

# CITIZENS OF NOWHERE

THE  
STATELESS  
BIHARIS OF  
BANGLADESH



MAUREEN LYNCH &  
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## TO THE READER

Millions of people in the world are citizens of nowhere. They cannot vote. They cannot get jobs in most professions. They cannot own property or obtain a passport. These “stateless” people frequently face discrimination, harassment, violence, and severe socioeconomic hardship. Due to their status, they are often denied access to even the most basic healthcare and education that is available to citizens in the same country.

The Biharis of Bangladesh are one such stateless population. Bangladesh has hosted 240,000–300,000 Biharis (also called stranded Pakistanis) since the civil war between East and West Pakistan and the creation of Bangladesh in 1971. Neither Pakistan nor Bangladesh claims Biharis as citizens.

In November 2004, Refugees International visited 11 Bihari camps in Bangladesh. We now invite you to learn more about their situation and to help restore the rights of these stateless individuals.

We would like to offer special thanks to each individual who willingly and courageously told us their stories. Much appreciation is due everyone who provided support for the original field visit on which this project is based and who helped in the production of this photo report.

Maureen Lynch and Thatcher Cook  
Refugees International

### For Further Information

Lives on Hold: The Human Cost of Statelessness,  
*a Refugees International publication available online at:*  
<http://www.refintl.org/content/issue/detail/5051>

Fifty Years in Limbo: The Plight of the World’s Stateless People,  
*a Refugees International publication available online at:*  
<http://www.refintl.org/content/article/detail/915>

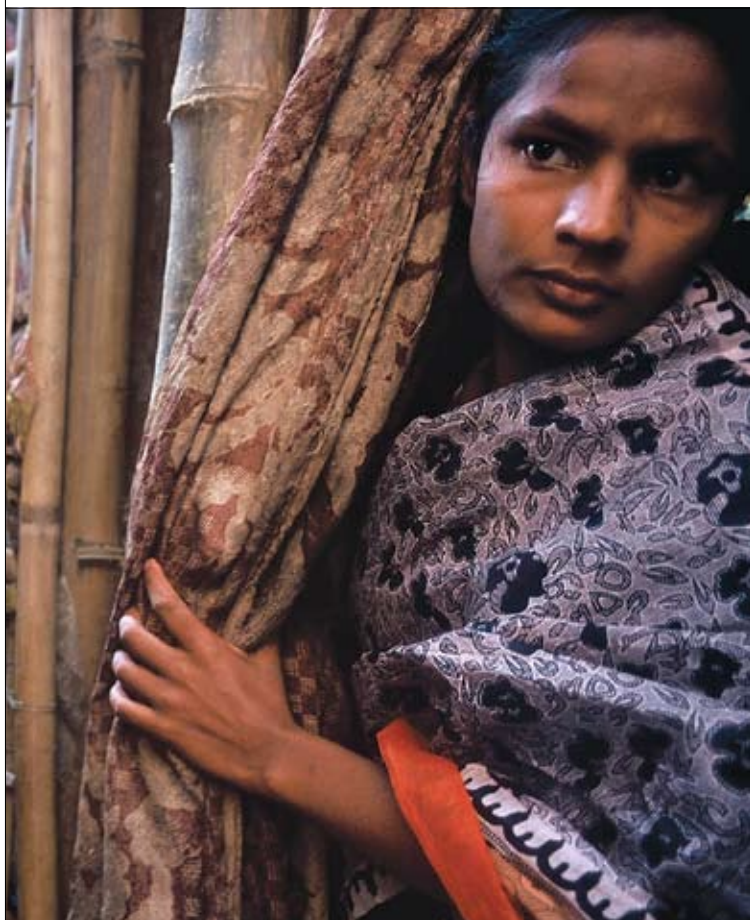
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# CITIZENS OF NOWHERE

## THE STATELESS BIHARIS OF BANGLADESH

### THE HUMAN COST OF STATELESSNESS

A six-hour bus ride from Bangladesh's capital city, Dhaka, put us in Rangpur just before 5:30 p.m., with the last rays of daylight all but gone. The population of this northwestern city includes 30,000 Urdu-speaking Bihari. Our first stop was an area called Camp Three where we conversed with the leader of the stranded Pakistanis, Mr. Alhaj Nasim Khan. In his mid-80s with thick glasses and a distinguished white beard, he sat across from us at a simple wooden table and stated, "Our only crime was to side with Pakistan during its darkest hours. Now this is how we are passing our days."

