

Rohingya Refugees in Nepal: Going beyond the Discourse on Integration

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A refugee is an individual who flees his/her home country due to a justifiable fear of being persecuted for reasons of race, religion, nationality or political opinions. Customary laws and treaty obligations practiced by states play an important role in managing these refugee influxes and regulating repatriations. In the case of Nepal, due to persecutions carried by the Burmese government against the Rohingyas since early 1784, they have moved into Nepal by crossing the borders. Even though the 1948 Union Citizenship Act which was introduced after Burma's independence from the UK provided citizenship for a limited number of Rohingyas who could prove that they had resided in Burma before 1823, subsequent legal principles enacted along with the 1982 immigration law, led to a deprivation of their right to obtain citizenship. As a non-signatory to the 1951 Refugee Convention and the 1967 Protocol Relating to the Status of Refugees, the absence of recognition for Rohingyas within Nepal has become an impediment to ensure their survival. However, though the Refugee Status Determination (RSD) process of the United Nations (UN) have granted temporary shelters for them in areas like Kathmandu and Kapan, the claims of these urban refugees have been neglected by the host community mainly because of xenophobic perceptions. In this context, qualitative research method is employed in this research to suggest appropriate mechanisms to tackle these so-called challenges. Along with this understanding, this paper concludes that repatriation and re-integration within their home country is the only long-term solution, which enables them to enjoy their entitlements. But the perpetual challenge that remains is the identification of lapses of the existing coordination between both countries in strengthening and welcoming their returns and granting basic rights.

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