

The Mahanirban Calcutta Research Group (CRG), in collaboration with Maulana Abul Kalam Azad Institute of Asian Studies (MAKAIAS), ICSSR and TAFT Foundation, organized a research workshop on Interrogating Forced Migration between 16th and 21st March, 2015.

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Rohingyas languishing behind the bar

Though India is not a signatory of 1951 Convention and it does not have a national policy on Refugees India has long tradition of hospitality. It is reflected over years. India has accommodated thousands of refugees from neighbouring countries ever since it became free. During the last three decades illegal migration from Bangladesh to India are going on unabated. In this background the Rohingyas from Myanmar are the new challenge to the Government of India and also to the civil society.

Rohingya is a Muslim ethnic group from the northern Rakhine state of western Myanmar, formerly known as Arakan state. Rohingyas are an ethnic, linguistic, and religious minority both in Myanmar and in their province Rakhine. They are a group of stateless minority whose status as citizens of that country, and human rights in general, have been severely curtailed by the Burmese government.

Since independence in 1948, governments in the predominantly Buddhist country have routinely persecuted and forcibly displaced the Rohingya population, altering the ethnic profile of Arakan State. They have been subjected to repeated forced displacement along with persecution.

In 1974, at the time of constituting Rakhine State from the former Arakan Division, the Emergency Immigration Act downgraded Rohingya to possessing only foreign registration cards rather than national registration certificates. In 1978, the Myanmar military commenced the Nagamin (or Dragon King) operation which allegedly resulted in widespread violence (Human Rights Watch 1996). Some 200,000 Rohingya fled to Bangladesh. In 1982, the revised Myanmar Citizenship Law excluded Rohingya from the list of 135 national ethnic groups. It caused Rohingya to become stateless and more vulnerable to arbitrary denial of rights. Then in **1991–1992**, after the disputed multi-party elections won by the National League for Democracy, the Myanmar military commenced another campaign called Pyi Thaya (or Prosperous Country). The intensified post-election clampdown led to a second exodus. Some 250,000 Rohingya crossed into Bangladesh while another 15,000 ultimately made their way to Malaysia. Violence against Muslims in the state has continued over the years

The number of Rohingya refugees in Bangladesh has increased since violence in neighbouring Arakan State in Myanmar erupted between Muslim Rohingya and Rakhine Buddhists in **2012** which caused some of the

140,000 internally displaced to attempt to flee across the border. A month after the June violence, on July 12, President Thein Sein called for “illegal” Rohingya to be sent to “third countries.”

Anyway Bangladesh has closed its door to one of the most “persecuted minorities” in the world, saying they are not Bangladeshi, while earlier it allowed a restricted number to enter the country (about 30,000 registered Rohingyas, supported by the U.N. High Commissioner for Refugees). So sandwiched between the Buddhist-dominated Myanmar and Muslim-dominated Bangladesh, the Rohingyas are entering India. In recent weeks, scores of Rohingya-men, women and children have been nabbed in West Bengal and the North-eastern states of Tripura, Mizoram and Manipur.

In this backdrop the present study is conducted among 58 Rohingya people among who 38 are men and 20 are women in West Bengal. The study has also covered 10 people (5 Men+5Women) who are claiming themselves as Bangladeshi but the court is treating them as “Rohingya”. All these people (68) are in the Correctional Homes of west Bengal (North Zone).

- ✚ The paper attempts to explore the causes (including gender violence) and consequences of the forced migration faced by the Rohingyas.
- ✚ The paper seeks to understand the complexity that arises regarding the identity (Rohingya / Bangladeshi) of individual.
- ✚ The paper aims to reflect the missing link between the Judiciary, Police Authority, Department of Correctional Administration, UNHCR and the Victims. The absence of protection regime contributes to vulnerability of a group of the victims of forced migration.
- ✚ The study attempts to understand the factors that lead the Rohingya people to come in India. Do they seek refuge temporarily / do they want to live here permanently? What will be the stance of India in this regard?
- ✚ Finally the paper seeks to come out with some recommendations to deal with the crisis.