

# THE STATE OF THE GLOBAL PROTECTION SYSTEM FOR REFUGEES AND MIGRANTS

## RESEARCH WORKSHOP

*November 25, 2018*

### Inaugural Session

**Dr. Anita Sengupta** delivered the welcome address and introduced the focal theme of the workshop and the conference. She also expressed gratitude to the collaborating institutes for working in close association with Calcutta Research Group (CRG). The events of the programme were briefly highlighted including the light and sound show, field trips and special lectures at different universities.

**Professor Ranabir Samaddar** brought to the forefront the concerns that led to the project including the 1951 Convention (on Refugees), the global arrangements for a Refugee Convention, and the Cartagena Declaration on Refugees. He asserted that population flows have been an important part of history since the post-colonial period and popular movements have been an integral part of populous states. The intensified theorisation of borderland studies, forced migration and refugee studies from the Asian and South-Asian perspective has attained prominence within a global framework only recently since the 1990s.

**Neha Naqvi** on behalf of Rosa Luxemburg Stiftung (RLS) started by mentioning that migration is one of the pressing problems being faced by human society today. She delineated a brief history of RLS and went on to stress that RLS has been working in partnership with CRG to build up awareness within academia and elsewhere about such pressing social concerns.

**Professor Sabyasachi Basu Ray Chaudhary** began by going back to the inception of the theme of the project on migration. He stated that the Global Protection System was the main context of studying migration in the post-colonial era. Prof. Chaudhary outlined in detail the themes of each module and briefed those present on the proceedings of the workshop and conference. He mentioned the drafting and release of a resolution for protection of migrants and refugees on the 30th of November 2018 at the conference venue in Kolkata.

**Professor Paula Banerjee** started by presenting before the audience a historical account of how the programme was organised over the years. Vulnerability of migrating communities was one of the key issues Prof. Banerjee touched upon. She stated that counting numbers for the suffering migrants is useless because suffering of people cannot be quantified. She also explained how the position papers were to be produced by the participants in the modules, and elected two participants from each of the modules that would be responsible for the production and presentation of the position papers on Wednesday.

The inaugural session of the workshop then proceeded ahead with a panel discussion on “**Race and Migration in South Africa**” wherein the speakers were Professor Melissa Steyn and Professor Laurence Juma.

### **Inaugural Panel Discussion: Race and Migration in South Africa**

The first presentation on “**When Xenophobia is Afrophobia: Racialised Belonging at the Intersection of Race and Nation in Post-Apartheid South Africa**” was by **Professor Melissa Steyn**. It began with accounts of the history of migrant flows in South Africa and underlined the changes in the documentation of movement of migrants, especially the black population during pre- and post-institutionalisation of the country. Migration in all forms, has been shaped through racialised nation-building projects of conquest and subjugation, inclusion and exclusion, integration and segregation, was what she asserted. The sacrifices for the liberation of South Africa were dwelled upon and the racial attitudes and practices in xenophobia in the local context were brought out. It was mentioned that while the directions of flows of different people had changed dramatically since the advent of democracy in 1994, the clearly racial character of who comes and who goes did not. Attitudes among both white and black South Africans differ according to whether those arriving in the country are considered white or black. Prof. Steyn described an incident of shooting in a building in 2008 at Johannesburg that took the lives of many. The idea that black South Africans would attack other Africans was not very different from the western understandings of race. It was argued that through the presentation that violence and xenophobia against foreign nationals in South Africa need to be understood within the historical context of how borders were drawn in Africa, the history of citizenship in South Africa and processes of internalised racism. She ended on the note that issues of rights arising due to ignorance of criminal acts and negligence towards migrants on the part of government in the absence of governmental support, as well as consciousness in operation need to be rationalised amongst those in the country.

The second presentation on “**African Union’s Refugee Management and Protection Framework and the Cooperation Agenda of the Global Compact on Refugees**” was by **Professor Laurence Juma**. Prof. Juma began by saying that for any entity that is part of a global community, what affects one person affects the globe in one or the other way. He stressed the fact that in case of refugee challenges, while there are many discourses, there is little recognition and urgency of participation from different parts of the world. In his presentation Prof. Juma examined how the Global Compact on Refugees is likely to have an influence on the African Union’s (AU) approach to refugee protection in the continent. He discussed continental refugee protection and management frameworks and isolated some of the concerns that may be of relevance to the collaborative agenda proposed by the Global Compact. Prof. Juma also argued that the AU’s collaborative endeavour in refugee protection and management should be based on three main pillars, which are cooperation, responsibility sharing and commitment to uphold fundamental principles. It was estimated that the conversion of aspirations in the Global Compact into tangible benefits for refugees in the continent would require normative changes as well as the development of a more sophisticated relationship between Europe and Africa that cannot be only dependent on existing foreign aid arrangements. In the presentation, it was also argued that continental refugee

protection and management regimes can only benefit from a global collaborative project if they are locally relevant, transparent and effective. He ended by stressing the need for dialogue on establishing peace and cooperation. The lecture concluded with changes proposed to the existing frameworks that could enable African countries to participate more beneficially in the Global Compact arrangements.

## **Discussion**

Questions were raised on whether the actions of militant groups such as Al-Shabab in Kenya are due to the refugee crisis or to the actions affected by Islamic radical movements. The other aspects that were focussed on were the relations between border-states of Africa especially Kenya's relation with the traditional tribal regions of Africa. Concerns were also raised on whether the Global Compact could lead to corruption and if so, then what would be the way out. Prof. Juma explained to the audience that the wave of radicalism takes advantage of many young people who do not have jobs, whilst the security system and its management are in shambles. Some African countries have private security systems helping them out in the management of protection issues. In Kenya, everything is blamed on the Al-Shabab and on Somalis. However, radicalisation is not specific to Africa. There is not much commitment from governments to strengthen security and infrastructure.

*November 26, 2018*

## **Theme Lecture A: Promises and Paradox of the Global Compacts on Refugees and Migrants: The Need for New Global, Regional and National Responses**

**Prof. Ranabir Samaddar**, delivered his lecture on “**Promises and Paradoxes of a Global Gaze**”. The drive behind his paper was the need to consider the benefits and opportunities that safe, orderly and regular migration brings to cities and states in a transnational context, and also the complexities that arise and remain unaddressed from scenarios of displacements and mass migrations locally and globally. It is also a response to The Global Compact on Refugees and The Global Compact for Safe, Orderly and Regular Migration that was mandated by the New York Declaration for Refugees and Migrants in 2016, currently being considered by the United Nations that aims to rethink the feasibility of old approaches in addressing these issues.

Whilst acknowledging the ambitions and potentials of the Declaration, Prof. Samaddar spoke of the relational position of the Declaration with a global development agenda linking migrant and refugee protections, safety, and security with sustainable development that saw the inception of a ‘Global Gaze,’ outlining both potentials and contradictions that can be found within such conceptual lens. Furthermore, he also spoke of the difficulties of having two compacts for refugees and migrants: that refugee, forced migration and migration flows cannot be neatly defined, though perceptions of the two as something different remains somewhat a contemporary reality. Moreover, there remains contentious issues within nation states, whereby some states refute the idea and refuse to consent to a global compact, arguing that any protection of refugees is a matter of national rights, therefore, there is no question of arriving at a global understanding on such issues.

Taking such accounts into consideration, Prof. Samaddar outlined aspects of the Declaration that supports the premise of its universality. Furthermore, he also highlighted irregular geographies found in areas of protection and labour, thus reiterating the need of a 'global' in terms of refuge, border zones, third countries, hotspots, legal labour regimes and the engagement of multi-stakeholders. Attention was paid also to the inevitability of refugee and migrant crises unless a comprehensive refugee response framework was employed in regards to effective practices and management that will maximize capacity building. Finally, Prof. Samaddar underscored the fact that durability of solutions can only come about through a new geography of labour and provision of care, along with the adoption of a techno-centric management position that would overcome borders and boundaries. This being the premise of a global gaze as an apparatus of power, that humanitarianism should be seen as part of a global machine, and that a 'global' can only be brought about by becoming technological in its strategies.

In conclusion, Prof. Samaddar emphasised the importance of the strategic shift that sees refugees and asylum seekers conceptualized as subjects of development rather than subjects of protection. This is significant in terms of a new approach on forced migration: that the refugee will be enabled as an actor in their own right by primarily becoming a source of productive labour power. Moreover, the fact that a global compact can only be global by obtaining global consent remains unresolved. Noting that consent cannot solely rely on resolutions of the UNHCR, as evident by the need of a global compact. This in turn, poses another question as to what to do with the previous agendas of rights that upheld much of the protection and care system of the past century. Lastly, another principle point to consider is that in the 21<sup>st</sup> century, humanitarianism is not so much about protection-giving but making the person active as an actor in his or her own right in the economy.

## **Discussion**

Issues that emerged from Prof. Samaddar's lecture included concerns regarding the 'marketable refugee', that absorption into the labour market may risk exposure to exploitative work conditions, resulting in the refugee and migrant worker to 'serf-like' conditions not unlike the feudal and colonial models of old. In response to the issue of governance that was once grounded on law, the 1951 UN Convention and the UDHR and has since seen a softening of these obligations, Prof. Samaddar reiterated that the idea behind the Compact was to create a 'global' of our own time, and that new technologies and innovations are needed to manage the unprecedented massive population flows of today.

## **Theme Lecture B: Racialisation of Migration: Race, Religion, Gender and Other Faultlines in Forced Migration**

A lecture on "**Responsibility to Protect: Questions of Race, Religion, Resource and the Unspoken Fourth**", was presented by **Prof. Paula Banerjee**. In this lecture, she suggested that the triad of race, religion, resources, and gender (the unspoken fourth), are at the heart of citizenship and migration issues, also influencing the framing of these as "crises". She emphasised the way in which power is used to manipulate apparatuses of control, such as the law, so that they maintain

hierarchies and thus expressed her cynicism towards the success of the Global Compact. Instead, she placed greater hope in collective action and their possibilities for subversion.

There was also considerable discussion regarding the notion of citizenship, with Prof. Banerjee again emphasising that citizenship is built on notions of race, religion, resources and gender, and that these are inextricably tied to power. She stated that citizenship is characterised by notions of who belongs and who does not, and that these notions are also linked with privilege. Thus, to acquire or maintain this privilege, groups of those who do not belong must be created either externally, or if that is not possible, then internally, as is with the case of Assam at present. Prof. Banerjee also highlighted the dichotomy between refugees and forced migrants, on the one hand being adversely incorporated into the capitalist machine and contributing to the economic productivity of a state whilst, on the other hand, being denied rights and citizenship. As an extension of this, she fears that forced migration is becoming the new mechanism by which a constant pool of modern day serf labour is being produced.

Prof. Banerjee concluded her presentation by discussing the notion of protection. She highlighted how protection had previously been the bare minimum; however, in current times it has become the epitome as a result of the failure of the global system. Furthermore, she stated that she could not be against the notion of protection as protection is the basic right of life, and that, although the notion of protection leaves much to be desired, we must say yes to life. She did conclude however, by highlighting the problematic nature of protection today, stating that it is granted only if one accepts the adverse terms of incorporation into the economic system offered to them, and that if this is not done, then protection is withheld.

## **Discussion**

A question was raised regarding how technology might accentuate geo-surveillance and protectionism, however, the idea of technology was met with deep cynicism by Prof. Banerjee, who suggested that technology is a tool used by those in power to expand their power as it makes control easier. She also suggested that technology brings back race and patriarchy and increases the strength of borders and that these issues can only be overcome by the human will to subvert. The configuration of citizenship and what it means to have a right was also discussed. Conclusions suggested that having a right, if it is to be interpreted as having something to claim, is a notion that is deeply hierarchical in structure, as 'claiming' necessarily means that those who have something to claim are in a lower position.

