Chapter – I

INTRODUCTION
1.0 STATEMENT OF THE PROBLEM

The protracted or prolonged refugee situation is a growing concern and challenge for the international community today especially to India. The World Wars and the Cold War have ejected millions of refugees from Europe, Russia and elsewhere in the world. So also India has witnessed the largest movement of refugees in history during the partition of the Indian subcontinent into India and Pakistan in the year 1947 and during the Bangladesh Liberation War in 1971. With its open borders, India like other South Asian Countries and Africa is a refugee-prone region. India discovered this phenomenon when absorbing the Tibetan Refugees in 1959, the Chaka influx in 1963, the Bangladeshi refugees in 1971, the Afghan refugees from the 1980s, the Myanmar refugees for a similar period and the Tamil efflux from Sri Lanka in 1983, 1990 and again in 1995. So India has been facing the problem of hosting refugees from the neighbouring countries like Bangladesh, Burma and Sri Lanka for long time.

The researcher focuses on the problems of refugees associated with prolonged camp life as pertaining to Sri Lankan Refugees spread out in 103 camps across the state of Tamil Nadu, India. The prolonged stay of sixteen years (1990-2006) in refugee camps gives rise to the development of problems of social, economic, cultural, psychological and political nature. The thrust of the research is to study and describe the life of Sri Lankan refugees in their home country before war, their life during crisis of war times, and the transition to refugee camps in Tamil Nadu with special reference to social, economic, cultural, psychological and political aspects. It tries to understand the role played by the Tamil Nadu State Government and the Central (Indian) Government in protecting the refugees. It also highlights the role of NGO’s working for the welfare and protection of Sri Lankan refugees and to suggest probable measures to improve their situation.
1.1. INTRODUCTION

From 1983-2006, for almost two decades, Sri Lanka was enmeshed in a bitter civil war between the Sri Lankan Army and the LTTE (Liberation Tigers of Tamil Eelam) that claimed a devastating human toll, and this comprised a number of different phases and even different protagonists. About 70,000 Tamil civilians are estimated to have died since July 1983. The massive communal violence against the island’s Tamil population in 1983 created the first wave of refugees ejecting 1,34,053 people fleeing to Tamil Nadu. By the late 1990s almost one million people, amounting to one-third of the total population of the north-east were living as internally displaced persons (IDPs), while one-quarter of the total Sri Lankan Tamil population about 1,22,078 had left the country and reached India. This resulted in the second wave of refugees. Further a large number of people estimated as at least 30,000 and sometimes as high as 60,000, are estimated to have disappeared in a separate, but indirectly related insurgency between 1987-1990. A sizable number of people 21,940 reached again India in the mid of 1995 due to crisis that caused the third wave of refugees.

During times of war, people have been seeking ‘refuge’ in Tamil Nadu, which is relatively poorer than the most of the Tamil inhabited areas of Sri Lanka. Obviously this movement of the people has not been inspired by the hope of a better standard of living. What must be underlined is the fact that the refugees are certain that their lives will not be in danger in Tamil Nadu. There are no midnight knocks; what is more, their wives and daughters can move about freely without fear. With this hope, they reach the Indian shore, Rameshwaram by crude boats paying Rs.1000 to Rs.3000 per head. Their dwelling places are called ‘Ceylon Refugee Camp’. Although India is non-signatory to the ‘1951- Refugee Convention’, it has given temporary shelter in government-owned rice go-downs as well as hired private go-downs, poultry yards, and open space camps (C.Amalraj, 1997). The refugees are all from the conflict-prone areas of Sri Lanka’s north-eastern provinces and a handful from Colombo.
1.2.0. THE SRI LANKAN REFUGEES IN TAMIL NADU

The 24 years (1983-2006) of on-going ethnic conflict in Sri Lanka has made its Tamil refugees who lead a life of exile in Tamil Nadu. Confined to tiny huts with makeshift camps, congested and overcrowding go-down type camps and with restriction of movement for work there, their life goes on. The Sri Lankan Tamil refugees in Tamil Nadu can be divided into four categories: (V.Suryanarayanan & V.Sudersen 2000)

- Refugees in camps
- Recognised refugees outside camps
- Sri Lankan Nationals and
- Tamil Militants detained in special camps.

The legal status of each group is different. As a matter of fact, the government, political leaders and non-governmental organisations (NGOs) use the term refugee interchangeably. It has created not only semantic confusion, but also administrative and legal bottlenecks.

1.2.1. Refugees Living in Camps

According to Tamil Nadu Rehabilitation Department, there are 103 camps across the State of Tamil Nadu with a population of 50,703 with 13,333 families excluding the new arrivals in the year 2006. The government of Tamil Nadu provides them with

- Temporary housing with 10 x 10 square feet housing with huts in open space,
- Housing in government owned go-downs as well as private go-downs and
- Government hostels
They are also provided with medical care and education free of cost up to secondary education. Other types of assistance extended to them are as follows. (Policy Note 2006-07, Public Department, TamilNadu)

**Cash Doles:** It is being distributed to the refugees twice a month

- For adult (head) Rs. 200 per month
- For each additional adult Rs. 144 per month
- For first child Rs. 90 per month
- For each additional child Rs. 45 per month

**Note:**
1. Age below 12 years is treated as ‘child’ for this purpose.
2. One who has attained the age of 12 years and above is treated as ‘adult’.

**Rice:** It is being supplied to them through the Public distribution outlets and through the shops run by the Co-operative Institutions of Tamil Nadu Civil Supplies Corporation.

- at the subsidised rate of 0.57 paise per kg
- at the rate of 400 grams per adult per day and
- at the rate of 200 grams per child per day

**Note:**
1. Age below 8 years is treated as ‘child’.
2. One who has attained the age of 8 years and above is treated as ‘adult’.

**Clothing Materials**

Clothes and Mats are supplied free of cost to the refugee families staying in various camps every year at the scales prescribed by the Government of India. Blankets are also supplied free of cost to them once in two years.
Utensils

Household utensils are supplied free of cost to all the refugee families accommodated in camps once in two years. As new inmates to the refugee camps arrive, the above mentioned facilities have to be provided to them also.

Other Assistance (see appendix: Rehabilitation Department – at a glance)

1.2.2. Recognised Refugees outside Camps

The recognised refugees who live outside camps are called non-camp refugees. According to the official sources, the non-camp refugees are about 20,184. These non-camp refugees escaped from the war and reached Rameshwaram by boat. They got permission from the officials of the Rehabilitation Department, Chennai stating that they did not want to stay in refugee camps as they could fend for themselves. Once permission was granted then they were asked to register themselves in the nearest police station of their residence for verification purposes. The last procedure is to get a refugee certificate from the District Collector's office. Once all these procedures are fulfilled, they become the recognised refugees to live outside the camps. As they are non-camp refugees, they are not entitled to get any financial assistance from the government or subsidised ration as the refugees living in camps get. However, they can avail themselves of educational facilities earmarked for refugees, especially from institutions of higher learning in courses like Medicine, Polytechnic etc.
1.2.3. Sri Lankan Nationals

Obviously this group belongs to the middle class and well-to-do sections of Sri Lankan society. According to the U.S. Department of State, "Sri Lanka Country Report on Human Rights Practices - 2002", records that approximately 1,00,000 refugees may have integrated into Tamil society in India over the years. During the last decade, approximately 25,000 refugees entered India with valid travel documents issued by the Indian High Commission in Colombo. Another point, which deserves mention, is that according to the Sri Lankan Citizenship Act, children born to Sri Lankan nationals outside the country will have to apply for Sri Lankan citizenship by registration through the nearest Embassy/Consulate/High Commission. According to the Sri Lankan Deputy High Commission in Chennai, the number of applications received from Sri Lankan nationals for citizenship by registration is very low.

