

Refugees and Challenges Before South Asia

by Shamsul Bari

The humanitarian crisis of refugees and displaced persons who are the victims of intra-state and inter-state war and political, ethnic, religious persecution unleashed both by state and non-state forces, poses one of the major challenges for the international community to-day.

SOUTH Asia has seen more refugees and population displacements in history than any other region in the world. I do not have to tell you about the massive population displacements which took place after the partition of the India in 1947. Some estimates put it at 15 million persons. Despite the trauma which the partition generated through one of the most painful human tragedies in history, it goes to the credit of the governments and peoples of this region that the refugees and others who survived the carnage were given an opportunity to pick up the threads of life once again. There was no external assistance available. The international refugee agency which existed at that time, before the creation of UNHCR, was preoccupied primarily with the refugees in Europe who were created as a result of events during World War II.

The population displacements and movement of refugees between India and Pakistan continued for many years after partition. In the late 50s and the early 60s, both India and Nepal also witnessed a large flow of Tibetan refugees. Then came the massive flow of refugees from the then East Pakistan to the neighbouring states of India which, as I mentioned earlier, remains the largest refugee flow ever witnessed by the world in modern times. If we add to this more than 3 million Afghans who took refuge in Pakistan since the early 80s, more than a million of whom are still in that country; half a million refugees from Myanmar who took refuge in Bangladesh in two waves in the late 70s and the early 90s, some 21,000 of whom are still awaiting a solution to their problems; several hundred thousand Sri Lankan Tamil refugees who took shelter in India in different waves since 1983, of whom some 64,000 still remain in India; more than a hundred thousand Bangladeshi hill-tribe refugees who took shelter in different waves in India, some 45,000 of whom still await repatriation to Bangladesh, and we hope this will happen soon; close to a hundred thousand Bhutanese refugees of Nepalese origin who sought refuge in Nepal in 1991 and the majority of whom are still in that country; and finally hundreds and thousands of internally displaced persons who were displaced within Sri Lanka in the last 14 years, we can get a picture of the enormity of the problem of refugees and displaced persons of this region. Both in terms of numbers,

extent, scope and intensity of the humanitarian crisis that these movements generated, they stand out most prominently in the annals of refugee history. UNHCR's first involvement in the sub-continent was with the Tibetan refugees in India and Nepal. Then came the Bangladesh crisis in 1971. Since then UNHCR has been involved with almost all the refugee and the displaced persons movement in the sub-continent, in one way or another, except with the Bangladeshi hill-tribe refugee groups in India which has been dealt with on bilateral basis. UNHCR is happy to have been able to assist the governments of the region in providing care and maintenance to many of these refugee groups in camps and in facilitating durable solutions for their problems through voluntary repatriation. Just to cite a few recent examples: over 2 million Afghans were assisted to return home from Pakistan between 1992 and 1997, over two hundred thousand Myanmar refugees have returned home in the last 2 years, 54,000 have returned from India to Sri Lanka in the recent years. My purpose in citing all these examples and statistics is to draw your attention to the perennial nature of population displacements in our region. The reasons for such displacements are more or less known to you all. They are rooted in the colonial past and the political developments which evolved over the years culminating in conflicts and crisis. Even though one hopes that such crises will not erupt again, it is only prudent that as conscious citizens of the states of this region, we pay more attention to this phenomenon which has recurred with such frequency and tenacity in the last years. While in the past the countries concerned dealt with each wave of the population displacements with the inherent humanitarian instincts which is so characteristic of this region and did not feel the need for a legal structure to deal with them, more recent developments clearly demonstrate the need for such an approach. The regional consultations of the Eminent Persons Group of South Asia are thus both timely and pertinent. Let me now try to relate the South Asian experience to the global perspective. I shall share with you, in brief, some of its salient features. There are some 50 million

refugees and displaced persons in the world today, of whom round 26 million persons benefit from the services of UNHCR. About half of these persons are refugees in the legal sense of the word; people who have left their own country to escape from persecution, armed conflict or violence. The other half are internally displaced persons or IDPs. These are persons who are displaced for the same reasons as refugees but who have not left their country. While during the cold war period, population displacements were most frequently caused by armed conflicts which were fuelled by big power rivalry, post cold war refugee flows are mainly generated by internal conflicts based on ethnic violence and other sectarian factors. One scholar has described them as "destructured conflict" which are "identity based". The events following the fall of the Berlin Wall, which saw the break-up of the former Soviet Union and the dismantling of the eastern bloc, generated the biggest wave of displaced population movements in the

1990s. 6 million persons were displaced within and among the newly independent states of the former Soviet Union, now called the CIS Countries. The consequences of the break-up of former Yugoslavia and the carnage in Bosnia Herzegovina which resulted in one of the worst human tragedies of the modern times are all well known to us through the globalisation of the information media. The suffering, pain and displacement generated by the conflicts in Chechnya, Nogorno-Karabach, Abkhazia, South Ossetia, Tajikistan, all in the former Soviet Union, are equally known to the world. If we add to this the monumental human tragedies in the Great Lakes region of Africa, particularly in Rwanda, Burundi, Zaire (presently the Democratic Republic of Congo), the trauma of which may have surpassed all previous tragedies in Africa, and the earlier crisis in Somalia, we start appreciating the enormity of the world refugee problem even after the end of cold war. Add the more recent crisis in Liberia, Sierra Leone and Congo Brazzaville, you start realising that something is terribly amiss in international affairs. All these tragedies are a blot on the conscience of mankind. They call for a greater international attention and action.

