Resilience and Adaptation in Refugee Crisis Management: Comparative Insights from the EU and ASEAN

Shazwanis Shukri,[*] Chih-Mei Luo[**]

Abstract

The European refugee crisis unfolded in the early to mid-2010s, recorded as one of the largest humanitarian challenges the continent faced in recent history. Meanwhile, the Rohingya crisis in Myanmar has led to the exodus of Rohingya Muslims, seeking refuge in neighboring Bangladesh and other regional countries to escape violence and persecution. Despite differences in regional dynamics, historical contexts, and institutional frameworks, both the EU and ASEAN have grappled with significant influxes of refugees, prompting the development of various policy approaches. This paper examines the evolution of refugee policies in the EU and ASEAN in addressing these crises. It seeks to shed light on the effectiveness, disparities, and limitations of each approach, considering factors such as legal

[*] Shazwanis Shukri is a Senior Lecturer at the School of International Studies (SoIS), and a Research Fellow at the Institute for Indonesia, Thailand and Singapore (UUM-ITS),Universiti Utara Malaysia (UUM). E-mail: shazwanis@uum.edu.my.
[**] Chih-Mei Luo is a Jean Monnet Chair Professor at the Department of Public Administration and Policy, and Vice Dean at the College of Public Affairs, National Taipei University, Taiwan. E-mail: cmluo@mail.ntpu.edu.tw. Chih-Mei Luo is the corresponding author of this article.

frameworks, political will, and regional cooperation. While the EU employs a centralized and collective approach, leveraging its supranational capacity for coordinated action, ASEAN's intergovernmental framework is characterized by individualistic responses and a commitment to non-interference. Although being constrained by the absence of a supranational authority, ASEAN, on occasion, successfully addressed the root causes of crises by fostering regional solidarity. Ultimately, this paper contributes to a deeper understanding of the complexities involved in crafting effective policy responses to refugee crises, while also highlighting opportunities for collaboration and learning between the EU and ASEAN.

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I.   Introduction

The global migration crisis has escalated to unprecedented levels, with millions of people worldwide being forcibly displaced. According to the UNHCR, by the end of 2020, approximately 82.4 million individuals had been displaced. This staggering figure includes refugees, asylum seekers, and internally displaced persons (IDPs), driven from their homes by conflict, violence, persecution, and environmental disasters. By 2023, the number of forcibly displaced people worldwide had risen to over 103 million, the highest ever recorded. This includes around 32 million refugees, 68.3 million IDPs, and 6.9 million asylum seekers.[1]

Regions such as Europe and Asia are at the forefront of this crisis, grappling with both large-scale migrations and intricate political challenges. For instance, the European refugee crisis, which peaked in the early to mid-2010s, stands as one of the most significant humanitarian challenges Europe has faced in recent history. Beginning around 2015, large numbers of refugees from Middle East and North Africa began undertaking perilous journeys across the Mediterranean Sea and overland through the Balkans to reach Europe. Similarly, the refugee crisis broke out in Asia in 2017 when Rohingya Muslims in Myanmar were forced

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[1] UNHCR. *Global Trends Forced Displacement in 2023.* UNHCR, (2023). https://www.unhcr.org/global-trends-report-2023.

to flee to neighboring countries and resulted in the largest exodus in the decade.

II.   The refugee crisis in Europe and Asia: an overview

The refugee crises in both Europe and Asia present multifaceted humanitarian challenges intertwined with profound geopolitical implications. In Europe, the crisis primarily unfolded in the mid-2010s, largely driven by the devastating Syrian Civil War, a conflict that began in 2011 and has had far-reaching consequences. The conflict's brutality, including bombings, chemical attacks, and widespread violence, forced large numbers of Syrians to seek refuge beyond their borders. This conflict, compounded by ongoing instability in Afghanistan and Iraq, triggered a massive influx of refugees and asylum seekers into European countries. Many fled to neighboring countries such as Turkey, Lebanon, and Jordan, but as the situation in these host countries became increasingly strained, many sought to move further into Europe. The UNHCR's 2023 Global Trends report indicates that by the end of 2023, the number of Afghan refugees worldwide had risen by 741,400, totaling 6.4 million.[2] Similarly, in Iraq, the aftermath of the Iraq War and the rise of ISIS created conditions of extreme insecurity and persecution, driving additional waves of refugees towards Europe.

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[2] "Afghanistan Refugee Crisis Explained." UNHCR, accessed November 4, 2024.
https://www.unrefugees.org/news/afghanistan-refugee-crisis-explained/.

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In Asia, the refugee crisis is similarly complex and driven by a range of factors. Conflicts, persecution, and environmental disasters in several Asian countries have created significant displacement challenges. The Rohingya crisis in Myanmar is a stark example, where the military's violent crackdown on the Rohingya Muslim minority led to a massive exodus. Rohingya refugees fled to neighboring Bangladesh, which has struggled to accommodate and support one of the largest refugee populations in the world. The conditions in the refugee camps are dire, with issues such as overcrowding, inadequate sanitation, and limited access to healthcare and education. The refugee crisis in Asia also involves other regions experiencing significant displacement due to various factors. For instance, ongoing conflicts in Afghanistan and Pakistan, as well as environmental crises such as flooding in Bangladesh and the Philippines, contribute to the overall refugee situation in the region.

Both regions face common challenges such as inadequate infrastructure, limited resources for humanitarian aid, and legal ambiguities regarding refugee rights. In both Europe and Asia, addressing these crises requires comprehensive international cooperation and long-term strategies. International responses have varied, with efforts focusing on humanitarian assistance, resettlement programs, and diplomatic initiatives to address root causes of displacement. However, persistent conflicts and political complexities continue to exacerbate these crises, highlighting the

need for sustained global cooperation and innovative solutions to support refugees and manage their impact on host countries. Effective responses must balance immediate relief efforts with sustainable solutions that address both the needs of refugees and the capacities of host countries.

A.   The refugee crisis in Europe

Migration has emerged as one of the most contentious issues in Europe since the end of the Cold War. Various factors contribute to the influx of migrants to Europe, including terrorism, social unrest, extreme poverty, prolonged insecurity, and authoritarian governance in their countries of origin.[3] Migratory flows—whether they consist of asylum-seekers, labour migrants, or irregular migrants—have become a significant concern, posing not only a humanitarian challenge but also a security risk.[4] Consequently, migration has increasingly been perceived as a security issue rather than merely a socio-economic one.[5]

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[3] Alex P. Schmid. *Links between Terrorism and Migration: An Exploration*. Netherlands: International Centre for Counter-Terrorism, (2016). https://www.icct.nl/sites/default/files/import/publication/Alex-P.-Schmid-Links -between-Terrorism-and-Migration-Executive-Summary.pdf.
[4] Derek Lutterbeck. "Policing Migration in the Mediterranean." *Mediterranean Politics*, 11, no.1, (2006):59-82. https://doi.org/10.1080/13629390500490411.
[5] Stefania Panebianco. *Dealing with Maritime Security in the Mediterranean Basin: The EU as a Multilateral Actor*. Rome: Istituto Affari Internazionali, (2010). https://www.iai.it/sites/default/files/iai1016.pdf.

