Sri Lanka was called as the pearl of the Indian Ocean. Unfortunately, from the beginning of the 1980s, the island lost its status as the pearl as a result of one of the most gruesome civil wars in modern times. John Richardson calls it as ‘Paradise Poisoned’ on account of the civil war. A country with two languages, Sinhalese and Tamil, it houses four religions: Buddhism, Hinduism, Christianity, and Islam. It gained independence in 1948 from its British colonial rulers. In the same year the chauvinistic Sinhala politicians for narrow political gains disenfranchized and later decitizenized the estate Tamils, who were of Indian origin and had gone there to work in the tea estates of central Sri Lanka as indentured labourers of the British colonial masters. With the success of eliminating a minority group, the Sinhala chauvinists were in with a new game. This time their target was the largest minority group, the Tamils of Sri Lankan origin. After decades of peaceful protests for equal rights, the battered Tamil struggle for equality entered a new phase of bitter violent struggle for a separate nation in the mid-1970s.

Since the mid-1970s, Tamil youth have resorted to an armed struggle against the Sri Lankan state to create a separate Tamil state in the north-east region of the country. The successive governments met the demands of the Tamils for power sharing arrangements with brutal violence and suppression. This caused a civil war-like situation in the northern and eastern parts of the country. The armed conflict became more ferocious over the years, resulting in immense suffering. The war between the armed forces of the Sri Lankan government and powerfully armed forces of the Tamil community, the Liberation Tigers of Tamil Eelam (LTTE), who were fighting for the right to self determination of the Tamils, was the main cause of suffering for the people in the conflict areas. Indiscriminate aerial bombing, shelling, massacres, rape, search operations, arbitrary arrest, illegal detention and disappearances by the armed forces in the predominantly Tamil areas created panic among the Tamils and led to large-scale displacement.

The Sri Lankan government, in addition, passed the Prevention of Terrorism Act in 1979 and introduced Emergency Regulations in 1996, banning or restricting essential goods such as food, medicines, fertilizers, agricultural implements and fuel, into the north-east, resulting in deprivation and large-scale displacement and escalated mortality rate amongst the population, particularly children.2
The miserable life of those living in the jungles of Vanni and the Tamil-dominated North and East of Sri Lanka is that of braving the bullets, cannons, aerial bombings, landmines, and various other war equipment. Amidst this chaos, they led a life of ‘hide and seek’, always on their feet to escape to ‘safer destinations’.

Fearing risk to life, a good number of people escaped from Sri Lanka to reach the European countries and India to save them from becoming ‘cannon fodder’ and earn a decent living in order to help themselves and those who have stayed back in their homeland. The lack of awareness of Human Rights and the phobia for human rights on the part of the government and the warring groups contributed immensely to this problem, creating large number of internally displaced persons and refugees.

The civil war in Sri Lanka had constantly ejected refugees into India since the 1983 riots. From 1987 the refugees returned home with the presence of the Indian Peace Keeping Force (IPKF) only to return in 1990 along with the IPKF. During an election campaign in 1991, the former Indian prime minister, Mr Rajiv Gandhi, was assassinated, allegedly by Tamil Militants. As a result, the government of Tamil Nadu in India banned education for the Sri Lankan refugees, imposed a naval blockade on the new arrivals. Sri Lankan refugees were repatriated despite the large-scale war in Jaffna. After the ban on LTTE, India has always been very suspicious of the Sri Lankan Tamil refugees. At present, the government of Tamil Nadu runs 107 refugee camps catering to about 52,000 refugees.

During the past three decades, it is estimated that around one million Tamils have fled their home country because of state terrorism. It is emotionally a very difficult decision these people had to make when they left their homeland with empty hands.

The Sri Lankan state terror mechanism left only three choices for an average Tamil: (1) be a Tamil freedom fighter and fight against the state terror, equipped with a well-armed military force; (2) be a soft target to the state terrorist designs against the Tamils and accept whatever happens including intermittent organized riots and arbitrary killings; or (3) be a refugee and leave the country.

The five categories of Sri Lankan refugees in India

There are five categories. First, and primarily, people who live in government-run camps across Tamil Nadu. Second, those who do not live in the camps, but have a refugee certificate from the district collectorate, and are registered with the nearest police station. There are about 30,000 people in this category. Third, Sri Lankan nationals with valid travel documents, some of whom stayed on after their visas expired, and some who use India as a transit point on their way to Europe. Fourth, former Tamil militants sheltered in special camps. The fifth category includes the refugees who have arrived in Tamil Nadu recently with the help of the Sri Lankan armed forces, mostly looking for livelihood, or to take a boat from Kerala to another country, which is often Australia.

