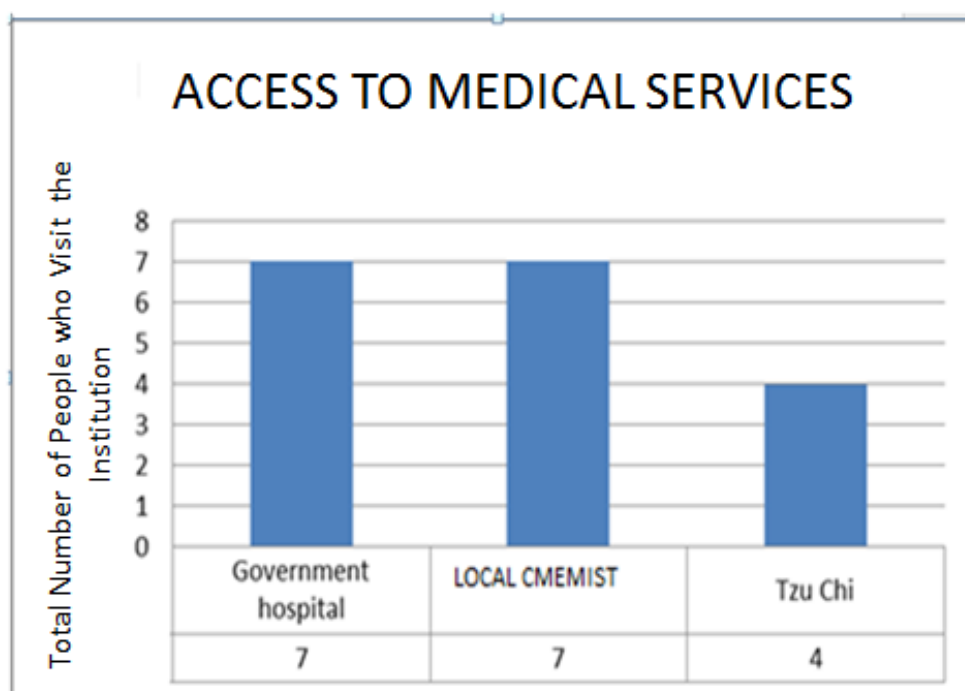


Figure 3: Access to Medical Services³

The figure 3 above shows access to medical services where all the women were able to get assistance from different service providers. While staying healthy is one of the basic needs for any refugee or asylum seeker at any given moment, it is good to note that such health services are available for the survival of refugees. As far as the study is concerned, Figure 3 above shows that many of the refugees opted either to go to the government hospital or the local pharmacy in order to get access to healthcare. It is also good to know that it was at the government hospitals where the refugees could be reimbursed. With one other last option at their disposal, these refugees could also self-

³ Source: Fieldtrip interview, 26 June 2017

medicate themselves by getting medicine from the nearby pharmacy to cure themselves, while citing incidences of monthly visits to Tzu Chi foundation being a long distance to travel in order to seek medical help when need be. While there were referrals for cases which needed more attention, many of the refugees still found it as one of the obstacles in using these free medical services as the chances of getting arrested were higher.

5.2.1 Challenges in accessing health

Striving to stay healthy is a general goal, hence the medical situation of refugees mostly is the basic medical treatment that they look forward to be provided to them and when this basic right is not extended to them refugees are unable to pursue a living and are not able to contribute to their families and the society at large.

Financial problems are one of the challenges refugees face when trying to access healthcare. Unable to cover for their quota of the treatment and medical expenses due to lack of income is one reason as to why this struggle continues to be a burden to refugees. Despite the fact that private hospitals offer better services and treatment, the cost is too high for refugees to pay hence they simply cannot afford it. They must go to any government hospital or just rely on any nearby pharmacy available in their neighborhood for treatments they need.

To a number of refugees, getting access to medical services is a problem because of the long distance from where they live. This means actions like seeking medical help on the last Sunday of the month at Tzu Chi Foundation puts their lives at risk because of security risks. As far as security is concerned and with lack of proper documentation to feel free in their movement, many refugees tend to fear for their security even when the availability of medical services foundation are free.

“Going there is too far; together with the long distance and you can’t carry your whole family their it’s risky and unsafe cause we don’t have legal visa so we prefer going to the nearby chemist” (Refugee family 13).

The limitations of the Tzu Chi Foundation are that they do not offer surgical procedures, simply blood tests and medication are available, and they are only available on the last Sunday of the month (TzuChiFoundation, 2015). While communication makes it easy

for people to ask and share their basic needs, the language barriers which exists with many of the refugees prevents them in some ways to be easily assisted once they visit which can lead to incomplete or misinformation of the health information. A number of respondents complained that sometimes in cases of emergency, all a person can do is to get treatment from the nearest hospital, but now that these facilities are private, no reimbursement is given to them as its only government hospital that a refugee can get assistance from. Many families complained of cases whereby a person needed to go for scanning or tests, but this is something one has to pay for by one's self.

5.2.2 Mental and Psychological Needs

The ability to make sound decisions is very crucial but when psychological issues are present, making reasonable decisions sometimes becomes a challenge. Urban refugees often find themselves spending endless hours doing nothing, with little or no activity to occupy their minds apart from the fact that they are engrossed with looking for food or making ends meet. If this psychological need is not put to a check with the availability to access medical and mental health care it only adds to the pervasive feeling of desperation.

Limited psychological assistance is offered in Bangkok. The UNHCR has a psychologist responsible for mental status assessments whereas the BRC has a counselor, but with the same limitations as the UNHCR. Both organizations do not have enough capacity to support asylum seekers and refugees (UNHCR, 2015). Currently a health service including provision for treatment of mental health conditions is provided by some organizations such as UNHCR and other NGOs. Having been severely curtailed due to lack of available funds, mental health has been identified as one of the major concerns among the refugee population although there are few opportunities given to them through referral treatment.

“Many of them under go stress and psychological issue during the awaiting for their repatriation not knowing what will be the outcome during this period they face a lot of depression as Tzu chi our aim is to give little warm, little love for them to feel and believe there is hope and love in the world” (Tzu chi official 28th May 2017).

A majority of the women complained of boredom, stress and isolation while living in this situation in Bangkok. Staying in the same room without doing anything brings a lot of thoughts while they look at their children a lot of things run into their heads not knowing what to do create a lot of unwanted thoughts. Sometimes they would try to communicate, watch TV or even talk with their next-door neighbors and at least tell stories other than staying in their rooms.