## **Presentation and Discussion of Research Papers in Module A: Promises and Paradoxes of the Global Compacts on Refugees and Migrants: The Need for New Global, Regional and National Responses**

In the first presentation, “**Regional and Global Responses to the Rohingya Repatriation Process: Opportunities and Challenges**”, **G. M. Arifuzzaman** began by speaking of the current Rohingya repatriation process, that can no longer only be confined to diplomatic concerns between Bangladesh and Myanmar, and how repatriation processes continue to be ill-defined and uncertain.

Relational roles of development and governments taking an indeterminate stance on the situation also factors in this uncertainty regarding repatriation. Whilst international bodies and institutions have played humanitarian roles, safe repatriation is still questionable as challenges are situated in a complex landscape of geopolitics and historical relations. Opportunities presented thus far have seen Bangladesh coming to the fore in creating global recognition, while other voices such as the UN, NGOs and media coverage have heightened international awareness. In summary, the paper argues for a stronger intervention by international and humanitarian organisations.

Following this, the paper titled **“Mitigation of the Negative Impacts of Migration and Maximization of its Benefits in Sri Lanka”** was presented by **Rajkumar Nagarajah**. His presentation spoke of both the benefits that Sri Lankan migrant workers bring to the national economy, as well as the risks posed to migrant workers through their employment in foreign countries (exploitation, physical abuse). To offset negative impacts of labour migration, the 2008 national labour migration policy was developed to support the protection and welfare of such migrants, as Sri Lanka continues to see unprecedented growth in labour migrants. Nagarajah also touched on the growing pattern of permanent migration as well difficulties in tracking irregular migration movements. As a response, he argued for policies that will rebalance the current problem of skilled and unskilled migration, reiterating the need for further education reforms, targeted training, and economic development in order to achieve long-term benefits.

The third presentation, **“The Global Compacts on Refugees and Migrants”**, was presented by **Buddha Singh Kepchhaki**, and spoke of the promises and paradoxes of the global compact, and the need to ensure new global, regional and national responses to the current crisis. He looks at underlying causes and conditions that inform the background and need for a Global Compact and positive outcomes that have emerged, such as the 2030 Agenda for Sustainable Development and the collective efforts of states in the rescue and hosting of refugees thus far. However, conflicts of interests still remain: with developed countries focusing more on national security and economic order, developing countries adopt the position that migration may be advantageous to their national economy. Hence, new responses are needed that ensure all UN member states are held accountable in the adoption of the GCM.

Finally, **Sucharita Sengupta’s** paper titled **“Revisiting Statelessness and Global Protection Regime: The Rohingyas”**, revisited issues of statelessness and the global protection regime of the Rohingyas, drawing our attention to the fact that although the compact seeks to enhance refugee protection, attempts of responsibility sharing has remained ineffective. The presentation provided a brief overview that highlighted the failed attempts in mitigating the Rohingya crisis thus far, while the central focus of her paper grounds itself on the experiences of the Rohingyas in their places of asylum, questioning the effectiveness of protection mechanisms of the Global Compact. Her argument focused on the role of South Asia as first point of responsibility sharing based on the region as a primary destination for asylum, and the viability for safe return.

## **Discussion**

Issues raised from this session included questions regarding whether religious difference played a major role in the current Rohingya crisis, and if so, how to ameliorate matters that are not only

divisive but steeped in cultural and religious historicity. Additional to this, there were also concerns regarding the lack of ‘refugee voice’ in discussions, whether it be media, research or the NGO spectrum, particularly in regards to the issue of repatriation: what does the refugee want, and what opportunities are they seeking? These are the main questions that need to be addressed, at the same time, it can be said that access to these areas are often difficult if not denied, whilst in some instances, the recruitment of a guide or interpreter is needed.

## **Presentation and Discussion of Research Papers in Module B: Racialisation of Migration: Race, Religion, Gender and Other Faultlines in Forced Migration**

The first presentation on **“Buddhism and Dalit Migrants: Interrogating Everyday forms of Counter-hegemonic Assertion”** was made by **Ajeet Kumar Pankaj**. His presentation looked at how Dalit migrants in Mumbai have adopted elements of Buddhist decoration and clothing patterns in marriage (rejecting Hindu religious and cultural practices), in an attempt to forge their own cultural identity and overcome the inequality that pertains to Hinduism. Drawing from Gramsci, Pankaj portrays this conversion of religion as a counter-hegemonic manoeuvre against upper class Hindus.

The second presentation on **“The NRC Discord”** was by **Daman Kaur Sethi**. Sethi’s presentation argued for an ‘ethnolinguistic’ bias in the construction and conduct of Assam’s National Register of Citizens (NRC). She outlined how this bias reflects fears and anxieties that are rooted in the historical geographical shifts of the borders of Assam, and the migrant society that this has created. She highlighted how tensions caused by faultlines such as race, religion and language, have been the driving force behind the NRC which seeks to define who is “Assamese” through the apparatus of citizenship. Thus, Sethi expressed serious concern regarding the lack of humanitarian and legal provisions made for those excluded from the NRC list, as statelessness and deportation are currently very real possibilities for those excluded.

The third presentation on **“From A Light unto the Nations’ to ‘the Land of the White Man’: Global Migration and Recent Shifts in the racialisation of Migrants in Israel”** was made by **Matan Kaminer**. Kaminer’s presentation highlighted the racialisation of two different groups of migrants in Israel: East African asylum seekers and Thai migrant farmworkers. He noted how this racialisation not only reflects a global ideology favouring “white” persons in contrast to “black” persons, but also reflected a local ideology which favoured Jews as opposed to Arabs. The combination of these two ideologies has manifested in African asylum seekers being framed as a largely Muslim group, despite this being false. Thai migrants on the other hand have been framed as neutral as they are neither Jew nor Arab, neither white nor black, and are thus portrayed as docile and unthreatening, making them targets for exploitative employment.

The fourth presentation on **“Hostility in History, Friction in Future: An Account of Marginalisation in Myanmar”** was made by **Reshmi Banerjee**. Banerjee’s presentation first highlighted the deeply emotional nature of migration experiences, noting how senses of belonging, separation and nostalgia can be felt by generations after the original move. Furthermore, she explored the pain that comes from being physically uprooted; however, she also stressed that

resilience and agency are often exercised post-migration. Banerjee, in particular, explored how discrimination towards ethnic minorities is embedded in the history of Myanmar, and not simply a recent phenomenon with the mass exodus of Rohingyas. Thus, she is sceptical regarding any future progress, particularly as Indophobia in the past has transformed into Islamophobia in Myanmar's present context.

The final presentation on **“Forced Migration Caused by an Internal Armed Conflict in Sri Lanka: A Possible Reason for the Religious and Ethnic Violence after the War”** was made by **Sajeed Ahamed Fahurdeen**. Fahurdeen's presentation looked at the legacy of Sri Lanka's internal armed conflict on existing internally displaced persons, returnees and those who seek to reclaim their land. In particular, he highlighted how social harmony and trust have been disrupted, indicated by incidences such as the religious violence that took place in 2012 against Muslims and some Christians. In response to a question regarding the state's response to these violent incidences, Fahurdeen suggested that the state has been proactive; however, the processes of legal recourse and litigation have drawn out the impact of these proactive measures.

### **Discussion**

When Ajeet Pankaj was asked about the response of hegemonic powers and the wider community to such manoeuvres, he responded that those who adopted these practices often faced conflict within their families and that there has been a mixed response from the community, with particular northern Indian states showing some opposition. Matan Kaminer himself raised an open-ended question asking why/how race and religion have come to be understood almost synonymously today. Daman Sethi responded that migration had produced this notion of synonymy; however, it was also suggested that this needed further discussion.

## **Theme Lecture C: Power and Responsibility in the Global Protection System in the Context of Mixed and Massive Population Flows: The Need to Redefine the “Responsibility to Protect”**

**Professor Shibashis Chatterjee's** lecture on **“Population Flows, Refugees, and the Responsibility to Protect in the Global Protection System”** highlighted global actors' imperative to prioritise duties to humanitarian assistance and argued the R2P's relevance due to lack of a better alternative. He also showed there is no politically moral and ethical justification for closing borders. Prof. Chatterjee concluded that we must name the legally unrecognised “nameless subjects” as they have served as the “perfect political subjects to be sacrificed”. Prof Chatterjee explored the notion of responsibility and suggested that it unfortunately hosted patronising discourses and the imposition of ideals. Consequently, he maintained that the new system must also be predicated on development that is visibly translated into the lives of those who matter. As we are attempting to find a level to deal with large movement flows, he looked at agency. He argued that ideas of collective existence were dominated by the parallel discourse of the nation state and its ‘other’. Thus, he challenged a rethinking of this conceptual lapse regarding space. Consequently, Prof. Chatterjee established that to understand the state of the global system, the political context must



be understood. He then moved onto R2P and praised its provision of a path beyond the binary of humanitarian intervention and nationalistic sovereignty. The R2P strengthened sovereignty, redefining it as territorial control as well as a responsibility to protect citizens and their human rights. It was underscored that without identifying and defining who we want to protect, we will never attain a satisfactory global system of protection.

Prof. Chatterjee then discussed the communitarian case for closing borders that rests upon an argument of justified partiality and citizenship as a form of cultural membership. He countered this saying one cannot neatly delineate between culture and citizenship, highlighting the fallibility of the claim as the ‘others’ of the state could share more culture than one’s ‘inmates’. Subsequently, liberal stances were considered. Here, the economic justification for open borders was emphasised. Arguments for a welfare state which closed borders without insurance mechanisms were also rebutted, as it relied on claims of domestic justice, which in turn relied on justifying the arbitrary lines of borders. In light of this logic, borders cannot be morally and ethically justified. The postcolonial viewpoint was then perused, stressing the need for the postcolonial to be made an equal participant in the discussion. Prof. Chatterjee also concluded that without historical understanding and distinction of the postcolonial, it would be difficult to identify the participant on “who” terms. This led to reflection upon how international law’s attempt to remain a place of neutral dialogue has led to failures in incorporating culture in its scaffold. Thus, the prerogative is to legally define the ‘nameless’ such as stateless persons and IDPs among others, humanising them in a world of selective admission and closure.

## **Discussion**

The difficulties of identifying norms for the new compact was noted - all norms are contestable as there is no generalisable position from which to derive them. Conversely, hospitable norms are too generalised. Focusing on propitious conditions to engender good norms may be the solution. Positioning of the compact within hegemonic power relations was also considered, highlighting the significance of methodology such as participatory research.

## **Theme Lecture D: Refugee and Immigrant Economies: Privatisation of Care and Protection**

**Prof. Ranabir Samaddar’s** paper on “**Global Capitalism and Refugee and Migrant Labour**” explores the historical background of labour migration in connection with the rise and development of capitalism and leads on to a discussion of labour migration under present conditions of neo-liberalisation and global market economy. In its discussion of historical forms of labour migration, the paper dwells on the themes of indentured labour and other forms of semi-coerced migration from colonies, semi-colonies, and other parts of the world.

If the earlier period of globalisation marked by industrial capitalism called for massive supply of labour forming its underbelly, the contemporary period of globalization is marked by unprecedented financialisation of capital and other resources (including land) and calls for similar supply of labour forming the underbelly of the beast today. In today’s global post-colonial setting,

the location of the plantation and railway construction industries of the nineteenth century has been taken over by the ubiquitous care industry and construction industries. Thousands of migrant workers serving worldwide from the United States to the Middle East to South East Asia to the Far East as masons, plumbers, coolies, nurses, ayahs, sex workers, workers in entertainment and construction industry keep the machinery of neoliberal economy going.

His presentation further highlighted how gender was of central concern in recruitment operations as well as labour deployment in the indentured system and other forms of labour migration more generally and how long-distance migration in turn unsettled gender hierarchies. The paper touches on the issue of sex labour that in today's world is a migrant dominated field. It points to the inadequacy of the predominant discourse of trafficking that often views the migration of sex workers as a form of 'modern slavery'. Finally, he also addressed the nature of immigrant economy in global capitalism today. Literature on immigrant economies are concerned with processes of labour absorption within western state/society. In these writings, the organic link between the immigrant as an economic actor and the global capitalist economy escapes analysis. Even when considered as an economic actor, refugees are often not considered as labour. Prof. Samaddar emphasises the need for seeing the refugee primarily as a labouring subject, who often work outside the pale of 'formal' economy and/or without political rights.