The different waves of refugee arrivals in India

In four waves beginning July 1983 Tamil refugees arrived in India. The first followed Black July, the anti-Tamil pogrom that began after 23 July 1983 in which the LTTE ambushed and killed 13 Sri Lankan soldiers. Sinhala mobs killed hundreds of Tamils in retaliation, and the exodus it triggered continued till 1987, when the India–Sri Lanka Accord was signed. Between 1983 and 1987, at least 1.34 lakh Sri Lankan Tamils are officially estimated to have arrived in India, mostly in Tamil Nadu. After the accord, chartered ships ran between India and Sri Lanka for those who
chose to return. Between December 1987 and March 1989, a total of 25,600 people returned to Sri Lanka through ‘organized channels’ and were assisted by UNHCR.\(^7\)

The war flared up again in June 1990, triggering the next rounds of exodus, during which around 1,22,000 Tamils arrived in India. This was the time when Sri Lankan Tamils also started to migrate to European countries and Canada. Rajiv Gandhi was assassinated by the LTTE in 1991, and between 1992 and 1995, an estimated 54,000 refugees were repatriated to Sri Lanka.\(^8\)

A third wave started arriving in 1995, when the war intensified. 23,000 arrived in Tamil Nadu between 1995 and 2002. The final phase of arrivals continued until 2013.\(^9\)

**Route to India**

Most refugees living in the camps crossed the 29 km of sea from Talaimannar on Mannar Island to Rameshwaram on Pamban Island. Illegal boat operators charged hefty fees to clandestinely transport Tamil refugees desperate to flee the fighting in Sri Lanka. Most returning refugees sailed from Dhanushkodi or Kodiakkarai near Nagapattinam. The journey begins from one of the fishing hamlets in Mannar island during the nights when the tides are low. In fibre glass fishing boats meant for a maximum of four fishermen, nearly 32 refugees are loaded and they have to sit in a braced position during the course of the entire journey which takes a minimum of four hours. Sometimes there are boat capsizes and many do not make it to the Indian shores. On reaching Arichalmunai, the southernmost tip of the Rameshwaram island, the boatmen leave the refugees in mid-sea and the refugees have to walk in neck-deep waters to reach the shores carrying all their valuables on their heads.

When the patrolling is strict by the Indian Navy, coast guards, or the Sri Lanka Navy, there have been many instances when the refugees have been abandoned at one of the 13 islets between India and Sri Lanka and many cases of death in these islets have been reported as the water levels increase. There have been instances of the Indian Navy and Indian fishermen rescuing the stranded refugees from these islets.

**The Mandapam transit camp**

This camp can house about 12,000 refugees at a time. This camp has been in operation since the mid-19th century when the British used to transport indentured labourers from South India to work as tea estate workers after clearing the snake-infested jungles in Sri Lanka. After independence the camp was used for repatriation of the tea estate workers who were returning to India till the beginning of the civil war in Sri Lanka in 1983.

Since then Tamil refugees landing on the seashores of India from all parts of Sri Lanka were brought here to the Mandapam camp, which became a transit camp. It is from here that refugees were distributed to all the other camps around Tamil Nadu. Even during the repatriations in 1987–1990 and then from 1992 to 1995 Mandapam was filled with refugees. The camp had almost become empty after the cease-fire agreement in 2002 as many refugees returned by illegal boats and by air. Since December 2005 there had been a trickle of refugees as the cease-fire was violated by the warring groups rendering people homeless, with no security to their lives and property.

The camp was also known for its dreaded ‘quarantine’, where all new arrivals were kept in a single hall with a single toilet and a bulb glowing 24 hours. It is here that the questioning of the refugees by different Indian security agencies took place. Only after establishing their credibility of bearing good qualities, antecedents, and not having any links with militants, especially the
LTTE, the refugees were released into the transit camp after spending 15 days in the quarantine. It is from here that they are distributed to the other camps across Tamil Nadu.

Mandapam transit camp is a high security camp where no Indians are allowed. There were reports of refugees brought to this camp till 2013.

**Human Rights in the refugee camps**

The Sri Lankan refugee camps have been in existence for the past 37 years. Apart from confinement, lack of privacy and dependence on the host government’s policies have had their toll on the Sri Lankan refugees who are always at risk of being exploited by different forces. A bleak future stares at them as nothing is permanent. Lack of TIME and SPACE at their disposal as others determine these and make life hard for them as their culture and traditions are eroded. The new generations born in the camps are ever ready to pick up an alien culture with a strong influence of the materialistic Tamil film world. Unemployment pushes them towards anti-social activities.

