

The Workshop on *Media and Forced Migration* Gangtok, Sikkim dated 21-23 January 2011

The two and half day workshop on *Media and Forced Migration* started with the welcome address by Ranabir Samaddar, the director, Calcutta Research Group (CRG). At the very outset while welcoming all the participants Ranabir Samaddar mentioned that eviction from one's homeland occurs because of various causes, including conflict, natural or manmade disasters and the so-called development drives. As a result, people are forced to migrate and relocate often amid poor living conditions, uncertainty and insecurity. This problem is encountered in many parts of the world, and the North-east is one of the hotspots today. However, it often does not get due coverage in the media, and many journalists feel that the resources, tools and skills to cover this issue at their disposal is inadequate. He said that the idea of bringing out this media reader emerged from a two-day workshop on 'State of Research on Forced Migration in the East and North-east', organised jointly by the Indian Institute of Advanced Study (IIAS), Shimla, Panos South Asia and Mahanirban Calcutta Research Group (CRG) in Guwahati on 12-13 February 2010. A roundtable discussion was held on the first day with the participants of the workshop and media representatives from Assam at the Press Club, Guwahati. Three issues were raised in the session. Firstly, the control of media by state and non-state actors plays a key role in the media reporting on issues of conflict, displacement and forced migration. Secondly, the media persons pointed out the unavailability of data on forced migration to follow up on a reported story and thirdly the limited number of journalists in media houses. Despite all these limitations the group agreed that the media in the North-east have been proactive on reporting issues related to displacement, which is evident in the monthly compilation *News on North East India* published by the ICSSR North Eastern Regional Centre. Samaddar indicated that the media persons requested Panos South Asia and CRG to hold a two to three-day workshop on forced migration and displacement issues where new technologies that could be used to cover news and issues related to forced migration could be explored.

Xonzoi Borbora of Panos South Asia briefly introduced the framework of the workshop to the participants. At the end of the session Anasua Basu Ray Chaudhury proposed a formal vote of thanks on behalf of the CRG, which was followed by welcome dinner.

The second day of the workshop started with a special inaugural lecture by Bharat Bhushan. While setting the tune of the workshop Bharat Bhushan divided his lecture into three parts. First, he talked about various causes of displacement; second, he dealt with the rights of the displaced people; and finally, he talked about the various sources that might be used while reporting displacement. While discussing causes of displacement, he pointed out five factors, namely, political conflicts, identity-based conflicts -- precisely the conflicts between locals and migrants -- religious conflicts, natural disaster and development induced displacement. He identified five major sources for reporting displacement. These are: state, promoters and developers, local political parties, NGOs and activists and the victims. During discussion on his lecture, the role and purpose of media in reporting displacement was analyzed in detail. He reminded that, the NGOs sometimes tend to dominate as the displaced people are often not that articulate to their difficulties.

The participants shared their experiences while discussing on the role of media in the time of violence. The question was raised on the structure of the sources discussed by Bharat where the state is at the top and the victims are at the bottom of the hierarchy. It was argued by a few that, the victim voices get marginalised in the dominant representation by the media. According to Bharat, a journalist needs to do the required homework before going to the field and need to master the art of reporting displacement issues in view of odds posed by the media houses and situations on the ground. He emphasized that, there is no point reporting displacement if it is not done in a big way. If it is not possible for any reason whatsoever, then it is better not to report at all. He also recalled Arvind N. Das's saying facts are free, but opinions are sacred. Xonzo Borbora chaired the session.

Session 1: Refugees in the North-east

In the beginning, Sabyasachi Basu Ray Chaudhury pointed out that, while discussing refugees in India's northeast, it is important to take note how colonial rule and the subsequent process of decolonization of the Indian sub-continent have led to the making and unmaking of borders in the region.

Paula Banerjee initiated the discussion by highlighting the fact in view of the massive and fixed flow of refugees/immigrants in India's Northeast, any neat categorization between the refugees and IDPs is difficult, if not impossible. She proposed that, the reader, therefore, should have one introductory section explaining this reality. She also argued that, the reader should include necessary references to the work done on this field earlier by CRG, particularly, *Internal Displacement in South Asia: The Relevance of UN Guiding Principles* (Sage, 2005). Paula also suggested that, there should be some references to some leading cases filed by NHRC in relation to the refugees and the IDPs in India's Northeast. She also emphasized the need for including a separate section on the gender dimension of displacement in the reader.

