

Refugee Crises and Third-world Economies

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Refugee Crises and Third-world Economies: Policies and Perspectives

EDITED BY

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Preface

This volume began to take shape during an extension lecture on human rights in crisis, most of which had reflections on refugee crisis. We conceived of 'Refugee and Migration' in relation to the concern and actions being taken to deal with this crisis particularly in third-world economies. The need to understand different political, economic and geographical situations leading to such a crisis inspired this project from its inception.

Hence this volume is dedicated to expanding our understanding of the pursuit of refugees in third-world economies, but in identifying the cause and effect relationship of this crisis, it looks beyond the boundaries of many states.

Very often refugees have been clubbed in the category of forced migration, but the basic difference that lies between them is that in case of migration, an individual's destination is pre-planned, which is not the case with refugees. They do not have that choice of destination; rather, they are in most cases completely left at the mercy of asylum countries.

This book contains a number of features that commend it to the reader. The entire work is divided into 10 chapters. The introductory chapter throws light on several policy documents and agencies who have been less active on their part in dealing with this crisis and also illustrates as to how global efforts are needed to look for a solution. The first chapter tries to identify the major parameters responsible for refugee generation. The lack of economic activities such as growth of GDP through improvement of industrial production and other facilities like social safety net and medical facilities help to generate refugees in a region. But it mostly depends on the political instability, unemployment and distress of availability of drinking water. The second chapter deals with integrating issues like refugee crisis and eco-political instability. Broadly speaking, here we want to examine the major cause of refugee formation and how it will affect the size of the so-called potential refugees. To categorize, the author has introduced a hybrid model which entails both the flavour of strategic game theory and rational expectations theory of macroeconomics. The third chapter examines the case study of environmental refugees of Bangladesh creating economic impact on neighbouring countries and also highlights the weaknesses of legislations to deal with such a major global crisis. The fifth chapter focusses on the program of action and provides a blueprint to coordinate with the relevant states, other UN agencies, refugees, NGOs and other stakeholders and support host countries and communities so that they can ensure the refugees have better access to health, education and labour markets and enjoy the opportunity of being included in

their host territories without any delay. The sixth chapter explores that countries that host refugees for long periods can experience long-term economic, social, environmental, and political and security impacts. While the impacts of a refugee presence on neighbouring countries are complex and context-specific, they are not necessarily only negative. The seventh chapter tries to examine the socio-economic status of the Tibetan refugees of the Choephelling Miao settlement and also to highlight the problems faced by the settlement. The eight chapter explores a retrospective study on the status of ecological refugees in respect to the Tehri Dam Project and their dilemmas pertaining to such a crisis. The ninth chapter addresses the present crisis of the Chakma refugees in the state of Arunachal Pradesh and looks into the causes of the current crisis to assess the impact of ethno-political issues on the refugee problem there. The last chapter highlights the need for possible legal protection that needs to be offered to refugees of all nature, with particular focus on the case study of Afghan women in Delhi, many of whom have been living in miserable conditions.

This text explores the broad and complicated ramifications of crisis by looking comparatively at most of the developing and under-developed economies. The chapters here include various case studies to understand the complexities of refugee crisis in different countries, with a resulting interdisciplinary orientation of the subject. We hope and expect the readers to get a wholesome scenario of the refugee crisis occurring across the globe.

Acknowledgements

This work *Refugee Crises and Third World Economies: Policies and Perspectives* has been a product of long discussion and articulation which could not have been possible without the contributing authors from all across India. We thank them for adding their valuable chapter to the matter of emerging concern through this volume.

We are most grateful to the Emerald publishing team for approving the proposal. We also express our gratitude to the academicians for their seamless efforts in guiding us throughout this project.

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Sourav Kumar Das
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Editors

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Introduction

Refugees are specifically defined and protected in international law. *Refugees* are people outside their country of origin because of feared persecution, conflict, violence or other circumstances that have seriously disturbed public order and who, as a result, require 'international protection'. Their situation is often so perilous and intolerable that they cross national borders to seek safety in nearby countries, and thus become internationally recognized as 'refugees' with access to assistance from states, UNHCR and relevant organizations. They are so recognized precisely because it is too dangerous for them to return home, and they therefore need sanctuary elsewhere. These are people for whom denial of asylum has potentially deadly consequences.

There is a significant boundary between refugees and migrants. As migration is a purely social and psychological phenomenon, it is difficult to enunciate general and rigorous principles and laws of migration.

Migration is not merely the shift of people from one place to another, but it is a fundamental factor helping to understand the ever-changing space content and space relations of a region or country. Migration may be classified on the basis of three criteria, namely, duration, boundary and motivation. There are permanent, periodic, seasonal and temporary migrations identified on the basis of duration. On the basis of boundary, internal and international subvarieties, such as inter-district, interstate, interregional and intracontinental, international, intercontinental migrations, have been recognized. Likewise economic, political, religious and marital motivations may give rise to similar migrations. However, the most commonly used classification is that which is based on the type of defining boundary and comprises two major categories, namely, internal when the migrants remain within the national territory, and international when they cross international boundaries.

