

A REPORT
ON
THE NINTH ANNUAL ORIENTATION COURSE
ON
FORCED MIGRATION
2011

Offered by
Calcutta Research Group (CRG)
A Centre of Excellence

CONTENTS

The report is a product of notes and writings prepared by the participants, faculty members and members of the CRG desk for the Orientation Course on Forced Migration. Thanks are due to the participants and all others who contributed towards it. Thanks are due in particular to the UNHCR, the Brookings Institution, and Government of Finland.

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1. A Unique Programme for South Asia

The ‘Annual Orientation Course on Forced Migration’, both generally and specifically in its ninth incarnation (January 1-15, 2011), is a unique course that explores the multifarious dimensions of forced migration in South Asia. No similar course exists in the region. Through this and other initiatives the Mahanirban Calcutta Research Group (CRG), which runs the course, seeks to further the cause of peace-building in South Asia.

CRG was born as a facilitating group in support of the Third Joint Conference of the Pakistan-India People’s Forum for Peace and Democracy in 1996. The founders consisted of a group of researchers, trade unionists, feminist thinkers and women’s rights campaigners, academicians, journalists and lawyers. This was to be a forum for policy discussion and analysis on issues of democracy, human rights, peace-building, and justice. Developing as a forum of mostly young public activists and socially committed researchers, CRG is now well known for its research, dialogues, and advocacy work. It has carved out a niche for itself in the scholar-activist space for its policy studies on autonomy, human rights, women’s dignity, issues of forced displacement and migration, peace and conflict-resolution, citizenship, borders and border conflicts and other themes relevant to democracy.

The relevance of organizing a course on forced migration in the South Asian context remains critical owing to the region’s increasing vulnerability caused by growing atrocities coupled with inter-ethnic conflicts, conflicts over resources and displacement due to environment-related reasons as well. South Asia has produced extensive knowledge and capacity to work for the victims of forced migration through human rights programmes, humanitarian assistance, scholarly researches, publications, network-building, and policy deliberations and exchanges. Yet there had been no course available to human rights activists, functionaries of humanitarian agencies, young jurists, journalists and policymakers in South Asia, until CRG, with the support of the UNHCR, the Brookings Institution, and the Government of Finland in particular introduced in 2003 a fifteen-day orientation programme in Kolkata (1-15 December). The programme is preceded by a three-month-long distance education segment. The main emphasis of the course is to bring to this forum South Asian experiences in coping with mixed and massive flows of forced migration – both cross-border and internal. This flows from the awareness of the need for a politics of justice that is underlined by gender rights and the ethics of care and protection. The winter course, with twenty participants and a number of resource persons from various professional backgrounds, has been since 2003 an annual feature, which has encouraged and produced critical knowledge on forced migration in this region.

The programme involves associations with several university departments and personnel, and other institutions working in the area of forced migration. It draws attention to the benchmark set by national and international human rights and humanitarian laws and principles and the experiences of relevant organizations and front-ranking personnel. The course is special because of its emphasis on experiences of forced displacement, creative writings on refugee life, nature of internal displacement, critical legal analysis, analysis of notions of vulnerability, care, risk, protection and settlement, and attention on gender concerns as an integral part of the course.

Over the years, the syllabi of the course has been designed to treat the issue of ‘forced migration’ as a holistic concept, which combines for its studies various aspects of the phenomenon – internal and trans-border forced migration – basic rights of refugees, issues of refugee protection and of internal displacement. Various types of forced migration – violence induced, environmental disaster induced, mixed forms of migration; development induced, gender oppression induced and various types of discrimination induced migration are discussed in the programme. One of the aims of the course is to encourage policymakers to design protection strategies for victims in consonance with international legal frameworks and policy guidelines.

The main objectives of the course are:

1. To encourage dialogue between policy makers, research scholars, activists and media persons in South Asia
2. To train personnel working in national human rights institutions in South Asia
3. To encourage researchers and scholars working on displacement studies through CRG’s network
4. To build up a resource centre for future research work in this area for young scholars and activists
5. To collaborate with educational and research institutions interested in using CRG’s expertise on displacement and peace studies for short orientation programmes.
6. To encourage exchange of scholars and dialogue in the following key areas:
 - The right to return;
 - Climate change and environmental degradation – policy analysis (Bangladesh, Sri Lanka and India);
 - Victims right to information and the right to communicate (India);
 - Trafficking, health of the migrants, and reflections on monitoring mechanisms (Nepal, Bangladesh and India);
 - Refugee camps in South Asia (India, Nepal, Sri Lanka);
 - Internal displacement – revisiting legal frameworks (India, Pakistan, Sri Lanka, Bangladesh and Nepal);
 - Stateless people in South Asia

There are several features of the course, which make it a unique programme. Readers of the report will find the details in subsequent pages; however it is important to summarize them and place them at the beginning:

- (a) Emphasis on distance education, its innovation, and continuous improvement through interactive methods, including the use of web-based education;
- (b) International standard, rigorous nature of the course, customizing methodologies for forced migration research and generating original research inputs, fieldwork, analysis of the protracted IDP situations, and a comprehensive regional nature of the course;
- (c) Emphasis on experiences of the victims of forced displacement in the conflict zones in South Asia,
- (d) Special focus on auditing and strategizing media through workshops, film sessions and creative assignments;
- (e) Emphasis on gender justice;

- (f) Special emphasis on statelessness in South Asia
- (g) Special attention to policy implications;
- (h) Follow-up programmes such as spreading it to universities, providing inputs to future researchers, innovating local modules and training participants to become trainers of the future programmes;
- (i) And, finally building up the programme as a facilitator of a network of several universities, grassroots organizations, Mothers' Fronts, research foundations, UN institutions etc.



Participants presenting their research assignments: Anna Purkey, Drago Zuparic-Iljic and Kalyan Pokbrel (from left to right)



Chetan Bhatt



Subhas Ranjan Chakraborty

2. Structure of the Course

On 15 December 2011, the Ninth Orientation Course on Forced Migration (generally known as the Winter Course) came to an end. The preparation for this course commenced on December 14, 2010, i.e., the day before the Eighth Winter Course formally ended. After an eight-year experience, CRG, for the first time, partially altered the format of the course to make best use of the accumulated knowledge of eight years and take the course forward. In doing this, CRG wanted to take the advice of those who have been involved in its activities. The members of CRG and its partners had realized that the Winter Course had grown into a full-fledged programme with components of research, publications, networking, and training under innovative and different formats. CRG's proposal to make the course more participatory was accepted and endorsed by the advisors during the advisory committee meeting held on 15 June 2011 in New Delhi. Representatives from UNHCR, the Embassy of Finland, our colleagues and members of the course committee and former participants of the course attended the day-long deliberations to discuss the selection procedure, participants' profile, structure of the course, field visits and follow-up segment.

Significant Features of the Schedule

CRG planned four themes for this year's course. Each of the themes, conceptualized as a module, was structured around a workshop, a theme lecture, a lead paper on CRG's research for discussion at the workshop, some assignments relevant to the workshop theme and rapporteurs' presentations on the deliberations. Each workshop had two days devoted to it. The resource person under each module was intensely involved in the workshop for the entire period. In place of the earlier module notes, there was a concept note under each module to be discussed at the relevant workshop. The workshop identified certain key problems relating to the theme.

The Four Modules

1. Refugees and IDPs: Definitions and New Issues in Protection
2. Gendered Nature of Camps
3. Environment, Resources, and Displacement
4. Statelessness in South Asia

Besides the research assignments, the course activities included film screenings, a day-long media workshop, field trip and interactions with resource persons. This year CRG also organized a dinner discussion with Chetan Bhatt, Director, and Centre for the Study of Human Rights, London school of Economics, U.K., on 4 December 2011.

Participants

Twenty-three participants were selected initially for the course, of whom eighteen attended the 15-day workshop at Kolkata. All these participants were selected through public notifications and were drawn from fields of law, social and humanitarian work and academics. This year we had a participant from the Burmese refugee community from New Delhi. We had a programme coordinator working at the camps in Jhapa, Nepal, who spoke

about the wider experiences of victimhood of internally displaced persons and of rehabilitation and care. We had social workers, academics from Bangladesh, and India coupled with a consultant for conflict transformation and peace-building from Sri Lanka as participants. Besides we had participants with legal expertise from Nepal, Canada and Germany. For the first time we had participants from Croatia and Lebanon.

Faculty

Resource persons from various universities and institutions across South Asia and outside the region were invited to join as faculty members of the Ninth Orientation Course on Forced Migration. The faculty members were drawn from people with experience in refugee studies, internal displacement, teaching and research, humanitarian work in NGOs, journalism, legal studies, public-policy analysis, journalism, concerned human rights activism, and from among UN functionaries, particularly those in UNHCR. Attention was paid to a diversity of background and region. Importance was attached to the requirements of the modules; the faculty was also involved in developing, on a permanent basis, a set of reading materials, evaluation criteria and follow-up activities. They graded participants on their skills of communication and analysis and presentation of research assignments.

Evaluation

The participants were evaluated by core faculty members who also graded their research assignments and presentation. The course is equivalent to eight credit hours of graduate level work. They were given a grade for the distance-education segment and another for the Kolkata workshop. At the end of the course they were given a cumulative grade.

The course has a built-in evaluation system. Each participant was required to present a written evaluation with each resource person also expected to do the same.

Special Activities Included in the Ninth Annual Winter Course Workshop

- For the first time a film, *Amader Jomite Oder Nagari* (a short documentary film in Bengali), was screened and discussed in the inaugural session held on 3 December 2011.
- A special session on the recent publication of the CRG, *Displacement in the Northeast: A Media Reader*, was held on 6 December 2011 followed by a roundtable on RefugeeWatch Online (an online journal of CRG).
- A special round table on 'Politics of Protection' was held on 7 December 2011. Representatives from Bru internally displaced people from Tripura and a participant from the Chin refugee community took part in this round table.
- Keeping the 50th Anniversary of the 1961 Convention on Reduction of Statelessness under consideration, CRG organized a special round table discussion on 'Statelessness in India' on 13 December 2011. Each of the researchers working on the project on 'Mapping Statelessness in India' participated and shared their research experiences at that roundtable.

Follow-Up Activities

- **Workshop on Forced Migration, Statelessness, and Issues of Citizenship in South Asia**

CRG in collaboration with the Academy of International studies (AIS), Jamia Milia Islamia, New Delhi, organized a two-day workshop during 22-23 March 2012 at New Delhi. Twenty-five participants were selected for the workshop. The two-day workshop was divided into ten business sessions (including inaugural and valedictory sessions), namely, i) *Refugee Movements in South Asia*, ii) *Internal Displacement in South Asia*, iii) *Politics of Protection in South Asia*, iv) *Resource Crisis, Environmental Displacement and Forced Migration*, v) *Gender Dimensions of Forced Migration*, vi) *Statelessness and Issues of citizenship in South Asia: A case study of Chhittmahal*, vii) *Migration and Problems of Citizenship*, viii) *Media and Forced Migration*. **(For the detailed report please see pages 44-45)**



Special panel on Statelessness in South Asia : Paul chung, Gladston Xavier, ,Atig Ghosh and Samir Kumar Das (from left to right)

3. Participants

Afroja Khanam: Lecturer in the Department of Political Science, Jagannath University, Dhaka, Bangladesh. She has worked on brothel and slum evictions, male perceptions on violence against women and non-traditional security discourse.

Aneeta Ghote: Refugee Status Determination (RSD) Associate of UNHCR in New Delhi, India. Her work profile includes interviewing and assessing appeal claims of asylum seekers rejected at first instance of the RSD cycle.

