

CHAPTER – II

REVIEW OF RELATED LITERATURE

2.0 INTRODUCTION

The term review has originated from the French word 'reveue', which means a formal examination of something so as to make changes if necessary. In other words it means a critical assessment of a book, play, or other work; a report of an event that has already happened. The term related means belonging to the same family, group or type, connected to it. Again the term literature means written works, which are regarded as having artistic merit. It also means the books and writings on a particular subject. (Sarma, 2012). Review of related literature gives a theoretical basis for the research and helps to determine the nature of the particular research work. Moreover, review of related literature provides us a handy guide to a particular research topic, a solid background for a research problem and comprehensive knowledge of the existing literature in the field on which a study is being done already.

Thus the term review of related literature in this research means the formal and extensive literature survey for review has been undertaken from various sources including books, journals, conference/seminar proceedings, electronic journals covering various aspects of human rights issues of IDPs.

2.1 PURPOSE OF THE REVIEW

The purpose of literature review in this research is to convey the knowledge and ideas that had been established on issues relevant to the topic of this research and their strength and weakness. Review of related literature enables the researcher to know what has already been done in a particular area of study and its analysis is a stepping stone to resume what can yet to be done.

The main purposes of the review in this research are:

- To describe work done on a specific area of research.
- To define the limit of the study.
- To bring the researcher up to date on the work.
- To formulate questions that needs to be addressed further.
- To avoid duplication of already well-established research findings.
- To make objectives of the present study more clear and concise
- To know about the recommendations of the previous researches.

2.2 SCOPE OF THE REVIEW

The scope of the literature searches of the present study has been limited to the following areas:

- Literature published during the period from 1996 to 2015 has been collected for the review taking into consideration of their relevance to the research topic. However the relevant literatures outside these dates were also taken into considerations where possible.
- Studies conducted in the related topic in various parts of the world have also been taken into considerations for review.
- Literature searches were carried out in the following areas: IDPs and human rights issues in Global, South Asia, India, North East, Assam and BTC context; literature review were also carried out on conflicts and post-conflict situation in Kokrajhar, including the impact, protection and response of various Government and Non Governmental Organizations.

2.3 METHODOLOGY USED FOR REVIEW

The methodology used for the review of literature and searches were conducted using several academic and non-academic resources:

- Related literature has been selected for review from the *Selected Bibliography on the Global Crisis of Internal Displacement* brought out by ‘The Brookings-Cuny Project on Internal Displacement’ 2001, edited by Gimena Sanchez-Garzoli. Similarly the edited volume on *Bibliography on Conflict Induced Displacement* by Hanne Melfald, Geneva, on April, 2001, has also been explored for review.
- References and citations of various research papers and academic catalogues have been observed and the relevant papers have been selected for review.
- Bibliographies of books, theses, dissertations and reviewed articles have also been verified to get the first hand knowledge of the relevant research topic.
- Various academic and non-academic website via “Google Search engine” available in the internet has also been accessed in finding relevant resources.
- Studies conducted in India and abroad have been combined under the similar aspects.
- The literatures have been arranged chronologically in ascending order.

2.4 REVIEW OF SELECTED LITERATURE

Selected literatures related to the study are being studied in this section grouping them under the following heads:

2.4.1 CONFLICT INDUCED IDPS IN GLOBAL CONTEXT

There are number of studies available relating to the conflict induced internally displaced persons (IDPs) in global context. (Hampton, 1998), in her edited volume *Internally Displaced Persons: A Global survey*, which includes many research articles based on conflict induced internally displaced persons have analyzed in details of various types of humanitarian crisis due to the resultant occurring of conflict in various parts of the country.

In the study titled *Recent Trends in Protection and Assistance for Internally Displaced People*, (Roberta, 1998), discussed the issue of protection of the IDPs. The study focused on bridging the gap of protecting IDPs as a result of the development of UN Guiding Principles on Internal Displacement in 1998.

The concept paper submitted to the Office of Emergency Programmes, UNICEF, on *The Gender Dimensions of Internal Displacement: Concept Paper and Annotated Bibliography* edited by (Benjamin & Fancy, 1998), has discussed variety of issues pertaining to women rights as a result of internal displacement. The study contains how women faced different social, political, and economic hardship due to displacement and also suggest various measures to minimize it.

