

The detailed analysis of

DEPRIVATION

Of

ROHINGYAS

In Delhi

By

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BACKGROUND

India provides assistance to over 3,00,000 registered urban refugees and asylum seekers from more than 30 countries around the world. In spite of not being a signatory to the 1951 Refugee Convention or 1967 Additional Protocol, which describes the rights of the refugees and the responsibilities of the country that grant asylum, India has been accepting people fleeing from discord and natural disasters in for a long time. India, constitutionally, does not have a national legal framework for protection of asylum seekers. At the same time, India is signed to a majority of international conventions that seek to protect human rights. These include The International Covenant on Civil and Political Rights and The International Covenant on Economic, Social and Cultural Rights, 1966, The Convention on Rights of the Child, 1989, The Convention to Eliminate all forms of Discrimination Against Women, 1980, The Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984.

Delhi, being the Indian capital, houses 24,000 refugees and 9,000 asylum seekers, as have been registered with UNHCR India, with the Rohingyas numbering at around 900. Rohingyas are the most vulnerable refugee community in Delhi, living largely in slum encampments, or jhuggis, in Vikaspuri, Shaheen Bagh, Kalindi Kunj and Khajuri Khas with the local and other migrant population.

Rohingya Muslims, world's largest "stateless" ethnic group, belong to northern Rakhine state of Myanmar, a Buddhist majority nation, numbering around 1.1 million. Today, there are around 8,00,000-11,00,000 Rohingyas residing in Myanmar, 80% of whom are in the Rakhine state. They are primarily settled in the two northern townships in Rakhine state-- Maungdaw and Buthidaung--along the border with Bangladesh. The state is one of the poorest in the country, with lack to basic amenities and opportunities. They speak a dialect that is distinct from that spoken in the rest of the country, while being closer in touch to Bengali, leading to accusations of them being 'Bengali Muslims'. They are not recognised as one of the 135 ethnic groups of Myanmar and have been denied citizenship since 1982, rendering them stateless.

The major population group residing in Rakhine state is the Rakhine Buddhists. The origin of the tension between the two groups can be traced back to their historical interactions.

Conflicting stories surrounding the origins of the Rohingyas have been the major controversy in Myanmar. The Burmese government recognises the Rohingyas as 'Bengali Muslims', as is evident by the recent issuing of 'white cards' to the group in 2015, rubbing claims of their origins lying in Burma. They claim that the Rohingyas migrated illegally over to the Rakhine state of Myanmar during the British colonisation of the sub-continent, from Bengal during 1824-1948. However, common consensus among world historians holds that they have been living in Burma since at least the 15th century. Owing to the conflicting viewpoints, it has resulted in their virtually legalised persecution with the government of Myanmar not recognising Rohingyas as citizens.

Historically, Britain made Burma a province of India with the capital at Rangoon in 1886. During the period of British colonisation, a significant amount of migration took place from parts of the Indian subcontinent to present day Myanmar. Because it was administered as a province of India, such migration was considered internal and legal, according to Human Rights Watch. After Myanmar gained independence, the migration that took place in the colonization days was viewed as illegal under the Citizenship Act of 1982 which only gave right to citizenship to those who could produce documents of having ancestors before 1948. It was on this basis that the Rohingyas were refused citizenship in their own land, according to a Human Rights Watch report, and were forced to live a life of prisoners and bonded labour because they could not produce the required documentation.

As a result of the Citizenship Law of 1982, a number of restrictions have been placed on the Rohingyas and in ways they go about their life. They are not given access to education which severely limits their job prospects. Limits are also put on them entering certain professions which are reserved for the native Burmese. Rights of movement is hindered as official permission is required to travel from one village to another, which might not come through even after payment of heavy bribe to the officials. The Rohingyas have been subjected to dehumanization with no property rights or identification cards, they are subjected to curfews and are entitled to pay exorbitant marriage fees. They are denied access to government positions or to run for elections.

The situation in Myanmar has escalated into a humanitarian catastrophe. For decades, Muslims in Arakan, and particularly the Rohingya, have been subjected to excessive violence, human rights abuses, and forced resettlement both within Burma and across borders, which has created hundreds of thousands of refugees and internally displaced persons (IDPs), and has led to a protracted humanitarian crisis. The word 'Rohingya' is considered a taboo in Burma with the government labeling the ethnic group as 'Bengali', 'foreigners' or as far as 'terrorists'. The atrocities being faced by them is a textbook example of 'ethnic cleansing', according to a United Nations Human Rights official, as they escape this racial, political, economic, linguist, postcolonial and statist violence.