**Lack of space, privacy and unhygienic living conditions in camps**

The living space in the refugee camps is very small. In the godown camps, 8’ by 8’ partitions are allocated per family with plastic sheets as partitions. In the dam camps, the refugees have used the temporary hutment constructed during the building of dams. A number of camps have been turned into slums. A number of cyclone relief shelters have been turned into permanent shelters for the refugees, which are unsuitable for long stays; under these conditions, the refugees have been staying for the past 37 years.

Young girls are forced to change their clothes in front of their male siblings and their father. There is every room for young men from the neighbourhood to gaze at them. Students do not have space to peacefully study at home in such living conditions. Young couples lead a life where they cannot even discuss or express their feelings to one another in the presence of others.

**Harassment by officials**

The government officials who are totally in command of distribution of relief material to the refugees harass them. The Q Branch police further add insult to injury by unnecessarily harassing the innocents and implicating them in militant and criminal activities.

P Sivakumar, a resident of a regular camp in Gummidipoondi, Thiruvallur district, speaks of how arbitrary the police are. ‘If we do something that displeases the Q Branch’, he says, ‘we will be shifted to special camps’. He was 12 when he reached Indian shores in 1983 with his parents, and now he serves as president of an administrative committee at his camp. He says,

> What makes our camp better than a special camp is that we have freedom of movement. We live on bare minimum needs, have no proper sanitation, nor drinking water and housing. We have held several protests for our rights. If I have not yet been arrested and moved to a special camp, it is only because I am president here.’

Many inmates live in the expectation that the Constitution of India will come to their rescue someday. Baheetharan arrived in 2005 from Jaffna, the nerve centre of Sri Lanka’s ethnic turmoil.
I came to India expecting safety and security. Initially, I lived in a rented house and registered as a refugee here. Later, I was arrested as an LTTE suspect. The allegation was that I supplied medicines to LTTE cadres. I have done nothing like that. I have been here for eight-and-a-half years. I was transferred from one camp to another, and reached this one [in Trichy] in 2013. I have no idea when I will be released. I don’t even know whether I will die here.

In some ways, Baheetharan says, this fate is no better. ‘Being a prisoner convicted by a court is better than this detention in a special camp. If you are a convict, you at least know when you are to be released. There is a defined period, a definite date’. The government order for his detention does not cite any reason for it. Dated 30 March 2007, this is what it states:

In exercise of the powers conferred under section 3(2) of Foreigners Act, 1946, the Government of Tamil Nadu for regulating the continued presence of Baheetharan, S/o Nagaraja, a Sri Lankan national here by orders that he shall reside in the special camp for Sri Lankan refugees at Chengalpattu.

Another order, issued in 2013, transferred him to the Trichy special camp. This document states no reason either. Nor does it specify how long he must stay here.11

Widows

The war in Sri Lanka has created plenty of young widows. Many young widows are forced to earn their living by some means or the other. It can lead to them being misused by men and they are be exposed to various anti-social activities of the society.

Elopement, teenage pregnancies, and early marriages

The local Tamil culture in India gives primary importance to cine stars, who are seen as real-life heroes. This is new to the Sri Lankan refugees. They are greatly influenced by the local film culture and feel they are secure and respected if they are in the company of a girl. All their educational activities are curbed after secondary schooling; they have nothing meaningful to do, hence they feel they are ready to lead a family life and prevailing camp conditions help them in easily getting the attraction of the opposite sex. As parents oppose these marriages, elopement and teenage pregnancies are common.

In the camps in India, the boys and girls do not have much in the way of privacy. The teenagers are not gainfully employed during the day as they are not allowed to move out of the camps for flimsy reasons. Relationships bloom into love leading to marriages. Boys and girls get married very early, unlike in Sri Lanka where they get married in their late 20s. Living in camps leads to infatuation and early marriage; sometimes these marriages end in disaster and divorce.12

Early marriages result in problems, which are physical, social, and psychological in nature. Young girls and boys are not prepared to take up family responsibilities. They do not have a steady income to fall back upon. Emotionally, they are ill equipped to handle conflicts that will arise in relationships. Physically they are not mature. When the girl needs guidance for her own growth from the parents, she becomes a mother and she is unable to cope with the tensions and problems of looking after a child of her own. Hence some of these marriages break up early.
Many stay married in spite of incompatibilities because of the compulsions of the society. But life becomes a burden for both.

The young girls and boys are taken up by the film culture and experiment a family life by becoming husband and wife. In case of opposition from parents, they elope and later regret their action.

