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Abstract

The Chakma refugee crisis in Arunachal Pradesh exemplifies a crisis without traditional durable solutions. The rehabilitation programs initiated by the government in 1964 provided land and other assistance for economic self-reliance, which was subsequently achieved. However, despite court rulings in support of their citizenship, they remained de facto stateless, caused by the denial of citizenship by state governments and student unions. By adopting an analytical and qualitative approach, this article analyses the displacement of the Chakmas from the Chittagong Hill Tracts, their integration into NEFA/Arunachal Pradesh, and the problems encountered by the refugees during their merging with the local population. However, despite the local solution for refugees, it did not result in local integration. This article argues that without legal and political recognition, the local integration of refugees becomes difficult and may result in a protracted refugee crisis. This article proposes that integrated citizenship, the inclusion of refugees, and a rights-based approach should be prioritised to end the refugee crisis.

Key Words: Local Solution, Chakma, Arunachal Pradesh, NEFA, Chittagong Hill Tracts, Refugees, Protracted Refugees, Durable Solution, Citizenship.

Introduction

Protracted refugee situations present serious obstacles to current international refugee protection frameworks. The ability to ensure long-term protection and provide permanent solutions to refugees through the currently available frameworks is limited. The three traditional durable solutions outlined in the 1951 Refugee Convention highlights three durable solutions; voluntary repatriation, resettlement, and integration that intended to provide permanent solutions to refugee situations but faces increasingly insurmountable political, structural, and institutional barriers. The safety and sustainability of repatriation/integration are heavily jeopardized by the presence of conflict, political instability, environmental erosion, and a lack of respect for human rights. The unwillingness to voluntarily return of refugees depends on the available economic resources, job opportunities, demographic conditions, and ethnic identity of the host country's population. The lack of international commitment and increasingly constricted policies of refugee admission have further strained the already burdened refugee protection regime, leaving millions in protracted refugee situations (PRS). Shifts in contemporary refugee protection frameworks have led to a greater emphasis on transitional and community-based protection systems. Notable, is the Global Compact on Refugees (December 2018) and its promotion of community-based local solutions to end the PRS. The Compact promotes the accessibility of opportunities as a means of providing refugees the ability to become self-reliant, lessen their dependence on humanitarian resources, and peacefully coexist with host communities. Local solutions are not considered enduring but are implemented to create a framework for eventual integration. Crisp (2022) emphasises that local solutions within host cultures can assist refugees in achieving security and inclusion, and these initiatives are sustainable. Opono and Ahimbisibwe (2024) contend that local solutions are more humane and realistic in long-term refugee situations, particularly when rules are restrictive and international assistance is restricted. Based on the integration of refugees in Ghana, Agblorti and Grant (2019) argue that successful integration depends on the attainment of the right to work, education, legal recognition, and social acceptance. This integration is aligned with broader governance and citizenship. Hovil (2014) explains that local integration is only possible through the attainment of citizenship. Hammond (2014) argues that repatriation is ineffective, as returnees are unable to escape poverty and remain socially and economically excluded post-reintegration. The integration of Chakma refugees in Arunachal Pradesh is notable because it occurred before the idea of local integration gained traction among South Asian refugees. The Chakma communities were displaced from the CHT of East Pakistan in the 1960s because of the

construction of the Kaptai Hydroelectric Dam. Subsequent religious and ethnic discrimination and political marginalization have led to forceful displacement. The Government of India settled the refugees in NEFA/Arunachal Pradesh and provided them land and financial support to achieve economic self-reliance. Although the Indian government intended to socially and economically integrate them, it did not formalize local integration. The Chakma community remained politically marginalized and stateless for many years after their settlement.

Choden (2022) believes that statelessness is primarily caused by the lack of citizenship, as it is opposed by the state government, and the indigenous people are denied citizenship despite the long integration of refugees into Arunachal Pradesh. According to Singh (2010), the lack of land, resources, and self-governance are believed to be the main causes of the lack of integration of these communities. This article analyses the Chakma case to assess the limitations of local solutions to forced displacement. The rehabilitation initiative was adopted without clear and politically feasible pathways towards a durable solution, as the issue of granting citizenship remained unfeasible. Local solutions help refugees become more self-reliant and reduce their vulnerability. However, if the legal and political recognition of refugees is not addressed, it may unintentionally lead to protracted refugee situations. The Chakma community's experience shows how temporary protection can turn into ongoing displacement and de facto statelessness. The study's basic objectives are to explore the conceptual and theoretical foundations of durable and local solutions within the global refugee regime. Second, tracing the history of displacement from the CHT. Third, it discusses the rehabilitation and resettlement of the Chakmas. Fourth, it analyses the structural, legal, political, and socio-cultural barriers to integration in Arunachal Pradesh. Finally, it concludes the discussion by proposing a rights-based approach to end the protracted refugee situation of the Chakmas. The main thesis of this article is that local solutions without strong legal and political integration measures perpetuate protracted refugee crises rather than resolving displacement. By adopting a qualitative and analytical approach, drawing on primary and secondary sources that include government reports, court judgements, policy documents, articles, books, and reports of non-governmental organizations. The study contends that while local solutions provide important paths for refugee inclusion, their success is limited by greater structural and legal constraints within the modern refugee protection framework.