## **Discussion**

The discussion began with how the concern for migrants has moved from the issue of the protection system to the issue of development. It was described how the global compact of development has raised the question of migrant living, their education standard and employment. Prof. Samaddar referred to the contemporary age as one of socialisation of labour migrant labour where labour has emerged as the major contributor to the construction and mining industry and to a larger extent is responsible for constructing the cities and countries. Many states are still dependent on the informal labour market and more precisely on migrant labour to run the economy. The internally displaced persons and marginally situated people should equally be prioritised for contributing to refugee economy.

## **Face to Face: In Conversation with Nayana Bose about her experience of working with UNHCR in Afghanistan, Turkey, Bangladesh**

During 2013-14, **Ms. Bose** went to Afghanistan where security issues were extremely challenging due to vulnerabilities arising from state elections that were about to take place. She also found the situation interesting in light of her work that had involved the facilitation of people returning to Afghanistan from Pakistan coupled with a number of internally displaced Afghan citizens' reintegration in their origin societies. Her responsibilities in Turkey were different in terms of an association with big donor funded operations named "Donor Impact Series (DIS)" to facilitate refugees from bordering regions between Turkey and Syria. Currently, she works at Cox's Bazaar in Bangladesh, dealing with the huge influxes of Rohingyas from Myanmar. She pointed to a unique international structure in Bangladesh called "Inter Sector Coordination Group (ISCG)" that is actively involved in assisting Rohingyas.

## **Discussion**

Queries about the risk of elephant attacks faced by refugees from Myanmar revealed that though it is a common phenomenon, the “Elephant Response Project” has been devised to train the refugees’ responses. There has also been a proposition to develop an elephant corridor to mark the elephants’ movements and deal with the issue pre-emptively. There was also discussion about the UNHCR’s dealings with refugee groups, especially in the South Asian context where the state plays a crucial role. This led to an examination of India’s circumstances. It was noted that though India is not a signatory of the 1951 Convention, Article 21 in the constitution provides for a “Right to Life”. Thus, the UNHCR was able to work in tandem with the governments’ actions towards such constitutional provisions. In India’s case this led to the grant of individual status to the sizeable Afghan refugee influx in Indian territory, proving the UNHCR can still be a proactive participant despite states’ roles.

*November 27, 2018*

### **Presentation and Discussion of Research Papers in Module C: Power and Responsibility in the Global Protection System in the Context of Mixed and Massive Population Flows; The Need to Redefine the “Responsibility to Protect”**

The first presentation on “**Reining in the Trickle and the Floods? Migration, Governance and Evolving the Regime of Shelter in Lake Colonial Calcutta, 1939-1947**” was made by **Aditi Mukherjee**. Mukherjee’s presentation took a micro approach to the module theme, following refugee groups from the period of decolonisation in 1939 to the partition of India in 1947. She emphasised the discrimination between migrants displaced by climatic factors, the ‘evacuees’, and those who were displaced by endemic or structural factors. It was noted that whilst ‘evacuees’ were allowed controlled relief, the latter group faced containment and often “discursive erasure” from both the policy and public spheres. However, she traced their historical resistance of such discriminatory government control measures, and their relation to the public spaces in the city. Mukherjee uses these examples to illustrate how resistant “migrant militancy” has shaped Calcutta into its contemporary status as a permissive city.

The second presentation on “**Accepting the Responsibility to Protect as an International Norm: The Structure and Implementation**” was made by **Swatilekha Bhattacharya**. Bhattacharya offered an overview of issues regarding the R2P. Firstly, she examined the gap between the R2P adopted by governments, and the ideas that shaped the R2P itself. One salient feature was the notion that states have a duty to protect all populations under their care, not just citizens in times of conflict. Secondly, she outlined the issues regarding the non-sequential arrangements of the pillars of R2P and its chronological applications. Whilst practical, it prolonged decisions and thus, risk duration. Thirdly, the issue of the international community’s responsibility to take decisive and timely action was discussed. Following this, the question of whether the R2P is based on a human understanding of the UN and international community was raised, dwelling upon the tension

between the rights of national sovereignty and that of individuals. Finally, Bhattacharya addressed the R2P's often political purpose, concluding that it is vital only to serve the population under duress and not when wielded regarding a regime change.

The final presentation on **“The State’s Role vis-à-vis the Responsibility to Protect: The Case of internally Displaced People due to Riverbank Erosion, Assam (India)”** was made by **Mausumi Chetia**. Chetia’s presentation offered a case study in utilising the R2P as it covered the pressing issue of IDPs generated by riverbank erosion (RBE) in Assam. It drew attention to the need for comprehensive policy coverage and justified it, citing the role of R2P and human rights as part of a broader human security framework. She exposed the insufficiency of the Land Acquisition, Rehabilitation and Resettlement Act (LARR) 2013 and Disaster Management (DM) Act of 2005 in regards to the coverage of internal displacement due to disasters. The first only outlines the process for land acquirement for public purpose, whilst the latter does not designate RBE as a ‘disaster’ nor make provisions for IDPs due to disasters. Therefore, despite the Assam State DM Policy 2010 denoting RBE as a disaster, the Assamese government is able to utilise the DM Act to avoid providing RBE affected populations with relief and rehabilitation. Moreover, these “disaster-displaced-citizens” often originally belonged to the marginalised groups of society, and find themselves continually marginalised in their new spaces. Thus, Chetia employs a human security framework to justify the recognition of these people, proposing that their greater political security will lead to stronger acts of citizenship.

## **Discussion**

Discussion reinforced Mausumi Chetia’s claim that more studies on the urban Assam should be done. It was revealed the majority have been conducted in rural areas. It was also observed that there had previously been a rescinded compensation policy due to high amounts of claims. The participants of the session also desired to know more about the consequences for groups affected by the military as discussed in Aditi Mukherjee’s paper.

## **Presentation and Discussion of Research Papers in Module D: Refugee and Immigrant Economies: Privatisation of Care and Protection**

The first presentation on **“Immigrant Economies and ‘Economic War’: Literary Reflections on the Expulsion of Asians from East Africa”** was made by **Apala Kundu** who discussed the making of forced migrant identities in the wake of the expulsion of hundreds of thousands of Asians from Kenya in 1969 and Uganda in 1971, by reference to East African literary works. Whilst the ostensible reason behind the expulsions was identified in the economic security of the African nations, she highlighted the complex nexus of economic, social and political factors lying behind them. Most notably, non-binary dynamics of racialisation at play in the Indian ocean, and their class correspondence, were shown to have played a central role in driving such displacements: an imperialist discourse on race, created to divide and rule, engendered resentment against Indians as the oppressors whilst letting European whites off the hook.

The second paper **“Refugeeisation of the Agricultural Labour Force? Humanitarian Spectacles in and around Italian Agro-Industrial Enclaves”** was presented by **Irene Peano**. The paper analysed the application of specific migration governance regimes to the organisation of labour in the agro-industrial sector in contemporary Italy. Specifically, it showed how a transition towards a humanitarian mode of migration management was introduced around the time when the central Mediterranean route opened up in 2012. It also detailed how at the same time, other forms of migration governance had been set up in the wake of EU enlargement to countries such as Romania and Bulgaria. The paper demonstrated that both these developments impacted upon the agro-industrial economy, the sector which employs the largest percentage of migrant labour under dire conditions of exploitation. Finally, it suggested that the humanitarian paradigm is transforming through the insertion of a logistical rationality into it.

The third paper titled **“Bias Towards Skilled Migration in Brazil during the Lula Era: Influence of the Knowledge-Based Economy Paradigm”** was presented by **Janaina Galvao** who analysed Brazilian migration policies under Lula's government, and their similarities to those of the EU. The restrictive, utilitarian, racialised and development-driven nature of such policies have remained constant since the 19th century. However, she noted a new focus on high-skill migration has counter-intuitively made its way into Brazil's official discourse, in parallel with a peak migrant flux from both the global north and the global south (especially from Africa and South-East Asia). This focus on high-skill 'human capital', Galvao argued, contradicted the reality of mostly undocumented migration from poorer countries and Brazil's reliance on resource extraction and the production of primary commodities as the core of its economy. Lula's government policies can thus be seen to aspire to a Chinese-like model of state-led capitalism, aimed at repositioning Brazil in the global market through the expansion of productivity and technological investment. In this project, the knowledge economy played a crucial role, and the language linking skills, migration and development adopted a knowledge-based economy paradigm as its hegemonic ideology, focusing on a male-dominated corporate sphere of work.

The fourth presentation on **“Migrant Labourers in Barrackpore Industrial Zone during the Early Twentieth Century: Health and Education Care by Government and Non-Government Sectors”** was made by **Jhumpa Bose**. In her paper, she provided an insight into the development of industries like the jute and cotton industry, as well as paper mills, on the banks of Hoogly river, from the mid-nineteenth century onwards. She explored the monopoly of different industries and the significance of economic migration as an important contributing factor to the emergence of an industrial zone in Barrackpore. She also documented the gradual transformation of habitats that were populated by migrants, mostly from rural areas and lower caste, working in the industries of Barrackpore. She conducted a study of the ways in which these labour-intensive industries, and the conditions of workers within them evolved, highlighting patterns of unionisation and improvement of living conditions.

The final paper on **“Migrants, Work and Sustenance in the Coalfields of Raniganj”** was presented by **Shatabdi Das**. The paper provided an insight into the changing trend of migration among coal mine workers and how coal mining as an extractive industry thrives on the coming together of workers from both the formal and informal sector. It traced the history of development

in the coal region, the dynamism of migrant demography, and its impact on the composition of the working-class population. It also looked into the varied risks associated with the practice of coal mining by artisanal workers as a parallel informal economy. The research raised concerns about healthcare through its summary of the limited success of rehabilitation and environmental management plans. Finally, it drew attention to the need of alternative policies for gradual and sustained transition of the coal country into green topography.

## **Discussion**

In discussion, some general enquiries emerged regarding the conditions required for transitions between different modes of labour organisation and mobility control to occur (e.g. patterns of land ownership, or the role and modalities of labour intermediation), especially those which relate to nation-state modes of governance and forms of class re/composition. The other theme that was identified related to the possibility of understanding the informal sector's embeddedness within the formal sector.

## **Theme Lecture E: Statelessness, International Conventions and the Need for New Initiatives**

The lecture on “**Addressing the New Frontiers of Statelessness**” was delivered by **Prof. Sabyasachi Basu Ray Chaudhury**. Prof. Chaudhury asserted the need to revisit the definitions of statelessness as these definitions have specific legal implications. In particular, he argued that current definitions of statelessness are insufficient, ineffective and sometimes partially redundant in ensuring security and rights, especially in the context of capitalist globalisation confronting the Westphalian state system and sovereignty. He discussed the weakness of the international conventions on statelessness as well as the limitations that the UNHCR faces in this regard. He contextualised this by tracing the history of the conventions, their provisions, definitions and classifications of statelessness (like *de jure* and *de facto*). He observed that in most cases, the stateless fall in the *de facto* category (grey areas), with most unable to provide legal proof that they have nationality.

Prof. Chaudhury went on to explain that the right to have rights can primarily be obtained through citizenship guaranteed by the nation-states as there is no sphere above nation states which currently exists. Therefore, even 70 years after the Universal Declaration of Human Rights (UDHR), nationality and citizenship continue to be fundamental elements of human security as they tend to provide people with a sense of belonging and identity. As citizenship provides the legal basis for the exercise of most human rights, persons without a nationality are denied the basic human rights, which citizens take for granted. These basic rights include, among others, access to schools and medical care, ownership of property, marriage and foundation of a family and enjoyment of legal protection. The condition of Rohingya statelessness, and India's reaction to their plight was discussed in this regard. Prof. Chaudhury argued that to address the basic needs of people on the move, we need to, on the one hand, look beyond the international refugee law per se and must take into consideration the international human rights law and international humanitarian law and other

international and regional legal frameworks. On the other hand, we must address the Westphalian order and the question of state sovereignty from a fresh perspective.

