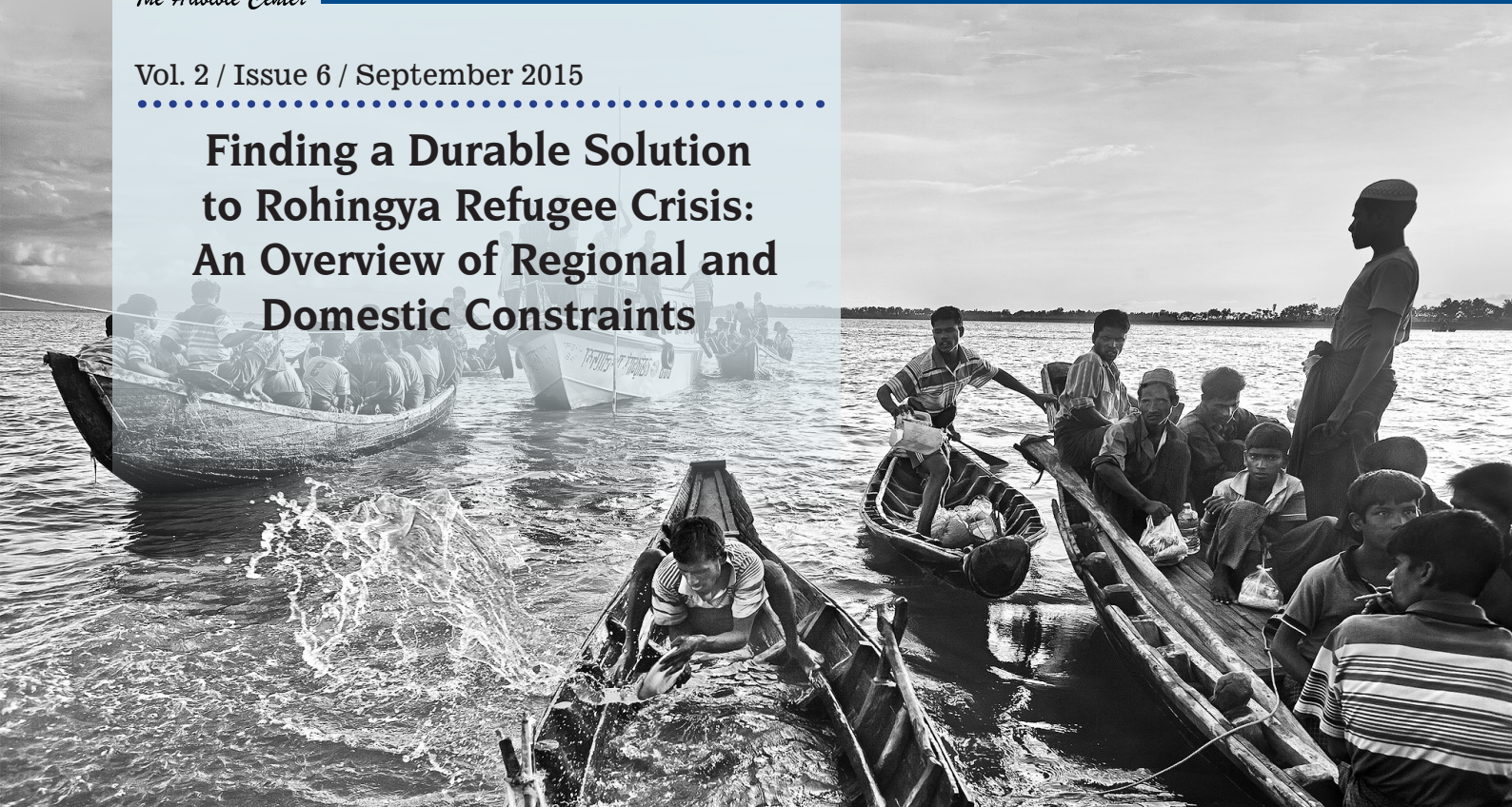


Finding a Durable Solution to Rohingya Refugee Crisis: An Overview of Regional and Domestic Constraints



ASEAN Briefs is a regular publication about current developments on ASEAN regionalism, especially in the Political-Security, Economic as well as Socio - Cultural Pillars.

The Habibie Center
ASEAN Studies Program ASEAN Briefs

Project Supervisor:
Rahimah Abdulrahim
(Executive Director)
Hadi Kuntjara
(Deputy Director for Operations)

Head of ASEAN Studies Program/Editor:
A. Ibrahim Almuttaqi

Researcher:
Steven Yohanes Polhaupesy
Fina Astriana
Wirya Adiwena

Design and Publication:
Rahma Simamora

The Habibie Center- ASEAN Studies Program
Jl. Kemang Selatan no.98, Jakarta 12560 Indonesia
(P): +62 21 7817211 (F): +62 21 7817212

SUMMARY/BRIEF

The deteriorating conflict between the Rohingya Muslim minorities and the military-backed Buddhist majority in Myanmar has given rise to unprecedented political and security implications on the ASEAN region, most visibly seen in the recent migrant crisis. This *ASEAN Brief* identified several primary constraints that need to be considered when discussing solutions to the Rohingya crisis. These constraints were separated into constraints within Myanmar, constraints within asylum countries, and constraints within the region (ASEAN).

