Manifestation of Atithi Devo Bhavah maxim on Sri Lankan Tamil refugees treatment in India

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This study discusses the reflection of Indian’s Athithi Devo Bhava policy towards Sri Lankan Tamil refugees during the hostility staged in the island since 1983. The enduring Indian practices of tolerance and goodwill resulted in following a benevolent policy towards all those who sought asylum. In ancient India, there were four cultural maxims: (1) Matru Devo Bhava, your mother is like God; (2) Pitru Devo Bhava, your father is like God; (3) Acharya Devo Bhava, your teacher is like God, and (4) Atithi Devo Bhava, your guest is like God. The refugee has considered as an Athithi (guest) to the country and treated them as God. India has accorded asylum to more than 25 million people in spite of the absence of strong refugee laws, but the treatment has been given on an ad hoc basis. The study is descriptive in nature. The information was collected from secondary sources. It underlines that the Indian government has been providing accommodation, food, and security to refugees. Subsequently, the services enjoyed by the Indian citizens are extended to refugees. There is a harmony between Sri Lankan Tamils and Indian Tamils in language and culture. Tamils in India and the Indian government has treated the refugee as a guest.
Introduction

India has a long history in hosting refugees from various neighboring countries and treated them on the humanitarian ground. Despite, India is not a signatory of 1951 United Nations Convention related to the status of refugees and its 1967 protocol, they provide the legal base for status for the treatment of refugees in a uniform mode, and refugees are allowed to cross the border (Ananthachari, 2001). India has received refugees before and after independence from, namely, Tibet, Bangladesh, Sri Lanka, Afghanistan, Pakistan, Bhutan and Myanmar, which all of them have given humanitarian assistance and protection. India being a vast pluralistic democracy with no rigorous control over broader, cause the mass influx of refugees whenever there is political or ethnic violence unleashed (Brian, & Khan, 1997).

During 1983, India has witnessed a mass inflow of Tamils from Sri Lanka after an outbreak of an ethnic riot (Burn, 2003). According to the official report, between 1983 and 1987, there were around 0.15 million refugees sought asylum in Tamil Nadu, India (Maneesh, 2016). Out of these, 45,000 refugees were repatriated between 1987 and 1989 (Xavier, 2007). The government and people of Tamil Nadu have been generous in dealing with Sri Lankan Tamil, a record that could be the envy of many developing countries (Chimni, 1994). The camp living refugees are provided with all free housing, medical care, and education. In addition, a cash dole was given to refugees in every month and rice, kerosene and sugar are made available to refugees at a reasonable price from the Public Distribution System (PDS). The head of the family receives $13.63, each family member aged 12 receives $10.2 and members below 12 years have been getting $5.45 (Government of Tamil Nadu, 2016, p.13). The government has been providing free uniforms, noon meals, bus pass, textbooks, notebooks, and bicycle to school-going children. Refugees have permission from the Tamil Nadu government to take up work outside the camps and during Pongal, season refugees are entitled to a free supply of Sarees and Dhoties (Mills, 1993). Besides, the government of Tamil Nadu has extended various welfare schemes to refugees including old-age pension, widow pension, and free health care. SHGs are formed in every camp and provisions for bank credit and skill training are made available (Hennayake, 1989).

Refugees are treated on the humanitarian ground and sustain their life through various welfare schemes (George, 2013). The schemes are introduced by the Tamil Nadu government with an intention to ensure basic requirements of life. Refugees were confined inside the camp since the assassination of Rajeev Gandhi in 1991 (Kearney, 1978). Gradually, the restrictions were removed and refugees are now living with better facilities but Tamils living in the camps have not received citizenship yet. This study intends to discuss the Atithi Devo Bhavah attitude of Tamils in Tamil Nadu and government (both state and centre) towards Sri Lankan Tamil refugees. The uniqueness of language of refugees and host population is the major bonding factor that causes generous approach to refugees in all the stages of rehabilitation (Höglund, 2005).

