

# Exploring the world

The absence of laws and a national policy for the rehabilitation of refugees has created a situation negated by inhuman treatment meted out to refugees and asylum seekers by the age

**T**raditionally, any person who has been forced to flee his or her home for fear of life or lack of subsistence is regarded as a refugee. However, according to international law, those who have lost the protection of their home states and, as a result, crossed international borders to seek refuge in another country are accepted as refugees.

According to the UN protocol 1967, a refugee is defined as a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or, owing to such fears or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it."

Refugees are of every race and religion and can be found in every part of the world. Forced to flee out of fear of their lives and liberty, they often give up everything—their home, belongings, family and country—for an uncertain future in a strange land.

Their plight is one of the great tragedies of our time and their fate is linked to political and human rights question that should be of concern to every one of us.

## Mass exodus

Historically, millions are being forced to move sometimes because of the deliberate policies of governments and at others because of the failure of the governments to protect the weaker sections of the society, from the violence of the powerful majority. Internal conflicts and border wars, the continuing abuse of human rights by the forces of state and intolerable conditions of poverty are some of the factors responsible for forced movement of populations.

Mass migration is not a new phenomenon. It has occurred throughout history. Forced mass migration, however, is a more recent happening. Religious wars of Europe in the 16th and 17th centuries displaced more than half a million people. Colonial expansions involved brutal mass displacements in many parts of the world. Large number of indentured labour from Asia and Africa were transferred between continents to satisfy colonial demands for manpower. The slaves and bonded labourers from the British colonies like the Asian subcontinent to Malaysia in 20th century

for rubber plants and tin ores is just one such example.

## The refugee phenomenon in South Asia

Decolonisation and the emergence of modern state system of South Asia saw fresh forced movements of people on an unprecedented scale.

The partition of the Indian subcontinent in 1947 created nearly 15 million refugees on both sides. In 1959, China's entry into Tibet forced over 1,30,000 people into India and Nepal. Pakistan's military's crackdown in the erstwhile East Pakistan, now Bangladesh, in 1970-71, had sent more than 10 million Bengali Muslims and Hindus into neighbouring countries in search of safety. The three India-Pakistan wars and continuing violence in Kashmir displaced over 8,50,000 Kashmiris. In Afghanistan, the take-over by the Soviet Union and later by Taliban, sent 3 million Afghans to Pakistan.

## International covenants

The international community has attempted to provide refugees with protection and assistance. International covenants, protocols, regional mechanisms, laws and organisations have been established for the protection of refugees as well as for the promotion of a lasting solution of the refugee problem. At the international level, protection and rehabilitation of refugees is funded by the United Nations and other multilateral organisations. The industrialised countries of the West contribute most of the funds for this work. The United Nations High Commission for Refugees is one such organisation.

## Refugees in South Asia—the role of national and international agencies

After the collapse of USSR, ethnic wars broke out in many countries of Central Asia, Eastern Europe and the Balkans. The political upheavals and insurgencies in these countries undermined the authority of the national governments and encouraged ethnic and communal tensions thus throwing these countries into chaos and civil war.

Asia is the largest refugee hosting continent with 41 per cent of the total refugee population. In particular, Asia hosts the 4th largest concentration of refugees in the world. Large numbers of the displaced, who have crossed international borders in South Asia, are treated as illegal immigrants or undesirable aliens by host govern-

ments. South Asia states have no national laws which define or distinguish refugees from those who cross the borders. Moreover, none of the governments in South Asia have signed the 1951 UN convention concerning the status of refugees and its 1967 protocol. These are main UN mechanisms for the protection and rehabilitation of refugees. However, other UN covenants and mechanisms like UNDHR, ICESCR, ICCPR, ICERD, CEDAW, CRC and CAT obligate the state parties to provide protection to relief to the asylum-seekers.

## UNHCR role

The United Nations High Commission for Refugees has not been able to intervene effectively in this region except in selective areas. Another limiting factor is the definition of "refugee" as incorporated

loss of livelihood caused by environmental degradation wrought by the violence of the development.

As the violation of human rights is often the main cause of forced population movements in countries of this region, the governments have been reluctant to involve the UNHCR and other international agencies in relief and rehabilitation of victimised people. Nevertheless, during the last decade UNHCR has recognised the need to expand its mandate under new challenges posed by the refugee crises, and now it has developed programs to provide support to those displaced by ethnic cleansing and communal or sectarian violence, even before they cross international borders. Now, internally displaced person (IDP) has become a person of concern for UNHCR.

with financial assistance in-istan. Currently there are 1.2 million Afghan refugees under mandate of UNHCR in Pakistan one time the country hosted 3 million Afghan refugees in Pakistan. According to UNHCR estimates 1998, some 93,000 Afghan refugees repatriated from Pakistan voluntarily. A total of 1.1 million refugees resettled in Pakistan third countries during the year, including 200 Afghans.

The civil war in Afghanistan following the 1979 Soviet intervention, led to an exodus of refugees to Pakistan, Iran, India and so Central Asian countries. The military government of Pakistan initially gave a big welcome to refugees. The Afghan refugees were allowed to move about freely in the country. Reportedly, the Government and the government of Saudi A

## SECURITY CONCERNS OVERSHADOW HUMANITY



## Refugees in Pakistan

Pakistan regards all refugees, including those recognised by the UNHCR, as illegal aliens. It allows the UNHCR recognised refugees to remain pending repatriation or third-country resettlement, but does not permit them to work or to receive free health care or education.

The UNHCR provides refugees

with financial assistance worth \$18 billion to Pakistan's military authorities for training and arming the Afghan mujahideen who were fighting the Soviet-supported regime in Kabul. The mujahideen were allowed to freely recruit young refugees into their groups and set up base camps and training centres in border areas.