

# **Situation Analysis Report:**

## **Strengthening Alternative Care Options for Refugee Children**

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## List of Abbreviations used in this Report

CBO	Community Based Organisation
COERR	Catholic Organisation for Emergency Relief and Refugees
CPC	Child Protection Committee
CRC	Convention on the Rights of the Child
CSW	Community Social Worker
EVI	Extremely Vulnerable Individual
ICRC	International Committee for the Red Cross
IDP	Internally Displaced Person
IRC	International Rescue Committee
KWO	Karen Women's Organisation
KYO	Karen Youth Organisation
MOI	Ministry of the Interior
NGO	Non Governmental Organisation
PROTECT	Psychosocial Rehabilitation, Opportunities, Training and Enhancement for Children along the Thailand-Burmese Border
PSW	Programme Social Worker
SGBV	Sexual and Gender Based Violence
TBBC	Thailand Burma Border Commission
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Fund

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## Executive Summary

This Situation Analysis was commissioned by UNICEF in close association with UNHCR and COERR. It resulted from a range of concerns about the protection and care of separated children in the camps for Burmese refugees along the border in Thailand. These concerns centred on the largely informal and unregulated nature of the care arrangements and the growing phenomenon of boarding houses.

A significant characteristic feature of the separated children in the camps is that most were not accidentally separated from their families, with many coming to Thailand to seek educational opportunities not available in Burma. However, many also come from broken or dysfunctional families, including significant numbers of children admitted to boarding houses from families within the camps. The Situation Analysis identified a significant issue of boarding houses attracting children who may not need to be there and who could potentially be supported within their own families. Paradoxically, the better-resourced the boarding houses become the greater their attraction as an “easy option” for parents facing difficult circumstances. Only a minority of the children living in boarding houses appear to be registered by COERR as separated children. The reasons for this are not entirely clear.

Some surprisingly positive features of boarding houses are identified, reflecting the widespread belief among current and former students, and in the camps generally, that they are a positive resource. The strong sense of community and the strength of peer-relationships are seen as positive features. The level of integration into the local community is significant, and most children seem to appreciate the structure of a daily timetable and clear rules. Fortunately, only a few children aged under 6 years are admitted into the boarding houses. A number of negative characteristics are also identified: the lack of procedures for selecting care-takers, the absence of agreed standards, the lack of a “gate-keeping” mechanism to assess the needs of children referred for care, and the low ratio of adult staff to children are all identified as areas of concern. Questions are raised about the capacity of boarding houses to meet the emotional needs of children aged up to about 10, and the lack (and even discouragement) of family contact is highlighted.

A range of strategies for improving the quality of care in the boarding houses is proposed: these include continuing the present protective measures such as visits by various CBOs, and the provision of workshops for the children. It is recommended that all children in the boarding houses should be registered, including new arrivals and those with parents in the camp. A standards document should be produced with a view to seeking a camp management mandate for it to be adopted locally. A training course for boarding house care-takers is proposed, along with encouraging the formation of camp-wide associations of care-takers. A system of “gate-keeping” should be initiated in order to assess the needs and circumstances of children when they are referred, to ensure that other alternatives are considered. Donors should be encouraged to demand accountability from the boarding houses they support and insist on the adoption of the standards. It is suggested that younger children should be diverted away from boarding houses wherever possible, and steps taken to introduce the idea of a minimum age (around 10) and to make this public knowledge in Burma.

There are indications that the majority of separated children living with the extended family receive at least “good enough” care, but children themselves raise the question of the discrimination they feel in comparison with the biological children of the family. Although fostered children are generally perceived as more vulnerable than children living with blood relatives, this was not confirmed, and examples of very

good care were encountered, some more akin to a form of *de facto* adoption. The phenomenon of fostering is almost entirely informal and unregulated. Relatively few children are living without adult care, and these generally receive special attention from COERR's Community Social Workers.

The report calls for a review of the role of Community Social Workers and Programme Social Workers and for attention to be paid to the amount of time spent on routine monitoring, collecting and inputting data. It is suggested that time might be released in order to ensure that closer attention is paid to the more vulnerable situations – both separated children living in substitute family care, and children at risk of family breakdown. The possibility of involving family-based separated children in group activities aimed at providing peer-support is raised, along with the idea of focusing some parenting education on the specific issues facing adults caring for children other than their own, including step-parents.

Currently the main safety-net for children is the boarding house system. It is suggested that, despite the difficulties involved, a pilot fostering scheme should be initiated, possibly focusing on a camp where large-scale resettlement is anticipated, as this is creating some demand for placements for separated children unable to accompany their care-takers to the receiving country.

The adoption of a preventive strategy is proposed, linked with the need to assess the needs and circumstance of children referred to the boarding houses. This may require the deployment of social workers with more sophisticated skills and a more flexible policy regarding material support where this can help to prevent family breakdown.

A striking finding of the Situation Analysis is that many adult informants talk about a large degree of communication across the border with Burma, and there is a widespread assumption that most separated children who have come to the camps seeking education are able to return to their families for holidays. The impression gained from children is quite different, many expressing sadness that they do not know where their families are and a larger number having no contact with them.

There is a need to implement a system of enabling the tracing of the families of separated children. Most often the aim will not be immediate family reunification, but rather the re-establishment of contact. The most practical approach will probably be to work through existing networks of people who operate on both sides of the border. It is suggested that there is a need for a more detailed documentation of the history of separated children before memories fade and information is lost. Consideration could be given to the use of life story books.

Finally, some areas for further study are suggested, including the need for a clearer picture of the reasons for children being separated, and the possibility of using the data base to reveal patterns of protection and care not currently available from the system.

## Part 1: Introduction and Methodology

### 1.1 Background and Introduction

Thailand has been hosting Burmese <sup>1</sup>people seeking refuge from the conflict and human rights abuses over the last 20 years, and these people are now located in 9 camps along the border. Thailand is not a signatory to the 1951 Convention Related to the Status of Refugees and has no legal framework for the protection of refugees<sup>2</sup>. The host government does, however, adopt a pragmatic approach and although technically regards them as illegal migrants it validates the role of UNHCR and other organisations offering protection and assistance to the refugees. There are currently approximately 140,000 people registered as living in these camps, almost half of whom are children, mainly from the Karen and Karenni ethnic groups. A sizeable minority define themselves as Muslims, and though strictly not an ethnic group, these people tend to define their identity through their religion rather than ethnicity. A much larger number of Burmese people are thought to be living as illegal migrants within Thailand.

Child protection programmes are implemented primarily by the Catholic Organisation for Emergency Relief and Refugees (COERR). The United Nations High Commission for Refugees (UNHCR) funds them for the mainly individual work undertaken with a range of exceptionally vulnerable individuals, including separated children: UNHCR also undertake some direct protection work themselves in the camps. The United Nations Children's Fund (UNICEF) funds COERR for its broader child protection work under the programme title of PROTECT<sup>3</sup> which includes a range of measures including facilitating the development of camp-based Child Protection Committees (CPCs) and various other child protection activities. These are implemented either by their own camp-based staff and volunteers or through community based organisations operating in the camps.

COERR deploys teams of Community Social Workers (CSWs), drawn from the camp population to undertake a range of roles, including monitoring and supporting separated children and other vulnerable individuals, undertaking training, participating in the CPCs and implementing a Healing of Memory programme. They are supported by small teams of Programme Social Workers (PSWs) who are all of Thai nationality and live outside of the camps.

This Situation Analysis was commissioned by UNICEF, following discussions principally involving UNHCR and COERR during which concerns were expressed about the largely informal arrangements made for the care of the separated children living in the camps. While the majority of these children were living with members of the extended family or with unrelated foster carers, a growing number are placed in boarding houses which are institutions provided by various individuals or organisations. While COERR has registered many of these children and provides a pattern of visits to monitor and support them, the informal nature of the care arrangements coupled with the lack of any kind of registration and inspection system for the boarding houses gives cause for some concern.

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<sup>1</sup> The name of the country was officially changed to “Myanmar” in 1989 but most people, especially those opposed to the present military regime, prefer to use the name Burma

<sup>2</sup> The term “refugees” is used through this report without implying that they have such status under Thai law

<sup>3</sup> Psychosocial Rehabilitation Opportunities, Training and Enhancement for Children along the Thailand-Burmese Border

The Terms of Reference for the Situation Analysis appear as Appendix 1.

## **1.2 Methodology and Constraints**

The methodology adopted for this assignment can be broadly described as ethnographic – a term used to describe a range of techniques involved in investigating a complex situation using a variety of mainly qualitative methods, including visits of observation, semi-structured interviews, informal conversations, group discussion, workshop groups and perusal of relevant documents. Case discussions were conducted with CSWs and home visits were made accompanying them. A number of workshop groups with children were organised in addition to many less formal interviews in order to facilitate a practical and child-centred perception of some key issues. The data base on separated children, which is supplied with information provided by the monitoring visits of CSWs, was an important source of information, though unfortunately some of the information I requested could not be disaggregated. The preliminary findings were shared in a debriefing session with the principal stakeholders and some changes were made in the light of their feedback.