As far as the Indian Citizenship Regulations, (originally Section 3 of the Citizenship Act of 1955), are concerned, they fully follow the principle of *jus soli*, and all children born in India, irrespective of the nationality of their parents, became citizens of India by birth. The only exceptions were children whose fathers claimed diplomatic immunity or whose fathers were an enemy alien and birth took place in territory occupied by the enemy. Thus the children born in India of illegal immigrants from former East Pakistan (now Bangladesh) became Indian citizens. Hence Section 3 was amended, as a consequence of the Assam Accord, by the Citizenship Amendment Act, 1986 (Central Act 51 of 1986) with effect from July 1, 1987. Thereafter, a child born in India after July 1, 1987 would acquire Indian citizenship by birth only if one of its parents is a citizen of India at the time of its birth.
1.2.4. Sri Lankan Nationals and Refugees, who are identified as Militants

This group refers to those who are suspected to have militant connections or suspected to have criminal cases registered against them. As the refugees arrive at Mandapam Camp, Rameshwaram, for registration purpose, the refugees go through a screening process wherein physical checking is done by the Police. During the process the suspects are detected and placed in 'Quarantine Camp'. In Mandapam Camp there is a separate room for this purpose where the suspects are kept under watch for two or three days. During these days they have to go through a few tests done by the Police especially muscle test to know whether they had training with LTTE or not. Once they are detected to be suspects, then such people are sent and accommodated in Special camps in Vellore, Chengalpattu, Puzhal, Salem and Pudukottai. In 1992, the militants who were detained in the above special five special camps numbered to 1,629. In the year, 2003 March 31, there was only one special camp in Chengalpattu, and the detainees numbered 34 (31 men, two women and one child). The number of people belonging to this category has come down over the years.

Having given protection to the Sri Lankan Tamil Refugees in the year 1991, the Government of Tamil Nadu began to pressurise the Central government to repatriate the Sri Lankan refugees soon after the assassination of Sri Rajiv Gandhi, the former Prime Minister of India. The repatriation commenced in January 1992. Immediately there was an outburst of criticism that India was pressuring the refugees to leave; that the repatriation was "involuntary"; and that since peace had not returned to Sri Lanka, the repatriates would not be safe in the island. The NGOs working among the refugees in India and Human Rights Organisations such as Asia Watch alleged that the hapless refugees were being forced to leave and that their signatures had been obtained in option forms which were printed in English, the contents
of which they did not know. According to Asia Watch, the repatriates faced "direct and indirect coercion to return home, including arbitrary arrest, withdrawal of stipends and food rations". Thereafter no international agency was permitted to visit the refugee camps to monitor whether the Indian Government follows the principle of "non-refoulment.". The refugees had "no reliable means" of ascertaining the actual conditions in their villages in Sri Lanka. Now with fresh attacks on both sides (Sri Lankan Army and LTTE) the situation is quiet alarming. People have stopped going to their native places in Sri Lanka and keep waiting that normalcy be restored.

According to UN, ‘if people are staying in camps in other countries for a period of five years with the population of 20,000, then it is said to be a prolonged stay’. The researcher has chosen the first category of refugees who have been living in Government established temporary settlements called camps since 1990. Almost sixteen years are over ever since their arrival in Tamil Nadu. So these sixteen years of protracted camp life is the subject of this research titled “Social Consequences of Prolonged Camp Life of Sri Lankan Refugees in Tamil Nadu, India”

1.3.0. ETYMOLOGICAL MEANING AND GENEVA CONVENTION

The word ‘refugee’ takes root from the Latin word ‘fugere’, meaning to flee. In French, the word denotes past participle of ‘refugier’, meaning to take refuge, and the noun form ‘refugee’ means one who flees from home, confinement or captivity. And now the word ‘refugee’ is part of the English language having been brought here by the early French Protestants, the Huguenots seeking refuge and they were spoken of as the Refugees by the locals. (Encyclopaedia Britanica, 1965)

In Swahili language, the term for the refugee is ‘Mkimbizi’, which literally means “a person who runs”. There is a belief that “Mkimbizi not only identifies them as people who are compelled to flee their homeland in fear for
their survival, but also who continue to flee”. (South Asia Human Rights Documentation Centre, SAHRDC, 1997)

The term ‘refugee’ seems to have been coined in 1573, when it was used to describe Calvinists fleeing political repression in the Spanish controlled Netherlands to seek refuge with their co-religionists in France. But refugees were not only defined as victims of persecution; they were also seen as individuals with political, religious, economic or other affiliations that aroused solidarity among those supporting similar interests in other countries and with corresponding sense of responsibility towards them. (Bramwell Anna C, 1988 & Medecins Sans Frontiers, 1997)

Under International Law, a refugee is a person who is outside his/her country of nationality or habitual residence; has a well-founded fear of persecution because of his/her race, religion, nationality, membership in a particular social group or political opinion; and is unable or unwilling to avail himself/herself of the protection of that country or to return there, for fear of persecution.

Geneva Convention: The most widely accepted definition of a refugee is contained in the 1951 Geneva Convention. It states that a refugee is 'any person owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of particular social group or political opinion, is outside the country of his/her nationality and is unable to or owing to such fear is unwilling to avail himself/herself of the protection of that country or who not having a nationality and being outside the country of his/her former habitual residence as a result of events is unable to return'. (Basic International Legal Documents on Refugees, UNHCR – 2000 & B.S.Chimni, 2000).

Subsequently, though The 1967 Protocol, removed the temporal and geographical limitations contained in the 1951 Convention, there was no
attempt to reconsider the definition of the term refugee. This meant that most third world countries continued to remain, de facto, excluded, as their plight is frequently prompted by natural disaster, civil war or political and economic turmoil than by persecution. Since the definition seems to be Euro centric, the human rights groups in South Asia are reluctant to accept this definition as it excludes the third world countries. But at the global level this definition is widely accepted.

1.4.0. KEY TERMS: Different terms are in use to denote refugees.

1.4.1. Boat People

It is a term usually referred to impoverished illegal immigrants or asylum seekers, who arrive en masse in old or crudely-made boats. The term came into common use during the 1970s, with the mass departure of Vietnamese refugees from communist controlled Vietnam, following the Vietnam War.

It is also a widely used form of migration or escape for people migrating from Cuba, Haiti, Morocco, Vietnam, Albania etc. They often risked their lives on dangerously crude and overcrowded boats, to escape oppression or poverty in their home countries. In 2001, 353 asylum-seekers sailing from Indonesia to Australia drowned, when their vessel sank. Many of the political refugees have also been attacked by pirates on the high seas or upon isolated islands, or have been turned away by unsympathetic governments and forced to return.

1.4.2. Yacht People

It is a slang term for the wealthy residents of Hong Kong who fled the city in the 1980s and 1990s, prior to the city's return to communist China in 1997. The term is a deliberate contrast to the poor "boat people" who fled South-east Asia (most notably Vietnam) in the 1970s. The most popular
destination for the yacht people was Vancouver and Canada. This term has also been used for rich Kuwaitis who fled their country upon the Iraqi invasion.

