

# INDIA

## Myanmar refugees

### OVERVIEW

The political turmoil and violence in Myanmar following the February 2021 military coup have led to a significant influx of refugees from Myanmar seeking safety and shelter in northeastern India.<sup>1</sup> The displaced people from Myanmar include 'stateless' Rohingya refugees and Myanmar nationals, mainly from Chin and Sagaing states. Although some are registered as refugees, authorities define those who arrive in India without required documentation as 'illegal migrants' (MHA 2017).

The Myanmar nationals include parliament members, civil servants, and activists. They have mostly found refuge in Arunachal Pradesh, Manipur, Mizoram, and Nagaland states (HRW 28/07/2021). The Rohingya population in India includes people who had fled earlier persecution in Myanmar and those recently arriving from camps in Bangladesh (RI 18/05/2023).

As at 2023, India was hosting over 74,600 refugees from Myanmar, more than an estimated 54,100 of whom arrived since the coup in February 2021 (UNHCR accessed 15/07/2023). As at 1 May 2023, over 40,000 refugees from Myanmar were living in Mizoram, and 8,250 were living in Manipur state (UNHCR 11/05/2023). Since 1970, Rohingya refugees have been coming to India in different instances from Myanmar and Bangladesh (RI 18/05/2023; BBC 19/08/2022). According to the Indian Government's public estimates from 2017, around 40,000 Rohingya refugees were living in India, of whom at least 13,000 entered between 2012–2016 (MHA 2017; UNHCR 03/05/2017). Over 20,000 are registered with the UNHCR (RI 18/05/2023; UNHCR accessed 15/07/2023; DW 20/01/2023). Most of the Rohingya live in camps and informal settlements in Delhi, Hyderabad, Jammu, Noida, and Nuh cities (Outlook 29/06/2023; RI 18/05/2023; MHA 2017).

**Disclaimer:** in this report, ACAPS refers to all displaced people from Myanmar – both with and without documentation – as 'refugees', although the Indian Government defined those without documentation as 'illegal migrants'.

<sup>1</sup> The northeastern region of India comprises eight states: Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura. The country shares a border of 1,643km with Myanmar across four northeastern states: Arunachal Pradesh (520km), Manipur (398km), Mizoram (510km), and Nagaland (215km) (MDONER accessed 18/07/2023).

The priority needs for refugees from Myanmar (Myanmar nationals and Rohingya) in India are legal recognition and protection, including refugee status determination, access to basic rights, and safety from persecution or forced repatriation (EPW 03/12/2022; RI 18/05/2023). They require adequate access to food, shelter, and WASH services, along with access to education and livelihood opportunities (EPW 03/12/2022; RI 18/05/2023). Meeting these needs would require unrestricted access for humanitarian organisations (The London Story 17/03/2020). As discussed within this report, substantive policy and social barriers stop refugees from accessing these basic rights.

### METHODOLOGY

This report is based on the secondary data review of reports from humanitarian and human rights organisations and news from local and international media outlets. There is limited information about the humanitarian situation of refugees from Myanmar in India. To address some of the information gaps around the crisis, ACAPS analysed the existing vulnerabilities of the displaced people and the situation in the area to estimate the priority needs and concerns of this refugee group.



## KEY PRIORITIES

70,000

REFUGEES FROM  
MYANMAR IN INDIA

600

ROHINGYA REFUGEES  
IN DETENTION

HIGH RISK

OF EXPLOITATION,  
DETENTION, AND  
FORCEFUL RETURN  
FOR REFUGEES

FUNDING AND  
RESPONSE CAPACITY

UNHCR

Local civil  
society organisations

National and  
international NGOs

Local authorities

## CONTEXTUAL INFORMATION

### Refugees and refugee law in India

India is not a signatory of the 1951 Refugee Convention nor its 1967 Protocol, and it does not have a national refugee protection framework (UNHCR 01/12/2010). Despite this, it hosts many refugees from neighbouring countries and responds differently to various situations and nationalities. In 1951, India welcomed Tibetan Buddhist refugees, granting them asylum and the same rights as Indian citizens except for voting and the possibility to occupy positions in the administration. During the Afghan-Soviet war, Afghan refugees, mostly Sikhs and Hindus, received aid but not citizenship. Tamil refugees from Sri Lanka settled in camps (The London Story 17/03/2020).

