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RECONCILING REFUGEE PROTECTION AND STATE SOVEREIGNTY: A CRITICAL STUDY OF SOUTH ASIAN LEGAL AND POLITICAL CHALLENGES

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Abstract

There is an inherent conflict between the rights of refugees and the sovereignty of states. The South Asian nations, with the exception of Afghanistan, have slammed the doors to the Refugee Convention and Protocol owing to their high level of political realism. Nevertheless, their temporary remedy, which was enacted by domestic law, was never sufficient. It is impossible for domestic measures to provide complete safety to refugees; on the other hand, the criticism leveled at governments is never ending. In light of the fact that South Asia is a region that is supportive of refugees, the ratification of the Convention will result in an influx of refugees. In light of this predicament, the purpose of this study is to examine, from the perspective of South Asians, the intrinsic tension that exists between the rights of refugees and the sovereignty of states. This piece of writing is a reflection of qualitative research gathered. The implementation of regional procedures is an immediate need in order to address the refugee problem.

Keywords: Refugee, conflict, sovereignty, protection, rights. South Asia.

1.0 Introduction

Refugee crisis is one of the major problems in this current world. This crisis is the fruit of state discrimination against certain persons who flee from their habitual resident. Every state wants to protect their sovereignty and integrity of its land. However, the refugee crisis was initially termed as a temporary problem where the international community took only an ad hoc basis synthetic approach in Russia and Germany (Goodwin,1996). Nonetheless, after the second world war the international community realized the necessity of a different stance in viewing the refugee crisis, as it became a perpetual crisis. Refugee convention was made in 1951 and the refugee protocol was published in 1967. But it is a matter of great sorrow that, even after all these years of refugee convention, protocol and a dedicated body i.e. UNHCR to resolve the refugee problem, limited steps can be taken due to protectionist state sovereignty. This paper analyzes the inherent conflict of refugee rights and protectionist state sovereignty upon realization

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of refugee rights. This paper specially focuses on south Asian development of refugee law jurisprudence (Amitav et al.1997).

2.0 Migration Patterns of Refugees in South Asia

Major refugee migrations from 1947 and current refugee difficulties in this area are discussed in the following paragraphs. To help understand these problems more clearly, we might classify the refugee crisis in South Asia into two main areas. Migrations of refugees from one nation to another in the same area constitute the first group. Those who flee their own nations and seek safety in South Asian countries make up the second group. Many people, both from inside and beyond the region, have sought sanctuary in this area. This area is still home to about 12.04% of the world's refugee population. United States Committee for Refugees data shows that Pakistan, Bangladesh, India, and Nepal are home to 12.02% of the world's refugee population. Here we briefly touch on a few of the refugee migrations.

2.1 Refugee Movements within South Asia

The British departed India in 1947 splitting the nation to create two in dependent Dominions, namely India and Pakistan. This naturally led Muslims to East and West Pakistan and Hindus to India. Roughly 1 5 to 20 million individuals who were persecuted or feared persecution abandoned their homes, businesses and commerce in an effort to cross the newly created boundaries. When Pakistan created two Dominions, it had two regions—the West and the East—which had really been the cause for further movement of refugees at a later period. Though labeled refugees, evacuees, migrants, and displaced people by different orders, laws, rules, and statutes enacted in India and Pakistan, these individuals fast settled with the sequence of efforts made by the respective governments. The implementation of the Citizenship Acts in 1948 and 1949 in Sri Lanka declared 'stateless' a huge portion of Indian descent (Tamils) transported to Sri Lanka by the British and worked in tea farms and other agricultural operations for centuries. Agreements between India and Sri Lanka led to India receiving over 338,000 stateless people for settlement and rehabilitation between 1964 and 1987(Krishna Iyer,2024). Eleven Besides this, three significant refugee movements from Sri Lanka into the Tamil Nadu region in south ern India have occurred since 1983. Even now, Sri Lankan refugees keep coming. Housed in state-run 1 3 6 camps, these refugees were projected to number 120,000 Sri Lankan in 1990. Apart from them, around 80,000 "well to do" (wealthy) refugees were living outside the camps. One dozen These migrants were not registered previously and the number of refugees living outside the camps is much larger than what is shown in the statistics. The U.S. Committee for Refugees estimates 110,000 Sri Lankan Tamil refugees in the State of Tamil Nadu. Thirteen A Specia Commissioner was named by the Government of Tamil Nadu during 1990 since the state had an annual expenditure of around Rupees 30 crores (about 26 million U.S $per