After which, this *ASEAN Brief* forwarded six policy recommendations that aims to provide a durable solution to this issue, whilst acknowledging the challenges involved owing to the identified. These included: promoting conflict resolution; sharing best practices; providing development assistance; working on confidence building measures; redefining positions on refugee issues; and capitalizing on the increased interest on the issue to provide better livelihood for the refugees in the region.

Introduction

Intensified communal conflict between the Rohingya Muslim minority and the Buddhist majority in Myanmar has given rise to an unprecedented number of refugees in recent months. Fleeing persecution and extremely poor social conditions in Myanmar, thousands of Rohingya have lately been stranded at sea with diminishing supplies of food and water. The situation escalated into a large scale humanitarian crisis, and required immediate collective action from both ASEAN and the international community at large.

Despite claiming to be the descendants of Arab traders, and having been in the region for centuries, consecutive Burmese governments have refused to recognize the Rohingya as citizens of Myanmar, instead considering them to be illegal migrants from neighbouring Bangladesh (BBC, 2015). As a result of not holding Myanmar citizenship, the Rohingya are denied basic social services, forced into unpaid labor as a result of no legal protection, and have had their movement severely restricted. Earlier this year, thousands have sought to make the treacherous journey across the Bay of Bengal in pursuit of a better life; a journey that has left several dead and countless others stranded at sea. Current estimates by the International Organization for Migration suggest that up to 8,000 migrants remain stranded aboard boats in the Bay of Bengal and the Andaman Sea, with many countries unwilling to offer them assistance (BBC, 2015).

Tensions ignited in 2012, after three Rohingya Muslim men raped and killed a Rakhine Buddhist woman. This criminal act incited the revenge killing of 10 Rohingya in the days immediately following, and sparked large scale riots in which state security forces were accused of evicting (or turning a blind eye to the eviction of) roughly 75,000 Muslims from their homes (CBC, 2015). Since this incident, further violence has ensued with numerous attacks being carried out against the Rohingya living in Myanmar's Rakhine state. The UN Office for the Coordination of Humanitarian Affairs estimates that up to 140,000 people are now living in internally displaced person camps within Myanmar, and are in desperate need of humanitarian assistance (CBC, 2015). Inter-ethnic violence and protracted displacement remains and has been the primary catalyst forcing many to flee by boat into neighboring countries.

Pressure has been mounting on ASEAN member-states to not only provide temporary shelter to the Rohingya seeking refuge in the region but more importantly, to find a long-term solution to the problem. Thus far, Thailand has agreed to deliver much needed humanitarian assistance to stranded boats, and Malaysia and Indonesia have committed to providing temporary shelter to Rohingya refugees for one year. While these acts are welcome, it is arguable that they will not mitigate the refugee crisis in the long term. Indeed there is a strong need to instead address the problem

at its core, and to focus efforts on conflict resolution processes. A key challenge however is the sensitivity of the Myanmar government to the Rohingya issue which makes a bold stance to resolve it difficult. It is important, then, that ASEAN member-states work closely with the central government of Myanmar and take into account the sensitivities involved in order to reach a solution suitable for all parties involved.

Rohingya refugees are currently settled in a number of settlements, among others:

- Bangladesh** : 32.713 registered refugees, more than 200.000 are unregistered (ECHO, 2015)
- Malaysia** : 47.500 people, out of 141.960 refugees from Myanmar. (UNHCR Malaysia, 2015)
- Indonesia** : 11.941 people (Republika, 2015)
- Thailand** : more than 100.000 people (Chantavanich, 2015)

Primary constraints to resolve the Rohingya Crisis

It is important to understand the operational environment of this crisis to find durable solution to the Rohingya Crisis. In this context, any efforts to find a solution should start by identifying constraints that inhibit its effective implementation in said environment. This issue of *ASEAN Briefs* argues that there are some primary constraints that need to be considered when discussing solutions to the Rohingya crisis. This issue of *ASEAN Briefs* details these constraints by separating them into constraints within Myanmar, constraints within asylum countries, and constraints within the region (ASEAN).

Constraints within Myanmar

a. Citizenship

During the democratic era of Myanmar from 1948 until 1962, the citizenship of the Rohingya was recognized by the Government¹. Following the independence of Myanmar (then called Burma) in 1948, President U Nu declared that Rohingya was part of Myanmar's ethnic minority and implemented the Union Citizens Act. There was no segregation between the Buddhist Rakhine and Muslim Rohingya ethnic groups in Rakhine State during that period.

Unfortunately, a military junta which took over power in 1962 enacted the early Emergency Immigration Law

1 The official name was changed from the "Union of Burma" to the "Union of Myanmar" in 1989 after the military junta took control.

in 1974 and later the Citizenship Law 1982. These laws removed the status of the Rohingya as a recognized ethnic group of Myanmar. As a result, more than one million Rohingya effectively became stateless. Moreover, even after the democratization of Myanmar the citizenship status of the Rohingya has not been reinstated.