Gabriel, at present a camp refugee at Gopalsamudram, sought refuge in India along with his mother, three brothers, and two sisters. On reaching India, Gabriel joined school and was doing well but the dastardly killing of Rajiv Gandhi abruptly ended Gabriel’s dreams along with the dreams of youngsters like him as the government of Tamil Nadu banned education for Sri Lankan refugees as a backlash of Rajiv’s killing. Disturbed by the turn of events, Gabriel, heartbroken now, had nothing to do.

He was infatuated and fell in love with Shalini. Her parents objected to this relationship but Gabriel, then only 18, eloped with Shalini who was then 16. Within a year they had a son and they had to face many difficulties for which they were not prepared. They were neither physically prepared nor mentally to address the issues of married life. He attributes this to the free society and lack of formation along with closed camp conditions to his teenage waywardness. He regrets his decision and feels that at such a young age couples are not matured enough to cope with the pressures of married life and parenthood.

Special camps

Practically they are jails. The Trichy special camp in Tamil Nadu is in practice a jail. There were three special camps earlier. There are more than 25 inmates who are suspected to have links with militants. A number of innocents too have been sent here without valid reasons and proof.13

Over time, special camps became de facto prisons for any Tamil refugee picked up by the authorities; places where they’d be held for indefinite periods of time. Despite their ill treatment, though, the influx of Tamil refugees from Sri Lanka did not abate until the end of its civil war a few years ago. Sadly, their legal status being undefined has thrown their right to justice under Indian law into a grey zone. Many who are locked up for some petty crime find there is no end to their incarceration. At the end of their term, they are arrested by the Q Branch and put right back. Legal aid is hard to come by.

Though these refugees are registered as refugees on entry into India, they have been incarcerated for no crime against the Indian government. A PUCL (People’s Union for Civil Liberties) report claims that these refugees live in sub-human condition under close confinement with lack of medical facilities.

On 5 May 2014, Ramekka fled Sri Lanka for Tamil Nadu by sea with her husband and two children. They came ashore to what looked like a welcome party of policemen. To their shock, they were taken into custody and booked for a violation of India’s Foreigners Act, 1946. Thirty-two years old at the time, she was lodged in Puzhal central prison along with her 12-year-old daughter, Nilaxana. Her husband and six-year-old son were taken to another prison.

Nabbed under Section 14 of the Act, which deals with the presence of non–citizens on Indian territory without permission, the family was produced before a magistrate. They got bail, but were still sent to a ‘special camp’. At the trial, Ramekka pleaded guilty and was sentenced to one year’s imprisonment. Once her jail term ended on 4 May 2015, however, she was not released. In a writ petition submitted to the Madras High Court on 13 July 2015, asking to be let free, she explains what drew the family to the country: ‘I and my husband are Sri Lankan citizens, we have two children. We were affected by the genocide and were kept in a camp in Sri Lanka. To save our lives, we fled and reached Tamil Nadu by sea’.
The petition made no difference. 'The writ was posted for argument several times. She never got a release order', says P. Pukazhenti, a lawyer who is also an activist fighting for the rights of prisoners. 'By that time, she had been transferred to [a special camp for refugees], and the writ thus became ineffectual'. The Q Branch of the Tamil Nadu Police took Ramekka's husband, Suthakaran, to a camp at Cheyyaram, while she and her children were sent to one in Mandapam, Rameshwaram. Pukazhenti says,

Special camps are worse than prisons. There is no rule of law here. There are no statutory guidelines for their maintenance. In the Premavathy and others vs State of Tamil Nadu case, the High Court stipulated regulations for running a special camp that would guard human rights. Unfortunately, these judicial verdicts are hardly observed by the police.

Unlike regular refugee settlements, which allow refugees to leave and enter on some conditions, special camps are designed to hold people captive under tight security. There are watch towers, multiple stages of entry, focus lights, and machine-gun posts. Only family members are allowed to visit. Neither journalists nor activists are granted entry. Life within is reported to be extremely harsh. 'Hunger strikes and suicide attempts happen quite often', says Pukazhenti, 'Depression is rampant among inmates'. Many would rather be in jail, which would afford them the luxury of parole, at least, and of visitors who don’t have to prove they are blood relations.14

Restriction of movement

The Sri Lankan refugees are denied their right to movement, which is enjoyed by other refugees in India. This hampers the meaningful existence of the refugees, as they are confined to the camps having an impending psychological effect. Though other refugees enjoy this right, the government says the restriction is based on security fear, though there are 40,000 Sri Lankan refugees living outside the camps.