year)(Raj Baral et al.1996). Recent events in Sri Lanka are probably going to cause further refugee movement into India. The Chakma refugees, the tribal communities of Chittagong Hill Tracts (CHT) made up of Chakmas, Murangs, and Tripuras, moved to the areas of Assam, Tripura, Arunachal Pradesh, Mizoram and Meghalaya after the partition in 1947. Victims of the Kaptai Hydroelectric project that flooded their homelands, some 45,000 Chakmas migrated to India from East Pakistan in 1963. They grew and its population reached 85,000. About 50,000 former East Pakistan refugees have been sent back to CHT last year, or in 1998, after Bangladesh's independence. Officially registered refugees from East Pakistan totaled 9,544,012 between April 1 and mid-October 1971. Modern history has no such comparable influx of migrants entering India. Many refugees have remained in India with their friends and family; these ones kept living there till 1973. Mostly, they were among the 2-3 million refugees residing with family and friends in the State of West Bengal. Their language helped to promote such local integration without anybody labeling them as outsiders. Many persons remained behind unreported by the authorities for repatriation. In reality, the process of repatriation of these refugees back to the newly created state of Bangladesh was very swift and positive for the host nation. The UNHCR estimates that during the months of January and February 1972, a daily average of 210,000 people crossed the Bangladesh border from India in the process of repatriation. All these refugees were coming back from India to their home areas in East Bengal. Actions done by the Government of Bhutan including the adoption of the Citizenship Act drove over 125,000 Bhutanese of Nepali ancestry to leave Bhutan. These folks are presently situated in around seven camps in southern Nepal. Some of them are also in India. Apart from these refugees, an estimated 40,000 Chin/Arakanese refugees from Burma and ten million illegal immigrants are also in India today.

2.2 Refugees from Outside the South Asian Region

In 1948, the British granted independence to Burma (now Myanmar), which resulted in the displacement of a significant number of individuals of Indian descent. These individuals were compelled to return to India as exiles after migrating to Burma under British patronage and settling there. Following the political reforms of 1962, Burma once more dispatched emigrants to India. During that time, an estimated 150,000 refugees arrived in India. As a consequence of the Burmese army's operations in the Arakan region during 1978, which were intended to combat insurgency and prevent illicit migration, as many as 200,000 Rohingya refugees sought asylum in Bangladesh. A second wave of exiles entered Bangladesh, and by 1992, there were 300,000 refugees. Nevertheless, a repatriation process was initiated for a period of time under the terms of an agreement between Bangladesh and Burma. Nevertheless, these exiles persist in

their residences in India and Bangladesh. The Dalai Lama, a religious and political leader, and his adherents fled Tibet in 1959 and sought refuge in India. Mr. Jawaharlal Nehru, the then Prime Minister of India, granted them asylum, and they continue to reside in India to this day. India alone accommodates approximately 120,000 Tibetan exiles in 42 settlements distributed across various provinces in India, with a total of 133,000 Tibetan refugees in South Asia by 1993. In addition to the settlements, there are 88 dispersed communities located in various regions of India. In the recent past, there has been a consistent influx of Tibetan refugees into India via Nepal. The concept of transitory asylum appears to be being undermined by the persistent presence of these Tibetan refugees in India over the past forty years. In contrast, the concept of provisional protection is interpreted in developed countries as a transitory measure that is in place until a permanent solution is identified. The Soviet Union's invasion of Afghanistan in 1979, in conjunction with the cold war period, led to a significant migration of Afghans to Pakistan. After the 1973 rebellion, Afghans began migrating to Pakistan. The issue was maintained by the ensuing civil conflict, which ultimately resulted in the displacement of an estimated 6 million Afghans. The repatriation procedure commenced with the withdrawal of Russian forces. Nevertheless, the issue persists due to the ongoing infighting, and Pakistan continues to host approximately 1,200,000 Afghan refugees. The UNHCR is responsible for determining the status of approximately 40,000 Afghan refugees who were hosted in India. Nevertheless, their population has decreased to 18,607, with the majority of them residing in the New Delhi region. By the conclusion of 1998, there were still 14,500 Afghan refugees residing in India. Additionally, there are exiles from West Asia and African countries, although their numbers are relatively low. Some of them have been residing in India in the same status for over a decade, and the UNHCR's office in India has recognized a multitude of them as refugees. The severity of the issue is only underscored by the refugee movements, which have received inadequate attention from the countries in the region.

