



In The World Because Of The New Citizen Act Conflict To The Human Rights Violation

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Abstract

A number of complicated issues, like as conflicts, civil wars, policies, political power struggles, and particular laws like citizenship acts, have an impact on the worldwide migration crisis. Here's a quick rundown of how these components interact: Civil wars and other conflicts are the main causes of forced migration. People frequently seek safety in other nations after fleeing their homes due to violence and instability, which results in a sizable population of refugees and asylum seekers. Important instances include the Syrian Civil War, which resulted in millions of refugees in Europe and its neighbors. Wars in Afghanistan and Iraq has resulted in large-scale displacement. The Rohingya crisis in Myanmar, where many have been forced to leave to Bangladesh and other areas due to violence and persecution. Political Power and Policies and Religious the way in which migrants are treated and managed is greatly influenced by policies at the national and international levels. These measures can include strict border controls intended to reduce migration or open-door policies embracing refugees. These policies are frequently influenced by political power struggles. Reservation or quota systems are meant to assist marginalized populations, but they can also cause conflict and migration. For instance, India's Social mobility and internal movement have been facilitated by tribes as individuals move to cities in search of better prospects. Persistent challenge for nations and international organizations. It is crucial to take into account these larger circumstances for a particular study,

Keywords: Conflicts, Civil War, Policy, Political Power, New Citizen Act Policy, Religious, reservation.

I. Introduction

During the Civil War, hundreds of thousands of people abandoned their homes. They included African Americans escaping slavery and hardship in the South, Confederate supporters in Union-occupied territory, and other wartime refugees. The Indian Constitution is applicable to refugees while they are in India. The most significant article is Article 21, which addresses the right to life and individual freedom and is applicable to all people, Indian citizens included. Numerous rulings have been rendered based on the refugee article

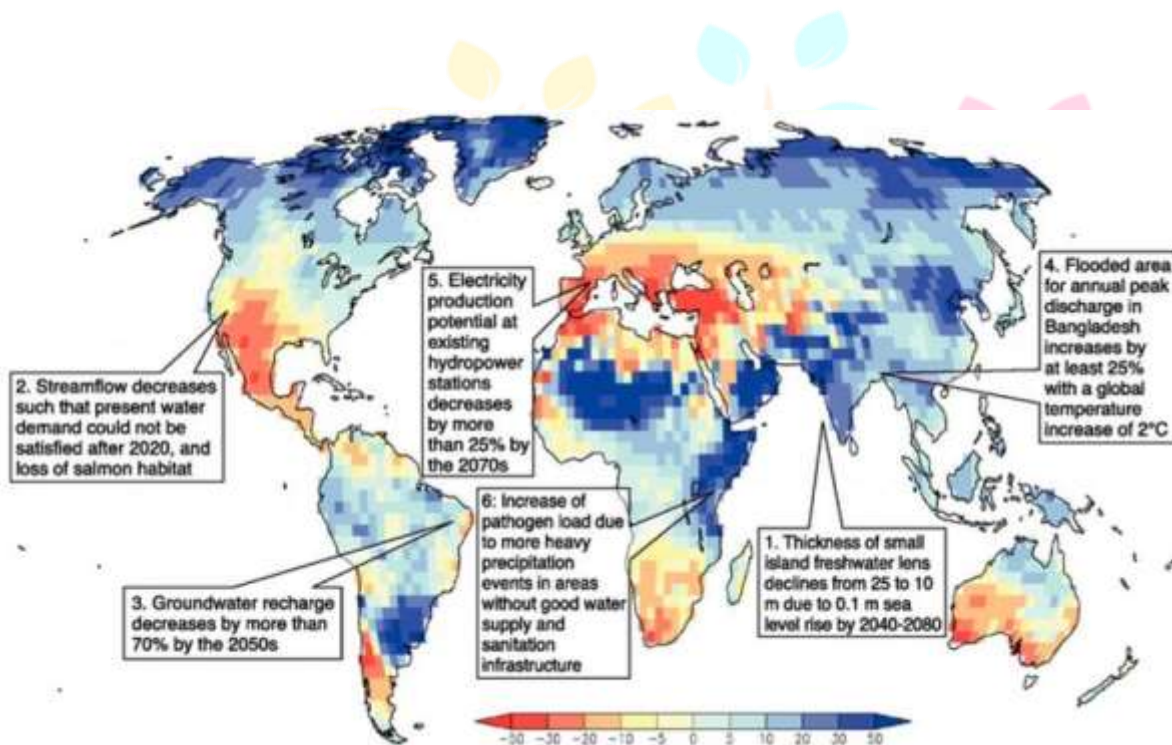
21. And according to the United Nations Refugee Agency (UNHCR) in its most recent Global Trends report, there are currently 43.4 million refugees worldwide. Refugees are individuals who have left their native countries because of conflict, violence, persecution, or human rights violations. Definitions of refugees include: migrants; asylum seekers; internally displaced people; and stateless people. a person who flees their nation in order to avoid being affected by military conflicts (direct casualties, attacks by enemy forces, displacements, etc.). A person who is "outside the country of their nationality and is unable or, owing to such fear, is unwilling to return home due to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" is considered a refugee under the 1951 Refugee Convention. A legitimate fear of persecution stemming from one's ethnicity, religion, nationality, political beliefs, or affiliation with a specific social group characterizes a refugee. Most likely, they are scared to go home or are unable to do so. The main reasons why people escape their nations as refugees are war and acts of ethnic, tribal, and religious violence. Displaced person. Additionally, those who are outside of their country of origin due to fear of persecution, conflict, widespread violence, or other situations that have gravely disrupted public order and necessitate international protection are considered refugees.