For all the media frenzy about the oppression of Rohingyas, they aren't the only community in Myanmar who is at the centre of such state-sponsored violence. Other minority ethnic groups of Myanmar also face similar fate, though their voices often go unheard because they stand outnumbered. Almost 10,000 Christian Buddhist refugees from Myanmar have sought sanctuary in India. India, being a neighbouring state, faces a constant influx of such communities as they fear their extinction in Myanmar. According to UNHCR report, India has registered between 3,000 and 4,000 Burmese living in Delhi, also primarily Chin, and estimates that over 600 Burmese are finding their way to Delhi each month.

HISTORY

Rohingyas are the most vulnerable amongst forcibly displaced groups, rejected by the country they are born in and shunned by the neighbouring countries. Burma has historically been a predominantly Buddhist country, with approximately 15% of the total population of 58 million practising Islam. In Arakan, it is estimated that 59.7% of the 3.8 million individuals are Buddhist, 35.6% are the Muslim Rohingya, and the remainder constitute other religious groups. Shedding light on the history of the word 'Rohingya', we will be able to learn more about the reasons of their oppression in Myanmar.

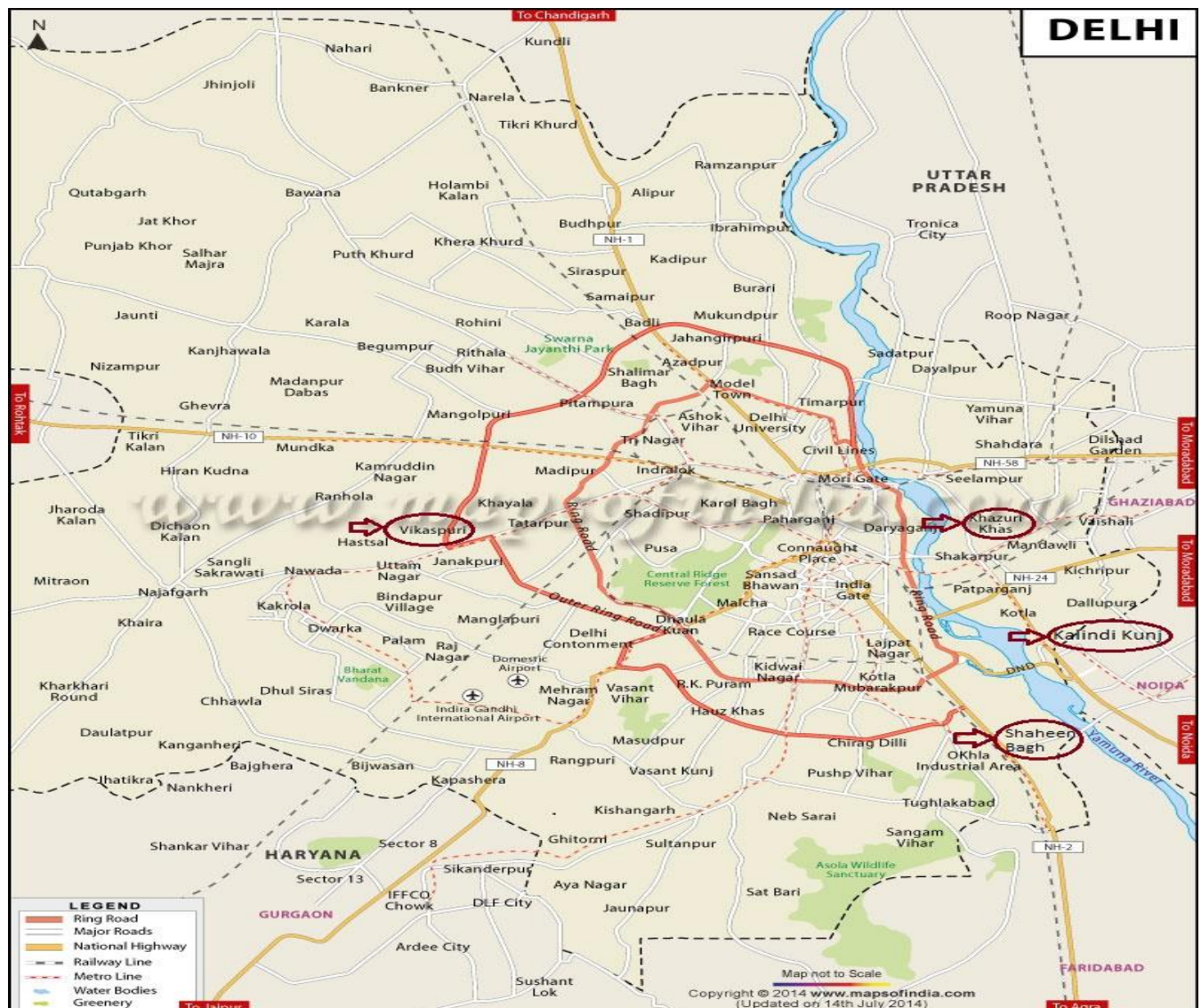
The history of Rohingyas is inextricably linked to the history of Myanmar. Therefore, important lessons from the country's history can be drawn to help explain why the Myanmar government choose to call them 'Bengalis', 'foreigners', or worse, 'terrorists'. Since the 8th century, the Rohingya, a people of South Asian origin, dwelled in an independent kingdom in Arakan, now known as Rakhine state in modern-day Myanmar. The reason why 80% of the Rohingya population is Muslim is because they had close allies with the Arab traders in Bengal. In 1784, the Burman King Bodawpaya conquered Arakan and hundreds of thousands of refugees fled to Bengal. During 1824-1942, Britain captured Burma, now known as Myanmar, and made it a province of British India. Workers were migrated to Burma from other parts of British India for infrastructural projects. Later on, Japan invaded Burma, pushing out the British. As the British retreated, Burmese nationalists attacked Muslim communities who they thought had benefited from British colonial rule. In 1945, Britain liberated Burma from Japanese occupation with help of Burmese nationalists led by Aung San and Rohingya fighters. Rohingyas felt betrayed as the British didn't fulfill the promise of autonomy for Arakan. Tensions increased between the government of newly independent Burma and Rohingya, many of whom wanted Arakan to join Muslim-majority Pakistan. Shortly after Myanmar's independence from British rule, a Muslim rebellion erupted in Rakhine, demanding equal rights and an autonomous state. The government retaliated by ostracising the Rohingya, including removing Rohingya civil servants. Some Rohingya resisted the government, led by armed groups called Mujahids. The insurgency gradually died down. In 1962, General Ne Win and his 'Burma Socialist Programme Party' seized power and took a hard line against the Rohingya. The rights that Rohingya had enjoyed before the coup were eroded. The junta began Operation Nagamin, or Dragon King, which they said was aimed at screening the population for foreigners. More than 200,000 Rohingyas

