

THE CHANGING CRITICALITY OF REGIONAL FORCED MIGRATION: STRATEGIC CHALLENGES & RESPONSES

4 June 2021

SUMMARY

This discussion paper outlines five strategic challenges representing likely drivers of forced migration in the Indo Pacific region in the coming five years, namely:

- Political instability in Myanmar and its implications for forced migration;
- The Rohingya displacement along the Bangladesh-Myanmar border, and stalemate toward safe, durable, voluntary and sustainable repatriation;
- The ongoing migration impacts of COVID-19;
- Climate change and forced migration;
- Ongoing displacement crises in Afghanistan and Syria.

These challenges are underpinned by existing dynamics that make them harder to address, including deficits of leadership and accountability within countries and across institutions; a lack of political will to address known responsibility gaps; tension between national and the regional interests; and underutilised early warning and crisis management capabilities to handle conflict and displacement within states and across borders

Four strategic directions that emerged at the ADFM meeting in May include the following.

- **Responsibility and accountability**, including the need for champions on particular issues, and coalitions who can work regionally, bilaterally and at the local level;
- The need to **better use the existing early warning systems and networks** we already have;
- **ASEAN action is necessary but insufficient**; both in terms of which sectoral bodies to involve, and their degree of connection with others;
- **Civil society networks, like the ADFM, can play an important linking role**, whether in actively connecting the efforts of state and non-state actors, keeping constructive pressure on stakeholders, providing a space for creative policy development, conducting strategic research or stimulating responses or early warnings.

CONTEXT

Forced migration, migrant smuggling, trafficking in persons and related transnational crime remain issues of serious concern to governments in the Indo-Pacific.¹ The migration environment has continued to change over the last 20 years and presents new and evolving challenges to states, communities and migrants. In recent years there have been collective efforts at the global level to reach better understandings on forced displacement and migration in the form of the Global Compact on Refugees (GCR) and the Global Compact for Safe, Orderly and Regular Migration (GCM). However, the impact of COVID-19 on forced migration is likely to be significant for some time to come, and domestic conflict in Myanmar could lead to significant destabilisation in the region.

Forced movement of people, particularly those fleeing from persecution, violence and death, or who are victims of smuggling, trafficking or related crimes such as slavery, are among the most serious crises in the Indo Pacific today. This crisis has been growing in severity and is now becoming critical. COVID-19 has taken a toll on everyone, but none more so than marginalised groups, including asylum seekers, refugees and stateless persons. In order to prevent the spread of infection, states have hardened already tightly controlled national borders, imposed domestic movement restrictions and further reduced what little assistance had been offered to those most vulnerable. Meanwhile, renewed political

¹ The ADFM Secretariat believes any discussion of 'forced migration' must cover related issues such as protection, durable solutions, irregular migration, economic migration, migrant smuggling, human trafficking, statelessness, and displacement. The Secretariat also understand that acts of human trafficking, migrant smuggling and other onward movements of displaced people are interrelated, and that deception, coercion and exploitation can occur at different stages of one person's journey.

instability and civil conflicts are creating new waves of potential forced migrants. Geopolitical rivalries and climate change are adding to this lethal mix.

Multilateral initiatives, international and regional organisations and the global community's efforts for the countries concerned to act constructively, and in accordance with international law and norms, are being rendered ineffective by nation states and their interests. Any hopes for measured progress towards more balanced protection with the Global Compacts seem to have been dashed. These implications, together with the adverse consequences that they set into motion, have not been adequately recognised or prioritised by governments to date. This is despite the numerous lessons that can be drawn from history of the human toll that occurs when states fail to cooperate.

RATIONALE

This paper presents a strategic analysis of key challenges and priorities for forced migration responses in the Indo Pacific over the next five years. The purpose of this analysis is to be an up-to-date resource to assist governments in the region choose where to concentrate their efforts for the most effective responses. The paper was compiled by the Secretariat of the Asia Dialogue on Forced Migration (ADFM) for discussion at its virtual meeting in May 2021, and has since been updated based on feedback received at that meeting.

The developments outlined above convince the ADFM Secretariat that the Indo Pacific region is fast approaching the point of *criticality*. Since its establishment in 2015, the ADFM has worked to contribute to more effective policy responses to both immediate and longer-term forced migration issues by facilitating Track 1.5 consultations.² The ground has shifted. The very nature of forced migration in the region is changing and forcing a total reframing of the issue. It can no longer be 'business-as-usual'. Incremental change will be insufficient.

The goal of this paper is to stimulate discussion on the strategic challenges facing the region over the next five years, and what more effective responses would look like. Part 1 outlines five strategic challenges that constitute our view of the primary drivers of forced migration over the coming years. Part 2 outlines some guiding principles and discussion questions, and also some strategic directions for response, drawing on discussions held at the ADFM meeting in May.

PART 1: STRATEGIC CHALLENGES

Overlaying the following five likely drivers of forced migration are a number of systemic dynamics that exacerbate the difficulty in responding effectively. These include deficits of leadership and accountability within countries and across institutions; a lack of political will to address known responsibility gaps; tension between national and the regional interests – particularly where domestic issues have cross-border impacts; and underutilised early warning and crisis management capabilities to handle conflict and displacement within states and across borders.