### **Discussion**

During this session, a question was raised regarding who makes decisions regarding stateless persons in India. Although this question was answered directly, with the Ministry of Home Affairs being identified as the decision makers, what was also highlighted was the inherently geo-political nature of these decisions. Bilateral relationships with neighbouring countries, bureaucrats in different ministries, and leaders of the ruling party were all implied to have influence these decisions. Furthermore, when asked about how to differentiate between stateless people, and stateless people living as refugees, Prof. Chaudhury emphasised that these distinctions have become increasingly complicated and need to be viewed from a fresh perspective, particularly in the context of changes due to globalisation and decolonisation. Discussion surrounding the Rohingya case also took place, with emphasis on how race, in their case, but also others, has been essentialised into religion, and how being Muslim under today's national security discourse is synonymous with being a potential terrorist. Prof. Chaudhury referred to the case of how riots in north-east India, in 2012 and 2013 were blamed entirely on the Rohingyas despite lack of evidence, to highlight how they have been subjects of securitization and ethnicisation discourses.

### **Theme Lecture F: Migration and Movements Across Asia: Common Features with the European Scenario**

The lecture on “**Migrants and Movements across Asia: Common features with the European Scenario**” was presented by **Dr. Anita Sengupta**. Dr. Sengupta's lecture centered around the refugee situation in Asia, relating it to the “European migration crisis” which actually concerns Asian migrants. The discriminatory persecution of Syrians in Europe and the unresolved question of the Rohingya are proofs that state borders do not actually match ethnic boundaries. Migrants mostly tread judicial routes that were previously termed normal but have now become problematic due to increased levels of securitisation and the rhetoric that complements it. Debates on these movements have raised concerns regarding the lack of mechanisms to deal with ethnic issues in various nations. This has created subsequent humanitarian problems that require a co-ordinated global response. Conflicts in refugee situations are compelled by international pressures and interwoven geopolitical and geoeconomic realities.

Much of the movement is either domestic or regional where migrants have crossed neighbouring borders to join co-ethnic masses. Therefore, there is a need to move beyond the simplistic assumption that the main division in global migration is between different interests of states. Discussion regarding legal and institutional frameworks in these regions highlighted the need for these frameworks to better express the consequences of human movements. The paper focused on trans-Asian movements that include at least two states as migrants transit through countries to reach their destinations. There is an ongoing debate in the international sphere where parties involved are either deliberating on how to end the migration movements or seek to find equitable ways to distribute them.

The conventional definition of refugees does not apply to the migrants in Asia since there is no country or nationality to return to, therefore the question of statelessness arises. In politically charged areas, refugees become significant where people had intended to overthrow regimes. This has also sparked unprecedented violence against refugees in Syria, Somalia, and Palestine. The reality that the responsibility for protection of migrants lies largely within the host country is highly problematic. Migration is a phenomenon that needs facilitators from both sides overseeing the process, starting from the time of entry with continued monitoring of health, protection and employment needs. The resolution of these problems can only come from a global response rather than current xenophobic reactions.

## **Discussion**

Questions were asked regarding whether there has been any shift in refugee policy since the cold war era. In answer to this, Dr. Sengupta said that cold war politics were vastly different to what they are now, “our alliances are in a state of flux, so it’s problematic to compare the two situations”. Following this, a question was raised asking whether a migrant’s consciousness of themselves as the “cultural other” could cause problems. Dr. Sengupta responded that internal tensions of a host country and underlying emotions of citizens often create resentful reactions against refugees but, by and large, most nations follow an open policy regarding migrant situations.

## **Presentation and Discussion of Research Papers in Module E: Statelessness, International Conventions and the Need for New Initiatives**

The first paper on “**How anti-immigrant movements in Assam have made the immigrant resilient: A Post Draft NRC Analysis**” was presented by **Abdul Kalam Azad**. The paper provided a detailed timeline of the NRC register in Assam starting from 1951 to 2018, contextualising this within a chronology of Anti-immigrant movements in Assam, locating forced displacements in 1940s, Post-partition riots, Assam agitation from 1979 to 85, ethnic conflict in 90s, Assam violence in 2012 and the Khagrabari massacre etc. Using the case of the Miya Muslims as an example, he delineated the role of students’ movements in grass-roots activism and advocacy, mobilising the communities in asking for their entitlement.

The second paper on “**Stateless and Gendered Claims of States**” by **Jyotsna Srivastava** discussed gender-based discrimination in citizenship laws and presented an overview of the condition of women as being more marginal due to discriminatory laws. To illustrate her case, she used examples from Madagascar, Sierra Leone and Somalia. Detailing legal frameworks and gender inequalities in nationality laws, and located reasons for this gap in social and political structures and practices, which resulted in particular groups, especially women, not acquiring nationality.

The penultimate presentation by **M. Ibrahim Wani** on “**Migrants, Crises and Statelessness: Exploring Media Representation of Rohingya Refugees in India**” contextualised the media representation of Rohingya refugees and refugee movements, alongside normalised crisis locations and positionings, and attempts to locate convergences and situations with dominant crisis positionings of the European refugee crisis. The presenter observed that non-sympathetic



representations existed alongside sympathetic representations. In sympathetic representations, the key themes highlighted were loss, desperation, insecurity, condition of camps etc. In non-sympathetic frames, the Rohingyas were located alongside crime, terror, labelling, violence, deportation etc. The presentation observed was that we may need radically new media language for the refugee, where only introduction of the refugee experience may not be enough.

The final paper titled **“We are waiting’ – the aspiration of Tibetan children in Nepal”** was presented by **Roopshree Joshi**. The paper discussed the protracted situation of Tibetan refugee children who do not have a refugee card and have been stateless since past two decades in Nepal. Providing details in form of key narratives from lives of refugees, various dimensions of settler camp life, identity, desire for documentation and belonging. She observed that a major concern was that most participants with refugee cards could not get the same for their children. Alongside this, most refugee youths who are not documented expressed their disinterest in the refugee card due to its limited use and the associated stress that it created. All the refugees would prefer citizenship and its associated identity documents that make employment and travel opportunities possible.

### **Discussion**

A question directed to Roopshree Joshi, raised the issue of mental health counselling opportunities for Tibetan refugee children as they deal with oppression. Joshi responded by stating that there are counselling facilities available to some segments of the population in some areas and in some of the *dhamashalas*; however, not in all areas. Questions were raised about whether the assimilation of Miya Muslims into the Assamese community has been reflected in the population census. To this, the response was that though in the past, Miya Muslims have been identified as Assamese (namely in the 1951 Census) and still identify themselves as such, there is a new drive to define their own culture. An example of this redefinition was the change of their mother tongue to ‘Bangla’ in the recent Census, as a way of sending a message to authorities, that if they continued to be persecuted, they would seek alternative identities. A question addressed to M. Ibrahim Wani asked in what ways can we learn counter-discourses from Kashmiri journalists. Wani responded that some journalists, from Kashmir and other parts of India have tried very hard to counter the negative portrayals of Rohingya refugees.

### **Presentation and Discussion of Research Papers in Module F: Migration and Movements Across Asia: Common Features with the European Scenario**

The first presentation on **“West Sentinel: An Island Solution?”** was made by **Angela Smith**. She presented an excerpt from an audio documentary on “West Sentinel Island”, an imagined entity created using features resembling islands across the globe. It was used as a case study of how nations utilise islands for offshore ambitions. Islands are considered as “manageable” and “secure” due to their small size and isolation. This proves appropriate for states to project their migrant management efforts upon islands. Quoting the example of the Australian government serially excising Christmas Island, Melville Island, and finally, the mainland through 2001 to 2003, Smith argued that the EU and Australia have begun to extend their sovereignty offshore to invalidate and

prevent asylum-seekers access. Asian states may engage in effectively outsourcing the detention and limitation of problematic population to offshore sites, i.e. islands. The documentary explores the possibility of West Sentinel being framed into a detention zone for migrants.

The second presentation “**Refugees, Asylum and Threat Perceptions: The Recent Cases of Rohingyas in South Asia and Syrian Refugees in Europe**” was made by **Santi Sarkar**. Citing reports on refugee settlements in Europe and in India, Sarkar explored the threats posed by them to host countries and conversely, hostilities faced by these migrants. In perception of threats faced by asylum giving countries, he underlined three areas: economic, security and cultural. The economic stance dictates that relatively wealthy countries can accommodate fairly large numbers of migrants and direct their attention from cost consideration to humanitarian objectives. Such is not the case of the burgeoning Rohingya population in India since August 2017 who live in squalid camps, scattered all over the country. The security aspect gains precedence over other threats for the evident inability of the nations to really know the character/intentions of some asylum seekers. In this strain, Syrians in Germany, Sweden and Denmark face widespread persecution based on widespread suspicion of their intent to “Islamise the West”. Similarly, in India, the Modi government has explicitly expressed contempt for the influx of Rohingya migrants whereby they are accused of indulging in anti-national activities and kindling the fire of religious tensions.

The third presentation, “**Refugee Livelihoods in India & Turkey - A Comparative Study**” was made by **Aditi Sabbarwal**. Sabbarwal drew a comparative analysis of India and Turkey; two countries following the Global Livelihood Strategy formulated by UNHCR. This strategy addresses the concerns of refugees *post migration* by generating livelihood opportunities. While comparing the refugee situations in the 2 countries, she covered such notions as similarities and differences of implementation of the strategy, challenges faced in their execution and best practices observed in the respective countries. The differences pertained to placements of refugees in formal sectors, presence of active programs to promote integration etc. Challenges faced in India include *paucity of budget* and legal documentation issued to refugees, *language barriers*, refugees’ perception of India *as a transit point* before resettling in another country. On the other hand, the greatest challenge in Turkey is *attitude discrimination* whereby Syrian women have faced sexual abuse.

## **Discussion**

Discussion on Angela Smith’s ‘West Sentinel Island’ likened it to the use of airports in France, though airports were clarified to more frequently be rescue zones. Inquiries also revealed Santi Sarkar would prioritise the security aspect over other aspects of threats. Questions about UNHCR’s funding were clarified by Aditi Sabbarwal, revealing that though the Livelihood Strategy Group receives funding, the UNHCR did not. She also disclosed that the UNHCR operates by running the tasks through an implementation team who are selected over 4 months.

## **Face-to Face: In Conversation with Dr. Lucy Nusseibeh on ‘Right to Return’**

**Dr. Lucy Nusseibeh** began by sharing about her affinity for the region due to familial connections, as well as her grave concern for rights within the region. She shed light on the formation of conflict that caused the displacement of Palestinian citizens, turning them into refugees. The events of 1948 and 1967 were also mentioned as crucial landmarks in the historical development. Similarly, the

1993 Oslo Peace Accord and Madrid Conference were underscored. Dr. Nusseibeh also emphasised that “Freedom of Movement” is now vulnerable due to the Israeli domination of West Bank and Gaza. She explained that this has led to a continuing sense of expulsion and denial of work rights for the Palestinian population. Thus, the Palestinian refugees that migrate to Lebanese territory are faced with harsh conditions, as they cannot participate in either the economic process or social development. Conversely, the situation in Jordan has been more favourable as Palestinian refugees were granted with Jordanian citizenship. However, Dr. Nusseibeh also pointed out the failure of the United Nations Resolution 194 favouring the rights to rehabilitate the displaced Palestinian citizens back in Palestine.

She emphasised that the ideology of “Right to Return” may prove irrelevant due to the outweighing number of Palestinian citizens over the Israeli Jewish in the occupied territory itself. Thus, she poses a doubt on the two-state solution since it contradicts with the fundamentals of the “Right to Return” policy. Moreover, it may also be insignificant for those refugees who have already settled in their host countries. She concludes that the peace process should take place in the context of the complete Arab-Israeli peace process. According to her, it may be called as the quintessential consequence of transitional justice.

