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**Cambodia-Australian Deal over Nauru Refugees: Why Cambodia Accepts
Nauru Refugees from Australia**

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Content

	Page
Acknowledgement	ii
Acronyms	v
Abstract	vi
Chapter 1: Introduction	1
1. Contextual/Conceptual Introduction	1
2. Research Problem	2
3. Research Objective and Questions	3
3.1. Main and Specific Objectives	3
3.2. Main and Specific Research Questions	3
4. Significance of the Study	3
5. Research Methodology	4
5.1. Study Design	4
5.2. Measurement Procedures	4
5.3. Data Analysis	5
6. Scope and Limitation	5
7. Report Structure	5
8. Ethical Issue	6
9. Work Schedule	6
Chapter 2: Literature Review	7
1. Defining Asylum	7
2. Factors Influencing Host Countries to Accept Refugees	8
3. The Consequences and Benefits of Accepting Refugees	8
3.1. The Benefits of Accepting Refugees	8
3.2. The Consequences of Accepting Refugees	9
4. Conclusion	9
Chapter 3: The Actors Involving in Cambodia's Decision	10
Chapter 4: Cambodia's Interests in Accepting Nauru Refugees	12

1. Sovereignty and Territorial Integrity.....	12
2. Security and Political Stability.....	13
3. Economic Development and Poverty Reduction	13
4. Identity-image Building.....	15
Chapter 5: International, Governmental and Domestic Contexts	16
1. International Context.....	16
2. Governmental Context.....	17
3. Domestic Context.....	18
Chapter 6: Summary, Conclusion and Recommendation	20
1. Summary and Conclusion.....	20
2. Recommendation.....	20
References	21

Acronyms

CNRP	Cambodia National Rescue Party
CPP	Cambodian People's Party
MoU	Memorandum of Understanding
RGC	Royal Government of Cambodia
UNHCR	United Nations High Commissioner for Refugees

Abstract

The prime objective of this study is to examine why Cambodia accepted the request from Australia to accept Nauru refugees who will be transferred from Nauru detention center because of the mistreatment and abuse by the Nauru's citizens even though there are objections from the local and international communities. Being seen as a poor, emerging war-torn, non-democratic, human right abused, and political instable country, plus being considered as motivated by political calculus in dealing with refugees—like what she has done with Uighur and Montagnard refugees, Cambodia is no way able to escape from the criticism and questions over her ability to treat those refugees properly.

This study uses foreign policy arena defined by Webber and Smith to discover the reasons that push Cambodia to sign the controversial MoU with Australia. According to them, actors, interests and contexts namely international, governmental and domestic are the factors that influence foreign policy of one country.

Keywords: Cambodia, Australia, Nauru refugees, Foreign policy arena, MoU

Chapter 1: Introduction

1. Contextual/Conceptual Introduction

“A refugee is a person who has fled from their own country due to human rights abuses they have suffered there because of who they are or what they believe in, and whose own government cannot or will not protect them” (Amnesty International, 2014). According to UNHCR (2014), refugees are the global concern because if these 51.2 million refugees were a nation, they would form the 26th largest country in the world. As of 2013, there were 51.2 million forcible displaced individuals worldwide, including 16.7 million refugees (11.7 million under UNHCR’s mandate and 5.0 million Palestinian refugees registered by UNRWA), 33.3 million internal displaced persons, and 1.2 million asylum-seekers. In the same year, there were 21 countries admitting 98,400 refugees for settlement.

Nauru refugees are the asylum seekers who arrived Australia by boats primarily from Middle East without visa (Sputnik, 2014). Moreover, while their refugee claims were being processed, the tiny pacific nation of Nauru offered to house those asylum seeker (United States Committee for Refugees and Immigrants, 2003). By doing so, Nauru receives almost \$12 million annually from Canberra as a payment for asylum seekers held at Australia’s Offshore Processing Centre (OPC), opened in Nauru in 2012 (Sputnik, 2014). However, recently, they are not welcomed by citizens of Nauru because those refugees have stolen the jobs and had an affair with the local girls and women. Consequently, those refugees are threaten to death and are beaten by the local people in order to make them leave the island (Doherty, 2014). Hence, Australia, having the responsibility to protect the Nauru refugees, has been pressured by the international rights groups and the UN for the unsafe condition on the Nauru’s island and she is asked to bring those refugees to Australia. Under the Tony Abbott’s administration, however, he had vowed to stop the influx of refugees to Australia before he came to power. So, Australia had sought any countries to accept the Nauru refugees. As a result, only Cambodia accepted the Australia’s request. (Yun, 2014)

Unlike other countries, Cambodia’s decision to accept Nauru refugees from Australia is a controversial issue that can touch the world’s attention. Cambodia signed the MoU with Australia on September 26, 2014 to accept Nauru refugees in exchange for \$35 million which will take the form of extra development aid over the next four years (Circa, n.d.; Ponniah, 2014). After the signing the deal, many people have protested against this deal. A protester in Sydney raised a placard written “Cambodia is poor...can’t help the refugees from Australia”

(Hume, 2014). Locally, there were many demonstrators rejecting this deal. Son Chhay, opposition party's law maker, said that he didn't want Cambodia to become a trash bin for unwanted refugees and that Cambodia is one of the poorest countries in Asia is also a problem (Circa, n.d.). At the same time, many people have criticized the deal. According to Elaine Pearson, Human Rights Watch, who shares similar idea with Cambodian Human Rights Action Committee (CHARC), said that "the reality is that Cambodia is both unsafe and ill-equipped to handle large numbers of refugees" (Circa, n.d.).

