

## **MODULE F: The Indian Experience in a South Asian Context: Laws of Asylum and Protection**

PAPER TITLE: *The long haul of a lone ranger*

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### **ABSTRACT**

The Rohingya refugees have been confined in camps situated in KalindiKunj of Delhi, Mewat and Faridabad in Haryana as well as other slums in different parts of our country. This is the case of refugees in most parts of the world where they are often left behind in a legal limbo. These camps tend to have a very poor quality of social life as there is little scope for judicial intervention or adjudication of disputes in case of human rights violations. The situation is bleak for Eelam Tamil refugees as well, who've crossed the emergency phase long back, but are still grappling with issues of social security and stability. This is owing to the fact that, despite the temporary concept of humanitarian camps, the process of refoulement in reality takes much longer.

This paper attempts to address the underlying issues of refugee camps by drawing parallels between an emergency Rohingya camp (Royal colony and Baba Colony, Hyderabad) & protracted situation camp of Eelam Tamils (Gummudipoondy camp, Chennai). The plight and crisis of the refugees shall be brought to light using the same. The paper argues that at the exigency of domestic laws governing refugees and asylum seekers in India, there is a strong need for a coherent legislation that accounts for different refugee situations. The refugees are often seen as "wards of international law" as there is simultaneous engagement as well as alienation from domestic laws. Therefore, the paper will also factor in how political climate can cause volatility in the taking decisions pertaining to the refugee issue owing to a legislative void in the subject and thereby creating a marginalization loop.

The presence of refugees and migrant population in our economy necessitates the discourse of proper law governing them as the right to life guaranteed by our Constitution extends to refugees as well. The research methodology used shall be doctrinal and qualitative analysis. The research materials will be based on inter-personal interviews, relevant laws and policies.