



## **STUDYING THE HISTORICAL BACKGROUND OF REFUGEES: A CASE STUDY OF 20<sup>TH</sup> CENTURY**

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### **Abstract:**

The refugee problem has a very ancient history, mentioned in major texts such as the Vedas, the Quran, and the Bible. The First and Second World Wars caused immense devastation. The pride of all the world's dictatorial rulers was shattered, and a peaceful conference was held to resolve the problems arising from the war. One of the major problems arising from the Second World War was the refugee problem. Frightened by the war, many citizens fled their nations and fled to other nations. This posed a significant problem for the entire world, a solution possible only with global cooperation. For the first time, the entire world agreed on the refugee problem and passed the Convention on the Status of Refugees in 1951.

**Key Words:** Refugee, displacement, migration

### **Introduction:**

Refugee Day is observed worldwide every year on June 20th. This day is celebrated to draw attention to the plight of refugees who are forced to flee their countries due to the challenges of persecution, conflict, and violence. In India, the High Courts have expressed their opinions on the humanitarian concerns of refugees based on constitutional and human rights. However, no SAARC countries have taken any initiative on this issue. In the current political and security context, each country seeks to address the refugee problem according to its own standards. However, these standards vary across time and countries. South Asia has a unique history of population displacement. Here, people were either expelled from their country's borders after war or forced to leave based on caste, ethnicity, or religion. Environmental or developmental processes also contributed to displacement. Both India and Pakistan witnessed large-scale displacement during their independence years. After the Partition of 1947, 7.5 million Hindu and Sikh refugees migrated from Pakistan to India, while 7.2 million Muslim refugees migrated from India to Pakistan. This was the largest refugee displacement in

recorded history. Even during this massive humanitarian crisis, very little international assistance was available. Later, during the Bangladesh Liberation War of 1971, 10 million refugees fled to India. In 1979, following the Soviet Union's intervention, 3.5 million Afghans sought refuge in Pakistan, of whom 1.2 million are believed to still be living in villages. During 1970–1990, Bangladesh experienced an influx of 300,000 Muslim refugees from Myanmar's Rakhine district, of whom 30,000 have yet to return. Similarly, 90,000 Bhutanese of Nepali origin were expelled, and most of them remain in Nepal's Jhapa district. However, the United States High Commissioner for Refugees has recently resettled most of them in third-world countries. Sri Lanka is often referred to as the "Island of Refugees" due to the external displacement of Tamils and internal displacement of Sinhalese, Tamils, and Muslims. However, it is considered a refugee-producing country, not a refugee-giver. Since 1983, Sri Lanka has hosted millions of refugees, while an additional 50,000 Tamil refugees have already taken refuge in Western countries. Most Sri Lankan refugees who took refuge in Tamil Nadu have been voluntarily repatriated, but the ongoing security crisis in northeastern Sri Lanka still leaves over 60,000 refugees reluctant to return. Since the 1960s, India has hosted over 100,000 Tibetan and 50,000 Bangladeshi Buddhist refugees, some of whom have not recently migrated to India.

India has assured the UNHRC that it will also assist 12,000 Afghans on humanitarian grounds. The Maldives is the first SAARC country that neither produces nor provides refugee shelter. Despite these current and past refugee crises and a long-standing humanitarian tradition of providing refugee assistance, none of the SAARC countries has ratified the 1951 Convention or the 1967 Protocol, which has been ratified by 136 countries worldwide. Nevertheless, all SAARC countries, with the exception of Bhutan and Nepal, have reaffirmed their commitment to assisting refugees through the United Nations' UNHCR, based on international humanitarian assistance. The reasons for disagreement on this issue between the 1951 Convention and the 1967 Protocol and SAARC countries are quite similar. They argue that their asylum practices are significantly superior to international standards, sometimes even those of countries with better resources. Therefore, they will continue to address the refugee issue bilaterally, but they welcome international humanitarian assistance to share the burden. SAARC countries also argue that the persecution-based 1951 Convention and the 1967 Protocol are insufficient to comprehensively address the current refugee crisis in the region. In which the refugee problem is often primarily caused by internal conflicts rather than state oppression. Regarding the inadequate international refugee management mechanisms, they call for a system similar to the African Refugee Arrangement, established by the Organization of African Unity Convention of 1958, and the Latin American Refugee Arrangement, established by the Cartagena Refugee Declaration of 1984, which also broadly defines the term refugee. The refugee problem in South Asia is largely localized. The crisis has

