Searching for Identity

Yindee Lertcharoenchok, Consultant for UNESCO Culture Unit, reports on UNESCO & UNIAP efforts to help bring citizenship to highland villagers.

The Culture Unit of UNESCO has identified lack of citizenship as the major risk factor for highland girls and women in Thailand to be trafficked or, otherwise, exploited. Consequently, UNESCO working closely with UNIAP has taken a keen interest in the citizenship registration issue. In April-May 1999, thousands of hill tribe villagers staged a protest in front of Chiang Mai City Hall, demanding the government to recognize their right to Thai citizenship and access to their farmland and community forests.

Without legal status, ethnic minority people are considered “illegal aliens” and subject to arrest, deportation, extortion and other forms of abuse. But worst of all, they cannot vote, own land or travel outside their home districts or provinces. Without citizenship, they do not get an official certificate after finishing school, thus depriving them chances to higher education or choices of employment. Moreover, they cannot enjoy state welfare services such as medical care and treatment. Although the peaceful rally – the first ever by ethnic hill people in Thailand – was eventually broken up by the use of force, it succeeded in drawing domestic, and international, attention to the long-neglected problems of hill tribe minorities in Thailand and state policies towards this marginalized group of people.

Consequently, the Government of Prime Minister Chuan Leekpai decided, in May 1999, to set up a committee to study problems in categorizing hill tribe and other ethnic minorities, and the process of granting legal status to these different groups. Following recommendations by the committee, the Thai Government decided on 29 August 2000 to grant Thai citizenship or “alien status”, which constitutes permanent residency, to hundreds of thousands of hill tribe and other minority groups of people in Thailand. It decided to confer Thai citizenship on hill tribe children, who were born between 14 December 1972 and 25 February 1992. The Government also agreed to allow about 190,000 hill tribe and minority people, who entered Thailand after 3 October 1985 until 15 September 1999, to stay in the country for one year pending studies on how to deal with them.

On 1 June 2000, the Ministry of Interior produced a new regulation handbook on how to categorize and register status of highland population in 20 provinces. The document has out-lined and simplified the registration process and allowed non-governmental organizations to assist villagers in their applications for Thai citizenship or permanent residence. On 28 August 2001, the Government of Prime Minister Thaksin Shinawatra decided to grant Thai citizenship to hill tribe children, whose parents are registered as “alien” with permanent residency, regardless of when they were born. It
also allowed those 190,000 tribal and highland minorities to stay in Thailand for another year.

Figures of hill tribe and other ethnic minority population in Thailand increase over the decades and vary between different agencies in charge of highland people’s affairs and policies. Initially, the presence of highland people in remote mountainous regions was largely overlooked. The first national census in 1956 failed to include them when Thai authorities began issuing household-registration certificates to Thai families. Thus, highland population comprising hill tribe groups such as Akha, Hmong, Karen, Lahu, Lisu and Mien, became “stateless minorities” in their own country. Their Thai status was recognized only when the first census of highland population was conducted in 1969-1970. Nearly 120,000 hill tribe people in 16 provinces were covered in the survey.

In December 1974, the Ministry of Interior decided to register their citizenship. Between 2 January 1975 and 20 March 1992, a total of 182,065 highland people in 20 provinces were registered as Thai nationals. In 1985-1988, the second census of highland population was conducted in 18 provinces and nearly 580,000 people were covered. Following the survey, the government decided to register their personal record certificates and issue a highland identity card, commonly known as “a blue card”. In 1990-1991, nearly 250,000 were registered and given a blue card. Under the Ministry of Interior’s 1992/1996 regulation handbook on Thai citizenship registration for highland people, 46,555 were registered Thai citizens.

According to the Ministry of Interior’s June 2000 regulation handbook, there are about one million hill tribe and minority people in Thailand, of which nearly half have already obtained Thai nationality. Of the remaining, about 100,000 are qualified for Thai citizenship; about 90,000 entitled to permanent residency; and about 120,000 are hill tribe children, who are entitled to Thai citizenship. The remaining 190,000 tribal and minority people are permitted to stay temporarily in the country pending final government’s decision on how to deal with them.

