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Refugees, Displacement and Forced Migration in Asia: Charting an Inclusive Research Agenda

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Refugees, Displacement and Forced Migration in Asia: Charting an Inclusive Research Agenda[1]

INTRODUCTION

Since the 1920s, a variety of international agreements, conventions, protocols and policies addressing refugee issues have been advanced to address problems of human displacement internationally. Of these, the 1951 UN Convention Relating to the Status of Refugees and the 1967 Protocol are considered key international legal instruments, and the United Nations High Commissioner for Refugees (UNHCR) is recognised as a leading international institution that coordinates humanitarian intervention. However, it can be said that many of these international bodies and legal instruments are predominantly Eurocentric in origin and have limited reach over the different types of forced migration circumstances we see today. Researching human displacement or forced migration in Asia throws up a particular set of epistemological and political issues that are deserving of critical study. According to the latest UNHCR figures for 2013, there are 2,589,230 refugees in South-West Asia, 4,810 in Central Asia, 255,570 in South Asia, 206,860 in South-East Asia and 344,410 in East Asia and the Pacific. From the ten major source countries of refugees in the world, five are Asian: Afghanistan, Syria, Myanmar, Iraq, and Vietnam[2]. The list of top ten refugee hosting states in the world includes six Asian states: Pakistan, Iran, Jordan, Turkey, China, and Lebanon. Asia also has the world's largest protracted refugee situation consisting of 2.7 million registered and another two million undocumented Afghan refugees in Iran and Pakistan. [3]

While such statistics influence policy decisions and popular portrayals of forced migration, they belie the epistemological assumptions made about geographical organisation (into countries and regions), the categorisation of personhood, and the legitimacy of institutional intervention. Domestic, regional and international governance regimes operating at different scales of analyses create particular knowledge structures that have power over the lives of forced migrants. Researching forced migration in Asia reveals the sustained effects of colonial legacies and how culturally specific notions of territory, sovereignty and legal systems influence the treatment of refugees, internally displaced people and other types of forced migrants. The interface of a variety of social actors, from the institutional level to more grounded interventions by forced migrants themselves, and how their engagement has evolved temporally remain urgent issues to be unpacked by researchers.

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[1] A working paper by Interdisciplinary Network on Refugee Regimes and Human Displacement in Asia. Corresponding authors: Elaine Lynn-Ee Ho (National University of Singapore, elaine.ho@nus.edu.sg), Laura Madokoro (McGill University, laura.madokoro@mcgill.ca) and Glen Peterson (glpeters@mail.ubc.ca).

[2] Vietnam was a major source of refugees during the mass exodus of 'boat people' after 1975 and also before and after 1979 when the Hoa people fled by land to China in the context of Sino-Vietnamese tensions. Although this happened decades ago, the Vietnamese refugee situation is a defining event for the international refugee regime and debates concerning their resettlement abroad remain.

[3] www.unhcr.org, accessed 20 January 2015.

This working paper draws together the conceptual discussions of an interdisciplinary group of scholars[4] who met at the Graduate Institute in Geneva in February 2014 to explore the feasibility, merits and drawbacks and potential scope of identifying research agendas around the question of refugees, internal displacement and forced migration in Asia. In what turned out to be the inaugural meeting of the Interdisciplinary Network on Refugee Regimes and Human Displacement in Asia (INRRHDA), the group acknowledged that the questions of defining Asia as well as refugees, internal displacement and forced migration were sufficiently significant to warrant future co-ordinated research. In fact, the consensus at the meeting was that definitional questions in the Asian context were so critical and had suffered such neglect as a result of research agendas focused overwhelming on other parts of the world, namely Europe and Africa, that it is critical to take the time to explore definitional issues in order to draw attention to, and work through, some of the biases and difficulties in seamlessly translating concepts of refugees, internal displacement and forced migration from one part of the globe to another. This paper represents the first cut at drawing together the complex themes arising from the productive workshop discussions[5].

The intention of this working paper is to examine how Asia, as a region, is conceptualized in the fields of refugee studies and forced migration. This helps us better understand how international organizations (IOs) and non-governmental organizations (NGOs) engaged with the diverse refugee, internally displaced and other types of forced migrant populations found in the region, and the experiences of such persons in motion. The discussion that follows sketches out issues discussed by the group with regards to, first, how forced migration in the context of Asia is situated in international developments. Second, we consider the importance of recognising the fluidity of 'Asia' as a geographic region and its implications for researching forced migration, and lastly, drawing on these ideas, we advocate a view that is attentive to the emergence of multiple forced migration regimes historically and in contemporary times as opposed to what is more commonly referred to as the 'international refugee regime'. In the conclusion, we also underline an interdisciplinary agenda for the study of forced migration.

ASIA AND THE INTERNATIONAL REFUGEE REGIME

One of the key issues raised by the workshop participants concerns the Eurocentric character of what is often described as the international refugee regime. The term 'international refugee regime' describes the collective ensemble of international agreements, conventions, protocols, as well as the institutions, policies and practices that have appeared since the 1920s to define, address and, ultimately, it is hoped by their creators, to resolve the problem of human displacement across national borders. The bulk of the recent criticism has focused on the manner in which refugees were defined in the 1951 UN Convention Relating to the Status of Refugees, especially the convention's initial, and limited, geographic and temporal scope.

