



THE ASEAN's RESPONSE TO ROHINGYA CRISIS

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The Singapore Minister of Foreign Affairs, Vivian Balakrishnan, in the Singapore parliament recently issued statements explaining why it was not possible for Singapore or the Association of South-East Asian Nations (ASEAN) to impose a deadline on Myanmar to start the process for repatriation of Rohingyas.¹ This has highlighted the potential role of the ASEAN in responding to the ongoing Rohingya crisis.

Myanmar's *Tatmadaw* (or Myanmar's Military) had launched clearance operation in August 2017 after attacks on security forces and posts in the Rakhine State of Myanmar by the notorious group- Arakan Rohingya Salvation Army. This operation was targeted against the ethnic minority group, Rohingya, comprising mainly of Muslims and predominately residing in the Rakhine state. The crisis has been worsening day by day with Bangladesh's Cox's Bazaar today becoming world's largest refugee settlement, sheltering the persecuted Rohingyas. The repatriation plan failed when not even single

refugee agreed on going back to Myanmar in November 2018 and till date, a concrete plan has not been arrived at. On the contrary, Myanmar's neighbouring countries have been receiving flux of refugees facing varied problems like women and child trafficking.

More than 700,000 Rohingyas have fled Myanmar to countries like Bangladesh, India, Indonesia, Malaysia and Thailand since commencement of the crisis and the issue of repatriating them has been long-pending. This has increased the magnitude of the crisis from local to regional. On the ASEAN's 30th anniversary, Myanmar became a member country of ASEAN on 23 July 1997. Ever since, Myanmar's ASEAN journey has been full of highs and lows. The grouping is known for its 'ASEAN-way' of regionalism which is based on the principles of consensus-building and non-interference. ASEAN is perceived as the platform to materialize cooperation in common areas of

interest as well as to address common concerns in the South-East Asian region.

But such strong principles have failed to resolve the largely mushrooming humanitarian crisis concerning the Rohingyas. The Rohingya boat crisis emerged in 2015 when boats carrying the refugees were stranded in the Strait of Malacca and the Andaman Sea where the migrants had been rebuffed from Indonesia, Malaysia and Thailand, all being ASEAN member countries.² This event brought world's attention once again towards South-East Asia and the region's approach towards humanitarian rights.

The ASEAN Intergovernmental Commission on Human Rights (AICHR)³ was formed under Article 14 of the ASEAN charter which states- "In conformity with the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms, ASEAN shall establish an ASEAN human rights body".⁴ But this noble cause of promoting human rights gets in conflict with ASEAN's basic principle of non-interference. In this context, nation-state's sovereignty and freedom to make its own policy decisions stand supreme over the notion of regionalism. In addition to this, the human rights body fails to provide any enforcement mechanism which would facilitate smooth guarantee of human rights in the region, thus making it a paper tiger.

The ASEAN leaders' summits fail to raise a strong concern with respect to Myanmar's role in the

Rohingya crisis. For instance, the Chairman's statement during the 31st ASEAN summit held in November 2017 in Manila, Philippines 'urged Myanmar to continue to implement the recommendations of the final report of the Advisory Commission on Rakhine State and welcomed Myanmar's establishment of a Ministerial Committee for this purpose.'⁵ Furthermore, 'it welcomed the commitment by Myanmar authorities to ensure the safety of civilians, take immediate steps to end the violence in Rakhine, restore normal socio-economic conditions, and address the refugee problem through verification process.'⁶ Issuing such statements of mild intensity, when the UN human rights body and the world community were criticizing Myanmar's establishment for its human rights abuse, highlights ASEAN's finite role is dealing with the Rohingya crisis.

Similarly, ASEAN's reluctance to issue effective statements is also visible in the Chairman's statement during the 33rd ASEAN summit held in Singapore in November 2018. The statement sounds supportive of Myanmar with respect to the repatriation deal it has signed with Bangladesh concerning the Rohingya refugees, without even mentioning the word 'Rohingya'.⁷ On the contrary, during the same time period, the U.S. Vice President, Mike Pence, raised this concern and said, "The violence and persecution by military and vigilantes that resulted in driving 700,000 Rohingya to Bangladesh is without excuse."⁸ Therefore, ASEAN's role as a

progressive regional grouping in resolving the Rohingya crisis remains questionable.

Very few leaders in the grouping, like the Malaysian Prime Minister Mohammad Mahathir, are vocal in criticizing the authorities in Myanmar for handling the ethnic crisis.⁹ The grouping, as a whole, should urge the government in Myanmar to take necessary steps in assimilating the Rohingyas in Myanmar's society. Mere deals of repatriation do not resolve the fear and trauma of insecurity which the refugees carry. Inclusion of the Rohingya minority in the list of minorities by Myanmar's officials could be the first noble step towards resolving the ethnic crisis. In addition to this, constitutional safeguards could be provided to the minority, addressing their security and human development concerns. With such steps and corrective measures only could Myanmar march successfully in accomplishing its dream of becoming a democracy in true sense and the ASEAN's role in assisting the Myanmar government for the same remains vital. A long term solution needs to be devised regionally within the ambit of the ASEAN for successful repatriation of the refugees. The 'Needs And Assessment team' which the ASEAN has envisaged to be sent to Myanmar could be the first step in this direction.

(Disclaimer: The views and opinions expressed in this article are those of the author and do not necessarily reflect the position of the Centre for Air Power Studies [CAPS])

Notes

¹"Parliament: Asean can't impose repatriation deadline for Rohingya refugees, says Vivian Balakrishnan", *The Straits Times*, 14 February 2019, <https://www.straitstimes.com/politics/rohingya-refugee-repatriation-why-asean-cannot-impose-deadline>. Accessed on 14 February 2019.

²"The Rohingya Boat Crisis: Why refugees are fleeing Burma", *The Week*, 21 May 2015, <https://www.theweek.co.uk/63745/the-rohingya-boat-crisis-why-refugees-are-fleeing-burma>. Accessed on 28 November 2018.

³"About AICHR", ASEAN Intergovernmental Commission on Human Rights, <http://aichr.org/about/>. Accessed on 26 November 2018.

⁴"ASEAN Charter", ASEAN, <https://asean.org/asean/asean-charter/>. Accessed on 27 November 2018.

⁵"Chairman's Statement of the 31st ASEAN Summit", ASEAN, Manila, 13 November 2017, <https://asean.org/wp-content/uploads/2017/11/final-chairman%20%99s-statement-of-31st-asean-summit.pdf>. Accessed on 26 November 2018.

⁶Ibid.

⁷"Chairman's Statement of the 33rd ASEAN Summit", ASEAN, Singapore, 13 November 2018, https://asean.org/storage/2018/11/33rd_ASEAN_Summit_Chairman_s_Statement_Final.pdf. Accessed on 27 November 2018.

⁸ John Geddie, "Pence issues sharp rebuke to Myanmar's Suu Kyi over 'persecution' of Rohingya", *Reuters*, Singapore, 14 November 2018, <https://www.reuters.com/article/us-asean-summit-myanmar-usa/pence-issues-sharp-rebuke-to-myanmars-suu-kyi-over-persecution-of-rohingya-idUSKCN1NJ0HL>. Accessed on 25 November 2018.

⁹ "Defending the Indefensible": Malaysia's Mahathir slams Suu Kyi over Rohingya Crisis", *Reuters*, Singapore, 13 November 2018, <https://in.reuters.com/article/asean-summit-malaysia-myanmar/defending-the-indefensible-malaysias-mahathir-slams-suu-kyi-over-rohingya-crisis-idINKCN1NI11S>. Accessed on 26 November 2018.