Time constraints dictated that four camps<sup>4</sup> were selected for field visits, and that only a limited number of issues could be pursued in each of the four camps. A decision was taken to focus each camp visit rather differently from the others in order to achieve broader coverage. It was clear that each of the camps had its own distinctive character, and that within each camp there was a great diversity, for example in its ethnic mix, the structures created by the refugees, the particular background circumstances of separated children and the characteristic features of the boarding houses. I have no means of knowing whether the four camps were reasonably representative of the 9 camps housing refugees from Burma, nor whether the sample of boarding houses visited, or the range of children spoken to were sufficiently large to gain a grasp of the full range of issues. On the other hand, the main findings converged on a series of key issues and conclusions, and the feedback received at the Stakeholders Debriefing seemed to indicate a broad consensus on the way forward. There were, however, some significant gaps in the information gained, and these will be indicated in the text of the report.

The assignment was not intended as an evaluation of COERR's work. However, it was not always either possible or appropriate to separate out problems and issues concerning separated children from the responses of the organisations addressing them, principally COERR. With this in mind, some of the findings do have an evaluative component. It was important to try to approach this assignment in a way that did not allow my previous research knowledge into various forms of institutional care to colour my perception of the unique circumstances of the boarding houses in the camps. This enabled me to draw a number of conclusions that I would not have predicted at the outset of the assignment.

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<sup>4</sup> Ban Mae Noi Soi, Mae La Oon, Mae La and Umpium camps

## Part 2: Main Themes and Issues

### 2.1 Separated Children in the Refugee Camp Context

A striking feature of all the refugee camps is their high level of organisation and the very large extent to which the refugees, through their various structures, manage most aspects of life in the camps. There is a very large number of community-based organisations in the camps and in general an extremely strong sense of community. It was a pleasant surprise to find a generally accepting and inclusive attitude to disability. While these characteristics are mainly to be seen as strengths, they sometimes manifest themselves as weaknesses, for example in the camp management wanting to deal with issues such as sexual and gender based violence (SGBV) in traditional ways that are not always protective of the survivors. In general, however, the camps seem receptive to more modern approaches and to internationally-accepted standards, as evidenced by the remarkable way in which CPCs have taken root in the camps.

The four camps visited during the fieldwork for this study may be regarded as typical of a long-term refugee situation. People are living in cramped conditions, within closed camps affording very limited opportunities for growing food and for income generation (though this is now changing, with many refugees leaving the camps, illegally, for work). The long period in which the refugees have lived with considerable uncertainty means that for many people, the dream of returning home is fading, and this leaves many people feeling hopeless. This, coupled with their dependence on external aid, creates an atmosphere in which depression and despair are becoming widespread. The possibility of large-scale third country resettlement has become more real this year, though this will only become a reality for a small minority of the refugees.

The difficult conditions in the camps are reflected in a range of growing social problems that include sexual and gender based violence (SGBV), marital breakdown and problems associated with drug and alcohol abuse.

Many of the young people I spoke to talked about the broader horizons and greater expectations they have as compared with their parents, leading to a widening “generation gap”: many girls and boys are better educated than their parents, they have different expectations and display behaviour and attitudes that many parents find difficult to deal with. As one member of the Karen Youth Organisation (KYO) said:

#### ***Young people want to look outside and to be more adventurous***

In this context it is not surprising to find many families feeling disempowered, feeling that they have little to offer their children, and unable to deal with some of the behavioural problems they present. This is an important context against which to view the growing phenomenon of boarding houses. It was not altogether surprising to find that refugees frequently see various types of institution as providing a solution to a range of other problems<sup>5</sup>. It is also significant that in COERR’s Baseline Survey<sup>6</sup>, one of the findings from focus groups with parents was that

#### ***Some (parents) feel that they cannot do anything when they are unable to give what the children need***

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<sup>5</sup> This was very clear in International Rescue Committee’s “Psychosocial Programme Needs Assessment” conducted during 2006 in the two camps for Karenni refugees

<sup>6</sup> COERR “Baseline Needs Assessment for COERR PROTECT Project”, March 2005

This sense of a growing generation gap was also apparent in the strikingly different ways in which adults and young people respectively articulate their priority needs. When adults talk about children's needs, they are usually preoccupied with issues of food, clothing, candles and other material issues. Children, on the other hand, and especially separated children, are much more concerned with themes of love, of care, of their feelings towards their own parents – and they express these freely and readily:

***The most important thing is love – if there is love in our house, everybody is fulfilled<sup>7</sup>***

It was also very noticeable that adults and children alike talk about the importance of education as a major factor leading to a better future.

## **2.2 The Main Causes of Child Separation**

It was unexpectedly difficult to gain a detailed picture of the main causes of children being separated from their families. Unfortunately the data base on separated children maintained by COERR does not disaggregate causes of separation of children now living in different care settings. One factor makes the separated children in these refugee camps different from most other refugee contexts: few of them were accidentally separated from their families, for example in the chaos of flight. The vast majority of these children in Thailand were separated as a result of a conscious decision. Children who arrive in Thailand in order to seek educational opportunities appear to by-pass the Provincial Admission Board process for screening new arrivals as it is recognised that they are not, strictly speaking, fleeing armed conflict or persecution.

The analysis in this section of the report is derived mainly from children living in the boarding houses, from where it has been possible to gain more information than in respect of those living with the extended family or with foster carers. It also appears that the boarding houses now cater for children with a greater diversity of reasons for their separation from their families.

Most informants talked in terms of two main categories of separated children:

### **2.2.1. Children who left their families primarily in order to access education in the refugee camps**

The first category is those who left their families in Burma and crossed the border primarily in order to gain access to education (said to be by far the largest category). This phenomenon reflects the high value placed on education within Karen culture and history. Sometimes these children are referred to simply as “students”, with the expectation that they would be able to return to their families during school holidays. Sometimes this group are referred to as “IDPs”, implying that most came from communities who had experienced internal displacement, though it appears that they come from a much more diverse set of circumstances caused directly or indirectly by the conflict within eastern Burma.

It was difficult, from the Thai side of the border, to gain a clear picture of the circumstances that encourage children to seek education in the refugee camps. Forced displacement is clearly a major, but by no means the only issue. It is reported that 11,000 people were displaced during March and April 2006, mainly in

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<sup>7</sup> Statement by a child living with an adult sibling. A similar theme emerged in COERR's Baseline Survey

Karen State<sup>8</sup>. A recent report by the Thai Burma Border Commission (TBBC)<sup>9</sup> suggests that 82,000 people were forced to leave their homes in the past year, for reasons which include both the direct and indirect effects of the conflict. It suggests a total figure of about half a million internally displaced people.

But aside from the specific effects of internal displacement, the availability of educational opportunities throughout Karen and Karenni States is clearly inconsistent and patchy. In areas controlled by the Karen army, education is provided by the Karen Education Department, but there are considerable problems in providing trained teachers and maintaining any kind of consistent service. The Burmese government provides schools in areas they control, but teachers often do not get paid and teaching is disrupted by military operations or the need for teachers to work outside of schools to earn money. Some families are reluctant to send their children to government schools, which are sometimes seen as a tool of the military to further “Burmanise” ethnic minority groups<sup>10</sup>. Some villages set up their own schools, but recruiting and paying teachers is clearly a problem. In Mae La Oon camp, I learned from the Camp Committee of the recent increase in military activity close to the border and the total destruction of a village, including its high school: an increased influx of children seeking education in the camp was anticipated.

The movement of children from Burma to the camps seems to happen largely through a wide range of networks that cross the border: sometimes churches or church groups are involved, sometimes organisations such as the Karen Women’s Organisation (KWO) (which has well developed structures on both sides of the border), Karen and Karenni political structures, or the Karen River Watch organisation, sometimes through more personal and informal networks. Usually the child, or family, has a particular destination in mind – a specific camp, and often a particular relative or a particular boarding house.

The boarding house phenomenon is a familiar one in Burmese society: Christian churches (of various denominations) and Buddhist temples have a tradition of providing boarding accommodation primarily for children who live too far away from their school to be able to travel daily. Within the refugee camps the numbers of boarding houses have grown considerably, with their size also expanding to cater for the growing numbers of children seeking admission. The largest boarding house encountered accommodates about 150 children.

It can also be observed that many of the children who have simply come to the camps in order to access school frequently find that they are unable to return home for the school holidays: in some cases, considerable distances (and resulting costs) are involved, in others returning home exposes children to the risk of getting caught up in the conflict or being apprehended by the military. Sometimes internal displacement results in the family having to move, leading to a loss of contact with the child.