Over the past few years, the refugee crisis in Europe has arisen from both land and sea routes, with each route presenting distinct challenges and contributing factors to the broader crisis. For land routes, conflict and instability in countries like Syria, Iraq, and Afghanistan have led to large-scale displacement of people, many of whom initially seek refuge in neighboring countries such as Turkey, Lebanon, and Jordan. However, as the situations in these host countries become increasingly strained due to the sheer number of refugees and limited resources, many individuals and families embark on perilous journeys through various land routes to reach Europe. Nevertheless, recent years have seen a notable increase in refugee movements via sea routes, which is particularly alarming and concerning. The Mediterranean Sea, in particular, has served as a primary pathway for refugees and migrants aiming to reach Europe, predominantly from North Africa and the Middle East. The hazardous voyage across the Mediterranean, often conducted in overcrowded and unseaworthy vessels, has led to numerous tragedies, resulting in the loss of thousands of lives at sea.

Migration through the Mediterranean Sea follows three primary patterns or trends. The first, and currently the most prominent, is the Eastern Mediterranean route, which involves migration flows from North African countries to southern Europe, particularly Italy, Greece, and Turkey. Migrants using this route typically come from countries like Syria, Afghanistan, and

Somalia. [6] The second pattern, known as the Western Mediterranean route, traditionally involves migration from Morocco and Algeria to Spain, often via Melilla and Ceuta. However, recent instability and conflict in sub-Saharan Africa have led to a surge in migrants departing from countries such as Syria, Nigeria, Sudan, South Sudan, Mali, Chad, and the Central African Republic. In 2015, Syrian migrants were the largest group arriving in Europe through this route (Ibid.). The third pattern is the Central Mediterranean route, with popular destinations being Italy and Malta. Migrants following this path often originate from Libya, Syria, Tunisia, Somalia, Nigeria, Eritrea, Côte d'Ivoire, and Ghana. In 2014, over 170,000 migrants arrived on the island of Lampedusa, a movement linked to political unrest in Libya and the Syrian civil war.[7] Most irregular migrants arriving in Italy are "economic migrants" seeking better job opportunities, while those from Eritrea are typically asylum seekers fleeing persecution under an oppressive regime.

In recent years, the Mediterranean Sea has seen a significant number of accidents and shipwrecks involving irregular migrants and refugees attempting to reach Europe by sea. One of the most

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[6] "Greece and Italy Continued to Face Unprecedented Number of Migrants in December." Frontex, accessed November 4, 2024.
https://www.frontex.europa.eu/media-centre/news/news-release/greece-and-italy-continued-to-face-unprecedented-number-of-migrants-in-december-0BbBRd.
[7] "Migrant Arrivals by Sea in Italy Top 170,000 in 2014." IOM, accessed November 4, 2024.
https://www.iom.int/news/migrant-arrivals-sea-italy-top-170000-2014.

tragic incidents occurred in April 2015, when the deadliest shipwreck in the region's history claimed the lives of more than 800 people en route to Europe.[8] The frequent shipwrecks and the exploitation of migrants by traffickers have drawn considerable attention, particularly from the EU. Although several traffickers are apprehended each year, human trafficking remains a persistent and dangerous business in the Mediterranean, leading to thousands of deaths annually.

This irregular migration across the Mediterranean has become one of Europe's most pressing challenges, with migrant movements reaching levels not seen since World War II[9] and, accordingly, has placed unprecedented strain on European coastal and rescue operations. EU countries have struggled to manage the rapid increase in the irregular migrant population over a short period. This incident served as a stark wake-up call for the EU to take more active roles in addressing the migrant crisis and combating human trafficking. As a result, tackling migrant smuggling has become a top priority on the EU's political agenda, forming a critical part of their strategy to manage irregular migration across the sea.

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[8] "The World's Deadliest Sea Crossing." Amnesty International UK, accessed November 4, 2024.
https://www.amnesty.org.uk/worlds-deadliest-sea-crossing-mediterranean.
[9] Michael J. McNerney, Giacomo Persi Paoli, and Sarah Grand-Clement. *Cross-cutting Challenges and Their Implications for the Mediterranean Region.* Santa Monica: RAND Corporation, (2017).
https://www.rand.org/pubs/perspectives/PE222.html.

B.   The refugee crisis in Southeast Asia

In addition to the European region, Southeast Asia has also been grappling with irregular migration and refugee issues for several decades. The refugee crisis in Southeast Asia is a multifaceted humanitarian challenge, characterized by various factors such as conflict, persecution, natural disasters, and economic instability. While Southeast Asia is not traditionally associated with large refugee populations compared to other regions, such as the Middle East or Africa, it nevertheless faces significant displacement issues. Some of the main migration routes in Southeast Asia originate from Myanmar (particularly the Rohingya), Bangladesh, and Sri Lanka, with destinations primarily being Malaysia, Indonesia, and Thailand. Migrants from Myanmar and Bangladesh often use small, overcrowded boats to cross the Andaman Sea towards the shores of Malaysia and Thailand. These journeys are frequently perilous, with many vessels encountering difficulties and sinking mid-journey.

Similar to Europe, migration routes in Southeast Asia are often linked to human trafficking networks that exploit migrants. Due to limitations such as the lack of travel and identification documents, migrants especially from Myanmar, Afghanistan, and Somalia rely on these smuggling networks to reach their destination countries in search of employment opportunities in low-wage sectors. However, these migrants are often exploited by

traffickers, subjected to exorbitant fees, and treated with cruelty, including torture, human trafficking, and sexual exploitation.[10]

Neighboring countries such as Malaysia, Thailand, and Indonesia have long served as host nations for Rohingya refugees seeking a better life after fleeing atrocities in their home country. To date, more than 100,000 Rohingya refugees have been registered with the United Nations High Commissioner for Refugees (UNHCR) in Malaysia.[11] Between 2012 and 2015, Malaysia received a significant number of Rohingya refugees arriving by boat, with nearly 100,000 refugees making the perilous journey across the Bay of Bengal and the Andaman Sea.[12] While the number of refugees in Indonesia remains relatively small, Thailand has increasingly become a preferred transit destination for Rohingya refugees before their relocation to a third country. Consequently, Malaysia has become the host country with the highest number of Rohingya refugees among ASEAN member states.

