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How to empower the invisible  
A case study of the work of NGOs in attaining Human Rights  
for undocumented migrants in Sweden and Thailand

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## **Abstract**

**Title:** How to Empower the Invisible  
- A case Study of the Work of NGOs in Attaining Human Rights for Undocumented Migrants in Sweden and Thailand

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**Key words:** Migrants, NGO, human rights law, empowerment, downward accountability, Human Service Organizations, Thailand, Sweden

This study aims to give an analogy of the working methods of NGOs facilitating the realization of human rights for undocumented migrants in Thailand and in Sweden. The objective is to see similarities and differences in methods as well as to be able to offer informed recommendations on how these organizations could learn from each other.

An analysis was conducted of the following:

- the role of NGOs
- the methods NGOs use in terms of services and advocacy for undocumented immigrants
- the framework in which NGOs work with Human Rights in Sweden and in Thailand.

The main research question was:

*“How do NGOs operate for the attainment of Human Rights for undocumented migrants in Thailand and Sweden?”*

In this qualitative study with semi-structured interviews and supplementary observations, six non-governmental organizations representatives were interviewed as well as two undocumented migrants. The organizations interviewed were: 1) Ingen Människa är Illegal, 2) Rosengrenska Foundation and 3) the Swedish Red Cross as well as 4) International Rescue Committee, 5) Jesuit Refugee Service and 6) Thai Committee for Refugees in Thailand.

This research provides the reader with an overview of the human rights related work of these NGOs as well as missing services for undocumented migrants. Furthermore suggestions are given to the NGOs in order for them to improve their services and advocacy to further empower undocumented migrants.

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## **Abbreviations**

AOP= Anti Oppressive Practices

CBO= Community Based Organization

ECHR= European Convention on Human Rights

EU= European Union

GCIM= United Nation's Global Commission on International Migration

HSO= Human Service Organizations

ICCPR=International Covenant on Civil and Political Rights

IDC= Immigration Detention Center

ILO= International Labour Organization

IMÄI= The network “Ingen Människa är Illegal” (Nobody is Illegal)

IOM= International Organization for Migration

IRC= International Rescue Service

JRS= Jesuit Refugee Service

NGO= Non-Governmental Organization

OHCHR= Office of the High Commissioner for Human Rights

PICUM= Platform for International Cooperation on Undocumented Migrants

POC= Person Of Concern

RSD= Refugee Status Determination

TCR= Thai Committee for Refugees

UDHR= Universal Declaration of the Human Rights

UN= United Nations

UNHCR= United Nations High Commissioner for Refugees

WHO= The World Health Organization

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## 1. Introduction

This case study of NGOs deals with challenging topics and terminology related to international migration and human rights law. This chapter aims to provide a better understanding of the difficult topic of migration including “illegality” as a migrant and the NGOs operating within the field. A background of the topic is presented along with terminology, the objectives and my research questions including established limitations to this study.

### 1.1 Background and problem area

Since last year, at least 200 million people are registered outside their country of birth since at least one year and this figure is growing according to International Organization for Migration (in Backman, 2012, p.285). In addition there are millions of people that travel "illegally" and are not registered in official state records. According to the United Nation's Global Commission on International Migration there are at least 2,5 million undocumented migrants around the world. IOM regards the number of undocumented migrants to be between 20 and 30 million worldwide, although local understandings of the state of being undocumented varies in different settings (Willen, 2012). I further discuss the terminology of undocumented migrants in the following section. Regardless of the exact number of undocumented migrants, this figure will continue to grow with the increasing inequalities between rich and poor countries (Mattson, 2008, p.51, 59).

#### **Universality**

Human Rights are supposed to be universal and hence universally applicable to all as stated in the Universal Declaration of the Human Rights. In Article 2 it is stated that "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction" and many instruments such as conventions further declares the universal principle against discrimination. The International Covenant on Civil and Political Rights, states the equal rights of all in Article 2 and 3 (United Nations Office of the High Commissioner for Human Rights, 1996). However, it is debatable if human rights can in fact be understood as universal since the rights are supposed to be protected by the states for their citizens. A difficulty of attainment arises when individuals are undocumented within a state in which they live. As Amnesty puts it "Human rights belong to everyone but they are guaranteed to no one" (in Reichert, 2003, p. 1)

States play a key role in the lives of the undocumented migrants. Not only since they are supposed to protect their human rights but the states are furthermore responsible for labeling undocumented migrants “illegal” thus criminalizing them. Hence many states fail to guarantee the rights of undocumented migrants. When not signing specific Conventions they are also not obliged by international law to uphold the rights. Both Thailand and Sweden have however signed the International Covenant on Civil and Political Rights as well as the International Covent on Economic, Social and Cultural Rights granting everyone the same rights without discrimination. Sweden has furthermore signed the 1951 Convention whereas Thailand has not (United Nations

Treaty Collection, 2013). The issue of increasing irregular migration is however increasing in both countries. Did it actually make a difference for the undocumented migrants in Sweden that Sweden signed the 1951 Convention? The two states are all the same failing the attainment of human rights for undocumented migrants within their territories. The rights of the undocumented migrants are often left in a grey area between international and national rights. As the state fails to guarantee undocumented migrants their rights, they often turn to NGOs for welfare services and legal concerns.

Due to my awareness of this vulnerable group of migrants as well as involvement in various non-governmental organizations, I found it of interest to research the work that NGOs conduct for undocumented migrants. During my literature review I observed that there is limited research on NGOs working with undocumented migrants and I realized the need for more in-depth knowledge of these human rights defenders and their operational methods, especially in terms of empowerment and accountability.

I focused my research on Thailand and Sweden to contrast two countries with different settings and NGO cultures. Thailand and their NGOs is of special interest since the country has as of yet not ratified the 1951 UN Refugee Convention nor the 1954 Convention relating to the Status of Stateless Persons. Furthermore they lack a refugee law and their asylum procedures have been heavily criticized (Human Rights Watch 2012, p. 1-3). A further discussion on UNHCR and its role in Thailand as well as in Sweden is presented in chapter 3.

### **Undocumented migrants in Thailand**

There are estimates between 1, 8 to 3 million migrants living in Thailand, the majority said to be Burmese and undocumented. The Burmese migrants are located in nine closed camps since the beginning of the 1980's. They have no acknowledged refugee status outside the camps and are thereby “illegal migrants” at risk of arrest and deportation outside its parameters. The police or soldiers have been reported to often use these “illegal migrants” as forced labor, demanding bribes or sending them to Immigration Detention Centers preparing them for deportation (UNHCR Thailand, 2012). Migrants from countries not bordering Thailand can spend years in detention centers and are often forced to pay for their own return to their home countries. Refugees in Thailand have no legal right to employment. They can go through a process of becoming migrant workers but this is often a difficult and corrupt process that in the end only grants them a two-year visa that can be renewed only once before having to return to their home country (Human Rights Watch, 2012).

Thailand has not signed the 1951 Geneva Convention, which allows them to diminish the mandate of the UNHCR in Thailand. Thus the government is not allowing UNHCR to effectually conduct Refugee Status Determination. The UNHCR in Thailand is therefore predominantly cooperating with NGOs (Human Rights Watch, 2012). The relations to UNHCR will be further discussed in Chapter 3.

### **Undocumented migrants in Sweden**

There are approximately 8 million undocumented migrants in the European Union. The EU countries have since 2008 agreed on tougher policies regarding these undocumented migrants, including allowing migrants to be held for up to 18 months

in detention centers (Blomgren, 2008, p. 196-197).

In Sweden there are estimations of at least 10 000 undocumented immigrants but NGOs such as the Red Cross and Save the Children fear that the number is much higher. The Red Cross states numbers as high as 35 000 (Röda Korset, 2012). Sweden is a part of Schengen and EU with border controls and the much-debated Dublin Accord. Therefore Sweden is a part of the EU-wide border control system. One of the clauses of the Dublin Accord restricts an asylum seeker to apply for asylum in the first EU country he/she arrives to (Zelmin, 2011). In 2006 the Former UN Special Rapporteur on the Right to Health, Paul Hunt criticized Sweden; “Asylum seekers and undocumented people are among the most vulnerable in Sweden. They are precisely the sort of vulnerable group that international human rights law is designed to protect”. He was especially concerned that neither Swedish law nor the practice regarding healthcare for asylum seekers and undocumented immigrants were consistent with international human rights law (Rätt till Vård-initiativet, 2009). Furthermore, according to a recent study, it is both difficult and dangerous to be undocumented in Sweden. The undocumented migrants depend more on goodwill and compassion from NGOs or other individuals than on the State obligations for service provision. It is indeed not uncommon for undocumented migrants in Sweden to be victims of abuse or crimes without being able to receive help (Sigvardsson, 2012). Thus NGOs play a major role for the welfare of undocumented migrants seeing as they are the only ones, apart from academic research institutions, taking a stand for their cause and often the only ones offering them social assistance.

### **A comparison**

The comparison between NGOs working with undocumented migrants in Sweden and in Thailand might be difficult. Especially due to the different circumstances the countries are in. Still this study intends to explore the operational methods of NGOs from a contextual relationship between Thailand and Sweden. The contexts vary, particularly in terms of aid and migration as well as different standpoints regarding UNHCR and the 1951 Convention, not to mention the financial resources available in both countries. This case study focuses on the exploring the possibilities of methods to attain human rights for undocumented migrants and suggestions for improvements are provided. It has come to my attention that more research in the field of undocumented migrants’ is essential to highlight their marginalization. More research could additionally facilitate improvements of human rights attainment for undocumented migrants.

## **1.2 Terminology**

When choosing and defining concepts it is important to do so with caution since it could hold an ideology or set a specific tone. Terms such as “migrant” and “immigrant” are often used synonymously although they are not synonyms. “Migration” tends to imply temporary movement whereas “immigration” is a term of a more permanent nature. However, many of the people the term applies to do not know if they are staying permanently or temporary since many of the decisions are beyond their control with the authorities. Some scholars have hence started to use the open-ended term “im/migrants”. I, however, choose to use the term “migrant” to show the temporary and uncertain situation of the undocumented migrants this study

focuses on (Willen, 2012).

There is no universally recognized definition for the term “migrant”. The Oxford Dictionary defines a “migrant” as: “a person who moved from one place to another in order to find work or better living conditions” and the UN defines the term “migrant” as: “an individual who has resided in a foreign country for more than one year irrespective of the cause, voluntary or involuntary, and that means, regular or irregular, used to migrate” (in Goldin & Reinert 2006, p. 14).

Goldin defines “migration” as a movement of persons between countries as an escape for purposes of education or employment. Migrants can furthermore be categorized as permanent settlers, expatriates, asylum seekers, refugees, undocumented migrants, visa-free migrants and students (Goldin & Reinert 2006, p. 14).

In terms of migration, it is important to point out the differences between the “regular” and the “irregular migrant”, which also could be called “unauthorized”, “undocumented”, “illegal”, “hidden”, “underground” or “clandestine” (Backman, 2012, p. 284). The term “Illegal migrant” is a legal construction. A migrant could become “illegal” by violating laws or policies regulating movements within a state’s national territory. The term “illegal migrant” hence refers to foreigners who are not authorized to stay in the country. The migrants might have entered the country without approval and without a valid document or stayed longer than permitted (International Organization for Migration, 2011, p.8). Scholars often reject the term “illegal migrant” since it holds a political or moral connotation. It is however important to discuss the “illegality” and when and why the term is used, which is mainly by states in terms of national security and the nation-state sovereignty. The term and its implications should be kept in mind. Moreover, the term “illegal” can be used to create a debate by using it within quotation marks (Willen, 2012). In this paper, I mainly refer to these migrants as undocumented since it implies less political connotation. Furthermore this is the terminology generally used by the NGOs presented in this thesis.

### **Asylum and refugees**

In terms of asylum, the right to asylum is stated in the 1951 UN Refugee Convention, which Thailand as of yet has not ratified (Human Rights Watch, 2012). The first article of the Convention states that asylum and protection should be given to refugees, and refugees are defined as:

“A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” (UNHCR, 1951).

It is important to mention that my respondents in Thailand had different definitions of the term “refugee”. Seeing as Thailand is not a signature state to the 1951 Convention, they rarely use the term undocumented since most of their “refugees” are de facto undocumented or “illegal migrants” as they have not been granted asylum or working permits. JRS regards the 1951 UN Refugee Convention’s definition of a refugee to be outdated since it was originally applied to displaced persons in Europe.

Furthermore they regard the definition to be too narrow. JRS as well as TCR both allow a broader definition as the one developed by the African Union and the Organization for America, which include mass displacements resulting from social and economic collapses in conflict situations. Thus their definition refugees would include many undocumented migrants who are in need of protection but are not recognized as refugees under the 1951 Geneva Convention (Jesuit Refugee Service, "Refugees", 2013).

### **Burma/Myanmar and their citizens**

In this study the term Burmese refers to anyone coming from Burma/Myanmar, regardless of ethnic belonging within the country. The country name Burma or Myanmar is used without political connotation.

### **Empowerment**

Empowerment in this context is about the expansion of choice, influence, and action (Kilby, 2006). Pinderhughes refers to empowerment as the power and capacity for people to improve their own lives. Solomon refers to empowerment as a process of reducing powerlessness and Hasenfeld regards empowerment as a process where resources are obtained to gain control of the environment (in Hasenfeld, 1992, p. 270). To be able to empower, Dalrymple and Burke suggests individual or group counseling along with advocacy work (2008). Hasenfeld proposes to reduce the need for services and resources, to develop alternatives and to increase the value of the beneficiaries (Hasenfeld, 1992, p. 270). The processes should according to Hasenfeld be undertaken at a personal, organizational and societal level. On a personal level empowerment processes should increase the power of the client. Furthermore on a societal level, policies should be challenged. On an organizational level the power asymmetry between the client and the NGO should be confronted (Hasenfeld, 1992, p. 270).

### **Human Rights Defenders**

The United Nations describes human rights defenders as:

“people who, individually or with others, act to promote or protect human rights. Human rights defenders are identified above all by what they do and it is through a description of their actions and of some of the contexts in which they work that the term can best be explained” (OHCHR Defender, 2012). It is furthermore encouraged in the declaration of Human Rights Defenders that everyone should be Human Right Defenders and promote and safeguard human rights and democracy (OHCHR Declaration, 1998).

The NGOs working for the human rights of undocumented migrants could hence be understood as human rights defenders. What this recognition of human rights defenders by the United Nations actually implies is left unclear. Is it merely an appreciation of advocacy work for the realization of human rights or does this recognition imply that the UN accepts the failure of states to protect human rights?

### **Non-Governmental Organization**

This paper considers NGOs as independent organizations, which are often voluntary in their nature and tend to involve supporters through values or areas of concern with a purpose of public benefit. NGOs usually adopt a non-violent approach to their work and are driven by their values and desires for a "better world". They hence often represent the interests of marginalized groups (Kilby, 2006) such as undocumented

migrants. NGOs can however be criticized morally when they present their values as the values of their beneficiaries (Joshi and Moore in Kilby, 2006), which is an area of interest for this research. More background information and contextual understanding of NGOs and their operations is presented in Chapter 4.

### **Human Service Organization**

The NGOs in this research could be analyzed from a Human Service Organization perspective since a Human Service Organization refers to a non-market driven organization focusing on changing, constraining or supporting human behavior (Hasenfeld, 1992, p. 47). This concept is further defined in Chapter 4.

## **1.3 Objectives**

This thesis aims to give an analogy of the operational methods of NGOs working for the realization of Human Rights for undocumented migrants in Thailand and in Sweden. The aim is to explore similarities and differences in their methods as well as to conduct a proposal for improvement in the care of undocumented migrants from an informed position.

This research analyzes the role NGOs play and the methods they use in the care of undocumented migrants and their work within a Human Rights framework in Sweden and in Thailand. In this sense I will analyze the role of NGOs as human rights defenders in the implementation of the human rights of undocumented and "illegal migrants". To achieve this I investigated the operational methods of NGOs in Sweden and in Thailand based on qualitative semi-structured interviews supplemented by observations and documents from the NGOs and governments when necessary. The aspiration of this case study is to find ways of connecting these NGOs in a methods-learning space for their mutual benefit.

## **1.4 Research Questions**

My main research question is:

**How do NGOs operate for the attainment of Human Rights for undocumented migrants in Thailand and Sweden?**

In order to answer this question I will further attempt to answer the following sub questions:

\*Who are the NGOs advocating for the rights of undocumented migrants?

\*What is the role of NGOs for undocumented migrants?

\* What methods do NGOs use in order to promote and ensure undocumented migrants' rights?

**I strive to give suggestions to the NGOs by potentially answering the following questions:**

- \* What services are potentially missing?
- \* What are the differences and similarities between the methods used by organizations in Sweden and in Thailand for advocacy and service provision?
- \* What can the NGOs potentially learn from each other?

## **1.5 Limitations**

This is a study of undocumented migrants. Thus only the topic of international migration is discussed, hence excluding internal migrants.

### **Empirical limitation**

My research is limited to three NGOs in Thailand and three NGOs in Sweden, working for the realization of Human Rights of undocumented migrants. The limit of six organizations was originally a decision of time and manageability but I furthermore came to realize that there are not many more organizations working within the field. The NGOs chosen are presented in detail in Chapter 5 and contrasted in Chapter 6. As a supplement observations were held as well as one interview with two undocumented migrant. The interview with the two undocumented migrants is further presented in Chapter 7.

I chose not to do a comparison between the Red Cross in Sweden and the Red Cross in Thailand due to the fact that the Red Cross in Thailand notified me, saying that they do not have any projects for migrants in Thailand, but merely focus on disaster relief programmes. Instead the officer suggested that I contact IRC or IOM, (Viyaratanakul, 2013) although IOM is technically not an NGO. I additionally chose not to interview Asylum Access in Thailand since they only provide legal services to asylum seekers.

I am furthermore limiting my research to the methods of the particular NGOs that I have interviewed. I do not attempt to make generalizations concerning NGOs in general or in Thailand or Sweden in particular. I am merely attempting to analyze the methods of the organizations with the collected information I have gathered from my respondents. I believe more research concerning undocumented migrants and their human rights attainment is necessary along with research regarding human rights defenders and organizations that advocate for their cause.

### **Theoretical limitation**

Although human rights are indivisible, hence it is not possible to separate one right from another by granting one human right but ignoring another, a limitation had to be made in order to provide a comprehensible analysis. In terms of human rights I focus mainly on the right to liberty and security enhanced in Article 9 of the International Covenant of Civil and Political Rights (United Nations Office of the High Commissioner for Human Rights, 1966), a Covenant that both State parties have ratified (United Nations Treaty Collection, 2013). I merely mention a few aspects on

the right to health, specified in the International Covenant of Economic, Social and Cultural Rights Article 12 (UN General Assembly, 1966), a treaty also signed by both Thailand and Sweden (United Nations Treaty Collection, 2013). I chose to mention the right to health seeing as it is currently a major focus of NGOs in Sweden. I will furthermore mention a few aspects of the right to Education in view of the fact that it is a major focus area of NGOs in Thailand. The right to education is also a component under the Covenant of Economic Social and Cultural Rights.

The 1951 Refugee Convention is of interest while discussing the right to asylum and the definition of a refugee. Furthermore it is useful to discuss how it affects the context in which the NGOs are based. However, my main focus is the right to liberty and security. I realize the importance of the right to work but this topic would have required interviews with labor unions and could be a thesis topic on its own.

This study is inspired by Lincoln and Guba's ideas of action research with the idea of authenticity in research. I share the concern regarding staying fair to the viewpoints of the respondents. I furthermore aimed for the research to be helpful for the respondents to better understand their own social world while better appreciate other perspectives of the same world. I wish with my research to engage the respondents to improve their own situation (Bryman, 2008, p. 379). I aspire that my research can assist the organizations in understanding their position as well as possibilities of other methods. However, I did not involve my research subjects in the analysis. It would have been too time consuming and difficult to combine with the field research conducted on two continents.

