

A SOLIDARITY APPROACH FOR THE PEOPLE OF RAKHINE STATE

March 2019



I. Introduction

In September 2016, at the initiative of Daw Aung San Suu Kyi, the State Counsellor of Myanmar, the Kofi Annan Foundation and the Office of the State Counsellor established an Advisory Commission on Rakhine State. The Advisory Commission was mandated to examine the complex challenges facing Rakhine State and to propose responses to those challenges. In its final report issued in August 2017, the Advisory Commission articulated 88 recommendations, setting forth a comprehensive blueprint for addressing the three intersecting crises – in terms of development, human rights, and security – that have plagued Rakhine State for decades and led to recurrent cycles of displacement. The Advisory Commission recognized that there are no “quick fix” solutions to these challenges. Nevertheless, the status quo is not tenable, and finding a path to move forward remains an urgent task.

Violence in Rakhine State in August 2017 led to the displacement of some 700,000 refugees, one of the largest and fastest forced movements of people in the region in decades. Following the events of August 2017, the world’s largest refugee settlement is now in Bangladesh. Other countries in the region also host refugees from Rakhine State who fled in previous waves of displacement. At the same time, statelessness, restrictions on movement, and discrimination have curtailed the basic rights of Rakhine State’s Muslim community, including more than 120,000 internally displaced persons in the central townships of Rakhine State, who are now entering their seventh year of confined encampment. Conflict between the Myanmar military and the Arakan Army in late 2018 and early 2019 has further complicated the situation in Rakhine State, including new displacement and reduced humanitarian access.

Given the national, regional, and international dimensions of the situation, there is a pressing need to galvanize international solidarity to find solutions for the people of Rakhine State, wherever they are. In July 2018, UNHCR proposed a concept for ‘A Solidarity Approach for the People of Rakhine State’, which describes a comprehensive approach for engagement aimed at addressing the root causes of the displacement, seeking sustainable solutions, and providing a platform for coordinating and supporting international efforts in a coherent and predictable manner. The Solidarity Approach is anchored in the recommendations of the Advisory Commission on Rakhine State, which provide the roadmap for creating conditions that would be conducive for refugees’ voluntary return and sustainable reintegration.

This note aims to build on that initial concept, drawing on feedback received from a wide range of stakeholders during the past six months of consultations, and describing potential initiatives that could be taken forward toward solutions. While some such initiatives may be interrelated or cross-cutting, they might generally be grouped under several thematic “pillars” or areas, including: refugee and statelessness solutions, humanitarian assistance, environmental management, and development financing. An important next step would be for a core group of “Friends” or supporters of the Solidarity Approach to support the development of tangible proposals of support to the Governments of Myanmar and Bangladesh, and a roadmap for implementing these proposals.

II. Rationale

It is critical that all concerned stakeholders work together to create conditions that will eventually allow refugees from Rakhine State to voluntarily return home in safety and dignity and reintegrate sustainably, as well as provide the necessary support to refugees, their host communities and refugee-hosting countries in the interim. A multi-partner approach, driven through strong regional participation, could provide critical support to Myanmar towards improving conditions in Rakhine State and building confidence amongst refugees, while providing a platform for tangible international responsibility sharing in line with the New York Declaration and Global Compact on Refugees. The Solidarity Approach thus provides a platform for such a joined-up and coordinated approach.

The Solidarity Approach recognizes that the origins of this situation and therefore necessarily its solutions lie in Myanmar. It thus aims principally to support the Government of Myanmar to develop sustainable solutions to displacement, including by promoting and protecting the rights of returnees, IDPs, and stateless people, promoting peaceful coexistence for all communities in Rakhine State, and encouraging inclusive rights-based development, as specified in the recommendations of the Advisory Commission on Rakhine State.

The Solidarity Approach affords opportunities through which partners can identify ways to support the implementation of the tripartite Memorandum of Understanding (MoU) between UNHCR, UNDP and the Government of Myanmar, which seeks to support the Government to implement the Advisory Commission recommendations and to foster social cohesion and resilience. Moreover, the Solidarity Approach seeks to ensure that the principal refugee hosting country, Bangladesh, and host communities are robustly supported, in the spirit of solidarity and responsibility-sharing, and that refugees are assisted and

protected, with meaningful investments made in their human capital and in their future, until they choose to voluntarily return home.

