

In the International Human Rights Week, CHRI celebrates the release of Johra Begum, a Rohingya Muslim from Myanmar who was in detention for the last 6 years

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Commonwealth Human Rights Initiative (CHRI) succeeded in expediting the release of Johra Begum, a *Rohingya Muslim* from Myanmar who was in detention for the last 6 years. She would be handed over to her son, Ehsan on 15th December, 2014 and resettled in Jammu where her husband and 7 children stay. They have been recognized by the UNHCR as refugees. Facilitating the obtaining of refugee status for Johra has been an arduous task, taking CHRI over a year, after her case was identified by one of its legal aid clinics in Dum Dum Correctional Home, Kolkata.

Rohingya Muslims have been facing systemic violence and persecution by radical Buddhists since 2009. 32 years old Johra had to flee Myanmar only to come to India via Bangladesh in 2009 with her 7 children in tow. At the Indian border the Border Security Force arrested her and the children as illegal immigrants. Charged under Section 14A of the Foreigners Act, 1946 Johra was sentenced to 1 year of imprisonment. Her children were separated from her and sent off to an observation home. She completed her sentence in 2010 but has been kept in detention at Dum Dum CCH, Kolkata for the past four years.

Coming to know of her case CHRI approached the Kolkata High Court to prevent her being sent back to Bangladesh, (being the last international border she crossed to enter India). CHRI also took the matter to the office of United Nations High Commissioner for Refugees (UNHCR) pleading that she be transferred to Delhi so that she can present her case to UNHCR and meet her family.

Despite the Home Ministry's confirmation of humanitarian assistance to Johra to expedite the process of her application to UNHCR, procedural un-clarity on the part of various departments and institutions meant that it took a year just to transfer Johra from Kolkata to the Delhi beggars and deportees' home in Delhi. However, the authorities at the home in Delhi would not release her because she did not have stamped papers from the UNHCR. Even after her transfer Johra had to wait for another 4 months in detention to meet her family while officialdom tried to figure out the next step and who would take it.

CHRI Director, Maja Daruwala says "Johra was finally granted asylum and has been reunited with her children. But she is one of many. Her story is neither unusual nor recent. It took one dedicated person with a whole organization backing it to work through and 23 months to get her united with her family. This kind of suffering is entirely avoidable if departments and officials all along the hierarchy are clear about their jobs and also willing to take decisions. No one seems to factor in the heartbreak quotient or the legal rights that are being abused throughout the ad hoc cold paper dominated procedure. India needs to sign the refugee convention and create a Refugee Law and, in the meantime, put in place standard operating procedures that ensure protection to stateless and displaced communities."

For further information, contact:

1. Ms. Mrinal Sharma– 9953308964
2. Madhurima Dhanuka – 9748927001