More recently, on April 1, 2015, the Government of Myanmar officially withdrew the temporary ID cards of its Rohingya population. As a result they have been stripped of their right to vote, and effectively no longer possess any identity document.

At the grassroots level, animosity between the Rakhine Buddhist and Rohingya Muslim heightened as the latter were increasingly seen as illegal immigrants from Bangladesh and referred to as 'Bengali' (Pitsuwan, 2012). The use of the term "Rohingya" became a politically sensitive issue in Myanmar with the Government declaring that the term was not recognized as one that belonged to any of Myanmar's various ethnic groups. According to the Chief Political Officer at the Office of the President of Myanmar, Ko Ko Hlaing, the use of the Rohingya name and identity cannot be accepted by either the Government or society unless the Rohingya permit themselves to be categorized as Bengalis (Tempo, 2015). He further reiterated the Government's position that,

"We (Myanmar) have said this many times, that Myanmar has never had Rohingya ethnicity...there are no documents about them in history or in any census taken since the British era"(Lipes, 2013).

In some regards, the animosity shown to the Rohingya Muslims demonstrate the existential fear felt by the Rakhine Buddhist who worry about becoming a minority in their home state of Rakhine in the face of a perceived "Bengali" influx as well as domination by the majority Burman ethnic group.

It is also important to remember the different sides the Rohingya Muslims and Rakhine Buddhists took during the Second World War. During World War II when Myanmar fell under Japanese occupation, the Rohingya Muslims were largely pro-British meanwhile the Rakhine Buddhist were mostly pro-Japanese in their effort for Burmese independence (ICG, 2014). As such there is a historical context to the animosity between the Rakhine Buddhists and Rohingya Muslims which runs deep. Indeed the Myanmar Government's decision to introduce the Citizenship Law 1982 was based on the historical justification that limited ethnic recognition to those groups that were permanently settled within the boundaries of modern-day Myanmar prior to 1823, the year before the Anglo-Burma War that marked the beginning of British colonization (Poling, 2014)

At the moment, this religion-centric view is reflected by a recent survey by Asian Barometer which stated that the majority of Buddhist population in Myanmar (64%)

supported the idea that citizenship should be based on religion. Meanwhile, a majority of other religions (38%) strongly disagreed with this view. (Myanmar Times, 2015)

Constraints for repatriation of Rohingya refugees to Myanmar. The lack of citizenship means that even if the refugee returns, they would have no legal status to protect them and they will still be very vulnerable from discrimination and persecution.

b. Ethnic and Religious Tensions

Wider religious tensions have perpetuated the plight faced by Rohingya Muslims in Rakhine State. According to Myanmar's officials, the violence between Rakhine Buddhist and Rohingya Muslims both specifically in Rakhine State and in Myanmar in general, happened as a consequence of intensified Islamic extremism abroad and the negative reaction to it. For example more than 500,000 Buddhist monks marched on the street to oppose Islamic extremism recently (Tempo, 2015, pp. 112-113). Ko Ko Hlaing, Chief of Presidential Spokesperson points to the threats Muslim groups overseas have made to Buddhists. Examples include the extremist acts of the Taliban in Afghanistan who destroyed statues of the Buddha (Tempo, 2015).

Such acts by Muslim extremists in other parts of the world have fuelled a sense of xenophobia/Islamophobia among the Rakhine Buddhist in Myanmar and saw some examples of extremist Buddhist Monks mobilizing the masses. These include monk-led campaigns to protest the perceived growing Islamic influence in Myanmar such as the "Group 969" led by Buddhist Monk, Ashin Wirathu (Siddiqui, 2015). Demonstrative of the religious tensions that exist in Myanmar are comments by Ashin Wirathu who claimed, "Moslems breed quickly and they are very violent....Buddhist are devoured every day" (Malik, 2014). That is not to say that such fears are unfounded. The history of Mujahidin insurgency in Rakhine State played a significant role when during 1999-2001, there emerged some evidence of Muslims from Myanmar fighting with the Taliban in Afghanistan (ICG, 2014).

Arguably however, Rohingya Muslims are not alone in being victims of religious tensions. Other minorities groups like the Kaman Muslims and Christian Kachin have also faced discriminations to some extent by the majority Buddhists of Myanmar. For example in March, 2013, violence broke out between Buddhists and Muslims in Meiktila, central Myanmar, which left more than 40 people dead. This is despite the fact that the Muslims in Meiktila are recognized as Myanmar citizens and can trace their history to before the First Anglo-Burman War (BBC, 2014).

The current proposed Race and Religion Law – strongly pushed for by extremist nationalist groups - to address

religious conversion, population control, and inter-religious marriage also testifies to the increasing religious tensions in the country. (Amnesty International and International Commission of Jurists, 2015).

The ongoing inter-ethnic and inter-religious violence in Myanmar are an important push factor that forced many to flee by boat into neighboring countries. According to UN estimates, approximately 120,000 Rohingya have fled in the past three years (BBC, 2015). A more nuanced examination of these numbers reveals that 25,000 people have fled during the first quarter of 2015 alone; more than double the amount over the same period in the previous year (CBC, 2015). The UN Office for the Coordination of Humanitarian Affairs also estimates that up to 140,000 people are now living in internally displaced person (IDP) camps and in desperate need of humanitarian assistance (CBC, 2015).

