

CHAPTER -I

INTRODUCTORY

This chapter presents the application of various methodological tools applied to carry out the research first by giving a short introduction of the topic under study.

1.1 The Study Context

Various ethnic groups have lived in perfect communal, religious and ethnic harmony for centuries in Bhutan. "Never before, any instance of ethnic conflict, communal or religious clash at the people's level has occurred in Bhutan, which has become the hallmark of many South Asian nations and destroyed the very basic fabric of democracy in these countries".¹ Tolerance, co-operation and compromise, had been the basic values of Bhutanese society. But, since the 1980s, the present government has started sowing the racial seeds among its people. It has formulated and implemented a number of racist policies and programs to depopulate and evict the Lhotshampa citizens of Southern Bhutan. It is the present medieval autocratic and despotic government that has nurtured racist and discriminatory practices and attitudes to perpetuate in power. This has destroyed the very basis of existence of Bhutan as a peaceful nation.

More than 125,000 Nepali-speaking Lhotshampas of Southern Bhutan, nearly a sixth of the kingdom's total population of approximately 782,548 have been forced to leave or forcibly evicted from the country by the government. "This has made Bhutan as one of the highest per capita refugee generators in the world."² As in March 2001, 98,886 Bhutanese refugees were living in seven refugee camps in eastern Nepal managed by

1. Tek Nath Rizal and Thinley Penjore: **Unveiling Bhutan: Aspects of Bhutanese Refugee Impasse**, Bhutanese Movement Steering Committee, Kathmandu, Nepal, January 2007, Pp. 1-3.
2. Human Rights Watch: **Ethnic Nepalis in Severe Torture**, New York, January 2005.

the UNHCR. Rest live scattered in other parts of Nepal. About 25,000 Bhutanese refugees are living in Indian territories without any help.

"The roots of the current political crisis in Bhutan and the refugees lie in Bhutan's geopolitics and population politics".³ A study of various policies of the Royal Government of Bhutan (RGOB) in the last two decades reflects the Ngalong/Drukpa dominated government's motive to uproot Nepali speaking Lhotshampa population from Bhutan and reduce their number by all means. Be it Drukpanization or Bhutanization programmes, citizenship and Marriage Acts or No Objection Certificates (NOCs), Police Clearance Certificates (PCCs), all are directed against Lhotshampas of the south. It was a long standing and intrinsic ruling elite's security perception that the domestic demand for political change (democracy) would come from the Lhotshampas in the south. The south is bordered by the democratic India. Moreover, the Lhotshampas are economically well-off and more educated than their brethren in the north and east. The northern borders with China is closed. In order to pre-empt the demand for democracy, the government devised a clever strategy to depopulate the Lhotshampas from southern Bhutan. Hence, "The Lhotshampas gradually became the geopolitical scapegoats and security threat to the absolute monarchy."⁴

Thus, the government devised various strategies to bring about a favourable demographic balance favouring a Drukpa/Ngalong nation by reducing the number of Lhotshampas to around 25% and to prevent the demand for democracy from Southern Bhutan. The failed implementation of the forced assimilation policies reinforced this insecurity. This resulted in denationalization, deprivation and virtual confiscation of Lhotshampa's citizenship rights through manipulation of the citizenship act and by

3. Tek Nath Rizal: **Ethnic Cleansing and Political Repression in Bhutan**, SAP-Publishing House SAP Falcha, Babarmahal, Kathmandu, May 2004 pp. 26-30.

4. Ibid 3, P. 27.

changing the definition of citizenship. "The current political crisis and the refugee problems owe their origin to the enactment of two racist and discriminatory laws, viz, Citizenship Act of 1985 and Marriage Act of 1977 and implementation of a number of racist and discriminatory policies"⁵. These laws and policies were designed to reduce the number of Lhotshampa population and their mass eviction. As a great blow to the regime's inhumane policies aimed at encroaching the rights, liberties and private property of the Lhotshampas, the people of Southern Bhutan demonstrated against the autocratic strategies and designs of the then Royal Government of Bhutan raising slogans for democracy, human rights and security in Bhutan in the year 1990. The aftermath of the peaceful protest resulted in the deployment of armed forces in the South. "Forcible suppressions, unwanted tortures, rampant arrests and rape cases, and killing of the innocent Nepali speaking Lhotshampas on the allegations of treason against the king and being anti-national were some of the peculiar features of Bhutan in those days."⁶

The eviction of the Lhotshampas by the Royal Government of Bhutan led to the emergence of the refugee imbroglio between Nepal and Bhutan as more than one Lakh Bhutanese citizens have taken refuge in Nepal. Since the creation of the seven refugee camps in the South-Eastern part of Nepal, innumerable efforts at the Government's level were undertaken to resolve the crisis peacefully. The failure of the fifteen rounds of bilateral talks between Nepal and Bhutan; the unscrupulous categorization made by the Joint Verification Team (JVT) in 2003 and the Durable Solution (DS) proposal advocated by the UNHCR have

5. Hari Bansha Dulal: **Bhutanese Refugees: Trapped and Tantalized**, Department of Environmental Science and Public Policy, George Mason University, Virginia, USA, Wednesday, 10 January 2007, P. 1.

6. The Amnesty International: **Bhutan: Forcible Exile**, London, August 1994, P. 3.

heightened the intensity and seriousness of this problem. Hence, a study of the pros and cons of this problem becomes today's necessity.

Furthermore, the US proposal to take about sixty thousand exiled Bhutanese for resettlement, refugees repeated appeals to His Majesty the King of Bhutan, to the Nepal Government, to the Government of India and to the world community for unconditional, voluntary and prompt repatriation, and the Royal Government of Bhutan's recent statement indicating the "Camp people as being highly politicized and coining them as ready made terrorists have direct implications that nothing is certain to happen with in the coming years for repatriation"⁷. As Nepal has failed to seek India's positive support for resolving this grief-stricken situation and as the international community remains indifferent to the ongoing political unrest in Bhutan, the refugees should have the last opportunity to decide their own fate, which means all the three options proposed by the UNHCR for durable solution should be opened through the formal acknowledgement by the Nepal Government.

1.2 Description of the Study Site

Since this study revolves round the Bhutanese refugee crisis, the location, culture, social interaction, etc , have a pertinent role to play in the overall framework of this research work. During the influx of refugees from Bhutan in the early 1990s into Nepal, two different areas of Jhapa district, Nepal were selected for temporary settlement. One is Timai and the other Mai Dhar. Later, the camp which was established on the bank of river Kankai (Mai Dhar) was shifted to Beldangi, Goldhap and Pathri. But, Timai camp continued to be in the same place. "In the early months of the year 1995, the entire scenario of this camp got

7. I.P Adhikari: "People criticize royal allegation", **The Kathmandu Post**, Kathmandu, 27 December 2006, p. 1.

changed as it was re-structured in a systematic way thereby leaving a small space between the two huts and between the lines." ⁸

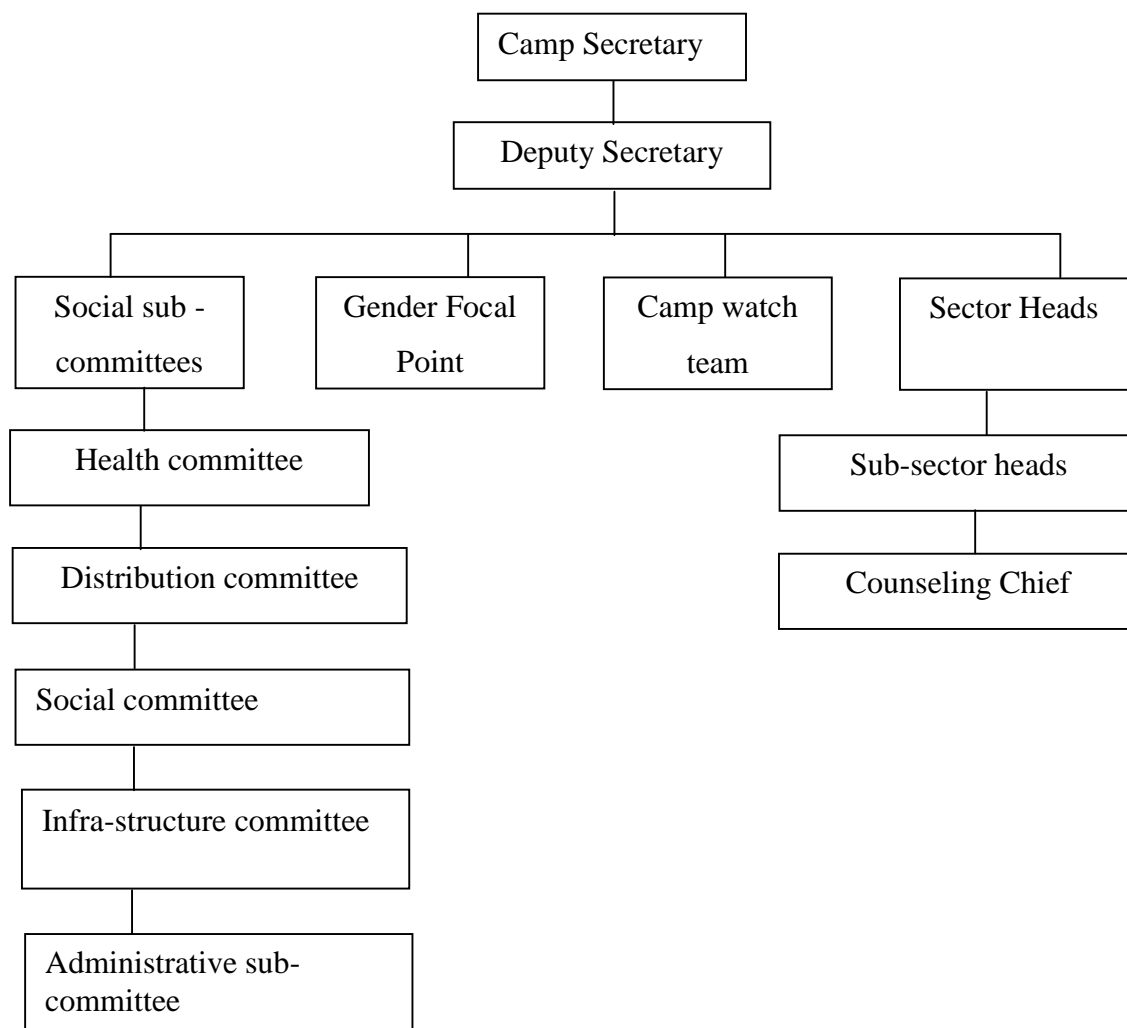
Timai Refugee camp was formally established on 13th December 1990 by the educated Bhutanese people who came to Nepal in those days with the aid and assistance of the Nepalese fellow brothers and sisters. This is the oldest camp inhabited by the exiled Bhutanese citizens in Nepal. It is located on the bank of river Timai which flows in a north-south direction. To the east of this camp lies river Timai and beside the river lies the Santinagar VDC inhabited by the local Nepali citizens. To the west of this camp is a private plot of land owned by the local people. In the same direction, there is also a famous tea estate named Burnei Tea-estate which covers a vast area. To the north is the paddy field, Aaitabare Bazaar and the Burnei village of Santinagar VDC. To the south of this camp lies Monglebare bazaar and the dense forest. The total population of this camp is 10,513. There is a system of strict caste hierarchy in the Chhetri and Brahman community while the remaining Mongol communities appear to be more liberal. Dalits do have a reasonable degree of caste hierarchy. Hinduism, Buddhism and Christianity are the major religions of the society. Culturally, Brahman and the Chetri communities dominate the Mongoloid groups in general. But, economically all are same. Their survival rests on the limited ration and other basic facilities provided by the organizations involved.

There are three schools established for imparting education to the refugee children under the direct aid of CARITAS Nepal. There are 78 water taps, 809 ventilated improved pit Latrines and 48 similar latrines for agency use. There are non-formal education, weaving, typing,

8. Based on interview with Parsu Ram Nepal: Camp Secretary, Timai Bhutanese Refugee Camp, Santinagar Jhapa, January 2007.

tailoring and shoe making programmes under taken to enable the helpless orphans and widows and disabled refugees to earn their livelihood.

This camp is run by the Camp Management Committee (CMC) headed by the camp secretary. All the staff to the CMC are elected annually by the votes of the refugee people. A simple structure of the CMC is as follows:



Source: Direct Personal Interview with Mr. Parsu Ram Nepal, The Camp Secretary, Timai Bhutanese Refugee Camp: January 2007

Above the camp management committee (CMC) is the camp supervisor appointed by the government of Nepal to look after the politico-administrative situation of the camp. He is the final authority and his words are binding upon all the camp people. He is empowered to

register, de-register and transfer the census of the refugees from one camp to another. Marriage and death records are also maintained by him.

For administrative convenience, this camp has been divided into four sectors headed by the sector heads and 17 sub-sectors headed by the sub-sector heads. There are 1730 Huts in an area of 14.5 hector land. There are some refugee rehabilitation and skill development centers like:

1. Youth Friendly Center (YFC) for 25 years below
2. Children Forum (CF) for 18 years below
3. Child-To-Child (CTC) below 8 years
4. Elderly Forum (EF) above 60 years
5. Refugee Women Forum (RWF)
6. Bhutan Health Association (BHA)
7. Bhutanese Refugee Aiding the Victims of Violence (BRAVVE)
8. Incentive Paid Workers (IPW)
9. Refugee Co-ordination Unit (RCU)

Different agencies have been involved to manage, facilitate, protect and administer the camp. The United Nations High Commissioner for Refugees (UNHCR) is involved in protection and budgetary matters. The CARITAS Nepal looks after the education. The Association of Medical Doctors of Asia (AMDA), Nepal provides basic health facilities. The Lutheran World Federation (LWF) is involved in infrastructure development and World Food Programme (WFP) provides ration and other basic necessities to the people registered in the camp. Thus, "One of the striking features of this camp has been the absence of discord with the local community outside the camp. Moreover, there is no external threat to the Refugee people except strict restraint in manual labour outside the camp."⁹

9. Based on interview with Kailash Gurung: Deputy-Supervisor, Infrastructure Development Section, Bhutanese Refugee Camp Timai, January 2007.

1.3 Rationale for the Selection of the Study Site

There are various reasons behind selecting the particular site for conducting this research. The major reasons for the selection of the study site are:

- The researcher belongs to the very camp. Thus, it is feasible and easy for him to carryout his field survey.
- The population of the camp is heterogeneous in nature.
- The camp is the oldest camp of all other camps as the initial Mai Dhar Camp was replaced by new ones
- Some of the leaders of Bhutanese community belong to the very camp.
- The camp people represent all the evicted places of Bhutan.
- The Camp is also a home of not only the Nepali-speaking Bhutanese but also the Drukpas.

1.4 Significance of the Study

It is an undeniable fact that there is no political stability and human rights guarantee in Bhutan, and as a result, the people who raised voice against the autocratic design of the then government were evicted from their motherland and made refugees. Till today, their fate of returning home is uncertain. Therefore, it is expected that this research will be an important reference material to understand the plight of the evicted Bhutanese people.

Similarly, there is no research conducted so far to assess the views of the refugee people in regard to the durable solution campaign initiated by the UNHCR. Likewise, this research work will be an important reference material for the future researchers who wish to carryout their research work on the issue of Bhutanese refugee crisis. Furthermore, it would also be helpful for the Bhutanese leaders to refine and restructure

their policies and strategies to set their goal of returning home. Since it is a product of the general views of the refugee people residing in the camps, it is also projected that this work would be an aid for those countries who wish to resettle the Bhutanese refugees and as a whole to the UNHCR and the international communities who seek sustainable solution for Bhutanese refugee crisis.

1.5 Statement of the Problem

"Hedged between two Asian giants-India and China, Bhutan geopolitically cannot be a buffer zone for political inclinations to one of the blocs-democratic India with its power and influence as a big brother in south Asia playing a prominent role in regulating Bhutan's defense and foreign policies since its independence in 1947 and on which Bhutan's survival entirely rests".¹⁰ Under the invisible hand of India, the Royal Government of Bhutan formulated and implemented a number of racist and discriminatory laws and policies with a motive to depopulating and denationalizing the Nepali-speaking Lhotshampa population to achieve so-called Gross National Happiness (GNH) by implementing One Nation One people policy.

No sooner had the citizenship Act of 1985 been implemented in 1988 through the discriminatory census in the six southern districts, than Bhutan entered into a state of political unrest and mutual strife between the so-called immigrants and the aborigines. As only the Nepali community was targeted, what might be the obvious and implicit causes behind evacuating its southern belt?

As the Bhutanese people have been sheltering in the UNHCR managed camps with limited facilities, it is important to note as to what is their actual status in the camps and what are the genuine problems faced

10. Bala Ram Paudyal: **Bhutan Hijo Ra Aaja**, Kathmandu, Bani Publication, June 2001, p. 23.

by them? Accordingly, the failure of the 15 rounds of bilateral negotiations between Nepal and Bhutan turned the hope of prompt repatriation into frustration and the UNHCR started advocating its Durable Solution Proposal allowing the refugees to make a pre-informed choice. But, it is necessary to inquire as to how can the durable solution proposal help end the refugee imbroglio?

1.6 Objectives of the Study

The following are the major objectives of this study.

- a. To assess the causes of conflict in Bhutan and the causes of eviction.
- b. To analyze the present status and the problems of the Bhutanese Refugees in the camps. and
- c. To analyse the Durable Solution Proposal of the UNHCR and suggest adequate measures to the stakeholders for prompt solution to this impending refugee crisis.

1.7 Methodology

Methodology used becomes the deciding factor for the reliability, objectivity and accuracy of the study. These, in turn, depend on the appropriate selection of procedures and tools adopted for the collection, description and analysis of the materials under study. This part of the research work talks about the research design, nature and sources of data, sampling procedure, data collection techniques, reliability and methods of data analysis.

A. Research Design

The nature of research is both descriptive and exploratory. It is descriptive since it is based on detail investigation and records of the study area. At the same time, it is exploratory as the information derived

from the study are employed to analyze the shortcomings faced by the respondents prior to their arrival in Nepal, their present difficulties and the measures desired by them for a lasting solution to their one and a half decade long and unresolved crisis.

B. Nature and Source of Data

This research is based on both primary and secondary data. Primary data were collected through household survey by using tools like questionnaire, focus group discussion, observation, PRA and RRA and interview with the leaders of some of the Bhutanese political parties and human rights organizations and the heads of some of the organizations involved in aiding the Bhutanese Refugees in the UNHCR managed camps and the representatives of some state who are desiring a prompt and lasting solution for this problem by re-settling the refugees in their countries on humanitarian ground. Likewise, secondary data were collected from various published and unpublished literatures and the organizations related to the Bhutanese Refugee Crisis.

C. Sampling Procedure

Out of seven Bhutanese Refugee Camps in the Jhapa and Morang districts of Eastern Nepal, Timai Bhutanese Refugee Camp, Santinagr1 was the area of this study. Selection of sample people sheltering in this camp was based on the purposive sampling as it is one of the oldest camps established in Nepal. Similarly, one hundred (100) respondents were randomly selected from among the camp people through simple random sampling method. Accordingly, ten key respondents were selected for adequate information from dalit, marginalized and gender groups.

D. Data collection Techniques

Following techniques were adopted to collect primary data from the study site

i. Well Being Ranking

Well being ranking is a method of Participatory Rural Appraisal (PRA). Orphans, disabled and women identified by focus group discussion and from the help of key persons were tested.

ii. Household survey

A total of 100 households were surveyed to gather information. From each household, based on gender composition, one member who was found reliable for the study was selected to carry out the research. For this, structured questionnaire was used.

iii. Observation

The researcher observed the physical setting and the relationship of camp people with the camp management committee (CMC), the staff of organizations involved, etc, to assist the findings of the study.

iv. Focus Group Discussion

The stakeholders of Timai Refugee Camp were gathered together to find out the actual status of the Refugee people in general and the people of Timai in particular. Participatory Rural Appraisal (PRA) was applied to discuss various issues emerging in the camp and the prospects of Durable solution proposal of the UNHCR.

v. Key Informants Interview

To obtain the actual causes of conflict in Bhutan, problems faced by the people in the camps and their attitudes toward Bhutanese political leaders/parties, the Royal Government of Bhutan, the Indian Government,

the Nepal Government and the Durable Solution Proposal of the UNHCR, the researcher made an interview with the eminent personalities working in the camp and the selected key respondents.

vi. Ethical consideration, social Immersion and Rapport Building

The researcher applied these methods and adopted flexible approach to make congenial environment for the respondents to speak freely and frankly to obtain reliable information. Moreover, environment of trust and secrecy was strictly maintained.

E. Reliability

To ensure the reliability of the research, due consideration and attention was given to the sample size. Furthermore, to minimize the errors to a greater extent, the findings were tested to a minimum of five persons.

F. Method of Data Analysis

The collected data are edited, coded, classified and tabulated for better analysis. The quantitative data are presented in tabular forms and suitable statistical tools have been used. The data are presented in diagrammatic forms to make research more attractive. The qualitative data have also been interpreted and analyzed in a descriptive manner based on their numerical characteristics.

1.8 Limitations of the Study

Following are the main limitations of this study.

1. As this study has been designed for the partial fulfillment of Master's degree in Arts, the researcher has not examined the topic from all angles. Hence, this study focuses only on the seeds of conflict in Bhutan; the present status and problems of the people in

the Refugee camps; and the Durable Solution Proposal of the UNHCR with its pros and cons.

2. Non-availability of previous works on the subject is another limitation of this study.
3. Time and resource constraint appears to be a very prominent limitation of the subject under study.
4. This research work was carried out only in one among seven refugee camps of Jhapa and Morang districts.
5. This study is based on the field survey conducted among the general people of Timai Refugee camp and interview with the leaders of Bhutanese political parties/heads of organizations involved and the representatives of countries favoring a durable solution for this crisis. Thus the scope of the study is limited to the findings of the survey and the interview.
6. The researcher has not included the manifestoes of the Bhutanese political parties and the Human Rights Organizations established in exile. But, their future strategies for Durable Solution have been given due emphasis.
7. No hypothesis has been formulated. However, attempts have been made to analyze the available materials to meet the outlined objectives.

1.9 Organization of the Study

This dissertation has been organized in five chapters: namely, introductory, Kingdom of Bhutan and the Refugee Crisis, Durable Solution Proposal of the UNHCR, Presentation and Analysis of Data, and Findings, Conclusion and Recommendations.

Chapter one includes an introduction of the study especially concerning with study context, description of the study site, rationale for

the selection of the study site, significance of the study, statement of the problem, objectives of the study, research methodology, limitations of the study and organization of the study.

Chapter two provides a general background of the kingdom of Bhutan with special reference to the people, culture, religion and the political system. It also discusses the various strategies adopted by Bhutan to denationalize and evict the Nepali-speaking citizens before and after 1990 with due emphasis on the atrocities of the armed forces and the flight of the Bhutanese people in search of safety and security. It also presents a thorough analysis of the emergence, status and problems of the refugee people.

Chapter three includes a comprehensive analysis of the durable solution proposal of the UNHCR with special focus on the meaning of durable solution, prospects of voluntary repatriation for Bhutanese refugees, need of comprehensive approaches to Durable Solution-vis- a-vis Third Country Resettlement for the Bhutanese refugees, UNHCR's concept of resettlement, proposal of the U.S.A and other democratic countries for Resettling Bhutanese Refugees and a critical analysis of the durable solution proposal of the UNHCR.

Chapter four deals with the presentation and analysis of data collected from the study site. It briefly presents the situation, problems and progress in the context of Bhutanese refugee imbroglio through tables and graphs.

The final chapter sums up the findings of the study, conclusion of the study and recommendation of measures for Durable Solution to the Bhutanese Refugee Crisis.