5.2.3 The role played by international, local organizations and religious institutions in helping urban refugees

Health services for urban refugees are generally only available to refugees if they are financially able to pay the costs of public or private health services. In cases when they are registered with the UNHCR and have a serious illness, they are supposed to be able to access health care free of charge through BRC, UNHCR's implementing partner. Recognized refugees should also be able to access basic medical services (Urban Refugees.org, 2015). Medical assistance for refugees in Bangkok is very limited. However, due to budgetary constraints, both the UNHCR and its implementing partners are only able to provide limited assistance to the urban refugee population (AsylumAccess, 2009). BRC used to offer free access to medical assistance until 2014, however it has since closed.

The objective of the project is to provide outpatient services, transportation to referral recipients, health education and preventive health services. It provides services mainly in the form of health education, prescriptions, and dental care for the kids, immunizations, pediatric care, gynecological services and psychological support. The foundation has been working hand in hand together with UNHCR, JRS and BRC in order to support each other providing these services.

“In the beginning, we started with 300 patients and now they have increased up to 600. We give service to the refugees at least they feel more confident and more safety to come back. At first when the organization started we used to visit the police stations to give outreach and let refugees know that we are giving free medical service. Two months ago, they have started giving hot meal and sandwich for their lunch which is

vegetarian. We provide general clinic here and also do referrals to Banphaeo and Lamar hospital if a case need further treatment and investigation they are referred there. The BRC and UNHCR assist by giving more information to those who don't know about Tzu chi and for some the refugees who may be the would want to claim some bill they ask them for medicine needed and if our organization can provide for the medicine then they are referred here to take medicine.” (Tzu chi official 28th May 2017)

It also receives referral and translation assistance from other grassroots organizations, churches, and institutions focused on serving the urban refugee and asylum seeker population in Bangkok. All the doctors, nurses and the rest of the team are all volunteers who include almost 90 interpreters that speak various languages and help in giving information to the doctors and vice versa as this are because some of them do not speak English fluently. For the Tzu Chi volunteers, refugees are no longer refugees but patients, patients with whom love and care should be shared (TzuChiFoundation, 2015).

5.3 Education

The Thai law allows all children to attend public school even though in practice, access is limited by the approach adopted by the specific schools taken into account. For example, discrimination in allowing access to children not of Thai nationality and their ability to speak and learn in Thai (Urbanrefugee.org, 2015). However, this merely depends on the capability of children to speak and learn Thai. Most of the time, their parents consider Thai language to be useless because they do not see a future for their kids in the country and they would prefer them to learn English instead (JRSASIA, 2010). However, the opportunity to study in a formal environment represents a benefit considering that they will spend a long period of time in Thailand. This is one big challenge that despite all odds one should always be able to utilize to the maximum all the given opportunities around. Few classes are offered by NGOs and religious organizations, usually in English, but often these are not enough to meet educational needs (Urbanrefugee.org, 2015).

5.3.1 Refugee children access to education

Access to education is a basic human right; the Universal Declaration of Human Rights recognizes compulsory primary education as a universal entitlement. In order to find out how urban refugee women's' children access education, efforts were made to explore whether the refugee women take their children to school, the type of school they take their children to, the accessibility to education and the challenges encountered. As a rule of thumb, mothers desire to gain better and more secure futures for their children, they see education as the key to their children success and also for the family but yet access to education for refugee children in urban areas is sometimes difficult due to the life struggle for survival.

“I am a mother of 2 kids; I really want my kids to continue with their education and study, I know it's the right for every child to get good education but sometimes you are faced with difficult life situations and you just cannot risk it all just because of school and because of the fear of being caught by the police we just take them to the tuition center within the neighborhood” (Refugee family 10).

The women sometimes get upset and are frustrated when their children are educated in a language which will not be useful to them if they repatriate or resettle, while some of them feel like it will just be a total waste of time. They expect their children to be taught in English as they hope to be resettles in an English-speaking country.

5.3.2.1 Children attending school

From the interviews established it shows the type of schools attended by several children were BRLC, International School, The Good Shepherd and community school that majority of the women take their children to school, regardless of whether it's the community school tuition or the public Thai school. However, those who were not taking their children to school indicated to have withdrawn their children from school due to financial issues when things become tough.

5.3.2.2 The type of school attended

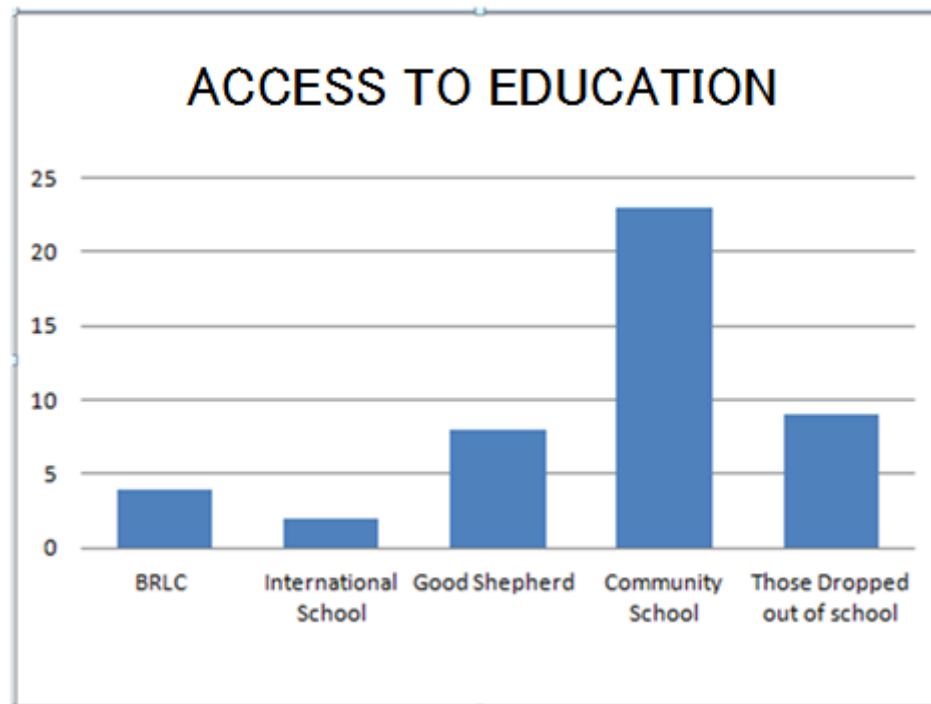


Figure 4: Access to Education⁴

Given the Figure 4 above, shows the various institutions where all the children get access to education. From the findings it was found out that many of the children were going to the community tuition center or informal school citing reasons of insecurity and the reason for many drop outs from the major recognized formal school system. While many of them going to NGO schools topped the list of formal schoolings, very few children were attending BRLC which was the recognized schooling system for refugees and their children in order to prepare them for the Thai form of schooling but due to reasons best known to them citing security as the main reason had to opt to take their children to the informal kind of schooling. While faith plays a very important role in some belief and culture of daily life, despite all odds and fears of being caught by the police, one family was taking their children to BRLC. It was the husband who makes sure that the kids go to school and this is done with a prayer before they go and when they come back.