Anindita Ghoshal: Assistant Professor in Rishi Bankimchandra College, Naihati, West Bengal, India. She is pursuing her PhD on "Partition of India with a special focus on refugee movement in West Bengal, Tripura & Assam."

Anna Purkey: Tomlinson Doctoral Fellow and a DCL candidate at the Faculty of Law at McGill University. Her research focuses on human dignity and access to justice in refugee camps.

Arij Bou Reslan: She has worked in psycho-social programmes with displaced persons and refugees in Lebanon, Jordan and Syria since 2006. She is currently volunteering as a child protection resource person in Bangladesh.

Christoph Tometten: A jurist holding a German-French law degree. His academic interests include the situation of irregular migrants in Germany, France, Greece and Turkey.

Debdulal Deb: A Faculty in a Northeast India-based training and research institute, the Institute of Development Action. He was also an intern of the National Centre for Advocacy Studies.

Drago Zuparic-Iljic: A Ph.D. student of Sociology at the Faculty of Humanities and Social Sciences, the University of Zagreb, Croatia. His PhD thesis focuses on the politics of asylum and refugees' integration at the EU level and in Croatia.

Kaberi Das: Assistant Professor in the department of Sociology, Gauhati University. She is also pursuing her PhD on the area 'women in migration' from the Tata Institute of Social Sciences, Mumbai.

Kalyan Pokhrel: A professional lawyer and a member of the International Criminal Court Committee, Nepal Bar Association, Katmandu. His LL.M. dissertation was on 'Right to Development in Minimizing the Conflict'.

Karunarathnage Nirosha Chaminda Hapuarachchi: Project Coordinator of the Assisted Voluntary Return Programme, International Organization for Migration, Sri Lanka. He has been working with IDPs, migrants and vulnerable communities for the past seven years. He has also been working with the resettled families in north and east of Sri Lanka by implementing socioeconomic development programs.

Lal Lian bik: English teacher for pre-intermediate classes in Prospect Burma Language School, New Delhi. He himself is a Burmese refugee living in Delhi.

Nanda Kishor: Assistant Professor in the Department of Geopolitics and European Studies at Manipal University, Manipal, Karnataka, India. His Ph.D. was on ‘Urban Displacement and Sustainable Urban Development – Comparative Case Studies in Hyderabad’.

Ram Prasad Dahal: Project coordinator of an UNHCR funded project for providing psychosocial support to Bhutanese refugees in camps. He works with Transcultural Psychosocial Organization (TPO), Nepal.

Rupsree Joshi: Has been working with the Tibetan refugees for the past six years. Currently she is involved in freelance consulting and research.

Shobha Raghavan Previously, Programme Coordinator of Gender Justice Programme in western India for Oxfam, India. Earlier she worked as Oxfam International Tsunami Fund Monitoring & Evaluation Coordinator. She did her MA from the Tata Institute of Social Sciences.

Shreya Sen: A Ph.D. scholar at the Department of South and South East Asia, University of Calcutta, India. Her research topic is ‘Legal Protection of Refugee Women in South Asia’.

Sonali Narang: A Ph.D. scholar from the Center for Studies of Geopolitics, Department of Political Science, Panjab University. She is also a UGC-NET fellow. Her M.Phil. dissertation is on climate change, internal displacement and migration in Bangladesh.



Participants of the Ninth Annual Orientation Course with a few CRG members

4. Members of the Faculty

Ammu Joseph: Eminent journalist and writer based in Bangalore.

Anasua Basu Ray Chaudhury: Research and Programme Associate, CRG

Anindya Sengupta: Special Correspondent, *The Telegraph*, Kolkata.

Anjuman Ara Begum: Research Scholar, Gauhati University, Assam.

Anuradha Gunaratne: Human Rights Commission, Sri Lanka.

Asha Hans: Director, Sansristi, Bhubaneswar, Orissa and member of CRG.

Atig Ghosh: Research and Programme Associate, CRG.

Chetan Bhatt: Director, Centre for the Study of Human Rights, London School of Economics, UK.

Chitra Ahanthem: Journalist, Imphal Free Press.

Chris Dolan: Director, Refugee Law Project, Makerere University, Uganda

Dipankar Sinha: Department of Political Science, University of Calcutta, and member of CRG.

Florina Benoit: OffFER, Chennai.

Gladston Xavier: Lecturer, Loyola College, Chennai.

Heli Lehto: Second Secretary, Embassy of Finland, New Delhi.

I.A. Rehman: Human Rights' Commission, Pakistan.

Ishita Dey: Member, CRG.

K.M. Parivelan: Director, Earth Smile, Chennai, and member of CRG.

Madhuresh Kumar: National Alliance of Peoples' Movements (NAPM), New Delhi, and member of CRG.

Mainak Biswas: Department of Film Studies, Jadavpur University, Kolkata.

Manoj Sinha: WB National University of Juridical Sciences, Kolkata.

Nilanjan Dutta: Journalist and member of CRG.

Nilotpal Dutta: Secretary, Rajarhat Jomi Bachao Committee, Kolkata.

Paula Banerjee: Department of South and South East Asian Studies, University of Calcutta, and Secretary, CRG.

Pradip Phanjoubam: Editor, Imphal Free Press, Manipur.

Priyanca Mathur Velath: Associate Fellow, Institute for Human Development, New Delhi, and member of CRG.

Rajesh Kharat: Associate Professor, SIS, JNU, New Delhi, and member of CRG.

Ranabir Samaddar: Director, CRG.

Roberto Mignone: Deputy Chief of Mission, UNHCR, New Delhi.

Sabyasachi Basu Ray Chaudhury: Professor, Department of Political Science, Rabindra Bharati University, Kolkata, and President, CRG.

Sahana Basavapatna: Legal Consultant, New Delhi.

Saleem Samad: Eminent Journalist, Bangladesh.

Samir Kumar Das: Professor, Department of Political Science, University of Calcutta, and Honorary Senior Researcher, CRG.

Shyamalendu Majumder: Associate Professor, Sibnath Sastri College, Kolkata, and Member, CRG.

Som Prasad Niroula: Nepal Institute for Peace (NIP).

Subhas Ranjan Chakraborty: Eminent Historian and member of CRG.

Subir Bhaumik: Editor, *Seven Sisters Post*, Guwahati, and member of CRG.

Suhit Sen: Senior Researcher, CRG.

Uttam Kumar Das: Attorney, Supreme Court of Bangladesh, Dhaka.



Anasua Basu Ray Chaudhury



Ammu Joseph

5. Partnerships, Supporting and Collaborating Institutions

The Orientation Course has grown into a full-fledged programme with components of research, networking and training through innovative formats. The programme has become particularly significant because of partnerships and interactions between Indian and Finnish Institutions. The course is supported by the Government of Finland, UNHCR, Brookings Institution, representatives from the UNHCR, the Embassy of Finland, experts in the field of studies on forced migration, our colleagues and members of the course committee and former course participants. They collectively decide the selection procedure, participants' profile, module structure of the course, media segment, field visit and follow-up segment. There are several other institutions and universities that are joined in this collaborative effort.

Besides receiving help for organizing the course CRG also gets support from the Government of Finland to build up a Resource Centre on Forced Migration, a part of the Winter Course programme. The Refugee Research Network (RRN), York University and the Refugee Study Centre (RSC), Oxford University, also support CRG's initiative to instal a digitized resource centre that forms part of the forced migration programme.

Field Visit

This year CRG arranged a field visit to Darjeeling, West Bengal, for the participants of the Orientation Course during 8-12 December 2011. At Darjeeling, CRG organized two panel discussions held on 10 December 2011 namely: i) 'Issues of Citizenship in South Asia' in collaboration with St. Joseph's College, Darjeeling; and ii) 'Nepali-speaking Population in India and a Question of Citizenship' in collaboration with the Civil Society Group at the Gymkhana Club of Darjeeling. CRG is grateful to its collaborators. **(For detailed report please see page 29)**

Follow-Up Programme

The CRG in collaboration with the Academy of International Studies (AIS), Jamia Milia Islamia, New Delhi, organized a two-day workshop during 22-23 March 2012 at New Delhi. 25 participants were selected for the workshop. **(For detailed report please see pages 44-45)**



Nilotpal Dutta



Maimak Biswas

6. Schedule

The Ninth Orientation Programme on Forced Migration

(1-15 December 2011)

(Venue – Sabhaghar I, Swabhumi, Kolkata, *unless otherwise stated*)

Schedule of Workshops, Round Tables under Four Modules, Course Assignments, Field Visit, Media Workshops, etc.

[A three-month long distance education programme precedes the 15-day winter workshop in Kolkata. Course readings, assignments of various types, on-line interaction, discussions on assignments, and distribution of responsibilities and participatory roles in various events during the Kolkata workshop are features of the distance education period. Performance in the distance education period contributes to the overall credits in the programme. Low performance bars the participants from participating in the Kolkata workshop.]

1 December (Thursday)

02.00 – 02.30 PM	Tea and Registration
02.30 – 04.00 PM	Orientation of the Course, <i>Sabyasachi Basu Ray Chaudhury</i> , Department of Political Science, Rabindra Bharati University and President, Calcutta Research Group (CRG)
04.00 – 04.30 PM	Tea
04.30 – 05.30 PM	Introducing participants and distribution of responsibilities, <i>Anasua Basu Ray Chaudhury</i> Coordinator, Forced Migration Studies Desk, CRG

2 December (Friday)

09.30 – 11.00 AM	Theme Lecture, Module A , <i>Sabyasachi Basu Ray Chaudhury</i>
11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Participants' Workshop on Module A Speakers: <i>Ram Prasad Dahal, Drago Zuparic-Iljic, Christoph Tometton, K. Kamaleswaran, Kalyan Pokhrel, Debdulal Deb</i>
01.00 – 02.00 PM	Lunch
02.00 – 03.30 PM	Workshop Continued
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Special Lecture by <i>Manoj Sinha</i> , WB National University of Juridical Sciences, Kolkata
06.00 – 08.00 PM	Library Hours

3 December (Saturday)

09.30 – 11.00 AM	CRG's Research Presentation on "Development of Rehabilitation Policy in India" by <i>Madhuresh Kumar</i> , National Alliance of Peoples' Movements (NAPM), New Delhi
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11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Rapporteurs' Presentation on Module A Workshop
01.00 – 03.00 PM	Lunch
03.00 – 06.00 PM	Formal Inauguration
03.00 – 03.05 PM	Welcome Address by Sabyasachi Basu Ray Chaudhury
03.05 – 03.15 PM	About CRG's Research on Forced Migration by Ranabir Samaddar , Director, CRG
03.45 – 04.30 PM	Keynote Address by I. A. Rehman , Human Rights' Commission of Pakistan
04.30 – 05.00 PM	Tea
05.00 – 06.30 PM	Film Screening and Discussion [<i>Amader Jomite Oder Nagar (Bengali)</i>] Nilotpal Dutta Chair: Sabyasachi Basu Ray Chaudhury

Reception and Dinner

4 December (Sunday)

09.30 – 11.00 AM	Theme Lecture Module B by Asha Hans , Director, Sansristi, Bhubaneswar
11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Participants' Workshop, Module B Speakers: Shreya Sen, Arij Bou Reslan, Anna Purkey, K Nirosha Chaminda Hapuarachchi
01.00 – 02.00 PM	Lunch
02.00 – 03.30 PM	Workshop Continued
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Special Lecture by Florina Benoit , OfERR, Chennai
08.00 – 10.00 PM	Dinner Discussion with Chetan Bhatt , Director, Centre for the Study of Human Rights, LSE, UK