Irene Lalruatkimi highlighted the relationship between the Mizos and Chin refugees in Mizoram. She talked about the illegal immigrants, who come from the neighbouring country to Mizoram for their economic benefits and how it complicates the situation. She talked about the Mizo threat perceptions vis-a-vis the Chins. According to her, while reporting displacement, it is important to take note of the sensitivity involved in the entire issue. In order to understand the complex nature of the situation, it is important to have the views from both sides, Irene pointed out.

In the discussion it was suggested that:

- As India's northeast is contiguous to the other eastern parts of South Asia comprising Bangladesh, Nepal, Bhutan and Myanmar, it is important to include the other South Asian sources especially the Bangladeshi sources when we deal with the refugees in India's northeast. A comparison of the situation of the Rohingya refugees in Bangladesh with that of the refugees in India's northeast may be interesting.
- In the reader, there should be cross-references in the sections that would help the users to link one section with another.

- It was felt that, there could be a solid section in the introduction on state, borders and sovereignty.
- It is also necessary to take note of the cultural resistance to the other, immigrant communities and ‘outsiders’. Similarly, it is important to understand why the local inhabitants of an area, who are in a majority, feel marginalized by the refugees.
- It is important to include the role of perceptions while preparing the reader.

The session was chaired by Sabyasachi Basu Ray Chaudhury

Session 2: Conflict/Violence-Induced Displacement

As the chairperson of this session, Pradip Phanjoubam drew attention to the spirals of insecurities at the very outset. He mentioned that there are no primordial causes of conflicts by highlighting the examples of conflicts between the Nagas and Mizos, or Meiteis and Kukis.

Sabyasachi Basu Ray Chaudhury initiated the discussion on displacement by referring to three major phases in the course of any displacement: causes of displacement, state of displacement (including the camp conditions, if any) and rehabilitation and repatriation of the displaced. He mentioned that in the context of India’s northeast, massive and mixed flows of displacement made the whole issue more complicated for the researchers/journalists to report. He also said that, in cases of conflict or violence-induced displacement, it is quite difficult to get the actual figures of the displaced persons. Contrasting and competing figures always create problems, and it very often entails a numbers game. We need to recall how the boundaries were carved out in this region, while we deal with the issue of refugee flows and the IDPs. He mentioned that, the post-colonial era did not start with a clean state and the current problems related to the refugees and IDPs in this region have their roots in the colonial past. He argued that, the reader should include the case of the conflict between Garo and Rabhas in January 2011 that has reportedly displaced about 50,000. He opined that, while reporting and analysing these displacements, we have to take into account the histories of identity politics in the region. He pointed out that, while considering the right to return of the displaced persons, it is also necessary to observe whether they are willing to return to their habitual residence or not in the context of their continuous sense of insecurity.

Jayanta Bhattacharya, as another initiator of this discussion, highlighted the developments in Tripura. He pointed out that, Tripura, a state with 856 km long border with Bangladesh, is free from insurgency now. But, the Bengalis now constitute 70% of the total population of the state, while the indigenous people constitute only 30% of that, whereas before partition they were 60% of the total Tripura population. During the post-colonial era, the indigenous communities lost everything and got marginalised in every sense due to the population influx from East Pakistan. He mentioned about the conflict between locals and the Riyang refugees in Tripura. He also talked about the displacement due to the construction of fencing. He argued that the insurgency has come to an end in the state main due to good governance provided by the Government of Tripura.

During discussion, the participants pointed out that, there should be a long and more comprehensive backgrounder to the section on conflict/violence-induced displacement. It was felt that Tripura has been slightly ignored in this section. The section on Tripura could be based on government reports. Even a book chapter written by Subir Bhaumik and Jayanta Bhattacharya earlier could be shortened to add in this section. Even the report prepared by CRG earlier (in Bengali) *Obiram Raktopat* could be translated and included in this section. This section needs to include the displacement of the Nagas due to deployment of Assam Rifles personnel in the Naga-inhabited areas. Similarly, more attention could be attached to the reports prepared by the human rights organizations like MASS, NPMHR. There could also be an entry on the R&R policy of Government of Tripura. Similarly, something should be added with regard to the cluster approach followed first in Mizoram and then Tripura in resettling the displaced indigenous people. It is also important to note how the jhum cultivation is being transformed into sedentary form of cultivation in Tripura. It was suggested that, the relevant sections from the Report of the Naga Mother's Association entitled 'Shade no more blood' could be included. Amena Mohsin pointed out that, in Bangladesh, there is a distinction between documented and undocumented refugees. She argued that, one should take into account the role of NGOs, INGOs and donors while reporting displacement. Nitin Sethi pointed out that importance there is a need to take note of different aggregates of the data available.