Notably, Nauru people are not the first refugees that Cambodia government has taken and dealt with. At the end of 2013, there are over 68 refugees and 12 asylum seekers from several countries residing in Cambodia. It was supported by UNHCR. However, we have to note that not all refugees are accepted by Cambodia. For instance, in 2009, Cambodia refused to accept 22 Uighur refugees from China and Cambodia sent them back to China instead—17 of those refugees were sentenced to lengthy prison times. In return, China offered Cambodia with \$850 million worth of trade. Therefore, Cambodia has created a negative image in the international arena because it is believed that Cambodia is motivated by political calculus in dealing with refugees (UNSW, 2014; So, 2014).

Therefore, this paper seeks to identify the reasons that push Cambodia to accept Nauru refugees from Australia besides the mass critiques from local and international community.

2. Research Problem

It is important to note that not many issues of accepting refugees by the host countries that have touched great attention by the world like Cambodia's accepting Nauru refugees has. Moreover, Cambodia has just ended civil war in the late 1997 and in the contemporary situation, Cambodian domestic situation is not so good at all—governmental conflict between the opposition party and the majority party, mass protests and low socio-economic conditions—that requires the government of Cambodia to solve these issues. However, despite these problems, the government has signed the deal with Australia to accept Nauru refugees that this action has made the local and international communities criticize this deal.

3. Research Objectives and Questions

3.1. Main and Specific Objectives

Main objective: to discover the factors that influence Cambodia to accept Nauru refugees despite the mass critiques from international and local communities.

Sub-objective:

- To identify the actors involving in Cambodia's decision.
- To determine Cambodia's interests in accepting Nauru refugees.
- To find out whether international, governmental and domestic context play role in Cambodia's decision or not.

3.2. Main research questions and sub-research questions

Main research question: What are the factors influencing Cambodia to accept Nauru refugees?

Sub-research questions:

- Who are the actors involving in Cambodia's decision to accept Nauru Refugees?
- What are Cambodia's interests in accepting Nauru refugees?
- Do international, governmental and domestic context play role in Cambodia's decision to accept Nauru refugees?

4. Significance of the Study

Many previous research papers on the reasons why host countries grant asylum to refugee touched mainly on the direct benefit and consequences that the host countries received only. Most of them failed to tell the factors that motivate those countries to accept refugees. In addition, no research paper has been done on why Cambodia accept Nauru refugees from Australia. Therefore, this research is important because this topic is a very new topic and there is a lack of documents related to this topic. This research will enrich the existing literature related to refugees. Moreover, the study will help us to understand why Cambodia decided to sign the refugees deal with Australia.

5. Research Methodology

5.1. Study Design

This research study will employ content analysis as the method for analyzing relevant data on Cambodia's decision to accept Nauru refugees from Australia, all of which are in a form of secondary data obtained from various sources such as government publications, previous research on refugees, speeches of the leaders, articles published in newspapers, magazines, websites and other reliable sources pertinent to this research study, specifically Australia and Cambodia's foreign minister, ministry of foreign affair, prime minister, and embassy official sites, BBC News and CNN News sites, the Cambodia Daily newspaper and other local and international news sites, and such sources. Due to the time and budget constraints, primary data will not be included as part of the analysis in this research.

Content analysis is appropriate for this research study in two ways. First, it enables the researchers to examine through a large volume of data with relative ease in a systematic fashion. Second, content analysis is a very economical and unobtrusive approach because it does not require contact with people. However, the design is limited by the availability of relevant materials.

5.2. Measurement Procedures

Tietelbaum (1984) claims that accepting refugee from one country link to foreign policy aspects. According to Webber and Smith (2002), contexts, actors, issues and interests influence foreign policy. Additionally, according to Jacobsen (n.d.), factors influencing one country, especially developing countries, to accept refugee include the costs and benefits of accepting international assistance, relations with the sending country, political calculations about the local community's absorption capacity, and national security considerations. Therefore, by looking at the aforementioned factors, this study will be able to seek what influences Cambodia to accept Nauru refugees. However, 'issues' in foreign policy arena will not be analyzed in this paper due to the difficulty in defining the prioritized issue in contemporary Cambodian politics.