The UNHCR has faced challenges and restrictions in assisting refugees from Myanmar (OHCHR 09/03/2023; DW 22/03/2023; The London Story 17/03/2020). According to the UNHCR and the UN 1951 Refugee Convention, a refugee is an individual unwilling or unable to go back to their country of origin because of a legitimate fear of being subjected to persecution based on factors such as race, religion, nationality, membership in a specific social group, or political belief (UNHCR accessed 18/07/2023). Despite many fitting this definition, India refers to the displaced population from Myanmar without proper travel documentation as 'illegal migrants' or 'illegal immigrants' (MHA 2017; TOI 22/09/2017).

Since February 2023, India has refused to recognise the UNHCR-granted identification of Rohingya refugees while leaving them without residential permits or long-term visas (The Print 25/02/2023; La Prensa Latina 20/06/2023; RI 18/05/2023). Previously, registered refugees could use a UNHCR registration card to access education, healthcare, and some employment opportunities in the country (RI 18/05/2023). The Government has also denied exit permits to Myanmar nationals who entered India without the required documentation, exposing them to wrongful detention and assault (OHCHR 09/03/2023; TH 18/05/2023).

### Humanitarian access

The humanitarian access situation has deteriorated in India between November 2022 and June 2023 (ACAPS 05/07/2023). The Indian Government has shown hesitance in granting UN agencies access to northeastern India. As a result, refugees cannot register with the UNHCR, a critical step for protecting themselves against forced return (USIP 15/06/2023).

The lack of humanitarian presence has deprived Myanmar refugees in the northeast of the humanitarian assistance and food aid that international organisations are providing in other regions. To fill this void, civil society and local organisations, local churches, and locals from most communities have provided support (USIP 15/06/2023; DW 22/03/2023). The region's limited resources are being stretched to adequately assist the refugees (TNH 07/09/2022).

Despite evidence of the dangers Rohingya face in Myanmar, the Indian Government has forcibly returned several individuals and denied the UNHCR access to assess the voluntariness of their departure (HRW 31/03/2022; The Diplomat 06/04/2022).

Some media sources say these occurrences are overt expressions of anti-Muslim and anti-refugee sentiments as India is trying to maintain a diplomatic relation with Myanmar's junta (The Diplomat 06/04/2022; RI 18/05/2023; VOA 08/02/2022).

## CURRENT CONCERNS FOR REFUGEES FROM MYANMAR IN INDIA

### The threat of arrest and detention

The lack of a legal protection framework for refugees has led to significant protection concerns regarding the treatment of Myanmar nationals and Rohingya in India. Refugees from Myanmar have encountered significant challenges while attempting to access the UNHCR in India. One notable obstacle is the absence of UNHCR offices in northeastern India. This forces people from Myanmar entering Manipur or Mizoram without proper documentation to travel over 2,000km to Delhi to register with the UNHCR (OHCHR 09/03/2023). Since the February 2021 coup and as at January 2023, around 5,092 refugees had requested registration at the UNHCR's New Delhi office (UNHCR 11/05/2023).

People travelling to Delhi without documents risk arrest and detention by Indian authorities. Detention often results in family separation. Separated displaced children are more at risk of suffering from violence, exploitation, abuse, and mental distress (HRW 31/03/2022; Scroll 20/06/2023). During detention, refugees are held in poor conditions in holding centres<sup>2</sup> (TH 18/05/2023).