III. Progress to date

Following a side event at the meeting of UNHCR's Executive Committee in Geneva in 2018, at which the Solidarity Approach was discussed with Member States and other stakeholders, UNHCR sought to incorporate feedback on the concept from a wide range of actors. Extensive bilateral consultations were undertaken, including with Member States, UN agencies, development actors, NGOs, civil society, and the private sector, in the lead-up to, and following, a regional meeting on the Solidarity Approach, which took place on 22 October 2018 in Bangkok.

The Bangkok meeting brought together a large and diverse group of concerned stakeholders to brainstorm and discuss potential initiatives that could be taken forward under the Solidarity Approach, with participants expressing that the approach now needs to articulate an architecture or platform that can facilitate coordinated stakeholder engagement. They also expressed interest in convening future meetings to discuss the way forward.

Meanwhile, in Rakhine State, under the tripartite Memorandum of Understanding between UNHCR, UNDP and the Government of Myanmar, prioritized Quick Impact Projects based on needs assessed during field visits have been designed and submitted for Government approval, and the Government has approved an initial group of these. While more progress is needed to quickly start to improve conditions on the ground, these are important first steps. Due to the recent security incidents in parts of Rakhine State, the implementation of the MoU has been temporarily halted although preparations are ongoing.

In Bangladesh, the operational response, led by the Government of Bangladesh, continues to provide protection and assistance to refugees from Rakhine State. The 2019 Joint Response Plan sets forth requirements of some USD \$920 million, and robust support will be needed from the international community to ensure that Bangladesh does not carry this responsibility alone.

IV. Potential next steps

Drawing on feedback received from Member States and other stakeholders on the initial concept, there are several potential next steps that could help articulate the way forward for the Solidarity Approach.

First, it will be important for interested stakeholders to come forward in support of the Solidarity Approach and provide leadership to the approach going forward. Given the significant regional dimensions to this situation, leadership by ASEAN countries, as well as other Member States in the region, would be key.

Second, or in parallel, it will be important to highlight the key areas of the Solidarity Approach that could be taken forward as a first priority. These might be grouped under several thematic “pillars”, including: refugee and statelessness solutions, humanitarian assistance, environmental management, and development financing.

The ideas that follow below are presented in order to catalyze discussion about tangible measures that could be pursued; they are not intended to be exhaustive or prescriptive, and the substantive content of each pillar would remain to be developed by Member States and other stakeholders as appropriate as part of an agreed platform or process. This would ideally lead to a mid-term roadmap that starts to identify the initiatives that can be pursued, as well as examination of possible benchmarks and milestones. Such initiatives might proceed along

several tracks, which should be undertaken in a coordinated and coherent manner with a view to the overall objectives of creating conditions conducive for return in Myanmar and supporting the Government of Bangladesh’s leadership of the refugee response and assistance to host communities.

Refugee and Statelessness Solutions Pillar

The core of the Solidarity Approach is seeking sustainable solutions for the people of Rakhine State, as described in the recommendations of the Advisory Commission on Rakhine State, and providing meaningful and predictable support to Bangladesh. It will be important for the supporters of the Solidarity Approach to put proposals of support to the Government of Myanmar towards full implementation of the Advisory Commission recommendations. Though not all of the recommendations can be achieved at once, those calling for freedom of movement could be prioritized, in particular by rescinding local orders. The UNHCR-UNDP field assessments have shown that freedom of movement remains an overwhelming issue for all communities in Rakhine State, and is a key barrier to livelihoods, access to services, and social cohesion. Similarly, committed stakeholders could offer proposals to the Government aimed at ensuring that its national strategy to close IDP camps, which is being developed, aims for durable solutions and is implemented in a manner that is in line with the Advisory Commission recommendations and international standards, while ensuring complementarity with other initiatives that may also be pursued in this regard.

In addition, these stakeholders could endeavor to build on the Government of Myanmar’s stated intention to provide information to refugees on repatriation plans and procedures and the types of assistance and support it will make available to returnees, as well as clear timelines for the process, assurance that refugees will be able to return in safety and dignity to their places of origin or choice, and information about the National Verification Card (NVC) process.