This paper will look on the relation between Cambodia and Australia, alongside with the Cambodian domestic and governmental situation to link it with foreign policy aspects. Additionally, this paper also look on power structure of Cambodia to discover the actors in Cambodia's decision to accept Nauru refugees from Australia. Furthermore, this paper will

stick to the core national interests of Cambodia, which is defined by Chheang Vannarith, namely sovereignty and territorial integrity, security and political stability, economic development and poverty reduction, and identity-image building, to use them as the guideline to analyze Cambodia's interests that can get from accepting Nauru refugees (Chheang, 2014). However, for the security aspect, this paper tend to look only on traditional security, which is the state security—not non-traditional security.

5.3. Data Analysis

This paper will analyze data manually by using the content-based approach. First, the literature on factors influencing host countries to accept refugee and Cambodia's decision to accept Nauru refugees from government and non-government publication, journal articles, reports, books and other research papers will be examined for content and relevancy to the topic in terms of motivation. Then, it is possible to formulate an interpretation based on the literature obtained. By analyzing the data, this paper will be able to offer appropriate answers to the aforementioned research questions.

6. Scope and Limitation

The scope of this study is limited because it mainly focus on only Cambodia's side, so this paper tends to ignore Australia's side and asylum seekers from Nauru Detention Center.

The main limitation to this study is that the issue is just happened recently, so the documents related to this topic might be limited. In addition, having a limited time to complete this research, this paper might not be able to examine the case from various perspectives.

7. Report Structure

This paper will be divided into the following chapters:

Chapter 1: Introduction

Chapter 2: Literature Review

Chapter 3: The actors involving in Cambodian decision to accept Nauru refugees

Chapter 4: Cambodia's interests in accepting Nauru refugees

1. Sovereignty and territorial integrity
2. Security and political stability

3. Economic development and poverty reduction
4. Identity-image building

Chapter 5: International, governmental and domestic context influencing Cambodia decision

1. Domestic context
2. Governmental context
3. International context

Chapter 6: Summary, conclusions and recommendation for further research

8. Ethical Issue

Since this paper are based on secondary data from government publications, websites, and other available sources, the misinterpretation will be the most concerning issue. Last but not least, due to limited resources, this research will not be able to collect data from Australia's side and asylum seekers. Instead, this paper focus only on Cambodia's side. Thus, it fails to capture all aspects from all involving actors, which it can lead to bias in some senses.

9. Work schedule

Tasks	Duration
Proposal writing	2 weeks
Data collection	2 weeks
Data analysis	2 weeks
Report writing	1 week

Chapter 2: Literature Review

1. Defining Asylum

Asylum is basically a sanctuary offered by one state to an individual seeking refugee from another state. Under international law, there are two forms of asylums namely territorial asylum and extraterritorial asylum—commonly known as diplomatic asylum. The former is the asylum provided in the protective state's territory, whereas the latter is the asylum provided outside the protective state territory, but it is under the control of the protective state. (Värk n.d., p. 241)

According to Teitelbaum (1984), Aristide Zolberg said that “it has been universally acknowledged ever since the state system arose in its modern form that, under the law of nations, the right to regulate entry is a fundamental concomitant of sovereignty” (p. 429). In contrast to this view, what are the factors that influence state to grant asylum to the refugees?

2. Factors Influencing Host Countries to Accept Refugees

Having signed the 1951 UN Refugee Convention, states believe that they have responsibility to protect refugees and allow them to stay until conditions are favorable for the refugee to return home safe. (UNHCR, n.d., p. 5) Additionally, African countries believe that almost all countries around the world at the same time have been either a producer or a destination for refugees, or both. (UMANITOBA, n.d.) That's why, many countries in Africa are granting asylum to many refugees. Furthermore, states who have signed and ratified international legal instruments that are in the form of a treaty, agreement, convention or protocol are determined to protect refugees with criteria according to the type of that treaty (Human Rights Education Associates, 2003). However, international law does not require any country to accept refugees. (American Immigration Council, 2010) Anyway, liberal democratic states believe that they have the responsibility for refugees. (Schuster, 2003, p. 4)

Most importantly, the host countries also have interest in accepting asylum-seeking refugee as well. According to Jacobsen (2002), the state's interests are to ensure (1) that the international community sees the refugees as their responsibility and keeps assistance flowing into the country; (2) that refugee assistance benefits its citizens and the state itself; and (3) that the state is not sidelined by international relief (p. 588). Teitelbaum (1984) further claimed that it also links to “foreign policy in both ideological and pragmatic aspect” (p. 430). Schuster (2003) said that there are three necessary conditions for the granting of

asylum, namely separate jurisdictions, parity of power, and an advantage to the asylum-granting body. Granting asylum can be a means of undermining one's enemies, gaining skills and labor, augmenting a declining population or legitimating one regime over another. (p. 61)

Schuster (2003) firmly concludes in her work that "the reasons why states grant asylum have more to do with protecting or promoting the material and ideal well-being of states and less with promoting or protecting the well-being of asylum seekers and refugees" (p. 262).

