

RENMUN VII

Peace in Permanence



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Chair Report

Chair Introduction

The United Nations High Commission for Refugees (UNHCR) was established in 1945 as a UN agency, with the intention of tackling the refugee problem created by the Second World War in Europe. With the occurrence of more conflicts across the globe since then, the UNHCR has expanded its scope of operations to assist refugees everywhere. At its core, the UNHCR is an organisation based upon human sympathy and mutual, unconditional aid. Through the support of its member countries and the parent organisations of the UNGA and ECOSOC, the council has been able to provide the proper aid to refugees under its expansive mandate.

To formally introduce ourselves, we are Anston Yu and Michelle Geng, your Head and Deputy Chair respectively. We'd like to welcome you to the UNHCR, and are honoured to be serving as your chairs this year!

Although the HCR may be labelled as a beginner-friendly committee, we would like to kindly remind all delegates to do thorough research and be well-prepared for each topic. Please make sure to read the chair reports and use the bibliography as a foundation for your preparation if you are unsure of where to start researching; we also encourage delegates to do additional research when preparing materials! We hope that, through this conference, you will all grow and excel as delegates of MUN and are looking forward to the fruitful debate and meaningful solutions delegates will create during the conference. As such, if you have any questions, do not hesitate to contact us through the email addresses below.

Best,
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Addressing the Failures of Refugee Protection in Southeast Asia

The Southeast Asia region has long enjoyed prosperity as a result of its strategic location. Containing Thailand, Myanmar, Cambodia, Laos, Brunei, Malaysia, Singapore, the Philippines, Indonesia, Vietnam, and Papua New Guinea, the region acts as a maritime gateway between East Asia and the Middle East, providing it with international value, and therefore making the question of its stability one of utmost importance.

However, this stability is threatened by the increase of refugees in recent years. With military conflicts such as the Rohingya genocide and military coup in Myanmar, the recent Taliban coup in Afghanistan, environmental crises such as Typhoon Rai creating destruction in the Philippines, and generally conservative legislation against minorities, the number of refugees that were displaced into the region has never been higher.

Refugees within the region face many problems. Refugees must face mortal danger, abuse, and exploitation before reaching their target countries due to their desperation to escape through dangerous channels such as the sea, and the pertinent problem of human trafficking. Even when they arrive, Southeastern countries have a tendency to deport and repatriate refugees due to their strong anti-refugee stances. Refugees who have nowhere to settle but in cramped refugee camps must face the atrocious living qualities therein. Finally, refugees have limited chances to acquire a stable lifestyle and escape their camps, due to the lack of routes to formal integration into countries. As a whole, refugees face many troubles on their path to safety and even then are not guaranteed to receive it.

Formal support from governments is also extremely limited. The only countries within the region that have signed the 1951 Refugee convention are the Philippines, Cambodia, and East Timor- merely 3 countries, showing the drastic and urgent lack of support from the government. In contrast, most countries have strict anti-refugee policies, which leads to certain countries being overburdened with refugees. This solidifies the crisis as an issue that demands attention, as the situation has a high likelihood of worsening without top-down reform.

Although the issue is constrained to within the Southeast Asian region, delegates should note that the implications of this crisis are global given its strategic location, and would do well to debate the topic with good intent.

Key Terms

Term	Definition
Refugees	Defined by the HCR as someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.
Internally Displaced People (IDPs)	IDPs are characterized as refugees who are unable or have otherwise not left the borders of their countries, and yet are in requirement of safety.
Host communities	Defined by the HCR as the country of asylum within which refugees live, which includes the local, regional, and national government and socio-economic structures included within.
Refugee protection	Defined by the HCR as all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law, namely human.
Principle of Non-refoulement	A core principle within international refugee law, which refers to the prohibition of States from returning any refugee to any place where they would face persecution. This principle, however, only applies if the country in question has signed the 1951 Refugee Convention.