**"Our only crime was to side with Pakistan during its darkest hours."**

—A.N. Khan



We talked with camp leaders about sanitation and hygiene concerns and learned there are only two working wells and ten latrines for the 5,000 residents of Camp Three. “There is no privacy,” one person said, “especially for our women.” A young man who guided us through the camp pointed out an old, covered latrine. “It made people sick,” he reported.

Housing for camp residents consisted of overcrowded cane structures. The number of families is growing and accessible land is becoming increasingly scarce, continually compounding the problem. Passing through the dark narrow alleys, we stopped to visit one house missing part of its wall, leaving the roof on the verge of collapse. It was a remnant of the ruin caused by a tornado that hit the area in September, destroying 54 homes within the camp.

With our heads touching the ceiling of one tiny home, we were told that twelve people lived in the house, including four children. The primary breadwinner, a young man with only one hand, reported that he only made up to 90 taka (\$1.50) a day doing odd jobs, such as rickshaw pulling or working as a guard. He listed the main problems in the camp as housing, employment, and hygiene.

Another shelter we visited was the residence of the “Camp-in-Charge.” He obligingly arose from his sick bed to talk with us. Having no medicine to treat his lung ailment and no caretaker, his condition seemed bleak. Outside his doorway, we met a young leper whose fingertips were red and white from pus and blood. A few steps later, a man with a dreadfully swollen stomach and intestines appeared. We witnessed firsthand the uncountable medical needs left untreated, as there was no camp medical clinic and few individuals had the necessary funds to seek help outside the camp.

Our visit to Camp Two echoed the problems we had already encountered. A mother of ten, with her blind son by her side, said, “Living is not the issue. Identity is the issue. Without it, how can we survive?” Her husband, suffering from diabetes, is able to find odd jobs. “Our family ate only once today,” the mother added.

**“Our family  
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—Bihari  
mother**

At a nearby house, a woman had opened a small shop inside their eight by eight foot room to support her six children while her husband is hospitalized with liver jaundice. “If anyone else falls sick, we can’t afford a doctor. It has become quite impossible to survive,” she told us. “Due to poverty, we are sometimes starving.”

As we left one dark exterior walkway and entered a pitch black room, we encountered a very sick man wrapped in a tattered blanket and lying on a worn-out floor mat. As another person lit a small candle, its illumination revealed the figures of two terrified young girls in rags cowering behind the man and pressed tightly against each other. “No one is caring for them, and their father can’t afford to marry them into another family.” The two girls face a lifetime of borrowing and begging. Outside, the gathering crowd attracted the attention of a local security officer, and we began to wind down our visit.

### **THE GLOBAL PROBLEM OF STATELESSNESS**

The 1948 Universal Declaration of Human Rights asserts that “everyone has the right to a nationality.” Nevertheless, statelessness remains a reality in all regions of the world. While the exact numbers are not known, a conservative estimate suggests there are no fewer than 11 million stateless persons around the world. Stateless peoples include recognizable groups like some of Europe’s Roma, numbers of Palestinians and Kurds, and groups whose plight is less known, such as people from the former Soviet bloc, some of Thailand’s ethnic groups, the Bhutanese in Nepal, Muslim minorities in Burma and Sri Lanka, and ethnic minorities of the Great Lakes region of Africa including the Batwa “Pygmy” and the Banyamulenge.