Conceptual and Theoretical Framework of Durable and Local Solutions

The UNHCR (2025) reported the presence of 42.7 million refugees due to persecution based on race, religion, or nationality. Refugees are reluctant to return because of persistent safety uncertainties. Moreover, the lack of a comprehensive protection strategy has led to a prolonged displacement scenario that exposes the shortcomings of the international refugee protection system. The solutions sought to promote self-reliance and urge the retention of civic, political, and socio-economic rights in the host or sending countries. However, these aims often do not correlate with practical realities (UNHCR 2003). Voluntary repatriation has long been the politically and normatively preferred option for refugee crises. Governments and international agencies often view return as the most legitimate and least costly solution, based on the assumption that refugees want to return to their country of origin and be involved in post-conflict reconstruction (Ahimbisibwe, 2019). According to the UNHCR (2003), voluntary repatriation is defined as returning in safety and dignity, which includes physical, legal, and material security, as well as support for social reintegration. This assumes that repatriation ends refugee status. However, critical issues in research contradict this idealized view. Repatriation demands substantial political transformation, an end to persecution, security guarantees, and structural changes (Long, 2013), conditions seldom met in today's post-conflict situations. The repatriation process is therefore often carried out in contexts characterized by insecurity and weak institutions, which has implications for the voluntary and sustainable character of the process. Long exile makes it difficult to imagine a permanent "homeland attachment." Long-term displacement transforms refugees' identities, livelihoods, and aspirations and calls into question the assumption that they necessarily wish to return. Empirical studies show that although the conflict in Rwanda was resolved, Tutsi refugees who have been in exile for more than 30 years showed reluctance to return

(Hammond, 2014). Similarly, Lhotsampa refugees in Nepal, born and raised in camps, have little interest in returning to Bhutan (Omata, 2013). Such examples underscore the great divide between the realities of displaced persons and the normative expectations of their return. The UNHCR's Global Trends 2024 data show that only 1.1 million refugees returned to their homes, illustrating the low take-up of the preferred solution. The long-standing repatriation gap arises from the failure of repatriation to function as a universal solution (UNHCR, 2024).

Local integration is theoretically possible, but politically difficult and often viewed as an alternative to repatriation. This allows refugees to attain permanent citizenship through a socio-legal framework that includes practical access to employment, education, and public services, as well as formal legal integration. Article 34 of the 1951 Convention encourages states to facilitate assimilation and expedite naturalization (UNHCR, 1951), suggesting a normative commitment to inclusive membership. However, state practices often vary among themselves. According to Hovil (2014), Article 34's assimilationist language increases state discretion, allowing states to pursue integration through exclusionary and homogenizing policies. Integration is not merely a legal status but also involves peaceful co-existence and equitable distribution of resources, as noted in Harrell-Bond's (2000) socio-ecological framework. However, this perspective seldom materializes, as successful cases are few. The cases of Mozambican refugees in Malawi, Liberians in Côte d'Ivoire (Harrell-Bond, 2002), and Tanzania's naturalization of 200,000 Burundians (Milner, 2014) are striking examples in the face of demographic challenges. Given these limitations, only 30,800 refugees were naturalized in 2023 (UNHCR 2024). The rarity of complete legal integration underscores the political constraints on host countries' desire to provide long-term membership. The third durable solution, resettlement, also facilitates local integration by providing secure legal status and eventual citizenship (Opono & Ahimbisibwe, 2024). Traditionally, the resettlement of refugees is a formal process through which vulnerable groups of refugees are transferred to countries that offer them permanent protection (Milner 2014). It is thought to be the most effective means of protecting refugee rights and developing them socio-economically (Agblorti and Grant 2019). However, it remains a politically driven option that is limited in reality. A small group of countries, namely, the United States, Canada, and Australia, account for the vast majority of global resettlement admissions. In 2023, only 158,700 refugees were resettled, which is approximately 8% of the almost 2 million refugees that need to be resettled globally (UNHCR, 2024). Jacobsen (2005) compared resettling refugees to winning the lottery. However, recent policies have moved toward providing refugees with complementary pathways, meaning that refugees are given temporary protection without citizenship (Hovil 2014). Thus, obtaining permanent citizenship can take a very long time, and it is difficult for refugees to go through these processes. For example, many of the 85,000 Lhotsampa refugees resettled in the US experienced years of uncertainty while trying to meet the requirements for naturalization (Banki 2008; Benson and Kingston 2021).

