Rethinking Refugee Management in Southeast Asia: What ASEAN Can Do

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Introduction

The Rohingya crises remains one of the most urgent issues, particularly in Southeast Asia and neighboring regions. Originating from Myanmar, this massive exodus began in 2017 and has accumulated a total of one million people displaced (UNHCR, 2024). Although primarily seeking refuge in Bangladesh, but a large number of them also fleeing to other Southeast Asian countries like Malaysia, Indonesia and Thailand (Simpson and Farrelly, 2020; Susetyo and Chambers, 2021). This ordeal has resulted in immense pressure towards ASEAN, challenging their ability to balance the national security, economic concerns, public policy and diplomatic relations. Despite the intensity of the crises, ASEAN's long-standing principle of non-interference has fragmented its action and response in addressing the situation—resulting in the lack of collective, collaborative and coordinated actions to protect the oppressed and leaving each state to deal with the spillover effect with limited resources (Zahed, 2021).

ASEAN's approach to refugee crises has been ambiguous, due to its adherence towards the core tenet of the regional organization and lack of legally-binding framework in addressing refugees. Moreover, many ASEAN members have not signed the 1951 Refugee Convention or its 1967 Protocol, but countries like Indonesia and Thailand are bound by the international human rights treaties like the United Nations Convention Against Torture (UNCAT), which require an adherence to non-refoulement principle (Petcharamesree, 2016; Renshaw, 2021). Due to these ambiguous policies, the Rohingya faces uncertain legal protection, state of limbo, vulnerable to exploitation in host countries and even poses broader challenges to regional stability.

This paper seeks to address the questions regarding what innovative steps ASEAN can take to improve its response to the Rohingya crises while maintaining regional stability. It argues that ASEAN's current approach is insufficient—encouraging a more advanced regional cooperation, developing regional refugee centres and enhance community-based integration; fostering a more sustainable humanitarian solution. These measures would balance ASEAN's humanitarian obligation and maintaining regional stability while respecting each member states sovereignty.

ASEAN's Limited Actions

ASEAN's founding principle of non-interference remains as the cornerstone for regional diplomacy and interactions. Having previously endured as colonized nations, the member states strive for independence and respect for sovereignty (Lee, 2018). While this principle promotes mutual respect, it limits its action in intervening Myanmar's persecution—either by posing sanctions or direct diplomatic intervention. Even the Five-Point Consensus issued by ASEAN after the break of Myanmar's 2021 Coup has been deemed ineffective (Syamsudin, 2023). As a result, ASEAN's address on Myanmar's issue is limited to diplomatic talks and humanitarian aid, without giving deterrence effect that helps deflate the conflict.

Another significant challenges for ASEAN to aid the Rohingya refugee crises is that many of ASEAN member states like Malaysia, Thailand and Indonesia are not part of the 1951 Refugee Convention nor its 1967 Protocol; however, countries like Thailand and Indonesia did ratify numerous international human rights treaties like the UNCAT in which they must adhere to Article 3 of the Convention that prohibits them to return individuals to countries where they may face persecution (UNCAT, 1984). This contradiction creates ambiguous legal framework where certain ASEAN countries host the Rohingya refugees and provide temporary settlement but lacking the policy on refugee management and protection—leaving them with uncertain status that also restricts them from employment and education (Pudjibudojo, 2019).

Given the non-intervention constraints and the lack of a unified refugee policy, ASEAN must come up with a regional cooperation framework that balances the minimum standards of refugee protection to reflect its humanitarian obligation without fully compelling to the 1951 Refugee Convention in order to keep its sovereign stance. Such framework could guide temporary collaborative steps to protect and provide basic services and provide voluntary repatriation while respecting national interests (Alva and Handayani, 2019). ASEAN should also leverage its human rights commitments in order to create a cooperation that wouldn't share responsibilities to member states disproportionately, creating an equal burden-sharing frontline (Tubakovic, 2019). Strengthening institutions like ASEAN Intergovernmental Commision on Human Rights (AICHHR) to monitor and manage the refugee flow and temporary integration would enhance accountability and coordination (Wahyuningrum, 2021). By adopting pragmatic approach, ASEAN could adhere to its humanitarian commitments while still respecting its core tenet of non-interference.

Public Perception and Security Implication

The initial response to Rohingya refugee's arrival in neighboring countries like Malaysia and Indonesia were welcomed with sympathy and humanitarian solidarity, mostly driven by religious solidarity due to both countries shared Muslim-majority identity—with many civil and religious solidarity groups organizing charity, providing shelters and help to the Rohingya community (Pratisti et al., 2019). However, due to the prolong protracted displacement and the growing influx of refugee, public opinion and sentiment gradually shifted towards resentment and xenophobia in host countries, ignited by economic anxiousness and domestic struggles (Abraham, 2020).

In Malaysia, where estimated 112,000 Rohingya refugee reside (UNHCR, 2025), concerns about job competition, healthcare access and demands for public services have amplify anti-refugee rhetoric (Guhathakurta, 2017). Despite Indonesia having lower number of Rohingya refugee being hosted and having welcoming and humanitarian response, public resentment has been growing towards the Rohingya, especially in Aceh region. Research has shown that the public perceives the Rohingya's arrival as an additional burden to domestic struggles, with 65% respondents holding negative resentment toward the Rohingya refugee (Arifin et al., 2024).

