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Sojourning Stateless Rohingya in Delhi: An Ethnographical Study

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ABSTRACT

The Rohingya are frequently referred to be one of the most oppressed minorities in the world. The majority population in Myanmar has historically regarded them as Bengalis from Bangladesh or India settled in Myanmar centuries back. After gaining independence on January 4, 1948, Myanmar embarked on a journey toward democracy, but this period was short-lived. In 1962, a military coup seized control, dismantling the democratic government. This article articulates how the persecution of the Rohingya began shortly after independence. It also discusses how the Buddhist majority witnessed the genocide of the Rohingya firsthand. This article is based on both primary and secondary data. Primary data were acquired from various Rohingya households categorized as urban refugees residing in Delhi's Bakkarwala and Kalindi Kunj Camps, while secondary data was sourced from various reliable research papers and articles by well-known scholars. After providing a summary of the historical and contemporary circumstances that led to the Rohingya crisis, the text delves into its causes and consequences. A suggested agenda to handle the Rohingya refugee situation is presented at the end.

Keywords: Rohingya, Myanmar, Rakhine, Genocide, Refugee.

1. Introduction

One of the world's most vulnerable and oppressed minorities is the Rohingya, a Muslim ethnic group that lived in Rakhine, Myanmar.¹ They faced severe human rights violations because they were denied citizenship in Myanmar. Unfair taxation, property seizures, mosque destruction, torture, extrajudicial executions, movement restrictions, forced evictions, house destruction, forced labor on highways and in military camps, and financial restrictions on marriage are only a few examples of the oppressive practices that have resulted from this. Numerous crackdowns on the Rohingya since the 1970s have compelled many of them to migrate to neighboring nations. Currently, more than a million Rohingya reside in refugee camps in Bangladesh's Cox's Bazar. The British occupation of Burmese territory began in 1824.² A number of historical occurrences influenced the current state of affairs when Myanmar came under the British India (Mohajan, 2018).³ The boundary between present-day Bangladesh and Myanmar was merely a line on a map during colonial times. In order to meet their labour needs, British officials frequently permitted people to cross the border. This boundary became quite ambiguous in 1937 when Myanmar broke away from British India. (Lewis, 2019).⁴

Formal borders were never fully created as the majority of Rohingya lived in the coastal region of Rakhine. In Rakhine, the Muslim minority constitute an important percentage of the population at large. The Rohingya are still denied citizenship by Myanmar, mostly on the grounds that they are not a recognized minority since they did not arrive in the nation before 1824 (Shahin, et.al, 2023).⁵ Because they were a Muslim ethnic minority, the Rohingyas were persecuted in Rakhine State. Tension between the Muslim minority and the Buddhist majority had arisen since they were frequently seen as illegal immigrants from Bangladesh. For example, in 2012, after a local woman was allegedly assaulted, Buddhist radicals attacked Rohingya's homes and businesses. Thousands of people were killed and displaced as a result of this conflict. A significant crisis was brought on by attacks by Rohingya

¹ Rakhine State, formerly called Arakan State, is a region in Myanmar. It is located on the western coast and shares borders with Chin State to the north, Magway Region, Bago Region, and Ayeyarwady Region to the east, the Bay of Bengal to the west, and the Chittagong Division of Bangladesh to the northwest.

² Cox's Bazar, Bangladesh, is home to the world's largest refugee camp, where millions of Rohingya refugees live. They have escaped due to the violence and persecution in Myanmar.

³ For more detail see, Mohajan, H.K. (2018). History of Rakhine State and the Origin of the Rohingya Muslims. *The Indonesian Journal of South Asian Studies*. Vol. 2. Pp. 19-46.

⁴ Check, Lewis, D. (2019). Humanitarianism, civil society and the Rohingya refugee crisis in Bangladesh. *Third World Quarterly*, 40(10), 1884–1902.