3. The Consequences and Benefits of Accepting Refugees

Refugee has brought both consequences and benefits to the host countries. According to Jacobsen (2002), "refugees impose a variety of security, economic and environmental burdens on host countries, but also embody a significant flow of resources in the form of international humanitarian assistance, economic assets and human capital" (p. 577). However, according to the World Bank (2010) whether they bring benefits or consequences depend on several factors including the political economy of hosting countries, urban-rural interactions, and the nature of host-refugee relations (p. 7).

3.1. The Benefits of Accepting Refugees

Beneficially, some scholars believe that refugee can bring human capital into the host countries. Jacobsen (2014) said that refugees are the source of human capital in the forms of labor, skill and entrepreneurship. Similarly, Stevenson (2005) argues that refugees can contribute in business, academia, literature and virtually every other field if given the opportunity. For instance, many intellectual people such as Albert Einstein, Claude Levi-Strauss, and Edward Said were refugees.

Additionally, they also believe that refugee also brings economic advantages to the host countries. Jacobsen (2014) claimed the refugee camps bring resources such as relief supplies, vehicles, communication equipment, employment and transport contracts with relief agencies and other scarce materials. Zetter (n.d.), together with Jacobsen (2014), strengthening this argument, said that refugees help to bring new skills and to expand consumption in the economy and assistance programs such as infrastructure and welfare services that will be brought by international agency, which can contribute to development in the host countries. Therefore, refugees help to increase the welfare of the host countries through international refugee assistance that help to offset the negative impact of refugee into community and the economic activities of refugees that contribute to the host community's standard of living. In

general, some countries get benefits that would not have occurred if there were not refugees. (Ongpin, n.d.)

3.2. The Consequences of Accepting Refugees

However, refugees bring many consequences to the host countries as well. United for Sight (2013) and the World Bank (2010) show that refugee has also brought consequences in water and food supply, security, education, economy health and sanitation, and environment to the host country.

Jacobsen (2014) and Ongpin (n.d.) claimed that refugees pose economic burden to the host country. Many host countries' governments in Africa said that refugees compete with indigenous people over scarce resources—land, jobs, and natural resources. In addition, those refugees overwhelm existing infrastructure—school, housing and health facilities (Jacobsen, 2014, p. 580). For instance, in the case of Tanzania, the government claims that the refugees have become burden to the country development by worsening the scarcity of resources. The government needs to compromise its existing poverty reduction policy because some of the government budget is needed to spend on refugee programmes. In addition, the local citizens have to compete with those refugees over common goods and social infrastructure (Ongpin, n.d.).

Moreover, Jacobsen (2002) said that refugee poses three main challenges, namely (1) increased demands on the state bureaucracy to manage the denser population and excess of aid agencies in regions where the state is absent or weakly represented; (2) increased demands on the state apparatus to control and manage contested refugee resources, either for its own state-building purposes, or to ensure that its citizens benefit from these resources; and (3) increased demands on the state's security apparatus to control its border and address security threats posed by the spillover of conflict and troublemakers entering with refugees (p. 588). Similarly, Schuster (2003) argues that refugees pose a challenge to the host country and to the international system of states. (p. 4)

4. Conclusion

In conclusion, previous studies and research papers have explained the interests of host countries to accept the refugees, but they failed to look on the actors involving in refugees deal, which make it difficult to know whether non-state's interests are taking into account in the decision or not, and on the domestic, governmental and international context. Hence, this paper will look on these issues by using foreign policy arena to explain with empirical evidence.

Chapter 3: The Actors Involving in Cambodia's Decision to Accept Nauru Refugees

The MoU between the RGC and the government of Australia on the transfer of Nauru refugee from Nauru to Cambodia was signed by Deputy Prime Minister Sar Kheng, minister of Ministry of Interior of Cambodia, and the Australian Immigration Minister Scott Morrison on September 26, 2014 (Ponniah, 2014). According to law on immigration of Cambodia chapter I article 4 and 5, Ministry of Interior of Cambodia is responsible for the administration of aliens both immigrants, classified in article 10, and non-immigrants, classified in article 7 (Law on immigration, n.d.). Therefore, the Minister of Interior is the main actor involving in Cambodian decision to accept Nauru refugees.

The head of government of Cambodia, the prime minister Hun Sen, also plays an important role in this decision as well. On 22 February 2014, meeting with Prime Minister Hun Sen, Australian Foreign Minister Julie Bishop requested the RGC to consider accepting Nauru refugees. According to Cambodian Constitution, chapter X, article 118, the RGC is led by the prime minister. Therefore, Prime Minister Hun Sen does play very important role in this decision. He is the one who started the discussion with Australia's government over the negotiation to accept Nauru refugee (UNSW, 2014). At the same time, the role of Foreign Minister Hor Namhong cannot be ignored in this decision. He has play role as facilitator in this decision, who deliver the information related to the deal between the two government and announced to the public (Carmichael, 2014).

