



Hindu American Foundation

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2021 Special Report

Pakistani Hindu Refugees in India



“India is not party to the 1951 Refugee Convention or its 1967 Protocol and does not have a national refugee protection framework. However, it continues to grant asylum to a large number of refugees from neighbouring States and respects UNHCR’s mandate for other nationals, mainly from Afghanistan and Myanmar. While the Government of India deals differently with various refugee groups, in general it respects the principle of non-refoulement for holders of UNHCR documentation.”

– UNHCR Global Appeal 2011 Update



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Overview

There are many refugee communities who have come to India seeking freedom of religion or belief. Communities from Buddhist, Zoroastrian, Jewish, Christian, Hindu, Sikh, and other traditions have been able to ensure the survival of their community through the support of India's religious diversity and pluralism.

India has historically been a safe haven for persecuted religions in the Middle East, South Asia, and East Asia. In particular, Bahai'i and Zoroastrian communities from Iran, and Buddhists from China-occupied Tibet have been able to find refuge and establish their communities in India.

In addition, Hindus from neighboring countries have sought refuge in India. The decades-long Sri Lankan civil war, for instance, caused hundreds of thousands of Tamils (mostly Hindus but some Christians) to flee to India. Addressing this refugee crisis still remains a priority for the United Nations High Commission on Refugees (UNHCR).

In 1971, approximately 10 million Hindu and other Bengali refugees came to India from Bangladesh (formerly East Pakistan). The influx of Bangladesh refugees have continued into eastern Indian states such as Assam and West Bengal until the present day.

Recent violence, religious extremism, and chaos in Afghanistan has similarly driven the last remaining Hindus and Sikhs out of the country, most of whom have fled to India. A majority of the refugees and asylum seekers registered with the UNHCR in 2021 were from Afghanistan.

And finally, Pakistani Hindus, the focus of this report, have been steadily fleeing to India to escape religious persecution since the partition of the Indian subcontinent in 1947. Pakistani Hindus, with the exception of those arriving during the 1971 Indo-Pakistan War, have not been formally recognized as "refugees" by the Indian government or the UNHCR. Despite the absence of this official recognition, however, they meet the criteria for refugee status under international law due to their well-founded fear of persecution and Pakistan's failure to protect them. Consequently, they will be referred to as "refugees" for the purposes of this report.

The Hindu American Foundation's 2013 report [Victims of History: The Untold Story of Pakistani Hindu Refugees in India](#), is the first on the ground fact-finding report of the Hindu American Foundation in India. The 2013 report examined the human rights, legal, socioeconomic, and medical conditions facing the Pakistani Hindu population living in Jodhpur and provided recommendations for their rehabilitation. The report's findings and conclusions represented data



collected on the ground through first-hand observations and documentation, more than thirty individual and group interviews, medical assessments, and discussions with volunteers and camp leaders. While the focus was on the refugees in Jodhpur specifically, it illustrated larger trends reflective of the status of Pakistani Hindus in western Rajasthan and India in general.

Like the 2013 report, this 2021 Fact-Finding Mission Report focuses on the Pakistani Hindu refugee community in India. These refugees are concentrated in the Indian states of Rajasthan, Gujarat, Haryana, Delhi, and Madhya Pradesh. This report is an in-depth analysis of just one of these refugee settlement clusters – those in the middle of Rajasthan. Because Pakistani refugees and indeed most refugees in India are not registered with the UNHCR, official numbers are difficult to obtain.

We are grateful to the more than 30 refugees and volunteers who took the time to speak with a Hindu American Foundation staff member about the challenges they faced in Pakistan and in India. Our Human Rights Director visited four large Hindu refugee settlements in Rajasthan and spent time with several families in their homes. The courage and generosity of these refugees made this report possible.



Above: Hindu refugees in a more affluent refugee settlement in India.



The History of Pakistani Hindu Refugees in India

Even though the Government of India has historically provided refuge for many persecuted religious communities, the recognition of refugees within its borders, and the resultant institutional support, has waned in recent decades. In Pakistan today, Hindus, Christians, and Sikhs face particularly harsh human rights violations, without any possibility of recourse. Within South Asia, they have limited options for refuge where they will not be under the threat of continued physical violence, systematic persecution, and interpersonal discrimination. Hindus and other minorities have been coming to India from Pakistan since 1947, but in recent decades they have faced numerous challenges in obtaining citizenship and thus support from the Indian government.

For Hindus that are fleeing systematic persecution and physical violence in Pakistan and Bangladesh, dreams of hope and prosperity in India are squashed by the realities of poverty and statelessness. Pakistani refugees travel to India on tourist or pilgrimage visas to escape the violence and persecution in Pakistan. Pakistani refugees often settle in the Indian states of Rajasthan, Gujarat, Haryana, Delhi, and Madhya Pradesh.