Background Information

The refugee crisis can be broken down into multiple factors, which either contribute to its initial creation or increase intensity.

Where do refugees go?

The first problem refugees face is the path they must take to reach safety. Refugees have limited choices when it comes to exiting a country without the Government noticing, and must come face to face with definite harm during those channels.

The first route refugees may go is towards the sea. Reminiscent of reports of refugees going missing when crossing the Mediterranean sea, the Andaman sea receives a fair share of refugee flow, with a reported 1,597 refugees found travelling irregularly through the territory. That figure, however, is not the full picture- there were at least 15 refugees who went missing or died in 2019 while crossing seas. Couple that with the periodic finding of the abandoned vessel or unseaworthy ship by authorities, and the actual number of refugees lost on trips across water bodies can be presumed to be much higher. The reasons for this are poor preparation beforehand, with most refugees not packing enough food or water on the trip and not having well-equipped sea vessels for the journey.

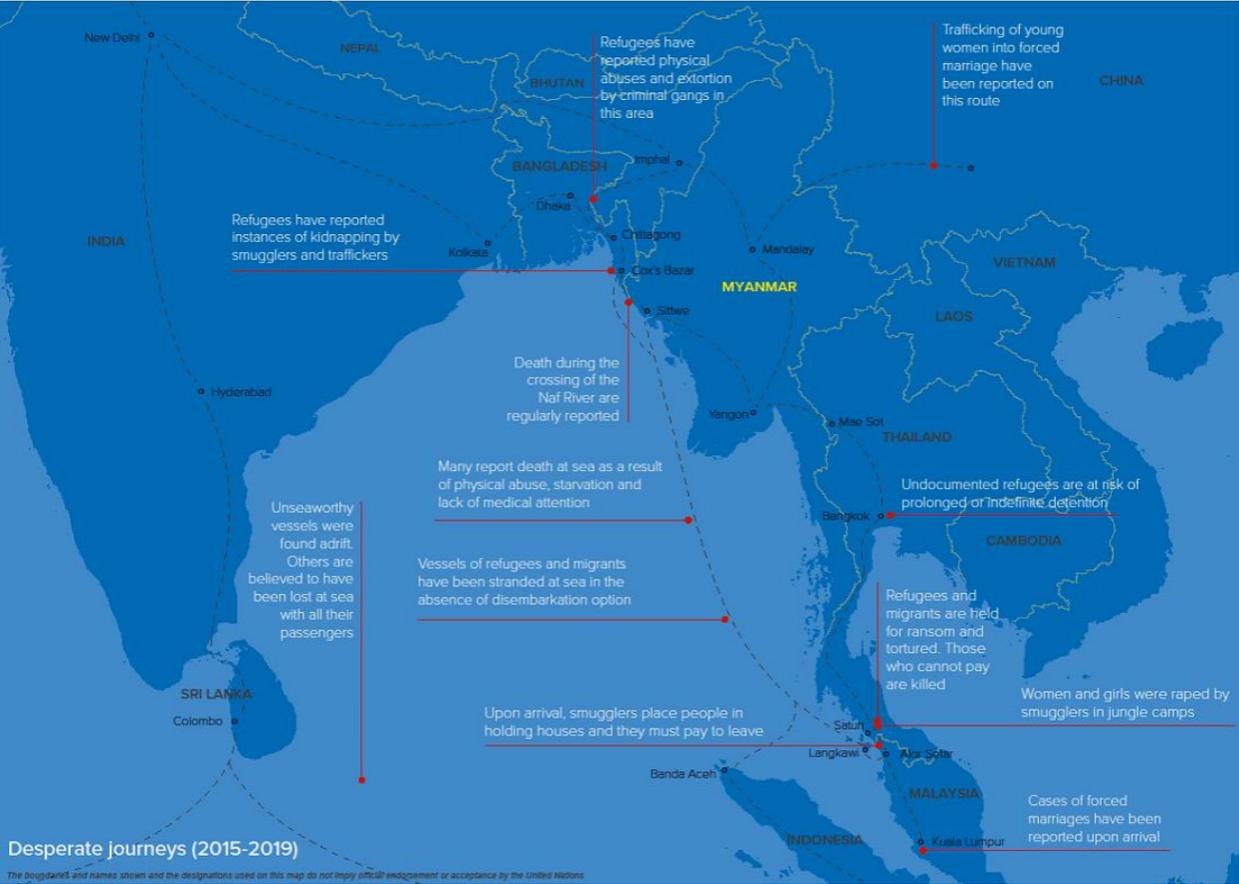


Figure 1: Graphic showing possible routes out of Myanmar, and the fates of refugees on said routes (source: UNHCR¹)

If refugees choose to proceed through land instead, they may have to go through human trafficking and smuggling to reach their target destination. Refugees, being fully vulnerable to their traffickers, have a high risk of being financially exploited (by being beat up until they pay more money), sexually exploited (raped or forcibly

¹ See “Refugee Movements in Southeast Asia”.

married by their captors), or killed (such as how Rohingya mass graves were found at abandoned human trafficking camps at the border between Thailand and Malaysia).

As a whole, refugees encounter a variety of risks whenever they exit a country. Given the definite degree of illegality that escaping a country could have, this problem is inevitable and yet would appreciate more seabound patrols and land inspections that could detect these refugees before they encounter higher degrees of danger.

