CONCLUSION

A review of contemporary and existing literature on the worldwide problem of refugees around the globe clearly shows that most of the authors who have done previous research and thinking about the refugee problem internationally, and especially with a view to South Asia, have dealt with and presented some of the more particular aspects of the problems faced and caused by massive refugee movements. However, they have not, by and large, made any kind of an exclusive study of the impact of Sri Lankan Refugees who have sought refuge in, and are in residence in, India. This particular study has attempted to cover that very subject, fill that very lacuna, in the general body of existing research on the global refugee issue. The study also aims to explore the various linkages that exist between the Sri Lankan refugees the state of Tamil Nadu with special emphasis on the challenges that have been faced by India in terms of law and order, national security, and economic burden.

When this study examined the various socio-political and economic causes that have led to the massive movements of refugees in South Asia, special emphasis was placed on the serious implications of these massive refugee inflows for the South Asian nations that have to play host to them. From the extensive examination undertaken of the various official definitions of the term “refugee”, worldwide, and a closer look at the many conventions and resolutions adopted by the international community as means to deal with the refugee issue, the study has tried to arrive at a better understanding of the problem. Given the fact that one in every 70 people, globally, is now a displaced person, and living outside the country of their origin, it becomes all the more important for the global community to understand the myriad issues that surround the entire phenomenon of the creation, migration, arrival, accommodation, and repatriation of refugee populations around the globe. In the area known as South Asia alone, since that is the focus of this work, large population movements have historically sprung from
reasons as wide ranging as the restructuring of political systems, the end of the era of colonialism, and the processes of nation forming, all the way to external aggression, internal strife, and the age old cause of the search for a better life.

A look at the issues caused by the massive movements of refugee populations clearly shows that many of the intra and international problems in the South Asian region can be traced to the presence of large groups of refugees in most of the countries here. The excessive social, economic and political burdens generated for the host state by the presence of large refugee populations is a matter of concern for the entire region, not less for the rest of the world. Not only does the internal balance of the host state become threatened, its local populace is also deprived of much of the essential but limited resources and inconvenienced as to mode of life. In addition the many instances of cross border mass migration of refugee populations also tends to create tensions between nations, especially when the country of origin turns out to be reluctant, for whatever reason, to accept repatriation of the refugees it has driven out. There are also serious security concerns and law and order threats that are posed by the presence of refugees because the rootless nature of these populations, and their desperate hankering after security and a better life, often draws them into illegal and criminal activities ranging from petty theft to organized crime, and trafficking in drugs, arms, and women. Often, there are problems and differences among various factions of the arriving refugees, and these can sometimes cause additional stress, or explode into street wars, causing more problems for law and order. Militant refugee groups can make the situation worse when they use the host countries, their resources, or the better access it gives them to money and power, as a springboard for launching and waging wars back in their homelands.

The study also examined the historical causes behind the large scale migration of Sri Lankan refugees into the southern states of India, and took a closer look at the historical background of ethnic conflict in the country. From the
original search for respective ethnic identities and a tracing of collective history, all the way into civil war and military intervention, the buildup to the problems in Sri Lanka has been long and complex. This study examines ethnicity as a primary cause of internal strife and civil wars around the globe, with special reference to the long standing ethnic conflicts in the island nation of Sri Lanka. The ethnic and cultural differences which caused the original friction in the country, have only become worse over time. They have also been exacerbated by the various pro Sinhala policies followed by the Sri Lankan government.

