

## China and the Global Governance of the Refugee Crisis

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China was given a marginal role in the global refugee protection regime until recently. Lately, China has witnessed and is projecting itself as a 'potential influencer' in the global governance regime in general and the Refugee Protection Regime in particular. It has been showing its intentions to work in various global governance institutions to resolve this crisis, specifically the United Nations. Nevertheless, a predominant suspicion regarding the intents of China in regard to its response to the refugee crisis can be observed among the international community.

This paper attempts to evaluate China's engagement in the legal and institutional framework of the refugee protection regime. In general, the paper will be looking into the ongoing debate regarding China's role in global governance institutions. In particular, the paper will evaluate China's accession to the international refugee protection protocols and conventions and its engagement with UNHCR. The paper argues that the international community must try to use this opportunity, and persuade China for further engagement in global governance regimes.

### Introduction

Chinese President Xi Jinping in his address at Paris Peace Forum on Global Governance 2019

emphasized on the refugee crisis as one of the most crucial non-traditional security threats confronting the international community (Xinhua 2019). He stressed on how global governance institutions and multilateral institutions are facing headwinds as the world is going through profound changes unseen in a century, for which global collective efforts are needed. In 2017, China even increased its donations to the UN High Commission for Refugees by four times to USD 11.1 million from USD 2.8 million in 2016 (UNHCR 2017).

Even though China signed the United Nations Refugee Convention and Protocol in 1982, it is only recently that we see China's outwardly actions in this regard. China has barely followed a standard procedure to tackle the refugee crises. Rather, it has acted on a case-by-case basis (Choi 2017). This can be witnessed while evaluating the different positions of China over Indo-Chinese Refugees and Refugees from the Republic of Korea (North Korea).

Far before signing the convention, China adopted around 300,000 refugees from Vietnam in 1978. Refugees from Vietnam in the 1970s obtained most of the basic civil and economic rights in the cities they resided in. This included 'partial naturalization'. These refugees do not have Chinese citizenship, although they enjoy most of the privileges that

Chinese nationals enjoy (Jing, McKinsey and Dobbs 2007). North Korean refugees, on the other hand, do not even get official recognition. China has held sovereignty on deciding who is a refugee and who is not.

Some crucial questions regarding China's role in the global refugee protection regime are: has it changed over a period of time, and what are the factors that explain this change? Before finding answers to these questions, one must analyse current trends and the regime of refugee protection.

### Current Trends

The Global Trends Annual Report of the UN Refugee Agency enunciates the status of the 2018 global refugee, wherein, 'The global population of forcibly displaced increased by 2.3 million people in 2018. By the end of the year, almost 70.8 million individuals were forcibly displaced worldwide due to persecution, conflict, violence, or human rights violations. As a result, the world's forcibly displaced population remained yet again at a record high.' (UNHCR Global Trends 2018).

As of 2015, there were around 727 persons-of-concern to UNHCR in China. Most of them belonged to Somalia, Nigeria, Iraq and Liberia. (UNHCR Fact Sheet 2015). These global refugee trends and potential influx from the Middle East has made China come forward and express its willingness to contribute to relevant global agencies and humanitarian relief funds for global refugees (UNHCR Global Trends 2018).

China has been demanding a solution to the root causes of such influx. The proposals of 'return with safety and dignity' (Traub 2017) may seem to be a necessary compromise as the result of an unpreparedness from societies in Germany and other EU countries to host Syrian refugees. Incidentally, it echoes parts of what China has always argued, that refugees should not be considered 'migrants'. Therefore, in a lot of scenarios, China has agreed to contribute but denied opening borders for refugees. China chooses to engage in 'humanitarian assistance, lift the economic sanctions and promote the return of refugees and displaced persons'

(Xinhua Net2019). China has continued to remain a 'potential influencer' to engage in the global refugee regime. (Betts and Loescher 2014).

The international community, however, considers it deficient when compared to China's potential. Whereas, the domestic political environment restricts even these attempts by China to resolve refugee issues. Domestically, it has often been argued that, 'China is still a developing country, it cannot be expected to take on the burden of helping others, particularly when the problem causing the refugee outflows was nothing to do with China' (Varral 2017). In order to substantiate these arguments, one needs to dwell deeper into the refugee crisis and the evolution of the Refugee Protection Regime.

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### Changing Dynamics of the Refugee Crises

One can trace back the origin of the global refugee crisis to the period of the world wars, specifically World War II. During the 1950s, UNHCR came about in order to rehabilitate the European refugees fleeing from the fear and persecution of totalitarian states, following fascism and Stalinism.