fled to Bangladesh, amid allegations of army abuses. Though, the army denied any wrongdoing.

In 1982, a new immigration law redefined people who migrated during British rule as illegal immigrants. This law prevented Rohingya from easily accessing full citizenship, rendering them stateless. The government applied this to all Rohingya. In 1991, more than 250,000 Rohingya refugees fled what they said was forced labor, rape and religious persecution at the hands of the Myanmar army. The army claimed it was trying to bring order to Rakhine. The situation though did seem quite different. Certain extremist monks had intensified the Islamophobic rhetoric in the country, claiming Myanmar's dominant Buddhist faith is under threat from Muslims. These monks were crucial in passing "race and religion" laws that targeted Muslims and attempted to stem their population growth. By 2012, rioting between the two groups, Rohingya and Rakhine Buddhists, had escalated so much that more than 100 people were killed, mostly Rohingya. Tens of thousands of people were driven into Bangladesh. Nearly 150,000 were forced into camps in Rakhine. Religious violence left more than 200 dead and close to 150,000 homeless in Rakhine, predominantly Rohingya. Violence flared again in October. Between 2012 and 2015, more than 112,000 Rohingya fled, largely by boat to Malaysia. In the first democratic elections in 2015 since end of military rule, Rohingya were not allowed to participate as candidates, nor as voters. Suu Kyi's party won and as a result she became the de-facto leader in a power-sharing agreement with the military. In 2016, about 300 Rohingya men attacked border posts in Rakhine State, killing nine police officers, according to state media. The attacks sparked an intense crackdown by the Myanmar military and trigger an exodus of 87,000 Rohingya to Bangladesh. Rohingya insurgent group, now known as Arakan Rohingya Salvation Army (ARSA), claimed responsibility for the border post attack. In 2017, Myanmar's state media reported 12 security officers were killed by ARSA insurgents during a series of coordinated attacks targeting at least 20 police outposts and an army base in Rakhine State. Military responded with what they described as "clearance operations", burning down villages and triggering a mass exodus of Rohingya to Bangladesh. In a televised speech, Suu Kyi condemned any human rights violations but was widely criticised for failing to acknowledge the alleged atrocities by the military. Myanmar's military has repeatedly denied conducting atrocities, saying it is targeting terrorists.

METHODOLOGY

Our methodology utilizes a household survey, based on an elaborate questionnaire, key informant interviews, that had to be adapted to the particular context and challenges of the Rohingya population in Delhi. The survey took place in the month of June, with a total of 48 households interviewed across four different locations of Budella, Vikaspuri, Shaheen Bagh, Khajoori Khas and Kalindi Kunj.



The analysis of the collected data has allowed us to build a valuable picture of the livelihood security of Rohingya refugees and the relationship they shared with their fellow Indian neighbors. Within this report, we use our findings to examine the contributing and impeding factors that explains their deprivation in the city, looking particularly at their legal status,

human capital, social capital, and length of stay in Delhi. A focus was given to their access to education, health, employment and income.