⁵ Shahin, K. M., & Hasan, M. (2023). The Rohingya refugee crisis: Political and humanitarian perspectives. *Southeast Asia: A Multidisciplinary Journal*, 23, 151–161.

militants in 2017. Tens of thousands of Rohingya were subjected to grave violations by the Myanmar military in exchange, including rape and murder (Ullah, 2011).⁶

By offering food, clothing, shelter, medical attention, and other essentials, the people and government of Bangladesh openly demonstrated their support for the Rohingya migrants. Aid arrived rapidly when the first refugees arrived in late August 2017. Bangladesh responded quickly to the size of the influx by making significant private donations of food, cash, and shelter. Many of the survivors were still in pain even after a number of regional companies arranged the delivery of food and clothing. Following the refugee's arrival, a large number of humanitarian individuals and organisations volunteered. The Rohingya were eagerly aided by other Bangladeshis and those living close to the border. People quickly traveled from all over the nation to Cox's Bazar some even rented trucks to bring supplies and meals locally (Shahin, et.al, 2023).⁷

According to reports, senior military officials encouraged Bangladesh's then-prime minister to act in response to the crisis in order to stop more problems.⁸ The army prepared terrain, constructed buildings, and formed a rescue system after gaining control. Although it was uncertain whether her cabinet agreed, the prime minister decided to handle the situation herself. She was selfless, as seen by her famous quote, "We will eat one meal a day and share the rest with them." Little progress has been made in establishing safe, respectable, and long-term circumstances for the refugees to return, despite Bangladesh's ongoing diplomatic discussions, human rights evaluations, and requests for international assistance from the UN for accountability and justice (Ansar, 2020).⁹ Currently, research on Rohingya refugees is essential to comprehending the persistent difficulties they encounter, including as problems with displacement, violations of their human rights, and access to essential services.

In order to address the unique needs of Rohingya refugees, advance their well-being, and facilitate their resettlement, international humanitarian organizations like the UNHCR and others may find this research useful in informing their policies and activities. The aim of this paper is to examine the causes and consequences of the Rohingya refugee crisis from two perspectives: political and humanitarian. Discrimination, homelessness, national security difficulties, and legal protection are all examined from a humanitarian perspective. Political gain, political radicalisation, security issues, and religious extremism are some of the subjects covered in the political component. Both primary and secondary data sources served as the foundation for this descriptive and qualitative investigation. Journal articles, public documents, books, newspaper reports, and internet sources and interviews of the Rohingya families in person provides the majority of the material. The study's narratives and conclusions are supported by data collected through qualitative methodologies on the opinions of urban refugees from Myanmar living in Delhi. Twenty families with children of different ages took part in the interview process. To learn about the variety of viewpoints among persons who have suffered genocide and statelessness, I conducted semi-structured interviews. The purpose of the questions was to find out more about their individual experiences with the humanitarian and political sides of their life. The interviewee's identities have been hidden to preserve their privacy.

2. Beginning of the conflict

When the British colonised Myanmar in 1886, the nation was characterized by a majority of Burman Buddhists and a number of ethnic minorities. The thousands of years of royal Buddhist support came to an end during British colonial control. Indians who had immigrated to Myanmar were used by the British to occupy a large number of government posts. Tension between Indian immigrants and Burmese Buddhists resulted from the large influx of Indian migrants, who ended up controlling important economic sectors. The country was renamed Myanmar by the military regime in 1989 from Burma.¹⁰ The Rohingya people in Myanmar were awarded citizenship by Prime Minister U Nu in 1954. However, the National Security Act, which was adopted by the military administration in 1964, resulted in the prohibition of all Rohingya groups. The Rohingya were denied citizenship from 1966 until the 1980s, and during that time, 3 lakh of them were forced to leave to Bangladesh due to widespread violence. Different armed Rohingya organisations clashed with the government in 1974. Mistrust between the Rakhine and Rohingya groups grew as a result of these confrontations, which had an impact on Rakhine State's civilian population. Monks and Buddhist nationalists immediately demanded that the government remove the Rohingya out of Myanmar. (Anwary, 2018).¹¹ The Rohingya community in northern Rakhine had been demanding an autonomous state for decades. Rakhine turned into a battlefield where Japanese and British armies fought one other during World War II. The Rakhines sided with the Japanese, while the Rohingya sided with the British. Thousands of Rohingya and Rakhines were killed in armed clashes between the two tribes during 1942 and 1943. Interethnic conflicts

⁶ Ullah, A. K. M. A. (2011). Rohingya refugees in Bangladesh: Historical exclusions and contemporary marginalization. *Journal of Immigrant and Refugee Studies*, 9(2), 139–168.

