



A REPORT  
ON  
**GLOBAL PROTECTION OF  
REFUGEES AND MIGRANTS:  
CLIMATE CHANGE,  
INFORMAL LABOUR AND  
WORLDWIDE PROTECTION  
MECHANISMS**

A workshop

organized by

Calcutta Research Group

in collaboration with

Institute of Development Studies Kolkata (IDSK)

&

Rosa Luxemburg Stiftung

June 3, 2022 (Friday), 10.30 am

IDSK Seminar Hall (5th Floor)

This workshop is a part of CRC's ongoing research on migration and forced migration studies supported by Rosa Luxemburg Stiftung and the Institute for Human Sciences, and several other institutions and universities in India.

**Global Protection of Refugees and Migrants: Climate Change, Informal Labour and  
Worldwide Protection Mechanism**

**Kolkata, Jun 3, 2022**

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and  
Rosa Luxemburg Stiftung**

**Venue:** Seminar Hall, Fifth Floor (IDSK)

**10.30-11.00 AM:** Registration & Tea

**11.00-11.30 AM:** Inaugural session

Chair: Achin Chakraborty, Director, Institute of Development Studies Kolkata (IDSK)

**Welcome Remarks:** Sabyasachi Basu Ray Chaudhury, Rabindra Bharati University & CRG

**Introducing the Workshop:** Rajat Kanti Sur, Calcutta Research Group, Kolkata

**11.30 AM- 12.45PM**

**Session 1: Climate Change, Displacement and Migration**

Chair: Jayanta Ray Chowdhury, Press Trust of India (Eastern Region), Kolkata

**Panelists:**

Shatabdi Das, Calcutta Research Group, Kolkata

Moitrayee Sengupta, Dresden University of Technology, Germany

Debashree Chakraborty, Calcutta Research Group, Kolkata

**Discussant:** Gorky Chakraborty, IDSK

**12.45-2.00 PM**

**Session II: Migration, Labour (with special emphasis on informal labour)**

Chair: Subrata Mukherjee, IDSK

**Panelists:**

Anisha Bordoloi, Government of Assam, Guwahati

Monalisa Chakraborty, Institute of Development Studies, Kolkata

Suman Mandal, IACER, Pokhra

**Discussant:** Rajat Kanti Sur, Calcutta Research Group, Kolkata

**2.00-2.45 PM: Lunch**

**2.45 – 4.00 PM**

**Session III: Protection Mechanism in the Contemporary World**

**Chair:** Supurna Banerjee, IDSK

**Panelists:**

Sarulakshmi R., Kamla Nehru College, New Delhi

Nisharuddin Khan, Institute of Development Studies, Kolkata

Rituparna Datta, Calcutta Research Group, Kolkata

Sreetapa Chakrabarty, Rabindra Bharati University, Kolkata

**Discussant:** Sucharita Sengupta, Graduate Institute, Geneva

**4.00-4.15 PM: Tea**

**4.15-5.15 PM**

**Film Session: Calcutta the Migrant City (Documentary Series)**

**Introducing the Film:** Samata Biswas, Sanskrit College and University & CRG, Kolkata  
Film Show

**5.15-5.30 PM: Concluding Session**

**Concluding Remarks:** Paula Banerjee, University of Calcutta, Kolkata & CRG

**Vote of Thanks:** Debasree Chakraborty, CRG, Kolkata

## **Introductory Session**

**Chair:** Achin Chakraborty, Director, IDSK

**Welcome Address:** Sabyasachi Basu Ray Chaudhury, Honorary Director, CRG

**Introduction of the workshop:** Rajat Kanti Sur, CRG

The session began with welcome remarks by Sabyasachi Basu Ray Chaudhury. He explained the necessity of the workshop. He said this workshop was a part of CRG's research on migration and forced migration studies. This workshop would be a good opportunity for the participants who attended CRG's annual workshops. They got chances to discuss their research with the faculty members and scholars of premier research institutes. They got the chance to explain the benefits to attend the workshops through their work in progress.

Rajat Kanti Sur described the history of Winter Workshops since 2003. He explained how the workshops benefitted the participants, and how the participants organized the follow-up programmes with collaborating institutes in their city. He explained the experience of attending previous workshops in Hyderabad, Bhubaneswar and Darjeeling.

