Migrants and Displaced Amid Covid-19

Issues, Challenges and Policy Options

Edited by
Lirar Pulikkalakath
Shahina Mol A. K



Adroit Publishers

NEW DELHI • KATHMANDU

ISBN: 978-81-87393-??-?

2.02.2.

Copyright ©: Author

No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or any information storage and retrieval system, without permission in writing from the publisher & author.

Published by
ADROIT PUBLISHERS 4675/21, Ganpati Bhawan, Ansari Road,
Daryaganj, New Delhi-110 002 Phone: 011-23266030
adroitpublishers@gmail.com

Typeset in Garamond Premier Pro by Arun Sharma, Akriti Graphic Solution, Delhi-110081 E-mail: arun263923@gmail.com Ph: 9999414390

Contents

	Foreword	.vii
	Preface	ix
	PART-I: Issues of Internal Migrants During COVID-19	
1.	COVID-19 and the Interstate Migrant Crisis in India: Key Lessons to Learn	1
2.	An Inquiry on the COVID-19 Pandemic in India: Studying Aspects of Bare Life in a State of Exception	.18
3.	COVID-19: Travel Bans and Dilemmas of Migrant Workers in India	.34
4.	Effects of COVID-19 on Demand for Public Transport Services	39
5.	Interstate Migrant Workers and COVID- 19 Situations in Kerala: A Human Rights Perspective	.47
In	PART II: ternational Migrants and Refugees Amid COVID-19	
6.	The Plight of Refugees amid COVID- 19: The Issue of Negative Rhetoric, Xenophobia, and Racism	.67
7.	Migrants, Refugees and the COVID 19: Questionof Spatiality and Borders	.76
8.	Thailand Deep South Migrant Workers in Malaysia Amid COVID- 19: Problems and Challenges	.84
9.	International Organisations and COVID-19: Need for Strengthening Global Governance	97
10.	Challenges Faced by Rohingyas in Bangladesh During COVID-19 Pandemic: An Analytical Study	112

PART III:
COVID- 19 Induced Challenges and Policy Options

11	Women Migrant Health Workers in India Amid COVID-19: Challenges and Policy Options128
12.	Psychosocial Traumatic Conditions of Migrant Workers amid COVID-19 Pandemic
13.	Exclusionary Economic Policies and Migrant Labour Crisis in India: A Critical Analysis
14.	Skilled Workers during COVID-19: Impacts and Measures 163
15.	Narratives of Migrants amid COVID- 19 and its Implications on Policymaking: An Analysis
	PART IV: Legal Aspects and Migrants
16.	Migrant Workers and COVID-19 Pandemic: Untangling 207 the Impact of New Labour Codes on Migrant Workers in India
17.	Judicial Approach to Migrant Labourers' Issues During Covid-19: Whether Court Deviated from Pro-Activism?216
18.	Lawless: A Policy Perspective on Labour Laws and Migrant Workers Displaced by COVID-19228
	Part V: Impact of COVID-19 On Indian Diaspora
19.	Covid-19: A Double Whammy for Indian Diaspora247 and Migrant Communities
20.	Reverse Migration in Goa: A Study of its Socio-Economic 257 Implications
21.	COVID- 19 and Kerala's Emigration Scenario: An Overview 270
22.	COVID- 19 and the Rising Gulf Returnees:
	About the Contributors290

CHAPTER 7

Migrants, Refugees and the COVID 19: Question of Spatiality and Borders

Shahina Mol A. K

Assistant Professor and Head, P.G. Department of English KAHM Unity Women's College, Manjeri, Kerala.

Abstract

The question of spatiality and borders became so crucial during the COVID-19 pandemic and the situations made the refugees, migrants and the displaced more vulnerable to the adverse conditions. It is a global phenomenon and the borders, both national and international, have become very reactionary for the displaced people. When some countries exploited the pandemic as a weapon against refugees, some other countries used it for political benefits too. Altogether the borders and spaces keep on affecting migrants, refugees and the displaced amid COVID-19 making their movement, travel and the daily life unbearable. The inequalities against the displaced communities have been amplified in this pandemic era. Border closures, migration policies, interstate borders and travel restrictions, rules and regulations for migrant workers etc., have been diversely acting and re acting upon the displaced beings in the pandemic era. The borders are becoming so rigid before these vulnerable groups by which the spaces turned as spaces of exception than spaces of inclusion. The paper examines the way in which spaces and borders affected the displaced during the pandemic and the lockdown. A transnational view is presented theoretically focusing on the politics of space and borders on these vulnerable bodies like refugees, migrants, internally displaced and the stateless.

Keywords: COVID-19, displaced, vulnerable bodies, spaces of inclusion and spaces of exception, borders.