1.4.3. Internally Displaced People (IDPs)

The most widely used definition of Internally Displaced Persons (IDPs) is one presented in a 1992 report of the Secretary-General of the United Nations, which identifies them as ‘persons who have been forced to flee their homes suddenly or unexpectedly in large numbers, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, and who are within the territory of their own country.’

Sometimes referred to as ‘internal refugees’, these people are in similar need of protection and assistance as refugees but are not having the same legal and institutional support as those who have managed to cross an international border. There is no specifically-mandated body to provide assistance to IDPs, as there is with refugees.

The number of IDPs around the world is estimated to have risen from 1.2 million in 1982 to 14 million in 1986. However, it is likely that earlier estimates are woefully low, as little systematic counting was being conducted at the time. Estimates on numbers of IDPs continue to be controversial, due to debate over definitions, and to methodological and practical problems in counting. At the end of 2004, there were estimated to be 21 million IDPs worldwide. However, statistics on IDPs is a controversial issue not universally agreed upon.

1.4.4. Asylum Seekers

Asylum seekers are people who have moved across an international border in search of protection under the 1951 Refugee Convention, but whose claim for refugee status has not yet been determined. Annual asylum claims in Western Europe, Australia, Canada and the USA combined rose from some
90,400 in 1983 to 323,050 in 1988 and then peaked at 828,645 in 1992. Applications fell sharply by the mid-1990s but began to steadily rise again towards the end of the decade. By the end of 2004, asylum applications made in these Western countries had again dropped significantly.

As the numbers of asylum seekers rose during the 1990s and beyond, there was increasing scepticism from some politicians and the media, particularly in Western states, about the credibility of the claims of many asylum seekers. They have been labelled ‘economic refugees’ and ‘bogus asylum seekers’. Asylum migration is clearly a result of mixed motivations. Most asylum seekers do not come from the world's poorest states, however many do come from failed or failing states enduring civil war and with high degrees of human rights abuses and, not surprisingly, significant levels of poverty. However, the number of people who are seeking asylum in Western states comprises a small fraction of the total number displaced around the world.

1.5.0. REFUGEE CRISIS AND HISTORICAL PERSPECTIVE

_There is no greater sorrow on earth than the loss of one's own native country’- says Euripides, a great Greek poet who lived in 431 B.C. The world witnessed the plight of refugees fleeing from one country to another particularly after the World War II and the plight continues till today. According to UNHCR report 2005, 40 million people have been forced to flee from their country of origin due to the escalating war and border issues. Thus refugee crisis has become a global issue. As an analysis of the past, the five distinctive waves of migration (International Summer School in Forced Migration, Refugee Study Centre, Oxford, 2004) capture the attention in the history of migration and movements of people. People down the centuries have been made forcibly to move back and forth on varied grounds of slavery, trade, employment and of late by civil wars and border issues._
1.5.1. The First Wave of Migration

It began in the 17th century with the emergence of European states as imperial powers and continued through the end of World War - I. From Spain, Portugal and Britain came a shipload of migrants to settle in North and South America. And the French moved to Quebec and later to North Africa. An estimated 55 million Europeans migrated overseas between 1821 and 1924 wherein 34 million of them to the United States.

1.5.2. The Second Wave of Migration

This marks of the 17th century and 18th centuries. European traders transported slaves from West Africa to the South America, Caribbean Island, Brazil and Guyana. The slavery was put to an end in the beginning of the 19th century. The British recruited the indentured workers from South Asia for employment in East Africa, Malaya, Fiji, Guyana, Jamaica, Trinidad and Sri Lanka. Chinese were also recruited for employment in Southeast Asia especially Indonesia, Thailand and Malaya.

1.5.3. The Third Wave of Migration

It came into existence with the dissolution of empires after the First World War. The break-up of the Hapsburg and Ottoman empires led to the formation of the new nation states in central, Eastern and Southern Europe with boundaries that did not always coincide with the existing ethnic settlements. The modern era of the large-scale refugee flows began when new states sought to create homogenous population through forced migration. Greeks, Jews, Poles, Romanians, Hungarians, Bulgarians, Turks, Serbs, Macedonians, Armenians and other minorities were forced to flee. The 1920’s witnesses substantial exchanges of population throughout the Balkans as minorities moved to countries in which their ethnic group constituted a majority. The Russian Revolution and the resulting civil war produced additional streams of
refugees in 1930’s by the rise of Hitler and the extension of Nazi military power throughout Europe.

1.5.4. The Fourth Wave of Migration

It took place after the World War – I and began with the disintegration of the colonial empires and the creation of dozens of new independent nations in Asia, the Middle East and Africa. These new states were often ethnically divided countries, characterized by repressive authoritarian regimes and weak civil societies. Almost inevitably, violent conflicts erupted and millions of people fled for their lives. Most of these population movements also reflected the view of governments that the migrations that took place during the colonial rule were illegitimate, and that the descendents of the foreign settlers return home.

The world’s largest refugee flow took place in South Asia, following the partition of India in 1947, when an estimated 14 million Hindus and Muslims migrated between India and Pakistan. However minorities were on the move almost everywhere in the newly emerging states: Arabs from the new state of Israel, Jews from North Africa, Chinese from Indonesia, South Asians from East Africa, Burma and Ceylon. Civil conflicts also produced refugee flows from Mozambique, Ethiopia, Sudan, Somalia, East Pakistan (Bangladesh), Angola, Nicaragua, El Salvador, Cambodia, Rhodesia (Zimbabwe), Vietnam, Cuba, Afghanistan and Lebanon.

1.5.5. The Fifth Wave of Migration

The period overlaps with the fourth migration wave between 1950’s and 60’s. It emerged in response to the rising demand for imported labour force in Western Europe, the United States and oil producing countries of Middle East. Migrants from Turkey, North Africa and Yugoslavia were recruited as temporary workers for employment in Western Europe. The US recruited
temporary workers from Mexico and the Caribbean, Saudi Arabia, Libya and Iraq. The smaller states of the Persian Gulf recruited migrant workers from Egypt, Yemen, South and South East Asia. Britain admitted migrants from its former colonies in South Asia and the Caribbean. Besides the flow of workers, the guest workers have become permanent additions to the population of their host countries and thereby changing the ethnic and religious characteristics of the host societies. Islam has emerged as a new religious force in Europe. Asians have become the dominant non-Arab element in the labour force in the Middle East and the Latinos are rapidly supplementing the African Americans as the largest minority group in the USA.

The unique and distinctive feature of all the five waves is that they changed the social structure especially the ethnic compositions of both sending and receiving countries, sometimes in the direction of greater ethnic homogeneity, sometime in the direction of greater heterogeneity. State formations have resulted in forced emigrations that have in turn shaped the politics and social structure of the receiving country. Population movements across international boundaries have also led to the formation of new states.