## **Session I: Climate Change, Displacement and Migration**

**Chair:** Jayanta Ray Chowdhury, Press Trust of India (Eastern Region), Kolkata

### **Panelists:**

Shatabdi Das, Calcutta Research Group, Kolkata

Moitrayee Sengupta, Dresden University of Technology, German

Debashree Chakraborty, Calcutta Research Group, Kolkata

**Discussant:** Gorky Chakraborty, IDSK

Jayanta Roy Chowdhury began the session with his comments on the recent incidents on climate disaster and how it had changed the patterns of migration. As bureau chief of the Eastern Region of PTI, Roy Chowdhury described his experiences in North-East India as a journalist. He expressed concern about the river erosions, the climate disasters due to illegal coal mines and several other climate disasters that become a major reason for displacement and migration.

Shatabdi Das began her presentation on the current situation of displacement in the Damodar valley area. Her presentation was focused on the Ranigunj coalfield area in West Bengal. She described the fragile climate condition due to the illegal coal mines on the bank of river Ajoy. She described how the situation had changed with the growth of urbanisation and industrialization since the colonial period. Migrants came from the surrounding tribal community areas to work in the coalfield. Das described how the neoliberal policy of labour management caused climate disasters. The new labour

policy, according to Das, involved contractors to supply contractual workers. Thus, the mining agencies, though handled by the government, want to get relieved of their duties towards the workers. As a result, informal mining has increased all over the coal belt in Raniginj. It poses threat and risks of life loss for the migrant workers. These labour contractors made the entire area vulnerable through the illegal excavation for coal which caused river erosions and land erosions as well as health hazards. The open cast pits caused contamination of groundwater levels. Therefore the entire area suffered from arsenic infections and several other waterborne diseases. The unhealthy atmosphere increased the chances of migration of the local indigenous communities.

The next presenter was Moitrayee Sengupta. She was speaking on Climate Change and the role of informal labour. She was talking about several protection mechanisms which defend the climate change and migration. Taking a queue from Shatabdi Das's paper Sengupta described how the development policies made adverse effects on climate and increased the numbers of displaced persons. Her paper analysed different protection mechanisms, both regional and universal. She was talking about the regional protection mechanisms in Nepal (the UN-IOM 's support for the disaster-displaced persons after the Gorkha earthquake) and the policies taken by the national disaster management authority to protect the Indian Bay of Bengal delta (the Sundarbans). She explained how the comments for her paper in the 2020 winter workshop helped her to continue the project with Dresden Technical University. The ethnographic training and online discussions with solidarity activists helped her to think from the point of the field realities.

Debashree Chakraborty was the third and last speaker on the panel. Her discussion was based on the role of climate fiction to understand migration and displacement. The presentation was based on Sarnath Banerjee's novel "All Quiet in Vikaspuri". She gave a different reading of the novel through her presentation. She argued that violence played a crucial role in the name of development and also caused ecological, environmental, and ecological degradation.

Gorky Chakraborty, the discussant of the panel began by thanking all the panellists. He pointed out some questions to all the participants. He had insisted that the relation between source and resource and the politics behind highlighting the use of source and resource should be pointed out. The speakers should also be focused on the development policies designed by the state authorities and through this, they should question the idea of the new nation-state. The entire global politics of climate change surrounds the idea of the nation-state. He said that the idea of renewable resource politics should be studied more carefully. Through this, we should be used to study the social factors of epidemiology.

A twenty minutes long question and answer session happened after the comments of the discussant.

## **Session II: Migration, Labour (with special emphasis on informal labour)**

**Chair:** Subrata Mukherjee, IDSK

### **Panelists:**

Monalisa Chakraborty, Institute of Development Studies, Kolkata

Suman Mandal, IACER, Pokhra

**Discussant:** Rajat Kanti Sur, Calcutta Research Group, Kolkata

In her presentation, Monalisha Chakraborty spoke about the Bengali Migrant Workers in South India. Her research focused on the earning and non-earning aspects of migrant workers from West Bengal

engaged in different types of work in multiple locations in South Indian states. For this work, she basically dealt with the Bengali rag pickers in Bengaluru and conducted 111 interviews. The respondents were Bengali-speaking male migrant workers from West Bengal living in multiple locations of Thiruvananthapuram and Thrissur in Kerala and Bengaluru in Karnataka. Besides that, she conducted 4 in-depth interviews and 2 focus group discussions among the Bengali workers living in South India.

