

PoK refugees seek abolition of Acts

Staff Reporter

JAMMU: Pakistan-occupied Kashmir (PoK) refugees have demanded the abolition of the Evacuees Property Act and Resettlement Act to end their sense of insecurity over the past five decades. They had to flee their ancestral land during the India-Pakistan wars and are scattered in different parts of the country. No compensation has been paid to them.

The Kisan Mazdoor Refugees Dal and PoK refugees from the State have demanded compensation for the property they left behind in Pakistan. They have also sought reservation in Government services and in Parliament. Among their other demands are grant of State subject status to the 1947 West Pakistan refugees, a special financial package and scrapping of the Resettlement Act and SRO 215 pertaining to the Evacuees Property Act.

Captain Yudvir Singh, the president of the Refugees Dal, said there was a lack of sensitivity about PoK refugees. "The least the authorities can do is rehabilitate the refugees thrown out of their homes. Our basic human rights have been violated," he said in a statement.

Unlike refugees from West Punjab (now in Pakistan) or East Bengal (now Bangladesh), those from PoK received no compensation for the land they left behind on the premise that Pakistan had illegally occupied it.

Under the Evacuees Property Act, PoK refugees were given State Government land on rent.

These refugees include people from Chamb on the India-Pakistan border, which was handed over to Pakistan after the 1971 war for delineation of the cease-fire line, later termed as the Line of Control.

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THE HINDU

Bhutanese refugees denied entry

Statesman News Service

MECHI (Indo-Nepal border) Dec. 10. — Their placards claimed they were Bhutanese nationals seeking to reenter their country. But international relations say they are Bhutanese refugees who have been living in camps in Nepal for the past 14 years or so. Thus, they were stopped from crossing the border here at Mechi.

There were about 70 of them from the Beldangi I and Beldangi II refugee camps that were set up in addition to five other camps in Nepal to accommodate the large number of Bhutanese of Nepalese origin thrown out of Bhutan in the early 90s. Making an effort to get back to their country on International Human Rights Day today, they failed to do so, but not all. According to Intelligence agencies, a group of 12 such refugees managed to sneak in but were intercepted at Malbazar in

Jalpaiguri district.

It was learnt that those intercepted at Malbazar are from the Goldhap refugee camp also in Nepal. They were trying to pose as members of a band party attending some wedding ceremony but the ruse did not work and they were apprehended.

Stopped at the Nepal border by the Shashastra Seema Bal and police, the refugees from the Beldangi camps squatted the whole day near the Mechi bridge. The Mechi river forms a natural boundary between India and Nepal in the Siliguri sub-division.

It was learnt that the squatters are supporters of the Bhutan Gorkha National Liberation Front. The organisation has no links with the GNLF. Although the agitator's claimed that their exercise was strictly to get back to their country for which they had deliberately chosen the day, the Intelligence agencies suspect otherwise.

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THE STATESMAN

Call for national law to protect refugees

'Absence of law makes it difficult for refugees to fulfil their basic needs'

Staff Correspondent

NEW DELHI: Participants at a "Refugee and Law" seminar organised by the Human Rights Law Network (HRLN) in collaboration with the United Nations High Commissioner for Refugees (UNHCR) here have called for a national law to protect refugees.

Noting that India has not signed the 1951 Convention relating to the Status of Refugees or its 1967 Protocol on the ground that it is unable to take

care of basic needs of refugees like food and shelter, Colin Gonsalves, senior advocate and executive director HRLN, said the absence of a law made the protection of refugees arbitrary.

Describing the plight of refugees in Myanmar, Thin Thin Aung, Executive Director Mizima News, said that human rights violations by the State Peace and Development Council, Myanmar's ruling military junta, had led to over 65,000 internally displaced people in

eastern Myanmar. Joyce Zahau, Coordinator, Women's League of Chinland, said though the Indian government issues a residence permit to refugees from Myanmar, it has denied granting work permits, making it difficult for refugees to fulfil their basic needs. Manohar Singh, President of the Khalsa Diwan Welfare Society, which works with Afghan refugees of Indian origin, said acquiring Indian citizenship was one of the biggest problems that refugees faced.

Sharing his experience in dealing with issues related to Pakistani refugees in Western Rajasthan, Hindu Singh Sodha, President of the Pakistan Vis-thapith Sangh (Association of Displaced People from Pakistan), said that based on the recommendations of a review committee set up by the Rajasthan government more than 12,000 Pakistani refugees had been given Indian citizenship so far.

Said Mr. Sodhi, "We need a national policy and law to pro-

ject refugees. Though there are various refugee groups, there should be common standard when it comes to human rights violations."

Highlighting the plight of Tibetan refugees in India, Youdon Aukatsang, Executive Member of the Tibetan Women's Association, said that though Tibetan refugees in India were entitled to Indian citizenship under section 3 of the Indian Citizenship Act, 1955, the procedure was not automatic, and they often faced rejection.

2.3 lakh cases pending in consumer courts

Delay in disposing of cases due to non-functioning of certain district consumer fora

Gargi Parsai

NEW DELHI: There are a whopping 238,883 cases pending in various consumer courts across the country.

The National Consumer Disputes Redressal Commission has informed the Government that the total number of new cases registered in various district consumer courts during 2004 was 130,220. During 2004,

119,807 cases were disposed of. According to the Commission, the delay in disposing of cases -- although the Consumer Protection Act, 1986, calls for disposal of cases in six months -- is due to non-functioning of certain district consumer fora on account of vacancies of the presiding officer and members, inadequate structural facilities and lack of district fora at places where they are required to be.

• Many steps taken for speedy disposal of cases

• Law amended to allow the senior-most member of the Commission to preside in the absence of the President

The Government has taken some steps for speedy disposal of cases. A project has been launched in March this year for computerisation and computer networking of consumer fora. Besides, the Consumer Protection Act has been amended to allow for the senior-most member of the Commission to preside in the absence of the President. A time frame has

been prescribed for admission of complaints, issue of notice from the date of admission and complaints to be disposed of, as far as possible, within 90 days (within 150 days where a product requires testing). Appeals have to be disposed of in 90 days and no adjournments are to be given, unless justified. Once a complaint has been admitted it shall not be transferred to any other court/tribunal.