3.0 Refugee Protection in South Asia

In the event of a mass exodus that requires immediate and elaborate arrangements, the countries of South Asia have responded favorably by granting refugee status to all and providing the fundamental necessities within the economic capacity of the receiving state. For an extended period, South Asia has provided refugee protection and has been exceedingly accommodating to the influx of individuals from a different culture, language, or ethnicity. This protection is exemplified by the ongoing assistance provided to the remaining Afghans in Pakistan and the protection provided to the hundreds of thousands of Afghan refugees. Another example of South Asia's contribution to refugee protection is India's decision to grant

refugee status to the Tibetans who fled China in 1959 and their continued presence after 40 years. The same affirmative response to the afflictions of the people was employed once more in response to the movement of 10 million refugees from the former East Pakistan into India, the largest refugee influx the world has previously witnessed. Bangladesh's protection of Rohingya refugees from Myanmar, Nepal's protection of Lhotsampa refugees from Bhutan, and India's protection of Sri Lankan Tamils are additional examples of the type of protection that has been provided to refugees over time(Ivor Jackson,1999). In doing so, the judiciary and administration of these countries have directly or indirectly acknowledged the principles of international refugee law and have complied with them, despite the fact that the states have not ratified the pertinent international instruments. The individuals in these countries are deserving of special recognition for their contributions to the meaningful protection within their economic means, as well as their tolerance. The presence of at least three members from this region on the Executive Committee of the UNHCR has been influenced by these factors. Despite not being parties to the international instruments, Pakistan, Bangladesh, and India have become prominent members of the EXCOM of the UNHCR. This is indicative of the international community's recognition of the nature of the initiatives they have undertaken over time. In the same continuum, the UNHCR office has been permitted to collaborate closely with the administrations of all seven countries in the region. The United Nations High Commissioner for Refugees (UNHCR) has established offices in numerous countries throughout South Asia. Additionally, it operates from nearby offices in a few states. Therefore, the countries have tacitly authorized the mandate refugees and have allowed the UNHCR to exercise its mandate in their respective territories. Nevertheless, this optimism should be interpreted and perceived with a certain degree of prudence. In this examination of the protection provided to refugees by the countries in the South Asian region, it is important to note the Tibetan refugees in India. In comparison to all other refugees in this region, they are treated well. Subsequently, this article delineates the breadth of the rights and liberties that have been granted to them. The positive initiatives that the countries in the South Asian region have taken from time to time have also been enhanced by a number of human rights instruments that have been ratified. The states' efforts to safeguard the refugees within their restricted resources have also been influenced by the role of international politics in this region.

4.0 The dichotomy of State Sovereignty and Refugee Rights

The total existence of refugees in the international realm is marked by a few intervening factors like state sovereignty, territorial supremacy, and self-preservation. These intervening factors tend to compete with humanitarian principles evolved from sources of international law and human rights jurisprudence.

However, amid this distinction, an imperfect regime is created where the refugee right can still be denied, and the pillars of human rights may collapse upon the protectionist attitude of the sovereign (Khan Aga,2022). After all these revolutions, conventions, and protocols a perfect regime cannot evolve unless states act accordingly. Always few states will be there to create refugees and always there will be some states to deny refugee rights.

Two different flows are created in the international realm on this ideological conflict. Either may resort to "partialist" attitude while others may go for "impartialist" plight. Partialists stick to the protectionist attitude. They only think about their citizen and inner protection in contrast to the grievances of the refugees. On the other hand, impartialist believes in a cosmopolitan ideology where the interest of the citizens and refugees equally matters (Reed Asther,2010).

5.0 Evolution of Legal Regime of Refugee Rights in International Realm

In 1921-1922 the international refugee crisis was first addressed after the dissolution of the USSR and the Austro-Hungarian empire. Initially, the global community thought the refugee problem was a problem of a particular nation-state (Nair,2013). Thus, ad hoc basis synthetic solutions to each problem were taken. The first problem was related to travel documents which were solved by the 'Nansen Passport' for Russian refugees. Jews' refugee crisis was addressed by the Convention Regarding the Status of Refugees Coming from Germany in 1938 (Islam,2013).