CHAPTER-II

KINGDOM OF BHUTAN AND THE REFUGEE PROBLEM

This chapter presents a brief introduction of Bhutan and the subsequent events that paved the way for the Royal Government to denationalize and evict the Nepali-speaking citizens inhabiting in the Southern Tropical region of the country before and after 1990 and the situation prevailing in the UNHCR sponsored Bhutanese Refugee Camps in Nepal.

2.1 General Background of the Kingdom of Bhutan

Bhutan is a tiny landlocked mountainous kingdom located on the south-eastern slopes of the great Himalayan range in South Asia. It is bordered by democratic India in the south, east and west, and by the Tibetan Autonomous Region of China in the north. The northern border with China is closed. Bhutan has an area of about 46,500 square kilometers and shares about 1075 km. of land boundaries with its two giant neighbours: 470 km. with China, and 605 km. with India. Of the total landmass, approximately 57% is under forest cover, 16% under agriculture and the remaining 27% under alpine Snow cover.

The early history of Bhutan is obscure, and even the later recorded accounts do not project objective and correct views about the country's origin, history and the people. "Due to difficult and inhospitable terrain the country remained in isolation for centuries with hardly any contacts with the outside world."¹¹ A few historians, who visited the country during the 19th century and subsequently, had to entirely depend on the government version which primarily and deliberately portrayed the

11. Tek Nath Rizal and Thinley Penjor: **Unveiling Bhutan: Aspects of Bhutanese Refugee Impasse**, Bhutanese Movement Steering Committee (BMSC), Kathmandu, January 2007, p. 1.

significance and dominant role of Ngalongs the ruling class from western Bhutan.

Thus, the historical status and significance of original people like Doyas and Totas who settled in the south-west of Bhutan, Sharchops who settled in eastern Bhutan long before the Ngalongs moved from Tibet and settled in north-western Bhutan, were deliberately omitted from Bhutan's historical accounts to establish the pre-eminence of the ruling Ngalong group. The Nepali speaking Bhutanese people trace the history of migration to Bhutan during the early seventeenth century. They moved to Bhutan from Nepal, Darjeeling hills, Sikkim and north-eastern British India.

"The early Ngalong migrants were political refugees, who fled Tibet due to the conflicts between the followers of different sects of Buddhism."¹² They were mostly monks and scholars who lived as hermits, nomads and porters. There were continuous conflicts between elite families claiming supremacy of their Tibetan sects and institutions to which they belonged. They could establish themselves permanently in western Bhutan only after the arrival of a monk name Nawang Namgyel in 1616, who belonged to the Drukpa Kargu Monastery of Ralung in Tibet. Nawang "Namgyel subsequently took the title of Shabdrung (Literally meaning somebody at whose feet one submits) and unified the nation under a theocracy, with the dual system of governance. Shabdrung appointed a Je Khempo to look after the religious affairs of the state and a Druk Desi to handle the affairs of civil administration. This dual system of governance lasted till 1907, the year the present Wangchuk dynasty was founded with the help of the British by Ugyen Wangchuk, great-great grandfather of the present monarch, king Jigme Gasher Namgyel Wangchuk. "Of the four kings who ruled Bhutan earlier at different

12. Ibid 1, P. 7.

points of time, the fourth ruler king Jigme Singye Wangchuk sowed the seeds of conflict by introducing a number of irrational and inhumane policies to depopulate and denationalize not only the Nepali speaking Lhotshampa population of South but also the peace and freedom loving Sharchop population of Eastern Bhutan."¹³

Bhutan's topographic feature is very much uneven. The sparsely populated Greater Himalayas, bounded to the north by the Tibetan plateau, reach heights of over 7,300 meters (23,950 ft), and extend southward losing height, to form the fertile valleys of the lesser Himalayas divided by the Wang, Sunkosh, Tongsa and Manas rivers. Monsoon influences to promote dense forestation in this region and alpine growth at higher altitudes. The cultivated central uplands and Himalayan foothills support the majority of the population. In the south, The Duars (the gates) plains drop sharply away from the Himalayas into the large tracts of semi-tropical forest, savannah grassland and bamboo jungles.

2.2 People, Culture and Religion

Bhutan is a nation of immigrants and a multi-religious, multi-cultural and multi-linguistic society. It has a population of approximately 780,000, which includes about 135,000 refugees living in Nepal and India. "In the nineteen-eighties, the then Royal Government of Bhutan (RGOB) had put the population figure at 1.4 million. The reason and need for inflated this figure still remains a mystery."¹⁴

However, after the dissident groups published the population figure at between 600,000 to 700,000, the king of Bhutan admitted in 1991 that the real number of population was just 600,000.

13. Based on Interview with Tek Nath Rizal: The Chairman, the Bhutanese Movement Steering Committee (BMSC), Kathmandu, January 2007.

14. Based on interview with Mr. Vidhya Pati Mishra: The office secretary, "The Bhutan Reporter Monthly", "apfanews.com", Kathmandu, March 2007.

There are three main ethnic, religious and linguistic groups – Ngalongs, Sharchops and Nepali-speaking Lhotshampas. Besides, there are a dozen smaller groups, which include Khengs, Brokpas Mangdepas, Kurteopas, Doyas, Adivashis and Tibetans. In terms of religion and faith, Bhutanese people practice Hinduism, Drukpa Kargyupa and Nyingmapa sects of Mahayana Buddhism. All three ethnic groups migrated to Bhutan at different points of time in history, but before the turn of twentieth century.

Ngalongs

The Ngalongs (also spelled as Ngalong) often called Drukpas-comprise around 16 percent of the total population, and are the ruling group who control the monarchy, the government and the economy. They migrated from Tibet, fleeing political and religious persecution in Tibet and settled in north-western Bhutan in early seventeenth century. The king and all the high government officials belong to this politically and economically dominant ethnic group. They live in the north-western region, speak Dzongkha language and wear robe like dresses. They practice Drukpa Kargyupa sect of Mahayana Buddhism and belong to Tibetan ancestry. They are also called Drukpas. The term Druk stands for Bhutan and Pa means people living in that country. However, the ruling Ngalong elites over the years have misinterpreted it to mean only Ngalongs.

The early Ngalong migrants lived as hermits, nomads or political refugees. They established themselves permanently in Bhutan only in the seventeenth century when Bhutanese nation was founded under the leadership of the monk ruler, Shabdrung Nawang Namgyel. Today, they have their settlements spread over six northern districts, namely, Paro, Ha, Punakha, Thimphu, Wangdiphodrang and Gasa. The newly created

Chhuckha district in Southern Bhutan also has a small number of Ngalong population. During the British rule in India, people from the neighbouring India were brought as captives. They were settled in Wangdi district. They were not allowed to practise their culture and started following the Ngalong culture and traditions and were forcibly assimilated into the Ngalong community.

Lhotshampas

The second ethnic group is Nepali-speaking Lhotshampas (meaning southern Bhutanese), and they comprise around 46 percent of the total population. The Lhotshampas primarily inhabit the whole southern foothill districts stretching from Samchi district in the west to Samdrup Jongkhar in the east, which stretches around 300 kilometers in length. They speak Nepali language, which transcends ethnic boundaries and it is the link language spoken widely throughout the kingdom. It has become the lingua franca of Bhutan.

The Lhotshampas migrated from Nepal via Sikkim, Darjeeling and Burma during the mid-seventeenth century. The families from the Indian Gorkha regiments during British rule in India were also officially settled in southern Bhutan. "The Lhotshampas trace their history of migration to Bhutan to 1624 A.D. the year that formalized the settlement of Lhotshampa community in Bhutan through an agreement reached between Shabdrung Ngawang Namgyel, the Dharma Raja of Bhutan and his counterpart, then contemporary, Raja Ram Shah of Gorkha, Nepal."¹⁵ In 1624, Shabdrung Ngawang Namgyel, the then monk ruler of Bhutan requested the king of Gorkha in Nepal to dispatch some artisan families to Bhutan as a gesture of goodwill and co-operation. This was the first official transfer of Nepali-speaking population to Bhutan.

15. Based on Interview with Mr D.B. Rana Sampang: the President, Bhutan Gorkha National Liberation Front (BGRLF), Kakarbhitta, Jhapa, January 2007.

In those days, southern Bhutan was virtually uninhabitable as it was infested with malaria and other tropical diseases. The Ngalongs and Sharchops were afraid to settle in the south due to the fear of the tropical diseases. In 1898, Bhutan's rulers established a separate special southern administrative system under the authority of Kazi Ugyen Dorji (Dorji family). This system continued till 1960s. Its headquarter was located in Kalimpong, India. Kazi Ugyen Dorji was full administrative authority over the whole of southern Bhutan, including the right to settle Nepali immigrants in what was then a virtually uninhabited section of the country, with the aim of improving the tax base and to ensure the formation of a safety buffer zone. This confirms that

- a. Lhotshampas had settled in southern Bhutan prior to the installation of the hereditary monarchy in 1907,
- b. Lhotshampas settled in virgin territory without displacing any human settlements, and they did not infringe upon rights and privileges of any other community. The British India too encouraged the settlement of Lhotshampas in southern Bhutan. Their motive was to establish a fully loyal population to the Bhutanese throne, which they were backing. The British rulers wanted a long term stability in Bhutan, which depended on the strength of the institution of monarchy. It was expected that a blend of support coming from both the Hindus and the Buddhists would provide the much-needed legitimacy to the monarchy which until 1907 was an unknown phenomenon in the political history of Bhutan.

Sharchops

The third ethnic group is called Sarchops, who constitute around 37 percent of the total population. They are the inhabitants of the eastern and

central regions and practise Nyingmapa sect of Mahayana Buddhism and belong to Tibeto-Burman ancestry. They speak Tsangla dialects. Their origin and history is yet in mystery. However, some scholars believe that they migrated from northeast India. They are said to be the oldest inhabitants of Bhutan, prior to the arrival of Ngalongs from Tibet. Traditionally, the population east of Pelela pass, some hundred kilometers east of Wangdiphodrang, are called Sharchops. This is just a geographical and not an anthropological connotation.

The government did not encourage/allow cultural socialization and mingling of various ethnic groups, presumably for political reasons. Until 1972, Nepali speaking southern Bhutanese were not allowed to own properties in the Ngalong dominated areas. Even in-country migration was restricted for them. They were restricted from traveling to the northern areas. The Ngalongs and Sharchops were also required to obtain a permit to enter the southern region. The Lhotshampas thus remained cut-off from the mainstream of Bhutanese society and politics under a separate southern administration. The system of transport and communications were also not developed. This led to the cultural isolation of various ethnic groups. Hence, each ethnic group lived clustered together in separate regions. For example, the Nepali-speaking Lhotshampas lived in southern foothills, the Sharchops lived in eastern region and the Ngalongs lived in north-western region. Each ethnic group developed their own intra-ethnic group matrimonial alliances. In the absence of interaction with people in other parts of the country, the culture, tradition, and rituals of eastern Nepal from where the migrants had begun their journey were retained in southern Bhutan and, over the years, the region acquired a distinctive cultural entity. "They continued to contribute to the nation building activities of the country and paid taxes in

cash, kind and also contributed free labour for the development works as well as domestic hands for government officials."¹⁶

The difficult terrains infested with malaria and other fatal diseases and unavailability of basic facilities like hospitals, schools, forced some southern Bhutanese to migrate to Nepal and to adjacent Indian border states of Assam and Bengal in 1950s and early 1960s. The then late prime minister Jigme Palden Dorji persuaded southern Bhutanese to stay back and work to build the nation together with other ethnic communities. At the same time, the late king, Jigme Dorji Wangchuk pleaded them to stay back and assured them of citizenship security. He enacted the nationality Law of Bhutan in 1958 and granted citizenship rights to southern Bhutanese. He also entrusted to southern Bhutanese with the responsibility of protecting the country's border in the south.

Until 1988, Nepali-speaking Bhutanese were allowed to practice their culture and retain their distinct cultural identity. Nepali language was used at all levels, in official correspondence and in judiciary. Fourteen representatives from southern Bhutan were elected to the national assembly. The Nepali-speaking Lhotshampas were inducted into civil services, police and army. However, in 1988, after the issuance of Royal edict "Driglam Namzha" (feudal court etiquettes), the cultural rights of Lhotshampas were severely restricted, and they were prevented from practising their cultural rights. After the peaceful political demonstration by the southern Bhutanese in 1990, the government expressly formulated and implemented innumerable uncodified and derogatory policies to coerce the Nepali-speaking Lhotshampa population with a view to evicting them by encroaching their inalienable rights and confiscating their landed property. In the name of Buddhist dogmas, people were severely tortured and forced to be assimilated with in the

16. The Amnesty International: **Bhutan: Forcible Exile**, London, August 1994, p. 13.

Drukpa community. Even today, cultural homogenization process is in fast progress for making Bhutan the only homogeneous nation in south Asia and to attain Gross National Happiness (GNH) through the strict and effective application, of "One Nation One People Policy." Thus socio-cultural diversity in Bhutan seems to be like a force or an utopia.

Religion has always played a dominant role in Bhutanese psyche and the political and socio-economic history of Bhutan. While the Ngalongs and Sharchops follow Drukpa Kargyupa and Nyingmapa sects of Mahayana Buddhism respectively, the vast majority of Lhotshampas practise Hinduism. There are handful of Bhutanese from all communities who follow Christianity, which is banned by the government. Some of the followers of the Christian faith, particularly from the Ngalong community, have been persecuted by the government and are living in exile.

The Je Khempo is the chief Abbot who exercises full authority over all Buddhist institutions in the country. The chief Abbot is assisted by four high Lamas (monks), called Lopons, of whom Dorji Lupon is ranked as the second highest in the monastic hierarchy. Till the reign of the second king, Je Khenpo was selected from among four Lopons by drawing one of the slips of paper placed in an urn, and as the term of office was not fixed, he could serve till he was capable or till his death. During the reign of the third king, the selection procedure was made a little more rational by making way for the second in command, Dorji Lupon, to automatically succeed the Je Khempo, and the term of office was fixed for three years. "The monastic institution, functioned smoothly with its own system, bureaucracy and code of conduct and without any interference from the civil authorities till the reign of the Fourth King."¹⁷

17. Opening ceremony of the National Front for Democracy, Bhutan (NFD-Bhutan): Birtamod, Jhapa, 16 February 2003.

The Fourth King has changed the rule for the selection of the chief Abbot. He has direct influence over the monastic hierarchy as the Je Khempo is elected by the central monastic body only after the king covertly nominates the candidate.

Furthermore, it has been most unfortunate for the Bhutanese notion that since the eighties, the politics is being practiced on communal and religious lines. Since the eighties, Bhutan is experiencing a Ngalong revivalist movement using Buddhism as its medium. It is aimed to restore and review traditional and feudal Ngalong social virtues at the cost of all other social and ethnic groups. Recent trends in the Ngalong revivalist movement also demonstrate that it aims to purge the multi-ethnic, multi-cultural and multi-religious Bhutanese society, which it regards as unwanted cultural elements. "Ethnic cleansing" of Lhotshampas is a part of this revivalist movement. This revivalism movement seeks to reawaken Drukpa Kargyupa faith and revive former Ngalong customs and traditions such as Driglam Namzha through the slogan of "One Nation One People" by cleansing other cultures. Ethnic cleansing of Nepali-speaking Bhutanese population, banishment of over one-sixth of population as refugees, requirement of No Objection Certificate and persecution of Sharchops who follow the Nyingmapa sect are inalienable parts of this revivalism. The extreme expression of this revivalism and Buddhist fundamentalism has been manifested in the change of the name of the places to wipe out the cultural traces of Lhotshampas from the state memory. Thus, the Nepali names of places like Chirang, Sarbhang, Samchi and Pinjuli in southern Bhutan were replaced with Ngalong sounding names like "Tsirang", "Sarpang", "Samtse" and "Penjoreling". The ruling elites from the Ngalong community, in coalition with the central monastic body, which forms the inner core of the Ngalong revivalists, have blatantly used the Buddhist religion (Kargyu sects) as a

political tool to victimize the Nepali-speaking Hindus and Sharchops for protecting the vested interests of the ruler and the Ngalong community. The basic aim of this movement is the self-preservation of absolute monarchy and ruling Ngalong elites.

The ruling Ngalongs, followers of the Drukpa Kargyu sect, have always subjected and dominated the Sarchops, the followers of the Nyingmapa sect. Thousands of Sarchops have been persecuted over the centuries and were compelled to leave the country to find safe haven in India and Nepal.

2.3 The Political System

With the support of the British Empire, monarchy was established in Bhutan in 1907. Since then, Bhutan is ruled by an absolute hereditary monarch. There is no constitution or the Bill of Rights in Bhutan. The system of governance is practically autocratic, primitive, despotic and feudal. The King is the head of the state, government and the highest court of appeal. In the absence of the constitution or clearly defined powers of the government, the executive, judiciary and the legislature function as a single administrative structure under the command of the king. There is a Council of Ministers under the chairmanship of the King.

Legislature

The National Assembly of Bhutan (a unicameral house) is called Tshogdu. It consists of one hundred and fifty one members. One hundred and one seats are filled up by the so-called representatives of the people selected by Dzongdas (Chief district officers) who are appointed by the King. Of the total strength of the House, forty members are appointed by the King from the bureaucracy and ten members are nominated by the Buddhist clergy. There is no fair representation to the National Assembly. It is a rubber stamp of the executive and its deliberations are all

engineered by the government. There is only the Treasury Bench. The king and his council of ministers are the single source of law. The members of National Parliament – the National Assembly (NA) themselves cannot pass any legislation. "They do not belong to any political party, since political parties and human rights organizations are banned in Bhutan."¹⁸

The Council of Ministers sends all legislation to the National Assembly for approval and enactment. The NA just approves them and all legislation passed by the NA is send to the king, who has the powers to veto any legislation. The NA members are indoctrinated to deliberate on pre-decided agenda set by the government. All the Bhutanese citizens, including National Assembly members, lose their nationality or face capital punishment if they criticize the King and his government. The King and his government are above the law and supreme in the legal system.

The Dzongdas in the districts are given too much power. They function like the regional Kings. They decide what issues are to be taken to the NA. The public grievances are never allowed to be taken to the NA by the Dzongdas. Therefore, the public grievances remain within the districts. Thus, NA has been functioning as the monopoly platform of 20 Dzongdas and the Ministers and not as the platform for the public voice. The Dzongdas later were given the authority to select candidates for the posts of Mandals (village headmen) and members of the National Assembly. The voice raised against the Dzongdas is not entertained by the National Assembly.

18 Tek Nath Rizal: **Open Appeal to the Members of the United Nations, The SAARC, The European Community, The Bhutan Donor Agencies and The World Community**, 29-June 2006, p. 2.

Judiciary

The high court in Thimphu known as the Royal Court of Justice is the country's Supreme Court. It was set up in 1968. The judiciary is not independent of the King and neither is it impartial nor neutral. Since it functions under the command of the King, he exercises strong, active and direct power over the judiciary. The government significantly restricts the rights of Bhutanese citizens and the judiciary has never protected these rights. The judiciary is also never known to declare any government action unlawful. Provisions for defence, attorney, lawyers, solicitors and jury trials are non-existent. The judicial officials including the Chief Justice are not trained in law. The judges do not possess any university degree. "In fact, an important institution like the judiciary has been made a dumping ground for inefficient and unwanted civil servants."¹⁹ Arbitrary arrest and detention is the rule rather than exception. Bhutan has the most outdated, unprofessional and unlawful prosecution and trial system. The government restricts the citizen's right to a fair trial. In contravention to all established Jurisprudence and International legal norms, the Judges in Bhutan investigate cases, file charges, prosecute and even award judgement. The hearing judge assists the police from the executive branch of the government in the prosecution and decides the cases. The entire basis of the Judicial system is the extraction of the confession of the crime.

Executive

King is the executive head of the kingdom of Bhutan. He is also the head of the government and the Commander-in-chief of the armed forces. He has the discretionary authority to constitute the Council of

19. Ibid 8, p. 1.

Ministers, the Royal Advisory Council and all other commissions for development purposes. The council of Ministers functions under the direct command of the king. The judges of all courts are appointed by the King in consultation with the Council of Ministers. The National Assembly and the Royal Court of Justice are accountable to it and the Council of Ministers sets agenda for the National Assembly deliberations and prepares verdicts for the courts on civil cases. The National Assembly and the judiciary function on the guidelines set forth by the executive. The Council of Ministers headed by the Prime Minister is collectively responsible to the king. The members of the Council of Ministers are liable for capital punishment if they stand against "Tsa Wa Sum" (King, Country and the People). King has the sole authority to remove any or all members of the Council of Ministers if he finds them incapable, disabled and going against the established Buddhist norms and values of Bhutan. The Prime Minister has no special power to regulate the day-to-day affairs of the country. He is not the Chairman of the Council of Ministers. He presides over the meetings of the Council of Ministers in the absence of the King or as and when directed. But, he represents the nation in the international field. Thus, the council of Ministers is a mere cipher of the King in Bhutan.

In addition, the other powerful government bodies at the center are: The Royal Advisory Council (RAC) and the Planning Commission (PC).

The decentralization policy was adopted by the Royal Government of Bhutan in the dynamic leadership of Fourth King Jigme Singye Wangchuk at the beginning of the Fifth Plan in 1981, with the objective of ensuring grassroots participation in the process of planning and implementation of development projects related to their own locality. Accordingly, a District Development Committee was set up in all districts

comprising of village headmen, National Assembly members and sectoral heads of the government under the chairmanship of Dzongda. The post of commissioner for southern Bhutan was abolished with the implementation of the decentralization policy, and instead four Dzongkhags (districts) were created with Dzungdas as the Chief District Administrators. The districts were divided into sub-divisions or Dunkhags. The public representation to the National Assembly remained the same. In the beginning, the government appointed some southern Bhutanese as Dzungdas, Deputy-Dzungdas and Dzungpas. However, in the early eighties, the King recalled all civilian southern Bhutanese dzungdas and dzungpas and appointed army officers as Dzungdas and civil administrators in their place. "The new army dzungdas and dzungpas, who did not have appropriate qualification and experience in civil administration and development works, started functioning in a typical army style and as the direct representatives of the King. They were delegated maximum authority under the so-called decentralization policy and in the process grossly abused their powers and misused substantial amounts of development funds."²⁰ The Dzungdas increasingly started to suppress the genuine grievances of the public. The National Assembly member of the locality was not permitted to submit problems and grievances of the public to the National Assembly as that would have undermined the authority of the new Dzungda. All these strategies adopted by the then servants of Bhutan Government clearly indicate the sinister plan of denationalization of the southern Bhutanese citizens to the maximum extent possible. Since then, no changes have been introduced to uplift the status of the marginalized Nepali-speaking Lhotshampa population of southern Bhutan.

20. Sabitree Thapa Gurung: "An Analysis of India's Response to the Bhutanese Refugee Issue", Kathmandu, **Public Administration Journal**, vol. XXIII, July 2005, pp. 16-26.

2.4 Bhutan State Congress Party and the Demand for Basic Reforms

The independence of India from the British in 1947 had profound effects on the politics of South Asia. The "Jaya Gorkha" movement of Darjeeling hills, India, in the late forties had spilled over into parts of Bhutan and served as the wake up call for some forward looking Nepali-speaking southern Bhutanese. "The government arrested, tortured and forcibly evicted many southern Bhutanese who were suspected to have been involved in the 'Jai Gorkha' movement."²¹

The continued exploitation of southern Bhutanese and denial of fundamental rights including citizenship rights resulted in the launching of the Bhutan State Congress Party (BSCP), the pioneer political party in 1952. Mr. D.B. Gurung, grandson of Mr. Garjaman Gurung, was elected the party's president. The party was launched at Paatgaon, Assam, India which is close to the present day Sarbhang district of Bhutan. The party demanded that the government must grant Bhutanese citizenship rights to the Nepali-speaking Bhutanese population, provide employment to them in the government services, initiate socio-economic developments in southern Bhutan, and launch democratic reforms in the country.