Reangs count time

PM's assurance only hope for refugees

SYED Sajjad Ali
Agartala, November 1

PRIME MINISTER Manmohan Singh, during his recent trip to Tripura, had assured to solve the problems of Reang refugees from Mizoram who are now stranded in north Tripura. However, despite his promise to end the crisis, the Reangs do not know what exactly lies in store for them. They had a bipartite agreement with Mizoram government in April. But nothing fruitful has emerged so far.

"The Prime Minister assured us to look into the matter for an early solution," Reang leaders, who called on Singh during his visit here on Saturday, said.

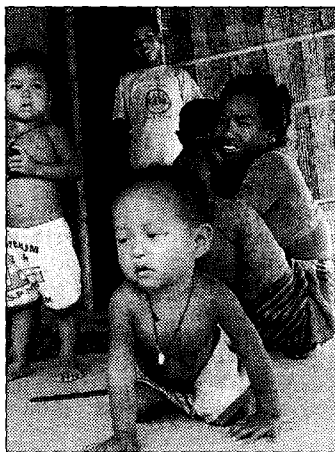
Nearly 35,000 Reang or Bru refugees are housed in six makeshift camps in Kanchanpur subdivision after they had fled their home state Mizoram following alleged persecution by the majority Mizos in September-October 1997.

The evacuees floated the Mizoram Bru Displaced People's Forum (MBDPF) to negotiate with the Centre and Mizoram governments to arrange their repatriation. Violence perpetrated by the Bru National Liberation Front (BNLF), however, jeopardised their hopes.

BNLF later laid down arms following a bipartite peace agreement with Mizoram government on April 26.

"We had an expectation that the agreement would end long-standing Bru (Reang) issue simultaneously," MBDPF president Elvis Chorkhy lamented. He said repatriation of the Reang refugees have not started and he doesn't know when it will

**DATELINE
TRIPURA**



Tale of woes

■ Nearly 35,000 Reang or Bru refugees are housed in six makeshift camps in Kanchanpur subdivision after they had fled their home state Mizoram

■ Even after signing an agreement, the repatriation of the Reang refugees have not started and they do not know when it will start.

start. All senior functionaries of the outfit were present during media briefing.

They said the inmates of six relief camps were groping in the dark. They live under wretched living conditions and run the risk of contracting epidemics. They have to live with malnutri-

tion, inadequate healthcare, water scarcity and hunger.

The leaders welcomed the peace agreement, but resented not comprising simple conditions towards resettlement, security and civil rights of the evacuees.

The MBDPF submitted a 16-point charter of demands which were not included in the peace agreement to the Prime Minister who assured them of following up the matter.

It demanded that quota of relief materials be enhanced and civic amenities including, drinking water be made available for the refugees.

Singh also voiced concern over militant organisations taking shelter and using the soil of neighbouring countries.

The Prime Minister, however, welcomed the anti-insurgency steps taken by the Tripura government.

He said the Centre would do everything possible to bring back the youths of the state who have drifted to militancy to national mainstream.

"The laying down of arms by more than 200 cadres belonging to various militant groups has also improved the security scene in the state," Dr Singh said during his trip.

The Prime Minister also expressed happiness at the progress of fencing on the 856-km-long Indo-Bangla border and added this should further bring down the extremist activities in Tripura and referred to some Centrally sponsored constructive rehabilitation packages for the family members of various extremist groups in the troubled region.

Hill party sees Bhutan bias in refugee row

HT Correspondent
Darjeeling, August 5

THE COMMUNIST Party of Revolutionary Marxist (CPRM) feels the muscle flexing by Indian security forces at the Mechi Bridge on the India-Nepal border on Thursday was a move to please the Bhutanese King, who is on a visit to India.

R.B. Rai, general secretary of the CPRM, said the action amounted to a cynical mockery of democratic principles by the world's largest democracy. The Indian security forces, including the SSB and the West Bengal Police, pushed back 300 Bhutanese refugees, including 160 children and 40 disabled persons. They had arrived at the Indian border from the Beldangi Refugee Camp in eastern Nepal and tried to step into Indian territory en route to Bhutan, their homeland.

"It is a violation of the rights awarded to refugees by the United Nations. The Bengal government had not given them shelter (when the refugees were driven out of Bhutan in the early 1990s) and had pushed them into Nepal. Now, when they are trying to return to their homeland on their own, they are being stopped and beaten up," said Rai.

The CPRM wants the Government of India to intervene in the matter on the basis of the India-Nepal and Indo-Bhutanese treaties to help find a solution to

the human crisis.

Rai said the Bhutanese refugee problem was one of the thorny issues on which the CPI(M) broke up in the Hills, resulting in the formation of the CPRM in 1995. "When we were in the CPI(M), I, along with R.B. Rai had met Jyoti Basu during his visit to Darjeeling in December 1991 and sought his intervention resolve the crisis. He had promised to personally see that the problem was resolved at the earliest. But he failed to do any anything," said D.R. Bomzan, a senior CPRM leader.

As a matter of fact, the CPI(M) party congress held in Chandigarh in 1994 had adopted a resolution to work towards ending the crisis. "But their words never translated to action," said Rai.

On Thursday, the Bhutanese refugees had come in five buses from the Beldangi camp, hoping to make it back to Bhutan through Indian territory. They were being led by the Bhutan Gorkha Liberation Front (BGLF).

Their hopes were, however, dashed when Indian security men stopped them at the Mechi bridge. In the scuffle that followed, the Indian security forces resorted to a lathi-charge and arrested a few Nepalese citizens and refugee leaders. The refugees were finally taken back to the camps by the Nepalese police.