The mass exodus in 2017 significantly worsened the crisis, as nearly 700,000 Rohingya fled their homes seeking safety

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[10] Shazwanis Shukri. "The Rohingya refugee crisis in Southeast Asia: ASEAN's role and way forward." *Journal of International Studies*, 17, (2021):239-263. https://doi.org/10.32890/jis2021.17.10.
[11] "Figures at a Glance in Malaysia." UNHCR Malaysia, accessed November 4, 2024.
https://www.unhcr.org/en-my/figures-at-a-glance-in-malaysia.html.
[12] Shukri, "The Rohingya refugee crisis in Southeast Asia," 239-263.

following clashes with the Arakan Rohingya Salvation Army (ARSA). [13] The majority of these refugees found shelter in Bangladesh, while others endured long, dangerous journeys by sea to neighboring countries. Since the outbreak of violence, Bangladesh has been the main destination for Rohingya refugees, with many residing in the Cox's Bazar refugee camps. [14] Over 900,000 refugees are currently living in these overcrowded camps, which face severe challenges, including poor sanitation, unsafe water, a high risk of disease, and exposure to human trafficking and sexual exploitation. [15]

Throughout 2020, Malaysia frequently prevented Rohingya refugees from landing on its shores. Several boats arriving from Bangladesh carrying Rohingya migrants were turned away by Malaysian authorities as part of their efforts to strengthen border controls and prevent the spread of COVID-19. In April 2020, the Malaysian Maritime Enforcement Agency (MMEA) intercepted and turned away a boat carrying over 200 refugees near

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[13] Eleanor Albert and Lindsay Maizland. "The Rohingya Crisis." *Foreign Affairs*. January 23, (2020). https://www.cfr.org/backgrounder/rohingya-crisis.

[14] Hossain Ahmed Taufiq. "Rohingya Refugee Crisis and the State of Insecurity in Bangladesh," in *Genocide and Mass Violence: Politics of Singularity*, Imtiaz Ahmed, eds. Centre for Genocide Studies: University of Dhaka, (2019):145-180.

[15] Md. Mahbubur Rahman, Haradhan Kumar Mohajan, and Tripty Kana Bose. "Future of Rohingyas: Dignified Return to Myanmar or Restoring Their Rights or Both." *IKAT: The Indonesian Journal of Southeast Asian Studies*, 4, no.2, (2021):145-170. https://doi.org/10.22146/ikat.v4i2.57706.

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Langkawi.[16] Two months later, Malaysian coastguards detected two boats with hundreds of refugees off the coast of Langkawi. The first boat, carrying 269 refugees, was believed to have been adrift at sea for weeks under dire conditions. The detainees were taken to the Kem Bina Negara center in Langkawi before being sent back to sea. The second boat, carrying around 300 refugees, was reported to have drifted near the Thai coast without approaching Langkawi. According to Malaysian authorities, 22 boats carrying Rohingya refugees were prevented from entering the country's shores in 2020 alone, as part of efforts to manage irregular migration. The number of migrants arriving by sea to Malaysia and other Southeast Asian countries has reportedly decreased since the onset of the COVID-19 pandemic.

During the period from 2022 to 2023, UNHCR recorded nearly 9,000 Rohingya refugees attempting to travel by sea, primarily smuggled by human trafficking networks and involving more than 80 boats. Of these refugees, 30% were children, 28% were women, and 42% were men. Nearly 49% of these refugees were recorded as originating from Bangladesh, while 39% came from Myanmar, with the remainder from other countries.[17] These

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[16] Christine H. Kim. *Challenges to the Rohingya Population in Malaysia.* Center for Strategic & International Studies, (2021). https://www.csis.org/blogs/new-perspectives-asia/challenges-rohingya-population-malaysia.

[17] UNODC. *Migrant Smuggling in Southeast Asia*. Vienna: UNODC, (2024). https://www.unodc.org/documents/data-and-analysis/glosom/Observatory/2024/ObservatorySOM_SEA_ResearchBrief.pdf.

refugees were intercepted before they could land on the shores of Malaysia and Indonesia and were subsequently returned to their countries of origin. This figure represents a significant and notable increase in Rohingya refugees attempting to escape by sea compared to previous years.

III.   EU and ASEAN responses to refugee crisis

The EU and the ASEAN are regional organizations that play crucial roles in addressing humanitarian challenges, including refugee crises. The management of refugee crises presents a profound challenge for both EU and ASEAN. Both entities face pressures stemming from geopolitical instability, conflicts, and humanitarian emergencies that drive refugee flows. Despite these common challenges, the EU and ASEAN adopt distinct policy frameworks shaped by their unique institutional structures, historical contexts, and regional dynamics, though their approaches differ significantly. The EU has established common asylum policies, legal frameworks, and mechanisms for burden-sharing among member states, although implementation challenges and political disagreements have surfaced. ASEAN, characterized by its principle of non-intervention and sovereignty, relies on informal cooperation and dialogue rather than binding agreements to address refugee issues.

Understanding these backgrounds is essential for analyzing the similarities and divergences in policy approaches between the

EU and ASEAN concerning refugee crises. Through a nuanced exploration of policy similarities and divergences, this comparative analysis aims to elucidate how these regional organizations navigate humanitarian challenges, contribute to global refugee management efforts, and shape regional responses to displacement crises.

A. The EU responses

Since 2015, the Mediterranean Sea has witnessed a dramatic escalation in irregular migration, underscoring a severe humanitarian crisis that has triggered significant international concern. The surge in migration flows, driven by conflict, persecution, and economic instability, has turned the Mediterranean into one of the most dangerous routes for migrants. The escalating crisis has prompted the European Union to undertake comprehensive efforts to address the situation, including enhanced border enforcement, tackling human smuggling and trafficking networks, providing humanitarian aid, promoting the equitable distribution of responsibilities among member states and the implementation of extensive maritime operations. Initiatives such as Operation Triton and Operation Sophia have been launched to improve search and rescue capabilities, strengthen border controls, and disrupt smuggling networks. These operations aim not only to mitigate the immediate risks associated with irregular migration but also to

address the broader challenges of managing and integrating migrants. The EU's multifaceted response reflects a commitment to both protecting human lives and addressing the complex dynamics of migration, though challenges persist in balancing humanitarian objectives with security concerns.

(A) European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex)

One of the notable efforts by the EU to address irregular migration is the creation of Frontex, the European Border and Coast Guard Agency, established in May 2005. Frontex was initially set up to coordinate cooperation at the external borders of EU member states, but its role has significantly expanded in response to the Mediterranean migration crisis that began in 2015. The agency has conducted several joint operations, including Hera, Nautilus, and Triton, which focus primarily on the Central Mediterranean to assist member states facing high volumes of irregular migrants. Additionally, the EU launched the EUROSUR surveillance system in 2013 to enhance situational awareness and improve maritime safety. In 2015, the EUNAVFOR MED Operation Sophia was introduced to combat human trafficking at sea.