According to her research, the major reasons for the migration of the Bengali workers from rural West Bengal are unemployment, lack of regular employment, and low wage rate. The living conditions of the migrant workers are poor. She explained how the living conditions of the rag pickers are unsafe and unhygienic. Besides this, she talked about occupational hazards and mentioned about the harassment meted out to the rag pickers by public officials during their work. She mentioned that the wives of the rag pickers usually find employment in nearby buildings as maid servants or helpers and earn a reasonable amount of money. She also talked about medical care and difficulties regarding children's schooling.

Suman Mandal talked about Formal and Informal Migrant Workers of Nepal. He called informal workers as 'undocumented workers' and explained the reasons of calling them so by looking into the process of documentation of labour migration, and how people, who want to migrate become undocumented. Nepal formalised labour migration in the 1980s by bringing an act and labour migration began to different destination countries in 1985. But the labour migration act was gender discriminatory as there were several Restrictions on women migrant workers. Women migrant workers could not migrate without the permission of male members of their families. The act was replaced in 2007 by another act which was not so gender biased.

He talked about the living conditions of the migrant workers, particularly during the Covid times. He explained the role of government and NGOs to bring back jobless Nepali migrant labourers and rehabilitating their family. He presented a study and analysis showing how the introduction of the e-passport and its documentation process has put people at a disadvantageous position thus discouraging them from creating an official document thereby encouraging undocumented travel and labour migration. Through the data collected from the department of Foreign Employment, he pointed out a huge gap in the ratio of male-female migrant workers – out of the 3,21,584 approved foreign migrant workers, female migrant workers were 27,849.

These two presentations was followed by an enriching discussion where the two paper presenters received very insightful and constructive feedback in the form of questions, clarifications, and suggestions from the participants. Monalisa received suggestions to emphasize the crisis of returning migrant workers after the pandemic. She was also asked to clarify what type of problems were faced by the returnee migrant workers during the pandemic period and what type of problems they face while trying to find work in West Bengal. She was also asked to highlight the issue of sanitization and the politics of untouchability during the pandemic period. Suman received questions regarding formal and informal migration and was asked to discuss government policy on returnee migrant workers and women migrant workers.

The Discussant remarked about how the precarity of the lives of migrant workers got reflected in both these papers. Referring the idea of the epidemiological view of the society taken from Benjamin Bratton's book, Rajat Kanti Sur described the precarious condition of the migrants could be seen through the lens of the epidemiological understanding of the society. He asked Monalisa Chakraborty to look into it because her previous works on the migrant labours gave an understanding about the precarious condition of migrant labours. Suman Mandal's paper also gave a clear understanding of the Nepali migrant labours. Sur asked him to study on the passports and the crisis faced by the migrants during making the passports.

### **Session III: Protection Mechanism in the Contemporary World**

**Chair:** Supurna Banerjee, IDSK

**Panelists:**

Sarulakmi R. Kamla Nehru college, New Delhi

Ritupurna Datta, Calcutta Research Group, Kolkata

Sreetapa Chakrabaty, Rabindra Bharti University, Kolkata

**Discussant:** Sucharita Sengupta, Graduate Institute, Geneva

#### **Sarulakmi R. Kamla Nehru college, New Delhi**

She began her presentation by highlighting the key issues of her last presentation at the winter workshop, in which she discussed international legal agreements while looking at whether India complies with these international agreements or not. Since international law places a lot of obligations on the states to facilitate migrants, wherein a lot of emphasis was put on the contradictory nature of protection mechanisms within international and national laws to protect migrant workers of different classes, genders, and migratory status. In this background, the main focus of her presentation in the follow-up workshop was on what has changed in the global scenario related to migration. Thus, she emphasised that the COVID-19 pandemic had an unprecedented and severe impact on migrants and industries associated with migration, like tourism and hospitality, etc. And globally, how migrants were stranded for various reasons, like the restriction on travel and the related drop in international flights. The loss of jobs, income, as well as a residence were other consequences of the pandemic.