A UNHCR representative in Nepal, A. Abraham, said on Friday that the movement had ex-



NEELAM GHIMEERAY/H

A refugee family waits to cross over Mechi Bridge on Wednesday.

posed the refugees to a high degree of risk. He made it clear that the UN body was in no way involved. "It is unfortunate that politically motivated individuals feel they can take the lives of refugees into their own hands by giving them false hopes. We can understand the increasing frustration of the refugees, as there has been hardly any progress on the question of repatriation. However, it would be in their interest to stay in the camps, where the UNHCR can continue helping them," Abraham said.

Bhutan claims that most of the people registered as refugees are not Bhutanese citizens or bonafide Bhutanese. But

the findings of a survey that had been done by the government of Nepal with the UNHCR in 1993 runs counter to the Bhutanese claim.

The survey had shown that 10,073 families had citizenship documents; 1,762 families had records pertaining to land ownership; 251 families produced health documents; 40 families had education certificates; 2,494 families had placed documents pertaining to service in the Bhutanese government, marriage certificates and court documents. Only 368 families had failed to show any papers to prove their claim of Bhutanese citizenship.

SC acid on migrants act burns defender Cong

COUNTDOWN TO THE VERDICT



File picture of a protest against the IMDT act

THE GENESIS

- Legislation comes into force in 1983, at the height of Assam Movement
- Assam Accord of 1985 specifies that all migrants who came to Assam after March 25, 1971, will be deported under IMDT
- Tribunals set up in all districts bordering Bangladesh

GREY AREAS

- AASU opposes the act because the onus of proving the citizenship of a person is on the complainant. Under the Foreigners Act, applicable elsewhere, the person whose citizenship is in doubt has to prove he/she is not a foreigner
- At least 2.5 lakh cases still pending with 16 tribunals
- The act is applicable only in Assam

BATTLE IN COURT

- Former AASU leader Sarbananda Sonowal, now an MP, moves Supreme Court in April 2000
- Court asks Assam government and Centre to file affidavits on relevance of act
- Erstwhile NDA government at Centre and AGP ministry in Assam argue for repeal
- Affidavits altered after Congress' return to power in Delhi and Assam
- Apex court declares act ultra vires of the Constitution

OUR BUREAU

New Delhi/Guwahati, July 12: Striking down the Assam migrants act, the Supreme Court said the 22-year-old decree had not only been ineffective but also contradictory to the stated objective of checking unlawful influx.

The verdict turned the ruling Congress, which had fought hard to retain the act, into a party of red faces and sent its opponents like the Asom Gana Parishad (AGP) and the BJP into raptures.

Illegal migration was the main factor that ignited what came to be known as the Assam Agitation in the eighties, which was eventually resolved by an accord spearheaded by Rajiv Gandhi.

However, a clause in the law that made it difficult to pin down illegal migrants spread disquiet in Assam and kept the state on boil. (See chart)

The Supreme Court today delivered a scathing indictment

while scrapping the Illegal Migrants (Determination by Tribunals) Act.

"If an act has the disaster effect of giving shelter and protection to foreign nationals who have illegally transgressed the international border and resided in India, the act is unconstitutional," a bench of Chief Justice R.C. Lahoti, Justice G.P. Mathur and Justice P.K. Balasubramanyan said.

The ruling included a set of directives, including transfer of all cases pending with the tribunals established under the IM(DT) Act to those under the Foreigners Act, which is applicable elsewhere in the country. Around 2.5 lakh such cases are pending now.

The court asked the state and Union governments to constitute "sufficient number of tribunals under the Foreigners (Tribunals) Order to deal with cases of foreigners who have illegally come from Bangladesh or are illegally residing in Assam".

In its 114-page verdict, the court also recommended fresh proceedings under the Foreigners Act against all such suspected illegal migrants whose cases had not been referred to the IMDT tribunals because of various reasons.

While reactions to the verdict within the Congress ranged from astonishment to despair, the All Assam Students Union (AASU), the AGP and the BJP hailed the end of an act they held responsible for the influx of Bangladeshi migrants into Assam.

The AASU hoped the Foreigners Act would help the state surmount the obstacles in deporting illegal migrants.

In a cautious response to the unexpected setback to its strong defence of the IM(DT) Act, the Congress said "a considered view" on the apex court's order would be taken after a detailed examination of the basis of the judgment.

"The Supreme Court has given its order. We have to

study it. We have to find out the grounds on which the order was passed. Only after studying these aspects can we react," party spokesperson Anand Sharma said.

The Congress had tried hard while in the Opposition to force the erstwhile NDA government to drop its legislative proposal to repeal the IM(DT) Act two years ago.

Sharma said the Union home and law ministries would examine the court's verdict on the act before deciding whether to seek a review. "It is for the Union cabinet to decide on this issue."

The BJP claimed a hand in the success of the anti-IMDT campaign, reminding everybody that it had tried to build a political consensus on the issue during its stint at the Centre. The NDA government had introduced a bill in Parliament to repeal the act but it did not make any headway after the Congress-led coalition came to power at the Centre.

INFILTRATION MENACE-II

Diplomacy Needed To Enlighten World Community

5/8
22/6

By BIBHUTI BHUSAN NANDY

In his seminal book, *The Global Migration Crisis*, the late Myron Weiner of the MIT pointed out that addressing the illegal immigration crisis involves tackling two issues: how to control borders to prevent illegal migration and limit the admission only to the chosen ones; and whether and how to intervene in the affairs of states whose treatment of their own citizens or whose economic crisis impels them to leave their homeland. Both issues raise serious practical and moral questions.

In the 58 years since Independence, India has not evolved and put in place a comprehensive immigration policy and commensurate machinery for effective border management and control. The country has not created a separate immigration service yet to streamline immigration policy issues. Lack of clear-cut direction as to whether victims of communal persecution and human rights abuse are to be treated differently from economic migrants and given refugee status has clouded policy perspective and guidelines.

Illegal traffic

The government has not yet evolved an effective border management regime focused on preventing illegal human traffic, smuggling and other border crimes like bootlegging, drug peddling and gunrunning. Inadequate deployment of the BSF and Police, rampant corruption in their ranks, lack of co-ordination between central and state forces and their intelligence agencies further complicate border control efforts. Absence of effective access control and monitoring systems has compounded the problems of border management.

