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## **Rohingya Refugee Crisis: Testing Malaysia's ASEAN Chairmanship**

*By David Han Guo Xiong*

### **Synopsis**

*The Rohingya refugee crisis is a test of Malaysia's chairmanship of ASEAN. Kuala Lumpur's response is an attempt to balance its foreign policy commitment to ASEAN and allay domestic concerns over the Rohingya humanitarian problem.*

### **Commentary**

THE ROHINGYA refugee crisis presents a test of Malaysia's chairmanship of ASEAN. The most recent agreement by Malaysia and Indonesia to provide temporary shelter for the refugees, following an emergency meeting on 20 May 2015 in Kuala Lumpur, Malaysia, was a diplomatic breakthrough. It reflected Malaysia's delicate efforts to maintain its regional commitment to ASEAN while allaying domestic concerns about illegal immigrants in Malaysia.

Over the past three weeks, Malaysia, Indonesia and Thailand were turning away ships carrying mostly Muslim Rohingya refugees who were fleeing from Myanmar due to religious and ethnic persecutions in the Rakhine state of Myanmar. Estimates show that there could be over 6,000 people who are still stranded in the open seas. Indeed, the plight of the Rohingya people stranded in Malaysian seas has drawn an international outcry. The United Nations' human rights chief, Zeid Ra'ad al-Hussein, criticised Malaysia, Indonesia and Thailand for turning away the vessels while the European Union has urged Myanmar to end the persecution of its Rohingya minority.

### **Why Malaysia rejected the refugees**

Initially, Malaysia had rejected the additional influx of the Rohingya boat people because an unrestricted acceptance of these refugees is not a viable, long-term solution to the crisis that was largely caused by a domestic problem within Myanmar.

Malaysia is not a signatory to the 1951 Refugee Convention and does not possess a legislative and administrative framework to address refugee matters. Therefore, the inclusion of more Rohingya refugees would have further strained Malaysia's domestic capacity to cope with illegal immigrants in the country.

Nevertheless, these issues do not deny Malaysia's long-standing concern for the plight of the Rohingya people. In 1992, the government of then Prime Minister Mahathir Mohamad had urged Myanmar to take immediate steps to resolve the Rohingya problem. This was consistent with Mahathir's foreign policy to project Malaysia as an Islamic nation concerned for the welfare of Muslim minorities. However, Malaysia could not interfere directly in the domestic affairs of Myanmar, given the ASEAN principle of non-interference in the internal affairs of other member-states.

### **Refugee policy under Najib**

Although Prime Minister Najib Razak has largely avoided the strong Islamic zeal of Mahathir's foreign policy, Malaysia continues to be sympathetic to the Rohingya refugees. Notwithstanding the initial resistance to accept more Rohingya refugees, Malaysia has on the whole exhibited credible leadership as ASEAN Chair by being subsequently assertive in its response to the Rohingya crisis. At the 26th ASEAN Summit recently, Malaysian foreign minister Anifah Aman expressed the need for the Myanmar government to resolve the Rohingya problem domestically as a long-term solution.

Malaysia and Indonesia have agreed to provide temporary shelter for the refugees in their respective countries for up to a year, after which the international community should assist to repatriate and resettle the refugee to a third country.

Indeed, if the humanitarian crisis had not been temporarily mitigated, the consequences could have been worrisome not only for Malaysia, but also for the Rohingya refugees and ASEAN. An obvious outcome would be the continued suffering of the Rohingya people. Malaysia could be perceived as lacking leadership as chair of ASEAN. In addition, the failure to tackle the refugee crisis could have cast scepticism on the credibility of the ASEAN Community if it could not provide a viable solution to alleviate the suffering of the Rohingya people.

### **Malaysia's domestic concerns**

The Rohingya refugee crisis also poses domestic challenges for Malaysia. On one hand, the growing presence of Rohingya refugees could worsen the social, economic and political problems associated with illegal immigrants in Malaysia. The home affairs ministry has indicated that health and security problems could arise as a result.

In June 2013, ethnic violence between Buddhist and Rohingya Muslims in Myanmar spilled over into Malaysia, resulting in clashes between Buddhist and Muslim Myanmar nationals working in Malaysia in Selayang and the Klang Valley. These incidents threatened the safety of Malaysian citizens. Thus, a wholesale acceptance of the Rohingya refugees without addressing potential domestic problems is a risky political move which could easily trigger a backlash from the general public.

On the other hand, several Members of Parliament from both the ruling coalition and the opposition as well as local NGOs have criticised the government for not doing enough to alleviate the suffering of the Rohingya people.

Hence, the temporary acceptance of the refugees by providing shelter for one year – subject to an international solution to the Rohingya refugee crisis - is stop-gap measure that enables Malaysia to preserve its credibility as ASEAN Chair. This also placates domestic pressure to help the Rohingya refugees and at the same time reduce the negative impact of the presence of Rohingya migrants.

### **Rohingya as ASEAN citizens**

In the end, opening borders indefinitely to the Rohingya people would not improve the domestic situation in Myanmar. In fact, it may send the wrong signal to Myanmar that diverting its internal problem to other countries is an acceptable solution. Instead, Malaysia, Indonesia and Thailand, are sending a strong message to Myanmar that pushing responsibility to others is contrary to the ideals of the ASEAN Community.

Indeed, a long-lasting solution has to come from an internal change within Myanmar, supported by a more inclusive ASEAN Community which develops conducive measures to tackle the Rohingya

problem. The Rohingya people are part of Southeast Asia, and a people-centric ASEAN Community should live up to its promise of a regional body that cares for the welfare of its citizens.

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