

Myanmar: How Thailand and India continue to fail Myanmar refugees

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Refugees from the war in Myanmar live in fear of harassment, imprisonment and deportation in the border areas of Northeast India and Thailand

FELIX SAT CROSS-LEGGED next to his wife on the floor of a rented parlour-sized room that one could mistake for a Zumba studio. The hall was situated in an upscale area of Mae Sot, a city on the western edge of Thailand, near its border with Myanmar. Felix was not there to learn to dance. He was there to help other refugees from Myanmar, who come here to learn to bake bread and pick up other survival skills. The refugees had all come to Mae Sot after fleeing air strikes and forced military conscription back home.

The space was run by Heroes Assist Migrants, or HAM, a Myanmar citizens' initiative that works with the refugee community in Thailand. HAM's founder, Kaori, who asked to be identified by a single name, collaborates with leaders in the refugee community, such as Felix, to help others who have come to Mae Sot.

Felix, who also asked to be identified by just his first name, was once a general surgeon in Yangon, but that changed during the military coup in Myanmar in 2021 and the anti-military protests that followed. "I was detained for writing that the cause of a protester's death was due to bullet injury in his death certificate," he told me. This action led to his detention for four days after the coup. After his release, he joined the People's Defence Forces, a conglomeration of armed civilian groups and ethnic armed organisations fighting the ruling military junta. Inspired by his late father, who had served in a similar armed group during an earlier spell of military rule in Myanmar, Felix signed up with the defence unit of the Karen National Union (KNU). He showed me his KNU identity card, which had a mugshot of him in fatigues. It was the only proof of identity he carried.

Felix was badly injured in action when he was struck by a 60-millimetre rocket, and he retired from the KNU in 2022. Since then, he has been helping others in Myanmar from his base in Mae Sot. He works as a doctor helping people in the civil disobedience movement – political workers as well as combatants – with medical aid and food supplies. "We must have helped over ninety human-rights defenders," he said.

Kaori started HAM in 2022 as a way to train refugees to generate income by sewing bags, making keychains, eco printing cards and other such activities. "I also wanted to divert the attention of refugees from social media, where they are constantly seeing disturbing updates from home," she said. Along with her husband, who is the head baker at HAM, she makes bread, cakes and cookies as well as healthier versions of fast-food items like hamburgers. Like Felix, Kaori and HAM have helped the resistance across the border. "We have even catered for the weddings of our combatants in the jungles," Kaori said.

People from Myanmar have crossed the border into Mae Sot and settled there for decades across

several anti-military uprisings. The town has come to look more like Myanmar than Thailand in some ways as refugees, as well as other migrants, have made their homes and established their businesses, putting up signage in Burmese everywhere.

The international advocacy group Human Rights Watch has estimated that more than 100,000 people fled Myanmar for neighbouring countries since just this February, when the Myanmar military passed laws enabling widespread conscription. The law mandates that men between the ages of 18 and 35 and women between the ages of 18 and 27 must serve in the armed forces for two years, with a possible extension to five years in an emergency. Most of those who have fled since February have crossed over into Thailand.

Parnpree Bahiddha-Nukara, Thailand's foreign minister until this April, said that his country was prepared to receive up to 100,000 people temporarily. Yet people who managed to cross the border, travelling through thick jungles and across the Moei River, have not been exempt from inquiries by Thai authorities. Many of these arrivals do not have proper documentation to be in Thailand.

Felix said he was once deported for lack of documentation. He claims that the real reason was his support to the armed groups fighting the military junta, particularly ethnic minorities, suggesting the Thai state's support for refugees was not unconditional. "Mae Sot police harasses refugees, asking for 10,000 Thai Baht," he said, corroborating earlier news reports of Thai police shaking refugees down for money. "A lot of Myanmar citizens are here but they have no human rights," Felix added.