The Durable Solutions presents a complex policy situation, one where there exists a fundamental conflict between the internationally recognized right to protection and the sovereign rights of the states. Although Durable Solutions were designed to restore political recognition for refugees, their real-life implementation is inconsistent. The discretionary application and degree of politicization in practice has resulted in a solutions deficit and a reexamination of the theoretical foundations of Durable Solutions. Furthermore, the growing prominence of countries providing shelter to refugees urges the need for local solutions that are different from local integration. Local Integration provides refugees with access to pathways for permanent residency, naturalization, and citizenship. Local Solutions, on the other hand, are temporary instruments for governing refugees with limited autonomy and are used by host countries to alleviate immediate pressures on their capacity to support refugees (ICVA, 2021). These measures may include various administrative and socioeconomic interventions, temporary documentation, residency permits, and access to work opportunities that allow refugees to become self-reliant. Traditional Local Integration aims for refugees to be successfully integrated into the host community, while local solutions do not provide refugees with access to permanent residency, naturalization, or political membership. Instead, it provides relief to refugees but keeps them

marginalized, leaving them in PRS. Crisp (2022) viewed these solutions as immediate reactions to keep refugees protected while waiting for a long-term political solution. Thus, this creates a major contradiction within the international system protecting refugees because there is a mismatch between restoring citizenship and full rights and how governments choose to implement these standards due to state sovereignty, demography, and political expedience. UNHCR–ICVA (2021) states that only 2% of all refugees worldwide are given durable solutions every year, indicating that protracted displacement has become a normal issue. Local solutions may provide some short-term safety to refugees; however, they are insufficient to resolve the refugee crisis. The concepts of durable and local solutions are created hierarchically and may also work together. Durable solutions represent the ultimate outcome: the restoration of a legally recognized, local actor as a safe environment and the creation of economic opportunities without addressing the legal context.

Durable Solutions in the World and in South Asia

Durable faces major political and structural difficulties in host countries. Using case studies as examples, these solutions have been implemented in various ways. Nearly 5 million Afghan refugees have returned to Afghanistan after fleeing to Pakistan or Iran; between 2002 and 2012, this was the largest voluntary repatriation effort in history. The return was facilitated by the UNHCR through various reintegration programs and numerous community recovery projects (UNHCR, 2013). Tanzania's decision to naturalize 162,000 Burundian refugees who have lived there since 1972 is one of the few cases of local integration despite existing bureaucratic complexities. By granting citizenship, land, and freedom of movement rights, this decision shows impressive political commitment and sets a precedent for legal integration on the African continent (Milner, 2009). Cameroon, the Republic of Congo, and Zambia have attempted to integrate long-term Rwandan refugees into their societies by changing their legal status, granting them land, and developing community projects (Hovil, 2014). More than 113,000 Bhutanese refugees have been successfully resettled in Western countries since 2007 from Nepal through effective burden-sharing pathways to permanent residency (UNHCR, 2019). India has two examples of long-term refugee populations with mixed and significant components of local integration. Sri Lankan Tamil refugees have settled in Tamil Nadu for over 30 years (i.e., since the early 1980s). The refugees received access to education, informal jobs, and welfare benefits, thus achieving local integration in actual practice, but with a number of legal barriers (Kanapathipillai, 2009). Although they have not received citizenship, many have become Indian citizens through individual legal processes (McConnell 2013), making this one of the more stable refugee integrations to date. However, Tibetan refugees in Nepal face restrictions on movement, which further restrict their economic opportunities, restricting their integration and political uncertainty (Yeh, 2007).

Forced Migration of Chakmas

Forced migration in South Asia is structurally embedded and shaped by colonial legacies, post-partition nation-building, ethnic nationalism, environmental vulnerability, and protracted internal conflicts (Talbot & Singh, 2009). Today's displacement in the region encompasses refugees, internally displaced persons (IDPs), and stateless people fleeing political persecution, civil wars, and marginalized people (Samaddar, 2017). While South Asian states host some of the largest displaced populations in the world, most are outside the 1951 Refugee Convention and its 1967 Protocol, resulting in discretionary and uneven protection regimes that privilege sovereign control over rights-based protection (Betts et al., 2017). The forced migration crisis of the displacement of the Chakmas from the Chittagong Hill Tracts (CHT) is one of the region's long-standing, unresolved crises. Resettled by the Government of India in the Northeast Frontier Agency (NEFA—now Arunachal Pradesh) in 1964, the Chakmas still live in a protracted refugee situation marked by legal precariousness and de facto statelessness.

The Chakmas' displacement must be contextualised in the political economy of postcolonial development in Pakistan. The Chakmas, who mainly reside in the CHT, are major victims of state-mandated development projects that emphasize infrastructure development and national integration. Post-independence development strategies, such as dams, transport networks and industrial projects were justified under the banner of modernisation but without proper social and environmental assessments. These projects have resulted in environmental degradation, loss of livelihoods, forced displacement, and disproportionately impacted Indigenous minorities (Carena, 1997). Hence it functioned and expanded as a coercive state practice, legitimising dispossession in the name of national progress. The Kaptai Hydroelectric Project on the Karnaphuli River in CHT was constructed between 1958-1962, with funding from USAID. This area, which accounts for nearly one-tenth of Bangladesh's land, is densely forested and hilly, and its population is mainly tribal, with the Chakmas being the largest group. The Chakmas are culturally and ethnically distinct from mainstream Pakistani society as they are Buddhist and rely on Jhum (shifting) cultivation (Chowdhury 2008). Traditionally, the CHT has been governed by customary tribal law and autonomy. This was formalised by British colonial rule in the Chittagong Hill Tracts Regulation Act of 1900 which established separate administrative and judicial systems and prohibited non-Indigenous land ownership. This status was further consolidated by the Government of India Act of 1935, which classified the CHT as an 'excluded area' (Nayak, 2014).

