

INDIA: ISSUES RELATED TO THE DETENTION, *REFOULEMENT*, AND OTHER HUMAN RIGHTS VIOLATIONS OF WOMEN REFUGEES AND MIGRANTS

SUBMISSION TO THE UN COMMITTEE ON THE
ELIMINATION OF DISCRIMINATION AGAINST
WOMEN AHEAD OF ITS ADOPTION OF ITS LIST OF
ISSUES PRIOR TO REPORTING

(94 - PRE-SESSIONAL WORKING GROUP)

SUBMITTED: SEPTEMBER 2025



**Asia Pacific
Refugee Rights
Network**

ABOUT THE GLOBAL DETENTION PROJECT

The Global Detention Project (GDP) is committed to ending arbitrary and harmful migration-related detention practices around the world, and to ensuring respect for the fundamental human rights of all migrants, refugees, and asylum seekers. To achieve this, we seek to:

- Increase public knowledge and awareness of immigration detention policies.
- Expand coverage of immigration detention by human rights monitoring bodies and other international agencies.
- Expand partnerships with local and international civil society organisations working to end arbitrary and harmful immigration detention practices.
- Strategically target research and advocacy so that it effectively challenges arbitrary and harmful detention laws and policies.

ABOUT ASIA PACIFIC REFUGEE RIGHTS NETWORK

The Asia Pacific Refugee Rights Network (APRRN) is an open and growing network consisting of more than 240 civil society organisations and individuals from 28 countries committed to advancing the rights of refugees in the Asia Pacific region.

APRRN aims to advance the rights of refugees and other people in need of protection through joint advocacy, capacity strengthening, resource sharing, and outreach. APRRN envisions a region in which all people in need have equal and adequate access to assistance and protection, and to timely durable solutions. We envision a region in which refugee communities, civil society, UNHCR, States (including those outside the region) and other actors collaborate effectively towards the common purpose of protection.

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The **Global Detention Project (GDP)** and the **Asia Pacific Refugee Rights Network (APRRN)** welcome the opportunity to provide this report on India to the Committee on the Elimination of Discrimination against Women ahead of its adoption of its List of Issues Prior to Reporting during the 94th Pre-Sessional Working Group. This submission raises concerns regarding the detention, *refoulement*, and other human rights violations of women refugees and migrants in India.

1. INTRODUCTION

- 1.1 Over the past year, India has intensified its immigration enforcement operations, including detention and deportation, often targeting women and girls from minority groups who have fled horrific violence in neighbouring countries. These efforts were further ramped up in May 2025, when India launched a large-scale removal campaign, which has been marked by sweeping enforcement operations, resulting in the arbitrary arrest and deportation of hundreds of non-nationals.
- 1.2 The extent of these abuses, which represent clear violations of India's international legal obligations as well as its responsibilities under the Convention on the Elimination of All Forms of Discrimination against Women, has been the subject of recent reports from human rights monitoring bodies and international media. Amongst these:
 - Numerous outlets highlighted a May 2025 incident in which 39 Rohingya refugees who had “herded onto a plane, forced onto a boat and blindfolded by armed men before being pushed overboard into the Indian Ocean and told to make for the nearest shore.” That same month, the UN Special Rapporteur on Myanmar announced the launch of an inquiry into such reports. Said the Special Rapporteur Thomas Andrews, “The idea that Rohingya refugees have been cast into the sea from naval vessels is nothing short of outrageous.”
 - Earlier, in March 2025, a group of UN human rights special procedures—including the Special Rapporteur on trafficking and the Special Rapporteur on torture—issued an urgent appeal to the government of India about reports of widespread indefinite detention of refugees from Myanmar—including pregnant women, the elderly and children—who were being held in “holding centers” located in Jammu and Assam. They noted that the conditions in these centers were reportedly “dire,” with the refugees being held “in severely overcrowded cells, and do not receive adequate nutrition, clean water, or medical care. Facilities are reportedly unsanitary. Detainees lack clean clothes, bedding, and access to sunlight. Many detainees are reportedly suffering from illness, infections and other medical problems and are unable to access adequate

medical care. There is reportedly no adequate oversight of places of detention by independent actors, including UNHCR.”¹

- 1.3 As these reports and this submission reveal, refugee and migrant women in detention in India face compounded risks, and we urge the CEDAW committee to press India to ensure compliance with its obligations under the Convention and to immediately roll back its abusive and illegal treatment of refugee women and girls in the country.