The Sinhala community, the majority, consider themselves to be the rightful inhabitants of the land. They are the descendents of the original occupants of the island, who supposedly hailed from the northern states of India, and were of Aryan descent. On the other hand, the second largest population group, the Sri Lankan Tamils, also consider themselves to be rightful inhabitants, being descended from the later settlers who arrived on the island from the southern states of India, and who were of Dravidian descent. The conflict arises from this sense of entitlement, of both of these groups, who consider the island their rightful home. The Sinhala sees the Tamil as an outsider in his land who has no right to be there, while the Tamil refuses to give up his rightful ancestral lands. The hugely divergent backgrounds and identities of the two major ethnic groups have led to the long term ongoing strife which has been further complicated by the Pro Sinhala educational, development and industrial policies adopted by the Sri Lankan Government. These anti Tamil and Pro Sinhala policies range from the adoption of Sinhala as the sole official language, to educational policies that put Tamils at a disadvantage. Social and industrial injustices and imbalances added to the problem, as most of the major investment in the post independence period, especially from foreign nations and industries, was channelled into the Sinhala held territories, leaving the majority Tamil areas poor and underdeveloped. This lopsided governing combined with the existing ethnic gulf and resulted in long term and deep seated resentment which exploded in violent ethnic riots. This
declaration of open war caused the movement of large parts of the Sri Lankan Tamil Population out of the country in search of safety and security.

Although India initially held out a warm welcome for the refugees because of the perceived shared cultural, language, and religious heritage, especially with the southern Indian state of Tamil Nadu, it was forced to change these open and supportive policies when the refugee presence began to cause problems for the host country. Soon these problems went far beyond being just a socio-political and security issue which is the normal fallout of any major population movement. In the case of Sri Lankan Tamil refugees in India, these issues and problems actually culminated in the assassination of the former Prime Minister Rajiv Gandhi. Since then, India has been forced to push for early and rapid repatriation of the refugees who have no objection to returning to their hometowns.

This study also examines the status of Sri Lankan refugees in India, the structural aspects of refugee law in India, and the fact that India is not a signatory member of the 1951 Convention on the status of refugees. Throughout its independent history, India has borne the brunt of the arrival of millions of refugees from most of the nations of South Asian region. As consecutive waves of refugees continued to arrive on Indian shores, seeking refuge from the violence back home, it became more and more essential for India to figure out how to deal with them, to formulate some kind of an organised approach to the housing, feeding, and care of refugees, as well as some kind of legal framework to determine their legal status, rights, and such like.

When the first wave of the arrival of Sri Lankan Tamil refugees in India began, in 1983, the initial attitude on the part of the host country, locals and government was one of benevolence and welcome, and the arrivals were greeted almost as effervescently as visiting kin. By the time that the second wave of refugees, beginning 1989, started to arrive, the enthusiasm had started to wane. Things had managed to get much more complicated that most people had first
realised possible. The arrival and continued stay of so many Sri Lankan Tamils began to put undue pressure on the local resources, and the special treatment meted out to them at the camps, including cash doles and subsidised foodstuff, free clothes, utensils, and electricity etc, began to cause resentment amongst the local poor who could not afford those things and were not given such handouts. The refugees also began, and continued, to play a larger role in state and national politics. Local politicians soon realised the potential of these populations as vote banks, and the Tamil issue became a mainstay of all the local political parties. Also, the refugees managed to form or influence political pressure groups, and began to make their presence felt even on national level politics.

The assassination of erstwhile Indian Prime Minister Rajiv Gandhi, by a Sri Lankan Tamil suicide bomber, further complicated matters, and impelled the Indian government to take steps towards beginning the repatriation of the Sri Lankan Tamil refugees. The existing refugee camps were consolidated, and reduced in number. The refugees from these camps were reshuffled on a cross local basis to prevent cliques from forming, and people were consciously housed with refugees from totally different areas of origin so that area wise groups cold not cohere, and security was tightened around the camps. The third wave of Sri Lankan Tamil refugees began arriving from 1996, as conditions continued to worsen in Lanka and violence continued unabated, and a further wave began in 2006. They were received at the points of entry, were registered, and given IDs, if they lived in camps. This was done after the relevant details such as home address, proof of identity etc were collected from them. Classified as camp, non-camp, and militant refugees, Sri Lankan Tamils were housed and accommodated according to those categories. The highest levels of security were for the militant category, which were refugees who had known ties to militant organisations, or known criminal backgrounds, while the great majority of the refugees lived in basic camps, or outside the camps. The ones who were better off, economically,
or had relatives in the state of Tamil Nadu, often chose to stay outside the camps, in self arranged rented accommodation.

