

## **The Rohingya ‘Refugees’: Regional Responses and Ramifications**

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### **Introduction**

Rohingyas constitute an ethnic Muslim minority in Myanmar, and are considered ‘illegal immigrants’ from Bangladesh. They are deprived of citizenship rights, face religious persecution, and are economically and socially segregated in the Buddhist-dominated country. Since the 1970s, thousands of Rohingyas have fled Myanmar. Many cross the land border into Bangladesh while a significant number of others take to the sea to reach Malaysia, Thailand, Indonesia, and Australia.

In October 2016, nearly 74,000 Rohingya refugees fled to Bangladesh after a violent military crackdown in the northern Rakhine state of Myanmar. Overcrowded refugee camps and the lack of livelihood opportunity in Bangladesh drive Rohingyas to relatively prosperous Southeast Asian countries. Therefore, the Rohingyas tend to consider Bangladesh as a transit point. In addition to the existing crisis, Bangladeshi economic migrants are also taking advantage of the situation to escape poverty.

The present approach of regional navies such as those of Indonesia, Malaysia, Australia, and Thailand is to tow these vessels back to sea as they enter into their territorial waters. This is often described as ‘maritime ping-pong’—which risks the lives of refugees who are already starving and ill.

This issue brief attempts to analyse trends in the response of regional countries to the issue of the Rohingyas. It also analyses the security implications posed by Rohingya refugees on regional countries, and the role of the Association of Southeast Asian Nations (ASEAN) with regard to them.

### **Current Situation of Rohingyas**

Since independence in 1948, the government of Myanmar has refuted the Rohingyas’ historical claim of citizenship, and denied the group recognition as one of the country’s 135 ethnic groups. They are identified as illegal Bengali immigrants despite

residing in Myanmar for centuries. ‘Systematic discrimination’ has been practised by the government of Myanmar

on the basis of ethnicity, including restriction on marriages, family planning, employment, education, religious orientation, and freedom of movement. Rohingyas have faced more than a decade of persecution and violence in Myanmar, leading to frequently occurring conflicts between the Rohingyas and the dominant Buddhist groups.

According to the International Organization for Migration (IOM), the Rohingya crackdown in October 2016 led to the killing of a dozen Rohingyas, and internally displaced thousands. The Rohingyas encountered the deadliest spate of ethnic violence when the military forces of Myanmar began a crackdown after the murder of nine border security guards allegedly by Rohingya militants. This crackdown led to an increase of Rohingya refugee movement. According to the UNHCR Report of May 2017, the total number of Rohingya refugees and internally displaced Rohingyas in the region was estimated at 420,000 and 120,000 respectively.<sup>1</sup> These refugees include both direct victims of the violence as well as Rohingyas who fled Myanmar as a precautionary measure.

These Rohingyas and Bangladeshi migrants are risking their lives on boats to seek safety and stability in regional Southeast Asian countries. The Rohingyas usually reach the destination countries via the Andaman Sea and the Bay of Bengal. They are often dubbed Asia’s ‘New Boat People’. Due to stricter vigilance along the land routes by the Thai and Malaysian security forces, these abandoned Rohingyas are in a dire situation, often living in cramped spaces with limited food and water.

## **Regional Responses**

### ***Bangladesh***

Thousands of desperate Rohingya refugees and Bangladeshi migrants are abandoned at sea. Those who are caught or towed to the shore by authorities continue to face the threat of detention and restricted access to basic human rights. Bangladesh, the

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<sup>1</sup> Vivian Tan, UNHCR, “Over 168,000 Rohingya likely fled Myanmar since 2012”, UNHCR Report, accessed 15 May 2017, at <http://www.unhcr.org/news/latest/2017/5/590990ff4/168000-rohingya-likely-fled-myanmar-since-2012-unhcr-report.html>

immediate neighbour of Myanmar, is facing tremendous pressure due to heavy inflow of Rohingyas.