However, according to Andrew & Renata Kaldor Centre for International Refugee Law, the parliament and civil society of Cambodia did not involve in this decision making because the agreement was negotiated secretly without their involvement (UNSW, 2014). According to Scholte (2005), MoUs do not, unlike treaties, require ratification by legislative body and this deal is in form of MoU.

As a result, the key actors that make Cambodia's decision to accept Nauru refugees are the Prime Minister Hun Sen and the Minister of Interior Deputy Prime Minister Sar Kheng, as well as Foreign Minister Hor Namhong. In short, the CPP led government is the sole actor who has pushed the deal and made this decision. Particularly, Prime Minister Hun Sen is the one who are pushing for this deal because he is the one who first accepted the request of the Australia's government in the bilateral meeting of the two countries during the 10th AsiaEurope Meeting Summit in Milan, Italy (Peter & Reaksme, 2014). Later, Prime Minister Hun Sen asked the Minister of Interior to study the case before Cambodia decides to

accept Nauru refugees (Yun, 2014). It is worthwhile to note that even in case of the Uighur refugees from China, Prime Minister Hun Sen had steered Cambodia's decision from accepting the Uighur refugees' request to seek asylum in Cambodia to refusing their claim by making a last-minute addition to Cambodia's refugee subdecree that empower the Interior Minister "to deny, terminate or remove the protection status granted by UNHCR and send asylum seekers home". (Strangio, 2014, p. 211-213).

Chapter 4: Cambodia's Interests in Accepting Nauru Refugees

According to Chheang (2014), there are four core national interests defined in contemporary Cambodia's foreign policy: sovereignty and territorial integrity, security and political stability, economic development and poverty reduction, and identity-image building.

Hence, in the following sections, this paper will look only on the national interest of Cambodia based on the four core interests since, according to what have been identified in chapter 3, all the main key actors are the members of CPP that is the administration of the RGC from 2013 until 2018.

1. Sovereignty and Territorial Integrity

The deal of accepting Nauru refugees from Australia does not harm to sovereignty and territorial integrity of Cambodia. The MoU between Cambodia and Australia states that refugees will be issued with the *prakas*—proclamation issued by the Ministry of Interior that confirms their right to stay in Cambodia—as well as international travel documents and refugee resident cards and ID cards in accordance with Sub-Decree No. 224 of 2009—the RGC should issue residency cards and ensure refugees have the same legal rights as legal immigrants (HRW, 2014). Additionally, having stated in the MoU, Cambodia will grant Nauru refugees permanent resident status and they will be entitled to apply for Cambodian nationality through the process of naturalization (UNSW, 2014). Aliens can obtain Cambodian nationality when they satisfy two important conditions: seven year residency in Cambodia prior to naturalization, and the ability to speak and write Khmer. However, aliens who invest \$500,000 need only to satisfy the second conditions, while aliens who donate \$400,000 to the government's budget can get Cambodian citizenship without satisfying both conditions (Post Staff, 1996).

Thus, those refugees will be fully controlled by the government and they can become Cambodian citizens and integrate with the Cambodians, based on the MoU that Cambodia and Australia have signed. In addition, they do not pose any threat to sovereignty and territorial integrity of Cambodia because they are legally accepted by the involving countries, which resulted in MoU deal (UNSW, 2014). Most importantly, only Thailand and Vietnam do pose question to Cambodia's sovereignty and territory integrity (Chheang, 2014).

2. Security and Political Stability

Cambodia used to be the refugee-producing country for so many years because of domestic insecurity and political instability resulted from conflict from the early 1970s until early 1990s (FTA, 2009; UNSW, 2014). In addition, due to recent political deadlock and some protests and violent conflict, the international community saw Cambodia as having political instability (Stratfor, 2013). Having these problems, said Scharre (2014), an influx of Nauru refugees in Cambodia would bring negative impacts for the stability in Cambodia. It would further strain the uneasy political situation. As a result, it has brought domestic protest of about 100 people outside Australia's embassy in Cambodia (Cheang, 2014).

After ten months of boycotting, many negotiations had been done between CPP and CNRP. As a result, on 22 July 2014, an agreement between the two parties was reached and 55 parliament members of CNRP joined the swearing-in ceremony in the Royal Palace 5 August 2014 (Willemyns & Mech, 2014; Yeang, 2014). Therefore, it is argued that Cambodia wants to show the international community that it has political stability and security now, and it is ready to take refugees in a humanitarian manner and contribute to finding durable solutions for some of the world's refugees (UNSW, 2014).

Additionally, receiving refugees from Australia does not pose any threat to the security, specially traditional security, and political stability of Cambodia because it was offered of the government of Australia—it was agreed by both parties and Nauru refugees are not the victims of conflict or war from Cambodia's neighboring countries. In addition, Cambodia only grants asylum to any Nauru refugees who is volunteer to come and with limited amounts. Thus, they do not pose the third challenge on host country. (Ponniah, 2014; Doherty, 2014; UNSW, 2014). State's security and stability, identify by Jacobsen (2002), resulted from conflict spillover and troublemakers.