However, their temporary problem-solution mechanism fell short after the second world war and an overarching approach was an immediate necessity. It can be argued that the Universal Declaration of Human Rights 1948 opened the doorway to protect human beings irrespective of sect, color, religion, nationality, sex, etc. Then in 1951 The Convention relating to the Status of Refugees came into being. But this instrument came with regional limitation and time barred effect. Later, 1967 protocol removed all these problems.

United Nations High Commissioner of Refugees (UNHCR) is the sole organization mandated to support and guide states to build a refugee framework domestically. As UNHCR is obliged to promote the ratification of international conventions for the protection of refugees, it has tried to include wide ratification of 1951 convention and 1967 protocol. The General Assembly in the first annual report of UNHCR addressed its prime motive to create a refugee regime to protect refugees all over the world. Side by side the General Assembly passes resolutions and the executive committee issues conclusions for guidance of the states (Wadud,2021).

Hence to create an international regime, state's ratification to international treaties was inevitable.

6.0 Global Protection of Refugee Rights and South Asian Viewpoint

6.1 Treaty Obligation

Human rights are very much closely related to the refugee crisis. At the International level, the right to seek asylum is enumerated in Article 14 of UDHR. Regional refugee protection is codified in Article 22(7) of the American Convention on Human Rights and the African Charter on Human and People's Rights, Article 12(3). They also seemed to give the same type of protection mechanism. Additionally, the refugee status determination (RSD) process has been developed by regional and national legislations (Ahmed,2021). South Asian Countries except Afghanistan did not ratify the Refugee Convention 1951 as well as protocol. Though South Asian Association for Regional Co-operation (SAARC) countries have ratified other conventions like the Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Rights of the Child, and Convention on the Elimination of All Forms of Racial Discrimination, all of which protect refugees in specific categories.

6.2 Customary International law

As Refugee Convention 1951 remains central to all these protection mechanisms, Article 33 states about *non-refoulment*as a non-dirigible right. By dint of this provision, a refugee cannot be refouled who fled from their habitual residence for the threat to life and liberty. As per the minority opinion, in international law it should be treated as *jus cogens.* So, as a member of the international community, there is no scope for disregarding this customary principle by South Asian nations, except for non-regular state practices. As for instance, Bangladesh hosting 1.1 million Rohingya peoplewho left Myanmar in fear of persecution.

6.3 South Asian Refugee Crisis

There are more than 2.5 millionrefugees in South Asia (932,209 in Bangladesh, 75,927 in Afghanistan, 197,122 in India, 1,393,132 in Pakistan, 21,467 in Nepal, and 820 in Sri Lanka). However, this area is not well equipped to deal with this mass of refugee crisis. Additionally, neighboring countries like Myanmar, China, Iran are creating more refugee problems. Interestingly, the second most refugee producing country like Afghanistan contributed to this crisis because of ethnic and racial conflicts. Whereas most of these refugees of Afghanistan try to settle either in Europe or in South Asia.

7.0 Reasons for Protectionist attitude of Sovereign

7.1 State's Prerogative

Amid this crisis, it is a matter of great sorrow that except Afghanistan, other countries of the South Asia did not ratify Refugee convention 1951. The state's prerogative of South Asian region did not compromise UNHCR's relentless effort but rather took resorted to subjective discretion not to ratify the Convention. Political realities, state sovereignty protectionism as well as historical realities are the main factors for not subscribing refugee convention.

7.2 Political Realism

Political realism refers to the idea of power politics to protect self-interest, either domestically or internationally. This theory attempts to explain political relations amid nation state (Mosely,2021). Thus, the interstate relationship can give an oversight of refugee situation in South Asia. According to Chimni, "political realism," which has four characteristics, that controls inter-State bilateral interactions in the South Asian region (Chimni,2007).

