Myanmar refugee emergency

With over 10,000 refugees fleeing Myanmar in just three months since February 2021 because of violence and the deteriorating situation in Myanmar, neighbouring countries in the region are witnessing increasing arrivals of people from Myanmar seeking international protection.[1] UNHCR and partners stand ready to support host countries and communities that have generously provided safety to these refugees to assist them and to find solutions to their plight. Persons already abroad who fear return to Myanmar should also have access to protection.

Key protection messages

Words matter. The men, women and children fleeing Myanmar because of violence since February 2021 are refugees. As refugees, they should be allowed access to the territory to seek asylum and be protected against **refoulement**, which means that they should not be returned to their country as long as it is not safe. People from Myanmar already abroad should not be returned when seeking international protection and should be referred to the appropriate authorities. Refugees have the right to return to their homes voluntarily, in safety and with dignity.

While a solution to this crisis lies in Myanmar, the international community must provide protection and support to fleeing refugees. Governments are encouraged to keep their borders open and allow refugees from Myanmar safety and protection in line with long traditions of offering sanctuary to those in need. In order to respond to humanitarian needs, it will be important to provide support and adopt an inclusive approach in responding to the problems of refugees fleeing their country, including access to territory, protection from detention and abuse, and access to basic services. Humanitarian access to arriving refugees is essential to provide the necessary assistance. As the identification of individuals with specific needs and vulnerabilities is a key element of any humanitarian response, it is important to strengthen existing systems for the identification of unaccompanied minors and separated children, survivors of violence and torture and persons suffering from trauma amongst others.

Where COVID-19 related bans or border closures are implemented, such measures must not result in denying refugees an effective opportunity to seek asylum or result in refoulement.

As in any humanitarian crisis, **the importance of upholding the civilian and humanitarian character of asylum** is paramount and States would need to assess the situation of arrivals from Myanmar carefully so as to identify armed elements and separate them from the civilian refugee population.

[1] *See: UNHCR Regional Bureau for Asia and the Pacific – Myanmar Emergency – External Update of 1 May 2021*

Together with partners, UNHCR stands ready to work with States in providing protection and assistance to people fleeing persecution and violence in Myanmar. UNHCR has long experience in providing protection and humanitarian assistance to refugees. Together with its partners, UNHCR stands ready to offer its support and services in terms of registration, capturing biometrics, issuance of documentation and assessing international protection claims, in close coordination with host authorities.

Within Myanmar, UNHCR works together with other humanitarian partners in assisting internally displaced people, including hundreds of thousands in violence- and conflict-affected areas. With the crisis threatening to trigger more internal displacement and humanitarian needs, numerous challenges, not least humanitarian access, continue to impact the protection response and delivery of urgent assistance.

Key definitions

Who is a refugee?

Refugees are people outside their country of origin because of feared persecution, conflict, violence, or other circumstances that have seriously disturbed public order, and who, as a result, require 'international protection'. Their situation is often so perilous and intolerable that they cross national borders to seek safety in nearby countries, and thus become 'refugees' requiring access to assistance from states, UNHCR, and other relevant organizations. They are so recognized precisely because it is too dangerous for them to return home, and they therefore need sanctuary elsewhere.

Are the terms 'refugee' and 'migrant' interchangeable?

No. Although it is becoming increasingly common to see the terms 'refugee' and 'migrant' used interchangeably, there is a crucial legal difference between the two. Confusing them can lead to problems for refugees and asylum-seekers, as well as misunderstandings in discussions on asylum and migration. Refugees are specifically defined and protected in international law.

Who is an internally displaced person (IDP)?

An internally displaced person (IDP) is a person who is forced or obliged to leave his or her home or place of habitual residence and who is found within the internationally recognized borders of the country, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters. While the IDP definition of the Guiding Principles does not apply to persons who move voluntarily from one place to another solely in order to improve their economic circumstances, it does apply to those persons who have suffered the effects of forced displacement or who are obliged to leave in anticipation of these effects, and especially where conflict, generalized violence, human rights violations or disasters are the root causes.

Who is stateless?

A stateless person does not have a nationality of any country. Some people are born stateless, but others become stateless. Statelessness can occur for several reasons, including discrimination against particular ethnic or religious groups, as is the case for Rohingya refugees from Myanmar. Whatever the cause, stateless people often have difficulty accessing basic rights such as education, healthcare, employment and freedom of movement.

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