Approximately, 75,000 Rohingyas have fled to Bangladesh after the military crackdown in October 2016. They reach Bangladesh from the northern Rakhine state of Myanmar into the Cox's Bazar district of Bangladesh, either on foot or by boat, across the Naf River. With its limited resources and overcrowded refugee camps, the country is facing tremendous challenges to accommodate such a huge exodus. Currently, Bangladesh is heading towards its highly controversial plan to relocate the Rohingyas to a remote 6,000-acre island, near the Hatiya Island in Noakhali district.<sup>2</sup> The Bangladeshi government is planning to implement the proposed plan despite acknowledging that the island is uninhabitable and prone to floods. At present, the Bangladeshi government has set up a committee to identify and relocate both registered and unregistered Rohingya refugees. This relocation plan might prompt the flow of Rohingyas to other regional countries via the sea.

## ***Indonesia***

In the recent past, Indonesia attracted a number of Rohingya refugees as it is a Muslim majority country. On 21 May 2017, Indonesian authorities rescued 600 stranded Rohingyas off the coast of Aceh.<sup>3</sup> Occasionally, the Indonesian government has been stating that they have 'given more than it should' to help hundreds of Rohingya and Bangladeshi migrants stranded in boats by human traffickers. Indonesia's military chief has also expressed concerns about easing immigration restrictions which would ignite an influx of refugees, which might led to serious implications.<sup>4</sup>

## ***Malaysia***

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<sup>2</sup> "Bangladesh pushes on with Rohingya island plan", Al Jazeera, accessed on 20 May 2017, at <http://www.aljazeera.com/news/2017/01/bangladesh-pushes-rohingya-island-plan-170131050223171.html>

<sup>3</sup> Al-Zaquan Amer Hamzah, "Malaysia detains 1,018 Bangladeshi and Rohingya refugees", Reuters, accessed 7 May 2017, at <http://in.reuters.com/article/malaysia-rohingya-idINKBN0NWoC320150511>.

<sup>4</sup> Eleanor Albert, "The Rohingya Migrants Crisis", *Council Foreign Relations USA* at <https://www.cfr.org/background/rohingya-migrant-crisis>, accessed 7 May 2017.

Malaysia was regarded as the primary destination for the Rohingya refugees prior to the crackdown, due to being able to provide potential employment in the informal sector. According to the UN, as of June 2016, more than 90 per cent of Malaysia's 150,700 registered refugees are from Myanmar.<sup>5</sup> Even after reaching Malaysia safely, they have no legal status or permits to work. However, after October 2016, the Malaysian Navy has been pushing Rohingya boat people back into the sea towards Thailand. The situation has turned into 'maritime ping pong of human life'. An estimated 25,000 Rohingya and Bangladeshi boarded people smugglers' boats in the first three months of 2017, to reach Malaysia.<sup>6</sup>

## ***Thailand***

Thailand is a hub for regional human smuggling and trafficking activities, and serves as a common transit point for the Rohingyas to reach destination countries like Malaysia or Indonesia. Most of the Rohingyas travel to Thailand from Myanmar or Bangladesh by boat with the assistance of human traffickers. These traffickers or smugglers are assisted by Thai officials, and the refugees are held in squalid jungle camps before a ransom is paid by their relatives or known people. The Thai government views Rohingyas problem that came from elsewhere and on its way to elsewhere, explaining the 'push back policy'.<sup>7</sup> According to this policy, Thai authorities intercept boats arriving on Thailand shores and push them towards Malaysia. Like Bangladesh and Malaysia, Thailand too has not signed the 1951 Convention relating to the status of refugees, and its 1967 protocol making Rohingyas 'illegal' migrants and hence they are taken into detention.

## ***Australia***

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<sup>5</sup> Ibid.

<sup>6</sup>Al-Zaquan Amer Hamzah, "Malaysia detains 1,018 Bangladeshi and Rohingya refugees", Reuters, accessed 7 May 2017, at <http://in.reuters.com/article/malaysia-rohingya-idINKBN0NWOC320150511>

<sup>7</sup> Daniel Sullivan, "Still Adrift: Failure to Protect Rohingya in Malaysia and Thailand", Refugees International: Field Report, November 2016, accessed 5 May 2017, at <https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/582ce2ef20099e7foc91b8f4/1479336695008/20161117+Rohingya.pdf>.

