**Refugees, Asylum and Threat perceptions: The Recent Cases of Rohingyas in South Asia and Syrian Refugees in Europe**

**Santi Sarkar[[1]](#footnote-1)**

***Introduction***

It is well-known that the “well-founded fear of persecution” that forces a person to flee his/her home. [The 1951 Convention relating to the Status of Refugees and its 1967 Protocol](http://www.refugeelegalaidinformation.org/sites/default/files/uploads/1951%20convention%20and%201967%20protocol.pdf) are the most comprehensive and widely ratified international codification of refugee rights that provide a definition of "refugee" and spells out the legal status of refugees, including their rights and obligations. It states:

… owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (Article 1(A) (2) of the 1951 Convention)

This present study seeks to understand whether there is any role of threat perception on the part of asylum givers too towards the refugees that becomes detrimental to the process of asylum-giving. This is what we are witnessing more and more. Fears over migration are fuelling populism and mistrust and undermining the capacity of governments to manage flows.

Let us take for example the countries related to the Organisation for Economic Co-operation and Development (OECD), which was established in 1961. Today, the OECD is a forum of 34 industrialised countries that develops and promotes economic and social policies. The list of members is long and famous with countries like Australia, Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States.

Now, in OECD countries, people think that there are two or three times as many immigrants as there really are! There is a similarly exaggerated perception of how much migrants cost and how much they access social benefits. Half of Europeans think that refugees are going to take their jobs and social benefits. And regardless of actual migrant numbers, half the public in the USA and among the OECD’s European Members think ‘‘it’s too many”. This syndrome can be identified as the *economic insecurity* of the locals – especially the native working population – which since the industrial revolution of the late 18th century to present time has seen the pouring of ‘foreign’ workers into the host nations as causes for their wage-cuts and even job losses.

It happens everywhere – even within a big country like India, which has zones of developed (like Maharashtra, Gujarat e.g.) and underdeveloped (like Bihar and Uttar Pradesh) areas in terms of economy. There, the internal migrant workers from Bihar and Uttar Pradesh often receive threats and even attacks, especially in Mumbai – the capital of Maharashtra – from the native workers of all and sundry represented by nativist parties like Shiv Sena and Maharshtra Navnirman Sena.

However, in recent times the ‘fear’ on the part of the host countries and their people has been tripled for *two other factors*, namely, perception of refugees (especially the Muslim refugees) as the ‘members’ or ‘agents’ of the varieties of Islamic militant groups, active since the 9/11 attack; secondly, perception of refugees in general and the Muslim refugees in particular, as the cultural ‘other’ of the mores and values of the host countries. Thus fear seems like a double-edged sword that creates a perception of *threat* for the asylum givers and that shapes the asylum policy of the care giving countries for the people who are on the move. As the number of asylum seekers has risen, governments of all political leanings have implemented policies designed to deter asylum seekers from entering their countries for the purpose of seeking legal protection as refugees.[[2]](#endnote-1) Thus, threat plays a vital role in the mind of asylum givers which manifested in whom to give asylum and whom to deny.

In this short dissertation, the present writer would try to focus on these *three types of threats*: economic, security and cultural (in which presently the ‘security’ factor is overriding the other two), and then would like to examine the problems associated with the asylum of the refugee populations of the Syrian and Rohingyan origins in Europe and Asia, respectively and; finally, to seek for a critical yet durable solution, if any.

***The Economic Factor***

Let us first deal with the **ethical** part related to the economic factor. Although, there is a cost for the asylum of refugees, the ethical argument is that the relatively wealthy countries can easily afford to accommodate fairly large numbers of refugees. But from the ethical viewpoint, the cost considerations should be less important than humanitarian objectives. This position is underpinned by values of compassion and care, and by obligations under international treaties. It draws institutional strength from Article 14 of The Universal Declaration of Human Rights: “Everyone has the right to seek and to enjoy in other countries asylum from persecution” (United Nations, 1948). Let us call this the humanitarian stance.

