

India: Time for a refugee master plan

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In many ways India has been a home to many refugee influxes, asylum seekers and forced migrations historically as well as after Independence. Any problem of human insecurity in South Asia generates this flow. So whether it is armed conflict, natural disaster, oppression and discrimination of ethnic minorities, economic distress, food or water insecurity, people move to more stable situations, crossing borders, under different status. Sometimes they come as refugees, asylum seekers and other times as forced migrants.

There have been both major waves and minor trickle-ins of refugees. For example, the Partition, the Tibetan exodus, the Bangladesh liberation, the Sri Lankan civil war...all led to major refugee influx. The instability in Afghanistan, Myanmar, not to talk of Nepal, Maldives and elsewhere have led to a different types of refugee movements. The refugee issue is a major domestic concern that merges with a foreign policy challenge. It needs sensitive handling and synergy between agencies capable to handle the issue.

Refugees have different status and each inflow has been handled in a different manner by the Indian government. For example, those displaced by Partition were natural citizens and were assisted by the state re-settlement policy. The Tibetans who started fleeing from Chinese oppression after 1959 were the next wave of refugees. The government policy for Tibetans has been to resettle them through a regime of residency permit regulations and prohibit them from political activity. Tibetan refugees, their leadership and government-in-exile are a source of tension from the Chinese government. Despite India's assuaging Chinese fears, the Chinese demonise the Dalai Lama, and feel that India has the potential to de-stabilise China. This is a major Sino-Indian foreign policy issue that India has to address delicately.

Migration and refugee movement from Bangladesh has the most complex character and specificities according to the time period. Historically, Bengali labour migrated to the northeast since the colonial period. Like much of the poor Indian masses, many do not possess identity papers. During the Bangladesh liberation war in 1971 hundreds of thousands of Bangladeshis came to India of which many returned but many also stayed back. The gradual change in demographics in Tripura for example, and change in patterns of land holdings and land scarcity in Assam and other parts of the northeast has generated all kinds of fears about this group, who despite their different status and residency are clubbed together as the refugee other.

Many of these insecurities around the Bengali community that are settled in the northeast is a mix of myth, reality, insecurity and underdevelopment that has led to violence and hate crimes against religious and ethnic minorities. Given the poverty and low human development, migration and refugee movement has continued. Such migration is natural because people who are deprived in one place/country always hope to go elsewhere for economic opportunities.

India has also had to cope with large numbers of Sri Lankan refugees, mainly the ethnic Tamils who had to leave their homes at different stages of the civil war. Some have returned, many continue to stay in poorly equipped camps in Tamil Nadu. The Nepalese are in a better situation because there is no visa regime and they are seen primarily as migrant labour who can freely commute between the two countries. New refugees to India are the Afghan Hindus and Sikhs that faced harassment

and are likely to be naturalised on the basis of their ethnic origin. Then there are the Rohingyas from Myanmar who have been forced out and are largely stateless and now seeking shelter in India and in Bangladesh. The United Nations High Commissioner for Refugees (UNHCR) looks after about 22,000 refugees from different countries in India.

Compared to most nations the Indian government's handling of these waves of refugees has been moderately good. Despite the fact of communal violence against the Bengali community in the northeast, the Indian State and people have accepted refugees, who have gradually become part of the plural landscape that comprises India. However, India can do much more. For this a humane attitude and tolerance has to be created. Logistics like long stay visas, work permits will have to be streamlined. The UNHCR shows how women and children form the largest refugee group.

India has not signed the 1951 United Nations International Refugee Convention and has no special national refugee law. However the Constitution safeguards the human rights of refugees and asylum-seekers and undertakes providing them with healthcare, education for children and similar basic rights. The UNHCR commissioner has praised India's refugee policy as amongst the better ones in the world. Yet lack of basic laws makes it arbitrary and ad hoc since many refugees who live here for years continue to be stateless and miserable. Thus on the one hand India gives refugees shelter and on the other hand has not set in motion means to make more inclusive policies for them.

There is, therefore, the need for debate and re-think as to what steps India should take to make this irreversible situation advantageous for itself and the refugees. The first is looking at signing the international convention and making national refugee laws. The second is conducting bilateral dialogue with countries where the refugees originate from to urge them to create conditions for the safe return of these refugees. The third is that since most refugees are from South Asian countries, India should perhaps also take up this issue in forums designed for South Asian issues. Even if SAARC lays down rules on what and how issues are handled, perhaps a new body under SAARC can be created to address the issue.

The only solution is for our foreign as well as domestic policy is to accept the South Asian reality, where regional development and peace alone can resolve refugee movement. Issues like refugees, migration, ethnic and identity issues are now a major aspect of India's foreign policy. The point is how much is the establishment ready to take on these very real humanitarian issues.

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