[4] The participants in this inaugural meeting are Jérôme Élie, Liv Feijen, Montserrat Canela Garayoa, Elaine Lynn-Ee Ho, Laura Madokoro, Fiona McConnell, Alessandro Monsutti, Glen Peterson, Cabeiri Robinson, Davide Rodogno, Jiyoung Song, Lina Venturas and Marjoleine Zieck. Thanks to Lukas Schemper for his research assistance. We thank as well the Swiss National Science Foundation for sponsoring this event and the Graduate Institute Geneva for hosting us. The wider Asian focus of this workshop in Geneva was inspired by an earlier event held at the National University of Singapore in 2012 (co-organised with funding by SSHRC Canada), which considered Chinese ethnicity and forced migrations.

[5] Short concept papers prepared by the participants were circulated in advance of the meeting. To streamline this working paper, we acknowledge the contributions drawn from individual concept papers in the footnotes that follow, rather than inserting them into the main text. Notably, other participants often pitched in related ideas from their own research during the workshop as well. This working paper showcases the synergy arising from the intellectual inputs of the discussions.

Even though these restrictions were meant to be addressed in the 1967 Protocol, significant concerns of Asian states about the applicability of the key instruments to refugee populations in Asia and the financial costs of complying with the Protocol for developing countries remain unaddressed.[6] Under the 1951 Convention, a refugee is defined as someone with a "well-founded fear of persecution" who is outside his or her country of origin. This definition privileges individual persecution on the basis of their identity and membership in a particular social group, or on the basis of race, religion and political opinion rather than general distress due to environmental disasters or economic crises. Its application is also confined to those who have crossed an international border, ignoring the plight of internally displacement people (a phenomenon that the UNHCR has only begun to address in the past decade). Moreover, the convention gave signatories the option of limiting its scope of application to events arising out of conditions in Europe before 1 January 1951. All of the initial signatories adopted this clause, removing vast numbers of people fleeing persecution as well as more general distress outside of Europe from its scope of application.

This was the case in spite of the fact that, at the time the Convention was drafted and introduced for signature, there were a number of major refugee and forced migration situations in Asia. Indeed, UNHCR's predecessor organizations, the United Nations Relief and Rehabilitation Administration (UNRRA) and the International Refugee Organization (IRO) both operated in Asia. While UNRRA's activities in China were concentrated in the fields of public health and economic rehabilitation more than refugee relief *per se*, UNRRA also assumed responsibility for the repatriation of around 12,000 overseas Chinese refugees from the Chinese mainland to their homes in Southeast Asia after the war. IRO inherited this mandate and was also charged with evacuating White Russian and Jewish refugees from China after the war.[7] Despite this, however, the major refugee crises that erupted in Asia in the decade following the end of the Second World War were excluded from the purview of the international refugee regime. These included people fleeing the violence that followed the partition of the Indian sub-continent in 1947, refugees from the Korean war, major population movements in Indochina, Malaysia and Indonesia stemming from various decolonization efforts as well as people moving from mainland China following the establishment of the communist People's Republic of China in 1949. As much as these movements were written out of the scope of the 1951 Convention and the mandate of the United Nations High Commissioner for Refugees, charged with administering the Convention, this erasure was not preordained; nor was it the reality on the ground.

The decision to limit the definition of a refugee to an individual who had a "well-founded fear of persecution" as a result of events arising in Europe prior to 1 January 1951, depended on states making a specific declaration to this effect. Moreover, the UNHCR and ICEM started operating outside Europe very early, particularly on behalf of refugees of White Russians and Jewish origins in Asia. It is also noteworthy that non-European states such as China, India and Pakistan participated in the 1951 Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons. Furthermore, in the process of its creation, countries such as India and Pakistan expressed their opinion about the nature and role of the UNHCR, arguing that it "should be a strong, permanent organization with the ability to raise funds for material assistance on a voluntary basis."[8] The historical record thus suggests that Asian countries, and

[6] Sara Ellen Davies, *Legitimising Rejection: International Refugee Law in Southeast Asia, Refugees and Human Rights*, Leiden and Boston, Martinus Nijhoff Publishers, 2008.

[7] On UNNRA's activities in China, see Rana Mitter, Imperialism, transnationalism and the reconstruction of postwar China: UNRRA in China, *Past and Present*, 2013, pp. 51-69. On IRO in Asia, see Meredith Oyen, The right of return: Chinese displaced persons and the international refugee organization, 1947-56 and Tina Chen, Chinese residents of Burma as refugees, evacuees, and returnees: Reports on moving home, both in *Modern Asian Studies* (forthcoming); and Louise Holborn, *The International Refugee Organization, A Specialized Agency of the United Nations: Its History and Work, 1946-1952,* Oxford, Oxford University Press, 1956.