It should be noted, however, that this is barely the extent of the problem. Even if refugees successfully arrive in a country, they have a huge chance of being turned away. This was the case for Rohingya refugees in 2015 who were turned away by surrounding countries, leading to an increase in stateless Rohingya refugees who could not receive aid. In some cases, refugees are repatriated back to their home countries, where they may face persecution. Although this would otherwise be a direct infringement of the principle of non-refoulement, countries that do this are among the many that did not ratify the 1951 Refugee Convention, meaning they are under no obligation to provide sanctuary to said refugees.

This is intensified by migration management programs from countries surrounding the region. Australia, for example, has Operation Sovereign Borders in place, which actively pushes Southeast Asian refugees away from its borders through direct intervention and indirect migration control through Indonesia.

In the end, this leads to refugees being directed to countries like Thailand and Malaysia, which already bear the brunt of the crisis. The problem of where refugees are relocated to safety is one that requires a much more comprehensive solution.

What do refugees face within host countries?

After arriving in host countries, refugees often are barely better off. The reasons for this are twofold- firstly, refugees are allocated minimal resources under current governments; secondly, refugees may not be officially protected at all.

Firstly, refugees face obscene living conditions and are barely protected by the countries they are in. In Thailand, for example, refugees either live in cramped, unhygienic immigration detention centres, or in tents on the side of roads. This has taken a toll on their physical and mental health, to the point where some are driven to suicide. A 22-year-old refugee in Indonesia performed self-immolation due to the long wait for resettlement and the unbearable living conditions in between. The plight refugees face is intensified by how they likely have no means of income, education, or healthcare. Given their stateless deposition, they lack the rights of a normal citizen and are harmed to a large extent as a result.

Finally, refugees are at risk of “informal protection” to preserve themselves in the unforgiving circumstances mentioned above.



Refugees face long waiting times for government procedures to allow them to fully integrate into society, so in the interim, they must find often illicit opportunities from employers to gain some form of sustenance. This opens the door to worker exploitation, with low pay and high working hours as examples. Although this is hardly an issue the region faces exclusively, it is intensified by problematic solutions currently provided in the region.

Fig. 2: The limited possessions refugees possess (source: AASYP²)

What are current solutions?