The lack of Rohingya legal status also renders them vulnerable toward human trafficking and exploitation. For example, as the Rohingya have restricted basic rights in Bangladesh or even experience forced labor, sexual exploitation and gender-based violence, they are driven to migrate to other countries in hope for better recognition and protection like Southeast Asian countries (Priddy et al., 2022; Sikder et al., 2025). Drawing from Cox's Bazar's security concern in Bangladesh, statelessness and limited basic rights may lead to radicalization among the refugee, raising the stakes for any host countries that welcomes the Rohingya ((Babu), 2020; Rezvi et al., 2025). Their marginalization in host countries may also exacerbate local resentment and erode trust between host community with the refugees. For instance, in Thailand where many minority groups have been receiving discrimination from both local community and authorities; this drives the Rohingya submitting to 'Thai-ness' and forced-assimilation in order to avoid any potential clash with local communal (Jaehn, 2022).

To address both security and social cohesion, ASEAN must explore innovative and pragmatic solution in smoothly integrate the Rohingya refugee to the local community during their temporary settlement time. There needs to be a Public-Private cooperation models, like refugee resettlement program in Utica, New York (Richard and Callahan, 2020), that support the collaboration between government, NGOs, private sectors and community groups that might be able to provide access to education, healthcare and basic services for the refugee. Such programs would allow refugee to help contribute to local economies, reducing their dependency that might be able to mitigate local resentment. Enhancing community-based programs like integrated work training and intercultural dialogue might be able to promote social cohesion further (Örsoğlu, 2024).

What ASEAN Can Do

In the light of urgent needs to respond such high Rohingya refugee influx, there needs to be an innovative policy and framework that go beyond the *ad hoc* responses. ASEAN must embrace policy innovation that balances national sovereignty, regional security and humanitarian obligation.

One of the ways ASEAN can help manage the refugee flow is to come up with a Regional Refugee Framework that is inspired by the standard human rights aspects of the 1951 Refugee Convention without fully compelling to the Convention itself (Moretti, 2021) and would later incorporate aspects that might be the most suitable actions in addressing and managing refugees while respecting each member states' sovereignty and national characteristic. Southeast Asia countries do not only host refugees from Rohingya community, but also many other refugees originating from conflicting countries. This framework might become the guideline for ASEAN countries in better managing the flow and temporary settlement of the refugees in host countries that is also a member state of ASEAN. A potential blueprint that ASEAN could model for such framework would be European Union's Common European Asylum System (CEAS) that aims to provide high standard protection for refugees (European Commission, no date). Despite ASEAN have different political and legal landscapes compared to EU, but CEAS-model framework could be a stepping stone towards a better refugee management in regional level, reflecting ASEAN's commitment to human rights.

Another attempt for the region to aids Rohingya refugee is by forming ASEAN-led Refugee Centres in key host countries like Malaysia, Indonesia and Thailand. Managed and monitored by ASEAN bodies and UNHCR, these centres could provide legal temporary residency and permit that might allow them to fulfil their basic needs in terms of education, healthcare and even work. These centres could aim to provide structured and standardized refugee registration and processing, ensuring transparency to both the refugees and the local people in host countries regarding refugee governance. The centres might collaborate with different sectors and local communities in order to enhance interactions between the refugees and local community in a seamless manner. The centres could also host vocational training in order to enhance the refugee's skills and prepare them for integration and eventual repatriation.

However, there are some challenges in enforcing these policies. One of them is the strong public opinion regarding refugee's place in the country. Therefore, a strong commitment is required from all stakeholders to enhance the transparency of refugee management, along with effective communication between the refugee, the stakeholders and local community to ensure a smooth and peaceful integration. Additionally, any regional refugee framework must also be supported by the active participation and willingness of member states. For such framework to function under the regional association banner, clear standards must be established with all member states demonstrating a fair and consistent commitment to fulfil their burden-sharing responsibility.

Conclusion

The Rohingya refugee crises remains one of the most pressing issues in Southeast Asia, putting ASEAN's principle and regional solidarity to the test. While ASEAN's non-interference principle promotes historical sovereignty of each member states, it also limits collective actions in addressing the issue. The lack of binding legal framework and varied national policies have left the Rohingya community vulnerable—deprived of legal protection, exposed to exploitation and must face local resentment in host countries. To move beyond ad hoc and toward pragmatic approach, ASEAN must adopt innovative, regionally tailored strategies that balance humanitarian obligations with political realities.

Some innovative actions that ASEAN could take in order to improve their refuge crises management could revolve around regional refugee framework and ASEAN-led refugee centres that involve participation and commitments from stakeholders, local community and the refugees themselves. These initiatives would allow ASEAN to promote leadership in refugee protection, promote fair burden-sharing and maintaining regional stability—all while promoting member states' sovereignty. By embracing such policy innovation, ASEAN can transform its ambiguous action into a proactive, rights-respecting approach that not only uplifts the Rohingya, but also strengthen its legitimacy as a regional organization that promotes human rights and security.

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