



Forum on

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### **ONE SIZE DOES NOT FIT ALL: ETHNO-LINGUISTIC MINORITIES AND 'INCLUSIVE GROWTH'**

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#### **1 HIGHLAND MINORITIES IN THE GREATER MEKONG SUBREGION**

1. The past four decades have not been kind to the highland minorities of the Greater Mekong Sub-Region. Earlier threats from warfare have often been replaced by the collateral damage of development. Highland people have quite consistently been subjected to what I have called elsewhere, "The Hell of Good Intentions" -- the unintended negative consequences of (generally) well-meaning development strategies.<sup>i</sup> State systems of the region have pushed up the slopes, bringing some services, but many restrictions. The conflicting and often uncoordinated demands of opium suppression, environmental preservation, transport expansion, perceived security, dam building, and the 'civilizing mission' of lowland societies have combined with the latest developmental fads to the general detriment of highland societies.

2. This is not to say that there have not been benefits from childhood immunization programs and treated bed nets; or that village water pumps do not make life easier. Rather, it is that the development process and product is seen as a decidedly mixed blessing by many highland – and former highland – ethnic communities. More often than not, they have been casualties rather than beneficiaries of the rush for growth.

3. With few exceptions, international development agencies have supported -- or even urged -- ill-conceived land policies, predicated upon a thoroughgoing misperception of complex traditional systems of shifting cultivation and forest stewardship. Traditional farming practices have often been blamed for deforestation resulting from commercial timbering.<sup>ii</sup> Intrusive cash mono-cropping such as rubber in Northern Laos threatens biodiversity, damages long-term soil viability, and exacerbates food insecurity.

4. Resettlement and displacement of highland communities has been a common feature of development schemes for upland regions. It has been said that insanity is doing the same thing again and again, and expecting a different result. Numerous studies in Laos, Thailand, and China have shown strikingly similar outcomes of lowland resettlement of highland communities: increased mortality, increased domestic and communal violence, increased non-traditional and dysfunctional drug and alcohol use, and cultural and social degradation.<sup>iii</sup>

5. Research conducted by UNESCO under RETA 6247, as well as under previous projects, clearly shows the relationship of highland development to increased risks of HIV/AIDS and human trafficking in Northern Thailand, Yunnan, Lao PDR, and Cambodia – particularly among minority girls and women. Research by Chamberlain (forthcoming) along transport routes in Lao PDR (RETA 6190) finds very much the same.

## 2 STRUCTURAL VULNERABILITY: A THREAT TO INCLUSIVE GROWTH

6. Minorities in the GMS suffer from structural vulnerabilities unaddressed by the new ADB strategy. “Inclusive growth” is defined: “Inclusive growth means growth with equal opportunities. Inclusive growth therefore focuses on both creating opportunities and making opportunities accessible to all. Growth is inclusive when it allows all members of a society to participate in and contribute to the growth process on an equal basis regardless of their individual circumstances.”<sup>iv</sup>

7. However, how this admittedly agreeable state is to be achieved for highland minorities is unclear at best. This is hardly surprising; since neither the Report of the Eminent Persons Group, nor the “Inclusive Growth” ERD Working Paper mentions minorities, ethnic and linguistic diversity, or culture.<sup>v</sup> Let us consider the example of the so-called hill tribes of Thailand.

8. To be included in “inclusive growth”, one must first be included in the nation. In the modern world, the right to belong to a nation is, perhaps, the most basic right of all; the right from which so many others flow. In 1962, Dr. Hans Manndorff, International Consultant to the Thai Public Welfare Department for the socio-economic survey of hill tribes in Northern Thailand, warned that future problems of hill tribes in Thailand would stem from two issues: lack of citizenship and lack of land tenure. The same points could be made today.

9. In China, Lao PDR and Vietnam, ethnic minority people are born citizens of the countries. In Thailand, however, citizenship for highland population is an acquired status, which is obtained only through a highly scrutinized and complicated process.

10. The Ministry of Interior estimates that nearly fifty per cent of highland minority people are unregistered for citizenship, permanent residency or any other legal status categories. Without citizenship, highland minority people are denied basic rights, including education, health services, land ownership, the right to register marriage, political participation and freedom of travel.

11. Highland minorities are found in 20 Thai border provinces. They include 6 major ethnic groups: Akha, Hmong, Lahu, Lisu, Karen, and Yao or Mien. In addition, there are Shan, Khmu, Lua, Mbri, and other smaller groups. Without citizenship, these minority people cannot obtain legitimate employment.

12. Research by UNESCO has shown that *lack of citizenship is the single greatest risk factor* for highland minority girls and women in Thailand to be trafficked or otherwise exploited. Without citizenship, they are often employed in informal and exploitative labor arrangements. Because of the residence and travel restrictions imposed on them, the further young minority people travel away from their home communities, the more vulnerable they become.