2. BACKGROUND

- 2.1 For years, India has served as an important destination for asylum seekers and refugees from neighbouring countries like Pakistan, Bangladesh, and Myanmar, as well as from further afield, including Afghanistan, Somalia, and the Democratic Republic of Congo.
- 2.2 The task of managing the refugee population is divided between the Government and UNHCR on the basis of country of origin. While UNHCR’s mandate includes refugees from Myanmar and non-neighbouring for which the agency conducts Refugee Status Determination (RSDs), the Government manages refugees and asylum seekers from neighbouring countries, such as, Bangladesh, Sri Lanka and Pakistan as well as Tibetans seeking refuge in India. At the end of 2024, more than 240,000 refugees (both UNHCR-registered and government-managed) were reported to be in the country, nearly half of whom (46 percent) were women and girls.² (As of February 2025, 47,183 refugees and asylum seekers were registered with UNHCR.³)
- 2.3 This has led to an ad hoc, and often arbitrary approach to refugees. As Refugees International and the Azadi Project note in a recent report: “This has yielded very disparate treatment of different refugee populations based on India’s shifting geo-political and diplomatic interests. Consequently, while refugee groups such as Tibetans and Sri Lankans are granted refugee certificates or longterm visas (LTVs) by the government), most UNHCR mandate refugees, despite being registered with the UNHCR, face arbitrary detention and criminal imprisonment as the Indian authorities selectively choose not to recognize their UNHCR cards.”⁴
- 2.4 The country is not signatory to the 1951 Refugee Convention or its 1967 Protocol. Under the 1946 Foreigner’s Act, India treated anyone without valid documentation as an illegal foreigner liable to arrest, detention, and deportation. In 2025, the country replaced the Foreigners Act with a new [Immigration and Foreigners Act](#) (No. 13 of 2025). The new law is more restrictive than the 1946 Act. It provides broad powers to immigration officers to detain and deport summarily, with little judicial oversight; enables authorities to prohibit the entry, stay, and exit of “any particular foreigner or any specified class or description of foreigner”; requires educational and medical institutions to report foreign nationals; provides criminal penalties of up to five years imprisonment for “any foreigner[s]” irregular entry; and like the 1946 Act, places no statutory limits on the duration of immigration detention, leaving detainees subject to indefinite detention.
- 2.5 In recent years, the Bharatiya Janata Party (BJP)-led government has tightened border controls, introducing a comprehensive detention regime, and cracking down on the widely persecuted Rohingya Muslim population by framing them as threats to national

¹ Mandates of the Special Rapporteur on the situation of human rights in Myanmar; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on trafficking in persons, especially women and children, “Communication to the Government of India,” 3 March 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29597>

² UNHCR, “India,” accessed 9 September 2025, <https://www.unhcr.org/uk/where-we-work/countries/india>

³ UNHCR, “India,” February 2025, https://www.unhcr.org/sites/default/files/2025-04/February%202025_UNHCR%20India_Factsheet.pdf

⁴ Refugees International and the Azadi Project, “A Lifetime in Detention: Rohingya Refugees in India,” December 2024, <https://d3jwam0i5codb7.cloudfront.net/wp-content/uploads/2024/12/RIAzadi-Report-Dec-2024-FINAL.pdf>

security. As of September 2024, UNHCR estimated that 676 Rohingya refugees were in immigration detention across India, almost 50 percent of whom were women and children.⁵

- 2.6 These measures have been accompanied by efforts that undermine India's obligations under the customary international law principle of *non-refoulement*, as well as amendments to citizenship legislation that risk rendering minority communities stateless. Public campaigns have further stigmatised refugees and asylum seekers, fuelling discrimination and hostility.
- 2.7 Nowhere has this been felt more profoundly than in Assam, where millions of people are disenfranchised because of the state's racially charged 'National Register of Citizens' (NRC). Published in 2019, this is a register of people who can prove they came to Assam before 24 March 1971 and which excludes nearly 2 million residents. Those who are excluded are vulnerable to being labelled "illegal" by so-called "foreigners' tribunals," leaving them at risk of detention.⁶
- 2.8 Thus far in 2025, a large number of people have been classed as "illegal" and targeted for detention and removal; 1,880 people were deported to Bangladesh between 7 May and 3 July alone.⁷ In the wake of the Pahalgam terrorist attack in Kashmir in April, India's Ministry of Home Affairs ordered states to apprehend and remove "illegal foreigners" from the country, even if they hold citizenship or residence status. In states such as Gujarat, Delhi, Assam, Maharashtra, and Rajasthan, "identified illegal immigrants" have been rounded up, sent to border points in Assam, Tripura, and Meghalaya, and then pushed across the border.⁸ Also, since August 2025, Sudanese and Somali refugees in Delhi have increasingly been subjected to arrests⁹ and sent to overcrowded facilities like the [Lampur Detention Centre](#), where conditions are poor and indefinite detentions are common.¹⁰
- 2.9 These enforcement actions have increased since the adoption of the Immigration and Foreigners Bill, which provides broad discretionary power to remove foreigners on vague "national security" grounds.