After this introduction with background information the next chapter provides an overview of the methods used when collecting and analyzing the empirical data. The third chapter provides a theoretical base with legal aspects regarding the complex situation of human rights attainment for the undocumented migrants and subsequently the NGOs. The fourth chapter aims to clarify the position of NGOs by providing the reader with a historical background. I also intended to lay a foundation of cultural context in order to understand the realms in which the NGOs operate. In Chapter 5 the NGOs are presented separately with subcategories aiming to answer the different aspect of my research question ("How do NGOs operate for the attainment of Human Rights for undocumented migrants in Thailand and Sweden?"). In chapter 6 an analysis is presented with the differences and similarities of the presented NGOs in relation to the theoretical framework and the research questions. Chapter 7 provides the reader with an additional viewpoint of two undocumented migrants, in order to comprehend the context in which the NGOs function. Chapter 8 presents suggestions made to aid improvements for the NGOs. The last chapter concludes with a summary and ending remarks.

## 2. Methodology

This chapter describes how I conducted the research aiming to answer my research question of how the NGOs operate. It presents the methods chosen when collecting and analyzing the empirical data. A discussion on ethical considerations is included along with a discussion on power relations in research as well as validity and reliability. Lastly the analytical and theoretical framework of the thesis is presented.

The aim of this research is to analyze the operational methods used by NGOs in order to attain human rights recognition for undocumented migrants. Hence a quantitative approach is not suitable since its purpose is to show projectable results of a larger population (Gilbert, 2011). I chose a qualitative approach to emphasize meaning rather than generalizing data. This is thus a qualitative research with interviews that attempt to understand the world from the subjects' viewpoint to enhance the meaning of their shared experiences. I have followed Kvale's seven stages in its design and implementation of interviews. These seven stages include thematizing, designing, interviewing, transcribing, analyzing, verifying and reporting (2009).

I analyze the work of non-state actors, NGOs in a qualitative comparative study by using qualitative semi-structured interviews inspired by Kvale's Social Science methods. I prepared an interview guide (see appendix A1 and A2) and interviewed representatives from organizations working with the human rights of undocumented migrants in Thailand and in Sweden with a focus on the right to liberty, security and health while not forgetting the right to asylum and education. An additional interview with two undocumented migrants was conducted in order to offer a more broad and in-depth conceptualized understanding of the issue at hand.

Since semi-structured interview methods were used it always depended on my judgment, as to how the interview guide would be followed. Thus to what extent follow up questions were required with regards to the interviewee's answers and the possible new directions the answers could take. The aims of the complimentary observations were to keep the atmosphere as relaxed as possible as well a maintained neutrality while observing the interactions.

My study is of an exploratory kind. An analogy with a comparative design, seeing as my aim is to seek similarities and differences to gain awareness and deeper understanding of the social reality within the different NGOs. I do not however attempt to compare the organizations in detail knowing their diversity of outreach, size and context. Rather, I give an analogy, as in giving correspondences and resemblances of the operational methods of the different organizations in order to provide suggestions of improvements.

### 2.1 Sampling Method

The samples selected for the study were the NGOs as human rights defenders and welfare service providers. The organizations included 1) Ingen Människa är Illegal, 2)

Rosengrenska Foundation and 3) the Red Cross in Sweden as well as 4) International Rescue Committee, 5) Jesuit Refugee Service and 6) Thai Committee for Refugees in Thailand.

I started to draw a sampling frame as Gilbert (2011) explains by having an explicit and detailed description of the sampling population. According to my research and contacts there are few NGOs involved in the work with undocumented migrants and I managed to contact most of them to hear if they focused primarily on working with undocumented migrants. Organizations not included in this study focused predominantly on homeless people, thus including a number of homeless undocumented migrants.

I put efforts into finding matching organizations by size and purpose within the two countries to be able to make recommendations. My sample was found by using a so-called snowball or network sampling method by contacting organizations working within the field that provided me with more contacts of interest (Gilbert, 2011, p. 514). I started out by attending a seminar about undocumented migrants held by the Red Cross at the Human Rights Days in Gothenburg 2012 and got further knowledge about their project "Mötesplats för papperslösa" (meeting point for undocumented migrants). I further found that Rosengrenska Foundation cooperates with the Red Cross in terms of healthcare services for undocumented migrants. My own research further led me to hear about Ingen Människa är Illegal.

In Thailand I started out by meeting my advisor and we researched the organizations that cooperate with UNHCR and started to contact them to hear about their projects with undocumented migrants. Many organizations cooperating with UNCHR worked only or primarily within the border camps. Other organizations focused solemnly on asylum seekers. The organizations chosen for this study offered services to all undocumented migrants.

## 2.2 Interviews

The NGOs interviewed are the core of the data collected. The interview guide is presented in Appendix 1. The organizations interviewed are presented in more detail in Chapter 5. The interviews aimed to produce knowledge of the NGOs from representatives that share their knowledge and meaning of the work they are involved with from their perspective. Furthermore, I broadened my research to include voices of undocumented migrants. The interview with two undocumented migrants is presented in Chapter 7.

As an interviewer I have attempted to prepare myself by reading into the topics and the organizations beforehand, giving the subjects, the purpose of the study, which helped me frame the interview questions clear and comprehensible. I have attempted to be considerate, by allowing pauses as well as being empathetic and attentive to my respondents during the interviews. Moreover, I was conscious of the need for flexibility yet at the same time I intended not lose sight of what I needed to obtain from the interviews or fail to notice inconsistencies in the interviewees' responses. When transcribing the interviews, I attempted to clarify and interpret the meaning of

the statements without imposing meaning (Kvale in Bryman, 2008, p.445).

The semi-structured interviews were prepared in accordance with Kvale's interview guide strategies. I included an outline of questions but kept an open-mind by listening to my respondents and following up their answers, as well as by seeing possible new directions and questions. I additionally considered ethical issues stated in Kvale's ethical guidelines (2009) and the Ethical Guidelines provided by Vetenskapsrådet. The ethical considerations of this report are further explained in section 2.2 on ethics.

The interviews that were held with Swedish NGOs were held in Swedish and translated into English. I recorded the interviews in Sweden with my Iphone using the voice recorder function. For the interviews in Thailand I used a handheld recorder. I received permission from all of the subjects beforehand to record and keep the recordings until I finished transcribing. The interviews took approximately an hour each and they were mostly held at the organization's offices, which gave me an insight into their workspace and social reality. The only exception was the interview with Ingen Människa är Illegal. Since they have no office, we met at the University of Gothenburg and held the interview there. I was however invited to attend two of Ingen Människa är Illegal's meetings at Hjällbo kyrka and Café Vulgo with volunteers to gain further insight into their operational methods.

### **2.1.2 Observations**

Supplementary to my semi-structured interviews, observations were conducted. These observations were made at the Red Cross Centre in Stockholm's open house hours and at the Ingen Människa är Illegal's work meetings held at Café Vulgo and at Hjällbo Church.

One advantage of the method of observation is that the researcher gains knowledge first hand of a social reality making it easier to understand the viewpoints and contexts first hand. It is a method that acknowledges unexpected topics or issues that could be relevant to the study (Bryman, 2008, p.465). It was of interest for this study to see the working methods first hand and not merely second hand from an interview source.

### **2.1.3 Literature Search**

For the literature search and the search for previous research on organizations, migration and especially irregular migration I searched for literature online and at the University Library in Gothenburg. I used academic journals and publications for previous research but complimented my research with UN sources, newspaper articles, official websites of advocacy networks and NGO as well as other materials available on the topic.

I used the University of Gothenburg's online database to search for previous data.

Keywords I used for the search were: Migration, NGO, undocumented migrants, illegal migrants, Thailand, papperslösa, migrationspolitik, empowerment.

#### 2.1.4 Organizational research

I researched the organization's history, background, and platform not only by interviewing representatives from the organizations but also by researching them online, thereby visiting their websites, reading about them from other journals, the UN websites and through information material from the organizations themselves as well as when they were mentioned in other literature.

#### 2.2 Ethical Discussion

I reviewed the Ethical Guidelines, the Codex from Vetenskapsrådet (Vetenskapsrådet 2012) and I have intended to uphold these standards. I found it important to keep ethical principles in mind during the entire process, especially in regard to: informed consent, confidentiality, consequences and the role of the researcher (Kvale, 2009). In my role as a researcher, I have responsibilities, not only to the readers of this study in terms of objectivity, but also for upholding the integrity of the subjects, keeping in mind the potential risks and benefits of their participation.

The intent was to balance the amount of information given to the subjects beforehand to keep an open atmosphere and allow them to mention topics that might not have been in direct interest for my study. I discussed the potential risks and benefits of the participation with all of my research subjects. I informed them of their voluntary consent and their right to keep their privacy if they so wished. Although my study mainly wasn't of a personal matter, issues could of course have arisen. When talking to and interviewing the undocumented migrants they shared very personal details of their life without me asking for it. I took an ethical stance and informed my subjects thoroughly of the study and my research and chose to use a standardized consent paper for my subjects to fill out, which stated their rights. I found it of most importance to keep respect for my subjects while searching for knowledge (Gilbert, 2011).

When interviewing the undocumented migrants I was able to approach them through their connection with the NGO Thai Committee for Refugees. TCR did in certain aspects act as a gatekeeper and I realized the ethical complications that followed. Although I was interested in the migrants' relationship with the NGOs, it was not possible for them to answer my questions regarding their contact with different NGOs truthfully due to the nature of their power relationship with these NGOs.

As means of respecting the integrity, confidentiality, and security of the undocumented migrants, their real names are not used in this thesis. I was however allowed by all of the representatives of the NGOs to use their real names after discussing possible consequences of their participation. I then discussed with them the aim of the study and how I came to select them. We discussed my role as a

researcher and the moral responsibilities and ethical considerations that could arise. I was most concerned when interviewing the undocumented migrants themselves since they shared very personal details of their lives.

The interviews that were done with Swedish NGOs were held in Swedish and translated into English. I realized that this might slightly change some statements and did hence offer all of the Swedish subjects to review my translations of their interviews in order for the translation to be loyal to the subjects' statements. The document sent to them only included the transcription and not the analysis. However, no changes to the translations were asked for.

### **Bias**

I regard the issue of a possible biasness within research very seriously. Thus, one of the main reasons why I may have disregarded a study is if the author or researcher could be considered biased. I hence wish to be as honest as possible. I have a background working for different NGOs and I have in the past worked for the Red Cross visiting detainees in Kålleröd, outside Gothenburg and with mentally ill in Iceland. However, I have not worked in Stockholm nor with the project I visited and the respondent I interviewed. At the time of my research, I had no association with any of the organizations other than for the purpose of this study. Interviewing members of NGOs, having not had any previous contact with reduced all potential biasness.

## **2.3 Reliability and Validity**

It is of utmost importance to strive for objectivity but also to be honest about my own subjectivity. Yet, since the ability to be objective in qualitative research is debatable, I have tried to be reflexive about my partiality as a means of minimizing a biased analysis (Kvale, 2009, p. 242).

I considered the reliability and validity of my study. Reliability can be defined by whether you can measure a work in a consistent way and validity as whether the right concept is measured (Gilbert, 2011). It was therefore important to constantly ask myself whether I was actually researching what I needed to in order to answer my intended research questions. I considered validity, referring to the truth, something that is correct and the strength of ones argument in all aspects of my research (Kvale, 2009). To try to attempt validity and reliability I avoided to influence the answers of my subjects by not asking leading questions and kept awareness of my own prejudices. I furthermore allowed the Swedish interview subjects to review my translation of the interview. However, no changes in the translations were asked for. I furthermore established the legitimacy of the websites used for the analysis of the NGOs by asking for confirmation of validity from my respondents.

The basis of my study is the information provided from the interviews by my informants. It is of course in the interest of the representatives of NGOs to maintain a respectable reputation, hence it could be that some information given to me is questionable. The information shared by the NGOs on their websites and information material could correspondingly be disputable. I did nonetheless stress the importance

of validity in order for the organizations to benefit from the suggestions and best practices found in this study. Criticism could furthermore exist regarding the use of governmental information material. However the government material was merely used to provide a contextual understanding of the culture the NGOs are placed in.

I have been inspired by Blomgren who is a journalist dedicated and engaged in the rights of the undocumented migrants. Her neutrality could be questioned but her interviews and her investigative research was a great asset for the width of this case study. Mattson is another journalist who published her book in cooperation with the Red Cross. Thus the content of the work published could have been affected and influenced the author.

It is arguable that my study, as many other interview studies, has too few subjects to claim generalization (Kvale, 2009). Therefore I withheld generalizations seeing as every situation can be viewed as unique.

## 2.4 Power Relations in research

There is always power asymmetry when conducting research interviews, as pointed out by Kvale, seeing as these interviews are more of instrumental dialogues rather than an everyday conversation (2009). Although, I tried to create an atmosphere of trust and openness by starting our conversation having icebreaker questions and allowing my subjects to speak freely.

Even though I attempted symmetry and an equal positioning of myself as a researcher, there is always a dynamic power asymmetry. One could argue that the researcher has the power to decide the questions and set the tone, but the subject is also the expert on the matter of the questions and could hence change the power relationship as well. Power relations are never static and can differ from one subject to another but also during the conversation when discussing different topics. Power relations can further differ due to age, gender, position or education. It was important for me to take the structure of the interview into consideration and try to find methods of opening up towards a more equal dialogue.

When doing observations I held a low profile not to interfere and tried to stay away from any possible power relationships that might occur. Although realized that my mere presence could change the relationship within the room as well.

## 2.5 Analytical framework

The analysis was conducted utilizing the Bricolage method that uses available tools and mixes techniques freely between different concepts (Kvale, 2009). By mixing social work theories and a human rights perspective when analyzing my material through different conceptual approaches I discuss common thematic topics as well as the purpose of the different statements at hand. By using different conceptual analyses, I compared the different interviews and categorized the differences and

similarities in order to make suggestions and comments. I conducted a categorical analysis in order to compare the dissimilar experiences shared by the different organizations and the interview respondents to create an in-depth study.

In order to provide an analogy with correspondences and resemblances I examined the individual organizations and compared their role in society, their methods and services provided, their funding and possible dependencies, if and how they cooperate, challenges to their work, methods of advocacy as well as empowerment and evaluation and lastly analyzed possible missing services. The comparison was the basis of my analysis with suggestions of improvements. The NGOs are presented separately in Chapter 5 followed by an analysis of their similarities and differences in Chapter 6. Suggestions for improvements are given in Chapter 8.

In order to achieve a contextual understanding rather than generalizing data I conducted an analysis of the meaning of the methods and the situation of the organizations at a micro level (Bryman, 2008, p. 393). I was further interested in a critical discourse analysis of the power constructions and the organizations functions on both an interpersonal and a societal level (Gilbert, 2008, p. 445-450).

I found influences in critical discourse dissertation because I considered it important to analyze the role of language as a power resource and its relation to ideology and socio-cultural aspects by exploring the relationship between discourse and reality. In order to analyze discrepancies, the meaning of the discourse, its influences and legitimization was of essence while not forgetting the social and historical context it is placed in (Bryman, p. 508-509). I focused my analysis of discrepancies on the noted differences of statements from the informants opposite to other sources such as the NGOs own websites and information material. When it was possible it was also contrasted to other available literature. However few discrepancies of this kind were found.

When comparing different organizations in different cultures, I have obviously come across cultural differences. Not only differences in organizational cultures or professional cultures but in the national context as well. Culture is a very complicated and complex concept that could be understood as the customs and traditions of thinking and acting. Culture is often taken for granted within itself. Fanon describes it as 'collective unconsciousness'. Culture is embedded in everyday life and that is what makes it complex (Eriksson-Zetterquist, et al., 2011, p. 184-185). I had some difficulties understanding the culture in Thailand since I don't speak the language and I also had difficulties understanding the Swedish culture since I am a native continuously a part of it. However I realize the importance of culture and attempted to take it into consideration in my analysis.

I used peer reviewing as a method in order to ensure an understanding of my study and my findings. This review was done by two of my former classmates. They read and gave me comments on my thesis, which I took into consideration in the finalization of this thesis.

## 2.6 Theoretical framework

This study is conducted on the basis of theories and perspectives of human rights and migration by using a Human Rights framework and discussing concepts such as “Illegal” migration, empowerment, the notion of power, anti-oppressive practices and downward accountability. My research takes a more postmodern approach to the constructed reality of the organizations I have chosen to study (Bryman, 2008, p. 367).

### **Organizational theory**

I have found inspiration in the institutional theory, specifically the neo-institutional theory, which pays more attention to cultural, symbolic and cognitive factors to explain organizational activities. To be able to understand the operational base of the organizations it is therefore important to look into structures, policies and the social order that is reproduced by shared rules that become the established base of the organization (Eriksson-Zetterquist, et al., 2011). It was furthermore useful to analyze the negotiated order within the dynamic system. When the nature of the work within the organization changes and emerges, the structures come to shift in a negotiated order among the participating clients and staff. The key processes of the organization and negotiated order within the structure of the organization is shown by the methods used to carry out the actual work (Hasenfeld, 1992, p. 30).

### **Theory of power**

The question of power is important to analyze the operational methods of the NGOS. Especially in order to analyze how much influence the undocumented migrants have in the organizations advocating for their cause. Power is however a difficult concept without an actual definition of the term. The complexity of power and powerlessness leads to contradicting theories. It is nonetheless of most importance to study power relationships, especially in terms of empowerment. Power relations are especially noticeable in social relations of inequality, discrimination or exclusion (Tew, 2006, p. 34). It is of interest to question the legitimacy of power and the influence it has on others (Tew, 2006, p. 35). Tew suggests that power is dynamic as "a social relation that may open up or close off opportunities for individuals or social groups". Opportunities can hence be defined as accessing resources, participation, identity and capabilities within relationships (Tew, 2006, p. 40). According to Lukes, power can be found when a person or group consciously or unconsciously create or change the view people have regarding a certain problem. Thus power can be viewed as intentional and active in relations. It is therefore interesting to analyze who prevails when decisions have been taken after a conflict of interest. (Lukes, 2005, p. 6).

When discussing power in society it is noticeable that dominant groups have power over "others" such as undocumented migrants, which could be understood as a form of oppression, since the undocumented migrants are subordinate and at threat to violence and violations of their rights (Tew, 2006, p.36). This kind of oppression can become visible in identities and lead to lower expectations and what Tew calls "learned helplessness" (Tew, 2006, p. 37). It would hence be necessary for the NGOs to be upfront about issues of power, not to create feelings of betrayal of trust or oppression from the undocumented migrants (Tew, 2006).

Another aspect to review in terms of power is the use of anti-oppressive practices.

These practices are accomplished with an acknowledgement of power relations within a society alongside a fundamental rethinking of values, institutions and relationships by liberating and empowering the beneficiaries. Dalrymple and Burke emphasize the need to localize the structural background of the problems that the service users deal with as well as the need to analyze practice relations and actual transformation of these relations (Dalrymple and Burke, 2008). Tew finds that many conventional approaches to advocacy focus their struggle more on behalf of the oppressed rather than with. This method can be seen as a more protective power approach, which could result in feeling of oppression and thus act disempowering for the recipients. It could hence undermine the actual abilities of the undocumented migrants themselves (Tew, 2006, p. 40,41). Tew argues that social workers' abilities to empower are influenced by the culture and the power relations of the organization for whom they are working. Studies have shown that organizations that are more participatory and supportive are more effective in their empowerment of service users (Tew, 2006, p.48). It is of interest to see if the organizations in my case study are using these methods of anti-oppression. They might not be aware of the term, but use the steps necessary towards empowerment.

When analyzing power, gender should never be forgotten. In this context, I am more interested in the gender aspect within the working environment of the NGOs. Hasenfeld argues that human service organizations are involved in "gendered work" seeing as there are mainly women providing the services. Generally men are found at the administrative level and in positions of authority. Thus creating conflicts of interests. In view of the fact that women tend to have lower salaries than men the work they provide has a lower social status, resulting in a vicious circle where a lack of resources within the organization can lead to poor services, which could reaffirm the low status and low legitimacy of the organizations and their clients (Hasenfeld, 1992, p.7-9). It is hence of interest to analyze if and how the NGOs are involved in "gendered work" and possible implications in the situation at hand.