Frontex was established in response to the recognized connection between migration, border security, and terrorism. On September 20, 2001, the Justice and Home Affairs (JHA) Council urged the Commission to urgently explore the interplay between ensuring internal security and meeting international protection obligations.[18] This call highlighted the perceived link between migration, asylum, and security, emphasizing that inadequate control over undocumented migration could compromise state security and heighten the risk of terrorism.[19] Consequently, Frontex adopted the concept of 'integrated border management,' which focuses on enhancing coordination among member states' public authorities. This approach prioritizes comprehensive border surveillance, including border checks and risk analysis.[20]

(B) Operation Joint Triton

Another notable Frontex initiative is the Joint Operation Triton, which was officially launched in November 2014 as a successor to the Mare Nostrum Operation. Initially, the operation's

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[18] "Council Framework Decision on the European Arrest Warrant and the Surrender Procedures between the Member States." Council of the European Union, accessed November 4, 2024.
https://eur-lex.europa.eu/eli/dec_framw/2002/584/oj.
[19] Andrew W. Neal. "Securitization and Risk at the EU Border: The Origins of Frontex." *Journal Compilation*, 47, no.2, (2009):333-356.
[20] Sarah Leonard. "EU Border Security and Migration into the European Union: Frontex and Securitisation through Practices." *European Security,*19, no.2, (2010):231-254.

monthly costs were approximately 2.9 million euros, but these expenses surged to 26.25 million euros by 2015.[21] Initially, JO Triton was limited to operating within 30 nautical miles of the Italian coast, but its area of operation was later expanded to 138 nautical miles south of Sicily.[22] The primary objectives of JO Triton included providing critical assistance and support for search and rescue operations in the Mediterranean Sea, particularly aiding Italian authorities, as well as enhancing border surveillance capabilities. Additionally, the operation aimed to address the increasing irregular migration flows in the Central Mediterranean.

Furthermore, JO Triton also engaged in a secondary line of activity within the 'hotspot' areas. The 'hotspot' concept, introduced by the European Commission in 2015, was designed to offer assistance to member states dealing with the migration crisis. JO Triton primarily focuses on border surveillance, but its mandate extends beyond this core function to offer substantial support in addressing various forms of cross-border crime. In addition to monitoring and securing maritime borders, JO Triton assists member states in combating related criminal activities such as human trafficking, smuggling, and irregular migration. This comprehensive approach involves coordinating with national authorities to enhance their capabilities in intelligence gathering, risk assessment, and operational response. By providing logistical

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[21] Roberta Mungianu. *Frontex and Non-Refoulement: The International Responsibility of the EU*. Cambridge: Cambridge University Press, (2016).
[22] Mungianu, *Frontex and Non-Refoulement*.

support, expertise, and resources, JO Triton aims to strengthen the overall effectiveness of member states in managing and mitigating security threats associated with cross-border crime, thus contributing to broader regional stability and safety.

This operation encompasses the territorial waters of Italy and extends to search and rescue (SAR) operations for both Italy and Malta.[23] Frontex supports Italian authorities by gathering and disseminating vital intelligence on criminal networks, particularly those operating in Libya and other transit countries. Additionally, coastal patrol boats are frequently deployed to address smaller-scale interventions and conduct boardings of suspicious vessels at sea. In 2015, JO Triton achieved a significant milestone by rescuing over 3,000 migrants in the Mediterranean Sea during its search and rescue operations.[24] The migrants, primarily from Sub-Saharan Africa, were making perilous journeys to Italy aboard overcrowded inflatable boats, often carrying more than 100 individuals. These vessels were highly vulnerable to shipwrecks and drowning, underscoring the critical importance of JO Triton's efforts in mitigating the risks faced by these migrants at sea.

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[23] "Frontex Joint Operation 'Triton' – Concerted efforts to manage migration in the Central Mediterranean." European Commission, accessed November 4, 2024. https://ec.europa.eu/commission/presscorner/detail/en/MEMO_14_566.
[24] "Assets Deployed in Operation Triton Involved in Saving 3,000 Migrants since Friday." Frontex, Accessed November 4, 2024. https://www.frontex.europa.eu/media-centre/news/news-release/assets-deployed-in-operation-triton-involved-in-saving-3-000-migrants-since-friday-xmtkwU.

(C) EUNAVFOR MED- Operation Sophia

In response to the catastrophic shipwreck off the Libyan coast in April 2015, which claimed nearly 800 lives, the European Union swiftly launched its naval mission, EUNAVFOR MED Operation Sophia (referred to as Operation Sophia). Established on June 22, 2015, the operation was tasked with the mandate to "identify, capture, and dispose of vessels, as well as assets used or suspected of being used by migrant smugglers or traffickers." The primary goal was to contribute to broader EU efforts aimed at dismantling the business model of human smuggling and trafficking networks operating in the Southern Central Mediterranean Sea.[25] While the primary mandate of Operation Sophia is to target human smugglers and traffickers, it also carries a critical legal obligation under international law to conduct search and rescue operations. This responsibility ensures that the operation not only focuses on disrupting smuggling and trafficking networks but also actively engages in rescuing individuals at sea, thereby fulfilling its humanitarian duties.

The operation was initiated just one month after the Council of the European Union decided on May 18, 2016, to launch a military intervention for international law enforcement. This swift implementation demonstrates the EU member states' effective

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[25] Ruxandra-Laura Boşilcă, Matthew Stenberg, and Marianne Riddervold. "Copying in EU security and defence policies: the case of EUNAVFOR MED Operation Sophia," *European Security*, 30, no.2, (2021):218-236.

solidarity in addressing the migration crisis and combating human smuggling and criminal networks at sea. On June 26, 2016, the first vessels of Operation Sophia commenced operations in the Central Mediterranean. The operation's primary objectives are to provide immediate search and rescue responses, minimize loss of life at sea, prevent the spread of human smuggling activities, and disrupt traffickers' networks.[26] Additionally, Operation Sophia aims to tackle the root causes of irregular migration, such as poverty, political instability, and civil conflict, through collaboration with countries of origin and transit.

Operation Sophia made notable strides in its initial year of operation, achieving a 9% reduction in migration flows via the central Mediterranean route to Italy and Malta, marking the first decrease in three years. By October 2015, just four months into the operation, it advanced to its second phase, Phase 2A (High Seas), shifting its focus to counter-smuggling efforts.[27] By July 2016, statistics indicated that Operation Sophia had successfully rescued a substantial number of irregular migrants and apprehended numerous smugglers using the resources and assets of the operation.

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[26] Thierry Tardy. *Operation Sophia: Tackling the refugee crisis with military means*. European Union Institute for Security Studies, (2015). https://www.files.ethz.ch/isn/193999/Brief_30_Operation_Sophia.pdf.

[27] Boşilcă, Stenberg, and Riddervold, "Copying in EU security and defence policies," 218-236.

Despite its successes, Operation Sophia has faced notable challenges in executing its maritime operations. Key issues include time constraints and operational speed, exacerbated by the lack of a permanent naval command structure and fleet. Instead, participating vessels are provided by member states on a rotating basis, which can hinder the operation's effectiveness. Nonetheless, Operation Sophia's consistent patrolling of international waters has significantly disrupted smuggling networks, particularly those based in Libya. This persistent presence has hindered smuggling activities in the high seas and contributed to a reduction in the number of irregular migrants departing from Libyan shores.

B.   The ASEAN responses

The Rohingya refugee crisis has been further complicated by the reactions of several Southeast Asian countries. In 2015, both Malaysia and Thailand refused entry to boats carrying thousands of Rohingya refugees during what became known as the "boat people" exodus.[28] Both nations were concerned that accepting the refugees would lead to an even greater influx.[29] Their decision to turn the boats away was met with strong criticism from the

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[28] Antje Missbach, and Gunnar Stange. "Muslim Solidarity and the Lack of Effective Protection for Rohingya Refugees in Southeast Asia," *Social Sciences* 10, no.5, (2021):166-182. https://doi.org/10.3390/socsci10050166.
[29] Sebastien Moretti. "Between refugee protection and migration management: the quest for coordination between UNHCR and IOM in the Asia-Pacific region," *Third World Quarterly* 42, no.1, (2020):34-51. https://doi.org/10.1080/01436597.2020.1780910.