The humanitarian crisis of refugees and displaced persons who are the victims of intra-state and inter-state war and political, ethnic, religious persecution unleashed both by state and non-state forces, poses one of the major challenges for the international community to-day. There is clearly a need for concerted humanitarian action whose objective can no longer be confined to providing only assistance and protection to the victims but must also include adoption of clear and firm policies and measures aimed at dealing with the crisis more effectively when they arise but more importantly preventing them from arising in the first place. A gathering like ours to day and similar gatherings all over the world, of concerned citizens, can help develop these policies and measures. The most ideal approach must be the development of an inter-linked and integrated national

and international order in which the safeguards for human security are given the same, if not greater, importance, as those for state security. The need for a re-dedication to the international legal regime for refugee protection has been accentuated by some recent developments. For sometimes the restrictive asylum practices of the western industrialised world have been a matter of concern for UNHCR and the concerned citizens of the world. The more recent developments in the Great Lakes region have witnessed some of the worst abuses of refugee protection. When Governments openly, systematically and intentionally violate the most basic principles of refugee protection with apparent impunity in the name of national security, the system itself is fundamentally weakened. In many of today's conflicts refugees are not only victims of persecution but also its target. Such a development adds particular impetus for international concern. The international regime for refugee protection, so painstakingly developed over the last fifty years, itself needs protection to-day. The world is one now dominated by moves towards globalisation and economic integration. It is inevitable that no nation will be able to escape from the effects of globalisation. Humanitarian action too has become an object of this development. Already significant strides have been made towards democratisation, political pluralism and the respect for human rights in the domestic sphere of the states. There is a move to reflect these developments in the international humanitarian order. I see the role of the leadership of South Asia, both within and outside the governments, to contribute significantly towards this goal. This is a challenge for this eminent persons gathering of South Asia and must become a permanent aspect of its agenda in the years ahead. Already three of the countries of this region — India, Pakistan and Bangladesh — are members of the Governing Body of UNHCR. This was not true even five years ago. At the last annual meeting of the Executive Committee of UNHCR, which took place in Geneva last

month, all these three countries were prominent in their participation. This is most encouraging. The efforts you have undertaken to develop a legal framework, based on regional specificities, for the guidance of the governments in the region, can be extremely useful. Governments should understand that a civil society is based on the rule of law which, first and foremost, must ensure the respect for and the protection of human rights, both of citizens and non-citizens on their territory. To-day the ideals of a civil society is no longer limited to the territory of the state. It covers the whole world. It may be a long cry before these ideals are fully attained. Bangladesh, is a country where a large section of its political leadership and a significant portion of its population had to experience refugeehood before the birth of the nation. This is also a country, like most other countries of the region, from where there is a continu-

ous migratory movement abroad. The need for an international legal regime to deal with all types of migration, whether forced or voluntary, must, therefore, be well understood in this country, and the other countries of this region. UNHCR is happy to have been able to help Bangladesh at its birth. It is happy to have been able to help the country towards resolving the problem of refugees which it faced in the late 70s and since the early 90s. We applaud the efforts of the government in negotiating a peace settlement in regard to the conflict in the Chittagong Hill Tracts and look forward to an early agreement so that, among other things, the refugees, created by the conflict, who are still in India, will be able to return home soon.

The author is UNHCR Director for Central and South West Asia, North Africa and the Middle East.



Rohingya refugees from Myanmar: Bangladesh experience — Star photo

BANGABANDHU MURDER CASE Verbatim Text of Cross Examination of 37th Prosecution Witness

Continued from yesterday CROSS-examination of PW-37 in Bangabandhu murder case, Reazul Huq, a then radio engineer, resumed when the court reconvened on Monday. Advocate Sharfuddin Mulk, the defence lawyer for former State Minister for Information Taheruddin Thakur, completed his Sunday's examination of the PW-37. He mainly gave the witness some denial suggestions. Later, PW-37 Huq was examined by Advocate Abdur Razzaq Khan, the defence counsel for accused Lt Col (ret'd) Sultan Shahriyar Rashid Khan. Following are the excerpts: Q: Khandaker Mushtaque Ahmed was a minister of Bangabandhu's cabinet till that day (August 15, 1975). Isn't it? A: He was a minister. But I don't know till when. Q: Were the army personnel used to come to radio station during every government? A: They didn't come before August 15, 1975. They started moving in and out of the radio station from that date. Q: The Dhaka centre of the radio was captured. What other centres across the coun-

Advertisement for Central Insurance Company Ltd. celebrating 10 years of progress and prosperity (1987-1997). The text describes the company's growth, financial performance, and commitment to service. It includes a signature from Md. Hashmat Ali, Managing Director.

Large advertisement for Central Insurance Company Ltd. featuring a central image of a woman in a headscarf. It contains messages from the Prime Minister, Finance Minister, and Chairman, along with a detailed message from the Chairman. The text includes dates like 21 Kartik 1308 and 05 November 1997, and mentions the company's 10th anniversary. It also includes a signature from A. K. M. Azizur Rahman, Chairman.