## **Discussion**

A question was raised regarding compulsory religious service and its effect on Palestinian citizens living in Israeli territory. Due to the highly militarised society and the stigma involved, there would be significant detriments and limitations to their circumstances as well as social and economic opportunities. The discussion also noted the hardship of integration into host societies for refugees due to the inheritance of trauma, continuing their victimhood. In addition, the transnational solidarity movements in the case of Palestine were also deliberated. It was said that actions of academic boycott and sanctions might prove to be the functional parameters in such cases and probably a pivotal contributing factor in promoting the awareness and necessity of rights. However, it was noted that this was a scattered representation of the totality of a united spirit of solidarity, subject to limitations of mobilisation and timing.

*November 28, 2018*

## **Discussion of Position Papers for Modules A, B, C:**

### **Module A**

The position paper for this module was presented by **Sucharita Sengupta**. The first paper on “**Regional and Global Responses to the Rohingya Repatriation Process**” was presented by **G. M. Arifuzzaman**. It focussed on the political and humanitarian assistance of the global community for resolving the Rohingya crisis. The paper stressed that the Rohingya crisis is no longer a regional problem between Myanmar and Bangladesh and argued other countries must take an active part in the crisis’ resolution. The second paper titled “**Mitigation of the Negative Impacts of Migration and Maximisation of its Benefits in Sri Lanka**” was presented by **Rajkumar Nagarajah**. It spoke

about the benefits Sri Lankan migrant workers brought to the national economy and society and the risk they undertake through foreign employment. The paper also specified long-term goals for Sri Lanka such as policies of retention in building educational institutions. The third paper on **“Global Compact on Migration”** was presented by **Buddha Singh Kepchhaki**. This paper explained reasons for international migration, such as insecurity and homelessness. It also looked at the overall background of global compact. His paper emphasised the collective efforts of all countries to rescue, receive, and host refugees and migrants. The final paper **“Revisiting Statelessness and Global Protection Regime: The Rohingyas”** was presented by **Sucharita Sengupta**. The paper highlighted the United Nations’ stance during the 2006 New York Declaration for Refugee and Migrants where countries committed to the amelioration the refugee and migration problem as well as to the provision of protection and shelter. However, the failure to do so for the Rohingya refugees of Bangladesh was underscored.

## **Module B**

The position paper for this module was presented by **Daman Kaur Sethi**. The first paper **“Buddhism and Dalit Migrants”** was presented by **Ajeet Kumar Pankaj** and highlighted the various cultural practices adopted and practiced by the Dalit migrants in Mumbai. He spoke about Dalit migrants using Buddhism as a religion to escape the inequality and injustices, such as caste, that lie within Hinduism. The second paper **“The NRC Discord”** was presented by **Sethi** herself. It discussed and spoke about Assam’s update of its National Register of Citizenship due to the population rise that has taken place since 1951. The paper expanded on how the migration issue in Assam has fuelled in violence, displacement and animosity in the region. It also detailed the policy alternatives that the state of Assam would undertake to remove the illegal voters and ensure possible policy alternatives. The third paper on **“Global Migration and Recent Shifts in the racialisation of Migrants in Israel”** was made by **Matan Kaminer**. Kaminer’s presentation highlighted the racialisation of two different groups of migrants in Israel: East African asylum seekers and Thai migrant farmworkers. The fourth paper on **“Hostility in History”** was presented by **Reshmi Banerjee**. It drew from the recounts of different refugees and migrants, exploring the different experiences of displacement, separation and nostalgia in relation to their home countries. The fifth paper **“Forced Migration caused by an Internal Conflict in Sri Lanka”** was presented by **Sajeed Ahamed Fahurdeen**. It discussed the returnee experiences of people from 13 years of armed conflict, which led to large scale displacement and refugee flows as people fled from conflict.

## **Module C**

The position paper for this module was presented by **Swatilekha Bhattacharya**. The first paper on **“Reigning in the trickle and Floods?”** was presented by **Aditi Mukherjee**. The paper traced the flows of migration from the period of 1939-1947 as well as the evolution of a discriminatory governmental regime of shelter that sought to control migrants’ movement and access to spaces in different ways. The second paper on **“Accepting the Responsibility to Protect as an International Norm: The Structure and Implementation”** was presented by **Swatilekha Bhattacharya**. The paper started by detailing the inter-state aggression during the Cold War and went on to talk about the war and violence that broke out in countries like Rwanda and Somalia

during the 1990's. The paper emphasised the role of the major powers during that period as well as their unpreparedness to act due to disagreement over the limits of national sovereignty outlined in the Responsibility to Protect principle. It also detailed the 'Responsibility to Protect' principle of the UN. The third paper titled **"The States' Role vis-à-vis the Responsibility to Protect: The Case of Internally Displace People due to Riverbank Erosion, Assam"** was presented by **Mausumi Chetia**. The paper focussed on the displacement of people due to riverbank erosion in Assam and the state's responsibility and to ensure the security IDPs. The presented focussed on the fact that in India there are no national or international frameworks on IDPs, nor does the Disaster Management Act (2005) mention this.

## **Discussion of Position Papers for Modules D, E, F:**

### **Module D**

The position paper for this module was presented by **Irene Peano**. The first paper on **"Immigrant Economics and Economic War"** was presented by **Apala Kundu**. The paper discussed the making of forced migrant identities in the wake of expulsion of hundreds of thousands of Asians from Kenya and Uganda. It also highlighted the backgrounds of those who were forcefully expelled and the complex nexus of economic, social and political factors lying behind them. The second paper on **"Refugeeisation of the agricultural labour force: Humanitarian Spectacles in and around Italian agro- industrial enclaves"** was presented by **Peano** herself. The paper addressed the ways in which migration policies and their shift toward the military-humanitarian paradigm in Italy have impacted the organisation and reproduction of labour in agro-industrial districts across the country. The paper also highlighted the interrelation between poverty and exploitation in the agricultural sector and demonstrated the irregularisation of the costs of labour. The third paper on **"Bias Towards Skilled Migration in Brazil during the Lula Era: Influence of the Knowledge-Based Economy Paradigm"** was presented by **Janaina Galvao**. She analysed the Brazilian migration policies under Lula's government and their similarities to the policies of the European Union. The focus was on Brazil's reliance on resource extraction and production of primary commodities and the peak of migrant influx. The fourth paper titled **"Migrant Labourers in Barrackpore Industrial Zone during the Early Twentieth Century"** was presented by **Jhumpa Bose**. This paper provided an insight into the development of industries and the monopoly of different industries and the significance of economic migration. The fifth paper titled **"Migrants, Workers and Sustenance in the Coalfields of Raniganj"** was presented by **Shatabdi Das**. It provided an insight into the changing trend of migration among coal-mine workers and focused on the hazards and vulnerabilities of the local residents and migrant workers in the coalfields of Raniganj.

### **Module E**

The position paper for this module was presented by **M. Ibrahim Wani**. The first paper on **"How Anti- Immigrant movements in Assam have made immigrants resilient"** was presented by **Abdul Kalam Azad**. It focussed on the NRC register in Assam as well as the anti-immigration movements and post-partition riots that took place in Assam. The second paper on **"Stateless and**

**Gendered Claims of States**” was presented by **Jyotsna Srivastava**. It discussed the gendered based discrimination in citizenship laws that result in large stateless populations as well as less attention to research on women migrants. The third paper titled **“Migrants, Crisis and Statelessness: Exploring Media representations of Rohingya Refugees in India”** was presented by **Wani** himself. It spoke about the media representations of the Rohingya refugees in India and questioned the positioning of identities, borders, and the role of the media. The paper also threw light on the crisis positioning and how that affects the migration debate and the response to refugee flows. The fourth paper titled **“We are Waiting”** was presented by **Roopshree Joshi** and discussed the situation of refugee Tibetan children. The paper detailed the historic settlements of Nepal and the objectives and practices of the Tibetan settlements.

## **Module F**

The position paper for this module was discussed by **Angela Smith**. The first paper on **“West Sentinel: An Island solution?”** was presented by **Smith** herself. The paper spoke about states’ responses to the “crisis” of irregular migration by deploying practices such as excising territory, to ensure that irregular migrants are deterred, detained, deported or otherwise expelled. It also highlighted that in doing so, the reach of the state extended offshore and extended its sovereign power far beyond the margins of territory. It highlighted the potential and pitfall of using islands as a kind of third country host for refugees and migrants. The second paper titled **“Refugees, Asylum and Threat Perception”** was presented by **Santi Sarkar**. This paper offered a comparison of how asylum seekers and refugees were viewed as a threat and the level of threat perception against Muslim refugees. The third paper on **“Refugee Livelihoods in India and Turkey”** was presented by **Aditi Sabbarwal**. It highlighted the modes of livelihoods of refugees and migrants in India and Turkey and the similarities and differences the two countries have in their policies towards these people.

## **INTERNATIONAL CONFERENCE**

*November 29, 2018*

### **Inaugural Session**

**Professor Prasanta Ray** began the inaugural session on the Gandhian note, quoting “I want the freedom of my country so that other countries may learn something from my freedom, so that the resources of my country may be utilized for the benefit of mankind... My idea of nationalism, is that my country should become free, so that if need be, the whole country may die, so that the human race may live. There is no room for race hatred there. Let there be our nationalism.”

**Dr. Anita Sengupta** delivered the welcome address and extended her gratitude to all who joined the workshop and international conference. She also thanked the collaborators from Jadavpur

University, Rabindra Bharati University and West Bengal State University. The warm welcome was followed by an official presentation on MCRG as a research institute.

**Stefan Mentschel**, the resident representative of South Asia, Rosa Luxemburg Stiftung (RLS) in New Delhi presented some brief remarks. He detailed RLS' network in 25 countries and his own association with the Asian centres. Mentschel also stated that this workshop would be the starting point of a number of future projects. He believed that though the notion of migration is currently Eurocentric, this event would help people see migration from a different perspective. Mentschel reiterated that RLS was proud to open the debate of migration in Europe.

## **Inaugural Address**

**Dr. Stefanie Kron** expanded on her paper “**Cities of Refuge and Solidarity: Achievements and Challenges**” which discussed the concept of the city of solidarity in the European and North American context. She also mentioned the European and North American debate on the issue of movement of migrants and refugee, emphasising a need to align social rights with global social justice. Her presentation revealed that despite heads of EU member-states and the US increasing restrictions on migration, fortifying borders and accepting the deaths of thousands fleeing out of necessity, there was a counter movement: many municipal governments are now declaring their cities “solidarity cities” and the like. Subsequently, she highlighted the political pressure on the activist as Europe's rightward drift and tightening of borders and migration policies has placed questions on the right of national citizenship. Dr. Kron also noted that municipalities play an important role in the living conditions of migrants in the EU, making it critical to develop left-wing migration policy strategies to critically evaluate the various city networks.

Following this, Dr. Kron gave the example of New York City and San Francisco as Sanctuary City models, discussing how they have issued municipal ID cards for years: the so-called “City IDs”. She asserted that urban citizenship is not limited to stopping deportations. Rather, it is also about strengthening social rights and social participation in their various dimensions: that includes the social rights to health, education, shelter, work, as well as cultural and gender-specific rights.

Dr. Kron then stated some of the dimensions of municipal intervention in migration/refugee regimes. The first dimension was protection against legal prosecution and deportation of undocumented migrants and rejected asylum seekers. Secondly, they were noted to express the human right to intervention in the humanitarian crisis of the national and international refugee regime. Thirdly, the municipal interventions had policies of municipal citizenship, in the form of city IDs. Finally, they were noted to have included the right to the city or, democratisation of urban life for all.

## **Discussion**

During discussion, it was asked why some countries were more accommodating than others. The question of how the city had become the space for claiming social justice was also raised. In response, Dr. Kron acknowledged that some countries and cities were not as well equipped with organised social systems or mechanisms, affecting how accommodating they would and could be. She also stressed the importance of promoting the spirit of large cities which accommodate migrants, and their facilitation of migrants' integration into society with citizens. Furthermore, it

was explained that the agency of migrants in choosing cities could be seen from the example of Barcelona, another example of a sanctuary city.

