

## **Sri Lanka's Forced Migrants in India: Analyzing Legal Mechanisms of India**

### Abstract

Forced migration between Sri Lanka (SL) and India can be viewed as an important factor as both countries witness a closer geographical proximity. Being separated by the Palk Strait, a firth between the state of Tamil Nadu, India and the Mannar district of SL, India often undergoes the influxes of conflict induced and the crisis induced forced migrants of the country. During the thirty-five year long asymmetric war between the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Elam (LTTE) from 1980 to 2009, thousands of Tamils who lived in the country moved into India as refugees. Refugee is a person who flee from their own country due to the well-founded fear of being prosecuted for the reasons of race, religion, nationality or political opinion is an unavoidable challenge for their host country. They are being forced to leave their habitual residence to avoid the effects of war by generating a Protracted Refugee Situation (PRS) in India. According to the United Nations High Commissioner for Refugees (UNHCR), PRS is one in which refugees find themselves in a long-standing and intractable state of limbo that shows the threats to their lives and inability to meet social and economic rights. Though, India is not a signatory to the 1951 Convention Relating to the Status of Refugees, the country has provided shelter for Sri Lankan refugees because of its accession to United Nations (UN) Declaration on Territorial Asylum (1967) and their membership of the Executive Committee of the United Nations High Commissioner for Refugees (UNHCR). Most importantly, Most of the Tamil Refugees were accommodated in Tamil Nadu and other densely populated refugee camps. Particularly, Foreigners Act (1946) of India defines refugee as an alien temporary residing in the country. Further, according to the act, the central government of India is authorized to control the entry, presence and departure of these aliens. However, the act indicates that there is no specified definition for refugees which distinguishes them from other aliens like immigrants and tourists. On the other hand, the modern-day financial crisis has also resulted in the outflows of Sri Lankans to India. This unprecedented economic turmoil was highly backed by the economic mismanagement of the leaders of the country that resulted in the shortage of foreign exchange, fuel, LP Gas, Kerosene, power cuts and medicine which can be recognized as a significant shift in the migration pattern of SL as that is the first SL's experience

on the financial crisis and related outflows. Significantly, they cannot be considered as refugees and can be named as Illegal migrants who seek shelters in India in illicit manner. In that sense ongoing illegal entries of Sri Lankans to neighboring India will be discussed as a subsection of this paper. Along with that, the paper identifies challenges which available in the legal sector of India in dealing with the conflict- induced refugees. The qualitative method will be used to analyze both Dependent and Independent variables. Sri Lanka's forced migrants in India will be considered as the independent variable and the legal implications on the forced migration will be identified as the Dependent variable.

Keywords: Forced migration, Refugee, Foreigners Act, Financial Crisis

## **Introduction**

According to the International Organization for Migration (2019), Forced Migration is referred to migratory movements caused by conflicts, natural or manmade disasters, famine or development projects which involve force, compulsion, or coercion. It includes the movements of refugees and protection seekers.<sup>1</sup> Article 1 of the 1951 Convention Relating to the Status of Refugees has stated that refugee is a person who flee from their own country due to the well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion and they are being outside the country of his or her former habitual residence.<sup>2</sup> The causes of such dispersion intertwines with various push and pull factors including ethnicity and deprivation of social and economic entitlements. Particularly, Foreigners Act (1946) of India defines foreigners as an alien temporary residing in the country. In such setup, as Refugees are also been considered as Foreigners due to the absence of commonly accepted definition or application on their identity which have introduced by the government. In this regard, the central government in India is authorized to control entry, presence and departure of the aliens. It indicates that there is no specified definition for refugees which distinguishes

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<sup>1</sup> International Organization for Migration. (2019). Glossary on Migration, (Geneva: Switzerland), 77.

