Repatriation through a trust-based lens
Refugee-state trust relations on the Thai-Burma border and beyond

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Working Paper Series

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Contents

List of abbreviations

EAGs	Ethnic Armed Groups
CCPP	Permanent Commission of Guatemalan Refugees
CCSDPT	Committee for Coordination of Services to Displaced Persons in Thailand
IOM	International Organization for Migration
KNLA	Karen National Liberation Army
KNU	Karen National Union
KCBOs	Karen Community Based Organizations
KRC	Karen Refugee Committee
NCPO	National Council for Peace and Order
OCV	Out-of-Country Voting
TBC	The Border Consortium
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
USDP	Union Solidarity and Development Party

Glossary

Tatmadaw	The Burmese military

Introduction[1]

To begin by way of anecdote, this paper stems from a conversation I had last year with a colleague at a human rights documentation project on the Thai-Burma border. With a power-cut inhibiting work and looking to strike up conversation I asked, "Things in Burma are changing. Do you think refugees will return?" His response was squarely, no: people wouldn't return yet because they didn't trust the Burmese government. For me this thought slowly set a process in motion, of questioning what role this oblique concept of 'trust' might play in policy and theory on refugee repatriation, both more broadly and in this case in particular.

This paper's argument is that attention to trust constitutes a missing chapter in contemporary repatriation policy and theory, and that both domains must respond by taking up a trust-based lens on repatriation operations. The place of 'trust' within refugee repatriation is a vast potential area for research, raising questions of trust-building between many different groups and at many different levels. However, rather than attempting to present a full picture of the web of trust relations surrounding refugee repatriation, I make a first foray into this domain of research by focussing in detail on just one of these relations. Building both on conversations with colleagues on the Thai-Burma border and recent developments in repatriation theory, I explore how repatriation constitutes, at least in part, the rebuilding of a trust bond between refugees and their states of origin.

To clarify terminology, throughout the paper I use "refugee-state trust" to refer to trust relations between refugees and their states of origin, as opposed to trust relations with their host states. I use "repatriation" to suggest a holistic process, involving not just refugees' physical movement back to their state of origin, but also their political and socio-economic reintegration; in contrast, "return" signals mere physical movement. Finally, the term "state" refers here to national-level institutions of government; while the possibility of differing dynamics at local levels is considered interesting, it is presently put aside for further research.

I first proceed by drawing on, and bringing together, contemporary repatriation theory and philosophical analysis of the concept of 'trust'. In Section 1, I survey contemporary literature on repatriation, pointing in particular to Katy Long and Megan Bradley's work on its political content. I argue that trust is lurking behind the work of both authors, but is insufficiently substantiated. I cast explicit focus on refugee-state trust as a logical progression of contemporary theory on repatriation, and use Bradley and Long's work as a starting point to explore what a conception of trust explanatorily adequate for this purpose would look like.

In Section 2, I bring this theoretical framework to bear on UNHCR repatriation policy, elaborating trust's largely overlooked place. I draw on philosophical analysis of 'distrust' to put forward a case that this policy deficit requires urgent remedy, highlighting the need to give due credence to the refugees' rational distrust of their state of origin. Furthermore, I argue that the case for paying heed to refugee-state distrust is strengthened by the non-rational elements of distrust that render it a particularly formidable and often policy-resistant barrier to repatriation. In Section 3, I suggest that there is nonetheless reason to be optimistic that,

where fundamental change has been seen in a country of origin, in many cases refugee-state trust *can* be rebuilt. I draw on analysis of 'trust' and 'distrust' to suggest mechanisms by which both states of origin and third-parties might begin to reckon with refugees' distrust.

Finally, in Section 4, I apply a trust-based lens to the case of Karen refugees in the Thai-Burma border camps. The case is selected, firstly because, as indicated above, trust has already become part of repatriation narratives in this context; it is thus interesting to explore the deeper implications of this fact. Secondly, the "preparedness planning" phase of this possible future repatriation presents a case where a trust-based approach *could* be adopted as a framework for future engagement.

In exploring the Karen case I draw on and respond to existing analyses of repatriation in the Burma context, in particular work by Kim Jolliffe (2014) and Ashley South (2014), aiming to demonstrate how trust-based analysis can add to existing frameworks. I argue that it is crucial that we begin *now* to implement concrete trust-building strategies, so that the groundwork for refugee-state trust has already been laid if and when repatriation becomes a humane option. However, I apply Section 3's suggested avenues for engagement to argue that both the Burmese state and international actors have in fact missed key opportunities for trust-building, and even enacted strategies that undermine it. Pointing to the need to adapt our trust-based lens to historical and cultural specificities of trust, I explore lessons learned from history and the complexities of group-based trust; on this basis I highlight facilitative roles that various third-parties might play and major difficulties that, if left unaddressed, risk undermining the entire trust-building process.

The analysis here is just a preliminary sketch of what a trust-based lens on repatriation may offer. Throughout, the goal of this paper is not to offer a fully substantiated theory on repatriation, but to identify, and take the first steps towards exploring, what I consider a surprising deficit in existing theoretical and policy frameworks.

1   Contemporary work on repatriation and the salience of trust

Repatriation theory: 1992–2013

In May 1992 incumbent United Nations High Commissioner for Refugees Sadako Ogata declared her vision for a "decade of repatriation for refugees" (UNHCR 1992). Staying faithful to this vision, by 1996 the United Nations High Commissioner for Refugees (UNHCR) had repatriated 9 million refugees worldwide (Long 2013:103). In the context of narrowing space for resettlement and local integration, repatriation became, at least in UNHCR's view, the largely privileged member of the three durable solutions (Barnett and Finnemore 2004:93).

In many ways academic research has lagged behind the momentum of policies promoting repatriation as the primary durable solution. Bradley writes, "Scholars and advocates should be concerned that, despite this change, repatriation has attracted only modest attention from researchers to date, and the theoretical framework underpinning return remains comparatively underdeveloped" (2013:8). Throughout the 1990s and 2000s this

"underdeveloped" body of theory fell largely within three key domains: analysis of motivations behind shifting policies (Chimni 2004; Barnett and Finnemore 2004); critiques of assumptions about "home" and "belonging" embedded in the prioritisation of repatriation (Malkki 1995; Black and Koser 1999; Hammond 2004); and documentation of drawbacks to repatriation operations in terms of security (Takahashi 1997) or barriers to socio-economic integration (Black and Koser 1999). Until recently little attention was paid to the *political* content of repatriation. More specifically, there was a failure to pay heed to the fact that, in the context of a state system where protection is organised by *membership* in territorially defined nation states (Haddad 2008), normatively desirable repatriation involves rebuilding a political relationship between the returnee and their state of origin.[2]

Bradley (2013) and Long (2013) have been key proponents of a new turn in the repatriation literature seeking to remedy this deficit, casting repatriation as the restoration of a political bond between the refugee-citizen and their state of origin.[3] For Bradley (2013), the state-citizen bond restored in repatriation is a relationship of rights and duties, in particular "core duties" of "equal, effective protection for [citizens'] security and basic human rights, including accountability for violations of these rights" (2013:2). In contrast, for Long (2013) the bond is couched in terms of social contract theory, with states and citizens alike bound by a contract of rights and duties that, quite crucially, is underwritten by citizens' consent. These conceptual differences have key implications for the authors' respective analyses of repatriation, necessitating vastly different strategies for recreating the state-citizen bond. Bradley's focus on state protective duties leads her to put forward a theory of "just return"(2013:240), centred on state mechanisms of justice and redress for prior infractions, while Long's focus on citizens' consent engenders a theory of "liberal repatriation" (2013: 38) privileging mobility and refugee autonomy.

Bradley and Long's focus on political aspects of repatriation constitutes a vital turning point in repatriation theory. However, the core notion of the 'state-citizen bond' warrants more scrutiny than given by either author. Already, we see that seemingly minor differences between conceptualisations of the state-citizen bond yield vastly different avenues for engagement in repatriation operations. In this paper I aim to fine-tune this promising new area of research by foregrounding an aspect of state-citizen relations that lies behind the surface of both Bradley and Long's work, introducing state-citizen *trust* as a central component of the state-citizen bond restored in repatriation

Uncovering 'trust' within this picture

Interestingly, state-citizen trust is implicit – and even at moments made explicit – in both Bradley and Long's work. If on Bradley's terms the state-citizen bond is primarily characterised by rights and duties, the citizen must *trust* their state to fulfil these rights and duties, given that they cannot *know* that it will do so. Similarly, Long's conception of the state-

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[2] A counterpoint is offered by returns to areas controlled by non-state actors. The assumption of this paper is, however, that restoring a state-citizen relationship is normatively desirable in the majority of cases.

[3] Long (2013:28) makes the valid point that in certain cases this is not the *restoration* of a political bond, but the creation of a new bond where none existed pre-exile. I acknowledge this point and in Section 4 explore its implications for trust-based analysis. However, for simplicity I retain the terminology of "rebuilding" the citizen-state relation.

citizen relationship as a social contract implicitly contains the idea that the citizen trusts the state to fulfil the contract's terms. While Bradley (2013:187) makes oblique reference to trust as the end-goal of repatriation, Long gestures towards a 'trust' dimension of state-citizen relations, describing the state as "trustee of the people's sovereignty" (2013:41). However, crucial to the argument of this paper, neither author explicitly interrogates what a 'trust' component of the state-citizen bond, and concurrently of repatriation, would entail.

My central argument is that if we are to elaborate the political content of repatriation we must look to how this involves a restoration of refugee-state trust. I begin by defending this thesis from a likely counterargument: that even in rights-respecting states we see frequent and emphatic declarations that citizens do not trust their state, and accordingly the 'normal' state-citizen relation restored in repatriation cannot be one of trust. Ultimately, this counterargument is derailed by the fact that, as Lawrence Becker notes, while we see polls articulating declining trust in political institutions, we also see people continuing to use those institutions in "a remarkably unguarded way" (1996:51). The counterargument misses a more complex picture, whereby citizens largely *do* trust their state but sometimes only in certain capacities. Following Annette Baier (1986) and Russell Hardin's (2002) analysis of trust as a three place relation (rendering "I trust *X*" shorthand for "I trust *X* to do *Y*")[4] and Bradley's account of state duties, I suggest a conception of 'minimal trust': where citizens trust the state to effectively protect their security and basic human rights without discrimination. In this picture, minimal trust can remain despite citizens espousing deficient trust in wider state functions.

