

REFUGEES EMERGENCY IN INDIA: A SOCIOLOGICAL ANALYSIS ON ROHINGYAS

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ABSTRACT

This paper highlights the difficulty faced by Rohingyas refugees belonging to India. The study also includes the origin of the community showing the condition of victimization. The present research focuses on their earning and political status too. Rohingyas crisis have an impact on South- East Asian countries. Historically, we know that Myanmar has also been concern to area called South Asia. Therefore we have to find out the political issue of particular significance related to the subcontinent.

Keywords: Residing, Rohingyas, nationality, Community, citizen, Refugees.

INTRODUCTION

Myanmar's Rohingyas people are surrounded in contradictory stories about the ethnic group's origin by controversy evident. Argue between The Burmese government and The Burmese historians that the Rohingyas are Bengali Muslims, refusing to recognize the term Rohingyas. It is claimed that the Rohingyas migrated from Bengal during and after the British colonial era of 1824-1948 to Rakhine state in Myanmar. However it is constituted by many experts who are non-residents of Myanmar agree that the Rohingyas have been living in Rakhine state since 15th century, and possibly from the 7th century. It is claimed that the Rohingyas who are the recent immigrants from Bangladesh are fallacious. Today the population of Rohingyas in Myanmar is between 800k and 1100k, 80% who, live in Rakhine state. Maungdaw and Buthidaung are the Rohingyas primarily reside in the two northern townships in Rakhine state which is along the border with Bangladesh. The Buddhists is the major group residing in Rakhine state. Tensions leading to violence between these two groups are at regular occurrence. (Albert, Eleanor., 2015, p. 95-102)

CONCEPTUAL MEANING OF REFUGES

The task to define refugee was very dynamic in nature. Due to a well-founded fear of being persecuted for reasons of race, religion, nationality unwilling to avail the protection of that country there is a fear of persecution.

LINKAGE BETWEEN INDIA AND BANGLADESH

India shares 1,624 km border with Myanmar. It is the main connection between the South-East Asian country with South Asia. The other link between these two parts of Asia is the Myanmar-Bangladesh border (193 km). Because of these borders, the Rohingya crisis has a particular importance for India and Dhaka. India being a future great power seeming to have an influence in its regional environment, and Bangladesh being an important refuge for Rohingya

refugees, the said crisis can only be of particular importance for these two countries. (National Human Rights Commission, 1996, p-78)

STATEMENT OF THE PROBLEM

It is understood that the government has an important role in the oppression of the Rohingyas but it is not possible without help of Burmese citizens. The Burmese government has opined on the nature of citizens. In this context President has expressed his views on discriminatory laws because the importance of leadership is described. Here the characteristics of Rohingyas are meaningful.

HISTORY OF ROHINGYAS

The Burmese government indicated the restrictions regarding the history of Rohingyas as a scapegoat. Two major acts were mentioned in which all citizens are entitled to have identity card which was called National Registration Certificate. Still few Rohingyas had a Foreign Registration Card. In spite of having certain rights based on citizens the Rohingyas have some degree of citizenship of Burma. And it was seen that Rohingyas were excluded from all three tiers. According to government this action was justified and Rohingyas could not include it in the official ethnic groups. It is seen that there has been a consistent cycle related to Rohingyas living Myanmar. This highlights the process for Rohingyas in the context of Bangladesh. In this case government is seen to have Rohingyas from crossing its border but Rohingyas have maintained to touch the country. It was seen that due to disturbed Buddhist woman three Rohingyas men were punished. And anti-Muslim violence was observed. Disturbance between Buddhists and Muslims in Myanmar was seen. Buddhist nationalist group played by monks is seen in the violence. And the aim of Burmese nationalist group is to protect Myanmar's Buddhist society. The international community has condemned disturbed activities. The Islamist militant groups throughout South Asia have spoken out against the discrimination of the Rohingyas. This shows that Muslim will rise up against the government. According to 2014 census report there was no option to register Rohingyas and Rohingyas had been allowed to register as temporary citizens. Rohingyas will not be able to vote in number of elections. International groups have demanded the government to reinstate the Rohingyas voting rights. (Abd-el-Kader (2013), pg. 410)

PRESENT POSITION OF ROHINGYAS

Burmese government's restriction on aid is based on very difficult conditions. The Rohingyas situation is suggestive of Jews in Nazi Germany or apartheid-era South Africa. Rohingyas have fled the country in rickety boats and Over 800,000 remain in harsh conditions in Myanmar. And other has escaped to Thailand, Malaysia, or Indonesia. (Bradely, M. (2005) P No.21)

OBJECTIVES OF THE STUDY

- To study on the effect if the Rohingya is provided shelter in India, about their earning and also about their political status in the country.
- To study the lacunas in law and society so that eradicates the Rohingya crisis completely.
- To analyses the repercussions of this problem of Rohingyas issue both nationally and internationally.
- To examine the Rohingyas crisis will have an impact on the South-East Asian environment.

RESEARCH METHODOLOGY

This study is based on mostly primary & secondary data. These are some data are

collected from different journals, books and internet etc.

VARIOUS CHALLENGES ON THE ROHINGYAS

Humanitarian insight: we have to decide the importance of humanitarian help related to Bangladesh and Rakhine nation in this context the coordination based on global help is to be determined.

Resettlement: Rohingyas indicating Prospects for safe and voluntary repatriation is to be very impotent. It is also important to find out the association for the resettlement of folks who don't desire to return to Burma and it is also vital to understand the programme associated with resettlement.

