

CHAPTER I

INTRODUCTION

A. Problem Background

The Rohingya is a Muslim group residing in the Arakan State in Burma. They are people with a distinct culture and civilization of their own. They trace their ancestor to Arabs, Moors, Pathans, Moghuls, Bengalis and some Indo-Mongoloid people. Early Muslim settled in Arakan date back to 7th century AD. Burma is a home to numerous ethnic groups about 60% of the area is inhabited by nearly 140 ethnic races and Rohingya is one of them. Burma has a population of about 50 million of which nearly 8 millions are Muslims. Of the Muslim population, about 3.5 millions (both at home and at the places of refuge) are Rohingyas of Arakan. The Rohingyas are the majority community in Arakan. Due to the large scale persecution through ethnic cleansing and genocidal action against them, about 1.5 million Rohingyas have been forced to leave their hearth and home since Burmese independence in 1948. This unfortunate uprooted people are mostly found in Bangladesh, Pakistan and Saudi Arabia; also in UAE, Malaysia and Thailand.¹

In 1991, the Rohingyas started to flee to Thailand. It's in the range of the monsoon waves settle down between October and February of each

¹ Islam, N. (2006). Facts about the Rohingya Muslim of Arkan

year, which is a moment that the Rohingya will travel to Thailand.² In January 1999, the news of Rohingya refugees from foreign media and the group of human rights organization disclosed to the world that Thailand naval abuse of pushing Rohingya refugees by leaving them float in the sea. In 2006, The Navy of the Andaman Sea detected immigration escaping and arrested many of Rohingya people. The number of Rohingya living in Thailand is increasingly attributed to most of Rohingya that lived in Thailand is all the Islamic men. The security forces of Thailand noted that, Rohingya Muslims might be connected to the issues of unrest in the three southern border provinces of Thailand.

In 2007, The Navy with agencies in the area arrested 1,158 of Rohingya people with 21 vessels policy implementation of arresting and pushing illegal immigrants out of territorial waters. It is a policy which has become a system since 2007, especially in Ranong, Phang Naga and Phuket.

In December 2008, the Navy was notified by park officials of Surin archipelago that they have found 205 people of Rohingya. Director of the Internal Security, region 4, sector 1 is the main director resolving illegal immigration of Rohingya in Ranong and Phang Nga. In January 2009, the 3rd Navy detected 78 illegal immigrant of Rohingya at the

² Prachanai. (2005, September 30). <http://prachatai.com/journal/2013/02/45266>. Retrieved April 10, 2013

estuary of Ranong. The total of illegal Rohingya detained at the Ranong immigration to await the repatriated policy is 86 people. In February, the Rohingya detained at the Ranong immigration. The representing of Myanmar Embassy in Thailand examined background and their family history, fingerprinted and record about the boat travel. The Rohingya said Thailand officials' military attacked them when they seriously injured. In March, the Embassy of Bangladesh Came to prove citizenship and check the individual status, it was found that there were citizenship of Rohingya in bangladesh 29 people, which were successful returned to Bangladesh, remaining a group of Rohingya in Ranong immigration are 57 people. Between the months of November to April of each year, the group of Rohingya found on the ship is mostly males instead of women or children. The Rohingyas planned to travel to a third country, using the Thailand as passageway to Malaysia or Indonesia to find a job. Group of people who claimed to be Bangladeshi, 29 people were sent to detention at an immigration office in Bangkok Thailand. The remaining 49 people had to wait the implementation of Thailand government, which is under negotiation with the Burmese government. In June, the Rohingya in Bangkok was informed that Mr. Abdul Salam aged about 20 year-old died in Ranong immigration. In July, the Rohingya requested a help from human rights organizations to create a paper book asking Thailand government to suspend the repatriated to Burma. In September, Ranong immigration found Rohingya with ship approximately 30 feet by the 3rd