Examples: of those for whom the nation lacks distinct domestic laws and policies are Syrians, Afghans, Palestinians, Persians, Ethiopians, Christians, and so forth. India continues to grant asylum to refugees from its neighboring nations despite not being a signatory to either the 1951 Refugee Convention or its 1967 Protocol, nor does it have a national framework for refugee protection.

2. Research Methodology:

The present article is based on doctrinal approach of study in which further the method of focus group has been taken. Secondary sources like reports acts, conventions, protocols, books, journals, proceedings of seminars, magazines, newspapers and websites etc. are referred to. This research study is largely descriptive, keeping in mind the evolutionary aspect of the present topic. The methodology also includes philosophy and practice as relied on in the present work to integrate data and research conclusion.

3. Study Area: The countries of the world are migrating



World conflict civil war

Ukraine

a. The War in Ukraine and Refugee Crisis

Conflict is a major trigger of displacement and the devastation of the Syrian civil war is indicative of that. Over 77% of the Syrian population have been made refugees or been internally displaced by the end of the war. Since the beginning of the Ukraine conflict we have seen up to 11% of the population displaced. Ukraine is now among the ten countries

with the worst score for the indicator of refugees and internally displaced persons according to the latest Global Peace Index 2022 report produced by IEP. In total over two million Ukrainians have fled the country. As evidenced by the Syrian conflict, as the situation continues, this number is likely to rise. This has occurred against a backdrop of rising commodity prices and enormous strains on global food security, with 2.4 billion people already experiencing food insecurity according to the latest Ecological Threat Report. The high number of displaced people that the Ukraine conflict has triggered could further exacerbate food insecurity, particularly with Ukraine representing a critical source of grain for much of the world. Food Insecurity was projected to rise a further 43% by 2050 before the Ukraine conflict began. We can expect the rise to be even greater as a result of the knock-on effects of the conflict. The impact of the war on food prices has already been significant and this is unlikely to change any time soon. Ukrainian cities and infrastructure have seen significant damage as a result of Russian military operations and this suggests that even if the conflict were to end soon, for many displaced people, an immediate return is unlikely to be an option. The war in Ukraine represents the latest in a series of destructive events that have triggered widespread displacement. The long-term impacts of this trend are among the most significant threats to global peace. A substantial and united effort by the international community is required if the trend is to be reversed.

b. Syria: 6.6 million refugees

The Syria crisis has accelerated more dramatically than any crisis on earth, and Syrians continue to be the largest forcibly displaced population in the world. After war erupted in March 2011, it took two years for 1 million people to be displaced. Another million were displaced within six months. Now nine years on, more than half of the pre-war population has been internally displaced or forced to seek safety in neighboring countries. That's more than 13.2 million people on the run, including more than 6.6 million people who have escaped across the borders. In 2019, Mercy Corps provided assistance to 1.48 million people all across Syria with urgently needed food, water, blankets and other essential supplies. We're also working to reach the millions of Syrian refugees now living in other countries. In a colorful classroom in Jordan's Za'atari refugee camp, 12-year-old Joury paints a picture of a garden. It's a place she remembers from Syria, with tall trees that linger in her memory from visits there with her grandmother. Joury fled Syria with her family eight years ago. There is

no way to know if she will be able to go home again. At a Mercy Corps youth center in Za'atari, art helps young refugees like her cope with their stress and enjoy being kids again.