Atithi Devo Bhava is a mantra from Taittiriya Upabishadis, “Matru Devo Bhava, Pitru Devo Bhava, Acharya Devo Bhava and Atithi Devo Bhava”. The mantras are literally stood as “be one for whom the Mother is considered as God, Father is considered as
God, the Teacher is considered as God, the guest is considered as God.” Atithi Devo Bhava deals with the dynamics of the host-guest relationship. Treat the guest in a similar way of treating god in the home. This is closely associated with the Indian tradition of tolerance and goodwill. As per the Indian tradition, a guest visiting a home, the host will provide comfort and hospitality.

Method

This study was largely relay on secondary data which were collected from reports, official data and articles. Moreover, the information regarding the welfare schemes for refugees was collected from the website of Commissioner of Rehabilitation and Welfare of Non-Resident Tamils, Government of Tamil Nadu. The study was descriptive in nature. The analysis has the aim to disclose how Sri Lankan Tamil refugees were treated by the Government and the people (Jayapalan, 2012). It was to say that the Sri Lankan Tamils received better treatment from the authorities during the influx and rehabilitated successfully. In spite of this, the recent influx of Rohingya refugees have treated with legal restrictions and recognized them as illegal migrants. This study explored the attitude of government and people of India towards the Sri Lankan Tamil refugees during the ethnic conflict and influx.

In addition, the primary information was used to support the secondary data. The researcher has visited a refugee camp in Gummudipoondi in Thiruvallore district of Tamil Nadu. The history of ethnic conflict, influx and camp life experience related information were gathered from the camp inmates. The researcher has gathered basic details to understand the situation of the refugees in the host country. Open-ended questions were mostly asked to the refugees. The collected information were analysed to elaborate the secondary data.

Results and Discussion

The Sri Lankan Tamil Refugees came to Tamil Nadu in four phases (Kathirgamathamby, 2015). The first phase covering the period 1983-87 was marked a mass exodus to India. The Second phase during 1989-91, this period was associated with the Eelam War II, recorded relatively less refugee outflow. The third phase of the exodus started in April 1995 as the result of the continuing Eelam War III, the battle between the Sri Lankan Army and the Liberation Tigers of Tamil Eelam (LTTE). The fourth phase of the refugee influx began in January 2006 and continued until July 2008. This phase caused also by the conflict between the Sri Lankan Army and the LTTE (Sreekumar & Seethal, 2017).

Tamil people of Tamil Nadu are more generous towards refugees and the government-let refugees seek safety and peace in the southern state. India was the preferred destination of Tamil communities of Sri Lanka till the assassination of Rajeev Gandhi. What happens to refugees since 1991 is colligated to Tamil Nadu as well as the Indian government. The incident was treated with serious security measures and LTTE members are identified and jailed (Himanshi, 2013).

Following the assassination of Rajiv Gandhi, the Tamil Nadu Government made it mandatory to non-camp refugees to register themselves with the nearest police station. By July 1991, 26,363 refugees had registered themselves with the police (Immigration and Refugee Board of Canada,
Soon afterwards, the police wanted to apprehend those who had not registered, which resulted in the arrest of 1,800 refugees under the Foreigners’ Act.

Each year, there are, on average, 19701 families of refugees which contain more than 681340 people: 51559 adults and 16575 children, meaning that between 3 and 4 people per family (Table 1). The government has arranged accommodation immediately after the arrival of the first batch in schools, and go downs and temporary shelters were constructed in government lands. The cash doles (the provision of rice, sugar and kerosene at subsidized rates) and the free electricity are made available to the refugees.

In its 1991 report, the US Committee for Refugees appointed that “India has accorded a welcome to Tamil asylum seekers that are as generous as any refugee groups in Asia.” Approximately $150 million is spent annually on the maintenance of the refugees. The expenditure is initially incurred by the Tamil Nadu Government, to be subsequently reimbursed by the Government of India. As of January 2016, there are 64079 refugees living in 108 Government authorized camps in Tamil Nadu (Table 1).

In order to understand and interpret the reflection of Athithi Devo Bhava’s policy towards Sri Lankan Tamil refugees from Indians and the government (Central and State) during the hostility that has been raging on the island since 1983, we can report and discuss the findings from the information and data collected in reports, articles and official websites of the Commissioner of Rehabilitation and Welfare of Non-Resident Tamils, Government of Tamil Nadu according to the following points: governments policies, humanitarian consideration, the attitude of local people, when atithies are enemies? And what atithies are doing now?

