

A Refugee-Centered Perspective on Refugee Protection Reform: The Case of the Lao Hmong Refugees in Thailand

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This paper argues that the moral and humanitarian obligations of refugee protection are corrupted by the politicized and securitized discourse of a state-centric paradigm. It recognizes the need to provide an alternative solution to such realist views that is grounded in the *raison d'être* of refugee protection; the refugee himself. To do so, it documents the experience of urban Lao Hmong refugees in Thailand, highlighting gaps in current refugee protection practices. The Royal Thai Government is not partisan of the 1951 Refugee Convention and its subsequent legal framework. Under current Thai law, refugees are unjustly criminalized as *prima facie* illegal immigrants and rendered even more vulnerable to discrimination, abuse, and insecurity. Through the qualitative survey and analysis of interviews conducted in urban Bangkok, Thailand, the study shows that Lao Hmong refugees define protection in terms that go beyond physical and material security. The most pressing issues of protection as identified by the refugees themselves include freedom from fear, freedom of movement, right to livelihood, right to education and the respect for basic human dignity. Their poignant testimonies highlight an expressed need for meaningful participation and empowerment in processes of protection by the means of transparent communication and active consultation. Based on these conclusions, this paper suggests that policy makers—in Thailand and worldwide—should adopt a rights-based approach (RBA) to guide refugee protection law reform as the RBA prescribes a roadmap that is closest to what the refugees themselves demand; the respect, protection and promotion of basic human rights in the attainment of these latter.