UNHCR and human rights organizations, which urged Southeast Asian countries to provide humanitarian aid rather than leaving the refugees stranded at sea.[30] Following intense international pressure and media attention, Malaysia and Indonesia eventually allowed the refugees to land temporarily, offering them food, water, and shelter.[31] However, Thailand continued to deny entry to Rohingya boats.

As founding members of ASEAN, Malaysia and Indonesia have taken active roles in supporting Rohingya Muslims and advocating for their basic human rights amidst the oppression by the Myanmar government. Although neither country is a signatory to the 1951 Refugee Convention or its 1967 Protocol, both have consistently shown solidarity with the Rohingya. This reflects their 'constructive engagement' approach within the ASEAN framework in addressing the crisis. Despite their individual efforts, Malaysia and Indonesia have called for stronger collective cooperation within ASEAN to apply more pressure in resolving the issue.[32] However, Malaysia has shifted from a stance of

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[30] "Malaysia: Allow Rohingya Refugees Ashore." Human Rights Watch, accessed November 4, 2024.
https://www.hrw.org/news/2020/04/18/malaysia-allow-rohingya-refugees-ashore.
[31] Straits Times. "Malaysia, Indonesia agree to provide temporary shelter to boat people," *Straits Times*, May 20, (2015).
https://www.straitstimes.com/asia/se-asia/malaysia-indonesia-agree-to-provide-temporary-shelter-to-boat-people.
[32] Noel M. Morada, "Asean and the Rakhine Crisis: Balancing Non-interference, Accountability, and Strategic Interests in Responding to

sympathy to a more stringent approach, refusing to accept Rohingya refugees, pushing them back to sea, or detaining them as 'illegal migrants'.[33] Under Malaysia's Immigration Act, those entering the country illegally face fines of no less than RM10,000, imprisonment for up to five years, and up to six strokes of whipping.[34] These harsh measures have been criticized by human rights organizations, which have called for the release of detainees and urged ASEAN to take a more proactive role in safeguarding the refugees' rights. ASEAN's timely intervention is critical to addressing the refugee crisis before it escalates into a larger security issue for the region. The international community and human rights groups are closely monitoring ASEAN's efforts to resolve this ongoing humanitarian crisis.

ASEAN is often viewed as a regional organization lacking a comprehensive framework to address one of the world's largest refugee crises. [35] Despite numerous discussions among its members, the organization has yet to reach a common consensus or

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Atrocities in Myanmar," *Global Responsibility to Protect* 13, no.2, (2021):131-157. https://doi.org/10.1163/1875-984X-13020003.
[33] Missbach and Stange, "Muslim Solidarity and the Lack of Effective Protection," 166-182.
[34] "Malaysia: Stop plans to cane Rohingya refugees and release those already imprisoned." Amnesty International, accessed November 4, 2024. https://www.amnesty.org/en/latest/news/2020/07/malaysia-stop-plans-to-cane-rohingya-refugees-and-release-those-already-imprisoned/
[35] Missbach and Stange, "Muslim Solidarity and the Lack of Effective Protection," 166-182.

develop a robust mechanism to tackle the Rohingya crisis. [36]
Within ASEAN, Malaysia has consistently pushed for continued
pressure on Myanmar to protect the Rohingya from persecution. [37]
While some members advocate for regional cooperation, Myanmar
has maintained that the Rohingya issue is an internal matter,
insisting it be resolved without external intervention. Myanmar's
de jure leader, Aung San Suu Kyi, rejected international
accusations of genocide in Rakhine State, labelling the violence as
an "internal armed conflict" caused by Rohingya extremists. [38] The
Myanmar government has asserted that any alleged war crimes in
Rakhine would be handled through its national justice system. The
outspoken stances of Malaysia and Indonesia have, however,
prompted Myanmar to recognize the refugee crisis as a regional
concern, opening the door to ASEAN's involvement, albeit in a
limited capacity. [39] Additionally, ASEAN has encouraged
Myanmar to engage with the Advisory Commission on Rakhine
State, led by former UN Secretary-General Kofi Annan, as part of
efforts to find a peaceful resolution.

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[36] Rebecca Barber and Sarah Teitt. "The Rohingya Crisis: Can ASEAN
Salvage Its Credibility?" *Survival* 62, no.5, (2020):41-54.
https://doi.org/10.1080/00396338.2020.1819642.
[37] Morada, "Asean and the Rakhine Crisis," 131-157.
[38] BBC. "Myanmar Rohingya: Government rejects ICJ ruling," *BBC,* January
23,(2020). https://www.bbc.com/news/world-asia-51229796.
[39] Moe Thuzar. "Repatriating the Rohingya: What Regional Cooperation Can
and Cannot Do," *ISEAS Perspective,* September 13, (2019).

Since most ASEAN members are not signatories to the 1951
Refugee Convention, the organization lacks a comprehensive
political and legal framework to address the Rohingya crisis
effectively. Only Cambodia and the Philippines are parties to the
convention, while the remaining member states have no legal
obligation to acknowledge or protect the rights of refugees and
migrants.[40] However, all ASEAN members are bound by the
principle of non-refoulement under international customary law,
which prohibits the return of refugees to places where they face
danger. Strengthening regional cooperation is crucial to tackling
the refugee crisis, which has escalated into a significant
humanitarian issue, affecting not only Myanmar but also having
broader regional implications. Although ASEAN's core principle
of "non-interference in the internal affairs of member states"
remains central, its members recognize the urgency of addressing
the Rohingya issue. ASEAN holds annual ministerial meetings,
attended by all 10 foreign ministers, to discuss political and
security concerns in the region, including the violence against the
Rohingya minority.[41] Despite ASEAN's efforts, Myanmar has
historically resisted including the Rohingya crisis on the ASEAN

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[40] Yoo Jeong Jeong. "Diverging Response to the Rohingya Refugee Crisis
since 2017 Military Crackdown: Comparative Analysis of Bangladesh and
Malaysia," *The Korean Journal of International Studies* 19, no.1,
(2021):133-165. https://doi.org/10.14731/kjis.2021.04.19.1.133.
[41] Irawan Jati. "Comparative Study of the Roles of ASEAN and the
Organization of Islamic Cooperation in Responding to the Rohingya Crisis,"
The Indonesian Journal of Southeast Asian Studies, 1, no.1, (2017):17-32.
https://doi.org/10.22146/ikat.v1i1.27466.

agenda. However, in recent years, Myanmar's position has gradually shifted, showing increased cooperation in response to growing international pressure and criticism.[42]

(A) ASEAN Intergovernmental Commission on Human Rights (AICHR)

Despite the fact that most ASEAN member states have not ratified the 1951 Refugee Convention, the organization remains committed to safeguarding human rights and freedoms as outlined in its charter. A key principle of the ASEAN Charter underscores the responsibility to protect human rights:[43]