Instead of doing anything concrete and tangible to stop unauthorised entry and stay of foreigners, the government has indulged in political posturing all these years playacting attempts to push back migrants from time to time, but in vain. The new-found equation between the CPI-M and the Congress being crucial for the survival of the UPA government, it would be futile to think that New Delhi would be seriously interested in tackling the immigration menace in West Bengal. And in Assam, it bears repetition that the Congress's vested interest rule out steps to curb infiltration and repatriate the migrants.

There is no way India can send 20 million migrants back to Bangladesh within a reasonable

time-frame or ever. The Bangladesh government's stand bluntly dismissing the very existence of immigration has further compounded the problem. The self-contradictory stand of the Union government on the magnitude of illegal immigration has greatly weakened the case for international intervention. In any case,

and endless litigations, and violent resistance from the migrants, their political patrons and Bangladesh. In such a situation, the efforts necessarily will have to concentrate on minimising the harmful effects of the presence of a migrant population in the country through a policy of treating the migrants as guest work-



successive central governments have shied away from involving the UNHCR and other UN agencies in the repatriation efforts, although the performance of these agencies elsewhere in the world in dealing with undesirable population movements has been quite creditable. In the mid-nineties, it successfully negotiated and effectively supervised repatriation of over half a million Rohingya Muslims who had taken shelter in Bangladesh from the Arakan state of Burma.

Although India faces history's worst immigration crisis, the outside world scarcely knows about its magnitude and the problems it poses for the country. Myron Weiner in his book has quoted statistics showing the extent of non-nationals in the population structure of 47 countries, but India does not figure in that list because the government has not publicised the gravity of the immigration crisis.

Ideal solution

Repatriating the entire lot of illegal migrants to their native land would be the ideal solution, but any serious attempt at moving out such a huge number of people who have acquired all the trappings of Indian citizenship is bound to run into innumerable

ers without conceding citizenship, and relocating them from the border belts to less sensitive interior regions in the country and migrants-friendly host countries. A limited policy of assimilation of the victims of persecution, and repatriation of relative newcomers still having economic interests and family ties in their native land can be followed with help from international institutions.

Any serious effort to tackle the immigration menace must focus on prevention of immigration by removing or reducing the factors which force displacement. In the case of Bangladesh, it would presuppose making that country create conditions in which people will have no compulsion to emigrate. Under international law and practice when a state mistreats its citizens or the political and economic condition in the country force its citizens to leave, "the receiving country acquires a morally and legally justifiable right to intervene to compel that state to improve the situation".

Experts cite four forms of intervention signifying a carrot and stick policy:

◆ Use of economic assistance, loans, most favoured trade arrangements, supply of technology

and other positive incentives to induce the states to treat their citizens in accordance with the international human rights norms.

◆ Use of economic sanctions involving withholding of trade and investment to end persecution of minorities and political dissidents. Sanctions may include the impounding of overseas bank accounts of individuals and governments, halting air and sea traffic, the breaking of diplomatic relations and expulsion from regional and international institutions.

◆ Use of coercive diplomacy including plausible threat of economic sanction and other political and military leverages involving use of force, if unacceptable behaviour is not ended within a reasonable time.

◆ Use of armed intervention that can take the form of providing arms to the people under attack within the country, arming refugees, engaging in air and sea strikes, and full-scale military invasion.

Two strategies

Western analysts and immigration experts have identified two distinct strategies for affecting the behaviour of delinquent states. One strategy can be to compel a state to cease violating the human rights of its citizens. On the other hand, a deterrent strategy is useful to prevent a state from violating the human rights of its citizens. Ordinarily, in dealing with a recalcitrant state, a deterrent policy is considered more effective because the latter is likely to induce an intense and nationalist response. In the case of Bangladesh, which has consistently refused to be reasonable and acknowledge the fact of immigration, it is open to serious doubt if a deterrent strategy will work.

The success or otherwise of any form of intervention will depend on how sustained and aggressive South Block diplomacy can be to enlighten the international community of the growing threat this country is facing from the unmitigated demographic invasion from the east. Do our diplomats have the necessary expertise and motivation to enlist the sympathy and support of the international community? Does the government have the political will to tackle the problem to the finish? Going by their track record so far, the answer to these questions regrettably has to be an emphatic "no".

(Concluded)

Refugees from Bhutan face the home truth

Statesman News Service

KUDNABARI (Nepal), June 20.—Kudnabari in Nepal, home to over 12,000 Bhutanese refugees, was buzzing with activity today. The reason: being the commemoration of World Refugee Day celebrated across the globe on 20 June. Despite being involved in the festivities, the refugees are waiting for the day to come when they will get the green signal to return to their homeland, Bhutan.

While, this sleepy hamlet located about an hour's distance from the West Bengal border witnessed festivities, on the other, the refugees who have been evicted from Bhutan since 1994 have decided to give their agitation a violent turn if the Bhutanese government remains silent on the issue any longer.

Bhamabhakka Dhangama who is in his fifties, was forcibly driven out of his home by the army on April 9, 1993. He said: "Nobody loves to remain a

refugee. We have waited for over 15 years for the government to do something, but to no avail. So far our agitation has been peaceful, but if the government fails to do anything, then it will take a violent turn."

The one-time farmer who is now idling his time in Kudnabari says that, if Bhutan had come forward to resolve the issue and coax people to come back, international support would have been stronger. The United States, he said, has categorically expressed their support if Bhutan takes back their refugees.

The refugees also feel that it is high time that the Indian Government, which has remained silent, did something. The refugee problem has affected the students the most, says president of the Democratic Youth of Bhutan, Mr Mohan Tamang.

The education imparted to them has been wasted, as they are unable to get jobs as the government of Nepal is unwilling to give them one as a result

of which they are forced to work as petty labourers on the sly to meet both ends, says Mr Tamang. There are many professionals in Kudnabari, but they have nothing to do, he adds.

