

DIFFUSING THE ROHINGYA REFUGEE CRISIS IN DELHI AT JASOLA VIHAR, SHAHEEN BAGH CAMP

An elucidative report proffering the account of the field visit to the Rohingya Refugee Camp at Jasola Vihar Shaheen Bagh, New Delhi. The visit was conducted in pursuance of an empirical research undertaken by our team to comprehend the contextual challenges that the refugees in the Shaheen Bagh camp are facing and test the feasibility of the course of action to address these challenges.

The report highlights the varying socio-economic difficulties faced by these refugees while discussing the agenda and the road map of the action plan developed by our team to provide a constructive resolution to this crisis.

*Conducted by
Pranav
Bhaskar
Tiwari with
assistance from
Shashwat
Patwa
(Co Conveners,
Legal Aid
Centre) &
Team Contego
Humanitas.
Under the
Guidance of
Mr. Ankur
Sharma, Head
LAC, Symbiosis
Law School,
NOIDA*

DECLARATION

It is hereby declared that this Field Study report entitled “*Analysing and Responding to the Refugee Crisis: Diffusing the Rohingya Crisis in New Delhi*” is based on our original empirical research conducted at the Rohingya camp in **Jasola Vihar Shaheen Bagh, New Delhi**. The study has been conducted by all of us together and the report is authentic to the best of our knowledge. Further, the objective of this study is purely academic and it does not intend to hurt the sentiments of any individual, community, sect or religion.

Date: 20th June, 2019

Place: Delhi

ACKNOWLEDGEMENT

We would like to express our deepest gratitude to the refugees at the *Rohingya camp of Jasola Vihar Shaheen Bagh, New Delhi* for their utmost co-operation and trustworthiness throughout the visit. We would also like to thank our Professors for being a constant source of guidance and motivation and all our friends, family members and well-wishers for never stopping to believe in us and funding our initiative. We extend our sincere gratitude to the Head, Legal Aid Centre of Symbiosis Law School, NOIDA under whose able guidance its members constantly endeavour to drive meaningful change.

Table of Contents

I. Introduction.....	1
1. Concept Note	1
2. Background.....	1
3. Objective	2
4. Our Team	2
II. Detailed Methodology.....	3
1. Research Methodology	3
i. Research Design.....	3
ii. Research Questions	4
iii. Research Method	4
a. Data Collection Methods	4
b. Development of Research Tools.....	4
c. Analysis of the Data Collected	4
d. Test of Validity & Reliability of the Data	4
e. Ethical Considerations	5
f. Delimitation	5
2. Humanitarian Aid.....	5
i. Preparations before the Field Study	5
ii. Implementation.....	5
iii. Conducting the Programme	6
iv. Visual and Sensory Experiences.....	6
III. Findings	6
1. Legal Challenges.....	6
2. Social Challenges.....	7

i.	Shelter.....	7
ii.	Living Conditions.....	7
iii.	Lack of Education.....	7
iv.	Drainage System and Sanitation Facilities	8
v.	Burning of houses and Forced Repatriation	8
3.	Economic Challenges.....	8
i.	Unemployment.....	8
ii.	Electricity Supply.....	8
iii.	Water Supply	9
4.	Gendered Challenges	9
IV.	The Road Ahead	9
V.	Response Received From the Community	10
	Moments.....	12

I. INTRODUCTION

1. CONCEPT NOTE

The Second World War led to the genesis of the 1951 Convention on the Status of Refugees. The system was put in place to provide refuge to those fleeing conflict and persecution. But that system today is falling apart because despite a refugee crisis being a global responsibility its overwhelming burden is shared by the geographically proximate and economically weak or developing nations. The system did not fall because the rules were wrong but because they have not been applied appropriately based on the ever-changing needs of an evolving society.

Our project is to understand and aid the Rohingya Refugees in India, specifically in Delhi. It is undertaken in the background of the key contextual challenges faced by Rohingya refugees in India.

Our initiative has two aspects. First is to understand the problems faced by the refugees. Second is finding and implementing meaningful and scalable solutions to alleviate the same. While the former will definitely precede the later, yet after the pilot being tested, the research and humanitarian aid will work in tandem. After all, the former is only a means to an end and not an end in itself.