The profiling process entailed three main phases: preparation and planning, data collection, and finally, data analysis and reporting. In the preparation and planning phase, we conducted a pilot survey at Budella, Vikaspuri, which allowed us to gain insights into the limitations we would be facing as interviewers on the field. It helped us structure our questionnaire in light of these limitations. The profiling exercise aimed at collecting information about the Rohingya refugee population. We collected information from both refugees and some non-refugees in their neighbourhoods. Since refugees live in the same neighbourhood as Indian urban poor and share similar conditions, we included Indians informally in our survey to take their viewpoints on the Rohingyas. We selected the survey locations based on where the concentration of Rohingyas was high. We selected survey respondents based on their country of origin, and only during the interview itself did we ask about their documentation, which allowed us to discover their refugee status.

Locations in Delhi	Total Households interviewed	Number of Men among the interviewees	Number of women among the interviewees
Shaheen Bagh	14	12	2
Khajoori Khas	8	7	1
Budella, Vikaspuri	16	13	3
Kalindi Kunj	10	9	1
TOTAL	48	41	7

OBSERVATIONS

15 days of field work, travelling from the slum encampments of Kalindi Kunj and Shaheen Bagh, to the cramped, rental homes in the bylanes of Budella and Khajoori Khas, aided us in gaining a perspective on the kind of lives people were leading. These four Rohingya focal points in Delhi showed situations of grave depravity as people struggled to make ends meet.

Our project sought to understand the extent of deprivation of the Rohingyas and how was statelessness adding to their hardships. Ground level work on day one assured us of full cooperation from the Rohingyas by UNHCR office at Vikaspuri and Vasant Kunj. However, our visit to the Don Bosco institute in Budella, showed us a different picture altogether. Refugees of various ethnicities were clustered in those lanes in Budella and we faced a lot of reluctance from the youth leaders of the Rohingyas as they didn't want us to speak to the community members. The members told us how the recent fire at a Rohingya encampment had scared them for their safety in a country they had finally begun to call their own. This xenophobic act by certain elements of the Indian community made them a secluded group. They did not want the community speaking to people from outside their own community lest their statements shall be misconstrued at a time while the government decides on Rohingya deportation and there was widespread dislike and ambiguity spread about them seeking refuge in India. We had to seek permission from the community leader at Budella who deferred permission by asking us to contact UNHCR first. We chose to contact individual households and ask if they were comfortable sharing their journey with us. We faced a lot of resistance from community members who denied knowledge of Hindi just so they didn't have to talk to us.

To understand the depravities in which they were surviving in India, one part of our questionnaire was focused on the employment, income and material assets aspect and another on health and education aspect of it. Our observations were consistent across all the people of the community irrespective of the location of their dwelling. The only metric on which it varied was the amount of house rent that the people at different focal points were paying for accommodation and the means by which they procured water for everyday purposes.

Talking about the employment, income and material assets, a household, on average, had only one employed member in the informal sector. The employed member was generally the

man of the household. The men worked for 10-14 days in a month depending upon job availability in the informal sector and were employed mainly as rickshaw drivers or casual labourers (roughly 60%), as they lacked skill to pick up on other jobs. Myanmar is majorly an agriculture based economy where majority of the population derive their major chunk of income from it. So, the skill set the majority of the Rohingya population possess is agriculture and hence were helpless in an urban city. They were also employed as coolies at stations or as ragpickers or generally, selling fish and meat to the local community. Of the chosen 48 data points across the four locations, only two women were working within the community and had taken to sewing, though, the machines were provided for by an NGO. Quite a few families also engaged in local grocery business within the slum encampments providing the community members with basic necessities. They were run by men, women and their children alike. Average family earning for a month was around INR 3000 and our interviews with people showed, though not explicitly, that they depended on grants they received from non- governmental institutions like Don Bosco (roughly INR 5000).

On exploring child labour outcomes we found that none of the 48 data sets in our analysis had a child under the age of 14 who was actively working in the informal labour market.

The dwelling situation varied from place to place. The community lived in rental houses in Rohingya localities of Khajoori Khas and Budella. Most families had leased out at most one room from Indian households for a cost of INR 2000 to 4000. The rooms were cramped with only the bare necessities and housed an average of 4 people. Since the rental houses did not have a separate kitchen, the room also had a makeshift kitchen which was even more constricted by the presence of cylinders, stove and other necessary utensils. More often than not, they shared the same apartment as their Indian counterparts. On interacting with the Indian community, we learnt that they lacked basic awareness about their neighbours. 80% of them did not know they were of Burmese origin or even refugees and those who did, called them “hostile” and “less socially interactive”.