After decolonization, the Pakistani state began to see these safeguards as obstacles to resource exploitation and territory consolidation. A 1963 constitutional change invalidated the CHT Regulation Act, allowing non-tribal settlement and undermining the region's autonomous rule, even though the 1956 and 1962 constitutions ostensibly maintained its distinctive status. Adnan (2008) and Nayak (2015) argue that legislative changes allowed region-wide securitization, allowing development to continue without tribal approval and to weaken opposition. The country's unease intensified with increasing geopolitical tension: during the Partition, the tribes of the Chittagong Hill Tracts supported India and wished to be assimilated into it, but their ambitions were thwarted by the grabbing of this area by the Radcliffe Line. The instability in the area is further aggravated by its demographic majority, distinctive identity, and strategic location on the Bay of Bengal (Khan, 2003). This project exemplified poor practices against the World Bank guidelines for scale and human implications. The dam had a capacity of 230 MW and reportedly required 235 hectares per megawatt of land, resulting in the displacement of 435 persons per megawatt and the relocation of around 100,000 tribal people (Haque, 2015). There have been neither impact assessments nor rehabilitation measures taken, but the proponents argued that this will enhance flood management and navigation (Nayak, 2021); however, these assertions fail to recognize the vast socio-environmental costs borne by the Indigenous peoples.

The reservoir inundated an area of 650 square kilometers and impacted 125 mouzas with 54,000 acres of agricultural land and 5,000 acres of Jhum cultivation (Islam, 1981; Sopher, 1963). More than 100,000 people were displaced, and attempts to resettle the displaced were unsuccessful. Resettlement on steep hillsides has resulted in the loss of livelihoods. The government has failed to identify suitable, ecologically, and economically viable resettlement areas for these displaced persons. Furthermore, government forestry laws and regulations regarding the use of Jhum farming have only added to the degradation of the environment (Sopher, 1963). The subsistence economy, which had existed before the dam was built, collapsed due to a lack of alternative wage employment, illustrating the contradictions of displacement due to development. The state's inability to address the issues contributing to the marginalization of the Chakma. There has been no damage assessment completed, no sufficient relief efforts undertaken, no bureaucratic understanding of the tribal structure, and the practices of bureaucrats have contributed to the failure of governance of the displaced persons. Displacement due to development projects has resulted in non-tribals gaining jobs from the development projects, allowing them to continue being excluded from employment opportunities in the region. As a result, 40,000 Chakmas who fled to Tripura and Mizoram (India); 20,000 Chakmas fled to

Burma. The prolonged refugee status and state of statelessness of Chakmas in India resulted from continued development-driven displacement, demonstrating how state-led modernity and exclusionary governmental policies perpetuated a crisis of forced migration.

Local Solution of the Chakmas in NEFA - Arunachal Pradesh

The displaced Chakmas initially sought refuge in India (Mizoram and Tripura). However, fearing a possible conflict with the Mizo ethnic groups, the government changed its approach. The Union government in mid 1960s resettled the refugees throughout NEFA/Arunachal Pradesh. The availability of land was a major consideration for relocating refugees. Between 1964 and 1969, the Lohit, Tirap, and Subansiri districts were established as settlement areas because of their barren land, with the anticipation that integration would occur due to the presence of a large number of Buddhist refugees. During that period, 14,888 Chakma refugees were settled in NEFA, comprising 2,748 families. Each family was provided 5-10 acres of land, with 3-5 acres of land capable of agriculture, equating to 10,799 acres of land in total, which exceeded their average land holdings in the Chittagong Hill Tracts. Each of these families also received Rs. 4,200 to help them become economically self-sufficient (Basu & Das 2011). In addition, local authorities provided rations, seeds, saplings, and livestock to assist families with subsistence farming to rebuild their livelihoods. Additionally, gun licences were provided to the Chakmas for personal or family protection. Chakmas have also been recruited into government security agencies, such as the Sashastra Seema Bal, Central Reserve Police Force, and Assam Rifles (CRDO 2025). Crisp (2022) also viewed local solutions as only short-term solutions that do not provide long-term solutions. An example of this can be seen with the Chakma program, where the refugees' skills and expertise in jhum (a method of farming) cultivation have changed many areas of the forested land into productive agricultural land, allowing the refugees to be significant contributors to the local economy by supplying food products to semi-urban markets (Kamduk 2023).