### **2.2.2 Children separated mainly because of social problems**

The second group of separated children comprises those who were separated for a range of social reasons which include, for example, parental death, divorce, remarriage, child abuse and neglect and a range of other social problems such as

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<sup>8</sup> Internal Displacement Monitoring Centre (2006): “Burma: Worst Army Attacks in Years Displace Thousands” – downloaded from [www.internal-displacement.org](http://www.internal-displacement.org)

<sup>9</sup> TBBC (2006): “Internal Displacement in Eastern Burma: 2006 Survey”, Bangkok, TBBC

<sup>10</sup> Saw Georgire (2006): “Education in Karen State: are we Building a Stable Foundation for the Future?”, downloaded from [www.burmaissues.org](http://www.burmaissues.org)

mental illness, or drug and alcohol abuse which were sufficiently serious to require the child to leave the home. These separations frequently were said to have occurred in the refugee camps, resulting in placement in the boarding houses which are then used as though they are orphanages providing accommodation during the school holidays as well as in term-time. In addition, some parents who leave the camps to obtain paid employment sometimes seek to place their children in boarding houses on either a short- or long-term basis

### **2.2.3 The “institutional dynamics” within the boarding houses**

In practice there is clearly a great deal of overlap between these two categories. Many of the children who crossed the border ostensibly for the purpose of education had also experienced a range of other circumstances, not just directly arising from experiences of armed conflict and internal displacement, but also other factors which prompted them, or their parents, to consider that a better future was to be obtained by entering the camps in Thailand. These include many of the family characteristics outlined in the previous paragraph.

The data base does not offer a very precise picture of these different circumstances. The longer data gathering form for separated children introduced by COERR this year provides a choice of 13 causes of separation, but these are not discrete categories. Although in practice only one box tends to be ticked, the causes of separation are sometimes complex and overlapping. The single cause identified frequently belies the complexity of the different causes of separation which, for example, might include parental death, remarriage, social problems as well as the desire to access education.

It has not been possible to quantify, or to analyse more precisely the circumstances under which children are admitted to the boarding houses from their own families within the camp. They are clearly a minority in the boarding houses, but some so-called boarding houses cater almost entirely for these children. The presence of these children has created a major ambiguity in terms of the primary task and role of these institutions. The function of a boarding house is normally to provide accommodation to enable a child to attend school, with the expectation that the child retains family ties and returns home for holidays. In this sense they *support* or *complement* the role of parents in facilitating the education of the child. Other types of residential institution, often referred to as orphanages or children’s homes, tend to assume full responsibility for the care of the child – often effectively *replacing* rather than complementing the role of parents. Even when children have at least one parent, such residential institutions tend incrementally to weaken family ties; some actively discouraging contact with the family, a characteristic feature of institutions<sup>11</sup>.

There are clearly differences between the various boarding houses, and between those in different camps. However, there appear to be two factors at work in the placement of children from within the camps. First, many families find themselves under pressure caused by the combination of a variety of factors, including lack of material means and the their inability to meet the expectations of their children, family breakdown in the form of parental divorce or separation, remarriage and consequent step-parenthood issues, domestic violence, drug and alcohol abuse and so on. Second, the readily availability and high visibility of boarding houses, coupled with an absence of any consistent means of assessing the needs of families or of meeting their needs in alternative ways, means that residential placement sometimes becomes an “easy option” for parents under strain. These two sets of factors are

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<sup>11</sup> Tolfree, David (1995): “Roofs and Roots: The Care of Separated Children in the Developing World”, Aldershot, Arena p. 55f

sometimes referred to as “push” and “pull factors” respectively and have been observed as characteristic of institutions across the globe<sup>12</sup>.

Boarding houses are often seen as places where children are better fed, better clothed, more controlled<sup>13</sup> and more able to apply themselves to their studies than they are in families. Where the boarding house has facilities such as a generator, or the availability of extra-curricular activities such as sports and leisure activities, they may become even more attractive. An additional “pull” factor has also been identified: when a child moves from a family within the camp to a boarding house, the family generally retains the ration entitlement for the child, while the boarding house adds the child’s name to the list of children requiring food<sup>14</sup>. This may serve as a perverse incentive for families to place their child in a boarding house.

What is now observable is a vicious circle situation in which families who are poor and under stress and feeling disempowered and hopeless can place their children in boarding houses where they often receive better material provision and are seen as being better controlled. In turn some (though by no means all) of the boarding houses have a strong “donor appeal” and hence attract resources which ordinary families cannot access, which further reinforces the vicious circle. Some religious organisations have an additional incentive to attract children, namely the opportunity to provide a more intense religious experience and possibly to convert children of different religious backgrounds. There is a danger of an unrestricted growth in the boarding house sector which, as well as providing a means of accessing education will also encourage separations which may be seen as unnecessary. And the more the conditions in them improve, the more attractive they may become – including to children who may not really need to be there.

It was not possible to ascertain whether children living with the extended family or in foster care became separated for a similar range of reasons. Although in Karen and Karenni society it is common for children to be cared for by relatives, for various reasons, it seems unlikely that the extended family exerts the kind of “pull factor” that is observed in respect of the boarding houses. Although the indications are that many children living with relatives and friends come from circumstances which include broken and dysfunctional families, it seems that the main reason for separation is in order to access education, though the wider circumstances in Burma, and other social factors in the child’s family life clearly play a part in many cases.

### 2.3 Where are the Separated Children?

Although this report will place a strong emphasis on children in boarding houses because of the concerns they have raised, it is important to remember that the majority of registered separated children are living with relatives, as the chart<sup>15</sup> below indicates.

Type of care placement	Number of children
Residential centre	1740
Foster family	384
Blood relatives	4428

<sup>12</sup> Ibid p. 42

<sup>13</sup> Some children are placed in boarding houses because their parents/care-takers are unable to control their behaviour

<sup>14</sup> This “double ration” phenomenon has been confirmed as a problem by TBBC

<sup>15</sup> Information from the COERR/UNHCR data base 30.10.06

Without adult support	35
Other <sup>16</sup>	4
<b>Total</b>	<b>6591</b>

This table includes 391 young people aged over 18.

The number of children registered in the boarding houses is clearly a small minority of the total resident population and it has been difficult to understand why so few children are registered. Several reasons have been suggested: first, some boarding houses accommodate significant numbers of students aged over 18. Second, the policy of COERR seems to be to register children only after they have lived in boarding houses for at least 6 months<sup>17</sup>: the rationale of this is that some choose to return to their families during this period, though I have found little evidence that this occurs. Third, the figures also exclude those children in boarding houses who have one or more parents in the camp. These children cannot be quantified, but in some camps there are clearly significant numbers of these children. Finally, COERR does not have access to all boarding houses. It is not known how many young people there are all together in the boarding houses but it is probably many times the number of those actually registered by COERR.

## 2.4 Children in Boarding Houses

The boarding houses within the camps are extremely diverse in terms of their admissions policy and practice, their religious affiliation, their size, their daily routine and their level of material resources. In the ones visited during the fieldwork for this Situation Analysis, there were never more than two care-takers<sup>18</sup>, sometimes a sole adult. I encountered one “boarding house” which had no resident care-taker and was really more akin to a large youth-headed household. It was registered as a boarding house in order to secure eligibility for building materials, rations and other material benefits from TBBC.

It was beyond the scope of this Situation Analysis to undertake a formal evaluation of the impact of the boarding houses on children’s development and well-being. It was, however, possible to form an overall opinion of the quality of the experience from visits of observation (which deliberately sought out some of those regarded as the least satisfactory boarding houses), group meetings with supervisors, discussions or workshop sessions with children and interviews with former boarding house residents. The latter are considered to be good informants as they can often provide a more mature, adult reflection on their experience, free from the inhibitions that current institutional residents tend to experience.

### 2.4.1 Boarding houses – positive features

From these sources an unexpectedly positive view of the boarding houses emerged, and this was confirmed by direct observation of boarding house activities which, in general, revealed a picture of well-functioning communities in which children were busily engaged with the appropriate activities of playing, studying and undertaking the ordinary tasks of daily living. The presence of a foreigner was often (and reassuringly) ignored by children preoccupied with what they were doing. With few exceptions children looked relaxed and content. How is this mainly positive view of

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<sup>16</sup> This figure includes children who are married

<sup>17</sup> There appear to be some inconsistencies here. It may be that registration is influenced by the availability of hygiene packs

<sup>18</sup> The adults in charge of the boarding houses are variously referred to as care-takers or supervisors. These two terms are used interchangeably in this report

boarding houses to be explained, especially bearing in mind the often minimal level of staffing?

First, in all the boarding houses there was some kind of system of monitors, usually involving a formal system in which older children (or young adult students) undertook responsibilities in relation to younger ones. The system is derived from established practice in schools, and developed to a rather remarkable degree in some boarding houses. In addition to this more formal structure of peer-care there sometimes exists a quality of peer-relationships that may, to a considerable degree, compensate for the lack of individual care from adult staff. As one former boarding house student told me:

***We were happy to study and work together. (Other children) supported us when we felt sad***

In another (seemingly extremely good) boarding house, I conducted a workshop group with a number of the children: one of the exercises was to ask them to identify the things that made them happy and those that made them sad. They were then asked to whom they turned for support when they felt sad: most identified friends. None of them mentioned the supervisor, despite the fact that she appeared to be an extremely caring and approachable woman. The sense of solidarity experienced among the group within the boarding houses was reflected in many visits and interviews. An additional benefit of the system of monitors is that their exercise of responsibility within the boarding houses helps to counter the dependency-creating tendency of institutional living.