The Mizoram state government provided IDs for Myanmar nationals in July 2022, but these are only recognised within the state. This means that ID holders are still not eligible for any governmental assistance scheme and are not exempt from detention by national authorities (The Indian Express 04/10/2022; TH 09/04/2022). In January 2023, 81 refugees from Myanmar, including ten children, were arrested in Manipur state for illegal entry, placing them at risk of

<sup>2</sup> These holding centres are designed for refugees and asylum seekers in India without proper travel documents. They function as de facto detention centres (RI 18/05/2023; Live Law 27/02/2019).



forced return. A Manipur court later determined they were refugees and could not be returned forcibly to Myanmar (The Print 18/02/2023).

Rohingya refugees are at high risk of arbitrary detention (TH 18/05/2023; RI 18/05/2023). One possible reason could be political agendas against them (RI 18/05/2023; Al Jazeera 20/06/2022). As at November 2022, around 600 Rohingya refugees were in detention in India (UNHCR 30/11/2022). In February 2023, the Indian Government stated, “UNHCR refugee status without valid travel documents [from the Government of India] is of no consequence in India”. This recent downgrading of UNHCR registration cards exposes refugees to further risk of detention by Indian authorities and assault and exploitation following incitement from some local political parties (The Print 25/02/2023; Al Jazeera 20/06/2022; New Internationalist 01/08/2022).

### Limited access to basic services and challenges in meeting basic needs

**For refugees in Mizoram:** living conditions for Myanmar refugees in India are often precarious. Among the refugees in Mizoram, the state government has registered over 30,000, accommodating them in around 160 temporary camps. The temporary camps comprise bamboo buildings from the district administration. Others live with friends and relatives (DW 22/03/2023; ET 30/10/2022). Basic amenities, such as water, toilets, and electricity, are available, but the financial and agricultural resources to keep these facilities running are limited (DW 22/03/2023; IS 10/03/2023). Local NGOs and the state government have provided the refugees with food, blankets, and other necessities (IS 10/03/2023). The state government in Mizoram also allows refugee children to access education and has provided ID cards for healthcare and employment opportunities (OHCHR 09/03/2023). There are concerns about how financial constraints will affect the sustainability of relief efforts.

**For refugees in Manipur:** refugees in Manipur state rely on support from civil society organisations to cover their basic necessities (The Diplomat 26/05/2021). In March 2023, with the recent increase in arrivals, the Manipur state government formulated a proposal to establish shelter homes in Chandel, Churachandpur, and Tengnoupal districts along the Myanmar border. The state government intended to provide accommodation for migrants in an irregular status and provide them with basic necessities (RFA 29/03/2023; Outlook 31/03/2023). These plans would confine refugees within the shelter premises, restricting their freedom of movement beyond the designated areas (RFA 29/03/2023; NDTV 31/03/2023). Following the ethnic tensions in May 2023 between the Kuki and the Meitei communities, the state government halted this plan to address insecurity and internal matters (News Laundry 12/07/2023; The Guardian 10/07/2023).

**For Rohingya refugees:** Most Rohingya in India reside in informal settlements or urban slums with limited access to basic amenities, including clean water, sanitation facilities, and

healthcare (RI 18/05/2023). This environment makes them susceptible to health risks, including the spread of infectious diseases and inadequate medical care. The Government’s recent stance that “UNHCR refugee status without valid travel documents is of no consequence in India” means that refugees registered with the UNHCR no longer have access to education, healthcare, or livelihood opportunities that UNHCR cards previously granted (The Print 25/02/2023; TH 18/05/2023).