> *"Respect for fundamental freedoms, the promotion and protection of human rights and the promotion of social justice, as well as the rule of law and good governance"*

ASEAN reaffirms its dedication to upholding the Universal Declaration of Human Rights (UDHR) and ensuring the protection of fundamental human rights for all individuals in the region. Through the ASEAN Human Rights Declaration (AHRD), member states are bound by principles that include the right to

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[42] Thuzar, "Repatriating the Rohingya."
[43] "ASEAN Human Rights Declaration." ASEAN, accessed November 4, 2024. https://asean.org/asean-human-rights-declaration/

freedom of movement and the right to seek and receive asylum.[44] Adopted in 2012, the AHRD reflects the commitment of ASEAN nations to prioritize human rights for the peoples of ASEAN, including the Rohingya. Additionally, the AHRD recognizes the ASEAN Intergovernmental Commission on Human Rights (AICHR) as the primary regional body tasked with promoting and safeguarding human rights across the region.[45]

The ASEAN Intergovernmental Commission on Human Rights (AICHR) functions as the region's primary human rights institution, tasked with promoting and protecting the rights of ASEAN citizens in line with its Terms of Reference (ToR).[46] AICHR's objectives are twofold: reinforcing ASEAN member states' obligation to uphold human rights while adhering to the principle of non-interference outlined in the ASEAN Charter.[47] Though the AHRD and AICHR frameworks offer a platform for addressing the Rohingya crisis, AICHR has struggled to effectively promote the rights of the Rohingya. The principle of non-interference has further complicated efforts to find a resolution. ASEAN continues to lack a binding framework or

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[44] ASEAN. *ASEAN Human Rights Declaration*. ASEAN, (2013). https://asean.org/wp-content/uploads/2021/01/6_AHRD_Booklet.pdf
[45] ASEAN, *ASEAN Human Rights Declaration*.
[46] Saovanee Kaewjullakarn and Lalin Kovudhikulrungsri. "What Legal Measures Should ASEAN Apply to Help the Rohingya?" *South East Asia Journal of Contemporary Business, Economics and Law* 6, no.4, (2015):6-14.
[47] Barber and Teitt. "The Rohingya Crisis" 41-54.

policy that would compel member states to take decisive action or make concrete recommendations to protect Rohingya refugees.[48]

(B) ASEAN Ministerial Meeting (AMM)

As stipulated in the ASEAN Charter, member states are obligated to abstain from interfering in the internal affairs of fellow member nations. Due to this principle of non-interference, ASEAN has not convened any formal meetings specifically to address the Rohingya crisis. [49] Myanmar's resistance to discussing the issue within the ASEAN framework has further stalled efforts by other members to take collective action. Between 2012 and 2015, at the height of the Rohingya crisis, ASEAN only held two meetings on the matter.[50] The first took place in May 2015 in Putrajaya, involving Malaysia, Indonesia, and Thailand. This meeting followed intense international criticism after these nations turned away Rohingya refugees stranded at sea.[51] The talks led to a positive outcome, with Malaysia and Indonesia agreeing to temporarily allow the refugees to land and providing them with essential humanitarian aid, such as food, water, and shelter, with plans for repatriation

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[48] Jati. "Comparative Study of the Roles of ASEAN and the Organization of Islamic Cooperation," 17-32.

[49] Richa Shivakoti. "ASEAN's role in the Rohingya refugee crisis," *Forced Migration Review*. October, (2017). https://www.fmreview.org/shivakoti/

[50] Jati. "Comparative Study of the Roles of ASEAN and the Organization of Islamic Cooperation," 17-32.

[51] Moretti. "Between refugee protection and migration management" 34-51.

within a year. [52] However, Thailand maintained its stance, continuing to refuse entry to any Rohingya boats approaching its shores. [53]

In July 2015, ASEAN convened a special ministerial meeting to address the growing issue of transnational crime, prompted by the discovery of mass graves in Wang Kelian, a town on the Malaysia-Thailand border. [54] These graves contained the remains of Rohingya individuals who had fallen victim to human trafficking networks operating between Bangladesh and Myanmar. [55] This discovery elevated human trafficking to a critical concern within ASEAN. The ASEAN Ministerial Meeting on Transnational Crime (AMMTC) was subsequently held to tackle the increasing threat posed by trafficking in persons, which had broader regional implications. As ASEAN Chair in 2015, Malaysia emphasized the need for unified cooperation among member states to develop a collective response to this issue. [56] The meeting marked a turning point, with ASEAN taking a more

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[52] Hoang Thi Ha and Ye Htut. "Rakhine Crisis Challenges ASEAN's Non-Interference Principle," *Perspective*, 70, (2016).
[53] Aizat Khairi. "The Dilemma of Rohingya Refugees 'Boat People': The Role of Malaysia, its Neighbors and ASEAN," *International Journal of Academic Research in Business and Social Sciences,* 6, no.12, (2016):481-489. https://doi.org/10.6007/IJARBSS/v6-i12/2512.
[54] Ha and Htut, "Rakhine Crisis Challenges," 70.
[55] Missbach and Stange, "Muslim Solidarity and the Lack of Effective Protection," 166-182.
[56] Jati. "Comparative Study of the Roles of ASEAN and the Organization of Islamic Cooperation," 17-32.

active and assertive stance on human trafficking, while also addressing the ongoing Rohingya refugee crisis.

These regional developments prompted Myanmar to reassess its stance and gradually adopt a more cooperative approach within the ASEAN framework. In 2016, following persistent requests and pressure from Malaysia, Aung San Suu Kyi hosted an informal meeting with ASEAN Foreign Ministers in Yangon. This meeting aimed to update ASEAN member states on the situation in Rakhine State. [57] The meeting yielded several positive outcomes: Myanmar committed to providing regular updates on the situation in Rakhine and enhancing coordination and cooperation within the ASEAN framework. Additionally, Myanmar permitted humanitarian relief efforts and access to the ASEAN member states in Rakhine State, though the extent of ASEAN's active role in the conflict remained unclear.[58] The Myanmar government also allowed journalists limited access to northern Rakhine's Maungdaw under strict conditions, a move made in response to international criticism and allegations of the government manipulating the situation in Rakhine. Furthermore, Myanmar sought to refute accusations from Rohingya refugees who had fled to Bangladesh, denying claims of deliberate violence and destruction perpetrated by the Myanmar military against the Rohingya Muslims.

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[57] Shivakoti, "ASEAN's role in the Rohingya refugee crisis."
[58] Ha and Htut, "Rakhine Crisis Challenges," 70.

Adhering to the fundamental principles of sovereignty and non-interference enshrined in the ASEAN Charter, ASEAN's ability to take a proactive role in the Rohingya refugee crisis is inherently constrained. The ASEAN member states most directly impacted by the crisis—Malaysia, Indonesia, and Thailand—have taken significant steps to address the immediate needs of the refugees, striving to provide both temporary and, where possible, long-term solutions. Additionally, some ASEAN members have sought external cooperation with partners such as the United States and Australia to tackle the issue. Despite these efforts, critics argue that ASEAN member states continue to rely heavily on the principle of non-interference, limiting their effectiveness. The Rohingya crisis poses a significant challenge for ASEAN, testing its capacity for regional cooperation and problem-solving. While ASEAN's current role in addressing the Rohingya issue is limited, there are expectations for a more proactive stance in the near future.