These five waves of migration have made the civilians displaced. As a result there are refugees and internally displaced people in all continents. The following table (see Table.1) explains the total population of concern to UNHCR.
**Table 1**

Total Population of Concern to UNHCR by region of asylum and category, 1st Jan 2005

<table>
<thead>
<tr>
<th>Regions</th>
<th>Refugees</th>
<th>Asylum Seekers</th>
<th>Returned Refugees</th>
<th>Others of Concern</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>IDP's</td>
<td>Returned IDP's</td>
</tr>
<tr>
<td>Africa</td>
<td>30,23,000</td>
<td>2,07,000</td>
<td>3,30,000</td>
<td>12,00,000</td>
<td>33,000</td>
</tr>
<tr>
<td>Asia</td>
<td>34,71,000</td>
<td>56,000</td>
<td>11,46,000</td>
<td>13,28,000</td>
<td>62,000</td>
</tr>
<tr>
<td>Europe</td>
<td>20,68,000</td>
<td>2,70,000</td>
<td>19,000</td>
<td>9,00,000</td>
<td>51,000</td>
</tr>
<tr>
<td>North America</td>
<td>5,62,000</td>
<td>2,91,000</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>Latin America &amp; Caribbean</td>
<td>36,000</td>
<td>8,000</td>
<td>90</td>
<td>20,00,000</td>
<td>-------</td>
</tr>
<tr>
<td>Oceania</td>
<td>76,000</td>
<td>6,000</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>92,36,000</strong></td>
<td><strong>8,38,000</strong></td>
<td><strong>14,95,090</strong></td>
<td><strong>54,28,000</strong></td>
<td><strong>1,46,000</strong></td>
</tr>
</tbody>
</table>

**Source:** The State of World’s Refugees: Human Displacement in the New Millennium-2006
The above table clearly shows that among the total refugee population, Asia has the largest number of refugees with 69,00,000. The second region is Africa with 48,60,000. The third largest is Europe with 44,30,000. Again in terms of refugees, Asia has the highest number with 34,71,000 followed by Africa with 30,23,000. The reason for this is the on-going civil conflicts and border issues. Among the Asylum seekers, more of this category are found in North America with 2,91,000 followed by Europe with 2,70,000. On the contrary Asia has less number of asylum seekers with only 56,000. Naturally industrialised countries become a haven for asylum seekers as they could be readily accommodated. Among the Returned refugees, Asia has more number of returnees with 11,46,000. It is due to the Cambodians and Afghans returning home in the 1990. Among the IDPs Latin America has 20,00,000 followed by Asia with 13,28,000. The stateless people are mostly found in Europe (7,31,000) and in Asia with (7,24,000).
Figure 1

Global Refugee population in Million

From Chart. 1 it is clear that the global refugee population grew from 2.4 million in 1975 to 10.5 million in 1985 and 14.9 million in 1990. After the end of Cold War in 1995 it has reached the point with 18.2 million. By 2000 the global refugee population has declined to 12.1 million (UNHCR Report 2000). However this statistics includes only officially recognized refugees under the fairly narrow definition of the 1951 UN Refugee Convention that refers only to people forced to leave their countries due to individual persecution or on specific grounds. The global refugee population dropped for the fourth consecutive year during 2004 from 9.7 million to 9.2 million, the lowest in nearly a quarter century. There is a slight increase in the year 2005 – 9.5 million.

The number of Internally Displaced Persons – those forced to flee their homes, but who have not crossed an international border, has rocketed from 1.2 million in 1982 to 14 million by 1986 and to over 20 million by 1997. In 2004, there were an estimated 25 million IDPs worldwide.

1.6.0. HISTORICAL REFUGEE GROUPS

The significant refugee groups down the world history are; Huguenot Refugees, Armenian Refugees, Jewish Refugees, Bangladeshi Refugees and Indochinese Refugees (Bramwell Anna C, 1988). They are briefly explained below.

1.6.1. Huguenot Refugees

Protestants in France were called Huguenots in the 16th and 17th centuries. Most of the Huguenots were Calvinists. In 1589 the Protestant Henri de Bourbon, King of Navarre, inherited the French throne after the deaths of his three Valois cousins, sons of Catherine De Medici. Civil war continued, so in 1593, in the spirit of 'Paris is worth a Mass', Henri was converted to Catholicism. Five years later the civil wars ended and Henri issued the Edict of
Nantes which gave the Huguenots, considerable privileges, including widespread religious liberty. Over the years, the Huguenots became loyal subjects of the French Crown.

However, their position became increasingly insecure as King Louis XIV, grandson of Henri IV, listened more and more to those who advised him that the existence of this sizeable religious minority was a threat to the absolute authority of the monarch. Gradually the Huguenots' privileges were eroded. In the 1680s Protestants in certain parts of France were deliberately terrorised by the billeting of unruly troops in their homes. Finally, in 1685 Louis revoked the Edict of Nantes, while exiling all Protestant pastors and at the same time forbidding the laity to leave France. The Huguenots faced fierce persecution. To the considerable surprise of the government many did leave, often at great risk to themselves. Men, who were caught, if not executed, were sent as galley slaves to the French fleet in the Mediterranean. Women were imprisoned and their children sent to convents. About 2,00,000 Huguenots left France, settling in non-Catholic Europe - England, Netherlands, Germany, Switzerland, Scandinavia, especially Prussia, and even as far as Russia as refugees.

1.6.2. Armenian Refugees (During Armenian Genocide)

The Armenian Genocide also known as the Armenian Holocaust, Great Calamity or the Armenian Massacre. It refers to the forcible deportation and massacring of hundreds of thousands to over a million Armenians during the government of the Young Turks from 1915 to 1917 in the Ottoman Empire. It is widely acknowledged to have been one of the first modern, systematic genocides, as many Western sources point to the sheer scale of the death toll as evidence for a systematic, organized plan to eliminate the Armenians. The event is also said to be the second-most studied case of genocide. To date twenty-one countries have officially recognized it as genocide. In 1914, before World War I, there were an estimated two million Armenians in the Ottoman
Empire. The vast majority of Armenians were of the Armenian Apostolic faith, though a significant minority belonged to the Armenian Catholic Church, and several very small religious groups were affiliated with Protestant denominations. While the Armenian population in Eastern Anatolia was large and clustered, there were large numbers of Armenians in the western part of the Ottoman Empire. Many lived in the capital city, Istanbul.

This genocide was preceded by a series of massacres in 1894-96 and in 1909, and was followed by another series of massacres beginning in 1920. By 1922, Armenians had been eradicated from their historic homeland. This was the first genocide of the 20th century; almost an entire nation was destroyed. The Armenian people were effectively eliminated from the homeland. They occupied for nearly three thousand years. The Young Turk Ottoman Government of Turkey deported and murdered hundreds of thousands of Armenians and Assyrians, accusing them of collaboration with the Allies. The victims fled the country mainly to Russia as refugees.

1.6.3. Jewish Refugees (Jewish Diaspora during World War-II)

The Nazi persecution culminated in the Holocaust of European Jewry. The Nazi Party under Adolf Hitler came to power in Germany on January 30, 1933, and the persecution and exodus of German's 5,25,000 Jews began almost immediately. In his autobiography, Mein Kampf (1925) said that Hitler had been open about his hatred of Jews, and gave ample warning of his intention to drive them from Germany's political, intellectual, and cultural life. Many were forcibly put into concentration camps.

The Bermuda Conference, Evian Conference and other attempts failed to resolve the problem of Jewish refugees. The Bermuda Conference was convened by the United States and Great Britain in Bermuda on April 19, 1943 for the purpose of dealing with the issue of wartime refugees. By the end of 1942, reports confirmed that the Nazis intended to exterminate all of European
Jewry. Both in the United States and Britain, the Jewish groups demanded that their governments take a stand against the atrocities. The two governments then planned the conference to quiet public opinion, but arranged it so that they would not have to actually make a serious effort to save any Jews. They chose inaccessible Bermuda as the conference's venue in order to control the number of reporters and private representatives attending. Members of the Joint Distribution Committee and the World Jewish Congress were not permitted to attend.