The 1982 Citizenship Law in Myanmar arguably provides the legal basis for the forced displacement of thousands of Rohingya. Given its failure to recognize the Rohingya as legitimate citizens of Myanmar, the law subsequently fails to prevent Rohingya from becoming victims of forced removal and relocation of entire communities. On July 12, 2012, President Thein Sein controversially stated that the 'only solution' to the violent clashes in Rakhine state is to send the Rohingya to other countries, or to place them in UN administered refugee camps (Brinham, 2012). Overpopulation in IDP camps, as well as a lack of access to food, water, and basic social services, has escalated the situation to a humanitarian crisis. Living conditions in Rohingya communities have further deteriorated due to restricted access placed on humanitarian aid agencies. In many instances, United Nations aid workers have been threatened with arrest, which has significantly hindered their ability to bring much needed relief to those forcibly displaced.

At the same time, following the outbreak of inter-communal conflict in June 2012, government authorities failed to address the mobilization of Rakhine Buddhist groups who have made public announcements endorsing ethnic cleansing for months (HRW, Burma: End 'Ethnic Cleansing' of Rohingya Muslims, 2013). Meanwhile, security forces failed to intervene and in some instances have been accused of directly aiding and facilitating in violent attacks against the Rohingya population. Approximately 70 Rohingya – 28 of whom were children – were killed in Yan Thei village in Mrauk-U Township (HRW, 2012). Phil Robertson, former Deputy Director of Human Rights Watch's Asia Division, claimed that "local officials and community leaders engaged in an organized effort to demonize and isolate the Muslim population as a prelude to murderous mob attacks... Since the bloodshed, the central government has taken no action to punish those responsible or reverse the ethnic cleansing of the forcibly displaced Muslims" (HRW, 2013).

Constraints for repatriation of Rohingya refugees to Myanmar. Ethnic and religious tensions will put the already vulnerable Rohingya minorities into further state of insecurity. Forced displacement fueled by these tensions will only push returned Rohingya minorities to go out of their countries and seek refuge elsewhere. At the same time, previous incidents also showed that minorities received no assurances of protection from the security forces.

c. Poverty in Rakhine state

Rakhine state is among the poorest region in Myanmar. According to a 2010 Integrated Household Living Assessment, Rakhine State has the second-highest poverty incidence in Myanmar, second only to Chin State. Meanwhile, using the same dataset, a new reinterpretation of the data by World Bank puts Rakhine State as the poorest region in Myanmar. Indeed, according to World Bank interpretation, 77.9% of the Rakhine population lives below the K 440.345 national poverty line. (Myanmar Times, 2014)

This level of poverty puts the entire region at risk. Moreover, with the underlying ethnic and religious tension, it also exacerbates a feeling of insecurity among the Rakhine Buddhist population justified by the belief that they can soon be a minority in their own state. According to International Crisis Group, this view stemmed from their experience of living under economic exclusion in which the Rakhine people believe that opportunities are dominated by, "military and Burman 'crony' companies". More recently, they also see that Muslims are becoming more prominent in the small local business sectors, e.g. "fisheries, produce markets, informal financial services, traderspersons". (ICG, 2014, p. 15) This might serve as another justification for persecution of Rohingya people in Myanmar as they are generally considered to be outsiders who fringe upon the Rakhine land.

Constraints for providing sustainable economic security for both the repatriated refugee and Myanmar citizens in general. While economy is not the only cause of conflict in the region—and economic determinism should be avoided—legacy of economic exclusion put this as an important factor that can re-ignite conflicts in the future. The combination of ethnic tension and general poverty means that poverty eradication efforts need to pay close attention to ensure that there are no preferential treatments towards any ethnic or religious groups.

Constraints in asylum countries

In the previous part, this issue of *ASEAN Briefs* explained that citizenship is one of the primary constraints in providing security for Rohingya people in Myanmar. The absence of citizenship has left the Rohingya people stateless, bereft from legal protection and with little means to improve their welfare.

Similar situations also occur in the asylum countries, and in this context it is useful to take note of the living condition of Rohingya refugees in Bangladesh. As was briefly mentioned in the beginning of this issue of *ASEAN Briefs*, the majority of Rohingya refugees in Bangladesh—more than 200,000 people—are unregistered, with only 32,000 registered. The registered refugees are entitled to food assistance from international organizations such as the UNHCR, while the unregistered ones are not. In this situation, the welfare of the Rohingya people are largely dependent on the support of international humanitarian organizations and their host—the people in asylum countries. At the same time, the lack of legal status also leaves unregistered Rohingyas with no means of legal protection, leaving them vulnerable to violence and abuses; women and girls especially so. (Nielsen, Jahan, & Canteli, 2012, pp. vii-x)

