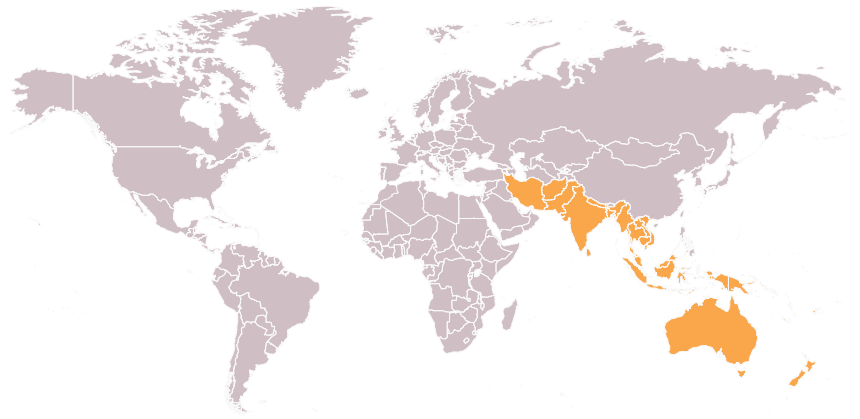




Mixed
Migration
Centre



MMC Asia

QUARTER 4 2019



Quarterly Mixed Migration Update: Asia

This Quarterly Mixed Migration Update (QMMU) covers Southern and Southeast Asia. The core countries of focus for this region are Afghanistan, Bangladesh, India, Indonesia, Malaysia, Myanmar, Nepal, Pakistan and Thailand. Depending on the quarterly trends and migration-related updates, more attention may be given to any of the countries over the rest.

The QMMUs offer a quarterly update on new trends and dynamics related to mixed migration and relevant policy developments in the region. These updates are based on a compilation of a wide range of secondary (data) sources, brought together within a regional framework and applying a mixed migration analytical lens. Similar QMMUs are available for all MMC regions.

The Mixed Migration Centre is a global network consisting of seven regional hubs and a central unit in Geneva engaged in data collection, research, analysis and policy development on mixed migration.

For more information on the MMC, the QMMUs from other regions and contact details of regional MMC teams, visit mixedmigration.org and follow us at [@Mixed_Migration](https://twitter.com/Mixed_Migration)

MMC's understanding of mixed migration

"Mixed migration" refers to cross-border movements of people, including refugees fleeing persecution and conflict, victims of trafficking, and people seeking better lives and opportunities. Motivated to move by a multiplicity of factors, people in mixed flows have a range of legal statuses as well as a variety of vulnerabilities. Although entitled to protection under international human rights law, they are exposed to multiple rights violations along their journey. Those in mixed migration flows travel along similar routes, using similar means of travel — often travelling irregularly, and wholly, or partially, assisted by migrant smugglers.

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Quarterly Mixed Migration Update: Asia

Quarter 4 - 2019

Key Updates

- **Continued returns and deportations of Afghan refugees and migrants:** Despite ongoing security concerns, [returns of Afghan refugees and migrants](#) continue from Iran, Pakistan, Turkey as well as some EU countries.
- **Myanmar accused of genocide:** Over three days of public hearings, the International Court of Justice heard [Gambia's case against Myanmar for crimes of genocide](#). During the hearings, Myanmar refuted these claims, despite several UN fact-finding missions supported by [satellite imaging](#) providing evidence to the contrary.
- **Increased securitization in Cox's Bazar and the onward movements of Rohingya:** The government of Bangladesh continued [tightening security measures](#) in and around refugee camps in Cox's Bazar. [Secondary movements of Rohingya people](#) from Bangladesh to Malaysia also continued.
- **Policy changes in Malaysia:** The government of Malaysia announced plans to [take over the status determination of refugees](#), instead of relying on UNHCR assistance. The government also [postponed the decision](#) of whether to grant refugees the right to work or not.
- **India's new Citizenship Act:** India officially approved an amendment to the country's [citizenship law](#), which enables access to citizenship for certain religious minorities from Afghanistan, Bangladesh, and Pakistan, excluding Muslims. The amendment, which [violates the country's Federal Constitution](#), threatens to deepen the marginalization of Muslim populations.
- **Australia continues detention and deportation amid repeal of medical evacuation laws:** Australia continues policies of detention and deportation of asylum seekers, including children, while simultaneously [repealing medical evacuation laws](#) previously created to provide a mechanism to transfer sick refugees and asylum seekers to Australia for treatment.

