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# (Re)Negotiating, (Re)Constructing Identities in Transit Countries :a Comparative Analysis of Thailand and Egypt's Refugee Laws (and Lack Of)

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(RE)NEGOTIATING, (RE)CONSTRUCTING IDENTITIES IN TRANSIT COUNTRIES  
A COMPARATIVE ANALYSIS OF THAILAND AND EGYPT'S REFUGEE LAWS (AND LACK OF)

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INTRODUCTION

This paper explores how countries of first asylum influence the lived experiences of refugees through policies that define notions of legitimacy. From labeling refugees as “guests” to denying them visibility, refugee policies have considerable impact on the public and personal lives of refugees. For example, policies dictate which services will and will not be granted to refugees. Policies also determine how refugees are seen—and not seen—by citizens in the country. This is evidenced by lack of opportunities and public services afforded to refugees, such as employment, and corroborated by refugee-specific resources that inhibit refugees’ mobility, reducing their interactions with the host society. Despite this, many refugees circumvent these macro-policies at play to negotiate the marginal identities imposed on them.

In this paper I compare refugee policies and laws in two countries of first asylum, Egypt and Thailand, and analyze how policies influence the identity-making process of refugees. I draw on data from fieldwork, including interviews with key Thai and Egyptian organizations. I also pull from relevant refugee research. Findings from my research demonstrate how refugees negotiate policies that control their visibility in order to gain a sense of legitimacy as institutions continue to govern their lives.

COMPETING OR COMPLEMENTARY IDENTITIES?

This paper explores the relationship between policy and identity making in two countries of first asylum: Egypt and Thailand. By taking an in-depth look at policies, laws, and structures in place, I examine the implicit and explicit ways in which governments control the lives of refugees.

Relevant scholarship on identity is centered on three discussions: personal identity, social

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identity, and political identity. Political scientist James Fearon offers a distinction between personal and social identity.<sup>1</sup> Social identity is marked by implicit or explicit rules of membership and sets of characteristics thought typical of members of the category.<sup>2</sup> Social identity is thought of in terms of a collective. Personal identity is created through “some distinguishing characteristic(s) that a person takes special pride in or views as socially consequential but more-or-less unchangeable.”<sup>3</sup> Anthropologist Liisa Malkki explores this distinction through her time with Hutu “town” and “camp” refugees in Tanzania.<sup>4</sup> She states, “In contrast, for the people I have called town refugees, refugee status was generally not a collectively heroized or positively valued aspect of one’s social person, insofar as it was considered relevant as it was more often a liability than a protective or positive status.”<sup>5</sup> She notes that refugees in camps had a more pronounced salience than town refugees, highlighting the effects of space on identity. Anthropologist Gaim Kibreab argues that identity through rootedness is largely important even to the recreation of identity for the Hutu refugee populations studied by Malkki.<sup>6</sup> Kibreab demonstrates that, for the creation of an identity for these refugees, the labeling and the provisions given to them influences the ways in which they understand their collective identity.

The third identity discussed in refugee scholarship is political identity. Zetter offers that the new identity of “refugee” is a bureaucratically imposed identity that is centered on the

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<sup>1</sup> James Fearon, “What is Identity (As We Know Use the Word),” (1999): 2.

<sup>2</sup> Fearon, “What is Identity (As We Know Use the Word),” 13.

<sup>3</sup> Fearon, 5.

<sup>4</sup> Liisa Malkki, “Speechless Emissaries,” *Cultural Anthropology* 11(1996): 379-380.

<sup>5</sup> Malkki, 380.

<sup>6</sup> Gaim Kibreab, “Revisiting the Debate on People, Place, Identity and Displacement,” *Journal of Refugee Studies* 12 (1999): 384.

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material needs and rights of the population in the environment.<sup>7</sup> In her 2011 qualitative study, Pascucci supports this notion of “political identity.” She suggests that Iraqi refugees in Egypt maintain their social identities through work and education.<sup>8</sup>

Current literature suggests that the identity making process of refugees is multifaceted and is comprised of a variety of policies concerning migration, and the cultural, economic, political and social state of the new host country.<sup>9</sup> Considering the literature on social, personal and political identities, in addition to the refugee identity making process, is plentiful, few researchers have compared the direct effects of countries' policies in regards to refugees' identity making process. Malkki is at the forefront of this scholarship by studying people who fled originally from the “same place.” As she argues, people “can, and often do, come to define the meaning of refugee status differently, depending on the specific lived circumstances of their exile.”<sup>10</sup> This paper seeks to continue the conversation started by Malkki and others by examining the social, personal, and political identities in two different refugee populations.