Interestingly, and telling to the salience of trust to repatriation, the refugee makes visible the minimal trust embodied in the 'normal' state-citizen bond. The refugee exemplifies a phenomenon noted by T. Alexander Alenikoff, that "trust of the state is something that is rarely noticed or valued except when it is breached in horrendous ways" (1995:270). The refugee is considered deserving of international protection precisely because her state of origin fails to make good on what it is minimally *trusted*, as a state, to do: offer effective protection without discrimination. This is reflected in the 1951 Refugee Convention definition of the refugee as unable or unwilling to avail herself of the protection of her country of origin due to a well-founded fear of persecution, signalling that the state cannot be trusted to provide protection from persecution. We also see it in broader definitions of refugees as "persons whose basic needs are unprotected by their country of origin" (Shacknove 1985:277); here the failure of trust regards state protection of citizens' basic needs. In these ways, and in being held up as an aberration of the norm (Malkki 1995), the refugee makes visible the minimal trust relation central to the 'normal' citizen-state bond.

The refugee-trust literature
Before continuing this thought I pause to consider how 'trust' has already been treated within the broader body of literature on refugees.

The refugee-trust literature mainly consists of one anthology edited by E. Valentine Daniel and John Knudsen (1995a), drawing together work from authors as prolific as Barbara Harrell-Bond and Alexander Alenikoff to explore trust in a diverse range of contexts. Beyond

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[4] Baier (1986) notes that this approach does not fit all cases. However, it is nonetheless useful for conceptual clarity.

this edition papers have largely been limited to analysis of trust regarding host state service provision – in particular health services (for example: Asgary and Segar 2011) – and research processes (for example: Miller 2004). The main exception to this trend is the work of Patricia Hynes (2003; 2009) who, while focussing her research on compulsory dispersal policies, draws on Daniel and Knudsen (1995b) to provide a detailed analysis of trust through various stages of refugeehood.

While in several places this paper draws on the refugee-trust literature, it also responds to two deficiencies identified within it. Firstly, despite the refugee regime's emphasis on repatriation, attention to solutions in the refugee-trust literature primarily tends towards resettlement and local integration. The only focussed attention to repatriation in the refugee-trust literature known to this author is found in Beatriz Meanz (1995), who examines structural obstacles to trust among Mayan Indian repatriates in Guatemala. However, Meanz's work evidences the second deficiency pervading the refugee-trust literature: that the concept of trust itself is not sufficiently interrogated. While Daniel and Knudsen (1995b) define trust in their edition's introduction, Michael McGovern (1998) rightly points out that their wide definition fails to be taken up by other contributors to the volume, including Meanz, who adopt a more colloquial sense of the term without conceptual interrogation. Accordingly, even where the refugee-trust literature does pay heed to repatriation it fails to subject the concept of 'trust' to adequate scrutiny.

This failure to fully examine conceptual underpinnings is important but easily remedied. While the refugee-trust literature offers limited insights, a vast body of philosophical and psychological research already devoted to scrutiny of 'trust' lies closely at hand to aid our analysis.

An explanatorily adequate conception of trust

With this in mind I now turn to the question of what an explanatorily adequate account of state-citizen trust within refugee repatriation would look like. Bradley and Long's work is useful here, not because either framework implicitly contains a fully adequate conception, but because explanatory gaps in the accounts of trust behind their work underscore what we *would* require of an adequate account.

As outlined above, Bradley's account implies that state-citizen trust entails the citizen trusting the state to fulfil basic protective duties. This notion greatly informs the conception of trust taken up in this paper. However, Bradley's work suggests no explanation for how the citizen ends up in this trust relation; if repatriation includes the restoration of state-citizen trust it is unclear how this process would occur. The explanatory gap here makes evident that an account of trust capable of elaborating trust's place in repatriation must more clearly define how the individual *comes* to trust the state. Long's analysis fares better on this count. Her social contract framing implies that, if the state-citizen bond is a trust-bound contract, trusting the state must be a matter of free and rational choice. Yet while her work succeeds in offering *an* explanation for how citizens come to trust, it is deficient in the particular explanation it offers, being insufficiently nuanced to trust's complexity.

Certainly a contractarian-inspired idea of trust finds considerable support, with various authors arguing that trusting is something that we freely and rationally decide to do, based on our beliefs about an actor's trustworthiness (Gambetta 1988; Holton 1994; Hardin 2002).

However, further work has convincingly suggested that contractarian-inspired accounts cannot fully explain the complex phenomenon we label 'trust', in particular suggesting that trust is not always rational. Judith Baker (1987) has forcefully argued the case for non-rational trust by highlighting how trust is often manifested in spite of persuasive evidence to the contrary. Karen Jones (1996) builds on this by elaborating how trusting gives rise to "selective interpretation" (1996:12); when a wife's husband comes home late if she fully trusts him she infers from this, not that he is having an affair, but that he encountered traffic on his way home. Trust thus appears part of a biased process of *forming* belief, rather than a rational evaluation *based* on belief. Becker (1996) calls this "noncognitive" trust, as opposed to "cognitive" (rational) belief-based trust.

The debate on the rationality of trust requires a paper in itself to fully explore. However, this broader work assumes a position endorsed by Becker (1996): that noncognitive theories of trust have substantial intuitive merit, but can coexist alongside cognitive explanations to together describe trust as a wide and complex phenomenon. Accordingly, I suggest a working account of state-citizen 'trust' in refugee repatriation as a rebuilding of refugees' trust in their state of origin's protective functions, which comes about as part of a complex process that has the potential to be both more or less rational.

2 A new focus for repatriation policy

It is has thus far been shown that it is in keeping with contemporary repatriation theory to conceive of repatriation as, at least in part, the rebuilding of a trust relationship, premised on protective duties, between the refugee and state of origin. I now explore the need for repatriation *policy* to incorporate explicit focus on trust.

Refugee-state trust in repatriation policy

In a sense refugee-state trust is implicitly behind the refugee regime's normative vision for repatriation, given the principle of voluntary repatriation: that repatriation should be solely at refugees' consent. Long (2013:65) elaborates how this principle has been in play since 1946 UN General Assembly Resolution 8(I) and has been consistently affirmed in UNHCR policy over time. To an extent the requirement of voluntariness subsumes the notion of trust, as on this norm no refugee can be compelled to repatriate to a state they distrust.

However, it is important not to leap to the conclusion that trust therefore has an implicit but privileged place in repatriation policy. First, the principle of voluntary repatriation has seen significant decline within UNHCR since the 1990s, with voluntariness replaced with notions of UNHCR-assessed "safe return", and even "imposed return" (Chimni 2004; Barnett and Finnemore 2004). Second, the principle of voluntariness does not entirely subsume trust. If, following Bradley and Long, we conceive repatriation as the refugee re-configuring a political relationship with her state of origin, voluntariness merely tells us that the refugee has consented to re-enter this relationship; it is only by focus on trust that we can pay due heed to the relationship's content.

Only two central UNHCR repatriation policy documents on repatriation make explicit reference to 'trust'. The ninety-page UNHCR *Handbook on Voluntary Repatriation* (1996)

makes just three mentions. First, it suggests that, should some refugees consciously misinform others about repatriation, UNHCR should aspire to become a trusted information source. Second, it highlights the importance of trusted information sources to voluntary repatriation decisions. Third, it suggests measures to enhance post-return trust in UNHCR. In this document trust is a case of information sources and refugees' relationship with UNHCR; there is no specific consideration of refugees' trust in their state of origin.

The UNHCR *Handbook on Repatriation and Reintegration Activities* (2004), despite containing just three mentions of 'trust' in over 200 pages, is more informative on this count. In two cases UNHCR situates trust in terms of government, suggesting workshops to build trust in local authorities and recommending that Poverty Reduction Strategy Papers focus on rebuilding trust in public institutions. This acknowledgement by UNHCR that refugees' trust in their state of origin presents an issue at all is encouraging, but it is noteworthy that both recommended activities fall within its schedule of "reintegration" rather than "repatriation". The idea is that trust in the state becomes relevant once the refugee has returned to her country of origin. There is no direct suggestion at all that deficient refugee-state trust might be a barrier to return in itself and part of the repatriation process. However, this is a phenomenon we see time and time again when refugees are confronted with the possibility of repatriation. The case detailed below of Karen refugees in Thailand is just one of many clear examples showing that attention to refugee-state trust is important precisely because a lack of trust may foreclose future possibilities for voluntary repatriation.

Interestingly, both UNHCR documents contain some hint of this idea, but it is couched in the terms of 'confidence' not 'trust'. The 1996 Repatriation Handbook makes 22 references to confidence-building, over half of which refer to how refugees in exile might, prior to return, develop confidence in the situation in their country of origin and their future treatment. In the 2004 Repatriation and Reintegration Handbook a third of the references to "confidence-building" consider pre-return confidence-building in this sense (see Appendix 1 for full analysis of both documents).

I hold that it very distinctly matters that UNHCR has chosen to conceptualise this obstacle to repatriation in terms of refugees' pre-return lack of 'confidence' in their state of origin – its current circumstances and future intentions – rather than their lack of 'trust'. Simply put, a confidence-based account of repatriation cannot do the job that trust-based analysis is capable of.[5] As we see below, while a lack of confidence appears easily countered by the information campaigns, go-and-see visits and legal guarantees that UNHCR's policies recommend, a lack of trust poses a far more complex obstacle to repatriation.

Primarily, it is important to see the state-citizen relationship rebuilt in repatriation as one of trust rather than one of confidence because the notion of 'trust' is attuned to the fundamental

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[5] I diverge from Hardin (2002:172), who argues that we should talk about 'confidence' rather than 'trust' in government because citizens cannot know enough about governments to deem them trustworthy. First, this rests on Hardin's analysis of trust as a cognitive phenomenon. Second, even on these terms, lack of knowledge about an agent does not mean that we *cannot* trust them but simply that we take greater risk in doing so. Third, the fact that citizens *do* talk about 'trust' in government suggests that, if on our account they cannot be said to do so, there is something wrong with our account of trust as opposed to with citizens' perceptions.

risk taken by the refugee in re-entering this relationship in a way that 'confidence' is not. Theorists on trust broadly agree that, however else 'trust' is defined, to trust is to take risk (Baier 1986; Gambetta 1988; Hardin 2002) – more specifically, to take the risk that this trust will be betrayed or disappointed. When refugees rebuild trust in their state of origin, in the minimal sense of trusting the state to offer them effective protection, the repatriate takes the risk that this trust will be betrayed.[6] While building confidence implies that the state of origin will in fact protect the refugee and the refugee just need adequately understand this status quo, building trust requires a leap of faith on the refugee's part given the very real *risk* that a state that has failed to protect her in the past will fail to do so again.

By looking to 'trust' over 'confidence' we are also better able to pay heed to the important phenomenon of distrust. While confidence's opposite stance is simply a lack of confidence, trust presents a more intricate picture. We can make the distinction that, not only do potential repatriates fail to trust their state of origin, but many *actively distrust* their state of origin – a contention supported by various theorists who analyse distrust as, not simply the absence of trust, but a distinct phenomenon in itself (for example: Hardin 2004). In the sections that follow I turn to the distrust literature to elaborate refugees' distrust of their state of origin as an important and distinct phenomenon that warrants policy-makers' substantive attention. Crucially, this is a phenomenon that evades analysis if we focus our gaze too intently on refugees' 'lack of confidence'.