A second striking feature of many of the boarding houses visited was the extent to which they are integrated into the camp community. Although in some cases the boarding house occupies a large plot on which all the buildings are located, in others they are more spread around the community – for example with dormitories separated from other boarding house buildings by other houses occupied by people not connected with the boarding house. In all of those visited, children attend school, and often religious worship, in the wider community. Many individual boarding houses have their own committee, usually comprising people from the immediate community such as religious leaders, members of women's or youth organisations, community leaders and other interested individuals. In some cases, they seem to act rather like a board of governors, but in others the members of the committee play an active role in the life of the house in responding to health issues, leading activities, celebrating special occasions, supervising homework and generally assisting with the care of the children. This provides an important protective factor for the children. I encountered one boarding house in which the committee included a student, elected by all of the resident children.

A third feature of the boarding houses is the high extent to which they are structured and organised. Many of those visited had a daily timetable providing a routine and structure which children seem to find very acceptable. Often there was a strong emphasis on time for homework, involvement in domestic chores (often on a rota basis) and in the more religious boarding houses there was a routine of prayer and worship. Coupled with such time-tables, most boarding houses seem to have explicit rules concerning children's conduct: a prohibition against sexual behaviour was a common rule. One boarding house required children to "have relationships, affection as brothers and sisters". On one level, the structure of time-tables and rules may appear restrictive and institutional; however, children themselves in general appear to value the security they engender and the intrinsic fairness of the system (perhaps

in contrast to the unfair way in which children have been treated within the extended family – see 2.5 below).

A fourth positive feature of boarding houses is that most of them do not admit children under the age of around 6 or 7. It is well known that it is younger children who are most likely to be developmentally damaged by the combined effects of the breaking of important attachment bonds and the experience of institutional living<sup>19</sup>.

#### **2.4.2 Boarding houses – negative features**

I have no means of knowing whether these observations are typical of other boarding houses: it is clear that a more negative picture exists in some of them – as evidenced by the serious case of sexual abuse of five girls in a boarding house by a care-taker (also the chair of the camp Child Protection Committee) in Ban Mae Surin Camp. At least one other case of child sexual abuse within boarding houses has emerged, and it seems likely that such incidents will be under-reported, as is frequently the case within residential institutions. A number of other serious concerns also emerge from the fieldwork for this study.

First, in most camps there does not appear to be an effective mechanism for selecting potential care-takers: many appear to be largely self-appointed making it possible for unsuitable people and even abusive adults to be able to have access to children in a residential environment. The only camp encountered that does have some kind of system is Umpium, in which there is a Boarding House Committee. This is chaired by the camp vice-chairman and has introduced a procedure for the establishment of new boarding houses and the appointment of care-takers.

Second, there are no agreed standards covering such areas as the ratio of adults to children, the structure and layout of the buildings, the daily programme, discipline and punishment, the appointment of care-takers (as mentioned above), nutrition, health and hygiene and so on. Discussion with Partners, a Christian organisation that works on both sides of the border, revealed that they offer a programme of modest material support to a number of boarding houses in four of the camps and in some of the surrounding areas. They have begun work on drafting a standards document which will be discussed further in 3.1.2 below.

Third, there is no gate-keeping system for assessing the particular circumstances and needs of individual children referred to boarding houses, and for ascertaining whether it would be in the child's best interests to be supported in his/her own, or extended family. In any case, most boarding houses lack the capacity to offer anything to support the child in the family as an alternative to admission.

Another area of concern is the very low ratio of care-taking staff to children. Most of the boarding houses are run either by a single person or a married couple. Many do, however, involve former residents and teachers to assist, for example, with supervising homework, and the system of monitors also helps to make up for the shortfall in adult staff: but most boarding houses are severely restricted in the extent to which they can offer individualised care. This is especially important for those which admit children under the age of 10.

A fifth area of concern is that, although there are few children under the age of about 6 or 7 in the boarding houses, there are some, and it is questionable whether a highly structured and educationally-oriented ethos is the best environment for children under the age of around 10 years.

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<sup>19</sup> Tolfree Op. Cit. chapters 1 and 5

Another serious and negative feature of some of the boarding houses is the apparent loss of family contact for many of the children. I was particularly dismayed to see that family contact is actually discouraged in some of them: this will be discussed in section 2.8 below. As well as denying a child a fundamental right (CRC Article 9), there is evidence from other contexts<sup>20</sup> that lack of family contact is also counter-protective in that the involvement of parents – even at a distance – does serve to protect children and diminish the likelihood of abuse taking place.

A seventh area of concern is that many boarding houses have a strong religious motivation, usually Christian. While explicitly Christian boarding houses are more able to access sources of funding, others are sometimes left with no sources of external support apart from the standard package of rations, building materials and non-food items provided by TBBC. Of particular concern is that some do seem to have an evangelising objective: one boarding house visited, for example, paid lip-service to the need to respect the diversity of children's religious beliefs, but then required children to attend Christian worship and Sunday School.

With the exception of Umpium Camp, where there is a boarding house committee, I encountered no system through which boarding house care-takers could meet together to share common problems and concerns. In Mae La I convened a meeting of boarding house care-takers: during this meeting the point was raised that they never have opportunities to meet together, and there was an enthusiastic response both to the idea of forming an association and to the idea of receiving training specific to their situation and needs. This will be discussed further in 3.1.3 and 3.1.4 below.

COERR has put in place a number of projects which have the potential to offer children additional protection and support. The KWO and KYO are offering a pattern of visits in some boarding houses (KYO are supported by COERR in delivering this programme). In differing ways these visits serve to assist children with issues such as health and education, provide friendly personal support and sometimes training, and potentially give children access to a trusted person outside of the boarding house to talk to in the event of personal problems and concerns. Such visits may serve as a deterrent to anyone seeking to abuse or exploit a child in any way.

The overall picture of boarding houses to emerge from this Situation Analysis is somewhat paradoxical: on the one hand, observations within the boarding houses and discussions with current and former residents reveal an unexpectedly positive view of the care – and especially the educational support – they offer. On the other hand, a number of concerns have been identified – not least the fact that many are unregulated and unaccountable. A particular concern is the danger of an almost infinite expansion of boarding houses potentially pulling in many children whose needs and rights would better be made by being supported within a family context.

It has sometimes been suggested that some boarding houses are being used as recruitment centres for child soldiers. There is anecdotal evidence about some boarding houses being supported by the Karen or Karenni military wings, and it is known that there are some former child soldiers living in boarding houses. It is likely to be difficult either to prove or disprove the phenomenon of recruitment in boarding houses, but I found no evidence of this taking place in an organised way, and this

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<sup>20</sup> Tolfree, David (2004): "Whose Children? Separated Children's Protection and Participation in Emergencies", Stockholm, Save the Children Sweden, page 42

was also the conclusion of Michael Alexander<sup>21</sup>. It is important to recall that education is generally considered to be protective in discouraging children from recruitment into armed forces.

## **2.5 Children Living with the Extended Family**

It has proved more difficult to assess the situation of children living within the extended family because they are so numerous, more dispersed within the camps and more difficult to assess away from the inhibiting effect of their care-takers. During the Situation Analysis I have relied to a considerable extent on secondary sources, particularly members of women's organisations and COERR staff (PSWs and CSWs). I spent some time discussing individual cases with the latter and also accompanied CSWs on home visits. This afforded some opportunities for discussions with children and care-takers. I also conducted an extended workshop group for separated children living with the extended family or foster carers in Umpium Camp.

In both Karen and Karenni society, there is a strong tradition of children living within the extended family. The wider family tends to accept an unquestioning responsibility for caring for children who, for various reasons, are unable to continue to live with their own parents. On the other hand, there is also a strong tradition of discrimination in favour of the biological children of the family in areas such as access to food, health care, education, the burden of domestic work, and discipline. As has been found in other contexts<sup>22</sup>, when there is a general material insufficiency, such forms of discrimination are more prominent. Many informants in the camps expressed concern about the neglect of girls and boys by non-parental care-takers, and this was recognised as a priority area by the Child Protection Committee in Umpium. Children themselves reflect a strong sense of being treated differently and not receiving the love they need:

***My parents gave me love, now my aunt doesn't let me go out, asks me to do things and if I don't do them I get beaten***

***They don't take care of us very well because we are not their own children***

***My uncle shouts at me if I do something wrong. His own children are given money, but not me***

One significant aspect of this differential treatment within the family is that it seems common for other children within the family to treat the separated child as "different" and not fully accept him/her as a member of the family. A question I raised (but could not answer) was whether the targeting of the individual child for rather personal material benefits (hygiene packs etc.) facilitated or hindered the integration of the child into the family. In many refugee contexts, agencies supporting separated children in family situations have moved away from targeting the individual child for material support, and have instead opted for support to benefit the whole family and validate the work of the parents in taking in an additional child. The Situation Analysis also revealed that children who are not living with their own parents are stigmatised within the community – for example by neighbours who point out that "you are not their real child".

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<sup>21</sup> Alexander, Michael (2005): "Child Soldiers on the Thailand/Myanmar Border", consultant's report to UNHCR.