She cites Stephen Castle as explaining that the root cause of all social problems associated with immigration is reflected in certain phenotypes like colour, race, or social prejudices, etc. Similarly, it was clear during COVID-19 that some countries used restrictions as a tool against migrants, using the crisis to halt and deport asylum seekers as well as return them, threaten indigenous populations' freedom of movement, and suspend temporary work visas for both high- and low-skilled workers. While referring to the IOM Policy Brief released on May 8, 2020, she highlighted that the world today is witnessing a tsunami of hate, xenophobia and related intolerance and that it is a violation of international human rights laws. The documented case of racist and xenophobic attacks towards migrant workers ranges from hate speech, racial splurge, brutal acts of violence to discriminate, sensationalised media reports, i.e., blaming particular communities for the origin and spread of the virus, refusal to sit near passengers of a certain ethnic origin, violent acts on people and migrants. She later talked about an article published in the journal *International Migration Review*, "Suppression, Spikes, and Stigma: How COVID-19 Will Shape International Migration and Hostilities Toward It", wherein the authors argued that whatever the scenario during COVID-19, in the future there will be a spike in migration. The reasons could be delayed, postponed or cancelled trends due to COVID 19, which will automatically lead to a spike. Secondly, inaccurate geographical location and migration roots are created due to structural inequality in the global sphere. Herein, she specifically pointed out the issue of remittances and its relationship with migration that will increase over time.

Towards the end of her presentation, she talked about how international agencies will deal with or address these issues. She emphasised the importance of social security and protection for migrants and refugees in safeguarding their rights and wellbeing. Yet, only 30.6% of the working age population is legally covered under social protection schemes, and only 53% have access to them. But 4.5 million people have no access to any branch of social security and are left unprotected. She emphasized that more bilateral and multilateral agreements are needed in the future so that we can bargain for all sections of workers, particularly in light of rising migration rates, and that states must take responsibility for protecting all migrant workers of all skill sets.

### **Ritupurna Datta, Calcutta Research Group, Kolkata**

She began her presentation by highlighting the key points of her winter workshop presentation, which was on the refugee crisis that happened after the Bangladesh Liberation War and its media portrayal through newspapers, radio broadcasts, and different documentaries locally, regionally, and globally. She pointed out that the basic premise of her paper was "are you reading, and through reading, are you seeing the war that is happening?" Wherein, the concept that she dealt with was co-seeing, which she borrowed from the work of Qasmiyeh. And from Donoghue's work, she borrowed, 'What do you mean by mean?" Or to say, an attempt to explore the multi-layered complexities of queries and the burdens that the word protection carries and how similar it is at one point and how diverse it is when it comes to realization in the real world.

She stressed that her work focus is indicative of its theoretical platforms of situating protection according to some 'isms' or iterations of its critique, wherein she talked about opening up the questions that she herself finds enmeshed in a critical web that keeps on redefining protection and looking at its operational plasticity, and in doing so, might thicken its very own misty existence instead of clearing the clouds of what protection is. And perhaps the available literature on the theme is fair enough to insurmountably declare that we have failed to situate the boundary of what is protection just like many other critical questions that govern daily life in post-modern and post-colonial societies like democracy, authoritarianism, war, peace, justice, global, local, and many more. These multitudes of approaches to reaching the destination of understanding and herein, she quoted, 'what it is' keeps us in the enigma of its contrary motion, just like when we say "life divine," a divinity that entails immortality within the cusp of a spanned life. Protection probably means moving like the contrary rhythm scale and its axel defies the centrifugal tendencies with a stretching periphery but at the same time webbed to the centre of the diameter, which is controlled by the anxieties of every post-colonial nation about the moralities and modalities of who to protect and to fit that claim within the desire and necessity of the consummative summation of the responsibility to protect, thereby identifying and setting the boundaries of belonging to avoid the possibilities of that prolonged uncertain feeling of remaining unprotected. Protection, therefore, becomes one of those many methods of formation through consent that give structure to an idea and give it a material shape, just like a cementing agent without which a building would become a disembodied structure even without a mighty cyclone that fails to establish stability. It is the intangibility of protection and its tactile trajectories with multi-layered screens to realize being protected with its probable uncertainty to fall out of its garde that gives protection its illusive fluidity. To think or imagine protection as a figural existence in making, it would be difficult to consider it Ferrantian, not just because of its existence but also in operation. But can we call it protection to the extent of pseudonymous autonomy? Perhaps not. But who then gives protection—the individual, the state, the consortiums, the compacts, etc.? And, if at all, they can be found working in a disjointed, disconnected fashion or as part of a logistical chain of protection. Shall we then call these deliverable channels the givers of protection and protection as the act of giving based on their seeing the deservingness as recipients of such acts? And that protection acts autonomously based on the mood