[8] Gil Loescher, *The UNHCR and World Politics: A Perilous Path*, Oxford, Oxford University Press, 2001, p. 44.

refugee situations in Asia, were implicated in how the character of the 1951 Convention Relating to the Status of Refugees and the associated regime of protection and resettlement developed. Still, debates are now emerging in many disciplines about the extent to which refugee, internal displacement and forced migration issues in Asia can be considered apart from the refugee regime that developed around the European question in the postwar period. The majority of states in Asia are not signatories to the 1951 Convention and yet they host refugees formally or informally. Many Asian states are signatories to the Asian-African Legal Consultative Committee (AALCC) which instituted the Bangkok principles recognising the existence of refugees and non-refoulement, but this serves only as a guide and whether to apply them to displaced persons within a particular jurisdiction remains the decision of the state.[9]

The question of how to define various types of forced migration and refugee movements has characterized the fields of refugee studies and forced migration almost from their outset. How to define subjects of study is a key issue for scholars working in Asia and an entry point in which research on the Asian situation might contribute to wider discussions and debates in the fields of refugee and forced migration studies. For example, scholars working on issues pertaining to refugee, internal displacement and forced migration experiences in Asia have been particularly attuned to the politicized aspects of the refugee identity in the Asian context partly because of the need to justify refugee and forced migration experiences that do not fit the limited definition of the 1951 Convention. The challenge is to write the Asian refugee experience into a wider global narrative without losing sight of the specificity of particular regional situations. Indeed, for refugees and forced migrants that do not fit the contours of the very limited definition, there is the question of whether their experiences even fit into the general field of "refugee studies".

As such, one of the debates focuses on the very definition and treatment of refugees.[10] Questioning the refugee label means engaging with how systems of state sovereignty or the bureaucracies of international organizations and non-governmental organisations are imposed upon displaced persons compared to the narratives that displaced persons present of their own situation and the alternative normative orders they develop.[11] Another approach is to critically embrace the refugee category while raising questions about the work that the category does in practice, such as how it is appropriated by refugee communities in their interactions with state actors, or denied to them by states or international organisations (thus disrupting conventional mappings of 'citizen' and 'refugee' onto ideas of statehood and statelessness). The denial of refugee status to internally displaced persons renders them less visible in the eyes of the international community as their situation becomes subsumed under domestic affairs. In cases of political persecution, displaced persons remain under the sovereignty of the state in which they are located even if it is that same state that enacts persecution towards them. The reach of international law is restricted in situations where domestic jurisdiction prevails. Thus, "the epistemological ordering of displacement — the process of identifying a person as a refugee, or defining a group as a refugee population — is an inherently political project that orders international relations by categorizing migration and assigning different values to dislocation experiences".[12] One can add that not

[9] Davies, *Legitimising rejection*.

[10] Bridget Hayden, What's in a name? The nature of the individual in refugee studies, *Journal of Refugee Studies*, 19, 2006, pp. 471-487; and Roger Zetter, More labels, fewer refugees: Remaking the refugee label in an era of globalization, *Journal of Refugee Studies*, 20, 2007, pp. 172-192.

[11] In their concept papers, Alexander Horstmann and Fiona McConnell urge for more critical analyses of the refugee categories, including how these are deployed by states and NGOs in comparison to refugees' lifeworlds. Elaine Ho makes similar arguments, albeit with respect to internally displaced populations who are denied international recognition as 'refugees' because they have not crossed an international border.

[12] Cabeiri deBergh Robinson, *Body of Victim, Body of Warrior: Refugee Families and the Making of Kashmiri Jihadists*, Berkeley, University of California Press, 2013, p. 14; Cabeiri Robinson also discusses in her concept

only are international relations organized by the powerful use of categorical definitions but research agendas and ways of seeing and understanding the world as well.

The dilemma confronting scholars working on refugee, internal displacement and forced migration situations in Asia is what language to use if the groups and incidents they are studying are beyond the scope of the 1951 Convention's definition of a refugee and the international refugee regime's legal reaches. One strategy being pursued by historians working on this topic in Asia is to step away from the refugee category as a unit of analysis and instead focus on how states, historically, have dealt with "unwanted people, or people "out of place". Focusing on how states deal with their unwanted means placing greater emphasis on concepts like "surplus populations", "population transfers", "colonization projects" (by European and non-European powers) and other attempts by states and international institutions to organize the relocation of unwanted people. Crucially, starting with a focus on "unwanted populations" means that the "sovereignty issue and the embryonic international refugee system that began to be formed around it in interwar Europe is but one aspect of a much broader, global story".[13] While this broader story remains to be written, among its most important themes is the way in which colonialism and the construction of international law conspired to deny the very possibility of refugeehood to non-European peoples in the period before 1945.

The definitional debate is one that remains unresolved for scholars working on questions about refugees, internal displacement and forced migration in Asia. However, rather than being limited by the inherent problems of definitions and categories whose origins emerged in Europe in the early Cold War period and were influenced by events in Asia largely through efforts to exclude the major displaced populations from the terms of the international refuge regime, scholars have adopted varying strategies to move through and beyond categorical limitations. This includes interrogating the origins of the 1951 Convention definition and the manner in which situations in Asia influenced the framing of the convention, the definition of a refugee and the scope of state responsibilities. It also means accepting the existence of a refugee label but then asking critical questions of how that label is applied, used and, in some cases, re-purposed in practice. Another option is to reject the refugee label as a starting point and to take a wide lens to see how discussions of refugees as unwanted populations fit into a larger history of territories and states dealing with surplus populations, population transfers and so on. These three options engage with the refugee category in different ways but they do so in a way that leaves room for the category itself to be problematized, interrogated and contextualized.