Structural and Socio-Political Barriers to Durable Solutions

Chakma refugees suffer from the loss of identity and citizenship and live in a condition of no states (Observer Research Foundation, 2017). The Chakmas were originally displaced from the CHT, and faced legal uncertainty in Bangladesh, even after having historical and constitutional connections to the region, and were considered Pakistani citizens. Since they were not recognized as Bangladeshis, they were no longer considered to have citizenship status (Mohaiemen, 2010). The gap demonstrates that post-colonial states deny citizenship in the process of state formation and leave room for the exclusion of populations from successor states. The Chakmas have been socially and economically integrated, but this integration has been on a functional, rather than a formal or legal basis, and the local solutions applied cannot continue indefinitely. As Crisp (2022) points out, legitimate and enduring forms of integration require a legal or formal basis; otherwise, refugee integration is inherently precarious and reversible. Countries of asylum generally adhere to an exclusionary stance that limits refugees' ability to obtain formal citizenship; they are therefore left in a state of continuous temporary residency (Hovil, 2014). The Chakmas' legal uncertainty in Arunachal Pradesh has been exacerbated by the sub-national politics of ethnicity. The indigenous populations of Arunachal Pradesh do not consider them as tribal, and this has been manifested in the All Arunachal Pradesh Students Union's (AAPSU) calls for the expulsion of Chakmas from the state on the grounds that they present a threat to the demography and can undermine the tribal identity (Mukherjee, 2007).

Increase in Refugee Population

Since the rehabilitation of Chakmas in 1964, the population has increased. Data show that this growth in the refugee population is insignificant compared to what is claimed by groups that protest the presence of refugees. The Census of 1971 found 20,000 Chakma people, while the Census of 1991 found 65,000 refugees living in a state population of 858,000. Despite these figures, the AAPSU has continued to state that the number of refugees grew unabated, at a rate of over 400% over three decades (Das and Chaudhury 2017). These claims do not withstand scrutiny, and even the AAPSU has claimed that 100,000 refugees living in a total population of 1,000,000 represent a demographic threat if non-Arunachalees are excluded from the state (Saikia, 1994). These equations were derived through the misrepresentation of numbers and selective consideration. From 1981 to 1991, the Chakmas had an average growth rate of 25%, which was lower than the state average of 36.83% (Das & Chaudhary, 2017). The white paper reported a Chakma population of 49,784 in 2011 with a growth rate of 2.6%, below the state average of 2.87%. CCRCAP estimated that the population in 1995 was 66,000, but these estimates do not support claims of excessive demographic growth among refugees. Reports indicate that the estimated number of refugees derived from fear-driven demographic data bears little resemblance to the actual number of refugees. On January 9, 2020, Chief Minister Pema Khandu submitted official data to the Arunachal Pradesh Legislative Assembly showing that a recent survey recorded 65,875 refugees (CRDO 2025). For example, Chakmas are predominantly Buddhists, and according to the 2001 Census, 143,028 Buddhists (out of a total of 1,097,969 residents) do not validate the claim of the AAPSU that the culturally and religiously distinct Chakma refugees constitute a sizeable number of residents. Thus, these data indicate that the AAPSU politicized the tribal identity of Arunachal Pradesh by playing on fears about demography. The AAPSU and others retrospectively constructed the argument that the rehabilitation of Chakma refugees was illegal because local communities had not been consulted (Prasad 2007).

Special Provision and legal Restrictions

The Constitution and other legislative measures have provided indigenous communities in Northeast India with an exclusive homeland, and territorial systems are thus structured through controlled systems of land use. Indian citizens require prior permission to enter, live, and do business in these regions (Nayak, 2014). Policies that were meant to offer these safeguards have, in fact, resulted in the creation of exclusionary systems that prevent refugees from being settled in the host country. The Inner Line Permit system has resulted in a regime of protection that has fuelled ethnic division and curtailed the rights of non-Indigenous inhabitants (Baruah 2003). The CHT can also be compared to Arunachal Pradesh. The Indigenous identity in CHT was protected by the provisions for autonomy under the CHT Regulation Act of 1900 and the Government of India Act of 1935, which disallowed the settlement and conduct of businesses by outsiders. However, the constitutional amendments of 1952, 1962, and 1963 removed the autonomous provisions incorporated for Indigenous peoples (Nayak, 2014). Similarly, the status of Arunachal Pradesh is based on colonial regulations such as the Bengal Eastern Frontier Regulation, 1873, Chin Hills Rules, 1876, Assam Frontier Tracts Regulation, 1880, and Assam Forest Regulation, 1891. The laws restricted ownership, settlement, and commercial activities of outsiders (including Indian citizens) on the grounds that these would jeopardize tribal interests, with citizenship implicitly defined by ethnicity (Prasad 2007). Despite these limitations, indigenous communities consider the decision to settle Chakma refugees after independence a significant deviation from the idea of autonomous provision.

Indigenous groups oppose Chakma refugee settlement, claiming that granting them rights violates constitutional safeguards for the tribal population based on the belief that a homeland for particular ethnic groups and demographic changes is a serious threat (Choden 2022). As a result, the special protected status has reinforced territorial exclusivity and fed xenophobic narratives of becoming a minority in their own

territory. The AAPSU protests against settlement, using special status to frame the issue as an infringement of indigenous land rights and constitutional protections. The organization challenges Chakma indigeneity, asserting that settlement jeopardizes inalienable tribal land rights (Baruah, 2008). At the heart of these protests are calls to refuse land ownership, Indian citizenship, and Scheduled Tribe (ST) status in the state. The initial settlement of refugees did not dislodge the indigenous people, but population growth has resulted in land encroachment, leading to increased tensions, which was visible over the Diyun Reserve Forest, generating competition for control over natural resources (Singh, 2010). The forest department reported that although 1,464.22 hectares were allotted, 2,065.94 hectares were encroached upon during 2017, an encroachment of over 601.72 hectares by the refugees (The Arunachal Times, 2017). These developments spread fear that refugees would become the largest tribal group if they were granted citizenship, land rights, or ST status, increasing resource competition and native-migrant conflicts (Debnath and Debnath, 2020).