of the time and attitude of seeing an event at a particular time and what finality is envisioned. It works both micromously as well as magnanimously, but through a dialogic process, to borrow Qasmiyeh's term, through the lens of co-seeing. To be specific, protection stands somewhere between (to borrow and to extend Reno's idea) justice and the failures of the modern state. It functions as a brake to keep considered worthy lives, such as those of citizens, from falling into the traps of disposable and expendable lives, while also providing limited safeguards for those already precariously suffering from the great derangement of having fallen into or being prone to "lessness," whether beyond or within the state, such as migrants, refugees, and IDPs. Protection thus functions through a multilateral power balance of recognition to see and to be seen—to the recipient and other givers of protection, thereby becoming labelled as desirous statecraft and setting classical standards of what ought to be given in protection. With rhizomatic claims arising for the need of care and concern and active intervention, the giver of protection sometimes perceives the receiver through a monolithic lens as a singular gamut distinguished through certain criterion-referenced analytics. However, it is the other side of co-seeing in protection, i.e., to look at the giver as the subject capable of alleviating the pain causing the mixed and massive flows that make protection dynamic and cuts through at times the statist giver's perception of the recipient as a nave object backed to the theteristic end. Although it is difficult to say that while aid in protection is completely guided by sympathy or with a mixed feeling of empathy, certainly it operates on the evaluator heurism of want and need for care where protection flows thermodynamically. The subject-object relationship determines the elasticity of protection and the sepulchre of its embrace. Thus, can we see protection as the pleasure of giving to reach the margins and the claim or the desire to receive and fill the anxious void existent if left without it?

Finally, she emphasized that the paper is an attempt to investigate how protection operates through the building structures that are embodiments of the living experiences or lives of indentured labor within the colonial web of consumption and being consumed and transformed.

### **Sreetapa Chakrabaty, Rabindra Bharti University, Kolkata**

Her paper is titled "Fallacies of Global Protection Mechanisms in the Context of Rohingya Children in the Global South." She began by highlighting the systematic Rohingya exclusion and atrocities they are subjected to even before the enactment of the 1982 citizenship law that led to Rohingya forced migration. She also pointed out that Bangladesh is the largest recipient of stateless Rohingya refugees, with around two hundred thousand Rohingya in 1978 and two lakh fifty thousand in 1991. She pointed out how the eraser of names and identities has been reflected in the narratives of various Rohingya children who fled Myanmar in the post-1982 era. With the help of Rohingya narratives, she showed how Myanmar's citizenship reflected colonial hegemony related dispositions that demanded its people to prove pure blood, indigeneity, and their loyalty to the state. Even the 1993 children have a reflection of the 1982 citizenship law, which is a legal paradox in itself, because despite recognising that every child has a right to life and is equal before the law, the child law states that every child has a right to citizenship in accordance with the provision of the existing law. Thus, in its essence, the new child law lays down rights not for all but for only those children who are considered citizens under 1982 law. She pointed out that these kinds of colonial exclusionary citizenship laws can be witnessed in other South Asian nations as well, such as Bangladesh, Malaysia, and other South and Southeast Asian nations.

In the context of Bangladesh, it can be seen that there is no legal framework governing the citizenship status of Rohingya children, and thus, decisions regarding the legal status of Rohingya children are made on an ad hoc administrative basis and on the basis of diverse interpretations of existing national laws and policies. She points out that, according to UNHCR, Bangladesh hosts

around 9 lakh twenty-five thousand three hundred eighty Rohingyas, out of which 52% are children. However, lack of documents makes their conditions even more precarious because, ultimately, the body of a Rohingya child is visible or invisible in the eyes of the state, which depends on legal documents, leading to further vulnerabilities and rightlessness. Therefore, they face difficulties in enrolment in schools. Lack of access to secondary and higher education, higher chances of falling into the prey of child labour and early marriage, sexual violence and trafficking are some of the risks that Rohingya children are exposed to.