"In Syria I wanted to be an artist, but I didn't know how to draw," she says. "I learned how to draw at Mercy Corps [youth center program]" "When I am thinking of anything, I just like to draw it. I feel comfortable when I draw."

c. Afghanistan: 2.7 million refugees

Years of unemployment, insecurity and political instability have led to a massive migration from Afghanistan. More than 2.5 million people are estimated to be living in new and prolonged displacement, while more than 2.7 million people have been forced to leave the country to Iran, Pakistan or Europe. The United Nations estimates that an average 1,100 people a day mostly women and children --- were forcibly displaced by violence in 2017. As of 2018, over half of people displaced by conflict in Afghanistan have been displaced at least twice, compared to just 7 percent five years before. Mercy Corps is working to build a stronger future within Afghanistan by training farmers to grow better crops, improving economic opportunities for youth, teaching new mothers healthy nutrition practices, and helping women and girls find better access to financial services and job opportunities. We're also helping Afghan refugees while they live away from home. Shakila, 31, fled Afghanistan with her husband and three children, seeking a better life. Now they wait in Greece for a future they're not sure will ever arrive. Mercy Corps is providing Shakila with a cash card to buy essentials for her family, while her daughter, Sonia, is in an art workshop at a Mercy Corps youth center.

"I worry about my children," Shakila says. "They need an education but here they just pass the days without anything. My daughter is depressed. She always stays inside the tent."

"I'm a little older; I don't need anything. I just need my kids to go to school and have an education and change their future for good things to come."

d. South Sudan: 2.2 million refugees

The situation in South Sudan is dire, and the largest refugee crisis in Africa. More than 4 million people have been uprooted from their homes since the start of a brutal civil war in 2013, including about 2.2 million people who have been forced to cross into neighboring countries, the majority of them women and children. Ongoing warfare, flooding and drought continue to worsen what is already a dangerous humanitarian crisis. There are massive needs for clean water, health care, sanitation, food, shelter, and protection across the country, and millions of people now require urgent support to survive. Angelina feels that struggle deeply. She fled conflict in her village twice looking for a safe place for her family. The last time she fled, her home was burned behind them. For five days she walked through deep water, floating her children on a plastic tarp until they found refuge on Nyoat Island, where they rely on food assistance and water lilies to survive. Her children leave by canoe every morning at 4 a.m. to go to a local school Mercy

Corps supports.

"I set up here because I am tired of running from enemies," she says. "I decided to come here for two reasons: for fear I feel safe here and because I can get water lilies for my kids." "I have hope [to find work] but I don't know what kind of work. If there is an opportunity given and I can provide for my kids, then I will be happy. Even if I have some small seeds, then I can plant a vegetable garden and sell them and get some money." Want to stay connected to our work around the world we will not share your data and you can unsubscribe at any time.

e. Myanmar: 1.0 million refugees

Since violence broke out in Myanmar's northern Rakhine State in August 2017, more than 742,000 Rohingya have fled to Cox's Bazar in southeast Bangladesh. Before the crisis began, Bangladesh was already grappling with its own humanitarian challenges, and hosting some 212,000 Rohingya who had escaped Myanmar during earlier periods of violence and persecution. The speed and scale of the influx over the course of a three-month period in 2017 has placed tremendous strain on host communities and Bangladesh as a whole, making it one of the world's largest and worst refugee crises. Today, there are some 932,000 Rohingya seeking refuge in Bangladesh and at least 1.3 million people -Rohingya refugees and Bangladeshi host communities who rely on humanitarian assistance to meet their basic needs. More than half of them are children. These populations live in desperately overcrowded camps and communities, highly vulnerable to oncoming monsoon and cyclone seasons. The conflict in Rakhine State of western Myanmar on account of the political history of Burmese state has led to denial of citizenship and nationality for the Rohingya people. The incidents of atrocities against the Rohingya ethnic minority have displaced them in large numbers to Bangladesh. They currently live in refugee camps in Cox's bazaar and nearby the Burma Bangladesh border. They are fleeing in small numbers to the neighboring countries in the region of South Asia.

f. Somalia: 0.9 million refugees

More than two decades of ongoing conflict and natural hazards such as prolonged drought and flooding have driven nearly 1 million Somalis to live in destitute refugee camps in the Horn of Africa and Yemen, while some 2.6 million people remain displaced within the country. Almost half of the country is in need of assistance, and some 2.5 million people are unable to meet daily food needs, including over 300,000 children suffering from acute malnutrition. Mercy Corps has been working in Somalia since 2005, improving access to food and water, rehabilitating waterways, supporting local markets and providing education and civic opportunities for youth. We are also providing livelihood opportunities, such as cash for work, to increase farm production and enhance the ability of communities to handle shocks like drought.

