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Policy of India towards persecuted communities in South Asia with focus on refugees and asylum seekers

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Abstract

South Asia is well known for its population, geographic size, labor strength and multiculturalism. This region has witnessed the migration of peoples from one country to the other country and from one state to other state within their borders since ancient times. Migration of peoples despite having benefits of multifarious nature at times created problems of persecution, deprivation and violation of the fundamental rights due to socio-economic backwardness and fragility of this region. India is the largest country of this region in terms of Size, population and economy. In this Scenario policy initiatives of India on persecuted communities with reference to refugees and asylum seekers are of utmost significance. Since Independence India has tried a lot for eradication of these issues. Nevertheless, in the second half of the twentieth century nothing remarkable could be done especially with respect to issue of migration of refugees and persecuted communities. Hence, these issues are still pending and peoples are badly suffering from them. In recent past policy initiatives such as “neighborhood first policy” of India focused on proactive strategies instead of impractical strategies of the policy formulation and implementation. However, still a lot has to be done for resolving issues and disputes with neighbouring countries for the establishment of peace and most importantly the welfare of the persecuted refugees and asylum seeker. In this study an attempt has been made to critically analyse the policy initiatives of India with focus on the prosecuted communities of India and its immediate neighbouring states such as Bangladesh, Pakistan, Myanmar, Afghanistan, Bhutan and Nepal. This study is based on exploratory and analytical methodology to arrive at a logical conclusion of the subject matter.

Keywords: Persecuted, Multiculturalism, Refugees, Asylum Seekers, Fragility

Introduction

In contemporary times the issues of human rights violation in the world in general and in least developed and developing countries of Asia and Africa in particular has become a major cause of concern. Human rights are the basic necessities for the welfare of the society as a whole. South Asian region is one of the most backward region of the world. Here peoples are suffering from several socio-economic problems including the violation of fundamental rights. India is biggest and somehow advanced country amongst the other countries of this region. So, in this paper an attempt has been made to critically interpret the policy initiatives of India towards neighbouring countries with focus on the issues of persecuted communities with special reference to the asylum seekers and refugees. The socio-economic and political backwardness of this region since earlier times have created problems of multiple nature. Late and less focused democratic practices in South Asia constrained the people of this region in multifarious ways. Peoples in almost all the South Asian countries are strongly facing the challenges of persecution and discrimination in various fields of their day to day activities of life. This persecution and discrimination is more towards the minority, educationally and socially backward communities based on religion, identity, caste, color, creed and other similar things. Anti-democratic tendencies and impractical ways of dealing with these challenges has been the main drivers of insecurity, instability and bad conditions of these communities. Champions of egalitarianism and defenders of human rights are of the view point that the problems of human rights violations cannot be eradicated until robust policies are formulated and implemented with utmost sincerity, proactive strategies and on the basis of democratic laws and rules. South Asian region is facing the big challenge of migration from one country to the other and from one state to the other within the borders. The migrations and all associated issues are due to

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socio-economic, and political backwardness of this region. Persecution of minority communities in their respective areas is forcing the peoples to migrate and become refugees and asylum seekers in other neighbouring states and countries. The issues of migration due to persecution is prevalent in all the South Asian countries but this issue is much confined in the north eastern neighbourhood of India. Leaders and formulators of policies in all the countries of South Asia are trying their level best for dealing with the issues of human rights violation in their respective countries and in whole South Asian region. Nevertheless, nothing remarkable could be done since the independence of this region from colonial rule. In this era of globalization and integration it has become imperative for all the countries to formulate and execute robust and conducive domestic as well foreign policies. Policy formulation and implementation with the help of proactive strategies is of utmost significance for establishing cooperation, peace and stability. The emerging and changing circumstances on the one hand creating several new kinds of challenges and issues but at the same time on the other hand several options and opportunities are also emerging. Thus it is a high time for robust and proactive policies to gain benefits out of the emerging options and opportunities.

Objectives of the Study

1. To make a critical interpretation of the policy initiatives of India on persecuted communities in South Asia.
2. To examine the strategic, political, socio-cultural and economic significance of India and its neighbouring states towards each other.
3. To identify various factors responsible for the violations of human rights with special reference to the refugees and asylum seeker of immediate neighbouring countries of India.

Strategic, Political Socio-Cultural and Economic Significance of India and Its Neighbouring States towards Each Other