**India and Tamil Nadu government policies**

Once the refugees reached the Indian Territory, Indian security men stop them and interrogate them to find out their link with the Liberation Tigers of Tamil Eelam (LTTE). In addition, the local police inspectors will conduct an enquiry to make sure whether they were genuinely affected by the Sri Lankan ethnic conflict and had arrived in India to save their lives. Normally the individuals have identity cards, family cards, school cards, etc. Nevertheless, if they did not possess any of this identification, police
authorities verified other available sources of evidence to confirm the genuineness of the details given by the refugees (Chahal, 2011).

The refugees have been enjoying the support of the host government in the Indian state of Tamil Nadu in different ways. It soon became apparent that the correct, balanced and efficient management of the Sri Lankan Tamil refugees living in Tamil Nadu was a serious issue concerning India's prestige and security. The decisions pertaining to these refugees are made by the government officials in accordance with the political pressure both at the state and at the central level, or, at other times, based on public opinion at international levels, and the views of the country from which the exodus originated. Moreover, the grievance of refugees, and the temperament and the feelings of the local people also had a role in this decision making. In many instances, the government had to act according to the need of the hour, particularly in the aftermath of the Rajiv Gandhi assassination. Protest against refugees are staged in different parts of the country, necessitated the repatriation of refugees (Dasgupta, 2003). Thus, the refugees were vigilantly watched and their activities were cautiously monitored.

**Humanitarian Consideration**

It is significant to note that India is neither a party to the 1951 United Nations convention and its 1967 protocol related to the status of refugees nor it has passed any kind of domestic legislation on the subject of refugees. Instead, India has treated the Sri Lankan refugees at a political and administrative level. It has therefore only an ad hoc mechanism in place to deal with their status and problems. The legal status of refugees is, therefore, to begin with, no different from those of ordinary aliens whose presence is regulated essentially by the Foreigners Act of 1946.

The lack of a special legal norm on the status of a refugee does not mean that no protection or assistance is offered to refugees. Nevertheless, its absence has certainly meant that executive action and/or acts of discrimination are not easily remedied. In the first phase of arrival, camps and basic facilities were inadequate and many camps are overflowed. On the course of time, the government officials had taken much care to provide basic sanitation facilities to the refugees. Importance was given to hygiene and steps were taken to maintain cleanliness in and around the camps. In every camp bathrooms and toilets were constructed. A few NGOs are allowed to assist the refugees in constructing shelter, bathrooms and toilets. In general, the state of Tamil Nadu has always had an acute water shortage problem. One tube well was installed in each camp for drinking purpose as well as domestic use. The water was not good in certain places and hence the water was sometimes supplied to the camps from wells in the nearby local areas. The government provided this water to the refugees through tanker services, especially to those camps, which did not have enough drinking water.

The relief assistance was given by the government to refugee families based on the age criterion of each individual in a family on the date of arrival in India and their first admission in the transit camp. This amount is handed out for their personal expenses in the camp. The head of the family receives $13.63 in every month for for their expenses but this given amount is insufficient to meet basic expenses (Federation for People’s Right, 2006). Apart from this, they were provided with ration cards that were generally issued
for the whole family as one unit. A family will receive 20 kg of rice at free of cost and extra rice will supply to the refugees at the subsidized rate of Rs.0.57 per kilogram. Every family was provided with all essential items to carry on a regular life in the camps. Utensils were also supplied to each family once in every two years such a set of utensils were distributed to the families even if the previous set was not worn out.

Medical assistance has been providing to all refugees in the primary health centers; however, serious cases were referred to the nearby government hospitals. Health care practitioners will visit the camp often to check the prevalence of communicable diseases and provide basic health check-up. The seriously ill patient could avail relief assistance and one attendant was also permitted to stay with the sick person in the hospital for the entire period of treatment. Children of all the Sri Lankan refugees living in Tamil Nadu were permitted to study in the local government schools free of cost up to the plus two levels with free uniforms, textbooks and mid-day meals. On humanitarian grounds, the government permitted them to continue their study in Tamil Nadu, including at the professional courses since the assassination of Rajeev Gandhi. With the efforts of the refugee representatives at the state and central government level they were able to achieve a presence in 2% of the total seats in all the government and professional colleges in Tamil Nadu that were set aside for the Refugee students, (Government of Tamil Nadu, 1995). In profession courses, refugees are allowed to seek admission under open category.