Distrust as a rational survival strategy

A key insight of the distrust literature is that adopting a distrustful stance can be a rational and prudent response to risk, providing a credible means to protect against the disastrous consequences of misplaced trust (Hardin 2004; Larson 2004). In this way Hardin (2004) has sought to dislodge the notion that trust is fundamentally 'good' and distrust fundamentally 'bad'. The refugee-trust literature saliently situates this thought in relation to refugees, emphasising how distrust can be an important survival strategy (Muecke 1995; Voutira and Harrell-Bond 1995). When we focus on refugees' distrust of their state of origin and understand it as a rational, prudent and even 'good' reaction to the risk involved in trusting a state that has failed them in the past with protective functions, it becomes clear that refugees' distrust of their state of origin must be taken seriously and given due credence by policy approaches.

In what follows I elaborate how, mirroring analysis of trust, distrust contains non-rational features. However, this in no way diminishes the argument that distrust is a fundamentally rational response for refugees, confronted with return, to adopt towards their state of origin. Distrust may well evince non-rational components in its manifestation while being ultimately rational in its justification. As seen in the preceding section, refugees have by definition already been failed by their state of origin's protective capacities. While non-rational elements of distrust might conceivably exaggerate the significance of this fact, at the point of repatriation, and even where multiple internationally affirmed legal guarantees exist, the refugee cannot *know* that their state of origin will in fact offer effective protection on return. The cyclical series of displacement and repatriation to and from South Sudan is just one example showing that this might not be the case (Hovil 2014). When refugees are faced with

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[6] Although not explored here, the level of risk will vary with factors such as gender and class, and trust-building strategies will need to be adapted accordingly.

repatriation, distrust becomes a survival strategy justified on an ultimately rational basis, given the significant and very real risks faced.

Policy-resistant distrust

Refugees' distrust of their state of origin warrants policy-makers' explicit attention, not just because it is a fundamentally credible attitude, but also because, like trust, distrust is an enormously complex phenomenon to understand and, where appropriate, alleviate.[7] A significant body of theory elaborates how, while distrust can be rational, it is not always so. This is crucial to explaining why, even when we see fundamental change in countries of origin, refugees may resist proposals for repatriation. While, as elaborated above, this attitude has a fundamentally rational basis, it can become all the more difficult to alleviate due to non-rational components in the way distrust is manifested.

Deborah Larson (2004) provides some important insights into this phenomenon. Similar to accounts emphasising noncognitive elements of *trust*, Larson argues that once distrust has been generated, often this fact alone will colour the way subsequent gestures and experiences are interpreted. She writes, "Ambiguous actions will be interpreted in the worst possible light…Once people have been primed to suspect someone, they will interpret his or her behaviour to support their suspicions" (Larson 2004:46). In this way distrust takes on a largely non-rational self-reinforcing tendency (see also: Kramer 2004). To the concern of policy-makers, this suggests that once distrust is generated, conciliatory gestures by a state of origin, or even individual go-and-see visits, may lack the capacity to alleviate distrust. Distrust becomes such a formidable barrier to repatriation because it is in an important sense *policy-resistant*: it creates a context where policy endeavours are sharply limited in their impact by the way they are interpreted by distrustful processes of cognition.

3 Rebuilding trust

While my position is that focus on trust enables us to recognise the credible and formidable barrier to repatriation posed by refugees' distrust of their state of origin, I have also argued that this distrust is in an important way policy-resistant. The question thus arises: where should policy-makers go from here? The choice might appear to be between going back to first principles and re-averting our gaze from the phenomenon of trust, or making the politically unpalatable declaration, as for different reasons Judith Shklar (1993) has done, that some refugees may be simply be non-repatriable.

In many cases Shklar's analysis is prescient. Indeed, where distrust is deeply entrenched there is cause to explore opening up other solutions; for example, by seeking emphasis on labour mobility (see Long 2013:217-22). However, policy-makers have a third option: to see refugees' distrust of their state of origin as a formidable barrier to repatriation, while also looking to ways in which, over time, it might be overcome. Roderick Kramer promisingly asserts that

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[7] The question of when taking steps to alleviate distrust becomes acceptable requires considerable exploration. However, for present purposes I suggest conditions required by international law for cessation of refugee status – of fundamental and durable change in the state of origin (Goodwin-Gill and McAdam 2011:139-43).

"there is evidence that barriers to trust, though formidable, are not insurmountable" (2004:150). I argue that our best response to policy-resistant distrust, following fundamental change in a state of origin, is to create situations where it would be rational for refugees to trust their state of origin, in the hope that the non-rational elements of distrust adjust over time.

The case for optimism

The line of thought that, where we have seen fundamental change in the state of origin, in many cases refugees' trust *can* be rebuilt is perhaps optimistic. However, I adopt this approach for two reasons: first, for the sake of improving conditions for refugees given the political reality that repatriation *will* be pursued in most cases, and second, because of the persuasive idea that a rebuilt trust relationship has the potential to benefit refugees. Larson (2004) explores how unwarranted distrust can lead to missed opportunities. While refugees' distrust is by no means "unwarranted", where it contains non-rational elements there is a risk that policy-resistant distrust may lead the refugee to miss out on opportunities entailed by re-engagement with her state of origin. In particular, where a host country denies status to refugees on their territory reengagement with the refugee's state of origin and rebuilding a state-citizen trust relationship may represent the best opportunity for the refugee to attain stable status, rights and protection.

To give further grounds for optimism about rebuilding refugee-state trust, I now draw on the trust and distrust literature to suggest some concrete avenues for engagement, for policy-makers to take up in cases where there has been fundamental change in the state of origin and yet refugees continue to distrust their state. This attempt to elaborate policy measures to facilitate trust-building is in no way meant as an affront to refugee agency. While policy measures may encourage trust-building, the decision to trust very much remains with the refugee; as in other domains, and as suggested by discussion of distrust's policy-resistance, policy measures will be mediated by refugees' own strategies (Van Hear 1998:58). Furthermore, I emphasise that the state-citizen trust rebuilt must be, in Baier's terms, "morally decent" (1986:253). That is, trust-building must not rely on strategies where the trust relationship would be weakened if either party knew of the other's methods, ruling out trust-building based on fear or deception.

Imperatives for states of origin

I begin by exploring actions that *the state of origin* may take to rebuild refugees' trust. I side with Bradley (2013:239) in holding that the responsibilities of refugee-creating states must be better emphasised and understood. If states of origin are to expect their former citizens to be repatriated, there is an onus on them to *prove* themselves trustworthy and make concerted efforts to alleviate refugees' distrust.

I suggest four possible avenues for engagement, whereby states of origin might begin the long process of dislodging refugees' distrust and rebuilding a state-citizen trust relationship, seeking to make trust rational and encouraging non-rational elements of distrust to adjust over time to reform. Importantly, none of the avenues presented suggest fundamentally new approaches. My aim here is to provide a new lens on old peace-building mechanisms, making visible their potential to be harnessed as part of a concerted focus on trust.

Renouncing past betrayal

Larson (2004) writes that distrust can be overcome by a distrusted actor doing something out of the ordinary. I believe there is something salient in the idea of the state "doing something out of the ordinary", with the symbolic power of suggesting that today's state is a qualitatively different actor. While we might seek to maintain the current state's culpability for prior wrongs, state renouncement of past betrayal, in providing a symbolic break from past failures, may inspire a more optimistic outlook on the state's future conduct.

Redress mechanisms, such as the material reparations, truth commissions and criminal tribunals that Bradley (2013) recommends, are an important strategy for reinforcing the sincerity of public declarations renouncing prior wrongs. Indeed, Bradley (2013:175) draws on Pablo De Greiff to link reparation programmes to the building of civic trust. In this way, and in symbolically demarcating a reformed state, public renouncement of prior betrayal, with supporting redress mechanisms, may go some way towards making trust a rational attitude for refugees to adopt.

Minimising capacity for future betrayal

However, such moves may in themselves be insufficient for making trust a rational strategy. Focussing on Mayan Indian repatriates in Guatemala, Meanz (1995) argues that trust only becomes possible in the context of fundamental structural change. In our framework, before trust becomes rational the refugee may demand that the state not only symbolically repudiate prior betrayals, but also more concretely reduce the risk of future betrayal by implementing fundamental reform.

A key mechanism for reducing the risk that the state of origin will betray repatriates' trust is by reducing the state's *capacity* for betrayal. Notably, this should not be seen to conflict with broader post-conflict strategies that seek to more generally *develop* the state's capacity. Reducing state capacity for betrayal can in fact be seen to complement this scheme, enhancing the state's capacity for effective protection and accountability.

Institutional constraints constitute an important means for effecting a betrayal-capacity reduction (Larson 2004) – for example, through the traditional notion of separation of powers, by which executive actions are constrained by legislative and judicial arms of government; in particular, a fully independent judiciary is likely crucial to trust-building. However, it remains possible that constraints on the state's capacity may have to come from non-state institutions in order to be considered credible. Bradley (2013:186) outlines how, in the case of Mozambican returnees wary of a strong state, a more prolific role was sought for customary authorities as opposed to formal state structures. The role of non-state third-parties will be considered in detail below. Yet ultimately, whether originating from state or non-state sources, it is imperative that reformed states of origin recognise the need to accept constraints on their authority if they hope to transform refugee-state trust into a rational endeavour.

Reducing corruption

The state might further encourage state-citizen trust by making concerted efforts to reduce corruption within state institutions. It seems convincing that corruption breeds distrust, simply because corrupt agents' self-interested motives belie stable expectations of their future actions. The argument for reducing corruption to enhance state-citizen trust is convincing even where corruption is limited to low-level local officials, due to wider effects of localised

corruption. Writing on the effect of the corrupt Philippine Supreme Court on citizens' trust of government more broadly, Gabriella Montinola (2004) notes what Hardin terms the "spillover effect" of distrust (2004:30): that distrust in one arena can spill over into distrust in another. In this way, Montinola (2004) details how distrust of the corrupt Philippine Supreme Court translated into citizens' distrust of all levels of government, with a failure to punish institutional corruption by higher levels of government implicitly suggesting toleration of this behaviour. Punishing all forms of institutional corruption, at central or wider levels, thus becomes key to alleviating distrust.

In a sense this intersects with the point already made about making trust rational by creating institutional constraints that can credibly be expected to hold malevolent, or indeed corrupt, arms of the state accountable. However, reducing corruption in public institutions also supports the more oblique process whereby over time distrust's non-rational features may shade into trust (Larson 2004). Patrick Troy (2004), examining urban regulation in Australia, comments that state behaviour is better able to create distrust or trust when in areas where citizens more frequently encounter the state. While unpunished corruption in state institutions likely reinforces entrenched distrust with a day-to-day reminder of a state failure to punish and thereby protect its citizens, clear punishment of corruption provides persistent distrust with a day-to-day reminder of a more accountable state, paving the way for trust to be rehabilitated.