Regional Overview



Afghanistan: Return and deportation of Afghans continues from Iran, Pakistan, Turkey and some EU countries

Bangladesh: With worsening conditions in refugee camps in Cox's Bazar, Rohingya people continue to move onwards from Bangladesh to other countries, including Malaysia

Myanmar: Myanmar faces mounting legal actions with cases before the International Criminal Court and International Court of Justice for alleged crimes of genocide

India: The new Citizenship Act threatens to deepen the marginalization of Muslim populations in India

Vietnam: The tragic death of 39 Vietnamese migrants in a lorry container in Essex in October exposes the risks faced by irregular migrants en route to Europe

Malaysia: The government announces plans to take over the status determination of refugees, while postponing the decision of whether to grant refugees the right to work

Australia: The detention and deportation of asylum seekers continues amid repeal of medical evacuation laws

Mixed Migration Regional Updates

Mixed migration from Asia

Fatalities highlight dangers faced by Vietnamese en route to the UK

While Vietnam has seen rapid economic growth since the mid-2000s, [benefits have been uneven, and inequality remains high](#). This situation has pushed impoverished groups to migrate in search of better employment opportunities abroad.

Prospective Vietnamese migrants often search for overseas jobs through brokers and other intermediaries and engage the [costly services of smugglers](#) to facilitate their journeys. While [Malaysia, the Republic of Korea, Taiwan, and the United Arab Emirates](#) are the primary destination countries for Vietnamese migrants, migration to Europe, especially the United Kingdom, is also prevalent. On 23 October, the tragic death of [39 Vietnamese migrants in a lorry container in Essex](#) exposed the risks faced by migrants travelling irregularly from Vietnam to Europe and highlighted the extent of [lucrative](#) smuggling networks in the United Kingdom.

Increased movements of Afghans by sea to Greek islands

2019 saw a [sudden and significant](#) increase in the number of people crossing the Aegean Sea from Turkey to Greece, the majority of whom were from Afghanistan. Maritime arrivals accounted for [80% of the total 75,000 arrivals](#) on the Greek islands in 2019, an increase of 50% from [32,500](#) in 2018. Since 2018 Afghans have remained the [largest group arriving from Turkey \(40%](#) of total arrivals) followed by Syrians (27.4%).

Continued detention and deportation of Afghan refugees and migrants

Deportations of Afghans from EU states remain highly [contentious](#) due to continued concerns over the security situation in Afghanistan. On 4 December 2019, [a deportation flight from Germany landed in Kabul, with 44 Afghans](#) on board. This was the 30th deportation flight since an agreement between the German and Afghan governments took place in 2016.

In November, a study on [deportations from Germany and other EU countries to Afghanistan](#) found that deportees received little reintegration support from the Afghan government and international community, leaving them with economic hardship and sometimes threats of violence. [According to Afghanistan's Ministry of Refugees and Repatriation](#), since January 2019, more than 498,000 Afghans have been returned or deported to Afghanistan, the majority from Iran, followed by Pakistan, Turkey, and some EU states, including Germany. This figure is considerably lower than in 2018, when approximately 800,000 Afghans were returned from Iran and Pakistan alone.

Meanwhile, governments of host countries continue to tighten migration policies to stem irregular migration. In Turkey, for instance, the government has set stricter migration controls regarding identification, arrest,

and deportation. As a result, around [441,500 unregistered migrants were detained](#) by the police in 2019, 196,000 of whom were Afghans.

Mixed migration within Asia

Continued movements of Rohingya to Bangladesh and onwards to Malaysia

The ongoing conflict in Myanmar continues to pose threats to the safety of the Rohingya in Rakhine state, where around [600,000 Rohingya people continue to be at "serious risk of genocide."](#) according to the UN Human Rights Council. As a result of these ongoing threats, the Rohingya [continue to seek refuge](#) in neighboring countries such as Bangladesh, which hosts approximately [900,000 Rohingya refugees](#) in camps surrounding Cox's Bazar.