navy. Subcommittee on Civil and Political Rights received complaints and investigated the facts concerning of Mr. Abdul Salam, 20 years old, and Mr. Hama Dola 15 years who died in detention of Ranong immigration. It was found that the number of deaths increased by 1 after transported from Ranong immigration to Suanphlu. From inspection of NHRC, it was found that 78 Rohingya people in Suanphlu immigration that were detained for two years cannot return their own country. After NHRC has coordinated assistance in bail a Pakistani sect Amadeya, related agencies have processed the policy to releasing the Rohingya by pushed them back to the frontier of the West and that assume the Rohingya want to go through another country, we help them and provide food water and oil according to humanitarian principles. PM Abhisit Vejjajiva said he could not pinpoint the government who is practically in the charge, but he said he was working on rectifying the problem.

It's not exactly clear whose work it is. All the authorities say it's not their policy, but I have reason to believe some instances of this happened, but if I can have the evidence as to whom exactly did this I will certainly bring them to account.³(Vejjajiva, 2009)

The influx of Rohingya to Thailand during 2011-2012, more than 2,000 people changed from a large group and spilled in a small group. In

³Rivers, D. (2013, June 5). Thai PM admits boat people pushed out to sea. Retrieved February 12, 2014, from <http://edition.cnn.com/2009/WORLD/asiapcf/02/12/thailand.refugees.admission/>.

2012, Immigrant refugees escaping during the period from 2011-2012 while found has already implemented a total of 28 times. An agency took control and pushed out a total 2,177 people outside the Kingdom of Thailand. In January 25, 2013, There are 1,390 persons detained which consisted of men - women – children as it is shown shown in Table immigration officer concluded. By the detained Rohingya in detained of the Office of Immigration Sadao, Padangbezar, and Ranong.

Thai's governments prior to Yungluck led government adapted a strict policy toward Rohingya refugee. PM Aphisit rejected the influx of refugee from Myanmar as all previous government did that because they considered the Rohingya refugees as an illegal immigrant as any other immigrant so the government is supposed to take an action the same by sending them back to their home.

However, during PM Yingluck era, the government policy changed significantly. They said that they will allow and control the Rohingya to stay temporarily within 6 months. It means that Thai government has to take responsibility on Rohingya refugees as refugees (not illegal immigrant) even though Thailand is not a party to the 1951 Convention or its 1967 Protocol. As a result, this refugee may have the impact on national security and any aspects.

B. Research Question

According to the problem background above, the research question towards this thesis is,

“Why did P.M.Yingluck change the policy towards Rohingya refugees by allowing them to temporarily stay in Thailand?”

C. Theoretical Framework

1. Public policy

Generally public policy as it is the case in social sciences, does not have acceptable definition. This is partly because, the term means different thing to different people. Thus, scholars and policy makers conceptualize public policy implicit in their experience, environmental consideration and objectives they intend to achieve. In spite of this problem, scholars and experts have attempted with fair degree of objectivity to conceptualize the term for concise understanding and intellectual explication.

To answer the research question, this undergraduate thesis uses theory of public policy because in this case the policy of Yinluck’s government towards rohingya refugee is considered as public policy.

“A purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern for the population...Public policies is those developed by governmental bodies and officials. (Anderson,1994) ”⁴

⁴ James E, A. (1994). *Public Policymaking: An Introduction*

This definition implies:

1. Public policy is goal-oriented (purposive)
2. Public policy is a process/pattern of actions instead of single actions (course of action)
3. Public policy may affect more than just those involved (for the population).

Anderson's definition also implies that the purpose of public policy is to deal with public problems. We have replaced one abstract term with another. We must then ask "what is a public problem" and "what distinguishes public problems from their problems."

“Public policy development is an iterative process, rather than a linear one.

There are five key phases which result in public policy:⁵”

1. The emergence of a problem that requires the attention of the public and decision makers.
2. Placing this problem on the government's agenda in order to find a solution.
3. The formulation of various alternatives to resolve the problem.
4. The adoption of a policy.
5. The implementation and evaluation of the policy.