Detention Facilities

- 2.10 A variety of facilities are used to detain non-nationals. As well as dedicated detention centres, police stations, prisons, juvenile detention centres, and border guard posts, authorities also use more informal "holding centres" and "transit centres." The largest of these is Assam's [Matia Transit Camp](#). Some detention facilities in India are designated exclusively for women refugees and asylum seekers. For instance, the women's correctional facility within Kota Central Jail has been notified as a detention centre for

⁵ Reuters, "Rohingya Refugees in India on Hunger Strike Over 'Prolonged' Detention," 12 September 2024, <https://www.reuters.com/world/india/rohingya-refugees-india-hunger-strike-over-prolonged-detention-2024-09-12/>

⁶ See also: S. Ramachandran, "The Contours of Crimmigration Control in India," *Global Detention Project Working Paper No. 25*, August 2019, <https://www.globaldetentionproject.org/the-contours-of-crimmigration-control-in-india-global-detention-project-working-paper-no-25>

⁷ Washington Post, "India's Deportation Drive, Muslim Men Recount Being Tossed Into the Sea," 11 July 2025, https://www.washingtonpost.com/world/2025/07/11/india-muslims-deportations-bangladesh-pahalgam/?mc_cid=f869fe8644&mc_eid=287e126be2

⁸ The Indian Express, "How Latest Drive to Deport Illegal Bangladeshi Immigrants Stands Out," 7 June 2025, <https://indianexpress.com/article/explained/latest-drive-deport-illegal-bangladeshi-immigrants-10053676/>

⁹ The Wire, "Delhi Police Crackdown on African Refugees; At Least 30 Arrested for Overstaying Visa", 22 September 2025, <https://thewire.in/rights/delhi-police-cracks-down-on-african-refugees-at-least-30-arrested-for-overstaying-visa>

¹⁰ Scroll, "30 African refugees arrested by Delhi Police in past week, sent to detention centre," September 18 2025, <https://scroll.in/latest/1086728/30-african-refugees-arrested-by-delhi-police-in-past-week-sent-to-detention-centre>

“foreign” women detainees in Rajasthan.¹¹ Problematically, many facilities where non-nationals are held are not labelled as detention centres by Indian authorities.

- 2.11 Observers have also reported to the Global Detention Project that ad hoc sites, including houses, have been used for detention purposes. Prior to the construction of the Foreigner Detention Centre within Sajiwa Central Jail Complex, for example, there were instances of government properties being designated as temporary detention centres (such as that at Sadbhavna Mandap in Churachandpur district) to house Myanmar asylum seekers.¹²
- 2.12 Amid increasing scrutiny and detention of refugees and asylum seekers, the Ministry of Home Affairs formally ordered all state governments to establish new holding centres or detention camps to detain and restrict greater numbers of asylum seekers and refugees.¹³