⁴ Source: Interview 27 June 2017

5.3.2 Challenges in accessing education

There are many factors which make access to education to be a very big obstacle for those families and individuals who wish to provide sound education to their children. It becomes very difficult to provide good education if the parents are not working or do not have work to help cater for the schooling of their children. Refugees have no right to work legally and this makes it is difficult to find employment and as a matter of fact, unable to work means often unable to send their children to school as they are typically financially stressed and stretched to the limit.

“My children go to the Good shepherd school but we pay some tuition fee and also transportation so they are being picked by van from here and brought back. It is not easy for us because my husband has to work for the daily wages sometimes he goes and other times he doesn’t, so that he can provide for our basic needs and also now the children at school” (refugee family 14).

With the fear of being arrested at any given time and place, the distance from the residence to the educational institution sometimes makes it difficult given the reality of existing security issues, fear of being arrested due to lack of legal documents is always present. In their minds, they have the perception that taking their children school will increase the chances of being arrested because of the distance and put their lives and their family at risk. While majority of the participants had fears within themselves, the main challenge they faced that they cited was insecurity of the fear of being arrested as a major barrier to access to education.

“I really want my son to get educated, he needs someone to take him, and go for him when the classes are done in the evening, but the distance of taking him to school and back we cannot risk that because we might get caught. I do some home tuition by myself and teach him using the Accelerated Cooperative Education (ACE) curriculum. It is an online program for learning at least for my son I feel it might help him in the future when we repatriate to a better country the problem is studying at home for the kid isn’t easy” (Refugee family 8).

Although the Thai National Legislation established that all children, regardless of legal status, have a right to education, the reality of the system is far from practical for

refugees. Thai schools typically offer rudimentary subjects in Thai, and most refugee children are not fluent enough to actually learn in Thai classes hence making it a language barrier for the children even with the training from organization such as BRC. Given this reality, it still creates a ground work of what needs to be improved and as a stepping stone in order to keep on this system running to facilitate those who come. If the facilities were not there, there would still be complaints and in order to address the basic element of education that is what this basic schooling system comes into play.

The quality of education of children was identified as an important challenge faced by refugee communities. There were a few women who alleged that the level of education was less superior than the education level their children had acquired before coming to Bangkok. This was one area which also gave them some frustration while at the same time some women had the view that there was no point taking them to school to learn a language which had little or no value in the world at large. In the opinion of the author that these parents should take education for their children with its technical sense so as to acquire knowledge of the society they find themselves in and later on use this experience to deliberately transmit all the accumulated knowledge they acquire, the skills, and values and be part of them as they hope to share it from one generation to another or the life thereafter.

Everyone has the right to education according to Article 26 of the UDHR; it is a fundamental human right and essential for the exercise of all other human rights. The normative instruments of the United Nations and UNESCO clearly lay down international legal obligations for the right to education. These instruments promote and develop the right for every person to fully enjoy access to education of good quality, without discrimination or exclusion. These instruments show the great importance that member states and the international community attach to normative action for realizing the right to education. Education is a powerful tool by which economically and socially marginalized children can lift themselves out of poverty and participate fully as citizens. Customary international law prohibits refoulement, or return to a country of persecution. The UNHCR has a principle of assisting the most vulnerable first for their refugee status determination, and ensuring that they have been given asylum in a country, after being given a refugee status.

Financial constraints on refugee families due to legal and policy restrictions combined with high costs of living in cities mean that the direct and indirect costs of schools are even more prohibitive. The study revealed that even with free primary education, urban refugee women were still experiencing challenges in enrolling their children.

5.3.3 The role played by international, local and religious institutions in helping urban refugees

BRC works with urban refugees to see that urban refugee children have access to education but one finds that it's the urban refugee themselves who sometimes do not wish to take their children to the designated schools due to the fear of being arrested. It facilitates by offering education training on the Thai language for children. Once the test is passed then the child can be taken to any Thai school. It also provides free school uniforms, transportation and some food pack. At the community school, volunteers from the same locality are the ones who take part in teaching these refugee children. The teachers need not have any teaching experience but due to the fact that they have good knowledge of working with children, they find it more beneficial to use their expertise in helping with children in the community.

5.4 Conclusion

Access to health and education for these urban refugees together with their children is a fundamental basic human right that every individual is entitled to have. While state parties have the duty to ensure the provision to the satisfaction of at least the minimum level, to protect while fulfilling and respecting the rights of individuals while at the same time promoting the enjoyment of the right to health and accessibility of education for every individual. While accesses to these facilities are available, a majority of the Pakistani urban refugees do not seek assistance due to fear of arrest and detention by the police because of lack of legal documents

Facilities in both services are there, but the main obstacle is the fear of being arrested, caused by insecurity due to the long Refugee Status Determination process. This makes

a majority of the children loose and waste a lot of time that might be of regret in the future. Even though not so many of them have been arrested while seeking these services, they do not want to be living example to others and the fact that many of them lack finances for better health services and to pay for the proper schooling which they would have wished to take their children to.



CHAPTER VI ANALYSIS AND CONCLUSION

6.1 Summary of the findings

This chapter provides a summary of the thesis findings based on four research questions. The first section seeks to answer the four questions as follows: What are the insecure situations faced and risks experienced by Pakistan's urban through the eyes of women? How do Pakistan's urban women refugees get access to health and what challenges do they face? How do Pakistan's urban women refugee's children get access to education and what challenges do they face? What role is played by the international, local organizations and religious institutions to support these women? The second section will provide an analysis based on human rights approaches on challenges and livelihood strategies of Pakistan's urban women refugees in Bangkok. Since Thailand did not ratify the 1951 Refugee Convention and 1967 Protocol, the study uses the ICCPR, ICESCR and CRC. The final section will be recommendations that include further study involving ASEAN Charter on Human Rights and conclusion that the thesis proposes.