2. BACKGROUND

Rohingya Muslims compose the largest Islamic community in Myanmar forming a separate ethnic group with their own language and culture. However, they have been subjected to acute discrimination by the Myanmar government and marginalisation at the behest of the local population owing to the fact that they are considered “illegal immigrants” from the country of Bangladesh despite the fact that they trace their roots from the territory that now forms a part of Myanmar. Since mid August 2017, almost seven lakh Rohingya Muslims have fled from Burma to escape the military’s ethnic cleansing campaign.¹ The atrocities committed by the Burmese forces include sexual violence and mass killings which amounts to crime against humanity.²

¹ <https://scroll.in/latest/871022/ethnic-cleansing-of-rohingyas-continues-in-myanmar-says-top-un-official>.

² <https://www.hrw.org/tag/rohingya-crisis>.

Having faced discrimination and violence since decades and being denied citizenship per the Citizenship Act of 1982 the Rohingya are certainly one of the largest stateless populations in the world. Lack of shelter, access to basic health care facilities and restrictions on movement have forced these people to live in extremely dire humanitarian conditions since the past one decade.

Post persecution of Rohingya's by the Burmese military; there has been rampant irregular immigration of Rohingya Muslims into India. This research begins with an exploratory analysis of the plight of the Rohingya refugees in Delhi through field study, per guidelines in the Oxford Handbook on Empirical Legal Research, and thereafter throws light on possible solutions, assesses their feasibility and endeavours to implement them.

3. OBJECTIVE

The Objective of this research is to address the legal, social, economic and gendered issues in the Delhi Rohingya camps and offer solutions which can be emulated and perhaps scaled in other parts of India. This is to be attained by contextualizing international best practices and integrating modern technology to devise sustainable solutions for an ever-evolving issue.

Working with this agenda our primary purpose behind this field visit was to acquire primary experience about the living condition of the refugees in the camp and test the feasibility of the available mechanisms for effectively addressing these challenges. The key objectives of our study are:

1. Identification of the specific contextual challenges that the refugees in the Shaheen Bagh camp in Delhi are facing;
2. Determination of the root cause of the above identified problems and challenges;
3. Devise and test the feasibility of the course of action to address the above challenges;
4. Implement scalable and replicable measure to alleviate the plight of the Rohingya refugees.

4. OUR TEAM

Harsh Bajpai- Thomas Burgenthal Scholar & International Law Enthusiast from George Washington University

Krati Jain- International Law Enthusiast from George Washington University

Pranav Bhaskar Tiwari- Founder and Publishing Editor, Contego Humanitas & Co-Convener Legal Aid Centre, Symbiosis Law School, NOIDA

Manav Mehta- Photographer | Human Rights and Tech Policy Enthusiast

Shruti Shreya- Administrative Head, Contego Humanitas & Research Associate, Symbiosis Law School, NOIDA

II. DETAILED METHODOLOGY

As mentioned before; the Project entails both research and humanitarian aid. Thus, the Research Methodology chapter shall layout the foundation of the research-work that the research team shall carry-out and the Implementation chapter shall layout how will the humanitarian aid be executed.

1. RESEARCH METHODOLOGY

i. Research Design

The research will be conducted in three stages rendering it a Quant Sandwich.

1. The Team has already conducted a **Qualitative Research** by way of document analysis and visiting the camp and conversing with the elderly, the children and the women in the camps. The team went on the occasion of Eid, bearing *Eidi* (gifts) in form of writing books, colouring books, novels, comics, stationary and dictionaries based on the age group of 195 children in the camp with the help of Rs. 13,000 which were donated by well-wishers. This laid down the foundation stone of trust and cleared our objective to the community- “upliftment”. There we also discussed the various challenges faced by the residents which are discussed in the later part ;
2. Based on the results of stage one, the team will undertake simultaneous Qualitative and Quantitative measures to understand and address the challenges;
3. The outcome of stage two will be documented. The summary of both the stages will be tabled before stake-holders for a discussion or sent for their opinion via email. The ultimate outcome will form the part of the implementation strategy.