Although the above is reason enough for concern, the ineffectiveness of governments in resolving the refugee crisis is another major issue. While a comprehensive framework is what is truly needed, there seems to be a lack of direction in the status quo within the region towards reaching that. This is seen by how, in the entirety of the Southeast Asian region, only three countries have ratified the initial 1951 Refugee Convention from the UN- Cambodia, the Philippines, and East Timor. As a whole, there is a lack of top-down policy from governments or regional organisations which contributes to the exacerbation of the refugee crisis.

With regards to the more regional forms of legal protection, the Association of Southeast Asian Nations (ASEAN) only has basic human rights principles unspecific to refugees. With regard to an agreement signed in 1966 referred to as the Bangkok Principles, no form of binding commitment was provided, with the principles instead only being a statement of recommendations and basic human rights principles.

This can be linked back to the region’s fundamental aversion towards creating effective asylum policies. As non-interference in the region is a highly prioritised principle, a lack of legally binding obligations and a lack of support for formal institutions such as ASEAN are the norms. Given the nature of refugee policies, being that they force groups of foreign people onto national soil, the principle of non-interference takes even more precedence.

² See “Refugees in Southeast Asia: Avenues for Action in ASEAN and Australia”

As for the current extent of solutions provided, it is similarly not enough. Accommodations for refugees, as hinted above, are majorly lacking in humane quality. Processing delays within the administrations can usually take up to 3-5 years. The support arguably most needed by refugees, is that from the government, in such a lacklustre state is extremely worrying for future prospects.

Potential Clashes

Stance on refugee acceptance

With the aforementioned aversion towards asylum policies on behalf of countries, delegates must reflect on their fundamental stances towards having legally binding treaties and the current extent of progress made. In essence, this clash is one about the responsibilities a state should uphold to not only its citizens but to humanity. Delegates must therefore refine their stances such that true progress is made in the end.

Stance on minority protection

This is due to basic cultural misunderstandings for the majority of refugees, with lingual barriers and cultural differences being prevalent in dividing refugees and citizens. However, some of this discrimination runs on a much deeper level - especially for members belonging to the LGBTQIA+ community and the Rohingya demographic. With the majority of Southeast Asian countries being conservative against LGBTQIA+ groups, and with Rohingya Muslims being segregated among religious communities, any presence that refugees of these groups may have within Southeast Asia is subject to scrutiny. The marginalization and oppression they experience add to the mental strain they may feel. Given how large both groups are in the region - with one-third of all LGBTQIA+ refugees in the region, and with Rohingya Muslims typically fleeing to countries like Thailand, this issue demands attention.

Given the prevalence of LGBTQIA+ and Rohingya refugees within Southeast Asia as stated above, one must question if current viewpoints nations within the region may have against these groups are valid. Delegates must keep in mind that such refugees are still deserving of basic human rights and therefore reflect on their current treatment.

Stance on Military Conflicts

With the Rohingya genocide in Myanmar, and with coups in both Afghanistan and Myanmar, military conflicts are a significant source of refugees in Southeast Asia. Delegates must consider if they are willing to accept or reject refugees solely because of political reasons and if it is consistent with their country's stance. At the

same time, delegates must weigh if interfering within those countries for the sake of reducing refugees is worthwhile in order to ease pressure on current institutions. Finally, if delegates are intent on rejecting refugees from these areas, they must consider if there are other solutions that can be provided to the region.

Stance on immediate aid

No matter the cause, refugee crises may happen at any time. This is especially true for environmental causes, as natural disasters such as earthquakes and typhoons, despite having a large potential for displacing people, are largely unpredictable. This was the case for Typhoon Rai late last year (2021), which displaced upwards of 630,000 people. When considering the explosive consequences of political and military conflict, delegates must be prepared to address refugees lest their countries are overwhelmed (assuming that refugees are being accepted in the first place).

To address this, states have a choice between preparing for increased refugee facilities such as settlement camps within their own countries, or by at least providing safe passage for refugees when they travel. Either way, solutions in the interim period between accepting refugees and resettling them elsewhere must be explored.