Introducing low-risk channels of cooperation
Both rational and non-rational elements of distrust might also be tackled through low-risk forms of refugee-state cooperation. It is a noted phenomenon that trusting relationships are but one form of cooperation, and that other forms of mutual cooperation between distrustful agents can in fact breed trust, providing distrustful agents with the possibility of positive interaction (for example: Kramer 2004). Where distrust is high, the key to facilitating cooperation is likely by creating channels for engagement where the risk undertaken if cooperation fails is much lower than if trust is betrayed, thereby facilitating mutual cooperation in spite of distrust.

I suggest out-of-country voting (OCV) as one promising strategy for achieving this end, providing refugee-citizens living outside their state of origin with the chance to cooperate in electoral processes. Long (2013:148) details how OCV has become increasingly prevalent in post-conflict settings, taking place in the 1993 Eritrean constitutional referendum, and national elections in Bosnia (1996), Kosovo (2000), Afghanistan (2004), Iraq (2005, 2010) and South Sudan (2010). OCV was also a feature of Libya's 2012 national elections and 2014 elections to the state's constitutional drafting assembly (UNDP 2012; IOM 2014). OCV presents a low-risk way in which refugees can begin cooperation with their state of origin at a distance, before making the high-risk commitment of trusting the state with their survival. Cooperation through means such as OCV may take place in the absence of trust, yet if experienced in a positive manner such acts of cooperation might begin to destabilise both rational and non-rational elements of distrust, eventually giving rise to trusting relationships.

Engaging third-parties
I now turn to how third-parties might support trust-building processes. Theorists on distrust acknowledge that third-parties are often necessary to facilitate trust-building between distrustful parties (Larson 2004; Kramer 2004). However, it is crucial that the third-party must

themselves be trusted, albeit to varying degrees dependent on their level of involvement. In the context of repatriation our first step should be to identify plausible candidates for this third-party role, asking the question: who do refugees and their state of origin trust? This question requires us to look back at both refugees' and the state's histories of engagement with various third-parties, with well-established trust bonds providing a strong basis for engagement. Depending on the context, this may range from intergovernmental organisations like UNHCR to civil society organisations.

Once third-party actors are identified, successful models for engagement include:

(i) Facilitating low-risk cooperation to outright mediation
A trusted third-party might facilitate trust-building by helping to bring about the kinds of low-risk cooperation, detailed above, that may eventually breed trust. This could involve anything from providing resources to facilitate low-risk cooperation to establishing a forum for refugee-state dialogue. We already see this kind of third-party involvement in OCV, with previous global OCV processes supported by the International Organization for Migration (IOM) and the United Nations Development Programme (UNDP) (UNDP 2012; IOM 2013). Where dialogue is pursued, and where distrust poses a clear obstacle to progress, third-party engagement might be stepped up to take the more active form of mediation. Both Kramer (2004) and Larson (2004) highlight how third-party mediation has the potential to lessen debilitating distrust.

(ii) Underwriting risk
Another, significantly more active, model for third-party engagement is where a third-party facilitates refugee-state trust by reducing the risk taken in trusting the state with protective duties. This might be by providing, from a non-state source, the sort of institutional constraints detailed above that reduce risk by reducing state capacity for betrayal. Alternatively, this might be by providing a safety net whereby, should the state once again betray refugees' trust, international and other non-state actors are ready to step in to limit damages. Certainly state sovereignty renders the 'underwriting risk' model challenging to employ. Yet we can suggest commonly-employed mechanisms that might contribute to these ends, such as the presence of international human rights bodies in the state of origin.

(iii) Deferred trust
Finally I suggest that third parties may facilitate trust-building through a 'deferred trust' model, where two distrustful parties grow to trust each other because a third party, already trusted by the two parties, proclaims their own trust in both or either party. This model draws on a common phenomenon, whereby we are often well disposed to trust those who trusted agents themselves trust.

I hold that we have already seen this 'deferred trust' model at play in a repatriation context, in the 1992 Guatemalan repatriation. As Bradley writes, "Refugees' direct participation in negotiating their return has been lauded as the most innovative and successful aspect of this repatriation movement" (2013:117) – a repatriation agreement was signed between a refugee-led representative body, the Permanent Commission of Guatemalan Refugees (CCPP), and the Guatemalan state. However, this agreement only constituted "direct" refugee participation to a limited extent. Crucially, negotiation and agreement was between the Guatemalan state and a *representative body*. When refugees did in fact return it was because of a deferred trust,

whereby CCPP's trust that the Guatemalan state would protect refugees' rights in return (with CCPP a trusted body) was subsequently translated into the wider group of refugees' trust in the state. While the case warrants deeper exploration, preliminary analysis here suggests it to reveal a 'deferred trust' model for third-party engagement as a promising strategy for restoring refugee-state trust.

4   From theory to practice: Karen refugees in the Thai–Burma border camps[8]

With a broad framework now in place I turn to the case of Karen refugees in the Thai-Burma border camps, to demonstrate the insights illuminated when a trust-based mode of analysis is mobilised in practice. In particular, I respond to recent work by Jolliffe (2014) and South (2014) on repatriation in the Burma context. I aim to show that in-depth and explicit focus on trust, even where it recommends similar conclusions to existing analyses, is nonetheless uniquely useful in providing a deeper basis for and understanding of conclusions already ventured.

The Karen case study

Karen refugees in the Thai-Burma border camps[9]
The Karen, a group encompassing multiple sub-categories, reportedly constitute the third largest ethnic group in Burma, making up 7% of the country's population (CIA 2014). While spread throughout the country, Burma's Karen largely reside in the south-east, predominantly in Karen State.

The history of ethnic diversity and conflict in Burma is long and complex.[10] However, the flow of Karen refugees into Thailand can most directly be traced to the Karen people's struggle for self-determination in the post-colonial period; a struggle which began in 1949 and evinced an increasingly combative character following the 1962 institution of military rule. Led by the Karen National Union (KNU)[11] and its military arm, the Karen National Liberation Army (KNLA), the insurgency movement in Burma's south-east opposed an increasingly centralised state seeking to unite the country under the majority ethnic group's "Burman"[12] identity. As counterinsurgency campaigns ravaged the south-east, Karen civilians became victims of an on-going pattern of low-level warfare, suffering abuses by the *Tatmadaw* (the

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[8] Burma is also known as 'Myanmar'. In 1989 the Burmese military government renamed the country and many locations within, eschewing colonial-era names. For the sake of consistency, I use pre-1989 names throughout. Thus I also refer to 'Rangoon' (as opposed to 'Yangon') and 'Karen State' (as opposed to 'Kayin State').

[9] For a detailed history of Burmese refugees in Thailand see Hazel Lang (2002). Unless otherwise indicated, historical details here are drawn from Lang's analysis.

[10] For an overview see Mikael Gravers (2010).

[11] The KNU is the most prominent armed group representing the Karen. However, various splinter faction have formed. This includes the Democratic Karen Buddhist Army, who from 1994 supported Burmese government offensives against the KNU.

[12] I take the term "Burman", referring to the country's ethnic majority, as distinct from the term "Burmese", referring to nationals of the country and including minority groups such as the Karen.

Burmese military) including massacres, torture, forced labour and forced relocation. In 1968 civilians also became collateral damage of the *Tatmadaw*'s "Four Cuts" strategy, which cut insurgents off from food, funding, intelligence and recruits, and thus exacerbated the socioeconomic effects of conflict. While some cross-border movement was seen from the beginnings of military rule, an intensified counterinsurgency campaign in 1984 caused around 9,000 Karen to flee across the border into Thailand, precipitating the creation of organised camps.

Since 1984 Karen refugees have been housed in a number of "semi-permanent" camps in Thailand, along the country's westernmost border (see Appendix 2 map). Importantly, displacement in the Burma context is a much wider issue than simply Karen refugees in the Thai-Burma border camps. Over the years thousands of individuals of many other ethnic minorities, in addition to pro-democracy members of the Burman majority, have been displaced to these camps. Furthermore, individuals have fled or been resettled to many other countries besides Thailand, and even within Thailand have chosen to live as "migrants" outside the camps. Additionally, Burma has also seen large-scale internal displacement. The narrow case of Karen in the Thai-Burma border camps is used here to focus my discussion, as the most visible case of displacement in the Burma context; today the Karen comprise over three quarters of approximately 117,000 refugees living in nine registered camps on the Thai-Burma border (TBC 2014c). However, while the focus here is predominantly on these Karen, it is hoped that my analysis will yield broader insights.

New narratives of reform[13]
After almost 50 years of military rule and in the first elections in over 20 years, in 2010 a nominally civilian government was elected under President Thein Sein, leader of the military-backed Union Solidarity and Development party (USDP). The new government surprised its critics by initiating a fast-paced series of reforms, with pro-democracy icon Daw Aung San Suu Kyi released from house arrest the week following 2010's elections. Subsequently, 2011 saw the release of hundreds of political prisoners and the reform of legal restrictions on peaceful protest. With reforms continuing into 2012 – with the release of hundreds more political prisoners, the lifting of media restrictions and ceasefires signed with various ethnic armed groups (EAGs), including the KNU – the US and EU acknowledged these developments by easing sanctions on Burma. In 2013 the EU lifted the remainder of its sanctions. By the end of 2013, of all EAGs only the Kachin Independence Army, Arakan Army and Ta'ang National Liberation Army remained combatant, with a nationwide ceasefire process accepted by the government in June 2013 as an attempt to bring these groups into accord (Burma News International 2014).

There is much to be lauded in this reform. However, as prolific Karen activist Zoya Phan (2013) writes, we must resist the trend of "squeez[ing] the current situation of the Karen people into a narrow, restrictive and simplistic narrative". Phan herself has acknowledged that today "more political space does exist" (2014). However, the limits of this political space are clear from a July 2014 statement from the Assistance Association for Former Political Prisoners Burma that around 70 political prisoners remain detained across Burma, with 114 accused activists awaiting trial and 11 activists arrested in July alone (AAPPB 2014). A Karen Human Rights Group (2014) report detailed that since the 2012 KNU ceasefire there have been no large-scale systematic military operations in Burma's south-east. However, the region has seen an increased *Tatmadaw* presence, periodic skirmishes between *Tatmadaw* and EAG

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[13] Unless otherwise indicated, details of reforms are from BBC (2013).

forces, serious rights abuses (including arbitrary detention, torture and killing) and numerous cases of state-backed land confiscation.

A future repatriation?