<sup>22</sup> See for example Foster, G et al (1995): "Orphan Prevalence and Extended Family Care in a Peri-Urban Community in Zimbabwe", *AIDS Care* Vol 7 No 1.

On the other hand, in the camps visited there were some positive indicators: anecdotal evidence suggested that a relatively small number of registered separated children living with the extended family are subsequently placed in boarding houses, though it was not possible to quantify this from the data base. In Umpium, where the longer data collection form has now been used for all separated children, only 12 out of 245 children living with relatives were experiencing “neglect by care-takers”. Taken together, these provide some reassurance that the majority of children living with the extended family are probably receiving “good enough” care and protection.

One issue to emerge from this study is the real difficulty facing CSWs in providing constructive intervention in families where there are significant care and protection issues. This will be dealt with in section 3.2 below.

## **2.6 Children in Foster Care**

It is apparent that in Karen and Karenni societies there is a cultural taboo against the idea of children living with strangers. As a senior member of the KWO told me:

***In our culture we are not used to giving children to other people***

Paradoxically, however, this does not seem to apply to children living in boarding houses, and it may be speculated that the association of boarding houses with education enables this form of care to be perceived positively.

It is also clear that fostering (understood as the care of children by care-takers who are not related to the child by blood) is quite a heterogeneous concept. Some fostering arrangements are actually more akin to a form of *de facto* adoption: they involve the placement at or soon after birth of a child whose parents are unable or unwilling to care for him/her, with another family – for example a childless couple or a couple with sons but no daughter. This kind of fostering seems to be culturally accepted, and perceptions in the camps are that it generally offers a high standard of care with the children treated as though they were the biological children of the care-takers.

A second type of fostering involves the placement of a child with a close friend or neighbour. This also seems to be culturally acceptable as a form of “fictive kinship”<sup>23</sup>. I visited one family who were caring for a brother and sister whose mother, when she realised she was dying, asked a close friend to take them in. Again, this form of fostering appears, in general, to offer a good standard of care.

It has not been possible to analyse further the circumstances under which children are placed in foster care in the camps, but it would appear that in most cases the care-takers are known to the parents of the child. In general, however, fostering is seen in the camps as providing an inferior level of protection and care than within the extended family: this, however, seems to be a deeply-held assumption rather than an observation based on evidence.

It was difficult to find examples of organised fostering, and these cultural assumptions are probably the main reason why there has been a reluctance to arrange placements with people unrelated to the child. However, I came across a few references to children being taken in by members of the KWO: this does not

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<sup>23</sup> This is a phrase used to describe a kin-like relationship with someone unrelated by blood – Scheper-Hughes, N (1992): “Death without Weeping: the Violence of Everyday Life in Brazil”, Berkeley, University of California Press.

constitute a formal system for organising fostering and it was not possible to assess the outcomes of such placements.

## **2.7 Children Living without Adult Care**

Numerically this is a small category of separated children with approximately 6% of the registered separated children in the camps falling into this category. It was not possible to examine closely the situation of these children during the Situation Analysis.

I encountered one group of 12 adolescent boys who were, in effect, living as a large youth headed household, though they were technically registered as a boarding house, albeit with no adult care-taker.

Generally children living without adult care are perceived by the CSWs as the most vulnerable category of separated children. However, I gained the impression that they pay particularly close attention to these cases and in those I encountered they seem to be able to afford them a reasonable degree of protection and support. In some cases they are living without adult care as a result of their own stated preference to do so. For some groups of adolescents – whether siblings or friends – living together without immediate adult care may be considered as preferable to living in residential care. In general, where adequate material and social support and protection (especially for girls) can be provided, young people who choose this form of living should have their wishes respected.

Case discussions with CSWs revealed a phenomenon of transient child headed households, created in circumstances in which parents leave the camp for periods of time to work in Thailand, leaving their children without adult care. It is unlikely that these children will be registered as separated children.

## **2.8 Family Contact Issues**

It was not possible to gain a very clear and precise picture of the extent to which separated children in the camps are able to maintain contact with their own families through visits or other means such as the exchange of letters. As already indicated, many of the “students” who ostensibly came to the camps seeking access to education have found returning to their families for school holidays to be difficult or impossible.

Discussions with a wide range of adults in the different camps indicated that there is a great deal of cross-border movement and exchange of information. Adults referred to the fact that parents almost always know where their children are, and that it is usually possible to find out where parents are living even if they have had to move as a result of the conflict in Burma (e.g. through fleeing for safety or through government-imposed relocation). In general, when displacement occurs, village communities tend to move together, making it easier to track the movement of individuals.

It was striking that in many discussions with normally well-informed adults in the camps (CSWs, members of KWO, camp leaders etc.) there was an assumption that the majority of young people living in boarding houses were students who returned to their families for the school holidays. By contrast, conversations with children reveal a rather different picture, though I was unable to ascertain whether such information is representative of the majority of separated children. Many children said that they do not know where their parents are, have little or no contact with them (even by letter) and express great sadness and distress at this loss of contact. In some cases, the distance and costs involved are too great to enable the child to return home.

I visited some boarding houses in which there was actually a discouragement of parental contact – violating a fundamental right (CRC Article 9): one, for example, allowed children to visit their families within the camp, but not to stay overnight: another prohibited home visits during school examination periods, while another was proposing that the children would need to remain in the boarding house during the school holiday so that they could all help to repair the roof.

Most boarding houses seem to record only brief factual information on the resident children, such as name, date of birth, language and religion, details of the parents or family from whom the child was admitted. None of those visited records a more detailed picture of the child's family circumstances, his/her life story or an assessment of his or her particular needs. The Partners organisation has introduced a system of "child profiles" into the boarding houses it supports: this provides limited space for a record of the child's history.

The only statistical information available on family contact issues is from Umpium, Mae La and Nupo, the only camps where information from all children has been entered on the longer data gathering form. One of the questions posed was whether the child needs help in tracing a member of the family; In Umpium a total of 588 children out of a total population of 837 separated children<sup>24</sup> (70%) answered affirmatively: for Mae La the figure is 700 out of 1708 (41%) and for Nupo the figure is 824 out of 1000 (82%).

These figures are rather open to a variety of interpretations: for example, the child might be indicating a wish to trace more distant kin such as grandparents or uncles and aunts: but taken at face value, the figures suggest a tracing need on an unexpected scale – a need which is not currently being met by any kind of organised family tracing programme. In most cases it is anticipated that the main objective would not be family reunification, on the basis that for most separated children a conscious decision has been made that the child should live and be educated in the camps: rather it would aim at establishing a means by which children could be in contact with their families and possibly open up the future option of returning to live with them.

While family contact continues to remain a difficulty for many separated children, their own memories are fading, and information about their family and community of origin may be gradually lost. It seems common in Karen and Karenni society for children to be passed around the extended family, and when some children move on to placement in boarding houses, information about their life history and family of origin becomes lost.

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<sup>24</sup> There is a slight discrepancy between the dates on which the number of children answering this question and the date on which the total number of separated children were counted

## **Part 3: Analysis, Conclusions and Recommendations**

In this section of the report I shall draw together the main observations made during the fieldwork for the Situation Analysis and formulate some conclusions and recommendations.

### **3.1 Boarding Houses**

The boarding houses present a somewhat paradoxical situation: on the one hand, present and former residents reflect a generally positive picture of their experience of boarding house life, and this is confirmed by visits of observation and discussions with a range of different stakeholders. On the other hand there are some major concerns, centring on the lack of any system of registration and accountability, the absence of gate-keeping measures, the admission of young children for whom family-based care would probably be preferable, and the loss and even discouragement of family contact. Another paradox is that the better-resourced boarding houses usually have a religious affiliation which may not respect the rights of children to practise their own religion (if different from that of the boarding house), while those without a Christian orientation frequently have difficulty in accessing any kind of material support. Finally, the whole system presents a further paradox: the more they attract material resources, the more attractive an option they present for parents who feel that they offer a better environment for child-rearing than they can offer themselves. This serves to disempower parents further and fuel the continuing growth of the boarding house sector.

The serious and now well-publicised incidents of sexual abuse in boarding houses do raise a real concern and may cause some to fear that these are but the tip of an iceberg. The view taken here is that a measured response is required. Abuse occurs in even the best-regulated care systems (as in the UK, for example) and can continue undetected for many years. It is simply not possible to legislate or regulate away the possibility of this occurring. It is possible, however, to introduce additional protective measures.

The boarding houses have become entrenched in the camps as an environment for child rearing and education and are generally perceived positively within the communities. If separated children with no relatives or friends continue to arrive it is difficult to see what alternative provision could be made, especially for older children who have no relatives willing to assume their care.

The proposal here is for a multi-pronged and practical approach which accepts the continued presence of boarding houses but which seeks to put in place a range of additional measures that will provide increased protection and incrementally improving standard of care for children.