In his research article *The International Protection of Internally Displaced Persons*, published in *International Journal of Refugee Law* (Geissler, 1999), highlights some aspects of the situations of internally displaced persons, having regard to their legal and institutional protection under international human rights and humanitarian law. The study tries to search for an appropriate definition and examines the general frame work of protection and also examines some of the gap in the system and at the possibilities of institutional protection. He also tries to offer some possible solutions and aims to contribute to an overdue legal and political debate on one of the most challenging contemporary humanitarian problem.

In one of her study *A Developing Trend: Laws and Policies on Internal Displacement*, (Wyndham, 2006), has made critical observation on the issue of the

developing trend of policies and protection of the internally displaced peoples. She has made critical observation on the issue of enacting a national law and policies in the line of UN Guiding principles by every sovereign state.

In her research article, *Reconciling R2P with IDP Protection*, (Cohen, 2010), has also discussed the need for the national sovereign country, to take the responsibility of protecting the internally displaced persons by applying the United Nations Guiding Principles on Internal Displacement. The Responsibility to Protect points primary responsibility for the welfare and safety of IDPs with their governments. She also observed that when governments are unable to fulfill of IDPs their responsibilities, they should request and accept offers of aid from the international community.

In one of her research paper, *Displacement and Gendered Spaces: A Note*, (Hans, 2012), discusses different and complex gendered issues emerged out of conflict. Her paper touches upon a whole gamut of issues women face as displacees and as residents of so called transitory camps.

In the project report on *Addressing Internal Displacement: A Framework for National Responsibility*, (Kalin, 2005), has extensively focused on the role of the respective National Government while safeguarding the Internally Displaced Persons. The policy framework focuses on enabling international organizations, regional bodies, national human rights institutions, civil society and the displaced themselves to evaluate the extent to which national responsibility is being effectively exercised and become the basis for advocacy efforts on behalf of the rights of the displaced.

2.4.2 CONFLICT INDUCED IDPS IN SOUTH ASIA

The study on *Population Displacement in South Asia: Advocating a New Approach* (Khan, 1999), examines briefly the nature of population movements in south Asia and the response of governments. It argues that as refugee and migratory flows in South Asia become more complex, the countries in the region must reassess their

position and develop a more coherent and comprehensive legal and policy framework, based on the rule of law as well as regional co-operation and solidarity.

In the study of *The IDPs of South Asia: Strategizing for Protection and Rehabilitation* (Sen, 1999), published on *South Asian Refugee Watch*, has also focused on the need for strategy to protect and rehabilitate the IDPs in the region.

In the work on *State, Society and Displaced People in South Asia*, (Ahmed, Dasgupta, & Kerkhoff, 2004), have deals with the dynamic interaction between states and societies with respect to the displaced people of South Asia. The book covers different disciplinary backgrounds, address various aspects of displacement, which, hitherto, have not received enough attention. The volume covers case studies groups of people originating from Afghanistan, Bangladesh, Myanmar, India, and Pakistan, who became displaced in the period between 1947 and 2002. It analyses matters of state as well as matters of society and the relation between the two.

The volume on *Internal Displacement in South Asia* by (Banerjee, Chaudhury, & Das, 2005), presents a comprehensive analysis of the phenomenon of internal displacement in the light of the United Nations' guiding principles on internal displacement. The volume includes detailed cases studies of seven countries--India, Bangladesh, Nepal, Pakistan, Sri Lanka, Burma and Afghanistan. It examines various legal and administrative practices prevalent in these countries in terms of care, protection and justice to IDPs. While highlighting the gender dimension and combining a political perspective with a close study of international and national legal norms and administrative practices, the contributors of this volume provide a comparative understanding of internal displacement in the entire South Asian region. With the help of the UN guiding principles, the volume also suggest crucial policy measures that will help countries deal with this major, yet largely un-noticed, humanitarian disaster.

In their study on *Internally Displaced Persons in Nepal*, (Shrestha & Niroula, 2005), has highlighted about the conflict induced displacement since 1996 between the Communist Party of Nepal (Maoist) and the government of Nepal. The study highlighted the problems of registration of IDPs and legal mechanism of protecting the displaced people.

The Report by Calcutta Research Group (*Voices of the Internally Displaced in South Asia*, 2006), has highlighted the suffering of the IDPs in Bangladesh, Nepal, India and Sri-Lanka. The report recommends having national resettlement policies in all countries of South Asia, and these policies should cover both displacements due to violence and environmental-developmental reasons.

