

## The right balance

The Supreme Court's observation that there is a need to balance human rights with national interest in the Rohingya case, and that there is a case for "holistic" hearings, is most welcome. A comparison with the Sri Lankan Tamil refugees may be useful. Even after the LTTE was banned as a terrorist group in India following the 1991 [Rajiv Gandhi](#) assassination, there were several influxes of Sri Lankan Tamils through the Tamil Nadu coast.

They were allowed to enter and register as refugees. Implicit in that was an acknowledgment that all Tamils were not LTTE. No Rohingya currently living in India has been blamed for any terrorist act. Indian security agencies believe the Arakan Rohingya Salvation Army (ARSA) - Myanmar began referring to it officially as a terrorist group only at the beginning this year's violence in August - has links with Pakistani jihadi groups, but they have not said the group is operational in India, unlike the LTTE, which was present and operating out of several places in the country.

Adding to the confusion is the term "illegal immigrants". There are thousands of illegal Indian immigrants in Europe and the US today, but the term cannot be legally or morally applied to people fleeing Myanmar's Rakhine State. If there was no military operation in Rakhine, and Rohingya were flooding India, arguably a case could be made out for using the term, applied usually to those who have crossed international borders without documents, looking for better economic opportunities.

The bone chilling, almost too difficult to read accounts of rape and massacre by the Myanmar security forces are not about people who simply upped and decided to head to India to make a better life. The Rohingya have never had papers as they have been denied citizenship of the country where they lived; they fled to save their lives. Beginning May 2012, there were clashes between Rohingya and Rakhine Buddhists, in which thousands of Rohingya had to abandon their burning villages.

The Centre still seems intent on "deporting" the Rohingya. The logistics of this "deportation" are still not clear. But if it means sending more than 40,000 people back into the fires in Rakhine, India, with its high global aspirations, will end up looking very small in the eyes of the world. It would be better off using its good offices with Myanmar to find a solution to this long-festered problem.

END

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