The protracted nature of the crisis, coupled with worsening conditions in the camps, has raised concerns that Rohingya people will continue to embark on risky onwards journeys in search of a more safe and stable environment. This includes onwards journeys to Malaysia, which currently hosts [153,430](#) Rohingya refugees.

On 15 November, around [120 Rohingya refugees](#) were rescued by Bangladesh coast guards as their boat sank in the Bay of Bengal. Those Rohingya refugees were allegedly attempting to travel to Malaysia. A spokesperson for the coastguard reported to UNHCR that in 2019, over 500 Rohingya people had been intercepted from coastal villages and smugglers' boats as they attempted to reach Malaysia.

Additionally, in December, Myanmar's navy intercepted a vessel carrying around [175 Rohingya people](#), including 69 women and 22 children, in the Andaman Sea en route to Malaysia. The military detained all onboard for [fleeing "illegally."](#) According to a military spokesperson, it is unclear as to whether the vessel originated from Bangladesh or Rakhine State.

These situations confirm [reports by UNHCR](#) that risks continue to rise for refugees and asylum seekers embarking on maritime voyages in the region.

Mounting legal action: Myanmar accused of genocide

This quarter [legal action was brought against Myanmar](#) at both the International Criminal Court (ICC) and the International Court of Justice (ICJ) for alleged crimes committed against the Rohingya. On 14 November, judges at the ICC in The Hague [authorized an investigation](#) into alleged persecution and forced displacement of Rohingya people into neighboring Bangladesh – considered crimes against humanity under international law. Separately, starting on 10 December, the ICJ held [public hearings in a lawsuit brought by the Gambia](#) against Myanmar for crimes of genocide. Over the trial, Myanmar leader Aung San Suu Kyi refuted these claims, despite several UN fact-finding missions, inclusive of [satellite imaging](#) indicating the widespread destruction of Rohingya villages.

Bangladesh: Safety concerns amidst increased securitization in Cox's Bazar

In August, a local [Bangladeshi youth leader](#) from the ruling political party, Awami League, was killed in Cox's Bazar. Since then, at least seven Rohingya men, reportedly suspects of the murder, have been killed by Bangladesh police, leading human rights advocates to raise concerns over the suspected [extra-judicial killings](#).

Citing state security and public safety concerns, the government of Bangladesh continued to tighten security measures in and around the camps from October to December. Following the [shut-down of mobile phone services](#), the Bangladesh army confirmed the approval of a 287km fence [around 34 Rohingya refugee camps](#) in and around Cox's Bazar to keep ["the sovereignty of the country intact."](#) Concerns have been raised that these measures effectively create [open-air prisons](#), hampering humanitarian assistance, and emergency response capability.

Bangladesh: Relocation pressure continues

During the quarter, Bangladesh officials announced plans to commence [relocating refugees](#) from Cox's Bazar to the island of Bhasan Char off the coast of Bangladesh. Since 2015, the isolated island has been planned as a solution to house more than 100,000 Rohingya refugees from overcrowded camps in Cox's Bazar.

In December, a spokesperson for the relocation project confirmed that [98% of preparation work](#) was now complete and that the island would soon be ready to receive Rohingya refugees. Relocation plans have received widespread criticism due to the [highly volatile geography of the island](#), which is prone to frequent flooding. An [analysis of satellite imagery](#) and data showed the island's total land area fluctuated between about 40 and 76 square kilometers over the 2015-2019 period. Critics say living on the remote island would leave Rohingya people isolated from humanitarian aid, basic services of healthcare and schooling, and more exposed to [risks, including natural disasters](#).

Back in October, the government announced that some [350 families were volunteering](#) to relocate to Bhasan Char. Amongst Rohingya refugees, the decision to relocate remains largely [divisive](#). According to [human rights groups](#), Rohingya refugees have not been adequately consulted during planning and provided misinformation. It was reported that in some instances, Rohingya people had been [mistakenly told they would receive Bangladeshi citizenship](#) in exchange for relocation.

Myanmar: Fighting sees 900 Mon flee to Thailand

On 27 November, fighting erupted in Mon state, Myanmar, between the Burmese army and the Karen Border Guard Force (BGF) and the New Mon State Party (NMSP). As a result, an estimated [900 predominantly ethnic Mon](#) fled across the border to Thailand, initially seeking shelter at a [Mon monastery in Thailand](#). On 4 December, the NMSP leaders and the Burmese army military commanders [negotiated a remedy](#). However, many Mon remain fearful of returning home, fearing new fighting could break out at any time. Those who have returned home, report damage to property, and widespread [loss of belongings](#) as a result of the fighting.

