

## Accessing Rights as Citizens: The Camp-based Urdu Speaking Community in Bangladesh

### Summary of Key Issues

Living in the Bengali-speaking nation of Bangladesh today are a small number of Urdu speakers. Many of them have been here for generations, having migrated primarily from the states of Uttar Pradesh, Bihar and West Bengal in India in colonial times, while many others moved here in search of their religious homeland following the partition of the subcontinent in 1947. While these 'mohajirs' occupied a privileged position in what had been East Pakistan, following the liberation of Bangladesh, they were branded as Pakistani collaborators and forcibly evicted from their homes and interned in camps. In the social ostracism that followed, a large number lost their land and jobs. While some opted to place their loyalties with Bangladesh and managed to rebuild their lives, a large number found themselves in temporary camps set up around the country by the International Committee for the Red Cross (ICRC). At the time, a survey conducted by the ICRC suggested that most of the Urdu-speakers, or Biharis as they came to be known in Bangladesh, sought to move to Pakistan. But in the last 36 years, Pakistan has made no move to take in them in, so that these people have become forced migrants in Bangladesh, with no access to citizenship rights there.

Today it is estimated that around 160,000 Urdu speakers reside in 116 'settlements' in Bangladesh. Disenfranchised, isolated and lacking leadership, they have been labelled 'Stranded Pakistanis' and left in limbo. Recent research carried out in the capital Dhaka and in the northern district of Saidpur, where a large number of these people are concentrated, has revealed that a growing number of the younger generation now desire to be treated as Bangladeshis, a desire that has been bolstered by the Supreme Court's pronouncements granting citizenship to this minority. However, in practice, very little has changed for this community and 'effective' citizenship rights are far from having been achieved.

This policy brief is based on a study entitled *Identity, Rights and Citizenship: The Camp Based Urdu Speaking Community in Bangladesh* by C R Abrar and Victoria Redclift. It identifies some of the present barriers to 'effective' citizenship, examining the community's hopes, fears, and aspirations, and recommends the steps that need to be taken to finally address a situation that has been ignored for far too long.

#### Background

With the liberation of Bangladesh in 1972, the majority of the Urdu-speakers in the country applied for so-called 'repatriation' to Pakistan through the ICRC. The situation was dogged by legal complexities and political considerations on the part of the three countries involved. Although some 163,000 were successful in moving to Pakistan, thousands were left in a country that refused to accept them. The Government of Pakistan claimed that it had fulfilled its obligation under the Simla Accord, taking back all those who it was obliged to take back. This claim, however, was disputed by the Government of Bangladesh. Since then, successive governments in Pakistan under Zulfikar Ali Bhutto, Gen. Zia ul Huq and Nawaz Sharif, have issued public

statements promising to take back these 'stranded Pakistanis'. In 1998, the then Finance Minister of Pakistan, Sartaj Aziz, in a joint statement with the Makkah-based Islamic relief NGO, Rabita al Alam, even appealed to the international community to contribute to a fund set up to repatriate the 'Stranded Pakistanis in Bangladesh'. Needless to say, such contradictory statements from the Pakistan government contributed to further confusion about the Urdu-speakers' identity and worked against their integration efforts in Bangladesh.

#### Camp Conditions

The 116 'Bihari settlements' are located largely in urban areas in thirteen districts across the country, all under conditions of severe overcrowding, poor sanitation, and

lacking basic facilities. Following the departure of ICRC in 1973, the Bangladeshi Government took over management of the camps, transferring responsibility to the Ministry of Relief and Rehabilitation from 1975. Initially set up as temporary quarters, the last 36 years have seen the 'slum-like' conditions in these settlements worsen as the population has grown. As many as 12 individuals are said to reside in a room ten feet by eight feet in size. With inadequate provision for clean water, waste disposal and sewage systems, chronic hygiene problems have been created. To make matters worse, in 2004, the already erratic monthly supply of wheat was discontinued. Land evictions, encroachment and from time to time the withdrawal of power supply have created further problems, while a severe lack of educational and healthcare facilities hamper community development.

#### Current Barriers to Effective Citizenship

The Abrar-Redclift study found that an overwhelming 90 percent of camp-residents in Saidpur and the capital now desire Bangladeshi citizenship. This desire is 100 percent amongst 18-25 year olds. However, despite legal pronouncements by the Supreme Court, they remain unable to access many of the opportunities associated with citizenship.

#### Employment

Equal access to employment was cited most frequently as the right the community currently cannot access. Not only are they denied all government positions but due to their camp address and undefined status, wider discrimination in the job market remains a prime concern. Camp residents are not in a position to produce the kinds of documentation that employers require to prove potential employees' legal status (these may take the form of a 'local commissioner's certificate' or character reference from a local representative). Without these 'papers of citizenship', much of the market is inaccessible. Indeed, those who do find formal employment often face wage discrimination and inequality of treatment. As a result the vast majority are pushed into the informal sector, working as rickshaw-pullers, drivers, butchers, barbers, mechanics and craft workers, earning meagre wages.