Following the 33rd ASEAN Summit in Singapore in November 2018, the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA) has also been tasked with conducting a needs assessment and supporting voluntary return. If well-coordinated to achieve maximum complementarity, the presence of both UN and regional actors could accelerate the creation of conditions for voluntary and sustainable return. Supporters of the Solidarity Approach could therefore offer substantive support in terms of technical expertise and assistance aimed at building confidence, including through accelerated implementation of the tripartite MoU. Coordination with other regional, bilateral, and national initiatives in Rakhine State would also be important.

These supporters could also explore other opportunities for solutions, including complementary pathways that would enable refugees to be reunited with family members or pursue education or employment in third countries, which would provide other countries in the region and globally opportunities to demonstrate tangible responsibility sharing with Bangladesh and other refugee hosting countries. The role that third-country resettlement of the most vulnerable refugees could play in a comprehensive response could also be explored.

Humanitarian Assistance Pillar

In order to ensure a coherent approach, it will be important that material support to Myanmar (including for community-driven rebuilding or other in-kind assistance) is delivered in refugees' places of origin and coordinated as part of a comprehensive plan aimed at creating conditions conducive to return. In this regard, supporters of the Solidarity Approach could prepare proposals for the coordination of current bilateral initiatives in Rakhine State to ensure the most efficient use of resources in support of sustainable solutions.

Moreover, the core group of supporters could engage other stakeholders with a view to ensuring robust international support for the

UN's Humanitarian Response Plan in Myanmar and the Joint Response Plan in Bangladesh, and ensuring that these response plans are undertaken in a manner that delivers assistance to all affected communities, promotes greater localization, and underscores the centrality of protection.

Environmental Management Pillar

Refugee settlements in Bangladesh are situated on land generously allocated by the Government, much of which was formerly protected – and environmentally fragile – forest reserves. The scale of the influx has had far reaching social, economic and environmental consequences for both the refugees themselves and the affected local communities. In particular, environmental degradation caused by the refugee influx has been extensive, leading to significant challenges including deforestation, delivery of safe drinking water, waste management, and provision of clean cooking fuel. Interested supporters of the Solidarity Approach could seek to identify creative solutions to address the environmental impacts of displacement, underpinned by partnerships with relevant private sector actors and independent experts. Proposals for the provision of sustainable energy sources for the people of Rakhine State, as well as host communities, could also be explored.

Development Financing Pillar

Inclusive, rights-based development will be critical to ensuring sustainable solutions. Supporters of the Solidarity Approach could, for example, develop proposals for engaging key development actors toward inclusive development support in Rakhine State, with an emphasis on community-level projects aimed at fostering social cohesion and resilience. It will be important in this regard to coordinate with the Government of Myanmar's Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine, as well as regional and bilateral development initiatives. In Bangladesh, it will likewise be important to ensure that

development support is aligned with national development plans and priorities. This would also support the alignment of humanitarian and development efforts to ensure that they are coordinated to support solutions objectives.

V. Conclusion

As more time passes since the outbreak of the current crisis, the status quo for the people of Rakhine State is untenable. There is broad consensus that a coordinated, multi-partner approach is therefore the most feasible pathway toward sustainable solutions. No single actor possesses the expertise, capacity, or influence to bring about the comprehensive range of solutions that are needed. It will be important as well to ensure that initiatives aimed at improving conditions in Rakhine State – many of which are already underway or in the planning stages, including bilateral assistance from many governments in the region; assessments and support by the ASEAN Coordinating Centre for Humanitarian

Assistance on Disaster Management (AHA Centre); and initiatives under the Government of Myanmar's Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine – are implemented in a coordinated, joined-up manner.

Furthermore, the leadership of this process should be entrusted to those best placed and equipped to do so: Member States, especially regional Member States, with Myanmar and Bangladesh at the forefront. A core group of Member States could consult with and draw upon the support of regional organizations, international financial institutions, private sector actors, the UN system – including the Secretary-General's Special Envoy on Myanmar – and other relevant stakeholders as appropriate – including, not least, the people of Rakhine State themselves. Once a way forward is agreed – be it in the form of a platform, roadmap, or plan of action – it will then be essential to present tangible proposals to the Governments of Myanmar and Bangladesh indicative of Member States' commitment to supporting a decent future for the people of Rakhine State.

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