<sup>2</sup>, United Nations High Commissioner for Refugees. (2022). Convention and Protocol Relating to the Status of Refugees”, Retrieved from <https://cms.emergency.unhcr.org/documents/11982/55726/Convention+relating+to+the+Status+of+Refugees+%28signed+28+July+1951%2C+entered+into+force+22+April+1954%29+189+UNTS+150+and+Protocol+relating+to+the+Status+of+Refugees+%28signed+31+January+1967%2C+entered+into+force+4+October+1967%29+606+UNTS+267/0bf3248a-cfa8-4a60-864d-65cdfec1d47p.14> (Accessed on July 23, 2022).

refugees from other immigrants and tourists.<sup>3</sup> This matter was also raised by Justice P N Bhagawati and her commission in 1997, by highlighting the need of constructing uniform national definition on refugees.<sup>4</sup> The Drafting Committee of the India -Specific Version of the National Law on Refugee Protection which was chaired by Justice Bhagawati introduced a bill that defines Refugee is a person who is owing to external aggression, occupation, foreign domination, serious violation of human rights or events seriously disrupting public order in either part or whole of his or her country. Moreover, in 2015, the Asylum Bill, introduced by Ministry of Parliament (MP). Sashi Tharoor, the National Asylum Bill, introduced by MP Feroze Varun Gandhi, the Protection of Refugees and Asylum Seekers Bill, introduced by MP Rabindra Kumar Jena in 2015 highlighted the necessity of forming of a protection mechanism for Refugees and Asylum Seekers along with a sound legal framework, those have never tabled in the Parliament.<sup>5</sup>

Though India is not a signatory to the 1951 Convention Relating to the Status of Refugees or 1967 protocol relating to the status of refugees, the country has accepted the norm of providing shelter for vulnerable communities like Asylum Seekers , Refugees and protecting their human rights through the United Nations (UN) Declaration on Territorial Asylum (1967), The International Covenant on Civil and Political Rights (ICCPR) and their membership of the Executive Committee of the United Nations High Commissioner for Refugees (UNHCR).<sup>6</sup> Within this context, many of the Sri Lankan refugees who had accommodated in densely populated refugee camps in India are originally hailed from Trincomalee, Mannar, Vavuniya, Mullaitivu and Jaffna districts.<sup>7</sup> According to Giammatteo's understanding, influxes of refugees is an unavoidable challenge for host communities.<sup>8</sup> As all states hold the monopoly on the doctrine of *raison d'état* which presumes that the interests and security of own citizens are

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<sup>3</sup> V. Kumar. (2017). An study of refugee's in India: The legal perspective", *International Journal of Law*, 3, no. 5, 96. Volume 3; Issue 5; September 2017; Page No. 96

<sup>4</sup> Ibid.

<sup>5</sup> A. Sandeep, (2022). The Future of Asylum Regime in India with Respect to Protection of Refugees And Recent Legislative Proposals. Retrieved from <https://aishwaryasandeep.com/2021/12/02/the-future-of-asylum-regime-in-india/>. (Accessed on September 5, 2022).

<sup>6</sup> A. Nair. (2007). National Refugee Law for India: Benefits and Roadblocks, (New Delhi: Institute of Peace and Conflict Studies). 1-5.

<sup>7</sup> The Inside Stories of Emergencies. (2012). Government Welcomes Refugee Repatriation from India. Retrieved from <http://www.irinnews.org/report/96203/sri-lanka-government-welcomes-refugee-repatriation-india>. (Accessed July 10, 2022).

<sup>8</sup> J. Giammatteo. (2010). To Return of Stay. Forced Migration Review. Retrieved from <https://www.fmreview.org/disability-and-displacement/john-giammatteo> (Accessed on July 23, 2022).

important than all other values, the exclusion of Sri Lankan Tamil refugees from the host society can be identified as an unstoppable political reality. As an example, after the assassination of Indian Prime Minister of Rajiv Gandhi by the LTTE in 1991, most of the Tamil refugee camps situated nearby coastal areas in Tamil Nadu were closed down due to security reasons. Consequently, number of Sri Lankan Tamil refugees returned back to the country. In the case of *Hans Muller of Nuremberg v. Superintendent, Presidency Jail (1955)*, supreme Court of India held that the Central Government has plenary powers to deport foreigners.<sup>9</sup> The judgment pointed out that the it has an ‘absolute and unfettered right’ to expel foreigners by adding the fact that foreign nationals hold the basic right to be not deprived of their life or liberty’ except ‘according to procedure established by law’. As the focus of the judgement was on the detention of foreign nationals that referred to the Article 21 which assures that personal liberty also applies to foreigners as well. In this regard, B. S. Chimni has argued that there is no provision in the constitution to restrict these absolute powers in expelling foreigners under the foreigners Act.