The Tamil Nadu Government has effectively taken elaborate arrangements for the safety and security of the refugees during the exodus and accommodated them at the camps situated in various districts. Based on the strength of the camp’s population, police security arrangements were provided. Refugees were allowed to seek a job in the local labor market to supplement their income. The government distributed sewing machine to women and given training to them in government recognized institutes with an intention to promote their livelihood. Likewise, 416 Self Help Groups (SHGs) are formed in refugee camps and a revolving fund of Rs.10000 will be paid to each unit. The good performing SHGs will be recommended for bank credit, incentives and training.

The government has allowed the NGOs to involve the welfare actives for refugees. The NGOs such as OfERR, Adventist Development and Relief Agency (ADRA), Jesuit Refugee Service (JRS), Catholic Refugee Service (CRS) and Libaraare actively providing facilities such as house, toilets, bathroom, repair of house, educational assistance, job oriented training to camp living refugees.

The office of the Commissionerate of Rehabilitation and Welfare of Non-Resident Tamils, Government of Tamil Nadu, has been offering various facilities to the camp living refugees. The Government of India in coordination with the Government of Tamil Nadu has been satisfactorily rendering the work of giving shelter, offering food and fulfilling all the basic needs of the refugee for more than thirty years.

**Attitude of Tamil people in India**

The Indians especially Tamil were more sympathetic to the tragedy that happened on the island against the Tamil community. The peoples of Tamil Nadu heartily welcomed the refugees to Tamil Nadu and treated them as brothers. The response of the local
people of Tamil Nadu concerning the Sri Lankan refugees has been dynamic and has had a direct influence on India’s policy on refugees.

The ethnic factor acted as a bonding factor between the hosts (Tamil Nadu) and the refugees till the early 1990s. When the Sri Lankan Tamil refugees arrived in 1983, they were granted a sympathetic reception. The local population and political parties showed great concern and even supported their cause. However, India’s sympathy and concern began to change in the early 1990s. As a result, their plight is not viewed as serious by both government and civil society. This change in approach has grown from the assassination of the former Indian Prime Minister, Rajiv Gandhi, allegedly by the Liberation Tigers of Tamil Eelam (LTTE). The Indian government’s policy also shifted on convincing Sri Lanka to make ground for repatriation of refugees (Dasgupta, 2005).

Although the governments both at the Centre and in the state have shown indifference and apathy, they have been continuing the relief assistance to the sheltered camp refugees. The two major political parties, the Dravida Munnetra Kazhagam (DMK) and the All India Anna Dravida Munnetra Kazhagam (AIADMK) demanded citizenship to refugees but nothing happens in favor of refugees, (Giri, 2015). The DMK in 2009 demanded permanent citizenship for refugees. In 2016, Jayalalitha (the Chief Minister of Tamil Nadu) stated in a public meeting that she demanded dual citizenship for Sri Lankan Tamil refugees and assured to take steps to create separate Eelam for Tamil refugees.

When Atithies are enemies?

The occurrence of armed robberies in Tamil Nadu and rising crimes were blamed by Chief Minister Jayalalitha on the Sri Lankan Tamil refugees, (Bastiampillai, 1994). In April 1994 two major highway robberies, one near Sri-Perumbudur of Madras and the other near Madurai, caused panic among local inhabitants. The presence of refugees near to the area where the incidents occurred, leads to pointing unemployed Sri Lankan Tamil youth and ascertained the role of refugees in the introduction of certain new crimes such as robberies and drug trafficking into the state.