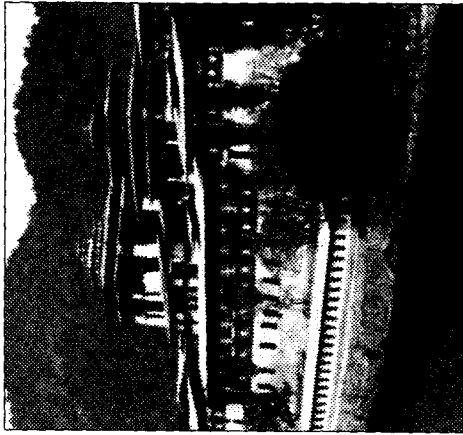
Kudnabari which houses 1983 families is the only refugee camp which has been jointly verified by both Bhutan and Nepal.

The verification according to Mr Tamang was carried out in four categories — the original Bhutanese; Bhutanese who migrated; the non-Bhutanese and the terrorists.

Seventy per cent of the families belonged to the second category. Bhutanese who migrated, while the remaining 30 per cent comprised the remaining three categories.

Pratiman Pokhrel who belongs to the genuine Bhutanese category said that despite having all the papers to prove his nationality, he was forcibly evicted.

Camp administrator Mr Manoj Rai said that the refugee camps were



HOME SWEET HOME

plagued with several difficulties like shortage of medicines, inadequate thatch used in the huts, inadequate food supplies etc. Days like the World Refugee Day may come and go, but the big question is, will the refugees get their dues.

Uzbek refugees 'dare not return home'

OLGA DZYUBENKO
BARRASH, MAY 20

THE Uzbek Foreign Ministry said on Friday that it had passed a note to the Kyrgyz ambassador in Tashkent saying Uzbekistan was ready to accept women, old people and children back without conditions.

"All others—that is men and young people over 16—who have ended up on Kyrgyz territory will be closely checked, taking into account the fact that 120 illegally freed prisoners are still being sought," said the ministry.

Kyrgyz officials complain they are short of funds to keep up the Barrash camp—a pack of tents housing up to 30 people each. Its residents were getting only one hot meal a day.

But for many of them, including those who were caught up in the Andizhan violence by chance, the tent village seems to be a safer place than home.

Refugees who fled a crackdown by Uzbek troops said on Friday they dared not return



Uzbek human rights activists stage a picket outside the OSCE office in Tashkent on Friday. *Reuters*

home, and the United Nations turned up the volume on its demands for an inquiry into deaths believed to have run into hundreds.

"We feared they would finish us off in Andizhan so we decided to flee to Kyrgyzstan,"

said Khasan Shakirov, 27, whose said his two brothers had disappeared. "I will not return."

More than 500 people were crammed into a small refugee camp just 150 metres on the Kyrgyz side of the border. In interviews, they said

they were ordinary people, not terrorists.

"I was running in the crowd to survive. Those who left the crowd were finished off by snipers," said Nabidzhan Yunusov, a 41-year-old market trader, describing a dramatic

US forces cut back on Uzbek activities

TASHKENT: US armed forces have cut back operations from their Uzbek air base since clashes between rebels and Uzbek government forces cost hundreds of lives last week, the head of US Central Command said in a news release issued on Friday.

"We have decided to make sure that we're cautious about how we're operating," said General John Abizaid in response to a question about whether the scaling down of the operation came because of the attacks. It was published on www.centcom.mil.

Since the attacks, the United States had decided to continue operations from the base "although at a limited, somewhat limited scale", he said in a transcript of a Thursday news conference.

Washington has used the air base in Uzbekistan for support missions since the war against the Taliban in neighbouring Afghanistan, but has added its voice to international criticism of the Uzbek government in recent days over its role in the violence. —*Reuters*

border crossing during which he was wounded in the hip.

Karimov has said 169 people were killed when soldiers seized control over Andizhan after what he called a "bandit" uprising. He said he ordered troops not to fire on civilian protesters.

"Do I look like a terrorist? Why did I need to flee my country where I left my family and children," asked Yunusov.

Despite President Karimov's refusal, the UN special in-

vestigator on extrajudicial killings, Philip Alston, pushed to be allowed into Uzbekistan, while the International Committee of the Red Cross sought access to those who had been wounded or arrested.

"Quite apart from the need to distinguish political opponents from terrorists, the point is that governments are clearly obligated to address any such situations within a framework clearly governed by human rights law," Alston said. —*Reuters*

অনুপ্রবেশ বন্ধ হউক

পূর্ব অসমের তিনটি জেলা ডিব্ৰুগড়, গোলাঘাট ও জোড়হাট হইতে মুসলিম সংখ্যালঘুদের পলায়নের সংবাদ উদ্বেগজনক। বলা হইতেছে, তাঁহারা সকলেই বাংলাদেশি নাগরিক, অসমে অনুপ্রবেশ করিয়া স্থায়ী আস্তানা গাড়িয়াছেন। এ ধরনের ঘটনা যে কখনও ঘটে নাই, এমন নয়। কিন্তু তাঁহাদের অসম ছাড়ার নোটিশ দিয়াছে একটি অসরকারি যুব সংগঠন। সংগঠনটি সংখ্যালঘুদের বিরুদ্ধে কার্যকর অর্থনৈতিক অবরোধও গড়িয়া তোলে। ভীত, সন্ত্রস্ত সংখ্যালঘুরা অতএব ঘরছাড়া। তাঁহারা সকলে বাংলাদেশে ফারতেশ, এমন নয়। বদলে রাজ্যের মুছলিমপ্রধান, তিন জেলা গোয়ালপাড়া, বরপেটা ও দরঙে আশ্রয় লইতেছেন। রাজ্য সরকার নিরপেক্ষ থাকার চেষ্টা করিয়া কার্যত এই অভিযানে নৈতিক সমর্থন দিয়াছেন। গণ্ডগোল এখানেই। সরকার যদি মনে করে যে এই সংখ্যালঘুরা সকলেই বাংলাদেশি অনুপ্রবেশকারী, তবে তাঁহাদের শনাক্ত করিয়া বহিষ্কার করা উচিত। কাজটি সরকারের। কোনও অসরকারি সংগঠন সে দায়িত্ব স্বতঃপ্রণোদিতভাবে তুলিয়া লইতে পারে না এবং সরকার তাহা দেখিয়াও নীরব দর্শক সাজিতে পারে না। এ ক্ষেত্রে উপরন্তু কংগ্রেসি তরুণ গগৈ-এর সরকার সাফাই গাহিয়াছে যে কেবল ধর্মীয় সংখ্যালঘুদেরই বিতাড়নের উদ্যোগ চলিতেছে, এমন অভিযোগ ঠিক নয়। উৎকণ্ঠা সে জনাই।