Introduction

It is true that the COVID-19 pandemic has amplified the marginalisation of the vulnerable bodies like migrants, refugees, internally displaced and the stateless people including the expatriates and voluntary migrants. The borders-both between states and nations- have been reacting as the spaces of hostility, separation, exclusion and denial for these less privileged human bodies during the pandemic due to interstate and intrastate travel bans and national and international travel restrictions. The unexpected lock down in various countries including India aggravated the burden of intra state and interstate migrants, as millions of displaced found it impossible to move between borders and reach the home place. In the case of homeless multitudes, the pandemic made the situation unbearable. Lack of proper protection regime for refugees, lack of financial stability, poor supply of medicines and other sanitation facilities, poor condition of refugee camps, closure of borders for months, travel bans, lack of vehicle services to travel, etc. intensified the crisis.

Refugee Protection Regime and the COVID-19

Refugees and the affectations of COVID-19 is an area of study with transnational significances. The biopolitical and geopolitical laws and systems continually change day by day during the pandemic era, making the international relations between countries insufficient or impossible. Migrants still find it very difficult to continue with the jobs and businesses that they work for in their host countries. They were left with no option than aiming to reach the home country/place at the earliest during the pandemic outbreak, since many of them couldn't sustain the life in the world of new normalcy. This is a global phenomenon and the responses of each country towards its refugees, migrants and the internally displaced vary significantly. It is evident that the refugee protection regime of UN and other international agencies need revisions and modifications in order to integrate the pandemic induced crisis and needs.

As people drowned at sea or found themselves trapped in badly managed asylum systems, the countries of the European Union jostled for position, closing borders, building fences, restricting search and rescue (SAR) efforts and frequently using the movement of people to maintain or consolidate political power internally and in relation to one another. European countries were slow to respond and failed to share responsibility for dealing with increased arrivals in a pragmatic and principled way, instead concentrating their efforts—individually and collectively—on preventing or discouraging people from attempting to enter (Crawley, 2021)

There are different political games at play that decide the refugee inward and outward flow between countries and continents. Pandemic has made the

situation very critical since refugees and migrants are seen as the threat to national security and covid protection measures.

Some kinds of fear and hostility have been arising among people against these homeless and stateless vulnerable communities. "According to UNHCR, an estimated 167 countries had either or fully or partially closed their borders to contain the spread of the virus as of 21 April 2020, with at least 57 states making no exception for people seeking asylum, seriously limiting the rights of persons in need of international protection" (Crawley, 2021).

Violations of refugee protection regime were reported from various parts of the world. Refugees are affected with the fears of movement and migration. Countries and people often find them as nuisances and decease causing agents. In India and abroad these people faced different kinds of treatment from the natives and the government. As Jay N Shah reports: "In India, migrant workers have become refugees in their own home country because of poor planning, turning it into a human tragedy. People crammed on whatever transport they could manage to return home, while many simply had no other option but to walk for days to reach home" (Shah, 2020). The global humanity itself is being affected seriously. It seems the laws and guidelines to protect the refugees are insufficient during the outbreak of a never experienced pandemic. Thus, pandemic created new spatial orders, disorders and disfunctions for the refugees and migrants.

Spatiality, Displaced and the COVID -19

The rules and regulations on ground and water equally made the spaces reactionary before the migrants and the displaced. Spaces became very fragile and it turned against the refugees and the stateless. New spatial orders, mobility restrictions, travel ban, new documents to travel, permissions for crossing borders, agitations on road by the police and national legal apparatuses, inability to sustain life due to closing of restaurants and shops etc., are various issues faced by the target group of this study in relation with spatiality during pandemic.

"Denial of entry, forced returns and push backs at borders, both on land and at sea, can also be seen in other regions. In the US, the Trump administration used the COVID-19 pandemic to achieve its core policy goal of closing the border to asylum seekers" (Ramji-Nogales & Lang 2020). Many found it difficult to live the everyday life itself. Access to health care services, access to food and other daily requirements etc., severely affected them. Many had to face diseases followed by deaths. Government schemes and programmes are often restricted

to citizens. The stateless and the migrants found it hard to register their names with government schemes and plans too. Hence various spaces of services became spaces of exception for the non-citizens or refugees.

Migrants were forced to go back to their home country during the pandemic. The travel ban acted as a threat to refugees and the displaced, restricting them from reaching the home country at the earliest. Painful stories and memories of pandemic deaths and sufferings are giving insights to the pathetic lives of the displaced due to these new geo political rules. During pandemic and the lock down, one can see that Socio- economic, cultural, religious, educational, and other public spaces are detached from the people. But, in the case of displaced people, these spaces also act as banned and prohibited spaces for them.