#### **3.1.1 Protective mechanisms**

Key stakeholders should continue to develop and promote additional protective mechanisms. These should include:

- Continuing visits by women's, youth and students' organisations with the aim of achieving full coverage of the boarding houses and providing trusted but independent figures for children to confide in. Their role in the boarding houses is likely to have the effect of deterring acts of abuse as well as providing additional social support to children
- Parental and family contact is protective for children and its absence/decay poses a risk to children's safety and well-being. It is also a fundamental right (CRC Article 9). This issue will be elaborated below in a separate section

(3.5). The importance of family contact needs to be emphasised in the training of boarding house care-takers (see 3.1.3 below)

- Stakeholders should encourage the formation of committees for each boarding house. This has a similar protective potential as the visits by women's, youth and students' organisations. Boarding houses should be encouraged to involve representatives of the children on the committee as an important means of facilitating child participation (CRC Article 12)
- COERR should continue to target boarding houses for training on specific topics such as child abuse prevention and children's rights

### **3.1.2 Standards**

In partnership with "Partners", a framework of basic standards should be drawn up, and the mandate of individual camp authorities (via the CPCs) should be sought to amend and adopt them for each camp. Local ownership of any set of standards is vital if they are to be accepted and implemented. The standards should include a number of key issues, including procedures for starting a new boarding house and selecting care-givers, gatekeeping procedures and the facilitation of family contact. An outline of some of the key areas to be covered will be included in Appendix 2.

### **3.1.3 Training**

Consideration should be given to instituting a training course specifically for boarding house care-takers (and possibly committee members). There are some indications that this would be welcomed by existing care-takers. The content of the standards document should provide a useful framework for a programme of training, though this should also include a broad introduction to child development and learning around the specific needs and rights of children living outside of parental care.

### **3.1.4 Camp associations of care-takers**

The development of a training course and the introduction of standards should be coupled with facilitating the formation of a camp association of boarding house care-takers and/or boarding house committees. Such forums hold the potential for mobilising peer-support to continue to raise standards, provide mutual support and respond to common concerns and problems.

### **3.1.5 Gatekeeping and diversion**

There is a need to introduce gate-keeping measures into the boarding houses. This would involve a formal process through which referrals would be considered, with a view to considering carefully whether admission would be in the best interests of the child or whether there might be an alternative, such as supporting the child with his/her own family or within the extended family. In particular, steps should be taken to find some means of diverting young children (under around 8 – 10) away from the boarding house system. The work to develop standards and introduce training could be coupled with an attempt to promote the idea that boarding houses are not the best environment for young children. Women's organisations might be an ally here, both in the camps and in Burma and they might assist in moving towards a minimum age that would be publicised in Burma.

This proposal is linked with a recommendation to provide more preventive approaches in the camps – see 3.4 below.

### **3.1.6 Boarding house capacity**

It is suggested steps should be taken to limit the size of boarding houses. At the moment the practice appears to be to expand existing boarding houses to meet the demand of children seeking admission. Some now accommodate in excess of 150 children. While a maximum number of residents would need to be negotiated within

the camps, it is suggested that 50 might be considered a maximum occupancy, though a much smaller number would be ideal.

### **3.1.7 Alternative forms of care**

It is recommended that steps should be taken to investigate the possibility of developing alternative forms of care. When children aged under about 10 present within the camp as needing alternative care, fostering should be considered as a preferable option where members of the extended family are unable to help. This will be considered in more detail in section 3.3 below.

### **3.1.8 Extending the scope of registration of separated children**

As discussed in Section 2.2, it appears that only a small minority of children living in the boarding houses are currently registered with COERR: the reasons for this are not entirely clear and this needs to be investigated further. If registration is to be seen as the preliminary step to providing enhanced protection it seems likely that all children in all the boarding houses should be registered, though there are clearly resource implications here. More specifically, it is suggested that COERR's work in the boarding houses should be extended to include two categories of children not currently registered as separated children. First, in some camps, newly-arriving children are currently not registered until they have resided in the boarding house for six months, on the basis that some of them return to Burma within this period. However, it appears that this occurs only rarely, and that earlier registration could provide an opportunity to consider whether there might be a family alternative within the camp before the child becomes too established in the boarding house. The second category is those children who have one or more parents in the camps. These children are, however, separated children, and may have protection needs. Moreover, early registration of these children may also open up the possibility of considering carefully whether they could be supported within their own family as a potentially better alternative to residential admission.

### **3.1.9 Advocacy with donors**

The final recommendation is that donors of the boarding houses should be targeted for advocacy which would encourage them to consider the importance of family-based care, to take steps to support families at risk, and to encourage boarding houses to adopt standards of good practice. In short, donors should be encouraged to demand accountability from the boarding houses they support and to be well informed of what this might comprise. Donors should be encouraged to make their support conditional upon the adoption of the standards and the participation of the care-taker(s) in training.

## **3.2 Children in Family-Based Care**

It is recommended that the role of CSWs in monitoring and supporting families should be reviewed and that consideration should be given to deploying more experienced and skilled workers to support the more vulnerable family situations.

There are two main issues here: CSWs' time and their level of skill. There are approximately 155 CSWs who monitor about 20,000 Extremely Vulnerable Individuals (EVIs), giving an average caseload of around 130 clients each. It is clear that the CSWs spend a vast amount of time and energy monitoring EVIs, and maintaining a sophisticated data base of separated children. In turn the Programme Social Workers also spend a huge amount of time translating and entering data, and planning and delivering relief supplies, rather than undertaking the more professional tasks of supervision, training and capacity-building with the CSWs and CBOs. This raises the question of the purpose of monitoring and data entry. Is there a danger of this becoming an end in itself, rather than a means of facilitating improved protection

and care for children? The issue of the skills of the CSWs is also a significant issue. Many come from a limited educational background and most have had only a small number of short trainings on topics such as counselling, social work, case management, monitoring clients, the use of the data collection form, and children's rights. There is a high turn-over of CSWs which large-scale resettlement will almost certainly exacerbate in some camps.

I was pleasantly surprised to see and hear about examples of excellent, intuitive social work, including working in challenging family situations. It was also clear that some CSWs found themselves lacking the skills to intervene in some family situations where there were serious protection issues. Younger CSWs sometimes seem to lack the personal authority to intervene, which is not surprising in a culture in which older people are perceived as being endowed with social authority<sup>25</sup>. While it is beyond the scope of this report to make detailed recommendations about the deployment of staff, there does appear to be some capacity for reviewing the role of the CSWs, with the objective of deploying those with greater levels of skill and personal authority to respond to the more difficult and vulnerable situations. In order to release capacity, it may be possible for some more settled and problem-free cases of separated children to receive only an annual visit.

A second recommendation emerges from the perception that children living with the extended family or in foster care frequently experience a degree of discrimination by their care-takers in comparison with the birth children in the family. An idea to emerge from the workshop group conducted with separated children in family situations was to provide occasional opportunities for them to meet together. Such occasions would enable them to realise that other children may face similar issues, and by meeting together they could receive mutual support, discuss common problems and issues and learn new coping strategies.

It is also suggested that consideration be given to the possibility of targeting families caring for other people's children (possibly including step parents) for more focused parenting education. Particular attention needs to be paid to the need to attract men as well as women. There needs to be a specific focus on some of the particular difficulties in caring for non-biological children of the family, including such issues as discrimination, helping to integrate the child into the family, "sibling" relationship issues and dealing with behavioural problems. Similarly, and given the large number of families caring for other people's children, broader awareness-raising campaigns could be undertaken to highlight the particular needs of children not living with their own families.

### **3.3 The Need for Alternative Forms of Substitute Family Care**

At the moment the main safety-net for children needing out-of-home care is the boarding house system which is not well adapted to the needs of young children - and indeed other children who may not thrive in a very structured, educationally-oriented living environment. Large-scale resettlement is beginning to create circumstances in which already-separated children may need alternative care if their care-takers are unable or unwilling to take them when they are resettled in a third country. The circumstances under which this is occurring include where the receiving country requires parental consent for the child to be resettled (where this cannot be obtained), and situations where the anticipated delay involved in seeking parental consent is prompting a rejection of the child by the family.

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<sup>25</sup> Andersen, Kirsten Ewers: "Deference for the Elders", *Særtryk FOLK* Vol. 21-22 1979/80

It is realised that the concept of fostering by strangers poses a challenge to cultural norms: on the other hand, evidence elsewhere suggests that fostering can be introduced effectively even in cultures where the idea of children living with strangers is considered alien or unacceptable<sup>26</sup>.

While it is difficult to make very specific recommendations, it is suggested that one or more camps in which large-scale resettlement is likely to take place might be identified as possible pilot sites for developing an organised fostering programme. This would require the involvement of personnel experienced in fostering (this is available within Thailand) and the collaboration of CBOs such as the KWO.

The cultural acceptability of boarding houses might be an indicator that their association with education legitimises the notion of children living with adult strangers in this particular context, though I have not been able to find evidence to support this hypothesis. If this proves to be correct, it might be fruitful to consider targeting teachers as potential foster carers: this would have the added advantage of utilising their knowledge of child development and capitalising on their professional expertise. It would be necessary to consider some form of material incentive for foster carers, possibly a very modest stipend.

Fostering is probably a more difficult option for children aged from about 10 years and above. Supporting youth headed households may be a viable alternative to boarding houses for some of these young people, especially if they could be “attached” to an individual or family in the community willing to provide a measure of social support and supervision. This has been successfully achieved in other contexts<sup>27</sup>.