FOUR COUNTRIES, TWO POPULATIONS, ONE LABEL

The two populations discussed in this paper are the Burmese refugees in Thailand and Iraqi refugees in Egypt. Burmese refugees, particularly Karen, in Thailand live in refugee camps, while Iraqi refugees in Egypt are “integrated” in the city as urban refugees.

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<sup>7</sup> Roger Zetter, “Labelling Refugees: Forming and Transforming a Bureaucratic Identity,” *Journal of Refugee Studies* 4 (1991): 6

<sup>8</sup> Elisa Pascucci, “Migration, Identity, and Social Mobility among Iraqis in Egypt,” *Refuge: Canada's Journal on Refugees* 28 (2011): 55.

<sup>9</sup> Kari Burnett, “New Issues in Refugee Research,” (2013): 3.

<sup>10</sup> Malkki, “Speechless Emissaries,” 380.

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Karen, an ethnic minority within Burma, began to experience systematic violence and persecution at the hands of the Burmese government in the early 1980s and, in 1988, Burma's rulers forcibly relocated entire villages to sever the support network of the resistance groups. As a result of the systematic and violent displacement, a significant portion of the Karen group were uprooted to Thailand, where they resettled in Mae La camps.<sup>11</sup> While there is about an estimated 3600 "urban refugees," the vast majority of the Karen refugees, about 100,000, live in the refugee camps.<sup>12</sup> Repatriation is not an ideal option for the Karen refugees as Burma has refused to grant full rights to the Karen population. While some refugees have expressed a desire to resettle and are waiting for documents while others have no intention of leaving.<sup>13</sup>

Iraqi refugees have been displaced for nearly a decade now, less than half of the Karen refugees. Though violence in Iraq can be traced back to the First Gulf War, it is most predominantly the subsequent sectarian attacks in early 2000s that caused this significant displacement. There are about 2 million displaced Iraqi refugees around the world. Egypt was one of the main countries that Iraqis moved to, in addition to Jordan, Lebanon and Syria. Though most of the refugees registered with UNHCR for resettlement, less than 2% will ever get resettled to a third country such as the US, which is the largest resettlement country in the world.<sup>14</sup>

Considering the existing scholarship and the diverse backgrounds of the two refugee

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<sup>11</sup>Barbara Cardozo et al. "Karenni refugees living in Thai-Burmese border camps: traumatic experiences, mental health outcomes, and social functioning," *Social Science & Medicine* 58 (2004): 2637.

<sup>12</sup> Huguet, Jerrold W., and Sureeporn Punpuing. *International Migration in Thailand*. International Organization for Migration, Regional Office Bangkok, Thailand, 2005.

<sup>13</sup> Ibid.

<sup>14</sup> "Iraq." UNHCR News. January 1, 2015. Accessed April 6, 2015. <http://www.unhcr.org/pages/49e486426.html>.

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populations, this paper aims to examine existing country policies in parallel with fieldwork research that occurred in each country. Themes that emerged in Egypt include education, employment, public/private space, and religion. For Thailand, these themes included, camp satisfaction, leadership and opportunities in the camp, and the relationship between the camp and host community. These themes highlight how policy, or lack of, influence the identity-making process and lived experiences of refugees.

INTERNATIONAL LAW

Though countries deal with refugees in their own way, there are overarching international law guiding countries. The United Nations High Commissioner of Refugees (UNHCR), created in 1950 by the United Nations, oversees and implements all refugee services. UNHCR is responsible for registration, documentation, and refugee status determination (RSD).<sup>15</sup> It is mandated to *protect* refugees and *safeguard the rights and well-being of refugees*.<sup>16</sup> The 1951 Convention is a critical legal document defining whom a refugee is and what their rights are in a host nation-state. Egypt has signed and ratified this convention, while Thailand has not signed it. The 1967 Protocol removed geographic restrictions and expanded its protection to all displaced peoples around the world.<sup>17</sup> In 1969, Egypt signed the OAU convention (Organization of African Unity), which focused on the growing refugee problem specifically in Africa. It included many of the elements in the 1951 Convention and its Protocol.