The naval blockade of the Sri Lankan refugees

The Indian Navy and the coast guards ably resisted such a move when the authorities concerned issued an order to shoot at boats carrying refugees. A number of refugees arriving from Mannar took a bold step forward to reach India at any cost but the boatmen feared taking a risk and dropped them in one of the 13 islets in the Adam's Bridge separating India and Sri Lanka.

These islets are small, barren sand dunes, which disappear when the water level increases. Scores of families were stranded there in the international border line and later rescued after going through a painful ordeal. Indian fishermen who are traditionally very friendly to the refugees were instructed never to go to the rescue of any refugees stranded in the sand dunes. Officials in the Mandapam transit camp ordered the new arrivals to call back their relatives in Sri Lanka and tell them that they were unwelcome in India.

Ban on NGOs from working in refugee camps

The Indian government has stopped the entry of NGOs from working among the camp refugees.15 The NGOs are denied access to provide relief and rehabilitation to the refugees. This leaves a large gap in refugee protection as their rights are denied to them and they are secluded from the rest of the world. As the Indian government fears foreign interference in the form of NGO assistance, its power to control the refugees will be drastically cut and India's
role in refugee assistance may be questioned. Unofficially, the government has allowed the Jesuit Refugee Service, Adventist Development and Relief Agency International, multipurpose societies of the local Catholic churches, and the OfERR (Organization for Eelam Refugees Rehabilitation), which is run by the refugees themselves. The UNHCR\textsuperscript{16} is not allowed anywhere near the camps, though they are permitted to work with certain selective refugee groups.

Non-acceptance of new families

If a couple from two different camps get married and wish to set up an independent family of their own, they are denied this right for ‘security reasons’. They are denied their dole and ration, and at times sent out of the camp and are not recognized as refugees anymore.

Camp transfers

The officials frequently shift the refugees from one camp to another suiting their convenience, thus denying the refugee to settle in a particular place and seek employment. The obvious reason given is ‘security’. This also hampers the education of the children and causes a deep psychological scar on their young minds, as the government exercises its control over them. Time and again they are made aware that they are refugees.

Sri Lankan Tamils living outside camps not recognized as refugees

Those living outside the camps and arriving in India by flight are not recognized as refugees. They need to extend the term of their visa frequently and have to live along with the Indian nationals, which is an expensive affair.

Sri Lankan refugees living outside the camps have to pay a fine for overstaying in India. While many refugees want to return home or go to a third country to live with their relatives, they say the fine amount levied by the authorities is far too high for them to pay.

Mr G. Gnanaraja, the secretary of the ENDLF\textsuperscript{17}, says,

We have to pay an amount of Rs. 3,600 per year from the year we began staying in India and this amount is for a single person. Additionally, we have to pay Rs. 13,500 for obtaining a visa. So this has led to many families staying back in India for years now.

Gnanaraja, hailing from the former LTTE capital of Kilinochchi in Northern Sri Lankan, left his hometown along with his parents in 1983 after the Black July when the Sri Lankan armed forces romped the north and started the bloody civil war. He says, ‘It’s 32 years since reaching India, I am living here with my family but we are not given ration card or Aadhaar card, we just have Sri Lankan refugee identity cards’.

Gnanaraja explains the difficulty and dilemma in taking a decision to leave India though he would like to; he says, ‘If my family and me want to return to Sri Lanka, we have to pay Rs. 15 lakhs as fine and for visa. I do not have this much money to pay’.

Dharmalingam, another refugee living outside in Chennai, says, ‘It is difficult to live in camps, my four family members and I have been living in a small one room house for years. We have to get permission from the police and Tahsildar to even go till Pondicherry’.

Gnanaraja feels that around 20,000 refugees staying outside would like to return to Sri Lanka; the sociopolitical landscape in the country doesn’t inspire confidence in many others. ‘It is
peaceful but still the Sri Lankan Tamils do not have any rights there. The Sri Lankan government still arrest Tamils and few have even died in the last few months’, he says.

Lack of respect for refugees who are looked upon as criminals

After the killing of former Indian prime minister Rajiv Gandhi, the refugees have been looked down upon as criminals. For the crimes committed by a few, the whole refugee community is held responsible and looked down upon. Intellectuals too have contributed a great deal towards this. They have acted as prophets of hatred. Prof. Suryanarayan, retd. director, Centre for South Asian Studies, Chennai, points in his book Between Fear & Hope that half a dozen of the accused in the Rajiv Gandhi murder case were registered as refugees, but independent researches show none of the accused was from any refugee camp.

The media too has played a negative role in portraying the refugees in a darker shade. Though the Indian Constitution and international law guarantee equality of law to citizens and aliens, the Sri Lankan Tamils acquitted in the Rajiv Gandhi murder case were sent to the special camps, whereas their Indian friends were set free!