⁵ Mackay Melissa, S. L. (n.d.). *Understanding and Applying Basic Public Policy Concepts*. University of Guelph. Page 1

In reality, the process is less orderly than this: the idea of a 'cycle' facilitates more organized thinking about policy⁶

The policy cycle links a variety of key players in the policy process through their involvement with the different stages. Individuals, institutions and agencies involved in the policy process are called actors. Government is often thought of to be the only entity involved in policy making. Government does have the ultimate decision making and funding power, but there are many other factors that contribute to public policy, often in a network on which government relies for the delivery of complex policy goals.

- Government: social control of behavior, power of coercion
- Cabinet: monopoly over supply of legislation, locus of power- few people make decisions
- Public Servants: technical knowledge and policy advice, service providers
- Political Parties: develop relationships in exchange for political support
- Media: report information to the public, generate interest, and shape public opinion
- Interest Groups: seek to advance interests of members, can have a major influence- can force policy network to react

⁶ Ibid, p.2

- Legal system: interpret laws, acts independently public: elects government, forms opinions, joins interest groups and coalitions, relies on the media for information⁷

Policy instruments are techniques at the disposal of the government to implement policy objectives. After the issue/ problem is defined, tools are found to achieve the desired outcome. Examples of policy instruments used are expenditures, regulations, and partnerships, exchange of information, taxation, and licensing, direct provision of services, doing nothing, contracts, subsidies and authority. The purpose of policy instruments are to:

- Achieve behavior change within individuals
- Realize social, political or economic conditions
- Provide services to the public

Government's choice of policy instruments is bound most importantly by past actions (policy instruments the current government has used in the past). Other restraints include financial, social, international and cultural pressures. The political framework may be the largest constraint. The types of policy instruments available to government include:

- Doing nothing: decide not to intervene. There may be no problem, financial constraints or precedents that cause the government to choose to do nothing. Or, the problem may be self-corrective

⁷ Ibid pg.3

- Information-based: influence people through knowledge transfer, communication and moral persuasion (behavior is based on knowledge, beliefs and values). This is the least coercive of the instruments
- Expenditure-based: money is used as a direct instrument to achieve outcome (grants, contributions, vouchers, etc.)
- Regulation: government's role is to command and prohibit - this is the most widely used instrument/ tool. It defines norms & acceptable behavior or limits activities
- Acting directly: providing a direct service to achieve outcome (rather than working through citizens or organizations to achieve goals).

Policy instruments used by governments are now being influenced by:

- Government and Governance: financial and regulatory policy instruments are constrained within a new governance environment (increase in policy networks)
- International Influence: environmental policy, taxation and fiscal policy are now subject to international pressure.⁸

Based on policy instrument above, Thai government of Yingluck now being influenced by both domestic and international pressure. The instrument used by Information-based which is concerns the morality and belief because of

⁸ ibid

the domestic pressure as well as many NGOs and Muslim movements are asking for the humanity and human right in order to help the Rohingya refugees.

2. *System politics, David Easton*

Theory is the correlation of the concept which linked into a series of reasoning. The theory also shows how the concept logically interconnected. Theory is the most common explanation that member know why things happen, and when something is expected to happen, so in addition to explanatory theory is also the basis for prediction. In here, the theory of System politic of David Easton will explain the decision making process why did Yingluck government decided to provide a temporarily stay to Rohingya refugees.