The conditions of refugee children have been less focused by authorities in India. As majority of refugee children do not know about their parental origin, they face risks within host communities. The Times of India once reported that approximately 6,000 children born to Sri Lankan refugees in India have become stateless as they do not hold the Sri Lankan citizenship.<sup>10</sup> Specifically, children who are between the ages of 15 and 18 years of age face risks of detention because of the non-possession of valid travel documents.<sup>11</sup> Thus, since they are vulnerable individuals, it is required to grant special residential permits for children. According to the Citizenship Act in 1955, citizenship of India could be acquired by the principle of *unconditional jus soli*. The Citizenship Act, 1955 states in the section 3, provision (c) that anyone born after the commencement of the constitution on 26 January 1950 but before 1 July 1987 would be eligible to apply for citizenship in India. Besides, the provision (b) indicates that anyone born on or after 1 July 1987 would be granted citizenship if either parent is an Indian citizen. Besides, the provision (b) indicates that anyone born on or after 1 July 1987 would be

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<sup>9</sup> Refworld. (2022). Hans Muller of Nuremberg v. Supdt. Presidency Jail, Calcutta, (1955) 1 SCR 1284. Retrieved from [https://www.refworld.org/cases,IND\\_SC,3f4b8c618.html](https://www.refworld.org/cases,IND_SC,3f4b8c618.html), (Accessed on July 24, 2022).

<sup>10</sup> The Times of India, (2015). ‘16,000 SL Refugee Kids Born in India Stateless’. Retrieved from [http://timesofindia.indiatimes.com/articleshow/46094412.cms?utm\\_source=contentofinterest&utm\\_medium=text&utm\\_campaign=cppst](http://timesofindia.indiatimes.com/articleshow/46094412.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst) (Accessed on September 5, 2022)

<sup>11</sup> T. Ananthachari. (2001). Refugees in India: Legal Framework, Law Enforcement and Security. Retrieved from <http://www.worldlii.org/int/journals/ISILYBIHRL/2001/7.html>. (Accessed on July 23, 2022).

granted citizenship if either parent is an Indian citizen. With the introduction of the amendment act in 1986, *jus soli* principle was replaced by a stricter *jus sanguinis* principle. Section 3 of the amended Act highlighted that citizenship of individuals can be acquired if both or one of the parents is an Indian citizen, as long as the other is not an irregular migrant. It shows if just one parent is an illegal migrant or refugee, the child's eligibility to acquire the nationality through either by birth or descent would be denied. This describes it is unlikely to grant nationality for children of refugees who born in India. The practitioners and policy makers often emphasize repatriation as a long-term solution to the refugee problem. The reality is that these repatriations are not occurred through the lens of development and returnees are solely framed into certain social and ethnic understandings. Mainly, In the context of post war Sri Lanka, highest numbers of returnees have been reported from Vauniya and Trincomalee districts.<sup>12</sup> It is noteworthy that successful repatriation is always based on the voluntary return to the country of origin, voluntary re-acquisition of nationality and voluntary re-establishment within the country of origin and change in the circumstances that gave rise to the claim to be a refugee.

As most of them live in refugee camps in India that are located at congested areas, the individual's access to limited basic facilities can be identified as a real challenge. In this regard, the repatriation always provides a long-term answer. Article 13 (2) of the Universal Declaration of Human Rights has indicated that everyone has the right to leave any country, including his own, and to return to his country of origin.<sup>13</sup> When this phenomenon comes to the post war situation in Sri Lanka, the government of India engaged in repatriating Sri Lankan Tamil refugees by insisting the fact that a conducive environment should be established by the GOSL to increase the livelihoods of returnees.<sup>14</sup> As a result of that, more than 3, 000 Sri Lankan Tamil refugees in India had returned to Sri Lanka from 2015 to 2019.<sup>15</sup> As per international standards,

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<sup>12</sup> United Nations High Commissioner for Refugees. (2021). UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Sri Lanka. Retrieved from <http://www.refworld.org/pdfid/50d1a08e2.pdf>, (Accessed July 23, 2022), 7.

<sup>13</sup> United Nations. Universal Declaration on Human Rights", 2022. Retrieved from <http://www.un.org/en/universal-declaration-human-rights/> (Accessed on July 24m 2022).