Foreign aid

With regards to the multiple delegations in the UNHCR that are not within the region, the main question is how much pressure delegates are willing to put upon countries and nations within the region to resolve the crisis. The Southeast Asia crisis is a problem that can be seen as an embarrassment to global efforts to reduce and aid refugee populations and is one that requires monitoring to reach its original goal.

Key Stakeholders

Stakeholder	Involvement with the Issue
Myanmar	Myanmar is the main driving force behind the influx of refugees into the region, with it contributing 98% of all refugees in Southeast Asia in 2021. The reasons for this are twofold- firstly, the Rohingyas genocide and persecution which began in 2016 and has continued to this day; secondly, the recent military coup of the country and the atrocities committed by the new military party.

Thailand, Malaysia, and Indonesia	Although these three countries are all different in their own ways, their treatment towards most refugees have been generous. These three countries house the most refugees within the Southeast Asia region and have provided adequate support thus far. However, they still operate in a legal grey area where none of them has signed the 1951 Refugee Convention and is therefore not subject to the principles therein.
Australia	Australia has exacerbated the crisis by putting into effect Operation Sovereign Borders, which is a border protection operation intent on directing migrants away from Australian maritime borders. This has led to more refugees being trapped within Southeast Asia, creating a buildup of pressure on the institutions within.

Possible Solutions

Short term crisis resolution

Given the main cause of most refugee flow is the destabilization of a country or local region through political and military conflict, or natural disasters, delegates must resolve to find some direct solution to the cause of the crisis itself. In the case of property destruction (through natural disasters), reconstruction, amongst other policies, would be beneficial in restoring the area.

Short term accommodation

With another impact of refugee crises being the large influx of displaced persons, another question is the availability of accommodation for refugees. Delegates must question if current accommodation within their own countries is enough, and propose either national or regional changes. Another angle is the quality of such accommodation. As stated above, the atrocious quality of current accommodation is another problem that requires a solution, meaning that delegates must strive to find a balance between quality and quantity.

Long term governmental support

Delegates must explore the utility of binding regulations and principles. With the majority of countries either going against the basic principles set forward in the 1951 Refugee Convention or by not acknowledging the problem in the first place, there is a dire need for increased support from governments in the region. Delegates must

find a solution to increase government participation in refugee protection, either through regional agreements or by different forms of encouragement.

Long term societal re-integration

The UN has put forth local integration, voluntary repatriation, and resettlement of refugees as three possible durable solutions to resolving the refugee crisis. Unfortunately, most of these are impractical for the region for varying reasons. In terms of voluntary repatriation, countries like Myanmar currently face internal turmoil and are still persecuting Rohingya Muslims, while local integration may sometimes be impossible in countries due to nationality issues. Delegates must look for ways to either allow for the above long term solutions to work in the region or propose alternate solutions. An example of the latter is the usage of transitional agreements in Malaysia, where refugees work in the advocacy field with the government as a temporary stopgap.

Past Actions

1951 Convention relating to the Status of Refugees and 1967 protocol

Being an effort to address the refugee crisis in the aftermath of the Second World War, the 1951 Refugee Convention paved the groundwork for all future refugee support from the UN. The Convention created the definition of refugees and laid down basic principles (such as the principle of non-refoulement) for refugee protection. The 1967 Protocol was an addition to the original convention, which expanded the mandate of the convention. This allowed for countries that had signed the convention to operate universally.

1966 Bangkok Principles

The Bangkok Principles were a set of principles and recommended solutions for resolving the refugee crisis at the time. Although the principles are solid, there is a lack of legally binding clauses in the principles. Participation amongst Southeast Asia states was also minimal, with only Singapore and Thailand mentioned in the text.

Guiding Questions

1. How can delegates ensure the rights of refugees within Southeast Asia are protected?
2. What solutions are needed to tackle the issue at minimum?
3. What could encourage countries to make the appropriate changes for refugees?

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