ii. Research Questions

1. What are the social, economic and legal challenges faced by the Rohingya refugees in Delhi?
2. What global best practices can be implemented in Delhi?
3. How can local peculiarities and practices be leveraged to uplift refugees in the Delhi Camp?

iii. Research Method

a. Data Collection Methods

The team is collecting data by undertaking a case-study method of the camp. While operating within the camp, the team shall be relying on semi-structured interviews (of various residents of the camp, Indian citizens of that area, government officials, U.N.H.C.R., Police, N.G.O.s, academicians etc.) and document analysis (of news-paper articles, government reports, substantive or procedural law like memo, notification, circular, rule etc.).

b. Development of Research Tools

During stage one (qualitative research) secondary data shall be analysed to prepare a *Coding Schema*. The Coding Schema shall be used to collect data from document that shall be studied in stage two and three.

Separate *Questionnaires* shall be prepared for each group of stakeholder and shall be the primary equipment for data collection and finding sustainable solutions for the challenges highlighted in stage 1.

c. Analysis of the Data Collected

The Team shall be using *the Grounded Theory Method* of Analysis which permits latitude for adjustments per the needs of the data collated.

The Team shall be relying on a combination of the thematic coding, content analysis, and discourse analysis for the analysis of the data collated.

d. Test of Validity & Reliability of the Data

In order to make the data reliable at its most, random cross-checking of data by revisiting interview transcripts and original documents analysed by the Team. Additionally, all interview transcripts and documents relied upon in the course of the research shall be uploaded on cloud storage with appropriate instructions (keeping in line with ethical considerations) so that all may access the documents, leaving no question on the Validity and

Reliability of the data. This would further help future researchers to start from where the present Research Team stops.

e. Ethical Considerations

Considering that the respondents will be replying to a very sensitive topic which may bring them to public distaste, anonymity will be maintained at all times. Additionally, while recording the interviews due permission will be taken from the research subjects and a pseudonym will be used while referring to their answers/opinion unless specific permission has been sought.

f. Delimitation

Territorial scope of the project work was delimited to Rohingya camps in Delhi.

2. HUMANITARIAN AID

i. Preparations before the Field Study

As an initiative to empower children living in the camp our team decided to take books and stationery as gifts for the children which will not only be in the interest of the children but also in line with our objective of their “upliftment” and shall help establish a good rapport with our guests.

With the help of an educated bright lad amongst the refugees we acquired information about the number of children age-wise and then accordingly purchased fables, novels, books on English and Hindi alphabets, numbers, handbooks for writing practice and booklets on etiquettes and general knowledge for children alongside colouring and stationery items costing around 10,000 rupees (for details of the items and expenses incurred, refer annexure 1).

ii. Implementation

With the intent to study and analyse the condition of these refugees residing in the Indian sub-continent and alleviate their miseries our team undertook the field visit to the Rohingya camp at the Jasola Vihar Shaheen Bagh in New Delhi with the purpose of comprehending the plight and grievances of the refugees residing in this camp.

The team conducted its first visit to the camp on 31st December, 2018 wherein a face to face interaction was conducted between our team members and the refugees living in the camp. During the interaction we realised that unemployment, lack of health care facilities and dearth

of basic amenities like clean drinking water and electricity at affordable rates were the major challenges faced by these immigrants.

In pursuance of our vision to contribute towards the effective redressal and resolution of these challenges our team conducted its second visit to the camp on the eve of Eid-ul-Fitr. The information garnered in the first visit gave us a general view of the challenges faced by our guests which can be resolved by more cooperation from the locals, NGOs and the Government of India (and its instrumentalities). Therefore, this time the idea was to narrow down the root cause of their problems and develop a strategic plan of action based on our observations and conversation with the refugees and stakeholders.

iii. Conducting the Programme

The camp is located in the locality of Shaheen Bagh in New Delhi around 10 minutes walk from the Kalindi Kunj metro station. Upon reaching at our destination we headed directly to the camp office where we met two elderly men who are responsible for taking care of the people living there. They asked the men nearby to call the children in the office itself and we distributed the books and stationery to them.

iv. Visual and Sensory Experiences

Around 50 children came to the camp to take their, *Eedi*, books as gifts. Upon enquiring we came to know that many children were busy with the festivities or were playing outside with their friends and did not want to leave the merriment and come to the office. Therefore, three of our group members decided to go out and distribute the gifts to the children while two of us stayed back to interact with the camp In-charge and caretakers about their problems and expectations from the government and other stakeholders.