Reconciling different approaches to the refugee category itself is a key step in developing a comprehensive research agenda around refugees in Asia. However, it is only the beginning. Moving forward requires reflecting upon, and selecting, a sufficiently broad umbrella that allows for a comprehensive research program that addresses the central research questions that animate the current, fragmented approach to studies of refugees, internal displacement and forced migration in Asia. The critical question of how to define "Asia" therefore has to be addressed before any such research paradigm can be elaborated.

paper the effects of decolonization processes in Asia that created refugee situations having little to do with how refugeehood was conceptualized by the international community.

[13] Glen Peterson proposed such an approach in his concept paper. As he explains, attending to "unwanted people" is not the "same thing as focusing on refugees as an unfortunate by-product of state sovereignty, which is how "refugee problems" are often approached in the existing literature." See also his Sovereignty, international law and the uneven development of the international refugee regime, *Modern Asian Studies* (forthcoming).

RESEARCHING FORCED MIGRATION IN THE CONTEXT OF ASIA

Research on forced migration inherently seeks to capture spatial movement and temporal change that is simultaneously anchored in framings of belonging and identity. As such, particularly influential in forced migration scholarship are the research paradigms associated with transnationalism and, increasingly, the new mobilities turn.[14] The expansiveness of these research paradigms appropriates different types of movements associated with human displacement, including border crossings, internal displacement, asylum and refugee routes and repatriation. But each of these forced migration routes engage with conceptual categories that have unique historical traditions and geographical distinctions, bearing significantly on the lived experiences of persons displaced. Amongst them are sovereignty, territory and the development of legal systems. Postcolonial scholars such as Thongchai Winichakul argue that the delineation of national territories attached to state sovereignty through colonisation and decolonisation processes in Asia rendered invisible the pre-existing, but unmapped, political and cultural entities, or subsumed them under national sovereignty.[15] Advocates of legal pluralism similarly contend that the development of legal systems, or customary law, through European colonial influence represents coercive means of managing the colonised populations by subordinating vernacular authority and dispute settlement institutions under the judiciary systems of the colonial state.[16]

Researching forced migration in an Asian context means taking seriously the question of what constitutes our understanding of Asia as a geographical category and the epistemological work this does in relation to those concepts and more. The notion and institutional framing of area studies has been the subject of considerable critical debate in recent years.[17] The question of "Asia" specifically presents itself as a serious epistemological research issue given the term's status as a "vague concept with many potential meaning and analytical implications".[18] Moreover, as Jane Guyer has recently argued, "the poverty and the dangers of essentialism" need to be taken into account in any attempt to define a geographic area for purposes of intellectual engagement.[19] In fact, there is not just one question to ask of Asia but many. Where does Asia begin? Where does it end? If we accept that it is a political and social construct, as many scholars contend, how was it constructed? Is this construction ongoing? In what ways? What are the implications of a limited definition of the region? What is the potential fallout from a broader conceptualization? Why bother defining Asia at all, given such conflicting approaches?

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[14] Linda Basch, Nina Glick-Schiller and Cristina Szanton Blanc, *Nations Unbound: Transnational Projects, Postcolonial Predicaments, and Deterritorialized Nation-states*, New York, Gordon and Breach, 1994; Mimi Sheller and John Urry, The new mobilities paradigm*, Environment and Planning A*, 38, 2, 2006, pp. 207-226.

[15] Thongchai Winichakul, *Siam Mapped: A History of the Geo-body of a Nation*, Honolulu, University of Hawaii Press, 1994.

[16] Teemu Ruskola, Legal orientalism, *Michigan Law Review*, 101, 1, 2002, pp. 179-234.

[17] See Gibson-Graham, J. K. (2004). "Area Studies after Poststructuralism." *Environment and Planning A* 36: 405.419; Ludden, D. (2000). Area studies in the age of globalization. *FRONTIERS: The Interdisciplinary Journal of Area Studies Abroad* 6:1–22; Schwartz, B. I. (1980) "Area Studies as a Critical Discipline", *The Journal of Asian Studies* 40:15-25; Sidaway, J. D. (2013). "Geography, Globalization, and the Problematic of Area Studies." *Annals of the Association of American Geographers.* 103: 4, pp. 984-1002; Toal, G. (2003). "Re-asserting the regional: Political geography and geopolitics in world thinly known". *Political Geography* 22:653–55.

[18] As expressed in Jérôme Élie's concept paper.

[19] See Jane I. Guyer, Anthropology in area studies, *Annual Review of Anthropology*, 33, 2004, pp. 499-523; Guyer, pp. 499.

In terms of a geographic space, Asia and Europe share one continuous landmass called Eurasia, and in the absence of clear geographical divides – such as a river, a mountain range – determining the border was, historically, a rather arbitrary affair. In the case of distinguishing between Africa and Asia, the ancient Greeks debated whether the border in the south between Asia and Libya (later known as Africa) should be the Nile or the Red Sea. Those were the three continents: Europe, Asia, and Africa (initially known as Libya). The Romans – specifically Ptolemaeus – kept this demarcation and incidentally settled for the Red Sea as the boundary between Asia and Africa, so as not to split Egypt. The demarcation of the Asian continent thus appeared to be an arbitrary affair in the sense that it was not driven by objective factors but essentially by political, commercial and other accidental motives. An interesting illustration is how some states that are arguably part of Asia in terms of their geographical location, such as Armenia and Cyprus, are nonetheless not considered to be Asian but (socio-politically) European states.[20]

A potentially productive way to approach the idea of 'Asia' as an area or region is through the notion of 'Zomia' as set out by anthropologists Willem van Schendel and James Scott.[21] Focusing empirically on the massif of southeast Asia, these scholars posit the idea of Zomia as a relational term designating a remote hill people who have actively distanced themselves from the state. Just as the notion of Zomia is premised on examining present regional heartlands from the perspective of the geographical margins, so focusing on refugees and forced migration offers important insights into wider questions around articulations of sovereignty, territory and the law in Asia.