Indonesia: Limbo fuels continued protests

Refugees and asylum seekers continued [protests outside the UNHCR Jakarta](#) office this quarter. The protests indicate mounting frustrations at the insufficient financial and material support for new arrivals in Indonesia, alongside declining resettlement opportunities, in part due to [Australia's 2014 resettlement freeze](#). In 2018, only 509 of 14,016 people awaiting resettlement in Indonesia [were resettled](#), and of those, only 84 were to Australia. In 2019, the number of people resettled from Indonesia to Australia continued to shrink to just [40](#).

The precarity of the situation in Indonesia has the potential to increase [secondary movements](#) as people seek to escape temporary status and limited access to [education, healthcare, and work rights](#).

Malaysia: Policy changes afoot

Despite considering refugees as undocumented migrants under their immigration laws, Malaysia historically hosts [a large population of refugees and migrants](#), the majority of whom come from Myanmar. In October, Malaysia announced plans to take over the [determination and verification of refugees](#), to date, facilitated by UNHCR.

Additionally, on 9 December, [20 businesses](#) in Malaysia, including Unilever, Hilton, AirBnB, and Chobani, jointly expressed their support for work rights for refugees, arguing this policy change would have positive impacts on job creation, Gross Domestic Product and tax revenues. This announcement comes as the Malaysian government is expected to make its final decision on whether to [allow refugees the legal right to work](#) soon.

India: Citizenship Laws discriminate against Muslims

On 11 December 2019, India's parliament approved an amendment to the country's [Citizenship Law](#), which establishes a path to Indian citizenship for persecuted religious groups. This includes people who arrived in the country from neighboring countries such as Afghanistan, Bangladesh, and Pakistan before 2015, except Muslims. The amendment is discriminatory towards Muslims, including an estimated [40,000 Rohingya refugees](#) in India who are facing the risk of deportation to Myanmar. The amended legislation has been met with widespread criticism and protests, and [violates the Federal Constitution](#) that prohibits religious discrimination. Muslims, who form nearly 15% of India's population, have been increasingly marginalized since the Hindu nationalist government came to power in 2014.

As a precursor to the amended legislation, the Indian government [published an updated National Register of Citizens \(NRC\) for the state of Assam](#) in August, which excluded the names of people who came to India from Bangladesh before independence in 1971. The NRC has seen [1.9 million residents of Assam considered as "foreigners"](#) and, as such, stripped of their citizenship and potentially subject to deportation.

Iran: Tragic deaths of Afghan migrants en route to Iran

Afghan refugees and migrants continue to utilize the long-established route from Zaranj, Nimruz to Pakistan, and onwards to Iran. This route involves various risks and harsh conditions and sometimes results in death. On 14 November, [24 Afghan migrants tragically died, and a further 21 were injured](#) in a vehicle accident near Zahedan City in Iran.

South Asians continue facing detention and deportation

In October, immigration authorities deported [311 Indian citizens](#) from Mexico in an unprecedented repatriation move. The Mexican government detained migrants in various immigration facilities across the country before transferring them to a detention center in Veracruz in preparation for their deportation.

In late November, [152 Bangladeshi migrants](#) were also returned home from Libya after their attempted sea crossing to Europe. The return was facilitated by the International Organization for Migration, the Government of Bangladesh, and the Libyan authorities.

Australia continues deportations and blocks access to medical care for asylum seekers onshore

July 2019 marked six years of Australia's policy of detaining refugees and asylum seekers on Papua New Guinea (PNG) and Nauru. Over this time, approximately [3,000 people, including children](#), have been detained on Nauru and PNG.

Widespread concerns have been raised over the conditions in the centers, including a lack of access to adequate medical treatment and mental health supports. Over the past six years, [17 people have died in offshore detention](#), including from [suicide and medical issues](#). On 4 December, the Australian government voted to [repeal a short-lived medical evacuation law](#) – known as “medivac.” This legislation provided a process for people in need of urgent medical care to be temporarily brought to Australia from Nauru and PNG. The repeal of the medivac bill sparked concerns for the health and welfare of the [466 refugees](#) and asylum seekers remaining on Nauru and PNG.