Through the support of NGOs and other similar agencies some kinds of services were provided to these marginalised sects of people. But many faced the difficulties to guard and save their mere lives themselves. Exclusion from spaces resulted in exclusion of migrants from covid care health services and procedures and thereby took them to terrific everyday lives.

Social distancing, lock down, break the chain etc., created a carceral geography which doubly affect the migrants to make a socio spatial and psycho spatial fear and tension. Pramod K. Nayar writes: "Reports of migrant workers walking hundreds of kilometres to their hometowns as a result of the lockdown – to last 21 days, as of now – from cities like New Delhi and the National Capital Region (NCR) have appeared in the newspapers" (Nayar, 2020). Spaces, irrespective of countries or states turned out as the politically acting and reacting areas with a geography which is new and experienced never before by the people in general and the migrants in particular. Pramod K. Nayar calls this geographical turn as 'hyperincarceration'. He further adds:

'Hyperincarceration' may then be said to be the state of precarity in which migrant workers' lives are lived. 'Hyperincarceration' consists of invisible practices of isolation and exclusion since it is a condition of people whose lives do not matter – it is extreme in the sense that it is never visible and yet tangible in terms of the conditions in which the workers live (Nayar, 2020).

These vulnerable bodies experienced space in multiple ways. In fact, space was acting upon them as a political entity.

COVID-19 created a new mobility regime too. Mobility was affected in all senses. Refugees and migrants became immobile beings due to the power exerted

upon them as part of covid protocols. But in another level, it emerged into a state of extreme mobility too. As most of the displaced and migrants were asked to move to own countries/ places the situation gave rise to extreme mobility within shorter periods and that too again by limited mode of conveyances. Borders and the checkpoints were another aspect of spatiality that had serious impacts in the lives of these marginalised bodies.

Borders, Forced Migrants and the COVID -19

Borders and the enforced border security in the intra state, interstate and international check points were one of the most hazardous experiences of migrant workers, refugees and the displaced during the pandemic. News is coming on daily bases regarding the atrocities and sufferings of these groups of people at the borders during the pandemic. Many of them were lacking proper documents to travel too. Observing the condition of Canada during Pandemic, Mackline writes: "A conventional metaphor for the border depicts it as a filter or screen that slows and halts the entry of some, while permitting and expediting the entry of others. In ordinary times, this image is juxtaposed against the situation within state territory, where movement is unimpeded and virtually unregulated" (Mackline, 2022). Pandemic admissibility provided a new border experience in many countries that were never familiarised by many countries and inmates. Migrants are the group who found it struggling to get through when the unfamiliar geographical points to curtail or check movements were originated.

Borders acted as sense of security at one level and also as point of inertia and power at another level. For the citizens and inmates of the country borders gave an assurance and promise of security banning the flow of decease causing agents. The full citizens of the states and nations were safeguarded by the security checks and restricted entries. As the interstate migration and travel were highly restricted during the lock down, most of the migrants were locked down in the very poor living conditions. Limited number of people were selected on daily base by the government agency to move to home towns/ countries.

Waiting of migrants including women and children at borders for hours, even without water and food supply for the permission to travel, was emblematic of COVID-19 pandemic. Media covered the photographs of migrant workers trapped at camps, borders and checkpoints. Some met with death too without getting proper medical support. The very existence of human itself was questioned. Expecting an escape from the lock down and the death- in-life conditions, many decided to travel to home towns but got stuck in the borders.

Borders became the point of inertia and movement at the same time. Due to many reasons like lack of proper documents and legal papers, lack of id cards etc., many migrants couldn't get through the borders. Due to extreme poverty many couldn't travel as they faced financial difficulties too. COVID-19 and the subsequent job loss resulted in penury of the migrants and the displaced. Many opted to walk to reach home. Pramod K. Nayar observes this 'long walk' for miles to reach home, as the extreme agency of the migrants when they lose all the agency.

Technological aids are also used at borders for advance level checking and data management. As Molnar in his article "Real World Impacts of Technological Experiments in Pandemic Times" rightly evaluates: "we are already seeing a rise in Covid-specific technologies aimed at strengthening border security, aiding in data gathering, and automatic discretionary processes and decision-making with little oversight and accountability" (Molnar, 2022).

New surveillance technologies and various controlling regimes including military regimes were used by different countries at border points within and between states and countries upon all citizens. But upon the migrants and stateless these border points impacted bitterly on their lives and rights. The human rights were denied often for these people on the move. When people of all walks of lives faced the pandemic restrictions on their freedom of move, migrants and forced migrants are the ones who found it most risky. "The almost immediate closing of borders in the face of pandemic lead to the panic mobility of those returning home across the globe. In addition to visitors and tourists, internal and international migrants returned to their country or city of origin" (Molnar, 2022). The voluntary and spontaneous return of migrants have the severe impacts upon the everyday lives of migrants, displaced and the refugees and also upon the socio-economic factors of the society.