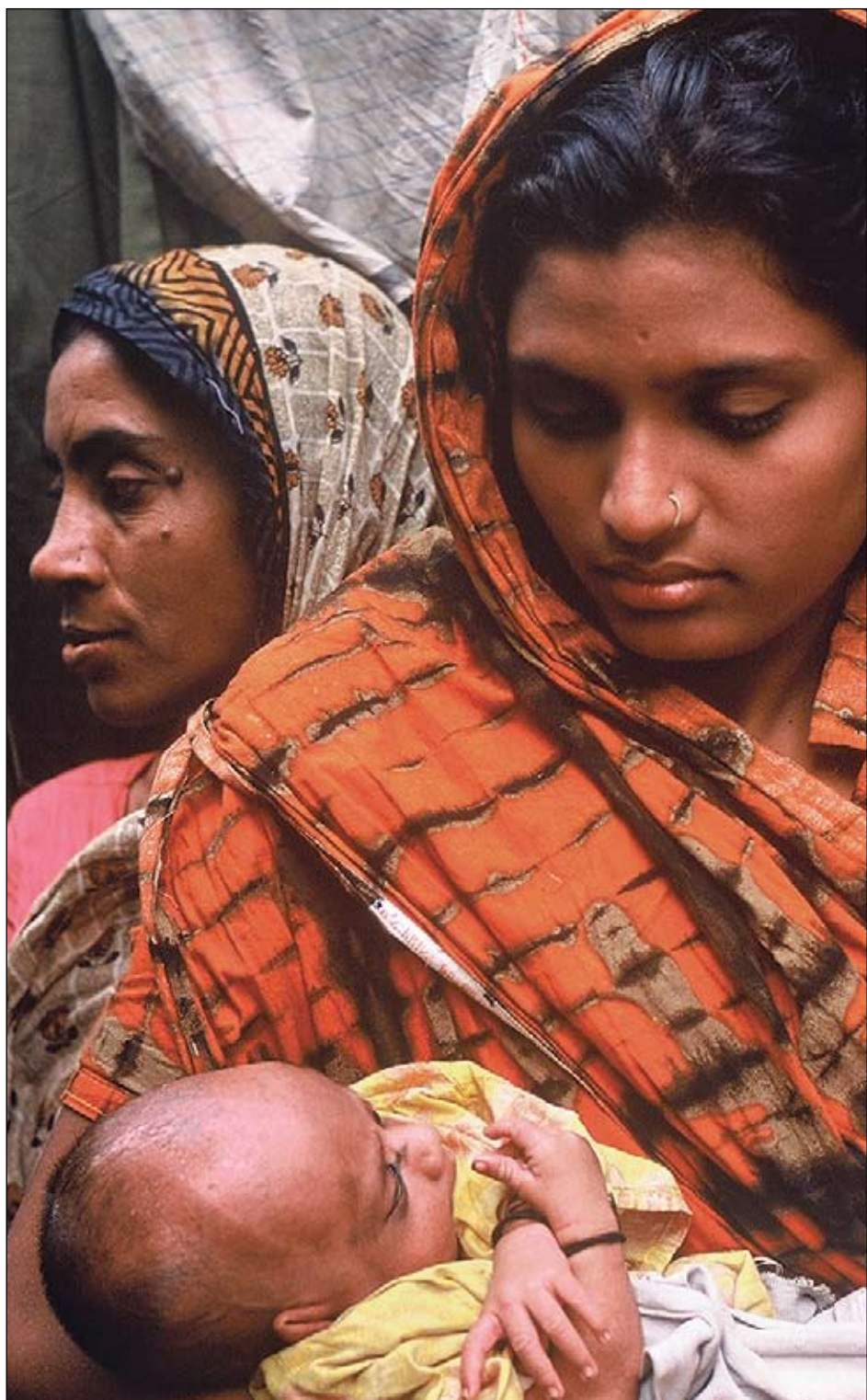
Causes of statelessness include, but are not limited to, political upheaval, targeted discrimination (often for reasons of race or ethnicity), differences in laws between countries, laws relating to marriage and birth registration, expulsion of a people from a territory, nationality based on descent (usually that of the father), abandonment, and lack of means to register children.

Since sovereign states have the right to determine the procedures and conditions for acquisition and termination of

citizenship, statelessness and disputed nationality can only be addressed by the very governments that regularly breach norms of protection and citizenship. However to date, only 57 states are party to the 1954 Convention Relating to the Status of Stateless Persons, and even fewer, just 29 states, are party to the 1961 Convention on the Reduction of Statelessness. Given the U.S. emphasis on promoting democracy, signing the conventions would help protect rights and increase pressure on other governments to offer citizenship and voting rights to millions of people.

Despite its mandate and notable success in helping reduce this problem, only two staff members in the office of the UN High Commissioner for Refugees (UNHCR) are specifically employed to focus on helping the world's stateless people. "The problem is so severe that there is no region that has not faced it," reported Carol Batchelor, former Senior Legal Officer for Statelessness of the UNHCR. Stateless persons can fall into any of the agency's four reporting categories: refugees, asylum







seekers, internally displaced persons and “others of concern.” Non-citizens may be identified as such by the 1954 Convention, but for political reasons they are not called as such. “And,” Ms. Batchelor adds, “That is just the tip of the iceberg.”

### **BANGLADESH: THE PEOPLE AND THE LAND**

Bangladesh is one of the most densely populated and poorest nations in the world. The majority of the population is employed in the agricultural sector, yet floods and cyclones plague the country. Bangladesh has tried to diversify its economy through industrial development, but there still are an insufficient number of jobs for the burgeoning population. An estimated 35.6 percent of the population lives below the poverty line.

The population of Bangladesh is 98 percent Bengali, with tribal groups and non-Bengali Muslims, such as the Biharis, making up the last 2 percent. The primary religion is Muslim (83 percent), followed by Hindu (16 percent); the remaining 1 percent is Buddhists, Christians, and Animists. The literacy rate is approximately 43.1 percent.