A delegation led by Mr. D.B. Gurung visited New Delhi to meet Indian Prime Minister Pandit Jawaharlal Nehru to seek his help to bring about political reforms in Bhutan. The delegation managed to meet Pandit Nehru, who advised them to follow peaceful means to achieve their objectives. When the major demands were not fulfilled by the government, the party launched a "Satyagraha" (Civil Disobedience) programme in Sarbhang, Bhutan in 1953. But the government of Bhutan resorted to indiscriminate firing, resulting in several deaths and arrests. Some of the active members of the party managed to escape from the

21. Thakur P. Mishra: "Bhutan's New King: Question of Democracy," **The Kathmandu Post**, Kathmandu, 3-March 2007, p. 3.

country and continued their democratic struggle under the leadership of Mr. Gurung from their exile office in Siliguri, West Bengal, India. "The continued democratic struggle of BSCP from exile compelled the Bhutan government to bring about major institutional reforms under the initiative of the Third King, Jigme Dorji Wangchuk. He established the National Assembly in 1953, the Royal Advisory Council in 1965 and the High Court in 1968. Most significantly, the citizenship law was enacted at the end of 1958 and finally all Nepali-speaking population residing in Bhutan were granted citizenship. The responsibility of safeguarding the southern border was also entrusted to the southern Bhutanese by the National Assembly."²²

However, the government banned the BSCP. Mr. Gurung decided to stay in India and the party continued to pose a threat to the absolute monarchy in Bhutan. In 1969, Mr. Gurung returned to Bhutan after King Jigme Dorji Wangchuk granted the general amnesty to BSCP leadership and cadres under the condition that the party was already dissolved and they would not indulge in party politics. The King also assured them that further democratic reforms would follow and Lhotshampas would be granted rights and privileges as bonafide citizens. But his promises could not come true as he passed away untimely leaving the southern Bhutanese and the whole nation in sadness.

In 1958, when the first citizenship law was enacted and citizenship granted to all Bhutanese, Bhutan was a totally isolated society, the administrative system was primitive, and there were not more than four primary schools in the entire country. Hence, it was only natural that the privilege of citizenship rights granted to Nepali-speaking southern Bhutanese could not be formalized through a certification process, for

22. Based on Interview with Mr. Dik Bahadur Gurung: The Ex-Camp Management Committee(CMC) Member, Timai Refugee Camp, January 2007.

example, by documentation of citizens and issuance of citizenship identity cards, which could have served as the best evidence of certification process. the census enumeration system or documentation or recording of citizens required prior to the issuance of the citizenship identity cards was then non-existent. The Council of Ministers including the Ministry of Home responsible for maintaining the census register was itself created in 1968. The enumeration in the census record was started only in 1972.

"If the privilege of citizenship rights granted to southern Bhutanese in 1958 had been completed formally in the form of issuance of citizenship documents for all southern Bhutanese of Nepali origin, it is most unlikely that the plan for the present crisis could have been conceived and created."²³ But this is in all probability a technical conjecture, since, subsequently the government itself rejected its own documents. Politically, the government was bent on the plan to evict a large number of Nepali-speaking southern Bhutanese population at any cost. It is obvious that the ruling elites capitalized, after 30 years, on the failure of the government's own inability to issue citizenship certificates in 1958 and due to insecurity to their privileges, the government enacted the draconian Citizenship Act of 1985 with malafide intention to denationalize the southern Bhutanese to the maximum extent possible, and evict them forcibly. It may be mentioned that even the "Returned Migrants" who were granted amnesty by the Third King and recognized as Bhutanese citizens were categorized under F2 (returned migrants, i.e. people who had left Bhutan and then returned) by the Forth King, were deprived of their citizenship rights and evicted from the country.

23. Mrs. Pratima Khadka: President, Bhutan Women and Children Organization (BWCO), Kathmandu 14-June 2005.

2.5 Strategies Adopted by the then Royal Government of Bhutan (RGOB) to denationalize the Citizens

"Needless to mention that the third King, Jigme Dorji Wangchuk, was undoubtedly a visionary and reformist monarch who introduced far reaching political, institutional and administrative reforms in Bhutan during the fifties and sixties." ²⁴These timely and enlightened reforms had facilitated peaceful and harmonious co-existence among various communities who joined hands without any reservation in the task of nation-building. These were the days of "benevolent monarchy." People flourished under the benevolent of this great monarch. The former absolute monarch followed the footsteps of his father till the early eighties.

The 1975 merger of Sikkim into the Indian federation, the violent Gorkha land movement across the border in the mid-eighties, the emergence of Bangladesh as an independent nation and global movements or democracy and human rights had been haunting the ruling Ngalong elites as a security threat. The monarchy always felt insecure from the traditionalists and Buddhist religious establishments within the country. The Fourth King, thus developed an alliance with the Ngalong traditionalists, conservatives and Buddhists religious elements during the mid-eighties. A new elite Ngalong group emerged. The monarchy found it advantageous to have an alliance with the traditionalists and religious elements, as it could secure religious legitimacy and sanctity in their eyes. Advantage for the monarchy through an alliance with traditionalists and religious elements did exist, particularly since the monarchy was never held in awe by the Bhutanese people as in the case of the Nepalese monarchy or the Dalai Lama. Besides, Bhutanese people were largely

24. "bhutantimesonline.com", 1st December 2006.

religious. The new Ngalong elites found religions as the most convenient medium to rule the people and preserve themselves. The Bhutanese were forced to accept the state and Buddhism as synonymous. The notion that a traditional Bhutanese Buddhist society will not revolt against the scared religious feudal autocracy was developed. The monarchy had to achieve a position of supreme dominance in its religious discourse and political hegemony.

"The Ngalong elites started to impose and prescribe strict adherence to the set of Ngalong/Buddhist dogmas and beliefs among the Bhutanese population. Ngalong tradition has its roots in feudal Buddhism. Theocratic ideology of clerics and traditional elements started to influence the administration and posed a challenge to Bhutan as a modern secular nation-state."²⁵ Buddhist philosophy was misinterpreted by the political machinery to perpetuate its autocratic rule and to glorify the king, as not only the manager of political affairs of the state but also the guardian of the Buddhist religion in the multi-cultural kingdom. The "benevolence" of his father vanished in no time and people started to suffer under the "absolutism" of the new monarch. Soon all powers were centralized under the king.

The Ngalong elites defined the Buddhist religious precept to suit their vested interests. "The three-fold principles of Buddhism-Buddha (Omniscient), Dharma (The spiritual law) and Sangha (the order) were politically misinterpreted to mean Tsa-Wa-Sum or three elements king, country and government to suit their vested interest."²⁶ Any criticism of these three elements was considered treason and subject to death sentence. The monarchy started to use Buddhism to legitimize the main

25. Bhutanese Movement Steering Committee(BMSC), "Appeal to the USA", January 2007, p. 3.

26. Based on interview with Mr. Narad Adhikari: The General Secretary, Druk National Congress Party, January 2007.

themes of its political programmes of perpetuating its rule, immobilizing political opposition, suppressing the human rights and carrying out the ethnic cleansing of Lhotshampas. The New Ngalong elites considered the non-Buddhist Nepali-Speaking Lhotshampas as a threat to their own preservation and started to devise sinister plans to marginalize this non-Buddhist Nepali-speaking population.

The Ngalong ruling elites adopted a series of racist and discriminatory legal measures and policies targeting the Lhotshampa population. These included: "One Nation One People", "Driglam Namzha" (Feudal Court Etiquettes), imposition of compulsory dress code of Ngalong community (gho for men and kira for women), compulsory Dzongkha language in schools and offices, abolition of Nepali language from school curriculum in southern Bhutan, restriction on religious and cultural practices of Nepali Hindus, covert adoption of the 1985 citizenship act with the objective of depriving as many ethnic Nepalese of their citizenship rights as possible, and numerous other draconian rules and regulations. It is relevant to mention here that by mid-eighties the government had started harbouring a deeply suspicious attitude towards the prominent southern Bhutanese, in bureaucracy as well as in private sectors.

There are an estimated 10 million Nepalese in India. In the early eighties, the Indian Nepalese launched a violent Gorkhaland agitation in Darjeeling hills. Mrs. Indira Gandhi, Prime Minister of India, was assassinated on 30th November 1984. Mr. Rajiv Gandhi became the prime minister after her death. "Soon after, the relationship between Mr. Rajiv Gandhi and King Birendra of Nepal and the chief minister of Sikkim got strained and India imposed a trade embargo against Nepal."²⁷ While Mr.

27. Martin Hoftun: "The Dynamics and Chronology of the 1990 Revolution", **Nepal in the Nineties**, New Delhi: Oxford University Press, 1994, Pp. 14-27.

Gandhi's personal relationship with Nepalese king was on the low, the former king, Jigme Singye Wangchuk had forged a very close bond of personal as well as family relationship with Mr. Gandhi. It is believed that king Jigme Singye Wangchuk took advantage of the cold relationship between Nepalese king and Mr. Gandhi and devised a number of policies against the Nepali-Speaking Bhutanese citizens.

During this period, the Bhutan government enacted the 1985 citizenship act targeting the southern Bhutanese population, with the objective of denationalizing as many of them as possible. The government had even planned a "Green Belt" afforestation policy in the heavily populated and agriculturally rich belt of Bhutan aiming to displace the southern Bhutanese. Policies were implemented during the mid-eighties, after the death of Mrs. Gandhi. By then, the king of Bhutan had already established politically motivated close family ties with Mr. Rajiv Gandhi who, in turn, and for some unknown reasons reportedly gave his quiet assent to the proposed policy measures of the king of Bhutan directed against the Southern Bhutanese people of Nepali ethnicity. Many believe Mr. Rajiv Gandhi's tacit political support encouraged King Jigme Singye Wangchuk to perpetrate atrocities and repression against the Lhotshampas. It was widely held then that Mr. Gandhi was setting score with the Nepalese king by supporting king Jigme Singye Wangchuk's move in the mass eviction of Nepali-speaking southern Bhutanese population.

During the late eighties and early nineties, the Royal government of Bhutan unleashed a reign of state-sponsored terrorism on the Lhotshampas and forcefully evicted several thousands of them from the country. At the same time, the Royal government provided sanctuary to the Indian militants from the northeast in Bhutan's territories. These militants were outlawed by the government of India. It is believed that the

Royal government provided them safe haven in return for their support to help evict the southern Bhutanese. Consequently, the country eventually landed up paying dearly for it as it had to engage in direct war with the well-trained, heavily armed and comfortably entrenched Indian insurgents. Though the government has claimed dismantling of the militant camps and evicting them out of the Bhutanese territory, the long-term security of the country and the people has been put on peril. "The age-old friendly and cooperative relations between the people of Bhutan and Assam/Bengal have been suddenly strained and the enmity created may take years to turn into amity."²⁸

The Indian militants are most likely to regroup again and launch selected hard targets inside Bhutan. The very sovereignty and existence of the country is at stake due to the misjudgement and mishandling of the situation by the government. The leadership of the country will have to be fully responsible and accountable to the Bhutanese people for the lack of vision and the short-sighted misadventures.

It is noteworthy here that not only the above mentioned policies and actions of the government have thrown the country into total chaos but numerous other policies initiated by the fourth monarch have utterly failed to deliver any benefits to the people. A few examples will suffice to substantiate this claim.

The king had promised in 1979 during the National Day celebration at Gelegphug that all landless southern Bhutanese would be given land and settled properly. Subsequently, the government followed up by collecting papers from seventeen hundred Sukumbasis (Landless people) assuring them allotment of land. The papers of almost all the Sukumbasis, which certified that they were genuinely landless people,

28. Savitree Thapa Gurung: "An Analysis of India's Response to the Bhutanese Refugee Issue", Kathmandu, **Public Administration Journal**, vol. XXIII, July 2005, pp. 16-26.

were never returned to them. Only seven hundred households were issued patta (land allotment paper) but without any specific directives as to where they were to be allotted land and settled. Instead, northerners who were used to shifting cultivation and could not adapt to the hot climatic conditions of the sub-tropical south were forcibly brought down and settled in Gelegphug.

"The intermarriage policy between the northern and the southern Bhutanese was introduced and promoted by the government under an incentive scheme with the award of Rs. 10,000 after completion of formalities in the court. For obvious reasons, this policy was a total failure."²⁹

In the late seventies, the king commissioned the National Council for Social and Cultural Promotion (NCSCP) under the Chairmanship of Princess Pema Chhoden Wangchuk, King's younger sister, with the objectives of national integration of all communities. All the three main communities were represented in the Council and the Lhotshampas were represented by Mr. R.B. Basnet and Mr. Meghraj Gurung. The objective of the council was to promote and protect the language, religion, culture and customs of all communities in the country, while at the same time to find areas of common interests, concerns and values in order to promote and strengthen the sense of Bhutanese Nationalism. The Council had finalized a number of programmes and there were no problems at the initial stage. The fourth king had assured Mr. Basnet and Mr. Gurung that the government would provide an especial fund for the construction of a grand Hindu temple in Thimphu. In fact, the fourth king had even instructed them to hire an architect of repute from India to prepare the design and master plan for the temple. The king had also assured the

29. Based on Focus Group Discussion with the People of Timai Refugee Camp, January 2007.

council members that a separate crematorium for Hindus would be constructed at an appropriate place in Thimphu. The king, however, could never fulfill his promises because the national integration policies of the government were not promulgated with sincere intentions.

2.6 Causes of Conflict in Bhutan

After the decolonization of the Indian sub-continent in the last half of the 1940s, Bhutan also witnessed political upheavals. The emergence of the Bhutan State Congress Party in 1952 and the subsequent developments made the then Drukpa Regime feel insecure. Under Indian's advice, the then Royal Regime formulated such tacit policies to suppress the growing movement, and the activists of the Bhutan State Congress Party were forcibly outlawed in the country and the Party itself was banned. Similarly, the killing of Mahasur Chhetri and many other freedom fighters sowed the seeds of conflict in the Himalayan Kingdom of Bhutan.

After the promulgation of the National Citizenship Law of 1958, the rights of the Southern residents were tremendously suppressed. "After the conversion of the Gorkhalis into Nepalis, then into Palden Drukpas and finally into Lhotshampas, identity crisis was seen in the Nepali inhabitants of the Southern Belt."³⁰ The political movement of the 1950s was, in fact, a small protest movement aimed at introducing basic reforms in the country. However, it was banned by the then absolute regime. After the dissolution of the Bhutan State Congress Party in 1968, the regime granted amnesty to the activists of the party. But, the movement for Human Rights and Democracy did not come to an end. After the enactment of Marriage Act in 1977 and Citizenship act in 1985, the movement got heightened. Moreover, the biggest democratic movement

30. Based on Interview with Dik Bahadur Gurung: the Ex-Camp Management Committee (CMC) Member, Timai Refugee Camp, January 2007.

was seen in the country during early 1990s. The very movement was launched under the leadership of Bhutan People's Party (BPP), one of the leading political parties of living history in Bhutan.

Bhutan People's Party (BPP) launched series of demonstrations especially in the southern belt of the country with 13 points demand to the government. Later, the regime imposed security laws and started forcible eviction of innocent people. "Hundreds were killed during the peaceful demonstrations and many were imprisoned inside the cruel Bhutanese jails."³¹

Against this backdrop, it would be praiseworthy to analyze the different causes of conflict in Bhutan. The following are the major factors responsible for political conflict in Bhutan.

1. Citizenship Act of 1985

Question of nationality and methods employed to determine citizenship form a backdrop of all other issues and events in Southern Bhutan. Bhutan's first attempt to define its citizenship came with National Law of Bhutan, 1958. The regime enacted a new Citizenship Act, 1985. This act was given a retrospective implementation of thirty years, that is, from 1958. It declared 31 December, 1958 as the cut-off year for granting citizenship. The act was forcefully implemented in 1988. "The wives of Bhutanese citizens married from outside the country and children born of such parents were not granted citizenship and were deprived of their legitimate citizenship status. This act defined three criteria for granting of citizenship: by birth, by registration, and through naturalization."³²

This act is the origin of the refugee problems and the looming danger of statelessness for Lhotshampas. The National Law, 1958 prescribed "fatherhood" as the criteria for granting citizenship which is

31. The Amnesty International: "Press Release", London, 22 August 1993.

32. Based on Focus Group Discussion Conducted at Timai Refugee Camp, January 2007.

normal. But the new act repealed the previous citizenship law and prescribed "parenthood" as the sole criteria for grant of citizenship by birth, thus denying citizenship to anyone Whose, mother was married from outside the country, even if the mother was granted citizenship according to previous law. "Since the act was given a retrospective implementation of 1958, all children born of a marriage between a Bhutanese father and a non-Bhutanese mother, between 1958 to 1988 were declared non-citizens and so-called 'illegal' and 'economic migrants.'"³³ The National Assembly in 1988 confirmed 14,442 marriages between Bhutanese citizens and non-citizens during last twenty years. The number was too insignificant for the government to grant citizenship rights.

Article 3 of the act codified a new basis for granting citizenship. So, a proof of residence in Bhutan since before December 31, 1958, was required. it says that "a person permanently domiciled in Bhutan on or before 31st December, 1958, and, whose name is registered in the census register maintained by the Ministry of Home Affairs shall be deemed to be a citizen of Bhutan by registration."³⁴. The government subsequently brought all Lhotshampas under the purview of citizenship by registration only. They were considered citizens by registration and not by birth, even though they were born and reared in Bhutan since the 17th century, much before the establishment of the current ruling Wangchuk dynasty in 1907 and granted citizenship by previous laws.

2. Denationalization Policy

The act arbitrarily imposes an impossible burden upon the Lhotshampas of providing the documentary evidence of their presence in Bhutan on 31 December 1958, while the other ethnic groups did not have

33. Based on Key Informants Interview at Timai Refugee Camp, January 2007.

34. "Bhutanese Citizenship Act of 1985"-Article 3, p. 3

to prove anything to retain their citizenship. The government insisted on production of documents such as land tax receipts only of 1958. Documents of earlier years including the citizenship certificates issued on the basis of previous laws were arbitrarily rejected. The proper census record maintained by Chief District Officer were deliberately considered invalid. The government was fully aware that the requirements of the new act just did not exist then in Bhutan and that most of the Lhotshampas would not be able to fulfill them. "The act demands that the person concerned must prove that his name was registered in the census register, though the register was maintained by the government." The government demand is not only ridiculous but totally unjustified since the council of Ministers including the Ministry of Home responsible for maintaining the census register was itself created in 1968. The enumeration in the census record was started only in 1972.

Following the first census of 1981, all citizens were issued with citizenship identity cards. The Foreigners were issued with alien cards and the non-national labours were issued with contract permits. By 1982, all people in Bhutan were registered. Bhutanese government initially claimed that any documentary evidence whatsoever, land ownership deeds or documents showing sale, gift, and inheritance of land, tax receipts of any kinds etc, showing that the person concerned was resident in Bhutan in 1958 is taken as conclusive proof of citizenship. But, later the government contended that payment of property tax in itself is hardly a proof of Bhutanese citizenship. This is especially unfair since some of the documentary proof required by the census team just did not exist in the year 1958, i.e., enumeration in the census records.

Those who could not produce the documentary evidence of their presence on 31 December 1958 were declared illegal immigrants. How is it possible for illiterate villagers to keep documents that will be demanded

by the government after 30 years. Moreover, government had already issued citizenship certificates to all Lhotshampas making the safe keeping of the documents unimportant. The act was also discriminatorily enforced against the Lhotshampas and not at all against other ethnic groups. "Many Ngalongs have Italian, English, Chinese and Singaporean wives, but they do not have to prove anything. However, the law prescribes a number of discriminatory criteria against the wives of Lhotshampas from Nepal or India and their children."³⁵ They are treated at par with aliens seeking for naturalization. Under the naturalization process, these wives must prove their prior residence of 15-20 years in Bhutan. A child born of such mothers needs to reach the age of fifteen when he/she may apply for naturalization. Naturalization again, is not a matter of law but subject to government approval. The act was applied in an arbitrary manner to create mass statelessness.

"The dissidents accused of speaking or criticizing the king's government were stripped of citizenship. Many Lhotshampas were deprived of their nationality for having fled Bhutan to escape suppression, because their fleeing amounts to disloyalty to the state according to the regime."³⁶ The act enabled the government to claim that the refugees are not Bhutanese citizens. The authorities confiscated the documentary evidences, particularly the citizenship identification card and land documents issued to them by the government. It was a well planned strategy and conspiracy of the government to depopulate and reduce the number of Lhotshampas. No appeal on the subject was allowed. The act also forbids the return of citizens leaving the country. Since the government alleges that refugees have voluntarily emigrated to

35. Tek Nath Rizal: "Bhutan Aspects of Governance and the Refugee Crisis", **Human Rights Council of Bhutan (HRCB)**, Kathmandu, January 2005, p. 23.

36. Based on Home Minister Mr. Dago Tshering's Address to the People of Chirang District, Bhutan, 9 February 1991.

Nepal, their return will not be possible until this act is repealed. Even the European parliament's resolution has urged Bhutan to amend this act for the return of refugees.

3. Marriage Laws of 1977

After enacting a draconian citizenship act in 1985 to reduce the Lhotshampa population, the government simultaneously introduced the new marriage act which had an even larger content of discrimination against Lhotshampa women and their children. The act declared all foreign wives of the Bhutanese citizens as non-citizens, even though most of them were granted citizenship under previous citizenship laws. "In contravention of all international norms and civilized behaviour, the Royal Government denied several thousand children (Born out of marriages between Lhotshampa husbands and Nepali speaking wives from Nepal or India) of their right to nationality. They were evicted along with their parents. This act was only enforced against the Lhotshampas."³⁷

The Marriage act was enacted in 1977 and was forcefully implemented in 1988 to especially target the wives of Lhotshampas. This discriminatory law imposes a number of denial of benefits to those who married non-Bhutanese wives. The Lhotshampas who married non-Bhutanese wives did not have the right to vote in (became ineligible for election to) the National Assembly (Parliament) elections, they were denied promotion in civil services, denied training and fellowships and medical treatment abroad, they were also denied business and agricultural grants and loans given by the government and could not avail of government supplied fertilizers, seeds and farm machineries on subsidies.

37. T.P Mishra: "Refugees or Ready-Made Terrorists", **The Katmandu Post**, Kathmandu, December 29 2006 p. 3.

They could not get jobs in the foreign service and armed forces. This posed enormous problems for the Lhotshampas.

There are many reasons as to why the Lhotshampa chose foreign wives of their own ethnic groups from Nepal and India. Some reasons are enumerated as follows:

Bhutan stepped out of its isolation in the mid-sixties. The government did not encourage cultural socialization of various ethnic groups. Some ethnic groups were not allowed to own properties in the Ngalong dominated areas. Even in-country migration and in-country travel were restricted for some ethnic groups. The transport and communications were also not developed. This led to the cultural isolation of various ethnic groups. Thus, each ethnic group developed their own intra-ethnic group matrimonial alliances.

Lhotshampas had a wide ethnic area in Darjeeling, Sikkim and Nepal to choose their spouse from. As a result, many Lhotshampas got their spouses from their own ethnic groups from these places. The most important factor that prevented the encouragement of inter-ethnic group matrimonial alliances is culture. "The Lhotshampas are by and large Hindus. Culturally and traditionally, they are entirely different from ruling Ngalongs. Their language is a dialect of or is derived from Sanskrit, the oldest language."³⁸ They prefer to live in the hot climate of the southern foot hills. The Ngalongs are nurtured in Drukpa Kargyupa Buddhist culture. They speak Tibetan stock Dzongkha language which is entirely different from Nepali. They wear robe like dresses and prefer to live in cold climate of the north.

