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## Complex Emergency in the Bay of Bengal Region and the Regional Governance Deficits

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### Abstract

This policy brief discusses the complex emergency in the Bay of Bengal region and the deficits in regional governance. The complex emergency is a major humanitarian challenge posed by social, economic, and political turbulence, conflicts, violence, and atrocities. This challenge in the Bay of Bengal region emerges mainly from the crises in Myanmar related to the mass atrocities on the Rohingya people, and the violence against the opposition to the 2021 coup, producing mass displacement. States in the region neither perceived nor treated the complex emergency with great urgency. They prioritised their political and security agenda over human lives. The region also lacks comprehensive instruments and a regional governance framework to address the challenge. The situation demands greater ‘political connectivity’ among the countries in the region. The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) can serve in the driver’s seat in searching for short- and long-term solutions to the ongoing complex emergency. Relevant actors also need to rethink regional approaches and collective responses by adopting ‘flexible engagement’ and a ‘whole-of-government, whole-of-society’ approach.

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## Introduction: What is at stake?

The Bay of Bengal region is currently facing multiple crises, one of which has stemmed from a *complex emergency*, a multifaceted challenge caused by social, economic, and political turbulence, conflicts, violence, and atrocities. The situation is primarily tied to the ongoing crises in Myanmar, a country that has seen political violence and mass atrocities in recent years. These events have led to mass displacement of the population internally and their migration to other countries in the region. The two major groups in focus are the Rohingya from Myanmar's southwestern coastal Rakhine state bordering Bangladesh, and those fleeing persecution by the State Administration Council (SAC), the country's ruling junta, in the events following the 2021 coup. According to the United Nations High Commissioner for Refugees (UNHCR) estimates, as of June 2022, 1.1 million people from Myanmar have sought refuge in its neighbouring countries, mainly in Bangladesh, and more than half a million are internally displaced. These people have experienced human rights violations and atrocities in their country of origin, while in transit, and at the destination.

The persecution and violence against the Rohingya in Rakhine have taken place over several decades and in many forms, from arson and rape to mass killing. The more contemporary atrocities started during the time of General Ne Win's administration between 1962 and 1988 when the Burmese state made the Rohingya stateless. The findings from the Independent International Fact-Finding Mission on Myanmar indicated that the Myanmar Armed Forces were the main perpetrators of the violence (Office of the United Nations High Commissioner for Human Rights, 2019). The United States Department of State (2022) recently declared mass atrocities on the Rohingya in 2016–17, which forced more than 750,000 of them to flee to escape 'genocide,' a crime punishable under international laws. The International Organization for Migration has reported that as of March 2022, more than 900,000 Rohingya

had sought refuge in Cox's Bazar, Bangladesh, with an urgent need for humanitarian support (IOM, 2022). Most displaced persons are dependent on aid as livelihood opportunities are drastically limited.

Many Rohingya took boats on the sea to seek a better future in other Southeast Asian nations, including Indonesia, Malaysia, and Thailand. Most of them were lured by people smugglers, and may have paid up to US\$ 4,900 for the journey (UNHCR, 2021), with no guarantee that they would arrive at their intended destination. Many fell victim to human traffickers who sold them into forced labour and sexual exploitation. Some reached their destination but later experienced precarity and unemployment, and may have been arrested for illegal entry (Nungsari, Flanders, & Chuah, 2020). The Rohingya, therefore, were vulnerable to violence and destitution at all stages of their journey. UN Secretary-General, Antonio Guterres, referred to the Rohingya in a 2018 tweet as "one of the most discriminated against and vulnerable communities on Earth", and called the Rohingya refugee crisis "a humanitarian and human rights nightmare" (Guterres, 2018).

The February 2021 coup in Myanmar unleashed another wave of violence and conflicts across the country. A broad swath of the population opposed the coup. They participated in the Civil Disobedience Movement (CDM) and/ or joined the People's Defense Forces (PDFs). The Ethnic Armed Organisations (EAOs) reactivated their military capabilities and engaged in fights against the Myanmar Armed Forces. The events that followed the coup eventually triggered another mass movement of the forcibly displaced. Nearly 700,000 people were displaced internally, with more than 60,000 crossing international borders to seek refuge in Myanmar's neighbouring countries, especially Thailand and India (UNHCR, 2022).