While the humanitarian stance principally relies on moral arguments, the nationalist stance (based on native culture) relies substantially on economic arguments. Perhaps knowing that nationalist arguments per se would invite accusations of xenophobia or racism, advocates of the nationalist stance use the language of economics to make their case. This may be because such language appears less value-laden, or more neutral, than the language of nationhood and cultural identity.

This nexus between nationalist sentiment and economic rationalisation is a delicate one. For example, when the Australian media columnist Paul Sheehan[[3]](#endnote-2) speaks of “the Arab Muslim world, which is now exporting its failures”, while basing his argument on accepting one million refugees at the supposed cost to Europe of “roughly $60 billion”. He cites no source for this figure. In contrast, advocates of the humanitarian stance rely on the force of value-based arguments, rather than engaging in an economic debate which they suspect they may not win. For an instance, 126 leading economists had signed an open letter to the then UK Prime Minister, David Cameron, arguing that “it is morally unacceptable for the UK not to play a fuller part in taking in refugees”[[4]](#endnote-3). In terms of philosophical ethics, the humanitarian stance is clearly *deontological*, whereas the nationalist stance adopts a focus on relative costs and benefits based on ‘consequences’. For humanitarian advocates, any reference to economic consequences might be framed as a duty to “share the burden”, a phrase used by Angela Merkel to appeal to other European countries to join Germany in accommodating Syrian refugees[[5]](#endnote-4).

Apart from the humanitarian ethical part, let us also inquire about a question of more **economic** in nature. Do refugees really present an economic burden, or could they offer an economic opportunity to host nations? In an interesting article, Rick Morton quoted Amir, an Iraqi asylum-seeker: “We are ready to work and pay taxes… I don’t want to be a burden. I want to be part of the community”[[6]](#endnote-5). In 2013, Richard Paterson[[7]](#endnote-6) conducted a “metareview” of the literature on the economic impact of refugees. The study focused on Australia, and also drew on some studies from the UK, the EU, Canada, and the USA. The principal objectives were to reach a clearer understanding of the economic impacts of refugees, and to understand how methods of impact assessment influence findings. Following are some of the key points from that review which draw our attention towards the “challenges in assessing economic impact”

Challenge 1: Distinguishing Between Refugees and other Migrants

Much research on the economic impact of refugee settlement tends to subsume refugees within broader research on migrants. Research relating specifically to refugees is sparse. The only substantial study that distinguished between refugees and other migrants did so by using country of origin as a proxy indicator.

Challenge 2: What is “Economic”?

The term “economic” may have relatively broad or narrow definitions. Studies that use narrow definitions conceptualise economic impact in exclusively quantifiable ways, such as comparing tax revenues with health and social security expenditures. Studies that use broader definitions conceptualise economic impact not only in these financial terms, but also in terms of unpaid work, contributions to social and community capital, filling labour market niches, sending remittances to families and communities overseas, and supporting Australia’s development assistance to low-income countries. Since some of these broader impacts are difficult to measure, such studies cannot easily be compared with narrow, quantitative studies. But even quantitative studies do not necessarily always measure the same thing. As Mark Cully explains[[8]](#endnote-7), calculation of impact depends on the accounting method used, whether direct accounting or net present value. More generally, varying conceptualisations of “economic” inevitably lead to inconsistent conclusions about overall impact.

Challenge 3: Varying Timescales

While policy-makers must inevitably deal with the short-term consequences of immigration decisions, the real impacts unfold over generations. According to Paterson, a number of researchers have also found that many migrants are substantially motivated to move not so much for their own benefit but for that of their children. Many of the benefits of migration accrue to the second generation, whereas the first generation tends to bear the costs.