While strict cultural values of the Lhotshampas triggered the search for wives from outside Bhutan, limited domestic society and geography

38. Association of Press Freedom Activists (APFA), **Status of Press Freedom in Bhutan**, Kathmandu, May 3 2007, p. 14.

also facilitated such marriages. The lack of communication and infrastructure within Bhutan were also factors which made Lhotshampas get their wives from neighbouring Indian states and Nepal as it was easier to travel to neighbouring countries than to visit other districts of Bhutan. Because of the lack of roads, Bhutanese are still required to travel through India to reach from east to west in the south and south to north. Darjeeling district had excelled as a center of education during the British rule in India. It is still regarded as the best place for education in the entire region of Bhutan, Nepal and north-east India.

Jesuit fathers and Christian missionaries established the best schools in Darjeeling. Due to the absence of good schools and colleges throughout the sixties, seventies and the eighties in Bhutan, the government used to send young Bhutanese for studies to Darjeeling on Indian government scholarships. Most Lhotshampa students married with their schoolmates of their own ethnic community from Darjeeling, Sikkim and Nepal. Bhutan does not have enough colleges to cater to the need of students. Its only college is affiliated with Delhi University. Bhutanese students had to go to Darjeeling as it is less expensive to study in neighbouring Darjeeling than in Delhi or Calcutta.

As a consequence of increasing developmental activities after 1960, more opportunities were being created for educated people in the government services and in the private sector. "Bhutan had a very low female literacy rate. The available manpower was not sufficient to meet the demand. As a result, educated Lhotshampa took educated and conscious wives of their own ethnicity from neighbouring countries, who could work in the offices or do businesses and earn money."³⁹

39. Based on Interview with Mr. D.B. Rana Sampang: The President, Bhutan Gorkha National Liberation Front (BGNLF), Kakarbhitta, Jhapa, January 2007.

In 1988, the government reported of 11,442 marriages between Bhutanese and non-Bhutanese during the preceding 20 years. There was neither a marriage act or citizenship laws forbidding a Bhutanese marrying a foreign wife then. The laws were enacted later with retroactive effect. Had there been such laws, probably no Bhutanese would have married a foreign spouse. The Royal Government's senseless action of implementing these law shows its irresponsibility and indifference towards its citizens' difficulties. It is a well-planned conspiracy to depopulate Southern Bhutan. In any case, marriage is too personal and not matter for the state to intervene.

Both the citizenship act and the marriage act are racist, biased and discriminatory against Lhotshampa of Southern Bhutan. Moreover, the law is also implemented in a discriminatory manner, very rigidly against the Lhotshampas and not at all against Drukpas, who for example have a Chinese, English, Italian or American wives. For example, Mr. Ugyen Tshering, a Drukpa married to an Italian wife in the early eighties has today been promoted as a Foreign secretary. Similarly, the then Chief Justice of the High Court was promoted even though he had an English wife. "Today, of course, aside from bringing about a denial of benefits, marriage to non-Bhutanese wife has resulted in the very denial of citizenship rights to the Lhotshampa husbands."⁴⁰

Both the Citizenship Act, 1985 and the Marriage Acts, 1977 have stripped several thousand Lhotshampas of their nationality. As a consequence of not granting citizenship to the foreign wives of Lhotshampas husband, more than 60,000 children were deprived of their rightful claim to Bhutanese citizenship. This is more than 20 percent of

40. Tek Nath Rizal and Thinley Penjore: **Unveiling Bhutan: Aspects of Bhutanese Refugee Impasse**, Bhutanese Movement Steering Committee (BMSC), Kathmandu, January 2007, p. 8.

the total children population of Bhutan. Refugee children constitute about 10 percent of the country's total population of around 700,000 of Bhutan.

More than 10,000 Lhotshampa wives are deprived of their right to nationality. The government must repeal the discriminatory Citizenship Act, 1985 and the Marriage Act, 1977. It must enact new citizenship and marriage laws conforming to the international standards, and protect the right to nationality of all its citizens. "The 1985 citizenship act of Bhutan contains a number of vague provisions, and appears to have been applied in an arbitrary manner. It also contains provisions which could be used to exclude from citizenship many people who are not members of the dominant ethnic group, as well as those who oppose government policy by peaceful means" according to Amnesty International's report, "Bhutan: forcible Exile", August, 1994.

4. Census of Eviction

The citizenship act of 1985 came into force in 1988, when the government initiated a population census in Southern Bhutan in that year. Both the citizenship act and marriage act, while being racist and discriminatory against Lhotshampa women, were made all the more unpalatable due to the high headed manner of its implementation and explicit expression of the government's desire to eliminate as many Lhotshampas citizens as possible, during the census of 1988. In conformity with the acts, a totally biased and manipulative population census was carried out in all the districts of southern Bhutan to deliberately evict the Lhotshampas. To further compound the problem, however, despite the provision in the act for regularizing marriages with non-Bhutanese wives prior to 1977, upon Government instruction the official of census teams declared all non-Bhutanese wives of the Lhotshampas married after 1958 as illegal immigrants.

"The census teams started questioning the people with undue threat and classifying them into various categories. The teams were ordering even the old people with grand children born in Bhutan to produce evidence of their arrival in Bhutan before 1958. They insisted on the production of evidence particularly of 1958 even though many had the evidence of 1954 or even the preceding years, but they were rejected outright."⁴¹

The census team armed with the totally discriminatory and biased mandate set out to determine the citizenship status of all Lhotshampas by randomly categorizing them into seven categories, i.e. F1 to F7, which affected status of many citizens. Though the law itself is silent on categorization.

F1. Genuine Bhutanese

F2. Returned migrants, i.e., people who had left Bhutan and then returned.

F3. Drop-out cases, i.e., people who were not around at the time of census.

F4. A non-national woman married to a Bhutanese man.

F5. A non-national man married to a Bhutanese woman.

F6. Adoption cases. This clause was massively misused by the government to include Indian citizen of Ngalong ethnicity. Many Ngalongs having Indian nationality were enlisted as adoption cases by the government.

F7. Non-nationals, i.e., migrants and illegal immigrants. Only F1 was declared genuine Bhutanese. "Widespread panic and confusion among the Lhotshampa women followed as census officials began to threaten deportation of anyone not categorized as F1. During the

⁴¹ Based on Interview with Mr. P.R. Dahal: The Former Bhutanese National Assembly Member in Exile, Timai Refugee Camp, Jhapa, January 2007.

1988 census, the census team categorized one Mrs. Sita Mothey as F4 (an Indian citizen married to a Bhutanese citizen) and was threatened with deportation from Bhutan. Out of the agony at the thought of family separation, she committed suicide."⁴²

Officially, the 1988 census implemented the citizenship law, 1985, with its three methods of attaining citizenship: by having two Bhutanese parents, by registration of residence since 1958 and by naturalization. In practice, however, naturalization has not been accepted. The census exercise provided justification to expel people who no longer met government criteria on citizenship.

In many cases, citizenship cards already issued were withdrawn. The village headmen and the Member of National Assembly (MPS) formerly considered knowledgeable and authoritative were never consulted. Some of them were even reprimanded when they raised their voices. The illiterate and innocent villagers were coerced into signing documents, the contents of which were not known to them. The whole census exercise were planned to harass and eliminate the actual and true ethnic Lhotshampa citizens of Southern Bhutan to reduce their numbers.

The census rules required that the Lhotshampas must provide proof of residence in the country during 1958, the cut-off year. "The only valid document acceptable to the census team was the land tax paid receipts for the particular year 1958. The receipts issued before 1958 were not accepted. On these grounds several thousand Lhotshampas were declared as 'illegal immigrants' and 'stateless'.⁴³ For in-country migration, people were asked to produce Certificate of Origin (CO) from the district authorities which created more obstacles. Those who lost their documents

42 The Amnesty International: **Bhutan: Forcible Exile**, London, August 1994, p. 2.

43 Based on Interview with Mr. B.B. Rizal: The Former Special Needs Support Teacher, Timai Refugee Camp, January 2007.

due to natural calamities were simply tested as illegal immigrants. Those declared illegal immigrants were forcefully evicted, even though they were born and reared in Bhutan through several generations.

5. Government bogey of illegal immigrants

The government claimed that there were around 120,000 illegal population (20% of the total population) in Southern Bhutan. This was a well thought-out strategy of the government to reduce the population of Nepali-speaking Lhotshampas by 100,000. If the level of illegal immigrants into Southern Bhutan after 1958 had been as high as 20% of the total population of around 6,00,000, as claimed by the government, it was understandable that some actions were required to be taken, but this was not the case. Normally, illegal immigrants are those who live in a country without the notice and knowledge of authorities. The so-called Bhutanese illegal immigrants have lived in Bhutan for years, owned houses and properties, paid taxes to the government and contributed to the nation-building of Bhutan. Some of them had served in high government offices, armed forces and police and studied abroad under government scholarship. "They were genuine citizens until 1987, but were made illegal immigrants in 1988 because Southern Bhutan had to be depopulated to pre-empt any dissidence and demand for democratic reforms."⁴⁴

How could illegal immigrants acquire landed properties in a small country like Bhutan and remain undetected for thirty or forty years? Bhutan is not oil-rich country like some of the Middle-East nations, it is not industrialized like the western countries, where employment opportunities are abundant and it is neither an agriculturally prosperous,

44 Tek Nath Rizal: The Chairman, Bhutanese Movement Steering Committee (BMSC), **Open Appeal to the Members of the United Nations, The SAARC, The European Community, The Bhutan Donor Agencies and The World Community**, Birtamod, Jhapa, June 29 2006, p. 1.

then how could the illegal immigrants enter into Bhutan with the prospect of better opportunities? The whole motive of the government was to prevent the demand for democratic rights from the southern districts, which have open borders with democratic India and to bring about a favourable demographic pattern by reducing the population of Lhotshampas. This was criminal in intent and was designed to deprive the Lhotshampas and their children of their fundamental rights to nationality.

In any case, all the Lhotshampas of Southern Bhutan were in Bhutan much before 1958. "The history of the Nepali-speaking Lhotshampa dates back to around 1624 A.D., much older than the present ruling Wangchuk Dynasty (1907) , which is just 100 years old."⁴⁵ In the name of eviction of illegal immigrants, the government started deporting even the genuine Southern Bhutanese.

6. One Nation One People Policy

The monarchy's compulsion to maintain its religious legitimacy was designed to maintain internal political control. Advantage for the monarchy through an alliance with Buddhism did exist particularly since the monarchy was never held in awe by the Bhutanese people as in the case of Nepalese monarchy or even the Dalai Lama. The monarchy used Buddhism to legitimize the main theme of its political programmes of perpetuating its rule, immobilizing political opposition, suppressing the democratic movement and carrying out the ethnic cleansing of Lhotshampas. Monarchy had to achieve a position of supreme dominance in its religious discourse and political hegemony. Hence, the monarchy relies heavily on Buddhist divine laws and traditional agencies not prone to change, to perpetuate its autocratic rule.

45 Balaram Poudel: **Bhutan Hijo Ra Aaja**, Kathmandu, Bani Publication, June 1 2001, p. 69.

It was against the background that the need to revitalize the Buddhist fundamentalism arose. High ranking lamas deliver sermons exhorting people to the Drukpa belief and value system. This did not only influence the religious thoughts of a majority of Drukpas but also led to an increasing tendency towards the communalization of politics. "Since eighties, Drukpa elite view themselves as the only defenders of the country against heathen encroachments implying Hindu Lhotshampas and Sharchops. Thus, the Lhotshampas were suddenly found to be illegal immigrants and the Sharchops of Nyingmapa sects as threat to Drukpa Kargyupa Buddhism and Drukpa values."⁴⁶ The defence of Drukpa values and Buddhism became powerful form of chauvinist nationalist expression for the regime to immobilize the political dissidence. Super patriotism is just a Drukpa eccentricity.

The dream of a new Drukpa Buddhist state responds to a reaction against modernization – a threat to the monarchy. Drukpa Buddhism as the preserve of the monarch has been used actively by the state to immobilize the political opposition, marginalization of young educated people and as a means of consolidating its political control. Political modernization has been under severe check since late seventies. The Drukpa elite are awakening to a new political awareness to build political programmes emphasizing the traditional, cultural and religious pattern associated with Buddhism. The whole of Bhutanese society is planned to be transformed into a feudal Drukpa Buddhist society with complete individual loyalty to the throne.

Bhutanese society could modernize itself without destroying traditional family values and without being westernized. Japanese society successfully adopted the modern institutions, transformed their ancient

46 People's Forum for Human Rights Bhutan (PFHRB): **Steps Towards Solution to Bhutanese Refugee Problems**, Birtamod, Jhapa, 2005, p. 8.

feudal hierarchical society without giving up their traditional family values. "Bhutan must build a secular society, as one cannot construct public policy on religious grounds. The king must initiate preservation of traditional values in modern setting rather than plunge the whole country into medieval revivalism."⁴⁷ The regime's bogey of preservation of traditions and culture are nothing but a shield for protecting the feudal and despotic rule.

The government must understand that one cannot live one's own spirituality while rejecting other people who do not share the same convictions. In a civilized society, the state does not infringe on the individual's rights to culture and religion. Religion is a medium of communication between an individual and God, a basic spiritual necessity inherited from the birth of an individual until his death. Bhutanese administration has no business to interfere in the religious affairs of its individual citizen. Bhutanese citizens must not be subjected to the parochial mind set of the regime depriving them from enjoying their human rights, freedoms and democratic aspirations, while the whole world enjoys them. It is surely disappointing revelation for Buddhist followers world over that the Buddhist principles are being misinterpreted to serve the political ends of the Bhutanese ruler and that this great religion is being defamed.

7. Movement for Human Rights and Democracy

In response to Government's continued repression and lack of interests in solving the problems faced by the Southern Bhutanese, the Lhotshampas organized human rights and pro-democratic rallies in all Southern districts. The following main events preceded the protest rallies.

⁴⁷ National Front for Democracy, Bhutan: **Theocracy to Secular Democracy**, Birtamod, Jhapa, February 16 2003.

Mr. Tek Nath Rizal fled the country and took shelter in Guwahati, Assam in India in July, 1988. After nearly two months of concern about his safety, he crossed over to Indo-Nepal border and stayed at Birtamode, Jhapa, a border town in eastern Nepal. He founded the People's Forum for Human Rights, Bhutan at Birtamode, Nepal on July 7, 1989.

A clandestine and underground students organization called the Students Union of Bhutan (SUB) was formed for the first time in Bhutan by the students of Kanglung Degree College on 23rd March, 1988. Mr. Bishwanath Chhetri, Mr. R.P. Subba, Mr. I.B. Pathak and Deo Dutta Sharma were prominent among the founding members. This group clandestinely operated and extended their activities in other educational institutions such as National Institute of Education (NIE) Samchi, Deothang Polytechnic Institute, Samchi Central School, Royal Technical Institute, Kharbandi etc. SUB was formed to enlighten the people and students about the racial and discriminatory policies of the government.

Mr. Ratan Gazmere, a London trained science Lecturer of National Institute of Education was arrested from his official quarter at midnight on October 28, 1989 for authorizing a booklet entitled "Bhutan: We Want Justice".

On November 3, 1989, Mr. Man Bahadur Chhetri, Mr. Ranga Sharma and Mr. Dil Bahadur Gurung, all students of NIE were arrested. They were tortured in police custody. Mr. Man Bahadur Chhetri died in police custody due to heavy torture. His dead body was handed over to his parents by police saying that he committed suicide in the police custody.

Bishwanath Chhetri, President of Students Union of Bhutan was arrested from Kanglung College on November 5, 1989. After his arrests, all the members of SUB and Lhotshampa students in Kanglung College, NIE, Deothang Polytechnic Institute, Royal Technical Institute and other

educational institutions in Southern Bhutan fled the country and took shelter in adjoining Indian border towns. "Mr. Tek Nath Rizal along with Jogen Gazmere, and Mr. Sushil Pokhrel were abducted at midnight on November 16, 1989 from Birtamod, Jhapa by the Bhutanese government agents and were taken to Thimphu, Bhutan."⁴⁸

Thereafter, the government started crackdown on prominent Lhotshampas as well as innocent villagers. All the schools in Southern districts were closed down and converted into Army barracks. Army was deployed in all southern districts and an undeclared martial law prevailed thereafter. The in-country movement of Lhotshampas were severely checked. In the inner districts such as Chirang and Dagana, police banned the movement of food commodities. Even the common salt was not allowed to be taken to Chirang and Dagana districts.

The expatriate headmasters of schools were replaced by the northern Drukpa teachers despite their low qualifications. The Jesuit Fathers who were teaching in various schools were asked to leave the country. Drukpa headmasters encouraged the Drukpa students to humiliate the Lhotshampas students, which led the students to leave the schools and join the other students at Garganda tea garden in the state of West Bengal, on Indo-Bhutan borders, the head quarters of exiled dissident organizations.

2.7 Peaceful Demonstrations and Rallies of 1990 and Its Aftermaths

When all traditional channels of communications with the government of Bhutan were exhausted, the public of southern districts held a series of peaceful rallies in the months of September and October, 1990 to vent their grievances against the excesses of the Royal government with the hope that with this show of public protest, the

⁴⁸ Based on Interview with Mr. Tek Nath Rizal: The Only Living Hero of the Bhutanese People in Exile, Kathmandu, January 2007.

government would make an objective assessment of the situation and reassess their racial and discriminatory policies.

More than 25,000 people gathered at Garganda, India to launch peaceful demonstrations and protest rallies in Bhutan on 26th August, 1990. However, the Indian police did not allow the demonstrators to pass through Indian soil. They created barricades and promulgated prohibitory orders banning the Bhutanese demonstrators to move a distance of around 30km. from Garganda to Phuntholing Bhutan, the gateway through Indian territory. While inside Bhutan, a dawn to dusk curfew was imposed in Phuntholing and the gun-trotting army personnel were deployed.

"On 17 September 1990, the first ever peaceful protest rally and demonstration in the entire history of Bhutan was organized at Ghumaounay, Samchi district in Southern Bhutan. Peaceful rallies were organized in all six districts of Southern Bhutan namely, Samtse, Chhuka, Tsirang, Dagana, Sarpang and Samdrup Jonkhar on September 19, 1990. These were participated by the peasants, students, businessmen, teachers and the government servants. On September 23 and 24 1990, peaceful rallies were organized at Samrang and Diafam, in South-Eastern Bhutan, respectively. A second peaceful rally was organized in Tsirang district on October 4 1990. In all cases, the leaders of the peaceful rallies handed over a memorandum demanding human rights, judicial and legislative reforms to the government through the district authorities."⁴⁹

The government resorted to repressive measures and the security forces fired indiscriminately killing many innocent villagers in Sipsoo, Chengmari and at Samtse bridge. On September 22 1990, the security forces beat the demonstrators with batons at Phuentsholing and most of

49 Based on Interview with Mrs. Ruk Meena Adhikari: The Member, Refugee Women Forum (RWF), Timai Camp, January 2007.

the demonstrators were arrested and tortured. The security forces resorted to indiscriminate firing at peaceful demonstrators at Pugli.

a. Government Atrocities and Flight of Bhutanese People

The government reacted with more force after the peaceful protest demonstrations. A fresh wave of crackdowns was perpetrated by the government. All people who participated in the peaceful demonstrations were immediately reprimanded, civil servants were terminated without any payment of pension benefits and other benefits and most of the participants were imprisoned.

Arbitrary arrest, degrading treatment, loot, plunder, rape of innocent women and burning down of their houses had become the order of the day. The security forces indiscriminately arrested, tortured and imprisoned innocent villagers. Entire villages were razed to the ground by the government security forces. Many were killed in police custody under torture. "The government of Bhutan had confiscated citizenship and property documents and also forced many of the Nepali-speaking Lhotshampas to sign papers renouncing Bhutanese citizenship. Further all schools, hospitals, postal and telecommunications services were closed to the southern Bhutanese as a form of mass punishment for having participated in the demonstrations."⁵⁰

All seventy six schools in southern Bhutan were closed. The school buildings were converted into army barracks and detention centers. Health and medical services were withdrawn from southern Bhutan. Trade licenses of Southern Bhutanese were withdrawn forcing most of the shops to be closed. Essential commodities such as salt and cooking oil were strictly controlled. There existed a total freeze on their movement in

50 Association of Press Freedom Activists Bhutan (APFA) **Status of Press Freedom in Bhutan**, Kathmandu, May 3 2007, p. 16.

southern districts at one time. The schools still remain closed in southern Bhutan.

The entire southern belt of Bhutan was declared as a "Disturbed zone" area and undeclared martial law was imposed. The government officially promulgated that no development activities shall be undertaken in Southern Bhutan and the resources allocated for this region were diverted to northern Bhutan and to the upkeep of the security forces and the training of "Militias", the conscripted volunteers from the east and northern Bhutan.

The plight of Lhotshampa women in Southern Bhutan was most inhumane immediately after the peaceful rallies. Most of the male members had fled the country for fear of persecution by the government security forces. The villages in the Southern Bhutan were left only with women and children. "Most female members in the villages were subjected to rape and some were tortured to death in custody. More than 60% of the victims of violence confirmed rape."⁵¹ Women faced special problems as survivors of rape and torture. For Hindu women of Southern Bhutan, who are raped, trauma could be compounded with great shame and stigmatization. Some women were rejected by husbands and families. Many had to deal with pregnancies and children resulting from rapes. As a result of humiliation, rape and torture, many suffer from psychological disturbances, such as nightmares, sleeplessness, flashback, depression and anxiety. Many children became orphans and some had witnessed the murder, torture and rape of their parents.

Under such circumstances, the Lhotshampas had no option but to flee the country and take asylum in neighbouring India and Nepal. They were forced to leave the country to evade mass arrests and torture in the

51 Based on Household Survey at Timai Refugee Camp, January 2007.

police custody. Many families had to leave Bhutan to save the honour of their women folks from the brutality of security forces.

b. Police Clearance Certificates (PCCs) or No Objection Certificates (NOCs)

After the peaceful demonstration of 1990, the government introduced a draconian rule requiring all Lhotshampa citizens to produce a No Objection Certificates (NOCs) or Police Clearance Certificates (PCCs) from the police stating that none of their kin and kith has been involved in the peaceful pro-human rights and pro-democratic movement of September-October, 1990. "Every Lhotshampa is required to produce (NOCs) for getting admission of their children in schools, for processing promotion in civil service, for issuing passport, for seeking scholarship, for sitting in the civil service examinations and applying for jobs in the government service etc." ⁵² The NOCs were also required for the release of cheques to farmers for the sale of their cash crops which was controlled by the government. In fact this certificate is denied to any person whose even a distant relative was suspected of being represented in the peaceful processions in September-October 1990. NOCs were virtually impossible for Lhotshampas to obtain. The government declared all sympathizers of pro-human rights movement and who opposed its racist and discriminatory policies anti-national and not eligible for NOCs. Other family members of those taking part in the peaceful protest rallies, who had not participated in them were also declared anti-national and evicted. NOCs were not issued to the Lhotshampas.

Through the introduction of this draconian rule, the government effectively deprived several thousands Lhotshampa children, the right to education by denying them admission to schools. Consequently, these

⁵² Kuenzang Wangdi: "Southern Bhutan Benefits From Military Forces", **The Kuensel**, Thimphu, December 17 1991.

children have landed in refugee camps in Nepal. "No civilized society can bear the accusation of a six years child denied the right to education, a penalty the child is made to pay for the convictions, right or wrong, of older relatives."⁵³

The sole intention of the Royal Government of Bhutan was to depopulate Southern Bhutan by evicting the Lhotshampa citizens. It is the most powerful equipment in the possession of the government of Bhutan which paved the way for the exodus of Lhotshampa citizens of Bhutan as refugees. The rule is still in force. Other ethnic groups are not required to produce the NOCs and PCCs.