People on the move experienced similar asylum challenges regardless of their direction. At the border, Thai officials, for example,

pushed some groups back into Myanmar or persuaded them to return after allowing them to seek refuge for a few days. Many who got into border towns such as Mae Sot in Thailand, had to pay bribes for 'police cards' to secure themselves from the threat of deportation (*Tak Cops*, 2022). Some spent considerable sums to obtain a valid official document, hoping to stay on legally in Thailand. However, several displaced persons were arrested and detained in the immigration detention centre pending deportation. The resettlement opportunity was extremely limited, with only exceptional cases getting expedited for movement into a third country (Jittiang, Sirijintana, & Wangpuchakane, 2022).

However, migration challenges faced by the forcibly displaced in the Bay of Bengal region are not a stand-alone crisis. They are connected and contribute to larger societal issues ranging from political instability to food insecurity. The number of forcibly displaced people inside and from Myanmar keeps growing in part because the situation is spiralling downward into what the Myanmar Study Group (2022) of the United States Institute of Peace (USIP) describes as 'civil war.' The military airstrikes in many parts of the country adversely affected agricultural production and crop yields, driving up food prices and making access to food more challenging. Many people eventually decided to leave in order to survive. In May 2022, the World Food Programme (2022) projected that by the end of the year, nearly four million people might need assistance, twice the number it is currently helping. As many displaced persons are on the move, they are also on the verge of poverty and marginalisation.

### What are the challenges?

The complex emergency in the Bay of Bengal, especially the one that emerged from multiple crises in Myanmar, is currently neither perceived nor treated with a sense of urgency. Many states are in denial over its wide-ranging impact, and continue to prioritise their political and security agenda

over human lives. Besides, the Bay of Bengal region lacks comprehensive instruments and political connectivity to address the challenge effectively.

### National security vs. Human security and development

The outlook of states in the Bay of Bengal towards the complex emergency is currently problematic. The arrival of the forcibly displaced is often seen as a threat to national security; these people are perceived as being a financial and social burden on the host population (Moretti, 2022). The assistance by states is also seen as a pull factor for new arrivals. This view emerged during the Cold War when the region was plagued by mistrust, and the movement of the forcibly displaced could attract cross-border attacks and military operations, and has continued to exist even after the end of the Cold War.

This complex emergency in the region requires a different worldview. In fact, the ongoing situation is not simply a migration challenge but is connected to multiple complex issues, especially since the profiles and movements of displaced persons are heterogeneous. In Thailand, for example, Jittiang et al (2022) found that the new arrivals can be classified into three groups based on their movement patterns and intentions: temporarily displaced, economic migrants, and activists, intellectuals, and high-profile cases (HPCs). Each group poses challenges to the host government and demands a different management approach.

Therefore, implementing a one-size-fits-all national security solution for forcibly displaced groups may not be the appropriate response. Finding a remedy beyond the migration challenge is essential to addressing the intertwining problems, so as to incorporate the human security approach and development issues to balance the national security perspective. The new paradigm will offer a solution to the protection question, and find ways for the state to utilise the human capital of the forcibly displaced while safeguarding their national security interests. Some groups

can be employed and be allowed to live with dignity, lessening the burden on the host government. The host state can also take this opportunity to foster closer people-to-people connectivity, which can be strategically significant for long-term international relations and cooperation, especially after the forcibly displaced are able to return to their country of origin.

### Lack of comprehensive and effective regional instruments and governance

Another major challenge in addressing the complex emergency in the Bay of Bengal is the lack of comprehensive and effective regional instruments and governance, which emerge in part from the absence of new regional political initiatives and leadership. In the present decade, the geopolitical priority and agenda in the region are dominated and driven mainly by the major power rivalry, especially between China and the US, with the Belt and Road Initiative (BRI) and the Indo–Pacific Strategy. These larger conversations do not necessarily take into account issues specific to the region, because the interests of the major powers do not always align with those of regional governments.

In addition, the governments in the region steadfastly observe certain international principles, especially non-interference, and get involved in the polarisation caused by the major power rivalries. Hence, they are less flexible and unwilling to engage, not to mention cooperate, in issues of shared regional interest. As a result, the complex emergency has created a disproportionate burden for some governments who can only respond to the tip of the iceberg but cannot address the larger issues. This scenario is evident, for instance, in the desperation of the Government of Bangladesh, whose prime minister and other high-ranking officials have consistently called for more international attention, support, and assistance for more than one million Rohingya refugees.