## **Panel I: Global Compact on Refugees and Migrants: Promises and Paradoxes**

**Professor Bandana Purkayastha** started the panel discussion by presenting her paper, “**Governing Refugees at a Distance**”. The paper looked at the classification and the changing of governance towards people that are forced to flee, or rendered stateless due to persecution, conflict or other scenarios beyond their control. She argued that though they acknowledged the difference between refugees, migrants and IDPs, such classifications only served to further problematise issues of displacement as they are often employed as tools for states’ evasions of obligations and responsibilities. The presentation also examined the ways in which state powers utilised the rhetorical language of humanitarianism whilst continuing to implement measures that restricted movements and support for those displaced. Further to this, Prof. Purkayastha underscored the ways in which states exercise routine yet covert violence to deny asylum or govern the movements of refugees and migrants, this has resulted not only in the trauma of displaced persons, but in some instances, death. Moreover, states have created spaces that confine the free movements of refugees, whilst outsourcing and effectively creating private industries that manage mass institutionalisation, through use of detention centres that profit from refugee management. Such “governing from a distance” can be seen in Australian, European and US policies towards asylum seekers. Due to the nature of laws that pertain to private industries, human rights groups and NGOs are denied access to these facilities.

In her presentation: “**Deepening the Divide: Global Compacts and the Unofficial Pacts that Keep Refugees in Place**”, **Professor Jennifer Hyndman** looked at neoliberal capitalism taking shape in the form of loans to host countries of refugees and migrants, as a solution to protracted situations. As a result, host country states are offered new financial incentives for managing and keeping refugees on their territories. However, in reality, Prof. Hyndman warned that this is far from a solution as most refugees experience protracted displacements for more than five years, with most having little or no prospect of returning to their country of origin. She also challenged the new global compact, arguing it is premised on two divides of its own. Firstly, the existence of two compacts, one for refugees and another for migrants, can lead one to forget that protracted situations can and often does affect both categories. Secondly, she noted that there is the divide of the North and South that serves as a “continuum of the status quo” reinforcing the paradigm of containment. Thus, she argued that the compact has done very little to alter the conditions of protracted refugees. Furthermore, she asserted that concessions, loans or debt relief made to host countries only exacerbated protracted displacements. While acknowledging that such measures are not root causes of displacements, she concluded that they do in fact fuel and deepen divisions within regions paradoxically characterised by such mobility and immobility.

### **Discussion**

Questions were raised on the effectiveness of the Global Compact, particularly in relation to non-signatory states and their non-compliance of protective measures as detailed within the framework of refugee and migrant protection, that in the light of this, whether conventions matter at all. Other



comments and observations made were that whilst the categorisation of refugees suits both regimes of state governance and neo-liberal capitalism, labelling and terms mean very little for the displaced person.

## **Panel II: Racialisation of Migration: Race, Religion, Gender and Other Faultlines in Forced Migration**

The first presentation “**Subalterity in Education within the Context of Displacement III: from Ideology to Practice**” was made by **Dr. Ranu Basu**. With evidence drawn from her experiences in Toronto and Havana, Dr. Basu made the argument for a shift in the educational system, from the dominant neoliberal paradigm, which she termed as ‘Education as Cultural Imperialism’ to a critical ideology, which she termed as ‘Education as Praxis’. She suggested that a shift towards education as praxis fosters conditions that encourage peace-building processes: building collective dialogue, increasing consciousness of broader structures and encouraging youth empowerment. However, she also warned that education can be a form of cultural imperialism, fostering social polarisation, inequities and hierarchies, all of which work against peace-building. To empirically demonstrate education as praxis, she presented a case study from the Toronto context where the majority of migrants are economic migrants, and where migrant populations are geographically concentrated in urban areas. Within this context forced migrants have collaborated with indigenous activist groups to create subaltern cosmopolitan resistance. Here she observed that despite differences in terms of race, religion, gender and other faultlines, factors such as shared experiences of trauma, multiple groups living in close proximity and schools being sites of community building, have enabled the creation of multifarious integration. In particular she looked at the education project, suggesting that schools are not merely sites of education, but are instead sites where civic activities take place, fostering peace-building processes. She also noted how the neoliberalisation of education has threatened peace-building through the closure of schools where such services take place and where there are larger migrant communities.

The second presentation “**The Price to be Paid for a New Life**” was made by **Dr. Sanja Bojanić**. Dr. Bojanić highlighted the need for disability and mental health to be added to the axis of race, religion and gender, when discussing and dealing with issues of forced migration. She did this by reflecting on the text *We Refugees*, by Hannah Arendt, and the work of Frantz Fanon, to establish an operational mechanism where Arendt’s optimism, established over 60 years ago, is shifted into what is known today as resilience. Drawing from Boris Cyrulnik’s work on psychological resilience, she expressed how, when confronted with crisis, there are two different types of people. She used the French expressions “mal parti” and “bon parti” to denote these two groups. “Mal parti” was used to describe someone who had experienced a crisis but was unable to articulate it, making their ordeal an experience of trauma. On the other hand, “Bon parti” was used to describe someone who had experienced a crisis, but since birth had been raised in protection and was therefore able overcome these situations, the end product of this being ordeal. Dr. Bojanić thus emphasised the importance of resilience as it is the way in which those who have been displaced continue to live after the shock of displacement and detachment from their mother tongue, birthplace and family. Moreover, by looking at resilience, Dr. Bojanić brought in the psychosocial aspects of mental health that are often left out due to the medicalising of the mental health discourse, where the cultural background and context of a person are often abandoned due to preference for a medical diagnosis.

## **Discussion**

Dr. Basu was questioned about solidarity amongst middle class migrants, particularly in the context of political antagonism towards these migrants. She responded that union movements have been active in building solidarity from within and that migrant groups, such as women's groups, have themselves been active in demanding fair wages, etc. What stood out most in the discussion was how deeply absent mental health considerations are within the current approaches to working with displaced peoples. Current approaches do not address the fact that we should be caring for the mental health of people regardless of whether they have a "disease" or not. Furthermore, looking after the mental health of those who work with displaced peoples is not mainstreamed within current best practice, despite the success of programs hinging on the welfare of said workers.

### **Panel III: Power and Responsibility in the Global Protection System:**

#### **Need to Redefine the Responsibility to Protect**

Drawing from his paper "**Interrogating the Notion of Responsibility**", **Prof. Ranabir Samaddar** argued that the protection of refugees is a responsibility which comes along with global governance. He stated that the notion of power is incomplete without its accompanying responsibility. The history of India's famine of the 1870-80s was used as a case study to further this point. The event portrayed the responsibility of the colonials towards the colonised, as Lord Litton (the then Governor General and viceroy of India) displayed responsibility for those affected by the famine. Prof. Samaddar stated that democracy itself had brought in this idea of responsibility, as responsibility was mainly a Kantian understanding derived from the concept of autonomy. Thus, he explained, mentioning Foucault's "Technologies of the Self", that this had brought in ideas of responsibility towards the self and others, founding the modern idea of responsibility. Continuing his example, Prof. Samaddar detailed how Anti-Litton groups passed the blame onto Indian natives, as aptly displayed in the phrase "death of an Indian, due to an Indian". Such colonial discourse in India, brought up the idea of responsibility, public policy and urban governance, giving rise to a language of rights built along the notion of power and responsibility. Turning to the history of refugee laws and rights, and the 1951 Convention, Prof. Samaddar argued that the protection of refugees was only possible through the exercise of law. As he powerfully concluded, "Without law there is no refugee because law produces the subject, and not vice versa."

Looking at "**The Politics and Responsibility of Refugee Protection**", **Prof. Shibashis Chatterjee** examined the making and unmaking of a political refugee. He asserted that as a refugee is a political being, there cannot be a notion of responsibility without the involvement of politicians and politics. He stated that within a liberalist structure, the idea of democracy results in peace making amongst citizens. This peace, he expounded, though not absolute peace, was about living with differences, resolving conflicts and not resorting to violence. However, he warned that internalisation of the domestic concept of peace could discourage "living with differences". Prof. Chatterjee then explained the cosmopolitan was often a condition of global citizenship, giving the example of India whose administrative structure does not allow it to expand its territories to the refugees. He argued governments were closing borders to refugees as they suspected acts of

terrorism following the events of 9/11. Therefore, he declared that politicians needed to assume advocacy roles, changing the plight of refugees and espousing a humanitarian perspective. Prof. Chatterjee acknowledged that “burden sharing” so far has been disproportionate, with nations assuming responsibility as acts of charity to maintain their national images. Instead, he reasoned that there needed to be politically feasible strategies which understood and protected refugees as a political being.

## **Discussion**

The idea of responsibility acting as a Eurocentric concept to depoliticise the political was discussed. Migration was also discussed as a political and global issue, with the global cost and benefits evaluated. Questions of methodology also arose regarding the future of refugee protection. It was discussed whether further reliance on civil society groups and their fundraising was more realistic, as well as questions of whether responsibility should go beyond the law and state.

## **Panel IV: Statelessness in South Asia: International Conventions and the Need for New Initiatives**

**Sahana Basavapatna’s** presentation was on “**Stateless and Confined: Notes from India**”. Basavapatna examined the ability of the legal system to achieve incremental progress regarding statelessness through two cases. The Aziz case revolved around the question of statelessness within administrative and legal practice, detailing the indefinite detention of a foreigner in an Indian prison. Its mostly positive conclusion included guidelines submitted by the Amicus Curiae for how to deal with foreigners in a similar situation. This illustrated how through law and the operation of executive functions, there is a possibility for increasing the rights of refugees and other asylum seeker categories at the elusive policy level. The ongoing Mander case was noted as continuing this progress, as it argues for protection measures including the “clarity of legal status in conformity with national and international laws”. Though as Basavapatna said, the story of statelessness is incomplete, such cases offer hope.

**Dr. Sanjay Barbora’s** presentation was titled “**Destinations: Where do Displaced People go to in South Asia?**”. Dr. Barbora began by introducing the need for new initiatives using a case study involving the life of an ethnic Assamese man in Bhutan. Through it, he considered issues that arise in areas of fractious realities, such as the symbolic Bodoland Territorial Area Districts. Most strikingly, he raised the issue of defining refugee law as denoted by the Red Cross and the fact that in such places, people are made more vulnerable when identified as outsiders. Furthermore, he suggested local state laws could often be subversively creative or abusive. Dr. Barbora challenged us to consider: how to deal with the complicated historical origin of forced migrants and the displaced, and ways through which people can recover dignity and purpose, not least how spaces and dialogues can be created for people who are at risk if they do not mobilise politically and aggressively.

The third presenter **Som Niroula’s** paper was titled “**Nepali Speaking South Bhutanese Refugee Population in Nepal: Possibilities of Statelessness**”. Niroula’s presentation described the plight of the Bhutanese population who were forcefully displaced to Nepal due to the Royal Government of Bhutan’s numerous discriminatory laws. It raised the question as to what type of law was necessary within new initiatives. He outlined the futility of dialogues between the Nepalese and

Bhutanese governments, and the challenges of refugee camps between 1990-1997. Most critically, he stressed the current issue of UNHCR's withdrawal of support and a closed resettlement process despite 6656 people living there. These people lack refugee determinations, and are instead considered economic or illegal migrants, unable to return to Bhutan due to a lack of dialogues. Niroula proposes several steps, including but not limited to: regional protection mechanisms and bilateral/multilateral responses for care and protection and increased use of the local and provincial government, along with the empowerment of local communities on laws and policies.

## **Discussion**

The discussion on Basavapatna's presentation brought up the fact that although courts may not always be deemed reliable, these cases show the other side of them. However, the issue of States' reluctance to take on additional responsibility was also raised. Dr. Barbora's presentation led to further questions on how it is possible to protect people when governments appear bent on making their own citizens stateless. The possibility of future hostility between "host" and "displacing" countries was also broached. It was also acknowledged that decreasing public agency to protect refugees further exacerbates the issues of vulnerability and statelessness. Thus, placing more reliance on local governments when organisations prove unreliable, and vice versa. Another significant point was the need to recognise the difference between the stateless, refugees, migrants and IDPs.