বাংলাদেশ হইতে পশ্চিমবঙ্গ, ত্রিপুরা ও অসম সহ সমগ্র উত্তরপূর্বাঞ্চলে শরণার্থী ও ভাগ্যাহ্বয়ীদের অভিবাসন একটি যুগপ্রাচীন সমস্যা, দেশবিভাগের জের হিসাবে যাহা অব্যাহত। হিন্দুরা আসিয়াছেন মুসলিম রাষ্ট্র ও সমাজের দমননীতি ও বৈষম্যের শিকার হইয়া, আর দরিদ্র মুসলিমরা আসিয়াছেন রুজিরুটির সন্ধানে। মৌলানা ভাসানি নামে খ্যাত প্রয়াত বাংলাদেশি রাজনীতিক তাঁহারা নামটি পাইয়াছিলেন অসমের ব্রহ্মপুত্র নদীর ভাসিয়া ওঠা চরগুলিতে মুসলিম কৃষিজীবীদের বসত করাইবার সূত্রেই। সে সময় ভারত ও পূর্ব পাকিস্তানের সীমান্ত কার্যত প্রহরহীন ছিল। এক দেশের মানুষ অন্যাসে সপরিবারে দেশান্তরে গিয়া স্থায়ী ঠিকানা গড়িয়া লইতেন। এই অভিবাসী স্রোত ত্রিপুরার জনবিন্যাসের কাঠামোকে ইতিমধ্যেই আমূল পাল্টাইয়া দিয়া এই জনজাতীয় রাজ্যটিকে বঙ্গভাষীর রাজ্যে রূপান্তরিত করিয়াছে, ত্রিপুরি ভূমিপুত্ররা সেখানে সংখ্যালঘু। অসমের জনবিন্যাসেও অসমিয়াভাষী মূলবাসীরা সংখ্যালঘুতে পরিণত হওয়ার উপক্রম হইলে প্রতিবাদ, প্রতিরোধ ক্রমে হিংসাত্মক আন্দোলনে বিষ্ফারিত হয়। বিদেশি নাগরিকদের অর্থাৎ বাংলাদেশিদের শনাক্ত করিয়া বহিষ্কার করার দাবি শিরোধার্য করিয়া আইনও রচিত হয়, গঠিত হয় ট্রাইবুনালও। কিন্তু সেই ট্রাইবুনালের কাজ আশানুরূপ নয়। তা ছাড়া নাগরিকত্ব প্রমাণের নানা প্রতারণামূলক পদ্ধতি এবং সীমান্ত দিয়া নূতন-নূতন অভিবাসী স্রোত কাজটিকে আরও দুরূহ করিয়া তুলিয়াছে। বেসরকারি যুব সংগঠন যখন বাংলাদেশি অনুপ্রবেশকারীদের পাড়া-ছাড়ার নোটিশ দেয়, তখন বুঝিতে হইবে সমাজে জনবিন্যাস পরিবর্তনের শঙ্কা সঞ্চারিত হইয়া গিয়াছে।

ইহা সরকার তথা প্রশাসনিক কর্তৃপক্ষের ব্যর্থতারও সূচক। তাঁহাদের গাফিলতির সুযোগেই এই পরিবর্তন ঘটিতেছে। সীমান্তে কাঁটাতার দিবার ক্ষেত্রে বাংলাদেশি কর্তৃপক্ষের অসহযোগিতা ও অনিচ্ছাও অনুপ্রবেশ বন্ধ না হইবার কারণ। জনসংখ্যাকে শ্রমশক্তিতে পরিণত করিতে হইলে যে আর্থিক পরিকল্পনা ও দূরদৃষ্টি প্রয়োজন, তাঁহারা সমূহ অভাব। কিন্তু পূর্ব ভারতের সীমান্ত রাজ্যগুলিতে কঠোরভাবে নিরবচ্ছিন্ন অনুপ্রবেশে ছেদ টানা জরুরি। পশ্চিমবঙ্গে দলীয় ভোটার বৃদ্ধির স্বার্থে অনুপ্রবেশকারীদের দ্রুত রেশন কার্ড, ভোটার পরিচয়পত্র ইত্যাদি বানাইয়া নাগরিকত্ব দেওয়ার প্রতিযোগিতা চলিয়া থাকে। অসমে 'ধর্মনিরপেক্ষতার রাজনীতি' করিতে গিয়া কংগ্রেস দীর্ঘকাল অনুপ্রবেশজনিত সমস্যাকে মানিতে চাহে নাই। অসম আন্দোলন তাহাকে সচকিত করে। কিন্তু বিদেশি শনাক্তকরণ ও বহিষ্কারের প্রক্রিয়াটিকে ঝুলাইয়া দেওয়া হয়। অসম সরকার যদি ওই প্রক্রিয়াটি পুনরুজ্জীবিত করে, তবে বেসরকারি যুব সংগঠনকে সংখ্যালঘুদের সন্ত্রস্ত করার অপকর্মে লিপ্ত হইতে হইবে না।

19 MAY 200-

19 MAY 200-

ANADABAZAR PATRIKA

Pakistan's Afghan problem

The over three million Afghan refugees still in Pakistan pose a variety of challenges for the host nation.

B. Muralidhar Reddy

IT IS official now. The latest census carried out by the Pakistan Government in association with United Nations agencies has revealed that over three million Afghan refugees remain in the country.