⁷ Shahin, op. cit.

⁸ I am using "the then Prime Minister" because at present while I am writing this article the government of Bangladesh has changed completely, and the political order and stability there has been changed drastically. The former PM of Bangladesh has been dethroned by the people of Bangladesh.

⁹ For more information see, Ansar, A. (2020). The unfolding of belonging, exclusion, and exile: A reflection on the history of the Rohingya refugee crisis in Southeast Asia. *Journal of Muslim Minority Affairs*, 40(3), 441–456.

¹⁰ For more detailed study see, International Crisis Group. (2017). *Buddhism and state power in Myanmar* (Report No.290/Asia).<http://www.crisisgroup.org/asia/south-east-asia/myanmar/290-buddhism-and-state-power-myanmar>.

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persisted after the British reoccupied Rakhine following the Japanese defeat. In the end, Rakhines moved to the south, and many Rohingya moved to northern Rakhine.¹²

Rohingya militants in northern Rakhine demanded an Islamic state for themselves after Myanmar attained independence in 1948. These insurgents were put down by the Military Junta (Military Rule) in 1962. The 1948 Citizenship Law, which prohibited Rohingya from returning to Myanmar after fleeing during World War II, discriminated against them. Those who returned were classified as undocumented immigrants. During this period, numerous armed Rohingya organizations emerged and demanded more autonomy.¹³ Following their 1948 attack on Buddhist villages in northern Rakhine, these rebel groups caused a great deal of violence and heightened tensions between the Rohingya and Rakhine communities. In 1954, the Myanmar military stepped in to put an end to the violence, and ceasefires in 1961 brought the rebellion to a temporary halt.¹⁴

The Citizenship Law of 1982 permitted Rohingya to apply for citizenship if they were able to communicate in one of Myanmar's official languages. Additionally, they had to show that their family had resided in Myanmar prior to its independence in 1948.¹⁵ The Rohingya language, however, was not regarded as an official one. According to the Rohingya, their ancestors moved to Myanmar while the Arakan monarchy and British control were in effect. However, the majority of Rohingya were unable to produce the required documentation. When Myanmar was a part of British India, the British had transported them there as laborers, and this migration was considered internal. Many Rohingya lost their citizenship as a result of their inability to produce the necessary documentation. The Rohingya were refused citizenship by all succeeding governments since they were not considered to be one of the nation's 135 ethnic groups. As ethnic tensions increased, the military and ethnic armed groups massacred large numbers of Rohingya in 1982. In 1991, the Rohingya were compelled to work as laborers in northern Rakhine by the government, which dispatched a significant number of military soldiers there. In 1992, some 250,000 Rohingya migrated to Bangladesh as a result of these crimes. Introduced in 1951, the White Card permitted holders who were at least eighteen years old to temporarily stay in Myanmar. The government issued a large number of White Cards before to the 1990 elections, enabling the holders to cast ballots. The Rohingya made up the majority of the recipients. The military-backed ruling political party used this action as part of a plan to win over Rohingya voters in the upcoming elections. The election's outcome heightened tensions in the area, resulting in deadly clashes between the Rohingya and Rakhines in 1993, which were followed by a military crackdown. Around 250,000 Rohingya fled to Bangladesh in the 1990s as Myanmar's security forces committed grave human rights abuses during this time.¹⁶