### **Accountability**

In order to analyze the role of the different NGOs, their operational methods as well the empowerment process it was essential to view their efforts towards accountability to the undocumented migrants themselves. Kilby refers to this as "downward accountability" (Kilby, 2006). Thus it was important to analyze if the undocumented migrants that the organizations are supposed to support and empower have a voice of their own in the organizations.

This chapter has introduced the reader to the methods used to collect and analyze the data, which form the basis of this thesis. Furthermore important theoretical and analytical concepts have been introduced. The next chapter will provide the reader with a more extensive theoretical framework of the applied human rights law. Human Rights law does not only affect the undocumented migrants but also the NGOs and their operational methods, which is the essence of this research.

### 3. Human Rights Law for undocumented migrants

This chapter aims to provide the reader with a theoretical understanding of human rights law. In order to explore the methods of attaining human rights it is imperative to understand how the human rights law is applicable. Although human rights are indivisible, hence one cannot separate a right from another, a limitation had to be made in order to provide a comprehensible analysis. Thus this chapter and this thesis focus on the right to liberty and security and mention the right to asylum, education, health, the rights of the child, and a general right of obtaining basic rights.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) sums up the major concerns of human rights for migrants as:

“Human rights are at the heart of migration and should be at the forefront of any discussion on migration management and policies... Although countries have a sovereign right to determine conditions of entry and stay in their territories, they also have an obligation to respect, protect and fulfill a wide range of human rights of all individuals under their jurisdiction, regardless of their nationality or origin and regardless of their immigration status” (in International Organization for Migration, 2011, p.63).

IOM calls irregular migrants one of the most vulnerable groups to rights violations in a host state due to the fact that they are often invisible and unable to report abuse (International Organization for Migration, 2011, p.63).

Although Article 2 of the Universal Declaration of the Human Rights claims that “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction” and many conventions further declare the universal principle against discrimination. The International Covenant on Civil and Political Rights, ICCPR states equal rights of all in article 2 and 3 the (United Nations Office of the High Commissioner for Human Rights, 1966). The difficulty for undocumented migrants is that these rights are supposed to be guaranteed by the state. Unfortunately, the undocumented migrants are not recognized by the state, and therefore, are not guaranteed their rights (in Reichert, 2003, p. 1).

Sweden is a signatory state to the European Convention on Human Rights and has in many respects incorporated human rights law into their national law. Private complaints can additionally be made to the European Court of Human Rights as well as the UN Human Rights Committee if Sweden has failed the realization of these human rights. However, individuals must first exhaust all national domestic legal efforts (Regeringens webbplats om mänskliga rättigheter, 2013).

Thailand is not a signature state to any regional Conventions. The only regional Charter available in Asia is the Asian Human Rights Charter. This Charter is merely a “people charter” in view of the fact that no governmental bodies have accepted or signed the treaty. Nonetheless many NGOs and human rights defenders support the Asian Human Rights Commission. The Charter includes rights of vulnerable groups such as refugees and people in poverty. Article 16.2 in the Charter further promotes the idea of a regional institution for the protection of Human Rights as well as an inter-state Human Rights Convention (Asian Human Rights Commission, 1998).

### 3.1 Right to liberty and security

The right to liberty and security is enhanced in Article 9 of the ICCPR, a Covenant ratified by both State parties (United Nations Treaty Collection, 2013). The Covenant guarantees that: “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention” (United Nations Office of the High Commissioner for Human Rights, 1966). The right to liberty and security is further defined in Article 5 of the ECHR, which Sweden as mentioned is a signatory state to. The article affirms that: “Everyone has the right to liberty and security of person” (European Commission and European Court of Human Rights, 1950).

#### **Laws and regulations in Thailand**

Most of the Thai government announcements, policies and official statements on migration issues are based on national security concerns rather than economic or human rights concerns. The national security threats are particularly focused on undocumented migrants. Some associate national security with Thai nationalism although evidence to why migrants are a threat is rarely, if ever, provided. International NGOs hence discard the statements as discrimination, xenophobia or plain denial of human rights to migrants. According to IOM, evidence show that these measures against undocumented migrants lead to further exploitations of migrant communities by officials, forcing the migrants to pay bribes or risk arrest and deportation (International Organization for Migration, 2011, p.31).

Domestic laws in Thailand criminalize irregular migration, which means that the migrants can end up with high penalties. According to Article 81 of the 1979 Immigration Act, undocumented migrants can be sentenced to up to two years in prison and a fine of up to THB 20 000. Article 54 of the same act allows the authorities to hold undocumented migrants in detention centers or deport them immediately (International Organization for Migration, 2011, p.68). The authorities in Thailand have the right to detain undocumented migrants in detention centers pending deportation, occasionally for very long periods of time. Burmese migrants are usually kept there for a short amount of time but nationals from other countries can spend years in detention since they are expected to pay their own journey back to their country of origin (Human Rights Watch, 2012, p. 111)

Within the detention centers in Thailand the medical facilities are limited. Furthermore the social workers and counselors from the Bangkok Refugee Center are only allowed to visit the detention centers twice a month to offer psychosocial support (Human Rights Watch, 2012, p. 111). Not only do the authorities in Thailand lack their own resources to offer psychosocial support for the detainees but also they limit the efforts offered by NGOs.

Whilst Thailand has not signed the UN Refugee Convention, they have ratified the ICCPR, where it is stated that: “No one shall be subjected to arbitrary arrest or detention” (United Nations Office of the High Commissioner for Human Rights, 1966). The UN Human Rights Committee that monitor the states’ fulfillment of these rights has given comments suggesting that detention should not continue beyond a period of which a state can give justification to. Detention could thus be seen as arbitrary if it isn’t necessary in every circumstance to prevent flight (Human Rights Watch, 2012, p. 117). It is praxis in Thailand to detain refugees indefinitely until they

can pay their plane ticket back to their country of origin, which could be regarded arbitrary without legal justification (Human rights watch, 2012, p.117). The ICCPR further states that “[a]ll persons deprived of their liberty shall be treated with Humanity and with respect for the inherent dignity of the human person” (United Nations Office of the High Commissioner for Human Rights, 1966). The minimum standard rules include provision of food, hygienic standards, separate spaces for women and men as well as children and adults, their access to natural sunlight, fresh air, and the possibility of recreation. According to the Human Rights Watch, Thailand is not meeting the requirement of minimum standards (2012, p.118).

### **Laws and regulation in Sweden**

The issue of migration and especially the cost of migration have been increasingly debated since the last election where Sverigedemokraterna, a conservative party aiming to restrict migration was elected into parliament. The Swedish Minister of Migration, Tobias Billström, recently questioned people hiding or aiding undocumented migrants in an article in Dagens Nyheter (Dagens Nyheter, 2013). The statements started a debate not only regarding the aid of undocumented migrants but the increasingly conservative and nationalistic Swedish authorities.

An undocumented migrant is subject to deportation according to the domestic laws in Sweden. The undocumented migrant can according to Article 19.1 in “Utlänningslagen” be liable to finance his or her own journey from Sweden. The same law states in Article 1.15 that a foreigner can be held in deportation centres awaiting deportation. Even children, under the age of 18 can be kept in detention centres according to Article 10.2 (Sveriges Riksdag, 2005). The Migration authorities Migrationsverket or the local police can decide to detain an undocumented migrant if they consider it necessary to do so during the time in which the migrant is awaiting deportation. The time is regulated to a maximum of two months. However, “special reasons” can be enough to hold the detainees longer than the two months. If the authorities find it necessary for security reasons they can hold the detainee isolated or place the detainee in a jail cell. According to the Migration authorities, it is possible to detain children with their parents in deportation centres for a maximum of 72 hours, which can be prolonged due to “special reasons” as well. The detention centres do allow the presence of the Swedish Church and NGOs such as the Red Cross. Furthermore the detainees are allowed visitors. However, the detainees are not allowed to leave the premises (Migrationsverket, 2006). After inspections were made by the Parliamentary agency “Justitieombudsmannen” criticism arose in regards to the access to healthcare. It was reported that detainees have been refused to bring their prescribed medications into the detention centres, including insulin for diabetes patients. Further questions were raised in the treatment of detainees and their need of psychiatric care, especially those suffering from self-harm. Sweden is following most of the minimum standard rules such as providing the detainees with food, high hygienic standards, separating women and men and allowing access to fresh air and recreation in outside courtyards (Justitieombudsmannen, 2012). However, concerns regarding the arbitrary nature of detention as well as the long periods of time many detainees spend in detention centres are still worth questioning.

The right to movement is mentioned in the ICCPR (United Nations Office of the High Commissioner for Human Rights, 1966). It is also affirmed in the Optional Protocol 4 to the ECHR, which states that: “Everyone shall be free to leave any country,

including his own” prohibiting collective expulsions of aliens (European Commission and (European Commission and European Court of Human Rights, 1950). All the same, Sweden has conducted several collective mass deportations authorized by Migrationsverket and/or the police, followed by major media headlines (Sveriges Television, 2013). Human rights defenders have heavily criticized Sweden due to the recent police’s deportations. For example as in one famous case where a man who got deported to the wrong country (Nyheter24, 2013). Lately, the media headlines criticize REVA, the new cooperation between the border police and the Migration authorities. The new policies allow the police to do more identity controls in order to establish if people are in the country legally. The police and the migration authorities have been subject to much criticism and demonstrations around the country (Svenska Dagbladet, 2013).

Thailand and Sweden are both prone to propaganda by politicians using the undocumented migrants as scapegoats in addition to defining them as “illegal”. Organizations such as PICUM are critical and urge everyone to reject populist anti-immigration propaganda of this kind (PICUM, 2010, p.3-4). PICUM and numerous other organizations criticize many EU member states, saying they have designed new laws that make undocumented life even harder than it was before. Thus violating the fundamental rights of undocumented migrants. In many countries only the civil society has stepped in where the official actors would not (PICUM, 2010, p. 5).

### 3.2 The right to asylum and the role of UNHCR

In most countries without a functioning asylum seeking system with mechanisms or practices, where there might be a risk that the asylum seekers are arrested, UNHCR may be mandated to conduct the refugee status determination process. It is moreover common that UNHCR supports the asylum seekers with options of safe accommodations such as refugee camps (Human Rights Watch 2012, p.89).

#### **UNHCR in Thailand**

The role of UNHCR in Thailand is very limited and the majority of the refugees, even the ones in camps stand without protection from UNHCR. UNHCR are unable to conduct RSD for migrants from Burma, Lao, or North Korea. They can issue “Asylum Seeker Certificates” but not to the migrants from these countries. Furthermore many migrants have complained that they are unable to reach UNHCR when they have called them (Human Rights Watch, 2012, p. 7). Thailand refuses to allow UNHCR to determine Refugee Status, moreover, the country lacks their own mechanisms meeting international standards to determine the status of their Asylum (Human Rights Watch, 2012, p.20).

According to Thai Committee for Refugees, Thailand has a dual-system policy of managing the refugee population. One system is designed for the refugees in the border camps that arrive from Myanmar. The other system is in place for the other refugees who are not from Myanmar. The other asylum seekers are able to apply for asylum with UNHCR in Bangkok. However, even if they receive papers from the UNHCR stating that are asylum seekers, they can still be arrested and put in detention centers. Although they are unlikely to be deported, they might stay in detention

centers for years to come. Many human rights organizations have reported that these detention center facilities have deteriorating sanitation and that a number of detainees might carry diseases (Tianchainan, 2013).

### **UNHCR in Sweden**

UNHCR cooperates with European States such as Sweden, EU institutions, and other stakeholders with their national asylum systems. Furthermore they cooperate in order to develop other protection responses such as giving input to the development of the Common European Asylum System (UNHCR Sweden, 2013). In Sweden the UNHCR mainly operates on a policy level. According to an UNHCR officer, UNHCR in Sweden are not working directly with undocumented migrants, although they are lobbying for their cause. When contacting UNHCR with questions regarding undocumented migrants in Sweden, they alternatively recommended contact with the Red Cross (Azorbo, 2012).

Sweden, unlike Thailand is a signatory state to the 1951 Convention relating to the status of the Refugee but equally fail to realize the rights of undocumented migrants. Non-citizens lack bureaucratic rights to belonging in the state (Azerbo, 2012) and are hence excluded from participation. As Hannah Arendt would say “they lack rights to rights”. The undocumented migrants are voiceless and powerless. Not only in the political sense but also in the moral community of people deserving attention in terms of medical care or concern (Willen, 2012).

### **3.3 The Right to Education and the Rights of the Child**

The Convention on the Rights of the Child applies without exceptions such as nationality. Children are more likely to migrate irregularly seeing as their possibilities to travel legally with adults is limited. Children are thus at a high risk of exploitation and abuse. According to PICUM this is something that policymakers so far have paid relatively little attention to. PICUM hence states the need to research why children move, their experiences as well as a need to understand the consequences of parental migration for children who are left at home (PICUM, 2010, p. 21).

The Right to Education is enhanced in Article 13 in the Covenant of Economic Social and Cultural Rights (UN General Assembly, 1996) and further established in ECHR Article 2 in the first optional protocol, which states that:

“No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions” (European Commission and European Court of Human Rights, 1950).

It is remarkable that Sweden is not, as of March 18<sup>th</sup>, 2013, a signature state to the Optional Protocol 12 to the convention for the protection of Human Rights and Fundamental Freedoms granting everyone the right to education without discrimination (European Commission and European Court of Human Rights, 1950 & Council of Europe “Treaty office”, 2013).

### **Undocumented migrant children in Sweden**

The Swedish Red Cross states the existence of at least 20 000 undocumented children in Sweden today (Mattson, 2005, p.113). Since the year 2000, Sweden has a legislation granting asylum seeking children and former asylum seeking children, the same right to healthcare and dental care as Swedish children. The reform came after much criticism from the UN Committee on the Rights of the Child along with advocacy by NGOs such as the Red Cross and Save the Children. However, there is still a lack of access to health care for many children with special needs (Backman, 2012,p.292).

The Swedish Ombudsman for Children along with the Committee on the Rights of the Child have further criticized the Swedish government for not granting undocumented migrants the right to education. A legislative change has been proposed but many safety issues regarding fear of deportation and notification to the Migration authorities are left unsolved (Barnombudsmannen, 2013).

### **Undocumented migrant children in Thailand**

In Thailand there are at least 377 000 international migrant children below the age of 18 years old, constituting about 11% of the total migrant population. Although Thailand has a policy entitling all children to primary education, only a small number of these children are enrolled in public school. Most attend learning centers organized by NGOs in the shelters (International Organization for Migration, 2011, p. xiv). The Cabinet Resolution on Education for Unregistered Persons from 2005 entitles unregistered children to education and the schools are bound to admit these children, but the official number of undocumented migrant children attending formal school is only about 75 000 as of 2010 (International Organization for Migration, 2011, p. 69-71). The non-governmental organization and aid agencies are often caring for these children's rights to both education and healthcare, including social work that these children are entitled to and Thailand has the obligation to care for. Not only according to their own policies but also by signing the Convention on the Rights of the Child (United Nations Treaty Collection, 2013). It is furthermore one of the United Nations Millennium Goals to achieve universal primary education (United Nations Development Programme, 2013), which should be on top of the agenda for Thailand.

## **3.4 The Right to Health**

The Right to Health is a challenging right seeing as there is not a clear definition of what constitutes health. The World Health Organization Constitution defines health as "... a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity"(WHO, 1946). The United Nations Committee on Economic, Social and Cultural Rights states that the Right to Health depends on the realization of other rights, such as food, housing and education (2000). The Right to Health specified in the International Covenant of Economic, Social and Cultural Rights Article 12 states that: "The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health"(UN General Assembly, 1966). The Covenant has been signed and ratified by both Sweden and Thailand (United Nations Treaty Collection, 2013).

International codes of human rights and medical ethics such as the WMA Declaration of Lisbon on the Rights of the Patient, declare that all people are entitled without discrimination to appropriate medical care, however national legislation varies (Backman, 2012, p.294).

### **The right to healthcare in Sweden**

According to a survey conducted 2005 by Doctors without Borders in Sweden, 82 % of the undocumented migrants have had problems accessing healthcare in Sweden due to their lack of a personal identification number, which is the key to many social services in Sweden. Many also mention high fees as a difficulty for accessing healthcare. Thus many undocumented migrants in Sweden are indebted after healthcare visits. A visit to the emergency room in Sweden costs about 2 000 SEK and delivering a baby costs about 22 000 SEK, which has been criticized by the former UN Special Rapporteur on the Right to Health, Paul Hunt (Mattson, 2005, p. 109-111). Hunt noted that "undocumented people fear being reported to authorities by medical staff and thus they often refrain from seeking medical assistance even in the most serious cases" (in Backman, 2012, p.288). Hunt strongly criticizes Sweden for violating international human rights by discriminating and restricting undocumented migrants' access to health care on an equal basis as Swedish citizens (in Backman, 2012, p. 293). A third of the undocumented patients in the survey had debts anywhere from 2 000 to 75 000 SEK (Backman, 2012, p. 287). Many undocumented migrants have reported that they borrow their friends' personal identity number to access healthcare, which can cause severe medical consequences both for the undocumented patient and the lender since wrong medical records could be reported (Ascher in Backman, 2012, p.287). Many health workers are furthermore not informed about the rights of undocumented migrants due to a misunderstanding of policies, laws and regulations which cause misconception and unlawful behavior that effects the treatment of the undocumented migrants (Backman, 2012, p. 288).

### **The right to healthcare in Thailand**

Undocumented migrants do not have access to publicly funded healthcare and must pay for any treatment (International organization for Migration, 2011, p. xiv).

Both IOM and PICUM recognize the disproportionate vulnerability of undocumented women in terms of violence, exploitation, and a lack of access to maternal health services. Lack of maternal healthcare is a danger to the children since children of women who do not receive pre-natal care are more likely to be prematurely born and to have growth and development complications (PICUM, 2010, p. 32). Young female migrants in Thailand are according to IOM at more risk in terms of health issues related to reproductive health, risking illegal abortions, associated maternal morbidity and mortality as well as the present HIV risk. Evidently a large number of migrant women are involved in prostitution but with a low level of condom usage (International Organization for Migration, 2011, p.113-116).

The issue of reducing child-mortality as well as improving maternal health is enhanced in the Millennium Development Goals (United Nations Development Programme, 2013) and should hence be a priority for both Sweden and Thailand.

### 3.5 Right to rights

This thesis assesses that undocumented migrants have a lack of access to obtain basic human rights, hence a “lack of right to rights”. It can be understood as clandestinity, discrimination or a grey zone of responsibility. Human rights are in a sense often limited to citizens’ rights.

Although the visibility and knowledge of undocumented migrants have increased, Sager argues that their situation of lacking basic human rights has been normalized. The violations of their human rights in terms of lack of access to social and political services have continued to develop and increase (Sager, 2011, p. 231-232). Sager suggests that undocumented migrants are experiencing a conceptualized clandestinity. An exclusion noticeable through the everyday exclusion from participation as well as in the law. In the concept of the nation-state and sovereignty the undocumented migrants are excluded from the law by the law itself. Human rights are presumed universal and as a transnational set of rights but there is a gap between transnational and national rights for undocumented migrants due to a membership-based citizenship leaving undocumented migrants in a grey area of clandestinity (Sager, 2011, p. 234-235, 241). Many of the undocumented migrants are hence unable to differentiate between the state, the civil society and welfare professionals, but rather see authorities and institutions as a excluding unity (Sager, 2011, p. 241).

#### **Discrimination in Thailand**

Undocumented migrants in Thailand do not obtain basic human rights. Although Thai domestic law according to Section 4 of the 2007 Constitution of Thailand states that: “The human dignity, rights and liberty of the people shall be protected”. Thus the Government of Thailand legally shouldn’t be able to discriminate non-Thai citizens, stateless or undocumented persons (International Organization for Migration, 2011, p.67).

The Asian Human Rights Charter promotes not only economic rights to development but also “the realization of the full potential of the human person”. Consequently they have the right to artistic freedom, freedom of expression and the cultivation of their cultural and spiritual capacities. Hence providing the right to participate in the affairs of the state and the community (Asian Human Rights Commission, 1998). Undocumented migrants are nonetheless often unable to participate out of fear for being visible in the community and consequently the risk of deportation.