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<sup>15</sup> “2015 UNHCR country operations profile – Egypt,” UNHCR, accessed April 6, 2015,[1] <http://www.unhcr.org/pages/49e486356.html>.

<sup>16</sup> Ibid.

<sup>17</sup> This includes people 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.

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There are several points where the OAU Convention diverges from the 1951 Convention. First, it expands the definition of a refugee to an individual compelled to leave due to external domination, aggression or occupation.<sup>18</sup> Secondly, the 1969 OAU convention addresses the obligations of member states, “The grant of asylum to refugees is a peaceful and humanitarian act and shall not be regarded as an unfriendly act by any Member State.” The 1951 Convention does not address the obligations of member nation-states.

EGYPTIAN LAWS AND POLICIES

Despite the international laws it has signed making it a member state, Egypt does not have national asylum procedures. It relies heavily on UNHCR to determine refugee status of asylum seekers and to provide services to refugees. A Memorandum of Understanding was signed by Egypt in 1954, which distinguished between state and UN responsibility of refugees.<sup>19</sup> UNHCR is responsible for distributing refugee identification cards, which allow refugees to set up residence in the country. Though the Egyptian government has traditionally removed itself from refugee affairs, important to note is that it gave UNHCR \$25,000 in 2010 and 2011, the last two years of Mubarak's rule. Egypt has never again given UNHCR financial support.<sup>20</sup>

Egypt has made several reservations on international conventions and protocols, which have hindered the country's ability to provide adequate resources and stability for refugees. For example, although Egypt signed the 1951 Convention, it only ratified the document once reservations were made on several provisions so that certain services and rights were barred from

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<sup>18</sup> “African Union Refugee Definition,” Refugee Legal Aid, accessed April 5, 2015, <http://www.refugeelegalaidinformation.org/african-union-refugee-definition>

<sup>19</sup> Michael Kagan, “We Live in a Country of UNHCR,” *UNHCR* (2011): 73.

<sup>20</sup> “2015 UNHCR country operations profile – Egypt,” UNHCR, accessed April 6, 2015,[1]

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refugees. Some of these key services and rights that are not made available to refugees in Egypt through the 1951 Convention include access to healthcare, free public education, the right to own land, and the right to seek employment.<sup>21</sup>

Egypt's policy of accepting refugees but denying services is widely accepted. For example, Ambassador Menha Bakhum, the head of the Refugee Affairs Department at the Ministry of Foreign Affairs, believes that the Egyptian government cannot do anything more and that what they are doing is considered an achievement. Furthermore, she publicly said, "Refugees put pressure on the economy, on the environment, on the ecosystem, on infrastructure; they contribute to the overcrowding of the city. *If I was in the government at the time of signing the 1951 Convention, I would have never signed it.*"<sup>22</sup> As a result, UNHCR has partnered with many organizations to offer refugees services and support, such as Caritas, AMERA, and St. Andrew's.

Iraqi refugees previously did not have to go through UNHCR to enter Egypt. Before 2006, they could enter Egypt with a 1-month tourist visa. Now Iraqis must obtain a visa before entry. Syrians currently enter Egypt with visas. Unlike the Iraqis, however, Syrians are afforded public healthcare and education services, which was initiated during the former presidency of Mohammed Morsi.<sup>23</sup>

THAI LAWS AND POLICIES

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<sup>21</sup>Katarzyna Grabska, "Who Asked Them Anyway," (2006):18.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

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Thailand is not a signatory to the 1951 Refugee Convention or the 1967 protocol. Thus, all asylum-seekers not in refugee camps are illegal immigrants subject to deportation.<sup>24</sup> Because Thailand does not follow these international laws, they do not use the terms “asylum seeker” or “refugee.” However, in practice, Thai authorities permit “persons of concern to UNHCR” (urban refugees) to remain in the country until their cases are resolved.<sup>25</sup> UNHCR is heavily involved with asylum cases and urban refugees. However, UNCHR is not as involved with refugee cases in the camps. The Thai Constitution does not mention refugees, asylum seekers, or migrants.<sup>26</sup>

