



# Stranded at sea: the Rohingya

by Eva Pejsova

Since January 2015, close to 30,000 Rohingya – a Muslim minority from Myanmar/Burma – took to the sea in order to seek refuge in Malaysia and Indonesia. The crackdown on human trafficking networks over the last three months has triggered a major humanitarian crisis. With traffickers hastily abandoning their human ‘cargo’ at sea, thousands of people have been left at the mercy of the elements, political indifference, and inadequate migration apparatus.

When following the smugglers’ trail, several problems can be identified. In Myanmar, the sending country, persistent intercommunal violence, growing Buddhist nationalism and a government which turns a blind eye to human rights abuses are casting a shadow on the country’s ongoing democratic transition. A closer look at the perilous journey reveals the influence of transnational criminal networks and corrupt security forces, as well as the reluctance of national governments and maritime enforcement agencies to address the immediate symptoms of the crisis and provide assistance to those stranded at sea.

At the receiving end, the lax attitudes of governments towards humanitarian issues and the problem of human trafficking are evident, as is their inability to overcome the core regional principle of non-intervention in domestic affairs. Finally, the failure of ASEAN to put in place crisis-management mechanisms to address the refugee issue casts doubts over its capacity to become the security community it aspires to be. As the EU is grappling with its own boat crisis in the Mediterranean, how to deal with mass migration

– such as Search and Rescue (SAR) and combatting transnational smuggling networks – appears to be a ‘natural’ area for cooperation with ASEAN. Yet any kind of joint capacity-building would need to be accompanied by a change in mindset of Europe’s Asian partners.

## The origins

While Myanmar has made progress on economic reforms and ceasefire agreements, the Rohingya – a million-strong Muslim minority from the westernmost state of Rakhine, on the border with Bangladesh – seem to have been left out of the peace process. Although present in the region since the 18th century, the Rohingya are not officially recognised as one of Myanmar’s ethnic minorities, and are routinely referred to as ‘Bengali’ – implying they are illegal immigrants from Bangladesh. Unwelcome in Bangladesh as well, the Rohingya are *de facto* stateless. Their sole official identification to date has been temporary ‘white cards’, which expired at the end of March and therefore deprive the community of their right to vote in the upcoming general elections in November.

Often at the margins of the predominantly Buddhist society, the situation of the Rohingya and other Muslim groups has deteriorated severely under the current rule of President Thein Sein. Buddhism is at the core of modern Burmese political ideology and continues to constitute the glue in the country’s national identity. Muslim populations are an easy target of popular nationalist discourse, and stand accused

of higher rates of birth and violence, having links to global jihadist networks and terrorism. Anti-Muslim sentiments have therefore become a powerful tool for consolidating power – something which is unlikely to change regardless of the election results.

The issue has received international attention since 2012, when clashes between ethnic Rakhine Buddhists and Rohingya Muslims led to dozens of casualties and displaced over 130,000 people. The government's latest proposal to round up the displaced Rohingya in detention camps (the 2014 'Rakhine State Action Plan') was condemned by international human rights groups, who increasingly label the situation as genocide.

## The transit

Over 120,000 Rohingya Muslims have fled Myanmar over the past three years. Without identity documents and lacking other choices, they easily fall prey to human traffickers. Recently, increased competition pushed smugglers into kidnapping – for ransom or forced labour. Herded onto overcrowded boats, both refugees and economic migrants undergo a perilous journey only to often end up in 'transit camps' in Thailand, waiting for ransom money to purchase their freedom or at least safe passage to their final destination.

The recent crackdown on smuggling networks was triggered by the publication of the US Trafficking in Persons (TIP) Report, which ranked Thailand and Malaysia among the worst in dealing with human trafficking, and accused the authorities of corruption and complicity. The subsequent discovery of dozens of shallow mass graves in the jungle along the Thai-Malay border revealed the scale and gravity of the phenomenon. According to various reports, around 2,000 people have perished since the beginning of the year – and between 2,000-4,000 people remain stranded at sea at this very moment.

Reports of the Malaysian and Indonesian coast guard pushing boats back out to sea raise serious concerns – from the perspective of both human rights and international law. Navies, coast guards, and commercial and fishing vessels are *all* obliged to come to the rescue of people in distress at sea. The first country to send a Search and Rescue mission to the Andaman Sea was Turkey, only then followed by Malaysia and Indonesia.

## The end destination

Those who manage to reach their final destination are far from the end of their ordeal. None of the concerned countries want to deal with the thousands

of refugees on their shores, saying that they fear uncontrolled population movements and social unrest. It was only after a joint statement by the United Nations High Commissioner for Refugees (UNHCR) on 19 May that the Malaysian and Indonesian authorities agreed to open refugee camps, expand SAR operations, and facilitate the disembarkation and immigration process.

Receiving countries continue to treat the majority of the 'boat people' as economic migrants. Of the total number of people currently in camps, only a third is estimated to be Rohingya – and therefore eligible for the status of political refugees. The rest are Bangladeshis seeking work. Without personal documents, however, their origins are difficult to prove – a conundrum exploited by economic migrants presenting themselves as Rohingya. The blurred lines between the economic and political push factors also serve as a convenient excuse to delay the immigration procedures. Those who are granted the status of political refugees may stay in the country for the period of one year – the rest are sent back to their place of origin.

## A non-security non-issue?

Considering its roots, scale and impact, the crisis should be dealt with at regional level. As a non-traditional transnational problem, it could constitute an ideal test for ASEAN, which claims to be willing and ready to step up its political and security integration efforts. Yet the inability and unwillingness to address the issue at a bilateral, let alone regional level is indicative of the region's cultural and political sensitivities, as well as of the state its security cooperation in general.

Being part of the same multilateral grouping does not always facilitate consultation and cooperation among parties. In the case of ASEAN, it is the organisation's cherished principle of non-intervention in internal affairs and its reluctance to criticise incumbent governments which pose the main obstacles to addressing the problem in a comprehensive manner.

The Rohingya refugee crisis is considered by capitals in the region to be a humanitarian issue, *not* a security one. According to this logic, it is conveniently non-governmental groups which must shoulder the responsibility for all the needs of asylum seekers – from education and housing to administrative and legal procedures – not governments. As long as this mindset prevails, truly effective cooperation with the EU may remain difficult.

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