Session 3: Resource Politics, Climate Change, Environmental Degradation and Displacement

As initiators of the discussion in this session, Nitin Sethi and Xonzo Borbora pointed out how different indigenous communities in India's northeast have come into conflict with one another over the control of the natural resources. Similar clashes take place between the local population on the one hand and the 'outsiders', on the other. Nitin alerted how the issue of climate change is gradually being manipulated by certain agencies for their own benefits. This also has to be taken into account. During discussion, the participants pointed out that, if a distinction is being made between the state property and common property. If that is made, then one has to examine how common is the common property, it was felt. Attention should be given to the phenomenon how the traditional common property is turned into state property. The session ended with a presentation made by Mayal Mit Lepcha of ACT on dams across the Teesta and impending displacement and role of Media. The session was chaired by Suhit Sen.

Session 4: Laws/Policies Relating to Forced Migration

Charing the session, Sabyasachi Basu Ray Chaudhury stressed the need for looking at the laws at the international, national and state levels in relation to the policies adopted at various times by various governments towards the refugees and IDPs.

Nirmalya Banerjee initiated the discussion by saying that most of the displacements in the North-east have taken place over disputes centering on tribal lands, it is necessary to take stock of the policies to prevent land alienation. He cited two examples: 1) Bodoland in Assam and 2) Tripura.

In the colonial times, the first efforts to prevent land alienation began with the introduction of the 'line system' and then with the demarcation of 'tribal belts and blocks'. However, these measures did not have much impact. The amendment of the Assam Tribal Land Regulation Act with the inclusion of Chapter 10 in 1947, too, left a few loopholes through which land alienation continued. The Brahmaputra river bank erosion further complicated the issue with thousands being rendered homeless and occupying tribal land. When the Bodoland agitation started, the All Bodo Students Union highlighted the importance of land and so did the NDFB website. The Bodoland Autonomous Council set up in 1993 had little power except that it was supposed to be "consulted" on any administrative measure. The Bodoland Regional Council formed in 2003 had more powers under the Sixth Schedule, but since the measures it adopted were given only "prospective" effect, they did not have any impact on the existing situation. Meanwhile, the Bodo-Santhal riots took place in 2008 resulting in massive displacements and the problem still remains.

In Tripura, the alienation of tribal lands started during the time of the kings. In 1960 the Tripura Land Regulation Act was enacted but it had several lacunae and became ineffective in protecting tribal land. The demographic composition of the state had begun changing. In 1985, the autonomous councils were set up under the Sixth Schedule. However, since all tribes were not in the same stage of development, their problems, too, were different and this fact is yet to be addressed properly.

Xonzoi Barborra began by pointing out the huge amount of ambiguities in census categorisation. He referred to the 2005 Karbi-Dimasa clashes during which entire villages were displaced and resettled. A visit organised by the CRG to the IDP camps revealed 16 years later that the problem was still prevailing. People from the camps had to migrate as far as Lucknow in search of work, but their permanent address remains the camp. The law is still being formulated as we speak, he said. So, we should look at the more everyday negotiations rather than the law itself. How did the Chakmas and the Tibetans come to be settled in the areas in the North-east? Do we say laws and policies actually messed things up, he questioned.

Taking part in the discussion, Paula Banerjee said that the refugee debate was no longer confined to the 1951 Convention. One has to look at the evolution of the legal framework and the corpus of judgements delivered in this regard. There was also a need for a comparative study of the Indian situation and the experience of other South Asian countries like Nepal and Bangladesh. Ranabir Samaddar recalled that the Supreme Court of India as well as the state high courts such as the Guwahati high court had constantly referred to international laws in connection with refugee protection. The Punjab high court even referred to an Australian high court judgement.