In this context, she discussed the global protection mechanism for refugees and migrants within the gambit of the worldwide protection mechanism. Using Martha Albertson Fineman's argument on the need to look at vulnerability wherein state and other institutions intertwine in the social web; we open things up to considering children in the same way as adults. She then pointed out that it is the vulnerability of children that forms the significant core of the need for protection mechanisms. When we say vulnerability, her research looks not only at the victimhood of refugee and stateless children, but also at their agency in the protection mechanism. And when we say Rohingya children are not only victims, but at the agency, they do possess certain rights which go beyond their refugee, stateless, and forced displaced status. She pointed out that in the last few decades, the right to protect these kinds of invisible refugees and stateless children in South Asia has been discussed from the vantage point of the main stream adult and euro-centric focus inherent in child rights, human rights, international refugee law, and international human rights law. A visible category of these invisible children are the Rohingya children, whose disposition and precarity may be attributed to increasingly exclusive citizenship laws in South Asia, depriving them of the right to have rights.

In context to Europe and the USA creating homogenised identities in the 19<sup>th</sup> and 20<sup>th</sup> centuries, Eric Hobsbawm pointed out that states created nations, i.e. national patriotism and, at least for certain purposes, linguistic and administrative homogenised citizens. She highlighted that this practice of constructing homogenised citizens in general and homogenised children in particular is what she will discuss in the context of perceiving a worldwide protection mechanism. She then poses questions like: Do stateless children in South Asia have the right to have rights? And, in what way is the so-called contemporary global protection mechanism still paying to address the rightlessness of the Rohingya children? While discussing the change in the global scenario, she highlighted the Russia-Ukraine situation, leading to the displacement of millions of Ukrainian children, once again exposing the place of children in a situation of war and global protection regime. However, using the example of Don Milani school in Italy, wherein two Ukrainian children were given a warm welcome and how other European countries like Poland, Slovakia, and Moldova, etc. are willing to accept Ukrainian children into their curriculum, she argued that the same kind of response and approach is lacking in South Asia, especially with respect to the Rohingyas. According to B.S. Chimni's article, "The Birth of a Disciple from Refugee and Forced Migration Studies," often the relationship between knowledge and power is overt; power can simply dissuade the production of critical knowledge. Unless and until this critical knowledge is reflected in the global protection mechanism, which includes not only European children but also refugee and stateless children from around the world.

In the end, she indicates some possible themes for the research collectives on the protection mechanism in the contemporary world, such as: looking at vulnerability from the perspective of children, given its diverse and intersectional nature; exploring through what avenues of selective approach can be challenged as highlighted in the Kolkata declaration – need for cohort protection policy and justice for refugees and migrants from Afghanistan adopted at the winter workshop in 2021; and questioning humanitarian agencies—how to ensure that in this case, the people or the refugee and state children in South Asia need a protection mechanism?

The three presentations were followed by an enriching discussion where all the three paper presenters received very insightful and constructive feedback in the form of questions, clarifications,

and suggestions from the participants and distinguished guests. While opening the floor for discussion, the discussant, Sucharita Sengupta, took a few core points from each presentation to summarise and share her reflection with all the panellists. While doing so, she pointed out that we need to acknowledge that migration is natural. She also stated that, while the laws exist on paper, they fail to protect refugees, stateless people, and migrant populations on the ground. She appreciated Sarulakmi R. for bringing COVID-19 context into the discussion since it raised new challenges before the states and their borders and also changed our preconceived notions about laws, migration, and mobility, etc. and that there was an entire discussion on the 'new normal' and what will happen after this. Hence, in this regard, she raised the question of whether the pandemic brought in any change in the discussions or in the laws of protection mechanisms, especially looking at class, gender, race, untouchability, etc. She asked Ritupurna Datta, if she could explain the methods of data collection. For Sreetapa Chakrabaty, she asked if she could also explain the resistance mechanism used by the Rohingyas themselves. Also, she suggested looking into the unequal treatment of Rohingyas within Bangladesh due to the 1992 watershed year. Registered Rohingya refugees resettled in 1992 face a very different kind of experience; many are born and brought-up in Bangladesh. But what happened after 2017 is that everyone started to get equal treatment. Hence, we should look into the case of the treatment of children in registered and unregistered refugees.