5 December (Monday)

09.30 – 11.00 AM	CRG's Research Presentation on "Voices of the Internally Displaced in South Asia" by Anasua Basu Ray Chaudhury
11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Round Table on "Trafficking of Women: Insecurity and Violence" Under Module B (Moderator- Asha Hans, Participants: Florina Benoit; Anasua Basu Ray Chaudhury)
01.00 – 02.00 PM.	Lunch
02.00 – 03.30 PM	Rapporteurs' Presentation on Module B Workshop
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Film Screening (<i>Hotel Rwanda</i>)
06.00 – 08.00 PM	Library Hours

6 December (Tuesday)

Media Workshop

09.30 – 11.00 AM	Key note Lecture on “Media, Forced Migration, and Women” by Ammu Joseph , Eminent Journalist
11.00 – 11.30 AM	Tea
11.30 – 01.00 P.M	Introducing the Media Reader on Displacement in the Northeast / Panel Discussion – Participants: Chitra Ahenthem , Imphal Free Press; Pradip Panjoubhom , Imphal Free Press; Dipankar Sinha , Professor, Department of Political Science, University of Calcutta, Nilanjan Dutta , Journalist and Member of CRG; Moderator: Subir Bhaumik , Editor, Seven Sisters Post
01.00 – 02.00 P.M.	Lunch
02.00 – 03.30 PM	Round Table on “Experiences of Covering Forced Migration” – Anindya Sengupta , <i>The Telegraph</i> and Saleem Samad , <i>Eminent Journalist from Bangladesh</i> . Moderator: Suhit Sen , CRG
03.30 – 04.00 P.M.	Tea
04.00 – 05.30 PM	Roundtable on Refugee Watch online (Participants: Priyanca Mathur Velath , Associate Fellow, Institute for Human Development, New Delhi; Sahana Vasavapatna , Legal Consultant, New Delhi; Uttam Das , Attorney, Supreme Court of Bangladesh; Som Prasad Niroula , Nepal Institute for Peace (NIP); Anuradha Gunaratne , Human Rights’ Commission Sri Lanka / Moderator: Ishita Dey , Member, CRG
06.30 – 07.30 PM	Library hours

7 December (Wednesday)

09.30 – 11.00 AM	Theme Lecture, Module C by K.M. Parivelan , Director, Earth Smile, Chennai
11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Participants’ Workshop on Module C Speakers: Shobha Raghavan , Nanda Kishore , Afroja Khanam , Sonali Narang
01.00 – 02.00 PM	Lunch
02.00 – 03.30 PM	Workshop Continued
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Special Round Table on “Politics of Protection”, Participants: From Refugee Communities and Participants of Orientation Programme Moderator: Shyamalendu Majumder , Associate Professor, Sibnath Sashtri College and Member, CRG
06.30 – 07.00 PM	Introduction to the Field Trip at CRG’s Office by Subhash Ranjan Chakraborty , Eminent Historian and Member, CRG

8 December (Thursday)

09.30 – 11.00 AM	CRG's Research Presentation on "Colonialism, Resource Crisis and Forced Migration" Under Module C by <i>Subhash Ranjan Chakraborty</i>
11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Round table (Moderator: <i>K.M. Parivelan</i> ; Participants: <i>Anjuman Ara Begum</i> , Research Scholar, Gauhati University; <i>Chitra Ahenthem</i>)
01.00 – 02.00 PM	Lunch
02.00 – 03.30 PM	Rapporteurs' presentation on Module C workshop
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Film screening and discussion by Drago Zuparic-Iljic

9 - 11 December (Friday - Sunday)

Field Visit in Darjeeling

12 December (Monday)

11.30 – 01.00 PM	Theme Lecture on Module D by <i>Samir Kumar Das</i> , Department of Political Science, University of Calcutta and Member, CRG
01.00 – 02.00 PM	Lunch
02.00 – 03.30 PM	Participants' Workshop on Module D Speakers: <i>Aneeta Ghotge</i> , <i>Roopshree Joshi</i> , <i>Anindiata Ghoshal</i> , <i>Kaberi Das</i>
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Workshop Continued
06.00 – 08.00 PM	Library Hours

13 December (Tuesday)

09.30 – 11.00 AM	CRG's Research Presentation on "State of Being Stateless: A Case Study Chakmas Living in Arunachal Pradesh" Under Module D by <i>Anasua Basu Ray Chaudhury</i>
11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Lecture on "International Legal Obligations on Statelessness" by <i>Manoj Sinha</i>
01.00 – 02.00 PM	Lunch
02.00 – 03.30 PM	Round Table on "Stateless in India" Under Module D (Participants: <i>Sabyasachi Basu Ray Chaudhury</i> , <i>Atig Ghosh</i> , CRG and <i>Ashok Gladston Xavier</i> , Loyola College, Chennai) / Moderator: <i>Samir Kumar Das</i>
03.30 – 04.00 PM	Tea
04.00 – 05.30 PM	Rapporteurs' Presentation on Module D Workshop
07.00 – 08.00 PM	Library Hours

14 December (Wednesday)

11.00 – 11.30 AM	Tea
11.30 – 01.00 PM	Film Show and Discussion [<i>Sthanio Sangbad</i> (Bengali)], Mainak Biswas , Department of Film Studies, Jadavpur University
01.00 – 02.00 PM	Lunch (Venue: Pearl Hotel)
07.00 – 08.00 PM	Interactive Session with Montserrat Feixas Vihe , Chief of Mission, UNHCR, New Delhi. / Moderator: Sabyasachi Basu Ray Chaudhury

15 December (Thursday)

09.30 – 11.00 AM	Discussion on the Course with Ranabir Samaddar
05.00 – 05.30 PM	Tea
05.30 – 05.35 PM	Welcome Address by Samir Kumar Das
05.35 – 05.45 PM	Report on the Ninth Orientation Course on Forced Migration by Ranabir Samaddar
05.45 – 06.00 PM	Remarks by Guest of Honour, Montserrat Feixas Vihe
06.00 – 06.15 PM	Brief Remarks on the Course by Participants
06.15 – 06.40 PM	Distribution of Certificates followed by Brief Address by Chief Guest, Heli Lehto , Second Secretary, Embassy of Finland, New Delhi
06.40 – 07.30 PM	Special Lecture by Chris Dolan, Director, Refugee Law Project, Makerere University, Uganda Chair: Sabyasachi Basu Ray Chaudhury
07.30 – 07.35 PM	Vote of thanks by Anasua Basu Ray Chaudhury



Participants in the Orientation course: Shreya Sen, Aneeta Ghote, Anna Purkey and Kaberi Das (from left to right)

7. Distance Education: Modules and Assignments

Distance Education: Modules and Assignments

The course was structured around four modules all of which were mandatory for the participants.

Course Modules

- A. Refugees, Internally Displaced Persons (IDPs): Definitions and New Issues in Protection
- B. Gendered Nature of Camps
- C. Environment, Resources and Displacement
- D. Statelessness in South Asia

The distance education segment of the orientation course began on 1 September 2011. Like earlier courses, this was carried out through the secured segment on the CRG website www.mcrg.ac.in which was accessed by the participants and the faculty. The segment was uploaded with circulars about the details of participants, faculty members, assignments, chat sessions, reading materials, etc. The distance education based on regular interactions between the course desk and the participants and faculty formed the platform on which the Kolkata workshop was based. Two chat sessions under each module were organized, in which the participants could engage in one-to-one conversations with their module tutors.

Participants were requested to submit research reports/research articles/reviews of literature (of 4,000-5,000 words) based on any of the sub-themes under any one of the four modules during the distance education segment. Participants presented their research findings at the workshops held at Kolkata. **(Please see the list of themes selected by the participants on page 24 - 25).**

Module A: Refugees, Internally Displaced Persons (IDPs): Definitions and New Issues in Protection

Core Faculty Member: *Sabyasachi Basu Ray Chaudhury*

The module dealt with the definitions of refugees, IDPs and the emerging issues related to their protection. While international law on protection of refugees deals with the condition, status and rights of persons who have already escaped persecution and crossed the border to seek asylum, this module deals with what may be called the ‘root causes’ of the flight. It is in this respect that one has to discuss the phenomena of racism and xenophobia, and the relation of the state controls on immigration with the issue of protection of refugees.

It must be understood that when we discuss the root causes of refugee flows and the unwanted and unprotected status of the refugees, we are not ignoring the historic patterns of migration on which population flows, including forced population movements, are often built. Some have termed this “transplanted networks”. The problem one is often confronted

with in studying root causes is the ‘exceptional’ nature of the refugee situation. Is the refugee situation exceptional because the refugee is merely outside some state responsibility? Or, and this is what we are implying, is the refugee situation exceptional because of the inherent violence of the state and the incapacity of all states to fulfil their human rights obligations consistently? The question is complicated, because it affects the political attitude and will of states to grant asylum to a person on the ground of ‘well-founded fear’. Also, refugees enjoy very few rights but one of the most intrinsic rights for a refugee is the right to return.

In this module the relation between refugee flow and immigration flow, and the adverse impact of immigration control mechanism on refugee protection were highlighted. The flow of (illegal) immigration has not only overwhelmed in some cases the flow of refugees, it has got mixed with it also to such an extent that we can say that aliens have appeared as a subject in the world today. The mix of the two flows, of the refugees and illegal immigrants, now accentuates all the problems facing humanitarian politics today.

Another failure has been the inability of the convention to recognize the special needs of women, children and aged people within sections of refugees, though this has been addressed to some extent in the provisions of the CEDAW convention but needs to be reflected in the 1951 convention as well. The provisions of the 1951 convention further need revision due to increased complexities in the process of refugee generation, protection and also due to advances in the field of refugee studies. The increased focus on refugee studies has led to broadening of definitions of ‘refugee’, ‘protection’, ‘rights’, ‘justice’ etc.

In this module the focus was on various aspects of refugee protection at an international level in general and at the South Asian level in particular. To mention a few of them:

1. What do we mean by refugees, asylum protection, etc in socio-politico and legal terms?
2. What are the special provisions required for protection of women, children and other marginalized communities in the overall context of refugee protection and law?
3. What is the distinction between the human rights law and humanitarian law with respect to refugee protection?
4. What are the safeguards available for the protection of refugees in international law?
5. What is the responsibility of the state and society towards refugees? Can they simply be seen as a problem and responsibility of the host country alone?
6. Is there a link between the refugee protection regime, international law and globalization?
7. What has been the record of Indian state vis-à-vis refugee protection since partition?

Contextualizing Internal Displacement in South Asia

Besides being ‘potential refugees’ who might cross international borders, most IDPs living in South Asian countries share ethnic continuities with the people of the neighbouring countries. The Pashtuns of northwest Pakistan for example, seem to harbour an active interest in the affairs of their ethnic cousins living in Afghanistan and vice versa. Similarly, much of what happens inside today’s Myanmar has its implications for the minorities of northeastern India and Bangladesh. Massive displacement and the resulting plight of the predominantly tribal populations such as the Nagas of Myanmar continue to be one of the

key running themes in the Naga rebel discourse across the border and the ethnic cousins of Myanmar are described by it as "the Eastern Nagas". Insofar as the creation of national borders could not make many of these pre-existing ethnic spaces completely obsolescent, South Asia's living linkages with West or South-East Asia can hardly be exaggerated. Also national specificities notwithstanding South Asian IDPs are connected by their ethnicities, minority status and situations of extreme marginalization. This portrays the reality that in South Asia IDPs cannot be regarded as a national category. It is essential to think of them as regional categories and thereby framing questions around why IDPs are more vulnerable, what special provisions are there for women and whose responsibility it is to protect them becomes important to reassess.