3. WOMEN IN DETENTION

- 3.1 As the country has stepped up its immigration controls, increasing numbers of non-nationals have been swept up in raids and arbitrarily detained. Correspondingly, reports of rights abuses in detention centres have increased with women, including mothers with children, pregnant and breastfeeding women, and trafficking survivors, among those most affected.
- 3.2 Disaggregated data pertaining to detention is not publicly available, but there are numerous reports of women and girls being detained. In September 2023, for example, the Manipur Human Rights Commission (MHRC) conducted a “surprise inspection” of a Foreigner Detention Centre within Sajiwa Central Jail Complex. At the time of MHRC visit, there were 105 Myanmar nationals at the detention centre, of which 75 were male and 30 were females—amongst them two pregnant women, and six children.
- 3.3 Although the Ministry of Home Affairs’ 2019 Model Detention Manual requires that detention centres provide special assistance to vulnerable populations, specifically “women, nursing mothers, transgender detainees and children,” the Global Detention Project has documented numerous credible reports of mistreatment since the committee’s last review of the State Party (in 2014). Amongst them:
 - **Violence and abuse in detention:** There have been many reports of detainees facing violence in India’s detention estate. In one particularly notorious incident in 2023, authorities used violence and tear gas to break up a protest over detention conditions at [Hiranagar Holding Centre](#), injuring many and reportedly killing a young baby.¹⁴ Testimonies have also included accounts of pregnant women being beaten

¹¹ The Times of India, “Kota central jail to house foreign women detainees”, 13 May 2025, <https://timesofindia.indiatimes.com/city/jaipur/kota-central-jail-to-house-foreign-women-detainees/articleshow/121121232.cms>

¹² NE Now, “3 Myanmar Nationals escape from Churachandpur Jail”, 24 January 2023, (Sadbhavana Mandap, New Lamka which was declared as a temporary prison under the Prison Act, 1984 by the State Government on April 1, 2021), <https://nenow.in/neighbour/myanmar/manipur-3-myanmar-nationals-escape-from-churachandpur-jail.html>

¹³ The Indian Express, “Home Ministry asks states, UTs to set up detention camps for illegal foreigners”, 3 September 2025, <https://indianexpress.com/article/india/home-ministry-asks-states-uts-to-set-up-detention-camps-for-illegal-foreigners-10226933/>

¹⁴ Fortify Rights, “India: End Crackdown and Indefinite Detention of Rohingya Refugees,” 28 July 2023, <https://www.fortifyrights.org/glo-inv-2023-07-28/>

by border forces so badly that they have suffered miscarriages,¹⁵ and women and children being held in cramped conditions without food.¹⁶

- **Indefinite detention:** Detainees, amongst them women, have been held for excessively lengthy periods of time due to the country's lack of detention time limit. A writ petition pending before the Supreme Court of India challenging the hostile and dehumanising conditions faced by many Rohingya refugees, highlights – *"hundreds of Rohingya refugees including pregnant women and minors, have been detained unlawfully and indefinitely...They endure severe violations and dehumanising conditions within these detention facilities."*¹⁷ There have been multiple reports of detainees protesting their indefinite detention. In September 2024, more than 100 Myanmar refugees, including Chin and Rohingya, went on hunger strike to protest their indefinite detention at the [Matia Transit Camp](#) in Assam State. These detainees had reportedly been transferred to the facility after completing their court-imposed sentences for "illegal border entry," and some had been in detention for over a decade.¹⁸
- **Separation of families:** Reports indicate that families are separated, with men and women detained in separate spaces—despite the Model Detention Manual stating that families should not be separated.¹⁹ Following raids, in which refugees have been rounded up and detained, some women are also reported to have been separated from their husbands and left alone in camps²⁰: "With little or no exposure to the outside world, significant language barriers, and very low levels of education, these women face significant burdens."²¹ In other cases, women have been forcibly separated from their children, with infants left behind in camps when their parents were taken away by police, or detained in separate facilities.²² For example, Hasina Begum, a 36-year-old Rohingya woman, was detained in Hiranagar in 2021, separated from both her husband and children, and later deported.²³ Such

¹⁵ Mixed Migration Centre, "Rohingya Migration to India: Patterns, Drivers and Experiences," April 2019, https://mixedmigration.org/wp-content/uploads/2019/04/063_briefing-paper_Rohingya_India.pdf

¹⁶ Fortify Rights, "India: End Arbitrary Arrest, Detention, and Forced Returns of Rohingya Refugees", 12 May 2025, <https://www.fortifyrights.org/mya-inv-2025-05-12/>

¹⁷ The Hindu, "The petition challenging Rohingya refugees' 'illegal detention' in India | Explained", 21 October 2023, available at: <https://www.thehindu.com/news/national/the-petition-challenging-rohingya-refugees-illegal-detention-in-india-explained/article67406846.ece>

¹⁸ Mandates of the Special Rapporteur on the situation of human rights in Myanmar; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on trafficking in persons, especially women and children, "Communication to the Government of India," 3 March 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29597>

