



U.S. Committee for Refugees World Refugee Survey 2003 – India — June 2003

At the end of 2002, nearly 332,000 refugees were living in India, including as many as 143,000 Sri Lankans, 110,000 Tibetans from China, an estimated 52,000 Chin and other minorities from Burma, 15,000 from Bhutan, about 11,400 from Afghanistan, an unknown number of Hindus from Bangladesh, and more than 400 from other countries.

As many as 40,000 Afghans were living in India in refugee-like conditions.

At least 600,000 persons were internally displaced in India. Among the displaced were 350,000 to 450,000 Kashmiris, an estimated 150,000 to 200,000 members of tribal groups in northeast India, and up to 100,000 persons, mostly Muslims, in Gujarat State in western India.

Fighting between Hindus and Muslims in Gujarat left more than 2,000 persons dead in early 2002, and communal violence plagued much of India throughout the year.

About 17,000 Kashmiris from the Indian-controlled area of Kashmir remained in Pakistan at year's end.

Some 18,000 persons from India sought asylum elsewhere during the year, including more than 4,000 in the United States, nearly 4,000 in Austria, more than 2,000 in Germany, and nearly 2,500 in the UK.

India is not a party to the UN Refugee Convention and does not have national legislation regarding refugees. The UN High Commissioner for Refugees (UNHCR) is present in India, but the government permits the agency access only to refugees living in urban centers and does not formally recognize UNHCR grants of refugee status. The government has provided residential permits to many Afghans and Burmese, renewable annually, although the permits do not allow work or access to public benefits. India considers Tibetans and Sri Lankans in camps to be prima facie refugees, but regards most other groups as economic migrants.

Refugees from Sri Lanka

The 19-year conflict between Sri Lanka's Sinhalese Buddhist majority and Tamil Hindu minority led more than 144,000 Sri Lankan Tamils to seek refuge in India before a bilateral cease-fire was declared in February 2002. By year's end, only 1,000 of the Sri Lankan refugees had returned from India.

Some 64,000 of the refugees live in state-run camps in Tamil Nadu State. The state government provides the refugees with cash assistance and food rations, as well as space to build homes. All refugees may receive social services available to Indians, and are permitted to work and to attend school.

While some of the refugee camps are well maintained, others are badly neglected, with inadequate sanitation and insufficient clean drinking water ranking among the main problems.

An estimated 80,000 Sri Lankan refugees live outside the camps.

Refugees from Tibet

An estimated 110,000 Tibetan refugees remained in India at the end of 2002. Led by their religious leader, the Dalai Lama, Tibetans first fled to India in 1959, after China annexed Tibet. India permits the Tibetans to maintain a government-in-exile based in the northern Indian city of Dharamsala.

According to the UNHCR office in Nepal, nearly 2,000 Tibetans transited through Nepal en route to India during 2002, most with UNHCR assistance. However, according to information from the Dalai Lama's office, nearly 3,400 Tibetans arrived in India during the year. The Chinese government continued its human rights violations in Tibet, including crackdowns on religious activity and harsh treatment of political dissidents.

Many Tibetans in India are self-sufficient, but some, including elderly persons, female-headed families, and recent arrivals, live in poverty. The Indian authorities continue to permit Tibetan refugees to enter, although the government has not granted legal temporary residence to most who have arrived in recent years.

Refugees from Burma

At least 51,000 ethnic Chin refugees from Burma were living in India, mostly in Mizoram State in Northeast India. The Chin, who are mostly Christian and are ethnically related to the Mizos of India, are among the many minorities who have suffered ethnic persecution under the present Burmese regime. UNHCR has said that the Chin in Mizoram might qualify as refugees, but India considers them illegal immigrants and does not permit UNHCR to have access to them.

A small number of Chin and other Burmese – including political dissidents and members of other ethnic minorities such as Kachin and Shan – are among the urban population of refugees and asylum seekers in New Delhi.