STRATEGIC CHALLENGE #1: POLITICAL INSTABILITY IN MYANMAR AND ITS IMPLICATIONS FOR FORCED MIGRATION

Myanmar has long been a primary source of forced migration in Southeast Asia. There was an expectation the transition to the first freely democratically elected government in 2015 would lead to a stronger human rights agenda, including greater protection of ethnic minorities. Earlier that year, a Nationwide Ceasefire Agreement was signed with 11 ethnic armed organisations (EAOs). After the election, however, the National League for Democracy (NLD) government led by Aung San Suu Kyi faced internal political challenges in implementing reforms, not least because the military (Tatmadaw) had carved out powers over the important ministries of home affairs, border control and defence in the 2008 Constitution. In August 2017, military and paramilitary actions against the Rohingya in Rakhine State forced some 740,000 residents to flee to Bangladesh, with sporadic attacks also occurring in other states.

On 1 February 2021, in response to the 20 November 2020 elections, the Tatmadaw declared a state of emergency under a contested constitutional provision. This has since led to widespread protests and a civil disobedience movement (CDM) in Bamar-majority urban areas. The Tatmadaw initially responded with some restraint, but the situation has now escalated significantly with increasing civilian casualties. As of 10 May 2021, at least 781 people had been killed 4,916

² For more information about the Asia Dialogue on Forced Migration see here: <https://cpd.org.au/intergenerational-wellbeing/asia-dialogue-on-forced-migration/>

arrested and 20 sentenced to death.³ Another 1561 are on wanted lists, including academics, humanitarian staff, entertainers and those in the creative arts. On the worst day of violence to date, Armed Forces Day on 27 March, at least 158 people were reportedly killed by the military.

The military established a State Administration Council (SAC) on 2 February 2021, while ousted NLD members formed an alternative government-in-exile - the Committee Representing Pyidaungsu Hluttaw (CRPH) - on 4 February 2021. On 16 April 2021, the CRPH announced a 'National Unity Government' (NUG) to be led by Win Myint as President and Aung Sang Suu Kyi as State Counsellor. Even as the struggle for state power occurs within the Bamar majority, violence in certain states has erupted. Myanmar's EAOs have yet to act in concert but certain ones have openly declared their opposition to the SAC. On 5 May 2021 the NUG announced the establishment of a 'people's defence force' but it is as yet unclear what role the EAOs have in this new group. Military action in Kayin and Kachin States has resulted in civilian casualties and there are reports of thousands seeking refuge on the Thai-Myanmar border, some being pushed back into Myanmar. Reports of escalating violence on the border are greatly concerning. A few days after this announcement the SAC declared the CRPH, NUG and associated organisations as a 'terrorist group', further complicating any effort at political de-escalation.

Despite the CDM and escalation of some EAO activities, the SAC is working to establish its legitimacy by restoring a semblance of law and order and return to ordinary life. The risks of a financial and economic crisis, already present before the military takeover, have now taken on new dimensions. United Nations (UN) Special Envoy, Christine Schraner Burgener, has warned that a banking collapse "is imminent" while shockwaves have "toppled the supply chain... fundamentally affecting the labour force."⁴ This is backed by the International Crisis Group (ICG), which describes Myanmar as being "on the brink of state failure".⁵ Food and fuel prices have significantly increased in urban and rural areas.⁶ A sharp economic contraction or collapse will add to the suffering of the general populace, with unemployment and poverty becoming even more widespread. The World Bank has forecast a 10 percent contraction of Myanmar's economy in 2021, while the UN estimates the rate of poverty has doubled to 50 percent of households.⁷ The World Food Programme estimates up to 3.4 million more people, particularly in urban areas, will be hungry over the next six months.⁸ This situation could be disastrous.

The UN Security Council (UNSC) has issued a statement expressing deep concern at the declaration of the state of emergency in Myanmar and called for the release of detained elected representatives and support for a democratic transition with full respect for human rights, fundamental freedoms and the rule of law.⁹ Calls for stronger language and a UNSC resolution were objected to by China and Russia.

The Association of Southeast Asian Nations (ASEAN) has made similar calls and held an ASEAN Leaders Meeting on Myanmar on 24 April 2021 in Jakarta, hosted by President Joko Widodo. This was the first time the group met in person since the pandemic began, which Indonesian Foreign Minister Retno Marsudi said "reflects ASEAN's concerns over the situation in Myanmar and ASEAN's determination to help Myanmar out of the crisis". Most countries sent their president or prime minister, with Thailand, Laos and the Philippines sending their foreign ministers. Controversially, General Min Aun Hlaing was invited to attend from Myanmar, rather than a representative from the NUG. The "five point consensus" issued after the Summit included the following stipulations: 1) immediate cessation of violence in Myanmar and all parties shall exercise utmost restraint, 2) constructive dialogue among all parties concerned shall commence to seek a peaceful solution in the interests of the people, 3) a special envoy of the ASEAN Chair shall facilitate mediation of the dialogue process, with assistance from the Secretary General of ASEAN, 4) ASEAN shall provide humanitarian assistance through the AHA Centre, and 5) the special envoy and delegation shall visit Myanmar to meet with all parties concerned.¹⁰

³ Assistance Association for Political Prisoners (2021) Daily Briefing in Relation to the Military coup, 10 May, <https://aappb.org/?p=14961>

⁴ UN News (2021) Myanmar: 'Significant action' needed by Security Council to prevent 'bloodbath' 31 March <https://news.un.org/en/story/2021/03/1088822>

⁵ Richard Horsey (2021) 'Myanmar on the brink of state failure' Briefing to the UN Security Council's 9 April 2021 'Arria-Formula Meeting on the situation in Myanmar' <https://www.crisisgroup.org/asia/south-east-asia/myanmar/myanmar-brink-state-failure>

⁶ Between January and March average prices for rice increased 5%, and cooking oil 25%, increases were higher in border states including Rakhine, Kachin and Chin. WFP (2021) Myanmar Market Price Update, March 2021.