Australia is one of the most desired destinations of the Rohingyas, and the country hosts approximately 1,661 Rohingyas. The primary refugee transit route to Australia passes through Malaysia, Thailand, and Indonesia, with passenger ships, fishing boats, or cargo vessels being the means of transport. According to the UNHCR Report on Mixed Migration to South-East Asia, at least seven vessels carrying a total of at least 89 asylum-seekers and migrants sailed through South-East Asia in an attempt to reach Australia in 2016.<sup>8</sup>

## **Reasons for Denial**

Except for Australia, these regional countries are not signatories to the 1952 Convention relating to the Status of Refugees and the 1967 Protocol. Thus, they are not accountable for denying of immigrants. Yet, these countries do have a number of Rohingyas. South East Asian countries are reluctant to offer asylum to Rohingyas due to two main reasons. First, these Southeast Asian countries are members of the ASEAN. According to its cornerstone principle, giving asylum is an act of interference in the internal matters of Myanmar. Second, providing temporary shelter to the Rohingyas, especially to those stranded at sea, will create a pull factor, exacerbating the existing crisis and encouraging such departure. A similar situation occurred while offering resettlement to Vietnamese boat people reaching Southeast Asian shores; this acted as a 'pull factor', leading to an exodus of Vietnamese people leaving their homes more due to social and economic reasons rather than the fear of persecution.

## **Security Implications**

The Rohingyas have shown a tendency to ignite conflicts, and jeopardize both social and national security of both the transit and destination countries. One of the major issues these countries fear is illegal infiltration which has the tendency to exacerbate as the Rohingyas tend to mix with the locals, and can move beyond the camp boundaries. To prevent the increase in illegal infiltration, countries like Australia and Malaysia have adopted a screening process. However, these are relatively weak. For example, asylum seekers reaching Australia by boat are sent to an offshore processing centre to identify refugees separately from economic migrants. If found to be refugees, they are allowed to remain in Papua New Guinea and Nauru for

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<sup>8</sup> "Mixed Movements in South-East Asia - 2016", UNHCR Report, UNHCR Regional Office for South-East Asia, accessed 5 May 2017, at <https://unhcr.atavist.com/mm2016>.

resettlement; all others sent to detention centres in Australia. It is important to understand that such illegal migrants have the potential to threaten the internal security of transit and destination countries.

There are also fears that being an ethnic Muslim minority, the Rohingyas could contribute to Islamic radicalisation. Such fears are aggravated by the fact that they are already deprived of basic human rights and livelihood opportunities in both their home and destination countries, and because of their status of 'statelessness'. According to the International Crisis Group (ICG), the group of Rohingya Muslims that attacked Myanmar border guards in October 2016 (as already mentioned) was headed by people with links to Saudi Arabia and Pakistan. This incident sparked a crackdown by the security forces of Myanmar.<sup>9</sup> There are confirmations about terrorist groups are recruiting members from among the Rohingyas who are unregistered and living outside the refugee camps, such as in Chittagong, Cox's Bazaar, and Bandarban.<sup>10</sup> The Rohingyas are being exploited by many extremist Islamic outfits, including the Jamat-E-Islam, by providing arms training and by involving them in armed Jihad. Pro-Rohingya sentiments could also enflame extremist tendencies in Indonesia and Malaysia; and now, when religious tensions and the threat of terrorism loom large in both countries, this may led to the intrusion of terrorist elements.<sup>11</sup>

Human trafficking and smuggling are highly prevalent in the Southeast Asian region, and the Rohingya refugee crisis is aggravating the already existing issues. In a number of cases, the Rohingyas are being smuggled and sold to Thai fishing vessels as slaves to produce seafood sold across the world.<sup>12</sup> Due to the profitability involved, some local fishermen in Thailand have now converted their boats to carry Rohingya

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<sup>9</sup> David Alexander, "Myanmar's Rohingya insurgency has links to Saudi, Pakistan", Reuters, accessed 12 May 2017, at <http://in.reuters.com/article/us-myanmar-rohingya-idINKBN1450Y7>.