Assignments

- Are there any basic differences between the refugees and IDPs? Argue your case with suitable illustrations.
- What is meant by the phrase 'mixed and massive flows'? Write an essay on emerging juridical discourses in view of the massive and mixed flows of displaced persons.
- Examine the new protection strategies that may be applied to the cases of protracted displacement referring to some concrete cases.
- Attempt a review of the resettlement and rehabilitation policies of the IDPs in your own country/province.

Module B: Gendered Nature of Camps

Core Faculty Members: *Paula Banerjee and Anasua Basu Ray Chaudhury*

The module analyses the way in which camps have emerged as spaces for creating further gendered configurations. A flood, an earthquake, an armed conflict between two states, a civil war, persecution – there are many reasons why people may be forced to flee their homes and leave their relatives and belongings behind. They find themselves homeless, often fearful and traumatized and in a situation of displacement in which life changes radically and the future is uncertain. Refugees or IDPs may have no option other than to seek protection and assistance in camps. Although camps are necessarily a choice of the last resort, they often represent the only option for displaced persons in need of assistance, safety and security. In situations of conflict and natural disaster, it seems initially that camps may be needed for only few months. Often the reality is that camps last for years and sometimes even for decades. Yet it is true that regardless of their life span, they can only offer temporary assistance and protection and do not represent a durable solution for displaced persons. Despite their temporary nature, therefore, it becomes imperative that camps exist in order to ensure that the basic human right to life with dignity is upheld for the camp community. Once camps are established, efficient and sensitive management is needed to ensure that they function effectively in what are often complex and challenging circumstances. Where humanitarian assistance and protection in a camp are not organized properly, coordinated, and monitored, the vulnerability and dependence of the camp population increases. Gaps in assistance, or duplication of humanitarian aid, can lead to partial and inequitable provision of services and inadequate protection.

According to the annual report of the UNHCR entitled "Global Trends" the number of people forcibly uprooted by conflict and persecution worldwide stood at 42 million at the

end of 2009, out of which 16 million people are refugees and asylum-seekers and 26 million IDPs uprooted within their own countries. More than 80 per cent of the total number is made up of women and their dependent children. An overwhelming majority of these women come from the developing world. South Asia is the fourth largest refugee-producing region in the world and, again, a majority of these refugees are made up of women. Keeping these facts in mind, this module tries to indicate that undoubtedly both displacement and asylum is a gendered experience. At least in the context of South Asia it results from and is related to the marginalization of women by the South Asian states. These states at best patronize women and at worse infantilize, disenfranchise and de-politicize them. It is in the person of a refugee that women's marginality reaches its climactic height.

The nation-building projects in South Asia have led to the creation of a homogenized identity of citizenship. State machineries seek to create a 'unified' and 'national' citizenry that accepts the central role of the existing elite. This is done through privileging majoritarian, male and monolithic cultural values that deny the space for difference. Such a denial has often led to the segregation of minorities, on the basis of caste, religion and gender from the collective 'we'. One way of marginalizing women from the body politic is by targeting them and displacing them in times of state-versus-community conflicts. As a refugee, a woman loses her individuality, subjectivity, citizenship and her ability to make political choices. As political non-subjects refugee women emerge as the symbol of difference between 'us'/citizens and its 'other'/refugees/non-citizens. Against this backdrop, this module deals with the gendered nature of camps.

The objective of this module is to analyse the refugee/IDP experience in camps from a gendered perspective, with particular reference to the situation of women, keeping under consideration the fact that gender represents a useful category or methodology through which one can analyse the refugee experience and the phenomenon of dislocation. Refugees are not a homogenous or uniform category of people. They are divided along cultural, linguistic, ethnic, political and religious lines, with a few differentiating factors. Gender represents such a factor. The term 'gender' in the module will thus be used to refer to the construction of differences between men and women and ideas of 'femininity' and 'masculinity'.

Assignments

- What is the nature and magnitude of gender-based violence in the refugee/IDP camps? Discuss with suitable examples.
- How has the governmental, non-governmental, and professional medical and counselling fraternity responded to the situation?
- Review the situation of refugee/IDP camps of your choice with a focus on protection strategies for women.
- Examine the challenges to the healthcare facilities available for the women sheltered in the refugee/IDP camps.

Module C: Environment, Resources and Displacement

Core Faculty Member: *K.M.Parivelan*

Module C focuses on environment challenges, resource crises and related displacements as major concerns facing the contemporary development discourse today. Forced migration due to a resource crisis caused by climate change and environmental degradation is a serious impediment to attaining the basic normative goals of equity, participation and development. In this module it is particularly intended to examine to what extent the issues of environmental challenges, resource crisis, climate change and resultant displacement are impairing social equality, on the one hand, and to what extent existing social inequality, particularly in the relationship between developed and developing countries, is causing the problems of resource crisis and displacement on the other.

The basic objective of this module is to contemplate the impacts of environmental challenges, resource crisis, climate change and subsequent displacement on the development of society with three sub-themes providing a framework:

- Development-induced displacement
- Land, forest governance and displacement
- Disaster and climate change-induced displacement

It is already accepted that one of the major sources of climate change, environmental degradation and subsequent resource crisis is our present mode of production and consumption. Climate change and a resultant resource crisis as direct cause of forced migration is an issue on which there are different views. On the one hand, there is the view that climate change and environmental degradation are increasingly becoming a significant cause of forced migration, and, therefore, one should give proper attention to the environmental factors causing forced migration by officially recognizing such migrated people as environmental refugees. On the other hand, there is a view that while environmental degradation and climate change do play a part in forced migration, they are at the same time closely linked to a range of other political and economic factors. Therefore, focusing on environmental factors in isolation from political and economic factors cannot help to adequately understand the issue of forced migration. On the contrary, identifying these people merely as environmental refugees might divert attention from the complex nature of the relationship between climate change, resource crisis and displacement of the population.

There is no doubt that there is an urgent need to protect and help the people who are forced to migrate due to climate change and environmental degradation. For this purpose one may, however, need a comprehensive and multi-dimensional approach by fusing together different facets such as natural resource management, climate change and global warming. In India, while the institutional mechanism is geared up at the national level, many states are yet to create disaster-management structures. It is yet to be seen whether the paradigm shift from reactive responses to proactive preparedness and mitigation is going to be a reality. There is a long way to go. Particularly there is a need to strengthen community resilience through community-based disaster management. Thus, we need to look at the linkage between environmental challenges, climate change and natural disasters with a holistic and integrated approach all over South Asia.

Assignments

- Discuss the issue of environmental challenges and displacement with a suitable case study of your choice.
- Analyse the environmental and climate change debates globally between developed and developing countries vis-à-vis the conferences held in Copenhagen, Cancun, etc.
- Discuss the link between resource crises and displacement with relevant examples.
- Analyse any natural disaster case study (e.g. flood, cyclone, earthquake, tsunamis, etc) in the context of relief and rehabilitation policy.
- Discuss the scope of integrating Climate Change Adaptation and Disaster Risk Reduction with suitable illustrations.

Module D: Statelessness in South Asia

Core Faculty Member: *Samir Kumar Das*

Statelessness is the quality of being, in some way, without a state. In fact it means being without a nationality, or at least without the protection that nationality should offer. Nationality is the legal bond between a state and an individual. It is a bond of membership that is acquired or lost according to rules set by the state. Once held, nationality or membership of a state brings with it both rights and responsibilities for the state and for the individual. Since the world has been divided into state systems, not to be a member of any one of them is a matter of serious concern. While membership of a state is the norm, statelessness continues to be widespread and has not escaped the interest of the international community. Within the realm of public international law, rules have evolved in response to the problem of statelessness.

According to the International Law Commission, the definition of stateless persons contained in Article 1(1) of the 1954 Convention relating to the Status of Stateless Persons now forms part of customary international law. The Article defines ‘stateless persons’ as those who are not recognized as nationals by any state under the operation of its law. They, therefore, have no nationality or citizenship and are unprotected by national legislation and left in the arc of vulnerability. The International Law Commission has observed that the definition of a stateless person contained in Article 1(1) is now part of customary international law. The 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness exclusively deal with the issue of statelessness. These two legal instruments explain statelessness mainly in two ways *de jure* and *de facto*. A stateless person as defined by the 1954 convention is generally equated with the term *de jure* statelessness. Besides, the convention also refers to the category of *de facto* stateless persons who remain outside the country of their nationality and hence are unable, or, for valid reasons, unwilling to avail themselves of the protection of that country. ‘Protection’ in this context refers to the right to diplomatic protection exercisable by a state of nationality in order to remedy an internationally wrongful act against one of its nationals, as well as diplomatic and consular protection and assistance, generally including her return to the state of nationality. Again, Article 15 of the Universal Declaration of Human Rights lays down: “Everyone has a nationality. No one shall be arbitrarily deprived of his nationality or the right to change his nationality.” It implies first of all that one cannot have the option of remaining stateless and, secondly, deprivation of nationality or denial of the right to

nationality is possible provided it is not 'arbitrary'. International law empowers the state to determine by the operation of law who are its citizens. The operation of law must be in accordance with the principles established by international law. The stateless are those who do not have any nationality and not having nationality may be the outcome of the way a state determines its nationality. One acquires one's nationality insofar as a 'genuine and effective link' is established through any combination of birth, descent and residency within the state.

In this context, it is to be kept in mind that nationality and citizenship are two words most commonly used to describe the same phenomenon – the legal bond of membership between an individual and a State. Nationality can only be conferred or confirmed by states and states are responsible for protecting the fundamental rights of everybody on their territory including those of stateless persons. It makes one thing clear that for all activities relating to statelessness, the states are indispensable actors.

Statelessness most commonly affects refugees although not all refugees are stateless, and not all stateless men, women and children may be able to qualify as refugees. Refugee status entails the extra requirements that the refugee be outside his or her country of nationality (or country of habitual domicile if stateless), and is deserving of asylum based upon a well-founded fear of persecution for categorized reasons which make it unwilling or unable to avail itself of the protection of that country.

Statelessness can have a severe impact on the lives of the individuals concerned as well as on the internal – and international – affairs of states. This is in part due to the role that nationality, as membership, plays in the formation of people's identities and the connection that they feel to the place where they live and the people around them. The possible consequences of statelessness are profound and touch on all aspects of life. It may not be possible for them to work legally, to purchase property or to open a bank account. Stateless people may be easy prey for exploitation as cheap labour. They are often not permitted to attend school or university, may be prohibited from getting married with a persons from other communities and may not be able to register births and deaths. Stateless people can neither vote nor access the national justice system. It is against this backdrop, that the module explores the condition of 'statelessness' especially in the South Asian context.

Some Relevant Cases of Statelessness in South Asia that the Module Explores

- Chakmas living in Arunachal Pradesh, India
- The inhabitants of the Chhitmahals (Indian enclaves in Bangladesh/ Bangladeshi enclaves in India)
- Lhotshampas of Bhutan
- The displaced Hindus from Pakistan living in India
- Statelessness of up-country Tamil population in Sri Lanka and India
- Biharis in Bangladesh
- Rohingyas in Myanmar

Assignments

- Discuss with reference to a case study how the distinction between a refugee and a stateless person is increasingly getting blurred.

- Discuss the 1954 Convention on Statelessness. Frame a Model Regional Law in order to address the problem of statelessness in South Asia against the background of international legal regimes.
- Suggest with reference to a case study a roadmap for civil society activism in order to address the problem of statelessness.
- Do you think that the stateless should have a right to citizenship in the host country? Please enunciate your view on global responsibility relating to statelessness.

