Education begins at birth

Early childhood care advances lifelong learning
Thai ID card can determine what you are, or what you are not,” stated Akha hill tribe member Chutima Morelaeku at a recent UNESCO workshop for journalists and advocates on birth registration and citizenship for highland people.

Chutima Morelaeku, also known as Miju, is an expert on the legal status and rights of the highland people. She is also Director of the Inter Mountain People Education and Culture in Thailand (IMPECT).

In the workshop, Miju speaks about the complexities of the government issuing Thai national identity cards to hill tribe people. Very few identification cards held by hill tribe people establish Thai citizenship, leaving many as stateless individuals.

According to data from UNHCR, there are approximately 900,000 hill tribe “color card” holders in Thailand who are not recognized as Thai citizens, and are therefore functionally stateless.

Without citizenship or legal status, hill tribes are considered “illegal aliens” in their own country. UNESCO research has shown that a lack of legal status is the single greatest risk factor for a highland person in Thailand to be trafficked or otherwise exploited.

Hill tribe people who lack legal status are exposed to a broad range of risks including unlawful arrest, deportation, extortion and exploitation. Lack of legal status also effectively denies hill tribe people of an education, political participation, land ownership, mobility outside of their home provinces and medical care.

Without citizenship, ethnic populations in Thailand are unable to obtain official documents that acknowledge the completion of education, entitlement to land, or the ability to work outside one’s home region.

The UNESCO Highland Peoples Survey researched a sample group of 192 border villages in Chiang Mai, Chiang Rai and Mae Hong Son provinces to determine the impact of legal status (citizenship and birth registration) on access to social services, education, health care, land tenure and agricultural credit.

The survey of 63,724 people make it the largest household survey of its type in Thailand. The study revealed that 37 per cent of these hill tribe people did not have Thai citizenship.

Comparing highland persons who lack legal status with those holding Thai citizenship, those lacking citizenship are 80 per cent less likely to enter primary school and 75 per cent less likely to progress to secondary school.

Recently, UNESCO Bangkok conducted two workshops, one in English and the other in Thai, for journalists and advocates including academics, NGOs and UN agency representatives on birth registration and citizenship for highland people. Over 60 participants attended the events.

The Journalist and Advocacy Training Workshops were organized to provide in-depth knowledge to journalists and advocates to better understand the complexity of the issues of hill tribe birth registration and citizenship, and to increase public awareness of the consequences it has on them. The ultimate goal is to minimize the human trafficking of hill tribe people.

David Feingold, consultant for Trafficking and HIV/AIDS Projects at UNESCO Bangkok presented the history of citizenship for hill tribe persons and shared his experiences working in an Akha community in Northern Thailand during the 1960s.

Mr. Feingold explained that citizenship was never an issue among hill tribe communities until economic policies began to drive them out of villages.

“Because of residence and travel restrictions, the further they travel away from their communities, the more vulnerable they become,” he said.

Due to the limitations they are subject to, many hill tribe people are employed in informal and exploitative work environments. They are also at a disproportionate risk for being trafficked.

The process for registering persons for permanent residency or citizenship is extremely complicated. Each household is
required to complete and submit numerous application forms, and include supporting documentation. In certain cases, children without birth registration may be asked to undergo DNA testing to determine their ethnicity.

“Birth registration is the first official document issued by the state to recognize a person by law,” said Veerawit Tianchainan, Executive Director, Thai Committee for Refugees, an NGO in Thailand.

“To solve the problem of stateless people, we have to trace back to the origins of the persons and find a connection point with the state,” he said.

Mr. Veerawit addressed the workshop on Thailand’s complex birth registration and citizenship laws. He pointed out the various different statuses that exist for ethnic groups.

He said the Thai National Security Council is making progress toward granting hill tribe people legal status. He stated that people who have been living in Thailand for 20 to 30 years, and are registered by law but are still considered illegal migrants will be granted permanent residency, and their children will be granted Thai nationality.

However, according to Ms. Miju, Director of IMPECT, there is a stark contrast between what is written in Thai law and how it is being implemented on the ground.

“The majority of officials doesn’t understand the laws and processes, and therefore cannot aide villagers in accessing their rights,” she said.

She emphasized the need for competent translators who not only understand the language, but birth registration and citizenship law.

Ms. Miju also urged journalists to report the stories of hill tribe communities.

Bangkok Post columnist Sanitsuda Ekachai offered technical advice to the participants and stressed the need to recognize the complexities of reporting on birth registration and citizenship issues.

“The problem is cultural attitudes, racism and ultra-nationalism, we treat it as a non-issue,” said Ms. Sanitsuda.

She also emphasized raising the issue via social media networks such as Twitter, Facebook, and blogs.

Mr. Feingold highlighted the importance of structural, institutional and cultural change to address the statelessness of hill tribe persons.

“The future of cultural and even physical survival of hill tribe communities in Thailand depends on recognition and enforcement of their right to belong to the country,” he said.

The UNESCO Trafficking project has maintained ongoing concern for highland legal status issues that are major sources of vulnerability. With the generous support of the British Embassy in Bangkok, UNESCO has continued its implementation of the project, ‘Promoting Human Rights for Highland Minorities through Citizenship and Birth Registration’, in Thailand.

The Trafficking project has successfully trained and supported Thai government officials and local NGOs to assist highland people in the processes required to obtain Thai birth registration and citizenship.

Contact: k.clement@unesco.org

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