g. Sri Lankan Civil War

The majority of Sri Lankans are ethnic Sinhalese, a group of Indo-European peoples that had migrated to the island from northern India in the BC 500s. The Sinhalese had contacts with the Tamils who were settled in

the southern part of the Indian subcontinent. A major migration of the Tamils occurred between the 7th and the 11th centuries CE. When the British started ruling the country in 1815, the approximate population of the Sinhalese was roughly 3 million and the Tamils numbered up to 300,000. Apart from the ethnicities, the two groups also differed in their religious affiliations. The Sinhalese were predominantly Buddhist and the Tamils were mostly Hindu. The British ruled over Sri Lanka from 1815 to 1948. During this time, they brought nearly a million Tamils to work in the coffee, tea and rubber plantations to the island-nation. The British also set up good educational and other infrastructure in the northern part of the country, which was where the Tamils were in a majority. They also favored the Tamils in the civil service. All this naturally fostered ill- feeling among the Sinhalese. After attaining independence, the new government initiated many laws that discriminated against the Tamils. Sinhalese was declared the sole official language which effectively eliminated the Tamils from government service. A law was also passed which simply barred Indian Tamils from getting citizenship. The Tamils started demanding equal rights in their homeland. Their demands were just and their methods peaceful. However, ethnic tension was rising in the country and the successive Sinhalese governments did nothing to provide equal rights and opportunities to the Tamil people. They were even targets of sectarian violence.

4. Indian Scenario on Refugee

India lacks a national framework for refugee protection and is not a party to either the 1951 Refugee Convention or its 1967 Protocol. Nonetheless, it honors UNHCR's mandate for other nations, mostly from Afghanistan and Myanmar, and keeps granting asylum to a sizable number of refugees from nearby States. Although the Indian government handles different types of refugees in different ways, it generally upholds the idea of for holders of UNHCR documentation. India's security worries have been limiting the country's capacity to accept asylum seekers for a while now. In order to address this and give the government the assistance it needs, UNHCR has greatly expanded and changed its registration efforts. Mixed migrant flows have made it even more difficult to identify and protect refugees. For asylum seekers from Myanmar and non-neighboring countries, UNHCR, with its headquarters in New Delhi, determines the refugee status (RSD) in the absence of a national legal and administrative framework. In the south, UNHCR is also present in Chennai, Tamil Nadu, to assist with the voluntary return of Sri Lankan migrants. Despite the fact that there are a lot of stateless people in India, precise figures are unknown. The UNHCR is trying to locate and map stateless populations. India has been the destination of a sizable amount of refugees as of my last update in January 2022; but, things can change quickly due to governmental policy and geopolitical events. This is a summary of the state of refugees in India at that time.

Refugee in India Overview

THE ONES WHO FLED

Apart from these, who registered with the UNHCR, other refugee communities in India include Tibetans and Sri Lankans

59.5 million individuals were forcibly displaced worldwide as a result of persecution, conflict, generalized violence, or human rights violations by 2014 end

8.3 million persons more were displaced in 2014 than in 2013 (51.2 million). This is the highest annual increase in a single year

MAPPING REFUGEES

Figures courtesy UNHCR

Till end of August 2015

Refugee Asylum seekers



- Tibetan Refugees:** The Tibetan minority, who left Tibet after Chinese annexation in 1959, is one of the most well-known refugee populations in India. The Dalai Lama and other Tibetan refugees have been welcomed into India, which has given them settlements mostly in the northern regions of the nation, most notably in Dharamshala, Himachal Pradesh.
- Afghan Refugees:** a. A significant number of Afghan refugees, mainly Sikhs and Hindus, who were fleeing violence and persecution in Afghanistan have also been welcomed by India over the years. These migrants have made their homes in Delhi and other cities throughout India.
- Sri Lankan Refugees:** Many Tamil refugees migrated to India in search of asylum during Sri Lanka's civil conflict. Some still live in Tamil Nadu's camps for refugees, even though the majority have subsequently returned home or relocated abroad.
- Rohingya Refugees:** Rohingya refugees from Myanmar have been flooding into India in recent years, mainly settling in areas that border Bangladesh, like West Bengal and Assam. The Indian government has taken a divisive stand on Rohingya refugees; some officials have urged for their expulsion, while others have suggested that they should be given humanitarian aid.
- Bangladeshi Refugees:** A sizable population of Bangladeshi refugees, many of whom have fled persecution or economic difficulties in their native country, are also housed in India. These refugees have different statuses; some have blended into Indian society, while others live in camps or

unofficial settlements.

