

Refugee Protection and the State in South Asia

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The post-colonial societies such as those in the South Asian subcontinent majorly India, Pakistan and Bangladesh have been playing host to millions of refugees from the neighbouring countries, who had to flee owing to ethnic or religious conflicts, state persecution, economic factors among others. Since these countries have not acceded to the international refugee protection and do not have any regional agreement on protection of non-citizens, they are not obligated to allow refugees to seek haven in their countries but they still allow them. The South Asian countries have been extremely tolerant towards different refugee groups which have sought shelter over the years. But the state does engage in exclusionary and inclusionary practices when it comes to protection, which impacts the refugee group at the receiving end of that protection. Protection, which often gets translated into recognition and the entitlement of certain rights, often takes years, maybe decades as the state alone has the onus to legitimise the claims of belonging. These claims of belonging can be territorialised such as attachment to a place or space; or are deterritorialized such attachment to a particular culture, language, or community. But until the state takes a decision with regard to the claims of belonging being made by the refugee groups, these refugees are forced to live in a deplorable state in the temporary settlements or camps. Some of the refugee groups have been living in a protracted state of limbo for decades without any recognition or 'durable' solution until the state makes a decision. The absence of shared national affinity often restricts states from incorporating non-citizens and instead of providing them with any recognition, the state categorises them as the 'other'.

Besides the state, the society also engages in the boundary making exercise that makes the 'us' and 'them' distinctions even more evident (Yuval-Davis, 2011). Hence, this research paper tries to understand why states provide protection in the form of rights and recognition to certain refugee groups while completely ignoring the others. The most evident example of this is that while the Indian state does provide recognition along with certain entitlements to refugee groups such as the Tibetans and Sri Lankan Tamils, it has failed to provide recognition to refugee groups such as the Chins and Rohingyas. To understand the reasons behind the above raised question I propose to engage with the theoretical framework of belonging and politics of belonging as proposed by

different scholars. Moreover, the works of scholars namely, Charles Taylor, Axel Honneth, Nancy Fraser among others, which revolves around the politics of recognition can provide useful insights.