2.8 Forced Eviction of Nepali-Speaking Citizens from Bhutan

On 17 August 1990, the Home Minister Dago Tshering issued a Government notification addressed to the Dzongdas (Chief District Officers) of six districts in Southern Bhutan stating that "It has come to the government's notice that a large number of Southern Bhutanese people have left the country to join forces with the Ngolop(government declared the dissidents as Ngolops meaning anti-national). You are hereby instructed to immediately inform all the Gups (Village Headmen), DDC (District Development Committee) members and the general public in your dzongkhag (District) that any Bhutanese national leaving the country to assist and help the anti-nationals shall no longer be considered as Bhutanese citizen. It must also be made very clear that such people's family living under the same household will be held fully responsible and forfeit their citizenship." As a result of this government notification, more than 120,000 Lhotshampas were systematically evicted. This notification is the living testimony and evidence that the Lhotshampas were forcefully evicted.

53 Human Rights Council of Bhutan (HRCB): **Bhutan Aspects of Governance and the Refugee Crisis**, Kathmandu, January 2005, p. 8.

The army, militia and the police were mobilized under him to forcefully evict the Lhotshampas. The citizenship cards of many fleeing Lhotshampas were confiscated by the government officials, though majority of them possess other documentary evidence for their origin to Bhutan. Amnesty International, London in its report clearly establishes that "under 1985 Citizenship Act, tens of thousands were declared to be illegal and forcibly evicted from Bhutan. Others fled in the face of officially sanctioned pressures, arbitrary arrests, beating, rape, robberies and other forms of intimidation by police and army."⁵⁴

The government ordered demolishing and burning down of Lhotshampas' houses. Bhutan's barbaric act could not be more different from Yugoslavian president Slob Dan Milosevich or Chile's ex-president Augusto Pinochet's acts.

In its report, "Bhutan: Forcible Exile" published in August 1994, Amnesty International believes that many people in the refugee camps in Nepal have been forced out of Bhutan as a result of measures taken by the Bhutanese authorities. Even the High Level Investigation team constituted by the king to look into the allegations of forced eviction led by Home Minister Dago Tshering reported that senior government officials in Chirang District intimidated two families to forced eviction.

Extreme racial discrimination including rape, torture, indiscriminate arrest, custodial deaths and eviction of Lhotshampas began after the peaceful protests against the forceful assimilation policies of 1985 and is continuing till today. According to the report of International Movement Against Discrimination and Racism, Japan, "A confidential survey carried out by a consultant to an international refugee agency found that most torture took place in 1990 and 1991, following the increase in demonstrations in September 1990. Following the peaceful

54. Amnesty International: **Bhutan: Forcible Exile**, London, August 1994, p. 3.

protests, demonstrators and members of their families were violently punished for their direct or indirect involvement in the protests. According to the study, repression in the form of rape did not abate until 1993."⁵⁵

The government planned a number of strategy to forcefully evict the Lhotshampas from Southern Bhutan. Firstly, through government created reign of terror. The state empowered the security forces to deal with the dissidents and their sympathizers. Mass arrests of innocent villagers, torture and death in police custody, rape, loot, plunder, threat to life of Lhotshampas by the security forces compelled the innocent Lhotshampa folks to flee Bhutan. Many families had to leave Bhutan to save the honour of their women folks from the brutality of security forces. The government conducted frequent population census of Southern Bhutan to assess the targeted numbers of those fleeing Bhutan.

Second strategy was to seek a legislative mandate from the Drukpa dominated National Assembly to evict everyone related to or associated with the on-going peaceful human rights and democratic movement along with entire family, even though many of the family members did not participate in the peaceful demonstrations.

Thirdly, the security forces verbally threatened the Lhotshampa villagers either to leave the country by selling their properties or face the threat of imprisonment, death and continued harassment and humiliation. The fear-ridden folks had no choice but to sell their properties at thrown away prices to the government officers, their relatives and other Drukpas and apply for out-migration from the country. Their photographs and video films were taken as a proof of their voluntary migration. The government has classified them as "voluntary migrants". More than fifty

55. Rishi Kesh Shah: "Repression encourages eviction", **The Rising Nepal Daily**, Kathmandu, October 8 1993.

percent of refugee camps inmates do fall in this category. Hence, the government's insistence on classifying them as "voluntary migrants" means that they are not entitled to return even if the refugee problem is resolved. Migrants are not entitled to return the country as per the existing laws of Bhutan.

Bhutan stepped out of her isolation late in sixties. Because of low rate of literacy, lack of information and communications with outside world (due to absence of frequent exchange of ideas and television etc), absence of freedom of expression, press and publications, it was only natural that majority of Bhutanese by and large remained under-informed. There is no private intelligentsia in Bhutan. "Most of the students who studied in Indian schools and colleges under the government of India scholarship were all employed in the government services. So, the government bureaucracy was and still is the most dominant intelligentsia in Bhutan."⁵⁶

Mr. Tek Nath Rizal was a civil servant. The Nepali-speaking officials in the civil services drafted the petition submitted to the king by Mr. Rizal. Even the protest demonstration and human rights rallies were organized in Southern Bhutan by the former civil servants of Bhutan. Mr. R.K. Budhathoki, the President of Bhutan People's Party which organized the demonstrations in September-October 1990 was a former Assistant Director in the Department of Revenue and Customs.

In May 1991, six top bureaucrats resigned from their civil services posts in protest against the abuses of human rights by the government and defected to Nepal. They were Bhim Subba, the then newly promoted Director General of Power Department, R.B. Basnet, Managing Director of State Trading Corporation of Bhutan, Rakesh Chhetri, Assistant

56. Based on the Resolutions adopted by the Bhutanese Movement Steering Committee's (BMSC's) 1st Meeting, Birtamod, Jhapa, June 4 2006, p. 5.

Managing Director of State Trading Corporation of Bhutan, D.P. Basnet, Joint Director, Department of Trade and Commerce, Mandhoj Tamang, Deputy-Director of Planning Commission and Mrs. Usha Tamang, Assistant Director of Royal Monetary Authority of Bhutan defected to Nepal and applied for political asylum in Nepal, which was granted by the Government of Nepal. They are now in the leadership of the movement. Rakesh Chhetri and Bhim Subba head two human rights organizations, CEMARD and HUROB, respectively, while R.B. Basnet is the President of Bhutan National Democratic Party. After their defection, other bureaucrats followed.

"Had the government of Bhutan read the writing on the walls and taken a rational approach to settle and diffuse the political problems, instead of declaring its citizens of southern districts as "illegal immigrants" and "anti-nationals" for opposing the violation of their fundamental human rights, i.e., the right to nationality, even with hindsight, the peace and tranquility of the country would have never been disturbed."⁵⁷ This problem of small dimension has now engulfed the entire country and has taken the shape of present form of movement. The government itself is to be blamed for creating the problems.

Mass expulsion started in 1991 when the government resorted to forced evictions intimidating the innocent villagers into signing "voluntary migration forms" under torture and threat of life imprisonment. Now the majority of the refugees in the camps in Nepal fall under this category.

2.9. Bhutanese Refugee Problems in Retrospect and Prospect

After the peaceful demonstrations of 1990 by the Nepali-Speaking Lhotshampa communities of Southern Bhutan, the Drukpa Regime

57. Dr. Govindaraj Bhattarai: "Socha, Jaga Ra Utha Bhutani", **The Kantipur National Daily**, Kathmandu, May 26 2007, Vol. 97, p. 6.

started suppressing the voices of the Nepali people with brutal and manipulative strategies. Those who participated in the People's Movement for democracy and human rights were labeled as anti-nationals and their families were forcibly de-nationalized and evicted from Bhutan. During the early 1990s, when the Bhutanese were forcefully evicted, Bhutan imposed "Security Acts" which resulted in gross violation of human rights. Hundreds of innocent people lost their lives. A number of them from Southern Bhutan were imprisoned and tortured. A number of them are still missing. The whereabouts of these detainees is still unknown. Women and young girls were raped by the security personnel. A state of emergency was issued by the then Bhutan Government in the Southern Region.

Finally, when no alternatives were left, people from southern division of the country started fleeing to neighbouring countries basically India. And later when Indian soil was not favourable for those people, they came to Nepal in the early 1991. Then, the government of Nepal invited the UNHCR and other international agencies to render humanitarian assistance to those refugees. "Thus, by the end of 1992 about 85,000 Nepali-speaking Bhutanese citizens entered into the Nepalese territory and were registered and settled in the seven refugee camps established in different parts of Jhapa and Morang districts of Eastern Nepal."⁵⁸

From the very initial days, Bhutanese refugees also tried launching various protest programs to return homeland. With the flow of time, establishment of political and non-political organizations became a normal subject in Bhutanese refugee community. On the contrary, Nepal's attempt to resolve the Refugee crisis through bilateral negotiations also began first at the Home Ministry level and later at the Foreign Ministry

58. Based on Household Survey Conducted at Timai Refugee Camp, January 2007.

level. But, the fifteen rounds of Joint Ministerial Level Meetings (JMLM) could provide no concrete solution to this crisis. The Joint Verification Team (JVT) added frustration in the Refugee people and thus derailed the process of repatriation.

In the history of exile politics, the year 1996 is one of the significant years of refugees praiseworthy attempt towards returning to their original homeland. The Appeal Movement Coordinating Council (AMCC) under the co-ordinatorship of camp based political activists launched peaceful march rally towards Bhutan. The rally participants, repeatedly blocked by Indian security forces, however finally entered Phuntsholing, one of the districts in Bhutan. But, due to the undue intervention by the Indian Security Forces, this movement could not become successful. "Similarly, Indian Police in West Bengal in the third week of December 2004 intercepted Bhutanese refugees from Jhapa trying to return home. Not only this, some were arrested and an announcement notification against refugees not to attempt entering Bhutan was issued. This was done at the time Bhutan forced another 26 families of Nepalese ethnicity from Southern Bhutan for exile into India and Nepal."⁵⁹

When about 500 refugees, in January 2005, including the elderly and women, marched through Kakarbhitta, Nepal's eastern border town, and onto the bridge that connects the two countries, a pose of security personnel, comprising of the Sashastra Suraksha Bal (SSB) and the West Bengal Police, stopped them half way by the bridge. Likewise, Bhutanese refugees who frequently attempt to demonstrate on Mechi Bridge demanding for the free passage to Bhutan have be dumped into their camps by Indian Security Forces. Deployment of hundreds of refugees on

59. Savitree Thapa Gurung: "An Analysis of India's Response to the Bhutanese Refugee Issue", Kathmandu, **Journal of Public Administration**, July 2005, Volume xxiii, p. 16.

December 17, 2005 on the eve of their national day from the Indo-Bhutan border is sufficient to state that India doesn't like to extend its direct support to help them return home. Even some dozens of Bhutanese refugees who were said to have been demonstrating peacefully are time and again hurt in scuffles with Indian Security Forces.

Prior to this, on July 3 2005, more than 350 refugees were stopped at the Indo-Bhutan border. On the 10th of the same month, Bhutanese security forces arrested 12 Bhutanese refugees who entered phuentsholing border and handed them over to India. Later on they were left on Mechi Bridge. From the ban of cycle rally in 1994 till the interference in recent Demonstration on December 17 2006, The national day of Bhutan, India has time and again made a point to prove itself as uninterested towards this concern. Not only this, India turns its ears other side when refugees appeal countless times through the medium of peaceful memorandum and the like. "Refugees' internal voice that urges support and solidarity of India in solving the issue seems meaningless. This is none other then proving herself to be a blind "diplomacy follower" of an oppressive indication from Bhutanese autocratic regime." ⁶⁰

Political parties such as Bhutan People's Party (BPP), Druk National Congress (DNC), Bhutan National Democratic Party (BNDP), Communist Party of Bhutan (CPB-MLM), Bhutan Gorkha National Liberation Front (BGNLF) are in existence in Bhutanese refugee camps. Majority of these organizations, aimed at working for the welfare of Bhutanese people, are at zero point progress especially in the context of fight for democracy in Bhutan. The political and apolitical organizations formed in exile are mostly depending upon paper works. Some of the leaders show their active participation at different regional, national and

60. T.P. Mishra: "Prospects of Undemocratic Elections in Bhutan", **The Bhutan Reporter Monthly**, Kathmandu, September 2006, Vol. IX, p. 3.

international conferences for lobbying the issue. However, such attempts have been becoming worthless as Bhutan is still active in formulating conspiracies.

"The derailed bilateral process and the pessimistic and visionless activities of the political and apolitical organizations in exile made the problem more complicated and the status of the people in the camps began to deteriorate."⁶¹ The cut-short in facilities by the UNHCR and other agencies further poured fuel into the fire of grievances. As a result, robbery, drug abuses, vandalism, trafficking of girls and other countless social follies appeared to be the basic characteristics of the camps. Such anti social activities not only affect the political dreams of the people but even the humanitarian programmes of the agencies involved.

"Bhutan's relentless indifference towards resolving the refugee crisis through bilateral and multilateral channels and Nepal's failure to gain India's favour in convincing Bhutan compelled the UNHCR to seek other alternatives to solve the one and a half decade long refugee problem immediately".⁶² By the beginning of 2005, the UNHCR came up with a fresh proposal known as "Durable Solution Proposal". The basic objective behind introducing such a humanitarian approach was to dismantle the refugee camps by all means. Refugees, according to this proposal, are free to determine their future. They can choose any one of the option enshrined and advocated by the proposal. The UNHCR considers repatriation as the preferred option for resolving the Bhutanese refugee problem. But, voluntary repatriation of refugees seems impossible as India stands ad a political barrier between Nepal and Bhutan. So, assimilation in the third countries would be the only alternative ahead to end the refugee problem. Integration into the host

61. Based on RRA Conducted at Timai Refugee Camp, January 2007.

62. Based on interview with Alexandra Kiil Nielsen: Associate protection Officer, UNHCR, Sub-Office Damak, Jhapa, January 2007.

society seems even more problematic as Nepal possesses innumerable homeless and landless citizens and the political and economic interests of the government are against the spirit of the proposal. Finally, resettlement in the third countries remains the only and the lasting option before Bhutanese Refugees. So far, the USA, Canada, Australia and Some Scandinavian countries have shown interest to take Bhutanese refugees for resettlement on voluntary basis. The resettled refugees, according to reliable sources, will be assisted for a limited period by the governments concerned. They will be trained in different skills and assisted in finding suitable jobs to earn their livelihood.

Though the Durable Solution Proposal of the UNHCR aims at transforming refugees into normal people, division and virtual polarization is increasing in the camps. On the pretext of third country resettlement, family disputes have become so common that one member is ready to kill another member of the same family. Uneducated and elderly lots are not clear about the provisions set forth by this proposal. Majority of the people have expressed interest for resettlement for the betterment of the forthcoming generations. "Political parties and human rights organizations in exile are against the resettlement programmes undertaken by the UNHCR on the accusation that it will hamper democratization process in Bhutan and encourage the Royal Regime to evict the remaining Nepali speaking Lhotshampa population dwelling elsewhere in Bhutan."⁶³ Moreover, the situation in the refugee camps is degrading day-by-day mainly due to the frustration generated by the futile bilateral negotiations, reduction in the basic facilities by the agencies involved and the internal chaos and disturbances created by the Durable Solution campaign of the UNHCR.

63. Based on interview with Mr. Raj Man Gurung: The former Camp secretary, Timai Refugee Camp, January 2007.

Hence, immediate steps are to be taken by the UNHCR, the Government of Nepal and the Core Group countries to resolve this crisis by allowing the refugees to make pre-informed choices.

2.10 Current Status and Problems in the Camps

It is true that except for the few instances, the Bhutanese refugees are now confronting a dark future inside the seven refugee camps in eastern Nepal. Frustration and mental depression within individual refugees is heightened due to long term stay inside the unimproved camps. Besides this, the aid agencies including the UNHCR are trying to get sidelined from helping these refugees further more.

"About 80 thousand Nepali speaking people from southern belt of Bhutan, who fled to Nepal for safe living during the early 1990s when the then Bhutanese despotic regime forcefully evicted them, even hadn't anticipated that they would waste 16 years of horrific lives in eastern division of Nepal and at different states in India as refugees".⁶⁴

But, finally it twisted into a factual trance since the efforts to sort out potential solution of the catastrophe failed one after another at the preliminary phases. The tremendous increase in this population has now reached approximately one hundred and ten thousand, which itself is a big threat to increasing nuisances due to jam-packed living.

The gradual cut-short in the facilities such as ration, medical facilities, kerosene oil, education aid and allowance for maintenance of the camps' roofs has further harassed their lives to vulnerabilities.

These refugees, on the other side, lack income sources as they aren't allowed to work legally in the host country. Actually, they are not allowed to leave camps without permission of Refugee Coordination Unit (RCU). However, most of the educated youths are working as teachers in

64. Based on key informants interview with Mrs. Rupa Adhikari: A Community Health Worker, Timai Refugee Camp, January 2007.

different private boarding schools in Nepal. "Local people including the authorities quite frequently warn refugees not to work outside camps."⁶⁵

These refugees are leading their uncertain lives without knowing for how long they would be fed by aid agencies such as the UNHCR. It seems that to show optimism towards returning homeland as Bhutan would be too early as it is still hatching conspiracies to derail the repatriation process.

The 16 years horrific lives have certainly generated confusions whether they will have a bright future in the days ahead. The child, who was brought inside a cradle yesterday, has now today gain adolescents but is still unknown when they would actually re-build their future. Many of them are yet innocent about the root causes for spending "refugee life".

Following the lack of better prospects, many "would be" great personalities are bounce to idally sit inside the refugee camps with doomed expectations. Day-by-day, the skills they posse is getting lost.

Since the December 2003 episode at Khudunabari Camp, the refugee camps have been pushed into confusion as it went off the track followed by the message of "durable solution" campaigned by the UNHCR. "The lack of career opportunities for the educated ones, non-availability of adequate support for higher education after class twelve and cut-short in basic facilities have driven the refugee community to an increased state of frustration."⁶⁶ The deteriorating situation thus threatens prevailing peace in the camps and perceives every possibilities of regional unrest given the odds to while away in the antisocial activities. Any delay in resolving refugee imbroglio could be fatal given the chances to hand shaking with easily accessible alternatives in the neighbouring region.

65. Based on Field Survey Conducted at Timai Refugee Camp, January 2007.

66. Based on the Interaction Programme Conducted by Kanchanjanga F.M. on "Bhutanese Refugee Crisis", Jhapa, January 13 2007.

The reduction of basic necessities followed by the replace of kerosene oil with bio-briquettes has led to the degeneration of people's caliber and potentiality by promoting diseases like asthma, visual impairment and heart problem. Malnutrition and health problem have been identified as the most rampant characteristics in the refugee camps.

The unimproved living standard and relentless stay in the poorly managed camps have given rise to a variety of problems ranging from increased frustration to security threat. Thus, following are the major problems confronted by the people in the UNHCR managed Bhutanese Refugee Camps.

1. Cut-Short in facilities

The UNHCR including other aid agencies provide essential food items, shelter, medical care and education to these refugees. However, facilities being provided to them are not adequate.

The gradual cut-short in the facilities such as ration, medical facilities, kerosene oil, education aid and allowance for maintenance of the camps' roofs has almost begun. "The replace of kerosene oil with briquette which, it's claimed, has been reported to be very harmful to normal health, is a better example of how these refugees are leading their vacillating future."⁶⁷

Despite reach of using electricity, refugees are bound to use such harmful briquette. Citing rise in the price hike, UNHCR cut down its supply in the beginning of 2005.

"The most remarkable thing is that the guest, who arrives late, would have to wait empty stomach for hours to take another series of

67. Based on Observation of Diseased People Gathering at Timai Health Centre for Treatment, January 2007.

prepared meal."⁶⁸From this reality, it's easy to detect how sick people in camps are facing troublesome even to boil water for taking drugs.

On the other side, refugee students are bound to opt for early bed despite giving time to their studies especially during the night time. Actually, the camp people are strictly prohibited from using electricity.

Supply of just half liter of kerosene oil to a family, whether small or joint, for at least fifteen days is not enough even to light candle. As a result, the academic performance of students under 10th grade has dramatically fallen down.

The Asian Medical Doctors' Association (AMDA), which has been rendering its medical care assistance to these refugees, has now cut-off most of the facilities. Refugees with chronic diseases are dieing inside huts even without being referred to better hospitals.

The shortage of adequate space for normal living, especially for joint family is yet another problem. No drop of rain drops out of roofs of the tent-like huts during the rainy seasons.

2. Escalating frustration

With the urn of time, there is rise in mental dejection and frustration within individual refugees. "The elongated stay under the plastic canopy with hesitant future has even led to the augment in suicide cases. The frequent attempts to suicide considering the unimproved lives in refugee camps have now become normal subjects."⁶⁹

These refugees, on the other side, lack income sources as they aren't allowed to work legally in the host country. Actually, they are not allowed to leave camps without permission of Refugee Coordination Unit (RCU).

68. Based on P.R.A Conducted at Timai Refugee Camp, January 2007.

69. Based on Interview with Mr. Tek Nath Rizal: The Chairman, Bhutanese Movement Steering Committee (BMSC), Kathmandu, January 2007.

These refugees are leading their uncertain lives without knowing for how long they would be fed by aid agencies such as the UNHCR. It would be too early to show optimism towards returning homeland as Bhutan is still hatching conspiracies to derail the repatriation process.

3. Jam-packed living

Actually, the huts of refugees are made very closer to one another due to lack of adequate space. The gap of only one meter is left as a space from one another's hut. Due to congested and attached huts, people are bound to face suffocation.

"Small children do not have any better space to play. The noise pollution is common. Not only this, the jam-packed living has greatly affected on the confidentialities of the conjugal lives."⁷⁰

4. Economic crisis

One of the chief problems faced by refugees is economic crisis. They totally lack any better income sources. Meanwhile, the legal provisions in the law of the host country have strictly barred any foreigners to work legally.

Women in camps are earning a bit from charkha (weaving threads from the wool of sheep and yak). But this earning doesn't meet even their basic needs. On the other side, "this process of earning is very harmful in context of normal health. There are increasing patients of diseases such as bronchitis, asthma, hopping cough etc. and finally leading it to a chronic heart patient."⁷¹

Due to poor economic condition, refugees do not manage better food items containing required protein and vitamins.

70. Based on the Map of the study site (Timai Refugee Camp) observed during field survey, January 2007.

71. Based on Interview with Mr. Khardka Gurung: The Health Supervisor, Timai Refugee Camp, January 2007.

5. Social problems

There are various social problems existing in the Bhutanese refugees camps. With the long term stay inside the unimproved camps, especially youths can even be found attracted towards various act such as hooliganism, alcoholism, vandalism, rigging etc.

Not only this, many prefer not to continue their higher education due to uncertain future and low economic status. Basically, this particular group is found responsible for creating havoc in the camps. "Refugee camps are gradually stepping towards center for sexual activities. There are escalating cases of sexual abuses in the camps. Trafficking including early marriage is also common."⁷²

Meanwhile, the traditionally established norms, values and cultures are threatened from such groups.

6. Religious problem

Refugees, who were tightly divided only into Hindus and Buddhists, are now scattered into different categories in the name of following various religion. A sense of respecting other's religion has really become a farce. "There are frequent disputes regarding religious activities. Even groupism has become normal subject for and against any religion."⁷³

7. Threat of outsiders

There is increasing threat from outsiders. Quite frequently, the occurrence of disputes between the locals and refugees, are ordinary in refugee camps. The scuffle in Sanischare camp, the only camp that lies in Morang district, on February 22 2007 had even claimed lives of two

72. Based on Focus Group Discussion conducted at Timai Refugee Camp, January 2007.

73. Based on Interview with Mr. Ganga Ram Bhattarai: A Senior Nepali Teacher, Timai Refugee Camp, January 2007.

youths including one refugee. The situation had remained tense for more than a week.

