

Illegal Migration, Refugees & COVID- 19 in India: A perspective of Demographic and Health Vulnerabilities

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Extended Abstract: In the wake of the out-break of world COVID-19 pandemic, immigrants, refugees, and illegal migrants who are not the citizens of the host societies have been facing unprecedented hardship in several parts of the world. The COVID-19 could be destructive for millions of immigrants, refugees and illegal or undocumented migrants in both developed as well as developing countries. It has been proven that refugee and Illegal migrants are often left out of epidemic or pandemic preparedness planning and reaching out these multifaceted vulnerable population is a challenge task. The refugees and undocumented or illegal migrants have faced many problems at the destination areas such as strong anti-sentiments towards them, racial discrimination, demographic threats for local and issues of national security, culturally differences which make them a separate and vulnerable segment of population at the destination countries. There is also scarce culturally and linguistically accessible information about COVID-19 and how to protect oneself and others, which further increases the risks to refugees and migrants as well as host populations (World Health Organisation, 2020). India is one of the biggest countries in the global south which is known for provided shelter for many immigrants over period. It is evident that many of the refugees or illegal immigrants do not procedures the rule & regulations of the host society and letter on become the Refugee or illegal Migration. They have emigrated from neighboring countries namely Bangladesh, Myanmar, Sri- Lanka, Nepal. The reasons were their emigration associated with the factors at origins like historical, social-cultural, political partition, persecution, ethnic conflicts, fear etc. It is estimation that India holds 15-20 million refugee & illegal migrants. But unfortunately, there is no trustworthy statistics which gives the accurate picture or correct information about the stock and flow of undocumented migrants. There is also ambiguity using the term refugee or illegal migration. Some of the refugee groups (Tibetans, Sri-Lankan, repatriates from Myanmar) are treated well have a state welfare protection. On the other sides some of refugee or migrants groups (Bangladeshi & Rohingya) have different kind of treatments and considered as demographic or security threat. The global pandemic of Covid 19 has disproportionately affected the different migrants groups, it has affected more whose possessed lower socioeconomic status. They are facing multifaceted vulnerabilities and high risk of getting

COVID positive. This paper examines the historical reasons, geographical distribution, and status of different refugees & Illegal or undocumented migrants in India. What are their estimated numbers of population across Indian states? What are the immediate and long-term challenges during COVID 19 and what will be possible suggestion to mitigate their problems? This paper is based both primary and secondary data and used exploratory methodology.

Key Words: International Migration, Refugees, COVID 19, Migrant Population

Important Findings: These are following important points have been analytical analyzed:

A. Important Legislation of Refugee & Illegal Migration in India:

- The shared history of British colonial rule, the partition at the time of independence the role played by India in the creation of Bangladesh, and the provisions under the Citizenship Act. Section 2(1) (b) of the citizenship Act of 1955 defines an “illegal migrant” as a foreigner who entered India.
 - i) Without a valid passport or other prescribed travel documents
 - ii) With a valid passport or other prescribed travel documents but remains in India beyond he permitted period.
- The Assam Accord settled March 24, 1971, as the cutoff date for identification and deportation of immigrants from Bangladesh or East Pakistan into Assam. As per this accord have provision to give the citizenship to those who came to Assam between January 1, 1996 and March 24, 1971 after disfranchising for aperiod of 10 years subject to registration. Therefore, those who crossed the international borders without proper legal documents to come to Assam on or after March 1971, are the illegal immigrants provided all those who came before that decline become citizen through the legal process akin to naturalization (Govt. of Assam, White paper on Foreigners’ Issue, Oct. 2012)
- India is not a party to the *1951 Convention relating to the Status of Refugees*, its *1967 Protocol* (hereinafter jointly referred to as the *1951 Convention*), the *1954 Convention relating to the Status of Stateless Persons* or the *1961 Convention on the Reduction of Statelessness* (the *1954 Convention* and the *1961 Convention* respectively). India does not have any national refugee protection legislation in place.

B. Estimated Numbers of Refugee & Illegal Migration Across India:

- Most of the social scientist and politicians have been accepted that India is one of the sources of illegal immigrants from the neighbouring countries such as Bangladesh,

Nepal and Bhutan and Myanmar etc. This phenomena of the illegal or undocumented immigrants more visible in the case of the North Eastern States where large numbers of foreigners from the Bangladesh immigrated after the during and post war 1971. Moreover, Assam had become the important source of destination of these foreign migrants because of imbalance of demographic scenario between immigrants and local indigenous people or local people.

- A “Group of Minister on National Security” was held in India, 2001 by the Government of India representative. The group of ministers had estimated that 15 million Bangladeshis, 2.2 million Nepalese, 70,000 Sri Lankan Tamils and about one lakh Tibetan migrants living in India. Demographic changes have been brought about in the border belts of West Bengal, several districts in Bihar, Assam, Tripura, and Meghalaya because of large-scale illegal migration.
- According to the press release of National Registrar of Citizenship (NRC) by the SCNRC, a total of 3,30,27,661 (33.0 Million) persons applied to the registering authority through 68,37,660 application forms and out of which 3,11,21,004 persons were found eligible for inclusion of their names in the final NRC leaving out 19,06,657 persons, who were not included and shall have to approach a Foreigners' Tribunal court with an appeal against non-inclusion if they so desire.
- A porous border between countries, better economic opportunities, and ethno-cultural similarities account for the flow of Refugees to this country. The different specific refugees had migrated into India with their specific reasons over different phases and settled in the different states of India.
- To understand the estimate numbers of the undocumented migrants become more difficult when a country has no direct sources of records of this specific type of international mobility. It became more difficult when immigrants have already spent 3-4 decades at the destination or arrival places of any country and have been noticed similar characteristics in respect of socio-cultural space.