Political Contestations and Institutional Responses

Host countries often regulate rights including movement, political participation and access to resources to avoid permanent integration. This is demonstrated by the case of Chakma refugees in Arunachal Pradesh where diverging interests of stakeholders have resulted in an impasse for integration. Although the refugees and the Central Government have tried to get legal recognition, attempts have been thwarted by the AAPSU and the State Government. While the Central Government, judiciary and National Human Rights Commission (NHRC) supported de jure integration, implementation was unsuccessful because state authorities refused to enforce directives. Consequently, integration remains stalled, leaving Chakma refugees in legal uncertainty despite their long-term residence (Banerjee, 2016). This opposition reflects the influence of indigeneity politics on political mobilization in Arunachal Pradesh. Indigeneity claims are linked to land control, economic opportunities, and political power, fueled by fears of demographic marginalization (Roluahpuia, 2016). Refugee growth is perceived as a threat, as leaders warned that indigenous groups could become a minority (Singh, 2010:17). Such narratives justify exclusionary policies and resistance to permanent settlements. Disputes include citizenship, land rights, tribal status, residential permits, and settlement outside the states. Refugee organizations, specifically the Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh (CCRCAP) and the Chakma Joint Action Committee (CHJAC), advocate recognition based on historical rehabilitation. They argue that the Chakmas were settled with land, employment, trade licenses, and ration cards, making Arunachal Pradesh their home. They claim de facto citizenship based on their long-standing residence and socio-economic integration. Furthermore, they contend that their migration was documented and that their stay meets the naturalization requirements of the Constitution and Citizenship Act (The Arunachal Times, 2023).

The Chakma Rights and Development Organisation (CRDO) has underscored the necessity of reinstating full citizenship rights, akin to those granted to indigenous tribes. This advocacy implies a request for Scheduled Tribe status in Arunachal Pradesh (CRDO, AAPSU, and Chakma- Issue 2025). Such demands concern Indigenous groups, who perceive this as a threat to their protected tribal rights. In response, the Arunachal Pradesh Indigenous Tribal Rights (Protection) Organisation (APITRO) initiated litigation to contest granting citizenship, contending that it would increase illegal migration and jeopardize the rights of indigenous communities (Das and Chaudhury, 2017). But this argument is not borne out by empirical evidence, as Arunachal Pradesh does not share a border with Bangladesh and strict movement restrictions do restrict illegal entry. However, the Government of India has shown its willingness to regularise the Chakma refugees. The State Government, in support of the AAPSU, considers the refugees as foreigners citing the constitutional provisions against settlement of refugees. Rehabilitation programmes of the 1960s are now seen as short term rather than moves towards permanent integration. Consequently, Central Government's

attempts to regularise these settlements met with opposition and refugee communities have remained stateless (Banerjee, 2016).

The State Government and AAPSU has been crucial in maintaining an exclusionary policy framework. By siding with the AAPSU, the state has sidelined other opinions, especially from refugee groups and human rights campaigners. The CRDO points out that the dominant public discourse is largely the AAPSU's perspective, with refugee voices being systematically suppressed (CRDO, AAPSU and Chakma- Issue 2025). Furthermore, the CRDO underscores the reciprocal relationship between political leaders and the AAPSU, observing that "politicians create AAPSU and AAPSU, in turn, creates them, with the group supported by politicians being the main propagandists" (CRDO, AAPSU and Chakma- Issue 2025). Within this political milieu, refugees have been utilized as a bargaining tool in negotiations with the Central Government, with local leaders opposing integration by framing it as a threat to the state's demographic and political equilibrium. Consequently, refugees are left in a state of uncertainty and vulnerability (**Land Conflict Watch, Chakmas in Arunachal Pradesh**). Institutionally, the State Government has translated this opposition into concrete policy measures. Resolutions passed in December 1992 and September 1994 called for the immediate expulsion of the Chakma refugees. Subsequently, scholarships and book grants were rescinded, hostel facilities were denied, and school admissions were restricted to designated settlement areas in the north. These measures significantly curtailed educational access and infringed upon fundamental socio-economic rights, thereby exacerbating the vulnerability of refugee communities (Chetia, 2019).