Meanwhile India, whose Northeast region shares a 1643-kilometre border with Myanmar, has also made no promises on safeguarding refugees, even as tens of thousands of them have come to the country in search of sanctuary. New Delhi continues a policy of pushing undocumented refugees back across the border and has promised to deport refugees to whom it has offered shelter temporarily on humanitarian grounds. These policies are particularly evident in the state of Manipur, which has been riven by its own internal conflict. As per data maintained by India for Myanmar, a collective of pro democracy activists advocating for better relations between Indians and Burmese citizens, 75 refugees from Myanmar who had been lodged in jail in Manipur's state capital, Imphal, have been deported since March, and 133 refugees have been pushed back across the border as soon as they entered Indian territory.

In May, I spoke to person within the National Unity Government (NUG), a parallel administration claiming to be the legitimate government of Myanmar that was formed in exile after the 2021 coup. He told me that most of those deported by India were women and children. According to news reports, the deportees from India have included more than 50 women and at least five children. "They were identified by the Indian government as the most vulnerable inside the prison," he said, speaking on condition of anonymity.

In Manipur, where the internal conflict has turned the majority Meitei community and the minority Kuki-Zo tribal community against one another, refugees from Myanmar face yet another threat. The Manipur state government is led by N Biren Singh, a Meitei leader from the Bharatiya Janata Party that is also in power in New Delhi. He has blamed the ongoing conflict on "illegal immigrants" from Myanmar, and the BJP government and Meitei nationalist groups have tried to build a narrative of Kuki-Zo communities conspiring with Chin communities from Myanmar in pursuit of a separate, unified homeland of their own. Chins from Myanmar have age-old ethnic ties to Kuki-Zo and Mizo communities in India, and comprise a significant section of the refugees that have crossed into India. They are being made scapegoats for Manipur's problems, since the reality is that the state's conflict was set off by the state government's contentious attempt to rework affirmative action policies – a move that pitted Meiteis and tribal communities against each other.

India and Thailand are not signatories to international conventions on refugees and do not have domestic legal obligations to shelter them. Human-rights organisations say that deportations and pushing refugees back across the border could amount to a breach of the United Nations Convention Against Torture – which both countries have signed, but which India is yet to ratify – and potentially violate the customary principle of international law prohibiting refoulement, understood as the forcible return of anyone to a place where they would face a genuine risk of persecution, torture, ill-treatment or threat to their life. These uncertainties only exacerbate the precarity of refugees from Myanmar in both Thailand and India, where they are living uncertain and marginalised lives.

ON NEW DELHI'S orders, the Manipur government has collected biometrics from 5457 migrants in the state, who are mainly Chins taking shelter in the hill district of Kamjong. Kamjong is home mainly to Tangkhul Nagas, and also has some Kuki-Zo villages, while the Imphal Valley, which hosts the state capital, is dominated by Meiteis.

In May, Leishiyo Keishing, a Naga legislator, wrote to Biren Singh, Manipur's chief minister, requesting the deportation of more than 5800 Burmese "refugees/immigrants" residing in eight villages in his constituency in Kamjong. Keishing said that the "inmates" in shelter homes had outnumbered local residents and were getting into tussles with them over daily wages and domestic issues. He also alleged the killing and abduction of locals by immigrants who could not be caught since they might have crossed the Myanmar border.

Civil-society organisations in Kamjong that I spoke to refuted these allegations. Phareipam Shithungdang, the president of the Raizan Traders Association in Kamjong, said he had not heard of any incidents of locals being murdered or kidnapped. The Raizan Traders Association has been providing relief materials to refugees through the district superintendent. "The refugees have been staying here for almost six months now, and it's a struggle to provide them with all their needs," Shithungdang told me. "But the refugees are scared to leave, fearing air strikes and landmines laid down by the Myanmar military in their villages. I have gone across the border and seen there's nothing left of their houses."