“I came to India six months ago and now, I’m actively working as a Youth Leader at Shaheen Bagh camp for the Rohingyas. One fine day I had gone for a friendly game of cricket in my neighbouring village when the army invaded the village I was playing at, and

they set fire to the houses in the area, creating a situation of panic. In that moment, given the circumstances, I could not return back to my own village and I, a lone boy of 16, had to run along with the people and cross border into Bangladesh the very same night. I couldn't come into contact with my family till I had reached Delhi and they had presumed I was dead. I am not in a position to go back into Myanmar because my documents were taken at Bangladesh-Myanmar border and my parents wouldn't concede to my request of coming to India. Now, I am living in a foreign country all by myself where my countrymen are my family now."

-Shakhir

The supply of electricity in the areas of rented rooms of Khajoori Khas and Budella was round the clock along with the scheduled area cuts. They were charged an inflated price of INR 8 per unit instead of INR 2.5 which was collected by the landlords and not the government. When asked the reason for paying a 220% inflated price, one of the interviewees told us that they had no other option but to give in to the demand of the landlords if they wanted an accommodation or seek an alternative housing place. In the other two locations, the supply of electricity was illegal but nonetheless they paid a higher rental rate to their landlords, an instance of discrimination against the Rohingyas, wherein the landlord tried to take advantage of the helplessness of them being stateless.



Dwellings at Budella, Vikaspuri

The camp at Kalindi Kunj was small and housed roughly 60 families. These were the families that had been displaced in the recent incident of arson in the camp. They were living in tents, having a monthly rent of INR 10,000. The camp had 30 such tents and Zakat Foundation took the onus on themselves to pay this huge rental fee of INR 3L of the tents which were put up on land provided by the government on a temporary basis till their houses were rebuilt.

The camp at Shaheen Bagh was one with greater Rohingya concentration with almost 300 refugees living along with Bangladeshi refugees, and a community of rag pickers on a disputed land.

The health and education aspect of the questionnaire brought to light some far fetching conclusions. Evidence on education level of the household head, measured in terms of the

number of years of education, displayed great variation and it ranged from no education to a maximum of standard third. It showed that the adults of the community were not learned. On understanding their background and social scenario back in Myanmar, we came to know that they were mainly agricultural folks who engaged in horticulture, as well. They had vast rice fields or local businesses back home. Being a Rohingya, they were discriminated against in school and failed deliberately. They had to pay huge bribes in case they wanted to pass but this did not guarantee that they would pass. As a result of which, they lacked the skill set for any other job and engaged in agriculture. Coming to the urban city of Delhi, they could not put to use these skills of theirs and as a result had to find a job in the informal sector as labourers. Because they were stateless which rendered them without documents, they could not find any well-paying jobs in the formal sector or the informal sector, for that matter.

“We have been living in India for almost 6 years now. Before shifting base here, we lived at Cox Bazaar in Bangladesh for 8 years. I have distinct memories of my family crossing into Bangladesh when I was 10 years old making it across through the marshes and in the swamps. And how the local Bangladeshi rickshawallahs helped us and guided us to the camps for the refugees. At 17, I decided to come to India to see if the situation and the opportunities for the Rohingyas were better than in Bangladesh and if it would do the family better to move to India. My father, who was rich businessman in Myanmar, came looking for me a few months later when I couldn't get in touch with them. Soon, the whole family crossed over into India. We lived in Uttar Pradesh for a while before we moved to Delhi. I've seen our life change from the heights of richness to the depths of poverty. I wanted our lives to be different from the one we were living and I was determined to do so. Now, I am the first and only Rohingya in India who is studying at an university (Delhi University) through the open learning programme and I want a similar fate for my brother. I have been working for the cause of Rohingyas and I have spoken at conferences at multiple colleges of Delhi University raising awareness.”

-Ali Johar

The number of children per family varied from 1 to 5, where the number progressively increased as parental age increased. All the kids above the age of 5 were in school. They were enrolled in schools run by NGOs or at the Don Bosco centre. Don Bosco centre had a

computer training programme and English learning center for these people. The school fee was being paid by Don Bosco itself. The general pattern observed by us was that the dropout rate increased as kids moved to higher classes. Only 15 children we met were enrolled in classes higher than 9th which they were pursuing through open learning centre at Jamia Millia Islamia. Due to absence of a transfer certificate or any proof of identity, they were refused admissions in regular schools. Only one boy was enrolled in a government school who had managed to get admitted when his family came to India 7 years ago by explaining his situation to the school authorities in Muzaffarnagar, thus having no problems in procuring a transfer certificate later on.

The children up to standard five were provided with Mid Day Meals where they were studying in NGO run schools. Children were fairly regular with their academics. The children did not report any instances of discrimination for being a Rohingya or a refugee, per se.