The significance or importance of India for the countries of South Asian region stems from various reasons. The fundamental reason is that India has a distinctive geography. It is in the south of Asian continent, separated from central Asia by Himalayas in the north, Indian Ocean in the south, thick forests in the east, and deserts in the west. Strategic importance and India's Size, Population and military strength makes it the leader of the weaker states in South Asia. Secondly all the South Asian countries are culturally and socially interlinked and interdependent. This study tries to interpret and examine the factors of historical and cultural linkages, geographical proximity and the importance of these determinants in international politics specifically with respect to the policy of India towards persecuted communities with special reference to the refugees and asylum seekers from the neighbouring states such as Pakistan, Afghanistan, Bangladesh, Bhutan Nepal and Sri Lanka. Recent Policy initiatives such as constitutional amendment act of 2019 of India which focused on the minority persecuted communities from neighbouring countries of Pakistan, Bangladesh and Afghanistan and several other such initiatives are remarkable, and thus adding to the overall significance and role of India in the advancement of whole South Asian region. Thirdly the economic significance of India and other countries for each

other especially after the adoption of liberalization, privatization and globalization model (LPG model) have increased to a great extent. India is the largest and fast developing economy of this region and on the other hand other countries of the region also gaining economic pace and in short it can be said that almost all the South Asian countries in 21st century are fast emerging economies of the world. The interdependence of the states in the region signaling these states to formulate conducive and robust policies to deal with the existing and emerging challenges of multifarious nature. In this scenario of interdependence the work in collaboration is needed to increase the cooperation to come at par with developed countries of the world in nearest future. Thus it can be said that India and its neighbouring countries are of huge significance for each other in South Asian region in multifarious ways.

Policy of India towards Refugees and Asylum Seekers from Neighbouring Countries.

India is very much concerned for the protection of the rights of refugees and asylum seekers specifically from immediate neighbouring countries. The neighbouring countries of India are the Pakistan, Bangladesh, Nepal, Bhutan, Sri Lanka Maldives and Afghanistan. These countries are facing several challenges since their independence from the colonial rule. One of the long pending and major issues in this region is the issue of refugees and asylums. This paper has specifically emphasized the policy of India towards refugees and asylum seekers from neighbouring countries of India. The legislations for refugees and asylum seekers of neighbouring and non- neighbouring countries are different in India, as India is not the part of UNHCR convention on refugees. So, domestic rules and laws are applicable for dealing with refugees and asylum seekers. On the basis of India's non-signatory status to the UNHCR convention of 1951, analysts criticize the policies of Indian government towards these persecuted communities and are of the view point that India despite being one of the most influential and powerful country in the region is not concerning with this major issue of the violation of fundamental human rights. Recently India has amended the citizenship Act to provide citizenship to the persecuted communities of immediate neighbouring countries excluding Pakistan. This policy initiative of the government according to the formulators is based on logical and proactive strategies and thus it can prove significant in dealing with the long pending and emerging issues of refugee crises and asylum seekers in India and its neighbouring countries. However, this initiative has also been widely criticized by the analyst and they observed that instead of solving problems such steps can further jeopardize the multifarious relationship among and between the countries in the region and ultimately will lead towards the more deterioration of the conditions of these communities. Policy Analysts and scholars of international politics also analysed that governments based on their respective radical ideologies are compromising with some of the most basic problems, for example exclusion of the persecuted minority communities of Pakistan from the recent amendment to the citizenship act can be observed as discriminatory and political motivated, Such initiatives are subject to the creation of certain other issues. People migrate and settle in India From the immediate neighbouring countries due to various socio-economic, political and religious reasons. These persecuted

communities are facing challenges of human rights violation and somehow these communities are also becoming threat to the internal security and national interests of India. Regional cooperation, and cordial relationship with neighbouring countries and proper formulation of domestic as well as foreign policies are needed with utmost urgency in order to resolve these long pending and emerging crises. It is also pertinent to note here that India's relations with its immediate and influential countries like Pakistan, Bangladesh, Sri Lanka, Nepal Bhutan, Maldives and Afghanistan have always been major causes of fragility and instability in the region. Such fragility and instability further worsened the conditions of already persecuted communities. Nevertheless, with changing circumstances, options of making cordial relationship and enhancement of interdependence are there and signaling for negotiation and work in collaboration. So, steps should be undertaken with influential pragmatic strategies to combat the menace of instability, backwardness, discrimination and persecution in the whole South Asian region.

Conclusion

Policy of India on persecuted communities of immediate South Asian neighbourhood is based on proactive and pragmatic strategies rather than impractical and only thoughtful strategies. Modi government has emphasized the India's Neighbourhood policy by taking into consideration the objectives of agenda 2030 of sustainable development goals, initiatives of the UNHRC and believed that proactively engaging with the issues and challenges of human rights violations with special reference to the crises of refugees, and asylum seekers from neighbouring countries can prove beneficial for all the countries and communities in the region. Proactive engagement should be prioritized for the resolution of long pending issues which are big hurdles in the way of cooperation, peace, prosperity and stability in the region. In this arena of integration and interdependence it is imperative to work in collaboration for the establishment of peace, stability and overall advancement. This research work is based on critical interpretation and analysis of the policy initiatives of India towards persecuted communities in India and its neighbouring countries. India's policy initiatives have been taken into consideration because of socio-cultural, political, strategic and economic significance of India for all the states in South Asian region. India is like the big brother of all the weaker countries of South Asia. However, there are several issues of soar bilateral as well as multilateral relationships between and among the countries of this region. In short it can be analysed that due to the absence of cordial relationship in South Asia, the long pending issues are still there and thus this region is not getting the pace of commendable advancement. In order to make this region stable, peaceful and advanced, still a lot has to be done with collective efforts, and with utmost sincerity and integrity.

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