The Arakan Rohingya National Organization was founded in 1998. Conflict between various Rohingya rebel factions and the Myanmar government persisted. These rebel factions injured residents when they set bombs in a town on the Bangladeshi-Myanmar border in April 1994. The Rohingya were then subjected to violence. Due to claimed mistreatment by ethnic armed groups and Myanmar government, about 70,000 Rohingya fled to Bangladesh. Those who returned to Myanmar were labeled illegal immigrants, and they were prohibited from doing so.¹⁷ The unlawful Rohingya posed a threat to Rakhine State's stability in 2012, according to then-President Thein Sein. Additionally, he stated that Rohingya may be sent to another nation if that nation was open to receiving them or placed in UNHCR refugee camps. This declaration strengthened the majority group's perception that the Rohingya are not welcome in Myanmar. The mass murder of Rohingya followed, along with a military crackdown. The military and administration incited riots and pushed the Buddhist Rakhine people to drive the Rohingya out of their homes. In 2013, there was still severe violence against the Rohingya, and 140,000 individuals were displaced by the conflict. Laws to safeguard the Buddhist race and religion were advocated by Buddhist nationalists.¹⁸

2014 and 2015 saw the continuation of the atrocities against the Rohingya. The National League for Democracy (NLD), led by Aung San Suu Kyi, defeated years of military rule to win the elections. Suu Kyi also opposed the Buddhist ultranationalist movement, and the NLD's initiatives were strongly backed by the Rohingya community. She established an international commission and a government committee to deal with the Rohingya issue. However, beginning in the middle of 2016, the NLD government struggled to counter the ultra-nationalist movement's anti-Muslim rhetoric.¹⁹ The Arakan Rohingya Salvation Army (ARSA) was established in 2016. It seeks to mobilize support from Rohingya communities but lacks the necessary tools to successfully oppose Myanmar's military and security agencies. There were apparently less than 500 active fighters in ARSA. The group considered the government's actions to be grave human rights breaches, particularly the denial of citizenship to Rohingya and the strong military presence in northern Rakhine. According to ARSA, it had no affiliations with global terrorist organizations such as ISIS. Buddhist nationalists are hostile to its demands.²⁰ Twelve border officers were killed in August 2017 as a consequence of coordinated attacks by ARSA on Myanmar's police and border security. As a result, the military, police, and local Rakhine communities increased their atrocities against Rohingya citizens. According to the military, the authorities forcibly moved Rohingya to internally displaced persons (IDP) camps located near the Myanmar-Bangladesh border between August 25 and September 15, 2017.

¹² Ibid.

¹³ Interviewed an old Rohingya man from Myanmar residing in Delhi's Bakkarwala Area.

¹⁴ Smith, M. (1999). *Burma, insurgency and the politics of ethnicity*. Zed Books.

¹⁵ Interviewed a family in Kalindi Kunj camps of Rohingyas in Delhi.

¹⁶ Anwary, Loc. cit.

¹⁷ For more information see, International Crisis Group. (2016, December 15). Myanmar: A new Muslim insurgency in Rakhine State (Report No. 283), <https://www.crisisgroup.org/asia/south-east-asia/myanmar/283-myanmar-new-muslim-insurgency-rakhine-state>

¹⁸ See, Franco, J., Kramer, T., Alonso Fradejas, A., Twomey, H., & Vervest, P. (2015). *The challenge of democratic and inclusive land policy making in Myanmar: A response to the draft national land use policy*. Transnational Institute.

¹⁹ Anwary, loc. cit.

²⁰ Interviewed another family in Kalindi Kunj Refugee camps in Delhi.

Approximately 400,000 Rohingya have fled to Bangladesh by September 2017. The Myanmar government planted landmines along the border to keep them from returning. ARSA was also designated as an Islamic terrorist organization by the government.²¹

3. India's stand on Myanmar and the Rohingya:

A Muslim minority, the Rohingya shared ethnic relations with people in Bangladesh's neighboring Chittagong District. They comprised 90% of the one million people living in northern Rakhine State, Myanmar, where ethnic Rakhines, who were predominantly Buddhist, made up the majority of the state's three million residents. For centuries, some Rohingya have resided in Myanmar. Instead of seeing the Rohingya as citizens or a separate ethnic group, the Burmese government saw them as illegal immigrants and a cause of instability. Since Burmese states were founded on ethnicity, they refused to recognize the Rohingya as a distinct ethnic group, which would have given them the right to their own state. The military response from Myanmar to the insurgent strike was extremely severe. The world community, especially Western and Muslim countries, reacted harshly to Myanmar and strongly criticized Aung San Suu Kyi for failing to defend the human rights of the Rohingya and to oppose the military's actions.²²

