

Social Change and Development

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Book Review**Protecting the Displaced****Arup Kumar Deka***

Paula Banerjee, Editor (2013), *Unstable Populations, Anxious States: Mixed and Massive Population Flows in South Asia*, Samya Publications: Kolkata, MCRG

This edited volume presents 13 articles and is outcome of dialogue initiated by the Mahanirban Calcutta Research Group (MCRG) in collaboration with the United Nations High Commission for Refugees (UNHCR). The book addresses the issues of protection strategies of refugees, migrants, internally displaced people (IDP) and other people associated with the displacement in the South Asian region. The book intends to capture the phenomenon of the population movement in entire South Asian region by mapping all waves of population migration, their causes of movement, consequences and their displacement. The book gives emphasis equally to the issue of refugees vis-a-vis IDPs, as IDPs also hold an equal importance in the construction, determination and delineation of the history of forced migration. The contributors of the book view that the IDPs generally belong to the vulnerable section of the society (religious and ethnic minorities), and often get displaced because of their vulnerability (these people in general are economically weak and belong to the lower stratum of the society) and stay displaced for an indefinite period of time. The book also focuses on the issue of population displacement that occurred across the nations as well as within the nation and also analyses the various protection strategies needed in the South Asian context.

In the South Asian context there are complexed combination of push and pull factors which have generated population movement. Underdevelopment, ethnic diversity, scarce natural resources, rampant poverty and armed conflict etc. threatening lives and livelihoods often generating refugees and IDPs. While analyzing the causes of population

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movement, the contributors in the book view that movement of population is often considered or outcome of voluntary acts largely compelled or pushed by economic interests in a crisis situation and hence such movement is not considered a handiwork of state or non-state agencies. However, population movement always not voluntary, people are sometimes forced to migrate under natural calamities, state repression, conflict etc. The countries in the South Asian region are either refugee receiving or producing or sometime both and is the home of refugees, migrants and IDPs. The region has witnessed massive population flows that started immediately after the partition of India in 1947. The other countries also had similar kind of experience and witnessed massive population displacement. The contributors of the book view that the sudden imposition of the border through the cartographic exercises led to massive population displacement with some worst cases of violence perpetrated against the fleeing population. The authors of the book anticipate that lives and dignity of the millions who are displaced will be protected without government's long-drawn analysis as to whether they are refugees, IDPs or economic migrants.

The authors viewed that population movement in the region is linked though mainly with the economic factor other factors of population displacement is also linked to human failures, imperial machinations, governmental failures and mismanagement of inter-communal relationships etc. The authors also agreed to the point that even the infrastructure development projects have also generated massive population displacement and hence the cause remains to be more political than economic. The failure of the nation building and its fallout lies behind the inter-state population movement in the South Asia region. The article 'Mapping the Mixed and Massive Human Flows in South Asia' (Chapter 2, P S Ghosh) justified the statement by arguing that the instances of Hindu-Muslim migration after India's partition, influx of refugees in the wake of Bangladesh liberation war, Tamil or Arakanese refugee all falls in this category. Ghosh categorized the movement of population across the South Asian context are; colonial legacy of partition, majoritarian nation building approach, democratic deficit, open or virtually open borders, war related migration, developmental and environmental refugee, stateless or virtually stateless extra-regional interventions; all constitute inclusive determinants of human flows.

Apart from the cartographic exercises, other environmental disasters; such climate change, sea level rising, melting glaciers, droughts and floods also have generated refugees in the region. These people often affected by environmental disaster crosses international border and further became victims of conflict and violence at the receiving country as natives think them as intruders into their culture, ethnicity and competitor for the existing scarce resources. Some authors also analyses the security discourses involved with the migration and refugees in the region. They viewed that the security discourses based on national assertiveness overwhelmed other concerns and values. In the name of defending the border, security forces have often forced the people living in the border area to migrate. This issue has been well highlighted in the article 'Victims of Violence in the Borders and Humanitarian Tasks: The Jammu and Kashmir Case' (Chapter 8, A B Jamwal). Here it is argued that nation's security would have no meaning when people living in the border area continued to be victimized or displaced in the name of security.

Development and Displacement is another issue of discussion of the book. The article 'Pakistan: Displacement Puts Thousands at Risk' (Chapter 6, H Sahid) argues that the process of urbanization in Pakistan led to displacement of population. Armed forces of Pakistan are the major stakeholders of Pakistan's mega development where they show less concern to the displaced community rather they justify it in the name of nation. Here it is viewed that in case national development doesn't lead to community development then it must be dismantled and should be replaced with the notion of 'collective good' ascertaining the differing interests of the plural society across the South Asian countries along with Pakistan. Another issue that has been highlighted and analyzed in the book is the phenomenon of human rights violation associated with the IDPs and the role of Human Rights Commissions (role of institutions) in dealing with the displaced people. This article on Nepal 'Policies and Practices of NHRC on the IDPs' (Chapter 12, S V Dhungana) while analyzing the role of the Nepal Human Rights Commission views that despite it being a constitutional body it failed to put of the issue of abuse and human rights violation of the IDPs. The author expresses his concern that the recommendations of the NHRC were often not implemented or ignored by the government. Moreover, undue political interference and politicisation of the human rights issue failed to address the situation of

abuse the human rights violation in Nepal. In the Sri Lanka context the article on NHRC and IDPs (Chapter 13, M Gomez) while highlighting the case of human rights violation views that though the HRC of Sri Lanka had the potential and capacity to play the desired role faces several difficulties as it operates in adverse political conditions and also handicapped with certain structural deficiencies.