More than 1,000 ethnic Nagas fled from Burma into India's Nagaland State in August 1999. The Nagas, who are Christian, reportedly fled religious persecution and raids on their villages by the Burmese military in Sagaing Division.

Refugees from Bhutan

An estimated 15,000 Lhotsampa – ethnic Nepalese refugees from Bhutan – live in India, mostly in West Bengal and Assam states. Under the terms of the Indo-Bhutanese friendship treaty of 1950, India allows Bhutanese to live and work freely in India. Therefore, the Indian government does not acknowledge the Bhutanese as refugees, assist them, or require them to live in camps. However, because the Bhutanese in India fled Bhutan and remain outside their country for the same reasons as Bhutanese refugees in Nepal, and because the friendship treaty does not necessarily confer permanent residence for Bhutanese and in fact may be revised at any time, the U.S. Committee for Refugees (USCR) considers the Bhutanese to be refugees.

Refugees from Bangladesh

An unknown number of asylum seekers from Bangladesh remained in India at the end of 2002.

Between October and December 2001, an estimated 5,000 to 20,000 Bangladeshi Hindus and other minorities fled to India to escape violence following Bangladesh's national election, which brought an Islamist-aligned coalition government to power. The previous government, which the Hindu minority overwhelmingly supported, was known for its secular policies and its close relations with India.

Soon after the vote in Bangladesh, radical Islamists killed, raped, tortured, and destroyed the property of Hindus and other supporters of the previous government.

Most Hindu asylum seekers fled to the eastern Indian states of West Bengal and Tripura, with others going to Assam and Meghalaya. Based on various estimates, USCR has put the range at 5,000 to 20,000.

Indian officials, however, did not welcome the Bangladeshis as refugees, instead calling them economic migrants or even intruders. Police reportedly arrested many of them for illegal entry and said that they would be returned to Bangladesh following discussions with the Bangladeshi government.

Despite these reports, UNHCR said in early 2002 that the Bangladeshi Hindus in West Bengal were living among a sympathetic local population and thus faced few problems. Although the Indian government provided the refugees with no assistance, private agencies were reportedly providing some aid.

Urban Refugees

Some 13,000 UNHCR-recognized refugees lived in urban centers in India, mostly in New Delhi, at the end of 2002. Some 90 percent were from Afghanistan. Smaller numbers came from Burma, Iran, Somalia, Sudan, and elsewhere.

During the year, UNHCR recognized nearly 600 asylum seekers as refugees, including about 340 Afghans, and 150 Burmese. At year's end, 500 claims were pending with UNHCR.

According to refugee advocates in India, some 40,000 other Afghans may be living in India in refugee-like circumstances.

The Indian government has granted one-year, renewable residence permits to most Afghans and Burmese recognized as refugees by UNHCR. All other UNHCR-recognized refugees, a total of about 400, risk being arrested and returned to their home countries. UNHCR intervenes in such cases and arranges resettlement, whenever possible, to other countries. During 2002, one UNHCR-approved refugee – a Sudanese – was known to have been forcibly returned by India.

Internal Displacement in Northeast India

An estimated 150,000 to 200,000 persons of various ethnicities were displaced in several states in Northeast India, a geographically and politically isolated area of India that is home to many tribal groups. Once sparsely populated, Northeast India's population has swelled with the arrival of millions of ethnic Bengali Hindus and Muslims from Bangladesh and from India's West Bengal State.

Tensions among ethnic minority groups, as well as between migrants and ethnic groups, have given rise to ethnic and politically based insurgencies that have battled the Indian armed forces, attacked each other, and turned on civilian populations belonging to rival ethnic groups. The violence and separatism have caused widespread displacement, mostly in the states of Assam, Manipur, and Tripura, but also in Nagaland and Arunachal Pradesh. At least eight ethnic groups – Bodos, Nagas, Kukis, Paites, Mizos, Reangs, Bengalis, and Chakmas – have been involved.