6.1.1. Insecure Situations and Risks experiences of Pakistan's urban women refugee

From the findings, it was established that the insecure situations and security risks are caused by the long waiting period for the refugee status determination process. This puts the lives of these women and their family members at risk of being arrested and detained by the Immigration police. While waiting for their refugee status results it escalates the insecurity of not knowing what to do hence courses stress, depression frustration affecting them psychologically. The study revealed that, the system now a day has changed and only few people get the chance to be resettled in the third country. Out of the 18 interviews, a majority of the women complained of biases and unfair treatment when it comes to the timeframe of the RSD process. On the other hand, a

large number of Christians Pakistani cases are rejected and it is rare for them to be approved and resettled. Many have stayed for almost four years but only a few have been able to get positive results on their cases. Some of the cases had been rejected while others are still waiting; this tended to bring about the insecurity of fear that life is so uncertain and that they do not know what the outcome will be.

The study revealed that risks encountered are at home and at work. Due to overstaying and lack of finances to be able to renew their visas, their status becomes illegal under Thai law. The police conduct raids and arrests, and on several occasions, refuse to recognize any documents even those who are persons of concern under UNHCR. With a lack of employment and little savings and support, in order to make ends meet and to cater for the basic needs life becomes meaningless. If a person is unable to work and gets little or no assistance from anyone during the 90 day recommended period for the results, the situation leaves a majority of them vulnerable victims of numerous violations to their basic human rights

Living with fear of being arrested and detained is the major challenge that these women face. It is a barrier to their freedom of movement that hinders them not to be able to receive access to health and education for their children. Once an individual is caught and taken to the IDC, being released is difficult. If the bails are closed that means the only option available is to wait for the day of repatriation, which is not known and it can take months and years or decide to go back. The detention of refugees is an issue because of the conditions found in the detention facilities whereas incidents of overstay in Thailand is mainly caused by awaiting the refugee status. The research findings illustrate that fear of arbitrary arrest originating from the lack of legal status which hinders refugees' free movement in Thailand pushes them to live lives of uncertainty and exposes them to arbitrary arrest and indefinite detention.

6.1.2. Access to health of Pakistan's urban refugee women and their challenges

According to the findings, the study revealed that Thailand has a well-placed health program which provides free medical services, and it also has allocated funds that provide healthcare services to individuals with unclear status. Nevertheless, in practice, refugees have had difficulties accessing this type of healthcare. International and local

organizations in Bangkok try to assist by providing health care treatment to urban refugees. Organizations such as Tzu Chi provide limited support and help negotiate treatment costs with hospitals, but only a few of the women interviewed had received such assistance. A majority of the women receive access to medical services first from the nearby, local pharmacy, then later visit a government hospital when the situation worsens depending on their financial status. The lack of access to affordable medical care was a challenge for many urban refugees, because of fear of being arrested; only a few women visited the Tzu Chi clinic that offers free medical services. The main challenge with the free clinic offered by Tzu Chi clinic is it doesn't offer surgical procedures, simply blood tests and medication, and it is only available once per month. Financial issues were yet another challenge faced by the Pakistan urban women refugee while for some of them it was a struggle to pay for the prescribed medicine and the hospital bills.

Language barriers were also a challenge that inhibited access to health service, particularly when the women visited government hospital, as it takes time for them to be understood exactly what is wrong with them. There are also instances when refugees feel uncomfortable and uneasy speaking with someone from the opposite gender who is not a member of their ethnic, linguistic, or religious community.

Psychological stress was another challenge that these women faced, the struggle in life with limited job opportunities idleness and the long awaiting RSD process that puts their lives at stake they see no future for the entire family. Women suffered from one or more psychological or emotional problems, including anxiety and depression, emotional pressure due to economic and social conditions, sadness and emotional instability, fear, insecurity and isolation. Families, in particular, appear to be suffering greatly under the stress of the situation.

6.1.3. Access to education of Pakistan's urban refugee children and their challenges

Even though Thailand supports free primary education for all children, refugee children are still experiencing challenges in attending these schools. The study established that a majority of refugee children have access to education at the community schools near

their homes. As some of the women tried so hard to make sure their children do not stay at home but at least go to community school and be able to get education even though it is risky. Refugee children lose most of their time for academic advancement while waiting for resettlement because they are unable to get good quality education. According to the findings, it is only a few refugee children who go to BRC despite the fact that it is an organization that offers to train children to learn Thai language then later to enroll into Thai school. BRC provides free transportation, uniforms and a lunch pack. Children in international schools and organizations such as the Good Shepherd were also found to be less in attendance compared to those in the community schools because the parents cannot afford to pay for the transportation and tuition fee for their children.

Other challenges were security risks and financial problems that hindered a lot of women not to be able to take their children to school. Distance in accessing these schools, with lack of legal document, was also an obstacle for them not to be able to take their children to school. They could not go alone and had to be taken by an elderly person and with the fear of being arrested and detained. It is difficult for some of them to prioritize education for their children; some families would choose to keep a low profile to avoid detention as they wait for their refugee status determination.

It is this unknown waiting period of time which creates pressures for refugee families and their children coupled with limited financial resources that lingers on and creates the vacuum for the education of their children. A majority of the families were afraid of going to these facilities fearing security reasons hence missing out on some opportunities that could help their children in the future, now that they were in a different world all together and had to change and adopt with time and according to their needs and wants.

From the findings it can be noted that a few women alleged that the quality of education was less superior than the education their children had acquired before coming to Bangkok. This was one area which gave them frustration while at the same time some women had the view that there was no point taking them to school to learn a language which had little or no value in the world at large. English language is what they expect their children to be taught in as they hope to be resettled to an English-speaking country. The challenges faced by these women such as their illegal status, language barriers to

their children on access to education, the financial hardships they are undergoing with limited support being unable to work at least to be able to provide for their family, living in the security fear of being arrested, are barriers that have made them unable to meet their children needs and also to be able to take care of their children wellbeing.