On the other side, we cannot ignore that the outsiders too are also threatened. The cut-short in facilities such as kerosene oil has forced refugees to enter forest for the purpose of collecting fire woods. "Actually, the gradual shortage in facilities provided by the aid agencies is one of the cruxes behind the threat for both locals and refugees."⁷⁴

8. Threat from Bhutanese Communists Forces

"Following the long tenure stay, the frustrated youths in refugee camps are almost aggravated towards revolt movement with the declared objectives of carrying arms against absolute Bhutanese regime."⁷⁵

Communists Party of Bhutan (CPB-MLM) came into existence in the mid of 2001 after series of attempts to grasp the early solution through peaceful attempts failed one after another.

Now, Bhutanese Communist Forces are enrolled in collecting financial aids from innocent camp people. Youths are basically threatened from the party for the physical participation.

9. Problems created by the "Durable Solution Proposal" of the UNHCR

Since the initiation of the wave of durable solution proposal, individual refugees are enrolled in hot debate as to whether it is a better option for lasting solution. In the other sense, we can say that there is virtual polarization within individuals.

Even there is family split. Majority of people have enthusiastically taken this wave as there are no other possible options lying on the table. People have taken this offer as an opportunity to re-build their doomed

74. Based on Field Survey conducted at Timai Refugee Camp, January 2007.

75. Based on Discussions with the Eminent Members of Bhutanese Communist Party (BCP), Timai, January 2007.

future. Basically educated youths have already welcomed this offer. For, the government of the US and other countries of the Free World have shown their interest towards allowing these refugees to use their land for resettlement. Even Core Groups including 14 large democratic countries have been formed to backup this option. "Although the UNHCR has given due emphasis on voluntary repatriation of the people to their original homeland, the package of third country resettlement would backpedal the dignified repatriation process as provoked by many analysts."⁷⁶

Almost all the existing political and apolitical organization in exile have criticized the US move stating that it would just weaken the Bhutan's democratic movement.

10. Lack of coercive power on the Camp Management Committee (CMC) to control the refugee people

The CMC (Camp Management Committee) is just an elected body and lacks total power to impose various restraints upon the people in the camps. "However, CMC makes different decisions but does not have full authority to bring all those decisions into effect."⁷⁷

The problem of basic necessities followed by unimproved living standard and security threat make situation in the camps horrific. The cut-short in facilities by the aid agencies since January 2005, anti-social activities have tremendously increased. The threat of the local Nepali people inhabiting around the camps is on the increase. The lack of coercive authority on the Camp Management Committee (CMC) to promote security in the camps create problems like family quarrels, marriage disputes, water disputes, etc. Due to increased frustration and

76. Based on Interview with Mr. D.B. Rana Sampang: The President, Bhutan Gorkha National Liberation Front (BGNLF), Jhapa, January 2007.

77. Based on Interview with Parsu Nepal: The Camp Secretary, Timai Refugee Camp, January 2007.

lack of career opportunity, countless incidents of suicide take place. Illiteracy has been identified as a pertinent factor for increasing birth rate in the camps. Due to this primitive practice, environmental pollution seems high. As a result, there is no environment conducive to the students and the upcoming generation. Elderly and diseased people cannot sleep in silence and the right to privacy and conjugal life of the people is at constant threat. Increasing activities of the Bhutanese Communist Party (BCP) is making the people even more frustrated.

Leaving aside these problems, the refugee community still stands with a lucid agenda of establishing human rights and people's democracy in Bhutan. Any kind of proposal for resolving the Bhutanese Refugee Crisis forthcoming from any agencies or countries must call for an assessment of their properties left in Bhutan.

CHAPTER THREE

DURABLE SOLUTION PROPOSAL OF THE UNHCR FOR RESOLVING THE BHUTANESE REFUGEE IMPASSE

This chapter makes an attempt to analyze the Durable solution proposal of the UNHCR while trying to examine the viable options advocated by it for solving refugee problems purely on non-political and voluntary bases. Efforts have also been made to assess the necessity of protecting and promoting the rights of the refugees against future encroachments by governments through the options of comprehensive approaches to Durable Solution vis-a-vis third country resettlement for ending the Bhutanese Refugee Crisis.

3.1 Concept of Durable Solution

The UN refugee agency (UNHCR) provides protection and tries to find long lasting solutions for refugees. There are three long lasting or durable solutions for refugees: voluntary repatriation-"going back to their own country", local integration-"staying in the host country", or "resettlement to a third country". All of these solutions are meant to help refugees to live normal lives and to end their status as refugees. "Voluntary repatriation to the country of origin is the preferred solution."⁷⁸ Unfortunately, this is not always possible, in which case UNHCR helps people to try to rebuild their lives elsewhere either in the countries where they first sought asylum or in another country willing to protect them. Any Durable solution can only succeed on a voluntary basis. Imposed solutions do not last long.

78. Statute of the Office of the United Nations High Commissioner for Refugees: **General Assembly Resolution** 428 (v), New York, 14 December 1950.

Voluntary Repatriation

Voluntary repatriation means that refugees decide to freely return to their country of origin. For repatriation to be successful and long lasting, there needs to be certain conditions in place that protect and guarantee the rights of returnees in their country of origin. Firstly, this means that the government of their country of origin has to agree to the return of refugees. Returning by one's own freewill, is central. Refugees must be able to choose to return after learning as much as possible about what awaits them if they go back. They should not be forced to return to their country of origin nor should they be prevented from returning. "UNHCR endorse voluntary repatriation when refugees are able to return to their home country in safety and with dignity."⁷⁹

- Returning in safety means that the events that forced the refugees from their home country will not happen again.
- Returning with dignity means that refugees will be treated humanely and properly once they are home. This means that there are no conditions for returning. People can return at their own pace and they should no be separated from family members. Voluntary repatriation can only be achieved with the consents and active participation of the government of the country of origin (in this case - Bhutan) and the government of the country of asylum (in this case - Nepal). Each of the durable solutions should only take place on a voluntary basis. Imposed solutions are not durable solutions.

79. Based on Interview with Alexandra Kiil Nielsen: Associate Protection Officer, UNHCR, Sub-Office Damak, Jhapa, Nepal, January 2007.

Local Integration

"Local integration happens when refugees are allowed to stay permanently in the country of asylum, and can integrate into the host society, it also means that the host government agrees to provide the refugees all facilities like national citizens, and it usually leads to citizenship."⁸⁰ Local integration can only be achieved with the consent and active participation of the government concerned (in this case: Nepal).

Local integration: means that refugees are integrated into the local communities and live independent and normal lives:

-) Means permanent residency and eventually an offer of citizenship. Citizenship means that you have once again acquired the national protection of a state, and are no longer a refugee.
-) Includes the right to marry, to practice one's own religion, to own land and property, to work and seek employment, to travel, and to have access to education and housing.
-) Must be voluntary and the refugees must be willing to adopt to its host community.
-) Needs the host government to actively support efforts to integrate refugees.
-) Needs the local population to support the idea of refugees joining their community.

Resettlement

Resettlement involves the departure of refugees from the country in which they sought asylum to go to another country that has agreed to

80. Based on Interview with Kim Robertson: Durable Solution Officer, UNHCR, Kathmandu, January 2007.

accept and protect them. Refugees who are resettled will always be provided with long-term residence rights.

-) "Resettlement: Can be necessary to protect refugees who face serious risks and dangers, or are very vulnerable in the country of asylum."⁸¹
-) Can provide a solution for refugees who are unable to return to their country of origin at a later date depending upon conditions in the country of origin and if the country of origin agrees. Resettlement does not make repatriation impossible.
-) Can provide a solution for refugees if there are no prospects for local integration in the country of asylum.
-) In one way countries share the burden of hosting refugees by agreeing to accept them into their own countries providing national protection and care. UNHCR has its own resettlement criteria and related considerations that help identify refugees in need of resettlement.
-) Resettlement countries make every effort to ensure that those who come are able to have a normal and meaningful life in new countries.
-) Resettled refugees have access to health and education services and job opportunities in their new countries and depending on their individual need, other specialized services.
-) Resettlement normally provides a permanent solution and resettled refugees live like normal citizens of the resettlement countries. But, they are usually able to maintain their livelihood.

81. Kazi Gautam: "Resettlement: How Comprehensive is it for Refugees?", "The **Bhutan Reporter Monthly**, Kathmandu, January 2007, Vol. III, Issue 24, p. 2.

The UNHCR acts as the guardian of the refugees elsewhere. It provides humanitarian assistance to them and offers adequate opportunities to settle them in the places of their choice through the medium of Durable Solution.

3.2 Prospects of Voluntary Repatriation for Bhutanese Refugees

The uproar for democratic changes in the world and in our neighbourhood and the fantastic result obtained thereafter to heave and breathe in a free and fair society in the early 1990s instigated the bhutanese people to place their grievances and just demands to the government through peaceful rallies and silent demonstrations. But the royal government of bhutan instead of listening to the grievances of the citizens used armed forces to silence them. The volume of crime was just unimaginable when the government retaliated with the might of the security power. The bhutanese monarch even went to the extent of reducing the once beautiful villages into heap of ruins and set ablaze the houses and properties of the people. The people were rounded up without any reasons and brutally assaulted. "hence, the economic embargo and the sanction of basic necessities and the atrocities of the security forces leading to the humiliation of one's prestige and dignity compelled the people of bhutan to flee across the border under the most unfortunate circumstances and take refuge in india and in nepal as refugees."⁸² today, there are more than 106,000 bhutanese refugees in the refugee camps in eastern nepal since 1990. And another of about nearly 30,000 bhutanese refugees have taken shelter in indian states of west-bengal and assam.

Numerous futile attempts have been made off and on by the refugees and the nepalese government to solve the problem. The nepal-

82. N.B. Giri: The Chief Co-ordinator, Refugee Rights Co-ordinating Committee (RRCC), **Background and Aims and Objectives of the RRCC**, Kathmandu, March 2007, p. 3.

bhutan joint ministerial level meeting (jmlm) started on july 17 1993 to find a just solution to the bhutanese refugee problem. Fifteen rounds of bilateral negotiations have been held so far with no progress. And the most recent statement (dec. 27 2006) of the foreign minister lenpo khandu wangchuk of bhutan has almost closed further dialogue about the bhutanese refugees with nepal. Similarly, a great hope was harbored when pranav mukherjee, indian minister for external affairs marked a recent visit to nepal. But his cold remarks about the issue to be solved by bhutan and nepal only made everyone cheerless.

The policies formulated so far by nepal have always become unsuccessful. Its pellucid that forming a committee or high level political force turns out just a perfunctory unless it works honestly. "its time for nepal to change its modus operandi. Till date, no pragmatic approach has been sought honestly for nepal was busy tackling its own interim political problems.

History speaks that absolute monarch could never respect the sentiments of the people. It was long armed struggle on one hand by the Nepal Communist Party-Maoists, and a peace movement led by a seven party alliance on the other that could overthrow the king of Nepal. Neither is possible in case of Bhutan. India which has dropped these refugees in Kakarbhitta via trucks, now never allows the refugees enter Bhutan. Moreover, the Bhutanese within the country are still not fully aware of what their kin in exile are fighting for. Furthermore, a new king in Bhutan who is only committed for a gross national happiness, has a great to study about its internal affairs. He would never send a representative to resume the JMLM.

On the other side, still there exists a coalition government in Nepal. The Bhutanese king would surely wait for an elected government. In this

way, some more years are to be wasted. Hence, Nepal being a host country should think of a better and urgent alternative towards safe lending of the protracted impasse.

Meanwhile, Nepal is sure to encounter with various problems if it cannot make its stance and position clear. Formation of a permanent task force to cope-with this refugee issue could be another option to speed up the process before it is too late.

Sixteen years that have passed in the refugee camps with no future and guarantee of repatriation has been too frustrating and painful to the refugees. "although the refugees are provided with the basic means of sustenance by UNHCR and other aid agencies, yet the feeling of being discarded from the bonds of human family displaced to an alien soil with branded status of refugees always torment the people."⁸³ within this period of time many good lives have died premature deaths due to intolerable climatic conditions, lack of medical facilities, nutritional foods and due to mental devastation. Suicide cases and crimes have increased manifold. Children who are the custodian of the human society are dying premature deaths. Thus, the younger generation is faced with dark future as they have no place to live a normal life. Today every refugee in the camps are time and again appealing for freedom from suppression and perpetual frustration and to define themselves as equal partners of this mother-earth as human beings.

The issue of protection of the refugees in Bhutan is not guaranteed even if the refugees are repatriated forcefully or voluntarily. Merely, demanding repatriation of the refugees by the government of Nepal or the Bhutanese activists will not be in the interest of the refugees. It must be

83. Based on Interview with Tek Nath Rizal: The Chairman, Bhutanese Movement Steering Committee (BMSC), Kathmandu, January 2007.

unspoken that repatriation does not mean peace and security to the refugee mass. It would be a fitting exercise if these forces would take up the issues of establishing democracy and human rights and promulgation of a judicial system and a constitution to guarantee the rights of the people of Bhutan. Until and unless Bhutan has a popular democratic government, a constitution, which protects rights of the citizens and Bhutan ratifies all international refugee laws and grants amnesty to the human rights and democratic activists, lives of the refugees will be in danger after repatriation. And these achievements will take many years for the Bhutanese political parties or any outside forces that advocates democracy in Bhutan. "for voluntary repatriation of the refugees, nothing is going to happen within the coming two to three years."⁸⁴

3.3 Need of comprehensive solution of third country resettlement for bhutanese refugees

Repatriation back to bhutan though is the principle option, it is not practicable as per the present situation with the government of bhutan. The other two options - local integration and resettlement in third countries are the only alternatives left for the bhutanese refugees to choose for their living at the present situation. And local integration or naturalization of bhutanese refugees in nepal or india may be welcoming for some who have other reasons to believe but it is not unequivocal option that would protect the general bhutanese refugees in totality. Bhutanese refugees can be in better position to achieve better aims of secured future and confidence of fulfilling the responsibilities to the cause of human rights and democracy in Bhutan if they are resettled in developed countries. Thus, resettlement can be defined as the best

84. Based on Interview with His Excellency Mr. Graeme Lade: The Australian Ambassador to Nepal, Australian Embassy, Kathmandu, 8 February 2007.

protection tool for the Bhutanese refugees as well as the most suitable option for their better future.

It is opined that Nepal, Bhutan, India or all the SAARC states should ratify the 1951 UN convention regarding the status of refugees and its 1967 protocols. Before these conventions and refugee laws are established in Bhutan, repatriation of the Bhutanese refugees will confer additional problems. In the recent development in Bhutan's national assembly, the Bhutanese authority has not shown positive interest to solve the refugee problems. However, we should not keep waiting for above development for repatriation as the suffering of the Bhutanese refugees in Nepal is extremely pitiful. "thus, this should be the cornerstone of the government of Nepal, UN bodies, human rights organizations and the Bhutanese leaders to ensure respect and recognition of the rights of the refugees for comprehensive solution of resettlement for the Bhutanese refugees in third countries as per the article 33 of 1951 UN refugee convention."⁸⁵

Refugees have welcomed the declaration of the US government to resettle Bhutanese refugees in the USA. They also acknowledge Canada, Australia and some European countries who have shown interest to resettle the Bhutanese refugees in their countries respectively. This is a positive development toward ending this long pending humanitarian problem. To live in refugee huts for such a long time without any guarantee of dignified repatriation and future is not only painful but is also a waste of highly productive human beings. At the same time, the rights of those refugees who want to return to Bhutan should also be respected by taking up their issues with the Bhutanese government.

85. N.B. Giri: The Chief Co-ordinator, Refugee Rights Co-ordinating Committee (RRCC), **Why Comprehensive Solution of Resettlement for the Bhutanese Refugees?**, Kathmandu, March 2007, p. 4.

However, this should not hinder those who have opted for the third country resettlement and their rights must be respected.

3.4 UNHCR's concept of resettlement

Resettlement involves the selection and transfer of refugees from a state in which they have sought protection to a third state which has agreed to admit them as refugees with permanent residence status. The status provided should ensure protection against refoulment and provide a resettled refugee and his/her family or dependents with access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals. It should also carry with it the opportunity to eventually become a naturalized citizen of the resettlement country.

"UNHCR's statute and subsequent resolutions from economic and social council (ECOSOC) mandate the agency to provide international protection to refugees and other persons of concern to the office and as a consequence to seek permanent or durable solution to their problems."⁸⁶

Moreover, states are encouraged to ensure that resettlement runs in tandem with a more vigorous integration policy aimed at enabling refugees having durable residence status to enjoy equality of rights and opportunities in the social, economic and cultural life of the country. This is in accordance with the understanding that resettlement also can provide significant potential for the development of professional and skilled personnel who can contribute to the rebuilding of society if they opt to return at one point in the future.

While voluntary repatriation in conditions of safety and with dignity remains the preferred solution for refugees, UNHCR is cognizant that local integration and resettlement continue to be applied where

86. Based on Interview with Alexandra Kiil Nielsen: Associate Protection Officer, UNHCR Sub-Office Damak, Jhapa, Nepal, January 2007.

appropriate and feasible. At the same time, it is important to note that a refugee who benefits from resettlement or local integration may eventually choose to repatriate.

"Resettlement can take place when threat of refoulment, threat to physical safety and human rights in the country of refuge, victims of violence and torture, medical needs, disabilities (hiv/aids should not adversely affect a resettlement claim based on other grounds such as family reunion, protection, or other special needs), women at risk, family reunion, unaccompanied or separated minors, older refugees, when cannot integrate locally."⁸⁷

Regardless of the field context, all resettlement activities must confirm to basic standards. The preparation of individual resettlement submission must pass through the following common stages of the resettlement process:

1. Identification of refugees in need of resettlement consideration
2. Assessment of individual resettlement need
3. Preparation of a resettlement submission
4. Unhcr submission decision
5. Resettlement country decision
6. Departure arrangements and monitoring

In many resettlement countries, NGOs are the primary providers of services to the arriving refugees. These services are usually funded by the host government and local resources raised independently by the NGO. "depending on the system of social welfare services in each country, NGO services to refugees may encompass addressing comprehensively the needs of the resettled refugee, including services relating to language

87 Refugee Rights Co-ordinating Committee (RRCC): **Refugees and Asylum after September 11**", Kathmandu, 2006, p. 3.

training and search for employment."⁸⁸ VGOs usually provide a counseling role for refugees, often working with specific communities to provide language and culturally sensitive help, also help with training, counseling, fund raising and co-ordinating volunteers.

3.5 Resettlement proposal of the usa and other democratic countries for bhutanese refugees

The USA has been resettling yearly an estimated 75,000 refugees from different countries. It has also maintained rich and vibrant traditions of offering refugees to those who fear persecution. The co-ordination of the admission of the refugees is assigned to the department of state which works in concert with other key government agencies, department of homeland security, justice, health and human services.

The USA refugee admission program is the global leader in this field and offers admission to the largest number of refugees in need of resettlement. The offer of resettlement as a durable solution, and in particular to Bhutanese refugee impasse is a crucial responsibility in a highly visible policy arena. "third country resettlement certainly benefits the refugees, the host country and the community offering them."⁸⁹

Last year, an estimated 1,500 Vietnamese refugees who had been living in Philippines were resettled in the us. They were granted all the rights as the first class citizens of the us. The Bermudan refugees, the survivors of horrific massacre at Gatumba refugee camp, were also resettled.

The legal basis of refugee admission program is the refugee act of 1980 pub, 1. No. 96-212201 (b), 94 stat. 103. The refugee admission

88 Kazi Gautam: "Resettlement: How Comprehensive is it for Refugees", **The Bhutan Reporter Monthly**, Kathmandu, January 2007, Vol. III, Issue 24, p. 2.

89. Deep Rose: "Time has Ripen to Decide", **The Bhutan Reporter Monthly**, Kathmandu, June 2007, Volume III, No. 32, p. 2.

department is interested over the Bhutanese and Tibetan refugees, which was discussed in its forth annual public meeting. As this is a legal procedure, the refugees should not sense any suspicion as regards the us resettlement scheme.

Ellen Saubrey, the us assistant secretary of state for population, refugees and migration made public the us proposal of resettlement in mid-august 2006 when the refugees were waiting for a durable solution to the crisis. It has appeared the feel-good factor for some refugees where as some of them have been put at their wit's end. The political leaders in exile have viewed this move of the us a tool to create division among the refugees.

The refugees have already wasted about two decades in vain waiting for a dignified repatriation. Having lived in a confinement for such a long period has certainly affected their state of mind. There is escalating rates of frustration within youths. Some critics have stated that the us package that has been proposed on a humanitarian basis would uplift the lives of the refugees to some extent. Crystal t. Kaplan, a refugee officer at the us embassy while responding to Bhutanese media has recently highlighted some of the criteria for resettlement in the us.

"It is learnt that the resettled people would first get a legal permanent resident (LPR) which allows them to exercise all the rights that an American can. The LPR can be assisted to get settled by the sponsors. They would be given a language course and job training. After five years they can apply for American citizenship."⁹⁰ but, the LPR has no right to vote. Unless citizenship is granted, people can't take part in the vote.

90. Based on Interview with Crystal T. Kaplan: a Refugee Officer at the US Embassy, Kathmandu, January 2007.

The government of Nepal has agreed to allow third-country resettlement of the Bhutanese refugees with the understanding that the USA and other interested countries will continue to advocate for the refugees right of return to their homeland. The us resettlement program serves as an effort to provide assistance to refugees and displaced persons around the world. The purpose behind resettling Bhutanese refugees by the USA is purely humanitarian. The united states works closely with the united nations high commissioner for refugees (UNHCR) and the government of Nepal to resettle Bhutanese refugees who cannot return to Bhutan in the foreseeable future. Although refugees may express interest in resettlement, it is the UNHCR that determines as to whether resettlement is appropriate for them. Refugees interested in resettlement should meet the requirements set forth by concerned countries. In this case, the USA has planned to resettle as many Bhutanese refugees as possible only after verification by an internationally reputed organization. "persons of all categories get admission for resettlement in the USA based on the strength of their refugee claims and need for resettlement, not on qualities such as job skills or education."⁹¹ but, there is no guarantee that a resettlement application will be approved. Each case is individually interviewed by us immigration authorities. Us program offers resettlement to all kinds of refugees: able-bodied and handicapped, healthy and ill, old and young. It does not mean that resettlement in the united states is the solution for every Bhutanese refugee, and only those who freely choose resettlement in the united states would be considered. It is extremely important to understand that resettlement processing takes time. It could take six months or more from the time the family has its first us interview before actual travel to the united states. Once the us

91. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program**, Kathmandu, April 2007, p. 1.

resettlement program begins, it will operate for at least five years, depending on how many Bhutanese refugees express interest. Immediate families approved for us resettlement will be kept together. During resettlement processing, applicants will be asked about other refugee relatives so that they could be resettled together, or if not, in cities near one another. Bhutanese refugees will be resettled in both urban and rural locations throughout the united states. "approved Bhutanese refugees will be offered a brief class on American society and culture before they leave for the united states. They will also undergo medical screening, and will be treated for any communicable diseases, such as TB, prior to departure."⁹² each Bhutanese refugee will be sponsored by a non-governmental organization in the united states to provide initial housing, basic furniture, food and clothing to help refugees when they first arrive. These organizations also support the refugees in miscellaneous fields ranging from basic language classes to finding conducive and income earning jobs. Refugees will receive cash and medical assistance from the government for a limited period when they first arrive in the united states, but must find work quickly so that they can support themselves and their families. Resettled refugees will be able to travel internationally, including to Bhutan when conditions there permit. Applying to the us resettlement programme is voluntary and applicants will be charged no fee."⁹³ but, a person must meet the us definition of a refugee found in section 101 (a) (42) of the immigration and nationality act (INA), which closely follows the definition in the 1951 un convention.