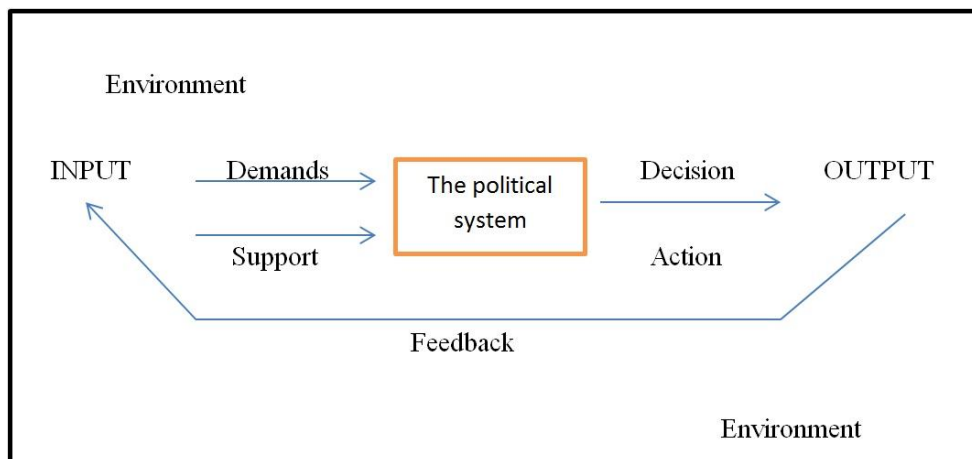


Figure.1 System politic model

From the picture above, we can see that the system consists of several units in environment, Input (demands and support), the political system and output as the result of processes⁹.

a) Environment

Environment is one of the important factors within a system of politics, which is the forming of a system supported by the environment. Hence, environment gives significant impact toward the system of politics within states¹⁰. In this case, we can see Thailand as one of the state that is also facing the Rohingya refugee exodus. Therefore, here the society and many press media as well as NGOs in Thailand categorized as the environment refers to the model of political system by David Easton

b) Input (demands)

In this unit, a demand is one of the input points that can be proposed by the political party and interest group. According to David Easton's, the demands is the will of society about some matters that need to be fulfilled by the government. It would be some policy or another program of government that still cannot give the satisfaction for the societies¹¹. Hence, in this case, the demands is come from Islamic communities and NGOs as well as UNHCR needs to government in order not to send the Rohingya

⁹ Masoed, M. (1989). *Perbandingan Sistem Politik*. Gajah Mada University, Yogyakarta

¹⁰ Ibid

¹¹ ibid

back to the sea or Burmar but allowing Rohingya to stay in Thailand insteadly.

c) Output

The last part of the system is an output, which is the last process from David Easton theory. Some output are also called the main purpose of this process, because start from input, decision making process and output. Here, we will know what policies that created by the government in order to fix the problem or fulfill the society's demands. Hence, every decision that takes by government as the policy will be felt by the societies. Every process of this political system is same which is about the demands from the people and the policy from the government.

D. Hypothesis

From the theoretical perspective, the hypothesis is as follows: Yingluck government changed its policy toward Rohingya refugee because of international and domestic factors:

1. International pressures on the government: the UN and several NGOs tried to force Thai government on using 'humanitarian 'means to change the policy.
2. Domestic pressures from Muslim community as well as human rights groups called upon the human right on giving aid to the Rohingya refugees.

E. Purpose of Research

1. As the requirement to fulfill one of the subject of international relations studies.
2. To describe and explain the phenomena and the situation of Rohingya in Burma.
3. To implement the political concept of international relations directly to explain the Thailand foreign policy in order to overcome the problem of Rohingya refugees.

F. Research Method

The research is using descriptive methods. This method is used to describe and analyze about how Thailand overcomes the Rohingya refugees. This research uses library research to collect secondary sources which data are from books, journals, internet, newspaper and other related resources.

G. Range of Research

The range of research is focused from 2011 until 2013. However, the research is opened for other relevant data outside that range as long as it is connected to support research.

H. System of Writing

This thesis is written by following a certain outline. First, chapter comprises background, research question, theoretical framework, hypothesis, purpose of research, research method, a range of research and system of writing. The second chapter investigates the influx of rohingnya refugee and the previous policy toward the refugee.

The third factor investigates the international factor i.e. international pressures which forced Yingluck government change its policy towards Rohingya refugees. The fourth factor contains the domestic factors i.e. domestic pressure which forced Yingluck government change its policy towards Rohingya refugees. The final factor is the conclusion