It is in this context of fast-paced reform and on-going restriction that discussion of repatriation from the Thai-Burma border camps has been situated. Appendix 3 gives a detailed timeline of key developments in this progression, beginning with comments by senior Thai officials in 2011 that repatriation was being explored (Karen News 2011a; Karen News 2011b). In 2012 the Thai National Security Council stated that refugees might be repatriated within a year (Irrawaddy 2012), and repatriation rumours in the camps were substantiated when UNHCR reportedly presented Karen Community Based Organizations (KCBOs) with a Burmese government map of planned repatriation sites (Burma Partnership 2013). Since this point, and following the publicly voiced concerns of various Karen representative groups and international critics (see KCBO 2012; Burma Partnership 2013), developments have oscillated between official statements that conditions in the south-east are not yet conducive to a safe and dignified repatriation (for example: UNHCR 2013a), and movements indicating that the groundwork is, however, being laid for a future repatriation operation.

In 2012 UNHCR published its "Framework for Voluntary Repatriation: Refugees From Myanmar in Thailand" (henceforth "the 2012 Voluntary Repatriation Framework"), which has since been supplemented by UNHCR's 2013 "Supporting Durable Solutions in Southeast Myanmar" (henceforth "the 2013 Southeast Solutions Framework"); both endorsed by the coordinating network Committee for Coordination of Services to Displaced Persons in Thailand (CCSDPT) (CCSDPT and UNHCR 2013).[14] The UNHCR frameworks make clear that repatriation is not yet a suitable option, and that operations are still in a pre-planning phase. Yet they also make clear that when conditions are ripe, repatriation is envisioned as the primary solution. These documents have been accompanied by the opening of UNHCR's first field office in Karen State, cross-border meetings of UNHCR's Thailand and Burma wings, UNHCR-initiated inter-agency discussion platforms for the south-east, monitoring of spontaneous returns and a solutions-oriented profiling exercise of the Thai-Burma border camp populations (Burma Link 2013; UNHCR 2013b; UNHCR 2013c; UNHCR 2014c). The Border Consortium (TBC) has initiated similar "preparedness planning" programmes, in 2013 opening an office in Rangoon, Burma (TBC 2014a).[15]

More recently, political upheaval in Thailand, following a successful coup by the Thai military in late May 2014, triggered a sequence of events suggesting that repatriation from the Thai-Burma camps might be operationalised sooner than previously anticipated. In July 2014 an unnamed army source commented to the Thai media that the newly installed Thai National Council for Peace and Order (NCPO) planned to send refugees home roughly within the space of the year, with a series of camp headcounts initiated that month lending weight to his suggestion (Burma Partnership 2014; Irrawaddy 2014c). However, this was followed by hurried statements by UNHCR and TBC that they were unaware of any change in Thai government policy, and a further statement by the NCPO that no timeframe had yet been set for repatriation from the Thai-Burma border camps (Burma Partnership 2014). While the implications of new political authority in Thailand remain to be seen in full, these events join

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[14] CCSDPT is a coordinating committee for NGOs working in the Thai-Burma border camps. CCSDPT was formed in 1975, in early days supporting refugees from Laos, Vietnam and Cambodia and in 1984 adopting a coordinating role for Burmese refugees (CCSDPT 2014).
[15] TBC, formed in 1984 and previously named "TBBC", is a consortium of NGOs administering aid to the Thai-Burma border camps (TBC 2014d).

a wider progression, wherein discussion of repatriation has largely been characterised by inconsistency, rumour, uncertainty and a growing fear on refugees' part about their prospects in Thailand.

In the face of this it remains the case that the majority of refugees in the Thai-Burma border camps resist return. TBC reported that only 3.4% of refugees in the Thai-Burma border camps returned to Burma in 2013 (TBC 2014c). A 2013 survey conducted by the Karen Refugee Committee (KRC), in response to a poorly-received UNHCR-led profiling survey (see below), found that only 27% of refugees in Tham Hin camp would return to Burma, even if peace were assured to them (Karen News 2013e). However, refugees reported experiencing growing pressure to return given declining living standards in the camps, following a steady drop in funding to the Thai-Burma border. Figure 1 shows a cartoon, featured on the Karen-run Karen News website, that illustrates the pressures being felt, alongside camp populations' perception that this constitutes an unofficial strategy on the part of the international community of pushing refugees back to Burma. This is a concern echoed on an international scale, most recently in a European Burma Network (2014) statement urging donors to rethink aid cuts.

Source: Karen News (http://karennews.org/)

The choice of case study
The case is not chosen for analysis because repatriation is presently considered a humane option. Given the above survey of conditions in South East Burma, a repatriation operation in present conditions would clearly put refugees at risk of serious rights violations. Questioning the narrative of reform, challenging new proposals for immediate repatriation and raising the implications of funding cuts to the Thai-Burma border camps remain important tasks. However, should reforms in Burma continue, it appears evident that a wide-scale repatriation clearly *will* be sought by all state and institutional parties involved. It thus becomes important to begin exploring *now* which actions must be implemented at present, to facilitate a voluntary and dignified repatriation process should repatriation become a humane option in the future.

Looking to just one of many complexities involved in any future repatriation operation, there is a very real possibility that "the reality and depth of ethnic strife…[might make] even long-term repatriation unlikely" (Adelman and Barkan 2011:107), with Karen refugees' deep-seated distrust of the Burmese state a key part of this predicament. Referring to the broad group of Burmese refugees, the UN Special Rapporteur on the Situation of Human Rights in Myanmar has stated that refugees "desire to return to their land, but continue to fear and mistrust the military that caused them to flee in the first place" (OHCHR 2014).[16] Karen refugees thus present an exemplary case where, as explored in Section 2, refugee-state distrust poses a formidable barrier to repatriation. If, as UNHCR and TBC claim, we are currently in a stage of "preparedness planning" for repatriation of the Karen, then it seems clear that preparedness must encompass substantial efforts to address refugees' distrust of their state of origin, if the voluntary repatriation operation favoured by institutional and state actors is to be possible if and when it becomes a humane option. Indeed, when we combine Karen refugees' distrust of the Burmese state with previous exploration of distrust's notable resilience, we give new weight to the argument that Thai government policy should support slow processes of repatriation that include long-term trust-building efforts, if they ever hope to sustainably repatriate the over 100,000 refugees living on their territory.

Interestingly, the importance of refugee-state trust-building in this context has to some extent already been recognised by various actors, but not explored in full. A trust-based lens is particularly apt here because discussion of trust is already part of narratives surrounding repatriation. TBC have indicated that their "preparedness planning phase" is, among other things, "a period of building trust" (2014a:22). UNHCR's 2013 *Southeast Solutions Framework* makes various references to trust-building (2013b:12-13). Similarly, Jolliffe's UNHCR-commissioned report underlines the need in this case for "supporting slow migration processes and building trust" (2014:41). More broadly and outside specific repatriation discourses, trust has repeatedly been emphasised as key to Burma's nationwide ceasefire process (for example: Irrawaddy 2013b; Burma News International 2014; Walton 2014). The discussion below expands on existing narratives, exploring more concretely what trust-building endeavours between Karen refugees in the Thai-Burma border camps and the Burmese state would entail.

Missed opportunities and trust–building undermined

As a first step, I apply Section 3's framework for state engagement to this case. I argue that this framework reveals the Burmese state and international actors to be missing, and even undermining, key opportunities for trust-building between Karen refugees and their state of origin. Ultimately, a contradiction is revealed: while on the one hand these actors have indicated hopes to see refugees repatriated in the future, they have also ignored key opportunities to encourage the trust-building needed to facilitate this process.

Renouncing past failures

It appears clear in the Karen context that the Burmese state has made relatively little effort to prove itself a qualitatively reformed, trustworthy actor, declining to renounce past failures. Karen activist Phan elaborates the distrustful attitudes that this fact has maintained:

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[16] With the military still essentially synonymous with the state in the eyes of most refugees, I take this to indicate refugee-state distrust.

> *We don't see President Thein Sein acting in good faith. He doesn't think what his government has done in the past was wrong…Despite the overwhelming documentation there has also never been any apology or any kind of acknowledgement that the Burma Army did anything wrong when it killed, raped, tortured and enslaved our people* (Phan 2013).

The heated issue of past land confiscation by the *Tatmadaw* offers another key illustration of this deficiency. While there have been promising signs that some confiscated land will be returned to former owners, this has been on the pretext that the land is lying unused rather than any acknowledgement of its wrongful seizure (Irrawaddy 2013a). If the Burmese state hopes to win Karen refugees' trust and see their repatriation, it should be of concern that it has thus far missed such opportunities to renounce past failures.

Reducing state capacity for betrayal
I briefly note that the state has also failed to address local-level corruption, part of a wider issue of lacking trust in local level authorities (TBC 2013b). However, even more importantly, the Burmese state has avoided measures that would minimise its capacity for future betrayal of refugees' trust. The previous section elaborated how a weaker, institutionally-constrained state becomes a more trustworthy actor from the perspective of the distrustful. However, as outlined above, the military-backed state has in fact enhanced its role in south-east Burma through increased military presence. Furthermore, key institutional constraints have not been instantiated, with no independent judiciary yet in place (Zarifi 2014).

Arguably international strategies have exacerbated this situation. First, international actors have missed key opportunities to encourage institutional reform. The rapid lifting of EU sanctions in 2013 meant an opportunity missed to tie progress in the on-going peace process to the promise of future international investment (Walton 2014). Furthermore, international actors have responded to widening political space in Burma with a shift from direct finance of locally-run organisations to aid being channelled through Burma's central government. This move is widely considered to have bolstered the state and weakened civil society, entrenching state capacity for betrayal while limiting possible constraints on state authority from non-state actors (see Jolliffe 2013; Phan 2014; Curwen 2014).

Missed opportunities for low-risk cooperation
The Burmese state has also missed the opportunity to enact the kind of low-risk cooperation with refugees in the Thai-Burma border camps that might eventually breed trust. Promisingly, there is evidence to suggest optimism about the possibility of low-risk cooperation here. While this has yet to be seen in the Karen refugee case, collaboration between state and autonomous ethnic education institutions in Burma's Mon State provides an example of how low-risk cooperation between the state and ethnic minorities is both possible in this context and may feed into broader trust-building initiatives (Myanmar Peace Support Initiative 2014).

However, in terms of Karen refugees, key opportunities for trust-building via low-risk cooperation have been missed, with refugees excluded from political processes being enacted in-country. To this author's knowledge, there have been no plans to include refugees in 2015's national elections through OCV, nor were they included in 2013 consultations on constitutional reform. Furthermore, refugees are not included in the 2014 nationwide census (TBC 2014a), nor are they afforded more than a marginal voice in the national peace process (South 2014:54). While inclusion in Burma's constitutional reform and census may now be

foregone opportunities, the possibility still exists for low-risk cooperation via OCV and the on-going peace process.

Cross-cultural adjustment of our trust-based lens

This analysis alone, based on direct application of our broad theoretical framework, shows a key insight drawn through mobilising a trust-based lens on repatriation in practice: that in the current "preparedness planning" phase for a future Karen repatriation, important opportunities are being missed to promote the trust-building that would facilitate future repatriation.