Bangladesh seceded from West Pakistan to form an independent nation in 1971. The war for independence was bitter and bloody, and was followed by 15 years of military rule. Though democracy was restored in 1990, the political scene remains volatile, and the country is often charged with human rights violations.

### **WHO ARE THE BIHARIS AND WHY ARE THEY FORGOTTEN?**

Originally from India’s Bihar State, the Urdu-speaking Biharis moved to then East Pakistan in 1947, at the time of India’s partition. When East Pakistan moved to secede and civil war broke out between East and West Pakistan in 1971, the Biharis, who considered themselves citizens of Pakistan, sided with West Pakistan. In December 1971, however, when East Pakistan became the independent state of Bangladesh, many Biharis were left behind.

Pakistan feared a mass influx of Biharis would be costly and could potentially stir passions in an already fragmented popula-

**Their lack of political voice further prevents any movement toward improvement in the situation.**

<p><b>As families grow without having access to more land, they are forced to live in increasingly small quarters.</b></p>	<p>tion. Newly formed Bangladesh scorned the Biharis for having supported the enemy. Neither country offered citizenship or aid. While Bangladesh permitted Biharis to stay, and they received some assistance from international organizations such as the International Committee of the Red Cross in the early days, they have now lived in refugee-like camps in Bangladesh for more than three decades with little attention from the global community. Their lack of political voice further prevents any movement toward improvement in the situation. Nevertheless, some Biharis have organized, forming organizations such as the Stranded Pakistani General Repatriation Committee, and began lobbying for relocation to Pakistan. Between 1974 and 1992 some 175,000 Biharis were relocated to Pakistan.</p> <p>Two generations of Biharis now live in camps. For some members of the younger generation, Bangladesh is the only home they have ever known, and Bengali is the language they have learned. In the spring of 2003, a high court ruling in Bangladesh allowed ten Biharis to assume Bangladeshi citizenship with voting rights. The judgment stated that Urdu-speaking people, who were resident at the time of independence, as well as those born following independence and living in camps, are citizens of Bangladesh in the application of the 1972 Bangladesh Citizenship Order. However, the decision had no political support and faced possibility of government appeal.</p> <p><b>CAMP CONDITIONS</b></p> <p>Between 240,000 and 300,000 Biharis currently live in some 66 camps in Dhaka and throughout 13 other regions across the country. All camps have one thing in common—they are severely overcrowded. In Rangpur, there are several instances in which 12 or more family members sleep huddled together in a single room no larger than eight by ten feet. As families grow without having access to more land, they are forced to live in increasingly small quarters.</p> <p>In some camps, dirt floors become deep mud in the monsoon season. A widow and mother of four told Refugees International, “We cannot stay here when it rains. We have to live in the railway station.” In September, a tornado ripped through</p>
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**Those able to find employment often face discrimination and harassment.**

one camp. On December 4, 2004 fire ripped through another, leaving two hundred people homeless. Over the years, numerous families have been threatened with and reportedly suffered forced evictions.

Lack of clean water, co-habitation with animals, and poor drainage and sanitation systems, contribute to a variety of medical problems including skin disease, water-borne illness, upper respiratory infections and gastro-intestinal disorders. In one camp, only two working wells supplied water to 650 families. In Mirpur's Millat Camp, there was only one latrine for 6,000 people. Few medical clinics exist, and several camps have no healthcare at all.

The right to a basic education has become a luxury for Bihari children. The school in Saardar Bahardur Camp closed last year due to lack of funding. In Adamgee Camp, only six boys from an entire camp progressed to secondary school. Teachers go unpaid, students study in shifts, and requests to the Minister of Education for new books have been turned down. This lack of education, combined with an already impoverished economy, provides little opportunity for employment either inside or outside the camps. Those able to find employment often face discrimination and harassment.

Poverty is widespread in Bangladesh, and the basic situation for the Biharis resembles that of the poorest citizens of the

**A durable solution for the Biharis is now 30 years overdue.**

country. Denial of citizenship, however, creates additional disadvantages for the Bihari. Having no official government recognition and identification papers, prohibits a person from holding a government job and other professions which require higher education. Lack of status also restricts the Biharis' chances to develop their own economic opportunities and prohibits access to processes that would enable them to safeguard their rights.

### **SEEKING SOLUTIONS AND RESTORING HUMAN RIGHTS**

A durable solution for the Biharis is now thirty years overdue. It is the time for the governments of Bangladesh and Pakistan, the UN, regional and donor governments, non-governmental agencies, and concerned individuals to identify and implement permanent solutions for this protracted problem that has prevented hundreds of thousands of individuals from improving their lives.