<sup>14</sup> Ministry of External Affairs, 2022, Government of India, "Question No.3974 Sri Lankan Refugees in India", Retrieved from <https://mea.gov.in/lok-sabha.htm?dtl/27265/QUESTION+NO3974+SRI+LANKAN+REFUGEES+IN+INDIA>, (Accessed on 25 July 2022).

<sup>15</sup> WION, (2019), Need Serious Dialogue for Repatriation of Lankan Refugees in Tamil Nadu: Sri Lankan Envoy, Retrieved from <https://www.wionews.com/india-news/need-serious-dialogue-for-repatriation-of-lankan-refugees-in-tamil-nadu-sri-lankan-envoy-191330> (Accessed on 5 August 2022).

repatriation is used to define a person going back to their home country and this has been termed as logical end of the influxes of refugees. But forceful repatriation generates questions on the legality of sending protection seekers back to the home country. As an example, individuals who had gone to India in 1985 were initially repatriated in 1987 as a result of the Indo-Lanka Accord which was signed between Indian Prime Minister Rajiv Gandhi and Sri Lankan President J.R. Jayawardane.<sup>16</sup> Most importantly, seventh schedule in the constitution of India guarantees the right of union in entering into treaties and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign countries. Article 2.16 (D) of the accord cited that government of India would expedite repatriation of Indian Tamils who were residents in Sri Lanka concurrently with the repatriation of Sri Lankan refugees in Tamil Nadu. In annexure to the agreement the prime minister of India also agreed to deport all Sri Lankan citizens who were engaging in terrorist activities or advocating separatism. As a result, 43,000 refugees were repatriated from 1987 to 1989 and they were sent from Tamil Nadu to Talaimannar. Further, UNHCR signed a memorandum of understanding with the GOSL to provide rehabilitation assistance for returned refugees in accordance with the clause 2.1 that highlighted responsibility of the country to ensure physical safety and security of them.<sup>17</sup> Then the second flow of Sri Lankan refugees went India in 1990 with the starting of the second Elam war in 1990. Most of these people were again repatriated in 1991 after the assassination of Rajiv Gandhi by the LTTE.<sup>18</sup> The GOSL also motivated refugees to return by declaring that the former government employees among refugees would get their jobs if they come back.<sup>19</sup> Then after the breakdown of ceasefires between the conflict parties, third and fourth phases of the Elam war were started in 1995 and 2005 by giving birth for over 28,0000 refugees.<sup>20</sup> These people first entered into transit camps for registration and then shifted to camps which are scattered over 28

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<sup>16</sup> M. Alphonsus. (2018). A Daunting Journey Home for Lankan Refugees”, *Sunday Observer*, July 28. Retrieved from <http://www.sundayobserver.lk/2018/07/29/news-features/daunting-journey-home-lankan-refugees>, (Accessed July 23, 2022).

<sup>17</sup> United Nations. (2022). Indo-Lanka Accord Colombo. July 29, 1987. Retrieved from [https://peacemaker.un.org/sites/peacemaker.un.org/files/IN%20LK\\_870729\\_Indo-Lanka%20Accord.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/IN%20LK_870729_Indo-Lanka%20Accord.pdf). (Accessed March 3, 2018).

<sup>18</sup> D. Matas. (2015). *Sri Lankan Tamil Refugees: Tamil Nadu, India*. (India: International Tamil Refugee Advocacy Network).3.

<sup>19</sup> V. Chinnakkannu &I.R.S. Nil. (2011). Sri Lankan Tamil Refugees in India: Rehabilitation Mechanisms, Livelihood Strategies and Lasting Solutions. Retrieved from [https://www.researchgate.net/publication/237101012\\_Sri\\_Lankan\\_Tamil\\_Refugees\\_in\\_India\\_Rehabilitation\\_Mechanisms\\_Livelihood\\_Strategies\\_and\\_Lasting\\_Solutions](https://www.researchgate.net/publication/237101012_Sri_Lankan_Tamil_Refugees_in_India_Rehabilitation_Mechanisms_Livelihood_Strategies_and_Lasting_Solutions) (Accessed on July 23, 2022).