### The threat of forced returns

Refugees from Myanmar in India constantly fear eviction and forced return to Myanmar. After the coup in Myanmar in 2021, India pushed back over 5,700 refugees who tried to cross the border (OHCHR 09/03/2023; NDTV 09/08/2021). In 2021, to prevent arrivals to India, the Indian Government directed the Assam Rifles and the Arunachal Pradesh, Manipur, Mizoram, and Nagaland state governments to prevent what they called an “illegal influx from Myanmar into India”. The Assam Rifles are a governmental paramilitary force responsible for security in northeastern India (TH 12/03/2021). The Rohingya in India face the risk of forced return, often as a result of explicit anti-Muslim and anti-refugee sentiment (RI 18/05/2023). In February 2017, a member of India’s ruling Bharatiya Janata Party filed a petition in the High Court of Jammu & Kashmir to identify and deport the Rohingya from Jammu (RI 18/05/2023; VOA 07/06/2022). This action sparked attacks and xenophobic remarks against the Rohingya in India (DW 20/01/2023). In August 2017, India’s Home Affairs Minister declared forcibly returning all Rohingya refugees to Myanmar (RI 18/05/2023; VOA 07/06/2022). From 2018–2021, at least 17 Rohingya refugees were forcibly returned to Myanmar (DW 20/01/2023).

## ANTICIPATED IMPACT OF THE LACK OF RESPONSE

### Reduced access to basic services and rights

The escalating violence in Myanmar, particularly in Magway and Sagaing regions, could result in more people seeking refuge across the border in India (UNHCR 10/03/2023). Although the local civil society and the state governments of Mizoram and Manipur have been more welcoming to the refugees than the national Government, available resources are limited and already stretched, even for community members. Despite high literacy rates, limited employment opportunities and inadequate infrastructure hinder economic progress in Mizoram state (Gateway House 29/06/2023). There is also insufficient access to education, and quality healthcare remains a challenge, especially in rural areas (The Print 01/07/2022; WB 31/03/2021). Around 20% of people in Mizoram and 37% in Manipur live below the poverty line, with Manipur having the country’s highest urban poverty rate (GONEWS 22/12/2020; The Morning

Express 20/06/2018). These limited resources and opportunities in the host communities and the increasing number of refugees may lead to competition and tensions, potentially worsening the difficulties the refugee communities in these regions are facing. These would result in high unmet needs across the affected population, with international organisations unable to provide proper assistance and sufficient aid.

Previously, with UNHCR registration cards, Rohingya refugees could access some education, employment opportunities, and protection from forced return and detention. The Indian Government's recent non-recognition of UNHCR cards will likely worsen the already precarious situation of Myanmar refugees, reducing their access to basic rights and protection (RI 18/05/2023; TH 18/05/2023).

### Increased exposure to protection threats because of biometric data collection

In April 2023, the Indian Ministry of Home Affairs launched a campaign in Manipur and Mizoram to collect biometric data from 'illegal migrants' from Myanmar (Myanmar citizens). They aim to complete their campaign by September 2023 (TH 11/07/2023; Rajkumar Imo Singh Twitter 10/07/2023). The Manipur state government has already started the process, identifying around 2,500 refugees (TH 11/07/2023). The Indian Government has been collecting biometric information on Rohingya refugees already since October. Media outlets claim this is part of a government plan to identify refugees and forcibly return them to Myanmar (NDTV 01/10/2018; Fortify Rights 24/01/2019). As there is no law regulating the protection of personal biometric data in India, and it can be stored and shared for different purposes, registration increases the risk of forced return for refugees considered 'illegal migrants' (Tiwari and Field 05/2020; DW 09/08/2022; Lexology 28/04/2023). There is also a risk of misusing biometric data to target specific communities, worsening their risk of marginalisation and causing harm.

### Increased tensions between host communities and refugees

The escalating violence in Myanmar could increase the number of refugees, putting more pressure on already stretched resources, including land, jobs, and basic services. This increase could lead to competition and resentment between refugees and host communities.

The Mizo community in Mizoram state in India has welcomed and supported the Myanmar refugees from Chin state, but the community already lives with limited infrastructure, local production, and financial resources (TH 04/06/2023; Outlook 01/02/2022). The state government in Mizoram has also faced tensions in areas where refugees outnumber the local population (East Mojo 12/03/2023). To mitigate the situation, the state government has prohibited refugees from buying property or opening local businesses, which could undercut the local economy (IS 10/03/2023).