92. Saraswati Karki: "Ambassadors Visit Refugee Camps: Resettlement as an Opportunity", **Kantipur National Daily**, Damak, Jhapa, Saturday, November 25 2006, p. 1.

93. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program**, Kathmandu, April 2007, p. 2.

As a prominent member of the core group, the us embassy in Kathmandu is playing a leading role in close co-ordination with the un refugee officers to accelerate the process of resettlement.

Since the beginning of 2005, government of Canada has been showing interest to resettle Bhutanese refugees on ground of humanity. It has proposed to take five thousand Bhutanese refugees on a voluntary basis. The UNHCR determines type of people to be sent to Canada for resettlement. Similarly, consent of the host government is inevitable to formally implement this process. Canada is interested to take those Bhutanese refugees who are in need of special protection. Torture victims and physically and psychologically vulnerable groups may benefit from this program.

Canada's resettlement program is administered by the department of citizenship and immigration Canada (CIC). For a refugee to be accepted by Canada, he/she must pass:

1. A medical examination: successful applicants must not be suffering from a medical condition which is likely to be a danger to public health or safety.
2. Criminal screening: refugees are not required to submit police certificates from their country of origin.
3. Security screening: Canada will not accept combatants who have participated in war crimes or crimes against humanity. "senior officials, including former or serving senior military officials, from certain regimes and individuals who belong to organizations that expose violence are inadmissible under the immigration and refugee protection act."⁹⁴

94. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program**, Kathmandu, April 2007, p.3.

In the case of refugees, an immigrant loan may be authorized to cover the cost of transportation to Canada, immigration medical examinations where necessary transportation to the interview with the visa officer.

A refugee must demonstrate the need for and the potential to repay the loan. Refugees are required to begin repaying the loan shortly following arrival in Canada. Under certain circumstances, loan repayment may be deferred for up to two years. Special needs refugees may be granted financial assistance in the form of a contribution which does not have to be repaid.

A joint sponsorship provides for the government and private sponsorship ground to share the responsibilities of sponsorship for refugees who are in need of assistance over and above that which is provided through either government assistance or private sponsorship alone. The Canadian government assumes financial responsibility while the group is committed to ensure the refugees integration. The period of sponsorship may be extended for upto two years, during which time the refugee is expected to become self-sufficient.

"In the case of refugees and members of the humanitarian-protected persons abroad classes who do not have money to pay for a medical examination, a loan may be issued under the provisions of the immigrant loan program."⁹⁵

Arrangements for travel to Canada are generally made by the international organization of migration (IOM) in coordination with the visa officers. Government loans are available to refugees to cover the cost of travel to Canada. Individuals identified as special needs refugees may

95. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program**, Kathmandu, April 2007, p. 4.

be eligible for financial assistance from the government in the form of contributions.

All refugees processed overseas are granted permanent residence status upon arrival in Canada. Those who arrive with temporary resident permits may apply for permanent residence once medical and background checks are passed or after a period of five years. Refugees who are permanent residents of Canada may seek employment immediately after arrival in Canada and are eligible to apply for Canadian citizenship after three years of continuous residence in Canada. Refugees in Canada for two years or less who wish to leave Canada to repatriate to their home country and who do not have the means to do so, may apply to citizenship and immigration for assistance.

However, it is only in rare cases that the Canadian government pays for repatriation. Refugees in Canada for more than two years, who are on social assistance, should apply to UNHCR for repatriation. The resettlement assistance program (RAP) offers income support and a range of immediate essential services that are available exclusively to government assisted refugees.

"Furthermore, Canadian government provides facilities such as, reception, housing, basic needs of life, referral to settlement services and settlement services for immigrants and refugees. It also provides orientation materials, referral services, interpretation and translation facilities, para-professional counseling, employment-related services, health services, language training, education and vocational training and employment to the refugees and immigrants during and after resettlement."⁹⁶

96. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program-Canada**, Kathmandu, April 2007, p. 5.

Australia, like other core group states, believes that Nepal-Bhutan bilateral negotiations have yielded nothing more than frustration in the refugee people. "although repatriation must be taken as the first and the best option for the refugees, it is not possible under hardships and human rights violence. As local integration in a country like nepal appears to be a difficult option, resettlement in the third countries is the realistic mode of offering durable solution to this problem."⁹⁷. For, resettlement in Australia is possible only when the government of Nepal formally opens the door for the refugees to choose alternatives other than voluntary repatriation to end their present status. Hence, it is important to understand that Australia's interest behind taking Bhutanese refugees for resettlement is purely humanitarian.

Government of Australia may refuse applications on character grounds where there is evidence of criminal conduct on the applicant's part or the applicant represents a threat or danger to the Australian community.

Under the one fails all fail rule, visas cannot be granted to an applicant or any member of the applicant's family unit included in the application if the applicant or any member of the family unit, whether included in the application or not, fails a prescribed public interest criterion.

Applicants for resettlement, like all applicants for permanent visas must meet health criteria. These criteria require applicants to be free from tuberculosis and any disease or condition that is a risk to public health and safety. Some applicants must undergo specialist treatment before their visa is granted. Applicants will not meet health criteria if they have a

97. Based on Interview with HIS Excellency Mr. Graeme Lade: the Australian Ambassador to Nepal, Australian Embassy, Kathmandu, 8 February 2007.

medical condition that is likely to result in a significant cost to health care and community services or prejudice Australian's access to health care or community services. Provision exists to waive health criteria in respect of criterion visas, among them humanitarian program visas. Those under emergency provisions do not undergo a medical examination before entering Australia.

The Australian government organizes and pays for the passage to Australia of holders of refugee visas. Individuals with more than a\$ 10,000 capital for transfer, and families with more than a\$20,000 are not entitled to paid passage.

"The department in charge of resettlement in Australia is the department for immigration and multicultural and indigenous affairs (DIMIA). Humanitarian program entrants may use the full range of settlement services available to all migrants in, including the adult migrant English program (AMEP), the translating and interpreting service (TIS), programs funded through the community settlement services scheme (CSSS) and the services offered by twenty-four migrant resources centers (MRC) and four migrant service agencies (MSA) across the country."⁹⁸ unlike non-humanitarian migrants, who are subject to a two year waiting period, they have immediate access to federal government health care and social security.

In addition, humanitarian program entrants are eligible for settlement services designed to meet their particular and often complex needs. The integrated humanitarian settlement strategy (IHSS) is the framework for the integrated delivery of these services. The strategy also

98. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program**, Kathmandu, April 2007, p. 2.

provides for support services to the individuals, agencies and community networks assisting in the settlement of humanitarian program entrants.

IHSS programs are delivered by service providers contracted by DIMIA and registered volunteer community groups. Entrants also receive assistance with accommodation, information and orientation from their proposers.

On arrival in Australia, humanitarian program entrants have access to the initial information and orientation assistance program that equips them with the knowledge, skills and support for life in the Australian community. Entrants are given individually tailored information, assistance and referrals to ensure they understand how the local community operates and are introduced to social security, banking, education, employment, transport, childcare and other important services.

Registered volunteers in the local area offer eligible entrants social support in the form of friendship, introductions to local ethnic, religious and other community groups, information, guidance and practical assistance to help them adjust to life in Australia.

Government of Australia provides both pre and post-resettlement facilities such as:

-) Reception
-) Housing
-) Health
-) Language training
-) Education and
-) Vocational training/employment

"As resettlement confers safety, dignity and honour to the refugees, it should not be misunderstood thereby creating confusion among the

people. It is only by keeping Nepal government on side that resettlement process can be brought into effect".⁹⁹

Apart from these three states, New Zealand, Denmark, Norway, Italy and some other democratic countries of western Europe are interested to take sizable number of interested Bhutanese refugees for resettlement on voluntary bases. These countries have established provisions to provide initial, mid-term and long-term facilities to the resettled refugees. In all countries, no distinction in regard to sex, colour, caste, creed, religion, remuneration or any ideological conviction is made between the refugees and the national citizens.

3.6 Critical Analysis of the Durable Solution Proposal of the UNHCR

Durable solution proposal of the UNHCR has been a subject of hot debate among Bhutanese refugees in and outside the camps. Refugees have been found to be cut between repatriation and resettlement. The proposal of resettlement for the refugees by western countries, including the USA seems enigmatic due to lack of reliable and adequate information on it.

"As Bhutan has been denying to accept its citizens currently languishing in the UNHCR sponsored camps in Nepal and hatching conspiracies to evict some 80,000 Nepali-speaking people, it appears that the us proposal of resettlement has been encouraging the Druk regime to evict more Lhotshampas".¹⁰⁰ it is also tacitly preparing to exclude them from participating in the country's first and historic general election to be held in 2008 and to eyewash the international community. This indicates tin-pot dictators repressive mechanism towards its genuine citizens.

99. Based on interview with His Excellency Mr. Graeme Lade: The Australian Ambassador to Nepal, Australian Embassy, Kathmandu, 8 February 2007.

100. Deep Rose: "Time Has Ripen to Decide", **The Bhutan Reporter Monthly**, Kathmandu, June 2007, Volume III, No. 32, P.2.

The concept of durable solution (particularly third country resettlement) has created division among refugees leading to increased tension and unrest in the region. This move of the UNHCR has been viewed by the leaders of Bhutanese political parties and human rights organizations in exile as nothing more than a tool to deprive refugees of their basic right of voluntary repatriation. The question of denial of right to vote to the LPRs in the USA and other resettlement countries and repayment of expenses on installment basis after resettlement are sure to hamper resettlement process. Another heart-touching question is that "why are the USA and other democratic countries offering resettlement for Bhutanese refugees rather than joining hands in their moment for voluntary repatriation"?

Since the durable solution proposal accords too much emphasis on third country resettlement, it is certain to hamper democratization process in Bhutan. Majority of the Bhutanese leaders have condemned this move as ambiguous as it decelerates the repatriation process. Bhutan Gorkha national liberation front (BGNLF) is of the opinion that although the option of third country resettlement may have its own points of strength and may be as per international norms, it certainly denies the refugees right of self determination. "considering 2007 as the crucial year in the history of Bhutanese political movement, BGNLF plans to launch a peaceful people's movement inside Bhutan to stop the Druk regime from holding the so-called democratic elections in 2008".¹⁰¹ instead of encouraging third country resettlement for refugees, it would be more authentic to mobilize India's support in repatriation. If refugee leaders come to a common platform leaving aside their ideological convictions, with in no time, the refugee imbroglio gets permanently resolved.

101. Based on interview with D.B. Rana Sampang: The President, Bhutan Gorkha National Liberation Front (BGNLF), Kakarbhitta, Jhapa, January 2007.

Bhutanese movement steering committee (BMSC) has slightly different opinion on the credibility of the durable solution program. For BMSC, third country resettlement may be time relative and one step ahead for ending people's frustration, it cannot guarantee safety and dignity to the people in the resettlement countries in the long run. Hence, only when all other measures implemented for voluntary repatriation to Bhutan yield futile results, people may be eligible to go for resettlement. "If peaceful movements are continuously launched and India is brought into confidence, there is no doubt that the government of Bhutan will accept all of its citizens and the autocratic rule will come to an end."¹⁰² in fulfilling their vested interests, the international organizations involved in the management of refugee camps should not formulate discriminatory policies to derail the repatriation process.

Druk national congress (DNC) believes that the Bhutanese refugee problem is the aftermath of the political problem in the country. To find out a lasting solution, there should be adequate political will and wisdom. The DNC has been constantly working in close co-ordination with other parties and the people inside Bhutan to find out the best way to launch movement against the atrocities of the royal regime. It will continue until we achieve the common goals of every Bhutanese people, i.e. Democracy in the country and right to return of every Bhutanese people languishing in the UNHCR managed refugee camps. The party on the other hand takes the options of third country resettlement and local integration as positive but demands that repatriation should be accorded top priority. "I respect the options proposed by the UNHCR and strongly advocate for

102. Based on interview with Mr. Tek Nath Rizal: The Chairman, Bhutanese Movement Steering Committee (BMSC), Kathmandu, January 2007.

the 1st option i.e. Right to return to our home with safety and in dignity".¹⁰³

Since the Bhutanese refugee problem concerns with the change of regime in Bhutan, it has to be solved by the government of Bhutan and the refugee leaders. Bhutan people's party (BPP), Bhutan national democratic party (BNDP) and human rights organization like people's forum for human rights Bhutan (PFHRB) are of the view that the host government and the international community should help to facilitate a meeting between the Bhutanese government and the refugee leaders to workout an amicable solution. Again, India's role is equally important and needs to be involved in the process of repatriation. Thus, the Bhutanese leaders, regard less of ideological differences, have demonstrated their strong determination for voluntary repatriation but, no clear-cut strategies have yet been proposed to accelerate the process.

The report published recently by human rights watch (HRW) highlights the predicaments that the ethnic Nepal is in Bhutan have been facing. The "NOC" introduced by the government in the early 1990s is still needed for the admission of children in schools, running a business firm, buying and selling houses, and the like. The implementation of NOC has sparkled tensions among the minorities in Bhutan as it is not issued to the Lhotshampas. The denial of NOC is the clear indication towards evicting more Lhotshampas in the days ahead.

"Also, to the utter dismay of the refugees, India, the biggest democratic country has backed Bhutan's policy of ethnic cleansing."¹⁰⁴ Major donor countries including Denmark, Norway and Japan are

103. Based on interview with Mr. Narad Adhikari: General Secretary, The Druk National Congress (DNC), Kakarbhitta, Jhapa, January 2007.

104. Bill Frelick: "Ethnic Nepalis Are in Threat", **The Bhutan Reporter Monthly**, Kathmandu, June 2007, P. 4.

pouring their support for the development projects in Bhutan excluding one fifth of the country's population.

Having seen no way, Bhutanese leaders in exile have formally announced the movement against the Druk oligarchy. However, the refugees are still ambivalent at the credibility of the movement. Indian indifference towards the refugee endeavors shall surely hinder the entrance of the refugees to Bhutan. If the movement fails this time as well, the issue would be pushed towards complication. The Druk regime will never accept voluntarily these forcefully evicted people. Accepting them would turn Bhutan to breath in democratic atmosphere which is dead against the aspirations of the Druk dictator. The Bhutanese case is similar to that of Palestinians. The Palestinians, who fled Israel in around 1948, are still not accepted. The acceptance of the Palestinians would change Israel from Jewish state to Arab state. This is the right time that the refugees themselves make decision whether to accept or reject the us proposal. It might prove a hard blow to them if they fail to realize what they are waiting for. They must read the complexity surrounding this issue. They have a right to decide and speak what they wish for. However, there is web of deceit and suspicion among the refugees that has prevented them to speak freely about the option in hand.

Over millions of Palestinians, having neglected by the international community, are leading pathetic lives in the refugee camps of Lebanon and Jordan. Hence, if no grave decision is taken, the condition of the Bhutanese refugees would go worst than that of the Palestinians.

The option of local integration also deserves special mention. "Nepal should make its stance clear whether it is ready to assimilate the refugees willing for local integration as a part of the Nepalese society similar to what ivory coast did during the infiltration of the Liberian

refugees in 1989. President Felix h. Boigny set an example by accepting Liberian refugees as "brothers in distress."¹⁰⁵ India's unwillingness to provide free passage for the repatriation of the refugees to Bhutan shows her "big brother attitude" in south Asian politics. In the name of fight against terrorism (particularly communism), attempts have always been made from all sides to marginalize Nepali culture and tradition in the entire region. Also, India is hatching conspiracies to reduce the influence of communism by encouraging the refugees in third country resettlement.

After analyzing the pros and cons of the general provisions for refugees, and the practice of states, it can be concluded that for resolving refugee problems elsewhere, it is extremely essential to implement the theory of durable solution. In the simplest sense of the term, durable solution is a mandate given to the UNHCR by the un general assembly resolution of 14 December 1950. "As UNHCR is a humanitarian, social and non-political organization, it advocates for comprehensive solution of refugee crisis in general and Bhutanese refugee crisis in particular".¹⁰⁶ if the three options of durable solution are sincerely implemented, political stability, social justice and economic growth can be realized.

For resolving the one and a half decade long and protracted Bhutanese refugee impasse, three options of durable solution should be opened with equal emphasis. Unless refugees move from the focus of repatriation to other options proposed by the UNHCR, it is certain that this peaceful politico-humanitarian problem will be converted into an Armistic issue in the years to come. So, every refugee family is now required to understand the seriousness of the problem instead of

105. Hari Bansha Dulal: **Bhutanese Refugees: Trapped and Tantalized**, Department of Environmental Science and Public Policy, George Mason University, Virginia, USA, Wednesday, 10 January 2007, P. 1.

106. Embassy of the United States of America: **Fact Sheet on the US Resettlement Program**, Kathmandu, April 2007, P.1

indulging in mutual strife. Similarly, contribution of individual Bhutanese refugee is essential for providing durable solution to this grief- stricken problem. "I am conscious that there has been a lot of confusion among the refugee people regarding the meaning of durable solution. Durable solution does not mean moving from one refugee camp to another. But, durable solution offers the biggest hope to the refugees. It provides safety, dignity and security to them".¹⁰⁷

"Above all, the Bhutanese refugee impasse can be resolved by maintaining co-operation and good relation with all parties involved thereby providing accurate information to the refugee community to enable individuals to make pre-informed choices as and when required."¹⁰⁸

107. Based on interview with His Excellency Mr. Graeme Lade: The Australian Ambassador to Nepal, Australian Embassy, Kathmandu, 8 February 2007.

108. Based on Interview with Alexandra Kill Nielsen: Associate Protection officer, UNHCR Sub-Office Damak, Jhapa, January 2007.

CHAPTER FOUR

PRESENTATION AND ANALYSIS OF DATA

This chapter briefly deals with tabulation, analysis and interpretation of the collected data. An attempt has been made to present the results in a systematic way.

The field survey was conducted in the month of January of this year. Simple random sampling method was employed to survey the sample people. Attempts were made to involve all sections of the people sheltering in the UNHCR managed Timai Bhutanese Refugee Camp to make this research more representative. For household survey, structured questionnaire was used. There were twenty close-ended questions set for gathering required information.

For undertaking the field survey, certain criteria were formulated. For instance,

Firstly, no persons below eighteen years of age were surveyed. Secondly, no two persons of same rank/status/family were considered. Thirdly, deregistered refugees and non-refugees were not involved.

Prior to the enactment of Marriage Act and the Citizenship Act by the Royal Government of Bhutan, people of all sects lived in perfect harmony. The discriminatory census of 1988-90 compelled the Nepali speaking people of Southern Bhutan protest peacefully against the inhumane tactics of the government. The government then started severe torture by imposing security laws in the southern belt. The region was declared as a "Disturbed Zone" and an undeclared emergency was enforced. Because of deployment of military forces throughout the region, people were made homeless overnight. The eviction policy of the government finally de-nationalized and evicted one-fifth of its total population from the country. The evicted people first tried their best to

take asylum in India by convincing the Indian government. But, by imposing various restraints in the state of West Bengal, India dumped those people into the Nepalese Territory. Seeing the pathetic situation of the evicted Nepali-origin Bhutanese people, the then Nepal government granted political asylum to them and the UNHCR and other aid agencies were formally invited to render humanitarian assistance keeping them in seven different refugee camps in the Jhapa and Morang Districts in Eastern Nepal. Since the inception of this problem, innumerable attempts were made to solve the crisis bilaterally. But, when bilateral negotiations created confusions and frustrations, the UNHCR repeatedly pressurized Nepal Government to internationalize the problem and seek other alternatives. On the contrary, when progress remained at zero point, the UNHCR advocated for "Durable Solution" of this crisis. By the beginning of 2005, the USA, Canada, Australia and other democratic countries started expressing their interests to resettle Bhutanese Refugees on ground of humanity. Similarly, by the mid of 2007, the USA has decided to start resettlement programme. Canada, Australia and other countries of the Core Group are also planning to begin resettlement programme soon. At this juncture, it was extremely essential to undertake a field survey to assess the interests of the refugee people to communicate them to the stakeholders and to suggest adequate measures to end their one and a half decade long and frustrating situation. Hence, the data obtained from the field survey have been presented analytically in the following sections.

4.1 Remembrance of Exact Date of Being Evicted

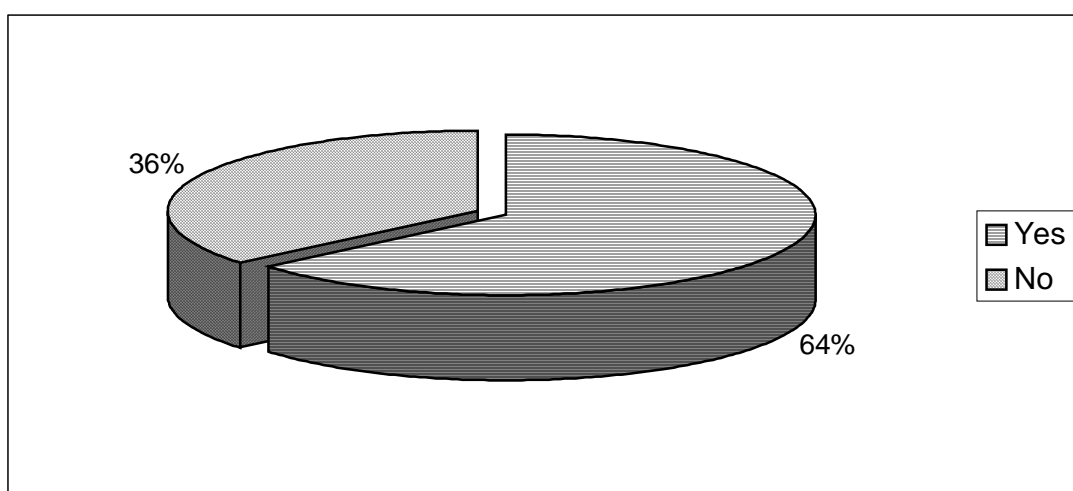
While collecting data from the field survey, the researcher asked the respondents whether they remember the exact date of being evicted from their dear home-land or not? It was thought necessary to assess their

patriotism towards their country. Following data was gathered from the field survey.

Table 1: Remembrance of Exact Date of Being Evicted

S.N.	Options	Number	Percent
1	Yes	64	64
2	No	36	36
Total		100	100

Source: Field survey, January 2007.



In due course of assessing the exact date of being evicted from Bhutan, about 64 percent of the respondents expressed that they remember the date, while about 36 percent revealed that they had forgotten the exact date of being evicted.

The figure shows that they still love their country even being refugees. Those who had forgotten their exact date of leaving Bhutan did not mean that they had no faith and love towards their motherland. It simply means that with the passage of time, everything faded away from their memory.

4.2 Reasons for Leaving Bhutan

The researcher also asked the respondents about the major reasons behind leaving their country. The data obtained from the field survey is presented in the table below:

Table 2: Reasons for Leaving Bhutan

S.N.	Reasons	Number	Percent
1	Racial discrimination	9	9
2	Excessive torture by the then military force	53	53
3	Neighbours left and I too did the same	3	3
4	Due to being participated for the movement of human rights	19	19
5	Omission of Nepali language in primary schools in Southern Bhutan in 1989	3	3
6	Discriminatory census of 1988-90	8	8
7	All the above	5	5
Total		100	100

Source: Field survey, January 2007.

When the major reasons behind leaving their country was asked, about 9 percent of the respondents said that it was racial discrimination, followed by (53%) excessive torture by the then military force, (3%) neighbours left and I too did the same, (19%) due to being participated for the movements of human rights, (3%) omission of Nepali language in primary schools in Southern Bhutan in 1989, (8%) discriminatory census of 1988-90 and (5%) all the above mentioned causes. Thus, the points stated above clearly portray that the then Bhutan Government employed countless measures ruthlessly to depopulate the heavily fertile and densely populated southern belt.