Additionally, in October, the United Nations called on the Australian government to release a [Tamil asylum seeker family from Christmas Island detention center](#), weighing in on a case that has galvanized huge public support. The family of four has been held at the facility for a few months while their fight to remain in Australia is before the courts. The Australian Department of Home Affairs has [refused to comment](#) on the UN's request, stating that the family would remain on Christmas Island during the judicial review proceedings. Detention facilities on Christmas Island were re-opened in 2019, [costing AUD 27 million](#). So far, the Tamil family of four are the only people being detained by the Australian government there.

Thematic focus: Children on the move in Asia

On 20 November 2019, the world [celebrated the 30th anniversary](#) of the most widely ratified human rights treaty – the Convention on the Rights of the Child (CRC). Despite 30 years of the convention, migrant and refugee children throughout Asia still face considerable challenges concerning accessing protection and fulfilling their fundamental rights. Though obtaining accurate statistics is challenging, estimates indicate that there are [14.6 million refugee and migrant children](#) in the region. These children face multiple protection issues and are often prevented from accessing basic services such as education and healthcare. In Bangladesh, for instance, a report released by Human Rights Watch indicated that approximately [400,000 Rohingya children](#) are currently barred from accessing formal education both within and outside of camps.

ASEAN declaration on the rights of children in the context of migration

In ASEAN, the CRC is one of only four human rights conventions ratified by all 10 Member States. In celebration of 30 years of the CRC, Member States adopted the [ASEAN Declaration on the Rights of Children in the Context of Migration](#) in Bangkok, Thailand, on 2 November. This Declaration is a reiteration of Member States' responsibilities to protect the rights of children in the context of migration and recognizes children's added vulnerability to discrimination, violence, abuse, and exploitation. Alongside pledging continued commitment to address protection issues faced by children on the move, the Declaration also encourages States to provide access to basic services, such as health care, education and psychosocial supports, many of which are still [unavailable to migrant and refugee children](#) in the region.

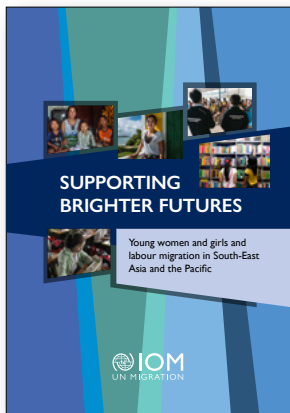
Children in immigration detention – on the regional agenda

Alongside the anniversary of the CRC, the UN Global Study on Children Deprived of Liberty was launched in Geneva on 19 November, highlighting the plight of children in immigration detention across the world. Despite UN experts concluding that the detention of children for migration-related reasons can never be in the best interests of a child, at least 330,000 children are estimated to be held in immigration detention centers in [around 80 countries](#), including in Asia.

On 21-22 November, a [Regional Roundtable](#) on Alternatives to Child Detention in the Asia Pacific was held in Bangkok as part of the Thai government's commemoration of the 30th anniversary of the CRC. Co-conveyed by the Department of Children and Youth, under the Thai Ministry of Social Development and Human Security, the International Detention Coalition and the Asia Dialogue on Forced Migration, the Roundtable followed the [ASEAN Declaration on the Rights of Children in the Context of Migration](#) which called on states to develop more effective alternatives to child immigration detention.

Earlier in 2019, Thailand took an important first step towards phasing out the immigration detention of children in Thailand by signing a memorandum of understanding detailing a framework to [end the detention of migrant and refugee children](#). It is hoped that the Roundtable is the beginning of an [ongoing regional peer-learning platform](#) where states can share positive experiences and challenges in implementing alternative care arrangements and continue action towards ending child immigration detention in the region.