It is important to remember that India does not have a set legal framework for refugees, and that the country's policy on them can be complicated and dynamic. Since the nation does not ratify the 1951 Refugee Convention or its 1967 Protocol, there is no established procedure for giving refugees asylum. Rather, India handles refugee cases individually and frequently grants long-term visas or permanent resident cards.

5 .Finding's / suggestion

- a. **Religious vs. human rights crisis** - The relationship between religion and human rights is frequently complicated and full of obstacles. While religion can provide many people with solace, direction, and a sense of belonging, it can also occasionally clash with human rights concepts, especially when interpretations of religious beliefs or activities contradict core human rights principles.
- b. **Freedom of Religion vs. Freedom from Discrimination-** . There are often many challenges and complexities in the link between religion and human rights. While religion can offer many individuals comfort, guidance, and a feeling of community, it can also occasionally conflict with human rights ideas, particularly when religious practices or beliefs are interpreted in a way that goes against fundamental humanrights values. Identities
- c. **Freedom of Expression vs. Religious Sensibilities-** It might be difficult to strike a balance between respect for religious convictions and the right to free speech. Although people are allowed to express their religious views, these views may conflict with other freedoms like the right to free speech or the freedom to express oneself artistically. The topic of where to draw the line between preserving freedom of expression and safeguarding religious sensibilities is brought up by issues like blasphemy laws, which prohibit criticizing or making fun of religious beliefs.
- d. **Religious Extremism and Terrorism-** a. Extremist religious interpretations have been linked to violations of human rights, such as acts of terrorism, violent crimes, and the persecution of religious minorities. Extremist groups often use religious dogma as justification for their acts, which violates the rights of those under their control to life, liberty, and security.
- e. **India SC, ST, OBC weaker section people will migrate if reservation is abolished-** Removing reservations (also known as affirmative action programs) may have a substantial effect on India's Scheduled Tribes (ST), Scheduled Castes (SC), and Other Backward Classes (OBC). India's efforts to rectify past injustices and socioeconomic imbalances have been greatly aided by these initiatives. The possible effects are broken out as follows: Impact on Education Accessible. Reserved seats in educational institutions are advantageous to a large number of SC, ST, and OBC citizens. Eliminating reservations might make it harder for them to get a good education. Financial Assistance and Scholarships These organizations frequently receive funding, which could be cut back on or removed without warning. Government Jobs and Employment Impact: Reservations guarantee representation in positions held by the government, offering steady work prospects. Eliminating them can result in less opportunities for

employment. Private Sector: While private sector reservations are not required, public sector chances frequently serve as a standard for fair employment practices. Mobility in Social and Economic Domains Social justice: Reservations have contributed to the advancement of social justice and the decrease of prejudice based on caste. Some of these improvements might be undone if they were eliminated. Stability of the Economy Many people have been able to improve their economic circumstances by taking advantage of reservations' access to education and employment possibilities. Migration Internal Migration: In the absence of reservations, there may be a rise in individuals migrating within the country. Members of these groups relocate to states or areas where they believe there are more opportunities or less prejudice. International Migration: If prospects for skilled workers in India are poor, they may look for possibilities abroad; nevertheless, this is probably just an option available to those who can afford to move. Unrest in Politics and Society Political Reaction: The elimination of reservations may cause the SC, ST, and OBC communities to become more politically active. Social Tensions: Without the safety net of reservations, there may be more rivalry for few resources, which could lead to heightened social tensions. Long-Term Development Objectives Reservations have been incorporated into India's inclusive growth agenda. The accomplishment of long-term development goals meant to reduce inequality may be hampered by their elimination.

6. Conclusion:

The Citizenship Amendment Act, recently passed by India, is a violation of international human rights law. The discriminatory nature of the Act has been contested by the Indian government. Nevertheless, this statute discriminates against Muslims, according to an analysis of international human rights instruments and previous UN judgments of discriminatory behavior worldwide. The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the ICCPR, and the UDHR are the legal instruments that contain the norms and regulations that the Citizenship Amendment Act violates. Although each instrument has its own subtleties, they all support and forbid similar themes and behaviors. The most forbidden behavior is discrimination based on religion. International human rights standards and regulations are being broken by India's government through blatant discrimination against Muslims. India's reservation system is a delicate and intricate topic that is closely linked to the nation's social structure and past. The possible effects of any modifications to this system on the impacted localities and the nation's general social stability would need to be carefully considered.

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