2012, the United Nations, United States, Australia, European Union, Switzerland, and Norway expressed their concern for the human rights protections in Thailand, calling on the government to engage in dialogues and to refrain from use of violence. The Thai government with Prime Minister Yingluck Shinawatra has however not taken any measures or even addressed the many serious human rights violations since the 2011 elections (Human Rights Watch, 2013).

#### **Discrimination in Sweden**

In Sweden there is an anti-discrimination Ombudsman but this Ombudsman has as of yet never raised the issues of discrimination against undocumented migrants. Mattson questions Sweden's immigration system by condemning Sweden as an organization

where only members have access to the welfare system. If you are in Sweden without citizenship you are excluded, even from the most elementary rights. If an undocumented migrant has been a victim of violence, they cannot go to the police due to fear of deportation (Mattson, 2005, p. 170). Article 14 in the ECHR prohibits discrimination based on "sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status" (European Commission and European Court of Human Rights, 1950). Sweden has however, as of March 18<sup>th</sup>, 2013, not signed the Optional Protocol number 12 to the Convention for the protection of Human Rights and Fundamental Freedoms (Council of Europe "Treaty office", 2013). The optional protocol further prohibits discrimination in all legal aspects and ensures the right to education and property (European Commission and European Court of Human Rights, 1950).

Undocumented migrants in Sweden cannot seek help from the authorities and are hence depending on the goodwill of NGOs such as Ingen Människa är Illegal, Rosengrenska and Röda Korset. According to Swedish law, it is not illegal to help undocumented migrants by hiding them, and many churches are involved in coordinating hiding places (Mattson, 2008, p. 108). However some take advantage of the situation and overcharge the undocumented migrants for housing or pretend that they are voluntarily advising undocumented migrants (Blomgren, 2008, p. 214-217). The undocumented migrants are vulnerable and often depend on others. Especially since many of them are unaware of the system and cannot communicate in Swedish.

Blomgren states that there is a general lack of knowledge of undocumented migrants in Sweden. It is noticeable in the present debate where many falsely refer to undocumented migrants as "illegal refugees" (Blomgren, 2008, p.192-193). They are hence unaware of the different kinds of undocumented migrants currently present in Sweden.

The rights of the undocumented migrants are placed within a grey area. When the states fail to protect their human rights or provide necessary services, the NGOs aim to fill the gap but they are few and have limited resources. The next chapter provides the reader with a historical and contextual background necessary for understanding the role NGOs' have for undocumented migrants.

## 4. Non-Governmental Organizations culture

This chapter aims to give an overview of different structures and cultures of NGOs as well as a contextual understanding of their presence in Sweden and Thailand in order to provide a background to the analysis of their role for the society in general and the undocumented migrants in particular.

### 4.1 Non-governmental organizations internationally

The word “organization” comes from the Greek word “organon” meaning tool or instrument. Thus it is often theoretically assumed that organizations are rational and goal-oriented machines with hierarchical and formalized structures (Hasenfeld, 1992, p.25). However, organizations can take many shapes and forms and continue to develop over time. “Non-governmental organization” arose as a term with the United Nations in 1945 when there was a need for the UN to differentiate between agencies and organizations. According to Willets, almost any private body can be recognized as an NGO by the UN as long as they are independent from governmental control, not challenging the government as a political party and are non-profit, non-criminal, non-violent bodies (Willets, 2002).

Fischer states that NGOs are increasing rapidly in numbers as well as in impact within the global society. He calls for more research analyzing the impact of NGOs in the power relations among individuals, communities and especially within the social welfare sector (Fisher, 1997, p.441). I argue that there is a lack of research on NGOs, especially in terms of evaluating their impact. Fisher points out the difficulty of researching NGOs, particularly analyzing their impact seeing as they are diverse in their nature. Thus it is problematic to make any sort of generalizations (Fischer, 1997, p. 447).

Structures of NGOs can significantly vary from global hierarchies with central authority to organizations based in one country but with transnational operations. Grass-root or community based organizations exist additionally on both national and global level as well as coalitions, providing an institutionalized structure for NGOs that may or may not share a common identity. NGO structures such as grass-roots organizations, community based organizations and civil society organizations are becoming increasingly common, although it is unclear, if local branches of national organizations can correctly use the terms or not (Willets, 2002). A widespread structure for social welfare, poverty alleviation and environmental NGOs is one with subscribers or supporters who receive newsletters or calls for action and who in turn provide the organization with funding. Nevertheless, they have no democratic say in the activities or the policies of the organization (Willets, 2002).

The term “International Non-governmental Organization” or “INGO” is nowadays often replaced by using merely the term “NGO”, which is often associated with international organizations with local branches. Some organizations today have membership at an international level instead of local levels and some members of local branches are unaware of the international activities of their national NGO. The

lack of a democratic process is a major area of concern for all NGOs, regardless of structure (Willets, 2002).

NGOs are depending on resources such as legitimacy and power, as well as financial resources to survive. It is aforementioned important for the organizations to maintain their independence and autonomy as much as possible while at the same time maintaining a continuous income (Hasenfeld, 1992, p. 31). It is often perceived that government funding results in to dependency and lack of control. However, it is most difficult for NGOs to function without the stability of government funds (Willets, 2002). Smaller NGOs often have more difficulties obtaining and attracting donors and funding (Hasenfeld, 1992, p. 38). New organizations tend to dissolve faster than more stable organizations, possibly due to the liability of newness, learning their roles and coordinating, as well as their lack of ability to attract donors. According to Hasenfeld, an organization's chances of survival depend on the ability to establish legitimacy. Legitimacy is accomplished in accordance with norms, morals, and social expectations of the society. It is correspondingly essential to satisfy external requirements of reliability and accountability (Hasenfeld, 1992).

Apparent challenges for organizations in terms of resources include developing good ties with funding resources while at the same time maintaining flexibility and obtaining current information about developments. Previous research has found that executive directors of organizations often prefer a centralized decision-making process. Thus focusing predominantly on internal relations, neglecting maintenance of external relations (Hasenfeld, 1992).

Based on a literature review and consultations with experts and practitioners Salomon, Gellar and Newhouse identified seven common features that NGOs define themselves as. These features included: being productive, effective, enriching, empowering, responsive, reliable, and caring (2012, p.4). It is nevertheless difficult to measure how well the NGOs actually succeed with achieving their tasks as the impact of NGOs are to a large extent unknown.

The role of NGOs is advancing with more representative roles in international politics. The present debate about NGOs is focusing mainly on development, namely the role NGOs have in empowering the civil society and marginalized groups in order to increase participation and allocate greater access to resources. Although most NGOs argue that they are a part of civil society, they are in reality not membership-based, governed or financed. Staff, self-appointed boards or a very small number of formal members are hence the key actors. Furthermore many NGOs have a religious or ethical value base. A major weakness to the supposed public benefit organizations is the lack of accountability. Kilby refers to it as the "accountability gap". Power, authority and ownership characterize accountability, which defines the distribution of power (Kilby, 2006). Accountability in an NGO is a complex and dynamic concept that could further be defined as when organizations or individuals are held responsible for their actions with legal or other obligations, or with values open for external auditing (Ebrahim, 2003). Kilby argues that downward accountability for an NGO should be a part of the empowerment process since it determines to distribution of power between the organization and its beneficiaries (2006). Available mechanisms of measuring accountability include reports and disclosure statements, performance assessments and evaluations, participation, self-regulation, and social

audits. Each of these mechanisms is either a “tool” or a “process,” and can be analyzed by dimensions of accountability. Kilby and Ebrahim agree that most NGOs focus on upward and external accountability towards donors while internal or downward mechanisms remain non-existing or underdeveloped (Ebrahim, 2003, Kilby, 2006). According to Ebrahim, NGOs have mainly focused their accountability concerns on their donors, creating asymmetry regarding resources spent on reporting. The NGOs rely on their donors for funding and the donors rely on the NGOs to uphold their reputation in the development sector (Ebrahim, 2003). The dimension of downward accountability towards the clients are, however, as mentioned often neglected.

The NGOs must find support and operate within an often-changing institutional environment and can therefore never take their legitimacy for granted. They are thus constantly vulnerable to change (Hasenfeld, 1992, p. 10). Some NGOs in powerful positions can however shape the environment they are in. Hasenfeld refers to these organizations as “moral entrepreneurs” (Hasenfeld, 1992, p.11). I would argue that all of the organizations in this thesis could be referred to as moral entrepreneurs seeing as they all advocate for change and develop practices towards change.

Studies have shown that NGOs representing marginalized groups in order to empower them can and have in some cases in fact empowered, but many NGOs frequently fail to live up to the expectations of them. For that reason Fischer criticizes many studies for the lack of focusing on power relationships and micro politics within the NGOs. Many NGOs start up as participatory bodies, but become more institutionalized and routinized. Consequently the democratic participation is threatened, which could in fact be de-empowering for the beneficiaries (Fischer, 1997).

#### **4.2 Non-Governmental Organizations as Human Service Organizations**

The NGOs in this research could be analyzed from a Human Service Organization perspective seeing as Human Service Organizations are non-market driven organizations, focusing on changing, constraining or supporting human behavior (Hasenfeld, 1992, p. 47). All of the NGOs mentioned provide social services to undocumented migrants on a non-market driven basis and could hence be understood as HSOs with the client-worker relations as the core (Hasenfeld, 1992, p.17).

Human Service Organizations have people as their "raw material". Their work can be seen as moral since many actions are taken on behalf of the clients (Hasenfeld, 1992, p.4-5), in this case the undocumented migrants. According to Hasenfeld it is impossible for this kind of work to be neutral since it is based on values and judgments of social worth. Morality is viewed as the key to money, time and expertise seeing as some organizations prioritize certain groups of clients. Rationing resources can thus be analyzed, as a moral choice given that some become more deserving than others (Hasenfeld, 1992, p.5).

Hasenfeld argues that HSOs are involved in gendered work since there are mainly women providing these services but men hold administrative positions of power, which creates conflicts of interests. Furthermore given that women tend to have lower salaries than men the work they provide has a lower social status, resulting in a

vicious circle. A lack of resources within the organizations can lead to poor services and thus reaffirm the low status and low legitimacy of the organizations and their clients (Hasenfeld, 1992, p.7-9).

In terms of methods and services provided by the organizations, it is necessary to build trust as a part of the cooperation with the clients. Hasenfeld argues that cooperation that is based on fear or manipulation is inefficient and unstable. Arguably trust is an important factor for any work with people. Trust is explained as the ability to rely on the goodwill of somebody else, which creates vulnerability (Hasenfeld, 1992, p. 18). The undocumented migrants have to trust the goodwill of the NGOs since they are depending on their services. Even if the relationship with the NGOs is based on trust, the power asymmetry is still present. The organizations control the resources and services needed by the clients (Hasenfeld, 1992, p.19). Handler argues that trust should arise from mutual respect and openness but such trust requires a high degree of personalized relations, which is time-consuming. Factors enhancing a higher level of trust include organizational norms that advocate active participation from the clients, a high level of client involvement as well as incentives for the workers in the organization to treat the clients as subjects rather than objects (in Hasenfeld, 1992, p.20).

Many of the undocumented migrants might feel distant from citizenship and entitlement. The power-relations with the NGOs could thus be experienced as de-empowering. The undocumented migrants could become suspicious of any institution or authority including the NGOs that intend to support them (Tew, 2006, p. 35, 36). NGOs could victimize their service users and divert to rescue missions instead of empowerment by acting on behalf of the undocumented migrants, which results in passive social oppression. Paradoxically recreating the same asymmetrical power relations as the NGOs were counterworking (Tew, 2006, p. 37). Tew suggests a co-operative power as a method against oppression, although it is not necessarily an easy task (Tew, 2006, p.38). It could involve processes of dialogues and co-operation to counter-work the realms of "us" and "them" towards increased social justice (Tew, 2006, p. 42-43, 45).

When working for an NGO the informal structures as well as work requirements and conditions influences the staff members' attitudes towards their occupation as well as their actual operative performances. The human relations approach suggests that the attitudes of the staff and their relations to their co-workers directly correspond to how they relate to their clients. Hasenfeld argues that if staff members feel alienated, or if they aren't satisfied with their working conditions, they will take it out on their clients (Hasenfeld, 1992, p.27). Since the core activities of a Human Service Organization lies in the relationship between the clients and the staff these relationships are obviously influenced by the work satisfaction of the staff member. Hence it is imperative that staff members feel satisfied with their working environment (Hasenfeld, 1992, p. 28).

### 4.3 Non-governmental organizations context in Sweden

In Sweden, there is not a specially designated law regulating NGOs, due to the applied freedom of organization called “Föreningsfrihet”. NGOs have to follow the laws assigned for everyone. However, in order to become legally recognized the NGOs need to register with different authorities depending on the nature of the organization (Voluntarius, 2013).

NGOs have historically played a major role in the Swedish democracy. According to statistics, 90 % of the Swedish population is associated with at least one NGO (Regeringskansliet, 2008). About 15% of all Swedes are moreover involved with organizations dedicated to voluntary social work (Volontärbyrå, 2013). 2002 there were 200 000 registered NGOs in Sweden (Volontärbyrå, 2013). The Swedish Government has realized the importance of NGOs and as a result initiated dialogues and forums to develop relations. Local and central government offices furthermore provide financial support to NGOs by various grants including funding for public meetings, women’s organizations and other policy areas such as culture and social policies (Regeringskansliet, 2008).

2006 “Papperslösa Stockholm” was founded, a NGO for and by undocumented migrants in Stockholm. The spokesperson Yacine Asmani, who at the time was undocumented and lacked residence permit in Sweden, said in his opening speech that “the most important thing is that we show ourselves, that we are not afraid. We are used to the uncertainty. Now we can stop being afraid. We are here and that is what is most important!” (in Blomgren, 2008, p.195-196). Papperslösa Stockholm has held plenty of demonstrations since the speech and the spokesperson eventually received a residence permit, and is still involved in the NGO (Blomgren, 2008, p. 195-196).

### 4.4 Non-governmental organizations context in Thailand

Historically, Thailand has mostly had family-based foundations. Lately with the globalization, the number of international and national NGOs have increased, especially after the Tsunami in 2005 that lead to increased funding from abroad (NGO Regulation Network, 2013).

In terms of the legal framework it is legally possible to register an association or foundation in Thailand. An association being a group of people from the private sector interested to hold non-profit activities for their members. A foundation is considered a not-for-profit based organization for public benefit, such as charity or education. All associations and foundations must register with the Ministry of the Interior, according to the Act of National Culture B.E 2489 and the Civil and Commercial Code. However, NGOs that provide benefits exclusively to non-Thai nationals are unable to register. Foreign NGOs must receive approval from the Committee on Consideration of the Entry of Foreign Private Organizations, which grants permission to operate in the country and allows for foreign employees. NGOs approved by the Committee are entitled to tax exemptions and become eligible for financial support and advice from the Social Welfare Promotion Fund (NGO Regulation Network, 2013).

2006, statistics mentioned 9733 foundations and 10780 associations registered by the Ministry of Interior. Approximately half of the NGOs are based in Bangkok (NGO Regulation Network, 2013). During the last fifteen years, more than 20 human rights defenders and environmentalists have been killed in Thailand. The investigations of these crimes have been criticized by the international community, mainly due to the lack of safe protection for witnesses and the lack of law enforcements efforts (Human Rights Watch, 2013).

The nature and structure of NGOs might vary but the role of NGOs is advancing along with their influences in international politics. The NGOs presented in this thesis are advocating for the attainment of human rights of the undocumented migrants as well as proving services on a non-market driven basis. In the next chapter the NGOs are presented individually in order to demonstrate the variety and dissimilarities in their roles, services and challenges.

## 5. Voices of Non-governmental organizations

This chapter introduces the six NGOs individually. The organizations aims, methods, services and policies at place to support the human rights attainment of undocumented migrants are presented as the foundation for the following analysis and suggestions of improvements.

### 5.1 Ingen Människa är Illegal

“We all have a responsibility towards them. I have gotten so much for free since I am a white girl born in Sweden. We have so much power that we need to realize that we have and use it for good” Sanne Lundbäck, member of IMÄI states (Lundbäck, 2013).

#### **Introduction**

Ingen Människa är Illegal, IMÄI does not acknowledge state borders as anything else but a political construction without moral obligations. The birthplace of an individual should thus not provide a person with more or less rights. IMÄI supports free movement beyond borders and reject the term ”illegal immigration” by regarding migration as a human right. The network advocates for equal social, political, and economic rights, as well as responsibilities for everyone (Ingen Människa är Illegal “Plattform”, 2013).

Similar networks exist in countries such as Germany with “Kein Mensch ist Illegal”, Denmark with “Intet menneske er illegalt” and Great Britain, Canada and Australia with “No one is illegal”. IMÄI in Sweden has regional networks in Stockholm, Göteborg, Uppsala, Norrbotten, Umeå and Östersund. IMÄI was founded in Stockholm 1999 and in Gothenburg 2001. The network started in Stockholm where some people came into contact with an undocumented man called Momo and decided to support him. IMÄI decided to name their contact person service “Momo” after Momo, the first undocumented migrant, whom they collectively supported (Lundbäck, 2013).

There are no registers of involved members of IMÄI but there are said to be about a hundred people connected to the network in Gothenburg and about half of them are regularly active. IMÄI has no board, but an organizing body called “samordningsgruppen” that is elected for a year and they are responsible for coordinating the work of the network. IMÄI has no paid staff members, but rely on voluntary services by their members (Lundbäck, 2013).

Sanne Lundbäck is a member of the network and a contact person for a family of undocumented migrants. She sees herself as their link to the world:

“Their life is about hiding from the world, although they are dependent of it. So for instance I am on their rental lease for their apartment. I can help them with things they cannot do in Sweden without a personal number” (Lundbäck, 2013).

Lundbäck also recognizes the social dimension in her role:

“It is important for them to see that there is a world out there and our relationship makes a small hole in a bubble. It is important to me to and I learn a lot from them too!”  
(Lundbäck, 2013).

### **Role in society**

The organization aims to be more of political rather than merely a charity organization although much of their work is charity-based social work. IMÄI considers it a failure of the state not to realize the undocumented migrants basic rights and needs (Lundbäck, 2013).

### **Cooperation**

The network is a member of Göteborgs rättighetcentrum, a right based network, as well as other similar initiatives. In order to improve their cooperation, IMÄI urges for better coordination and efficiency within these networks and initiatives (Lundbäck, 2013).

### **Funding and possible dependency**

IMÄI has no state funding and is thus primarily funded by private donations, which is insecure and unreliable. The organization is often unaware of how much money they will have in the future and can subsequently rarely plan ahead (Lundbäck, 2013). The network is very much depending on their volunteers and members for their operations.

### **Methods and Services provided**

The network in Gothenburg has different sub-groups including Momo, which is the contact person group, the HBTQ group focusing on the undocumented people that considers themselves a part of that community and the bread delivery group that collects bread from donating food stores and conduct deliveries. The children group furthermore arranges activities for the children while their parents are treated at the Rosengrenska Foundation’s clinic. The lecture group performs lectures for schools or festivals. The Information group creates flyers and are responsible for the website. The party-arranging group arranges parties that collect money for the organization. IMÄI also has a law and culture group as well as the Café Illegal group arranging café hours for new volunteers to learn more about the network and how they could get involved. Furthermore IMÄI has a telephone service operated 24/7, which the volunteers are responsible for one week at a time. The undocumented migrants can call this number, as well as journalists, and other volunteers (Lundbäck, 2013).

Some of the undocumented migrants receive temporary or regular funding from IMÄI to help support them with rent, food, diapers, and other similar needs. The process of who receives how much is neither systematic nor standardized, but executed on an ad hoc basis. The decisions are situational and depend on the members present at the network meetings. Ad hoc decisions like these could create tension between the undocumented themselves since some of them receive more and others less or nothing. Lundbäck states that IMÄI mainly supports families in need but are unable to aid everyone. She is unaware of any criticism pointed towards IMÄI from their beneficiaries, but realizes the possibility: “it is sensitive and could become an issue of who gets what and how much” (Lundbäck, 2013).