In this context, an assessment timescale of anything less than 20 years is telling only a partial story. “Hugo, therefore, investigates the contributions of first and second generation humanitarian entrants in Australia. Yet among the quantitative models reviewed, timescales used to assess impact varied from five to 20 years. Not surprisingly, the choice of timescale significantly influences findings; studies using shorter timescales find that refugees present a net cost, while those using longer timescales generally find a net contribution.”[[9]](#endnote-8)

Although, the study by Richard Paterson is based on the Australian experiences, nevertheless, Paterson claims, they produce similar findings, of which the following are an indicative sample. Here are some examples:

* In the UK, migrants contributed £2.5bn more in taxes than they received in benefits and services in 1999-2000[[10]](#endnote-9).
* A study of 19 countries in the EU, covering the period 1993-2008, found no statistically significant evidence for the idea that relatively generous unemployment benefits encourage migration[[11]](#endnote-10).
* In Canada, most empirical studies have found that “immigration has little or no impact on domestic labour markets and government fiscal balance”[[12]](#endnote-11).

Again, the notion of refugees as an economic burden appears to be a myth. Notwithstanding the examples of Jordan, Lebanon and Turkey, which are currently accommodating the majority of Syrian refugees, there is no obvious reason to suppose that significantly larger numbers would change these findings. It is likely that the short-term budgetary cost to host nations would be proportionately bigger, but it is equally likely that the long-term economic benefits would be proportionately bigger. The economic question, then, is whether nations are prepared to accept the short-term budgetary costs to realise the opportunity of longer-term gains.

***The Security Factor***

 It is often seen as a stark choice: protect the millions of men, women and children fleeing terrorism around the world, or safeguard national security. What concerns many, from a national security standpoint, is the inability to really know the character of some who are being taken in. Even though many nations use different, rigorous vetting processes when taking in refugees, many citizens even world leaders – still worry whether they may be taking in those who will pose potential security threats to their country.

The advocates of the security-threat perspective holds that since the early 1980s, international migration has moved beyond humanitarian, economic development, labour market and societal integration concerns, raising complex interactive security implications for governments of migrant sending, receiving and transit countries, as well as for multilateral bodies.  International migration has come to be perceived as a security issue, both in industrialized and developing countries. Questions are raised on the migration‐security nexus and the way in which the concepts ‘security’ and ‘migration’ are used. They argue that the real and perceived impacts of international migration upon national and regional security, both in industrialized and developing countries are quite evident.

However, there is also counter-argument. For example: Volker Türk, the Assistant High Commissioner for Protection, recently told in the UN Security Council Counter-Terrorism Committee in New York, “Measures to ensure access to safety and protection for those in need, including those fleeing terror, can also help safeguard the security of transit and host countries and communities”. There are currently 21.7 million refugees worldwide, among them more than five million who have fled more than six years of war in Syria, the majority of them seeking refuge in the countries immediately neighbouring their war-torn homeland.

In response to refugee flows, some countries have imposed restrictive border controls or visa requirements, which - while often justified in the name of security – do little to achieve this.

Far from making host countries safer, such approaches could aggravate security risks by driving refugees into the arms of smugglers and traffickers and creating a situation that terrorist groups can exploit, Türk cautioned. Furthermore, branding refugees as security threats “risks opening the door to xenophobic and racist rhetoric and can even lead to physical attacks directed against refugees,” he said.

 ***The Cultural Factor***

 The advocates of the so-called economic factor against refugees argue that refugees cause harm to their host nations, mainly by draining state resources. However, this position is typically underpinned by ambivalence towards foreign cultures, and its advocates might refer to **threats to national and cultural identity**, and to community safety, posed by some unfamiliar group of people. Let us call this the nationalist stance.

The essential narrative of bigots is that our European world is collapsing under the onslaught of mass arrivals from cultures that we cannot possibly mingle with. In France, a theory called the “great replacement” has spread to large parts of the right and certainly the far-right. It states that, as a result of immigration, the nation’s core population is set to be replaced by non-European outsiders who will wreck the country’s identity. There are also echoes of this in Germany’s “Pegida” movement, whose full name is “Patriotic Europeans against the Islamisation of the west”[[13]](#endnote-12).

Thousands of people have begun taking to the streets of the German city of Dresden every Monday to protest against what they see as the “Islamisation of the West”, despite condemnation from Angela Merkel, the Chancellor, among others. France, which has Western Europe’s biggest Muslim community of around five million people, has seen the rise of Marine Le Pen’s far-right Front National to become the most popular party in the country.