Conversely, the judiciary has protected Chakma refugees' human rights, citizenship and protection from deportation. The escalating anti-foreigner protests and human rights violations forced the NHRC to file a writ petition with the Supreme Court. While indigenous communities did not explicitly oppose the Chakmas acquiring Indian citizenship, they resisted conferring substantial constitutional rights within Arunachal Pradesh. Consequently, state policy reflected a dual approach of conditional acceptance and systemic bias, where promises of citizenship to displaced groups lacked genuine integration (Choden, 2022). In *NHRC vs. State of Arunachal Pradesh* (1996), the Supreme Court ruled in favor of the Chakmas, affirming their right to citizenship under Section 5(1)(a) of the Citizenship Act, 1955, permitting registration after seven years of residence (National Human Rights Commission 1996). The Court emphasized that refugees are entitled to fundamental rights under article 21. However, this progressive stance was undermined by *Khudiram Chakma vs. State of Arunachal Pradesh* (1993), which supported the state by declaring Chakma settlements illegal under Section 7 of the Bengal Eastern Frontier Regulation (BEFR) Act of 1873. Although the judgment recognized eligibility under Section 6(a) of the Citizenship Act—for those entering India before 1966—the transformation of NEFA into Arunachal Pradesh nullified this pathway, reinforcing the exclusion of refugees (*State of Arunachal Pradesh vs. Khudiram Chakma* 1993).

The Delhi High Court held in W.P. No. 886 of 2000 that the Chakmas born in India on or before 1 July 1987 are citizens of India by birth under Section 3(1)(a) of the Citizenship Act, 1955, regardless of the nationality of the parents (Delhi High Court 2000). The Court asked the Election Commission of India (ECI) to enrol the eligible Chakmas. The ECI tried to amend the summary in areas with a large population of Chakmas but was thwarted by an order of the State Assembly that disallowed registration of non-Arunachalees without inner-line permits. Consequently, 1,497 Chakmas were added to the voter list, but 426 others were deleted to avoid political consequences (Election Commission of India 2004). The Central Government reiterated its commitment to regularise the Chakmas under the Citizenship Act and the 1972 Indira-Mujib agreement. However, these measures were opposed by the State Government arguing that the central government cannot override the provisions of protected areas or restrictions on non-Arunachalees (Government of Arunachal Pradesh 1996). Even after the Supreme Court's 2015 decision in *CCRCAP vs. State of Arunachal Pradesh*, which mandated citizenship for eligible Chakma refugees within three months, this resistance continued. The

State Government refused to implement fearing it would jeopardise Scheduled Tribe rights. In this deadlock, the Indian Union Cabinet Minister for Home Affairs admitted the need for a “middle ground that respects judicial order while protecting Indigenous rights (The Hindu 2021). The 2019 Citizenship Amendment Act (CAA) initially seemed to offer an escape route with the promise of citizenship to non-Muslim migrants from Bangladeshi, Pakistani and Afghan nationalities who entered India before December 31, 2014. However, this was offset by the exclusion of inner-line permit areas including Arunachal Pradesh and dashed hopes for the legal recognition of Chakma refugees (Ministry of Law and Justice 2019; Chakma 2022).

India’s Refugee Governance, Legal Principles and the Limits of Protection

India has historically been home to many refugees in South Asia, but it has not signed the 1951 Refugee Convention or the 1967 Protocol. However, India has no comprehensive law to protect the rights of refugees. Instead, protection has evolved through constitutional provisions, judicial interpretations and administrative practices, which act as informal safeguards (Chaudhary 2004). In general, Indian law does incorporate the principles of the Refugee Convention including non-discrimination and freedom of religion. The provision of Fundamental Rights also applicable with the refugees safeguards human rights in the Indian Constitution. It is noteworthy that the Right to Equality (Article 14), Right to Life and Liberty (Article 21) and Right to Freedom of Religion (Article 25) are applicable to non-citizens and provide vital protection to refugees. Partially implemented, but constrained by national security, are some provisions of Articles 16–19, 26 and 31 – on court access, employment and movement. While Articles 19-22 are mainly for citizens, judicial interpretations have extended procedural protection to refugees under article 21, such as protection from arbitrary detention. Landmark rulings, particularly on Chakma refugees (Debnath and Debnath 2020), still uphold access to justice. Such steps highlight the judiciary’s function of plugging the space in certain refugee laws. But India’s approach is one of selective hospitality in spite of these protections. Governments manage refugees through discretionary and politicised approaches that privilege certain groups. This inconsistency is evident in the forced repatriation of Chakma refugees in the 1980s and the 1990s in contrast to the reception of Tibetan refugees since 1959 (Samaddar, 2017). Such practices show that the protection is dictated by political considerations rather than by consistent legal standards.

In India, the principle of non-refoulement, a component of refugee protection, is insufficiently protected. Although this principle is not explicitly recognised in Indian law, it is implied in constitutional and statutory interpretations (Purohit & Purohit, 2017). Chaudhary (2004) points to three supports: the involvement of the UNHCR and the National Human Rights Commission, interpretation of Article 21 and Article 51(c) of the Directive Principles of State Policy. But this is not supported in law. Article 21 does not provide for non-refoulement and Article 51(c) is unenforceable. As a result, refugees are not legally protected from forced return, as India does not recognise binding international commitments. Laws like the Foreigners Act of 1946 govern refugees, who are considered to be other foreign nationals. When refugees are seen as security threats, their rights are put behind concerns of national security. This emphasises the shortcomings of India’s image as a country friendly to refugees.