As of 2018, Thailand does not have an official policy on refugees.<sup>27</sup> Thailand operates under the 1979 Immigration Act (amended in 1992), which allows the country to host the thousands of refugees in its many camps along the border. This national law also considers asylum seekers and unregistered refugees as illegal immigrants and subjects them to arbitrary arrest, detention and deportation.<sup>28</sup> Admission to the camps is administered by Thailand's Provincial Admission Boards, but this has not been in operation since 2006. Any increase in population is due to unregistered refugees or natural increase.<sup>29</sup> In international law, *non-refoulement* refers to the principle that refugees should not be compulsorily returned to their home country, especially if it endangers them.<sup>30</sup> However, since Thailand does not officially

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<sup>24</sup> Lang, Hazel J. *Fear and sanctuary: Burmese refugees in Thailand*. No. 32. SEAP Publications, 2002 (184).

<sup>25</sup> Ibid.

<sup>26</sup> Constitute. “Thailand Constitution 2017.” *Constitute*, [www.constituteproject.org/constitution/Thailand\\_2017?lang=en](http://www.constituteproject.org/constitution/Thailand_2017?lang=en).

<sup>27</sup> Hugué, Jerrold W., and Sureeporn Punpuing. *International migration in Thailand*. International Organization for Migration, Regional Office Bangkok, Thailand, 2005: 9.

<sup>28</sup> Constitute. “Thailand Constitution 2017.” *Constitute*, [www.constituteproject.org/constitution/Thailand\\_2017?lang=en](http://www.constituteproject.org/constitution/Thailand_2017?lang=en).

<sup>29</sup> UNHCR. “Thailand” <http://www.unhcr.org/50a9f82d20.pdf>

<sup>30</sup> Hugué, Jerrold W., and Sureeporn Punpuing. *International migration in Thailand*. International Organization for Migration, Regional Office Bangkok, Thailand, 2005: 14.

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recognize refugees, especially unregistered refugees, they regularly carry out deportations to Burma.<sup>31</sup> In 2003, a total of 147,767 refugees from Burma were arrested in Thailand for illegal entry or overstaying. Moreover, Thailand announced that all urban refugees from Burma would be required to move to the camps.<sup>32</sup> As a result, asylum seekers in Thailand have increased, and this process is administered by UNHCR since Thailand has no national laws or policies.<sup>33</sup>

Refugees in Thailand are not afforded public healthcare. However, health services, including reproductive health, and sanitation in the camps are provided by international NGOs, which in principle follow standards of the World Health Organization (WHO). The most common illnesses, such as diarrhea and dysentery, are exacerbated by the camps crowdedness. Likewise, refugees in Thailand cannot obtain public education. Rather, education is provided in schools run by the refugees themselves. However, in most cases, education stops at 10<sup>th</sup> grade and, if refugees want to continue, they have to find the means elsewhere outside of the camps.<sup>34</sup>

Like education and healthcare, refugees in Thailand are not allowed to legally work in Thailand. That means that the population of 135,000 has no regular means of income and is not gaining useful work experience. This prolongs the amount of time refugees can move out of the camps and resettle. This also means that the refugees are prime targets for exploitive labor.<sup>35</sup> In Thailand, at the Solidarity Center, the legal director said that thousands of refugees and asylum seekers turn to fishing, even though they get paid only a fraction of the regular wages given to Thai citizens.

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<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid: 17.

<sup>35</sup> Ibid: 21.

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The political and legal framework of Thailand leaves much to be desired in respects to refugee processing and protection. As outlined, Thailand no longer provides refugees with the opportunity to safely seek asylum, nor does it even formally recognize the category of “refugee.” This lack of official political and legal framework is not simply an oversight on the part of the government, but rather it is a deliberate policy decision in the eyes of officials. Nonetheless, Thailand does cooperate with the UNHCR to help manage its population of refugees. Although no formal agreement exists, the Thai government does defer to the UNHCR on issues dealing asylum seekers and special services in the camps.

#### DISCUSSION

There are three components of identity that are examined and addressed in this paper: social, personal and political. These three components of identity function to construct different realities for refugees in different contexts. This paper examined the refugee camp context for Karen refugees in Thai refugee camps and the urban refugee context for Iraqi refugees in Egypt. The examination reveals how refugees “come to define the meaning of refugee status differently, depending on the specific lived circumstances of their exile.”<sup>36</sup>

#### **SOCIAL IDENTITY**

Political scientist James Fearon offers that social identity “refers simply to a social category, a set of persons marked by a label and distinguished by rules deciding membership and (alleged) characteristic features or attributes.”<sup>37</sup> He claims that “to have a particular identity

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<sup>36</sup> Malkki, 380.