IV. CONSTRASTING   APPROACHES   TO   CRISIS MANAGEMENT: ASEAN vs EU

Due to their fundamentally different organizational structures, the EU and ASEAN have exhibited contrasting approaches to managing refugee crises. These divergent strategies are reflected in their allocation of organizational resources, the frameworks they employ, and their respective effectiveness in addressing the challenges posed by such crises.

First, the EU adopted a centralized and collective approach, in contrast to ASEAN's intergovernmental and individualistic response. As the world's most advanced model of regional integration and a supranational entity, the EU was able to deploy a wide array of policy instruments and resources to address the refugee crisis. Despite internal contentions among member states regarding specific policy responses to the refugee crisis, the EU demonstrated consistent, coordinated actions, such as Operation Triton and Operation Sophia. These efforts reflected the EU's capacity for synchronized and collective responses. In contrast, ASEAN, as an intergovernmental platform designed for regional cooperation without the aim of deeper policy integration, adhered to its foundational principle of non-interference. Refugee issues are often framed as domestic security or humanitarian concerns rather than as shared regional responsibilities. This limited its ability to enact coordinated regional solutions. Instead, ASEAN relied on informal, country-specific efforts to influence the state of origin of the crisis, operating within a less institutionalized framework. Such influence exertion was circumstantial, depending on the willingness and cooperation of the crisis country. As a result, ASEAN was unable to deliver any coordinated, collective policy actions throughout the crisis.

Second, for the EU, the refugee crisis stemmed primarily from external sources, while the crises faced by ASEAN were often generated by its own member states. This distinction helps

to explain why the EU was able to mobilize assertive and collective actions relatively swiftly as external crises were easier to rally unification. In contrast, crises arising from within the group tend to spark internal divisions and inconsistent responses, influenced by a range of political considerations that limit the room for maneuver. The challenges faced by Malaysia in crafting a unified ASEAN response to the Rohingya crisis illustrate not only the intergovernmental nature and limited capacity of ASEAN but also the stakeholder dynamics and political sensitivities inherent in such crises. These complexities hindered the organization's ability to present a cohesive front in addressing the situation effectively.

Third, while external crises can indeed prompt unified and effective responses from the EU, they can also pose constraints on policy effectiveness. Since the crises originate outside the EU, the policy actions taken are often unilateral and primarily aimed at alleviating immediate suffering, rather than addressing the underlying issues within the crisis-affected country. Consequently, these measures may only serve to mitigate the tragedy in the short term, without addressing the root causes. In contrast, a crisis emanating from within an ASEAN member state presents both limitations and opportunities for the organization. Although ASEAN is significantly constrained by its limited capacity and institutional resources compared to the EU, it also possesses the potential to tackle the underlying causes of the refugee crisis,

provided there is willingness and cooperation from the member state involved. For instance, with Myanmar's cooperation, ASEAN has been able to address the fundamental issues contributing to the refugee crisis, facilitating the provision of humanitarian aid in the Rakhine region and securing Myanmar's commitment to coordinate efforts within the ASEAN framework. Such cooperative arrangements would be considerably more challenging to establish if the crisis were originating from a non-member state.

Fourth, cultural and socio-economic factors unquestionably play a pivotal role in shaping refugee crisis management in both the EU and ASEAN. Culturally, the EU is anchored in a rights-based tradition rooted in post-war humanitarian principles and international legal instruments such as the 1951 Refugee Convention. This foundation has supported the development of regional frameworks like the Common European Asylum System (CEAS), which seeks to harmonize asylum standards across member states. However, public attitudes toward refugees vary considerably across the EU, influenced by historical experiences with migration, national identity narratives, and religious dynamics. Countries such as Germany and Sweden have adopted more inclusive policies, driven by multicultural ideals, whereas others like Hungary and Poland have framed refugees, particularly Muslims, as threats to national culture and

identity.[59][60] Rising Islamophobia and populist narratives have reinforced such exclusionary views, particularly since the 2015 refugee crisis.[61] These cultural perceptions often influence not only public opinion but also national policy-making, leading to significant fragmentation in EU-wide solidarity and burden-sharing.

In contrast, ASEAN's cultural orientation emphasizes the principles of non-interference, state sovereignty, and regional consensus, which has hindered the development of a unified refugee protection framework.[62] ASEAN member states also navigate complex cultural dynamics rooted in ethnic and religious diversity. For example, while Malaysia and Indonesia, both Muslim majority countries, have demonstrated some humanitarian sympathy toward the persecuted Rohingya (who are also Muslim), their support tends to be limited to temporary shelter and humanitarian assistance, stopping short of formal integration or

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[59] Will Kymlicka. "Solidarity in Diverse Societies: Beyond Neoliberal Multiculturalism and Welfare Chauvinism," *Comparative Migration Studies*, 3, no. 17, (2015): 1-19. https://doi.org/10.1186/s40878-015-0017-4.

[60] Anna Triandafyllidou. "A 'refugee crisis' unfolding: 'Real' events and their interpretation in media and political debates," *Journal of Immigrant & Refugee Studies*, 16, no. 1–2, (2018): 198-216. https://doi.org/10.1080/15562948.2017.1309089.

[61] Christian Dustmann et al. "Refugee migration and electoral outcomes," *The Review of Economic Studies*, 86, no. 5, (2019): 2035-2091. https://doi.org/10.1093/restud/rdy047.

[62] Sara E. Davies. "Legitimising rejection: International refugee law in Southeast Asia," *International Journal of Refugee Law*, 20, no. 3, (2008): 396-417. https://doi.org/10.1093/ijrl/een025.

rights protection.[63] Ethnic or religious "otherness" can serve as a cultural barrier to host community acceptance, leading to exclusion, encampment, or even pushbacks in countries such as Thailand and Myanmar.[64]

Fifth, socio-economic contexts further deepen these regional contrasts. The EU generally has greater institutional capacity and financial resources to support structured refugee reception and integration programs. High-income member states like Germany and the Netherlands can implement labor market integration, language training, and welfare support, although uneven economic development across the bloc complicates policy coordination.[65] Countries on the EU's external borders such as Greece and Italy often lack sufficient resources, leading to tensions over the distribution of responsibilities under mechanisms like the Dublin Regulation.[66] Economic conditions also influence public support for refugee protection. For example,

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[63] Caitlin Wake and Tania Cheung. *Livelihood strategies of Rohingya refugees in Malaysia.* Humanitarian Policy Group (HPG) Working Paper, Overseas Development Institute, (2016). https://odi.org/en/publications/livelihood-strategies-of-rohingya-refugees-in-malaysia/.

[64] Alice M. Nah. *Refugee protection in Southeast Asia: Regionalism and resistance.* Routledge, (2015).