In this context, let us consider the popularity of Michel Houellebecq[[14]](#endnote-13) – the French novelist, whose reputation as a provocateur goes back to *Atomised*, his second novel, which describes in agonising detail the sexual adventures and dysfunctions of two half-brothers whose lives are overwhelmed by hatred of their dying hippy mother. Like his new novel Soumission (*Submission* in English version), *Atomised* had a prophetic theme, set in a time when cloning takes the place of sexual reproduction.

The new novel (*Submission*) is set in France in 2022, where the Socialist president François Hollande’s second term has led to such turmoil that extreme-right “nativists” and Muslim youths stoke violence in the streets. The final round of the presidential election sees the far-right Marine Le Pen facing the talented and ambitious Muhammed Ben Abbes of France’s new party, the Muslim Fraternity, who sweeps to power backed by all the mainstream parties keen to keep Le Pen out. Under Ben Abbes, order is restored, Islamic law comes into force, polygamy is encouraged, women are veiled and the troublesome unemployment rate finally drops after women are removed from the workplace and sent back into the home. All is told through François, a middle-aged, spiritually barren academic, who between paying for sex and eyeing up his students, mulls over whether to convert to Islam to get ahead.

Now, taking the three kinds of threat perception of the host countries/people in mind, let us assess the cases of the Syrian Refugees in the West and the Rohingya refugees in Asia.

***The Syrian Refugees in Europe***

Few if any predicted the extent of mass migration across Europe in the wake of the Arab Spring and atrocities in Syria. As the authors point out, it is both a migrant and refugee crisis, and it tests European resolve, economic policy, and the consequences. With it a tide of right-wing populism and intense nationalism has risen, running counter to the long constructive evolution of Europe since World War II.

In August 2012, the first Syrian refugees started migrating by sea to the European Union. Under the Dublin Regulation, an asylum applicant in one EU country, must be returned to that country, should they attempt onward migration to another EU country. Hungary is overburdened in 2015 by asylum applications during the European Migrant Crises, to the point that on 23 June its refuses to allow further applicants to be returned by other EU countries.[[15]](#endnote-14) Germany and the Czech Republic suspend the Dublin Regulation for Syrians and start to process their asylum applications directly.[[16]](#endnote-15) On 21 September, EU home affairs and interior ministers approve a plan to accept and redistribute 120,000 asylum seekers (not only Syrians) across the EU. The Czech Republic, Hungary, Romania and Slovakia opposed the plan and Finland abstains. Poorer countries express concerns about the economic and social cost of absorbing large numbers of refugees. Wealthier countries embrace ethnic diversity and are able to offer more humanitarian assistance.

Large numbers of refugees cross into the EU and by mid-2015 there are 313,000 asylum applications across Europe. The largest numbers are recorded in Germany with over 89,000, and Sweden with over 62,000. More than 100,000 refugees cross into the EU in July 2015, and by September over 8,000 refugees crossed to Europe daily, with Syrians forming the largest group.

By 21 December 2015, an estimated 500,000 Syrian refugees have entered Europe, 80 percent arrived by sea, and most land in Greece.On 19 February 2016, Austria imposes restrictions on the number of refugee entries. Slovenia, Croatia, Serbia and Macedonia announced that just 580 refugees a day will be allowed through their borders. As a result, large numbers of Syrian refugees are stuck in Greece. There are fears that Greece won't be able to cope with the thousands stranded in the reception centres scattered across the mainland and the islands of Lesbos, Kos and Chios.

Although, the present dissertation is about the Syrian refugees in Europe, it cannot ignore the role of the United States too. The U.S. policy toward refugees from the war-torn Middle East remains bound by the [*infinitesimal*](http://www.start.umd.edu/sites/default/files/files/publications/START_IUSSDDataTerroristAttacksUS_1970-2011.pdf) chance that a foreign terrorist might exploit humanitarianism to kill an American on U.S. soil. Since 2011, the U.S. has resettled just under 1,900 Syrian refugees. But the war in Syria, more than seven years old, has displaced more than 12 million people. Over 4 million Syrians—roughly [*one in five*](http://www.npr.org/sections/parallels/2015/09/22/442520787/the-flood-of-syrian-refugees-puts-isis-on-the-defensive)—have left the country, flooding the region and overflowing into Europe. Turkey has registered about [2 million](http://data.unhcr.org/syrianrefugees/regional.php) Syrian refugees; Germany promised to accept 800,000 in 2016.