¹⁹ Refugees International and the Azadi Project, "A Lifetime in Detention: Rohingya Refugees in India," December 2024, <https://d3jwam0i5codb7.cloudfront.net/wp-content/uploads/2024/12/RIAzadi-Report-Dec-2024-FINAL.pdf>

²⁰ See: Rohingya Human Rights Initiative, "A Rohingya Mother on Mathura Detentions: 'I Just Want to Live With My Family Peacefully,'" 9 August 2023, <https://www.rohingya.org/news/a-rohingya-mother-on-mathura-detentions:-%E2%80%99Ci-just-want-to-live-with-my-family-peacefully%E2%80%9D.html>

²¹ Mandates of the Special Rapporteur on the situation of human rights in Myanmar; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on trafficking in persons, especially women and children, "Communication to the Government of India," 3 March 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29597>

²² Refugees International and the Azadi Project, "A Lifetime in Detention: Rohingya Refugees in India," December 2024, <https://d3jwam0i5codb7.cloudfront.net/wp-content/uploads/2024/12/RIAzadi-Report-Dec-2024-FINAL.pdf>

²³ Rohingya Human Rights Initiative, "Brief Finding Report, July 2023," https://www.rohingya.org/work_pdf/3153Jammu%20Report.pdf

treatment constitutes a serious violation of her rights and likely amounts to ill-treatment, given the profound emotional and psychological harm caused by forcibly separating a mother from her family.

- **Restrictive spaces:** Observers have noted that “power dynamics within the detention centers reinforce gender power dynamic, because men and male children typically have more of an area to roam as opposed to women and girls who are limited to a tighter and more restrictive space.”²⁴
- **Poor detention conditions:** The Ministry of Home Affairs’ 2019 Model Detention Centre Manual stipulates that the detention centre/ holding centre should provide facilities that uphold detainees’ human dignity. However, many detention centres have been reported to have poor living situations. Conditions in centres, such as the Matia Transit Camp are deplorable, with inadequate water supply, poor sanitation, insufficient food, and lack of medical care, conditions which have even drawn criticism from the Indian judiciary.²⁵ We have documented numerous credible reports highlighting deplorable detention conditions—including severe overcrowding; poor hygiene including non-functioning toilets; lack of basic provisions like clothing and bedding; inadequate food and water provision, including a lack of appropriate diets for pregnant and lactating women; lack of medical facilities, including denial of medical care to pregnant women²⁶; and lack of means for communicating with families and counsel.²⁷ Numerous **deaths** have been reported, often attributed to the poor detention conditions, such as that of Lalu Bibi in September 2024. The 75-year-old Rohingya refugee woman died after spending 1,287 days in Jammu’s “Holding Centre.” Her death is reported to be the seventh to have occurred at this centre.²⁸ Earlier that year, in March Hamida Begum, a 12-year-old Rohingya girl, died in Shahzada Bagh Detention Camp in Delhi. Her fellow detainees indicated that her death was due to the negligence of the detention authorities.²⁹ The poor detention conditions experienced by detainees were highlighted in March 2025 by the UN Special Rapporteur on the Situation of Human Rights in Myanmar in a communication sent to the Indian government, in which he noted the “inadequate conditions, ill-treatment, and deaths in custody of Rohingya refugees in detention centers.”³⁰ Such conditions disproportionately impact women detainees, particular

²⁴ Refugees International and the Azadi Project, “A Lifetime in Detention: Rohingya Refugees in India,” December 2024, <https://d3jwam0i5codb7.cloudfront.net/wp-content/uploads/2024/12/RIAzadi-Report-Dec-2024-FINAL.pdf>

²⁵ Scroll, “SC directs Assam to ensure proper facilities at Matia detention centre within one month”, 5 November 2024, <https://scroll.in/latest/1075264/sc-directs-assam-to-ensure-proper-facilities-at-matia-detention-centre-within-one-month>

²⁶ The Pioneer, “*Beggar Home’s horrific conditions pain women panel; Govt gets notice*,” 6 January 2017, <https://www.dailypioneer.com/2017/delhi/beggar-homes-horrific-conditions-pain-women-panel-govt-gets-notice.html>

²⁷ Rumi Bibi v. State and Ors. W.P. (Crl.) 902 of 2020, order dated 4 February 2021; Re-Inhuman Conditions in 1382 Prisons, IA 105821/2018 in Writ Petition(s)(Civil) No(s). 406/2013, order dated September 12, 2018.