Issues of identity

Living in an alien land as non-citizens has its own bearing. A refugee’s only identity is the identity and ration card supplied to her/him. They are known by their card number, not their names. The humiliations faced by the students in the local schools, where they are seen as aliens not worthy of studying on par with Indian students are most pitiable.

Skirmishes with locals

Most camps are located close to villages and towns. The refugees, though not legally permitted to work, find jobs outside as the vigil over the camps is relaxed. The locals allege that refugees take away their jobs. The government dole given to the refugees acts as an eyesore to the locals. At times conflicts arise as a result of problems related to youth of the local and refugee communities. Naturally, the police take the side of the locals and the refugees are found to be at fault.

Denial of higher education

After the killing of Rajiv Gandhi, the former Indian prime minister, in 1991, the government banned education to the Sri Lankan refugee students. The ban was revoked in 1996. From 2003, the government once again refused to admit Sri Lankan refugee students in government institutions to pursue higher education, thus depriving many students of a rightful place in educational institutions.

Radha,19 (17), was a brilliant student from the Arani refugee camp in Tamil Nadu. She had passed the 12th standard examination with a distinction scoring about 95% but the policy of the government not to admit refugees in government colleges proved too costly for her. She was frustrated with being unable to pursue her studies and fell victim to the confined camp conditions lacking privacy.

She fell in love with a boy from her camp and married him. Later learning that he was addicted to alcohol and drug abuse, Radha tried hard to reform him but in vain. In April
2015, a verbal duel between the couple led her to take her own life by dousing herself with kerosene and burning herself. Stories such as this are common in the refugee camps. They go unnoticed by the media and remain undocumented by concerned authorities. Radha died in May 2015.

Nandhini, another Tamil refugee from Sri Lanka, has failed to get selected for MBBS despite her high score. The application of T. Nandhini (18) was rejected during medical counselling despite her scoring 197.5 in the class 12 board examination. ‘As per the state government norms, there is no quota for Sri Lankan Tamils in medical admissions’, said a senior official involved in the counselling.19


Nandhini’s father, T. Raja (42), a native of Jaffna, had moved to India during war between LTTE and Sri Lankan army in 1990 and had settled down in the refugee camp at Arachalur in Erode district. He got married to Allimalar, also from Jaffna in Sri Lanka. The couple has three children - Nandhini, Priyanka, and Naveen. Nandhini says,

I want to become a doctor and serve poor people. So, I applied for medical college seat through counselling. I did not get any communication from the medical counselling authority and came to know that my application was not accepted. I was born in Tamil Nadu and studied in Tamil Nadu. But the counselling authorities told me that I am a Sri Lankan national so they could not accept the application.

Raja, a wall painter, said he is the sole breadwinner of the family and he could not spend lakhs of rupees if his daughter wished to pursue higher studies. ‘I am disappointed after my daughter’s application was rejected by the medical counselling authorities. I hope that the state government would give a chance to my daughter to pursue medicine’, said Raja.

Prolonged camp stay

Social scientists find refugees disoriented beings. The refugee mind is in constant confusion. His life is determined by officials of an alien land. His ‘house’ is restricted, his movement monitored, and his food rationed. He is an object under the gaze of officials and charity groups, denied even a modicum of privacy. Life is oppressively monotonous.20 This disintegration of his sense of self is an aspect rarely considered. On top of this, he lives in the midst of a hostile environment where local politicians have made the Sri Lankan Tamils a scapegoat for all ills.

Unemployment

As the restriction on the refugees is imposed, most of the time the young and able-bodied youth are denied access to employment opportunities. The refugees have to survive on the meagre dole dished out by the government. Whenever they get an opportunity to work they are seen as opponents in the job market by the locals, leading to rifts. The youth have nothing challenging or creative to do. The only outlet they have is socializing with others, which includes persons of the other sex. This is not a taboo in Sri Lankan society but an act of disapproval in Indian society.
Chronic illness

Abject poverty and unhygienic living conditions push up the spread of diseases rapidly in the camps. The non-availability of medicine in the local government hospitals forces the refugees to go without treatment. Chronic illnesses are common and at times refugees go to the extent of taking away their lives without any remedy.

Haunting memories of the past

The civil war has taken its toll; the refugees are people who have braved the bombs and bullets, and the wrath of the sea to reach India. The violence and bloodshed they have witnessed in the form of arbitrary killing, disappearances, arrests, torture, aerial bombings, constant displacement, ethnic cleansing, etc. have left an indelible haunting memory in them. It is extremely difficult to erase such nightmarish experiences.