[65] OECD. *How are refugees faring on the labour market in Europe?* OECD, (2021). https://www.oecd.org/migration/mig/migration-policy-debates-20.pdf.

[66] European Commission. *Europe 2020.* European Commission, (2020). https://ec.europa.eu/eu2020/pdf/COMPLET%20EN%20BARROSO%20%20 20007%20-%20Europe%202020%20-%20EN%20version.pdf.

during economic downturns, populist actors have successfully linked refugees to job competition and welfare strain, eroding solidarity and fueling restrictive reforms.[67]

In ASEAN, socio-economic constraints are far more pronounced. Many countries in the region face limited fiscal space, weak institutional infrastructures, and high informal employment rates. These structural issues severely restrict their capacity to provide durable solutions for refugees. For instance, Malaysia, which hosts one of the largest urban refugee populations in the region, does not grant legal status to refugees, barring them from formal employment, healthcare and education.[68][69] As a result, refugees often survive in precarious, informal labor markets, where they are vulnerable to exploitation and abuse. Similarly, Thailand maintains longstanding camps for refugees from Myanmar along its borders but restricts movement, access to livelihoods, and long-term integration options. [70] ASEAN states rely heavily on international organizations such as

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[67] Dustmann et al., "Refugee migration and electoral outcomes," 2035-2091.
[68] UNHCR. *Global Trends: Forced Displacement in 2022*. UNHCR, (2023). https://www.unhcr.org/global-trends-report-2022.
[69] Wake and Cheung, *Livelihood strategies of Rohingya refugees in Malaysia*.
[70] International Rescue Committee. *Annual Report 2019*. International Rescue Committee, (2019). https://www.rescue.org/sites/default/files/document/5264/irc2019-annual-report.pdf

UNHCR and international NGOs for refugee support, reflecting their limited domestic capacity and political will.[71]

In addition, European countries share contiguous borders, which makes it challenging for any single nation to remain unaffected or isolate itself from the broader refugee crisis. This interconnectedness has also shaped the EU's approach to managing refugee-related challenges. It is accurate that Europe's land borders facilitate rapid and often uncontrollable overland refugee movements, such as those witnessed during the 2015 Syrian refugee influx through the Balkan route, which overwhelmed frontline countries like Greece and Hungary and created pressures for coordinated EU action.[72] The Schengen Area's open-border policy further complicated unilateral state responses, compelling the EU to implement collective measures like the EU-Turkey Statement and relocation quotas, despite deep political divisions.

In contrast, the maritime geography of Southeast Asia does not insulate Malaysia and Indonesia from refugee flows; rather, it shapes them differently. The Rohingya crisis is transnational by nature, with significant movements across the Bay of Bengal and the Andaman Sea. Unlike land borders that facilitate mass overland movements, the maritime setting imposes natural

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[71] Nah, *Refugee protection in Southeast Asia*.
[72] Triandafyllidou, "A 'refugee crisis' unfolding," 198-216.

barriers that limit the scale and speed of refugee flows. As a result, the Rohingya crisis in Southeast Asia has remained relatively localized, without triggering a region-wide emergency comparable to Europe's 2015 refugee influx. Although thousands of Rohingya have arrived in Malaysia and Indonesia by boat, the scale of these movements tends to be smaller and more sporadic due to the dangers of sea crossings and the absence of established, large-scale maritime smuggling networks. Furthermore, the responses have often been ad hoc and humanitarian in nature, with both countries offering temporary shelter despite not being signatories to the 1951 Refugee Convention.[73][74] The absence of a regional mechanism akin to the EU's Common European Asylum System has also contributed to the issue remaining relatively fragmented and contained within a few affected states.[75]

Endowed with distinctly different institutional capacities and operational resources, the EU and ASEAN have demonstrated their respective strengths and weaknesses in responding to the refugee crisis. The EU's supranational approach has proven to be forceful and coherent, effectively maintaining regional stability. In contrast, ASEAN's model, characterized by intergovernmental negotiation and adaptive cooperation, tends to be more volatile and less effective in crisis management. However, ASEAN's

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[73] Wake and Cheung, *Livelihood strategies of Rohingya refugees in Malaysia.*
[74] UNHCR. *Global Trends: Forced Displacement in 2022.*
[75] Penelope Mathew and Tristan Harley, *Refugees, regionalism and responsibility.* Edward Elgar Publishing, (2016).

intergovernmental approach has preserved the regional solidarity that the organization values. This solidarity can occasionally enable ASEAN to address the root causes of crises, albeit often by chance, when member states demonstrate a willingness to cooperate. Thus, while the effectiveness of ASEAN's approach may vary, its commitment to regional unity remains a critical asset in navigating complex humanitarian challenges.

V.   Conclusion

The comparative analysis of EU and ASEAN policies in addressing the refugee issue reveals a complex landscape marked by distinct regional approaches shaped by historical, political, and social factors. While both organizations grapple with the challenges of managing large-scale displacement, their strategies reflect their unique contexts and operational frameworks. The EU's approach is characterized by a more structured and legally binding framework, driven by its commitment to human rights and collective responsibility. The EU's centralized and collective strategy, bolstered by its supranational authority, has allowed for swift and coordinated responses, even amid internal disagreements. The EU's emphasis on border control and integration efforts reflects its broader objective of maintaining regional stability and cohesion amidst fluctuating migration flows.

In contrast, ASEAN's intergovernmental framework, while promoting regional solidarity, has often resulted in fragmented and less effective responses due to its foundational principle of non-interference and the varying political dynamics among member states. Despite these challenges, ASEAN's ability to address the root causes of crises, when member states are willing to cooperate, highlights its potential as a regional actor. Ultimately, both organizations illustrate the importance of adapting strategies to their unique contexts and capacities, revealing valuable lessons for future humanitarian responses and the need for enhanced cooperation in addressing complex regional challenges.

The differences between the EU and ASEAN reflect broader themes in international migration policy, including the balance between national sovereignty and collective responsibility, and the challenges of implementing humanitarian standards within diverse regional contexts. The EU's more centralized and legally enforced policies contrast with ASEAN's flexible and politically sensitive approach, underscoring the varying ways in which regions navigate complex migration dynamics.

Understanding these differences is crucial for developing more effective and cohesive responses to global refugee crises. It highlights the need for enhanced international cooperation, adaptable frameworks, and a shared commitment to humanitarian principles. By learning from each other's experiences, the EU and ASEAN can potentially refine their approaches and contribute

more effectively to global efforts in managing displacement and protecting vulnerable populations. Ultimately, addressing the refugee issue requires a multifaceted approach that respects regional particularities while striving for comprehensive and humane solutions. The insights gained from comparing EU and ASEAN policies offer valuable lessons for policymakers, international organizations, and stakeholders engaged in the ongoing effort to address one of the most pressing humanitarian challenges of our time.

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Minale, and Uta Schönberg. "Refugee migration and
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    er-of-migrants-in-december-0BbBRd.

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    Saving 3,000 Migrants since Friday." Accessed November 4,
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    ase/assets-deployed-in-operation-triton-involved-in-saving-3
    -000-migrants-since-friday-xmtkwU.

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     2019-annual-report.pdf.

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