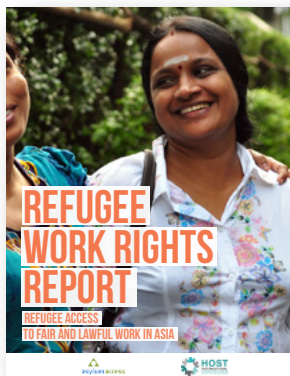
Highlighted new research and reports



[Supporting Brighter Futures: Young Women and Girls and Labour Migration in South-East Asia and the Pacific](#)

IOM | November 2019

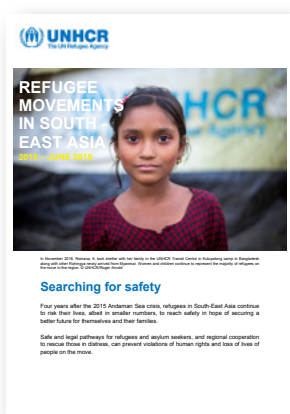
Over 18 million females under 20 years of age embark on migration journeys. Within this context, this report contributes to understanding this phenomenon in South-East Asia and the Pacific. The report includes papers on various topics, including young women and girls as household providers, intergenerational migration, and education, among other themes.



[Refugee Work Rights Report: Refugee Access to Fair and Lawful Work in Asia](#)

Asylum Access & HOST International | October 2019

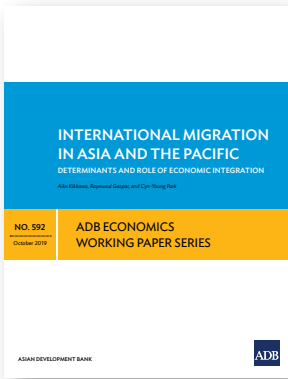
This report examines the rights of refugees to work safely and lawfully in eight selected countries in Asia: Bangladesh, India, Indonesia, Japan, Malaysia, the Philippines, South Korea, and Thailand. This report has found that most refugees in Asia do not have protected and respected work rights. Often living in hiding for fear of detention and deportation, refugees in Asia rely on humanitarian aid (food, shelter, and medical care) and informal, often exploitative work to survive.



[Refugee Movements in Southeast Asia: 2018 – June 2019](#)

UNHCR | October 2019

This report presents the trends of refugee movements in South-East Asia observed by UNHCR between January 2018 and June 2019, highlighting the serious risks taken by people to cross international borders through irregular pathways. This report recognizes the diversity of people on the move in the region and also sheds light on several groups of economic migrants traveling along the same routes as refugees.



International Migration in Asia and the Pacific: Determinants and Role of Economic Integration

Asia Development Bank | October 2019

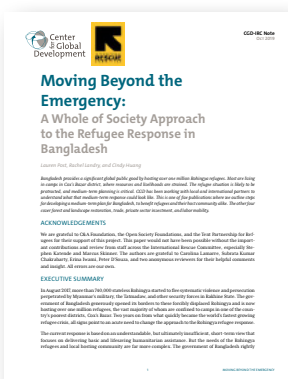
This paper examines key factors driving the movement of people from and within the region using bilateral international migrant stock data. The analysis shows that commonly known determinants such as income differences; population size; and political, geographical, and cultural proximities between the migrant source and destination countries are associated with greater movement, along with the growing share of the older population in destination economies and the similarities in the level of educational attainment. The paper also finds that cross-border migration is affected, in varied directions, by the degree of economic integration between the source and destination economies, especially through bilateral trade and value chain links.



“Are We Not Human?” Denial of Education for Rohingya Refugee Children in Bangladesh