Shithungdang said Keishing's letter could have come because Meitei organisations were not happy about the association assisting the refugees since roughly two-thirds of them were Chins. "The rest are Bamars and also Shan, who are ethnically closer to Nagas," he said. "But we are helping them on humanitarian grounds as refugees."

Meiteis were mostly sympathetic to the refugees in the aftermath of the coup in Myanmar, but that sympathy appears to have expired since the escalation of the Manipur conflict. Civil-society groups based in the Imphal Valley have demanded the implementation of the National Register of Citizens (NRC), a controversial initiative proposed by the Indian government that ostensibly aims to identify illegal immigrants. When implemented in the neighbouring state of Assam it left hundreds of thousands facing statelessness and with no legal recourse. This July, Anusuiya Uikey, the governor of Manipur at the time, told Meitei civil-society organisations that it was "only a matter of time" before the NRC would be implemented in the state. This would threaten Kuki-Zo communities with further discrimination and disenfranchisement, as the NRC did to marginalised Bengali-origin Muslims and Hindu communities in Assam, and leave refugees in the state even more vulnerable.

Another neighbouring state, Mizoram, is also host to a large contingent of refugees, having welcomed them in the wake of the coup. But there are signs of a shift following a change in state government in late 2023. The state is now ruled by a new regional alliance, the Zoram People's Movement, that is seen to be more aligned with the national BJP government than the previous administration was. With a biometric portal already prepared, the state is awaiting instructions from the national government in New Delhi to begin the enrolment of over 33,000 Myanmar refugees in

systems such as Aadhaar, India's official biometric identification system.

Besides the refugees from Myanmar, Mizoram hosts more than 9000 displaced Kuki-Zos from Manipur and almost 2000 Bawm refugees from Bangladesh. The state has sought funds from the national government to look after all these refugees. An official of the NUG's foreign ministry told me that if Mizoram is compelled to collect biometrics in exchange for relief funds, refugees may not enrol their children in local schools or seek treatment in hospitals for fear of being identified. The fear of being targeted for deportation, even from a relatively friendly Indian state like Mizoram, is not entirely unfounded, considering the Indian government's existing record of handing refugees over to military authorities in Myanmar.

ON 16 JUNE, 149 inmates at Sajiwa Central Jail in Imphal began a hunger strike, much to the surprise of the jail authorities. The inmates were Myanmar nationals who had illegally entered the state of Manipur before and after the 2021 military coup. The strike, which lasted for 18 days, was meant to underscore their demand to be released from detention and allowed to return home without being deported – that is, without being handed over to the Myanmar military.

"The detainees went on a hunger strike because the Manipur government is not releasing them despite completing their jail term," Salai Dokhar, a refugee from Myanmar who had been in touch with the prisoners' relatives, told me. Dokhar escaped from Myanmar into India in 2021 and founded India For Myanmar.

Dokhar said the inmates alleged that conditions inside the jail were extremely poor, with children not getting access to education and infants not getting vaccinated. The inmates also said they got to bathe only once a week. "They don't have access to medical treatment unless it's an emergency," he added. "Because of such conditions, one of the detainees recently died. This is like a death sentence."

SK Bhadrিকা, the jail's superintendent, refuted the allegations. "The Burmese detainee died last year due to a heart attack in the middle of the night," Bhadrিকা told me. He added that the jail superintendent at the time of the incident was an officer who belonged to the Kuki-Zo community, suggesting there was no ethnic bias at play. "We have provided medical facilities and everything," Bhadrিকা said. "They started the hunger strike because they wanted to be released from jail but we can't release them unless we get a court order."

Dokhar said that the hunger strike was called off after the jail authorities assured the detainees that they would ask the Indian government to pass orders for their immediate release. "If not released, they would be transferred to a detention centre in Churachandpur or Mizoram," he added. Churachandpur is a Kuki-Zo dominated district in Manipur, while Mizoram already hosts over 30,000 refugees from Myanmar. Bhadrিকা said that the governments of India and Myanmar would eventually decide where the detainees will be sent.