List of Themes Selected by the Participants for their Assignments

Time allotted for presentation: 20 minutes

Module A

Date of Presentation: 2 December (Friday)

Name	Topic
Ram Prasad Dahal	Psychosocial protection strategies for Bhutanese refugees in Nepal
Drago Zuparic-Iljic	People with their heads in their bags: A review of the resettlement and rehabilitation policies of the IDPs in Croatia
Christoph Tometton	Juridical discourses on mixed and massive flows
Kalyan Pokhrel	Nepalese dilemma in ratifying and domesticating international refugee law
Debdulal Deb	Relief and Rehabilitation policy of Assam for the victims of Ethnic violence in the year 1993, 1996 and 1998 in Chirang district of Assam and present status of camp inmates.

Module B

Date of Presentation: 4 December (Sunday)

Name	Topic
Shreya Sen	The rehabilitation and protection of women in the Tibetan refugee camps in India
Arij Bou Reslan	Protection strategies (prevention & response) meant for women in the Rohingya camps in Bangladesh
Anna Purkey	Protection strategies for women in Burmese refugee camps with special reference to Mae La camp in Tak province.
Hapuarachchi K Nirosha Chaminda	Gendered nature of camps in post-war Sri Lanka

Module C

Date of Presentation: 7 December (Wednesday)

Name	Topic
Shobha Raghavan	The link between resource crises and displacement.
Nanda Kishore	Typologies of displacement and resettlement-Need for Social Impact Assessment Tools"
Afroja Khanam	On the link between development and displacement: Case studies from Bangladesh
Sonali Narang	Imagined geographies of climate change-induced displacements and migrations: A case study of Tuvalu

Module D

Date of Presentation: 12 December (Wednesday)

Name	Topic
Aneeta Ghotge	The Burmese Rohingya: A forgotten minority?
Roopshree Joshi	Young Tibetans living in Nepal
Anindita Ghoshal	Statelessness or permanent rehabilitation: Issues relating to the Chakmas of CHT in Tripura and Arunachal Pradesh
Kaberi Das	Nepali people in Assam: Refugees or stateless persons?



Ranabir Samaddar



I A Rehman

8. Media and Forced Migration (Film Screenings and A One day Workshop)

Film Screening

Three films were screened during the Ninth Orientation Course on Forced Migration. The films, ranging from Hollywood productions to documentaries made by activists, raised the issue of forced migration in the background of genocide, civil war, development and forcible acquisition of land by the government. On 3 December, at the inaugural session, a documentary *Amader Jomite Oder Nagari* (Bengali) was screened. This film talked of the land grab at Rajarhat, on the outskirts of Kolkata city, by the West Bengal Housing Infrastructure Development Corporation Limited (HIDCO). The documentary was made by Rajarhat Jomi Bachao Committee and it recorded the problems of the peasants who used to work on the land that had been forcibly acquired. It documented the loss of livelihoods and the inability of the farmers to find suitable employment. The ecological loss due to the filling up of the water bodies in the area was shown as well. The documentary talked about the inadequate compensation given to the peasants and also exposed the nexus between the police, political leaders and parties in forcing the peasants to give up their land. The screening was followed by a discussion with Nilotpal Dutta, Secretary, Rajarhat Jomi Bachao Committee.

On 5 December, *Hotel Rwanda*, a 2004 American film directed by Terry George, was screened. This film is based on real life events which took place in Rwanda during the spring of 1994. It shows hotelier Paul Rusesabagina's attempts to rescue his fellow citizens from the ravages of the Rwandan genocide, by giving them shelter in the besieged Hôtel des Mille Collines. *Hotel Rwanda* explores genocide, political corruption, and the repercussions of violence.

Moinak Biswas and Arjun Gourisaria's *Sthanio Sangbad (Spring in the Colony)* is a film that brings out the complexities of urban development. The film is set in a refugee colony of South Kolkata that faces the threat of large-scale destruction and consequent displacement of the residents for 'development'. It follows a range of urban characters — thieves, a dreamy-eyed young poet, old shopkeepers, promoters and party workers and their journey over a twenty-four hour frame. As a dark political satire, it questions the neo-liberal notions of development through numerous bizarre incidents and subplots. The film was screened on 14 December 2011 followed by a discussion with Mainak Biswas, one of the directors of the film.

Media Workshop

The media workshop of the Ninth Orientation Course on Forced Migration was held on 6 December. It started with the keynote address on *Media, Forced Migration and Women* delivered by Ammu Joseph, the eminent journalist from Bangalore. At the very outset she asked the journalists to cover forced migration, keeping in mind its gender dimensions. If the media and the journalists do not recognize the importance of gender as a key lens through which issues of displacement and rehabilitation can be viewed, they will miss out on telling the whole story. They need to recognize that gender-based discrimination which affects women and girls in most societies before and during conflicts (or disasters etc.) is usually replicated

or even exacerbated during forced migration. Women are deprived of basic human rights in conflict situations and also relief and rehabilitation programmes. Finding employment is a major problem for displaced women. Single women, women heads of household and women with dependents are particularly disadvantaged since they have to support themselves and their families in very difficult circumstances. Women with disabilities and aged women also face special challenges. Many displaced women have to deal with the restrictions placed on them by their male relatives upholding traditional gender roles. Women are often less prepared for paid work, many lacking the necessary skills and knowledge. As a result, women and girls are vulnerable to illegal trafficking for the sex industry within the country and even across borders. These issues need to be addressed by the media. However, it is important to remember that women are not passive victims of any situation. The agencies of women in resisting development-induced displacement or in their rehabilitation etc. are important to note. But even though they are not helpless, the women are often powerless. Similarly, it is important to recognize that 'women' do not constitute a homogenous group. So their experiences vary along their class, caste, religious and other identities. The media must also focus on issues faced by other vulnerable groups in the context of forced migration, such as children, the elderly, ethnic or religious minorities, Dalits and Adivasis. Moreover gender is not only about women. Often men find it difficult to cope with displacement and they are also vulnerable to sexual abuses.

It is, therefore, important for the media to recognize gender while reporting forced migration. But the national media have hardly made any significant attempt to address the overall conditions of women in situations of armed conflict, in relief camps, in situations of flood or other forms of forced displacement. This is a challenging job as it is often difficult to get information and insights from women, especially in patriarchal societies.

The keynote address was followed by a special session on introducing CRG's recent publication entitled *Displacement in the Northeast: A Media Reader* (Frontpage: 2011). Chitra Ahenthem and Pradip Panjoubhom of Imphal Free Press; Dipankar Sinha, Department of Political Science, University of Calcutta, and Nilanjan Dutta, journalist and member of CRG, participated in this panel discussion. The session was moderated by Subir Bhaumik, Editor, *Seven Sisters Post*. Vibrant interactions between the participants of the course and the speakers of the round table made the session successful.

'Experiences of Covering Forced Migration': Anindya Sengupta, The Telegraph, and Saleem Samad, Eminent Journalist from Bangladesh. Moderator: Suhit Sen, CRG

Saleem Samad began this session. His talk was based largely on his own experiences. He began by talking about the atrocities committed in what was then East Pakistan, the Bangladesh liberation war and the unprecedented scale of migration that followed it. He then spoke of what the Bangladesh state did to the Chittagong Hill Tracts by dispossessing them, forcing them to migrate to northeast India and engineering the migration of Bengali-speaking people to the region to change the demographic balance. His talk provoked a lively discussion about the liberation war, especially the scale of Pakistani armed presence in the area and the atrocities committed there.

Anindya Sengupta spoke about his experience of covering the development of New Town in Rajarhat. He gave a detailed account of the manner in which the government and the then

ruling party set in motion the project and the manner in which they acquired lands forcibly or through fraudulent land transfers. He also talked in detail about the machinations of land sharks and how they grabbed land outside the New Town area and about how some of these fraudulent deals were exposed. The question-and-answer session that followed focused largely on the politics of land acquisition.

Round Table

The media workshop ended with a special round table on RefugeeWatch online. The pros and cons in the functioning of the online journal were discussed. Researchers, academics and legal activists from Sri Lanka, Nepal, Bangladesh and India who work for this online journal participated in this round table and shared their experiences of timely producing the journal. The members of the RefugeeWatch online board invited the participants of the course to contribute to this journal.



Special round table on Media and displacement in the Northeast: Dipankar Sinha, Nilanjan Dutta, Subir Bhanmik, Chitra Abanthem and Pradip Phanjoubam (from left to right)



Panel discussion on "Experiences of Covering Forced Migration": Saleem Samad, Subir Sen, Anindyo Sengupta (from left to right)

9. Field Visit

This year CRG had organised field visit to Darjeeling, West Bengal, to offer the course participants a kind of practical experience towards a better understanding of the day-to-day lives of the Tibetan refugees in the district.

The history of the district of Darjeeling is intertwined with the fuzzy histories of Bengal, Sikkim, Bhutan and Nepal. The region eventually fell into the hands of British East India Company between 1828 and 1835. The British colonial encounter led to the development of the region as a sanatorium and military depot, an educational centre and an area of tea plantations. Darjeeling remains a mosaic of cultures in terms of architectural styles, religion, cultures and people. Post-independence Darjeeling was merged with the state of West Bengal. A separate district was established, consisting of the hill towns of Darjeeling, Kurseong, Kalimpong and some parts of the Terai region. The region of North Bengal has remained ethnically sensitive with the hill population comprising the ethnic Nepalis who mostly migrated during British times, and the plains occupied by ethnic communities such as Bengali, Santhali, Koch Rajbangshi, etc.

The ethnic minorities of North Bengal have mobilized their identitarian interests within a frame that identifies ‘underdevelopment’ and the ‘step-motherly treatment by the South’ as the bane of their existence. The restricted exploration of the region’s potentials has fuelled a strong sense of *relative deprivation*. A strong sense of discontent has emerged among some of the ethnic communities in the north leading to demands for smaller states, concessions from the Union and state government, etc. The demand for the formation of separate states, it is felt, will protect linguistic and cultural identities and facilitate rapid development.

The three-day tour of Darjeeling comprised various discussion sessions on the politico-economic history of the region coupled with a couple of panel discussions on the notion of refugee and questions of citizenship in the region.

Meeting Officials, Activists, Teachers, Researchers and the Tibetan Refugees

The participants and the members of the faculty visited St. Joseph’s College, where they were inducted into the political history of the region. An introductory lecture was delivered by Anup Shekhar Chakraborty (Assistant Professor, Department of Political Science, St. Joseph’s College) on Darjeeling. He raised the issues of the Bhutanese and Tibetan refugees and specially the question of Indian citizenship. He also talked about the Gorkha movement, the ideology behind *Gorkhaland* and the active role of women in the movement. Chakraborty discussed the ways in which prominent ethnic forces in the hills of Darjeeling have been demanding a separate state of Gorkhaland, while in the plains there is the demand for a Kamtapur state and Greater Cooch Behar.

The next day there was a panel discussion on ‘Issues of citizenship in the South Asian context’. Rajesh Kharat (Associate Professor, SIS, JNU, New Delhi) discussed the Bhutanese and Tibetan refugees and their perception of citizenship in India, Nepal and Bhutan and the way citizenship is used as a double-edged weapon. He spoke of conditions in which, while the Bhutanese in Nepal enjoy their “refugeehood” and don’t want Nepalese citizenship, the

second generation of Tibetan refugees want to be Indian citizens. Anup Sekhar Chakraborty further talked about the issue of ‘Citizenship entitlement right and the way they participate politically’. He talked about degrees of citizenship – full, partial, non-citizenship – and the idea of camouflage citizenship. Thereafter, he presented a case study of the state of Mizoram and the marginalized population there, such as the Gorkha and Burmese population and the way notions of citizenship are constructed.

