

Amnesty International

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Southeast Asia: Governments must turn commitments into reality to stem Southeast Asian migrant and refugee crisis

Ahead of a regional meeting hosted by Thailand tomorrow, Amnesty International calls on the governments of Bangladesh, Indonesia, Malaysia, Myanmar and Thailand to prioritise protection of the human rights of migrants and refugees in any action directed at combating human trafficking and managing irregular migration. The government of Thailand is hosting the 2nd Special Meeting on Irregular Migration in the Indian Ocean on 4 December 2015 in Bangkok.

In May 2015, thousands of people from Myanmar and Bangladesh were subjected to horrific abuses at the hands of boat crews in the Bay of Bengal and the Andaman Sea. Abuses included killings, beatings and being kept in inhuman and degrading conditions. Following the crackdown on trafficking and smuggling by the Thai authorities, crews abandoned the boats and refugees and migrants were left stranded at sea because of governmental inaction and refusal to take in people, before eventually being granted temporary shelter in Indonesia and Malaysia.

At the ASEAN summit in November 2015, governments made much needed commitments, as set out in *ASEAN 2025: Forging Ahead Together*, to enhance cooperation amongst governments to combat trafficking in persons, and in maritime safety and search and rescue. Tomorrow's meeting is an important opportunity for participating governments to discuss concrete ways in which these commitments will be implemented. It is essential that any law enforcement measures developed to combat irregular migration and dismantle smuggling or trafficking networks do not endanger the safety of migrants and refugees and prioritise their protection. Governments must ensure that individuals are not criminalized or detained for entering irregularly in the country. If governments are serious about combatting human trafficking and abusive smuggling, then expanded regular migration channels must be a key issue on the agenda.

It is critical that governments acknowledge that many of these people on the move are fleeing persecution, such as the Rohingya, and that as such they are in need of international protection. Southeast Asian governments must ensure that asylum seekers can access prompt and fair refugee status determination procedures and are offered protection while their asylum claims are processed. Those ASEAN member states who have yet not done so should also begin the process of ratifying the 1951 Refugee Convention. Governments must also agree how they will put in place search and rescue operations with safe and predictable disembarkation procedures and humane reception conditions for migrants and refugees.

The focus on root causes of migration must translate into immediate steps by governments such as Myanmar to end the persecution of ethnic minorities like the Rohingya, otherwise people will have no choice but to keep putting themselves in danger as they flee horrific conditions.