While concluding, Sucharita Sengupta pointed out whether citizenship is the answer to the problem of statelessness. As Ranabir Samaddar in his book "The Postcolonial Age Migration" highlights, how law has defeated its own purpose, so the idea that refugees and migrants are a problem and so they are welcomed, though they are present very much in politics but inactive in the economy. Additionally, she pointed out that since all three papers had aspects of humanitarianism, which have their origin in the emergency of the refugee crisis, what happened to that? She also highlighted that the burden of refugees has always been on South Asia way more than the global North, and the border in the south and the global north is very different. Also, the fact that during the formulation of the 1951 law, none of the South Asian countries were involved in the discussion; hence, how much globality can be ascribed to these global compacts? This needs to be reflected. Lastly, she highlighted that it is the need to compartmentalise rights into categories that is where international law fails. Thus, she suggested it's time we do away with categories and terms. Later, she opens the floor Q/A, requesting all to participate.

Prof. Paula Banerjee asked Sreetapa Chakrabaty, how have you defined children? And when you talk about the citizenship of these children, are you also talking about their parents? Or how relevant is the question of citizenship to these children? She begins by clarifying that she used the UNCRC definition of child. And, on the question of the citizenship of parents, she highlighted that the issue of citizenship is very complicated. While, using the example of various case laws, she explained that there are various intricacies and nuances between international and national laws that create discrepancies. Even the angle of gender contributes to the problem. Additionally, there is an inherent territorial limitation to the concept of non-refoulement, and we know that Rohingya can not only be found on land but can also be found at sea. And the edited book by Ranabir Samaddar and Sabyasachi Basu Roy Choudhury deals very well with the concept of "Sea as a Region." Hence, under these intricacies and nuances, no children have got citizenship of Bangladesh till now.

Sarulakmi R. Kamla was asked about any international developments regarding the legal regime on protection of migrants and its impact on mobility. And what do we mean by an international legal regime? To which she answered, the scenario of international migration is very different from national migration, and so the laws. She pointed out that each category is divided and has different legal mechanisms relating to it, and thus can't be mixed. Even the migrants are divided into three categories: skilled, low-skilled, and unskilled. As a result, she emphasized that international law serves as guiding principles and that states parties must come forward to make it legislation in order

to protect these people. It has been observed that for high-skilled workers, both destination and origin states are coming forward to bargain for them through multilateral and bilateral agreements. There are different kinds of visas devised for them. However, the fates of the unskilled and low-skilled are not the same. While, the pandemic has brought no changes in the global protection scenario, in fact, it is going to become even more complex. In the end, she proposed that it is the states who should come forward with multilateral and bilateral agreements in order to support and protect all categories and classes of workers/migrants. To this, Prof. Paula Banerjee added that even the post-COVID vaccination nationalism added to the already existing complexities.

For Ritupurna Datta, the idea of protection is one from above, since the agency of protection is lacking. Ritupurna Datta began by clarifying that the study is not archival but uses secondary sources such as Bengali and English newspapers published from Kolkata, Delhi, and some from the US and UK and will use them for a comparative study. Also, that yes, there was significant mobility of Dalits. Later, she put forward that we can't see refugees and migrants just as passive receivers of protection, and their agency of decision to survive is their first bargaining power.

The Chair, Supurna Banerjee, ended the session by adding the idea that how the lack of intersectionality in the way the protection mechanisms looked at was kind of also one of the ways in which marginalities are reproduced and sometimes enhanced. She then congratulated all the participants and ended the session.

#### **Film Screening:**

The screening of Calcutta the Migrant City (Part II) was followed by the tea break. Samata Biswas described the reason behind making the two parts of the film. She said the participants should go through both the films to understand how a city had developed by the migrants and migrant labours and how its demography had changed with the partition. She told that the third part of the film would be based on the city as a transit point.

#### **Concluding Session**

The workshop ended with the closing comments by Paula Banerjee. She analysed the entire workshop thoroughly and said that the young scholars from IDSK and the former participants of winter workshops enriched the workshop.

Debashree Chakraborty delivered the vote of thanks.