Yet, despite significant forced migration happening in countries located in Asia, the region has been historically marginalized in the workings of the international refugee regime and the fields of refugee studies and forced migration. Connecting the region to international relations beyond it, refugee studies scholars have argued that the national interests of powerful states in North America and Europe have always taken precedence over humanitarian needs. During the Indo-Chinese refugee crisis following 1979, for instance, Betts argues that a comprehensive plan of action was instituted mainly because the interests of Northern countries, especially the United States, were at stake.[22] Barnett also observes that European states encouraged the UNHCR to adopt a role in managing internally displaced people during the Gulf and Yugoslavian wars because of concerns that these forced migrants will eventually cross an international border and flee to European countries to gain a status that recognizes them as refugees.[23]

Geopolitical concerns within as well as beyond Asia contribute to how the region is situated epistemologically and further affects policy decisions made in the context of global population flows. Within the region, prickly international relations are intertwined with various notions of humanitarianism. In the case of North Korean forced migration to China, for example, the UNHCR categorises them as 'persons of concerns' rather than refugees because China does not adhere to the principle of non-*refoulement* in spite of being signatory to the 1951 Refugee Convention.[24] A similar situation exists at the

[20] Marjoleine Zieck highlights this in her concept paper to underline how the area known as 'Asia' and its sub-divisions have arbitrarily demarcated historically.

[21] van Schendel, W. (2002). "Geographies of knowing, geographies of ignorance: jumping scale in Southeast Asia." *Environment and Planning D: Society and Space* 20(6): 647-668; Scott, J. (2009). *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*. New Haven, Yale University Press.

[22] Alexandra Betts, North-south cooperation in the refugee regime: The role of linkages, *Global Governance: A Review of Multilateralism and International Organizations*, 14, 2, 2008, pp. 157-178.

[23] Michael Barnett, Humanitarianism with a sovereign face: UNHCR in the global undertow, *International Migration Review*, 35, 1, 2001, pp. 244-277.

[24] Song Jiyoung and Elaine Ho emphasize in their respective concept papers that international organizations play a restricted humanitarian role concerning the forced migrations happening in North Korea and amongst the Kachin IDPs in Myanmar.

Sino-Myanmar border where internally displaced people (IDP) from Kachin state have relocated to flee from conflict. Few international organizations (IO) have been allowed direct access to these IDPs through China or Myanmar; both countries claim state security concerns that may jeopardise the safety of the IO personnel. In Southeast Asia, the regional organization ASEAN adopted a non-interference stance towards internal displacement in member countries,[25] preferring to focus on oiling the wheels of bilateral economic integration instead. Yet in these and other parts of Asia, the security concerns of states raised by cross-border relations impinge upon the human security of the forced migrants in question as well. How the regional imaginary of Asia is approached therefore has repercussions for the nature of knowledge production that, in turn, affects the study of and policies towards forced migrants.

Inasmuch as it is useful to compare refugee experience in 'Asia' with 'global experience', Asian forced migration also extends beyond the region through refugee resettlement abroad. By referring to 'Asian forced migration' we are thus attentive to the human displacement happening in Asia as well as the links forged by Asian displaced persons to geographies outside of Asia. In proposing for attentiveness to forced migration in and from Asia, we therefore remain aware of delicate balancing act where we need to analyse it in relation to international migration patterns and migration governance regimes, while also not essentialising the regional imaginaries in and through which we work,[26] including of 'Asia'.[27] How 'Asia' is defined influences wider knowledge production such as concerning regions/area studies but also has material effects such as articulating political visions and policy mandates, including that which affects the way forced migrants are treated and the nature of expertise deployed under humanitarian assistance.

It seems that the answer to the question of how to define Asia, is to use a critical lens attentive to its fluidity as a socially constructed geographic space and how it has evolved temporally,[28] particularly in the way refugee migrations are approached. But *how* has the imagery and functioning of 'Asia' been sedimented through accrued layers and episodes of forced migration? On the one hand, this means paying close attention to how Asia has been constituted, not from a top-down, global view but rather from the ground-up including refugee as well as local organizational perspectives (e.g. community-based organizations, religious organizations). On the other hand, it is also about critically studying how institutional narratives by international organizations such as how the UNHCR have influenced what is considered part of Asia or not, complicating the set narratives of what one understands as 'Asia'. How did the international refugee regime influence the treatment of refugees in Asia and how did Asian refugees and refugee policies / programs / emergencies impact the evolution and globalization of the refugee regime?

Understanding the situation of refugees, internally displaced persons and other types of forced migration in Asia therefore requires shifting attention to how discrete incidents in Asia – across time and space – might intersect with broader phenomena in the field of refugee studies. To this end, two research avenues are proposed. The first involves working from the sources and analyzing the definitions and

[25] Evelyn Balais-Serrano, Internal displacement in Southeast Asia, *Refugee Survey Quarterly*, 19, 2, 2000, pp. 58-63.