6.1.4. The role played by international, local organizations and religious institutions in assisting urban refugees

Various international, local organizations and religious institutions have been providing humanitarian assistance to urban refugees. In the case for Thailand, the UNHCR has been a helping hand to the government in giving refugees status to those seeking asylum in the country. It also intervenes with authorities, ensures physical safety, promotes national legislation and asylum procedures, providing advice, and developing jurisprudence. Organizations such as for example Tzu Chi Foundation assists in providing free medical services to urban refugees. It also provides services mainly the form of health education, prescriptions, dental for the kids, immunizations, pediatric care gynecological services and psychological support.

An organization such as AAT helps urban refugees by giving guidelines on how to go about the interviews during the Refugee Status Determination process. It also helps train volunteers for interpreting thus making communications clear and easy for urban refugees. Caritas is an organization that provides pastoral care and distributes distribute to urban refugees. It assists by reaching out to the community and providing information on how to survive and live under Thai law. Farruk Foundation assists many Pakistani, Christian women in bailing out those arrested in IDC. On the other hand, together with St. Michael church and Holy Redeemer church, they charitably try to help refugees with food package. Lastly TCR collaborate and works hand in hand with other local organizations, the Thai government and other human rights organizations on policies, amendments of the Immigration act on arrest and detention and legal reforms concerning refugee rights.

6.2 Analysis

The violation of human rights is a major factor that pushes refugees to flee and a barrier as well to their safe and voluntary return to their home country. Respect for human rights is a significant aspect for the protection of refugees in the country of asylum (UNHCR, 2005). Human rights perspective of the refugee problem can be helpful in restructuring the present mechanisms of refugee law on these lines. In addition to this, the approach may be helpful in providing the necessary legal basis for the protection of refugees in states which have not acceded to the 1951 Refugee Convention and or the 1967 Protocol.

The violence triggered by several various extremist and insurgent groups combined with the nations legal, and social persecution of religious minorities, not only creates push factors, but gives many in Pakistan a well-founded reason to flee their country. Pakistan's political, legal, and social instability creates many push factors for many Pakistanis, particularly for religious minorities such as the Christian. Due to this persecution, many search for safety and decide to come to Thailand as their destination. It is the misunderstanding of the perception that seeking asylum in Thailand things might work out fast now that Bangkok has a regional office for United Nations Commission for refugees where asylum seekers can apply for their refugee status.

Even though Thailand is a non-signatory of the 1951 Refugee Convention related to the status of refugees, it is a member state to several human rights instruments such as The International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC). Under these instruments, Thailand has a duty as a state to support and protect the rights of refugees on its ground and subjects to its jurisdiction. Refugees face security risk of fear of being arrested together with the uncertain and unknown future because Thailand does not apply refugee rights to urban refugee. It applies refugee rights at least to those that are at Thai-Myanmar border of refugee camp. However for urban refugees Thailand seems not to think about helping and giving protection to them. As Thailand does not accord to any legal status on refugees, urban refugees as a whole do not enjoy the human rights privileges that are derived from the refugee status under the international law and are seen as illegal immigrant under Thai

Law. As a country, it should apply these rights to cover non-Thai citizens who live in Thailand because they are individuals who are in a process of seeking asylum, they should put rights before security. Every individual is entitled to the basic fundamental rights, each right is fundamental for survival at any given time.

Urban refugees face more threats than refugees at the border, it is not insecurity because of war, but the insecure situation of risks experienced through daily police raid causing arrest and detention. The urban refugee populations thus remain vulnerable and are subject to arrest and indefinite detention. It is because of the long-awaited refugee status determination process that leads to overstay as per the permitted entry during the efforts to attain refugee status and resettlement to the third country which makes them to be illegal immigrant with lack of proper documents. Urban refugees face more threats and risks of harassment by the police; life is a struggle in order for them to survive. They live under low profile because due to lack of legal documents they are at risk of arrest, detention or being deported back to their own country than the refugee at the border. Even though they are far away from the conflict zone the host country does not see them as same as those that live on the border.

As a country which does not consider the rights of refugees, urban refugees like the Pakistanis experience endless severe threats to their liberty and security when living, working and travelling in a city like Bangkok. It is Thailand's obligation as a state under international law, to protect the liberty and security of all individuals as prescribed in the ICCPR. Article 9 of ICCPR states that anyone deprived of their liberty should take matters to court. This right applies evenly to all individuals regardless of their status. Despite Thailand's obligations in regards to refugees detained in the IDC, these refugees have no right to court hence this increases the chances of arbitrary arrest and detention. The Thai Immigration Act allows indefinite detention hence provides protection of children from arrest and detention. In reality however, refugee children are subject to arrest and detention by the Thai authorities.

Article 7 of International Covenant on Civil and Political Right states that no one should be subject to torture, any cruel, degrading, inhumane treatment or punishment. The freedom from arbitrary arrest is one of the fundamental human rights and fear of being detained in many instances is different from the principles of international conventions. An individual seeking asylum in a country has a right to do so without being arrested

or detained, this should be the last option if found with any other crime apart from not having legal documents. Article 10 of ICCPR also states that all persons deprived of their liberty should be treated with humanity and with respect for their inherent dignity of the human person. As Thailand is a party to this convention it should observe its responsibility, given the incidences of arrest of innocent individuals from the findings. A violation of the human rights on these articles is seen as detainee's health and living conditions in the detention center are unpleasant.

While the Thai alien immigrations laws are applicable to urban refugees the analysis provides evidence that there is no consistency with the international refugees' rights as given in the ICCPR convention which address access to health as a basic necessity to human beings. According to the Thai law all persons are equal before the law and shall enjoy equal protection and rights under the law. Therefore, equal treatment should give to urban refugees just as refugees residing along the Thai-Myanmar border. ICCPR has guiding principles set forth in the Covenant that apply to everyone, irrespective of reciprocity, and irrespective of his or her nationality or statelessness the rights of the Covenant must be guaranteed without discrimination between citizens and aliens.

Article 12 of ICESCR guarantees the right to health and CRC also obligates states to ensure that the rights of the child to the enjoyment on access to health in its highest attainable standard. Thailand has a well-placed health system which provides free medical care and also it has allocated funds that provide healthcare services to individuals with unclear status. International and local organizations have also tried to facilitate by giving free medical services to refugees and have referral hospitals for emergency treatment. Unfortunately, only a few of the urban refugees have been able to receive and enjoy such assistance. A majority of those interviewed relied on the nearby pharmacist as the first priority when one falls sick, this is because of fear of being arrested due to lack of legal documents. Even though the facilities are free, no one wants to risk their life to seek medical services that are far away from the place of residence. Nevertheless, in practice, refugees together with their children, still have difficulties accessing health.