#### Education

Although no formal restriction prevents access to government schools, camp addresses do cause problems for 'Bihari' children seeking admission. Although this appears to be changing, rules vary

between institutions, and access is dependent on the attitudes of individuals in charge. More significantly, rampant discrimination within mainstream society as a whole, and continued bullying on the part of teachers and classmates alike continues to discourage attendance. Together with the lack of resources for school fees or materials, educational facilities thus remain inaccessible to the majority.

#### Security

Issues of insecurity in the camps were also regularly reported by the community. In Dhaka, insecurity took the form of camp gangs, drugs and a lack of police protection, while in Saidpur security issues related to encroachments onto camp land by Bengalis, and the camp residents' inability to complain, appeal or fight against the dominant community. Without legal support the Urdu-speaking community remains vulnerable to exploitation and abuse.

#### Healthcare

Problems experienced with regard to healthcare also revolve around social discrimination. Camp residents report Bengalis being given priority in hospital waiting lines or 'Biharis' being made to pay 'speed money' in government clinics. The majority find themselves dependent on under-funded NGO services, most of which have been discontinued in recent years. Due to unsanitary living conditions, and with very little education in relation to healthcare among the community, there is an urgent need to provide medical facilities.

#### Voting Rights

Urdu-speakers now established outside of the camps have largely gained access to voting rights. Camp residents, however, have in the past been denied the same opportunity. While little is known about recent amendments to the roll, around 60,000 of the 160,000 persons residing in camps are thought to have now been added to the electoral list as a result of processes initiated within the community. Camp residents, however, remain sceptical about actually being able to vote. Many camp residents articulated the need for voting rights in order to acquire official status. The entire community not only requires enrolment, but with it also assurance that this right would be honoured.

#### Property Rental/Bank Accounts/ Passports

A number of respondents reported difficulties in trying to access or rent offices or living space in attempts to leave the camps and be assimilated in the wider society. Access to bank accounts is also denied on account of their lacking a permanent address. Camp-dwellers also desire passports, and the opportunities associated with labour migration, but these too are inaccessible given their camp status.

#### Constant Threat of Eviction

Despite the overwhelming desire for Bangladeshi citizenship, fear of eviction from the camp if citizenship is formally announced is a very real concern among many residents, and an issue that generates a good deal of confusion among the community. The recent crackdown on illegal property by the Caretaker Government has generated a new set of concerns as many slum-dwellers and some 'Bihari' communities around the country have already felt the brunt of these efforts, posing a new challenge for integration with dignity.

#### Facilitating Future Progress

A high proportion (87%) considered effective Bangladeshi citizenship important to reducing discrimination. Thirty-seven percent considered it important only if accompanied by 'rehabilitation' measures. Understandings of 'rehabilitation' varied but the majority believed this to include equal employment opportunities, access to education, training and skills, improvements in living conditions or relocation outside camps. Significantly, 86% believe 'rehabilitation' to require integration with mainstream Bengali society, arguing that exchange of culture, values and ideas with the wider community were critical to being able to counter discrimination.

#### Social Responsibility

It is not only the state, but the entire framework of Bangladeshi society which needs to be held responsible for the Urdu-speaking community's marginalization, as illustrated below.

#### NGOs

Without governmental support, an even greater urgency for non-governmental facilities has been largely ignored. Some national NGOs that earned international recognition for working among the

marginalised have so far remained unconnected with the 'Bihari' issue. Other organisations that have attempted to provide services in the past have since discontinued their work without adequate monitoring and evaluation or follow-up processes. Facilities provided in the past have very often been sub-standard, and on the whole it is only a few 'micro credit' organisations that remain.

#### Mainstream Civil Society

Neglect on the part of mainstream civil society has increased the widespread ignorance of the plight of this disenfranchised group. There has been very little interest amongst the mainstream human rights organisations, legal aid bodies, or women's and children's organisations in the 'Bihari' issue. Voices need to be raised and wider society informed if sufficient pressure is to finally force the Government to address the issue.

#### Media

As the future success of the community is dependent on acceptance from the public at large, the role of the media is key. It is largely discrimination on the part of individual employers, teachers and doctors that currently prevents access to equality of treatment. As such, increasing awareness among Bengali society and the generation of broad acceptance is essential. Rights offered by the state are meaningless if discrimination is to continue at present levels.

#### Recommendations

The study concludes that the following measures need to be taken if current obstacles to community development are to be addressed:

- Community mobilization and Information/Awareness-raising: Hampered by limited education, the community lacks a unified leadership to effectively articulate their interests. The current leadership has been accused in recent years of widespread corruption and the pursuit of self-interest. A lack of information has left large segments of the population completely unaware of their rights, let alone information about appropriate channels through which to facilitate access. Alongside the lobbying of educational sectors and actors, widespread community information dissemination is critical.

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