²⁸ The Siasat Daily, “75 Year Old Rohingya Refugee Dies After 1287 Days of Indefinite Detention,” 13 September 2024, <https://www.siasat.com/75-yr-old-rohingya-refugee-dies-after-1287-days-of-indefinite-detention-3095660/>

²⁹ The Telegraph, “Kidnapped, trafficked and incarcerated: The unsettling death of a Rohingya child in India”, 4 November 2024, <https://www.telegraph.co.uk/global-health/climate-and-people/hamida-begum-rohingya-child-death-india-refugee-detention/>

³⁰ Mandates of the Special Rapporteur on the situation of human rights in Myanmar; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on trafficking in persons, especially women and children, “Communication to the Government of India,” 3 March 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29597>

pregnant women, mothers with children, and victims of trafficking, whose specific health and protection needs are overlooked.

In light of this, we encourage the committee to request the following from the State Party:

- To undertake a thorough investigation into the allegations of human rights violations that have been committed against refugee and migrant women and girls in India.
- To provide details of steps it has taken to hold accountable officials who have broken the law by committing human rights violations against these vulnerable populations, including investigations of abuses in detention facilities and during removal proceedings, as well as provide information on complaints procedures and the remedies made available for victims of such abuses.
- To provide a detailed report of steps it intends to take to bring the country back into conformity with its obligations under the Convention with respect to refugee and migrant populations, as well as any efforts it has taken to identify those who have been unlawfully deported back to Myanmar or who have disappeared while in Indian custody with a view to providing them safe haven in India.
- Detailed information regarding the measures that have been adopted, or are scheduled to be adopted, to guarantee that women are treated in line with human rights standards, including through the provision of gender-sensitive conditions in detention, access to adequate food, water, and healthcare (including reproductive health services), family unity, and protection from violence and abuse.
- Detention and removal statistics, disaggregated by sex, age, nationality, and vulnerability status (e.g., pregnant women, mothers with children, trafficking survivors) and including details of the location and length of each individual's detention.

4. VICTIMS OF TRAFFICKING

- 4.1 Traffickers often operate through organised cross-border networks that lure vulnerable people from Myanmar, particularly Rohingya women and girls.³¹ They are frequently exploited through forced labour, coerced or arranged marriages, and harsh living or working conditions. The traffickers arrange their travel using forged documents that are obtained with the complicity of local authorities. This, however, leaves victims vulnerable to arrest and detention.
- 4.2 Despite India's obligations under the Palermo Protocol, many women remain vulnerable to detention and deportation in India. Following its review in 2014, CEDAW encouraged India to "establish appropriate mechanisms aimed at early identification and referral of, and assistance and support for, victims of trafficking, including foreign women, and provide them with remedies." However, women victims of trafficking continue to face serious protection challenges. Recently, eight Bangladeshi women were arrested for illegally staying in Pune, India. As per the news report, they were trafficked into

³¹ The Economic Times, "NIA filed chargesheet in Rohingya trafficking case, 6 named as accused", 6 June 2022, <https://economictimes.indiatimes.com/news/india/nia-files-chargesheet-in-rohingya-trafficking-case-6-named-as-accused/articleshow/92040877.cms>

prostitution, yet, during the recent drive to round up illegal foreigners, the local police arrested them with plans to deport them, instead of treating them as victims.³²

- 4.3 In its 2024 Trafficking in Persons report, the U.S State Department notes “Due to insufficient use of SOPs, authorities may have detained, arrested, and deported some unidentified trafficking victims. Some authorities penalized trafficking victims for immigration offences and charged victims of sex trafficking with commercial sex offenses committed as a direct result of being trafficked.”³³

The Global Detention Project encourages the committee to press the State Party to provide information on measures adopted to improve the identification and referral of victims of trafficking, to ensure that they are not detained as a result of their trafficked status.