The preliminary data of the census are an eye-opener on more than one count. In the wake of developments in Afghanistan post-9/11 and the much-trumpeted repatriation programme, the Pakistani authorities could hardly have thought that there was such a large number of Afghans in the country. Prior to the census, the guesstimates varied between 1.5 million and 2.5 million.

Jehad encouraged

The Afghan influx into Pakistan began in the late 1970s. Following the Soviet military intervention in Afghanistan in 1979, Pakistan opened its borders to people from Afghanistan and actively encouraged a *jehad* (holy war) against the Soviet Union. It was state policy under the regime of the then military dictator, Zia-ul-Haq.

The war ended in 1989 but most of the refugees refused to return home as the situation in the war-torn country remained chaotic. There is a consensus among watchers of Afghanistan within and outside Pakistan that the open border policy practised by the military has enormously damaged the country's social and political fabric. The current culture of Kalashnikovs, drugs and sectarianism in Pakistan is directly attributed to the Afghan policy and the free flow of refugees.

Jehad as a legitimate weapon by non-state actors took root thanks to the state patronage first in Afghanistan, and subsequently in Kashmir. And yet strangely, none of the successive governments in Islamabad bothered to take a re-look at the Afghan policy. For a variety of reasons they did not even deem it necessary to order a head count of millions of foreigners on Pakistani soil.

Impact of 9/11

The September 11, 2001 attacks and their impact on the region, with Washington declaring Afghanistan the epicentre of international terrorism, jolted Pakistan out of its complacency. With the threat posed by Al-Qaeda and Taliban to the United States and its allies, Islamabad is now keen on account-



UNCERTAIN FUTURE: Afghans at a refugee camp on the outskirts of Pakistan's capital, Islamabad. - PHOTO: REUTERS

ing for all Afghan refugees on its soil. Hence the census.

That is not to suggest that the Afghan refugees are involved in acts of terrorism. But as long as they remain in Pakistan, unaccounted, it is not possible for Islamabad to prevent the rebels operating from its soil. Thanks to the emergence of Pakistan as a global recruitment centre for *jehad* during the Afghan war, it became easy for people from different nationalities to move in and out of the country.

It is certainly not a coincidence that Pakistan in the last three years has apprehended and killed over 1,000 alleged activists of the Al-Qaeda and the Taliban from various parts of the world. Fleeing from Afghanistan they had hoped to find shelter in Pakistan only because of the past connection.

Pakistan has been home to the single largest refugee population anywhere in the world for over 25 years now. According to Guenet Guebre-Christos, United Nations High Commission for Refugees Representative in Pakistan, the census found that 1,861,412 Afghans live in the North West

Frontier Province, 783,545 in Balochistan, 136,780 in Sindh, 207,754 in Punjab, 44,637 in Islamabad and 13,097 in Pakistan-occupied Kashmir and the Northern Areas.

Details by May-end

A more detailed report on the data gathered by the 3,000 census workers is being prepared and will be available by the end of May. This will include the precise place of residence, source of livelihood, place of origin in Afghanistan, intention to return this year and much other information.

The data will be vital as the Government of Pakistan and UNHCR discuss ways to manage the Afghan population that might remain in Pakistan after the expiry of the current Tripartite Agreement. The UNHCR voluntary repatriation programme, which assists Afghans wishing to return home, is conducted under a Tripartite Agreement between UNHCR and the governments of Pakistan and Afghanistan that expires next March.

The Government of Pakistan intends to follow up the present census with a regis-

tration next year of all Afghans recorded in the first stage. According to Jahangir Khan, Chief Commissioner of Pakistan's Commissionerate of Afghan Refugees: "After the census, proper registration and issuance of identity documents are essential that could be used by local and international agencies for security, immigration cross-checking and anti-terrorist initiatives."

The U.N. agencies claim that more than 2.3 million Afghans have returned home under the repatriation programme since 2002. Some 400,000 Afghans are expected to repatriate this year, with the UNHCR assisting more than 45,000 to return since the start of the 2005 programme in early March.

Pakistan is keen on repatriation and rehabilitation of all the refugees and has been urging the international community to create necessary conditions and economic opportunities in Afghanistan as an incentive for people to return. The very fact that three million refugees continue to be in Pakistan is a telling commentary on the ground situation in Afghanistan since the American-led military intervention of October 2001.

13 MAY 2005

THE HINDU

Bhutan's right

Refugee
57-8
36/1
Refugee
problem

Refugee rigmarole not of its making

Whatever its merit, Kathmandu's initiative to accord Bhutan refugees of Nepali origin special status as enjoyed by Tibetan exiles — opposed by some sections — should not distract attention from the real issue. About 130,000 refugees in Nepal camps are being looked after by various organisations, including the UNCHR. They fled Bhutan in the early 1990s after Thimphu conducted a census in 1988 to identify illegal immigrants and tightened citizenship regulations. This came about at the time GNLFF violence in Darjeeling district had compelled many to seek refuge in Bhutan. Thimphu feared this demographic invasion threatened its "very survival as a distinct nation", but what actually prompted its move was the growing demand by Lhotshompas — Bhutanese of Nepali origin in southern districts — for a democratic system that lead to violence, the magnitude of which Bhutan had never witnessed. So while the refugees have attracted international attention and sympathy, Bhutan is made out to be an oppressor of human rights.

Several rounds of talks between Nepal and Bhutan on refugee repatriation have failed, with Thimphu insisting that these people are not its citizens and those living in the camps comprise many who were "enticed" by an attractive dole. Bhutan citizenship laws are clear that unless an immigrant is naturalised, is a native for at least 10 years and owns agricultural land, he is not entitled to citizenship. But sooner or later the future of the refugees will have to be decided. In December 2003 Bhutan got rid of Ulfa and Bodo militants but unless it resolves this latest rigmarole, development — which is King Jigme Singye Wangchuk's obsession — is bound to suffer. Kathmandu has sought India's help but is not being helpful by saying it cannot play mediator since the issue is of a bilateral nature. Perhaps New Delhi should change its stand.