India's handling of the Rohingya issue displayed a thorough comprehension of Myanmar's intricate history and ethnic dynamics. New Delhi sought to reconcile its humanitarian principles with its security interests. At first, security considerations played a major role in shaping its position. Prior to the August 2017 incident, India had warned Myanmar about potential ARSA assaults and monitored the effects of foreign Islamist extremist groups on the Rohingya through its consulate in Sittwe, the capital of Rakhine State.²³ India expressed worry over the growing number of terrorist organizations with ties to Pakistan, such as Lashkar-e-Toiba, that were trying to take advantage of the Rohingya's problems. Concerns were also raised regarding the impact of extremist groups from Bangladesh, such as Jamaat-e-Islami and its youth branch, Islamic Chatra Shabir, on the camps for refugees. Both New Delhi and Dhaka were concerned about this situation. There have been reports of connections between groups like the Rohingya Students Organization (RSO) and other organizations, such as Hizbul Mujahideen, Harkat ul-Jihad al-Islami (HuJI), and Hizb-e-Islami from Afghanistan. In its application to the Supreme Court, the Indian government stated that some Rohingya people with terrorist histories had been active in Jammu, Delhi, Hyderabad, and Mewat before to its decision to deport 40,000 Rohingya refugees.²⁴

As the humanitarian and refugee crisis unfolded in September 2017, with Bangladesh bearing the financial and physical weight of over 600,000 refugees, Dhaka's diplomatic overdrive compelled New Delhi to reverse its position on the Rohingya problem and acknowledge that there is actually a refugee crisis. Additionally, India emphasized the significance of focusing on the "welfare of the civilian population" and urged the Myanmar government to exercise "restraint and maturity." While India has taken a cautious and restrained approach to the Rohingya issue, civil society and human rights organizations strongly condemn Myanmar's handling of the Rohingya issue and call on New Delhi to take the initiative to ensure the refugees return to their country in dignity and peace.²⁵ The Rohingya are fortunately protected by a strong Indian legal system and vigorous civil society organizations. In India, several groups and people have filed legal challenges against government policies. The Rohingya are mostly concentrated in a small number of locations in India. Many reside in the cities of Delhi, Hyderabad, Jammu, and Nuh (Haryana). According to one Rohingya-led organization, there are around 90 Rohingya refugee settlements across the country. The Rohingya, who are mainly Muslims, usually settle in places where Muslims are at safe. Hyderabad, in southern India, has the largest concentration of Rohingya, with approximately 7,200 of them living in 32 unauthorised urban settlement places, or camps. India did little to pressure the regime, even though it condemned the atrocities universally. In fact, India joined China and Russia in abstaining from a UN Security Council resolution in December 2022 that called for an end to the violence and the release of political prisoners.²⁶

The military takeover that began in February 2021 in Myanmar led to the genocide of the Rohingya, which resulted in civil war and other breaches of civilian rights. The Rohingya are unlikely to be able to return to their homeland in safety. However, the Rohingya are officially classified as "illegal immigrants" and face significant restrictions in India. These include limitations on their access to essential healthcare, legal services, formal employment, education, and freedom of movement. Along with rising anti-Muslim and anti-refugee sentiment, the Rohingya in India constantly dread being detained and brought back to the awful regime from which they emigrated.

4. Key obstacles encountered by the Rohingya in India

India lacks a coherent policy and local laws pertaining to refugees and asylum seekers because it is not a party to the 1951 Refugee Convention or its 1967 Protocol. Instead, under India's Foreigners Act and Passport Act, refugees are treated like other foreigners and must have valid documents such as passports and visas in order to enter the country. Without these documents, refugees are deemed "illegal immigrants" and could be arrested or deported.²⁷

²¹ Interviewed another man in Bakkarwala refugee camps in Delhi.

²² E, Nillesen. & E, Bulte. (2014). Natural resources and violent conflict. *The Annual Review of Resource Economics*, 6, 69–83.