## **Panel V: Global Capitalism and Refugee and Migrant Labour**

**Professor Ayse Caglar's** presentation was titled "**Coloniality of Power: The Displaced and Claims of Justice**". She spoke on the racialised and racialising aspects and logic of governance of appropriations, and practices of dispossession that wealth accumulations are founded on. In her argument, Prof. Caglar asserts that in order to unearth relations of inequality and disparity underlying urban redevelopment, the development of a new vocabulary and policies beyond forced migration as a distinct category is needed. Her discussion focussed on the processes of racialisation of refugees and migrants, while exploring the emerging solidarities for social justice that coincides with the rise of racial and xenophobic developments. Her paper also questions benefits of global measures that confine but yet protect refugees and migrants with increasing securitisation measures, and seeks to move beyond the binaries of mobility and immobility.

The paper titled "**Refugee Economy: An Inside of Global Capitalism**" was presented by **Dr. Byasdeb Dasgupta**. It looked at the evolution of global capitalism in the post-World War II era that is situated within a competitive market environment. Under this regime of 'conducting business', labour has come to bear the risks of neoliberal global capitalism, making labour as cheap as possible over time. Dr. Dasgupta argued that in order to ensure cheap labour, various schemes were also established by neoliberal capitalists within the market, such as the absorption of the labour force into informalised economies. He also argued that refugee economies and the continuing influxes of refugees help support this process of informalisation, therefore, rather than being an abnormal phenomenon, such economies are in fact a normalizing aspect of global capitalism.

**Professor Iina Sen** presented her paper on “**Challenges Faced by Asian Women Domestic Workers in the Gulf: A Comparison of Experiences from South India (Kerala), Sri Lanka, and the Philippines**”. Prof. Sen discussed the challenges that women domestic workers often face when they seek employment in foreign countries for economic reasons, and compared the challenges and experiences of women from three different South Asian countries. Contrary to popular understanding, these women are often the main income earners of impoverished families. Although marginal differences exist in each individual situation, there are also many commonalities such as exploitation, harassment, physical and sexual abuse amongst their experiences. In the extreme, cases of death of such workers have also been documented. Presently, the Philippines is unique in its position of introducing and sustaining a pre-migration training programme that aims to provide women migrant workers with basic skills prior to departure, offering them a level, however minimal, of formal protection.

The last presentation was by **Professor S Irudaya Rajan**. The paper titled “**Dreaming Mobility and Buying Vulnerability: The State of the Global Protection System for Migrants**” provided an insight into the system of emigration governance and practices in India. Underscoring some of the processes and practices that have mainly escaped scrutiny, he asserts that the Indian government lacks any policies that allow a better understanding on issues of refugees or migration. Highlighting the fact that the 2009 Emigration Bill of the Ministry of Overseas Indian Affairs had also never been tabled, with the Parliament remaining unresponsive for almost a decade. Prof. Rajan argued that India remains lacking in legal and policy frameworks that can address migration issues in India, posing further risks to the rights and protection of all migrants, not least women domestic workers seeking employment on foreign soil.

## **Discussion**

As the presentations were focused on a growing global capitalist system, among some points raised was the plight that domestic workers face whilst under foreign employment, and that better protection measures, vis-à-vis work conditions of the employment destination. Follow-ups also questioned the effectiveness of the pre-departure programme in the Philippines, as to whether they indeed raise awareness of the migrant, and offer assistance once they are overseas. The response to this was that so far, no hard data has been obtained in regard to the programme’s success.

## **Panel VI: Refugee and Migrant ‘Crisis’ in the European Mediterranean Region**

The first presentation was by **Professor David Newman** on “**Borders at the Geographical and Geopolitical Interface: The Crisis of Refugee Migration between Europe, Asia and Africa**”. Prof. Newman gave an overview of the current migration issues facing the European, Asian and African region. He highlighted how a discourse of anti-migration has become increasingly prominent throughout Europe, aided by an international shift from globalisation to securitisation discourses, manifesting itself in the rebuilding of more stringent borders. His presentation also focussed on how conceptualisations of borders are rooted in power relations. One aspect in which this is evident is the European discourse that denies economic “migrants” who seek material survival, whilst accepting political “refugees” who have suffered religious and/or political

persecution. The deliberate choice in who to accept, and who to deny, as Prof. Newman points out, is a function of domestic concerns and domestic politics.

The second presentation titled **“The Leash and the Rip: Struggles and Conflicts Beneath Migrants and Asylum Seekers ‘Secondary Movements’”** was presented by **Dr. Federico Rahola**. In this paper, Dr. Rahola sought to re-politicise the European Union’s discourse of “secondary movements”, suggesting that the term is a site of struggle between the autonomy of migrants and the regime of control. He used the metaphor of a leash to symbolise the notion of “secondary movements”, whereby a leash is used to contain the person within a country and where tensions, political or otherwise, are felt more keenly as the person moves further away from their point of arrival. Furthermore, he stated that the leash is a symbol of possession that allows for control and surveillance. Thus, the only way to release oneself from this “leash” is to cause a “rip” by exiting the spatial and political confines to which the leash extends.

The third presentation by **Professor Giorgia Dona** is titled **“Techno-Border-Scapes: Protection, Survival and Belonging”**. It combines the notions of techno-scape and border-scape, coining the term “techno-border-scape” to describe how borders and sites of transit have been transformed by the use of new technologies. This has been done against the backdrop of Europe’s increasingly temporary responses to migration leading to sites of transition and contestation. In particular, Prof. Dona looked at the way in which the configuration of protection is shaped by the use of mobile technologies. The case study used by her to support this showed how a mobile phone was used by a Syrian refugee to monitor the safety of a route across Greece, ensuring his safe passage. Furthermore, Dona also suggested that mobile technologies have allowed for new digital forms of humanitarianism and activism. However, she cautioned against notions of technological determinism, and encouraged the audience to seek to better understanding underlying the complexities of these “techno-border-scapes”.

The final presentation titled **“Some Conditions for a European Institutional Arrangements for Refugees”** was made by **Professor Petar Bojanić**. The presentation proposed an interesting method of viewing the institution of Europe. Prof. Bojanić proposed that Europe, as an institution, should be viewed as a counter-institution as it works against the institutions of its sovereign states. Thus, he suggested that Europe plays an incredibly important role in this migration crisis, as without it, there would be much greater conflict. This reflects the abstract of his paper, where he states that if we find existing institutions to be unjust in that they have restricted migrant access, then “community action” must be driven by Europe.

## **Discussion**

When asked about a broader understanding of borders that transcends disciplines, Prof. Newman suggested that this is best uncovered by asking questions of what it means to cross a border, manage a border, etc. rather than looking at direct conceptions of what borders themselves are. He reiterates the fact that ideas of borders are bound to differ vastly across disciplines. Additionally, Dr. Rahola brought up the idea of current externalisation of borders, citing Europe’s use of Turkey to manage the Syrian border as a reflection of a colonial attitude that steers toward concepts of “invasion”.

*November 30, 2018*

### **Panel VII: The Asian Migration Scenario: Afghanistan and Turkey**

The first presentation was titled “**Resource Crisis and Aspects of Internal Displacement in Afghanistan**” by **Mujib Ahmad Azizi**. In Afghanistan, droughts, desertification, mudslides and wildfires have created a natural crisis. Azizi further stated that 1,400,000 people in Afghanistan face food shortage, leading them to migrate to different places. Economic and ideological crises include lack of work, education and changing living patterns. Furthermore, manmade disasters in Afghanistan include war, human right violations and rampant suicide attacks, not least internal displacements that are linked with protracted years of conflict. The resource needs of IDPs were also highlighted and primarily identified as health, food, housing, education and social services. Action taken thus far, is in the development of a framework that would strengthen the effectiveness of migration governance. According to reports to date, a number of IDPs seen favourable outcomes by such actions, however most IDPs still remain in deplorable conditions.

The paper titled “**Afghan Migration in the Borderlands: Centre, Periphery and Back Again**” was presented by **Dr. Paolo Novak**. In this presentation, the various elements that lie behind the concept of borderlands have been identified. He highlighted that traditional borderlands have had a territorial dimension and considered as the edges of the state. However, they have acquired centrality in defining national and regional political settlements. Dr. Novak went on to discuss the story of an estate in Central Italy that started had from agricultural land to sharecropper houses and later as tourist accommodation, before being acquired for reception centres for asylum seekers in 2011. The owner of this estate and others similar to this stands to profit from such asylum receptions. This highlights the uneven development associated between Italy, migrants, and others displaced, such as the sharecroppers.

The third presentation was on “**Revisiting the Syrian Refugee Crisis**” by **Priya Singh**. It began on the note that in recent times, a supposed ‘European refugee crisis’ was unfurling both within and outside Europe and had brought to the table both a humanitarian and a political dilemma. People in large numbers were hosted in ‘informal camps’ or in ‘institutionalised spaces’. In 2016, the European Union entered into a pact with Turkey that saw Turkey’s willingness to secure borders, and host irregular migrants in exchange for monetary incentives. This saw a sharp decline in the number of uncontrolled migrants arriving in Greece through Turkey. However, for the Syrians, Turkey was not a preferred destination due to its autocratic way of governance that cannot guarantee safe and just treatment of the refugees. To date, there has been much unrest and protests by the Syrian refugees as human rights groups. However, Singh raised questions regarding alternative solutions, as well as the viability of projects such as the Belt and Road Initiative

Observations of all presentations were made by discussant, **Prof. David Newman**. Prof. Newman raised the question of whether discussions such as these would result in over familiarisation and desensitisation to refugees, migrants and displaced persons. An understanding on the changing nature of borders is also needed in order to comprehend refugees and their connectivity with one another. Prof. Newman then focused on ‘Responsibility’ - Who has the responsibility to ensure that migrants do not remain in borderlands, and what is the responsibility of the country of origin of the migrants, as well as what happens to the refugees in the long run, such as issues of return and

diaspora communities. Other questions that were raised included by participants regarded local communities' response and reaction to border changes that affect their livelihood and ways of life i.e. Italy, as well as whether there is a desire to return on the part of the refugee that may be influenced by economic prospects. In closing, and addressing the question of desensitisation, Azizi recounted a horrific example of Taliban violence that continues to devastate communities and individuals, thus rendering notions of desensitisation impossible.

## **Roundtable Discussion- The Asian Migration Scenario: NRC and Possibilities of Statelessness**

**Prof. Paula Banerjee** introduced the theme by stressing that atrocities within our borders are often ignored.

The first presentation was made by **Dr. Nasreen Chowdhory**. Dr. Chowdhory explored the faultlines of ethnicity and religion. She spoke on the porousness of Indian borders, highlighting Assam's history in relation to Bangladeshi tribes, Hindus and non-Hindu Assamese, and how nationalist ideology has provided a foundation for the state to deal with the National Register of Citizens (NRC). The interplay of objective and subjective identities in borderland and heartland regions, and the integration of political boundaries are, she claimed, the foundation upon which categories and hierarchies of claims and placement are built. Thus, her presentation was concerned with the inclusion and exclusion of people from these established categories. Dr. Chowdhory explored the socio-economic structure of politics as well as society's role in shaping power relations. She raised the assertion that solidarity is what often emerges from such issues. Since solidarity is an expression of human will and unity – race, religion and resources can us help understand the theory of solidarity more critically; with cosmopolitan and secular solidarity adding other dimensions to the process. Dr. Chowdhory drew attention to those who are left beyond the national ambit, with reference to Hindus being excluded from NRC. She, therefore, encouraged the audience to engage with discussions regarding questions of nationality particularly considering the ambiguity and political nature of questions regarding who is an outsider and who an insider.