The actual process of registering people for citizenship or permanent residency is a lengthy and complicated procedure, as it involves a dozen pieces of legislation and revolutionary decrees. As a household family, instead of each individual, is encouraged to register, the process of registration requires categorization of status of each family member, completion of various application forms for different status and preparation of all supporting documents. In the absence of a required document, a witness’s testimony is needed. In the case of children without proof of birth certificate or witness, a DNA test is a requirement.

Responding to the Thai Government’s decisions on 29 August 2000 and 28 August 2001 to register highland people in 20 provinces for citizenship or permanent residency, UNESCO with support from UNIAP, began to do extensive research and analysis of Thai citizenship legislation, regulations and practices. A publication is being prepared in English explaining status categories of hill tribe and other ethnic minorities in Thailand. Following the research, UNESCO initiated a project to support and train non-governmental and governmental agencies, which want to help register highland people. UNESCO’s Highland Citizenship Registration Project works with Thai Government offices and local non-governmental organizations to recruit and train their staff and volunteers to register highland minority people for Thai citizenship or
permanent residency. This project team has since participated in several seminars and training workshops on citizenship registration, and already organized two training workshops in northern Thailand.

UNESCO implemented the first training workshop on 30 June 2001 in Chiang Mai for six local ethnic minority NGOs:- New Life Center Foundation, Upland Holistic Development Project, Inter-Mountain Peoples Education and Culture in Thailand (IMPECT), Baan Ruam Jai Project, Lahu Youth, and Lahu Health Project. The programme was supported by both the Subdivision of Minority Registration of the Ministry of Interior and Fang District Office of Chiang Mai. Over 30 participants, who attended the one-day programme, found the workshop very informative and useful for their registration work, and suggested UNESCO organize more such training in the future. Immediately following the Chiang Mai workshop, trained staff from the New Life Center Foundation made four trips during August and October to Fang District, where they assisted district officials there to register highland people for Thai citizenship or permanent residency.

Although the actual registration process was new to them, they made progress through practices in the field. They enjoyed the challenge and were committed to carrying on the work. They also commended Fang District office for the cooperation, effort and patience put into registration work. In brief, New Life Center Foundation staff managed to help register 871 men and women of various ethnic minority groups for either Thai citizenship or permanent residency during the 18-day mission. Responding to a request from IMPECT, UNESCO, together with the Japan Foundation, sponsored the second training workshop in Chiang Rai on 27-28 November 2001.

The Chiang Rai workshop was different from the Chiang Mai one, as it aimed at training and transforming highland villagers into community volunteers, who can assist their own communities and those in the neighbourhood get registered for citizenship. In all, about 270 village representatives from about 70 villages of 20 districts in 6 provinces in Chiang Rai workshop. While most were selected or invited to participate, many of the villagers came by themselves after hearing about the workshop over a radio broadcast. The participants said they were eager to attend the forum, because they hoped it would provide them with knowledge and skills for their applications for Thai citizenship.

Apart from UNESCO officials, a number of Thai Government officials, representatives of several academic institutes, NGOs, representatives from the US Embassy and the Asia Foundation also attended the workshop. Similarly, the workshop was supported the Ministry of Interior and its provincial and district offices. Since its inception last June, UNESCO's Highland Citizenship Registration Project has received many requests from both NGOs and governmental agencies for support for their citizenship registration activities. It has approved a request from the Hill tribe Welfare Division of the Public Welfare Department, Ministry of Labour and Social Welfare, for four training workshops in February and March 2002 for hill tribe villagers in Kanchanaburi and Tak provinces.

There has been little progress in citizenship registration in the two western Thai provinces to date. UNESCO, which has implemented a GIS-linked Social Sentinel Surveillance Project to track outflow migration of people in the Mekong Region, sees the problem of legal status and identity among ethnic highland minorities as specific to Thailand. In China, Laos and Vietnam, hill tribe people are citizens of the countries. This
is why it is important to look at country and culture specific approaches to the trafficking problems. UNESCO’s Highland Citizenship Registration Project is a small programme, but the project team strongly believes that its activities will help resolve the problems of stateless status among hill tribe minorities in Thailand and contribute to the effort of UNIAP and NGOs in combating trafficking in women and children.

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