The authors have agreed that there is absence of uniform laws or mechanism to tackle the issue of refugees, IDPs and migrants across the South Asian region. Most of the countries in the South Asia deal with the refugees and IDPs on charity based ad-hoc mechanism and lacks a proper policy to deal with the problem. Thus, absence of such legal framework is felt particularly in Bangladesh and India to deal with refugees and migrants. Thus due to absence of such framework, security issues come in the forefront making refugees and IDPs vulnerable to various kind exploitation, harassment and trafficking. It appears that most of the issues get mixed up in the domestic politics and hence they became more difficult to operationalise. Meanwhile, the countries also treat the migrants, refugees, IDPs equally and hence they do not differentiate. The article 'Refugee Protection in South Asia: Review of the Ad hoc Mechanism and the Way Forward' (Chapter 3, U K Das) emphasized for a system and mechanism to distinguish migrants and refugees to avoid diplomatic tension between states over the status determination. Overall view is that there is need to prevent refoulement, unlawful detention of asylum seekers and refugees. There is also emphasis on cessation of refugee status and argued to provide equal rights and status as per and considered them as citizens as per the law and regulations.

Authors have viewed that a refugee once removed from their own place or a country of origin it becomes impossible for them to return home that they left behind. Once displaced, refugee becomes homeless not in their own state but also when they were repatriated. A refugee when thrown out of his country, the receiving country looked them as unexpected guests and at worst they were seen as undesired infiltrators often blamed intruding into their territory, language and identity. Moreover, not a single country has ratified the 1951 refugee convention though there is international legal regime to help and protect the refugee. The contributors of the book suggested the adoption of a right based national legal

framework for the protection of the displaced as well as regional mechanism for status determination under the auspices of SAARC. The contributors also insisted that the national government assisted by the UN agencies and international agencies take the lead in devising and implementing laws and policies designed to ensuring return, reintegration and rebuilding of lives and livelihoods in safety and dignity. However, they have emphasized that the legislative measures will not help in resolving the situations of refugees in the region. Moreover, in the context of protection of the IDPs, the countries of the region have not yet prepared any legal documents following the United Nations Guiding Principles. Following the need of such legal documents in Sri Lanka (Chapter 11, J Thiagarajah) and suggested for preparing a legal documents for the protection of IDPs. However, while analyzing IDPs in the context of Pakistan H Shahid criticized the UN Guiding Principles as a weak policy.

Most of issues related the population movements including refugee, migration and subsequent internal displacement have been analyzed by the authors in greater details in this book. However, the book though analyzed and suggested for a uniform legal framework to address the issue at the regional level through the auspices of the regional organizations like the SAARC, operationalisation of these remains uncertain. There is presence of trust deficit, suspicious relationships, existence of conflict among the states and India's suspicious big brothers role (visualised by others) have led to slow progress of all forms of initiations to adopt a framework to protect refugees, migrants and IDPs. There are however ways - inter-state mutually agreed and collaborative legal regime or a framework can be invited for protection of the displaced population.

Journal

The journal Social Change and Development intends to provide an academic platform to scholars belonging to the northeastern region of India as well as outside to project issues focused particularly on the region, express their views and analyse the issues putting them in proper perspective, both historically and as guidelines for the future. However, issues cutting across the region's border are also welcome.

The unique diversity of the region in terms of ethnicity, culture, language and social institutions makes the region a challenging area of study for the researchers. Although, there has been a prolific growth of literature on the region, it is still lacking discussions with academic rigour. It is therefore, strongly felt that the social scientists would take up issues for academic debate and the journal acts as a platform for the exercise. This is expected to create a better understanding amongst the people of the region and the rest of the country. The geographical seclusion of the region from the rest of the country is sought to be broken through vibrant academic interactions.

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Book

Sen, A K (1999), Choice, Welfare and Measurement, Oxford University Press, New Delhi

Journal Article

Minter, B (2008), "The Food Retail Revolution in Poor Countries: Is it Coming or Is It Over", Economic Development and Cultural Change, Vol.56, No. 4, p. 767.

Article from Edited Volume

Sarkar, N (1997), "A Note on Customary Laws of the Tagins" in Aspects of Customary Laws of Arunachal, P C Dutta and D K Duarah (eds.), Directorate of Research, Government of Arunachal Pradesh

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