The Rohingyas also have restricted freedom of movement around their camps. However, the unregistered Rohingyas tend to have less restriction and more incentives to move outside of the refugee camps to make a living as they are not entitled to food assistance. This does not mean that no registered Rohingyas tried to find work outside of their camps; for multiple reasons some of them also tried to move outside of the camps although to a generally closer distance compared to unregistered Rohingyas. Nevertheless, both registered and unregistered Rohingyas can only do menial jobs with some of them becoming beggars or sexual workers since they do not have proper access to market or land to improve their livelihood. (Nielsen, Jahan, & Canteli, 2012)

The future for Rohingya refugees in ASEAN countries is not yet clear, as the refugees are waiting repatriation or possible resettlement to other countries; a process that will take considerable amount of time. Meanwhile, the countries of asylum—Indonesia, Malaysia, and Thailand—have not yet ratified the UN convention of refugees and they have no obligation to provide assistance to the refugees. This should put the living condition of Rohingya refugees as one of the main priorities.

At the moment there are also allegations that Rohingya refugees live in a very precarious situation in asylum countries. In Malaysia and Thailand, for example, shocking news of what might be mass graves of refugees in Malaysia was unveiled. Additionally, news about wrongful treatment against the refugees by security

forces in Malaysia and Thailand also surfaced. (see, for example, International Business Times, 2015)

Constraints for providing protection and welfare for Rohingya refugees. It is safe to assume that the refugees will spend more than a year in these countries. That is, if there are no forceful repatriations to Myanmar. In this context, durable solution for this crisis need to first find a short term solution by providing the refugees with decent living condition in their camps.

Regional constraints and non-interference norm

A regional response on humanitarian grounds, with a particular understanding on the operational constraints surrounding the issue, is both necessary and time sensitive. However, such task proves difficult given the fact that ASEAN member states embrace the principle and long standing tradition of ‘non-interference.’ The current situation also raises the issue of state sovereignty, and the extent to which a state, or group of states, may intervene in Myanmar’s internal affairs. The refusal of the Myanmar Government to acknowledge Rohingya as citizens has, however, placed ASEAN in a difficult position. The Myanmar Government has clearly stated that they do not recognize Rohingya as part of Myanmar’s ethnic groups and have further cited that the issue is their internal matter that other ASEAN member-states should not interfere with. Nevertheless, it is clear that Myanmar’s position viz-a-viz the refugee crisis has affected other ASEAN countries such as Indonesia, Malaysia, and Thailand to the extent it is difficult to justify the argument that the matter is an internal one. Although the Myanmar Government has iterated its concern to the refugee crisis and pledged to increase naval patrols of its waters to save those in trouble, these have largely been seen as paying the minimal of lip service to the problem.

However, it could be argued that the response of ASEAN member-states has also exacerbated the refugee crisis and that the actions of Indonesia, Malaysia and Thailand should come under strong criticisms. Countries in the region have also engaged in pushing refugee boats back out to sea. Often times, boats carrying Rohingya men, women, and children have arrived on the shores of neighboring countries only to be sent back out to sea, thus significantly increasing their risk of starvation or drowning. Such actions are a clear violation of international law. According to the 1951 Convention relating to the Status of Refugees, the term *refugee* shall apply to any person who,

“...all apply to any person who, on relating to the Status of Refugees, the term *nationality*, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such

fear, is unwilling to avail himself of the protection of that country..." (UNHCR, 2015).

Despite clearly falling under the definition of refugees, the thousands of Rohingya people stranded at sea in search of shelter will unlikely receive adequate protection while states in the region fail to sign the 1951 Refugee Convention. Currently; only two ASEAN member states – Cambodia and the Philippines - are signatories to the 1951 Refugee Convention, and the Philippines is the only ASEAN member state party to the 1954 Convention relating to the Status of Stateless Persons. Thus, the absence of national legal frameworks and standardized government practices on the issue of refugees will continue to render the issue of forced displacement a prevalent problem within Southeast Asia. Furthermore, the response of ASEAN member-states has been limited and temporary in nature. A regional meeting was conducted in Bangkok on May 29th in order to promote better regional coordination which resulted in Indonesia and Malaysia agreeing to not send back boats to the sea and to provide shelter for approximately seven thousands migrants for a period of one year only (kompas, 2015). Meanwhile, the Philippines – one of the few countries in the region to ratify the 1951 Refugee Convention - agreed to accommodate the Rohingya migrant (CNN, 2015).

Despite these positive gestures, they are temporary. Developing a long-term regional solution comes with a number of challenges. ASEAN is yet to develop a clear legal framework for dealing with refugees, and only two of its member-states have signed the 1951 Refugee Convention as noted earlier. Efforts to relieve the situation thus far have been largely uncoordinated and inconsistent, highlighting the need for ASEAN to establish a greater sense of political unity on the issue. ASEAN should pursue long-lasting solutions for Rohingya by approaching Myanmar diplomatically to achieve its domestic reform. A more inclusive and people-centric ASEAN towards community in 2015 will bring significant leverage for Myanmar to consider Rohingya as part of the Southeast Asia community (Xiong, 2015).

Constraints for any regional initiatives to solve the crisis: diplomatic solutions, conflict resolution, or even development assistance and capacity building initiatives in Myanmar. This is a challenge of its own that needs to be tackled to create a durable solution for this crisis.