Difference in the circle of Burma: We ought to find out the meaning of Burma's discriminatory legal guidelines and guidelines for the voluntary repatriation of the Rohingyas. We must understand the system the Burmese authorities to regulate discriminatory laws and rules

Human Rights showing the question of Abuse: It is additionally vital to recognize securing duty for that human being answerable to legal rights.

The importance of Radicalization: We have to determine the risk of radicalization of Rakhine or Rohingya. It is great to understand the position between the Bangladesh government and the Burmese authorities, which en counteract effort to radicalize contributors of Ethnic network.

Destabilization: Here we have to find out the opinion based on Rohingya in Bangladesh, which indicates political tensions based on Islamist agendas for Bangladesh. These are the serious issues which show the social science perspectives related to actives radicalization and human rights.

LAWS & CONVENTIONS GOVERNING REFUGEES

The persecution in the group should be based on one of the five grounds listed below as a member of a particular social group.

Race: A broader idea in context to ethnics of commonplace descent.

Religion: Every other large range of human beings working towards same ethnics and ideals.

Nationality: it is related with one's citizenship. It is usually persecution of ethnic, linguistic and cultural organizations.

Social status: A selected social group consists of folks that percentage a not unusual popularity that is an overlapping class amid the alternative.

Political opinion: This opinion would be ultimately intolerable by way of the authorities. Never the much less the opinion of authorities is that the people are even certified for refugees who believe that their notion can make them persecution to run away

STATUS UNDER INTERNATIONAL LAW

The Right to look for cover is perceived by worldwide law yet its suggestion relies upon the host. It has been seen that when there is enormous mass movement to nations offer them impermanent Protection. This is a way how individuals can be made safe for a specific timeframe. Hence temporary protection is useful in giving break protection. Nonetheless, it can't be kept away from that impermanent protection is simple integral in nature.

CONVENTIONS FOR REFUGEE PROTECTION IN INDIA

The Refugees those who have fled from their home country owing to well founded fear of persecution on race, religion, nationality, membership of a particular social group was created in 1951. They come to India for specific purpose with the prior permission of Indian Government. Refugees may turn during their stay in India the circumstances to that of 1951. There are some illegal economic migrants who intrude into our borders to improve their economic prospects without any formal authorization. They will be dealing with Indian criminal laws. It was based on the Foreigner's Act drafted as early in 1946; the Emigration Act, 1983 and the rules framed there under, the Passport Act 1967. The major laws enforcing agencies those will deal with the refugees on the first hand are the security personnel at the border. In India the status of refugees is governed mainly by political and administrative decisions. The ad hoc nature of the Government has led to varying treatment of different refugee groups. (Human Rights Law Network, 2007, p-56)

UNITED NATIONS

- Universal statement of Human Rights 1948 was first international document that recognizes the right to seek and enjoy asylum from persecution (Article 14).
- Conference relating to the Status of Refugees 1951 was first international conformity covering the most basic aspects of a refugee's life. The reason behind this act was to help in creating counterpart status for the refugees.
- Protocol connected to the rank of Refugees 1967 was the protocol abolished the geographical and time control of the original Refugee conference.
- Conference against suffering and Other brutal, ruthless or humiliating action or Punishment 1984 "As per this meeting asylum seekers are provided protection from compulsory exclusion as they fear harassment from the native state" (article 3).
- Convention on the Rights of the Child 1989 India has ratified the convention way back in 1992(article 3).

Declaration on the Elimination of Violence against Women 1994 under this the vulnerability of refugee women has been highlighted. Therefore certain right has been allotted to them for their protection. (UNHCR, 2017, p-45-54)

REFUGEE STATUS UNDER INDIAN LAW

The 1951 Refugee Convention or the 1967 Protocol due to our financial constraints has not been signed by the Indian Government. The Universal Declaration of Human Rights states under Article 14(1) that everyone has the right to seek and enjoy asylum from persecution. It has been interpreted in the following manner concluding that the right to enjoy asylum means no more than the right to enjoy it. As the country complies with a great number of international conventions and treaties, which by the Government of India is expected to respect refugees' human rights. Apart from that, India has acceded to the 1989 Convention on the Rights of the Child and ratified the 1984 Convention against Torture (CAT).

In India there is no law that contains any specific provision obliging the State to enforce the international treaties and conventions including the implementation of International Humanitarian Law. Amongst the domestic legislation, it is the only law that deals with the principle of IHL is the Geneva Conventions Act, 1960. (Singhvi, L.M. & Swaroop, J., 1989, p-160)

CONCLUSION

The Rohingya crisis is the most spotlighted topic of the world, which has drawn the attention of each and every individual. The countries have not only reacted to this but also made pressure on Myanmar government to resolve it ASAP to provide basic facilities to the missing ones. Here in 21st century many examples of discrimination with a person (Refugees) or group of persons (Refugees) that signifies undeveloped mindset. The Interrelated humanitarian crises are stemming from more than 600,000 ethnic Rohingyas who have fled Burma into neighboring Bangladesh in less than 10 weeks. The flight of refugees came following attacks on security outposts in Burma's Rakhine State, reportedly by the Arakan Rohingya Salvation Army (ARSA). Some of the missing Rohingyas reported that Burmese soldiers systematically killed civilians, sexually assaulted women and girls, and burned down their homes. The Burmese government has denied the veracity to these reports. Both the countries have been unable to agree the term. It is also uncertain that the no. of missing Rohingyas is willing to return to Burma, given the nation's history of discriminatory policies and practices. India has always sheltered the missing. In pursuance of its traditional policies of 'Atithi Devo Bhava' and India is also conscious about its security and is dealing with refugee issue by making synergy in both subjects.

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