However, I argue that we can go deeper than this. An important aim of this section is to demonstrate that the task of trust-based analysis should not be seen as restricted to straightforwardly imposing a universal theoretical lens on real-world cases. Importantly, trust has thus far been analysed from the standpoint of Western theory. I suspect that the points developed in preceding sections, and considered above, indicate universal features of culturally situated experiences of trust. However, there is nevertheless a pressing need to supplement this with analysis of how trust is specifically experienced in particular contexts. Drawing specifically on Julie Peteet's comment that trust "should not be extracted from a specific historical or cultural context" (1995:169), I take historical and cultural specificities of trust as two separate, albeit intertwined, axes for investigation.

To some extent this task can only fully be met through in-depth anthropological analysis, beyond the scope of this initial exploratory paper. However, I suggest some preliminary insights that can nevertheless be made in this case. Promisingly, while cross-cultural adjustment requires substantial research efforts, it has the benefit of yielding even deeper insights; in this case, delineating roles that various third-parties might play in facilitating trust-building processes, while also highlighting particular difficulties of trust-building that, if left unaddressed, might foreclose prospects for trust-building measures' success.

Looking to history

Taking up the first prong of Peteet's challenge, I consider the historical context of trust in the Karen setting.

The misnomer of "rebuilding" trust

In previous sections I put forward a notion of repatriation as "rebuilding" trust between the refugee and her state of origin. However, the case of the Karen presents a context where this is a misnomer. The long history of ethnic division and conflict in Burma indicates that for many Karen refugees there has never been a time when they trusted the state, even in the minimal sense of trusting the state with protective duties. However, they *have* quite concretely experienced what it is to distrust it in this regard. This fact makes trust-building an even more formidable task, given that it does not build on historical experience of what it would be like for the Karen to trust the Burmese state. Karen refugees have never experienced trust as a rational approach to the state, given that, in the face of on-going conflict, distrust has always presented the rational survival strategy. This fact likely makes distrust even more deeply entrenched, accentuating non-rational features that would make it resilient to renegotiation should conditions sufficiently change and trust become rational.

A history of insecurity

However, another important lesson from history is that, even should conditions in the south-east positively progress, trust will not necessarily become a rational attitude for refugees to adopt. Jolliffe (2014) and South (2014) convincingly demonstrate, and in great detail, that in Burma's history ceasefires have often been fragile and repatriation dangerous. In this way, the past offers little to inspire refugees with confidence in the stability of present developments, substantially increasing the risk involved in trusting even a visibly reformed Burmese state.

Even where this has not been experienced in refugees' personal histories, or even broader histories within the Karen group, a look at other ethnic groups' experiences suggest that where a shaky newfound trust has been placed in the Burmese government by ethnic minority refugees it has consistently been let down. Writing on the 1994 Kachin ceasefire, Jolliffe documents the effect of past failings on future peace negotiations, quoting a local NGO employee as stating, "People are so deeply scared of investing again because last time there was a so-called ceasefire, they rebuilt, and then everything was destroyed" (quoted in Jolliffe 2014:20).

This is not to say that history makes future trust-building between Karen refugees and the Burmese state impossible. Indeed, steady progress in the on-going nationwide ceasefire process suggests greater cooperation than in decades between the Burmese state and its ethnic minorities (Burma News International 2014). However, the collective history of Burma's ethnic minorities nonetheless exacerbates the difficulty of making refugee-state trust a rational attitude for Karen refugees to adopt, deepening the risk involved.

UNHCR's limitations

While historical dimensions underscore the difficulty of trust-building in this case, they also suggest limitations on the role UNHCR might play in facilitating this process. As outlined in Section 3, it is crucial that third-party actors in trust-building processes be trusted themselves. However, in this context historically UNHCR has *not* been a trusted actor.

From 1984 to 1998 UNHCR played little role in the Thai-Burma border camps. When the camps were set up in 1984 this was based on a community-management model, overseen by TBC and CCSDPT, with autonomous Karen governance and service structures imported from within Burma (Thompson 2008). When UNHCR entered the picture in 1998, albeit only in a protection and monitoring role and leaving CCDSPT/TBC operational responsibility in place, research suggests that a relationship of mutual distrust between refugees and UNHCR quickly developed.

One of UNHCR's first moves was to conduct an official registration process; an operation in stark contrast to the existing trust-based community-management model that had thus far relied on camp committees to report population figures. As Thompson details (2008) the refugee committees were vindicated by the fact that UNHCR's numbers came within 5% of figures previously reported. However, UNHCR's initial involvement exhibits an immediately distrustful stance towards the camps' refugees.[17]

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[17] For an account of similar distrustful stances behind UNHCR camp headcounts in Kenya, see Hyndman (2000:127-131).

Tricia Hynes explores how this distrust has been mirrored on the part of refugees:

> *Whilst refugees from Myanmar do arrive with a generic trust of the 'UN system', upon arrival in a refugee camp a process begins whereby UNHCR ceases to be trusted by refugees. On the ground, refugees may perceive UNHCR personnel as inaccessible diplomats who are interested in their own careers rather than being empathetic to the circumstances of refugees* (Hynes 2003:5).

In 2013, Mae La camp refugees' response to a UNHCR profiling survey, conducted in collaboration with the Mae Fah Luang Foundation, confirmed that not only is there currently a lack of refugee-UNHCR trust, but that refugees actively distrust UNHCR (DVB 2013). 3,600 refugees signed a petition criticising this survey, with a question asking them to list the three durable solutions in order of preference interpreted as biased towards repatriation. The refugee leading the protest detailed:

> *Let's suppose I choose the first choice as going to a third country, second choice as living in Thailand and third choice as going back to Burma. I know what will happen next! After getting our answer they will simply start the repatriation process as now they can say that they have our consent already* (quoted in Burma Link 2013).

This comment displays a clear example of the distrustful modes of interpretation elaborated in Section 2, but here directed against UNHCR. In this context a historical and continuing lack of refugee-UNHCR trust, and even attitudes of distrust, clearly undermine UNHCR's capacity as a potential third-party facilitator for refugee-state trust-building.

However, looking to specific capacities in which international actors *have* been trusted in this context, I highlight an important role that UNHCR may still have the potential to play. Jolliffe (2014:21) highlights how international arbitration of ceasefires and agreements is considered helpful in the Burma context, underwriting guarantees for safety. As UNHCR's 2012 *Voluntary Repatriation Framework* and 2013 *Southeast Solutions Framework* recognise, UNHCR could play this role as third signatory to any repatriation agreement between the Thai and Burmese states. In doing so UNHCR could make refugee-state trust a significantly more rational endeavour due to the promise of international-level enforceability that comes with UN involvement, in this way following the 'underwriting risk' model for third-party engagement outlined in Section 3, where refugee-state trust is made rational by minimising the risk involved (illustrated below by Figure 2). However, a historically entrenched lack of refugee-UNHCR trust may still limit the effect of even the promising 'underwriting risk' model.

In sum, UNHCR emerges from our historical analysis as an actor with the *potential* to play a role in facilitating refugee-state trust-building. However, more importantly, history also renders UNHCR sharply constrained in its capacity to do so.
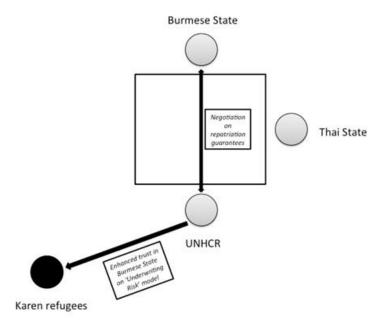
Figure 2: Trust-building within tripartite repatriation negotiations[18]

Exploring cultural dimensions: group–based trust

In a context where history shows trust-building to be vastly difficult and UNHCR limited in its capacity to assist, I now explore how trust-building might nevertheless be facilitated. In doing so I turn to the second prong of Peteet's challenge, looking to cultural dimensions of trust in the Karen context.

With a near absence of explicit focus on this topic in existing literature, I highlight one way in which the cultural dimensions of trust *have* more concretely been explored.[19] Jolliffe emphasises the importance of patron-client community structures and ethnic identity in Burma's various communities, arguing that this has led to "a notable level of trust in EAGs", not just because of their political aims, but also because of hierarchical communal ties within ethnic groups (2014: 2, 39). Interestingly, this gives a layered account of the otherwise well-noted universal phenomenon that individuals are disposed to trust members of their own group, using shared ethnic identity as a shorthand for determining trustworthiness (Larson 2004).

Attention to inter-communal trust relations leads both Jolliffe (2014) and South (2014) to recommend communal actors as key to facilitating repatriation – South (2014:45) makes this point in terms of the social and political capital that inter-communal trust relations present. By focussing our analysis on how in-group trust may specifically support *refugee-state trust-building*, as an integral part of repatriation, we give new depth to Jolliffe and South's conclusions. The phenomenon of in-group trust, and its hierarchical dimensions in the Karen

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[18] For the sake of simplicity this figure and the following do not illustrate how the Thai government fits into this scheme of trust-building.

[19] Further avenues for anthropological research might include elaborating the role of family and religious ties within Karen conceptions of trust.

case, suggests that community groups such as EAGs are well-placed here to support state-citizen trust-building. As Kirsten McConnachie (2012) has argued in different terms, the possibilities offered by engagement with EAGs, in this case providing new avenues to support refugee-state trust-building in a complex context where UNHCR's capacity is restricted, is a powerful argument against fears of working with the "refugee warrior"– although certainly this must come alongside critical engagement with EAGs' hierarchical politics and the extent to which they genuinely represent refugee communities' interests (see also Jolliffe 2014:39-40).

I use Section 3's analysis to suggest a specific role that such communal actors might play. Returning to possible deficiencies identified in UNHCR-backed tripartite repatriation negotiations, I argue that already-trusted Karen communal actors, such as the KNU, are well-situated to bolster UNHCR's trust-building endeavours. By expanding our perspective on future repatriation negotiations to a quadripartite model, where a body trusted by refugees is brought into negotiations, we would enable such a body to support existing trust-building processes in a 'deferred trust' role. Certainly it is a complex model to employ, likely requiring consultation with refugees to determine the most suitable body for this role (with the KRC another viable alternative to the KNU) and intra-group trust-building to solidify refugees' trust in any representative body. However, where a trusted representative group is brought into repatriation negotiations we introduce the opportunity to utilise deferred trust to both enhance refugees' trust in UNHCR guarantees (strengthening the 'underwriting risk' model) and directly build trust in the Burmese state's promises of future conduct (see Figure 3 below).