become a matter of national and international security concern due to the failure of states to address these issues on humanitarian grounds. Since all refugees are technically considered illegal migrants, they have no legal right to protection. In this situation, a regional conference or declaration by SAARC countries becomes relevant. Furthermore, agreement on fundamental issues, such as the definition of a refugee, granting asylum, and voluntary resettlement of refugees, would help reduce tensions between negotiators from hosting states and foster a conducive environment for dialogue. A SAARC refugee conference or declaration could also prove to be an important step towards alleviating the humanitarian crisis in the region.

The body of a three-year-old Syrian child, Aylan Kurdi, was found lying face down on a Turkish beach. This incident has brought the Syrian crisis to international attention. Europe is demonstrating solidarity with refugees. Germany is leading the charge. Britain, France, and Austria are also providing assistance. The solidarity Europe has shown in helping refugees seems to revive the idea of Europe. However, it is also true that if European countries had addressed the Syrian refugee crisis in a timely manner, thousands of refugees would not have lost their lives crossing the Mediterranean in small boats, nor would millions of Syrians have been displaced. The root cause of the refugee crisis from Syria crossing the Mediterranean to Turkey and Greece lies in the biased attitude and indifference of European powers and the United States towards Syria, which is grappling with internal civil war. These countries have spared no effort in turning Syria into a living hell. According to the United Nations, 200,000 people have lost their lives in the four-year-long Syrian civil war. Four million are forced to live as refugees.

Millions of Syrians are trapped in the ongoing war in Syria. This is also a war in which no one seems to be victorious. People are either being killed or forced to flee. Aylan Kurdi also fell victim to these circumstances. Civil war has been raging in Syria since 2011. The international community has made no effort to find a political solution to this crisis. Instead, regional powers like Saudi Arabia and Qatar have supported separatist rebel groups in Syria to oust the Assad government. These countries consider Assad an ally of Iran, and the struggle for supremacy in the Arab world is ongoing between Shia-majority Iran and Sunni-majority Saudi Arabia. Turkey has its own interests. It has kept its long border open so that fighters can enter Syria and strengthen the anti-Assad rebels. Meanwhile, Western powers like the United States and Britain are also strongly supporting the campaign to oust the Assad government in Syria, aiding the anti-Assad rebels. Meanwhile, the Islamic terrorist group ISIS has also seized control of many areas in Syria, and President Bashar al-Assad is fighting them. As a result, not only has Assad not been removed, but Syria has become increasingly unstable. Anti-Assad ISIS and other rebel groups have grown stronger. There is no doubt that the Syrian people are bearing the brunt of internal unrest, fleeing to Turkey and other European countries as refugees. Western countries, including the United States, Britain, Saudi Arabia, Turkey, and European countries, must completely cease their

support for rebel groups in Syria. Furthermore, any negotiations for a political solution in Syria must include Syrian President Assad, who remains in power from Damascus and is fiercely fighting ISIS. Although Assad has been accused of using chemical bombs against rebel groups and their civilian targets in Syria, ISIS is becoming a major headache for Western powers and European countries, requiring an immediate change in Europe and the West's policy toward Syria.