[26] Fiona McConnell's concept paper highlights that area studies demarcating South Asia, East Asia, South-East Asia can impede one's ability to piece together and analyze regional refugee dynamics. Nonetheless, she also acknowledges that focusing narrowly on 'Asian refugees' might also close down productive analysis on the international migration patterns of refugees and the global nature of refugee regimes, discourses and governance issues. Likewise, Lina Venturas cautions against homogenizing the entire continent, at the risk of "essentializing both 'Asia' and the 'West'".

[27] Alastair Bonnett, Occidentalism and plural modernities: Or how Fukuzawa and Tagore invented the West, *Environment and Planning D: Space and Society*, 23, 2005, pp. 505-525.

[28] Arif Dirlik, *What is in a Rim?: Critical Perspectives on the Pacific Region Idea*, 2nd edition, Lanham, Rowman and Littlefield, 1998.

mental maps of the international organizations acting on behalf of refugees in Asia (i.e. how have UNHCR, ILO, ICRC, IOM and other organisations defined Asia?).[29] The second involves approaching Asia with attentiveness to its heterogeneity and shifting to the local level to consider how international practices and knowledge is re-appropriated locally, how rights are applied in more localized context and to consider the local dimensions and dynamics of displacement. Once a composite image has been drawn, one that crosses space and time and moves from the ground up, the work of connecting Asia with events and developments in other parts of the world can proceed in-depth. We turn next to this topic.

INTERFACES AND TEMPORALITY

Forced migration entails a variety of actors, ranging from international organisations (IOs) to international non-governmental organisations (INGOs); national governments and local governments; local non-governmental organisations (local NGOs) and community-based organisations (CBOs); the local staff employed by the IOs and INGOs; and the refugees or internally displaced persons themselves. Another way of looking at this complex interplay of interactions is to foreground the dynamics and the interface within and between so-called institutional and grounded perspectives. The existence of different layers and types of legal frameworks (including the vernacular) governing refugee populations are discussed in a study of Karen refugee camps at the Thai-Myanmar border by McConnachie who underlines the legal pluralism and inter-legality, found within and enacted over camp governance.[30]

There have been a variety of inter-organisational dialogues between international organisations and INGOs with Asian states implicated in forced migration, whether as the source or receiving countries. These dialogues create a structure through which knowledge and practices are transferred. For example, the UNHCR is most closely associated with refugee resettlement but where it operates, what is done and how it operates impacts refugee lives in the present and future decision-making. On another level, the absence of the UNHCR also has implications on whether persons displaced are recognised as refugees and the nature of humanitarian assistance extended to them. Rewinding further, the genealogy and evolution of work by the UNHCR in Asia determines as well which parts of the region emerge in the archives and in the popular imagination as refugee 'hotspots' or a 'problem' for the regional or international community. At the same time, the primacy of the UNHCR in managing global refugee programmes occludes the role of other key international organisations and INGOs. Important questions remain to be asked. Apart from the UNHCR, which international organisations and INGOs have been or are active in Asia? How have their roles evolved in Asia temporally? How do their mandates lead to exclusions, especially in terms of their beneficiaries? Where were (or are) the areas of overlap or competition resulting from the various mandates? How have these dynamics played out in practice at headquarters and in 'the field'?[31]

Further, law making at the national level by Asian states in engagement with international organisations and INGOs are critical in extending protection to displaced persons. This could include bilateral treaties and protocols that have to do with international diplomacy (e.g. the ASEAN Declaration of Human Rights); cooperation agreements between the UNHCR and states dealing with refugee issues (e.g. there are more than 120 agreements internationally); or with local groups and governments-in-exile (e.g. ceasefire

[29] An idea developed in Jérôme Élie's concept paper.

[30] Kirsten McConnachie, Governing refugees: Justice, order, and legal pluralism, *Law, Development and Globalization,* New York, Routledge, 2014.

[31] Questions developed in Jérôme Élie's concept paper.

agreements).[32] The issue of time and periodisation occurs again in considerations of how Asian states have negotiated international conventions and protocols historically as the power dynamics have changed (e.g. during the Cold War and now). Further, the refugee experience in Asia is distinguished by the fact that many Asian countries lack national refugee law and are non-signatories to international refugee agreements.

Prior to 1951 when the UNHCR was formed to manage refugee protection and seek durable solutions, and even now in areas where the international refugee regime is denied access, alternative assistance has been offered to displaced persons such as through religious, community or co-ethnic local or extra-local network (e.g. Baptist or Jesuit refugee organisations). Who were the predecessors working on the ground before the arrival of international organisations and INGOS which we are more familiar with now? How do displaced persons in Asia perceive notions of protection? Where do local NGOs and CBOs fit in? Locating these social actors in analyses of Asian forced migration contributes towards grounding knowledge production and the cognitive landscapes of the persons displaced as well as the ideational structures shaping their lives.

International organizations and non-governmental organizations are obvious candidates for such analyses, but so too are local and translocal/transnational (diaspora) actors, particularly through religious or co-ethnic networks. For instance, Monsutti argues that scholars and policymakers need to attend to "the normality of movements and the prior existence of transnational networks in and around Afghanistan; the resilience and inventiveness of the Afghan population, especially illustrated by the remittance system; the relevance of migratory movements and of transnational networks for the reconstruction of the country and the stability of the region".[33] Networks and the people who inhabit them are especially important when contemplating how concepts of assistance and protection are translated from the global to the local.