III. FINDINGS

Based on our research we ascertained the following challenges that the Rohingya refugee in Delhi face-

1. LEGAL CHALLENGES

Based on the findings of our preliminary research and interaction with the camp residents, we found that they face numerous legal and practical hurdles, out of which the most traumatizing

ones are the denial of renewing of long stay visas and the complexities involved in selective issuance of Aadhar Cards in addition to non-fulfilment of Right to Life.

2. SOCIAL CHALLENGES

i. Shelter

The biggest concern that the Rohingyas voiced was that of shelter. Being confined to a small camp in Shaheen Bagh any day they could be forced to relocate. This impacts not just immediate state of homelessness but also affects the little education that their children get from Government Schools and efforts from institutions like Don Bosco and Jamia Millia Islamia who are actively helping the children in the camps.

ii. Living Conditions

The team which went out to distribute the gift items got the opportunity to closely witness the conditions in which the refugees are living in this camp. Eight out of ten houses that they visited were non-cemented and were built of plain mud and straw. They were mostly single room occupancies with five to six family members residing therein. Despite the place being situated in the national capital of the country there was no electricity in most of the houses. Owing to the fact that the kitchen and the bedroom were one and the same, the place became all the more unpropitious for human habitation. The insanitary conditions were rendered further unbearable by heat from the stove inside the house, sun outside the house and flies breeding over the utensils.

iii. Lack of Education

Education is another major challenge in the road to the empowerment of the Rohingya community. Owing to the repeated migration and social exploitation faced by the community, the members face another major problem of low literacy levels, especially among women and children. Though, the camp has a *madarsa* for young children, higher education still remains a major challenge. Furthermore, though it was very hopeful to see that many children go to government schools; it was deplorable to find that many did not for reasons as puny as unavailability of anyone to help them navigate their way to school, i.e., access. The condition becomes even more gruesome with the financial and social disabilities faced by them wherein they do not have the money to pay the fees.

iv. Drainage System and Sanitation Facilities

The entire camp was clogged with open drains filled with untreated waste water and household garbage providing breeding ground for mosquitoes and other disease causing vectors. Furthermore, these drains ran across the middle of the camp right through the doors of a number of houses making the living condition all the more deplorable. Thereafter, the poor condition of the community toilet which is used by a major chunk of the refugee population as most of the houses do not have toilets has further aggravated the sanitation facilities in the camp.

v. Burning of houses and Forced Repatriation

In the past one year there have been several reports of houses in the Rohingya camps being burnt down and the forced repatriation of the refugees. During our conversation with the refugees they themselves admitted the fact that many houses of the camp have been burnt down and such incidents continue to take place in the camps in other parts of India.³ There are two camps in Shaheen Bagh. The adjoining camp there, which our team had visited on 31st December, 2019, also caught fire a few months back.

3. ECONOMIC CHALLENGES

i. Unemployment

Like elsewhere in the world, Refugees in India too are denied access to work. The residents of the camp lamented about rampant unemployment with most struggling as unskilled daily wage labourers while a fortunate few work as battery transport vehicle drivers who bribe the police every time they are caught.

ii. Electricity Supply

Upon interacting with the camp heads and caretakers, our team found that the electricity supply is extremely poor in the camp. The people are forced to live without fans and light. Further, only a few houses of slightly well offs, have electric sub-meter while majority of the houses have no resort to the same even in the scorching heat of the city. Given the refugee status of these people and absence of identity cards, it is extremely difficult for them to get electric meters. Hence, there are only a few sub-meters in the locality at the clemency of the citizens on whose land or nearby area the camp is situated. But the electricity so supplied to

³<https://scroll.in/article/875759/we-have-lost-everything-pre-dawn-blaze-destroys-delhis-only-camp-for-rohingya-refugees>. See also <https://timesofindia.indiatimes.com/india/bjym-leader-admits-to-burning-rohingya-refugee-camp-in-delhi-complaint-filed/articleshow/63840127.cms>.