In the evening, the participants had a panel discussion on ‘Nepali-speaking population and the problem of statelessness’ at the Gymkhana Club. Eminent personalities from the Nepali community, including academics, journalists, politicians and representatives from civil society groups were present. They talked about the perception on the Nepali-speaking population and the demand for a separate state of Gorkhland. The issue of identity crisis and its links with economic factors was stressed in the discussion.

This apart, the field visit also included a visit to Tibetan refugee settlements and meetings with Tibetan self-help groups next morning, when the participants visited a museum of Tibetan handicrafts and artefacts. As the main office was closed due to a festival, our participants had to go back again to have informal interaction with the refugees on their day of departure.



Participants in interacting mood



Participants enjoying Darjeeling



Participants at Jalpaiguri station on their way to Darjeeling



Participants at Tibetan Refugee Centre

10. Interactive Sessions

Over the past few years and also drawing from the Advisory Committee's recommendations, CRG felt the need to widen the scope of the Ninth Annual Orientation Course on Forced Migration. In other words the fifteen-day workshop needed to move out of the usual classes so that the participants could interact with the experts, scholars and researchers from other institutions who are working on related issues. This year CRG put a greater emphasis on interactive sessions than on public lectures. Keeping the expertise of the participants in view, CRG wanted to provide opportunity to the participants to share their work experiences. As a result the course had a series of roundtables, panel discussions and workshops in which the course participants were invited to take part along with the faculty members.

Main Themes of the Round Tables/Panel Discussions

- Round Table on “**Trafficking of Women: Insecurity and Violence**”
Moderator- *Asha Hans*, Speakers- *Florina Benoit, Anasua Basu Ray Chaudhury* (5 December: 11.30-1 PM)

Anasua Basu Ray Chaudhury presented her work on ‘Forced Migration, Trafficking of Women and the Question of Statelessness in South Asia’. The first part of her presentation dealt with the relationship between forced migration and trafficking. She cited the definition of the UN Protocol on Trafficking in Persons (2002), followed by emerging trends of trafficking in South Asia with data from UN agencies. She presented India, Nepal, and Bangladesh as sending countries and spoke about the correlation between trafficking and HIV/AIDS. The major purpose of trafficking is commercial sex work and low-paid jobs in the informal sector. She found that conflict zones are havens for traffickers. UN instruments on migration, push and pull factors, feminization of migration and poverty were also addressed. Trafficking is gender and age specific. From a South Asian perspective, men are smuggled and women are trafficked, an assertion that was later on criticized for its gender bias. Various causes of statelessness in south Asia in general and regarding women in particular were discussed in the presentation. Dr Basu Ray Chaudhury found that stateless women generally lack awareness on the importance of documentary evidence which can prove injustice and discrimination. As a regional instrument, a SAARC Convention on Trafficking was signed in 2002. There are many instruments agreed upon by member countries but their effectiveness seems almost non-existent.

Florina Benoit's contribution to the roundtable addressed the issues of ‘Trafficking of Women: Insecurity & Violence’. She focused on trafficking to the Gulf region and developed countries. Generally speaking, women are exposed to heavy, ill-paid work with minimal physical rest compounded by separation from their families. Trafficking from developed countries was done by boat and over very long and illegal routes as well. In detention, couples are often separated and tortured and they face sexual violence. Upon return, trafficked women are often stigmatized. They are blamed for not taking care of their children and some of them are deserted by their alcoholic husbands.

- Panel discussion on **“Experiences of Covering Forced Migration”**
Moderator: **Suhit Sen**, Speakers: **Anindya Sengupta**, *The Telegraph* and **Saleem Samad**, Eminent Journalist from Bangladesh (6 December: 2-3.30 PM)

(For detailed report please see page 27-23)

- Roundtable on **“Refugee Watch Online”**
Moderator: **Ishita Dey**, Member, CRG, Speakers: **Priyanca Mathur Velath**, Associate Fellow, Institute for Human Development, New Delhi; **Sahana Vasavapatna**, Legal Consultant, New Delhi; **Uttam Das**, Attorney, Supreme Court of Bangladesh; **Som Prasad Niroula**, Nepal Institute for Peace (NIP); **Anuradha Gunaratne**, Human Rights’ Commission Sri Lanka (6 December: 4-5.50 PM)

RWO is a co-publication of *Refugee Watch* on the flow of refugees, other victims of forced migration, and internally displaced persons in South Asia. It presents news and views, critiques and analyses of policies of relevant states and international humanitarian institutions with regard to forced migration and forced population flows across the borders in this region. *RWO*’s editorial board comprises some of the alumni of the winter course over the past six courses and the editorial board members are responsible for coordinating the edition of every month. To discuss the pros and cons of the functioning of *RWO*, CRG this year for the first time arranged this special roundtable. The members of the present editorial board from Sri Lanka and India, Nepal and a new invitee member from Bangladesh participated in the roundtable. While sharing their own experiences of working, the panelists requested the participants of the course to contribute for this online journal.

- Special Round table on **“Politics of Protection”**
Moderator: **Shyamalendu Majumder**, Associate Professor, Sibnath Sashtri College and Member, CRG, Speakers: **R. Laldawngliana**, Vice President, Mizoram Bru Displaced People Forum (MBDPF); **Bruno Msha**, General Secretary, MBDPF; **Lal Lian Bik**, Chin Refugee from Myanmar (7 December: 4-5.30 PM)

The history of forced migration has presently been recognized as a history of mixed and massive flows of people, which have rendered, to a considerable extent, the older forms of protection inadequate. These early signs of new kinds of flows on the map of forced migration have led governments and humanitarian agencies to adopt newer strategies to cope with massive displacements and unrest. In this context of massive and mixed flows of forced migration and the need for newer strategies to handle such migrations, determination of refugee status has become more difficult than ever. Should there be new criteria? Or should the protection mandate be simply widened? What can be the new strategies of protection? With these questions under consideration the speakers deliberated on politics of protection from their personal experiences both as refugees and as internally displaced persons.

- Round table on **“Resource, Conflict and Displacement in Northeast”**
Moderator: **K.M. Parivelan**; Participants: **Anjuman Ara Begum**, Research Scholar, Gauhati University; **Chitra Ahenthem** (8 December: 11.30-1 PM)

Increasingly a government’s credibility and legitimacy is judged by its capacity to cope with disasters, and ability to protect the victims – its own citizens – from the disaster that has

taken place. Displacement due to disasters is now one of the worst kinds affecting different population groups. The process of providing relief, rehabilitation, and resettlement is now increasingly open to scrutiny by rights groups. Human rights discourse questions: Is the humanitarian actions undertaken just? Are they reproducing inequalities or mitigating them? Does the disaster management policy of a government take into account a society's natural coping ability to face disasters? All these questions seem pertinent in the context of some of the worst natural disasters of the last century in this part of the world. This roundtable aimed to recall them, their histories and draw lessons from them.

- Round Table on “**Stateless in India**”

Moderator: **Samir Kr. Das** , Speakers: **Sabyasachi Basu Ray Chaudhury, Atig Ghosh**, CRG and **Gladston Xavier**, Loyola College, Chennai, **Paul Chung**, Former President, Indian Chinese Association, Kolkata (13 December: 2-3.30 PM)

Statelessness is the quality of being, in some way, without a state. In fact it means being without a nationality, or at least without the protection that nationality should offer. Nationality is the legal bond between a state and an individual. It is a bond of membership that is acquired or lost according to rules set by the state. Once held, nationality – membership – brings with it both rights and responsibilities for the state and for the individual. Since the world has been divided into state systems, not to be a member of any one of them is a matter of serious concern. While membership of a state is the norm, statelessness continues to be widespread and has not escaped the interest of the international community. Within the realm of public international law, rules have evolved in response to the problem of statelessness. A definition has also emerged describing a stateless person as a person who is not considered as a national by any state under the operation of its law (generally equated with the term *de jure* statelessness). This definition can be found explicitly in Article 1 of the 1954 Convention relating to the Status of Stateless Persons, one of the two major international instruments to deal specifically with the issue of statelessness. Keeping these facts under consideration this workshop intended to focus on the issues related to statelessness in South Asia. Sabyasachi talked about the Chakmas and statelessness while Atig deliberated on *Chhitmabal*. Gladston made a presentation on Tamils of Indian origin and their statelessness and Paul Chung spoke on the Chinese in Kolkata.

- Q & A session with **Ranabir Samaddar and Samir Das** (15 December: 9.30-11 AM)
- Special interactive session with **Montserrat Feixaz Vihe** (14 December: 7-8 PM)

These were the most interesting sessions where participants and resource persons present at the course had opportunities to engage in a face to face discussions on various issues related to forced migration in South Asia, UNHCR's policies and also on future scope of collaborations.



Special session on "Politics of Protection": R. Laldawngliana , Bruno Msha, and Shyamalendu Majumder



Participants presenting their research assignments: Kaberi das, Anindita Ghoshal, Rupsree Joshi and Aneeta Gbote (from left to right)



Special session on refugee watch online: Som Prasad Nirula, Uttam Kumar Das, Ishita Dey, Anuradha Gunaratne, Sabana Basabapatne, and Priyanca Matbur Velath (from left to right)

11. Inaugural and Valedictory Sessions

Inaugural Session

This year the formal inaugural session was held on 3 December 2011. The session began with the welcome address delivered by Sabyasachi Basu Ray Chaudhury, President, CRG, and Professor, Department of Political Science, Rabindra Bharati University, followed by a brief introduction to the course by Ranabir Samaddar, Director, CRG.

I.A. Rehman from the Human Rights Commission of Pakistan delivered the keynote address at this session while the inaugural lecture was delivered by Roberto Mignone, Deputy Chief of Mission, UNHCR, New Delhi. At the outset of his keynote address, I.A. Rehman said that Pakistan has experience of dealing with refugees, IDPs and stateless people in greater measure than most other South Asian states. There are no confirmed statistics on the migrants at the time of Partition. It is estimated that around 10 million people were forced to come to Pakistan. Rehman said Pakistan has not been able to settle the problem until now as the country has no refugee law. He also mentioned that Pakistan did not ratify the 1951 Convention, like India. Today, there are 2.5 million Afghans in Pakistan to whom no policy applies. As a result, they live in miserable conditions. Livelihood is the major problem. He also talked about other refugees coming from Iran and Iraq. In his presentation he stressed development-induced displacement (displacement due to dam construction, development of gas fields, etc.). He ended his presentation by highlighting the need to have a vibrant discourse on displacement to make both the government and people sensitive to the issue.

In his inaugural lecture, Mignone presented an overview of statelessness in the world today. Beginning with the definition of statelessness that has now become part of customary international law, he emphasized that the problem of stateless people surpasses even that of refugees in terms of numbers, with an estimated 12 million stateless persons in the world today. In his lecture, Mignone identified the primary causes of statelessness in South Asia as being connected to the colonial experience. These causes include state succession following decolonization, the creation of new territorial boundaries and the movements of peoples before and after colonial rule. The consequences of statelessness can be seen at many levels of society. For the individual, statelessness can result in poverty, illiteracy, exploitation, trafficking and limited access to rights and services. Mignone went on to explain that statelessness around the world is caused by gaps in nationality laws, state succession and the lack of birth registration which is often the only way to establish a link between an individual and a particular place. In addition, gender-discriminatory laws that prevent women from passing on citizenship can also be a cause of statelessness. He referred to the bases for acquiring nationality, namely the link with the state (either with the territory – *jus soli*, or the people – *jus sanguinis*) or automatic acquisition (*ex lege*) or naturalization. Mignone explained that although there are two international conventions that address the issue of statelessness (the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness), these suffer from low levels of state ratification. As a consequence, it is necessary to look to alternative international conventions such as the Universal Declaration of Human Rights, the Convention on the Elimination of Discrimination against Women, the Convention on the Elimination of all Forms of Racial

Discrimination, the International Convention on Civil and Political Rights and the Convention on the Rights of the Child.