First off, power struggles between States are constant and ongoing in this region. In this region, refugees are seen as a resource and a negotiating chip for advancing national objectives. they could contribute to the process of consolidating power and protecting the host state's interests. Secondly, host states of refugees always remain vigilant of an alien because of the threat to national security. For this reason, refugees are measured by the lens of national security even if domestic measures are whimsical or anomalous. Thirdly, due to their fear of being held accountable on a global level, States are "wary of membership to international instruments on human rights." Lastly, the connection between civil society and the migrants is something that the States are acutely aware of and terrified of, which is the fourth characteristic of political realism.

These political realities inspired post-colonial South Asian states to create their own identity and always remained fearful to accept fleeing refugees. These states couldn’t go off their catastrophic anxiety of colonial trauma and could not adopt western model of refugee protection. Following India's signature of the Global Compact on Refugees (GCR), B.S. Chimni contends that accepting the Refugee Convention will strengthen refugee protection in South Asia.

7.3 Inadequate Domestic Measures

As South Asian countries did not sign Refugee Convention or Refugee Protocol, hence they give protection to refugees by some other means.

7.4 Protective legislation

As South Asian countries did not ratify refugee conventions, they try to protect refugee rights under other national legislations. Regarding statutory legal protection, refugees in Bangladesh and India are actually

regarded as foreigners under the Foreigners Act of 1946, despite the fact that this law is completely silent about refugees and falls short in terms of providing adequate protection measures(Kaur et al.2013).As a result, the lack of a robust and effective protection mechanism under the current legal system starkly contrasts with the fundamental rights guaranteed by the constitutions of Bangladesh and India as well as other international standards and principles outlined in the international refugee law.

7.4 Constitutional Protection

The right to life and personal liberty of each citizen as well as the rights of everyone else who enters a country's territory are all guaranteed by the constitution, which serves as the supreme law. However, until a thorough legal interpretation and concrete government actions are done to support the use of these constitutional rights to refugees in South Asian countries, the situation will remain complicated.

7.5 International Human Rights Conventions

South Asian countries ratified many human rights conventions which give protection to human beings. For instance, UDHR provides umbrella protection for all human rights. On the other hand, ICCPR, and ICCESCR provide protection for civil and political rights and Economic Social and Cultural Rights. Additionally, some conventions arise obligations to protect specific rights likewise: the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child etc.

7.6 National Human Rights Commission

National human rights commissions aids to protect human rights of nationals as well as refugees. However national human rights commissions cannot be a plausible solution to the refugee crisis. Meanwhile UNHCR repeatedly asking for ratification of refugee convention, but no positive response came because of skepticism of the governments.

8.0 Recommendations

Need For a South Asian Refugee Convention

- Experts from all nations can draft the convention, underlining their unique concerns with refugees based on their understanding of each country. The convention will accurately represent each nation's history in this way.
- The term "refugee" needs to be expanded to include those who are forced to flee because of crimes against women and children as well as those who are socially isolated owing to openly acknowledging they have a different sexual orientation. This can guarantee that the West won't

intervene in refugee situations while also ensuring that the greatest amount of protection is provided.

- The convention will charge those who violate the rights of refugees with crimes against humanity. It can also create a regional tribunal to deal with cases involving refugees, including their legal obligations, trials, and repatriation.
- This will lessen hostility between neighboring nations and strengthen diplomatic ties.

Necessity of A Domestic Law

- In order to guarantee that all refugees receive the most basic protection, countries need a national law. Without it, refugee rights are only advantages granted by the government and are not rights in the true sense of the term.
- Additionally, "internally displaced people" as a result of terrorism and natural disasters should be included in a domestic law's definition of refugees.
- Refugees can be provided with housing and jobs to help them become self-sufficient.
- In accordance with this act, a number of civil society organizations shall cooperate with the government to enhance their living conditions.
- The Passport Act and the Foreigner Act will be superseded by domestic legislation, which will also lessen the suffering of refugees by addressing their issues explicitly.
- Refugee status determination will be smooth if procedural defects can be resolved by the novel legislation.

9.0 Conclusion

The Eurocentric definition of the refugee crisis does not fit well in the South Asian region. Much skepticism, dilemma, and inherent conflict remain within the mind of a sovereign to ratify the refugee convention. As this region is full of developing countries and there is a trend of Europeans shifting the burden to third countries to deal with the refugee problem, it becomes suspicious how far this Convention will bring happiness to the southern world. Only South Asian countries can take regional measures to remove their fear and make a regional convention. Strengthening domestic legislation can be a good way to support the refugee status determination process. Verity, South Asian countries must broaden their vision to create a mechanism to deal with the refugee crisis as it is a perpetual crisis.