In the research article, *IDP Protection at the National Level in South Asia* (Banerjee, 2006), published in the *Forced Migration Review, Special Issue: Putting IDPs on the Map: Achievements and challenges-in commemoration of the work of Roberta Cohen*, has extensively analyzed on the issue of recognizing the IDPs by the South Asian states. She has also highlighted that although all the governments across South Asia established national human rights commissions but their mandates were limited. She also focused the need for comprehensive policy on IDPs on the region to bring lasting peace in South Asia.

In the article, *International and Regional Guidelines for IDP Return and Resettlement*, (Das, 2011), has outlined the emerging landscape of internal displacement in South Asia. He also makes a brief reference to the new initiatives embodied especially in the Framework of Durable Solutions for IDPs, which was adopted by the Inter-Agency Standing Committee (IASC) Working Group with a reflection on the dilemmas underlining the new initiatives and their implications for the region of South Asia.

In her article *Placing Internal Displacement in the Sustainable Development Agenda: The Case of Nepal*, (Ghimire, 2012), analyze the crucial link between sustainable development and IDPs in the region. She argues that lack of sustainable development lies at the heart of many conflicts which displaces large number of displacement of populations. She has highlighted the plight of Nepalese IDPs in Nepal.

In the publication report of South Asian for Human Rights titled *Reassessing Internal Displacement in South Asia* (SAHR, 2013), a very detailed analyses of the problem and prospects of the South Asian states of Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka have been discussed. It highlight about the protection and resettlement issues in the region including human rights violence. It also seeks to promote and uphold the rights of Internally Displaced Persons in South Asia and seek

methods to operationalize the United Nations Guiding Principles on Internal Displacement in the region.

2.4.3 CONFLICT INDUCED IDPS IN INDIA

A sizeable number of literatures are available dealing with the Internal Displacement in India. Some of the relevant literatures reviewed are as follows.

In their book on *Human Rights of the Internally Displaced Persons (Law and Practice)*, (Bandyopadhyay & Subedi, 2012), consisting of six chapters has discuss at length about the conceptual and historical perspective of IDPs. They have also explored the protection of IDPs under Internal Human Rights instrument and the role of civil societies in addressing the issue. The book also touches upon the issue of protecting IDPs in India under various provisions of Indian Constitutions. The volume also discusses about the victims of development induced displaced persons in Sikkim.

In his research article, *Internal Displacement in India: Causes, Protection and Dilemmas*, (Lama, 2000), published in the *Forced Migration Review*, has discussed various causes that displaced people in India. He also extensively analyzed for the protection of the Displacees and the problem faced by National and International agencies due to unclear policies on IDPs.

The status report submitted from the Internal Displacement Monitoring Centre (IDMC) of the Norwegian Refugee Council (NRC) to the Committee on Economic, Social and Cultural Rights: *40th Session Economic, Social and Cultural Rights of Internally Displaced Persons (IDPs) in India*, (Internal Displacement Monitoring Centre, 2008) has discussed various conflict induced displacement in India. The report also discussed various aspects of human rights violations of the Displacees.

In his article, *Displacement and Alienation from Common Property Resources*, (Fernandes, 2009), in Lyla Mehta's (ed), *Displacement by Development: Confronting Marginalization and Gender Injustice*, has made a critical observation on how

displacement causes extreme alienation from common property resources such as forest, land, fodder, or water. He also observed that the subaltern groups including tribals, dalits, and marginal groups lack legal titles (patta) to these resources, which are often communally owned and managed. Therefore, displacement of any kind will alienate those resources where the present legal system of India fails to formulate concrete policies.

In the edited volume, *Resettling Displaced People: Policy and Practice in India*, (Mathur, 2011), has widely covered the challenges faced by both the government and displacees in India. The volume covered wide issues of resettlement policy and compensation of the development induced displaced people in India.

2.4.4 CONFLICT INDUCED IDPS IN NORTH EAST INDIA

Relevant literature searches have been examined relating to internal displacement in North Eastern context. Some of related literatures have been taken into considerations for review.

In his research article, *State, Identity Movements and Internal Displacement in North-East India*, (Hussain, 2000), has mention about the plight of tens of thousands of displaced people uprooted as a result of conflict, human rights violation and infrastructural projects. He also mention about the poor mechanism of dealing with such displaced people.