At the conference itself, the attendees spent much time talking about renewing the Intergovernmental Committee on Refugees, which had been created at the 1938 Evian Conference for the purpose of negotiating with the Germans about refugees. However, the point was moot because, as negotiating with the Nazis was no longer an option, and no one was willing to fund the committee. They could not even discuss sending food packages to concentration camps. No other solution suggested was deemed acceptable by the two governments, either. Thus, nothing was accomplished, and the Bermuda Conference did not save even a single Jew.

1.6.4. Bengali Refugees (in India during 1971)

The first general elections were held in Pakistan, in Dec 1970, after its independence. The Awami League, headed by East Pakistan's popular Bengali leader Mujibur Rahman won a majority of seats in the new assembly; but West Pakistan's chief martial law administrator and president, General Agha Mohammad Yahya Khan, refused to honour the democratic choice of his nation's majority. At the end of March 1971, after failed negotiations in which Mujib demanded virtual independence for East Pakistan, Yahya Khan ordered a military massacre in Dhaka. Though Mujib was arrested and flown to prison in West Pakistan, he called upon his followers in the east to rise up and proclaim their independence as Bangladesh. No fewer than 10 million refugees
fled East Pakistan across the border to India in the ensuing eight months of martial rule and sporadic firing by West Pakistan's army. Soon after the monsoon stopped, India's army moved up to the Bangladesh border and by early December advanced virtually unopposed to Dhaka, which was surrendered in mid-December 1971. Mujib, released by President Bhutto, who had taken over from the disgraced Yahya Khan, flew home to a hero's welcome and in January 1972 became the first prime minister of the People's Republic of Bangladesh.

As a result of the Bangladesh Liberation in 1971, Prime Minister of India, Indira Gandhi, expressed full support of her Government to the Bangladeshi struggle for freedom. The Bangladesh-India border was opened to allow the tortured and panic-stricken Bengalis to have safe shelter in India. The governments of West Bengal, Bihar, Assam, Meghalaya and Tripura established refugee camps along the border. Exiled Bangladeshi army officers and voluntary workers from India immediately started using these camps for recruitment and training of freedom fighters. As the massacres in East Pakistan escalated, an estimated 10 million refugees both Hindus and Muslims fled to India causing financial hardship and instability in that country.

1.6.5. Indochinese Refugees (Boat People)

Following the communist takeovers in Vietnam, Cambodia, and Laos in 1975, about 3 million people attempted to escape in the subsequent decades to the far and near countries. Events resulting from the Vietnam War led many people in Cambodia, Laos, and especially Vietnam to become refugees in the late 1970s and 1980s, after the fall of Saigon. In Cambodia, the Khmer Rouge regime murdered millions of people in the "Killing Fields" massacres, and many attempted to escape. In Vietnam, the new communist government sent many people who supported the old government in the South to "re-education camps", and others to "new economic zones." An estimated one million people
were imprisoned without formal charges or trials. 1,65,000 people died in the Socialist Republic of Vietnam's re-education camps, according to published academic studies in the United States and Europe. Thousands were abused or tortured: their hands and legs shackled in painful positions for months, their skin slashed by bamboo canes studded with thorns, their veins injected with poisonous chemicals, their spirits broken with stories about relatives being killed. These factors, coupled with poverty, caused millions of Vietnamese to flee the country. In 1979, Vietnam was at war with the People's Republic of China, and many ethnic Chinese living in Vietnam, who felt that the government's policies directly targeted them to move out of their native land.

People tried to escape by boats to safer places. On the open seas they had to confront forces of nature, and elude pirates, thus giving rise to the phrase "boat people," and emigrated to Hong Kong, France, the United States, Canada, Australia, and other countries, creating sizable expatriate communities, notably in the United States of America. The resources of the receiving countries were severely strained with daily massive influx of refugees. Thus the plight of the boat people became an international humanitarian crisis. The UNHCR, under the auspices of the United Nations, set up refugee camps in neighboring countries to process the boat people. The budget of the UNHCR increased from $80 million in 1975 to $500 in 1980. Partly for its work in Indochina, the UNHCR was awarded the 1981 Nobel Peace Prize.

1.7.0. PROTRACTED REFUGEE SITUATION

At the global level, though the number of refugees has come down to 9.2 million in the year 2004, (see Chart.1) many are still living in protracted situations. They are found in some of the volatile regions in the world like East and West Africa, South Asia, South-East Asia, the Caucasus, Central Asia and the Middle East are all plagued by protracted refugee situations. The Democratic Republic of Congo, Europe, Palestine, Afghanistan, Bhutan and Sri
Lanka are the countries that face this crisis and as a result, their people face protracted situation of living in camps both within the country and in the neighbouring countries. India too is facing this problem of hosting refugees from the neighbouring countries like Burma, Bangladesh and Sri Lanka.

A brief review of protracted refugee situation at the global level would place the problems of Sri Lankan refugees in Tamil Nadu in a historical perspective.

1.7.1. **Nature of the protracted situation**

The UNHCR defines a protracted refugee situation as ‘one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance’.

In identifying the major protracted refugee situations in the world in 2004, UNHCR used the ‘**crude measure of refugee populations of 25,000 persons or more who have been in exile for five or more years in developing countries**’. The study excluded Palestinian refugees, who fall under the mandate of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and represent the world’s oldest and largest protracted refugee situation. (UNHCR - The State of the World’s Refugees: Human Displacement in the New Millennium, 2006)

The definition above accurately describes the condition of many refugees in protracted situations. What it does not reflect is that many of these refugees are actively engaged in seeking solutions for themselves, either through political and military activities in their countries of origin or through onward migration to the West. Furthermore, evidence from Africa and Asia demonstrate that while population numbers in a particular protracted situation
may remain relatively stable over time, the composition of a population often changes.

A definition of protracted refugee situations should therefore include not only the humanitarian elements of the phenomenon but also its political and strategic aspects. In addition, a definition must recognize that countries of origin, host countries and the international community are all implicated in the cause of protracted refugee situations.

In protracted situations, refugee populations have moved beyond the emergency phase—where the focus is on life-saving protection and assistance but cannot expect durable solutions in the foreseeable future. These populations are typically, but not necessarily, concentrated in a specific geographic area, and may include camp-based and urban-refugee populations. The nature of a protracted situation will be the result of conditions in the refugees’ country of origin, the responses of and conditions in the host countries and the level of engagement by the international community. Furthermore, as the experience of the Sudanese refugees scattered across eight African countries indicates, members of the same displaced group in different host countries will experience different conditions.