In Arunachal Pradesh, residents have protested the presence of the Chakmas, who began arriving from the Chittagong Hill Tracts of Bangladesh in 1964. Many residents still view the Chakmas as refugees, despite a ruling of India's supreme court in 2000 directing the government to grant the Chakmas citizenship. In June, the All Arunachal Pradesh Students Union vowed to launch a "vigorous mass movement" to drive out the Chakmas.

An April extension of a cease-fire agreement between the central government and a Nagaland separatist group, without territorial limits, led to protests and violence in Manipur, Assam, and Arunachal Pradesh. Residents there feared the establishment of a

greater Naga state, which could infringe on the territory of the neighboring states. Tens of thousands of Nagas, fearing attacks, fled to Naga-dominated districts in Manipur and Nagaland.

Throughout the northeastern states, conditions for the displaced remained poor. Many of the displaced lived in public buildings and makeshift shelters, with little health care and no access to formal education.

Displacement from Kashmir

At least 350,000 – and perhaps as many as 450,000 – Kashmiris, mostly Hindus (known as Pandits), have been displaced since 1990 as a result of long-standing conflict in Kashmir between the Indian armed forces and Muslims – a majority in the region – seeking either independence or accession to Pakistan.

In the aftermath of the September 11, 2001 terrorist attacks in the United States, the security situation in Kashmir worsened because of new clashes between Indian and Pakistani armed forces, as well as renewed attacks by Muslim separatists. At the end of December 2001, some 60,000 to 100,000 Kashmiris fled their homes.

Some 34,000 people, including thousands of civilians, have died as a result of the Kashmir conflict. Continuing violence led to the deaths of hundreds of civilians in 2002.

At least 250,000 displaced Kashmiris are living in or near the city of Jammu, both in private homes and in nine camps for the displaced in Jammu District. As many as 100,000 Kashmiris are displaced elsewhere in India, primarily in the New Delhi area.

The Indian government provides cash assistance and food aid to many of the displaced Pandits. Former government workers continue to receive full salaries or retirement benefits.

State assembly elections in Kashmir in September and October brought in a new coalition government that promised to investigate reported human rights violations by Indian security forces and to urge the government to hold peace talks with Kashmiri groups.

Violence and Displacement in Gujarat

In late February, in the town of Godhra in Gujarat State, a group of Muslims attacked a train on which Hindu activists were riding. A resulting fire on the train killed at least 58 people. In retaliatory violence, more than 2,000 persons, mostly Muslim, were killed in four days of often horrific violence. Mobs brutally murdered Muslims, gang-raped Muslim women and girls, destroyed places of worship and Muslim-owned businesses, and looted and burned homes.

Investigations by Human Rights Watch and Indian human rights groups revealed that much of the violence was planned well in advance of the Godhra attack and was carried out with state approval and orchestration.

Gujarat is governed by the Bharatiya Janata Party (BJP), the Hindu nationalist party that also leads India's central coalition government. Although a collection of Hindu nationalist groups was responsible for most of the violence, state officials and police also participated. According to Human Rights Watch, "police often led the charge and used gunfire to kill Muslims who got in the mobs' way."

In the following weeks, Muslims carried out retaliatory violence, destroying Hindu homes and places of business. More than 10,000 Hindus were reportedly displaced.

The violence and subsequent tensions caused the displacement of more than 100,000

persons, mostly Muslims. Most were housed in more than 100 camps throughout Gujarat, where they received limited government assistance. In June, the government began closing the camps, forcing thousands of displaced persons into less official settlements or back to their home villages – often to the homes of friends or relatives – where they remained threatened by a tense security situation.

Human rights Watch noted that the government failed to provide adequate and timely assistance to the displaced and often prevented non-governmental relief agencies from having sufficient access and protection.

At year's end, while the camps had all been emptied, an unknown number of persons remained displaced in Gujarat.