Further Actions: Policy Recommendations

This issue of *ASEAN Briefs* has acknowledged that there are a number of operational constraints that need to be considered for further constructive approach in helping the region tackle the Rohingya issues, particularly to the more sensitive domestic ones in Myanmar. At the same time, this issue of *ASEAN Briefs* acknowledges that providing a durable solution to this issue will be very challenging owing to these constraints, with the possibility that the refugees will have to extend their

stay in Indonesia, Malaysia, and Thailand. Based on the analysis above, *ASEAN Brief* recommends some policy recommendations to the issues.

First, ASEAN countries need to promote conflict resolution in Myanmar, in particular in Rakhine state. ASEAN should promote a softer approach to the Myanmar Government so that it does not violate the non-interference principle of other country's domestic affairs. This can be done by using the best-sharing knowledge and practice from ASEAN Institute for Peace and Reconciliation (AIPR). This can also be done by facilitating capacity building initiatives for security forces or local government officers, either through a government-to-government initiatives or through a second track initiatives led by civil society organizations in the region.

Second, ASEAN could take advantage of its member-states such as Indonesia that has various experiences in resolving religious tensions at the domestic level to promote more religious freedoms in Myanmar. As ASEAN will continue to advocate the people-to-people contact among the peoples of Southeast Asia, exchanging views between religious leaders should also be one aspect of this. In a wider sense, ASEAN should promote inter-faith dialogue to build peace, reconciliation, and trust between religion and ethnic groups in the region.

Third, providing further development assistance. This should not only be limited to the Rohingya Muslims in Rakhine State but also the Rakhine Buddhists and even much wider to Myanmar in general. ASEAN needs to leverage partnership with its dialogue partners, such as the US and EU - who are willing to provide financing for various development and humanitarian assistance - to keep its constructive engagement with Myanmar.

Fourth, ASEAN should work towards creating confidence building measures between the Myanmar Government and the Rohingya to constrain violence. Confidence building measures is significantly needed to reduce anxieties between ethnic groups as well as between government and civilians relationship.

Fifth, ASEAN needs to redefine its position on refugee issues in light of this crisis. Indeed, Myanmar's Rohingya crisis can influence the community building and political-security institutionalization in ASEAN with its security aftermath such as human trafficking and migrant crisis. On the other hand, Myanmar's Rohingya crisis can also affect ASEAN's unity which has a spill-over effect to various issues in Southeast Asia when discussing its relations with external parties.

Six, asylum countries, international organizations, and civil society groups can capitalize on the increased attention towards this crisis to provide better livelihood for Rohingya refugees in the region. In light of this attention, it is possible to source food assistance, vocational trainings, or education for the Rohingya children through charitable donations from within asylum countries.

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About ASEAN Studies Program

The ASEAN Studies Program was established on February 24, 2010, to become a center of excellence on ASEAN related issues, which can assist in the development of the ASEAN Community by 2015. The Habibie Center through its ASEAN Studies Program, alongside other institutions working towards the same goal, hopes to contribute to the realization of a more people-oriented ASEAN that puts a high value on democracy and human rights.

The objective of the ASEAN Studies Program is not merely only to conduct research and discussion within academic and government circles, but also to strengthen public awareness by forming a strong network of civil society in the region that will be able to help spread the ASEAN message. With the establishment of ASEAN Studies Program, The Habibie Center aims to play its part within our capabilities to the ASEAN regional development.

About Talking ASEAN

Talking ASEAN is a monthly public dialogue held at The Habibie Center in Jakarta. Covering a wide array of issues related to ASEAN, Talking ASEAN addresses topics of: Economic Integration, Socio-cultural, & Democracy, human rights and regional peace, among others. Featuring local and visiting experts, Talking ASEAN is one of a series of twelve dialogues regularly held each month and open to a target audience consisting of ASEAN officials, foreign ambassadors & diplomats, academics, university students, businesses, and the media.

The ASEAN Studies Program research would like to thank **Ellen Chambers (Post-Graduate Student of International Peace and Conflict Resolution at the American University) and **Maelona Manik** (Graduate Student of Public Policy and Leadership at the University of Virginia) for their contributions to this issue of ASEAN Briefs.*



The Habibie Center was founded by Bacharuddin Jusuf Habibie and family in 1999 as an independent, non-governmental, non-profit organisation. The vision of The Habibie Center is to create a structurally democratic society founded on the morality and integrity of cultural and religious values.

The mission of The Habibie Center are **first**, to establish a structurally and culturally democratic society that recognizes, respects, and promotes human rights by undertaking study and advocacy of issues related to democratization and human rights, and **second**, to increase the effectiveness of the management of human resources and the spread of technology.