According to article 28 and 13 of CRC and ICESCR respectively guarantees the right to education free and compulsory for all children. Education should be available, acceptable, adaptable easy accessible within a safe environment. Thailand had adapted

the duty as a state under CRC and implemented the right to free primary education for all children. This allows every child who is in Thailand to get access to primary education free of charge. However, despite the developments and efforts made to provide education, a majority of urban refugee children have difficulties in accessing education. Thailand has not yet succeeded in making education available for most of the urban refugees in Bangkok, many of the refugee women live in fear of arrest due to security purpose thus hinders a lot of families not to able to take their children to school and only to depend on the community schools around their homes.

The denial of basic economic, social and cultural rights can have overwhelming devastating effects by destroying the loss of livelihood and the destruction of social networks, and have devastating psychological effects as well. On the other hand, the Thai government is responsible for regulating and ensuring that the provision of free primary education and services that are relevant to health care. While states are responsible to regulate where the service is not provided by the public sector, control private providers through an efficient and effective regulatory system which includes independent monitoring and penalties for non-compliance.

In conclusion, due to the lack of legal status triggered with the long-awaited refugee status determination process, along with the obstacle of arbitrary arrest and detention barrier to freedom of movement and the daily harassments and raids by the police are the major factors creating the insecure situation among Pakistan urban women refugees. This hinders a majority of them from not being able to get access to social services such as health and education. By denying basic human rights of Pakistani urban refugee, Thailand clearly is in breach of its international human rights obligation though some good steps have been taken. However, profound problem of refugee's insecurity remains, mainly due to the lack of specific refugee law and regulation.

6.3 Recommendations

This recommendation section will propose further study for those interested on the issues of urban refugees, the Thai government and policy makers.

6.3.1 Immigration reforms

The tourist visa duration seems not to be sufficient for urban refugees to be able to apply for their Refugee Status Determination process and wait for their results within the same time. Thailand should try and consider giving temporary visas to recognized urban refugees for resettlement process and allow urban refugees to be able to work during their stay in Thailand.

Harassment by the Thai immigration police was among the security risks faced by the urban refugee due to lack of knowledge on refugee documentation. The study recommends that the police and the government should work closely with UNHCR on documentation strategy and enforcement and also take the initiative of enlightening the police officers on the proper refugee documentation procedure so as to avoid further harassment.

6.3.2 UNHCR

The Refugee Status Determination process system should be upgraded in order to quicken the process and employ more staff so that the cases and claims can be effectively handled at a faster rate.

Civil society organizations should provide educational programs where refugees can come together, share information, challenges, questions and hopes while working with education providers to increase opportunities for refugees and educate refugee parents on the importance of education for their children. Refugees as parents should also take the initiative of trying their best and making sure that their children get access to education despite the circumstance.

6.3.3 For the Thai government

The ICCPR and CRC general principles must be taken into account in the application of all kinds of rights including liberty, freedom from arbitrary arrest, and restriction of the free movement of refugees, asylum seekers and their children. In addition, while

ratifying these Conventions, Thailand is obliged to create an environment that fulfills these principles.

The Thai government should double its effort in cooperating with international, local and religious NGO's, in putting together the basic human rights-based refugee policy and the implementation of easy access to health and educational services. Long term refugee policy needs to be put in place to lessen the perceived fear that these urban refugees have by creating awareness to help the fear of persecution by establishing mutual respect and equality for urban refugees while maintaining dignity based on their basic human rights including their rights to quality access to healthcare, work and development during their temporary asylum in Thailand.

6.4 Further research

Since the study explored the challenges and livelihood strategies of Pakistan urban women refugees in Bangkok it recommends that:

- Further research should be done to explore the perception of insecurity of other nationalities as far as health and education access in order to get a clear perspective and generalize the finding.
- Further research should be done to explore the effectiveness of the community schooling system in order to root out the backlog of children education by encouraging and supporting better positive pull factors for refugee parents to take their children to school while emphasizing the importance of learning at that tender age for children
- Since Thailand ratified the ASEAN human rights charter future study should use the ASEAN human right declaration that Thailand applies as a contributing framework to help protect urban refugees.

6.5 Conclusion

The study concludes that the fear of insecurity and of arrested has a huge impact on the lives of urban refugees which hinders freedom of movement for a person to even attain

basic human rights and services. It pushes their lives in uncertainty and exposes them to arbitrary arrest and indefinite detention. Financial crisis was also found to be a major problem due to a lack of employment options created by legal stipulations and lack of formal opportunities. Due to the lack of effective refugee legal protection framework in Thailand, this has resulted in urban refugees being treated as illegal immigrants according to the Thai immigration Law, with no access to human rights protection. The failure to be able to recognize vulnerable urban refugees, give support and protection has placed a huge impact on their lives not to enjoy human rights. The violation of the right to liberty, the freedom of movement and employment opportunities is a major concern for these refugees as far as the fear of harassment by the police, arrest and detention is concerned. With limited support for urban refugees in accessing health and education for their children, this shows that a lot of time is being wasted among and the children will have very difficult futures. It is clear that refugees feel insecure and it is as a result of this fear that deprives refugees from acquiring the rights and social services that are already in place to assist them in their daily lives and struggles.