## COMPOUNDING FACTORS

### Ethnic tensions in Manipur

Northeastern India is ethnically diverse, with numerous indigenous communities and ethnic groups. Tensions between refugee and host communities and the increased number of displaced people from Myanmar could worsen existing ethnic tensions within the region. Many of the refugees share close ties with the minority Kuki-Chin-Zomi-Mizo tribe, which created a sense of marginalisation among the non-tribal Meitei community (ACAPS 18/05/2023; UNHCR 10/03/2023; The Print 15/03/2023; Frontline 06/05/2023). The recent ethnic clash in Manipur between the Kuki tribal group and the non-tribal Meitei group in May 2023 adds to the complexity and volatility of the situation for refugees from Myanmar in the area (Reuters 11/05/2023; Al Jazeera 06/05/2023).

The violence and tensions resulting from the clash have created an atmosphere of heightened instability and insecurity and increased tensions between refugees and some host communities. In Meitei villages, stickers saying "go back, Burmese refugees have surfaced, indicating a prevailing sentiment of opposition towards the presence of these refugees (BBC 17/07/2023). The clash not only amplifies the existing ethnic tensions within Manipur but also increases the risk of further violence and unrest, making it even more challenging for refugees to find a safe place to stay and rebuild their lives. In addition, two highways - the NH-2, connecting Dibrugarh in Assam and Tuipang in Mizoram, and the NH-37, connecting Karimgang in Assam to Imphal in Manipur - were blocked during the May clash in Manipur. This has resulted in difficulties accessing essential goods and increased prices in the region (HAI 14/06/2023).

Before the ethnic clash in May 2023, Meitei community in Manipur was already feeling outnumbered by the significant refugee influx into the state since the coup in Myanmar (Reuters 21/07/2023; The Print 15/03/2023; Outlook 25/10/2022). The Meitei community in Manipur saw refugees as a threat to their sociopolitical situation (Outlook 25/10/2022). To address this, the state government initiated measures to identify refugees and send them to dedicated and fenced shelter homes or shelter camps (Northeast Live 24/04/2023; TH 11/07/2023; Outlook 31/03/2023).

## Seasonal hazards

The monsoon season and its associated floods and landslides, which disrupt critical infrastructure, are seasonal hazards that pose significant safety risks for Myanmar refugees seeking shelter in the northeastern Indian states of Manipur and Mizoram. The monsoon season in northeastern India, including Manipur and Mizoram, generally occurs from June–September. During this period, the southwest monsoon winds bring moisture from the Bay of Bengal, causing heavy rainfall in these areas. Floods are recurrent in the region (Floodlist 01/07/2022, 15/07/2019, 06/06/2018, 25/05/2016, and 06/08/2015).

In mid-May 2023, Manipur and Mizoram states, which border Myanmar, have both received heavy rain and have been under orange alert or yellow heavy rain warnings, from the Indian Meteorological Department as a result of Cyclone Mocha (between 9-15 May) (ECHO 12/05/2023; TWC 13/05/2023; ABP Live 15/05/2023). On 16 June, heavy rainfall in Mizoram triggered a landslide, blocking the NH-6 highway that connects Mizoram with the rest of the country (Outlook 16/06/2023; Mint 16/06/2023; East Mojo 15/06/2023).