3. Economic Development and Poverty Reduction

According to Ear Sophal in his book "Aid Dependence in Cambodia: How Foreign Assistance Undermines Democracy", Cambodia is increasingly depending on foreign aid, between 2002 and 2010. ODA contributed in average 94.3% of the Cambodia's government spending (Rawlinson, 2014). In 2012, foreign aid contributed 49.1% of Cambodia's government spending (The World Bank, 2014). This amount is still high because nearly half of government spending comes from ODA.

Thus, signing the deal, Cambodia was granted \$35 million in extra development aid over the next four years (Ponniah, 2014). So, the RGC can gain more money for its spending. Moreover, Cambodia granting asylum to Nauru refugees is in the form of extraterritorial or diplomatic asylum because Australia is protective state that is responsible for those refugees—Australia just requested Cambodia to provide the place for those refugees. As a result, Australian government has declared that it will bear “the direct costs of the arrangement, including initial support to refugees, and relevant capacity building for Cambodia” (Värk, n.d.; Ponniah, 2014). In addition, Foreign Minister of Australia, Julie Bishop, said that those refugees can help Cambodia grow the economy, but she did not mention how (Pye & Vong, 2014). Based on the argument of Stevenson (2005), Nauru refugees would contribute in business, academia, literature and every other fields if they are given opportunity. However, while they are in Nauru, it is said that, first they have stolen the jobs from the Nauru’s citizens and second, had affairs with local women. The jobs that those refugees has taken are mostly low-paying job which is manual labor position. With 90% unemployment rate, the jobs taken by those refugees, even low-paying jobs, have made the local people angry because with the population of only 10 thousand people (data in 2012), the number of more than 1,100 refugees, which accounts around for 11% of the total population, do pose a great threat to the job opportunity of Nauru’s citizens (Doherty, 2014; UNdata, 2015; Barlow, 2014). Cambodia’s situation is far different from Nauru’s. Having 15.14 million people of the total population in 2013, the amount of 1,100 Nauru refugees, which is only about 0.0073% of Cambodia’s population, is very small and the unemployment rate in Cambodia is only 0.3% in 2013 (The World Bank, 2015). Thus, even all 1,100 Nauru refugees are coming to Cambodia and take the jobs in Cambodia, this small percentage of the refugees does not pose a big threat to the unemployment rate in Cambodia. Moreover, not all refugees are coming to Cambodia because only those who volunteer to come are accepted (UNSW, 2014). For the second problem, having affair with Cambodia’s women, girls and teenager is not really an obstruction to Cambodia’s development and it is the right of Cambodian women to choose who they love.

Hence, signing this deal, the RGC can gain more revenue from Australia’s extra aid while the former does not have to spend any money on providing social needs to those refugee since Australian government will bear all the costs. Cambodia will have more money to further develop the country and reduce the poverty rate in the country. In addition, Cambodia can receive more human resources to develop the country’s economy.

4. Identity-image Building

According to Chheang (2014), Cambodia needs to develop its own type of soft power, Khmer values. Thus, Cambodia should develop other diplomatic tools based on humanitarianism. Importantly, Cambodia needs to promote a culture of good governance, respect of human rights and environmental protection. Accepting Nauru refugees, Cambodia plays an important role in ‘humanitarian activity’, stated by Deputy Prime Minister Sar Kheng (Ponniiah, 2014).

As a result, Cambodia’s image can be promoted on the world stage by granting asylum to Nauru refugees and being part of Australia’s “regional burden-sharing solution”. (Rawlinson, 2014). Mr. Ou Virak, political commentator, said that Australia will not condemn human rights abuses in Cambodia anymore since the Cambodian and Australian government’s relations is very important now (Ponniiah, 2014)

In return, Cambodia was praised by Australian government. Minister Scott Morrison said that Australia’s government wants to give Cambodia a chance and he said that,

“I mean, this is a country that is trying to get on its feet; this is a country that is making great progress. Its population has doubled from its very dark times many years ago. So, I mean, is the rest of the world going to constantly keep them in the cellar, not give them a go at trying to do something positive like this, which we’re going to do with our expertise? We say we should, we say we should give them a go.” (Ponniiah, 2014)

Therefore, Cambodia promotes the image of Cambodia’s nation to the world by accepting Nauru refugees from Australia as a humanitarian activity. Cambodia can also get supports from Australian governments in the international stage.

Using rational-choice theory, the benefit is greater than cost over the deal of transferring Nauru refugees to Cambodia. Cambodia can benefit mainly on economic development, followed by identity-image building while the security and political stability, and sovereignty and territory integrity seems not be seriously affected at all. That’s why Cambodia has decided to accept Nauru refugees from Australia.

Chapter 5: International, Governmental and Domestic Contexts Influencing Cambodia's Decision to Accept Nauru Refugees

1. International Context

Several variables in the international context could be seen as the main driving forces behind Cambodia's decision to accept Nauru refugees.