IMÄI additionally provides contact to lawyers that can assist in the asylum process or when applying for a work permit. “We are like a hub providing contacts and information of where to go and who to talk to”. Lundbäck mentions the variety of different tasks she has had as a contact person: “I joined in the ambulance to the delivery room for instance!” (Lundbäck, 2013).

### **Missing services**

Lundbäck mentions the lack of housing as one of the biggest needs of undocumented migrants and stresses the necessity of a sustainable solution. She wishes to initiate a fair housing-providing service, seeing as many undocumented migrants in Sweden rent without security and are often overcharged (Lundbäck, 2013).

### **Challenges**

Lundbäck sees the biggest challenges in Sweden right now as the daily discourse about “the others”. The ones that are not born in Sweden:

“Change needs to come from below somehow, but it feels far away and you get so sad when you hear debates on TV and read the racism propaganda. People need to start listening and start caring. Then we can change something. We need to make everyone listen” (Lundbäck, 2013).

Apart from the housing situation and their dependency of funding and volunteers, the caseload of IMÄI continues to grow disproportionately. The increasing number of undocumented migrants calling is much higher than the volunteers or the finances are able to meet.

### **Advocacy**

IMÄI operates politically to raise awareness and to create a public debate about the right to asylum for many undocumented migrants. Their advocacy is focused mainly on information campaigns and lectures regarding the situation of undocumented migrants in Sweden. IMÄI concentrates on supporting people who are applying for asylum and resident permits in Sweden by advocating for permanent resident permits for everyone wishing to stay in the country and within the borders of the European Union. Thus they call for a change in the “current exclusion policies” with their current campaign regarding the right to Asylum by 2014. Their recent campaign “Ain’t I a woman”, for the rights of undocumented women to access safe houses resulted in access in a number of regions of the country.

IMÄI claim that Sweden is breaking international law by not obeying the United Nations regulations regarding asylum. They are hence questioning Sweden’s lack of response to the UN criticism regarding the many deportations of HBTQ persons to countries where their status is considered illegal. IMÄI furthermore questions the Dublin Accord, which is a EU Accord regulating the rights of refugees to merely be able to apply for asylum in the first country they visited in the EU. Thus deporting many asylum seekers to the south of Europe. The 2014 campaign urges for radical changes in the asylum process. The Migration authorities should according to their claims be held responsible in terms of evidence against the asylum seeker. In the current process it is up to the asylum seeker to prove their situation and their need for asylum (Asylrätt2014, 2013).

Lundbäck perceives the impact of IMÄI more on a micro level with the undocumented migrants. However, IMÄI strives to have more influence over Swedish politics.

“One would think that since we are so many we would have much more power to change things. However, we might be getting there. Our name is becoming more and more known and we work a lot for our cause” (Lundbäck, 2013).

### **Empowerment and evaluation**

IMÄI does not have a system of evaluation apart from reports from general assemblies and working groups. When inquired if they ask the undocumented migrants themselves, Lundbäck answers:

“No, we have talked about it but so far it has only been talks. We do talk about their needs though their contact persons, but I wonder what happened to that discussion. Perhaps we need to take that up to discussion again” (Lundbäck, 2013).

Lundbäck acknowledges the power-relationship between herself, the organization, and the undocumented migrants, realizing the migrants' position of dependency. “It is a kind of power-relationship though, that I can't really do anything about except how I or we choose to deal with it”. The members of IMÄI frequently discuss power relationships during their guidance sessions for contact persons: “We talk about it but we have no real answers. It is challenging psychologically sometimes, but it is important to talk about it” (Lundbäck, 2013). Lundbäck regards it difficult but not impossible for the undocumented migrants to advocate for themselves.

“It is probably very dangerous for them to try to lobby for their own cause but of course they can and some do. Many get angry by being so passive. One told me ‘I am 23 years old and I have so much energy but I have to spend it on just acting normal and blending in’”(Lundbäck, 2013).

## 5. 2 International Rescue Committee in Thailand

“If you are sick and spread diseases, it won’t just spread among the undocumented. There is no lack of status for viruses, you know” – Roisai Wongsuban, Advocacy Coordinator at the International Rescue Committee Thailand (2013).

### **Introduction**

The International Rescue Committee was founded in 1933 to offer victims of war an escape and has had operations in Thailand since 1976 (International Rescue Committee, 2013). IRC in Thailand focus their work on refugees, migrant workers and undocumented migrants.

“It (Thailand) is not internationally obligated by the refugee convention and actually there is no system in place since 2005 and actually since then it is hard to differentiate between different statuses of migrant workers, refugees, asylum seekers and so on” (Wongsuban, 2013).

### **Role in society**

IRC is an international non-religious, independent, humanitarian organization with opinions:

“I don’t say that we are neutral because when you say neutral, it seems like you are ignorant you know. How can you be neutral with human rights? We are a right-based organization” (Wongsuban, 2013).

Wongsuban’s statement corresponds with Hasenfeld definition of Human Service Organizations as providing moral work that cannot be regarded neutral since values are embedded in the morality and understanding of their work (Hasenfeld, 1992, p. 5)

Wongsuban states the aim of IRC:

“... What we are trying to achieve is that people who come to Thailand, regardless of legal status, should be able to enjoy their rights, and protection, and right here means to access the services, like health, education, court system, protection, I mean just being able to walk to the police station... that is our ultimate aim and I hope that they will be able to voice their concerns over the policy level to make it more moral” (Wongsuban, 2013).

### **Cooperation**

IRC is a part of a national and regional advocacy network, and also cooperates with different Thai authorities and agencies. Wongsuban points out the importance of cooperation with other agencies and organizations, especially due to the political culture in Thailand:

“... We are in a culture where we don’t speak about analysis that much, no. We are trying to create that atmosphere of dialogue and exchange information between NGOs working with other areas...” (Wongsuban, 2013).

IRC furthermore cooperates with community-based organizations managed by undocumented migrants:

“We are also working with to encourage community-based organizations like the Burmese groups to participate in contact with advocacy network channels so that they will be able to learn and get their voice heard” (Wongsuban, 2013).

### **Funding and possible dependency**

IRC in Thailand receives funding from various sources. US Aid mainly funds the advocacy work but Wongsuban states that even though they are dependent on funding, they are flexible in terms of their aims and objectives:

“We are very fortunate that our goal is broad and not very specific. It is not like a donor driven agenda like say for TB or something very specific so it kind of allows us to address many issues and allows our platform to be more flexible, widely open”(Wongsuban, 2013).

IRC is able to financially support community driven projects organized by undocumented migrants themselves. However, she does point out the uncertainty that IRC and many NGOs experience with the issue of sustainability “..Usually funding are just given for a short period of time and it doesn’t allow for a long-term projects” (Wongsuban, 2013).

### **Methods and Services provided**

IRC mainly provides urgent healthcare in emergencies, but also provides ongoing medical care, focusing on children and pregnant women. IRC furthermore provides legal counseling and emotional support. Additionally they assist people to seek asylum and resettle in the United States. In order to assure the access to services, IRC collaborates with local authorities to protect the rights of undocumented migrants (International Rescue Committee, 2013).

### **Missing services**

Wongsuban mentions the lack of access for migrants to the justice system along with the lack of legal services available. “Many NGOs work on promotion of legal rights but not on the details” (Wongsuban, 2013). Wongsuban suggests that it would be useful for more organizations to focus not merely on advocacy but also include legal services.

Many undocumented migrants have stated their wishes for IRC to initiate anti-corruption programmes but Wongsuban is concerned with the complexity of such an advocacy area. “Corruption is everywhere. It is a structural problem, not just one single issue” (Wongsuban, 2013).

### **Challenges**

Wongsuban finds the attitude of the Thai people to be the most challenging part of her work:

: “the lack of status of migrant workers are basically an issue of the migration act. They then use terms like “undocumented, illegal migrant workers and it then sounds like they have committed serious crimes and the only thing they have done is crossed the border and they couldn’t do it properly so we feel like we are trying our best to change the public attitude” (Wongsuban, 2013).

In order to change attitudes, IRC spreads their message through media channels. Wongsuban has “a difficult task of advocating to change the social attitude of a country with population of 60 million people”. Many of these Thai citizens perceive themselves to have more rights and entitlements than the migrants.

“But if we address that even if you are undocumented you are living here and have the same right entitlement and you should be able to go to the police without them asking about your lack of status. They should ask about what your problem is and have the mechanisms to allow undocumented people to access as well. And the same with healthcare. If you are sick and spread diseases, it won’t just spread among the undocumented. There is no lack of status for viruses, you know”(Wongsuban, 2013).

IRC along with TCR has been criticized in Thailand for not doing enough for poor Thai people and instead focusing on migrants. IRC has been especially criticized for not letting Thai people access their medical services (Wongsuban, 2013).

### **Advocacy**

In terms of advocacy Wongsuban points out that “it is important to send out the message that it is unacceptable to violate people’s rights”. IRC is a part of a national and regional advocacy network, but Wongsuban is disappointed by the lack of influence attained. “I don’t think we have much power but I think we have good relationships, not only with the authorities but we are trying to promote civil society”, which could empower the migrants in communication with the authorities. The strategy of IRC is educating people “I find that advocacy is much about bringing people knowledge, it is not about telling them what to do” (Wongsuban, 2013). Wongsuban acknowledges the success and progress in Thailand in terms of access to education and health for undocumented migrants:

“...I think after ten years of advocacy from many organizations we have come to the fact that we need migrants to run the economy of this country. I felt like we have less cases of schools or hospitals refusing or denying access but the issue is more complicated. If you get access to hospitals, who pays?” (Wongsuban, 2013).

### **Empowerment and evaluation**

The hardest thing to tackle in order to empower the undocumented migrants is according to Wongsuban the mere fact that they are undocumented: “The worst thing is lack of status. That is the most fundamental vulnerable index. If you have access to status I find that you have tend to have less experiences with abuse...”. (Wongsuban, 2013). Undocumented migrants develop coping mechanisms, social skills and survival strategies over time:

“And they can share what they have learned with us and they have tried many approaches and they can do something but at the policy level they can only help to address certain issues but as far as people without documentation, it is hard for them just to survive or access normal governmental services. They have to find sneaky ways to go around. I think many migrants already fight for themselves” (Wongsuban, 2013).

External consultants evaluate the programmes coordinated by IRC. Wongsuban admits that there is a lack of downward accountability. IRC are not asking the migrants for their opinions as much as they could. They do however request the community-based organizations to reflect and assist with prioritizing issues: “But then again we cannot evaluate the impact of the program”.

### 5.3 Jesuit Refugee Service

“Really everything we do should be the responsibility of the host government in any country that we are working in so we do what we do in the hope that are able to provide an example and then pull out and let local processes take form” Junita Douglass-Calder, regional Advocacy and Communications Officer (Douglass-Calder, 2013).

#### **Introduction**

Jesuit Refugee Service is operating in over 50 countries (Jesuit Refugee Service “Mission”, 2013) and has been present in South East Asia since 1981. Thirty years later JRS operates in eight countries in the region, including Thailand with 137 employees and eight volunteers with different cultural and religious backgrounds (Jesuit Refugee Service “Who we are”, 2013). About 70 of the employees work in Thailand (Douglass-Calder, 2013). As mentioned in the introduction, JRS has a broader definition of the term “refugee”. JRS includes many undocumented migrants in Thailand as refugees seeing as they have fled extreme poverty or conflicts.

#### **Role in society**

JRS perceives their mission to be accompanying, serving and advocating on behalf of refugees and other forcibly displaced persons (Jesuit Refugee Service “Who we are”, 2013).

The NGO Jesuit Refugee Service is according to Douglass-Calder separate from the Jesuit Order. The Jesuit order being an order of catholic priests and nuns providing pastoral services along with educational services and development projects. However they cooperate in Bangkok and share the same office space (Douglass-Calder, 2013). The separation mentioned by Douglass-Calder is not clearly stated in any informational material or on their website. On their website, pastoral services and religion is often interconnected with the NGO services mentioned. The website states that JRS is an “international humanitarian NGO led by Gospel and Ignatian values inspired by the spirituality of the founder of the Jesuit order, Ignatius of Loyola”. It is furthermore stated that JRS is providing:

"common apostolic work of the universal Society of Jesus, which has confirmed its mission to accompany, serve and defend the cause of refugees, a mission implemented by Jesuits together with lay colleagues, many of whom are refugees, and members of other religious congregations" (Jesuit Refugee Service “Mission”, 2013).

#### **Cooperation**

JRS is a part of the Asian Pacific Refugee Rights Network, (Douglass-Calder , 2013) as well as the International coalition on detention of refugees, along with other human rights initiatives (Jesuit Refugee Service, 2011, p. 35). They furthermore cooperate with NGOs in Thailand when writing petitions to the UNHCR as well as service referrals to organizations with larger legal teams such as Asylum Access Thailand, an organization focusing on legal services for asylum seekers. JRS states that they refer cases that are less desperate in terms of financial status or other social needs but merely need legal assistance (Douglass-Calder, 2013). JRS hence has vulnerability criteria for their services.

### **Funding and possible dependency**

According to their annual report from 2011, UN agencies and governments are JRS main donors providing 36% of their funding. Followed by private donors and the Caritas network along with Catholic agencies. Merely 11% came from Jesuit sources (Jesuit Refugee Service, 2011, p.42).

### **Methods and Services provided**

JRS offers services based on a “direct and personal presence” as they describe it. They are present in the border camps, urban areas and detention centers. Psychosocial support, education, and legal support through the asylum process, as well as voluntary repatriation are their main activities. In addition, they provide families with special needs financial and social support. JSR has unlike IMAI economic vulnerability criteria along with time limitation incorporated in their financial support system (Douglass-Calder, 2013).

“There are some families that have more complicated cases in that they have a disabled member of the family. Someone who needs extra financial or medical support, so the caseworker will often be assigned those cases to make special referrals to other agencies or advocate for them in such a way that they get extra funding. At the moment though, we only have one case worker so the loading is quite high” (Douglass-Calder, 2013).

JRS offers educational programs for children at border camps as well as livelihood trainings”, vocational training for adults are offered as a part of their urban refugee programme.

“For the Sri Lankian women for example, that are a part of the urban refugee case load here in Bangkok they often have missed out on a lot of their education due to the fighting in their home areas so we try to get them into small classes, we have a jewelry making class for example. So they come here every two weeks and they learn to make jewelry and that is something that they can then sell for themselves or they can take these skills with them if they resettle and it is a place to start when building a livelihood in a new country... it helps fight of the sort of depression that comes with sitting around and feeling scared that you will be arrested”(Douglass-Calder, 2013).

Douglass-Calder regards JRS as a gap-filling organization, advocating for the protection of undocumented migrants in need of asylum. Operations that should be handled by the state or by UNHCR but as Douglass-Calder states: “..they (UNHCR) are unfunded, overstretched and don’t always have the trust of the caseload since they are the once running the RSD process so for that reason some come to us first with their protection concern” (Douglass-Calder, 2013).

UNHCR often refers migrants to JSR:

“ They (UNHCR) do, very much so because UNHCR in Bangkok, their funding has been squeezed so much so that they can only fund people who are recognized refugees not their whole people of concern caseload so when an asylum seeker registers with UNHCR they become a UNHCR POC, person of concern but until they are through the process and actually are recognized refugees they can’t get any funding from the UNHCR. So it is usually so that once they are registered, UNHCR will refer them to us and a couple of other organizations to see if we can provide any financial support” (Douglass-Calder, 2013).

### **Missing services**

Douglass-Calder wishes that more could be done for the undocumented migrants in urban areas: “I think we could do more for them if we could have more community centers, servicing communities, if we could do a bit more livelihood training”. She also regards computer literacy to be of importance for the undocumented migrants hoping to resettle in a third country (Douglass-Calder, 2013).

### **Challenges**

The mere presence of JRS at detention centers is a balancing act. They are only allowed access on the invitation from the superintendent. At any time he can thus withdraw their invitation.

“There are times when our legal officer will notice an abuse of someone’s human rights and they need to work with the client to decide whether it is important to bring this up or whether it is important to keep JRS access” (Douglass-Calder, 2013).

JRS would prefer to advocate in order change the situation for these detainees without risking their invitation. Their plan of action is thus to be able to receive the most amount of good with the least amount of stress from their clients. Hence they are unable to fight certain battles due to the risk of highlighting the undocumented migrants lack of legal rights (Douglass-Calder, 2013).

### **Advocacy**

“We try only do advocacy on things that we have programs in so we don’t write about populations that we don’t work with even if they are all over the news because we want to make sure that we got options for people if we start sort of pushing advocacy needs” (Douglass-Calder, 2013).

JRS roots their advocacy in fieldwork and cooperates with Universities such as Oxford University in terms of research for sustainable solutions. Advocacy priorities are set at project, national and regional levels. Key issues are further approached on an international level. These key issues include education, food security, and reconciliation (Jesuit Refugee Service “Advocacy in Asia Pacific”, 2013).

JRS conducts advocacy with a similar approach to IRC and TCR, thus by giving examples of how different countries work with different aspects of migrant policies. Douglass-Calder states: “We try to take a pro-active approach and show changes they could make” (Douglass-Calder, 2013). JRS are furthermore active in raising public awareness regarding the undocumented migrants invisibility in Thailand: “The Thai government doesn’t acknowledge that they exist and the general population doesn’t really know that they exist “(Douglass-Calder, 2013). Last year JRS held an exhibition with photos taken by urban undocumented migrants. This exhibition was made possible after a photography training with collected used cameras.

Douglass-Calder does not consider any NGO powerful but JRS has in her opinion some influences due to their extensive operational history in the area:

“JRS has been operating in Thailand for a long time and JRS originally grew out of the mainland Southeast Asia so it is certainly a well-known name in this region and we are the only NGO that has been allowed consistent access to the Immigration Detention Center here in Bangkok over many years” (Douglass-Calder, 2013).

**Empowerment and evaluation**

JRS is the only organization in this study that has mechanisms in place to measure downward accountability. With regular surveys they ask the undocumented migrants of their opinions and suggestions. The answers are a major part of their annual reporting. To further increase downward accountability, they have researched best practices, and are now in the final stage of realizing a new complaint mechanism. Along with the existing downward accountability mechanisms, JRS has monthly internal reporting, compiled annually to their donors, as well as external evaluation processes. External evaluators monitor their activities and explicitly evaluate each program every third year. The external evaluators additionally survey the undocumented migrants from a more neutral standpoint (Douglass-Calder, 2013).

## 5.4 The Red Cross in Sweden

”Our hope with our activities is to strengthen the undocumented migrants as a group, to give them something meaningful to do and to teach them about their rights and with this actually strengthen them and their possibilities of acting on their own” - Charlotta Arwidson Project manager of the Red Cross project for undocumented migrants called ”Mötesplats för papperslösa” (meeting point for undocumented migrants).

### **Introduction**

The International Red Cross and Red Crescent Movement is a large humanitarian network with activities in almost every country with over 100 million volunteers connected to the organization. The Red Cross movement started as early as 1859 (International Red Cross and Red Crescent Movement “History”, 2013).

The seven fundamental principles of humanity, impartiality, neutrality, independence, voluntary service, unity and universality bind together the Red Cross, the Red Crescent National Societies, the International Federation of Red Cross and Red Crescent Societies (International Federation of Red Cross and Red Crescent Societies, 2013). The Red Cross in Sweden is focusing on the most vulnerable groups in the society and the undocumented migrants is out of these groups considered one of the most discriminated ones. Many undocumented migrants are said to face social destitution and mere misery (Röda Korset, 2013).

The Red Cross in Stockholm has been a healthcare provider for undocumented migrants since 2006. Since the start they realized the further needs of undocumented migrants. Arwidson states:

“When we got the opportunity to start a more broad project through funding from the Postkodslotteriet lottery we were able to fund this project for at least three years and focus on more social needs and vulnerable groups such as undocumented children, women and elderly” (Arwidson, 2013).