UNHCR reports suggest that around 9 events displaced at least 81.6 million people across the globe. (DePillis, Saluja and Lu 2015). Among which, post-World War II conflict accounts for the displacement of around 1 million Russian, Belarusian and Ukrainian individuals; nearly 13 million Germans from Russia, Czechoslovakia and Poland; and 11.4 million labourers from European countries to Germany. World War II and the refugee crisis that came along with it, gave the context for much of the international Refugee Protection Regime and the human rights infrastructure that exists today (Durkin 1998). This period further coincided with the independence of India and the partition of India and Pakistan thereafter;

formation of Israel igniting the Palestinian refugee crisis; China's Cultural Revolution wherein around 3,850,000 people migrated to Hong Kong; and the Indo-Chinese conflict.

The changing dynamics in the last half century have also impacted upon the role played by UNHCR. One of the most elaborated UNHCR Reports elaborates on the same, saying, 'UNHCR's early development took place in the tense climate of the Cold War, when the organization focused on refugees in Europe. UNHCR then played a key role during the decolonization process, because of the wave of international solidarity with refugees from wars of national liberation. In the 1970s and 1980s, the political and military stalemate between the superpowers diverted their mutual hostility into immensely destructive proxy wars which created millions of refugees.' (Cutts 2000, pp. 275-288).

The 21<sup>st</sup> century started with a decline in the global displacement levels, going down to a historic low in 2005 (DePillis, Saluja and Lu 2015). However, the 9/11 attack, followed by United States' 'War on Terror', changed the stable unipolar world order dynamic. The distinguishing factor in the 21<sup>st</sup> century countries was the 'shoring up of countries with weak central governments by the superpower support, and the consequent proliferation of identity-based conflicts, sophisticated light weaponry turning even a relatively low-intensity conflict to a highly destructive level.' (Cutts 2000, pp. 275-288).

UNHCR figures for 2018 suggest 67 per cent of the worldwide refugees come from just five countries; wherein 6.7 million from Syria, 2.7 million Afghanistan, 2.3 million from South Sudan, 1.1 million from Myanmar and .9 million from Somalia. (UNHCR Global Trends, 2018). These trends are important to understand the global refugee crisis in general, and position China in particular. Most of the conflicts and crisis we see today are a by-product of the Cold War period, wherein China had an almost negligible role to play.

## **Positioning China in the Global Refugee Protection Regime**

China acceded to the 1951 Refugee Convention and 1967 Protocol on September 1982. (UNHCR Beijing) In fact, it was the first Asian state to have acceded to both the instruments; the 1951 convention and the 1967 protocol. China holds around 300,000 refugees from Vietnam who largely came during the period between 1978-1982 (UNHCR 2015).

In July 2012, China also formulated a new Administration Law on Entry and Exit of refugees. The administration law, for the first-time added provisions for the protection of refugees under the domestic law of China. According to the Exit and Entry Article 46, 'An alien who applies for status as a refugee may stay in China with a temporary identity certificate issued by a public security organ during the screening of his or her application. An alien who is determined to be a refugee may stay and reside in China with a refugee identity certificate issued by a public security organ. Under the new provision, persons may apply for refugee status and remain legally in the country while seeking asylum.' (Exit and Entry Administration Law of the People's Republic of China 2014).

China does not provide assistance to refugees indirectly, the UNHCR office in Beijing has a 'direct assistance programme that covers essential needs of the entire refugee population (approximately 200) and exceptionally vulnerable asylum seekers in the sectors of food, shelter, health, education, and social services (UNHCR 2015).

China's involvement in the international refugee protection regime has increased notably in 2018. Lili Song briefly lists out the refugee aid projects taken up by the Chinese in 2018, after pledging for the same during the 2016 UN Summit for refugees and 2017 Belt and Road Forum for international cooperation:

1. USD 1 million aid to Syrian refugee students in Lebanon
2. USD 2 million for a program that upgraded essential services at Syrian refugee camps in the Kurdistan region of Iraq

3. USD 2 million for the provision of food and other materials to refugee camps in Zimbabwe; funding for the rehabilitation of a community centre for Palestinian refugees in Baghdad.
4. USD 6 million to aid refugees and drought-affected people in Ethiopia.
5. USD 1 million to Syrian and Iraqi refugees in Iran
6. USD 1.5 million to Syrian refugees in Jordan.
7. USD 0.5 million to Syrian refugees in Lebanon.
8. Approximately USD 0.5 million for the safeguarding of food security at refugee camps in Zimbabwe.