For a Syrian refugee fleeing the war and seeking a new life elsewhere, what comes first is registration with the United Nations’ refugee agency, the UN High Commissioner for Refugees. All of the more-than-20,000 applications by Syrians for refuge in the United States received since 2011 have come from UNHCR, according to the State Department. UNHCR conducts rounds of interviews, first establishing identity and taking biometric data and later digging deeper into previous lives. UN workers determine whether a refugee falls into any of about 45 “categories of concern,” from serving in particular government ministries or military units to being in specific locations at specific times, even missing family members. Given the UN agency’s limited resources and the urgency of so many cases, almost any flag will scuttle the refugee’s case indefinitely, said Larry Yungk, a senior resettlement officer who has worked on refugee resettlement for 35 years. Yungk helped start the Iraqi program in 2007 and now focuses on Syrians.

“These are things that would require more work, and since we have so many needs they tend to get deprioritized,” Yungk said, even though some concerns have nothing to do with security. “The stage we’re at is basically applying a very fine filter—even if there’s a question, we’re not going to proceed with resettlement.” On average, UNHCR is screening out at least half of the cases, according to Yungk. Still, he said, technology is rapidly improving security capabilities so they can focus on humanitarian priorities: UNHCR has already registered roughly 1.5 million refugees through iris scans. “There’s really not a way to game that system,” he said. “My assessment is it would be very difficult to get through the system checks we have in place.”

 ***Rohingya Refugees in Asia***

Since August 2017, hundreds of thousands of Rohingya people – a majority-Muslim ethnic group from Myanmar’s Rakhine state – have been subjected to extreme violence and persecution, forced to flee from their homes to the Cox’s Bazar district in Bangladesh. Traditionally, when we think of refugees and their needs, we focus on addressing the most urgent needs – access to food, water, shelter, and basic medical care. What may not immediately come to mind is that many refugees arrive to refugee camps with significant pre-existing health conditions.

At home in Myanmar, they are unwanted and denied citizenship. The Rohingya are seen by many of Myanmar's Buddhist majority as illegal migrants from Bangladesh. Fleeing persecution at home, they began arriving in India during the 1970s and are now scattered all over the country, many living in squalid camps. Outside, they are largely friendless as well. For example, the Indian government has officially declared that Rohingya living in India pose a clear and present danger to national security. First, a government minister kicked up a storm earlier this month when he announced that [India would deport its entire Rohingya population](http://www.bbc.co.uk/news/world-asia-india-41144884), thought to number about 40,000, including some 16,000 who have been registered as refugees by the UN.

However, the Indian reaction to the Rohingyas was far from her usual practice of giving shelter to different refugee groups even without being a signatory to the 1951 Convention or 1967 Protocol. And the ‘**security factor’** was played by the government this time to deny their asylum in India. On September 18, 2017, the Indian Government told the Supreme Court that the Rohingya Muslims are "illegal" immigrants in the country and their continuous stay posed "serious national security ramifications"[[17]](#endnote-16). The Centre's affidavit, filed in the apex court Registry, said the fundamental right to reside and settle in any part of the country is available to citizens only and illegal refugees cannot invoke the jurisdiction of the Supreme Court to enforce the right.

The Centre said that since India is not a signatory to the Convention Relating to the Status of Refugees, 1951, the obligations concerned to non-refoulement is not applicable. "That the provisions of Convention Relating to the Status of Refugees, 1951 and Protocol Relating to the Status of Refugees, 1967 cannot be relied upon by the petitioner since India is not a signatory of either of them. It was submitted that the obligation concerning the prohibition of return/non-refoulment was not obligatory for a non-signatory India.