Title: 1			
Different Sources of Estimated Number of Refugee & Illegal Migration Across Indian State			
S.No.	Name of Refugee Group(s)	Estimated Population	Important Remark(s)
1	Sri-Lankan Tamils	1,00,000(The Hindu) ¹	<ul style="list-style-type: none"> ➤ Sri-Lankan Tamil Refugees came in India from different phases. ➤ Near about 303,000 people moved to India between 1983 and 2010 and were mainly accommodated in government-run refugee camps spread across Tamil Nadu (India). ➤ Most of the refugees have moved back to Sri Lanka, there are still 19,451 families – about 63,350 refugees – living in 107 refugee camps. A further 37,868 live in Tamil Nadu outside the camps².
2	Bangladeshis	Estimated 10,000,000 (1971) ³ Or 4,260,000 (2011) ⁴	<ul style="list-style-type: none"> ➤ Mainly arrived in India during Bangladesh liberation war of 1970-71 in Bangladesh ➤ Mainly found in the states like West Bengal (7,500,000), Tripura (1,400,000), Meghalaya (700,000), Assam (300,000)

¹ The forgotten people: on Sri Lankan refugees, The Hindu, NOVEMBER 14, 2017, <https://www.thehindu.com/opinion/op-ed/the-forgotten-people/article20394214.ece>

² The power of education in refugees' lives: Sri Lankan refugees in India Antony Jeevarathnam Mayuran <https://www.fmreview.org/sites/fmr/files/FMRdownloads/en/shelter/mayuran.pdf>

³ Partha S. Ghosh (2016) "Migrants, Refugees and the Stateless in South Asia, New Delhi, Sage Publishing Company.

⁴ Vani Borooh, 2012 The Killing Fields of Assam: The Myth and Reality of its Muslim Immigration, Pg. no. 7 Munich Personal RePec Archive, posted 22 Dec 2016.

3	Bhutanese or Lhotshampha	107,923 (UNHCR India) ⁵	<ul style="list-style-type: none"> ➤ 90,000 Bhutanese refugees arrived in India from Nepal & Bhutan (1990). ➤ 20,000 arrived in 1995 by (UNHCR) in India and Mainly live in Arunachal Pradesh, Sikkim, And West Bengal state of India
4	Indian Repatriates from Myanmar	1,44,445 (department of rehabilitation of the Tamil Nadu Government) GOTN 2010 ⁶	<ul style="list-style-type: none"> ➤ The arrived as repatriates from Burma commenced in 1963. It was expected roughly about 2.3 Lakh persons to India as repatriates, whereas 1,44,445 (1.4 lakh) repatriates were arrived at India up to 1989.
6	Tibetans	1,10,095 (2009) ⁷	<ul style="list-style-type: none"> ➤ Mainly Exile from the Tibet region after PRCs Started asserting its sovereignty over Tibet. ➤ There are living in 45 settlements in 10 states including Karnataka, Arunachal Pradesh, Uttarakhand, West Bengal, and Delhi.
8	Chakmas and Hojongs	66,000 in 1964 ⁸	<ul style="list-style-type: none"> ➤ Chakmas and Hajongs fled to India following the construction of the Kaptai hydroelectric dam and the ethnic conflict in Chittagong Hill Tracts during the 1970s and 1980s

⁵ Partha S. Ghosh (2016) "Migrants, Refugees and the Stateless in South Asia, Pg. No. 24, New Delhi, Sage Publishing Company.

⁶ Director Of Rehabilitation Ezhilagam , Government of Tamil Nadu (Annex), Chepauk, Chennai 600 005 https://www.tn.gov.in/rti/proactive/public/handbook_rehabilitation.pdf

⁷ The Tibetan Rehabilitation Policy-2014, Ministry of Home Affairs Government of India.

⁸ Partha S. Ghosh (2016) "Migrants, Refugees and the Stateless in South Asia, Pg. No. 50, New Delhi, Sage Publishing Company.

9	Rohingyas	40,000 ➤ UNCHR has issued identity cards 17,000 Rohingyas across states of India (2017) ⁹ .	<ul style="list-style-type: none"> ➤ They forcibly emigrated from the Rakhine Region of Myanmar and deprived in terms of identity, citizenship. ➤ In India they live in the crowded camps (Delhi, J&K, Assam, West Bengal). ➤ They are treated as “Illegal Immigrants” in India.
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C. Immediate Issues & challenging during COVID-19:

- Refugees and undocumented migrants are not getting public health care facilities. Women and children are suffered lots due to ongoing COVID 19 pandemics. Many of the children of the refugee and migrants left their study due to not afford the Mobile Phone and internet charges during COVID 19.
 - Mostly refugee and illegal or undocumented migrants whose live-in refugee camps or densely populated areas have lack accesses of getting the benefits of difference mainstream services or support on account of their legal status and not having proper documents.
 - Mostly worked in the informal or unorganised sector, due to nation wide imposed lockdown has affected their daily wage income and do not have adequate resources to run their family.
 - Mostly Refugee population are not registered with the UNHCR office and do not possessed UNHCR card. Mostly refugee and illegal migrants hide their identity from the local administration and remain more valuable in terms of access health benefits during COVID 19.
 - Many of them cannot get Covid vaccination plan in India and not afford the charges imposed by the states and central govt for testing COVID-19 due to not having proper documents as asked by the Government. Moreover, difficult to access the public health services facility operated by the respective states.
 - Many of them not aware about the transmission of the COVID 19 virus person to person. Many of them are illiterate or less educated. Moreover, the level of awareness
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about the COVID 19 are not approachable to them. Sometimes, this programme is not based as per their known languages.