⁷ <https://www.theglobeandmail.com/world/article-number-of-people-living-in-poverty-in-myanmar-has-doubled-in-last-year/>

⁸ WFP (2021) 'WFP to step up operations in response to hunger in Myanmar' 22 April, <https://www.wfp.org/news/wfp-step-operations-response-fast-rising-hunger-myanmar>

⁹ Security Council Press Statement on Situation in Myanmar, 4 February 2021, C/14430, <https://www.un.org/press/en/2021/sc14430.doc.htm>

¹⁰ ASEAN Secretariat, Jakarta, 24 April 2021, Chairman's Statement on the ASEAN Leaders' Meeting, <https://asean.org/storage/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf>

The first two points of the consensus are much weaker than the UN Security Council President's Statement on 10 March 2021, which had called for the immediate release of "members of the Government" and "all those detained arbitrarily". It further condemned the violence against peaceful protesters and called on "the military to exercise utmost restraint."¹¹ The remaining three points, however, gave ASEAN a larger apparent role in the dispute, however, the Tatmadaw and since issued its own statement on 26 April stating that the "suggestions" would be considered "when the situation returns to stability." This has been seen by some as a strategy to buy time for the Tatmadaw to increase control over the country.

Whatever the political outcome, which is outside of the ADFM's remit, it is apparent to the ADFM Secretariat that there is now a significant risk of increased forced migration in the short and medium term as a result of the instability in Myanmar. It is the ADFM Secretariat's view that (1) internal conflict has increased and shows signs of further escalating, (2) the country is experiencing financial fragility and economic contraction, which could culminate in economic collapse, (3) whether imminent or not, there is a possibility of state collapse, (4) the international community will likely continue to apply pressure on the regime, possibly including strengthened economic sanctions affecting the general populace, and (5) in an effort to ensure regime stability, the military regime will increase its dependence on certain major powers and neighbouring states.¹²

STRATEGIC CHALLENGE #2: THE ROHINGYA DISPLACEMENT ALONG THE BANGLADESH-MYANMAR BORDER AND STALEMATE TOWARD SAFE, DURABLE, VOLUNTARY AND SUSTAINABLE REPATRIATION

Before recent and ongoing political developments in Myanmar, the Rohingya were already recognised as one of the world's most persecuted groups. The provisional ruling of the International Court of Justice in December 2019, though binding, has had little effect on adding to protections for the estimated 600,000 Rohingya still residing – partly as internally displaced persons (IDPs) - in Rakhine State in Myanmar. More importantly, it have done little to advance the voluntary, safe, dignified and sustainable repatriation of the nearly one million Rohingya who fled across the border to Bangladesh and who are housed in 34 rudimentary camps around Cox's Bazar. Two bilateral agreements between the Governments of Bangladesh and Myanmar have been signed to date – one in November 2017 and the other in January 2018. However, despite diplomatic efforts, there have been mutual accusations of bad faith concerning the implementation of the agreements. Through multiple consultations and two site visits to Cox's Bazar in September 2019 and February 2020, the ADFM Secretariat has found progress at a virtual standstill, leading to increased risks of migrant smuggling, human trafficking and related exploitation.¹³

The Government of Bangladesh has shown itself to be a generous humanitarian host to the Rohingya but there are obvious signs of strain. Despite sound economic growth that has seen sharp drops in poverty levels, it still faces many challenges in supporting its population of 165 million, particularly given its vulnerability environmental degradation, including climate change. In addition to these constraints, it is, as with all countries, having to manage with the health and economic consequences of COVID-19. The willingness of the Government of Bangladesh to partner with international organisations, governmental and non-government organisations in assisting the Rohingya has also been commendable. There were more than 100 such agencies operating in the camps although some have been forced to cease operations due to the pandemic. In this connection, it is important to take note of a 2019 OECD survey of Rohingya and humanitarian providers which showed sharp contrasts of opinions regarding the assistance they offered.¹⁴

It should be remembered that, as a neighbouring state, maintaining good relations with Myanmar is integral to Bangladesh's national and security interests. The repatriation of the Rohingya represents both a distinct policy goal and means of improving relations. Bangladesh Prime Minister, Sheikh Hasina, recently urged the D-8 Organization for Economic Cooperation to apply pressure on Myanmar to repatriate the Rohingya.¹⁵ Until and unless this happens, the

¹¹ UN Security Council (2021) Statement by the President of the Security Council, 10 March, S/PRST/2021/5, <http://undocs.org/S/PRST/2021/5> (emphasis added)

¹² Speaking on behalf of EU member states, Josep Borrell has said, "Geopolitical competition in Myanmar will make it very difficult to find common ground but we have a duty to try." <https://www.usnews.com/news/world/articles/2021-04-11/china-russia-undermine-international-myanmar-response-eus-top-diplomat-says>

¹³ Asia Dialogue on Forced Migration Secretariat (2019) *Avoiding a Crisis Within a Crisis: Assessment Report of the risk of human trafficking, migrant smuggling and related exploitation arising from the displacement in Cox's Bazar*, March.