<sup>37</sup> James Fearon, “What is Identity (As We Know Use the Word)?” (1999): 2

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means to assign oneself to a particular social category or perhaps just to be assigned to it by others".<sup>38</sup> Under Egyptian refugee policy, Iraqi refugees do not have the right to own land or seek employment. They are also denied access to public healthcare and public education. Education and employment are essential to the construction of social identity for Iraqi refugees.<sup>39</sup> Research has offered that Iraqi refugees "represent a new class of expatriate displaced persons, including relatively affluent middle- and upper-income families."<sup>40</sup> Additionally, the UNHCR has recently reported that the Iraqi refugee population is a "well- educated population."<sup>41</sup> These characteristics of affluence due to stable employment and education have meant that the "failure to provide employment rights to Iraqi refugees has a profound and widely distributed impact."<sup>42</sup> The lack of the ability to maintain access to education and employment mean that Iraqi's lose bits of their social identity. This loss paves the way for the creation of personal identity and political identity, which is discussed below.

In contrast to Egypt, the lack of policy in Thailand allows for Karen refugees to hold on to and reinforce the importance of their social identities. Because Thailand does not include refugees in its national policies, Karen refugees live in designated spaces this allow them to create social roles that are marked by "sets of characteristics thought typical of members of the

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<sup>38</sup> Fearon, What is Identity (As We Know Use the Word)?" 13

<sup>39</sup> El-Shaarawi, Nadia. "Living an uncertain future: Temporality, uncertainty, and well-being among Iraqi refugees in Egypt." *Social Analysis* 59, no. 1 (2015): 38.

<sup>40</sup> Sinha et al., "Refugees' Right to Employment and Evolving Responsibilities of Host Countries," *Journal of Immigrant & Refugee Studies* 10 (2012): 432.

<sup>41</sup> Sinha et al., "Refugees' Right to Employment and Evolving Responsibilities of Host Countries," 432.

<sup>42</sup> Sinha et al., 435.

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category.”<sup>43</sup> Malkki expands upon this idea by distinguishing between “town” and “camp” refugees. She writes,

In contrast, for the people I have called town refugees; refugee status was generally not a collectively heroized or positively valued aspect of one's social person. Insofar as it was considered relevant as it was more often a liability than a protective or positive status. The most relevant contrast in the present context is that the social status of being a refugee had a very pronounced salience in the camp refugees' life-words, while in town it generally did not.<sup>44</sup>

This identity is strengthened by the refugees' placements within these camps, which is facilitated by the nonexistence of policy of the Thai government, forcing foreign organizations to delineate spaces for refugees. The manner in which these organizations foster social cohesiveness and aid in creating a collective social identity is through relevant camp positions in which refugees voluntarily occupy. This is evident by the fact that education is self-produced in the camps. Karen refugees themselves create schools and curriculum, thereby strengthening the community and link they all share. As one organization in Thailand mentioned to me, refugees in the camps also protect each other. Although there is minimal security from the state, the Karen refugees have developed their own form of security and social enforcement. These aforementioned positions as well as others are significant because their existence reinforces the collective experience of being a refugee.

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<sup>43</sup> Fearon, 13.

<sup>44</sup> Liisa Malkki, 379-380

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**PERSONAL IDENTITY**

Fearon defines personal identity as “some distinguishing characteristic(s) that a person takes special pride in or views as socially consequential but more-or-less unchangeable (1999: 2).<sup>45</sup> In the previous section, we identified education and employment as crucial parts of the social identity for Iraqi refugees. Due to their inability to hold elements of their social identity, Iraqi refugees are forced to turn to the only parts of themselves that are not stripped away from them – their personal identities. They hold on to the pieces of their personal identity that cannot be sanctioned under Egyptian law. A core piece of their personal identity is religion. Most Iraqi refugees in Egypt identify as Sunni Muslim. Tangibly, Iraqi refugees experience religion through the Quran, collective prayers, and faith-based spaces.<sup>46</sup>