13. In the course of work on the issue of highland citizenship, UNESCO also found that a significant number of hill tribe children, as well as the children of migrant workers, do not receive legal birth certificates.<sup>vi</sup> A study by Plan International found that roughly a quarter of highland minority children lack birth certificates. Under the Convention on the Rights of the Child (CRC), children have the right to be registered immediately after birth, the right from birth to a name, the right to acquire a nationality and the implementation of these rights shall be ensured in particular where the child would otherwise be stateless (Article 7). It should be noted that Thailand submitted a reservation regarding this article, stating that its application “shall be subject to the national laws, regulations and

prevailing practices in Thailand.” However, under the International Covenant on Civil and Political Rights (CCPR) (article 24.2 & 3) -- to which Thailand is a signatory -- Children have “the right to be registered immediately after birth and have a name” and “the right to acquire a nationality”.

14. Lack of legal status renders hill tribe people vulnerable to economic and social exploitation, including trafficking for sex work and other of the most abusive forms of labor. While birth registration does not prejudice decisions on citizenship, it is often an important prerequisite to the establishment of nationality. Lack of birth registration is creating an ever increasing number of stateless persons that undermines both personal and regional security.

15. Such economic, social and political handicaps are particularly harmful to girls and women. While highland girls constitute a small percentage of the *total* number of sex workers in Thailand, they are disproportionately represented at the worst paid and most abusive end of the sex industry. Lack of citizenship is the primary legal impediment to providing alternative income sources and effective education.

16. The above examples are specific to Thailand, but other, different examples of structural vulnerability could be taken from other countries of the region. Unless they can be addressed, along with the more complex issues of social and cultural discrimination, there is little chance to make growth truly inclusive.

17. Development schemes frequently fail, and the reasons are more often cultural than economic. For the ethnic minority peoples of the GMS, “Inclusive Growth” appears to be another triumph of hope over experience.

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<sup>i</sup> See Feingold, D.A., 1997. “The Hell of Good Intentions: Some Preliminary Thoughts on Opium in the Political Ecology of the Trade in Girls and Women” in Evans, G., et al. (ed.), 2000. *South China and Mainland S.E. Asia: Cross Border Relations in the Post-Socialist Age*. New York: St. Martin’s; Feingold, D.A., 1998. “Sex, Drugs, and the IMF: Some implications of ‘structural readjustment’ for the trade in heroin, girls, and women in the Upper Mekong Region” in New Cargo: *The Global Business of Trafficking in Women, a special issue of Refuge* (vol. 17, No. 5. November).

<sup>ii</sup> For an excellent discussion of ill-conceived forestry policies in the Thai hills, see: McKinnon, J., 1997. “The Forests of Thailand: Strike Up the Ban?” in McCaskill, D. and K. Kampe (ed.) 1997. *Development or Domestication? Indigenous Peoples of Southeast Asia*. Chiangmai: Silkworm Books.

<sup>iii</sup> See, for example: Kammerer, C. 1998. “Of Labels and Laws: Thailand’s Resettlement and Repatriation Policies”. *Cultural Survival Quarterly*. 12(4): 7-12; Alton, C. and Houmpanh Rattanavong, 2004. *Service Delivery and Resettlement: Options for Developmental Planning*. (unpublished report) Vientiane, Lao PDR: UNDP; Evrard, O. and Y. Goudineau, 2004. “Planned resettlement, unexpected migrations and cultural trauma: the political management of rural mobility and interethnic relationships in Laos.” *Development and Change* 34 (5); Lytleton, C. et. al., 2004. *Watermelons, Bars and Trucks: Dangerous Intersections in Northwest Lao PDR.: An Ethnographic Study of Social Change and Health Vulnerability along the Road through Muang Sing and Muang Long* Vientiane: Institute for Cultural Research of Laos and Macquarie University; Romagny, L. and S. Daviau, 2003. *Synthesis of Reports on Resettlement in Long district, Luang Namtha Province, Lao PDR*. Vientiane: Action contre la Faim mission in Lao PDR (unpublished report).

<sup>iv</sup> Ali, I. and Zhuang, J., 2007 (July). “Inclusive Growth toward a Prosperous Asia: Policy Implications”. ERD Working Paper No. 97. Manila: ADB.

<sup>v</sup> See Asian Development Bank, 2007 (March). “Toward a New Asian Development Bank in a New Asia: Report of the Eminent Persons Group to the President of the Asian Development Bank”. Manila; ADB. Ali, I. and Zhuang, J., 2007 (July). “Inclusive Growth toward a Prosperous Asia: Policy Implications”. ERD Working Paper No. 97. Manila: ADB.

<sup>vi</sup> UNESCO’s Highland Citizenship Project is supported by a grant from the British Embassy, Bangkok, Thailand.