Different places had different situation for toilets. The camps at Shaheen Bagh and Kalindi Kunj had common restrooms for the whole camp numbered at two for males and two for females. Traces of open defecation were found at these places. The camp at Kalindi Kunj had an open bathing place with a government water tanker coming in every two days to provide for water for everyday purposes. Drinking water was also provided similarly with the whole camp lining up to procure water for two days at a time. Shaheen Bagh had people from multiple communities living together. As a result, people would line up in two queues, one for Rohingya and other for non-Rohingyas to collect water and this was a source of constant contention in the camp. The Indians would complain that because they were using the country's resources they should be more cooperative and make efforts to get to know the locals more. Further, when we interviewed some of the Indian locals in the area, we came across some really jarring words which were used to address the Rohingyas. One of them even went on to saying that these people are not decent enough to live in a city. 'They will eat anything you give them, be it garbage or food', 'They are ruining our country, taking away our jobs, space and opportunities' - Indian locals at Budella.

At Budella and Khajoori Khas, people had to buy drinking water on a daily basis. Because of greater population density, the government provision of water tankers was very time consuming and also, not sufficient. Basically, they had access to a non-stable source of drinking water. Water for general usage was ground water provided by motor installed by the

landlords. The families living in rental flats in the same building had to share the restrooms and the washrooms which were generally just one for the whole building. Sewage system at none of the places was well-defined. Household waste disposal was a menace with slum encampments of Kalindi Kunj and Shaheen Bagh disposing off the waste in the open or in front of their houses. Budella and Khajoori Khas had municipality driven waste collection drives as they were urban villages.





Makeshift camp at Kalindi Kunj

The people at Shaheen Bagh, Budella and Kalindi Kunj camps made use of the medical provisions at Safdarjung Hospital, a public hospital in Delhi while the people at Khajoori Khas went to the JPC government hospital. The diseases prevalent in the areas were common cold, fever, diarrhea, allergy and minor orthopaedic incidents.

UNHCR Bosco has been very actively involved in helping the refugee communities of Delhi, the Rohingyas being one of them. A lot of adolescent boys had taken the initiative to be Youth Leaders at their camps and they worked via awareness drives and received little monetary assistance from the Bosco office. Their jobs included getting the sick and the needy to the hospitals and making the Rohingyas aware of the bank account and Aadhar card provisions that are applicable to them in India. Bosco also ran embroidery classes for women and the dwellings at Khajoori Khas had Hindi learning classes taking place for the women of the locality. Bosco office at Budella had a four stage English training course as well as a computer fluency course. Women received assistance in the form of inner wears, sanitary napkins, soaps and detergents, etc from the organization.

Because they were stateless, it was adding to their misery as it imposed a lot of restrictions on their freedoms. The only documents they had at their disposal in India was the UNHCR card that granted them refugee status and the temporary stay visa. Temporary stay visa permitted them to stay in India on a temporary basis while their situation was being pondered upon by governmental institutions. Currently, the temporary stay visas were not being renewed by the Central government as they were thinking of deporting the Rohingyas. The majority of these temporary stay visas had expired putting their stay in a foreign country at risk as they feared deportation constantly.

The Rohingyas spoke about the cooperation they had received from the local Indian community and how grateful they were for it. They expected more on the governmental front and wanted the government to take more actions for their benefit. At least five elders commented on how living in Myanmar all their lives had taught them that Buddhist and Muslims were different communities who could not live together in peace but living in India had taught them what secularism was and how people of different communities could thrive together. It was something new for them and something different which they did not believe could exist. They also remarked that living in Myanmar was like living in a jail and being here has taught them what freedom really means and stands for. Even though they were stateless back home and they are stateless here as well but given the fact they can move about freely and live freely and do the job they want to do and interact freely makes it a better situation for them to be in. Though freedom is a word not to be trifled with, but having received so little freedom in their own country, the people are happy with whatever India has to offer to them.



Mosque at Shaheen Bagh

They were prisoners of the government back home who had to give in to every whim and fancy of the authorities. A lot of them spoke about the mistreatment meted out to them. They remembered how the army would just barge into their villages and take men of the household away forcefully to work as coolies for them. The coolies were treated in the same way the African slaves were treated. They were made to carry heavy burdens of the uniformed men and not provided with adequate sources of nourishment to make up for the toilsome job. A lot of men would die because of lack of food and water. After thirty days they returned to their villages, almost dead. They denied any form of mistreatment at the hands of the general Indian public, both within and outside the camp.

For a very long time, the Rohingyas have not been allowed to partake in the social spaces of the country. At present, the Rohingya camps within the country of Myanmar in Arakan state are one of the most heavily guarded areas with hardly any permission given to journalists to