<sup>10</sup> Ahammad Foyez, "20 militant groups wooing Rohingyas to join them", *The New Age*, 30 March 2016, accessed 10 May 2017, at <http://newagebd.net/216083/20-militant-groups-wooing-rohingyas-to-join-them/>

<sup>11</sup> Hoang Thi Ha, "What can ASEAN do about the Rohingya crisis?" Today Online, accessed 10 May 2017, at <http://www.todayonline.com/commentary/what-can-asean-do-about-rohingya-crisis>

<sup>12</sup> Emanuel Stoakes, Chris Kelly, Annie Kelly, "Revealed: how the Thai fishing industry traffics, imprisons and enslaves", *The Guardian*, accessed 12 May 2017, at <https://www.theguardian.com/global-development/2015/jul/20/thai-fishing-industry-implicated-enslavement-deaths-rohingya>

migrants instead of fish. These activities are often rendered with the help of corrupt Thai officials. In some cases, Rohingya migrants held in immigration detention centers in Thailand were taken by staff to brokers, and then sold to Thai fishing boats.<sup>13</sup> The dense forests of southern Thailand and northern Malaysia are major stop-off points for human smugglers and traffickers where they abandon thousands of migrants from overloaded boats that have crossed the Bay of Bengal and the Andaman Sea from Myanmar. Rohingya refugees and Bangladeshi migrants are ferried by traffickers through southern Thailand, and are held in remote camps along the border with Malaysia until a ransom is paid for their freedom. According to the International Organisation for Migration (IOM), the largest camp supposedly had a capacity of up to 1,000 people.<sup>14</sup> If the Rohingyas are unable to process the fees to the traffickers, they are often tortured, beaten, and starved.

## **ASEAN**

The current refugee crisis in Southeast Asia has led to several regional meetings, with outcomes such as prioritizing the saving of lives at sea, combatting human smuggling and human trafficking, and the safety of asylum seekers. The persisting fear of ASEAN countries is that providing assistance can be misunderstood as interference in the internal matters of Myanmar. For a long time, ASEAN's response to the Rohingya crisis has been quiet and passive, due to its belief in non-interference. ASEAN needs to find a middle way between the concept of non-interference and collective responsibility to address the crisis. ASEAN can use a safe way by engaging with Myanmar through preventive diplomacy on issues like trafficking, counter-terrorism, and safety, to promote peace and safety in the region. And regional countries will have to understand that Rohingya crisis is not merely a national security threat, but a regional issue.

## **Conclusion**

Regional countries are more focused on the symptoms of the crisis rather than solving the root cause—that is, providing the Rohingyas their identity. Thus, it is to

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<sup>13</sup> Ibid.

<sup>14</sup> Praveen Menon, "In Malaysian jungle, grim secrets of trafficking camps revealed", Live Mint, accessed on 18 May 2017, at <http://www.livemint.com/Politics/HY5DvmRUvuhoZnBAAIas1H/In-Malaysian-jungle-grim-secrets-of-trafficking-camps-revel.html>.

be understood that the only way to reduce the loss of life at sea is by working together with the home country of the refugees, transit countries as well as destination countries, to create a mutual aid mechanism. However, in the case of Rohingyas refugees, the home country Myanmar refuses them citizenship identity. This gap can be filled by a regional organization such as the ASEAN as the refugee crisis is the major problem in the region.

Unless and until the situation in Myanmar improves, many Rohingyas are expected to cross the sea to seek stability in other Southeast Asian countries. Nevertheless, it is important to understand that the root cause of the crisis is the lack of identity of Rohingyas in Myanmar.

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## **Notes and References**