References

Alexander Moseley, 'Political Realism' (*Internet Encyclopedia of Philosophy*, 2021) <Political Realism | Internet Encyclopedia of Philosophy (utm.edu)> accessed 26 October 2022.

Article 33 - Prohibition of expulsion or return ("refoulement")

BS Chimni, 'Improving the Human Condition of Refugees in Asia: The Way Forward' in VS Mani (ed), Oxford

Esther D. Reed, 'Refugee Rights and State Sovereignty: Theological Perspectives on the Ethics of Territorial Borders' (2010) 30(2) Journal of the Society of Christian Ethics <Refugee Rights and State Sovereignty | PDF | Book Of Ezekiel | Cosmopolitanism (scribd.com)> accessed 25 October 2022.

Handbook of International Humanitarian Law in South Asia (OUP 2007) 147.

Kaur, Nimrat, 'Protection of Refugees in India: A Critical Analysis' (SSRN February 9, 2013) <https://ssrn.com/abstract=2214274> accessed 27 October 2022.

Nafees Ahmad 'Options for Protecting Refugees in South Asia' (*HARVARD INTERNATIONAL LAW JOURNAL*, 2021) <Options for Protecting Refugees in South Asia (harvardilj.org)> accessed 25 October 2022.

Psymhe Wadud, 'South Asian Psyche and the Reticence towards Ratifying the Refugee' (2021) 6 Northern University Journal of Law <South Asian Psyche and the Reticence towards Ratifying the Refugee Convention by Psymhe Wadud :: SSRN> accessed 25 October 2022.

Rafiqul Islam, 'THE ORIGIN AND EVOLUTION OF INTERNATIONAL REFUGEE LAW' in Rafiqul Islam and Jahid Hossain Bhuiyan(eds), *An Introduction to International Refugee Law* (Martinus Nijhoff Publishers 2013) 16.

Ravi Nair, 'Refugee Protection in South Asia' (1997) 51(1) Journal of International Affairs <https://www.jstor.org/stable/24357479 https://www.jstor.org/stable/24357479> accessed 25 October 2022.

Rudabeh Shahid, 'Assessing the treatment of Rohingya refugees in Bangladesh' (*Atlantic Council*, 2019) <Assessing the treatment of Rohingya refugees in Bangladesh - Atlantic Council> accessed 26 October 2022.

Sadruddin Aga Khan, 'UN. Commission on Human Rights. Special Rapporteur on Human Rights and Mass Exoduses' (United Nations Digital Library, 1981) <Study on human rights and massive exoduses / (un.org)> accessed 25 October 2022; G. S. Goodwin-Gill and J. McAdam, *The Refugee in International Law* (Oxford University Press Inc., New York 2007)1.

UNHCR 'Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol' <Non-refoulement and the Scope of its Application (unhcr.org)> accessed 26 October 2022.

UNHCR, 'Refugee Population by Country or Territory of Asylum' (*The World Bank*, 2021) <Refugee population by country or territory of asylum | Data (worldbank.org)> Accessed 25 October 2022.

Guy S.Goodwin Gill, The Refugee in International Law, 2nd Edition (Oxford: Clarendon Press, 1996) at 12 note 48. Also see Ivor C. Jackson, The Refugee Concept in Group Situations, (The Hague, Mārtiņus Nijhoff Publishers, 1999) at 62.

Amitav Acharya and David B. Dewitt, Fiscal Burden Sharing, James C. Hathaway, Ed., Reconceiving International Refugee Law, (The Hague: Mārtiņus Nijhoff Pub lishers, 1997) at 126.

Justice V.R.Krishna Iyer, The Legal Saga for Refugees and Humanitarian Odyssey, Bulletin on International Humanitarian Law and Refugee Law, Vol.2, No. 2(A), p. 313.

Lok Raj Barai and S.D. Muni, Eds., Refugees and Regional Security in South Asia, (Delhi: Konark Publishers Private Limited, 1996) at 10.

Ivor C.Jackson, The Refugee Concept in Group Situations, (The Hague: Mārtiņus Nijhoff Publishers, 1999) at 314. 27. Asian Recorder, 1992, March 21.