At the end of the session the vote of thanks, on behalf of CRG, was proposed by Anasua Basu Ray Chaudhury, coordinator of the course. The session was chaired by Sabyasachi Basu Ray Chaudhury.

Valedictory Session

On 15 December 2011 at the end of the 15-day workshop the valedictory session started with a special lecture delivered by Chris Dolan, Director, Refugee Law Project, Makerere University, Uganda. Dolan delivered a lecture on *Borders, boundary-making and forced migration in Africa*. He introduced this subject, raising the question why visible borders as well as boundaries in the minds of the people are so important in Africa. According to him, this is mostly due to the colonial past which initiated a tradition of drawing lines between people. Border-making is the reason for Africa being second only to Asia regarding the number of people of concern to UNHCR. Dolan examined the challenges raised by the growing number of IDPs. Uganda was one of the first countries to develop a national IDP policy in 2004 and the African Union has adopted a Convention for Protection and Assistance to IDP in Africa in 2009, which is scheduled to come into force soon. One might think that this is positive news, but Dolan raised the question why a separate policy is needed at all for IDPs, whose issues should be tackled within governments' normal obligations. He also addressed the issue of gender, firmly criticizing the categorization of men as perpetrators and women as victims. This, he believes, has negative results since male victims tend not to obtain any support, whereas women are not even considered to be capable of crossing the line to be perpetrators. However, the number of male survivors of sexual violence is considerable; sexual violence is often the main reason they flee their homes. Becoming a victim forces them to cross a social line, to cut off the relations with their wives, children and the rest of their refugee community so that there is no option for them but resettlement.

As the Chief Guest of the programme, Madam Heli Lehto, Embassy of Finland, New Delhi, distributed the certificates to the participants of the course who successfully completed it. Our guest of honour, Madam Montserrat Feixas Vihe, Hon'ble Chief of the Mission UNHCR, New Delhi, graced the occasion. A short report on the Ninth Orientation Course was presented by Ranabir Samaddar. The valedictory session was chaired by Sabyasachi Basu Ray Chaudhury. At the end of the session the vote of thanks was proposed by Anasua Basu Ray Chaudhury.



*Valedictory Session:
Sabyasachi Basu Ray
Chaudhury, Heli Lehto,
Montserrat Feixas Vihe
and Chris Dolan (from
left to right)*

12. Evaluation

Participants and faculty members were requested asked to fill in their evaluation forms relating to various aspects of the Orientation Course programme. The evaluation forms carried specific questions related to the structure of the course, reading material, field visit, assignments and participatory session. Like every year, a special session was dedicated to the evaluation of the course. Session was moderated by Sabyasachi Basu Ray Chaudhury.

Those who are practitioners or activists and those who are research-driven have two different kinds of expectations from the workshop. Keeping this fact under consideration this year CRG intended to make the course more participatory to give chance to each participant to share their research work. This initiative was appreciated by the participants. This year we decided to bring back some of our best winter course ex-participants. Our emphasis was not to take select beginners in the field, but to take the training forward by imparting advanced knowledge. Therefore, we encouraged those, who are already working in this field to apply. Selection of participants by CRG ensured a good mix of professionals, lawyers, NGO workers, academics and researchers, social workers and so on. Gender balance was maintained, in fact, in this course there were ten women and seven men participants. Age-wise, the group consisted of mostly (though not all) young people. Internationally participants came from various countries: there were participant from Bangladesh (1), India (8), Nepal (3), Sri Lanka (1), Canada (1), Germany (!), Lebanon (!), and Croatia (!). While Africa was missing, on the whole the group was a good mix of participants from South Asia and other states. Varied backgrounds and experience of the participants ensured interesting and productive interactions. Admittedly this is an extremely difficult process and it requires constant planning and reflection on the part of CRG.

Primarily teaching was conducted through experts in various fields, who were knowledgeable, competent and qualified. Keeping the suggestions from the last course participants under consideration this year, CRG formed a core group of experts dealing with the four modules. They stayed with the participants for the period meant for the each of the modules. Under the circumstances, the core group sat through all the sessions, commented, clarified, explained relevant points in question, alerted participants on wider issues, provided them with bibliographical help, cleared up persistent confusions and guided them in their individual interest and orientation.

Areas of Strength (Identified on the basis of participants' perspectives)

- Course Material
- Selection of Participants, and their Composition
- Participatory Sessions
- Film Shows
- Sustained Collaboration with Other Institutions

Areas of Improvement (Suggested by the participants)

- Creative Assignments can be done in groups or as a team. As a part of creative assignment CRG can collect narratives or organize a poster competition.
- Tutors should be urged to give detailed comments on assignments and not just one-word comment.

Evaluation by the Participants who Successfully Finished Distance Education Segment and also Attended the Workshop

	Yes	No	Not applicable	Total
Delivery on time	17	0		17
General relevance and usefulness	14	3		17
Relevance vis-à-vis assignments	14	3		17
Usefulness/relevance in future work	15	2		17
Difficulties with instructions	0	17		17
Tutors' comments (helpful)	15	3		17
Proper info on field visit	16	1		17
Relevance of the field visit vis-à-vis the course	17	0		17
Quality of participatory sessions	15	2		17
Adequate preparedness for the sessions	16	1		17
Quality of film sessions	15	2		17
Regular visits to the website	17	0		17

	Excellent/ Good	Bad	Not applicable	Total
Accommodation	17	0		17
Food	17	0		17
Classroom	17	0		17



Asbok Kumar Giri, Rajkumar Mabato, A.K.Ray, Ratan Chakraborty (left to right)

13. Outcome of the Course

The orientation course has been a dialogic process of learning; awareness-building and producing critical knowledge and advocacy work in the area of forced migration, conflict-resolution, peace-building and refugee studies.

• Peace and Conflict-Resolution Education

The core strength of the course has been to widen the scope of studies of forced migration and incorporate the South Asian experiences of multiple vulnerabilities like ethnic violence, refugee flows and massive displacement of population due to environment-related issues in its three-month-long distance education segment and the fifteen-day workshop. The course builds on the discourse of human security in which state and non-state protection mechanisms for the care of refugees and internally displaced persons are reviewed and discussed in great detail. It has managed to build a huge research archive on peace and conflict-resolution in the context of mixed and massive flows of population in South Asia.

• Awareness about Forced Migration Issues among South Asian Scholars, Personnel Working in Humanitarian Institutions and Activists

Through this course, CRG has been able to build a network of scholars, human rights activists and personnel working in national human rights commissions in South Asia. This network has been particularly useful in establishing linkages among key stakeholders and institutions working in the area of forced migration and strengthening various organizations. Our alumni have been involved in organizing short orientation courses in their respective institutions and have played a key role as resource persons in various forums, like the International Association for the Study of Forced Migration, including its fifteen-day course on forced migration.

• Sustained Collaboration with Other Institutions in South Asia

One of the key outcomes of the course is the sustained collaboration with various institutions in South Asia, special mention should be made of the national human rights commissions of India, Sri Lanka and Nepal, which regularly nominate personnel to join the course. Secondly, CRG has been able to build up a sustained collaboration with various departments and faculties in the University of Calcutta, Rabindra Bharati University and St. Joseph's College, Darjeeling. Thirdly, resource persons on many occasions have played a key role in building a sustained collaboration with the course by nominating participants. In South Asia, CRG is grateful to UNHCR, India, Consortium of Humanitarian Agencies, Sri Lanka and various others for nominating participants for the course.

• Expanding Networks and Visibility of South Asian Experiences and Dimensions of Forced Migration in National and International Forums

The Orientation course has evolved itself into a forum of well-established scholars and activists who engage with various issues relating to forced migration, displacement and refugee studies. The course owes its success to the strength of its faculty members who occupy significant positions in international forums such as the International Association for

the Study of Forced Migration. Paula Banerjee, former course coordinator of the winter course was elected Vice-President of the association for 2008–2009. Several other ex-course participants are actively involved in various such networks on a voluntary basis. Owing to the success of CRG’s winter course and its contribution in the area of forced migration studies, Refugee Research Network and Refugee Study Centre, Oxford University, have recognized CRG as one of their partner institutions. Taking note of CRG’s work on forced migration, Indira Gandhi National Open University, India, has agreed to support our work in the area of forced migration.

- **Research on Statelessness**

A ‘stateless person’ is someone who is not recognized as a national by any state. Stateless persons, therefore, have no nationality or citizenship and are not protected by any national legislation and left in an arena of vulnerability. Whether or not a person is stateless can be determined on the basis of an assessment of relevant nationality laws and how these laws are implemented by a state. Since nationality is generally acquired on the basis of an existing, factual link between the individual and the state – some kind of connection either with the territory (place of birth or residence) or with a national (descent, adoption or marriage) – it is important to look at nationality legislation and relevant practices, which specify whether an individual has a relevant factual link, to see if nationality is indeed attributed to the individual under any law. If not, then he or she is stateless. With these facts under consideration, CRG has worked on *The State of Being Stateless* to assess the present situation of Chakmas in the state of Arunachal Pradesh. Currently CRG’s team of researchers is working on four case studies: the inhabitants of the Chhitmahals (Indian enclaves in Bangladesh); statelessness of up-country Tamils in Sri Lanka and India; the Nepali-speaking population in the northeastern states; and the Chinese of Kolkata. As a follow-up of its pilot study on the Chakmas, in this phase CRG intends to gather information on the aforesaid communities to understand the magnitude of statelessness.

- **Resource Centre on Forced Migration**

CRG has produced and collected various documents which need to be archived for the purposes of future research and advocacy work on forced migration. The South Asia Resource Centre on Forced Migration, has been formed to facilitate further research on forced migration.



Chris Dolan and Ranabir Samaddar (left to right)

14. Research Segments and Follow up Programmes

Research papers produced out of the programme are published in the Journal *Refugee Watch* and CRG research paper series, *Policies and Practices*, both of which are distributed widely to all significant educational institutions and United Nations institutions. The orientation programme is designed to provide vital inputs to CRG's ongoing research. But, more important, the course material is based on CRG's original research work.

The research papers published in CRG publication series and also referred by the module coordinators during the course are:-

Two research articles were published together in Policies and Practices No 41 titled *Finding a Point of Return: Internally Displaced Persons in Sri Lanka*. Decades of ethnic conflict in Sri Lanka are said to have left around 800,000 internally displaced persons (IDPs). Some estimates put the figure at more than one million people. On an average one in every 18 Sri Lankan is displaced; in the Northern Province it is one in every three persons. Apparently, the majority of displaced people are mainly from the northern and eastern provinces. S. Y. Surendra Kumar's article 'Conflict and Internal Displacement In Sri Lanka: Concerns and Obstacles to Durable Solutions' delved into this issue, locating the causes of displacement (from military campaigns to developmental projects, from majoritarianism to uneven political development); it also brought out the details of an ongoing process of finding a solution for and rehabilitating the displaced people.

Fathima Azmiya Badurdeen in her article, *Conflict, Displacement and the Conditions for Sustainable Return: A Study from the District of Trincomalee, Sri Lanka*, did a thorough local-level study to understand the larger ramifications of the problems of IDPs and finding durable solutions for them. Trincomalee was chosen because most of the returnees settled there in 2007. This article showed how any administrative attempt to hastily resettle displaced people often failed to stabilize the situation. It needed a more sensitive overhaul of property relations, infrastructure, education and the condition of political participation.