31 JAN 2005

THE STATESMAN

Bhutan refugees divided over special status CPI-M, CPI take a dig at Centre

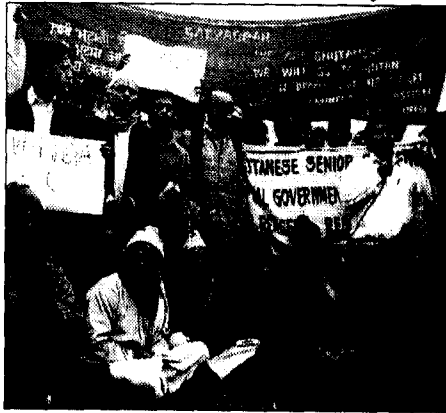
SP-2
2/11
Refugee Problem
STATESMAN NEWS SERVICE

MECHI BRIDGE (Indo-Nepal Border), Jan. 23. — Bhutan refugee leaders are divided on Nepal government's initiative to extend a special status to them which is similar to what Tibetan refugees enjoy. While one section of the Bhutanese refugees want to accept the status if extended, the other is strictly opposed to this.

Out of some 1.30 lakh refugees staying in seven camps in eastern Nepal, a group of 500 today marched from their camps to the mid-point (zero-point of Indo-Nepal border) on the Mechi Bridge and handed over a memorandum to the area commandant of SSB, Mr P Sengupta.

In the memorandum addressed to the West Bengal chief minister, Mr Buddhadeb Bhattacharjee, they pleaded for the state's initiative in ensuring the Centre's intervention in the matter.

They also sent a memorandum to Prime Minister Dr Manmohan Singh, keeping in mind Bhutan King Mr Jigme



The refugees at Mechi on Sunday. — The Statesman

Singye Wangchuck's visit to New Delhi for the Republic Day programme.

Bhutanese Refugees Representative Repatriation Committee secretary Mr Rajman Gurung said: "This situation must not be allowed to continue indefinitely." The matter of giving Tibetan refugee status to Bhutanese refugees is being discussed at Nepal's foreign ministry level.

NEW DELHI, Jan. 23. — The CPI today dubbed the UPA government as "bourgeois" but asserted that it would continue to support the UPA as their support was "a specific response to the existing situation". The CPI also affirmed its resolve to strengthen Left unity.

CPI-M general secretary Mr HS Surjeet said today that the CPI-M was not "fully satisfied" with the Centre's performance but maintained that the eight months of the government was too short a period to make a judgment on.

Releasing a draft political resolution for the CPI party congress in March, party general secretary Mr AB Bardhan charged the Congress with not following the "coalition dharma" of consulting all UPA allies and accused it of trying to marginalise the Left. He strongly criticised the Congress for pursuing a free market policy. The government's aim and tendency was to pursue the neo-liberal policies which primarily aimed at creating a "free market and unrestricted capitalist economy," he said.

THE STATESMAN

24 JAN 2005

Reprieve for Reangs

57-6
20/1
Refugee crisis
Aizawl must obey court order

The Supreme Court notice directing the Mizoram government to resettle about 40,000 Reang refugees languishing in Tripura camps since October 1997 is welcome and Aizawl must accept responsibility. The union Home ministry's directive in 1997 to repatriate them has apparently had no effect. That former chief minister Lalthanhawla sent officials to Tripura to persuade the refugees to return was an admission of the fact that the refugees are Mizoram citizens. But the Zoramthanga government avers that the majority of the refugees are not its citizens and it would accept only those who can produce valid documents, something most do not have. This is the main hindrance. Reangs fled Mizoram after an ethnic flare-up in which 10 were said to have been killed, following the alleged murder of a Mizo forest warden by the Bru (Reang) United Liberation Front. But this could not have been the only reason for there were reports of some Mizo groups terrorising the Reangs because they were demanding an autonomous district council as enjoyed by other ethnic minorities like the Maras, Lais and Chakmas. The Rashtriya Swayamsevak Sangh alleges that the Reangs were targeted because they refused to become Christian converts.

Significantly, the apex court has also directed the Election Commission to ensure that eligible Reang refugees' names are included in the revised electoral rolls. Some of them voted in the last parliamentary elections, not so much to uphold their rights as to spite Mizo groups that had campaigned against their names being included in the voters' list. It will benefit Mizoram to resolve the refugee issue lest militants exploit the situation and spoil its reputation of being the most peaceful state in the North-east.

SC reprieve for Reangs

Press Trust of India

NEW DELHI, Jan. 13. — The Supreme Court today issued notices to the ministry of home affairs, Election Commission and the governments of Mizoram and Tripura on a public interest litigation seeking resettlement and enrolling names of around 40,000 displaced Reang tribes in the revised electoral rolls.

The PIL, which came up for hearing before Chief Justice Mr RC Lahoti and Mr Justice GP Mathur, sought direction for the Mizoram government to take back the Reang/Bru tribals in its territory who

584
were forced to leave the villages in 1997 following a sectarian violence.

The petition filed by the Akhil Bharatiya Vanvasi Kalyan Ashram, a voluntary organisation working for the welfare of the tribals, submitted that the members of the tribe who took shelter in Tripura are leading a miserable life in refugee camps.

The camps are largely maintained by the state government, albeit with the help of the Centre, but the refugees are being only provided with the minimum means needed for survival.

Besides restoration of the names of the people who were duly listed in the electoral rolls till 1995, the Van-

Refugee problem
vasi Kalyan Ashram has sought inclusion of names of members of the tribe who have become eligible to vote during the period 1995-2000.

The voluntary organisation alleged that the Mizoram government has a hostile attitude towards the tribe with the majority community in the state being Christian.

The PIL submitted that even the National Human Rights Commission has confirmed that the Reangs have been subjected to atrocities and it was incumbent upon the Mizoram government to resettle them with adequate compensation and restore their fundamental and constitutional rights.

THE STATESMAN

14 JAN 2005