“Mötesplats för papperslösa” is a project based in Stockholm, with no plans of expansion. Since the start of the project 2013 the Red Cross has offered Drop-in cafés for undocumented migrants to meet as well as share their needs and thoughts with the Red Cross. Arwidson mentions that many have asked for language trainings, dance groups, and play groups for children (2013).

### **Role in society**

“We as the Red Cross have a complimentary role to the state. We can’t and won’t do what the state already does but we navigate the areas that are blind spots for the government and try to make these vulnerable groups more visible”(Arwidson, 2013).

Arwidson mentions the preceding influences of Red Cross operations by stating: “A lot of the work that the Red Cross initiated historically, such as ambulance services or home care services for elderly is now state-runned” (Arwidson, 2013). She points out again and again that their work for undocumented migrants is not permanent, but merely temporarily “until the state takes its responsibility” (Arwidson, 2013).

According to Arwidson, the goal of the Red Cross project “Mötesplats för papperslösa” is to “strengthen the undocumented migrants, their companionship and their rights” (2013).

### **Cooperation**

The Red Cross cooperates with other organizations and is a part of the Right to Health Care initiative. This initiative was actualized collectively with Rosengrenska and many other NGOs in order to advocate for the right to health of undocumented migrants in Sweden (Arwidson, 2013).

### **Funding and possible dependency**

The Swedish Red Cross is financed by private donations, international organizations, and government funds (Röda Korset “Ekonomi”, 2013). The Mötesplats för papperslösa project is financed on a three-year basis from the Postkodslotteriet Lottery fund. In order to create a more sustainable project, Arwidson acknowledges the need for volunteers that eventually might take over the responsibilities of the current staff if no further funding is possible. The Red Cross hence plans on involving plenty of volunteers, both professionals and non-professionals. The positive effects of voluntary work are enhanced since “it is important to involve others”(Arwidson, 2013). The Red Cross is thus very dependent on their volunteers for their activities. Every new volunteer at the Red Cross receives training in basic Red Cross knowledge along with more specified training regarding the project they are involved with (Arwidson, 2013).

### **Methods and Services provided**

Apart from being a healthcare provider, the Red Cross in Stockholm offers legal services, supporting asylum and residence permit applications. Furthermore they provide information services and a community-based open house, which activities they intend to increase (Arwidson, 2013). Red Cross volunteers in Sweden additionally visit Detention Centers around the country where a number of undocumented migrants are held awaiting deportation (Röda Korset Göteborg, 2013).

“Mötesplats för papperslösa” has involved a social worker that is expected to educate and manage professional voluntary social workers in order to offer psychosocial support (Arwidson, 2013). Additionally an appointed nurse is developing health preventive measures. These measures will include information regarding reproductive health, HIV prevention, and common Swedish illnesses such as colds and the flu. The nurse is additionally considering introducing yoga and dance classes (Arwidson, 2013).

### **Missing services**

Arwidson mentions the lack of opportunities for vulnerable undocumented women in Stockholm:

”We wish we could help out more with vulnerable women that have to face daily violence that have been abused to physical or sexual violence, that we could offer them a safe house. We are failing these women since no safe houses will accept them here in Stockholm” (Arwidson, 2013).

Arwidson also raised the issue of attainment of the Rights of the Child regarding access to Kindergartens:

”We have a law in Sweden that gives undocumented children the right to go to school but there is no right to Kindergarten and many children need to come out and see other children, play and develop instead of just sitting with their parent in a room all day long”(Arwidson, 2013).

### **Challenges**

According to Arwidson, the major challenge for the Red Cross is the currently changing trend of attitudes in the population of Sweden, as well as the REVA initiative (Rättsäkrare och Effektivare Verkställighetsarbete), which gives the police a greater mandate to search for undocumented migrants in order to deport them. “This leads to a greater fear for this group and it might make it tougher for us to reach them” (Arwidson, 2013).

Due to their work with undocumented migrants the Red Cross has been criticized and threatened by rights extremists. “They have never entered the building but they have expressed threats and stated that they have been outside our building to take pictures of everyone entering.” So far the Red Cross has no extra security in place, but they have to be cautious and consider safety to prepare themselves and to secure their visitors (Arwidson, 2013).

### **Advocacy**

Arwidson regards the Red Cross as an influential organization by stating:

”I think the Red Cross is an organization that people listen too. In this case with undocumented migrants, there is a law coming up that will give the undocumented migrants rights to some healthcare and I think it is part of our lobby work together with other organizations that have influenced this. I don’t think this would have happened if the Red Cross hadn’t been as persistent” (Arwidson, 2013).

During the initial phase the Red Cross will focus on social media to gain visibility of undocumented migrants. In the next phase they are considering visiting politicians, a method they have previously utilized regarding the right to health (Arwidson, 2013).

### **Empowerment and evaluation**

No mechanisms of downward accountability have been realized yet. The Red Cross is considering implementing surveys to evaluate their work. The empowerment process is perceived to become less manageable at this point due to the REVA initiative. Arwidson realizes the increased necessity of the services provided by the Red Cross in order to strengthen undocumented migrants. She finds it of most importance that the undocumented migrants learn about their rights. Possibilities should moreover be given to them to be able to act on their own. A positive example mentioned by Arwidson was the organization “Papperslösa Stockholm” organized by undocumented migrants. Arwidson aspires to inspire to similar initiatives:

”Our hope with our activities is to strengthen the undocumented migrants as a group, to give them something meaningful to do and to teach them about their rights and with this actually strengthen them and their possibilities of acting on their own” (Arwidson, 2013).

## 5.5 Rosengrenska Foundation

“Everybody should reflect on their own view of humanity. That we have apathetic people unable to do anything, just lying on the floor in some basement somewhere, doesn’t benefit anyone. It is just a terrible suffering” Anne Sjögren, nurse and coordinator at Rosengrenska foundation states (Sjögren, 2013).

### **Introduction**

Sjögren has worked at the Rosengrenska foundation since its beginning in 1998. Rosengrenska is a voluntary healthcare foundation, part of a network of several voluntary health clinics in Sweden. Since 2008, Rosengrenska cooperates extensively with the Red Cross in Gothenburg (Sjögren, 2013).

Sjögren states Rosengrenska’s mission as providing healthcare for undocumented migrants. She mentions the 3 goals of the organizations:

1. Rosengrenska shouldn’t need to exist since it is a human right to receive healthcare, therefore it shouldn’t be needed to give healthcare on a voluntary basis, especially not in Sweden where the healthcare system is so well equipped.
2. Spread information and knowledge about undocumented migrants to the Swedish society.
3. If we can’t remit them to local caregivers, Rosengrenska will provide healthcare” (Sjögren, 2013). “ (Sjögren, 2013).

The perspectives of humanism, human rights, ethical healthcare and public health are embedded in the objectives of the foundation. According to Sjögren it could prove to be more expensive for the society not to treat undocumented migrants. If they get illnesses, such as tuberculosis, they could spread to the rest of the population. She further states the immorality of discrimination by not treating the presently most vulnerable group in the world (Sjögren, 2013).

### **Role in society**

Rosengrenska provides healthcare services and advocates for the right of undocumented migrants to healthcare provided by the state. The struggle against discrimination is moral, seeing as Sjögren states that:

”there is a value in fighting for a civilized state. Civilizations come and go and there have been democracies that have become dictatorships and where there was once a rich cultural state it has fallen. It is a major issue that we are facing where we are creating laws to discriminate the most vulnerable in society” (Sjögren, 2013).

### **Cooperation**

Rosengrenska cooperates with many other organizations as part of a network of voluntary healthcare providers for undocumented migrants in Sweden and also internationally as a part of the Platform for International Cooperation on Undocumented Migrants (PICUM). Besides membership in these networks Rosengrenska is cooperating with the Red Cross, churches and Ingen Människa är Illegal. Rosengrenska was furthermore one of the initiator to the right to healthcare initiative “Rätt till Vård-initiativet”, lobbying for the cause of the undocumented migrants rights to extensive healthcare (Sjögren, 2013).

### **Funding and possible dependency**

Rosengrenska has no state funding but are dependent on private donations, medical and financial donations. Their cooperation with churches allows them to use a church as a clinic one evening a week. Rosengrenska is dependent on their cooperation with the Red Cross, seeing as the Red Cross is the actual employer of Sjögren.

Furthermore Rosengrenska is very much depending on volunteers. They only have two nurses employed. Voluntary doctors, nurses, social workers, students, lawyers, and others conduct most of the services offered. Rosengrenska has at least 400 volunteers in their network and additionally 250 voluntary translators. However, Sjögren mentions that it does not fit everyone:

“Maybe it is too stressful for some, but maybe these people also wouldn’t fit at an emergency room. We are all different and we try to evaluate what we can do to improve and especially a lot of nurses find our evenings chaotic and provisional. We do try to organize ourselves efficiently but it is difficult on a voluntary basis”(Sjögren, 2013).

Rosengrenska offers all of their volunteers guidance and psychological support, however, not all of volunteers accept the offer. The heavy burden of the workload is however emphasized by Sjögren:

“Almost all of our patients are traumatized and it is heavy. Just the other week a psychology student said she had met the most terrible case and she had never heard or dealt with something so heavy before. It is a challenge”(Sjögren, 2013).

### **Methods and Services provided**

Rosengrenska has a weekly opened clinic for undocumented migrants.

Undocumented migrants can come and see doctors, nurses, dentists, social workers, or psychologists. About 55-85 patients come every week to the clinic that offers their services completely free of charge. Only undocumented migrants are accepted.

Asylum seekers and EU migrants that can benefit from the public healthcare system are not treated at the clinic. (Sjögren, 2013).

### **Missing services**

Sjögren mentions the housing situation for undocumented migrants and wishes for increased housing services.

“We live in a society where we have too much clothes and throw away too much food, so there is enough food and clothes that we can distribute from stores and private donations but mostly they lack somewhere to stay, anywhere really” (Sjögren, 2013).

Sjögren further mentions the lack of psychiatrists:

“Just like for many others in society, waiting to see a psychologist or psychiatrist, there is lack of them volunteering with us to support the very many undocumented migrants in need of psychosocial support to deal with their traumas and post-traumatic stress syndromes”(Sjögren, 2013).

### **Challenges**

The major challenge is said to be public awareness. Sjögren states that Rosengrenska is thus:

“fighting against the lack of knowledge in the general population. If people were more aware they could take more active stands in the political debate and that could make all the difference” (Sjögren, 2013)

### **Advocacy**

Sjögren is unsure of how much power Rosengrenska and their networks actually have in the society. She thinks they should have much more power, considering how many organizations they are together but the politicians are in her opinion as not responding enough (2013).

The organization advocates mainly together with the initiative “Rätt till Vård-initiativet” together with other national NGOs to raise awareness on the issues of undocumented migrants in need of healthcare. The initiative is a network of organizations advocating towards the government for the human right of undocumented migrants to attain the same level of healthcare as Swedish citizens. The initiative stresses that many healthcare providers are faced with difficult dilemmas “when forced to diverge from the principle of giving healthcare on the basis of the needs of patients”. The initiative further states that: “it is contrary to the basic ethical principles of healthcare professionals” (Rätt till Vård-initiativet, 2013).

### **Empowerment and evaluation**

Sjögren mentions the importance of the undocumented migrants to be able to advocate for themselves. When she regards it as safe, she asks some of her patients to join her for interviews with the press or to meet politicians and students. She mentions that it has been a source of criticism against her: “Some say that it is deeply unethical for me to ask them to talk for themselves since they aren’t in a position to say no to me since they are dependent of our good-will and they might not even be able to be honest “. However, Sjögren is confident: “I reflected a lot about this and I found that it is still important and some people have actually said no, that they don’t have the strength and then they trust me enough to turn me down and are not afraid of not receiving further care”. In some cases she thinks that just being able to have an own voice can save lives. She mentions one young man that was very depressed after being in hiding for a long time:

“As soon as he saw the doctor he would say that he wanted to kill himself. Since I am just a nurse I could try chock-therapy on him. I asked him to join me for many events, all the time! I asked him to join me for interviews with the press or help me out with issues concerning others. After a while, he would self-confidently come up to me towards the end of the evenings at the open clinic and ask if I needed him for anything else. I think it was good for him to be able to express himself. Not only his own feelings but actually talk for others, like children and older generations and represent something” (Sjögren, 2013).

When Sjögren started working with undocumented migrants she did not know much about their situation and actually called them “hidden refugees”. She pictured them as war deserters, but after meeting thousands of them from many different countries she gained knowledge and experience.

“Everybody needs to acknowledge these people as thinking human beings that came here for a reason. Everybody should reflect on their own view of humanity. That we have apathetic people unable to do anything, just laying on the floor in some basement somewhere, doesn’t benefit anyone. It is just a terrible suffering. In no other situation is

healthcare mixed with politics like this. If you have stolen something from a store, you are not denied to give birth at a hospital for instance. It is not related to paying tax either, cause who denies someone who didn't pay any taxes but still drives around a Porche a doctor's appointment? There is no such thing as Human Rights since we aren't treating everybody equally. Today we merely have Citizens Rights" (Sjögren, 2013).

Although Rosengrenska has been operating for fifteen years, there is no system of evaluation of how their patients regard the work of the organization, or their wishes for improvements. The organization writes action plans and annual reports, but these are mainly considering the finances and the activities. Sjögren affirms that they listen to criticism from patients and volunteers and that everyone talks openly and freely, but it could still be considered a weakness not to involve the migrants directly. Sjögren says that there have been discussions of implementing a system of methodological evaluation but it is as of yet not close to actual implementation (2013). Sjögren states that Rosengrenska rarely receives criticism from their patients and if they do receive criticism it is" due to lack of resources, time or that they don't have enough people to help the patients, which all boils down to a financial issue" (Sjögren, 2013).

## 5.6 Thai Committee for Refugees

“Maybe our power if there is any, lies in our good faith for the protection of the Human Rights”- Executive Director Veerawit Tianchainan (2013).

### **Introduction**

Thai Committee for Refugees, TCR is the first and only Thai registered organization working for the promotion and protection of human rights of undocumented migrants as well as refugees, asylum seekers, and stateless persons. The founder of the organization and current executive director, Veerawit Tianchainan, states that:

“After all these years and decades of refugee oppression in Thailand, there has not been any Thai registered organization that work for the promotion and protection of human rights of refugees. That is why I founded this organization” (Tianchainan, 2013).

He goes on to state, “the human right issue of refugees seems to be very limited in Thailand and those who care most about the Human Rights of refugees are the international community”(2013).

### **Role in society**

As the only national organization working for the rights of undocumented migrants in Thailand, Tianchainan regards TCR’s role in society as gap filling. “(We are) trying to bridge the gap between policy and operation. And to shed light on the issues...”(Tianchainan, 2013).

### **Cooperation**

When TCR started advocating for undocumented migrant children to be able to participate in the Thai formal education system, they also initiated a pilot project to show the government that migrant children are able to learn in Thai.

“They didn’t think that refugee students who didn’t study Thai before would be able to follow the class. We could prove that even though they didn’t speak Thai before the first semester they would pick up the language and in the second semester they could study on more or less the same level as a Thai student” (Tianchainan, 2013).

TCR cooperated with the Ministry of Education in Thailand to allow 40 students from a border camp to attend a regular school. Currently more than 150 students participate and the project is continuously expanding.

Another major cooperation success for TCR was when they, together with UNHCR, managed to bail out almost 100 undocumented migrants from the detention center in Bangkok. TCR further arranged for their resettlement in a third country. Tianchainan considers their projects as empowering seeing as if the migrants are released from detention center and can enjoy education they are able to empower themselves (2013).

TCR is a member of the Asia Pacific Refugee Rights Network together with other NGOs such as the Jesuit Refugee Service. The major focus of cooperation for TCR regards the changes to the Immigration laws. They are a part of working on a proposal for a draft Refugee act, which has as of yet not existed in Thailand. The

drafting is conducted in cooperation with constitutional bodies and the Human Rights Commission of Thailand as well as the National Law Reform Commission of Thailand. “We have furthermore suggested amendments to the Immigration Act that would allow the right to seek asylum” (Tianchainan, 2013). Tianchainan states that TCR no longer criticize the government. Instead they are offering to help the government:

“...to make sure that Human Rights protection will be implemented. I think that is how we differentiate from other organizations... We are not being perceived as foreigners coming in and criticizing the government and then go” (Tianchainan, 2013).

### **Funding and possible dependency**

Funding is a major obstacle for TCR as with many NGOs. Tianchainan and his organization are dependent on his personal assets as well as the goodwill of his family and friends. Hence they are the main donors for the core stability of the organization, which is not a sustainable solution to any organization. TCR receive some project funding but are unable to find funding for their main activity, being their advocacy work:

“It might be easier if you provide medical services or build schools. Things that give tangible results because you see the building, but advocacy is really abstract”. However Tianchainan and TCR wishes to continue focusing on advocating and not adjusting their activities based on funding (Tianchainan, 2013).

### **Methods and services**

TCR mainly focuses on advocacy in order to achieve law and implementation reforms. Thus they provide services in order to promote the message they are advocating.

“We consider ourselves to be in a good position to advocate for change since we are the only Thai organization with good understanding and connection with the government and politicians” (Tianchainan, 2013).

TCR has eight fulltime staff members at the moment based in Bangkok and in project regions. They also involve consultants and volunteers. Their international volunteers support TCR by teaching English or drafting project proposals (Tianchainan, 2013).

### **Missing services**

Healthcare services for undocumented migrants are said to be missing in Thailand. Tianchainan suggests that they need to show the government that it is possible to provide health services to this group by allocating funding. He considers healthcare for undocumented migrants essential but nevertheless:

“..very costly. We have discussed how we could be able to strategically advocate for it but it is (an) expensive project to start. I would like the refugees to have access to the medical services provided by the Ministry of Public Health. But to be able to start this process we need to put some funding into it to make it happened” (Tianchainan, 2013).

### **Challenges**

The public attitude towards migrants in Thailand is considered the most prominent challenge for the work of TCR.

“Thai people are very generous. We care for other people but when it comes to the refugees we would want to help them by donating money but not letting them stay in the country”(Tianchainan, 2013).

Tianchainan highlights that many Thai citizens regard refugees to be the responsibility of richer countries: “They perceive that refugees should be the responsibility of the international community, the west, the developing countries should be responsible for the refugees”. Many Thai citizens are thus against undocumented migrants staying in the country and are hence criticizing TCR. “What we are doing might be considered as a pull factor for more people who will be coming to Thailand because of favorable conditions that we try to create” (Tianchainan, 2013).

### **Advocacy**

Although TCR’s main focus lies on advocacy, Tianchainan does not regard TCR as being in any powerful position worth mentioning, but rather suggests that: “Maybe our power if there is any, lies in our good faith for the protection of the Human Rights and we work closely with the government and we understand the challenges that they are faced with” (Tianchainan, 2013). Tianchainan has been told that he and his organization are dreaming. That it is not possible to advocate for human rights of undocumented migrants in Thailand. Tianchainan is, however, positive towards the future: “I think my job is to make sure to make positive steps into realizing that dream”(2013).

### **Empowerment and evaluation**

TCR regards education as the main tool for empowerment. Tianchainan furthermore considers it imperative for the empowering process to be able to provide undocumented migrants with opportunities without discrimination (2013).

TCR has no existing evaluation mechanisms but merely uses indicators to evaluate their working process:

(We evaluate) “in the progress that we make. For example like the program that we have for advocating for refugees in urban areas shouldn’t be arrested. We advocated for that and we have the opportunity to implement what we advocate and I think that is a good indicator that we achieve in a certain way, what we advocate”(Tianchainan, 2013).

TCR claims, however, to continuously maintain discussions with their beneficiaries. Before they initiated their operations they interviewed several migrants in order to identify their needs and concerns. Although they have no downward evaluation mechanisms in place they have received plenty of positive feedback. “They write to us, thank us for what we have done. We have gotten a lot of letters” (Tianchainan, 2013). It is however potentially difficult for their beneficiaries to give complaints due to their power asymmetry in the relationship to the NGO that has supported them. It is difficult for TCR to evaluate the impact of their services without implementing evaluation mechanisms. They could potentially improve their services and objectives with suggestions from their beneficiaries.