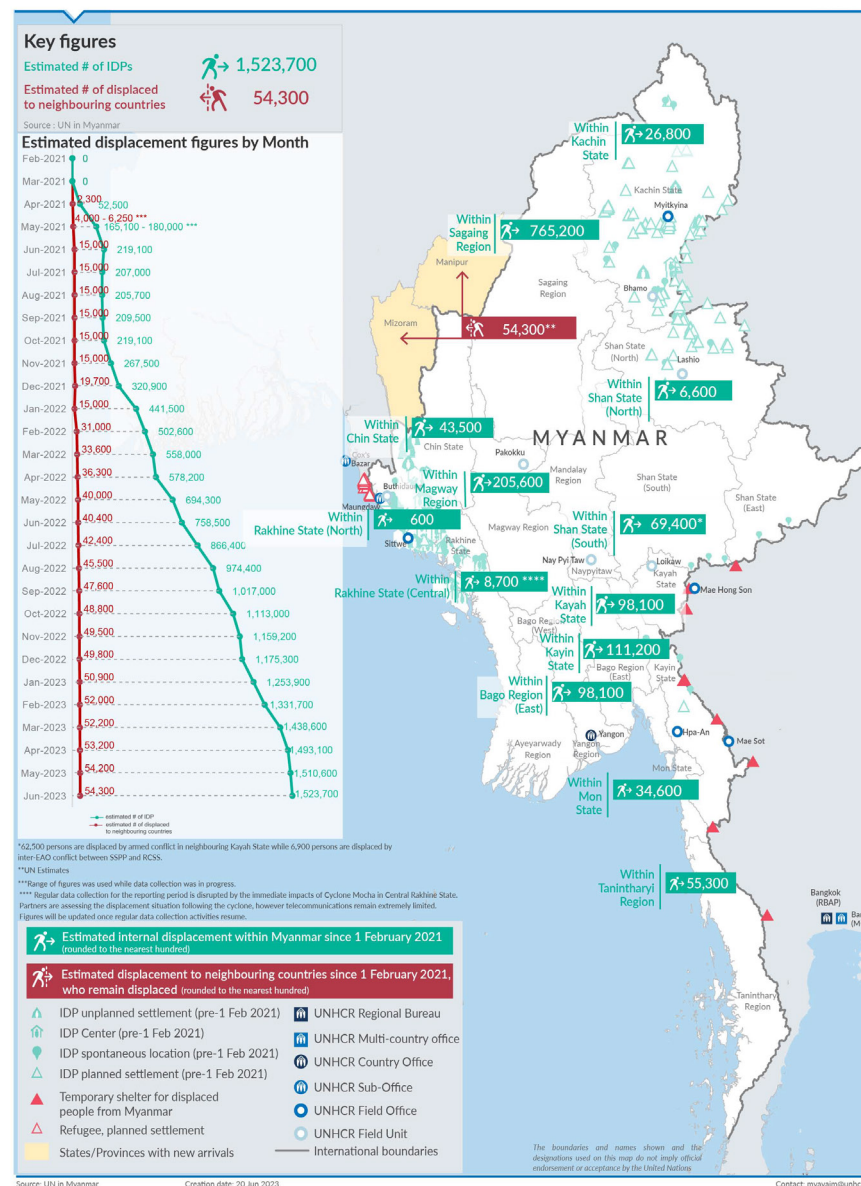
Delhi is also experiencing unprecedented flooding, disrupting the water supply, closing major treatment plants, and restricting transportation (ECHO 14/07/2023). Heavy rainfall across northern India is worsening the situation, leading to flash floods, landslides, and widespread damage (HAI 12/07/2023; ECHO 12/07/2023). All these events, combined with the monsoon season, would expose the refugees living in these areas to increased humanitarian needs. Weather events limit their access to basic necessities and services, worsening their vulnerable situation.

## INFORMATION GAPS AND NEEDS

Limited information is available regarding the specific humanitarian needs of Myanmar refugees in the region. The reduced presence of humanitarian organisations means there have been very few assessments in the areas of displacement. Most information comes from media outlets. The exact number of people from Myanmar (Rohingya and Myanmar nationals) residing in India and the number of refugees forcibly returned to Myanmar are unknown.

There is also very limited information on the exact number, geographic presence, and activity of governmental and humanitarian responders addressing the needs of refugees from Myanmar.

## NUMBER OF PEOPLE DISPLACED SINCE FEBRUARY 2021 FROM MYANMAR



Source: UNHCR (20/06/2023)