The second presentation was made by **Prof. Sabyasachi Basu Ray Chaudhury** who started by describing the ethnic and religious diversity of Assam and India's north-east. Looking into the political ideologies of statelessness and the NRC, he referenced Prof. Ranabir Samaddar's reflections on the role of birth-rights in securing citizenship rights. Moreover, he expressed severe concerns regarding the equity of the NRC process, particularly in regards to the impossibility of villagers in remote areas acquiring documents to prove ownership of their land and thus, their identity. He recalled how, in the 1950s, birth certificates were scarcely attained as most new-borns were delivered by midwives and were, therefore, not registered at government offices or maternity wards. He emphasised that Indian courts, already burdened with cases of extortion, have looked for labour from across borders, as overtones of religious tension in detention centres have tainted involvements in Assam. He concluded by saying that, in India, the NRC presents a lot of scope for enquiring into the justifiability of the process that relies on documents.

The final presentation was made by **Professor Vipin Tripathi** who spoke on the plight of Bangla speaking Assamese and the complexities behind why these people are considered Bangladeshis.



He stated that 4 million people have been identified as stateless by the government and that these people often engage in crimes and protests or are the victims of violence. The statistics offered regarding stateless people made clear the importance of the availability of documents and highlighted that admissibility was dependent on the validity of certificates in possession. Prof. Tripathi stressed that Bangladeshi citizens should not be looked at as infiltrators or aliens as they have been in the country and have worked for the state for many years and should not be branded by their religion. He concluded with the hope of complete absence from discrimination.

### **Discussion**

A number of questions were floated regarding how Bangladesh has taken in millions of Rohingyas. Questions were also raised concerning how state based identity influences the document based identity of people. Interestingly, it was suggested in the discussion that the NRC could be part of a broader global rhetoric against Muslims and thus, the NRC, would not be an incident specific to South Asia, but rather, part of a global phenomenon. Prof. Tripathi responded that the NRC has been dominated by only one side, with certain groups of people excluded from the process. Prof. Chowdhury also suggested that the NRC enforces the notion that if a person does not have certain documents then that person does not 'belong'.

### **Discussion on Draft Resolution of the Conference and Adoption**

During this session, the Draft Resolution was read aloud in front of all conference participants. Participants responded with comments and suggested changes that were later integrated into the Final Resolution which was presented in the concluding session.

### **Panel VIII: The Asian Migration Scenario: The Rohingya Refugee 'Crisis'**

The first presentation on “**The Imagined Terrain**” was made by **Professor Meghna Guhathakurta**. She described how discussions surrounding borders have been sparked by the Rohingya passage into Bangladesh, with particular attention being paid to the border between the Rakhine State and the Chittagong area. The land border between Myanmar and Bangladesh is marked by fences with high voltage electrical wiring. Prof. Guhathakurta also explored justice issues, reflecting on the depredation of women through the process of forced deportation which she defines as a criminal pursuit. She shared that women and children make up the majority of the population in the refugee camps. However, the immense population of children, their stateless circumstance, and the violence committed against their parents and people has had consequences for the development of these children. Some of these children, for example, seek justice through violent means. These have been foundational to the gender based perceptions of refugee entitlements and citizenship. Citizenship should be the primary entitlement and enacted in the constitutional provisions of the countries concerned. Countries such as Myanmar, now lack credibility before the international community to uphold its jurisprudential entity as it has failed in its “Responsibility to Protect”.

The second presentation on the “Cause of Flight from Rakhine - notably ‘Genocidal intent’” was made by **Sumbul Rizvi**. Rizvi explained that there were three main reasons for Rohingya departures from the Northern Rakhine State: (i) violent civilian persecutions as a result of direct genocidal attacks, (ii) the omnipresent impunity of the state against the Tatmadaw (Armed Forces) and non-state armed groups and (iii) the alleged crimes of apartheid. She showed that Myanmar recognised 135 ethnic groups including Rohingyas; however, Rohingyas have since been stripped of their citizenship following years of crusade. With regard to the humanitarian response, she praised the Government of Bangladesh (GoB) who has opened up its border in spite of population density strains and the propensity of natural calamities in the area. The GoB have allocated 6000 acres of land for the installation of temporary camps with the support of locals; however, the quality of shelter, health, nutrition, water and sanitation services remain substantially lower than minimum standards.

The lack of durability of living conditions particularly with advent of cyclone season has raised further concerns regarding the funding needed for life-saving programmes. The number of people affected due to monsoon from May 11, 2018 to Nov 4, 2018 well above the mark of 55,000. Furthermore, the monsoon left 6,223 people displaced, 59 people injured and 1 person dead. The reported numbers of persons affected due to landslides, windstorms and floods were 18,252, 27,005 and 6,327 respectively. The reforestation programme and key services delivered to the refugees were discussed in detail. The key services include education for children, community based protection mechanism, psychosocial activities, primary health centre facilities, shelter upgrade kits, WASH hygiene kits, total cargo handling, inter sector information services and equipment, cash/in-kind livelihood support, food assistance and other necessary benefits.

The topline needs, challenges and gaps were highlighted by the following five points- (i) the need for safe land and access to resilient community shelters during hazards, (ii) continued access to camps that requires constant maintenance, (iii) protection from the risk of disease, especially the water borne, (iv) increased services to SGBV survivors and (v) propositioning and time clearance of vital materials for emergency response.

## **Discussion**

A question was raised regarding the Bangladeshi context, whether the issue of Rohingyas was viewed as more of a human issue or whether it has been perceived as more of a security issue. Professor Guhathakurta stated that there has been a fear of terrorism, largely coming from communities themselves. However, she encouraged the need to be genuinely supportive, as communities continue to face existential threats resulting from unjust and violent acts from the state.

## **Special Lecture: From Abject to Agent: The Rohingya Quest to Become Digitally Visible**

**Dr. Itty Abraham’s** lecture explored how the de-territorialised and stateless Rohingyas have discovered and used the territory of digital space. Though global media has widely portrayed the

Rohingya people as “abject”, their increased digital presence has facilitated the creation of a sense of unified community and identity, showcasing their agency.

Firstly, Dr. Abraham explained the Rohingya TV, a YouTube channel covering international developments that pertain to the Rohingyas through underground citizen initiated journalism. This provides information and reports that are otherwise unavailable. Highlighting the absence of stories of fissures, the channel seeks to create a sense of national unity. He also noted how the ways that the channel contrasts different diasporic experiences, symbolically restoring the partitioned body into a single national entity and allowing them to express solidarity whilst identify within the global Islamic community. However, he warned that the programmes also risked undermining its objectives as it reinforced the spatial isolation and material suffering of the Rohingyas.

Secondly, Dr. Abraham examined the Rohingya entry into the ConIFA World Football Cup. ConIFA is a collection of teams representing states lacking recognition by FIFA and hence, the larger international body. He notes that through participation, the Rohingyas were furthered in their national ambitions and international visibility. Their association with an international body also raised awareness of their marginalisation and legitimisation through a form of tacit political membership. Thus, they were able to appear as a unified national entity and exercise an informal form of cultural diplomacy.

Following this, Dr. Abraham examined how political identity can emerge from language, as seen in the acceptance of Hanifi Rohingya by Unicode Consortium Members. The Unicode Consortium regulates the texts that are used in applications, and has strict standards with members that include governments and major corporations. Thus, the Unicode acceptance of Hanifi Rohingya was a tacit endorsement of the Rohingya community, furthering their legitimisation and creation of a digital identity.

Finally, he considered the Rohingya project to document digital identities using block chain technologies. This will help in the lack of official documentation such as birth certificates for Rohingyas. The project aims to be institutionalised and serve as a census database, providing an alternative virtual posit for documentation of their life statuses. Although it cannot rectify the lack of official documentation, it offers the hope of a self-generated identity, allowing Rohingyas to gain access to complementarian issues such as loans. Despite this hope, Dr. Abraham also cautioned against the alternative verification of the “Rohingya” by the project’s leaders, stating it may prove exclusionary, warning that though there has been a hopeful transition from “abject to agent”, the future must account for the increasingly hybridised Rohingya population as we navigate the politics of recognition.

## **Discussion**

The discussion was related to two themes, the first of which was the Rohingya as a diasporic community. Here it was discussed that though Rohingyas tolerate the “abject” perception, they are proving their agency by carving their own identity. Additionally, questions of sustainability arose regarding national imaginations, as the current homogenising and unity of the Rohingya community’s diaspora will eventually lead to fracture.

The second theme related to resources and relationships. It was observed that the Rohingya's resources and international relations were attributed to unofficial ties with the Saudi elite and Pakistan due to the Rohingyas there. that despite lack of official relationships, there seemed to be ties with the Saudi elite and Pakistan due to the Rohingyas there.

## **Concluding Session**

Prof. Ranabir Samaddar introduced Professor William Walters who would deliver the valedictory address and expressed gratitude to all workshop and conference participants. Publication plans were also discussed in detail.

Prof. Prasanta Ray released the Refugee Watch (Special Issue on Migrants, Communities and Political Ecology).

Prof. Meghna Guhathakurta delivered the final draft resolution of the conference on forced migration which contained aspects of movements based on socio-economic, as well as socio-political development aligned with the present geopolitical reality in the post-colonial region with special reference to Rohingyas. She emphasised in particular, gender hierarchy and normative influences of the labour enforcement in the course of development of a parallel refugee economy. The argument was substantiated by the distinction between formal and informal labour scopes. The situation is followed by a consequence of massive outpouring of stateless people both within and outside the territorial jurisdiction of the country. The states and its citizenship criteria have been tied closer and more stringently as to signify the momentum of the state identity and identification of the inherent rights of the citizen. Prof. Guhathakurata concluded with the following eight indicators of entitlement of fundamental rights to refugees and migrants in line with the final resolution –

1. The right to move is a universal human right and any restriction on that right cannot be subject to policies and measures that violate the dignity of human beings;
2. The refugees, migrants, stateless and other displaced persons are central figures in any protection system, legal regime, government and societal institutions;
3. The idea of a global compact must acknowledge the practices of protection at various regional, country, local, customary, city, and other scales. Any global compact aiming at sustainable resolutions must be based on wide-ranging dialogues involving refugees, migrants, stateless persons and groups defending them;
4. Any protection framework - global and local - must combat discrimination based on race, religion, caste, ability, sexuality, gender and class that affect rights and dignity of all human beings;
5. In any redesigning of the global framework of protection, perpetrators of violence and displacement must be held accountable for their actions;
6. Refugees, migrants and stateless persons working as informal labourers are entitled to social and economic rights;

7. Stateless persons should be prioritised for protection. Restoration of their citizenship rights is a global responsibility;
8. In the context of widespread forced migration and statelessness in Asia, a regime of protection along the lines of the African Charter of Human and People's Rights and its regional systems and institutions is imperative. Such a Charter must involve specific provisions of human rights, including labour rights, of migrants, refugees, asylum-seekers and stateless persons to ensure the dignity and rights of all.

### **Valedictory Address**

The valedictory address on “**Aerial Geographies of Forced Migration**” was made by **Professor William Walters** from Carleton University, Ottawa. In his address, Prof. Walters highlighted the importance of aviation to our understanding of migration and refugee issues historically as well as in the present. He suggests that aviation has been a crucial factor in the speedy deportation of migrants in Europe from as early as 1939. He adds that minor activity in the air can have a cataclysmic impact on the ground in terms of migration, emphasising also the surveillance and security of such operations. He cited Imperial Airways to highlight the colonial history of aviation and its influence on the structure of aerial dominance. He adds that the transformation of the medium of deportation transport from railways and waterways, to airways has reflected how technological advancements have been used to support the geostrategic manoeuvres of states.

Prof. Walters encouraged the audience to think of the aeroplane (used for the deportation of migrants and refugees) as an envelope. An envelope allows what is inside to be transported through space efficiently as it encases its contents. He suggested that migrants and refugees were surrounded not only in the envelope of the aeroplane but also within the seating arrangement. He concluded that this may bear security threats and that such vulnerabilities are always subject to resistance.

The conference drew to a close with the distribution of certificates to the participants of the research workshop and vote of thanks by Aditi Mukherjee.