<sup>20</sup> Ibid.

districts of Tamil Nadu. Most of them are employed in the informal sectors such as factories, private companies and manual works. Since they are bound by restrictions, they are allowed to stay out the camp until 8 p.m. only.<sup>21</sup> Otherwise, they can be arrested for violating the foreigner's act in any time. The United Nations country team has denoted that the absence of a national framework for refugees in countries may lead to arrest, detention and deportation of refugees. In this surrounding, refugees intend returning into their country of origin to get the full benefit of their citizenship.

### The Financial Crisis

According to Kindleberger & Aliber, (2005) financial crisis is occurred due to the irregularities in the financial management, disparity in regional and domestic economic growth.<sup>22</sup> They pointed out the fact that many financial crises in 19th and early 20th centuries were associated with bank and financial failures. Significantly, the prices of rice, vegetables, fresh and dried fish and the commodities like sugar, milk powder has been skyrocketed (Central Bank of Sri Lanka, 2022). With regards to the financial crisis of the country, which was claimed in 2022, most of the people attempt to leave the country with the aim of meeting basic needs. In that case, following incidents have already reported from both counterparts.

1. 22 March 2022: The Indian Coast Guard took 6 Sri Lankans including 3 children near Rameswaram in Tamil Nadu (Indian Coast Guard, 2022) and brought to the Mandapam Camp (Suryanarayana, 2022).<sup>23</sup>
2. 23 March 2022, a day after the new group of refugees arrived, the adults among them were remanded to 15-day judicial custody in Puzhal Central Jail in the outskirts of Chennai. Two children were allowed to stay with their mothers in the prison. Diuri's nine-year-old daughter, Esther, was sent to live with her mother at Gudiyatham.<sup>24</sup>

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<sup>21</sup> Ibid.

<sup>22</sup> Kindleberger Charles P. and Robert Aliber. (2005). *A History of Financial Crises*, 5th ed, Wiley.

<sup>23</sup> V Suryanarayan (2022). The New Indian Express. Lanka Crisis Brings Refugee Issues to the Fore, Retrieved from <https://www.newindianexpress.com/opinions/2022/apr/15/lanka-crisis-brings-refugee-issues-to-the-fore-2442097.html> (Accessed on 30 July 2022)

<sup>24</sup> L. Subramanian (2022). The Sri Lanka Crisis has Indian Coast Guard on High Alert. Retrieved from <https://www.theweek.in/theweek/more/2022/04/02/the-sri-lanka-crisis-has-indian-coast-guard-on-high-alert.html>. (Accessed on 30 July 2022).

3. 10 April 2022: Two different groups including the total of 19 have been captured by the Coast Guard near Dhanushkodi to the south-east of Pamban Island in Tamil Nadu. They were from Mannar and Jaffna. The other group consisted of ten, which comprised of two infants came from Trincomalee (Muruganandan, 2022).<sup>25</sup>
4. 25 April 2022: 15 individuals entered Tamil Nadu by fishing boat who left from Mannar (Muruganandan, 2022).<sup>26</sup>
5. 02 May 2022: 5 individuals from a same family with a two-month-old infant arrived the Tamil Nadu coast (Muruganandan, 2022)<sup>27</sup>
6. 18 May 2022: Sri Lanka Navy (SLN) captured 40 people in a local multi-day fishing trawler that left from the Eastern Batticaloa district. In this regard, as per the SLN, In the month of May 8 boats were taken into custody with 351 migrants which were leaving from the Eastern coast of the country (SLN, 2022)
7. 27 June 2022: An elderly couple who was undergoing dehydration found by the Navy. Though the SLN was able to capture safely them, the women died in the hospital on 2 July (Welle, 2022).<sup>28</sup> It has also reported that there are more than 90 refugees have already arrived on India's shores (Ibid).

As India doesn't have any refugee law, it is questionable how to deal with those economic refugees. Though the State of Tamil Nadu has already showed a generous stance on the welcoming those forced migrants, still both the Tamil Nadu state and the Central Government have not yet declared their official stance on them. In January of 2022, Rao (2022) reported that the National Human Rights Commission conducted a discourse on the necessity of introducing a separate refugee law.<sup>29</sup> In the case of facilitating the entries of these migrants, India introduced E-Visa for Afghan nationals which is differed from the Government stance towards the Sri

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<sup>25</sup> S. Muruganandan (2022). Poor Families in Northern Sri Lanka Flee to India to Avoid Hunger. Retrieved from <https://www.wsws.org/en/articles/2022/05/23/fzvn-m23.html>. (Accessed on 30 July 2022).