The people displaced during the Bodoland agitation and the Chakmas in Arunachal Pradesh have been in a protracted state of displacement. What about their right to return, he asked. Forced repatriation, however, creates problems. There is a need for protection of the returnees. In respect of protection, the role of laws is perhaps 30 per cent and the role of regulations is much more. Finally, the bureaucracy gets the power. Is it always good, or should we think about other mechanisms? The political parties, too, have a role. He suggested the inclusion of the following in the media reader:

- The work of Walter Fernandes on policies
- Evaluation of the actions of the National Human Rights Commission

- The policies of the Arunachal Pradesh government
- One or two exemplary pieces on how the laws/policies have worked here.
- A list of relevant AIR case references.
- The Guwahati Law Research Group documentation.

Amena Mohsin referred to the importance of customary laws and customary rights. We also cannot overlook the role of the donors and the kind of policies they are playing, she said. Ranabir Samaddar, however, cautioned that the authenticity and acceptability of customary laws had to be taken into account. Tongam Rina said that the customary laws in Arunachal Pradesh were not very women-friendly. Under these laws, women cannot own immovable property and polygamy is also sanctioned. Yet, people normally would go to the traditional courts rather than the official courts. But since every tribe has its own laws, the codification of customary laws becomes unrealistic.

Session 5: Sources and Research on Forced Migration

Initiating the discussion, Xonzo Barbora put stress on the fact that human rights organisations' materials should be included among the sources. In her presentation Sunita Akoijam mentioned the names of the United Committee of Manipur and the Naga People's Movement for Human Rights in this context.

In the discussion the participants suggested the followings to be included in the Media Reader:

- The legislative Assembly debates.
- The Indian Institute of Advanced Studies catalogue of PhD theses
- North-eastern universities' websites and libraries and Panos directories
- The International Organisation for Migration as another resource centre.

Ranabir Samaddar proposed in this discussion that

- Everyone may be requested to send a one-page list of important sources from the respective state
- Reports on the Chittagong Hill Tracts, Burmese refugees, eastern Bhutanese and the Teesta communities may also be included in the media reader.

Nitin Sethi suggested that

- The entire media reader be put in a website instead of a book.
- A list of contacts of journalists working in/on the North-east be also included.

Jayanta Bhattacharya recalled that the Centre for North-east Studies had published a Media Guide in 1999 in collaboration with the Thomson Foundation. Though a little dated, it can be made use of.

Session 6: From the Field to the Newsroom: Challenges of News Gathering, Politics of Editing and Media Ethics

Tongom Rina mentioned that the journalists in her newspaper, *Arunachal Times*, often obtained a lot of information by making applications under the Right to Information Act.

Nilanjan Dutta remarked that the ‘filters within ourselves’ often posed greater hurdles before the presentation of objective news than the other ‘filters in the newsroom’. One has to try harder to overcome them.

Xonzoi Barbora urged everyone to think how to adapt to the new environment in the ‘era of Wikileaks’. Jayanta Bhattacharya and Nirmalya Banerjee said the problem of confirmation of news and figures be dealt with more elaborately.

Ranabir Samaddar stressed the role of small and local newspapers as they had more persons of the place on their staff and often produced some of the finest news reports on forced migration.

Jayanta Bhattacharya, too, agreed that the local newspapers had a good network that was helpful in newsgathering.

While chairing the session Saumya Bandyopadhyay drew attention to the need for good follow-up reporting.

Closing Session

Anasua Basu Ray Chaudhury summed up the proceedings of the opening session and the first three sessions, while Nilanjan Dutta did the same for the last three sessions.

At the end of the workshop the participants agreed to submit:

- A list of important sources from their respective states to CRG in order to help giving the final shape to the media reader by end of January 2011.
- Names and contact details of local human rights organisations and their significant reports, if available, or their weblinks
- Relevant resources available in the libraries of local universities / research centres;
- Names and contact details of local journalists who have reported on or might be interested in the issue of forced migration;
- Details of any other source materials available in the form of books, films, etc.
- In addition, they may also send one or two exemplary news/case report from their state.

The session ended with a formal Vote of Thanks proposed by Xonzoi Barbora on behalf of Panos South Asia.