¹⁴ Ground Truth Solutions, OECD, UKAID (2019) Survey of refugees and humanitarian staff in Bangladesh: March 2019 Round 1, https://www.oecd.org/development/conflict-fragility-resilience/docs/BANGLADESH_field_survey_2019.pdf

¹⁵ Hasina calls for D-8 pressure over Rohingya repatriation (2021 *BD News 24*, 8 April, <https://bdnews24.com/bangladesh/2021/04/08/hasina-calls-for-d-8-pressure-over-rohingya-repatriation>)

camps constitute (semi-)permanent holding cells for the Rohingya, who will continue to be vulnerable to exploitation as hope for a long-term solutions diminishes. One of the vulnerabilities is the existence of rival armed drug-related groups who have reportedly been waging a war in the camps.¹⁶ Fires are also a significant risk in the camps,¹⁷ as is seasonal monsoon flooding, as canvas shelters offer little protection to the elements. Onsite reporting by Doctors Without Borders highlights restricted access of international humanitarian groups, a sharp deterioration in living conditions and feelings of desperation and hopelessness leading to risky choices.¹⁸

The stalemate around repatriation, and subsequent feelings of idleness and hopelessness in the refugee camps, are directly related to movements by sea. After a brief hiatus, boat movements in the Andaman Sea resumed in mid-2020. Despite calls from humanitarian agencies for support, neighbouring states such as Thailand and Malaysia tightened their borders in an attempt to stem the spread of COVID-19. In the first four months of the year, at least 135 Rohingya were known to have died or gone missing in the Andaman Sea and Bay of Bengal.¹⁹ Those that did manage to land reported being stranded for months at sea. This suggests that people smuggling and possibly trafficking networks both in Cox's Bazar and in Rakhine State have resumed operations and enforcement is possibly more lax than before. The Southwest monsoons are again expected from July to September 2021 and will make boat movements more dangerous. The Government of Bangladesh has shown its determination to resettle at least some of the Rohingya in Cox's Bazar to the island of Bhasan Char. Returning boats were initially refused permission to disembark and later diverted to the island.

Notwithstanding initial fears, local and international actors have to date managed the pandemic in the camps in Cox's Bazar incredibly well. As of 18 April 2021, there had been 494 confirmed COVID-19 cases in the refugee camps and 7,048 in the host community: 10 deaths among the Rohingya community and 79 among the host community.²⁰ Despite this strong and effective response, the dramatic escalation of COVID cases in India over the past month means the risk of an accompanying rise in Bangladesh and an outbreak in Cox's Bazar remains deeply concerning.

Despite greater international pressure on the military government from ongoing accountability processes, recent political developments in Myanmar are not conducive to repatriation efforts and make movements by sea more rather than less likely, thereby intensifying the existing crisis. Although officially General Min Aun Hlaing has said in a televised speech that the military would honour the repatriation agreements, the stalemate continues.²¹ Very little information is known about the current situation in Rakhine State and the fate of the estimated 600,000 Rohingya who remain in Rakhine State, of whom about 144,000 have been living in IDP camps since 2012.²² What we do know is that after a short pause following the February coup, during which time the military government made some peace overtures, the Arakan Army (AA), along with its Northern Alliance partners, has now suspended talks, called for an end to violence and threatened to side with the military government's opponents. The Tatmadaw clearly does not want to fight on multiple fronts. The AA has indicated that, while it does not want street protests or the CDM in Rakhine, it supports the other states and the Bamar majority in achieving their political goals.²³ It remains to be seen if the AA will condone, let alone facilitate, the repatriation of Rohingya. Further, significant work would be needed to improve social cohesion and reduce inter-ethnic tensions in Rakhine State, involving local government, civil society and the international community, in order to ensure repatriation of the Rohingya would indeed be sustainable.

In short, it is the ADFM Secretariat's view that (1) prospects for the voluntary, safe, dignified and sustainable repatriation of Rohingya to their homes are as distant as they ever were, (2) Bangladesh's patience and resource limits in hosting

¹⁶ Kamil Ahmed (2020) Gang violence erupts in Bangladesh Rohingya camps forcing families to flee, *The Guardian*, 9 October, <https://www.theguardian.com/global-development/2020/oct/09/gang-violence-erupts-in-bangladesh-rohingya-camps-forcing-families-to-flee>

¹⁷ Fires are not uncommon during the dry season in Bangladesh, and the recent dry season has been unusually long. In the first four months of 2021 there have been 84 fires in the Cox's Bazar camps, more than the total throughout 2020. Save the Children (2021) Rohingya refugees fear 'another disaster waiting to happen' after 84 fires in just four months – more than 2020 total' 15 April, <https://reliefweb.int/report/bangladesh/rohingya-refugees-fear-another-disaster-waiting-happen-after-84-fires-just-four>; The worst reported fire took place in late March 2021, and resulted in an estimated 48,300 people losing their shelters and belongings. ISCG (2020) Joint humanitarian response to fire incident in Rohingya refugee camps (6 April) Cox's Bazar