The government's announcement has come at what many say is an inappropriate time, as violence in Myanmar's western Rakhine state has forced more than 400,000 Rohingya Muslims across the border into Bangladesh. When petitioners went to the Supreme Court challenging the proposed ejection plan, Narendra Modi's government responded by saying it [had intelligence](http://indianexpress.com/article/india/rohingya-illegal-migrants-are-terror-threat-government-to-supreme-court-4849909/) about links of some community members with global terrorist organisations, including ones based in Pakistan. It said some Rohingya living here were indulging in "anti-national and illegal activities", and could help stoke religious tensions.

In 2015, a group of Indian researchers said the image of Rohingya in India was "unenviable - foreigner, Muslim, stateless, suspected Bangladeshi national, illiterate, impoverished and dispersed across the length and breadth of the country". "This makes them illegal, undesirable, the other, a threat, and a nuisance," the paper said.

This also makes them, says analyst Subir Bhaumik, "a favourite whipping boy for the Hindu right-wing to energise their base". "Remember how the issue of the Bangladeshi illegal migrant was invoked by Mr Modi and his party during the 2014 election campaign?" he said, referring to the prime minister's efforts to generate support from his Hindu base in areas with many migrants.

In the meantime, UNHCR, the UN refugee agency, has given a call on 22 August, 2018, on the international community to step up its support for some 900,000 stateless Rohingya refugees in Bangladesh and show solidarity with their generous hosts. The collective international responsibility for protecting and finding solutions for these refugees must remain a priority for all countries in the region and beyond.

Ensuring the physical safety of refugees is one of the greatest concerns of UNHCR and its allies. Refugee protection regime was created with aim of giving protection to those fleeing ones who lives are under direct threat. It means that the refugee protection has always been related to larger security issues which in turn influence the willingness of the states to provide asylum to refugees, they also determined the quality of refuge provided. Added to this, a sense of “otherness”—cultural, racial, political, religious—of the refugees play a significant role in the mind of the people of host country which obliges the state to reframe its asylum policy. At another level, insecure environments weaken the ability of UNHCR and allied humanitarian agencies to assist and protect refugees—and thus to uphold their basic rights.[[18]](#endnote-17) In contemporary time one of the primary concerns of UNHCR’s operation is the security concerns within the global refugee protection regime which motivate state responses to refugee flows. Keeping the environmental calamities aside for a moment, refugees are often been a by-product of war/civil war, ethnic cleansing. Hence, there is a nexus comprised national and international security concerns and humanitarian assistance and asylum.

The recent refugee crises in Europe and South Asia have drawn our attention on to this very aspect when a large number of refugees from both the region denied adequate asylum. Russian authorities approved only half of the temporary asylum applications they received from Syrian nationals in 2017.[[19]](#endnote-18) However, in the context of south Asia recent ethnic cleansing in Myanmar resulted in statelessness of a mammoth number of people called Rohingya. While neighbouring country Bangladesh has decided to provide asylum to them, India which has been bearing a humble history of providing asylum, is seeing Rohingya as a threat to national security and has decided to deport close to 40,000 Rohingya Muslims live in India after fleeing Myanmar over the past decade. Nearly 15,000 have received refugee documentation, according to the United Nations, but India wants to deport them all[[20]](#endnote-19) viz-a-via the majority of European believes that influx of refugees across the continent has led to an increase in the likelihood of terrorism. According to a survey by the Pew Research Centre, in eight of the ten European countries surveyed at least half are concerned about the terror threat.[[21]](#endnote-20)

In the present study we sought to understand the various forms of threat and the link between threat and state asylum policy. We have tried to analyse three kinds of threats – economic, cultural and security – perceived by the host states/people about the refugees in general and the Syrian refugees and the Rohingya stateless people, in particular. Among other factors, the **cultural factor** seems to be very crucial because mostly the economic and security factors are generally played to clothe the xenophobic nativist perception of the host countries, and this threat perception will not vanish, even one shows the almost emptiness of the economic argument, and even the security argument against the asylum seekers. Only the political will on the part of the government, the UN, and other organisation to foster an ethic of hospitality and inculcate the ethos of multicultural pluralism can solve the problem in distant future.

**Notes**

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