Therefore, the Bay of Bengal region needs leadership from actors who can spearhead regional governments and other relevant

stakeholders to address issues of common regional interest, such as the complex emergency. States in the region, in particular, need to recognise that taking a systematic and regional approach can mitigate short-term humanitarian challenges and help establish regional stability. Successful management of the complex emergency will allow member states in the Bay of Bengal to refocus on regional prosperity and socio-economic progress.

### What needs to be done?

This policy brief proposes two major recommendations for the relevant stakeholders in the Bay of Bengal region. First, BIMSTEC, as the prevailing regional architecture, needs to serve as a bridge, a platform, and a key actor in the driver's seat to resolve the complex emergency. The possibility of realising this goal depends on member states' political will and connectivity. Second, countries in the Bay of Bengal region need to rethink the regional approach and collective responses by adopting 'flexible engagement' and a 'whole-of-government, whole-of-society approach.'

### Centrality of BIMSTEC

Regional challenges demand regional solutions. BIMSTEC, as the critical regional organisation, needs to serve as the nerve centre—a bridge and a platform—from which conflicting and affected parties can engage in meaningful dialogues. This opportunity will allow BIMSTEC to move beyond its role in technical and economic cooperation to political and security partnership and engagement, which can be more substantive and fundamental to regional stability and prosperity. It will also enhance BIMSTEC's recent emphasis on security cooperation, which has included counterterrorism and intelligence sharing but not the human security dimension. This role will enable BIMSTEC to establish regional order and manage regional dynamics that external powers may not prioritise. In other words, it is an invitation to BIMSTEC members to focus on their regional issues rather than deal with issues that interest external actors.

The commitment of India's Prime Minister Narendra Modi to prioritise regional security within the BIMSTEC framework during the summit in March 2022 is an essential next step for the centrality of BIMSTEC to be crystallised. As one of the countries affected by the complex emergency unleashed by the crises in Myanmar, India can closely collaborate with Bangladesh and also Thailand, which is the chair country for 2022–23, to create a regional mechanism that serves as a focal point to cope with the challenge. The institution can be modelled after the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre), established as an intergovernmental organisation to coordinate and facilitate emergency response to disasters. This institutional arrangement will allow BIMSTEC to streamline initiatives and strategic actions now and in the future. With Thailand's membership in both BIMSTEC and ASEAN, its government can help bring about synergy and collaboration between the two regional blocs to address complex emergencies, some of which, like the Rohingya migration, span both regions, thereby establishing cross-bloc connectivity.

### Rethinking regional approaches and collective responses

Rethinking regional approaches and collective responses is also significant. The Bay of Bengal states must recognise the limitations of non-interference and their adamant adherence to the national security agenda. The strong emphasis on both doctrines prevents states in the region from having a meaningful conversation on issues of shared interest, including the complex emergency. It also demobilises other actors, especially civil society organisations and business sectors, who can provide essential resources to support and advance regional initiatives. For this reason, new approaches need to be considered and adopted.

### Flexible engagement

One possibility is adopting the 'flexible engagement' approach, which Surin Pitsuwan, a former Thai Foreign Minister, proposed in the ASEAN context to engage with Myanmar. It emphasises openness and the possibility for other regional member countries to raise the stakes on issues of regional importance. Adopting this approach will allow states in the Bay of Bengal region to be more vocal on the socio-political issues affecting them, paving the way for their engagement in constructive dialogue and taking proactive actions towards troubled actors and relevant conflict parties. This approach will demand that states reduce their emphasis on the non-interference principle and national security priority, and commit more to collective regional actions and interests along the lines of the African Union and European Union.

### A whole-of-government, whole-of-society approach

The complex emergency will also require the engagement of all sectors across governments and societies. The issue is not one-dimensional, and each government will need to pull resources beyond its own agency and coordinate closely with the focal contact at the regional level. In some areas where government and regional mechanisms lack the resources, cooperation with civil society organisations and businesses can make a difference. For example, a chamber of commerce can navigate the local economic terrain to create employment opportunities for the forcibly displaced, and charity organisations can help raise funds to provide financial and in-kind assistance for people on the move as a short-term remedy. The whole-of-government, whole-of-society approach can also be used to engage other existing mechanisms of the United Nations bodies, especially UNHCR, and the European Union, such as the European Civil Protection and Humanitarian Aid Operations (ECHO), to streamline solutions and address complex emergencies.

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