²³ See, K, Yhome. (2023, August 21). *Examining India's stance on the Rohingya crisis*. Observer Research Foundation. <https://www.orfonline.org/research/examining-india-s-stance-on-the-rohingya-crisis>

²⁴ See, Ghoshal, B. (2017, November 9). *India's responses to the complex Rohingya crisis in Myanmar*. East West Centre. Asia Pacific Bulletin. <https://www.eastwestcenter.org/publications/india%E2%80%99s-responses-the-complex-rohingya-crisis-in-myanmar>

²⁵ For more information see, Sullivan, D. P., & Sur, P. (2023, May 18). *Shadow of refuge: Rohingya refugees in India*. Refugee International. Asia & the Pacific. <https://www.refugeesinternational.org/reports-briefs/shadow-of-refuge-rohingya-refugees-in-india/>

²⁶ Ibid.

²⁷ Chakraborty, M. (2015). *Stateless and Suspect: Rohingyas in Myanmar, Bangladesh and India*. Mahanirban Calcutta Research Group.

Among Rohingya refugees, one of the most often expressed fears was the potential for detention. All of the respondents stated that they were acutely aware of the daily risks associated with incarceration and that they had personal experience with friends and relatives who had served time in Assam's jails. A number of interviewees had served time in detention. There are hundreds of Rohingya incarcerated in India, according to estimates from local civil society groups, legal professionals, and organizations run by Rohingya, despite the absence of official figures. These estimates were made much more challenging by the ambiguity surrounding the notion of detention. A UNHCR report dated November 2022 stated that 312 Rohingya were in immigration custody, 263 were in Jammu holding cells, and 22 were in a Delhi welfare center.²⁸

The police often utilize local leaders as informants or have a quid pro quo pact whereby they promise not to imprison them if they help detain other Rohingya, according to many refugees. When the refugees are found in a neighborhood, they run the possibility of being imprisoned.²⁹ Rohingya refugees say there have been more recent limitations on where they can go. Both travel within Delhi and travel between Indian cities were subject to these restrictions.³⁰ A number of prisoners were freed as a consequence of the diligent efforts of local civil society organizations and attorneys to increase public awareness of these conditions. Based on the evaluation of the detention facility, the judge mandated that all inmates have a comprehensive medical examination and that the restrooms be renovated and enhanced right away.³¹ International law is broken by the Rohingya's arbitrary and indefinite confinement, according to their attorneys. In other instances, Rohingya jailed as "illegal immigrants" have been held longer than their sentences. Although Indian officials claim they are waiting to be deported to Myanmar, this raises concerns about both national and international laws.

No refugee should be returned to a country where their freedom or life may be in jeopardy because of their nationality, race, religion, political beliefs, or membership in a particular group, as stated in Article 33 of the Refugee Convention. Nevertheless, India has no legislation that acknowledge this idea and is not a signatory to the 1967 Protocol or the Refugee Convention. The Rohingya are also afraid of being deported back to Myanmar, based on recent official statements and actions. Despite the 2017 atrocity and the 2021 military takeover, dozens of Rohingya are believed to have been repatriated to Myanmar in recent years.³² A petition against the expulsion of the Rohingya was filed before the Indian Supreme Court in 2017 in response to the central government's directives to identify and expel them from Jammu. The Supreme Court, however, refused to stop the deportation of seven Rohingya men or allow UNHCR to decide if they needed protection in spite of a second appeal filed in October 2018. The Supreme Court once again agreed with the government's claims that the Rohingya represented a national security risk and refused to halt their deportation after 170 of them were arrested and threatened with deportation in Jammu in April 2021.³³ The court had previously rejected such a deportation. The case was first considered by the Supreme Court in 2013, about the same time as many Rohingya people began to flee Myanmar. Since then, the Supreme Court has rejected numerous petitions to halt their deportation.³⁴

The decision to deport Rohingya refugees will put their lives- including the lives of their children, in grave danger. Furthermore, if the Rohingya return to Myanmar, there is a significant chance that they will be killed because the military coup and severe crackdown on the opposition would take place once more. The 1951 Refugee Convention, several other international accords, and customary international law all contain the long-standing non-refoulement norm, which will be broken by the Indian government's decision to deport them.³⁵ Indian courts have previously dealt with refugee cases involving individuals from Iran, Iraq, Bangladesh, Sri Lanka, and other nations. The courts have frequently prevented deportations and permitted people to apply for asylum by registering with the UNHCR. Nevertheless, there are no domestic laws that support this practice. The UNHCR's activity in India is solely dependent on political agreements; it is not even supported by any legal framework.³⁶