<p>After the November 2004 visit to Bangladesh, Refugees International had face-to-face meetings with diplomatic representatives of the Pakistani and Bangladeshi governments to urge them to work with each other and UNHCR to offer the possibility of resettlement and citizenship.</p> <p>At the same time, RI called on Bangladesh to work with international organizations and non-governmental organizations to ensure that each camp has enough basic amenities, including water, latrines, schools, and clinics, to accommodate its population.</p> <p>RI has worked very closely with UNHCR, including direct dialogue with officers of the Asia Bureau, at the headquarters in Geneva, and with field offices. This effort led to a visit to the Bihari camps by a senior representative from the Department of International Protection and discussion of a UN response. At the UNHCR office in Dhaka, a special protection officer is now in place. Also, RI's meeting with representatives from the Bureau of Democracy, Human Rights, and Labor, led to more substantial inclusion of the Bihari case in the 2005 Annual U.S. Human Rights Report.</p> <p>In February 2005, RI released "Lives on Hold: The Human Cost of Statelessness" (<a href="http://www.refugeesinternational.org/content/publication/detail/5051/">http://www.refugeesinternational.org/content/publication/detail/5051/</a>), which included a focus on the Bihari. Afterwards, RI met with staff members of the House International Relations Committee (HIRC), the Judiciary Committee, and of the Congressional Refugee and Human Rights Caucuses, which prompted HIRC staff to raise the issue with State briefers for the Human Rights Report and to indicate Congress wanted more action by the Administration on this issue. This effort also led the Human Rights Caucus to hold the first-ever briefing on statelessness. Targeted visits with the Congressional Bangladesh Caucus led to agreement to raise RI's concerns during the Washington visit of the U.S. Ambassador to Bangladesh. We also addressed the issue with the Pakistan Caucus.</p> <p>In July 2005, Refugees International held a briefing for the honorable members of the 84th Session of the Human Rights Committee on the issue of statelessness as it relates to treaty</p>	<p><b>The benefits of ending statelessness for the population are clear.</b></p>
<p>WWW.REFUGEESINTERNATIONAL.ORG</p>	<p>10</p>

<p><b>For some Biharis, the preferred solution may be relocation to Pakistan.</b></p>	<p>bodies, particularly the International Covenant on Civil and Political Rights (ICCPR). Similarly, the issue was raised before the Human Dimension meeting of the Office of Security and Cooperation in Europe in September.</p> <p>RI will continue to monitor the situation of the Biharis and track movement toward resolution of their situation. There remains much to be done on behalf of this population, and the benefits of ending statelessness for the population are clear.</p> <p>Granting citizenship to Biharis in Bangladesh, and facilitating family reunification, relocation, and naturalization for those longing to live in Pakistan would enable an estimated 300,000 individuals to regain their lives and avail themselves of the fundamental right to a nationality and its concomitant rights. They will be able to participate in the political processes and have their own voice. Granting citizenship to the Biharis by Pakistan and Bangladesh will restore their rights and their dignity.</p> <p><b>REFUGEES INTERNATIONAL'S RECOMMENDATIONS</b></p> <p>Refugees International recommends that:</p> <p><b><i>The Governments of Pakistan and Bangladesh</i></b></p> <ul style="list-style-type: none"> <li>• Respect the right of all people to have a nationality and take immediate concrete steps to reach this end for all Biharis who want it. For some, the preferred solution may be relocation to Pakistan; for others it may be affirmation of citizenship in Bangladesh. For vulnerable persons resettlement to third countries may be the best option.</li> <li>• Collaborate with the UN, and local and international NGOs, to ensure that each camp has enough basic amenities, including water, latrines, schools, and medical clinics, to accommodate its population in the short-term and evaluate if current settlements should be rehabilitated or whether residents should be relocated in the future.</li> <li>• Accede to and adhere to principles of the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.</li> </ul>
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### ***The International Community, led by UNHCR***

- Take concrete and measurable steps to resolve the situation of the Biharis by ceasing to wait for the external survey and move forward with agency plans for action.
- Facilitate tripartite discussions to resolve the protracted plight of the Biharis.
- Develop and implement programs to provide temporary humanitarian assistance and relief for Biharis until a durable solution is found for every stateless individual who wishes it.

### ***Donor Governments***

- Demand protection for stateless populations by state actors and the UN.
- Develop foreign policies to prevent the development of and reduce statelessness.
- Provide additional funding as necessary to support viable programs to prevent loss of nationality, provide assistance, and resolve statelessness.

**For others,  
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affirmation  
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ship in  
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A POWERFUL VOICE FOR LIFESAVING ACTION