## 6. Differences and similarities of the NGOs

This chapter aims to define some of the common characteristics of the NGOs from the previous chapter, as well as the differences in terms of operational methods and services offered, to provide an overview of the variety of NGOs working with human rights attainment of undocumented migrants. The aspiration is to give examples and best practices for possible improvements.

The chart gives a summary of the NGOs differences and similarities, which are further explained in-depth below.

NGO	IMÄI	IRC	JRS	RedCross	Rosengrenska	TCR
<b>Role in society</b>	Charity/ Advocate	Gap filler/ Advocate	Charity/ Gap filler/ Advocate	Gap filler/ Advocate	Gap filler/ Advocate	Advocate
<b>Cooperation</b>	Mainly with NGOs	NGOs, authorities and CBOs	Mainly case- related	Mainly with NGOs	NGOS, networks	Mainly authorities
<b>Funding/ Dependency</b>	Private donors/ Volunteers	Inter- national donors	Inter- national donors	Grant/ Volunteers	Private donors/Volunteers	Private donors
<b>Operational methods &amp;Services</b>	Political, Financial, Social	Political, Financial, Social Legal	Political, Financial, Social, Legal	Political, Social, Legal	Social, Political	Political, Social, Legal
<b>Missing services</b>	Housing	Legal services, Anti- corruption	Education	Safe houses, Kindergarten	Housing & Psychosocial support	Healthcare
<b>Challenges</b>	Funding/ Public awareness	Public awareness	Balance, Case- load	Public Awareness, REVA	Public awareness	Public awareness
<b>Advocacy</b>	Public- oriented	Network & government oriented	Public- oriented	Social media, Network oriented	Network and Public oriented	Government oriented
<b>AOP &amp; Power</b>	No practices	Supports CBOs	Steps initiated	Initial phase	Mainly service- provider	Not known
<b>Empowerment</b>	Micro- level	CBO- based	Micro- Level	Initial phase	Micro-level	Macro- level & education

### Role in society

All of the NGOs in this case study viewed themselves as essential for the lives of the undocumented migrants. Many of the NGOs mentioned that they are gap-filling, bridging, or that they are offering the basic human rights services that the state fails to offer undocumented migrants. JRS, Rosengrenska, and the Red Cross aim towards their own elimination since they wish not to be necessary (Arwidson, Douglass-Calder, Sjögren, Tianchainan Wongsuban, 2013). IMÄI aspires to play a more political role, however, IMÄI along with JRS are mainly providing welfare services and financial support on a charitable basis (Douglass-Calder, Lundbäck, 2013).

All of the NGOs presented provide social services to undocumented migrants on a non-market driven basis. They could hence be analyzed as Human Service

Organizations, with the client-worker relations as the core (Hasenfeld, 1992, p.17). Furthermore the NGOs in this study could be viewed as specialist human service organizations since they are suited to specific environmental features (Hasenfeld, 1992, p. 51). All of the NGOs advocate for change and develop practices towards change. Hence they could be understood as what Hasenfeld refers to as “moral entrepreneurs”, depending on how they change the environment they are in (Hasenfeld, 1992, p.11).

TCR and JRS actively seek out their beneficiaries by visiting the Immigration Detention Center (Douglass-Calder, Tianchainan, 2013). The remaining organizations let the undocumented migrants contact them.

### **Cooperation**

All of the organizations have realized the importance of cooperation, especially in terms of advocacy to be able to put more pressure on the governments and service agencies. The organizations based in Thailand cooperate to a higher extent with the authorities and governmental institutions as opposed to the organizations in Sweden. The Swedish NGOs mainly cooperate with other NGOs and in advocacy networks.

JRS predominantly cooperates with other NGOs as well as with the UNHCR in terms of caseload and referrals. JRS are also taking an innovating approach by cooperating with Universities to conduct research on sustainable solutions (Douglass-Calder, 2013). IRC and JRS further cooperate with community-based organizations to support the undocumented migrants’ own initiatives (Douglass-Calder, Wongsuban, 2013).

### **Funding and possible dependency**

All of the organizations have insecure funding and are hence struggling with their sustainability approach. As Hasenfeld mentions (1992) it is challenging, especially for smaller NGOs, such as TCR to attract donors. It is a constant balance of maintaining autonomy and at the same time achieving a financial sustainability. On the other hand, in terms of sustainability, most of the organizations aim to be unnecessary in society. Thus they strive for inclusion of undocumented migrants into regular services and in the society at large.

TCR and IMÄI have the most unstable and unpredictable funding. TCR is highly dependent on their executive director and his family’s donations (Tianchainan, 2013). IMÄI is correspondingly depending on private donations as well as event profits (Lundbäck). Rosengrenska has a fairly stable income base, but is highly dependent on private donations, financially and medically (Sjögren, 2013). The Red Cross has received a three-year grant for their comprehensive programme for undocumented migrants. The future and thus the sustainability of the programme after the three years period remain unknown (Arwidson, 2013). The organizations are all dependant on their donors and the donor ‘s influences are noticeable, particularly in organizations such as JRS and IRC. The influences are especially noticeable in terms of evaluation mechanisms in place with external evaluators ensuring upward accountability (Douglass-Calder, Wongsuban, 2013).

The Swedish NGOs tend to rely more on volunteers for their programmes. Specifically, IMÄI and Rosengrenska are highly dependant on volunteers to manage their main activities and service provision. After the three years grant period, the Red Cross might be completely dependent on volunteers for the continuation of the programme.

### **Operational methods and Services provided**

All of the NGOs are involved in political activity with advocacy as their main operational method. Most of the NGOs offer social services such as education or healthcare services. A few offer financial support to vulnerable individuals, families and community based organizations managed by undocumented migrants.

Legal services are offered by all of the NGOs, either directly or with referrals. The legal services aim to ensure the attainment of the right to security in terms of asylum, citizenship or resettlement. TCR and JRS primarily offer services interconnected with their advocacy efforts. TCR takes the approach of offering services to show best practices to the government, thus how welfare programs could be facilitated. JRS advocates for issues to which they are able to offer direct services (Douglass-Calder, Tianchainan, 2013). IRC, The Red Cross, and Rosengrenska Foundation mainly offer gap-filling social services not provided by the state (Arwidson, Sjögren, Wongsuban 2013).

JRS and IMÄI prioritize certain undocumented migrants by providing more services to those they regard as more deserving, such as poor families, women, and children (Douglass-Calder, Lundbäck, 2013). Hasenfeld refers to this kind of needs assessment as a moral act, thus showing the organizations evaluation of social worth. As Hasenfeld noticed, moral choices are seldom made explicit. JRS has established vulnerability criteria with standardized procedures. IMÄI, on the other hand, has ad hoc procedures. The decisions are thus embedded invisibly. Hasenfeld suggests that these invisible moral decisions justify and determine the actual service provision to the clients (Hasenfeld, 1992, p. 6). JRS and IMÄI share more similarities, seeing as they both put emphasis on individual contact with the undocumented migrants. IMÄI additionally assign contact persons to the migrants with their Momo programme (Douglass-Calder, Lundbäck, 2013).

### **Missing services**

The NGOs in Sweden focus mainly on the Right to Health along with the Right to Liberty and Security but express wishes to focus more on missing services for vulnerable groups of undocumented migrants, such as homeless, woman, and children. IMÄI and Rosengrenska acknowledged housing support as an important service currently missing in Sweden. Rosengrenska further stated the lack of psychosocial support for the undocumented migrants (Lundbäck, Sjögren 2013). The Red Cross highlighted the lack of safe houses for undocumented women faced with physical or sexual violence. Furthermore, Arwidson stressed the failure of realizing the Rights of the Child in terms of access to Kindergartens in Sweden (2013).

The NGOs in Thailand focus more on the Right to Education with Educational programmes. Furthermore a focus on the Right to Liberty and Security is addressed by advocacy and legal services. However, the Thai NGOs consider the right to health as possibly a more or equally important human rights aspect. TCR refers to healthcare

as a missing service for undocumented migrants in Thailand. IRC stated the necessity of more legal service options for undocumented migrants wishing to seek asylum. JRS expressed the need for further vocational training to support the undocumented migrants in need of an income. IRC stated the immense structural problem of corruption and the wishes undocumented migrants have expressed of anti-corruption advocacy (Douglass-Calder, Tianchainan, Wongsuban 2013).

The missing services acknowledged by the NGOs compared to the actual services provided should be noted along with the moral implications of needs assessment. Thus it is necessary to question if the undocumented migrants that the NGOs aren't reaching out to, have other service needs? What could be done to include them or to attend to their needs? For this reason more research on the needs of undocumented migrants is necessary, along with more research on if NGOs are reaching out to the extent that they intend to?

### **Challenges**

Most of the NGOs indicated public opinion to be a challenge. The lack of knowledge of undocumented migrants and their individual situations was often raised as an obstacle for the work of the NGOs. Information campaigns are thus a major advocacy activity for all of the organizations in this study.

Another apparent challenge for all of the NGOs is the increase in their caseload. The contact person programme of IMÄI is especially affected as well as Rosengrenska Foundation with their limited opening hours and an increasing number of patients at their clinic (Lundbäck, Sjögren, 2013). IRC further states the immense need for legal support that they are not able to attend to due to their limited resources and shortage of legal staff (Wongsuban, 2013). JRS is grappling with the caseload of their social worker, as well as the amount of legal cases for their legal support team and often refers legal cases to other organizations. JRS is making an effort to find a balance of criticizing the system and being able to work within it. They are allowed to give psychosocial support at a detention center in Bangkok, where they often find human rights violations. They know they could criticize it, but often choose not to, since they could risk their mere presence at the center (Douglass-Calder, 2013).

Another challenge worth mentioning concerns gender. I mainly met women as representatives of the NGOs. There was only one exception and he was the Executive Director of TCR. All of the other women that I met were involved with advocacy work and/or direct service provision. As Hasenfeld suggests women predominate in direct service positions, whereas men tend to hold more administrative positions of authority. Hasenfeld and Ferguson argue that this gender imbalance has a massive impact on the work of the organizations since it creates a conflict between the values that these women hold in their working environment and the bureaucratic rules and norms since women often hold values of empathy and cooperation. On the other hand, men in bureaucratic positions tend to reward competition. According to Ferguson women therefore subordinate themselves in the organization (in Hasenfeld, 1992, p. 7), but as Hasenfeld points out it, is an oversimplification that care is associated with female work and routinized work with male work (Hasenfeld, 1992, p. 8). However, the gender implications should not be underemphasized either. Although there is not enough research on the conflicts that female workers experience in organizations, a number of studies suggests that women more often tend to feel as if their values and

abilities are not being put to use within their organization than their male counterparts (Hasenfeld, 1992, p. 9). Moreover, women earn noticeably less than men in similar positions and women are still underrepresented in administrative and authoritative positions. Furthermore, female-based professions have a lower social status with lower salaries (Hasenfeld, 1992, p. 9) leaving an impact on the entire Human Service Organization sector.

### **Advocacy**

All of the NGOs can be seen as human rights defenders advocating for the attainment of human rights for undocumented migrants from the state they are in. IRC, JRS, and TCR concentrate their advocacy on best practices. Thus providing the government with examples of how to provide welfare services. The NGOs in Sweden are cooperating in advocacy network to gain public awareness by utilizing media channels. However, to a certain extent the Red Cross in Sweden and Rosengrenska have a similar approach to their Thai counterparts. They provide services with the aspiration to be relieved. Hence advocacy is aimed for these services to be offered by the state. The Red Cross has set examples of activities in the past that are now managed by the state, such as Ambulance services in Sweden (Arwidson, Sjögren, 2013).

Many of the organizations have had very successful advocacy campaigns, achieving structural impacts on law reforms and available services for undocumented migrants. These advocacy campaigns have led to and continue to develop long-term structural changes. Hence, enhancing the NGOs strategic accountability. In Thailand there has been some success with the right to education for undocumented migrants due to the projects and advocacy of NGOs. In Sweden successful campaigns have led to legislative amendments regarding the human rights attainment for women and children.

Although most of the organizations have a rather conventional approach to advocacy, a few innovative methods have been initiated. The Red Cross is considering using social media in the initial phase and JRS cooperates with Universities to gain research analysis as well as, to improve their advocacy work. However, few of the NGOs involve undocumented migrants at any stage of their advocacy campaigns.

### **Anti-oppressive practices and power**

The power relations between the NGOs and the undocumented migrants are visible in the services provided, as well as in negotiated order of the passive beneficiaries and the active advocates. The actual power structures remain unclear in all of the organizations, especially in the large organizations, such as IRC, JRS and the Red Cross. The network-driven organizations, such as IMÄI and the volunteer services of Rosengrenska have a less complicated and less hierarchical structure.

Most of the NGOs seemed unaware of their power relationships with their clients. IMÄI, however, is aware of the power relations within the society, as well as within their structure but have not initiated any structural changes or anti-oppressive practices. JRS is taking steps towards encouraging involvement of undocumented migrants by implementing downward accountability mechanisms (Douglass-Calder, 2013). IRC encourages and supports community-based organizations of undocumented migrants (Wongsuban 2013). Furthermore, the Red Cross aims to

support social movements, such as “Papperslösa Stockholm” to be able to grow within their structure (Arwidson, 2013). Although Rosengrenska is primarily service oriented, they attempt to provide a link between policy-makers, media, and other powerful institutions to the undocumented migrants. The undocumented migrants are subsequently encouraged to advocate for themselves. TCR on the contrary does not consider it possible for the undocumented migrants to advocate for themselves due to their vulnerable legal position in Thailand and has thus not initiated any mechanisms of participation (Sjögren, Tianchainan, 2013).

### **Empowerment and evaluation**

There are relatively few organizations in Thailand and Sweden, considering the amount of undocumented migrants. The lack of NGOs could leave the undocumented migrants with few options. The undocumented migrants could furthermore due to the power asymmetry be left without any influence over the services provided to them. Most of the NGOs have a monopoly on the services they provide, as a result, giving them even more power in an already asymmetric power relation in regards to the undocumented migrants. This could subsequently lead to less criticism towards the NGOs from the undocumented migrants since they depend on the NGOs. Likewise, they do not know of any other services available to them, and can therefore, not compare them. Rosengrenska and TCR are very proud of the positive feedback from their benefactors, but I question if they have realized the lack of opportunities for their benefactors to express concerns or suggestions of improvements. TCR’s strategy in terms of empowerment is embedded in their advocacy and educational programmes. No other mechanism of empowerment is considered at this point (Sjögren, Tianchainan, 2013).

JRS is the only organization with downward accountability mechanisms in place. JRS is furthermore incorporating a complaint mechanism to further increase their downward accountability. TCR is a comparatively new organization that has been operating for a few years. They consulted undocumented migrants in their initial phase. TCR has as of yet however not developed any approaches to be able to ensure an ongoing downward accountability. IRC and JRS co-operate with community driven networks or centers to involve the undocumented migrants themselves. Similarly the Red Cross aspires to support new groups of undocumented migrants wishing to organize themselves. The Red Cross has just recently initiated their new programme. They are considering implementing surveys, but as of yet it has not been implemented. According to Kilby, it is a common phenomenon that NGOs tend to focus on upward accountability towards donors but not downwards towards their beneficiaries. Kilby argues that this is de-empowering the already marginalized communities since they are not participating. Kilby calls it the “accountability gap” (Kilby, 2006) and it is an area of concern for the NGOs.

As noted there are many similarities, as well as discrepancies, in the operational methods of the NGOs. They attempt to empower the undocumented migrant and act as gap-filling service providers but lack anti-oppressive practices as well as a downward accountability dimension necessary to obtain evaluations and suggestions from their beneficiaries. To provide a further contextual understanding, the next chapter provides a viewpoint of two undocumented migrants. Suggestions to the NGOs follow in Chapter 8.

## 7. Voices of undocumented migrants

Every story is unique and can never be generalized. With this chapter I wish to give a viewpoint and a point of departure for understanding the lives and needs of undocumented migrants. This chapter tells the story of “Duven” and “Van” (pseudonyms) from Vietnam, who came to Thailand five years ago. They worked on rice and coffee plantations in Vietnam. Now Van is a single mother living with her two children and her friend Duven in Bangkok. They are both in the asylum process, hoping for a resettlement in the United States, where Duven has relatives.

### Reasons for migration

Duven and Van are a part of the Montagnard minority of Christians. After 2001 the communists in their regions forbade them to practice their religion. Duven stated that they took their land, saying:

“Then they take our land and then after that our minority went to the city, the central and have a big protest, yeah and then police arrest a lot of people and then someone went to Cambodia to live in the forest and ran away from the protest, scared of police arrest”.

As their families joined the protests the police became suspicious of them. Duven had family in the United States that sent them money.

“Vietnamese didn’t like my family and only invite to the police station and they ask a lot of questions. I couldn’t stay, cause when I went to the bank to get money from the US to our family they arrest us and ask a lot of questions about what we would do with the money and if we would spend it on protests again and if we got the money from an organization in the US. They don’t believe that money is from my family”.

The police thought that an organization in the United States sponsored the demonstrations through Duven and her family. Duven’s brother was sentenced to prison along with Van’s husband. Although it was difficult for Van and Duven to explain in English, they made an effort to tell me their stories and shared some terrible details of the life of Van’s husband in prison. Unfortunately after being tortured in prison, he passed away. Duven shared Van’s story:

“And at the time she couldn’t stay in Vietnam cause police always come to her house and ask and then her children go to school. Very hard and I can’t speak and explain all to you in English”.

### Struggle for rights

Duven and Van managed to flee to Cambodia where they went through the RSD process while staying in a refugee camp. Their asylum application was denied: “UNHCR wanted to send us all Montagnard people back but we cannot go back to Vietnam”. They decided to flee from the camp they were living in. It was dangerous and they were very frightened. “Then we came to the border of Cambodia and Thailand. We walked far in the forest about 3 or 4 hours that time”. Duven was so scared that she thought that she was already dead. She had heard stories of the Cambodian police killing anybody trying to cross the border, even women and children. Duven and Van were lucky and managed to cross the border to Thailand. In Thailand they found a church at a very early hour. While waiting for the priest to

wake up they slept outside. The church helped them and provided them with clean clothes and food. The pastor also assisted them in finding a place to stay, although it was small and expensive: “Very expensive small room but we lived that time about 12 people together”.

When they managed to get to UNHCR in Thailand. UNHCR stated that they had to go back to Cambodia seeing as they were registered asylum seekers there. Hence they were unable to apply for asylum in Thailand: “...we cannot do anything at that time so we just lived in Thailand”. After being denied asylum in Cambodia and Thailand, they decided to stay as undocumented migrants in Thailand. It was difficult since they could not speak Thai or English nor did they have family in the country.

### **Life as undocumented migrants**

Without papers Duven and Van were constantly at risk of deportation. They took the risk since they felt as if they had no other option. Duven and Van left UNHCR and Bangkok to live in Chiang Mai. One of the other Vietnamese asylum seekers had heard of a foundation in Chiang Mai caring for vulnerable people like themselves. At the foundation they started to learn English and Thai. Duven and Van stayed for over two years in Chiang Mai. It was first when Duven needed an operation for her appendix that she got “unlucky:

“We met another Vietnamese refugee. He said he was refugee but he has passport and he made a lot of problems for us and then he said he will call the immigration and then about one month later we were arrested and then we had been in jail in Chiang Mai for about three months”.

Duven and Van were scared of being sent back to Vietnam. They had heard stories that other Vietnamese had told the police that they were Cambodians instead of Vietnamese. Duven and Van thus tried to tell the police that they were from Cambodia, hoping that they would be sent to Cambodia instead of Vietnam but the police didn't believe them. “They didn't believe us that time. They said you are Vietnamese not Cambodian and make new statement and report our names and go to the court”.

Duven and Van stayed in six or seven different jails in Chiang Mai before they were sent to the Immigration Detention Center in Bangkok. Duven tried to describe the difficult life in IDC. She mentioned that there were a lot of people including babies, elderly, sick and mentally ill staying in one small room together. The women and men were separated and could not visit each other. The detainees were allowed visitors from outside the detention center but not from the inside. Duven and Van were furthermore not allowed to make phone calls. Hence Duven felt very isolated and lost all hope. Duven was for ill for several months after sleeping on the floor without a mattress or a blanket. They were not offered much variety in nutrition with the meals they were given either. Only the ones who had some extra money could buy something different to eat at IDC.

