

Forced Migration in South Asia

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Introduction

The forced migrations of human beings is a terrible reminder of the dark days when human beings, far away from civilization, lived like savages and 'might was the rights'. The marauders would come and force the people to abandon their homes and hearths or enslave them against their will. The world has moved much ahead and human beings are pledging their adherence to rule of law. The international community is entering the next millennium with a vigorous agenda of Human Rights and democracy. However, the inhuman practice of forced migrations is continuing unabated in different parts of the world.

The Classification

The forced migrations may be classified in different categories. The classification is essentially related to the historical, political, strategic and natural factors. Thus, the factors, which are responsible for the forced migrations in Palestine, where people have become refugees in their own homeland, are essentially rooted in history. This type of migration has been the great concern of international community. The UN and its other bodies have been addressing this pressing issue for the past about five decades now. One hopes that Peace Accord will lead to the resolution of this issue peacefully.

The second category of forced migrations is the one which is motivated by the considerations of denying the other ethno-cultural groups the access to resources and participation in socio-political developments of their country. This type of forced migration is xenophobic in nature. The third category of forced migrations is related to natural calamities like famines, floods and cyclones. In this case, people are pushed out of their natural locales and they go out in search of some source of sustenance for their sheer survival.

The fourth category of migrations is related to developmental processes, which uproot large chunks of population from one place and send them to some other place. The construction of big dams has been displacing the large chunks of population from their homes and their habitat.

The fifth category of forced migrations is the one where the ethno-cultural groups within a defined territory and country are forced to migrate through the methods of terror and violence as a well-planned strategy to destabilize the society and country. This type of forced migration and displacement of human beings has become strategic. In plural societies with diverse cultural, social and geographical groups, this type of forced migration has resulted in grave human tragedies, apart from creating social and political tensions.

South Asian Scene

The partition of sub-continent in 1947 saw the beginning of forced migrations in modern South Asia. About 20 million peoples were forced to migrate both-ways, from one state to the other. The partition of the sub-continent laid down the pernicious basis of forcing the groups of population to migrate from one territory to the other on ethnic and religious basis in South Asia. Moreover, due to political turmoil and deteriorating economic conditions in different parts of the region, the process of forced migrations continues unabated. The migrations have been taking place regularly from Afghanistan, Bangladesh, Tibet, Sri Lanka and Myanmar to various other states in South Asia.

The reasons for these migrations vary from one situation to the other. These reasons include famines, natural calamities, political and ethnic turmoils, political suppression and persecution and state-sponsored forced displacements.

According to South Asian Human Rights Documentation Centre Country Report on the Refugee situation in India, the country provides shelter to over 300,000 refugees from the neighbouring countries every year. There are over 50,000 Jumma refugees from the Chittagong Hill Tracts of Bangladesh sheltered in Tripura, over 70,000 Sri Lankan Tamil refugees living in the state of Tamil Nadu and about 121,143 Tibetan refugees living in the northern states of India. Besides these refugees, the United Nations High Commissioner for Refugees (UNHCR) provides protection to 22,000 refugees comprising Afghans, Iranians, Somalis, Burmese and Sudanese in Delhi.

The Internally Displaced Persons

India has also been facing the problem of internally displaced persons from northwest to northeast border areas of the country. According to the South Asian Human Rights Documentation Centre Country Report on the Refugee situation in India, the low intensity armed conflict in Jammu & Kashmir and inter-ethnic strife coupled with armed conflict in East India have resulted in large internal displacements. According to the report, an estimated 26,000 families numbering over 200,000 Kashmiri Pandit (Hindus) have been internally displaced. According to the statistics of the Ministry of Home Affairs, Government of India, about 238 Muslim families with 10,000 persons had to migrate from the J&K state due to violence and turmoil. Regarding the internal displacement in Manipur according to South Asian Human Rights Documentation Centre Report, the exact number of internally displaced persons in Manipur is unavailable. However, there is no doubt that the number of internally displaced persons continues to rise with the continuing killings in a more subtle way and destruction of properties.

It is quite well known that the South Asian societies are multi-cultural and pluri-ethnic and pluri-religious. The migrations and displacements create a great deal of social tensions. These migrations threaten to create further spells of forced migrations and displacements. Moreover, the displaced persons, apart from losing their moorings, homes and hearths, also find the new environs alien to them in different ways.

The phenomenon of internal forced migrations is quite unique and has posed a new challenge to the regime of forced migrations in India. This phenomenon was first witnessed in Punjab where large chunks of Hindu population were forced to migrate due to militancy in the state. This militancy, which was sponsored well beyond the Indian borders from Pakistan had larger political and security implications for the country. Apart from placing the strain on the resources, such type of migration has the potential of polarising the society on ethnic and religious basis.

The phenomenon of forced migrations in Punjab was followed by the forced migrations of Kashmiri Pandits (Hindus) and later a section of Kashmiri Muslims. The forced migration of Kashmiri Hindus was reminiscent of migrations of 1947 when lakhs of people had to flee their homes and hearths on account of partition. The Jammu & Kashmir state represents the sub-continental diversity of faiths, cultures, languages and ethnicities. In case of Kashmir, the people of different faiths are bound through a common history, culture, language and a special habitat. Due to special geographical location and language, the people of Kashmir find it difficult to get settled and assimilate in other parts of the country at the social and cultural levels. Therefore, it is not difficult to comprehend the psychological trauma of displaced Kashmir Pandits. Apart from suffering in material terms, these displaced people have suffered at social, psychological and cultural levels. There are reports that a large number of these displaced persons have suffered psychological disorders. The another important consequence of this displacement has been that it has placed the plural national culture under strain. This dangerous dimension of engineering forced migrations could lead to perilous consequences like polarisation of South Asian societies on religious and ethnic lines.

Thus, in absence of a proper legal framework, national or international, to deal with these displaced persons, the violations of their human rights remain unattended. Although the governments provide humanitarian relief to them, these displaced people cannot claim it as a matter of right. The organized groups of displaced Kashmiri Pandits have been demanding the intervention of UN agencies in addressing their plight. However, the government would not approve the UN intervention because such intervention raises the question of erosion of state sovereignty. Be that as it is, the internally displaced persons continue to suffer human rights violations on different counts. It may be argued that even if such displaced persons receive governmental assistance for their rehabilitation and settlement, the UN Human Rights Commission should monitor such displacements and ensure the restoration of their various human rights including their right to return and settle back in their natural environs. Moreover, human rights regimes need to address the issue of forced migrations, which is the direct outcome of terrorist methods.