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March 23, 2006

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## Bangladesh: Stateless Biharis Grasp for a Resolution and Their Rights

Preparations for upcoming national elections in Bangladesh are providing a unique opportunity to resolve the protracted predicament of the country's stateless Biharis, estimated to number as few as 240,000 and as many as 500,000, especially those who want to become citizens of Bangladesh.

It provides them with an opportunity to move a step closer to receiving civil rights. However, leaders of those who still seek to repatriate to Pakistan want the two governments to make a final decision about the solution of their situation before any Biharis register to vote in Bangladesh. They want to continue to live in camps so as not to lose their right to repatriate to Pakistan. While the recent arrival of registrars from the Bangladeshi electoral commission in Bihari camps has stirred controversy and confusion, it also serves as an important reminder that possibly the only element needed to resolve this long-standing situation is political will.

In pre-independence India, the Biharis were an Urdu-speaking Muslim minority who resided in the Hindu region of Bihar. At the time of partition in 1947, some of them chose to move to East Pakistan and others to West Pakistan. When civil war broke out in 1970, the Biharis sided with West Pakistan. After the war and the independence of Bangladesh, they were unwelcome in either country. Pakistan feared that a mass influx of Biharis would destabilize an already fragile and culturally mixed population, particularly in Sindh. Bangladesh scorned them for supporting the enemy. With neither country offering citizenship, the Biharis (also commonly called "Bangladeshi Biharis", "stranded Pakistanis", "a linguistic minority" or even just "displaced persons") have remained stateless for 34 years.

The Biharis live in 70 camp-like settlements throughout the country. Living conditions are miserable due to high population density, aging accommodations, poor sanitation and hygiene, lack of education and healthcare facilities, and limited access to livelihoods, with most employable individuals consigned to day labor, barbering, or rickshaw pulling. In a country where the average life expectancy is 60, the average life span for Biharis who reside in the camps is said to be only 35-40 years. "They live

in difficult conditions," one Bangladesh government official told Refugees International on a recent visit. "Hard conditions have created law and social order problems, but they are hard workers."

Biharis exist at the fringes of society, with their most fundamental human rights denied. Lack of access to education is one of the primary problems and a rights violation that destines many to a lifetime of poverty. Until recently the government had difficulty enrolling its citizens for school, but now claims 100 percent enrollment at the primary level. But this is not the case for the Biharis. Interviews suggest that only the more affluent can afford to send their children to primary school and some to private schools. Private secondary school is available only to a few. Estimates of Bihari children's enrollment in school ranged from 10 to 20 percent.

"Education is the backbone of society, and we don't get it," one Bihari man told RI. While nearly 100 percent of Bihari camp children attend school in Mymensingh, a city on the Brahmaputra River located 115 km north of the national capital Dhaka, RI was told that since a Chittagong area school closed in late 2004, only an estimated one percent of school age children attend classes there. In a Dhaka area camp, one young woman from a family of ten said that none of her siblings attends school because it costs 200 taka a month (about \$2.88, or more than two days' wages), and they cannot afford it. A family in Bogra, about 230 km northwest of Dhaka, explained that with only one wage-earner in the family, they can't buy dresses for all the girls so only two of them go to school. At Plastic Camp, one out of six children goes to school. Some of these children, like a 12-year-old boy RI met working with hot oil at another location, spend their days working in the family business or otherwise laboring, in this case for 20 taka (28 cents) a day.

While there is widespread agreement about the hardships that Biharis face, there is far less consensus about how to resolve the issue. "This is a complex problem," one sympathetic Rangpur MP told Refugees International. "Everyone has a stake. Everyone has a limitation." The two most commonly proposed avenues for resolution are the resettlement of the Biharis in Pakistan and the granting of Bangladeshi citizenship to those who wish it. Typically the older generation prefers the former solution, while the younger generation believes their future lies in Bangladesh. A member of one family who had been living in the same tumbling down room for 35 years in Bogra said, "I want to go to Pakistan." In Mymensingh, a youth said he thinks it is better to live in Bangladesh, but his father said that he didn't know if Bangladesh would allow them to stay so the only way out would be going to Pakistan where he has family. Unfortunately, Pakistan has not acted to end the problem. "We see this as a humanitarian issue," a representative of Pakistan in the U.S. told RI, and when asked about movement toward resolution answered, "We are not aware of any steps at this time."

Now is the time to resolve this protracted human rights and humanitarian issue. "What is the future for us? We don't want to live like this," lamented a young Bihari leader. His question deserves an answer and intervention by the international community.

In one community, a measure of integration has already occurred. A Syedpur MP successfully advocated for the placement of several hundred Bihari in a new government funded housing development. Of the 1,000 families who were selected and moved in about a year ago, 70 percent are Bihari and 30 percent are local individuals. There is a police station in the community, a nearby school, a mosque under construction, and a hospital reachable with local transportation. The challenge for residents is finding employment, money to travel to find work, and the continued absence of electricity. Still, the residents believe it is better than their previous situation, and they "recommend this for others." Improvements include the formation of a local cooperative, the increase in sanitation infrastructure, and easier access to water. One broadly grinning woman told RI how happy she was to be able to grow fresh produce for her family; another expressed her joy at having two rooms and a tiny kitchen for her family of eight.

There is also forward movement by the United Nations. While the UN Development Program and UN Children's Fund have just begun to consider ways their country programs might help this group, Refugees International welcomes the renewed interest and initiative of the UN High Commissioner for Refugees to undertake an investigation of the legal standing and a mapping survey of the Biharis. The mapping survey should be coordinated with efforts of other bodies gathering information and, more importantly, both reports should lead to concrete action.

In addition, the electoral commission preparing for Bangladesh's 2007 elections has permitted Biharis to register in some districts, sometimes just 18-33 year olds, or in another case anyone interested. While this is a significant move, it still does not address the larger problem, and some of those wanting to return to Pakistan have threatened to harm themselves if no action is taken by March 23.

## **REFUGEES INTERNATIONAL RECOMMENDS:**

### **The Government of Pakistan**

- Work with the Government of Bangladesh and UNHCR to offer the possibility of resettlement and citizenship for Biharis who wish to live in Pakistan, particularly those seeking family reunification.

### **The Government of Bangladesh**

- Grant citizenship to Biharis who wish to remain in Bangladesh and develop programs to integrate them into the larger community.
- Honor the decision of individuals to sign or refuse voter registration.
- In collaboration with national, local, and international non-governmental organizations, ensure that each camp has enough basic amenities, including clean water, latrines, and access to schools and medical clinics, to accommodate its population.
- Develop a strategy to help integrate Biharis who wish to live as citizens, respecting their full rights (i.e., to register the birth of their children, pursue an education, own property, serve in the military, and enter the professions).

### **UN Agencies**

- Assist in securing a resolution of the Biharis' situation by facilitating an agreement between Pakistan and Bangladesh resulting in citizenship for all in one or both of the countries.
- Prepare plans and programs for either of these outcomes for part or all of the population of concern.
- Encourage the government of Bangladesh and the government of Pakistan to improve the health and socio-economic condition of the Biharis in the near term, soliciting the assistance of the UN when necessary.

*Director of Research Maureen Lynch and Senior Adviser Dawn Calabria visited Bangladesh in February.*