REFERENCES



จุฬาลงกรณ์มหาวิทยาลัย
CHULALONGKORN UNIVERSITY

- Alexander. (1999). Refugee Status Determination Conducted by UNHCR. *International Journal of Refugee Law* 11 (2), 251-289.
- Alexander. (2008). Without Refuge: Chin refugees in India and Malaysia. *Forced Migration Review* 30, 36-38.
- Amara A. (2014). Non communicable diseases among urban refugees and asylum-seekers in developing countries: A neglected health care need. *Globalization and Health*, (Vol. 10, 24-37.)
- APRRN (2013). *Urban Refugees in Asia Pacific: Resiliency and Coping Strategies. Pilot Study Report*, p. 9.
- APRRN (2017). Thailand factsheet, advancing the rights of refugees in the Asia Pacific region.
- ASEAN Human Rights Declaration and Phnom Penh Statement on the Adoption of the ASEAN Human Rights Declaration (2013).
- Asylum Access. (2009). *UNHCR Protection Challenges for Urban Refugees in Thailand: Report and recommendations*, Boat people SOS and Conscience Foundation.
- Bangkok Post online, (2011) Immigration Law in always top priority.
- Bernstein. (2005). a Drop in the Ocean: Assistance and Protection for Forced Migrants in Kampala. *Refugee Law Project Working Paper No. 16*.
- Boddy, J. (2011). *The Research Ethics Guidebook: a free online resource for social science researchers*.
- BRC. (2009). information bulleting _refugees and asylum seekers in CORR(ED) Bangkok.
- Brees, I (2008). Refugee business: Strategies of work on the Thai-Burma border. *Journal of Refugee Studies*, 21(23), 380-397.
- Briant, N, & Kennedy, A. (2004). An investigation of the perceived needs and priorities held by African refugees in an urban setting in a first country of asylum. *Journal of Refugee Studies*, 17(4), 437-459
- Brock DW 1994. *The President's Commission on the Right of Health Care* in *Health Care Reform: A Human Right Approach* (OD) Chairman a, Georgetown University Press, Washington DC
- Bryman. (2005). *Social research methods*. Don Mills: Oxford University Pres.

- Campbell, E. (2006). Urban Refugees in Nairobi: Problems of Protection,
- Campbell. (2005). Urban Refugees in Nairobi: Protection, Survival, and Integration, Migration Studies Working Paper Journal of Refugee Studies.
- Caritas. (2017). urban refugees in Bangkok Thailand.
- Cheung. (2012). Migration control and the solutions impasse in South and Southeast Asia: Implications from the Rohingya experience. Journal of Refugee Studies, 25(21), 50-70.
- Coker. (2003). Health Education for Urban Refugees in Cairo. Forced Migration and Refugees Study
- Collewet, L, (2012) Inhuman Detention Condition in Bangkok? Oxford Monitor of Forced Migration, Vol.2, No-1, pp.28.33
- Committee on the Elimination of Racial Discrimination, (1996) General Comments No.22
- Committee on the Elimination of Racial Discrimination, (2004) General Comments No. 30
- Committee on the Rights of the Child, (2009) Consideration of the reports submitted by States parties under article 44 of the Convention, Combined third and fourth periodic reports of States parties due in 2009,
- Convention and protocol relating to the status of refugees (2010).
- Convention on the Rights of the Child (1996a).
- Convention relating to the Status of Refugees, (1951) Basic International Legal Documents on Refugees, United Nations High Commissioner for refugee, Bangkok
- Conway chambers. (1992). sustainable livelihood: practical concept for the 21t century.
- Dawn. (2015). after escape from Pakistan, Christian family hides in Bangkok.
- Dryden-Peterson. (2011a). Barriers to Accessing Education in Conflict-Affected Fragile States, London: Save the Children.
- Dryden-Peterson. (2011b). Refugee education. A global review, UNHCR, Geneva. 2011.
- Eye Refuses to See. African Studies Review, 39 (33), 131-178.
- Feith. (1988). Tale mate Refugees in Asia, Asian Bureau Australia, Victoria.

- Freedom House Report. (2011). Overview on Pakistan available at <http://www.freedomhouse.org/report/freedom-world/2011/pakistan>.
- Goodwin-Gill, G. (2001). "Article 31 of the 1951 Convention relating to the Status of Refugees: Non-penalization, Detention and Protection." *Refugee protection in international law: UNHCR global consultations on international protection* 185-252.
- Grabska. (2006). Marginalization in Urban Spaces of the Global South: Urban Refugees in Cairo. *Journal of Refugee Studies*, 19 (13), 287-307.
- Gregory. (2012). Under the shadow of Islam: The plight of the Christian minority in Pakistan. .
- Guterres, A. (2008). Millions Uprooted: Saving Refugees and the Displaced. Retrieved from Human Rights.
- HRW. (2012). Thailand's Treatment of Refugees and Asylum Seekers, Ad Hoc and Inadequate, 1-143.
- HRW. (2014). Two Years with No Moon: Immigration Detention of Children in Thailand.
- IOM, (2011). Glossary on Migration, International Migration Law
- J Mueller, M. T. (2012). Mental health of asylum seekers: a cross-sectional study of psychiatric disorders.
- Jacobsen. (2004). just enough for the city: Urban refugees make their own way.
- Jacobsen. (2006a). Refugees and Asylum Seekers in Urban Areas: A Livelihoods Perspective. *Journal of Refugee Studies*, 19(13), 273 –286.
- Jacobsen. (2006b). Refugees and Asylum Seekers in Urban Areas: A Livelihoods Perspective. *Journal of Refugee Studies* 19(3).
- Jones, F. (2009). Pakistan's war within. *Survival*, . 51(6), 161-188.
- JRSASIA. (2010). Hidden Lives: the Plight of Urban Refugees. The Plight of Urban Refugees ASIA PACIFIC.
- JRSASIAPACIFIC.(2013). JRSAsiaPacific in Brief 2013, <https://jrsap.org/Assets/Publications/>
- Kahn. (1998). Limitations of the Study - Organizing Academic Research Papers.

- Kennedy, B. (2004). An investigation of the perceived needs and priorities held by African refugees in an urban setting in a first country of asylum. *Journal of Refugee Studies*, , 17(14), 437-459.
- Khan, C. (2015). Suicide bombers kill 15 people outside Pakistani churches. , *The New York Times*.
- Kibreab. (1996). Eritrean and Ethiopian Urban Refugees in Khartoum: What the Landau. (2004). *Research Guide: Urban Refugees. Forced Migration Online*.
- Landau. (2006). Protection and dignity in Johannesburg: Shortcomings of South Africa's urban refugee policy. *Journal of Refugee Studies*, 19(13), 308-327.
- Loper. (2006). Refugees in International law and Hong Kong's obligations. University of Hong Kong Faculty of Law Research Paper.
- Macchiavello. (2004). Livelihoods Strategies of Urban Refugees in Kampala. *Forced Migration Review*, 20.
- Maguire, F. (2014). Protection of Refugees and Displaced Persons in the Asia Pacific Region International Journal of Refugee Law refugees in Cairo.” *Journal of Refugee Studies*, Vol. 19, No. 3.
- Malik. (2011a). Denial of flood aid to members of the Ahmadiyya Muslim community in Pakistan.
- Malik. (2011b). Denial of flood aid to members of the Ahmadiyya Muslim community in Pakistan. *Health and Human Rights*, 13(1), E6.
- Marfleet. (2007). Forgotten Hidden: Predicaments of the Urban Refugee. *Centre for Refugee Studies*, 24 (1), 36-45.
- Masood. (2015). Pakistani Taliban kill 3 in suicide attack at Shiite mosque. *The New York Times*.
- Mechanisms of Survival, and Possibilities for Integration. *Journal of Refugee Studies*, 19 (3), 396-413. Campbell & Landau. (2006,).
- Mugenda. (2003) urban refugees in Kampala Uganda.
- Muntarborn. (1992). Chapter on Thailand, part 3, in *The Status of Refugees in Asia*, OHCHR. (1996b). Right to health.
- OHCHR. (2011). An Inter-Agency Proposal for Temporary Transfer of Detained Refugees and Asylum-Seekers Pending Departure, OHCHR document, Bangkok.