Sri Lankan Tamils countered “that barring some members of the militant outfits who go about on motorcycles and indulge in chain snatching, most of the refugees are law-abiding”. Chief Minister Jayalalitha acknowledged the validity of their reasoning adding that Sri Lankan Tamils were up to crime for sheer survival. Nevertheless, she felt that providing sustenance to refugees was neither Tamil Nadu’s nor the Indian Government’s responsibility but that of Sri Lanka. Additionally, it was alleged, “drug-trafficking and passport law violations have also been their contribution to Tamil Nadu’s changing crime culture.” In 1983 when violence erupted in Sri Lanka, the reaction in Tamil Nadu was spontaneous. Chief Minister M.G.Ramachandran appealed for a week’s mourning and a State Bandh. Prime Minister Indira Gandhi reinforced this show of sympathy and protest against the treatment of Tamils in Sri Lanka by ordering central government establishments to close for the Bandh.

On the security point of view, Tamil militant groups have engaged in organizing attacks that caused bad law and order problem in Tamil Nadu. It is to note an incident staged in Tamil Nadu that two militant leaders, Uma Maheswaran (PLOTE) and V. Prabhakaran (LTTE) had a “shoot
out in Pondy Bazar in May 1982, in Madras before the real influx of refugee.” Then on 2 August 1985, a bomb meant for an Air Lankan plane was planted and exploded at the Meenambakkam airport in Madras. It killed 24 Sri Lankans and Indians and damaged the airport badly. This showed how dangerous to Tamil Nadu could be the refugee militant activity of a small group, Tamil Eelam Army (TEA).

On 1 November 1986, Deepavali, day of rejoicing to Hindus, following a minor dispute, a member of the Eelam People’s Revolutionary Liberation Front (EPRLF) opened fire at Choolaimedu in Madras killing and injuries several persons. A leading newspaper, the Hindu editorially commented on this outrage: Hospitality has been repaid with “terrorist machine-gunning in the streets of Madras [...] and the government was asked to protect its citizens through enforcing law and order combined with political action. To aggravate the situation, on the same day”. The Hindu emphasized that these were not isolated incidents. There were earlier the shootouts between two leaders of militant organizations on 19 May 1982 and Meenambakkam airport blast. Moreover, India was to host the SAARC summit in Bangalore from 15 to 17 Nov. 1986. Both the State and Central Governments were aware that militants could “attempt to cause physical harm to President Jayawardene of Sri Lanka.

Tamil refugees alleged, in turn, that since Rajiv Gandhi’s assassination in 1991, anti-Sri Lankan Tamil feeling had escalated in Tamil Nadu and India and that Sri Lankan Tamil refugees had been made into scapegoats (Bertram, 1994). While the threat and danger to Tamil Nadu and India because of refugee militants must be recognized and the action should be taken to avert them, yet Indian policy towards the genuine refugees could be “more humanitarian and less political”. Indian policy towards Sri Lankan refugees was magnanimous until the time of Rajiv Gandhi’s assassination. There is an occasional tussle between Tamil Nadu which wants the ban on the Liberation Tigers of Tamil Eelam (LTTE) continued and the Central Government of India which is at times slow on doing it.

**What Atithies are doing now?**

Since the settlement in camps across the state in 1984, refugees tried to lead an integrated life with local Tamil people. Their uncertainty about the situation in Sri Lanka and the desire to have a peaceful life has insisted them to stay in Tamil Nadu. They are now engaged in jobs like tailoring, painting, Mason, loading, digging, petty shops, agriculture labor, driving, carpentry and many more. The standard of living of the refugees has been increased and refugee children are enjoying the facilities of education provided by the government.

In addition, the NGOs (OfERR, Adventist Development and Relief Agency (ADRA), Jesuit Refugee Service (JRS), Catholic Refugee Service (CRS) and Libaraare) has been involving the construction of house, toilets, bath room and providing assistance in the education of refugee children. Refugees are not granted with citizenship and the basic human rights are not accessible yet. Many camps are integrated with local communities but the boundaries made by the authorities to limit their freedom of travel around the camp made a distinction. The freedom to travel is still limited without permission from the authorities. Therefore, refugees are cramped around the camps and thus, their job opportunities are limited (Xavier, 2011).
Today, refugees are allowed to migrate for a short distance for employment. This permission is given for a limited period. The permission for migration has accelerated the opportunity for livelihoods.