Since there are no official records, exact historical data is difficult to obtain. There have been several major waves of refugees from Pakistan since 1947. Many refugees who came in the decades following India's independence were granted citizenship, but over time the investment in refugees from these former Indian lands has abated. In 1965, during the Indo-Pakistan War, there was a major influx of refugees. Most notably, in 1971 during the Bangladesh Liberation War which targeted Hindus in East Pakistan (Bangladesh), almost 100,000 refugees came from both East and West Pakistan to India in search of security. Again in 1991, Hindus fled riots in response to the Babri Masjid attack, and tens of thousands of refugees came to India from Pakistan.

Since the 1990s there has been a steady influx of Hindu refugees from Pakistan given the geo-political situation in the region. The Universal Just Action Society (UJAS) estimates that in the past ten years, approximately 28,000 to 30,000 Hindu refugees arrived in Rajasthan alone.



Above: Hindu American Foundation's Director of Human Rights discusses the situation in Pakistan with a newly arrived Pakistani Hindu refugee family in their home in Rajasthan, India.

The rise of the Taliban and other Islamist extremist groups in the 1990s and again in 2021 created an untenable situation for Hindus in Pakistan. Since most of these refugees are on tourist or pilgrimage visas and overstay their visa duration, they are largely unrecognized as refugees by the Indian government.



Why They Left: Murders, Robberies, and Forced Conversions

Hindu refugees from Pakistan cited murders, robberies, and the forced conversions of Hindu girls among their primary reasons for leaving Pakistan. Experts estimate that at least 1,000 Hindu and Christian girls are abducted, converted, and forcibly married in Pakistan each year. (Ochab, 2021) Similarly, nearly 12,000 Pakistanis (mainly Christians) filed asylum claims in Thailand, many of whom are threatened with deportation, and an estimated 10,000 Ahmadiyya Muslims have sought asylum in Germany, UK, and the US. (Rabwah Times, 2016; SATP, 2017) The extreme physical violence in combination with the loss of property and absence of any recourse led many families to feel panicked and desperate to leave their country, as noted by many of the refugees we spoke with.

“Everyone there [in Pakistan] is troubled and they want to come here but they can’t...After a man ran over my aunt with a car, her family went to the police but the police wouldn’t listen. They put him [the perpetrator] in jail for a few days and then released him. He’s not in jail now, he’s free.” - Prasad Meghwal

“My previous wife had gone to do labor work. They forcefully took her and made her a Muslim. My daughter was 6 months old at that time when we were in Pakistan. She was drinking breast milk. They took her as well and said that she also accepted Islam. A six month old infant – how can she become a Muslim? How would she know what is a Mandir (Hindu Temple) and what is a Masjid? She doesn’t know anything. They even said that she is now reading the Quran...We were able to get my daughter back, but my wife is still there in Pakistan. – Raj Bhil

“I was worried when my daughter went to school. I didn’t know what would happen to her. We didn’t want to send her because she might be taken.” – Radha Meghwal

“I have two daughters and I was afraid for them [in Pakistan]. They would forcefully marry little girls so we would marry the girls young as well for our honor and our girls’ honor as well. If one daughter’s name is ruined then it will be a problem for her and my other daughter.” – Aditi Meghwal

Note: All names and identifying information of individuals in this report have been partially anonymized for the safety of the individuals and their families.



Above: A Bhil grandmother pleads for help securing citizenship for her family so they may overcome the numerous challenges of poverty and insecurity.

Refugees in India Struggle to Secure Basic Necessities and Legal Status

Without citizenship, refugees in India are in a continuously precarious situation. Many have come from Pakistan with only what they can carry and have paid high sums to corrupt bureaucrats for their Pakistani passports and Indian visas. Without citizenship, the most basic necessities of life are out of reach.



The Indian government has numerous schemes and programs for those in poverty, including government hospitals, schools, and homeless shelters. None of these programs are available to refugees who do not have citizenship in India. The problems that Hindu refugees from Pakistan face are thus numerous and compounding. As one Meghwar young man described it, “We didn’t benefit after coming here. We don’t have a house or anything.” Some of the challenges of not having citizenship that these refugees struggle with on a daily basis include:

1. **Buying a land or home:** Without government identification, refugees cannot legally purchase a land or home. This fundamentally leaves refugees at the mercy of landlords or the natural elements.
2. **Access to water and sewage:** Many refugees in India are living in temporary slums which they have built themselves. There is limited or no access to water, and families must pay high sums to have water trucks distribute the water on a monthly basis. For large families, these costs can be particularly burdensome. Inadequate sewage also contributes to inadequate hygiene for these families who are already struggling to gain access to water, food, and shelter.
3. **Access to healthcare:** Due to poverty, private healthcare institutions are inaccessible. Without a government ID, government hospitals are closed to refugees. Refugees were largely dependent on non-governmental organizations for access to the COVID vaccine, and although some non-governmental organizations were able to collaborate with government institutions to distribute vaccines, some refugees were still forced to do without.
4. **Access to education:** Despite government accommodations, many refugee children are charged higher fees as foreigners, and are thus unable to pursue higher education.
5. **Ability to create a business:** Refugees are unable to create their own legitimate businesses without government identification.
6. **Ability to get married:** Without government identification, it is not possible for refugees to be legally married. This puts both the couple and both of the married individuals in a difficult situation. Marriage is a legal contract that affects rights to adoption, guardianship, inheritance, succession, maintenance of spouse and children, and more.
7. **Professional job barriers:** Additionally, for those that were able to access higher education in Pakistan and acquire a degree and work as a nurse, paramedic, pharmacist, lab technician, or doctor in Pakistan – working in their given profession is not



possible in India. The Medical Council of India has created a provision for doctors to work in a research capacity only, and barred individuals with a degree from Pakistan from treating patients in India.

8. **Access to food:** Food rations are distributed by local governments to support the most needy in society. However, refugees without citizenship are left out of these systems, as they are not the targets of this government support. Refugees who are struggling to get food must thus fend for themselves and though there are charity organizations that offer some support, there is a percentage of Pakistani refugees who return to Pakistan after finding the situation in India to be too challenging.

Challenges to Acquiring Citizenship

Despite the fact that India has historically been a refuge for minorities across Asia, India does not have any standing frameworks for accepting refugees and offering them citizenship. India did not sign the 1951 UN Refugee Convention on the grounds that such a convention would “threaten its sovereignty.” The Citizenship Amendment Act (CAA) of 1955 was an act that created the opportunity for individuals who were part of India before 1947 and then became part of Pakistan (and Bangladesh) to become Indian citizens. The Act was amended six times; 1986, 1992, 2003, 2005, 2015, and 2019.

With the December 2019 amendment, the Indian Parliament attempted to provide long-overdue humanitarian relief to vulnerable refugee communities who fled religious persecution in Bangladesh, Afghanistan, and Pakistan.

This act provides a fast track to citizenship for refugees who were already in India prior to 2015, but has been perceived as a bigoted act to disenfranchise Muslims who are already citizens in India. Moreover, this was perceived as a slight towards Muslim immigrants from these Muslim-majority countries currently living in India. And although Islamist extremism hurts Muslims as much as those from religious minority communities, the situation in each of these countries is categorically untenable for Christians, Sikhs, Parsis, Jains, Buddhists, and Hindus. India attempted to support the refugees from these countries that were already living within its borders.



Implementation of the CAA has continuously been delayed, with a sixth extension filed in January 2022. In addition to the ongoing pandemic, continued criticism and lack of support from the international community is also preventing the government of India from implementing this amnesty provision that will support its religiously persecuted refugees.



Recommendations

Given Pakistan's demonstrated unwillingness to sincerely address the plight of its minorities, the migration of Hindus will likely continue unabated. As a result, India and the international community must urgently act to assist these vulnerable refugees in order to prevent a humanitarian disaster. The Foundation strongly supports the following recommendations as necessary steps to begin confronting the issue:

1. **Pakistan:** The responsibility of Pakistani citizens is first and foremost the responsibility of the government of Pakistan. It is incumbent upon Pakistan to take immediate measures to address the ongoing human rights abuses of Hindus and other minorities that force them to leave from their homeland. Pakistan's failure to do so will have far reaching consequences for stability in the lives of Pakistani minorities as well as the subcontinent as a whole.
2. **The International Community:** The United States and the international community should utilize diplomatic pressure and economic leverage to persuade Pakistan to implement additional legal safeguards to protect the rights of its minority citizens, and create an independent body to investigate and address all forms of discrimination and violence against non-Muslims in Pakistan.
3. **India:** As the current home of these refugees, the Government of India should work in conjunction with UNHCR and Non-Governmental Organizations to address the basic shelter and survival needs of newly arriving refugees, such as creating transitional housing and providing emergency aid. Additionally, India should create a process to formally register displaced Pakistani Hindus as refugees consistent with the 1951 Geneva Convention and the 1976 Protocol. Consequently, the Indian government should create legal pathways for refugees through the implementation of the Citizenship Amendment Act of 2019 (CAA), thereby reducing the problems of corruption and inefficiency in the current visa and citizenship processes. Legal pathways must be further established for refugees arriving post-2015, as the current CAA does not provide for those refugees.



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