When the repatriations began, the first wave of repatriation, between 1992 and 1995 went fairly smoothly without many hitches and hassles. However the second wave began to generate negative public opinion. Most humanitarian agencies and many among the common populace felt that the unabated strife in Sri Lanka made it unsafe for the refugees to return to their homes. Doubt began to be raised about whether the repatriations were truly voluntary in nature or whether the refugees were feeling any overt or implied pressure to leave India. However, it cannot be denied that under the Constitution of India, refugees enjoy a number of protections as foreigners on Indian soil including the right to life, dignity, religion and so on. This is meant to ensure that their human rights are not violated, and that they have a dignified and safe life for as long as they choose to live in the country. Various court orders over the years and most of the government policies connected to refugees have also placed great emphasis on the absolute necessity of the repatriation process being voluntary. Under no circumstances must any of the refugees be forced to leave the country of refuge if they do not wish to return home to their country of origin.

While they remain in India, the refugees can, and often do, cause a number of social, economic and political challenges within Tamil Nadu and for the nation as a whole. This study also examines the various problems created for India by the presence of the Sri Lankan Tamil refugees. The host nation, which had to house, feed, care for, and provide security, for the Sri Lankan Tamil refugees, their continued presence meant a lot of extra pressure on limited resources. From a closer examination of these circumstances, it becomes clear that certain conclusions can be drawn from the extensive fieldwork conducted for this study within the various refugee camps in the state of Tamil Nadu, and the interviews conducted with the various people – both refugees and local people, government
employees and NGOs. Almost all the refugees who were interviewed agreed that the efforts and the measures undertaken by the governments of India and Tamil Nadu respectively, for their benefit, have been more than adequate to meet the various needs of the vast number of refugees who have come into India in as many as four waves since the early 1980s. With a combination of efforts from the governmental departments and the various NGOs involved in refugee issues, the Sri Lankan Tamil refugees have been able to not just eke out a basic living, but to have a life as close to their normal daily life as possible. The refugees have been able to continue their daily lives in India, their host state, in almost as much comfort as they had been accustomed to in their own home state of Sri Lanka.

However, the arrival and continued existence of the very great number of refugees in their territory always poses a number of social, economic and political problems for any host state, and India is no exception to that rule. There are always the added pressures that the very presence of so many extra people to feed puts on the existing common resources, which are forced to stretch much further to accommodate those people and to supply the basic needs of all these extra people alongside those of the local populace. But that’s not all, and other problems that arise also include the political pressure groups and the pressure politics which become a part of maneuvering of the various political groups in the area to garner votes, as has happened in the Indian state of Tamil Nadu, as well as at the center. There is also an associated general rise in the rates of petty crimes, smuggling, and other illegal activities in the areas where the refugees are housed. These are often indulged in by at least a small section of the refugees, whose very rootless and desperate circumstances push them to engage in illegal activities out of anger or need. This can cause numerous law and order problems for the host nation, India. Additionally, the internal and external security of the host nation often comes under threat and all of these problems can be caused by the continuing ties of the Sri Lankan refugees in India with the LTTE or other militant groups and outfits back home. The scope of this work also includes the
examination of these security issues and problems in greater detail, in an attempt to find out where, and what, the shortfalls are, and to determine what measures are necessary to balance and neutralise these natural imbalances caused in the host nation by the arrival and continued presence of a large number of outsiders seeking refuge.

What has been the role of the Indian government in providing security and protection to the Sri Lankan refugees in residence in India? This study also attempts to answer that question through an examination of the particular programmes and policies implemented by the Tamil Nadu government for the welfare of the Sri Lankan refugees and the role that the various Non-Governmental Organisations have chosen to play in overall Refugee Management. For the entire period of time after her independence, in 1947, India has had to bear again and again the social, economic and political burden of accommodating some of the largest influxes of refugees in all of South Asia. At her birth, she had to contend with the massive cross border exchange of populations which were caused by the formation of the brand new state of Pakistan, where estimates put the migration at over 20 million people. Over the years there have been many more such migrations, from Afghanistan, Tibet, Nepal, Bangladesh, and so on, the most recent of which has been the arrival of the Sri Lankan Tamils. India has done its best to feed, house, clothe, educate and take care of the huge populations of various kinds of refugees.