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> D. Welle. (2022). Sri Lanka's Economic Crisis is Driving People to Flee the Country in Desperation. Retrieved from <https://www.dw.com/en/sri-lankas-economic-crisis-is-driving-people-to-flee-the-country-in-desperation/a-62365146> (Accessed on 30 July 2022).

<sup>29</sup> B. G. Rao (2022). India Needs Legislation to Govern Refugees. Fairplanet. Retrieved from <https://www.fairplanet.org/editors-pick/india-needs-legislation-to-govern-refugees/>(Accessed on 30 July 2022).



Lankans. In this regard the concern was Sikhs and Hindus from Afghanistan. It questions the basis of adopting different methods in granting visa by based on the ethnicity (Shivangi Seth, 2022).<sup>30</sup> Amidst this context, they are being considered as illegal migrants and often taken into the custody. There are concerns have been arisen on the possible repatriation of them. In this milieu, M. Bradley (2017) views that the right of returns has not figured prominently in general discussions of refugee rights.<sup>31</sup> In the case of *Gunarathnam and others vs Government of India*, the high court of Madras made a judgement that, “any Sri Lankan refugees should not be forced to return to Sri Lanka against their will.” This interlinks with the principle of non-refoulement which prohibits states to transfer or remove individuals from their jurisdiction or effective control when there are substantial grounds for believing that the person would be at risk of irreparable harm upon return.<sup>32</sup> Even though the principle of non-refoulement has elaborated in article 7 of the ICCPR, signed by India and Sri Lanka, the exercise of the principle has become questionable due to various administrative policies adopted by both countries. The judgement made by Madras High Court in the case of *P. Nedumaran vs Union of India* (1993) and *Dr S. Ramadoss vs The Union of India* () confined that repatriation of refugees should be placed on the voluntary character. In the case of *P. Nedumaran vs Union of India*, the High Court made a decision to allow UNHCR officials to oversee the voluntariness of returnees. The General assembly resolution 428(v) has further proclaimed that governments should assist the high commissioner’s efforts in promoting voluntary repatriation. But when this comes to the practical scenario, it is hard to measure voluntariness of refugees as it is aligned with divergent understandings of ethnic and social understandings. Moreover, family relationships and connections of refugees with the homeland are influential factors for the repatriation.<sup>33</sup> It is bounded by key components such as collective memories about the homeland, collective consciousness derived from the relationship to the homeland and the commitment to the ideal of

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<sup>30</sup> S. Seth. (2022). Why India Needs a Refugee Law. Retrieved from <https://www.lowyinstitute.org/the-interpreter/why-india-needs-refugee-law>. (Accessed on July 30, 2022)

<sup>31</sup> Megan Bradley. (2013). *Refugee Repatriation, Justice, Responsibility and Redress*, (New York, Cambridge University Press.) 2

<sup>32</sup> United Nations Human Rights Office of the High Commissioner. (2017). The Principle of Non-refoulement under International Human Rights Law”, Retrieved from <https://www.ohchr.org/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf>, 1, (Accessed on 26 July 2022).

return. In Malkki's notion, the bringing people back to home is more nationalistic as it is a fundamental part of their identity and cultural belonging that are available in their home country. Hence, it is firm that successful repatriation cannot be achieved without the coordination of home and host country. But then again, absence of legislations on the repatriation in both countries has become a hindrance to achieve successful repatriation.

## **Conclusion**

This paper concludes that the forced migration has become an indispensable reality since the Independence of SL. As the beginning of the war to up to date, the transformative potentiality of the Government of India has been followed by set of implications which dealt with the Foreigners Act and other legal implications. It proves that the political decisions of both governing authorities on the forced migration repeatedly go beyond the conventional understanding of foreigners.

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<sup>33</sup> George, M., Vaillancourt, A. & S. I. Rajan. 2016. Sri Lankan Tamil Refugees in India: Conceptual Framework of Repatriation Success, Retrieved from <https://refuge.journals.yorku.ca/index.php/refuge/article/viewFile/40234/36421>, (Accessed July 24, 2022)