The important role to be played by community actors in any refugee-state trust-building process is underscored by what Larson calls "the "dark side" of group-based trust", namely a "corresponding suspicion of outsiders" (2004:43). This is again a well-noted phenomenon, with Francis Fukuyama (1999) terming a "radius of distrust" a negative externality of group affiliation. Certainly, we must not overestimate this thesis, with trust across group lines clearly possible (Bahry, Kosolapov et al. 2005). However, this notion underlines the case for prioritising community groups' role in repatriation and trust-building processes, by strengthening the case for other actors' limitations. South (2014:51) notes that international agencies like UNHCR and national Burmese NGOs are sometimes seen as outsiders by local communities; where this is true there are likely barriers to their gaining communal trust and thus limits to the role they are placed to play. While developing trust in benevolent outsiders should be pursued, it appears wasteful to ignore the immediate possibilities for supporting trust-building that, as outlined above, are offered by pre-existing inter-communal trust relationships.
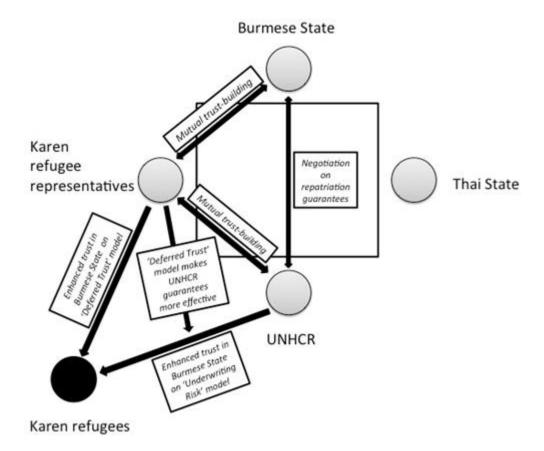
Figure 3: Trust-building within quadripartite repatriation negotiations

Trust in a Burman central government

Yet to conclude this section on a somewhat pessimistic note I argue that, despite the potential for cultural dimensions of in-group trust to be harnessed to facilitate refugee-state trust, the "dark side" of group-based trust, out-group distrust, presents an additional difficulty of trust-building in the Karen case. This is a point where historical and cultural specificities of trust intersect. While historical analysis above suggested that most Karen refugees have never trusted the Burmese state, it is also more specifically true that they have never trusted a *Burman* state. Ultimately, the trust-building currently demanded by this possible repatriation is between the Karen ethnic minority and a state governed by the Burman ethnic majority; not only does this fact provoke the issue of out-group distrust, but more specifically, it provokes an out-group distrust seated within a history of inter-ethnic conflict.

Importantly, this reveals trust-building as an issue that transcends the current military-backed government. In the opinion of many, the best hope for Burma's future is for its current constitution to be amended to lift bars to Burman pro-democracy leader Daw Aung San Suu Kyi's eligibility for the post of President (for example: Bercrow 2014). However, while opening the door to unseating the military regime, such reform would not solve the wider difficulty of building the Karen's trust in an ethnic out-group Burman central government.[20] History

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[20] It remains possible that Daw Aung San Suu Kyi, if elected President in 2015, might by sheer force of personality win Karen refugees' trust. However, for a sustainable repatriation Karen refugees' trust must be resilient in the long-term and thus capable of outliving any individual's leadership (Walton 2014).

reveals this challenge to well pre-date the 1962 institution of military rule. Following World War Two, a Karen leader is reported as claiming:

How could anyone expect the Karen people to trust the Burmans after what happened during the war – the murder and slaughter of so many Karen people and the robbing of so many Karen villages? After all this, how could anyone seriously expect us to trust any Burman government in Rangoon? (quoted in Smith 1999:62)

Adding to this predicament, it is convincing that non-rational elements of distrust may make inter-ethnic distrust, especially when reinforced by a history of inter-ethnic conflict, especially difficult to dislodge. Kramer has written on a species of "collective paranoia", whereby a group holds exaggerated beliefs "that cluster around ideas of being harassed, threatened, harmed, subjugated, persecuted, mistreated, tormented, disparaged, or vilified by a malevolent out-group" (Kramer 2004:141). Interestingly, he details that this may become a survival strategy for groups at the bottom of a social hierarchy, as a response to "emerging threats in the social landscape" (2004:158). While the Karen do indeed have good grounds to believe that they are liable to be harassed, threatened, harmed and so on by a Burman state, it is also likely that non-rational features of group-based distrust, especially when based on structural subjugation, make such attitudes all the more difficult to dispel should they become unwarranted.[21]

The final conclusion here of investigation of historical and cultural dimensions of trust is that, in the context of entrenched Karen-Burman distrust, it seems likely that trust between Karen citizens and the Burmese state will only become plausible following fundamental structural change, whereby the state is no longer straightforwardly seen as a *Burman* state but convincingly represents more than just majority Burman interests. For inter-ethnic distrust to be dispelled and refugee-state trust to be won, political institutions must be reformed to accommodate the country's ethnic minorities, including the Karen.

In many ways this echoes EAGs' demands in the current nationwide ceasefire process for some form of federalism (Burma News International 2014). However, broader strategies are also possible. For example, Donald Horowitz (1998) suggests incentives for politicians to appeal to interests across ethnic lines, such as the Nigeria 1979 election requirement that the winning party, in addition to attaining the majority of the vote, receive a minimum distribution of support amongst various states. Alternatively Lijphart (1977) puts forward a theory of Consociationalism, a broad political system that might encompass federalism, where governmental power is held, not by one political party, but by a coalition of political elites representing divergent groups.

While I began analysis of this case by drawing on Section 3 to indicate the Burmese state and international actors to be missing key opportunities for trust-building, the above discussion presents an even more intricate picture. Even with the engagement of trusted communal actors, if refugee-state trust-building, and indeed repatriation, are to become at all plausible for the Karen, overcoming historically and culturally entrenched distrust, the kinds of strategies outlined in Section 3 seem doomed to failure unless a wider opportunity is taken up.

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[21] For deeper analysis of the structural subjugation of Burma's ethnic minorities, see Matthew Walton's (2013) framework of "Burman privilege".

Preliminary analysis of historical and cultural dimensions of trust suggest that for trust-building to succeed there is an urgent need to fundamentally reform the Burmese state in terms of ethnic minority political representation.

5 Summary of recommendations for the Karen case

1. For the Burmese government to accept that a successful repatriation operation will require trust-building processes that incorporate fundamental political reform, to include:
    *   Reforming political institutions to accommodate ethnic minority representation;
    *   Limiting capacity for state betrayal of citizens' trust. For example, reducing military presence in the south-east, accepting decentralised power and implementing key institutional constraints (in particular establishing an independent judiciary);
    *   Reducing corruption in public institutions;
    *   Including refugees in political processes, in particular through participation in the upcoming 2015 election via OCV and consultation in the on-going peace-process.

2. For the Thai NCPO to accept the need for slow trust-building processes between refugees in the Thai-Burma border camps and the Burmese government, as a precursor to an eventual dignified and voluntary repatriation.

3. For UNHCR to clarify the role that it will and will not play in repatriation:
    *   Recognising a key role for UNHCR in underwriting risks taken in repatriation, seeking guarantees on future treatment through repatriation negotiations with Burmese and Thai states;
    *   Allowing key roles in repatriation and trust-building processes to be delegated to local actors;
    *   Facilitating quadripartite return negotiations, to include groups directly representing refugees;
    *   Providing support and advocacy for refugees' inclusion in in-country political processes. For example, advocating for refugees' participation in 2015 elections through OCV.

4. For international actors to facilitate rather than undermine trust-building:
    *   Emphasising the importance of genuine trust-building in the Thai-Burma border context;
    *   Rethinking the strategy of aid provision through the central state;
    *   Tying political and financial incentives to fundamental reform.

5. For already-trusted groups representing Karen refugees (including the KNU and KRC) to prepare for inclusion in a quadripartite repatriation agreement on a 'deferred trust' model:
    *   Consulting refugees to identify the most suitable representative body;
    *   Implementing intra-group trust-building between Karen refugees and any chosen body to ensure the success of a 'deferred trust' model.

6   Conclusion

I began by making a case for the urgent need for policy-makers and academics to pay heed to the centrality of refugee-state trust to questions of repatriation; this was cast as a logical development, both of contemporary theory on the political content of repatriation, and of due consideration of the formidable and yet ultimately rationally justified barrier to repatriation posed by refugees' distrust of their state of origin. Taking up a trust-based lens we see repatriation as, at least in part, a process of rebuilding trust between the state of origin and its refugee-citizens.

Initial trust-based analysis suggests that in the Karen context key opportunities for refugee-state trust-building are currently being missed, and even undermined, by the Burmese state and international actors. Furthermore, preliminary analysis of historical and cultural specificities of trust underscore why this fact is of such great concern, suggesting refugee-state trust-building to be an enormously complex task. Yet despite the need to take advantage *now* of all available opportunities for trust-building, including the possibility to harness the facilitative power of communal actors, I conclude by suggesting that historical and cultural specificities indicate that trust-building measures may be doomed to failure unless accompanied by fundamental reform of political institutions to ensure ethnic minority representation.

Looking to the future, various avenues for research remain. Primarily, there is a need for in-depth anthropological analysis to more concretely adjust universal notions of 'trust' to cultural specificities; in the case of Karen refugees in the Thai-Burma border camps, for other displacement scenarios in the Burma context, and for global cases of repatriation where a trust-based lens appears salient. Furthermore, it also seems prudent to explore the lingering question: if refugee-state trust-building efforts fail to gain traction, how do we reconcile deeply entrenched distrust with the refugee regime's prioritisation of repatriation? Finally, as indicated at the outset, attention is warranted to the wider web of trust relations, also key to repatriation, within which the refugee-state trust analysed in this paper is embedded; for example, research might explore refugee-host state trust, or trust-building between returnee and stayee populations.

A great deal of work remains to be done on the framework advanced. However, its preliminary insights speak to substantial promise. For this reason I suggest trust-based analysis, beginning with a focus on refugee-state trust relationships, as a vital new domain of research for repatriation theory and policy.

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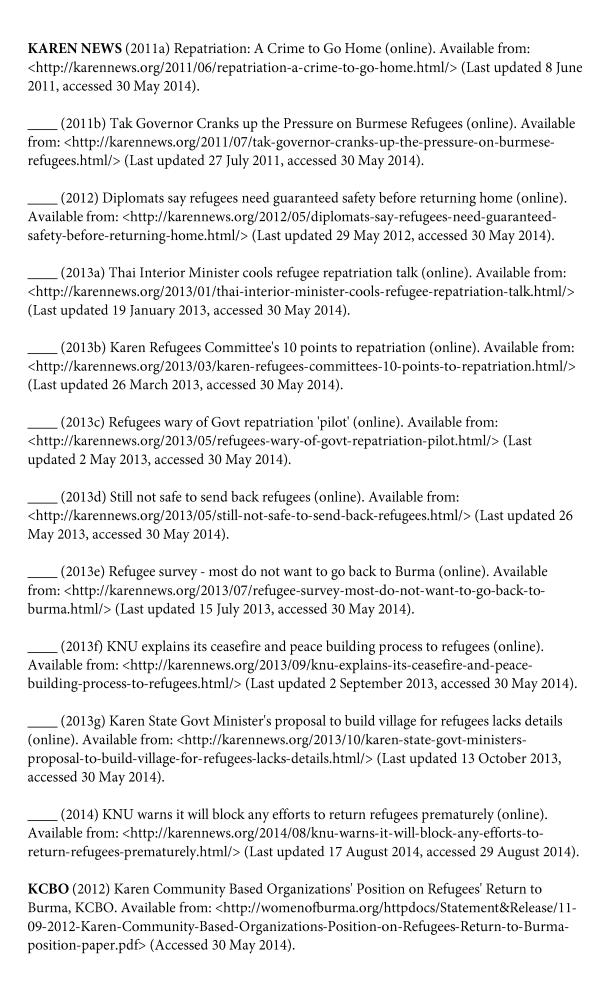**HYNDMAN, J.** (2000) Managing Displacement: Refugees and the Politics of Humanitarianism, Minneapolis-London, University of Minnesota Press.