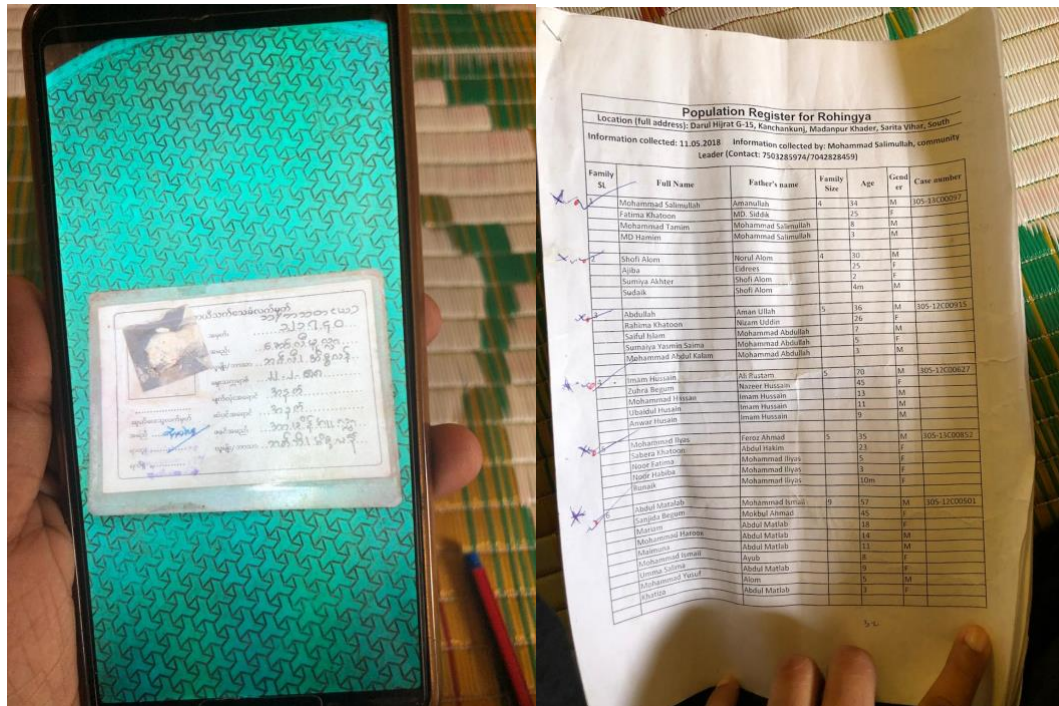
bring their issues to the forefront. Rohingyas are not allowed to travel from one village to another on their will. Such travel requires presence of proper documentation and payment of huge bribes, but at the same time, this does guarantee that permission will be granted.



An elderly women displaying her wounds from war

The Rohingyas are not allowed to read at the college level or apply for jobs at government institutions. Even the institution of marriage comes at a higher price, wherein they are required to pay greater amount of money than their other Burmese counterparts.

We also inquired about what government identity cards they owned back in Myanmar. Whatever identification they owned were taken away from them in 2015 and replaced by ‘White Cards’ which described them as ‘Bengali Muslims’. Their Burmese citizenship was put at question through this and so was their ethnicity. They were accused of being Bangladeshi’s who had crossed over illegally into Myanmar. A lot of men we spoke to told us about the difference in Bengali dialect between the one they spoke and the one spoken in Bangladesh, re-enforcing the difference between them and Bangladeshi Bengali Muslims.



Salim Bhai showing his white card, and the Rohingya population records he collected as community leader

IS STATELESSNESS/ NON-CITIZENSHIP THE REASON TO THEIR DEPRIVATION?

Conventionally, citizenship within the context of liberal democracies consists of three components – civil rights and political rights, which are given meaning through social rights. While some believe this conceptualization of social rights suggests the need for social protections for marginalized citizens, the notion has recently been challenged by more progressive understandings of the concept that call for a more accountable means of including such individuals. Individual rights are typically granted through provisions of the state to which a person belongs. Therefore, it is the stateless, those without citizenship living outside the ‘pale of the law’, who are the most vulnerable to rights abuses. In the context of citizenship as a dimension of rights, rights are inherently preserved within the figure of the citizen. The citizen, not man is the bearer of such rights. Rights are attributed to man (or originate in him) solely to the extent that man is the immediately vanishing ground (who must never come to light as such) of the citizen. It follows that it is the refugee, or in this case the non-citizen or stateless individual, that breaches the nexus between human being and citizen and is, thus, right-less.

“I was stabbed with a knife on my forearm as the army was invading our house. They killed my son and his wife. Now I am a 70 year old woman who’s looking after her granddaughter in a foreign country all by herself with no source of income. What’s to become of her when I am not around anymore, no one is to know.”

- A refugee at Budella

In the context of Rohingya refugees in Delhi, being stateless brings with it certain inherent disadvantages. In International law, a stateless person is someone who is "not considered as a national by any state under the operation of its law". The Rohingyas do not possess a legal status in India and they therefore, are not entitled to any of the governmental schemes such as pension schemes, or schemes for healthcare for women, which could work to decrease their deprivation. Lack of proper documentation prevents the refugees from accessing services in times when they are needed such as legal advice or healthcare services. They are largely

dependent on support from the non-governmental institutions as they do not have a secure work for life and as a result of which, they are not able to raise their children in the way to intend to. The lives of their children will be no better if the funds coming in stop. Housing issue is another problem faced by them as sometimes living on governmental land brings with it uncertainties.