India is one of the few countries in the world that has experienced the refugee crisis on a large scale over the past sixty years. With independence, millions of Indians became refugees in their own homes overnight. Approximately 15 million people were displaced during the partition of the country. Approximately 8.5 million people migrated from India to Pakistan, and approximately 6.5 million people migrated from Pakistan to India. The Indian government took legislative and administrative measures to address the problems of these displaced people. These legislative measures include the Rehabilitation Finance Administration Act, 1948, the Displaced Persons (Compensation and Rehabilitation) Act, 1954, and the Displaced Persons (Claims) Supplementary Act, 1954. At the administrative level, a special ministry was established within the Government of India (with branches in the states). This ministry's task was to address the problems faced by refugees, such as arranging transportation, telecommunications, livelihoods, and land allocation. Indian legislation considered these people displaced persons, not refugees. In the 1960s, more than 100,000 Tibetans took refuge in India; these people remain refugees. Most of them live in refugee settlements and receive all the benefits available to Indian citizens. In February 1969, the United Nations High Commissioner for Refugees established the Sri Lankan Institute of Social Justice and Empowerment (SRI) opened its office in Delhi and allocated US\$300,000 for health, housing, industrial employment, agriculture, and other rehabilitation activities for Tibetan refugees. In 1970, US\$200,000 was primarily allocated for Tibetan rehabilitation in agriculture. Sri Lankan refugees began entering India in 1983. The immediate cause was the outbreak of war between the Sri Lankan army and the Tamil Eelam. The Tamil Eelam, a minority community living in Sri Lanka, rebelled for their rights and freedom. The Sri Lankan army and other civilians were displeased with the Tamil Eelam's rebellion, and their violence against the Tamil Eelam community escalated. The Tamil Eelam, having lost their fight for rights and freedom, began migrating to other countries. Tamil Eelam began entering India in 1983, mostly settling in Tamil Nadu. Bhutanese refugees migrated to India in the 1980s. The main reason for this was the implementation of the Citizenship Act of 1988 in Bhutan. A large number of Nepalese citizens settled in Bhutan and considered themselves Bhutanese citizens, but the Bhutan Citizenship Act of 1988 did not grant them citizenship. They then migrated to India and Nepal in search of citizenship. Due to Nepal's economic situation, most of them became refugees in India.

In 1988, refugees from Burma entered India, primarily due to torture, persecution, bonded labor, rape, and police brutality. These Burma refugees belonged to the minority community there. As a result of religious fanaticism, violence against these Burma minorities increased, forcing them to flee their country. They crossed Burma's borders and settled in India. From 1988 to 1990, 30,000 Burma refugees took refuge in India.

The number of Somali refugees in India is also not small. In 1991, the number of Somali refugees reached approximately 40,000. Somali refugees, distressed by their civil war, became refugees to save their lives. In 2007, 400 refugees reached the UNHCR Delhi office.

In 1992, a civil war broke out in Afghanistan between Muslims and non-Muslims. A large number, estimated at 60,000, fell victim to this civil war and began fleeing the country. Ninety percent of these Afghan refugees were Hindus. Most fled to the Gulf countries, but 9,000 Afghan refugees entered India. Even after this, a small number of Afghan refugees continued to arrive in India, and by 2007, their number had reached approximately 15,000. The influx of refugees has not stopped. The arrival of Rohingya, Bangladeshi, and Sri Lankan refugees continues. This year, millions of refugees have reached Europe due to the civil war in Syria and Libya. Not only Canada and Britain, but Germany alone has hosted 1 million refugees or even more. 10 million people means a metropolis, and 1 million people require housing, food, and employment. However, after the Paris attacks, questions have been raised about the decisions to grant asylum to refugees in the US and Europe.

The refugee crisis is emerging as a major issue in the debates for the 2016 US presidential election. Industrialist Donald Trump, who is running for the Republican presidential nomination, has even created a sensation by calling for a ban on Muslim entry into the US. Even as many European countries have sealed their borders to stem the influx of refugees, the refugee crisis remains a challenge. Most refugees are arriving in Europe from Syria, Iraq, Afghanistan, and Eritrea. These refugees are arriving from countries and societies where any form of freedom is severely restricted. With strict religious, social, and economic constraints, political freedom has become meaningless there. Slavery is the mainstream of life, where family or clan is more important than the individual. There is no concept of individual or personal freedom, whereas in Germany, the individual is valued more than the group. If the family is absent, the state becomes the support for life's risks.

In Germany, there is no discrimination between men and women, whereas the videos released by ISIS reveal the extreme brutality, barbarity, and oppression. ISIS videos depict horrific scenes of beheading hostages, slitting their throats, burning them alive, throwing them from rooftops, having children shoot them, crucifying them, dragging them from vehicles, and drowning them.