A migrant is a person who makes a conscious choice to leave their country to seek a better life elsewhere. Before they decide to leave their country, migrants can seek information about their new home, study the language and explore employment opportunities. They can plan their travel, take their belongings with them and say goodbye to the important people in their lives. They are free to return home at any time if things don't work out as they had hoped, if they get homesick or if they wish to visit family members and friends left behind. Refugees are forced to leave their country because they are at risk of, or have experienced, persecution. The concerns of refugees are human rights and safety, not economic advantage. They leave behind their homes, most or all of their belongings, family

members and friends. Some are forced to flee with no warning, and many have experienced significant trauma or been tortured or otherwise ill-treated. The journey to safety is fraught with hazard, and many refugees risk their lives in search of protection. They cannot return unless the situation that forced them to leave improves (RCOA). The specific legal regime protecting the rights of refugees is referred to as ‘International Refugee Protection’. The rationale behind the need for this regime lies in the fact that refugees are people in a specific predicament which calls for additional safeguards. Asylum seekers and refugees lack the protection of their own country. Article 14 of the Universal Declaration of Human Rights asserts the right of everyone to seek and enjoy asylum. However, no clear content was given to the notion of asylum at the international level until the 1951 Convention related to the Status of Refugees [the ‘1951 Convention’] was adopted, and UNHCR was tasked to supervise its implementation. The 1951 Convention and its 1967 Protocol, as well as regional legal instruments, such as the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, are the cornerstones of the modern refugee protection regime.^{1,2} They set forth a universal refugee definition and incorporate the basic rights and obligations of refugees.

The provisions of the 1951 Convention remain the primary international standard against which any measures for the protection and treatment of refugees are judged. Its most important provision, the principle of *non-refoulement* (meaning no forced returns) contained in Article 33, is the bedrock of the regime. According to this principle, refugees must not be expelled or returned to situations where their life or freedom would be under threat. States bear the primary responsibility for this protection. UNHCR works closely with governments, advising and supporting them as needed, to implement their responsibilities.

A uniform legal definition of the term ‘migrant’ does not exist at the international level. Some policy makers, international organizations and media outlets understand and use the word ‘migrant’ as an umbrella term to cover both migrants and refugees. For instance, global statistics on international migration typically use a definition of ‘international migrant’ that would include many asylum seekers and refugees. In public discussion, however, this practice can easily lead to confusion and can also have serious consequences for the lives and safety of refugees. ‘Migration’ is often understood to imply a voluntary process, for example, someone who crosses a border in search of better economic opportunities. This is not the case for refugees, who cannot return home safely, and accordingly are owed specific protections under international law.

Blurring the terms ‘refugees’ and ‘migrants’ takes attention away from the specific legal protections refugees require, such as protection from refoulement and from being penalized for crossing borders without authorization in order to seek safety. There is nothing illegal about seeking asylum – on the contrary, it is a universal human right. Conflating ‘refugees’ and ‘migrants’ can undermine public

¹<https://www.unhcr.org/3b66c2aa10.html>.

²<https://www.unhcr.org/45dc1a682.html>.

support for refugees and the institution of asylum at a time when more refugees need such protection than ever before.

We need to treat all human beings with respect and dignity. We need to ensure that the human rights of migrants are respected. At the same time, we also need to provide an appropriate legal and operational response for refugees because of their particular predicament and to avoid diluting state responsibilities towards them. For this reason, UNHCR always refers to ‘refugees’ and ‘migrants’ separately, to maintain clarity about the causes and character of refugee movements and not to lose sight of the specific obligations owed to refugees under international law. Migrants – including those in irregular situations – are protected by international human rights law. This protection derives from their fundamental dignity as human beings. For some, failure to accord them human rights protection can have serious consequences. It may result in human rights violations, such as serious discrimination; arbitrary arrest or detention; or forced labour, servitude, or highly exploitative working conditions.

In addition, some migrants, such as unaccompanied or separated migrant children, or migrants who become victims of trafficking or are otherwise in a situation of vulnerability, may have specific needs for assistance and have the right to have those needs met. UNHCR fully supports approaches to migration management that respect the human rights of all people on the move. UNHCR’s preferred practice is to refer to groups of people travelling in mixed movements as ‘refugees and migrants’. This is the best way to allow for acknowledgement that all people on the move have human rights which should be respected, protected and fulfilled; and that refugees and asylum seekers have specific needs and rights which are protected by a particular legal framework.

Sometimes in policy discussions, phrases like ‘mixed movements’, ‘mixed flows’ or ‘composite movements’ are used to refer to the phenomenon of refugees and others on the move (including migrants, who may be in situations of vulnerability) travelling side by side along the same routes, using the same facilitators. ‘Mixed migration’ has also been used this way, but has sometimes been a source of confusion and is best avoided. The term ‘mixed migrant’, which has been used by some as a shorthand way of referring to a person travelling in a mixed movement whose individual status is unknown or who may have multiple, overlapping reasons for moving, is unclear. It can cause confusion and mask the specific needs of refugees and migrants. It is not recommended.

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