¹⁸ Doctors Without Borders (2021) As camp conditions deteriorate, Rohingya refugees in Bangladesh face a terrible dilemma, 18 March, <https://www.doctorswithoutborders.org/what-we-do/news-stories/news/camp-conditions-deteriorate-rohingya-refugees-bangladesh-face-terrible>

¹⁹ UNHCR (2020) 'Maritime movements of Rohingya refugees in South-East Asia, January – 3 June 2020'

²⁰ WHO Bangladesh, 'Coronavirus Disease 2019 (COVID-19) (12-18 April 2021) UPDATE'

²¹ AFP (2021) 'Myanmar coup leader: Rohingyas to be repatriated to Rakhine State' *Dhaka Tribune*, (9 February) <https://www.dhakatribune.com/world/2021/02/09/myanmar-coup-leader-rohingyas-to-be-repatriated-to-rakhine-state>

²² UNHCR (2021) Myanmar Operational Update > January-February 2021 <https://reporting.unhcr.org/sites/default/files/UNHCR%20Myanmar%20Operational%20Update%20January-February%202021.pdf>

²³ AA chief does not want Myanmar's strikes and protests in Rakhine State (2021) *The Irrawaddy*, 12 April, <https://www.irrawaddy.com/news/burma/aa-chief-not-want-myanmars-strikes-protests-rakhine-state.html>

them continue to be tested, (3) deteriorating conditions in the camps are more likely to continue providing impetus for risky movement by sea, facilitated by people smuggling and trafficking groups, (4) with more boat movements, the risks of deaths at sea are likely to rise, resulting in more active maritime surveillance and enforcement and (5) that at least in the short- to medium-term, the boats will continue play a deadly ‘cat-and-mouse’ game with the authorities of transit and host countries who are pushing them back into international waters.

STRATEGIC CHALLENGE #3: THE MIGRATION IMPACTS OF COVID-19

The COVID-19 pandemic is having a profound impact on people movements across the region.²⁴ Measures put in place by countries to control the spread of COVID-19 have generally had an impact on the general population but specifically on migrants in particular. With legitimate avenues to travel for employment cut off in many cases, brokers have continued to facilitate movement by land and sea.²⁵ More people have been faced with economic vulnerability and are at increasing risk of vulnerability to trafficking. UNODC has also warned of increased risk of people being targeted online in a climate of increased digital connectivity during home-based lockdowns and movement restrictions.

Countries with large populations of migrant workers continue to face challenges in repatriating their citizens, or ensuring they are supported while they are abroad. Movement control orders or lockdowns impacted people disproportionately globally, as some people can work from home easily while others cannot for reasons of the type of work, or their home environment. It has been said many times that COVID-19 has exposed existing vulnerabilities rather than creating new ones. Those most vulnerable have been hit the hardest, particularly migrants, stateless persons and refugees living in host communities without access to services or formal work opportunities. The economic, security and social impacts are exacerbated for women and girls.²⁶

In some countries, there has been a rise in anti-immigrant sentiment and blame put on immigrant communities for spreading the virus. In Malaysia, which has been a target destination for the Rohingya and others, there were reported instances of harassment of Rohingya living in Malaysia, and government raids during which at least 2,000 foreigners were arrested, at least 800 of whom were reportedly from Myanmar.²⁷ Boats launched from Bangladesh and Rakhine have not been allowed to land, reportedly leading them to be stranded at sea for months with tragic consequences. In June 2020, authorities were quoted by the press as having stopped 22 boats from landing.²⁸ In late February 2021, the government facilitated the repatriation of 1,086 Myanmar nationals from immigration detention centres, despite a stay being granted by the Kuala Lumpur High Court.²⁹

Recovery from the pandemic will be slow, especially since COVID-19 infections remain prevalent and in some countries, such as India, are rising steeply, taxing national health and finances to the limits. As at April 2021, the Philippines, Indonesia, Thailand and Malaysia continue to report high levels while some countries, including Papua New Guinea and Cambodia, are only now seeing a first wave of the virus, demonstrating that this pandemic is far from over. A significant new challenge has arisen in the form of rolling out the vaccine across the region, which will lead to inequalities as some countries vaccinate their populations more quickly than others. Refugees and asylum seekers are unsurprisingly not among the national priority groups for vaccination and many are still not registered by humanitarian organizations such as UNHCR. These are among the crucial issues that will require intensive discussion.

In short, COVID-19 is changing the forced migration landscape with (1) greater securitisation at, and within, borders, (2) lowering what little protection was offered to forced migrant populations, and (3) raising the critical matter of access to health services and vaccines. Given the present state of COVID-19 infections and vaccine rollouts, ADFM is of the view that national policies towards forced migrants are unlikely to change in the short- to medium-term, at very least in the absence of greater international cooperation and assistance.

²⁴ Benton et al (2021) *COVID-19 and the State of Global Mobility in 2020*, Migration Policy Institute and International Organisation for Migration.