the camp is at the commercial rates. While a general household in New Delhi pays Rs. 6 per unit, our guests who do not have access to work opportunities are compelled to pay Rs. 10.

iii. Water Supply

There are about 500 families in the camp that we visited out of which 400+ are internally displaced Indians and 80 are Rohingya refugee families. The water tanker supply is limited for which there is always a fight. Avoiding the fight, the Rohingya refugees expressed that they do not engage in the same, if they get some they get some but they do not fight. Alternatively they rely on hand-pipes, whose water is contaminated by nearby drains and leads to despicable health conditions.

4. GENDERED CHALLENGES

The women are not allowed outside the camp because of their cultural norms, unfamiliarity with the Hindi language and fear of getting lost. There are some success stories too. Sans boundaries, the women of the community do art and craft work and make bags and other embroidery items. This was made possible with the help of local NGOs which not just skilled them but also provided the machines. However, they have no platform to sell their products and profit sustainably.

IV. THE ROAD AHEAD

Based on the preliminary analysis of the situation in the Shaheen Bagh camp we concluded on the following solution as interim measures:

Education: While there is de-jure right to education and de-facto some access too but per our conversation with the elderly and the children in the camp, the access is not streamlined. Though permitted admission in government schools, children are not able to access it for reasons as shocking as “there is no one there to help them cross the roads”. In this regard we endeavour to start weekly booster plan where young college student would direct the children towards education and senior professors would show way to the youth. The idea is to make the community educated and thereby self-reliant. The camp has got a laptop with the help of a NGO and a young lad is very enthusiastically helping his brethren to emerge out of the misery. In support of that we intend to initiate a drive to kindle digital literacy in the camp and seek assistance from social enthusiasts and NGOs.

Sanitation: Considering the unhygienic conditions of the camp which also affects the health of the inhabitants it is important to launch the Clean India drive at the camp-site and simultaneously explain the importance and necessity of hygienic surroundings to the inhabitants.

Water, Shelter and Electricity- These are resources majorly within the hands of the government. It is incumbent upon us to request for access to these facilities guaranteed to them under Article 21 of the Constitution of India.

Sports: The life of this kind is not enough jubilant and nothing can spark joy like sports. To that end we endeavour to partner with sports brands and crowd fund resources to provide sports equipment's to children. The UNHCR has already established a football team in the camp, the idea is to take it forward by inviting citizens from nearby area to play together and understand each other while they are at play.

Movie Screening: We look forward to screen pertinent, easy-to-follow documentaries for children and adults respectively for their sensitization and then a popular movie for entertainment of all.

Employment: Provide a sustainable market solution to the products that women in the refugee camp produce. We discuss the feasibility of their employment as a way towards not only making the Rohingyas self-sufficient but also a stake holder in building India. We endeavour to build on the extraordinary Ugandan examples of vibrant, flourishing and entrepreneurial businesses where the refugees even employed citizens of host countries. There is obviously a need for efforts to be made by the Government of India and the International Community which is line with the commitments at the Global Compact.

V. RESPONSE RECEIVED FROM THE COMMUNITY

The refugees of the Shaheen Bagh camp were overwhelmed by our visit. In stark contrast to the prejudicial opinion that most of the people garner about refugees, they were extremely forthcoming and tried their best to make us feel comfortable and welcomed. The children were extremely elated to receive the colourful books and crayons depicting the dire urge in them to study peacefully and for once have a normal childhood. The parents of these children were also extremely grateful for the gifts we took for their kids and repeatedly kept

requesting us for extra copies of the books for the children who were not present in the camp at that time.

The most inspiring part of the entire visit was that despite facing so many difficulties and leading such a stressful life, all the refugees were extremely humble and soft spoken. They interacted with us calmly, answered all our questions patiently and explained their problems to us but not even once did they blame anyone for their situation. The positive spirit of the refugees and the courage in them to fight for a better tomorrow was indeed the best take away for us from this visit which not only made our endeavours meaningful but also encouraged us to stand for their rights and work for their betterment.

MOMENTS