Although India is not a signatory to the major international conventions on refugees, and does not have any constitutional provisions for refugees, it has always done its best, internally, to provide for these displaced masses. The biggest internal issues were created, as can be expected, by the influx of the Sri Lankan refugees beginning 1980s. There was much cause for concern not just about the usual social and economic burdens that are always caused by such inflows, but also of the undue political influence the refugees were able to exert on national
and state level politics, and the internal as well as national security issues they have caused, especially considering the militant nature of some of the refugee groups, and their internal animosities which often explodes in violence.

The Indian police was the body that was given the initial role of receiving the refugees as they arrived in various safe areas along the Tamil Nadu coast, after which they were usually moved into one of the transit camps set up to provide initial shelter and emergency medical aid. After this, after their identities and addresses had been verified and various details noted, they were moved to one of two kinds of camps, the normal ones – for the larger segments of the refugees who were simply seeking shelter and safety, and the special refugee camps, with much more enhanced security, — for those who were viewed as a security threat. These special camp refugees were the ones who were known to have some involvement with militant groups or because of a known criminal past or present and ongoing involvement in criminal activities in India. Accommodation was provided to the normal camp refugees in basic huts, constructed on government land, or temporarily accommodated in various government buildings. The refugee camps were provided free electricity, between 6 pm and 6 am, all non-daylight hours, and sanitation facilities were adequate, although often left unused due to issues of maintenance and cleanliness.

Water is a commodity that is almost always in short supply, even at the best of times, in the state of Tamil Nadu. However, the refugee camps were supplied with adequate water for the refugees through tankers which brought in from nearby wells and reservoirs. Other forms of relief assistance that was made available to Sri Lankan Tamils in India included cash doles for each family, subsidized food supply, clothing, cooking utensils, medical assistance, educational assistance and so on. Free education at the school level, uniforms, books, and bus passes to travel to and from school laid the foundation for the continuation of the education of the children of the refugees, and ensured a better future for them.
Overall, the yearly expenditure incurred by the governments of both India and the local one at Tamil Nadu on all of these provisions for the refugees ran into tens of crores of rupees every year. In addition to all these measures that have been undertaken by the state and central governments, numerous NGOs have also played a major role in helping to rehabilitate these refugees. Often government agencies and policymakers too have sought help from and made use of the work being done by these organizations. The UNHCR has also been involved, especially in the repatriation process, since 1992. When the first murmurs began to be heard about the possibility that not all the repatriations were voluntary, the UNHCR demanded the right to ensure the genuineness of each case. Their mandate is to make sure that the repatriations are totally voluntary, and to make sure that adequate protection was being provided for the refugees at the camps.

Other organisations like OFFER distributed necessities, conducted training programmes, offered vocational training in carpentry, tailoring, typewriting, house-wiring, motor-rewinding etc. however, these training programmes were discontinued when the response petered off after sometime. In the 1990s, when the refugee population was so high that it took 337 refugee camps in Tamil Nadu to accommodate them, these voluntary organizations were encouraged to help the refugees especially with the psychological and social problems. However, once the immediate influx stopped, and most of the refugees were properly settled in the camps and all the basic necessities had been provided by the government, the voluntary organisations discontinued their activities in most cases. When repatriation started and the reverse flow of refugees began, the representatives of organisations like OFFER and Pro-TEG started adverse propaganda dissuading the refugees from returning to Sri Lanka. They also sent petitions to remedy mismanagement in camps.

In order to discourage adverse propaganda about the conditions for repatriation, the government decided to ban all voluntary organisations from
having access to the refugee camps. The Government of India issued instructions disallowing all foreign voluntary agencies, that is all the voluntary organisations funded that are by foreign money or foreign agencies, should not be allowed to work in refugee camps. As a result, the activities of organisations like CROP (The Community Rehabilitation Organisation for Progress; Perambalur, Tiruchirapalli district), READ (Rural Education and Action for Development), RENAISSANCE (A Trust for Socio-Economic Development, Arantagai), PERD (People Education for Rural Development Society, Kodaikanal), SEED-TRUST (Social Educational and Economic Development Trust), SPEECH (Society for Peoples Education and Economic Change, Madurai), RUC (Rural Uplift Centre, Tirunelveli), OXFAM etc. were suspended in refugee camps.