²⁵ Interpol (2020) COVID-19 impact on migrant smuggling and human trafficking (11 June) <https://www.interpol.int/en/News-and-Events/News/2020/COVID-19-impact-on-migrant-smuggling-and-human-trafficking>; UNODC (2021) COVID-19 Seen Worsening Overall Trend in Human Trafficking, 2 February, <https://www.unodc.org/unodc/frontpage/2021/February/share-of-children-among-trafficking-victims-increases--boys-five-times-covid-19-seen-worsening-overall-trend-in-human-trafficking--says-unodc-report.html>

²⁶ UN Women (2020) *Policy Brief: The impact of COVID-19 on women*, April.

²⁷ A. Ananthlakshmi, R. Latiff (2020) ‘Rohingya targeted in Malaysia as coronavirus stokes xenophobia’ 23 May, *Reuters*, <https://www.reuters.com/article/uk-health-coronavirus-malaysia-rohingya-idUKKBN22Z00Q>

²⁸ ‘Malaysia detains 270 Rohingya refugees who had drifted at sea for weeks’ (2020) *BBC News*, 9 June <https://www.bbc.com/news/world-asia-52975138>

²⁹ A. Ananthlakshmi, R. Latiff (2021) ‘Defying court order, Malaysia deports more than 1,000 Myanmar nationals’ *Reuters*, 23 February, <https://www.reuters.com/article/us-myanmar-politics-malaysia-idUSKBN2AN09M>

STRATEGIC CHALLENGE #4: CLIMATE CHANGE AND FORCED MIGRATION

Over recent decades the links between climate change and migration, including forced migration, have become more widely recognised. The latest three special reports of the Intergovernmental Panel on Climate Change (IPCC) make extensive reference to the impacts of climate change on human displacement.³⁰ At COP 24 in 2018, state parties accepted recommendations prepared by the task force that was created by the Paris Agreement (under Loss and Damage) to avert, minimise and address the adverse impacts of climate change and disaster on displacement.³¹ The Cancun Adaptation Framework (2010), the Sendai Framework for Disaster Risk Reduction (2015-2030) and other international instruments have also emphasised the need to tackle this daunting challenge both at the national and international levels.³²

While difficult to measure, there are also many indications that forced displacement is increasing due to the effects of climate change. In 2017, 18.8 million people were displaced internally due to sudden onset disasters across 135 countries and territories, 8.6 million from floods, and 7.5 million from sudden onset disasters like cyclones. In 2017, six of the top ten countries which experienced displacement due to disaster were found in Asia.³³ Indeed, the Indo Pacific is considered to be one of the most vulnerable regions in the world to climate change, with the Asian Development Bank estimating that around 42 million people were displaced in Asia between 2010 and 2011 due to “sudden-onset climate related and extreme weather events.”³⁴ This situation will pose more of a challenge as the effects of climate change worsen.

Climate change can also render people from particular areas more vulnerable to migrant smuggling, human trafficking, and related exploitation. For example, following Typhoon Hainan in 2013, areas significantly affected by the weather event in the Philippines recorded increased rates of human trafficking.³⁵ Another example is found in the Andaman Sea, where trafficking syndicates previously targeted adult Bangladeshi men from those regions of the country that are not exposed to short-term international contract migration and consequently have little knowledge about the pitfalls of movement through the irregular route. Climate change affected regions fall into one of the major catchment areas. Following the discovery of mass graves of trafficking victims on the Thai-Malaysia border in 2015, research conducted by the Refugee and Migratory Movements Research Unit (RMMRU) found that 66% of those victims were from the 19 climate hit districts of Bangladesh.

2020 saw a number of extreme weather events that serve as a reminder of the importance of preparing for the effects of climate change. In the first half of the year alone there were bushfires across much of Australia, super-typhoon Amphan hit India, Bangladesh, Nepal and Myanmar, and tropical cyclone Harold caused widespread destruction in the Solomon Islands, Vanuatu, Fiji, and Tonga. Such events were all the more difficult to respond to and recover from in the context of a global pandemic. Governments and regional institutions are increasingly recognising the need to be better prepared for the wide-ranging impacts of climate change, including on migration. On 4 February 2021 President Biden issued an Executive Order including the preparation of a “report on climate change and its impact on migration, including forced migration, internal displacement and planned relocation” that is due in August.³⁶

In short, climate change is affecting forced migration by (1) driving new displacements within and across borders by both sudden and slow onset disasters, (2) increasing vulnerability to exploitation of those already forced to move, and (3) compounding individual and community vulnerability to food and water scarcity, linked to conflict and instability.

STRATEGIC CHALLENGE #5: ONGOING DISPLACEMENT CRISES IN AFGHANISTAN AND SYRIA

Afghanistan continues to experience protracted conflict, ongoing insecurity, extreme poverty and natural disasters. These are all exacerbated by the onset of COVID-19. In 2020, significant spikes in violence were observed. Continued

³⁰ The IPCC Oceans and Cryosphere report, the IPCC land report and the IPCC 1.5-degree C special report.

³¹ Decision 10/CP.24

³² See ADFM paper 2, Meeting 9, 2019, Climate Change and Displacement: impact on vulnerable groups

³³ World Bank (2018) Groundswell: Preparing for internal climate migration, World Bank, Washington DC. The ten countries were China, Philippines, Cuba, United States, India, Bangladesh, Somalia, Vietnam, Ethiopia and Nepal

³⁴ Robert Sturrock and Dr. Peter Ferguson, 'The Longest Conflict: Australia's Climate Security Challenge', *Centre for Policy Development*, 2015, p. 20.