Karen refugees are confined to assigned camps. These camp environments, while arbitrary, undermine the need for a personal identity because they create a sense of collective belonging. This belonging is rooted in being a Karen refugee in Thailand, as discussed through social identity. This idea is then internalized by the refugees and is taken on as the dominating personal identity of this population, allowing for more fluidity in what would be defining characteristics of personal identity. Religion in the camps in Thailand has a different role than religion for urban refugees in Egypt. Most of the Karen refugees in the camp identify as Buddhist.<sup>47</sup> Unlike the Iraqi refugees' inability to hold on to parts of their social identity in

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<sup>45</sup> Fearon, “What is Identity (As We Know Use the Word)?” 2

<sup>46</sup> El-Shaarawi, Nadia. "Living an uncertain future: Temporality, uncertainty, and well-being among Iraqi refugees in Egypt." *Social Analysis* 59, no. 1 (2015): 38.

<sup>47</sup> Moonieinda, V. "The Karen people: Culture, faith and history." *The Karen Buddhist Dhamma Dhuttha Foundation* (2011).

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Egypt, Karen refugees can still celebrate their social identity in the camps. This indicates that religion may have a smaller role than other refugee experiences since social identity is more pervasive.

**POLITICAL IDENTITY**

The last aspect of identity, and perhaps the most salient, addressed in this paper is political identity. Roger Zetter states that a political identity is a bureaucratic label with materialist meaning (1991). He argues that credibility is gauged through material representation, and this labeling process establishes the asymmetric powerful-powerlessness relationship between the host community and the refugee community (1991). By not enjoying the same services as individuals in the host community, refugees are thus created to symbolize powerlessness.

In Egypt, because refugees cannot work and thus have no financial contribution, their visibility in the community is limited and they are seen as a burden to the host community. Iraqis discuss poor relations with Egyptians and there are widespread beliefs among Egyptians that refugees exacerbate the pervasive economic burdens. Policy maker and leader Menha Bakhum publicly stated that refugees “put pressure on the economy.” The “refugee label” thus puts all refugees in a homogenous group, further marginalizing them and highlighting the differences between refugees and Egyptian citizens.

The influx of Syrian refugees in 2013 highlights this construction of political identity. Zetter argues that there is no normative meaning to a refugee. During the brief presidency of Mohammed Morsi, Syrian refugees were allowed some liberties as Egyptian citizens, such as education and healthcare. Those were also the only two years the Egyptian government

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contributed financially to UNHCR. By granting Syrian refugees more services than Iraqi refugees, Egyptian policies were blurring the meaning of a refugee.

By not signing the 1951 Convention or the 1967 Protocol, Thailand abdicated all legal responsibility for protection of refugees. This action removes a political identity assigned by a nation-state and permits the political identity of Karen refugees to be negotiated between the refugees and the host community. Karen refugees internalize this political identity of “refugee” through material disparities. This have-and-have-not relationship further stratifies the camp-confined refugees from the local Thai citizens. By not enjoying the same services as individuals in the host community, refugees are thus created to symbolize powerlessness.

People outside of the camps make their own money through their own employmeny. People inside the camps, however, are dependent on the organizations. This exemplifies the power dynamic between the refugees and the Thai community, as the refugees are reliant on humanitarian organizations for resources, while the host community is thought to have the agency to make their own life choices. Unlike the Iraqis in Egypt, Karen refugees are politically invisible to the government but extremely visible to the local population. Their confinement to camps limits, but also defines, their interactions with the host community. Their political identity as “refugee” is constructed in two ways. Firstly, the designation of the camp creates a sense of hyper-visibility within the host community, allowing the host community to assign the other as “refugee.” Next, the refugees internalize this identity of “refugee,” which is reinforced by what they perceive as lacking in their own lives, such as homes and financial stability. Thus, the Karen refugees come to define their political identity as “refugee,” even with a lack of policies.

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In summary, policies in both countries work in different ways to impact the identity making processes of refugees. The absence of a refugee policy in Thailand paves the way for the maintenance and creation of a social identity, while refugee relevant policy in Egypt facilitates the prominence of a personal identity. Findings from this study demonstrate how refugees negotiate policies that control their visibility in order to gain a sense of legitimacy as institutions continue to govern their lives.