Cover Image : nytimes.com



ASEAN STUDIES PROGRAM

The Habibie Center Building
Jl. Kemang Selatan No.98, Jakarta Selatan 12560
(P.) 62 21 781 7211
(F.) 62 21 781 7212

www.habibiecenter.or.id
www.thcasean.org

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OUR PUBLICATIONS



The Habibie Center

**The Habibie Center
ASEAN Studies Program**

Issue: October 2014
No. 10 / Vol. 1

**Small and Medium Enterprises' Access to Finance in ASEAN
Innovations and Regional Cooperation**



SUMMARY

Access to finance for Small and Medium Enterprises (SMEs) is vital for economic growth. Since the post global financial crisis, SMEs have become a common practice in microfinance and built a foundation of entrepreneurship. However, SMEs are still facing financial constraints. Innovative SMEs financing have not been sustainable, since private banks are not interested in SMEs. SMEs are not able to obtain financing. Besides that, governments have limitations on providing business sustainability as those initiatives were not efficient and profitable in their operations. Therefore, innovations are needed for financing SMEs to solve these problems.

Innovations in providing more financial services in the ASEAN region should focus on the following issues: private sector development in exploring the potential market in SMEs; financing sufficient government involvement on regulatory and supervisory framework; focus on export financing; partnerships with social organizations; and providing financial literacy for SMEs in consumers.

Experiences from Indonesia and Vietnam have shown that innovations in SMEs financing could be done with more participation from the business sector as well as conventional. Comprehensive environment for market as well as financial literacy for the community are both important for the success of SMEs financing. The ASEAN SME financing environment is still immature as well as its member states have been evolutionary oriented, and it should be continued faster.

ASEAN Study is a regular publication about current development and interrelationships, especially in the ASEAN region. Recently, it has been extended to include the ASEAN region.

The Habibie Center
ASEAN Studies Program

General Coordinator:
Dr. H. H. H. H.

General Coordinator:
Dr. H. H. H. H.

General Coordinator:
Dr. H. H. H. H.

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Dr. H. H. H. H.

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The Habitable Center ASEAN Studies Program ASEAN BRIEFS

Issue 10/2014 October 2014

The Bali Concord III: Towards a More Common ASEAN Platform on Global Issues

H.E. Heng Samrin, President of the National Assembly of Cambodia

SUMMARY

This issue of ASEAN BRIEFS examines the Bali Concord III, which was adopted by the ten member-states of ASEAN in 2001. One of the key documents produced during Indonesia's 2001 chairmanship of ASEAN was the Bali Concord III, an ASEAN political declaration that sets out the vision of ASEAN for the future. It is a number of commitments to be achieved by 2020. Chief among them is the commitment to gradually step up cooperation in the areas of mutual confidence, security, economic, social, cultural, and environmental issues of mutual concern across bilateral international forums, and to fully enhance ASEAN's capacity to respond to international challenges in these global matters.

However, the commitments made to regional matters given the extensive diversity that exists in the ASEAN region. ASEAN countries are divided not only in terms of history, culture, geography, economic development, and language but eventually also in their political systems. How possible is it to get all the ASEAN member-states, each with their own individual national interests, to adopt a common regional position and prevent a united front external strategy?

In order to address this question, ASEAN BRIEFS examined the writing process of the last ASEAN membership state, the United Nations General Assembly in the years prior to start the adoption of the Bali Concord III. By doing so it was able to show whether the adoption of the ASEAN was able to get a more coordinated, coherent, and coherent ASEAN position and to whether this position was realistic and achievable based on ASEAN's past track record.

ASEAN BRIEFS is a regular publication about current developments in ASEAN organizations, regional and global issues, security, and socio-economic issues. It is published quarterly by the ASEAN Studies Program at the Habitable Center.

The ASEAN Studies Program
at the Habitable Center

ASEAN Studies Program
Habitable Center
1017 CA Amsterdam
The Netherlands
Tel: +31 (0)20 485 2250

English: Communication
Department
Habitable Center
1017 CA Amsterdam
The Netherlands

ASEAN Studies Program
Habitable Center
1017 CA Amsterdam
The Netherlands

ASEAN Studies Program
Habitable Center
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ASEAN Studies Program ASEAN BRIEFS

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Issue 001 April 2014
Volume 1 Number 1

**The AlCHR and NHRI Effectiveness
in Its Implementation of Human
Rights Protection in the Region
Case Studies : The Philippines and Thailand**

SUMMARY

This edition of ASEAN Study examines the effectiveness of the ASEAN Intergovernmental Commission on Human Rights (AICHR), the supreme National Human Rights Institutions (NHRI) and the implementation of human rights protection in ASEAN Member States. AICHR has addressed the current human rights development of human rights protection in ASEAN, which is premised on the pressure of a human rights crisis at the regional level and human rights commitment of the national level to better protect human rights in ASEAN. However, with existence of various unattended cases of human rights violation such as enforced disappearance, use of violence by the military and police against civilians, and extrajudicial killings, etc., there are concerns that human rights violations in the region will continue to take place.

As such this issue of ASEAN Study seeks to explore how ASEAN deals with these serious human rights violations, whether the regional human rights body and the national human rights protection system work effectively to resolve the problem, and how the ASEAN member states would implement the efforts of preventing and promoting human rights. This was done by examining the various policy issues at the regional, national and practical levels which resulted in this issue of ASEAN Study.