³⁵ United Nations Economic and Social Council (2017) Asia-Pacific Regional Preparatory Meeting for the Global Compact on Safe, Orderly and Regular Migration, Bangkok, 6-7 November, E/ESCAP/GCM/PRP/5, p. 8

³⁶ White House Briefing Room (4 February 2021) Executive Order on Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/04/executive-order-on-rebuilding-and-enhancing-programs-to-resettle-refugees-and-planning-for-the-impact-of-climate-change-on-migration/>

high numbers of civilian casualties has continued through 2021 and is likely to worsen due to the withdrawal of the NATO and US troops in September 2021 and the protracted negotiations regarding the 'Afghan Peace Process'.³⁷

More than 90 per cent of the population of Afghanistan lives below the poverty line, and there are more than 4.7 million internally displaced persons (IDPs) in the country. Hunger and malnutrition have increased amid the conflict. According to a report released by IOM's Displacement Tracking Matrix, over 12 million individuals in households dependent upon agriculture and livestock for their subsistence and livelihoods could suffer food insecurity or displacement across 25 priority provinces likely to be affected by drought in 2021.³⁸ Measures taken to slow the spread of COVID-19 in the country have contracted the country's economy, reduced remittances and increased food prices, adding to the already rising food insecurity and poverty in the country.

Approximately 30 per cent of the population has limited access to basic health services within a two-hour travel radius, and the socioeconomic impact of COVID-19, as well as issues of access to healthcare and basic services, is even more devastating for internally displaced persons in Afghanistan given that they predominantly work in low-paying informal jobs in markets or as daily wage earners.³⁹ 2020 has been the largest year on record for the voluntary and involuntary return of Afghan migrants. OCHA's Humanitarian Needs Overview for 2021 found no evidence of a commensurate response from the international community, despite the escalating needs. Unless support grows there is a risk of far reaching consequences in coming years.⁴⁰

In Syria, conflict has been ongoing for over a decade now and has wrought havoc on the lives and livelihoods of the Syrian people, amongst which 6.6 million are refugees displaced worldwide and 6.7 are internally displaced.⁴¹ The outbreak of the COVID-19 pandemic has only made things worse for Syrian refugees. Numbers of those who test positive for COVID-19 are difficult to track and, in many cases, are under-reported. Countries that usually host the largest number of Syrian refugees are economically and politically unstable themselves and usually rely heavily on foreign aid.

Many Syrians live in deplorable conditions especially in winter. Many do not have access to medical and healthcare facilities in their host country, especially those with non-communicable diseases (NCDs), making them the most vulnerable population to contract COVID-19. The Syrian conflict appears to be nowhere near its end with different factions controlling certain areas within its borders, and relying on international proxies for control and aid.

In conclusion, the Syrian and Afghan community are more vulnerable than ever with (1) border controls and lockdowns, (2) health crisis and vaccine rollouts, and (3) ongoing and escalating political instability, which requires expanded international cooperation and assistance moving forward.

PART 2: STRATEGIC DIRECTIONS

Part 1 of this paper was developed by the ADFM Secretariat as part of a strategic analysis of key priorities for forced migration responses over the next five years, with a view to assisting governments choose where to concentrate their efforts. The purpose of Part 2 of this paper is not to propose solutions to all of the strategic challenges outlined in Part 1, but rather to frame a discussion about what more effective responses to forced migration in the region would look like, based around a set of widely agreed upon guiding principles. Our goal is to identify how prepared we are for an environment in which these strategic challenges are ascendant, and where gaps or opportunities might be. It has benefited from input and ideas generated at the virtual ADFM meeting in May 2021.

The strategic challenges outlined above are likely to require significant efforts to improve responses to forced migration over the coming years and strengthen their coordination. These efforts cannot be effective in isolation. Countries in the

³⁷ UN News (2021) 'Disturbing spike' in Afghan civilian casualties after peace talks began: UN report, 23 February <https://news.un.org/en/story/2021/02/1085442#:~:text=In%20their%20annual%20Afghanistan%20Protection,per%20cent%20less%20than%20inhttps://displacement.iom.int/system/tdf/reports/IOM-Afghanistan-Baseline-Mobility-Assessment-Summary-Results-June-2020-English.pdf?file=1&type=node&id=10057>

³⁸ Estimated affected population is based on OCHA's common planning scenario forecasting, FlowMinder population figures, and results from DTM's Community-Based Needs Assessment. IOM (2020) DTM Afghanistan Baseline Mobility Assessment, Round 10 Jan-June 2020. <https://displacement.iom.int/system/tdf/reports/IOM-Afghanistan-Baseline-Mobility-Assessment-Summary-Results-June-2020-English.pdf>

³⁹ Amnesty International (2021) "We survived the virus, but may not survive the hunger" The impact of COVID-19 on Afghanistan's internally displaced', London.

⁴⁰ OCHA (2020) Humanitarian needs overview: Afghanistan. Humanitarian Programme Cycle 2021. December.