Politically, the identification of a protracted refugee situation is a matter of perception. If a displaced population is seen to have existed for a significant period of time without the prospect of solutions, then it may be termed a protracted refugee situation. Indeed, it is important that the crude measure of 25,000 refugees in exile for five years should not be used as a basis for excluding other groups. For example, of the Rohingya who fled from Myanmar to Bangladesh 12 years ago, 20,000 still remain. Similarly, there are 19,000 Burundians in the Democratic Republic of Congo, 16,000 Somalis in Ethiopia, 19,000 Mauritanians in Senegal, 15,000 Ethiopians in Sudan and 19,000 Rwandans in Uganda. (UNHCR - The State of the World’s Refugees: Human Displacement in the New Millennium, 2006)
Long-staying urban refugees are not typically included in an understanding of protracted refugee situations. Yet tens of thousands live clandestinely in urban areas, avoiding contact with the authorities and bereft of legal status. There are almost 40,000 Congolese urban refugees in Barundi, more than 36,000 Somali urban refugees in Yemen and almost 15,000 Sudanese urban refugees in Egypt. Nearly 10,000 Afghan urban refugees live in India and more than 5,000 Liberian urban refugees remain in Côte d’Ivoire. These are only some of the largest caseloads. In addition, there are hundreds of thousands of Palestinian refugees throughout the Middle East.

1.7.2. Trends in protracted refugee situations

Chronic and stagnating refugee situations are a growing challenge for the international community. Their total number has increased dramatically over the past decade, and host states and regions of origin feel their effects more keenly. More significantly, protracted refugee situations now account for the vast majority of the world’s refugee population.

During the 1990s, a number of long-standing refugee groups that had been displaced by the Cold War conflicts in the developing world went home. In southern Africa, large groups of Mozambicans, Namibians and others were repatriated. In Indochina, Cambodians in exile in Thailand returned home, while Vietnamese and Laotians were resettled in third countries. With the end of fighting in Central America, the vast majority of displaced Nicaraguans, Guatemalans and Salvadorans returned to their countries.

Nonetheless, in 1993 there remained 27 protracted refugee situations and a total population of 7.9 million refugees. (UNHCR - The State of the World’s Refugees: Human Displacement in the New Millennium, 2006) Indeed, even as older refugee populations were being repatriated, new intra-state conflicts resulted in massive refugee flows. Conflict and state collapse in Somalia, the Great Lakes region of Africa, Liberia and Sierra Leone in the 1990s generated millions of refugees. Millions more were displaced by ethnic
and civil conflict in Iraq, the Balkans, the Caucasus and Central Asia. As the global refugee population mushroomed in the early 1990s, the pressing need was to respond to the challenges of simultaneous mass influx situations in many regions of the world.

More than a decade later, many of these conflicts and refugee situations remain unresolved. Indeed, the number of protracted refugee situations now is greater than at the end of the Cold War. In 2004 there were 33 protracted refugee situations with a total refugee population of more than 5.5 million (see Table.2). While there are fewer refugees in protracted situations today, the number of such situations has greatly increased. In addition, refugees are spending longer periods in exile. It is estimated that ‘the average of major refugee situations, protracted or not, has increased from nine years in 1993 to 17 years at the end of 2003’.

In 1993, 48 per cent of the world’s 16.3 million refugees were caught in protracted situations. At the end of 2004, the number of refugees had come down to 9.2 million - but more than 61 per cent of them were in protracted situations. And they are found in some of the most volatile regions in the world. East and West Africa, South Asia, Southeast Asia, the Caucasus, Central Asia and the Middle East are all plagued by protracted refugee situations. Sub-Saharan Africa has the largest number, with 17, involving 1.9 million refugees. The countries hosting the biggest groups are Guinea, Kenya, Tanzania, Uganda and Zambia. In contrast, the geographical area covering Central Asia, South West Asia, North Africa and the Middle East hosts only eight major protracted situations but accounts for 2.5 million refugees.

At the end of 2004 the overwhelming majority of these—approximately 2 million—were Afghans in Pakistan and Iran. In Asia (China, Thailand, India and Nepal) there are five protracted situations and some 676,000 refugees. Europe faces three major protracted situations involving 510,000 refugees, primarily in the Balkans and Armenia. (UNHCR - The State of the World’s Refugees: Human Displacement in the New Millennium, 2006)
### Table - 2

**MAJOR PROTRACTED REFUGEE SITUATION**

<table>
<thead>
<tr>
<th>Country of Asylum</th>
<th>Country of Origin</th>
<th>As on 1st Jan 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>Western Sahara</td>
<td>1,65,000</td>
</tr>
<tr>
<td>Armenia</td>
<td>Azerbaijan</td>
<td>2,35,000</td>
</tr>
<tr>
<td>Burundi</td>
<td>Dem.Rep.of Congo</td>
<td>48,000</td>
</tr>
<tr>
<td>Cameroon</td>
<td>Chad</td>
<td>39,000</td>
</tr>
<tr>
<td>China</td>
<td>Viet Nam</td>
<td>2,99,000</td>
</tr>
<tr>
<td>Congo</td>
<td>Dem.Rep.of Congo</td>
<td>59,000</td>
</tr>
<tr>
<td>Cote d’Ivoire</td>
<td>Liberia</td>
<td>70,000</td>
</tr>
<tr>
<td>Dem.Rep.of Congo</td>
<td>Angola</td>
<td>98,000</td>
</tr>
<tr>
<td>Dem.Rep.of Congo</td>
<td>Sudan</td>
<td>45,000</td>
</tr>
<tr>
<td>Egypt</td>
<td>Occupied Palestinian Territory</td>
<td>70,000</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>Sudan</td>
<td>90,000</td>
</tr>
<tr>
<td>Guinea</td>
<td>Liberia</td>
<td>1,27,000</td>
</tr>
<tr>
<td>India</td>
<td>China</td>
<td>94,000</td>
</tr>
<tr>
<td><strong>India</strong></td>
<td><strong>Sri Lanka</strong></td>
<td><strong>57,000</strong></td>
</tr>
<tr>
<td>Islamic Rep. Of Iran</td>
<td>Afghanistan</td>
<td>9,53,000</td>
</tr>
<tr>
<td>Islamic Rep. Of Iran</td>
<td>Iraq</td>
<td>93,000</td>
</tr>
<tr>
<td>Kenya</td>
<td>Somalia</td>
<td>1,54,000</td>
</tr>
<tr>
<td>Kenya</td>
<td>Sudan</td>
<td>68,000</td>
</tr>
<tr>
<td>Nepal</td>
<td>Bhutan</td>
<td>1,05,000</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Afghanistan</td>
<td>9,60,000</td>
</tr>
<tr>
<td>Rwanda</td>
<td>Dem. Rep. Of Congo</td>
<td>45,000</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>Occupied Palestinian Territory</td>
<td>2,40,000</td>
</tr>
<tr>
<td>Serbia and Montenegro</td>
<td>Bosnia and Herzegovina</td>
<td>95,000</td>
</tr>
<tr>
<td>Serbia and Montenegro</td>
<td>Croatia</td>
<td>1,80,000</td>
</tr>
<tr>
<td>Sudan</td>
<td>Eritrea</td>
<td>1,11,000</td>
</tr>
<tr>
<td>Thailand</td>
<td>Myanmar</td>
<td>1,21,000</td>
</tr>
<tr>
<td>Uganda</td>
<td>Sudan</td>
<td>2,15,000</td>
</tr>
<tr>
<td>United Rep. Of Tanzania</td>
<td>Burundi</td>
<td>4,44,000</td>
</tr>
<tr>
<td>Uzbekistan</td>
<td>Tajikistan</td>
<td>39,000</td>
</tr>
<tr>
<td>Yemen</td>
<td>Somalia</td>
<td>64,000</td>
</tr>
<tr>
<td>Zambia</td>
<td>Angola</td>
<td>89,000</td>
</tr>
<tr>
<td>Zambia</td>
<td>Dem.Rep.of Congo</td>
<td>66,000</td>
</tr>
</tbody>
</table>

**Source:** The State of World’s Refugees: Human Displacement in the New Millennium-2006
1.7.3. Root Causes

Long-standing refugee populations originate from the very states whose instability lies at the heart of chronic regional insecurity. Most of the refugees in these regions—be they Somalis, Sudanese, Burundians, Liberians, Iraqis, Afghans or Burmese—come from countries where conflict and persecution have persisted for years.