Thousands of Yazidi women have been victims of sexual violence by terrorists. These women have been enslaved and openly auctioned in Syrian markets. Sinjar is a district in northern Iraq. A large number of Yazidi people live in the Sinjar district. Kocho is a small village in the Sinjar district. Kocho had only one school, and all the children attended that one school. History was their favorite subject. One day, an ISIS decree came to the village demanding that all Yazidis convert to Islam or face dire consequences. The Yazidi community was filled with fear and anger. They were reluctant to abandon their religion and convert to Islam. Then, the same thing happened. The villagers were told to gather at the school campus. Upon arrival, the men and women were separated. Over 300 men were lined up and killed, while the girls and women were bussed to the Iraqi city of Mosul.

The terrorists also killed the village's elderly women, as they were useless to them. However, the young girls were like treasures won in war for the terrorists. They were presented in turn every day before the Sharia court, and their photographs were pasted on the walls so that the terrorists could identify and exchange them. Those who tried to escape were brutally beaten. They were even brutally assaulted by groups of ten or twelve terrorists. Nadia Murad Basitaha is one such Yazidi girl, an ISIS victim, who managed to escape from the terrorists' prison and, after hiding, managed to reach a refugee camp in Mosul. With the help of an NGO, she was sent first to Germany and then to the United States. In her address to the United Nations, Nadia Murad Basitaha said that cases of ISIS atrocities against women should be presented to the International Court of Justice so that the terrorists can be punished severely.

Nadia, an ISIS victim and Yazidi refugee, now has only one goal: how to unite the world against ISIS. While previously hostile countries like France, Russia, Britain, the United States, and Turkey have dropped thousands of bombs on terrorist hideouts in Syria, 34 Islamic countries, led by Saudi Arabia, have also formed an alliance to fight ISIS terrorists. Meanwhile, the 15 members of the United Nations Security Council have approved a resolution outlining the peace process in Syria, which includes talks between representatives of the Damascus government and the opposition. However, this UN Security Council resolution does not address the role of Syrian President Bashar al-Assad. This resolution acknowledges that the peace process will not end the conflict, as it prevents terrorist organizations operating within the country, such as the Islamic State and al-Nusra Front, from participating in the ceasefire. Before approving this resolution, foreign ministers from 17 countries held crucial discussions for over five hours to resolve their differences.

It was only after this significant and lengthy discussion that it was agreed that the Syrian people would decide their country's future and that elections would be held under UN supervision within the next 18 months. Presiding over the Security Council meeting, US Secretary of State John Kerry stated that this resolution sends a clear message to all concerned that the bloodshed in Syria

must stop. However, US President Barack Obama maintains that Syrian President Bashar al-Assad must step down to establish stability and end the brutal civil war. Russian President Vladimir Putin remains committed to ensuring that Syrian dictator President Bashar al-Assad remains in power. Moreover, Russia is even trying to exclude Assad's opponents from the proposed peace talks by labeling them terrorists. The US has stated that it will not send its ground forces to Syria. Consequently, only fighters from pro-Iranian Shia militias remain on the battlefield against ISIS.

Undoubtedly, even without political consensus, a ceasefire agreement would halt Russian attacks, which could be a significant achievement. Another possible outcome could be that government- and rebel-controlled areas in Syria would coexist, and local and international ammunition would flow simultaneously toward ISIS-controlled areas. But wouldn't it be premature to harbor such expectations at this point? According to the UN resolution, the ceasefire in Syria will not affect the ongoing operations against ISIS in the slightest. This implies that US, Russian, and French attacks on ISIS bases will continue, and the refugee crisis in European countries will persist. The anti-ISIS organization, Ahrar al-Sham, has recaptured the training camps in Raqqa, driving out ISIS, and the Iraqi army has recaptured the city of Ramadi. This is a relief for refugees. It should be remembered that Europe's doors were initially closed to refugees, but Germany's opening of its borders was a positive step, marking an exemplary change. The European Commission's initiatives to address the refugee crisis were also welcome, but as the number of refugees in Europe continues to grow, Europe is now facing greater challenges. Furthermore, ISIS is planning to launch similar attacks simultaneously across Europe on the same day and at the same time. Today, Europe faces significant challenges from both ISIS and the refugee crisis. After studying the historical background of refugees, it has been concluded that the refugee crisis is a very ancient global problem. No country has remained untouched by it. After studying this chapter, it can be said that the biggest refugee problem has arisen in Islamic countries, as India has a liberal attitude towards providing shelter to refugees. However, India's attitude towards Rohingya refugees is quite different and undoubtedly not a liberal.

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