Exploring the mental landscapes of practitioners as well as the genealogy of those organizations in Asia and how their experiences in this geographical space have informed their policies can shed light on the work of various regimes in Asia.[34] It would also be fruitful to put emphasis on planning and expertise, asking whether those are mainly led by Westernised experiences or how have different regimes re-appropriated those notions and whether there are Asia-specific elements? Finally, and perhaps most importantly, the people in motion need to be accounted for in any discussion of a regime, not only in terms of registering and analyzing what they have to say (their 'voice') but also what they do (i.e. their practices and strategies within the migratory experience). This approach acknowledges people's engagement with ideational structures, thus humanising refugee regimes and making space for refugee voices to be heard. Opening up questions about the nature of the international refugee regime by exploring the presence of multiple forced migration regimes also advances the possibility of thinking creatively about how various regimes are populated, and further opens up space to consider governance structures within forced migration communities themselves.

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[32] Marjoleine Zieck, *UNHCR's Worldwide Presence in the Field: A Legal Analysis of UNHCR's Cooperation Agreements*, Nijmegen, Wolf Legal Publishers, 2006.

[33] Based on a published paper shared by Alessandro Monsutti who was also one of the workshop participants, p. 59; see Alessandro Monsutti, Afghan migratory strategies and the three solutions to the refugee problem, *Refugee Survey Quarterly*, 27, 1, 2008, pp. 58-73.

[34] Amongst other observations, Laura Madokoro suggests in her concept paper that the pursuit of social biographies, such as the career trail of particular individuals, provides a means of capturing the evolution of institutional histories.

THE MULTIPLICITY OF FORCED MIGRATION REGIMES

As noted previously, the term 'international refugee regime' describes the collective ensemble of international agreements, conventions, protocols, as well as the institutions, policies and practices that have appeared since the 1920s to define, address and, ultimately, as hoped by their creators, to resolve the problem of human displacement across national borders. It is a concept that has been roundly criticized by scholars, particularly those working with refugee situations outside of the European context (geographically as well as genealogically). It is therefore critical to start from the premise of multiple regimes governing different types of forced migration (for short, multiple forced migration regimes), without lapsing into the cultural relativism associated with the 'Asian values' debates of the 1990s propagated by successful East Asian developmental states and a parallel set of scholarly views advancing the idea of alternative or multiple modernities.[35] As Dirlik suggests, adopting a view of multiple or alternative modernities does not illuminate the "proliferation of spaces and the contradictions they present".[36]

Rather, we refer to the multiplicity of forced migration regimes as an analytical tool in order to foreground, first, the existence and evolution of multiple regimes governing human displacement (i.e. not only refugees) which cut across various levels of analyses and spaces; and second, to underscore the nature of *multiplicity* contained in and enacted by these regimes (such as the manifold ways in which displaced persons experience complex and contradictory decisions made by other social actors over their lives as well as the agency they demonstrate). We suggest that studying the multiplicity of forced migration regimes paves the way for critical analyses of human displacements in several ways. Thinking about the possibility of multiple regimes provides the opportunity to critically engage with the notion of a regime. These regimes can be defined not only politically and geographically, but also culturally.

This leads us to also argue for re-conceptualizing such forced migration regimes, not as legal conventions or international relations, but humanitarian structures shaped by humanitarian workers taking part in the cultural, political and ideological struggles that produced the legal mechanisms, institutional practices, and categorical systems developed to administer aid to dislocated people. One could also move beyond humanitarian structures to understand the way that various social actors implicated in the social structure of a forced migration regime press for certain ways of managing displaced populations for different ends. Seemingly technical procedures of categorising and enumerating displaced persons, and documenting the nature or the lack of legal status accorded to them, are in fact politicised processes.[37] Exploring the existence of multiple forced migration regimes can move research on refugees, displaced persons and forced migration globally in radically different directions.

Exploring the presence of multiple regimes requires investigating the history and contemporary experiences of refugees, displaced persons and forced migrants on their own terms, rather than trying to fit them into the conventional, legal definition of a refugee. It also means avoiding the questionable distinction of 'classical' refugees and 'new' refugees that has characterized much of the scholarship in refugee studies. 'Classical' refugees are understood to be refugees displaced in Europe while 'new' refugees are from other parts of the world, implying that the latter came about only when the European continent's refugee crisis had been resolved. This terminological sleight of hand sidelines the global

[35] Sergei Eisenstadt, Multiple Modernities, *Daedalus*, 129, 1, 2000, pp. 1-29; Stanley Jeyaraja Tambiah, Transnational movements, diaspora, and multiple modernities, *Daedalus*, 129, 1, 2000, pp. 163-194.

[36] Dirlik, *What is in a Rim?,* p. 30.

[37] Alison Bashford, Global Population: History, geopolitics, and life on earth*, Columbia Studies in International and Global History*, New York, Columbia University Press, 2014.

nature of the refugee situation in the early post-war period.[38] Part of the importance in acknowledging the presence of multiple regimes, is to redress the narrative of the international refugee regime as one of expansion into Asia. Any local or regional innovations are lost in such a narrative approach, which also privileges particular understandings of refugees, internal displacement and forced migration.