5. DEPORTATIONS

- 5.1 As part of the government’s efforts to remove “illegal immigrants,” hundreds have been forcefully deported from India in recent months. Many have been pushed over the border into Bangladesh, with testimonies describing authorities employing violent tactics. Human Rights Watch, for example, cites the case of a 37-year-old woman who was detained in Assam State before being forced, along with her husband and three children, into Bangladesh at gunpoint.³⁴
- 5.2 Myanmarese refugees have also been deported to Myanmar, despite a UNHCR non-return advisory in place.³⁵ In May 2024 for example, the Manipur government deported 77 Myanmar nationals, accusing them of fuelling ethnic violence in Manipur (in spite of a lack of substantive evidence).³⁶
- 5.3 Indian authorities have also detained Rohingya refugees living in Delhi before casting them into the sea near the maritime border with Myanmar. In May, numerous reports highlighted the Indian government’s actions: approximately 40 refugees—amongst them 13 women—were detained in Delhi before being blindfolded, flown to the Andaman and Nicobar Islands, and transferred to an Indian naval ship. After crossing the Andaman Sea, the group were reportedly given life jackets before being forced into the sea and ordered to swim to an island in Myanmar’s territory.³⁷
- 5.4 Tom Andrews, the UN Special Rapporteur on the situation of human rights in Myanmar, expressed grave concerns at these reports. In a statement, he said: “The idea that Rohingya refugees have been cast into the sea from naval vessels is nothing short of outrageous. I am seeking further information and testimony regarding these

³² Pune Pulse, Pune Police Crack Down on Illegal Immigrants: 8 Bangladeshi Women Arrested in Budhwar Peth for Involvement in Prostitution, 4 July 2025, <https://www.mypunepulse.com/pune-police-crack-down-on-illegal-immigrants-8-bangladeshi-women-arrested-in-budhwar-peth-for-involvement-in-prostitution/>

³³ U.S State Department, “2024 Trafficking in Persons Report: India,” 2025, <https://www.reuters.com/world/india/rohingya-refugees-india-hunger-strike-over-prolonged-detention-2024-09-12/> <https://www.state.gov/reports/2024-trafficking-in-persons-report/india/>

³⁴ Human Rights Watch, “India: Scores of Rohingya Refugees Expelled,” 28 August 2025, <https://www.hrw.org/news/2025/08/28/india-scores-of-rohingya-refugees-expelled>

³⁵ UNHCR, “UNHCR Issues Urgent Appeal to Stop Forced Returns of Myanmar Nationals,” 20 October 2022, <https://www.unhcr.org/news/news-releases/unhcr-issues-urgent-appeal-stop-forced-returns-myanmar-nationals>

³⁶ ICJ, “India: immediately halt forced returns of Myanmar refugees in Manipur and respect the non-refoulement principle”, 10 May 2024, <https://www.icj.org/india-immediately-halt-forced-returns-of-myanmar-refugees-in-manipur-and-respect-the-non-refoulement-principle/>

³⁷ The Quint, “‘Tell Everyone They Left Us In The Sea’: Rohingyas Deported, Families Torn Apart,” 21 May 2025, <https://www.thequint.com/news/politics/tell-everyone-they-left-us-in-the-sea-rohingya-refugees-deported-families-torn-apart-delhi>

developments and implore the Indian government to provide a full accounting of what happened. ... Such cruel actions would be an affront to human decency and represent a serious violation of the principle of non-refoulment.”³⁸

- 5.5 The risk of forced return to Myanmar is particularly acute for women and girls: since the 2021 military coup, there has been a significant increase in gender-based violence in Myanmar. In 2024, Tom Andrews noted: “The threat of sexual and gender-based violence is a dark shadow that follows women, girls, and LGBT people throughout Myanmar.”³⁹

In light of this information, we encourage the committee to request the following:

- **Information on the measures India has taken to prevent the forced return of refugees, in accordance with the principle of non-refoulement.**
- **Detailed information regarding the procedures and mechanisms in place to identify and protect women and girls at risk of gender-based violence upon their removal.**
- **Detailed information on any investigations conducted into reports of violent deportations.**

³⁸ OHCHR, “Alarmed by Reports of Rohingya Cast into the Sea from Indian Navy Vessels, UN Expert Launches Inquiry of “Unconscionable, Unacceptable Acts,”” 15 May 2025, <https://www.ohchr.org/en/press-releases/2025/05/alarmed-reports-rohingya-cast-sea-indian-navy-vessels-un-expert-launches>

³⁹ UN Special Rapporteur on the Situation of Human Rights in Myanmar, “Courage Amid Crisis: Gendered Impacts of the Coup and the Pursuit of Gender Equality in Myanmar,” A/HRC/56/CRP.8, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-crp-8.pdf>