Trafficking, alcohol, and drug abuse

It is a well-known fact that women get employed easily in the Middle East or the West. An entry into these countries is a sure passport for the economic liberation of the entire family. There are trafficking networks that operate in sending these women abroad for employment. Women spend all their savings, at times borrow money, and pay these traffickers who send them to Colombo and then to other countries. Many a time these women land up in brothels and become victims of lustful men who exploit their innocence. At times they are brutally tortured when they are employed as house maids.21

Men who are idle depending on their wives, have extramarital affairs; they often spend their time in enjoying the pleasures of alcohol and drugs.

Protracted conflict at country of origin

Though the civil war ended in 2009, with the massacre of the Tamils and confinement of nearly 3,30,000 Tamils in the Manik Farm camps, the subsequent release of the Tamils in 2012 did not result in settling the issue. Even to this day, the Tamils face heavy militarization of the Tamil areas, massive Sinhalization projects being undertaken by the Sri Lankan state, and the non-return of civilian land has led to a new problem for those Tamils living in Sri Lanka without a political solution.

Sri Lankan refugees who are living in the camps from 1990 onwards are dejected at the situation and feel that they have completely lost hopes of peace and to return home.

Separation from family members

Living life as a refugee has taken its toll as these people cannot think of a reunion with their relatives and the state of affairs at the country of origin has left them in a lurch. The emotional need to be with their family members agonizes them from within.

Conditions of poverty and money lending racquet

The low standard of living and life has reduced the refugees to lead a life of poverty, especially the old, disabled, widows, etc. As there are frequent emergency needs, these people are forced to borrow money from the moneylenders who charge a very high rate of interest. To repay this
they again fall into the trap of a different moneylender and the cycle continues. All their earning is spent only in paying the interest which is astronomical and helps in further pushing the refugees who have fallen into the trap of moneylenders to reach the lowest levels of poverty.

**Problem of Sri Lankan Tamils of Indian origin**

In Sri Lanka lives one of the most oppressed communities in the world. They are the plantation Tamils living in the central hill country. This unfortunate community has been treated like sub-humans by the successive Sinhalese governments that have been in power since independence in 1948.

The Upcountry or the Tamils of Indian origin were brought by the British at the beginning of the 19th century from South India to work on the British plantations. The first batch of Tamil labourers came around 1823 from Tamil Nadu, then called the Madras Presidency. In four years, the Indian Tamils will complete two centuries of habitation in Sri Lanka. They have toiled on the tea, rubber, and coconut plantations to make Ceylon prosperous under gruelling and inhuman conditions.

When Ceylon was unilaterally granted independence by the British in 1948, there were about one million Eelam Tamils and a little more than one million Upcountry Tamils, out of a total population of about eight million. The Britishers had assured the Estate Tamils that they would enjoy the same rights and privileges accorded to the Sinhalese and Eelam Tamils.

The Sirimavo government was severely racist and evicted the Estate Tamils by various ruses. They nationalized the estates and uprooted the Tamils to settle the Sinhalese. During the repeated anti-Tamil riots by the Sinhalese, Estate Tamils like the North East Tamils were chased out of their homes. Consequently, some of them sought refuge in the North East. The Tamil refugees from the estates were trying to make a living in the remote areas of the North East, but many were again mercilessly attacked and uprooted by the Sinhalese army. They were decitizenized in 1948 immediately after Sri Lanka, then known as Ceylon, got independence.

Nehru maintained that except for those who voluntarily opted for Indian citizenship, the rest were the responsibility of Sri Lanka. On the other hand, Sri Lanka argued that only those who fulfilled the strict qualifications prescribed for citizenship under the new Ceylon Citizenship Act of 1948 would be conferred citizenship, and the rest were the responsibility of India.

Nehru’s principled stance was abandoned by Lal Bahadur Shastri who entered into an agreement with Sirimavo Bandaranaike and signed the Sirimavo–Shastri Pact of 1964. Shastri agreed to the repatriation of 600,000 of the one million Upcountry Tamils to India. This was done against the wishes of the Tamils of Ceylon by signing the Sirimavo–Shastri Pact in October 1964. The North East and Upcountry Tamils had by then been alerted to the danger of Sinhalese racism and were against the mass deportation. Under the agreement, 375,000 Upcountry Tamils were to be given Ceylon citizenship. However, this was done at a slow pace by the Sinhalese administration.

Indian leaders C. Rajagopala, K. Kamaraj, V.K. Krishna Menon, P. Ramamurthy, and C.N. Annadurai opposed the agreement as inhuman, but their views were brushed aside by the Indian central government in order to befriend the government of Sri Lanka.