In her research paper, *Migrants in Flight: Conflict-Induced Internal Displacement of Nepalese in Northeast India*, (Nath, 2005), published in *Journal of Peace and Democracy in South Asia*, looks at the conflict-induced displacement of the Nepalese in Northeast India. It argues that the internal displacement of the Nepalese in Northeast India has not received much attention or concern, partly because their inherent mobility and proclivity to migrate tends to draw attention away from this new phenomenon and partly because they have social networks, which allow them to resettle with ease in the new areas to which they migrated. Her paper also looks at the

government attitude towards rehabilitating and providing relief to these victims of internal displacement.

In the edited volume on *Blisters on their Feet: Tales of Internally Displaced Persons in India's North East*, (Das S. K., 2008), with many research articles on conflict induced displacement in North East India has also discussed several aspects of IDPs problems in North East. Articles on Section-II, extensively discussed about the crises in Assam including displacement in Western Assam where thousands of people were displaced in the conflict of 1996 between the Bodos and the Santhals community.

In her working paper article, *Internal Displacement, Migration, and Policy in North East India*, (Goswami, 2007), has discussed about the link of migration towards population shift and the lack of concrete policy towards illegal migration and unwilling to resolve the border issue by the state in the region. She maintain that this population shift has led to the ethnic assertion and conflict which results large scale population displacement in Assam and the rest of the North East. She also talks about the state machinery not doing enough to either contain the issue of ethnic conflict or formulate a policy on IDPs.

In his editorial page, *Human Security in North East India: Issues and Policies*, (Dutta, 2009), which contains collections of research papers contributed by various scholars offers discussion on various issues like overall health security in North-East and IDPs ranging from development induced displacement to environmental displacement and conflict induced displacement and their related human security threat. The third part of this book specially deals with the issues of security/insecurity of the displaced persons caused by development and conflict respectively.

In his edited book, *Forced Migration in North East India: A Media Reader*, (Dutta, 2012), has also covers wide range of discussion on refugees as well as IDPs in various parts of northeast India. In this volume the first section tries to compare the status of refugees with the internally displaced persons and the stateless. The third and fourth section deals with conflict/violation induced displacement in Lower Assam and environmental displacement respectively. The last section talks about the laws/policies of the state in dealing with forced migrations.

2.4.5 CONFLICT INDUCED IDPS IN ASSAM AND BTC REGION

Some works that are available relating to the conflict induced Internally Displaced Persons (IDPs) in Assam and Bodoland Territorial Council area considered for review are given below:

In his research article, *North-east India's forgotten IDPS*, (Hussain, 2005), published in *Forced Migration Review*, also contain discussion on the plight of IDPs in Assam. He has suggested for having a clear cut policy to deal with the problem of displaced persons in the line of UN guiding Principles.

In the research paper on *Conflict-Induced Internal Displacees and their Security: A Case Study of Lower Assam*, (Barman, 2009), has done extensive research on the security as aspect of IDPs in Bodoland Territorial Council and other parts of Lower Assam. He has highlighted the security and livelihood issues of the conflict induced displacees in lower Assam living in the relief camps of which some are living more than a decade ago.

Similarly in her research paper titled *Development Induced Displacement and Human Security in Assam*, (Bharali, 2009), has also analyzed the plight of development induced displacement in different parts of Assam and their security aspects while being displaced. She has analyzed how a displaced person has to face severe insecurity in terms of economic, social, health and gendered related insecurity as result of land being taken away for development purposes.

In his publication, *Dying Alive in Makeshift Relief Camp: A Saga of Boro Internally Displaced Persons*, (Narzary, 2010), intensively analyzed the Boro tribal IDPs in Assam. Here he made an attempt to study the suffering, agony and conditions of the displaced Boro tribal people who are languished in the makeshift relief camps in an abject poverty.

In his research article, *Politics of Space and Violence in Bodoland*, (Mahanta, 2013), published in EPW, has made several observations. He made the observation that the politics of space has led to the conflict between Bodos and non-Bodos indigenous people which resulted large number of displacement in the region.

2.5 CONCLUSION

There has been over the years many study on the related areas conducted by the researchers. These literatures have been collected from various sources and been reviewed. Review of these collected literatures on studies conducted in the related field of the present study has shown the light of many aspects of problems of Internally Displaced Persons, globally, nationally and regionally. These reviews of literatures has also given us many clues on various problems of human rights issues and protection relating to IDPs which helps and empowers the researcher to do exhaustive study on the problems in hand.

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