Employment in the public sector is impossible for refugees due to the absence of citizenship. Even the professionally educated people are also going for manual works. Private companies are also refusing to accept refugees for employment in some areas. Some refugees revealed that due to the fear of terrorism and the Liberation Tigers of Tamil Eelam (LTTE), companies tried to avoid selection of refugee youth during recruitment. Therefore they have no choice rather than engaged in manual works. If refugees have found employment away from the camp, need to obtain permission to leave the camp from the authorities. If a refugee has got the permission to employ away from the camp, he/she has to come once in a month to renew camp registration. The restrictions in the camp effectively shut refugees out of the down-to-dusk labor market and deprived them of supplementary income (The Refugee Council London, 1999).

The education is an asset to refugee’s people which help them to find employment in the third country. Since the arrival refugees are provided with facilities of education in government schools. In some areas, schools particularly for refugees are established with the assistance of NGOs. Government has fixed seats for engineering and medical courses and unlimited seats in arts and science colleges. About 2500 refugees have graduated during 1990-2003. Since the assassination of Rajiv Gandhi government has banned the schooling of refugees. In 2003 the court has decided to close the quota of refugees in engineering and medical colleges. As a result, refugees were lost access to professional education in government institutions.

The government has been providing free uniforms, noon meals, bus pass, textbooks, notebooks and bicycle to school-going children. Refugee children have to do their education anywhere in Tamil Nadu and the government has been giving cash dole and other assistances. The government does not make any restriction on seeking employment nowadays but other restrictions like restriction in freedom of movement has been affecting their livelihood and employment. If they are free, this does not mean the complete removal of restrictions, even they have the freedom to travel all over the country, they will find better employment. As a result, refugees have to empower and become self-sufficient. On the other hand, the government has to cut off the expenditure on refugee’s management. Giving financial assistance to thousands of refugees is really a burden to the government. Therefore, it is better to make them self-sufficient by giving training and vocational education. Starting of small business units near to camps with government assistance will help them to ensure sustainable income. Supporting self-help groups with various assistance at various levels and promote entrepreneurship.

According to the Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs, Sri Lanka, in 2011, 1728 persons were returned to Sri Lanka and it was 1291 persons in 2012. The return of refugees to Sri Lanka has been declining gradually (Valatheeswaran & Rajan, 2011). In 2013, 273 families, including 718 members were returned to Sri Lanka. Likewise, 453 persons were returned to their native places in Sri Lanka in 2015. At the beginning of 2016, 50 families that consist of 163 persons were returned to Sri Lanka (the Ministry of Prison
Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs, Sri Lanka, 2020). The returnees are staying with the assistance of UNHCR and they are contacting their relatives in India. The voluntary repatriation of the refugees is encouraged through facilitating basic facilities in the destination (Hans, 1997).

The provision for shelter, food and other basic services to refugees was arranged by the government. In addition, the Indians has extended their help to the refugees in their needy times. This has clearly shows that the refugees are treated as guest. The provision for education, healthcare and employment are provided. Moreover, financial assistances of the government have normalized their mental stress. The government and people’s approach to the Sri Lankan Tamil refugees is in a manner that they are treated as guest.

Conclusion

Normally, people entering India in search of refuge are provided with food, shelter, clothing and medical assistance for as long as they are willing to stay in the country, subject to the government rules and regulation, which is varying accordingly with time. Why is India accepting refugees from neighbors? And why is India providing humanitarian assistance to them without any national legal framework?

India is not a signatory to UN refugee convention 1951 and its protocol on the status of refugees in 1964. India is the host to refugees from various countries and providing basic amenities with sympathy. The compassion of India towards refugees irrespective of their place of origin is needed to be highlighted on the humanitarian ground. We can say our country believes in values and practicing it. Unlike the massive surge in population, as a great democracy, India must be responsible and uphold the rights of those who come to us seeking shelter. The attitude of India towards the reception of Sri Lankan Tamil refugees was strictly based on humanitarian principles and the reflection of Atithi Devo Bhavah attitude was visible in many respects.

Declaration of Ownership

This article is our original work.

Conflict of Interest

There is no conflict of interest to declare in this article.

Ethical Clearance

This study was approved by the institution.

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