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The Habib Center

**The Habib Center
for Asian Studies Program
ASEAN BRIEFS**

Vol. 2 / Issue 1 / February 2015

**2 ASEAN Development Goals:
Potentials and Lessons from the MDGs**



ASEAN BRIEF is a regular publication about current developments on ASEAN development, especially on the ASEAN Sustainable Development Goals.

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SUMMARY

The past year will see the dawn of the ASEAN Community – built upon the political, economic, and socio-cultural pillars. It is in this background that the ASEAN Summit has begun. Myanmar proposed the Singapore Declaration on the ASEAN Community and the Public Vision among the ASEAN member states. The ASEAN Summit will also witness the signing of the ASEAN Charter. The ASEAN Summit will also witness the signing of the ASEAN Charter. The ASEAN Summit will also witness the signing of the ASEAN Charter.

The inclusion of this point in the declaration is interesting as it marks the explicit declaration of ASEAN's intention to start formulating a set of development goals of first order, in addition to the already existing Millennium Development Goals (MDGs) and the subsequent Sustainable Development Goals (SDGs). Indeed, the MDGs have been an important part of the development efforts in each ASEAN member state.

The vision of ASEAN leaders will truly explicate the potentials that the ASEAN Development Goals (ADGs) can realize. This will be conducted by first doing a general examination on the experiences of subnational countries in implementing the MDGs across as a template to formulate national development plans. Afterwards this outline of ASEAN Briefs will continue by offering a number of policy recommendations to promote the ADGs.



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The Habitat Center ASEAN Studies Program ASEAN BRIEFS

Vol. 2 / Issue 4 / April 2015

Ensuring the ASEAN Agreement on Transboundary Haze (AATPH) Effectiveness: A Case Study of Riau Province's Haze Summary

SUMMARY

Land and forest fires in Indonesia have repeatedly caused transboundary haze pollution affecting several other countries in ASEAN, namely Malaysia and the Philippines. Haze pollution has caused significant economic and health problems in these three countries. Haze pollution in Indonesia has been mainly caused by forest fires in Riau Province where there are mostly controlled peat lands under plantation and agricultural activities. In 2014, the haze pollution in Indonesia was estimated at 2% of area in Indonesia and contributing to 1% of Indonesia's total land pollution. Based on the fact, ASEAN has proposed a viable haze action through the formation of a regional environmental pact in reflected in the ASEAN Transboundary Haze Agreement.

The main objective of the issue of ASEAN BRIEFs is that the regional haze problem cannot be resolved through the AATPH process alone. Instead, it must be more effective to resolve the issue of the national level because policy and planning are more significant to deal with the haze problem. The ASEAN BRIEFs will focus on other words, focusing on strategic domestic issues will be more likely in ensuring the effectiveness of AATPH in addressing transboundary haze.

This issue of ASEAN BRIEFs contains four important policy recommendations to tackle the ASEAN haze problem. namely, (1) Revising the International Forestry Arrangements and have member led joint strategy to more sustainable zone; (2) Revolving more environmental approaches which include land policy and the national governance; (3) Improving the quality and quantity of the environmental information to allow legal level and other level; and (4) Reducing pollution fires, which is the root cause of haze pollution, by focusing on ensuring the implementation of the ASEAN Political Partnership Instrument (APPI).

ASEAN BRIEFs is a regular publication of the ASEAN Studies Program, The Habitat Center, and the ASEAN Secretariat. It is a platform for ASEAN member states to discuss and exchange views on ASEAN related issues.

The Habitat Center

ASEAN Secretariat Building

10th Floor, 10th Avenue, Singapore

Phone: +65 6375 1000

Fax: +65 6375 1001

E-mail: asean@habitat.org

Website: www.habitat.org

ASEAN Secretariat Building

10th Floor, 10th Avenue, Singapore

Phone: +65 6375 1000

Fax: +65 6375 1001

E-mail: asean@habitat.org

Website: www.habitat.org

ASEAN Secretariat Building

10th Floor, 10th Avenue, Singapore

Phone: +65 6375 1000

Fax: +65 6375 1001

E-mail: asean@habitat.org

Website: www.habitat.org

ASEAN Secretariat Building

10th Floor, 10th Avenue, Singapore

Phone: +65 6375 1000

Fax: +65 6375 1001

E-mail: asean@habitat.org

Website: www.habitat.org

ASEAN Secretariat Building

10th Floor, 10th Avenue, Singapore

Phone: +65 6375 1000

Fax: +65 6375 1001

E-mail: asean@habitat.org

Website: www.habitat.org

The Habib Group

Vol. 2, Issue 9, July 2018

Banking Integration in ASEAN: Challenges and Issues

SUMMARY

ASEAN has a major potential to become a regional economic powerhouse, however, this potential is still yet to be fully realized. This is due to various challenges that are still present in the region.

There are a number of challenges along the integration of the banking sector which will be discussed in this paper. These challenges are:

- 1. Lack of financial literacy
- 2. Lack of financial inclusion
- 3. Lack of financial stability
- 4. Lack of financial security
- 5. Lack of financial transparency
- 6. Lack of financial accountability
- 7. Lack of financial responsibility
- 8. Lack of financial integrity
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