### **3.4 The Need to Promote Preventive Approaches**

The notion of child protection is taking root firmly in the camps thanks mainly to the work of COERR in developing Child Protection Committees and in introducing the language of protection in many other aspects of camp life.

The work of CSWs and other CBOs such as women’s organisations does target individuals who are deemed to be in a vulnerable situation, and their categories include, among others, single parent households, families in which there has been domestic violence and so on. There is also some excellent primary prevention being undertaken by organisations offering, for example, parent education, awareness-raising campaigns about parenting, family life and child rights.

Another category which might be considered for specific targeting is step-parent families, widely perceived in Karen and Karenni culture to be especially vulnerable to family breakdown. Some other children who appear vulnerable to family breakdown are all-too visible within the camps – for example children not in school, those displaying unusual patterns of behaviour, those seeking the attention of visitors to the camps. I encountered several during my camp visits.

However, on no occasion have I encountered the language of prevention – in the sense of strategies to prevent family breakdown and to prevent the need for residential care as a placement for children. All too often boarding houses were regarded as an easy option for children without always pursuing strategies to enable children to remain safely with their own families.

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<sup>26</sup> Tolfree, David (2004): “Whose Children? Separated Children’s Protection and Participation in Emergencies”, Stockholm, Save the Children Sweden, Chapter 6

<sup>27</sup> Ibid Chapter 12

Purposeful social work with families vulnerable to breakdown clearly requires a great deal of skill and time. As already suggested (3.2) there appears to be some scope for redeploying CSWs with the more sophisticated skills so that they focus more on the more difficult prevention and protection cases and avoid being weighed down by the volume of monitoring and form-filling. Alternatively, or in addition, the proposed Child Protection Advocates might be used in this capacity. The KWO may also have the potential to become involved in some of the more complex cases. Like the CSWs, their members have variable levels of skill, but they benefit from the high standing of the organisation in the community.

There appear to be cases where a very modest level of material support would be highly significant in preventing family breakdown and it suggested that there may be a need for a more flexible policy in this area.

One significant factor to emerge from this Situation Analysis is the central role of the Section Leaders in making decisions, for example in child protection cases<sup>28</sup>. On a number of occasions I have encountered situations in which CSWs feel powerless to intervene, even in serious protection cases, because they lack authority within the community. In some cases they have to involve Section Leaders, who do exercise considerable authority in many different aspects of camp life. However, their effectiveness and the appropriateness of their involvement are often impeded by their lack of knowledge of child protection issues and of children's rights. Their participation in some training events is invited, but my impression is that they are busy people who may not prioritise such opportunities. One way of gaining their more informed collaboration is to target them more specifically for training, perhaps after seeking the mandate of the camp committee to encourage their participation.

### **3.5 The Need for Family Tracing and Family Contact**

We have already discussed the complex and variable circumstances under which children become separated from their families, and there is a need for a more nuanced understanding of the precise reasons why children are becoming separated. In section 2.8 I outlined the case for exploring the possibility of initiating a system of family tracing which would need to involve the various camps, a cross-border operation and possibly some system of contacting families who are living illegally within Thailand. The need for a cross-border tracing service was also highlighted in the report of Thekla Ostenstad<sup>29</sup>. The principal aim would be to develop some kind of system to enable at least occasional letter contact and the exchange of information between children and their parents, though in a minority of cases the aim would be to reunite children with lost parents or other relatives.

The difficulties involved are considerable, especially in working in Burma, and in tracing relatives who are living as illegal migrants in Thailand. It was understood that ICRC were unwilling to initiate a cross-border tracing service, and then during the period of this Situation Analysis it was announced that the Burmese Government has severely restricted their access, especially in the rural areas. It is understood that some family tracing work has been undertaken across the border by ICRC in respect of former child soldiers, and by Save the Children (UK) in respect of trafficked children. While these programmes may not have the capacity to broaden their scope they may have valuable experience that can be learned from.

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<sup>28</sup> The key role played by section leaders in resolving disputes was confirmed in IRC's survey undertaken in connection with the implementation of Legal Assistance Centres

<sup>29</sup> Ostenstad, Thekla (2005): "Child Protection Issues in the Camps at the Thailand/Burma Border", report to UNHCR.

The most fruitful approach seems to be to find ways of working with existing networks that operate on both sides of the border. Church groups and women's groups, and Karen and Karenni political organisations, for example, all have networks of people on both sides of the Thai/Burma border and in many cases they have people who cross the border, despite the difficulties and dangers involved. There are a number of health and education NGOs/CBOs that work across the border whose collaboration might be sought. No doubt there are numerous other informal networks of people with means of exchanging information across the border which could not be explored during this Situation Analysis. One way to proceed would be to undertake a pilot programme to identify the issues more clearly and consider possible mechanisms using existing networks. This would need to be coupled with a closer examination of the history of individual separated children and a more thorough documentation of their family background.

This brings me to an additional general recommendation that all separated children would benefit from an improved approach to documentation. The process of helping children to document their life history is important in ensuring that vital information about the child's family and community of origin is recorded, in some detail, before memories fade and vital information is lost. If this is done in a sensitive and participatory way, such as by using life story books, it can be therapeutic in itself by enabling the child to revisit the circumstances of separation and to work through some of the feelings associated with separation and loss. It can also be a good medium for developing a relationship with the CSW. Alternatively, members of youth groups could be engaged in the task.

One important aspect of an improved documentation system is the need to ascertain more precisely whether children in boarding houses have relatives in the camps with whom they could stay during school holidays if they are unable to return to their own parents.

### **3.6 Areas for Further Study**

The discussion of the issue of family contact and need for family tracing has revealed a need for a closer examination of the precise circumstances under which children leave their own families and come to the camps and how family contact changes over time. It is especially important to generate a fuller picture of the family circumstances of children living in the boarding houses as only a minority of them appear to have been registered as separated children. More detailed, qualitative documentation of children's histories will assist this process.

COERR, in conjunction with UNHCR, are maintaining a sophisticated database on separated children which is recording a wealth of data. However, one of the frustrations experienced during this Situation Analysis is that some of the data contained within it that can reveal significant patterns concerning protection and care cannot be accessed from it in its present form<sup>30</sup>. These include the following:

- Information on the main causes of separation (Question 35 in the longer data collection form) disaggregated by different categories of separated children (i.e. boarding houses, extended family, fostered and unaccompanied children). This would potentially reveal differential patterns between the different categories, and more specifically identify the range of reasons for children being admitted to boarding houses

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<sup>30</sup> It is understood that this recommendation is being taken forward already

- The numbers of children wanting to find members of the family (Question 42), broken into the various care categories. Again the aim is to see whether there are significant differences between the different care categories.
- It would be informative to know how many children currently residing in boarding houses have relatives in the camp (Question 38). This would be helpful in considering the possibility of an alternative, family-based placement, either full-time or for school holidays.
- The numbers of children, in different care categories, for whom the “neglected by care-taker” box has been ticked (Question 49), and further analysed according to the relationship between the child and the caregiver. This would help to identify what category of care carries most risk of neglect.
- School attendance (Question 44) can be a useful indicator of the child’s situation, especially in substitute family care. It would be helpful to have school attendance figures analysed within the different care categories and then compared with camp averages.
- Further information on children who leave their care placement or whose cases are closed by COERR for reasons other than reaching the age of 18. Better documentation of children who leave might reveal trends – for example children returning to their families, or leaving the camp for the purposes of paid employment. The possibility of separated children being trafficked into exploitative work is a real one which might be revealed if their circumstances and reasons for leaving were recorded in more detail.

Much of the above information, further analysed by age and gender, would be valuable in identifying patterns of vulnerability and in informing any work to help to reconnect separated children with their families. Potentially, most of this information can be accessed from the : the issue is refining the software to facilitate this kind of more detailed analysis.

#### **Part 4. Concluding Remarks**

The large and growing influx of separated children in the camps along the Thailand-Burma border is an unusual phenomenon, created principally by a range of circumstances in Burma that include difficulties in accessing education coupled with a wide range of problems that are typical of a region that has faced an extended period of armed conflict and widespread human rights abuses. To an extent, the phenomenon is also fuelled by the availability of a good standard of education and by the availability of both families and boarding houses prepared to receive children and facilitate their access to education in the camps.

It is difficult to avoid questioning the appropriateness of children leaving their families (possibly never to see them again) in order to gain education: the phenomenon raises the issue of the relative weight to be given to the fundamental principle of family integrity and parental responsibility and the child's right not to be separated from his/her parents (CRC Preamble and Article 9), and the importance accorded to the child's right to education (Article 28). While it is tempting to regard the former as of over-riding importance, it would be inappropriate to condemn families and children themselves for their decision, probably a well-informed one, that education is the vital key to a better future.

Ultimately the only sustainable solution lies in a peaceful solution within Burma and an overall improvement in people's access to education and other vital resources. Some steps are being taken to facilitate teacher training and to support education within the conflict areas of Burma, and important though these are they hold little promise for radically changing the circumstances that lead to children leaving their families and crossing the border to seek a better life.