One of the important aspects related to the international context is that Cambodia is part of international legal refugee-related agreements. For instance, Cambodia has signed the 1951 UN Refugee Convention in the early 1990 (So, 2014; UNHCR, 2015). As a signatory state to the 1951 UN Refugee Convention, it is the responsibility and obligation of Cambodia to accept refugees (So, 2014). Cambodia wants to show its moral obligation by respecting this treaty. In addition, Major General Kem Sarin, director of the interior Ministry's refugee department said that Cambodia has the right to grant refugees asylum since Cambodia is the signatory of 1951 UN Refugee Convention (Ros, 2014). By accepting those Nauru refugees, Cambodia can show the international community that Cambodia is a responsible actor in international stage and cares about humanitarian issues.

Furthermore, Cambodia and Australia have quite a good relations with one another, and Australia actually has been providing Cambodia with the assistance and aids essential for the development of Cambodia. Australia has provided \$297 million to Cambodia over the last four years. A good example is the Australia-Cambodia Joint Aid Program Strategy 2010-2015—that outlines how Australian aid will assist the RGC and the people of Cambodia to achieve the country's development goals between 2010 and 2015 (AusAid, 2012; Yun, 2014). As an incentive for signing the refugee deal, Australia also promised to provide A\$40 million (35million USD) in aids to Cambodia over the next four years to support various overseas development aid projects on the existing A\$79 million that Australia currently provides to Cambodia (Farrell, 2014). Moreover, many donors have stopped providing aid to Cambodia because of the slow pace reform of Cambodia's government. The UK stopped its bilateral aid in 2011, followed by Denmark and Canada. Only France, Australia, Germany, the US and Japan are the largest donors remaining to provide aid to Cambodia. They mainly provide aid in their own projects and projects that they want to support (Strangio, 2014). Thus, accepting Nauru refugees have made Australia to increase its bilateral aid to Cambodia, while some major donors have stopped providing bilateral aid to Cambodia.

Most importantly, after the 2013 election, Australia, the EU and the US had not recognized the election result and called for an investigation over voting irregularities. Later on, Australia have joined with other countries to congratulate the winning CPP in election (Peter, 2013). Hence, Cambodia accepts Nauru refugees is to exchange with Australia's acknowledgement of the Cambodia's 2013 national election result.

2. Governmental Context

Apart from international context, governmental context might also play a key role in shaping Cambodia's decision. As Cordell and Wolff (2005) put it, "the governmental context is perhaps best described in terms of Mark Allinson's bureaucratic model of foreign policy analysis, i.e. a process of interdepartmental bargaining". However, since the deal over Nauru refugees is MoU, Cambodian government's executive body acted alone in this decision. Moreover, according to Strangio (2014) in his book "Hun Sen's Cambodia", CPP is under the control of Prime Minister Hun Sen, so the government under CPP is unified. Thus, this section of the study shall examine the current government situation on the Cambodia's decision to accept Nauru refugee from Australia.

On one hand, Davies (2014) stated in his article that Cambodia is one of the poorest country, so it has very low capacity to deal effectively with an influx of refugees. Additionally, Cambodia is very ethnically homogeneous, which creates the potential for foreigners to become not only lightning rods, but also aggravating factors in disputes over land, resources, services, jobs and wages. Thus, the deal over Nauru refugees is opposed by the opposition's Party. On the other hand, Curley (2014) wrote in her article that the refugee deal may be the opportunity to raise the capacity and awareness of the Cambodia's bureaucracy that manages refugee determination status and resettlement. Thus, it is hoped that some of the additional A\$40 million in Australian aid that will be directed to capacity building and training for these officials.

Most importantly, CPP led government was able to get the legitimacy support from Australia and the latter will no longer condemn human right abuse (cracking down the protestors) in Cambodia anymore, argued Ou Virak, from this deal with Australian government despite the critique and question from the CNRP on the ability of a developing country like Cambodia in taking care of refugees (Ponniah, 2014).

Apart from legitimacy, argued Rwalinson (2014), the Cambodian government is willing to seek and take advantage of aid opportunities especially when there are “no-string-attached or when the strings are interpreted as conducive to the government’s *raison d’être*” since, according to Davises (2014), the RGC remain heavily on aid dependence—almost half of government expense. Indeed, in 2009, when 22 Uighurs asylum seekers from China, the RGC—signatory to 1951 UN Refugee Convention—seemed to resist Chinese pressure at first and government spokesmen claimed that immigration officials were working with UNHCR to process the Uighurs’ asylum claims and Minister of Interior Sar Kheng response to US official that the RGC was on the road to resolve their asylum claim. However, visiting Cambodia in the mid-December by Vice President Xi Jinping, Chinese Government promised to grant and loan Cambodia \$1.2 billion—each asylum seeker was worth \$60 million, but two of them had slip away. As a result, on December 17, Cambodia shifted its position suddenly. A last-minute additional clause of refugee subdecree has given the Interior Minister the power to deny, terminate, or remove the protection status granted by UNHCR and send asylum seekers home. Hence, On December 18, the government said the Uighurs were not real refugees, but the criminals and the RGC send them back to China on December 19 (Strangio, 2014, p.211-213). So, signing the deal to accept Nauru refugees, Cambodia is able to get \$35 million in additional aid over the next four year with no-strings-attached (UNSW, 2014).