Theoretical Analysis

The Chakma settlement in Arunachal Pradesh provides an empirical case for analyzing the conceptual distinctions between durable and local solutions in refugee studies. This case underscores the structural conflict between the normative objectives of the international framework —restoring rights and granting citizenship—and the political realities of state sovereignty, territoriality, and ethnically influenced belonging. Although durable solutions require reintegrating refugees as full members of a political community, the Chakma experience demonstrates how this promise is deferred through institutionalizing temporariness.

Employing rights-based and historical-institutionalist approaches, this article illustrates how India's 1964 rehabilitation program served as an early model of a local solution. Provision of land, livelihood support, documentation and welfare has led to the socio-economic independence of the refugees. The analysis, however, illustrates that self-reliance cannot provide a durable solution in the absence of legal and political inclusion. This situation risks making refugees economically active but legally marginalised. This aligns with Crisp's theory that local solutions are management strategies that stabilise but do not resolve displacement, thereby prolonging refugeehood. The Chakma case illustrates the impact of regional politics on local solutions. In Arunachal Pradesh, the politicisation of indigeneity, built on constitutional protections and inner-line regulations, has made citizenship an ethnically exclusive rather than a universal legal status. From the viewpoint of critical citizenship, this generates a "graduated citizenship" where rights are distributed according to ethnic and territorial differences. Resistance from the state and the native population indicates that the integration of refugees is a political issue related to identity and competition for resources. The judiciary's readiness to validate Chakma claims to citizenship exposes a theoretical tension: the disjunction between constitutional universalism and executive federalism. Courts promote an inclusive, rights-based conception of membership, but resistance at the state level inhibits its realisation, illustrating the limits of legal approaches when citizenship is securitised. This article argues that statelessness is not an inadvertent by-product, but a purposeful state, one produced by governance choices that leave refugees in a permanent condition of limbo. The overall experience of the Chakma shows that local solutions when disconnected from legal integration pathways act more as containment strategies rather than steps towards resolving the displacement issue. They risk deepening legal invisibility, rather than ending displacement and challenging the ethical and conceptual foundations of the current refugee protection system.

Conclusion

The article concerns the founding of a Chakma settlement in Arunachal Pradesh, an early and important example of what is now referred to in refugee governance as a 'local solution.' This initiative, preceding the Global Compact on Refugees, had successfully revived livelihoods, fostered socioeconomic independence and achieved de facto inclusion by the Indian state's rehabilitation program through land distribution, documentation, employment and access to welfare programs. But the analysis shows these are not permanent solutions. The Chakmas are not formally integrated, a problem that is amplified by political wrangling over indigeneity, special constitutional safeguards and state-level resistance to the community. All these factors have left the Chakma community in a protracted state of legal limbo and de facto statelessness. The case offers an important theoretical and empirical insight: local solutions, unless connected to credible pathways for legal and political membership, may lead to a state of permanent temporariness rather than addressing displacement. The Chakmas' socio-economic integration is at an unusual level for many refugee situations, but their exclusion from citizenship and full political rights demonstrates the limits of self-reliance as a substitute for durable integration within the host society. This result highlights larger structural contradictions within the international refugee regime, where commitments to restoring rights are often sacrificed to state sovereignty, demographic concerns, and sub-national identity politics. The politics of indigeneity has compounded these issues in Arunachal Pradesh. Constitutional protections designed to protect tribal communities have been invoked to deny long-settled refugee populations, even where the state itself had approved of their settlement.

A closer look at the narratives that portray the Chakma as a demographic threat shows that these allegations are not empirically substantiated and are politically motivated. Official surveys and census data have consistently disproved claims of a rapid population increase, implying that the opposition is more about claiming symbolic control over land, resources and political power than about real demographic problems. The consistent refusal of the state government to implement Supreme Court judgements on citizenship

reflects a disturbing disconnect between constitutional promises, judicial authority and regional compliance, raising serious concerns about the rule of law and protection of fundamental rights in India's border regions. These insights allow for a number of policy recommendations. The first is that a sustainable solution must harmonise Indigenous protection frameworks with refugee rights. The Inner Line Permit system as a special measure needs to be reinterpreted or modified so that it does not serve as an absolute bar to citizenship and legal recognition for long-term residents affected by state policy. Second, the Central government needs to use constitutional mechanisms to address the persistent non-compliance by the State, to ensure compliance of the court rulings on Chakma citizenship. Third, it is imperative to establish an institutionalised, inclusive dialogue between Indigenous peoples, refugee representatives, civil society and federal authorities to depoliticise the issue and address legitimate concerns about land, resources and cultural preservation through negotiated protection, not exclusion. Finally, if a political consensus in Arunachal Pradesh is not possible, then as a last resort a well planned, voluntary and rights respecting phased resettlement in other Indian states needs to be explored. Protracted statelessness is not acceptable, legally or morally. More generally, the Chakma case is a warning against the uncritical acceptance of local solutions to global refugee policy. Such approaches may stabilise displacement, but without clear and enforceable transitions to durable outcomes they risk perpetuating the deprivation of rights. Breaking this impasse for the Chakma communities and rethinking the governance of refugees, citizenship and belonging in South Asia and beyond is thus imperative.

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