There is a danger in stating, without nuancing or complicating, the fact that the UNHCR's work began in Europe and then expanded to other parts of the world. There is also a danger in disregarding the variations that took place, and continue to take place, as regimes intersect with localized phenomena.[39] By the time the UNHCR became involved in the Indochinese refugee crisis of the 1970s, local and regional activities had already intervened for decades on behalf of people forcibly displaced by the crisis. To get at the uniqueness of these activities and pre-existing refugee phenomena means starting from the premise that more than one regime evolved historically to attend to refugee, internal displacement and forced migration issues.

Attending to the presence of multiple regimes and the uneven and fragmented nature in which they intersect, and sometimes overlap, is critical for shifting the focus away from the preponderance of research on the 1951 Convention and the UNHCR. Thinking about a multiplicity of regimes allows for consideration of other kinds of NGOs and organizations involved in humanitarian work as well as an analysis of how different situations have lent themselves to the shift from a humanitarian to a human rights paradigm in terms of refugee protection and assistance since the 1970s. Investigating the possibility and presence of multiple regimes means simultaneously teasing out what is distinctive about the Asian (however loosely defined) context and how it intersects with what is conventionally known as the international refugee regime (that of the 1951 Convention and the UNHCR).[40]

AN INTERDISCIPLINARY AGENDA AND CONCLUDING REMARKS

The field of refugee studies is without a doubt an interdisciplinary one that has the potential to draw connections across anthropology, geography, history, law and politics. Over the past decade, a number of discrete research projects have emerged, which focus attention on various aspects of refugee, internal displacement and forced migration experiences in Asia. These projects are notable for their diversity and for the range of disciplines engaged with these topics. The questions examined across disciplines resonate with one another, such as the causes of forced migration and human displacement, and the manner in which refugees and internally displaced people are received. But the units and levels of analyses differ.

For historians, the organization of refugee populations by humanitarian organizations, IOs, NGOs, neighbouring states and countries of resettlement poses a central research concern. Amongst legal scholars, efforts have been made to study refugee and displaced populations in Asia that fall both within

[38] This important observation was raised in Jérôme Élie's concept paper, with reference to the September 2012 issue of the *Journal of Refugee Studies,* p. 367; see Pamela Ballinger, Entangled or 'extruded' histories? Displacement, national refugees, and repatriation after the Second World War, *Journal of Refugee Studies*, 25, 3, 2012, pp. 366-386.

[39] Cabeiri Robinson identifies in her concept paper a distinctive South Asian refugee regime based on Inter-Dominion Agreements and parallel legal instruments that regularized relief administration and resettlement programs in South Asia.

[40] Lina Venturas argues in her concept paper that 'Asian' and 'Western' conceptions and social practices emerged in dialogue with and in opposition to one another, as well as through 'internal' social, political and ideological struggles. In other words, they are the result of many divergent forces and uneven power relationships, shaped by multiple actors.

the current international refugee regime and beyond the scope of the 1951 UN Convention definition of a refugee. Political scientists seek to answer how state sovereignty, territorial integrity, and national security have engaged and evolved in inter-state relations and multilateral dialogues with international organisations and NGOs over refugee issues. Geographers have also been actively exploring questions of contemporary and historical refugee, internal displacement and forced migration experiences in Asia, particularly concerning state sovereignty and its relationship to territory, as well as people's interactions with space and place. A similar line of inquiry can be seen in the work of a number of anthropologists and sociologists investigating refugee, internal displacement and forced migration situations in Asia who have been interrogating the nature of power relations and community networks amongst populations who are away "home".

Scholars have pursued research according to various disciplinary concerns but there is evidence of important cross-pollination across disciplinary boundaries. One can observe intersecting research agendas most obviously in discussions over relations between state and non-state actors on questions of humanitarian interventions. This layered quality of state and non-state interactions and interventions on questions of assistance and protection represents an important inter-disciplinary meeting point. Studies of refugees, internal displacement and forced migration in Asia have covered a great deal of ground in recent years. As the foregoing discussion suggests, however, there is still much to be done. Simultaneously interrogating definitions of refugeehood and Asia can shed light on both the migrant experience as well as contextualize these experiences in the larger global history of refugees. With these interrogations, scholars can make an important contribution to the notion that multiple regimes exist to work with refugees and other kinds of forced migrants. These regimes are sometimes complicit with the workings of the so-called "international" refugee regime but very often they are in conflict, attuned to different historical contingencies and contemporary realities.

The definitional quandaries represent only a fraction of the methodological challenges confronting researchers interested in questions of refugees, internal displacement and forced migration in Asia. Access to sources, the historical record and tense geopolitical relations are all potential barriers to effective research in the field. At the same time, the need to elaborate the distinctive aspects of nature of refugee, internal displacement and forced migration experiences in Asia have never been more pressing given the numbers of people in motion and the range of policy options being pursued. The research to date has already shown the illusory nature of a universal refugee experience and the limits of the so-called international refugee regime. Taking the definitional challenges in this paper and pursuing scholarship on the many regimes operating in Asia on behalf of refugees and forced migrants will shed even more light on the diversity and complexity of these experiences in both historical and contemporary contexts.