The three events of Tamil ethnic cleansing in 1977, 1981, and 1983 in the south were targeted against the Estate Tamils. This was deeply etched into the minds of these Estate Tamils who moved into the Kilinochchi and Mullaithheevu districts of North Sri Lanka, which was the abode of the Eelam Tamils. As they too were targeted severely during the civil war, they reached the Indian shores along with the Eelam Tamils after selling whatever their meagre belongings were. Here they found it easy to intermingle with the locals as they had their long-lost relatives.
Sri Lankan refugees and the Citizenship Amendment Act

It is estimated that there are about 30,000 Estate Tamils in the Sri Lankan refugee camps. They do not have anything left behind in Sri Lanka except for the bad memories of being brutalized. Their children have intermarried with the locals and the Tamil relatives of Tamil Nadu. They are well integrated into the local communities. The youth of this community have availed the educational opportunities but it is unfortunate and sad that they are unable to secure jobs that would be commensurate with their educational qualifications as they are not Indian citizens.

These refugees who are spread across the refugee camps in Tamil Nadu are in no mood to go back to Sri Lanka where they do not have anything. They say that they would never return to Sri Lanka come what may.

All these refugees qualify for Indian citizenship by registration under Article 5 of the Citizenship Act of 1955. However, their plea for citizenship has been negated citing a central government circular that Sri Lankan refugees are not entitled to Indian citizenship.

In a communication dated 21 November 2007 to the special commissioner for rehabilitation, the secretary to the Government of Tamil Nadu mentioned that there are strict instructions from the Government of India, ‘not to entertain applications of Sri Lankan refugees for the grant of Indian citizenship’.22

This circular which many human rights groups have condemned has been a stumbling block in granting citizenship to the Tamil refugees of Indian origin who are double condemned as their ancestors were forcibly sent to Ceylon to work as indentured labourers as they were Dalits. Now, when they want to reclaim their right to return home with dignity, they have been denied their right as they are a voiceless group. Political parties in Tamil Nadu have sought citizenship for these people but the stubborn nature of the Indian government has so far denied justice to them.

The Citizenship Amendment Act of December 2019 has provisions for citizenship based on religion. It mentions Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians. The Sri Lankan refugee community in India comprises only Hindus and Christians and many of them are of Indian origin and have been religiously persecuted by the Sinhala majority.

On 16 December 2019, T. Yanadhan visited the district collectorate in Salem to express disappointment at the exclusion of Sri Lankan Tamil refugees like him in the Citizenship Amendment Act (CAA) and to request a mercy killing. The 28-year-old, born in Tamil Nadu to refugee parents who fled the civil war in the neighbouring country, said the new law had all but killed his dream of getting Indian citizenship and that he was better off dead.23 This act of Yanadhan portrays the disappointment of the Sri Lankan refugees, especially those who were born here and aspired to make India as their home. Never in their lifetime have these young refugees born in India seen a foreign land.

The CAA, which was anticipated with a ray of hope, too, has betrayed this hapless community of forgotten refugees, whose future lies bleak and at the mercy of doles and charity.

Notes

1 John M. Richardson, *Paradise Poisoned: Learning about Conflict, Terrorism and Development from Sri Lanka’s Civil Wars*, International Centre for Ethnic Studies (ICES), Colombo, 2005. Richardson is professor of international development in the School of International Service and the director of the Centre for Teaching Excellence at the American University in Washington D.C., USA. He has been a scholar associated with Sri Lanka for more than 20 years and a director of the ICES for a considerable period of time.

2 The Refugee Council, September 2003, p. 16.
The Indian Peace Keeping Force was sent to Sri Lanka in 1987 as per the Indo–Sri Lankan Accord of 1987 and returned to India in 1990.


Ibid., 5.


Ibid., 10.


People's Union for Civil Liberties, Tamil Nadu Report on Special Camps, 2000.

Ibid., 10.

https://www.refworld.org/docid/45f1474e14.html#:~:text=In%20June%201992%2C%20the%20Sri%20Lankan%20Tamil%20camps%20for%20refugees%20were%20closed%2C%2030%20June%202006.

United Nations High Commissioner for Refugees.

Eelam National Democratic Liberation Front is a former Indian-backed Tamil militant group in Sri Lanka. It was formed in 1987 as an amalgamation of splinter groups from other militant groups. It is currently a pro-government paramilitary group and political party. In August 2011, it was reported that the party is to be deregistered.

The girl's parents were met and interviewed in June 2015 by Dr Paul Newman.