3. Domestic Context

Domestic context also has role in influencing Cambodia’s decision. Thus, it is only fair that the paper unfold the extent to which domestic context exerts influence over Cambodia’s decision to sign the refugees deal with Australia.

In some senses, domestic protest is an important factor driving Cambodia toward its decision to accept Nauru refugees from Australia. There is a number of long-running land disputes in Cambodia, including Boeng Kak and Borei Keila in Phnom Penh and Lor Peang village in Kompong Chhnang province (Narim, 2014). Moreover, according to LICADHO (2014), since the start of 2014, there are a number conflicts that arising from the dispute over land. For example, the land conflict involved by 87 families living in Kiri Sakor district, Koh Kong province and the Chinese Union Development Group on February 5, 2014. This conflict took place after their homes were destroyed by the Chinese Union Development

Group. On January 3, 2013, it was reported that there is violation in the protest on Veng Sreng, which police fired into the crowd, killing and injuring about 35 people (Bopha, 2015).

Since there are many conflicts and protests that involve human right violation, the RGC has received condemnations from NGOs, international communities and other civil society groups. For instance, on January 22, 2014, within the framework of the observatory for the protection of Human Right defenders, International Federation for Human Rights (FIDH) and World Organization Against Torture (OMCT), along with other organizations such as ADHOC showed their concern on the human right situation in Cambodia in which Cambodian authorities conducted an ongoing harassment, arbitrary arrest, and detention of human rights defenders (International Federation for Human Right, 2014). Moreover, on June 26, 2014, the RGC received the condemnation from the Cambodian Center for Human Right (CCHR) and CIVICUS, the global civil society alliance. CCHR and CIVICUS condemned the RGC because she rejected the key recommendations on the human rights situation in the Kingdom of Cambodia that put forward by UN member states during Cambodia's 2nd Universal Periodic Review (CIVICUS, 2014). Therefore, the protests pose a serious threat to the legitimacy of the CPP's administration. So, Cambodia's decision to accept Nauru refugees could be perceived as an attempt by the government to shift the public attentions, as well as the world's attentions, from the constant protests and human right violation to a different matter. As result, the local and international communities started to focus on this controversial deal of transferring Nauru refugees.

Furthermore, because of human right violation in the country, the CPP won just 68 out of 123 seats in Cambodia General Election in 2013 (Kung, 2013). This has clearly shown that CPP lost the support from domestic population. Sun Chanthol, the commerce minister, suggested that in order to win 2018 election, CPP needs to reforms with great efforts (Kung, 2014). In addition, according to human Right Watch report, the government reforms should ensure that "neither Hun Sen nor any other leader in Cambodia can systematically violate human rights and democratic norms" (Strangio, 2015). According to Schuster (2003), liberal democratic states believe that they have the responsibility for refugee. Therefore, in order to show that Cambodia is a democratic state, she has to accept the refugee deal with Australia.

In conclusion, international, governmental and domestic contexts, apart from the interests, do dramatically influence Cambodia's decision to accept Nauru refugees. Thus, Cambodia's decision to accept Nauru refugees are influenced by many factors.

Chapter 6: Summary, Conclusion and Recommendation

1. Summary and Conclusion

In summary, Cambodia's decision to accept Nauru refugees can be clearly explained by foreign policy arena. Actors involving in this decision are all from the CPP led government because it is in the form of MoU and is done secretly, so opposition party or the public does not take part in this decision. Signing this deal, the government mainly benefit in economic interest and identity-image building while other interests of Cambodia defined by Chheang Vannarith, namely sovereignty and territorial integrity and security and political stability are not severely damaged. International, governmental, and domestic contexts are also used to explain Cambodia's decision and they have produced a clear evidence why Cambodia accepts Nauru refugees.

In conclusion, to understand Cambodia's decision to accept Nauru refugees, using foreign policy arena is the best mechanism to have a clear picture on this issue because this mechanism allows this paper to catch on many aspects that have influence Cambodia's decision to accept Nauru refugees. Among all factors, economic interest and governmental context are the main factors that motivate Cambodia to accept Nauru refugees.

2. Recommendation

This paper has used foreign policy arena to explain the decision of Cambodia to accept Nauru refugees. However, 'issues' of foreign policy arena is not analyzed in this research. Moreover, only secondary data is used in this study and this research mainly focuses on Cambodia's side only. As a result, some information is left out. Therefore, future research related to this topic should include the 'issues' of foreign policy arena. Primary data should also be used in order to provide more empirical evidence toward Cambodia's decision to accept Nauru refugees. Furthermore, if possible, future study should also take into account the Australia's decision on why she choose Cambodia to be the asylum of the Nauru refugees.

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