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8 Appendices

Appendix 1: References to "confidence–building" in UNHCR repatriation policy

UNHCR 1996 Handbook on Voluntary Repatriation – number and distribution of references to 'confidence-building'

	Building refugees' confidence in the situation in their country of origin			Building refugees' confidence in their future treatment - during repatriation and following return			Building returnees' confidence in local authorities	Building inter-communal confidence/ 'reconciliation'	Building confidence in UNHCR
	The broad need for this	Mechanisms: Information flows	Mechanisms: Visits by prominent political figures	Legal amnesties	Tripartite repatriation agreement	Discouraging pre-repatriation security checks			
Pre-return	2	2	2	4	1	1			2
Post-return							1	3	4

UNHCR 2004 Handbook on Repatriation and Reintegration Activities – number and distribution of references to 'confidence-building'

	Building refugees' confidence in situation in their country of origin		Building confidence in state of origin policies/ institutions	Building inter-communal confidence/ 'reconciliation'
	Information flows	Go-and-see visits		
Pre-return	1	3		
Post-return			2	6

Appendix 2: Map of the Thai-Burma border

Source: TBC (*http://theborderconsortium.org/* **)**

Appendix 3: Timeline of key events regarding repatriation from the Thai–Burma border camps, April 2011 to August 2014

The following timeline has been collated using publicly available information from various news sources, in addition to reports published by UNHCR and TBC. This timeline is likely by no means comprehensive, but offers a guide to some of the key movements reported on repatriation from the Thai-Burma border camps between April 2011 and August 2014. Where possible, precise dates are given.

April-July 2011
- The Governor of Tak Province, Thailand and the Secretary of Thailand's National Security Council are both reported by local media as saying that the Thai government has been exploring plans to repatriate refugees and close down the Thai-Burma border camps (Karen News 2011a; Karen News 2011b).

May 2012
- EU delegation visit Tham Hin camp and tell community leaders that refugees will not be repatriated until there is peace in Burma (Karen News 2012).

August 2012
- KCBOs express concern over lack of information on repatriation, given rumours in camps, and invite UNHCR to meet with them. At meeting on 13 August UNHCR present KCBO with a map of 13 relocation sites, drawn up by the Burmese government (Burma Partnership 2013).

September 2012
- 11 Sept – KCBOs issue position paper on repatriation, listing pre-conditions and procedural requirements (KCBO 2012).
- 13 Sept – Thai National Security Council statement, following visit to Burma, indicates that refugees may be returned within a year (Irrawaddy 2012).
- TBC visit Rangoon to discuss establishing an official presence in Burma (TBC 2012).
- UNHCR and CCSDPT agree that programmes in Thailand need to be reoriented to "improve support for refugees during a rapidly emerging transitional period" (CCSDPT and UNHCR 2013).

October 2012
- 1 Oct – UNHCR Thailand issue 'Framework for Voluntary Repatriation: Refugees From Myanmar in Thailand' (UNHCR 2012).

December 2012
- 10 Dec – Burma Partnership release a short film, 'Nothing About Us Without Us', criticising UNHCR for lack of transparency and consultation over possible future repatriation from Thai-Burma border camps (Burma Partnership 2013).

January 2013
- UNHCR initiates quarterly cross-border meetings between UNHCR Thailand and UNHCR Myanmar (UNHCR 2013b: 9).
- Jan 13 – Senior Thai officials visit Mae La camp to meet with the camp committee, TBC and other NGOs. The Thai Interior Minister offers assurances that refugees will not be repatriated until the political situation in Burma is stable (Karen News 2013a).

February 2013

- 6 Feb – UNHCR South-East Myanmar Consultation Meeting, where UNHCR address Burma Partnership's film to stress that UNHCR are not pushing for repatriation of refugees from Thai-Burma border camps. UNHCR present a draft framework for engagement in support of durable solutions in South-East Myanmar, indicating that operations are currently in a pre-planning 'preparedness' phase (UNHCR 2013a).

March 2013

- 26 Mar – KRC issue 10-point position paper on repatriation, requiring, amongst other conditions, that a nationwide ceasefire first be established and that return must be fully voluntary (Karen News 2013b).

April 2013

- 16 April – Karen State Chief Minister invites KRC to meet with himself and 30 members of government in Hpa-An, Karen State, to present a proposal for a 'pilot' repatriation to various sites in Karen State. KRC reject proposal, making clear that return should only follow genuine peace (Karen News 2013c).

May 2013

- 14-16 May – KRC convene a workshop on repatriation at Mae La camp, attended by UNHCR, TBC, KNU, Refugee Camp Committees, Thai officials and others. UNHCR and the Thai government agree with KRC's position that the necessary conditions for repatriation have not yet been met (Karen News 2013d).

June 2013

- 10 June – UNHCR sign Letter of Understanding with Burmese government defining a role for UNHCR in the Southeast for the next 3 years that includes creating appropriate conditions for repatriation (UNHCR 2013b: 7).
- UNHCR pilot a 'Return Assessment', mapping spontaneous returns to Southeast Burma (UNHCR 2013c).
- UNHCR Myanmar issue a framework for UNHCR engagement – 'Supporting Durable Solutions in Southeast Myanmar' (UNHCR 2013b).
- UNHCR and Mae Fah Luang Foundation conduct profiling survey in Mae La camp. Over 3,600 refugees in Mae La sign a petition refusing to participate, seeing the survey as biased towards repatriation. UNHCR amend survey to address complaints (Burma Link 2013).

July 2013

- KRC conduct their own profiling survey at Tham Hin camp (Karen News 2013e).

August 2013

- 29 Aug – KNU hold open meeting at Mae La camp to explain current developments in the peace-building process (Karen News 2013f).
- UNHCR create online and open-access Thailand-Myanmar Cross-Border Portal, Information Management Common Service (UNHCR 2014d).
- TBC open an office in Rangoon, Burma (TBC 2014a: 25).

September 2013

- 18 Sept – TBC announce cuts to rice rations in the Thai-Burma border camps, given a decline in funding (TBC 2013a).

- 28 Sept – Chief Minister of Karen State presents proposal to KNU to build a refugee repatriation site in Hpa-An, Karen State (Karen News 2013g).

October 2013
- KRC, KCBOs and KNU form a working committee for refugee issues (Karen News 2013g).
- Royal Thai Government makes statement to UNHCR Executive Committee outlining challenges for sustainable return and noting that now is the time for preparing policy groundwork for future return (TBC 2014a: 22).

November 2013
- Thai Committee for Refugees pilot development programme for projected future return areas in Karen State, in partnership with KNU 4th Brigade (Thai Committee for Refugees Foundation 2013).
- CCSDPT pilots the first information-sharing centre in Tham Hin camp (TBC 2014a: 22).
- UNHCR Thailand meets with and then conducts a workshop for the Royal Thai army to discuss current operations on the Thai-Burma border and emerging durable solutions (UNHCR 2014a: 8).
- 29 Nov – UNHCR Thailand convenes the first meeting of the new Voluntary Repatriation Coordination Group, containing representatives from UNHCR, IOM, CCSDPT and refugee representatives (UNHCR 2014a: 9).
- UNHCR Myanmar begin a two-month course of "Durable Solutions Training" for state and non-state actors in South East Burma (UNHCR 2014a: 7).

January 2014
- 24 Jan – US State Department close applications to their group resettlement programme (UNHCR 2014b).

February 2014
- 3 Feb – TBC release figures stating that only 3.4% of refugees in Thai-Burma border camps returned to Burma in 2013 (TBC 2014b).
- UNHCR hold screenings in the Thai-Burma border camps of 'Cambodia Dreams', a film documenting return of Cambodian refugees from camps in Thailand (UNHCR 2014c: 6).
- 27 Feb – official opening of first UNHCR field office in Karen State (UNHCR 2014c: 8).
- 28 Feb – KRC agree to work with Karen State government on refugee repatriation but urge that return should only follow a nationwide ceasefire (DVB 2014a).

March 2014
- UNHCR/Mae Fah Luang extend profiling survey to camps in Mae Hong Son Province (UNHCR 2014c: 5).
- Publication of UNHCR-commissioned study by Kim Jolliffe and Ashley South, identifying lessons for returns from previous ceasefire agreements (Jolliffe 2014; South 2014).
- 3 Mar – KRC meet with Karen State government and UNHCR Burma, in meetings UNHCR describe as fostering important relationships for possible eventual repatriation (UNHCR 2014c: 7).

May 2014

- 20 May – European Burma Network publish an open letter, expressing concern that refugees in Thai camps are being pressured to return by funding cuts to food, shelter and essential aid (European Burma Network 2014).
- 22 May – Gen. Prayuth Chan-ocha announces that the Thai military has seized control of the country.

June 2014

- 7-9 June – Thailand's Internal Security Operations Command holds a meeting in Mae Sot with representatives from UNHCR and other NGOs (Irrawaddy 2014a).

July 2014

- Thai authorities begin a series of headcounts across the Thai-Burma border camps (Irrawaddy 2014c)
- 14 July – following meetings with Gen. Min Aung Hlang (commander-in-chief of the Burmese army), Gen. Prayuth Chan-ocha (leader of the Thai NCPO) announces that Thailand and Burma will work together to repatriate the refugees in the Thai-Burma border camps (Irrawaddy 2014b).
- 14 July – the Bangkok Post quote an unnamed Thai military source as stating that repatriation will take place roughly within the year (Burma Partnership 2014).
- TBC and UNHCR state that they are unaware of any change in Thai government policy on repatriation (Burma Partnership 2014).
- 17 July – the Thai Ministry of Foreign Affairs issues a statement emphasising that no timeframe has yet been set for repatriation (Burma Partnership 2014).

August 2014

- 1–3 August – Repatriation is discussed by Thai and Burmese officials at a Thai-Burma Regional Border Committee meeting, with reported plans to relocate refugees to a port construction project in Mergui, Burma (DVB 2014b).
- 17 August – The KNU announces that it will block all attempts to repatriate refugees prematurely (Karen News 2014).