“The food they give every time the same. Rice. Sometimes three times a day. And maybe soup. If you want to eat something else you can buy if you have money. They sell but very expensive”.

### **Contact with non-governmental organizations**

After staying in the Detention Center for six months, a volunteer group called British Women came to visit and talk with them. Duven and Van also got into contact with BPSOS, an organization for Vietnamese Refugees. TCR and Asylum Access cooperated at the time with the release of numerous undocumented migrants from the Detention Center. After 18 months in the detention center, Duven and Van came into contact with TCR, but Duven was not hopeful:

“ I never believed, never had any hope that we could get out, cause in IDC they have a program for refugees not for us asylum seekers but when TCR director visit me and after 2 weeks they come and met us, they came with news and said that they can bail all of us out. We were really, really happy”.

### **Missing services**

Duven and Van wish that NGOs would help them further with legal support and advocacy since they are still unaware of their possibilities for resettlement. Duven mentions her worries: “I still worry, cause I don’t know what is going on. Cause it will take time. I know. We wait for long time. Just wait. I don’t know anything. Just wait. But hopefully we have a voice and that TCR and other organizations will talk for us and push the case. Yeah. Hopefully. If we didn’t know TCR I don’t have any hope that we would have got out from IDC. So thanks a lot to TCR that bail all of us out”.

Duven and Van are as mentioned grateful for the support of NGOs, but are vulnerable and dependent on the few NGOs offering them advice and support. They are passive beneficiaries of the NGOs, often unaware and absent from the work carried out for them. The next chapter provides NGOs with suggestions on improvements, especially regarding empowerment and participation.

## 8. Suggestions to the Non-governmental organizations

Based on the findings of this study, this chapter aims to propose suggestions to the NGOs dealing with undocumented migrants. The aim of the suggestions is to improve the facilitating of empowering migrants in the attainment of their human rights. The suggestions are based on the available theories and concepts provided in the previous sections along with the differences and similarities found and presented in Chapter 6.

### **Role in society**

Most of the NGOs mentioned how important they are as gap-fillers when the state fails the undocumented migrants and their needs. However, most of the organizations have no downward accountability mechanisms in place. They are unaware if they are actually filling the needs they intend to since they are not receiving feedback from their clients. A recommendation would be to include more downward accountability mechanisms, such as tools of evaluation in order to receive genuine feedback. With the responses the NGOs could evaluate the role they have and further reflect upon the role they wish to have. It is furthermore according to Hasenfeld of essence for the survival of any NGO to constantly consider their legitimacy and in accordance with their legitimacy satisfy external requirements of reliability and accountability (1992).

### **Cooperation**

All of the NGOs cooperate with other NGOs and/or with institutions. But it could be advisable for more NGOs to consider further cooperation in terms of caseload. It could furthermore be of interest for more NGOs to cooperate with community based organizations in line with the cooperation of IRC and JRS, which support local initiatives of undocumented migrants in terms of achieving empowerment. JRS furthermore cooperates with Universities to gain research analysis as well as suggestions to new methods of advocacy. Research cooperation could be worth exploring for other NGOs.

### **Funding and dependency**

At the moment most of the NGOs are very dependent on their donors and ensure upward accountability by providing evaluations to show their achievements to their donors. The donor-dependency could, however, influence their choice of service provision. Perhaps some of the organizations could look for funding for the services that they wish they could offer and maybe even part with some of the donors, if they are not willing to fund the projects the organization finds most important.

It is important for the NGOs to develop good ties with funding resources while at the same time maintain flexibility and autonomy. Furthermore it is valuable to obtain current information about developments within the field. Previous studies have found that executive directors of organizations merely spend a limited amount of their time on maintaining external relations. Instead the directors prefer a centralized decision-making process and focus on internal relations (Hasenfeld, 1992, p. 45-46). It could hence be advisable for the managers of the NGOs to consider focusing more on external relations while perhaps de-centralizing decision-making approaches to additionally allow for more participation of their beneficiaries.

### **Methods and services provided**

The NGOs should consider the vulnerability of the undocumented migrants and analyze if the trust given to them is genuine or based on fear. The NGOs are as previously mentioned in a powerful situation. Thus the undocumented migrants are often left powerless and forced to rely on the goodwill of the NGOs that provides the services they are in need of. Trust should be built upon mutual respect and openness. Trust based on respect is time-consuming and requires a high level of personal relationships (Hasenfeld, 1992) but essential to the empowerment process. It would be advisable for the NGOs to consider cooperating more with the undocumented migrants and to support the undocumented migrants' own initiatives.

After reflecting upon the statements made by Tianchainan regarding the helping nature of the Thai people, it might be possible to initiate a program, such as "Momo" organized by Ingen Människa är Illegal also in Thailand. It would involve Thai people in voluntary work, as well as give the undocumented migrants a contact person within the Thai society. Thus decrease the segregation of undocumented migrants in the country.

The NGOs in Thailand stressed the need for more healthcare services for undocumented migrants. It could be a strategy for the Thai NGOs to search for voluntary health staff to establish services similar to those provided by the Rosengrenska foundation.

The Swedish Red Cross is interested in collecting stories and sharing these stories using social media. They could look into methods previously used by JRS, such as a providing a photography course with a following photo exhibition produced by undocumented migrants.

### **Missing services**

There were plenty of mentioned services missing that are vital to the undocumented migrants, such as housing support, healthcare services, legal services, and safety measures. IRC mentioned that undocumented migrants have expressed wishes of counterwork on corruption against them, but Wongsuban stated the difficulty to tackle a structural issue such as corruption. Maybe there are lessons to learn from anti-corruption NGOs? There are surely best practices available on how to conduct advocacy against corruption.

Furthermore, there could be a number of missing services for the undocumented migrants unknown to the NGOs. It is of essence for the NGOs to listen to the needs of the migrants, as well as keep an innovative mind, seeking perhaps unconventional solutions in cooperation with the undocumented migrants themselves.

### **Challenges**

Most of the NGOs mentioned public awareness as the major challenge for their work. Thus, more actions need to be taken to achieve public awareness of this invisible group. JRS held a successful photo exhibition. Other innovative approaches to reach the public eye aimed that understanding and compassion are necessary. Innovative ideas for campaigns should be encouraged.

Many NGOs mentioned the challenge of an immense caseload of undocumented migrants. The amount of undocumented migrants will almost certainly continue to grow with the increasing international inequalities. It is therefore important to cooperate with other NGOs and institutions in terms of case referrals and case management.

All of the NGOs should consider the consequences of the “gendered work” they partake in. All of the representatives of service providers I met were women, and the only man I met was the executive director of TCR. The implications of gendered work can create conflicts of interest between the women with lower salaries and lower social status with the men holding the powerful positions. Hasenfeld points out the risk, where a lack of resources can lead to poor services, thus reaffirming the low status of the work. Subsequently, the legitimacy of the organizations could be threatened (Hasenfeld, 1992, p.7-9).

### **Advocacy**

JRS takes on an innovative approach of advocacy by cooperating with Universities to gain research analysis, as well as suggestions to new methods of advocacy work. Research by Universities could be worthwhile looking into by other NGOs.

Most of the NGOs have a rather conventional approach and focus their advocacy work on behalf of the undocumented migrants rather than with. According to Tew, it could eventually result in feelings of disempowerment and oppression by the undocumented migrants. If the NGOs strive for efficient empowerment they should consider their organizational culture and promote participatory and supportive measures (Tew, 2006, p.40, 41, 48). There is no simple single model of empowerment, but tools of downward accountability could include audit guidelines, codes of conduct, report formal, evaluation processes, consultations, and regular meetings with beneficiaries or clients (Kilby, 2005).

### **Anti-oppressive practices and power**

NGOs need to be careful not to be oppressive in their struggle to be empowering. All of them could improve their downward accountability and try to reduce their power advantage by allowing their clients more freedom, as well as possibilities of evaluation. JRS could share their experiences after implementing their evaluation mechanisms in order for the other organizations to implement best practice methods. Regular evaluations for the undocumented migrants, as well as opportunities to set their own agenda would be a step forward towards empowerment.

All NGOs would benefit from awareness and training in anti-oppressive practices, realizing their position of power and trying to rethink their position and practices to truly empower their clients. Furthermore, the NGOs should consider their power relations and power in terms of decision-making processes. To incorporate the needs and opinions of their clients would not only benefit the very group they intend to empower, but furthermore, the NGOs would gain trust and reliability. Tew suggests co-operative power as a method against oppression, although it is not necessarily an easy task (Tew, 2006, p.38). It could involve processes of dialogues and co-operation to counter-work the realms of "us" and "them" towards increased social justice (Tew, 2006, p. 42-43, 45).

Mechanisms to assure non-discrimination, equal and fair practices need to be implemented. Organizations such as IMÄI and JRS should make their vulnerability criteria visible to minimize the risk of feelings of exclusion or discrimination by the undocumented migrants not eligible.

### **Empowerment and evaluation**

Given that empowerment involves the expansion of choice, influence, and action (Kilby, 2006), it is important for the NGOs to continually offer undocumented migrants choices and possibilities of participating. I would encourage the NGOs to consider empowerment as a process. The rights to liberty and security are not met merely if the undocumented migrants are free from detention centers, but they need to feel in control of the environment they are in. Processes of empowerment include reducing the needs for service and resources, increasing alternatives, and strengthening the beneficiaries' sense of worth (Hasenfeld, 1992, p. 270). Many of the undocumented migrants cannot differentiate clearly between the state, the civil society or welfare professionals, but rather see authorities and institutions as a unity according to Sager (2011, p. 241). This is an obstacle for the NGOs, which they have to be aware of and counteract in order to empower their clients.

The NGOs advocate in order to empower the undocumented migrants, but only a few of them offer undocumented migrants to take an active part in the advocacy process. Rosengrenska Foundation offers some undocumented migrants to advocate for themselves on an ad hoc basis. It would be useful if the undocumented migrants could be a part of the advocacy work, at least on the planning stage to include them and let them participate in their own empowerment process.

“Mötesplats för papperslösa” by the Red Cross is still in the initial phase. They are currently open for suggestions from their visitors but it would be valuable to implement downward mechanism for a sustainable downward accountability to ensure participation throughout the process. The NGOs need to be careful not to become too routinized as studies have shown that even though NGOs might begin as participatory they can with time become institutionalized, thus less democratic and even de-empowering. Hence, NGOs representing marginalized groups often fail to live up to the expectations of them (Fisher, 1997).

Currently, undocumented migrants have very little say in terms of resources and allocation. Perhaps due to regulations and strict budgets, but if possible it would be empowering for them to be given some power in decision-making. Also, it would be a step in the right direction in terms of staff management and resource allocation. Fountain House, an organization for the mentally ill, is a good example of an NGO who hired their own staff members and is in thus in control of their own cause (Sveriges Fontänhus, 2013).

All of the organizations should look into mechanisms of empowerment fitting for their management within their structure. There is no simple single model of empowerment, but tools of downward accountability could include audit guidelines, codes of conduct, report formal, evaluation processes, consultations, and regular meetings with beneficiaries or clients (Kilby, 2005).

**Further suggestions**

NGOs should consider their informal structures and working environment in order to allow for the staff members and volunteers to be able to influence and participate as much as possible. Hasenfeld argues that if staff members feel alienated or unsatisfied with their work, it could subsequently affect their clients (1992). Hence a positive and participatory atmosphere is of essence to assure the best possible relationships with the undocumented migrants.

In terms of accessibility, it would be interesting to research if there could be other places besides major cities where undocumented migrants could be in need of services. In Thailand, services are mostly offered in Bangkok and in the border areas, but not in other cities or regions. In Sweden most services are offered in Stockholm and some are offered in other major cities, such as Gothenburg and Malmö.

I would suggest that NGOs should collect and keep up to date with research in their field, including best practices and innovative approaches from other NGOs, as well as ideas from staff, volunteers, and the undocumented migrants themselves to keep evolving within the field and to be able to empower as best as possible.

Lastly, I would encourage other NGOs to start up projects and programmes aiming to facilitate services and advocacy for undocumented migrants. This recommendation is based on the limited options that undocumented migrants have in terms of attaining services, as well as the many missing services, such as healthcare providers in Thailand and housing support services in Sweden. Furthermore, the increasing caseload of undocumented migrants seeking services is another factor indicating the need for other NGOs and service providers.

## 9. Conclusion

In this chapter a short summary of the findings is presented along with concluding remarks.

States have an obligation to respect, protect, and fulfill the human rights of all individuals within their territory, regardless of nationality or immigration status (International Organization for Migration, 2011). The human rights attainment for the growing number of undocumented migrants is, however, still a grey area between national and international law. States often label undocumented migrants as “illegal” thus criminalizing them. However, a number of NGOs offer this vulnerable group welfare services and advocate for their rights. This thesis included semi-structured interviews with six of these NGOs. The NGOs interviewed were 1) Ingen Människa är illegal, 2) Rosengrenska Foundation and 3) the Swedish Red Cross as well as 4) International Rescue Committee, 5) Jesuit Refugee Service and 6) Thai Committee for Refugees.

Relatively few NGOs offer services to the increasing number of undocumented migrants. Thus undocumented migrants have few options and are highly dependent on the NGOs providing them services. Many services are furthermore missing. According to the NGOs mentioned in this study, missing services include housing services, psychosocial support, safe houses, and Kindergarten in Sweden and healthcare, legal services, further education and anti-corruption work in Thailand.

All of the NGOs in this case study advocate for change in the conditions of undocumented migrants and their attainment of human rights. Most of the NGOs have, however, a rather conventional approach and focus their advocacy-work on behalf of the undocumented migrants rather than with them. Nonetheless, NGOs have realized the importance of cooperation. The Swedish NGOs mainly cooperate with other NGOs within their network, whereas the organizations in Thailand cooperate more with the government, by providing the government with suggestions of best practices.

NGOs have insecure funding and are hence struggling with their sustainability approach. Although most of the organizations aim to be unnecessary in society it is a threat to their current service provision. Many of the organizations are highly dependent on private donations to secure their existence. According to previous research, external directors have a more centralized decision-making process, focusing on internal relations while neglecting external relations (Hasenfeld, 1992). Recommendations could hence be made to the directors of the NGOs to focus more on external relations in order to attain funding, which subsequently could begin a decentralization process, allowing the staff and the undocumented migrants themselves to take a more active role in the decision-making process.

All of the NGOs offer direct services or refer to other legal services, to ensure the rights to security in terms of asylum, citizenship, or resettlement. Other services offered to the undocumented migrants by one or more of the NGOs include health services, educational services, psychosocial support, informational services, mentoring and welfare assistance. JRS and IMÄI both provide welfare assistance.

JRS has established vulnerability criteria with standardized procedures, whereas the decisions of IMÄI are made ad hoc. The power relations between the NGOs and the undocumented migrants are visible in the services provided, as well as in the negotiated order of the passive beneficiaries and the active advocates. The undocumented migrants have very little influence on the decisions taken by NGOs, thus leaving them as passive beneficiaries of services provided for them, which could result in feelings of disempowerment. Most of the NGOs referred to in this study seemed unaware of their power relations with their clients. They prioritize upward accountability evaluation towards their donors, but lack downward accountability. In general there is a lack of inclusion and participation actively empowering the undocumented migrants. Only one organization has implemented downward accountability measures by implementing a complaint mechanism for the undocumented migrants using their services.

All NGOs would benefit from awareness and trainings in anti-oppressive practices to realize their position of power. Moreover, NGOs should rethink their position and practices to truly empower their clients. Furthermore the NGOs should consider their power within the decision-making processes. To incorporate the needs and opinions of their clients would not only benefit the very group they intend to empower, but furthermore the NGOs would gain trust and reliability. All of the organizations are further recommended to look into mechanisms of empowerment fitting for them within their structure. There is no single model of empowerment, but tools of downward accountability could include audit guidelines, codes of conduct, report formals, evaluation processes, consultations and regular meetings with the benefiteres or clients (Kilby, 2005).

When interviewing representatives of the NGOs, most of the representatives were women. The only man interviewed for this thesis was an executive director. A gender imbalance in human service organizations is not uncommon. According to Hasenfeld women predominate in direct service positions, whereas men hold more positions of authority. However, a gender imbalance could create a negative spiral of lower status and lower salaries (Hasenfeld, 1992), not only affecting female workers, but also the non-profit welfare sector as a whole.

NGOs stressed the lack of public knowledge regarding undocumented migrants and their situation. Information campaigns are thus a major method of advocacy. The NGOs are furthermore challenged by an increasing caseload alongside with limited time, staff, and funding. Recommendations include cooperation with other NGOs and institutions with case referrals. Further, more NGOs are encouraged to start up programs and projects since it would divide the caseload, as well as give the undocumented migrants more options.

This study has shown that the NGOs view themselves as essential for the undocumented migrants they wish to empower. However, NGOs lack methods of active participation and inclusion of the undocumented migrants they are aiming at empowering. The undocumented migrants are hence left as passive and dependent beneficiaries with few options and little say. More research is needed in terms of NGO management theories and practices to enhance accountability and participation to expand and work more efficiently and productively, for, and with, the undocumented migrants.

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## **Appendix A. 1**

### **Semi-structured interview guide:**

#### **What? Who the organizations are**

- When and why was the organization founded?
- How has it developed?
- What is your major focus on right now?
- What role does religion play in your organization?

#### **Why? What is the aim and purpose of the organizations?**

- What is the main goal/aim of the organization?
- What role do you find that you have in society as a whole?
- Do you follow an ideology? (Religious? political?)
- How much power would you say that your organization has?
- What are the biggest obstacles for the organization right now? (how do you tackle those challenges?)
- Do you have enemies?
- 

#### **How? What methods are used by the organizations?**

What services do you provide? Are there services you wish you could provide?

Are there services you think are lacking for "illegal immigrants"?

Who should give these services?

How do you evaluate your work?

How do you work with lobbying for your cause?

Do you work with volunteers?

How are you financed? (Possible dependency?)

Who do you co-operate with? How do you co-operate?

Is it possible to empower these people? If so, how?

#### **Viewpoint**

How do you reflect upon these migrants? What are their views upon your work? Have you done surveys? How do they react to your work?

How can the migrants change their situation? Can they?

#### **Ending questions:**

Could I join an activity you do?

Do you have statistics of your workload? Immigrants you have been in contact with? Studies?

Is there anything you would like to add that could be of interest for this study?

## **Appendix A.2**

### **Semi-structured interview guide 2: Interview with undocumented migrants**

How long have you been in Thailand?

What did you do back in Vietnam?

What made you decide to go to Thailand?

What were your expectations before coming?

How did you come to Thailand?

Have you made friends with some Thai people in Thailand?

What has been the most difficult since you came to Thailand?

Have you been in contact with other NGOs except TCR?

Have you heard of other organizations that work for your rights as undocumented or refugees?

Do you have needs that you wish you could get help with? If so what are they?

What are your suggestions to NGOs working for the human rights of undocumented migrants?

Thank you very much for sharing your story. Do you want to share something else?

## Appendix B

### Informed consent

The following is a presentation of how we will use the data collected in the interview.

The research project is a part of our education in the International Masters program in Social Work at the University of Gothenburg, Sweden. In order to insure that our project meets the ethical requirements for good research we promise to adhere to the following principles:

- Interviewees in the project will be given information about the purpose of the project.
- Interviewees have the right to decide whether he or she will participate in the project, even after the interview has been concluded.
- The collected data will be handled confidentially and will be kept in such a way that no unauthorized person can view or access it.

The interview will be recorded as this makes it easier for us to document what is said during the interview and also helps us in the continuing work with the project. In our analyze some data may be changed so that no interviewee will be recognized. After finishing the project the data will be destroyed. The data we collect will only be used in this project.

You have the right to decline answering any questions, or terminate the interview without giving an explanation.

You are welcome to contact us or our supervisor in case you have any questions (e-mail addresses below).

Student name & e-mail

Supervisor name & e-mail

Interviewee