There have been some positive signs of a more flexible Thai government response to refugees and illegal migrants that may ultimately ease some of the restrictions faced by those living in the camps, and regularise the situation of the huge number of Burmese people living illegally within Thai society. Very recently, however, the Ministry Of the Interior (MOI) has indicated that the current restrictions will continue to apply, possibly more strictly. Large-scale resettlement programmes are now a reality, creating both opportunities, and some specific challenges, in respect of children living apart from their own families.

This Situation Analysis has revealed some unexpected positive features in boarding houses as well as some areas of concern, and it has outlined some practical steps that could be taken to improve the protection and care of children. Similarly some recommendations have been made to enhance the well-being of children living in substitute families.

Strategies to address specific child protection issues in the camps have a relatively short history. COERR has made great strides in putting systems in place and some significant achievements have been made. The recommendations made in this report build on the solid foundations that have already been established. One of the challenges facing COERR, UNHCR and UNICEF is to find a way of achieving a more joined-up approach to child protection, one that integrates the more individual work with separated children (and other refugees in a vulnerable situation) with the wider work to promote awareness of children's rights and to create a more protective environment for children generally. Some changes in the way that CSWs and PSWs are deployed may help to achieve a stronger focus on the most at-risk situations and to emphasise the importance of intervention in situations where family breakdown might be prevented.

Refugee camps are contexts in which the needs always seem greater than the resources available, the challenges always greater than the achievements. This Situation Analysis has revealed many situations in which children are facing quite extreme adversity: but even the group of adolescent boys living in an unstaffed boarding house with only the most minimal material support commented that

***Life here is better - It is safe here, there is no need to flee***

Like many of the children and adolescents encountered during the fieldwork for this assignment, they revealed an extraordinary resilience. This was strongly in evidence in the workshop group for children living in substitute families: as well as talking movingly about some of the difficulties they faced, they revealed an inner strength that was deeply moving. As one child commented:

***I feel very strong – my mother is alive even though I am away from her – and I want to become educated.***

Statements such as these provide encouragement to those organisations such as COERR who are dedicated to enhancing the protection and care of children living apart from their families.

## **Appendix 1: Terms of Reference for the Situation Analysis**

### **1. Background**

Approximately 140,000 people live in nine refugee camps along the Thai-Myanmar border, nearly half of whom are children. Many children are cared for by people other than their parents. These include children who are orphaned (those who have lost one or both parents), separated or unaccompanied, or those who for other reasons are not living with - or being cared for - by their parents. Whilst spontaneous and informal fostering is a common care mechanism, some children live in 'boarding houses', private institutions run or sponsored by political organisations (the KNPP or KNU). Although there has been some concern that boarding houses are recruiting grounds for the military wings of these organisations, recent research suggests that this is not the reality

Alternative care in the refugee camps along the Thai-Myanmar border is currently informal and unstructured. There are no standards or guidelines to regulate the provision of alternative care, no formal support systems to assist those providing alternative care, and no widespread monitoring mechanisms to ensure the protection and wellbeing of children in alternative care.

To gain a more thorough understanding of the situation of alternative care in the refugee camps, and thus better respond to children in need of care, including the setting of alternative care standards and support systems, UNICEF will conduct a situation analysis on alternative care.

### **2. Purpose of the assignment**

The purpose is to conduct a situation analysis of refugee children who are cared for by people other than their parents along the Thai-Myanmar border.

The focus of the assignment is as follows:

- 1) An assessment of the situation of children cared for by people other than their parents (including extended family care situations and institutional arrangements such as orphanages and boarding schools), to identify standards of care arrangements for children without primary caregivers, in respect to the principals and articles of the Convention on the Rights of the Child.
- 2) Assessment of the capacity of communities, partners and local organizations/associations to support and monitor family- and community-based care, and residential care.
- 3) Assist UNICEF and its partners to develop and support community based systems for care of children without primary care givers – or with inadequate family care.
- 4) Support the strengthening of existing social work networks and referral systems and the development of new networks and systems within the refugee communities for the purpose of monitoring and following up the situation of children in alternative care, and promote knowledge and awareness amongst relevant partners.

Child groups to be consulted include separated, unaccompanied, and orphaned children, IDP children living permanently or temporarily in the camps, children whose families have given up care of the child into institutional arrangements, and child-headed households.

#### Key areas to research

- The current situation of orphanages and boarding houses documenting types, location, admission procedures, facilities, number of staff, qualifications of staff, registration, monitoring, method of admittance, funding and costs/expenses incurred by the child and/or those supporting the child.
- Alternative care arrangements (adoption, fostering, guardianship, community based responses and their structure), both formal and informal.
- Numbers of children without primary caregivers and geographical distribution and categories; separated and unaccompanied children, orphans (one or both parents dead), abandoned children, affected by poverty, IDP (drawing on the data available on separated children), child-headed households.
- Camp regulations and standards (if existing in relation to child care) and the response in practice.
- Community perceptions of separated, unaccompanied and orphaned children and how it affects care options, and community perceptions of providing care, including perceived benefits of fostering.
- Next steps and actions, policy and program recommendations to strengthen the response in supportive environments including identification of potential partners.
- Recommendations for developing/strengthening policy, guidelines and standards of care for children in institutional settings.

#### **Geographic scope**

The situation analysis will be focused in four refugee camps along the Thai-Burma Border: Mae La (home to the largest number of separated and unaccompanied children and the second largest number of separated children residing at Boarding Houses; Ban Mai Nai Soi (a Karenni camp, with nearly double number of separated children than the other Karenni camp); Mae La Oon (the second largest number of separated children, and the protection capacity is considered to be weaker due to isolated location of the camp; Umpium (it has the largest number of separated children staying at Boarding Houses).

### **3. Terms of Reference**

#### Tasks:

- Desk review of information currently available.
- Development of a basic survey tool about alternative care including extended family / community care and institutions and pre-testing of the survey tool.
- Field visits to conduct interviews and focus groups about community based care options and more detailed information from institutions. Focus groups to include parents/caregivers, children and community members.
- Survey of all boarding house facilities including detailing numbers of children, standards of care, etc.
- Analysis of data.
- Report writing and recommendations.
- Assist in presenting findings at a stakeholders meeting.

#### Outputs:

- Desk review completed and summary of findings produced.
- Survey tools developed.
- Field visits completed and focus group discussions conducted and report prepared.
- Data analysis completed
- Report completed with recommendations for future programme strategies.
- Stakeholders meeting completed.

**4. Supervisor**

Amanda Bissex, Head of Child Protection Section, UNICEF Thailand  
Email: abissex@unicef.org

**5. Counterparts**

The Consultant will work closely with the Camp Committees and Child Protection Committees in each of the nine refugee camps. In addition the Consultant will work with UNHCR which has a programme on separated children, and NGO partners active in the camps including COERR.

Proposed target sites are the nine refugee camps along the Thai-Myanmar border.

Interviews and case studies should be used to gain an understanding about the experience of orphans and separated children who have been involved in different types of arrangements (foster homes, boarding houses and other arrangements).

## **Appendix 2: Outline of Possible Topics to be Covered in Proposed Boarding House Standards Document**

### **Introduction**

The Situation Analysis proposes the introduction of a standards document for boarding houses which needs to be adopted (and amended as appropriate) by each refugee camp, through the medium of the Child Protection Committee (see Section 3.1.7). It is also proposed that a training course for boarding house care-takers (and possibly members of individual boarding house committees) should be initiated. It is suggested that the training course should use the standards document as a structure, but also include some learning around child development and the specific needs and rights of children living outside of parental care.

### **Outline Contents of the Proposed Standards**

- Children's rights as a framework for the standards: fundamental principles of the CRC – non-discrimination, best interests, participation, survival and development
- Defining the purpose of residential care, setting objectives and planning care
- Gate-keeping – process of assessment and selection of children
- The pattern of daily living – during term-time and in school holidays
- Planning and reviewing the progress of the individual child
- The importance of the family and family contact
- The physical building – general construction and standards. Gender separation.
- Health – prevention and treatment – hygiene – water and sanitation
- Food and nutrition
- Supporting children's education – homework etc.
- The importance of play and recreation
- Culture – the importance of maintaining culture and traditions
- Relationships: respect for other people, respect for authority, dealing with conflict, children's need for love, affection and consistency
- The roles of staff, monitors and volunteers/boarding house committee members
- Managing behaviour – discipline, punishment, control through the quality of relationships, the importance of listening to children
- Appropriate responses to children's sexuality. Clear guidelines on physical contact with children and the need to avoid responses to children that might be considered as inappropriate
- A written and publicised policy on child protection. Complaints procedures and access to trusted adults outside of the boarding house. Procedures for responding to allegations of neglect or abuse
- Child participation: mechanisms for enabling children to speak openly about their experiences and problems
- Religion – boarding houses should either have a stated religious orientation and make this clear to potential residents, or encourage diversity and encourage children to practise their own religion
- Record keeping including the need to preserve children's personal history
- Confidentiality
- The integration of the boarding house into the local community

It is strongly recommended that boarding house caretakers should be invited to sign an undertaking about their conduct and their acceptance of the standards.