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A REPORT OF

The Center for Southeast Asian Studies (CSEAS)
Jindal School of International Affairs

Panel Discussion
on
**Myanmar's Democratization and
Refugee Problems**

27 April 2019



Since the 2010 elections, the world has witnessed some tangible democratic reforms in Myanmar/Burma. While some of these developments are encouraging, the country continues to grapple with multiple challenges, including its democratization process and refugee problems. In its attempt to address these challenges, Myanmar has initiated and or implemented several steps. But with the exodus of hundreds of thousands of refugees across the border, the Southeast Asian country has been widely criticized by the international community. In order to contribute to the pool of growing discourse on the subject, the Center for Southeast Asian Studies, Jindal School of International Affairs, organized a panel discussion on '**Myanmar's Democratization and Refugee Problems**' at Jindal Global Educational & Professional Academy, Qutab Institutional Area, New Delhi on 27 April 2019. The panel comprised of **Dr. Sonu Trivedi**, Assistant Professor, Zakir Husain Delhi College, University of Delhi and Fellow, Nehru Memorial Museum & Library, New Delhi; **Ms. Yukiko Koyama**, Senior Protection Officer, UNHCR India; and **Rajiv Bhatia**, Distinguished Fellow, Foreign Policy Studies Programme at Gateway House and former Indian Ambassador to Myanmar (2002-2005). The discussion was chaired by **Dr. Nehginpao Kipgen**, Associate Professor, Assistant Dean (International Collaboration) and Executive Director of the Center for Southeast Asian Studies (CSEAS), Jindal School of International Affairs, O.P. Jindal Global University.



The Successes and Challenges of Myanmar's Democratization

Dr. Sonu Trivedi, Assistant Professor, Zakir Husain Delhi College, University of Delhi; Fellow, Nehru Memorial Museum & Library, New Delhi

Dr. Trivedi focused on 'Why Myanmar Matters' and discussed how Myanmar's democratization in recent years has become an interest to the Western democracies, as well as its neighboring countries. For India, Myanmar serves as a gateway to Southeast Asia. She said Myanmar's cultural diversity is an 'anthropologists paradise'. She also discussed the challenges of the country's democratization by emphasizing the need for demilitarizing politics, depoliticization of military, democratizing the National League for Democracy (NLD), decentralization and federal reforms and dynamics of centre-periphery contestations. Since the 1962 coup, the military has played a major role in the politics of the country. Currently, 25% of all legislative seats are reserved for the military. Moreover, there are other constitutional dysfunctions, including its amendment process. Some behavioral and attitudinal changes should happen within the military. However, 'generational change' in the military has given some ray of hope. The NLD is the most democratic party but it has also been accused of its authoritarian tendencies. The party won only seven of the 13 seats up for grabs in last year's by-elections. It is important for the NLD to do some introspection on issues such as how to reach out to the periphery areas dominated by ethnic parties, and the party leadership post-Aung San Suu Kyi. Decentralization and federal reforms remain a major challenge and a litmus test for Myanmar. The country and its leaders need to address these pressing issues along with the centre-periphery contestations which have been the fundamental demands of ethnic minorities.



UNHCR's Policy on Myanmar Refugees in India

Ms. Yukiko Koyama, Senior Protection Officer, UNHCR India

Ms. Koyama said that the Government of India directly protects two major refugee groups in India: Sri Lankan and Tibetan, while UNHCR India registers and conducts refugee status determination under its mandate for asylum seekers from non-neighbouring countries and Myanmar. UNHCR has registered approximately 39,000 Persons of Concern (PoC): refugees and asylum seekers (53% from Myanmar, 39% from Afghanistan and 8% from more than 20 different countries of origin). Registration is the recording, verifying and updating of information of persons of concern to UNHCR. Refugee status determination is a process to determine whether a person seeking international protection is considered a refugee. Refugee status determination interviews are conducted on an individual basis in a confidential manner, where asylum seekers are questioned in detail about reasons for seeking asylum. Country of origin information is used in assessments of claims for international protection. Asylum seekers have the right to appeal if their application for refugee status is rejected at the first instance. UNHCR India links asylum seekers and refugees to NGO partners to facilitate their access to national services, such as health and education. UNHCR and its partners in India have activities covering child protection, prevention and responses to gender-based violence, legal support, life skills training and language training etc. UNHCR India cash-based intervention covers a small number of most vulnerable refugees for limited durations, in accordance with the established criteria. UNHCR India is also working closely with various community representatives and groups. In India among the refugees and asylum seekers from Myanmar, Rohingya live in settlement where water and sanitation facilities are insufficient and water-borne diseases are common. As part of its approach towards working with PoC, UNHCR India undertakes community-based protection approach engaging with community representatives, women's group and youth groups, in coordination with various supporters from the host communities. Chin PoC live mainly in Delhi and have effective community structures. As a result of the deteriorating security situation in some areas of Chin state over the last few months, UNHCR has assessed that conditions no longer support a determination to re-evaluate the continuing need for international protection for Chin refugees, as such they maintain refugee status.



What Should India and the International Community Do About Myanmar's Democratization and Refugee Problems?

Rajiv Bhatia, Distinguished Fellow, Foreign Policy Studies Programme at Gateway House and former Indian Ambassador to Myanmar (2002–2005)

Ambassador Bhatia said while the international community can extend support toward the country's democratization process, it is the people of Myanmar who would decide the future of their country. The ambassador then stressed upon different thoughts and ideas that India and the international community ought to do in order to improve the refugee situation. The ambassador recommended a two-pronged strategy comprising internal and international plan. The internal plan would focus on educating the political elites and the clergy class of society so that they understand their legal and political responsibilities. He then emphasized the importance of ASEAN playing an important but a non-intrusive role on the issue. He specifically discussed the importance of a special trio of ASEAN members, consisting of Indonesia, Thailand and Singapore. The former ambassador said this trio has the ability to use its excellence and diverse religious groups in their respective countries to deal with the issue. Bhatia also suggested that Kofi Anan Commission's recommendations can form the basis of ASEAN mediation on the Rohingya refugee crisis. The report recommended working toward a peaceful, fair and prosperous future for the people of Rakhine.



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