Human Rights Watch | December 2019

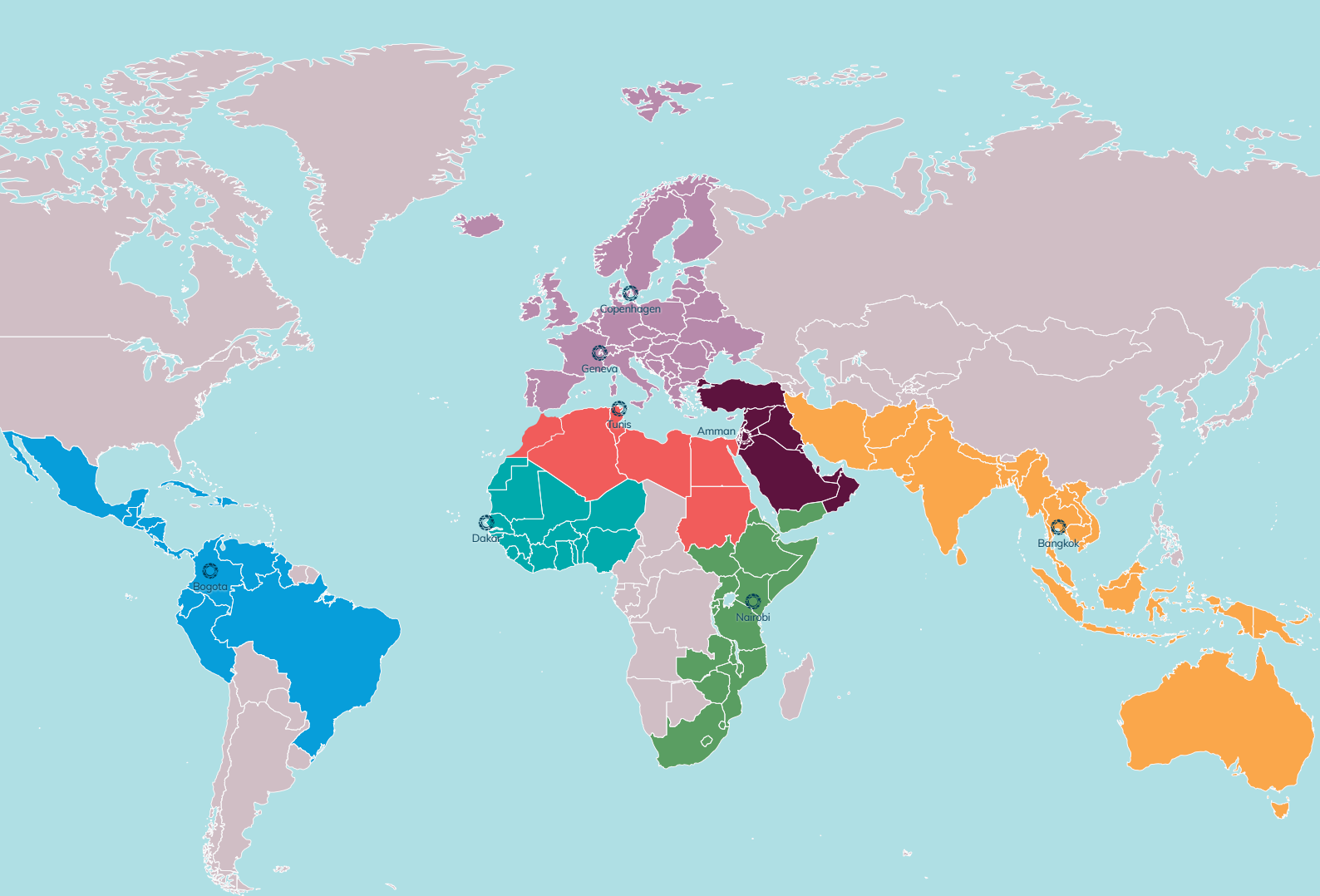
This report documents how Bangladesh prohibits aid groups in refugee camps in Cox’s Bazar district from providing Rohingya children with accredited or formal education. As the report highlights, there is no secondary-level education, and groups are barred from teaching the Bengali language and using the Bangladesh curriculum.



Moving Beyond the Emergency: A Whole of Society Approach to the Refugee Response in Bangladesh

International Rescue Committee | October 2019

Bangladesh provides a significant global public good by hosting over one million Rohingya refugees. Most are living in camps in Cox’s Bazar district, where resources and livelihoods are strained. The refugee situation is likely to be protracted, and medium-term planning is critical.



The MMC is a global network consisting of seven regional hubs and a central unit in Geneva engaged in data collection, research, analysis and policy development on mixed migration. The MMC is a leading source for independent and high-quality data, research, analysis and expertise on mixed migration. The MMC aims to increase understanding of mixed migration, to positively impact global and regional migration policies, to inform evidence-based protection responses for people on the move and to stimulate forward thinking in public and policy debates on mixed migration. The MMC's overarching focus is on human rights and protection for all people on the move.

The MMC is part of and governed by the Danish Refugee Council (DRC). Global and regional MMC teams are based in Amman, Copenhagen, Dakar, Geneva, Nairobi, Tunis, Bogota and Bangkok.

For more information visit:

mixedmigration.org and follow us at [@Mixed_Migration](https://twitter.com/Mixed_Migration)