- Protracted refugee situations stem from political action and inaction.
- The failure of the international community and regional players to consolidate peace can generate a resurgence of conflict and displacement, leading to a recurrence of protracted refugee situations.
- Declining donor support for long-standing refugee populations in host countries has also contributed to the rise in protracted refugee situations.

1.8.0. SRI LANKAN TAMIL REFUGEES – AN OVERVIEW

A BRIEF HISTORY OF SRI LANKA

The issue of Sri Lankan Tamil refugees needs to be understood with the broad historical perspective involving Sri Lanka and India.

1.8.1. Pre-Colonial Era

The date of arrival of both Sinhalese and Tamils in Sri Lanka is open to conjecture. The archaeological evidence is inconclusive and therefore, much has been inferred from the legend and ancient religious texts compiled centuries after the first migration of these peoples to the island. However it is evident that both Sinhalese and Tamils settled down in Sri Lanka sometime between 6th and 2nd centuries B.C and occupied mutually exclusive geographical areas of the country with three autonomous kingdoms. The two kingdoms of Sinhalese were kingdom of Kandy in the central hills of the island and Kotte in the south-western part of the island. The only one kingdom
of Tamils was Jaffna of the northern and eastern part of the island. (De Silva K.M., 1981 & Wilson Jeyaratnam A, 1974)

1.8.2. Colonial Rule

The western colonisation commenced with the Portuguese arrival in the year 1505, followed by the Dutch in 1658 and British in 1796. Great Britain replaced the Dutch in 1796, and the coastal areas (including Tamil areas) became a crown colony in 1802. After the fall of Kandy Kingdom in 1815, the British unified it with the low country Kingdoms on the island under one rule for administrative purposes in 1833 in order to establish a centralised colonial administration. It was this move that paved the way for much of the ethnic conflict that has characterised Sri Lanka’s politics since the country’s independence from Britain. From the year 1880 onwards, the British had imported thousands of Indian Tamils from Tamil Nadu, a neighbouring Indian state to work in coffee and later tea estates in Ceylon’s lush central highland. By 1911, the Indian Tamils numbered 5,00,000 and by 1948, the year of independence, nearly 8,00,000.

Not only did the colonial rule disregard the historical precedent of recognising the political and administrative sovereignty of the two peoples, it created a situation in which Tamils became an ethnic minority within a single unitary state with the result that the political and administrative control that the Tamils had traditionally exercised over the areas they inhabited was diminished.

A major turning point in the island's political development was implementation in 1931 of comprehensive reforms recommended by a Royal Commission headed by the Earl of Donoughmore. The most salient feature of the so-called Donoughmore Constitution, (De Silva K. M., 1981 & Wilson Jeyaratnam A, 1974) which attempted to reconcile British colonial control of the executive with Sri Lankan aspirations for self-government, was adoption of
universal adult suffrage. This was, at that time, a bold experiment in representative government. Before 1931, only 4 percent of the male population, defined by property and educational qualifications, could vote. When elections to the legislature were held in 1932, the colony became the first polity in Asia to recognize women's suffrage.

Communal tensions were exacerbated during the period of the Donoughmore constitution (1931-47) because the Sinhalese desired further change and utilised the power they had obtained to improve the conditions of the Sinhalese electorates, while the minority groups especially the Ceylone Tamils felt neglected at every stage demanded safeguards which however were construed by the Sinhalese reformers as impedimental to the path of self-government. However it served only to further worsen the inter-group relationships and the situation reached its nadir with the formation of the Sinhala Maha Saba (The Great Council of the Sinhalese) by S.W.R.D.Bandaranaike in 1937 and the All Ceylon Tamil Congress in 1944.

Toward the close of World War II, the Second Royal Commission, headed by Lord Soulbury, was sent to Sri Lanka in order to consult with local leaders on the drafting of a new constitution. In its general contours, the Soulbury Constitution, approved in 1946, (De Silva K. M., 1981 & Wilson Jeyaratnam A, 1974) became the basic document of Ceylon's government when the country achieved independence on February 4, 1948. It established a parliamentary system modelled on that of Britain and quite similar to the constitution adopted by India in 1949. Like Britain, unlike India with its federal arrangement of states, independent Ceylon was, and in the later 1980s remained, a unitary state. The constitution established a parliament headed by the British monarch represented by the governor general and two houses, the Senate and the House of Representatives. The latter, like the House of Commons in Britain, had the preponderant role in legislation. The majority party or party coalition in the popularly elected House of Representatives
designated the prime minister. Executive power, formally vested in the monarch in the person of his or her representative, the governor general, was in actuality exercised by the prime minister and his or her cabinet. The first prime minister was Don Stephen Senanayake. In 1972, the country became a republic, and the name was changed to Sri Lanka.

**AFTER INDEPENDENCE**

1.8.3. Citizenship Act - 1948

The Ceylon Citizenship Act of 1948 deprived citizenship rights of 7,50,000 Indian-origin Tamils in the tea plantation in the Kandy region. This reduced the vote share of the Tamils and their representation in the Parliament shrunk from 33% to 20% (De Silva K. M., 1981 & Wilson Jeyaratnam A, 1974)

1.8.4. The Sinhala Only Act – 1956

It means that the language is the only official language of the country. Reinforced by Srimavo Bandaranaike’s regime, its sole aim was to put an end to the equal status enjoyed by the Sinhala and Tamil languages and made ‘Sinhala the official language’ of the country. The Sinhala Act demanded the proficiency of Sinhala in the civil service and the Tamils were pushed aside. The alienation of Tamils in the north-east continued. The sole official language thus diminished the importance of Tamil language, directly affecting the recruitment of the Tamil speaking population into the civil service. This resulted in the administration of the entire nation to be run only in Sinhalese. From 1963, Sinhala became the only official language of Sri Lanka. At this juncture the Tamils sought to have autonomy for the Tamil community and TULF (Tamil United Liberation Front) was founded which called for the creation of a separate state, Eelam through peaceful means.
1.8.5. The Policy of Standardisation in 1972

It means a kind of reservation where merit has no place. In the name of standardisation introduced during Bandaranayake’s regime in 1972, it further alienated the Tamils. The application of this policy created a situation in which Tamil students were required to obtain higher marks than Sinhalese in order to gain admission to universities. This policy brought about a disastrous consequence as it created a large reservoir of embittered unemployed Tamil youth who became increasingly militant in their political philosophy, many feeling that nothing short of the creation of an independent Tamil state would resolve the ethnic inequities in Sri Lanka.

President Jayawardane’s government withdrew the scheme of standardization temporarily in 1978 and introduced a new formula: admitting 30% on merit, 55% on district basis and 15% on backward areas. The Tamil politicians criticized both systems but were more critical of the second formula saying that this was to further prevent more Tamils from entering the portals of higher education.