China is further offering humanitarian assistance, including emergency material aid and construction of facilities, to Rohingya refugees in Bangladesh. Additionally, China has been contributing to UNHCR annually since 1990. Before 2009, its annual donation was USD 250,000 in most years. Since 2011, China's financial contribution to UNHCR increased rapidly. In 2017, China even increased its donations to the UN High Commission on refugees by four times to around USD 11.1 million. China's annual contribution to UNHCR is still 'significantly lower than that of the United States or Japan'. (Song 2018)

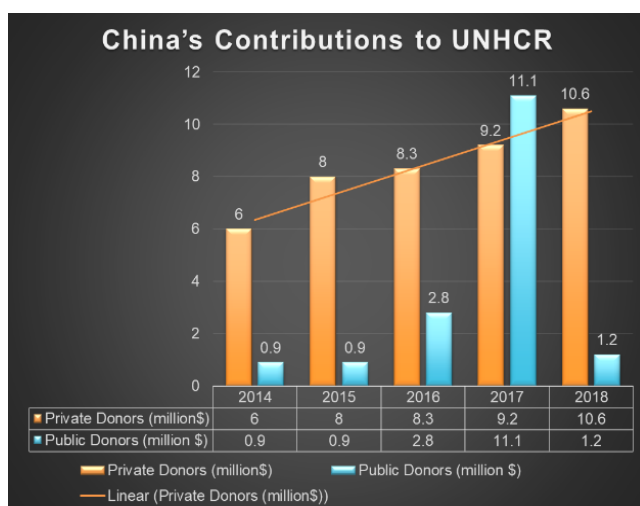


Figure 1. Data is compiled from UNHCR Annual Reports by the author.

In 2015 and 2019 respectively, China ranked 51<sup>st</sup> and 44<sup>th</sup> in terms of the amount of the annual contribution to UNHCR, while the US ranked first in both the given years. (UNHCR Contributions 2015 and 2019) Given that

China has been the second largest economy in the world since 2010, its financial contribution to UNHCR does not appear to be commensurate with its economic volume.

### Analysis

The main argument in this paper is regarding the actual capacity vis-à-vis China's contributions to the UNHCR. Critics have pointed out that China has relatively low contributions with regard to the global refugee crises.

China has furthered various arguments in order to explain the same. To begin with, China is a developing country with its own issues and challenges.

Shen Jiru argues that China is a developing nation with its own poverty, population and other development problems. China has done its job to help resolve the Syrian crisis. He further argues, 'US and its allies should take greater responsibility for the refugee issue because it was their interventionist policies that created the crisis in the first place.' (Jiangtao 2017). In other words, the Chinese believe that they have performed well in their own capacities.

The second argument come from, China's Foreign Minister Wang Yi, who pledged during his visit to Lebanon to find a political solution to end Syrian conflict situation, stressing on 'to solve the refugee problems in the Middle East, we must first and foremost accelerate the political settlement of the Syria conflict'. (Jiangtao, 2017) He further argues that, 'refugees are not migrants. As the situation improves in Syria it is natural that the refugees will begin to return to their country'. (Jiangtao, 2017)

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China believes that the people concerned are not migrants and therefore, their problems cannot be solved by incorporating them within their own borders. Rather, these refugees must be returned back safely to their countries.

Third, the Chinese have been arguing that it is not fair to blame them for explicitly rejecting refugees, when Middle Eastern refugees have been keeping UK and Europe as priority destinations, instead of China. This can be verified with the asylum-seeking applications each country receives annually (Global Trends 2018). In fact, Li Guofu, a Middle East specialist with the China Institute of International Studies, also said that due to the religious, cultural and political situation of China, it was not a preferred destination for refugees escaping from Middle East.

China's rhetoric on the root causes for refugees may seem to be divergent from what the United Nations High Commissioner for Refugees advocates for, but has won sympathy and support from other important members of the UN that face a similar dilemma associated with refugees from neighbouring countries and a large number of overseas diaspora populations such as Russia, Turkey, and India as well (*Al Jazeera* 2018) (IBRD 2015) (*Livemint* 2015). Some reports even figure out Turkey, India and Russia among the top five countries who support for closing borders to refugees (IPSOS, 2017) However, it is also true that China itself has built up a climate of expectations around its international rise. In other words, China selectively inserts that it has a right to state its views on a particular situation and other countries must respect China's interests. However, on other issues such as the refugee crisis, it performs at the lowest acceptable level for a power of its size and capability. Often, China has used this argument as a defence against its obligations even as it demands a seat at the high table on all any issue around the world.

In sum, one can conclude that China's proactive measures have been gaining a lot of attention. These actions have been critiqued by developed countries who see China as a potential player and therefore demand a larger engagement. In fact, they view this as China's

obligation towards the international community, given its growth and potential. However, the developing world does see some overlaps in the strategies adopted by China, when it comes to refugees. These differences of opinion demand a closer look into China's engagement and disengagement with the global refugee crisis.

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