The only organisation that seems to have maintained its presence, and has access to the camps through its informal network among the refugees is OFERR. It was founded in 1984, and its main objective was to assist and render relief to Tamil Refugees from Sri Lanka. The OFERR is a non-profit making, non-political and service oriented NGO, staffed by professionals, educationalists and social workers from both India and Sri Lanka. It has, over time, brought a number of problems and matters related to the refugees to the notice of both the state and the central governments, and many of the recommendations it has made have, over the years, been accepted by the State and Central Governments. In addition, OFERR has been doing some very good work with the refugees in the fields of counseling, the restoration of dole, rations and IDs, and the empowerment of women. OFERR has trained both volunteers and camp refugees in counselling with regard to family reunions, guidance and advice, stress, depression, trauma and motivation. It has also set up a database intervention and persuaded the Government of India and Tamil Nadu to accept the fact that several thousand refugees were living in camps whose registrations had been struck out by camp official for various reasons. These registrations, and dole and rations to all refugees whose registration had been struck off was soon resumed, with the help
of the OFERR database of the thousands of refugees, without registration, dole and rations, living in the camps. The empowerment of women and children was facilitated by the creation of self help groups and the creation of awareness through campaigns and training. Medical teams from OFERR periodically took care of the regular healthcare of the refugees. It has also made available various kinds of assistance to enable them to pursue their school and college level education. The assistance ranges from guidance and advice to refugee students, admissions in schools, colleges, polytechnics and other educational institutions, English language coaching, adult education, and special classes to help students to adapt to Indian curriculum, to financial assistance to help them meet school or college fees, hostel fees and travelling expenses.

ADRA is another of the non-governmental organisations that has done extensive work among the Sri Lankan Tamil refugees. It has a presence in as many as 125 countries and provides sustainable community development as well as disaster relief without getting involved in political or religious associations, and irrespective of age, gender and ethnicity. ADRA, India, works with the refugees in the fields of health, emergency management, economic development, education, water and sanitation, environment, anti-human trafficking and gender equality. Specifically it has helped install water pumps and tanks, build and refurbish latrines, and improve the existing surface drainage system, distributed household rubbish bins, and established compost beds. ADRA is also helping to build new shelters and improving the existing ones, and providing training on accident risk mitigation.

However, the government has had to impose restrictions on these and other NGOs after the assassination of Rajiv Gandhi when it was suspected that associates of the assassins found shelter in the refugee camps. Security measures were tightened around the refugee camps and non-governmental organisations were restricted in their access to the refugee camps. Although voluntary organisations have been offering essential services to the distressed Sri Lankan Tamil Refugees,
and there can be no denial of the fact that they have helped the considerably, the volatile nature of the refugee issue has forced a curtailing of their actions.

Overall then, it becomes clear that the presence of such large numbers of Sri Lankan Tamil refugees has caused myriad problems for the host state of Tamil Nadu and the whole nation of India. And while the record is pretty good with regard to the care and the accommodation they have found, provided for them by the Indian government, it has not been an easy task. From dealing with the social, economical and political created by the presence of so many extra people on its territory, to handling the internal and external security problems raised because of the influx, India has had a lot on its plate in the last three decades. However, as can be seen from the research conducted under this study, the governments of India and Tamil Nadu have discharged this responsibility well, and to the best of their ability. NGOs and other voluntary organizations have played a part, not only in mitigating the problems and taking care of the refugees, but also in ensuring that the subsequent repatriations are voluntary and of free will. And although the situation did become contentious in the aftermath of the Rajiv Gandhi assassination, they were brought, and kept, under control with judicious security measures and extra vigilance.

Much remains to be done before every displaced Sri Lankan Tamil is back in their homeland, but with the repatriation efforts made by India and the continuing interventions, much hope can be held out for the future, and for a speedy and final solution to the problem.