⁴¹ UNHCR (2021) Syria emergency, 15 March, <https://www.unhcr.org/syria-emergency.html>

region have signalled a desire to focus on recovery, resilience and relationships in the wake of COVID-19. These are equally appropriate themes in addressing what can be done with respect to forced migration. Improving and unifying relevant regional architecture can significantly assist in this regard, particularly given the Biden Administration has signalled the renewed commitment of the US to multilateralism in the Indo Pacific.

There have been a number of efforts to strengthen regional migration governance over the past decade. These include the ASEAN Convention Against Trafficking In Persons, Especially Women and Children (ACTIP) and Bohol Workplan; regional support for implementation of the Global Compacts; and the establishment of the Bali Process Consultation Mechanism, Taskforce on Planning and Preparedness, and Regional Support Office. Now is the right time to consider whether the existing regional architecture on forced migration is fit for purpose for the coming decade. The COVID-19 pandemic has dramatically exposed the importance of being prepared for foreseeable risks.

GUIDING PRINCIPLES

In order to guide the discussion at the ADFM meeting the Secretariat would like to outline some guiding principles for effective responses, drawn from existing internationally agreed upon principles:⁴²

- Protection is at the core of responses to forced migration
- International solidarity and responsibility-sharing
- Non-refoulement
- Safety of life at sea including coordinated international efforts on missing migrants
- Strengthening active and resilient regional capabilities for driving cooperative responses
- Building back better from COVID-19 to boost resilience for future crises
- Enhance availability and flexibility of pathways for regular migration
- Combat xenophobia, racism and discrimination towards all migrants and refugees
- Accountability and respect for the rule of law
- Centrality of the rights of the child

DISCUSSION QUESTIONS AND OPPORTUNITIES

To assist in the further development of the paper we have prepared the following discussion questions.

1. **How well prepared are existing regional institutions, including the Bali Process, ASEAN and SAARC, to respond to the drivers of future forced migration as outlined above?**
2. **What more could states and/or regional institutions do to respond more effectively?**
3. **To what extent are these preparatory measures already part of the work plan of existing regional institutions and where could they be strengthened?**

As always shared challenges are best faced together. It will be more important than ever to work within the existing multilateral framework and strengthen the capacity of existing institutions to respond effectively to people in need and build a more coherent system of forced migration governance in the region.

The COVID-19 pandemic exposed a lack of preparedness in many countries. Many of the countries with the strongest responses to date are those who have the most experience responding to pandemics or disease outbreaks. Lessons can certainly be learned from this to better prepare our region for the future.

Although the region faces many challenges there are also opportunities on the horizon for progress:

- The Bali Process has indicated that it will convene a Ministerial Meeting of its Steering Group in 2021, the first Ministerial level meeting since August 2018.
- ASEAN has signalled a greater role following on from the five point consensus, including the appointment of a Special Envoy and the involvement of the AHA Centre.

⁴² Report of the United Nations High Commissioner for Refugees, Global Compact on Refugees A/73/12 https://www.unhcr.org/gcr/GCR_English.pdf

- The Statement from the ASEAN Leaders Meeting in April 2021 reiterated the importance of the AHA Centre Preliminary Needs Assessment in Rakhine State, and the conduct of the Comprehensive Needs Assessment, to progress plans for repatriation in a voluntary, safe and dignified manner.
- President Biden’s requested report on the links between climate change and forced migration will be delivered in August, ahead of COP26 in Glasgow from 1-12 November 2021.

STRATEGIC DIRECTIONS

Four strategic directions that emerged at the ADFM meeting in May include the following. First, **responsibility and accountability** were raised on multiple occasions. Several participants identified and endorsed the need for champions on particular issues, and coalitions who can work regionally, bilaterally and at the local level to effect change. Supporting governments to take more humanitarian stands by working with them to advance key proposals was another suggestion, as well as better aligning the workplans of existing institutions with their mandates. Finally, holding leaders accountable for their actions is critical, in line with domestic and international law.

Second, the need to **better use the existing early warning systems and networks** we already have to reach their potential. For example, the Bali Process Consultation Mechanism and Task Force on Planning & Preparedness were mentioned as examples of entities whose mandates are underused. Engaging with Bali Process member states to highlight the opportunity provided by the institution’s upcoming twentieth anniversary and associated events for reviewing and rejuvenating this institution, potentially through a strategic assessment of future priorities, would also be valuable.

Third, **ASEAN action is necessary but insufficient** — both in terms of which sectoral bodies to involve, and their degree of connection with others. The appointment of the Special Envoy can make a big difference here, and participants highlighted the importance of the Envoy’s mandate including addressing the Rohingya displacement and encouraging collaboration or consultation of the AHA Centre with AICHR. Greater links and engagement between existing institutions, including ASEAN, the Bali Process, SAARC and BIMSTEC was also emphasised.

Fourth, **civil society networks, like the ADFM, can play an important linking role** whether it is in actively connecting the efforts of State and non-state actors, keeping constructive pressure on stakeholders, providing a space for creative policy development, to stimulate responses or trigger early warnings. The role of civil society in conducting strategic research was also raised, particularly as it concerns conveying the views of those with lived experience of displacement to policy-makers.

As ever, the ADFM Secretariat is committed to advancing more effective, dignified and durable responses to forced migration. We stand ready to support the development of policy proposals to address the strategic challenges above and to convening discussions among interested parties and institutions to progress them as appropriate.