1.8.6. Devolution of Power

The government introduced the policy of devolution of power from central government to provincial and regional councils. A central element of this move involves the question of quotas to be allocated to ‘colonisation scheme’ in development areas and granting of regional autonomy in matters of local government such as education, land alienation and policing. However this power had minimized the privileges of the Tamils. The provincial territories and regional territories were concentrated in the Sinhala dominated regions ignoring the Tamil regions.

1.8.7. Tamil Militancy

The linguistic barrier and the standardisation policy are said to have frustrated many a Tamil youth who decided to pursue a military struggle to
obtain their lost rights. To activate the strength of the TULF (Tamil United Liberation Front), the Tamil New Tigers (TNT) was formed attracting many Tamil youth and eventually emerged as the LTTE (Liberation Tigers of Tamil Eelam), the most powerful militant group. It felt that taking up arms and demanding justice would be the only effective solution. Their struggle for justice led to three major civil wars that resulted in a series of refugee exodus and asylum seekers in 1983, 1990 and 1995.

1.8.8. First War - 1983 (Clarance William)

The concept of first war, second war and third war is used by Clarance William in his book ‘Ethnic Warfare in Sri Lanka and the UN Crisis’- 2007. The black July 24, 1983, saw Sri Lanka going up in flames. The Government maintained that the violence was a spontaneous backlash of the killing of 13 soldiers in Thirunelveli, Jaffna by the Liberation Tigers of Tamil Eelam (LTTE). No one believed the propaganda, for it was clear that there was planning behind the ‘spontaneous’ counter-violence.

Carrying voters' lists and addresses of Tamil houses, the rioters ran amok in Wellawatte, Dehiwela and Bambalapatiya. Factories and industrial establishments owned by the Tamils were reduced to ashes. Shops owned by Tamils were burnt. The complicity of the authorities became evident in the massacre of the Tamil prisoners in the high security Welikade prison on July 25 and 27. The murdered including two political prisoners, Jegan and Kuttimani. Sinhalese prisoners, convicted for murder, rape and burglary, were hand picked by the officials for the deadly job. They were served alcohol and let loose on Tamil prisoners. According to survivors' accounts, the bodies were piled up in front of a Buddha statue in the jail courtyard and were set ablaze.

The riots which began in Colombo, spread to Gampaha, Kalutara, Kandy, Matale, Nuwara Eliya and Trincomalee, areas where Sri Lankan and Indian Tamils were concentrated. Within Colombo alone, nearly 100,000 Tamils were displaced. The Government admitted to a death toll of 250, but
reliable non-governmental sources estimated it at 2,000. There was hardly any Tamil family in Colombo that escaped death, destruction or displacement.

The communal holocaust was an awful turning point in Sri Lanka's recent history. During the last two turbulent decades, the savage 'low intensity' conflict, which has converted Sri Lanka into one of the most notorious killing fields in the world, has taken a toll of nearly 65,000 lives and has displaced 800,000 people. What is more, the prolonged conflict has brutalised Sri Lankan society. Besides the Tea Estate Tamils were also attacked. 3,00,000 indentured Indian origin estate workers were ejected back to India under the Srimavo-Shastri Pact. They fled Sri Lanka and reached India as refugees. The Jaffna library was set fire by the police and 30,000 books were burnt.

1.8.9. Second War in 1990

The northern coast belt of Jaffna from Myliddy was cleared of the people due to various military operations undertaken by the Armed forces. Later thickly populated areas like Mathagal, and Illvalai were also cleared by advancing troops and the entire island suffered. About 1,50,000 refugees reached shore of Rameshwaram, India.

1.8.10. Third War in 1994

The Leap Forward chased away the Tamils from Pandatherippu and Chankanai, the western side of the peninsula. The bombing and massacring of 175 refugees including women and children from the air at Navali church compound caused a great exodus to Jaffna. In 1995 Riviresa (Operation Sunshine) extended its hottest rays on the innocent civilians of Jaffna causing the historical mass exodus of almost 6,00,000 people on the road to safety at Navatkuli within two hours. The announcement about the advancing troops and impending war preceded the mass exodus. The panicked people on the road with the minimum of belongings had to run beyond the Navatkuli Bridge fearing it would be bombed, to cover the distance of just 4 kilometres in a
down-pouring rain. It is reported that the fleeing refugees amidst shellings and firings emanating from the advancing troops had to quench their thirst from the rains water flowing from the umbrella.

1.9.0. PEACE ACCORDS

The ethnic conflict in Sri Lanka is punctuated with possible peace initiatives at different stages.

1.9.1. The Bandaranayake – Chelvanayakam Pact 1957

It was an attempt to address the issues related to the use of Tamil language in Tamil areas. However, protests by the Sinhalese activists succeeded in scuttling it.

1.9.2. The Senanayake – Chelvanayakam Pact 1965

Again it tried to address the concerns of Tamils, but protests by opposition parties prevented it implementation.

1.9.3. Thimpu – 1985 (Paus Nicolay 2005),

After sporadic attempts on negotiations between the Sri Lankan militants, who now counted five large organisations – LTTE, EROS, TELO, EPRLF and PLOTE - and the Sri Lankan government, India’s Prime Minister Sri Rajiv Gandhi took the initiative to organise talks in the Bhutanese capital Thimpu (India had long been involved in the Sri Lankan question, politically and militarily by arming and training the militants for its own political and strategic purposes). In which the Tamil groups presented the following four demands;

➢ a nationality
➢ the guarantee of their territorial integrity,
➢ self-determination for the Tamil Nation and
➢ the recognition of the Tamils’ fundamental rights.
These demands were however rejected by the government delegation which proposed instead pre-conditions for a settlement. The Tamil delegates in turn did not approve the Ceylonese constitution, the unitary state structure, the national flag, the special status accorded to Buddhism and the democratic system (Wilson 1988:186-187). When 200 Tamil civilians were massacred in Vavuniya by the Sri Lankan Army in August 1985, the Tamil delegation left Thimpu in protest. S.N.Muni (1993) however maintains that there was no real willingness among neither of the two sides to make Thimpu a success and that both in fact only wanted to show that the other part was not sincere.

1.9.5. Ceasefire Agreement 2002

The last initiative was the signing of the ceasefire agreement between the former President Mr. Ranil Wikremasinghe and the LTTE in 2002. This was mediated by the Royal Norwegian Government and lasted for four years. Again the riffs started to boomerang between the Sri Lankan Army and the LTTE.

1.10. CONCLUSION

There were high hopes that the devastating Tsunami of December 2004 would force the government and Tamil rebels into a new, lasting dialogue to address the serious effects of the disaster on Sri Lanka as a whole. But these hopes were dashed by almost immediate accusations of bias and favouritism on the part of international aid agencies. At the close of 2005, deep political unease and suspicion remained between the two factions. Fighting, abductions, disappearances and killings have become a daily happening. Many Tamils again begin to flee from Sri Lanka and reach Rameshwaram, Tamil Nadu as refugees.
1.11. CHAPTER SCHEME

This study is divided into five chapters. The first chapter introduces the whole thesis and its process and sketches out the history of refugees with the refugee groups in the world. The second chapter carries the review of literature. The third chapter draws a brief profile of the study unit with methodology and its sources. The collected data is analysed and interpreted in the fourth chapter. The final chapter aims at presenting a summary, the major findings, conclusion and suggestions for the future.