SINCE ITS FORMATION in 2021, the NUG has been working to be recognised as the legitimate representative of Myanmar's people by foreign governments as well as the seven ethnic-minority states within Myanmar that have been striving for autonomy. However, its engagement with immediate neighbours like India and Thailand leaves a lot to be desired, particularly when it comes to the unfolding humanitarian and refugee crisis born out of the country's present turmoil. The NUG foreign ministry official I spoke to said that relations between the NUG and India was not much different from those the NUG has with the Thai government. The Thai government has been far more open to engaging with various stakeholders in Myanmar compared to the Indian government, which has continued to engage closely with the Myanmar junta, but it often caves to the junta even as Thailand continues with humanitarian aid and assistance for refugees at the border. The official

said that neither country guarantees safe haven to refugees from Myanmar. "The only difference is that Thailand has more job opportunities than India," he said. "They can work as illegals."

Felix said there was a lack of support from the NUG for those on the frontlines, especially when it comes to military supplies, and at a crucial time. Anti-junta forces are fighting to regain control over the key border town of Myawaddy on the Myanmar side of the border with Thailand. Kaori, who worked in the NUG before starting HAM, said that the NUG did not have much influence over the Thai government. "This is because of the good business relations that the junta has with several Thai parliamentarians," she explained. Thailand is the top destination for financial transactions involving the Myanmar military: in 2023, Thai banks transferred USD 120 million worth of funds for weapons and related expenses, according to the UN special rapporteur on the situation of human rights in Myanmar.

Meanwhile, India appears to be concerned predominantly with China's influence in Myanmar, according to several activists, parliamentarians and journalists I met in Mae Sot. Myanmar's forced conscription laws, enforced this February, appear to be a panic response to the military losing numerous key territories. But despite the situation shifting against the junta and in the NUG's favour, India's engagement with the NUG has a long way to go.

Kyi Pyar, who works at the NUG prime minister's office, told me that the People's Defence Forces had been gaining ground in the Sagaing region, which borders Manipur. "But instead of talking to us," she said, "the Indian construction companies working there and the Indian government will try to negotiate with the SAC. So we stopped their work."

The person from the NUG whom I met in May said that relations with the Indian government had improved since 2022 – although, they added, New Delhi had told the NUG to keep a low profile. The NUG foreign ministry official told me that "It would be in India's interests to support the pro-democracy movement, especially since the rebel forces have occupied key areas along the India border." The official claimed that better relations between India and the NUG would help India control drug trafficking and other illegal activity across the border, since many border areas are now rebel strongholds.

In Manipur, the NUG has appealed to authorities to treat migrants who entered the state after the 2021 coup as refugees rather than illegal immigrants, said the NUG source I met in May. "The NUG anticipates to improve understanding between the Burmese and the Manipuri people, including Meiteis," he added. Dokhar does not see the point in designating people as refugees or illegal immigrants based on their date of entry since all their homes have been turned into war zones. While some of the 75 refugees earlier deported from jail in Imphal have re-entered India, heading into Mizoram, he said, others are staying in camps for internally displaced people in Myanmar because of the active conflict in their home towns or villages.

"Most Myanmar people have participated in peaceful protests to reject the 2021 coup at least once or twice," Dokhar said. "The refugees are worried about their safety if deported to Myanmar, especially into the hands of the military."

Internationally, the NUG has made significant inroads with Western powers like the European Union and France – the European Parliament has recognised it as Myanmar's legitimate representative – and it continues to push for recognition from the United States. However, pro-democracy supporters from Myanmar believe that Thailand and India are the most crucial allies for the NUG and anti-junta forces at this time. "We strongly believe that the help of our neighbouring countries will bring change to our country, not the Western powers," Dokhar said. "India's people's solidarity is the key to the Myanmar democracy movement."

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