A potentially important determinant of livelihood security is an individual's legal status and whether s/he has the documentation to support this status. Documentation includes refugee certification, birth certificates, and legal residence cards, depending on the urban context. Having formal refugee status (i.e. where refugees have undergone individual or group status determination) can mean refugees are less likely to be arrested or deported and, in most host countries, it allows refugees to pursue livelihoods with less risk of being stopped by authorities. Refugees must pursue economic activities in order to survive, regardless of their status, and if they are not officially permitted to do so it becomes a matter of whether authorities enforce the law or not. Legal status makes less of a difference when work and self-employment opportunities are largely in the informal sector, where law enforcement is more lax, and where refugees find employment through networks, community-based organizations and local institutions, rather than through formal mechanisms. The Government of India has recently decided to allow refugees registered with UNHCR to apply for long term visas and work permits. This will be an important improvement in term of accessing the job market, primarily for the more highly skilled refugees aiming at entering the formal job market. But, Rohingyas have been very unfortunate even in this aspect. India has been taking a silent approach on this entire Rohingya crisis.

Even though it is not a signatory to any UN refugee convention, India has a proud tradition of giving a home to neighbors in distress: from Tibetans in 1960s to East Pakistanis in the 1970s, from Sri Lankans in the 1980s to the Afghans in the 1990s. More recently, the Modi government even changed its long- term visa rules to help minorities fleeing violence from neighboring Afghanistan, Bangladesh and Pakistan. If India now says it cannot help Rohingya, who are a minority in Myanmar, it is either saying that Rohingya are not Myanmarers or that Myanmar is not a neighbour, both of which contradict previous positions. The government's argument in court that Rohingya refugees pose a terrorist threat wasn't used for Sri Lankans or Afghans.

In this flurry of diplomatic activity, it would be natural to ask why India has been so soft-footed and silent in comparison. As the subcontinent's biggest nation, neighbour to both Bangladesh and Myanmar, as well as the country most likely to be affected if the number of Rohingya refugees continue to grow, India in fact should be showing the most initiative in this crisis. Instead, through a series of blunders that began with Prime Minister Narendra Modi's own visit to Myanmar, India has allowed its voice to be muffled. Even as hundreds of thousands were fleeing violence at home, Mr. Modi refused to refer to the Rohingya in his press statements in Naypyidaw in early September.

OUR TAKE ON ROHINGYAS

Fifteen days on the field spent talking with the Rohingyas and their Indian counterparts showed us a clearer picture of the deprivation being faced by the Rohingyas. Because of global awareness about the destitution of the Rohingya community and the incidental time of this survey (month of Ramazaan), they were receiving a lot of help and aid in the form of monetary assistance and rations. The Indian government does not recognise the Rohingyas as refugees and this was the very reason why the non-governmental organisations would line up to help the community members. Because they were receiving this assistance on a daily basis, they would end up stocking up on rations and then, at the end of the day, sell it at the nearest market to make money. Because they were not a legal citizen of India, they could not find work for days on end. This was their deprivation. They were stateless and hence, without jobs. The distribution of aid was a source of tussle in the camp as the Bangladeshi migrants or the ragpickers community would show up at the distribution centre and claim that they were equally deprived and therefore, should be allowed to partake in the excess gains. All these merely added to antagonism being faced by the Rohingya community.



Youth leaders from Shaheen Bagh camp

The Rohingyas in India are living in a state of constant fear of deportation as they wait for the word of the Indian government on their fate. Amit Shah said in a recent statement that the government is not going to allow India to be a safe place for illegal infiltrators. Meanwhile, they have been receiving a lot of support from international organisations who maybe actively helping the Rohingyas today but tomorrow they might move to the next best thing as they have limited resources. The Rohingyas are depending on 'charity' today because that's the best they can do right now while they wait for verdict.

On the face of it though their standard of living is similar to that of any urban village in the capital, the difference lies in the fact that they do not know whether they will eat a next mouthful, whether they will be living here or not or whether their kid will go to school the next day or not, when the NGOs will withdraw support or when will the Indian government decide to send them back. They are not capable of standing on their feet in this country because this country refuses to recognise them as citizens. Being a citizen brings with it certain securities and economic security is a part of it. What the Rohingyas lack is the human rights aspect of it as they struggle to deal with xenophobia around them while living in a state being led by Hindutva government.

The Rohingyas are exploited because they are not in a position to do the work they were brought up doing. Delhi, being an urban city, does not provide them with opportunities to use their ancestral skills and this puts them at a disadvantage.

In conclusion, they are surviving on NGO money which is helping them monetarily in the short term. Even if they had any long term goal, there is no future because of lack of clarity on the governmental front and therefore, any long term goals do not stand a chance.

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