- P. Sam Daniel, A. G. S. (2011). Research Methodology on how to do research.
- Palmgren. (2014). 'Irregular Networks: Bangkok Refugees in the City and Region'.
Journal of Refugee Studies, 27(21): 21–41.
- Patil-Deshmukh. (2011). Social conditions and urban health inequities: realities, challenges and opportunities to transform the urban landscape through research and action.
- Ronald C. Martella, J. R. N., Robert L. Morgan, Nancy E. Marchand-Martella. (2013).
Understanding and Interpreting Educational Research.
- Sally. (2015). 'Slivers of Hope' for Thailand's Pakistani Refugees.
- Samaddar. (2003). Refugees and the State.
- Schweitzer. (2008). Difficulties and coping strategies of Sudanese refugees: A qualitative approach. Transcultural psychiatry, 45(3), 489-512. Chicago
- Sidoti. (2000). Access to education: A human right for every child
- Smith. (1997). risk analysis and extreme, department of statistics and operation research Special Needs Education.
- The President's Commission on the Right of Health Care in Health Care Reform A Human Right Approach (od) (1994).
- The Universal Declaration of Human Rights, (1948).
- TzuChiFoundation. (2015). Relief web. .
- UNESCO. (2012). The Salamanca Statement on Principles, Policy and Practice in
- UNHCR. (2015). UNHCR regional operations profile – Asia and the Pacific.
- UNHCR. (2002). Protecting Refugees: questions and answers.
- UNHCR. (2003). Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons.
- UNHCR. (2005). An introduction to International Protection:
- UNHCR. (2006a). Analysis of Gaps in Refugee Protection Capacity, Thailand.
- UNHCR. (2006b). The Right to Liberty and Security of Person: Non-Penalization for Illegal Entry, Judicial Protection Against Detention and Conditions of Detention, Human Rights and Refugee Protection.
- UNHCR. (2009). UNHCR policy on refugee protection and solutions in urban areas.
- Urbanrefugee.org. (2015). Bangkok Thailand. Retrieved from <http://urbanrefugees.org/bangkok/>.

Verdirame. (2005). *Rights in Exile: Janus-Faced Humanitarianism*. New York.

Webb. (2016). *This School Is My Second Home*'.

WHO. (2014). *Disability Draft WHO global disability action plan 2014–2021: Better health for all people with disability Report by the Secretariat*.

World Watch Monitor. (2016). *Christians fleeing Pakistan are stuck in Thailand*.



APPENDIX

Interview Questions

1. PERSONAL PROFILE

- Age
- Number of children, age and sex
- Work status
- Refugee status

2. Push and Pull factors

- Why did you seek refuge in Thailand? Referral Easy access others
- When did you leave Pakistan? 6months 2yrs 4yrs others

3.1 Livelihood:

- What challenges have you faced living in Bangkok (isolation, difficulties raising children away from your community support?)
- How do you make ends meet? Savings Charity others
- Where do you buy your food? market mall local others
- Who provides for the food? Father Mother others
- Who gives food and who cooks? Mother Sister others
- Who decides what will be cooked? Mother Sister others
- How many meals do you prepare in a day and for how many people?

3.2 Housing:

- How did you find a place to live? Family Friends
- How much do you pay?
- How many members live in your household?

3.3 Financial support:

- Have you received or are you receiving any financial support at the moment?
- From where and how frequently?

4. HEALTH

- Do you/did you have any medical issues since you moved to Bangkok?
- If yes, did you go to any hospitals or clinics? Which ones? Tzu Chi Others,
- Have you accessed any health services for your family?
- If yes, how, did you face any difficulties in accessing those services?
- Have you accessed any health services for your family?
- Have you ever received any psychological assistance?
- What kind of psychological assistance is available to you and how adequate is it?

5. EDUCATION

- How important do you think education is for your children in Thai public schools?

- Have you received any information regarding school for your children?
- If your children are school aged, do they have access to school, ages?
- How many of your children go to school
- How many don't go to school, please explain why?
- How many days in a week do your children go to school?
- What grade have they reached?
- Name of the school they attend?
- How do your children travel to school bus walk taxi bicycle motorcycle car?
- Is your child accompanied by anyone to travel to school? Dad Mother Sister others How far is it?
- How much is transportation cost?
- How safe do you feel your child is going to school?
- Do you Do you feel the education they have received since they have been here is sufficient? Explain
- How do you see the duration of stay in Bangkok affecting the future for your children?

6. SECURITY RISKS:

- As a refugee woman, how do you feel about your safety in Thailand?
Safe not safe moderate
- Have you or any of your family members ever been to IDC?
 If yes, how would you describe your experience there?
- What issues, if any, do you have with the risk of being arrested and/or detained?
- Where does a refugee woman mostly experience security risks did you seek refuge in Thailand? Home within the neighborhood workplace
What are the main security risks of refugee women in the following places? At home and work place

VITA

Margaret Mbeyu Nguma I am a Kenyan by nationality and have been living in Thailand for the last one year. After graduating from University of Karachi in Pakistan with a Bachelor's Degree in International Relations, it was a nice experience studying their getting to learn with different people from every part of the world. In a country like that where people find it scary to live in because of the different news we hear about it but as for me, I found it different and interesting. I decided to go for further studies at Chulalongkorn University in order to further my knowledge and skills towards my future.





จุฬาลงกรณ์มหาวิทยาลัย
CHULALONGKORN UNIVERSITY