Policies and Practices No 42, titled *Colonialism, Resource Crisis and Forced Migration*, written by Subhash Ranjan Chakraborty, studied the patterns of forced migration initiated by colonial rule. During the colonial regime, India became a part of the capitalist 'world system', but India's increasing integration with world trade produced, in effect, increasing pauperization. The resource crisis led to massive migration of people, often as casual, intermittent and poorly paid labour. Massive movements of people were more often than not the product of denial of entitlement to livelihood in the rural areas to the majority of the people.

- **Refugee Watch**

The theme of *Refugee Watch* issue No. 37 was *Development, Displacement and Dignity*. The following articles were published in this issue, which directly dealt with the problems of displacement and forced migration:

- *Security among the Refugees and Quality of Life: Case of Sri Lankan Tamil Refugees Living in Camp in Tamil Nadu* by Gladston Xavier and Florina Benoit
- *Practising the 'Guiding Principles' for Development's Displaces: Problems and Prospects* by Sudeep Basu
- *Rethinking 'Women' in Forced Migration* by Anita Ghimire
- *Recognizing the Dignity of Migrants* by Francois Crepeau and Ranabir Samaddar
- *States' Obligation to Protect: A Perspective from Global North* by Anne Claire Gayet

Apart from the abovementioned articles, three reports were published which dealt with various issues of conflict induced displacement and the memories of the displaced.

The theme of *Refugee Watch* issue No. 38 was *Disaster and Displacement: Gaps in Protection*. The following articles were published in this issue:

- *Women and Population Flows in India* by Paula Banerjee
- *"Most fatal malady": Media, Migration and Identity in Assam* by Ksenia Glebova
- *Life after Empires: Comparing Trajectories of Workers in Plantations (Assam) and Kolkhozes (Kyrgyzstan)* by Sanjay Barbora
- *Erasing Residence Rights in Slovenia* by Maja Breznik & Rastko Mocnik
- *Disasters and Displacement: Gaps in Protection* by Roberta Cohen & Megan Bradley
- *Patterns of Internal Displacement in Nepal* by Monika Mandal

All these contributed to the reading repository of the Ninth Winter Course on Forced Migration.

• Refugee Watch Online (RWO)

RWO is a co-publication of *Refugee Watch* on the flow of refugees, other victims of forced migration, and the internally displaced persons in South Asia. It presents news and views, critiques and analyses of policies of states and international humanitarian institutions with regard to forced migration and forced population flows across the borders in this region. The Refugee Watch Online has an editorial board comprising some of the alumni of the past six courses and editorial board members are responsible for coordinating the edition of every month. Details are available on <http://refugeewatchonline.blogspot.com>. This year again, we are planning to redraw the editorial board of the RWO to include the participants of the Seventh Winter Course on Forced Migration.

Short-Term Field Visit Grant

Two young researchers, Anwesha Sengupta, Research Assistant, CRG, and Anindita Ghoshal, Assistant Professor, Rishi Bankim College, Naihati, West Bengal were awarded short-term field visit grants under the orientation course programme.

Anwesha Sengupta in her research deals with the migration of Muslims from India to Pakistan, especially from eastern India to East Pakistan, which is a less worked area in partition studies. There are obvious reasons. The Indian archives are largely silent about this as the trek of the Muslims towards Pakistan reveals, at one level, the limitations of 'secular' India, and at another, the failure of the government to protect the citizens. In Bangladesh, too, scholars have very rarely spoken about the refugee flow from India after 1947, though

the national archives of Bangladesh have rich, but fragmented, material on this. In the nationalist frame of thought, the history of India ends in 1947 with the collapse of British Empire in South Asia. The history text books seldom explore the post-colonial times. Similarly, in the nationalist frame of Bangladesh academia, the language movement and the liberation war loom large. The 'second' partition' (1947) is almost forgotten by the people. However, the materials that were consulted during this short field trip to the Dhaka archives provided important insights about the experiences of 'Indian' Muslims during partition and after. The major questions that guided this archival research were about the nature of violence on Muslims in West Bengal and eastern India, their migrations to East Bengal and their rehabilitation there. During this short trip, files under the Confidential Report Branch within Political Department between 1947 and 1952 were consulted.

Anindita Ghoshal indicates that after Partition the story of the refugee influx in Tripura was one of gradual dominance of migrants over original inhabitants and was, therefore, unique. Tripura is the only tribal state in the bordering areas of North-Eastern part of India that received a large number of Hindu Bengali-speaking refugees from East Pakistan and experienced a total demographic upheaval. Tripura saw several waves of refugee influx, as the borderlands remained open till the 1980s. Yet, the last phase of immense forced migration through the Akhaura border was at the time of Liberation War (1971), when the central and state governments had to provide them temporary relief and rehabilitation. After the emergence of Bangladesh, many stayed back, often as illegal immigrants who later managed to get their citizenship. This project made an attempt to assess why the refugees who came in the 1950s got easily absorbed in a different, predominantly tribal, society. However, from the 1960s, the tribals became vocal about their rights in their land and protested against the state's initiative to rehabilitate a large number of Chakma refugees from the Chittagong Hill Tracts. The first generation of Bengali refugees also showed no sympathy towards the refugees who came later. This project explored various efforts of the refugees for survival in an unfavourable situation and how it altered the psychological nature of a community.

Both the reports will be published very soon.

Ongoing Areas of Research

The course is designed to provide vital inputs to CRG's ongoing research. But, more important, the course material is based on CRG's original research work. This year the broad research theme that has been explored with special emphasis is 'Statelessness in India'. CRG is working in a group comprising Atig Ghosh, Suhit Sen, Anasua Basu Ray Chaudhury, Gladston Xavier, Anup Sekhar Chakraborty, and Subhash Chakraborty. The main objectives of this research are fivefold: (a) To map with a broad brush various groups of stateless persons and take stock of their conditions in India; (b) To review the relevant literature and upgrade our knowledge bank on statelessness and update the baseline by way of gathering insights from various reports, accounts, memoirs, government documents, etc, available to us; (c) To study from a comparative perspective, the general condition of statelessness in India and prepare a state-of-the art report on various categories of stateless people listed out in our study; (d) To explore and suggest policy alternatives in order to address the problem of statelessness in India; and (e) To disseminate knowledge thus acquired into the larger civil society by way of conducting dialogues and workshops with various sections of the societies under review and institute CRG as a node of coordination amongst them. Keeping these

objectives under consideration, our researchers are working on four case studies: 'Migrations and the Problem of Citizenship/Statelessness of Gorkhas in North-East India', 'The Chinese of Calcutta', 'The Stateless People of the Indo-Bangladeshi Enclaves' and 'Statelessness of Up-country Tamil in Sri Lanka and India'.

Follow-up Programme

- Two-day workshop on **“Forced Migration, Statelessness, and Issues of Citizenship in South Asia”** in collaboration with Jamia Milia Islamia, New Delhi held on 22-23 March 2012 at the Academy of International Studies, Jamia Milia.

There were twenty-four participants from diverse backgrounds and various institutions. The workshop had three segments: theme lecture, special lecture and a roundtable discussion. The special lectures were delivered by Sanjay Chaturvedi, Panjab University, Chandigarh; Atig Ghosh, Ranabir Samaddar and Nilanjan Dutta. Chaturvedi talked about the politics of scientific discourse that has developed in the U.S.A., and the West broadly, regarding climate change and its effects on the Global South, with particular reference to Bangladesh. Ghosh talked about the social difficulties of everyday life in the *chhitmahals* (Indo-Bangladesh enclaves), the political tussle over the *chhitmahal* between India and Pakistan and after 1971 between India and Bangladesh and the issues of identity for the people living in these areas. Samaddar discussed the concepts of citizenship in the contemporary world. He argued that though traditionally the figure of the migrant is the 'other' that defines the 'core', i.e., the citizen, it is possible today to see migration and citizenship as a part of a continuum. In today's world, where mobility of labour is extremely high, the domain of citizenship practices is no longer an autonomous site. A migrant may also very well be part of this domain without having all the rights that a citizen enjoys. Samaddar stressed the need to study the practices first and then develop conceptual notions of citizenship and migration, instead of going the other way round, i.e., making an attempt to understand practices through theoretical frames. Dutta talked about the role of media in depicting the problems of forced migration. He argued that the media, both within India and elsewhere, is market-oriented. Therefore, they are reluctant to talk about the forced migration which necessarily leads to forced occupation which is detrimental to the development of market forces.

The theme lectures were delivered by Sabyasachi Basu Ray Chaudhury and Paula Banerjee. Basu Ray Chaudhury focused on the problems of internally displaced persons (IDPs). The issues regarding the definition of IDPs, difference between an IDP and a refugee, the reasons behind internal displacement, the vulnerability of these people, the legal regime regarding internal displacement and its loopholes were highlighted in the course of this lecture. He specially focused on the problem of internal displacement and the problems of the IDPs in India's northeast. He also touched on the problem of statelessness in South Asia. Banerjee emphasized the need to analyse forced migration through the lens of gender. Her paper demonstrated how the experiences of men and women vary in every stage of forced migration, like the conflict stage that pushes people out of their homes, the actual phase of migration and the rehabilitation phase. Though her paper particularly focused on the trauma of women in South Asia, she discussed the difficulties faced by the men who are forcefully uprooted. She concluded her lecture with a power-point presentation on 'Women and Dam in North East India'.

Two roundtable discussions were held. The first was on 'Politics of Protection in South

Asia'. In this session, Anasua Basu Ray Chaudhury, Sudeep Basu, GIDR, Ahmedabad and Mukesh Bagoria, Delhi College of Arts & Commerce participated. This session was moderated by Nasreen Chowdhory (D.U.). The next roundtable session, moderated by Sanjoy Hazarika, was on 'Resource Crisis, Environmental Displacement and Forced Migration'. The participants were Ishita Dey, Quaisar Alam, Kalindi College, Delhi and Sushree Panigrahi, Rajiv Gandhi Institute for Contemporary Studies. In the valedictory session, Montserrat Feixas Vihe, Chief of Mission, UNHCR, New Delhi, and the Pro-Vice Chancellor of Jamia Milia Islamia, S.M. Rashid, were present. The workshop ended with a vote of thanks by Anasua Basu Ray Chaudhury.



Samir Kumar Das



Sabyasachi Basu Ray Chaudhury



Manoj Sinha



Madhuresh Kumar

15. CRG Team

- Anasua Basu Ray Chaudhury
- Ashok Kumar Giri
- Atig Ghosh
- Ishita Dey
- Manjuri Chatterjee
- Mithilesh Kumar
- Paula Banerjee
- Raj Kumar Mahato
- Rajat Kanti Sur
- Ranabir Samaddar
- Ratan Chakraborty
- Sabyasachi Basu Ray Chaudhury
- Samaresh Guchhait
- Samir Kumar Das
- Suhit Sen



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Manjuri Chatterji

16. Advisory Committee

- A. S. Paneerselvan
- Ajay Darshan Behera
- Asha Hans
- Elizabeth Ferris
- Kalpana Kannabiran
- Manish Jha
- Meenakshi Gopinath
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- Nasreen Chowdhory
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- Rajesh S Kharat
- Sanna Selin
- Vijaylakshmi Brara



Montserrat Feixas Vihe



Heli Lehto

17. Alumni of Winter Course

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- **Ksenia Glebova**
- **Madhuresh Kumar**
- **Oishik Sircar**
- **Priyanca Mathur Velath**
- **Roopshree Joshi**
- **Sahana Basavapatna**
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