Conclusion

A new Refugee protection regime and an international or transnational solidarity towards refugees, migrants and the displaced is the demand of the time. A multi-disciplinary research-oriented study is necessary to take place. The socio economic and psychological study of the impact of COVID-19 upon these displaced groups of people are to be carried out giving ample importance to their own narratives on living in COVID era. New rules and regulations and treaties are to be framed out by the international agencies like UNHCR and its

national chapters so as to accommodate the migrants and other displaced during the pandemic.

Many countries including India undertook different measures to protect, safeguard and care the immigrants from other countries and also the migrants who crossed the national borders in search of livelihoods. But all the services were insufficient to address the needs of a bigger mass during unexpected crisis and emergency. Irudaya Rajan and Bhagat observe:

To address the plight of stranded migrants, the government intervened with the Shramik special trains and buses to help them reach their hometowns (Dutta, 2020). However, this service was not free and migrants were being charged exorbitant fares at railway stations – which became a source of political bickering (Rajan, 2022).

The pandemic has necessitated an inclusive approach by which no one will be left behind without getting care, support and concern. Migrants are integral to any rural, urban communities in many aspects. They work in skilled and unskilled fields that are crucial in keeping the life moving. Hence, a plan with new vision and strategy is to be built with rural, urban, state and national level operational strategies and mechanisms. "Decentralized health systems and lack of coordination among local authorities and international stakeholders may have disproportionate negative effects on refugees and migrants" (Bartovic et al, 2022).

Policies, laws and protection regimes are insufficient in India and abroad to safeguard the lives of refugees, migrants, forced migrants, displaced and the stateless. Most of the laws are violated during the pandemic. Poor planning and improper implementation have impacted the lives of millions of refugees, migrants and the displaced. All these situations demand a new protection regime for the safety and security and for the protection of human rights of these people on the move.

References

Agarwal, Kabir (2020). Hunger Can Kill Us Before the Virus: Migrant Workers on the March During Lockdown. The Wire. 27 March. https://thewire.in/labour/coronavirus-lockdown-migrant-workers-walking-home

Bartovic, J., Datta, et al. (2021). Ensuring Equitable Access to Vaccines for Refugees and Migrants during the COVID-19 Pandemic. Bulletin of the World Health Organization, 99(1), 3–3A. https://apps.who.int/iris/bitstream/handle/10665/339971/PMC7924895.pdf?sequence=1&isAllowed=y

- Crawley H (2021). The Politics of Refugee Protection in a (Post) COVID-19 World. *Social Sciences*. 10(3):81. https://www.mdpi.com/2076-0760/10/3/81/htm
- Shah, J N e al (2020). Quarantine, Isolation and Lockdown In context of COVID-19. Journal of Patan Academy of Health Sciences. 7 April (1): 48-57. DOI: https://doi.org/10.3126/jpahs.v7i1.28863
- Jaya Ramji-Nogales & Iris Goldner Lang (2020). Freedom of Movement, Migration, and Borders. *Journal of Human Rights*, 19:5, 593-602, DOI: 10.1080/14754835.2020.1830045
- Macklin, Audrey (2022). (In)Essential Bordering: Canada, COVID, and Mobility. In Anna Triandafyllidou (Ed). Migration and Pandemics Spaces of Solidarity and Spaces of Exception. pp.23-45. Springer Cham. https://link.springer.com/chapter/10.1007/978-3-030-81210-2_2
- Molar, Petra (2022). Territorial and Digital Borders and Migrant Vulnerability Under a Pandemic Crisis In Anna Triandafyllidou (Ed). Migration and Pandemics Spaces of Solidarity and Spaces of Exception. pp.45-65. Springer Cham. https://link.springer. com/chapter/10.1007/978-3-030-81210-2_3
- Nayar, Pramod K (2020). The Long Walk: Migrant Workers and Extreme Mobility in the Age of Corona. *Journal of Extreme Anthropology*. Vol 4. (20) DOI: https://doi.org/10.5617/jea.7856
- Rajan, S.Irudaya and R. B. Bhagat. (2022). Internal Migration and the Covid-19 Pandemic in India" In Anna Triandafyllidou (Ed). Migration and Pandemics Spaces of Solidarity and Spaces of Exception. pp. 227-245 Springer Cham. https://link.springer.com/chapter/10.1007/978-3-030-81210-2_12