Education is another issue that the Rohingya in India encounter. Every kid in India between the ages of six and fourteen has the right to an education under Article 21A of the Indian Constitution. Rohingya families frequently state that one of the main reasons government schools deny their children admission is because they are unable to obtain biometric Aadhar cards. Local school administrators routinely refuse admittance in the absence of explicit directives from the federal government.³⁷ Although it is getting harder, some Rohingya children are able to go to school, frequently with direct help from the UNHCR or Indian NGOs that aid the Rohingya community. After the age of 14, India's universal education program ends, and Rohingya children are not allowed to sit for the tests needed to pursue higher education. Even if they are permitted to attend government primary schools, Rohingya refugees still have to deal with issues including long trips, language problems, and harassment from peers and occasionally teachers. Girls in the Rohingya

²⁸ Sullivan, D.P. loc. cit.

²⁹ K. Yohme, loc. cit.

³⁰ During the interview refugees staying camps in Kalindi Kunj, Delhi talked about the recent incidents that they were afraid of being killed or tortured when government of Bangladesh was changed drastically. Later they also talked about the problems they face almost every day due to the tag of illegal migrants.

³¹ Interviewee highlighted the condition of the detention camps.

³² Another woman interviewee talked about the fear of deportation.

³³ For more information see, Kaul, A. (2021). Indian Supreme Court's stance on the deportation of Rohingya refugees violates international law. *Just Security*. <https://www.justsecurity.org/75893/indian-supreme-courts-stance-on-the-deportation-of-rohingya-refugees-violates-international-law/>

³⁴ Ibid.

³⁵ Paul, S., & Pegu, U. K. (2019). Refugee crisis in India: An inquest on the Rohingya debacle. *Salesian Journal of Humanities and Social Sciences*, 10(1), 83-90.

³⁶ Kaul, A. op. cit.

³⁷ Article 21A was added to the Part-3 (Fundamental Right) of the Indian constitution by the 86th amendment (2002) to provide free and compulsory education of all children in the age group of six to fourteen years.

community are also urged not to go to school.³⁸ Because they do not have Aadhar cards, Rohingya refugees have restricted access to services beyond basic healthcare. Even while government facilities offer basic medical treatment, many people are unwilling to use them. The majority of Rohingya refugees cannot receive specialized care or treatment, despite some claiming to have access to medical care. Due to poor living conditions, the Rohingya are vulnerable to a variety of diseases, including scabies, diarrhea, and respiratory infections. Many Rohingya people experienced kidney stones as a result of food restrictions and limited access to clean drinking water.³⁹

5. Conclusion

By officially recognizing the Rohingya as refugees with the ability to apply for asylum instead of categorizing them as illegal migrants, many of the challenges they encounter in India could be alleviated. If India were to sign the Refugee Convention and enact its own legislation pertaining to refugees and asylum, this transformation might take place. The Indian government must to remove barriers to the meager assistance currently provided to refugees, enabling the UNHCR to assist with their resettlement and local NGOs to offer assistance. Such initiatives should also be of interest to India, the world's largest democracy and a country striving for greater regional and global leadership. The Rohingya's situation throughout the region is reflected in the way they are handled in India. Even if Myanmar is the main cause of the issue, the countries that provide initial or later asylum to Rohingya refugees are not doing enough to safeguard them. Persecution of the Rohingya in Myanmar is comparable to their limited rights, harassment, and detention in India and other nations. Instead of abusing the Rohingya further, India and the other nations have to do more to protect them and help the Rohingya community work toward a better future.

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³⁸ Interviewed a young Rohingya girl about education and problems they face during schooling. She also highlighted the issues in schools and thinking of the Rohingya community itself about the girl education.

³⁹ A group of Rohingya women highlighted the issues related to the health and hygiene. They also shared that how they are using the unpurified water for drinking which led them to the savior health issues.

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