4.3 Reasons Behind Leaving Bhutan Rather than Fighting for Human Rights and Democracy within the Country

The researcher made an attempt to surface the reasons of the respondents behind leaving Bhutan rather than fighting for Human Rights and Democracy within the nation. The gathered data on the topic have been tabulated below:

Table 3: Reasons Behind Leaving Bhutan Rather than Fighting for Human Rights and Democracy within the Country

S.N.	Reasons	Number	Percent
1	No freedom for human rights in Bhutan	55	55
2	It was thought easy and safe to fight for human rights and democracy from outside the country	5	5
3	Massive support form Indian and Nepalese people	2	2
4	Lack of farsighted leaders	37	37
5	All the above	1	1
Total		100	100

Source: Field survey, January, 2007.

While assessing the reasons behind leaving Bhutan rather than fighting for Human Rights and democracy within the country, about 55 percent reported that there was no freedom for human rights in Bhutan and about 5 percent revealed that it was thought easy and safe to fight for human rights and democracy from outside the country. Similarly, about 2 percent said that there was massive support from Indian and Nepalese people, while about 37 percent said it was the lack of farsighted leaders and about 1 percent pointed out all the above mentioned causes. The situation in the country in those days did not permit the people to practice basic Human Rights such as, right to life, liberty and pursuit of happiness. Likewise, the absence of philanthropic vision in the political leaders made the situation even more complicated. As a result, the loyal,

dedicated and faithful citizens got transformed into anti-nationals and forcibly kicked out of their original homeland merely for taking part in the peaceful political demonstrations of 1990.

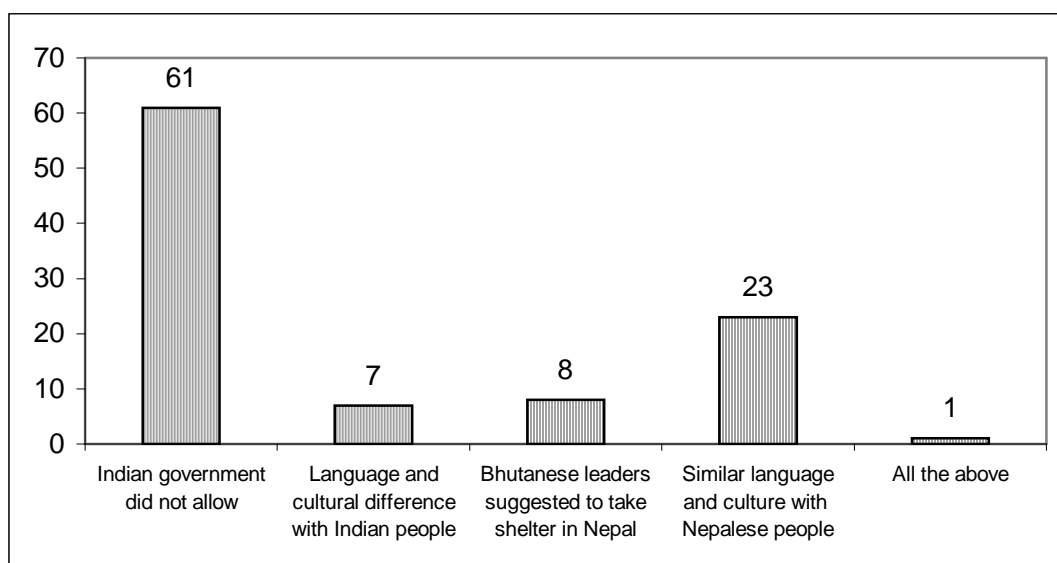
4.4 Reasons Behind Entering Nepal Rather than Taking Asylum in Immediate Neighbour India

The researcher made an attempt to assess the reasons behind entering Nepal rather than taking asylum in immediate neighbour India. The collected data from the field survey have been tabulated in the table below:

Table 4: Reasons Behind Entering Nepal

S.N.	Reasons	Number	Percent
1	Indian government did not allow	61	61
2	Language and cultural difference with Indian people	7	7
3	Bhutanese leaders suggested to take shelter in Nepal	8	8
4	Similar language and culture with Nepalese people	23	23
5	All the above	1	1
Total		100	100

Source: Field survey, January 2007.



In due course of assessing the reasons behind entering Nepal rather than living in India, about 61 percent reported that Indian government did not allow them to live in India. About 7 percent said that they differed culturally and linguistically with the Indian people, 8 percent revealed that their leaders suggested them to take shelter in Nepal, about 23 percent exposed that they had similar language and culture with the Nepalese people and about 1 percent suggested all the causes mentioned above.

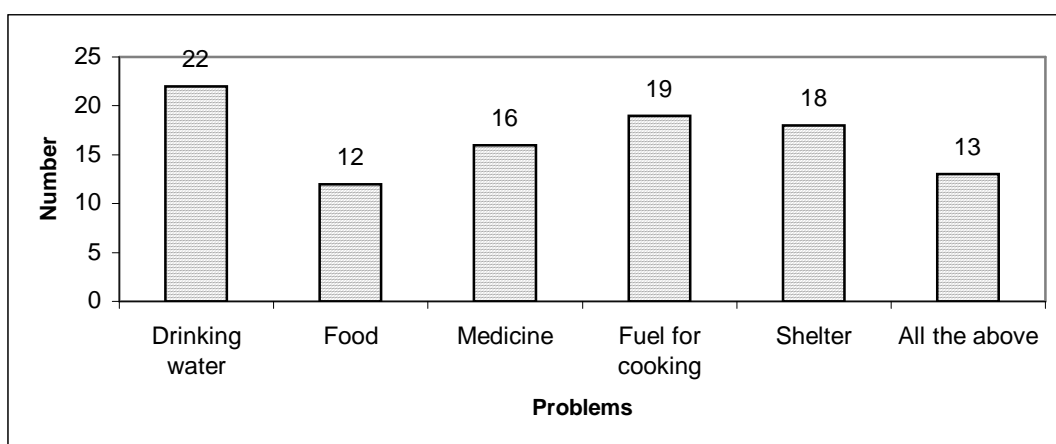
4.5 Problems Faced by Bhutanese Refugees at the Initial Days in the Camps

On the researcher's question of "What sort of burning problems you faced at the initial days in the camps", the answers of the respondents were different ranging from drinking water to all the mentioned problems. However, the collected data on this topic have been presented in the table below:

Table 5: Problems Faced by the Refugees at the Initial Days in the Camps

S.N.	Problems	Number	Percent
1	Drinking water	22	22
2	Food	12	12
3	Medicine	16	16
4	Fuel for cooking	19	19
5	Shelter	18	18
6	All the above	13	13
Total		100	100

Source: Field survey, January 2007.



While assessing the major problems they faced in the refugee camps at the initial days, about 22 percent of the respondents reported that they had scarcity of drinking water, followed by (12%) food, (16%) medicine, (19%) fuel for cooking, (18%) shelter and (13%) all the above mentioned problems. In addition to the problems discussed above, people faced some other problems like malnutrition, increased infant mortality rate and rampant communicable diseases due to lack of proper site for the disposal of human and clinical wastes.

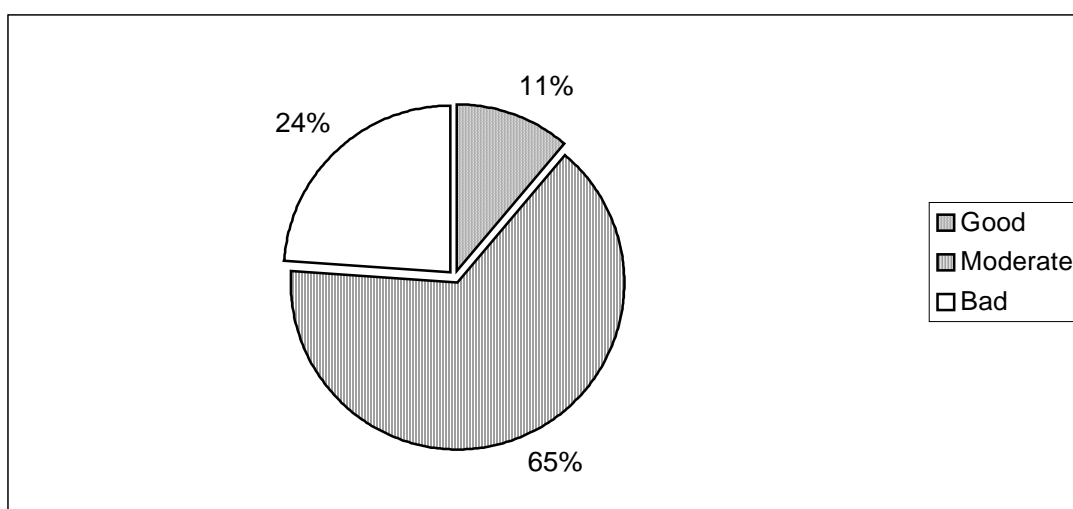
4.6 People's Attitude to the Support of the Local Nepali People at the Initial Days

It was really a pathetic condition for the Bhutanese to be real refugees for the first time in their history. The assistance rendered by the local people in the initial days has been assessed. The collected data on this topic have been presented in the table below:

Table 6: Support of the Local Nepali People at the Initial Days

S.N.	Options	Number	Percent
1	Good	11	11
2	Moderate	65	65
3	Bad	24	24
Total		100	100

Source: Field survey, January 2007.



The table above reveals that about 11 percent of the respondents had taken the assistance rendered by the local people positively, followed by (65%) moderate and 24 percent negative. However, it cannot be denied that without the support of the local Nepali people at the initial days, the situation of the refugees would have been even more pathetic and doom.

4.7 Credit for Inviting UNHCR and Other Aid Agencies for Help

The researcher made an assessment of the involvement of the UNHCR and other aid agencies in assisting the Bhutanese Refugees by asking the respondents "Whom do you give credit for inviting the UNHCR and other aid agencies for help", varieties of opinion were received. The data obtained on this topic have been tabulated below:

Table 7: Credit for Inviting the UNHCR and Other Aid Agencies

S.N.	Options	Number	Percent
1	Leaders of Bhutanese political parties and Human Rights organizations	28	28
2	Nepalese political parties	2	2
3	Nepalese government	35	35
4	Local people and civil societies	3	3
5	International community	32	32
Total		100	100

Source: Field survey, January 2007.

In due course of analysis of giving credit for inviting UNHCR and other aid agencies for assistance, about 28 percent reported that it was the leaders of Bhutanese political parties and human rights organizations. Similarly, about 2 percent had given credit to the Nepalese political parties, about 35 percent had given importance to the then government of

Nepal followed by 3 percent local people and civil societies and about 32 percent to the international community.

Hence, from the finding, it can be judged that the Bhutanese have been indebted towards the then Nepalese government and the international community for involving UNHCR in their support.

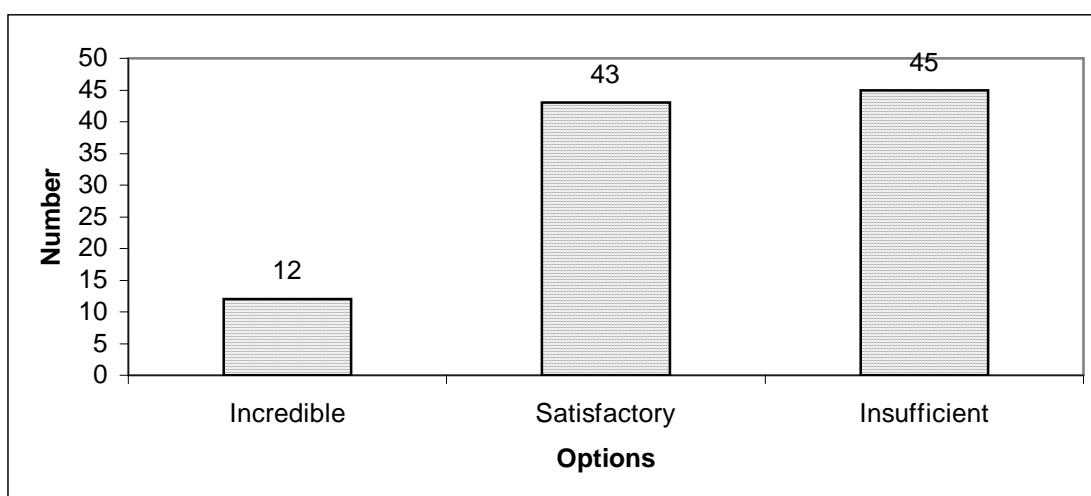
4.8 Evaluation of People's Response Towards the Humanitarian Assistance Rendered to Them by the UNHCR and Other Aid Agencies

While making an assessment of what refugees feel about the assistance rendered to them by the agencies concerned, three different notions/responses were discovered. The collected data on this topic have been presented below:

Table 8: Refugees Evaluation of the Assistance Rendered by Aid Agencies

S.N.	Options	Number	Percent
1	Incredible	12	12
2	Satisfactory	43	43
3	Insufficient	45	45
Total			100

Source: Field survey, January 2007.



When assessed the assistance of UNHCR and other aid agencies for Bhutanese refugees in humanitarian ground, about 12 percent remarked the assistance as incredible, about 43 percent said that it was satisfactory and about 45 percent said that it was insufficient.

The finding thus revealed that still the needs of Bhutanese have not been satisfied to a greater extent.

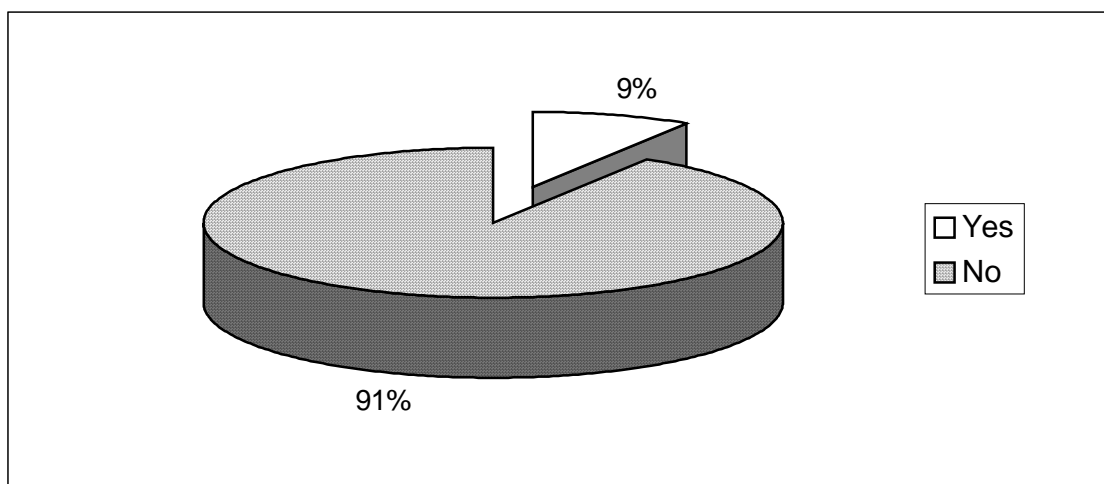
4.9 Sufficiency of Basic Foodstuffs Provided to the Refugee Community by the Aid Agencies

On the question regarding the sufficiency of basic foodstuffs provided to them, the refugee community seemed reluctant to respond as everything being distributed in the camps was insufficient. Furthermore, to illustrate the ground reality, the researcher attempted to assess individual views of the refugee people. Thus, the conglomerated data on the very topic have been presented below:

Table 9: Sufficiency of Basic Foodstuffs

S.N.	Options	Number	Percent
1	Yes	9	9
2	No	91	91
Total		100	100

Source: Field survey, January 2007.



While assessing the sufficiency of foodstuffs being provided to them, about 9 percent said that it was sufficient, while the rest 91 percent exposed that it was not sufficient. Hence, UNHCR and other aid agencies should increase the amount of budget for providing sufficient and nutritious foodstuffs to the Bhutanese refugee community. Periodic monitoring programme must be launched by the UNHCR to prevent leakages and to ensure fair distribution of foodstuffs in the camps.

4.10 Alternative Means of Managing Clothes and Other Necessities in the Refugee Family

On the question concerning the management of clothes and other necessities by each family in the UNHCR managed camps, three different alternatives were found extremely operated. The refugee community has managed those necessities mostly through muscular power. The gathered data on this topic have been presented in the table below.

Table 10: Alternative Means for Managing Clothes and Other Necessities

S.N.	Options	Number	Percent
1	Through manual labour	92	92
2	There is support of relatives at the local level	1	1
3	Some of the family members are doing jobs outside the camp	7	7
Total		100	100

Source: Field survey, January 2007.

The table above clearly shows the various alternatives the refugee community employs to manage basic necessities in the camps. During the field survey by the researcher at Timai Refugee Camp, about 92 percent reported that they have managed through manual labour, followed by 1 percent through the support of relatives at the local level and about 7 percent through the support of some of their family members doing job outside the camp.

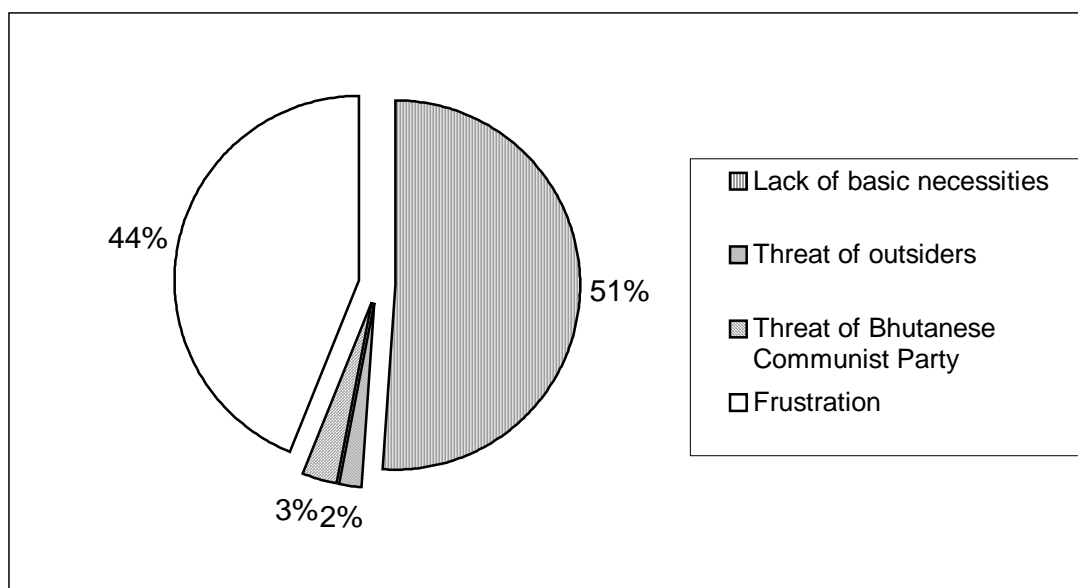
4.11 Major Problems in the Camps

The refugee community has undergone through several problems. Such problems range from lack of basic necessities to the disappearing state of peace in the camps. On the question of major problems faced by them, the researcher gathered the following data.

Table 11: Major Problems in the Camps

S.N.	Options	Number	Percent
1	Lack of basic necessities	51	51
2	Threat of outsiders	2	2
3	Threat of Bhutanese Communist Party	3	3
4	Frustration	44	44
Total		100	100

Source: Field survey, January 2007.



Regarding the problems faced by the refugee community, about 51 percent revealed that it was lack of basic necessities, followed by 2 percent threat of outsiders, 3 percent threat of Bhutanese Communist Party and the rest 44 percent frustration. Of the various difficulties/problems encountered by them, lack of basic necessities and frustration were found rampant. Hence, the aid agencies are now obliged to take major steps to provide sufficient amount of basic requirements to

the refugee community. At the same time, time has now come for all the stakeholders to initiate and undertake negotiations-be it bilateral or multilateral, to end their frustration.

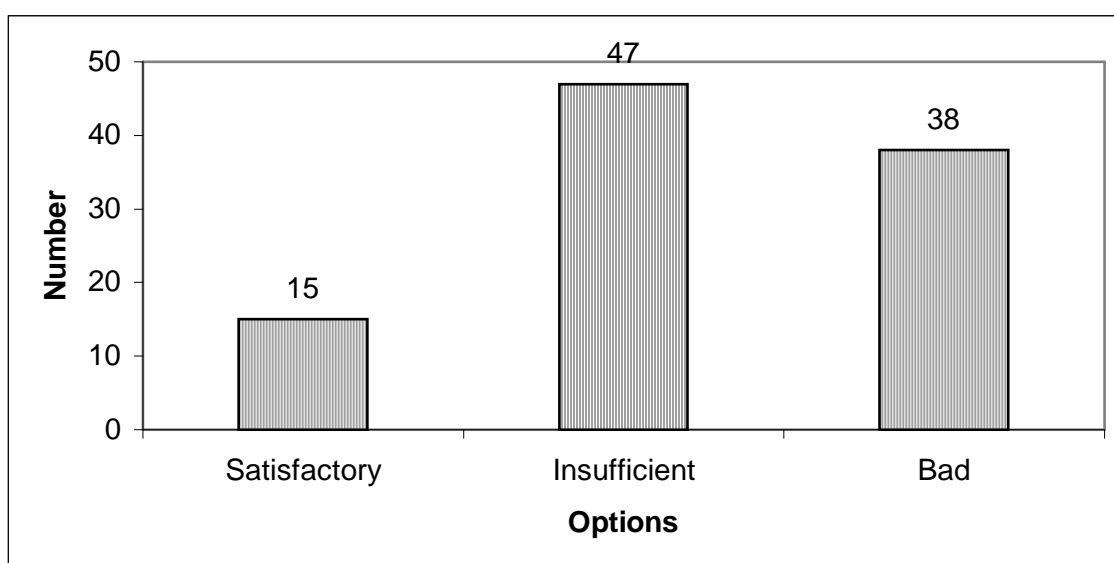
4.12 Efforts of Bhutanese Leaders in Exile for Returning Home

The question of returning home for Bhutanese refugees sheltering in the camps and in different places of India and Nepal has always been derailed by the slacking activities of the Bhutanese leaders in exile. Their agenda of voluntary repatriation is slowly vanishing as most of the leaders seem engaged in maximizing personal economic gains. On this very question, the researcher collected some valuable data from the field survey. The collected data have been presented in the table below:

Table 12: Efforts of Bhutanese Leaders in Exile for Repatriation

S.N.	Options	Number	Percent
1	Satisfactory	15	15
2	Insufficient	47	47
3	Bad	38	38
Total		100	100

Source: Field survey, January 2007.



While assessing the efforts of Bhutanese leaders for returning home, about 15 percent remarked that it was satisfactory, followed by 47 percent insufficient and about 38 percent bad.

Thus, the above finding shows that people have little hope in their leaders on struggling for returning home.

4.13 Problems of the Leaders of Bhutanese Political Parties and Human Rights Organizations in Exile for Establishing Democracy and Human Rights in Bhutan

On the researcher's question of the "problems of the leaders of Bhutanese political parties and Human Rights Organizations in exile for establishing democracy and human rights in Bhutan", most of the respondents stressed on the incapability of the leaders. They were of the view that Bhutanese leaders lacked dedication and accountability. However, the data collected on this topic have been presented in the table below:

Table 13: Problems of the Leaders of Bhutanese Political Parties and Human Rights Organizations in Exile

S.N.	Options	Number	Percent
1	Lack of political culture	13	13
2	Lack of understanding and belief	18	18
3	Lack of strong leadership capacity	69	69
Total		100	100

Source: Field survey, January, 2007.

The table above shows that about 13 percent of the respondents remarked that leaders of the political and non-political organizations working for establishing democracy and human rights in Bhutan and voluntary repatriation of the exiled refugees lacked political culture,

followed by 18 percent as lack of understanding and belief and the remaining 69 percent stressed on the lack of strong leadership capacity.

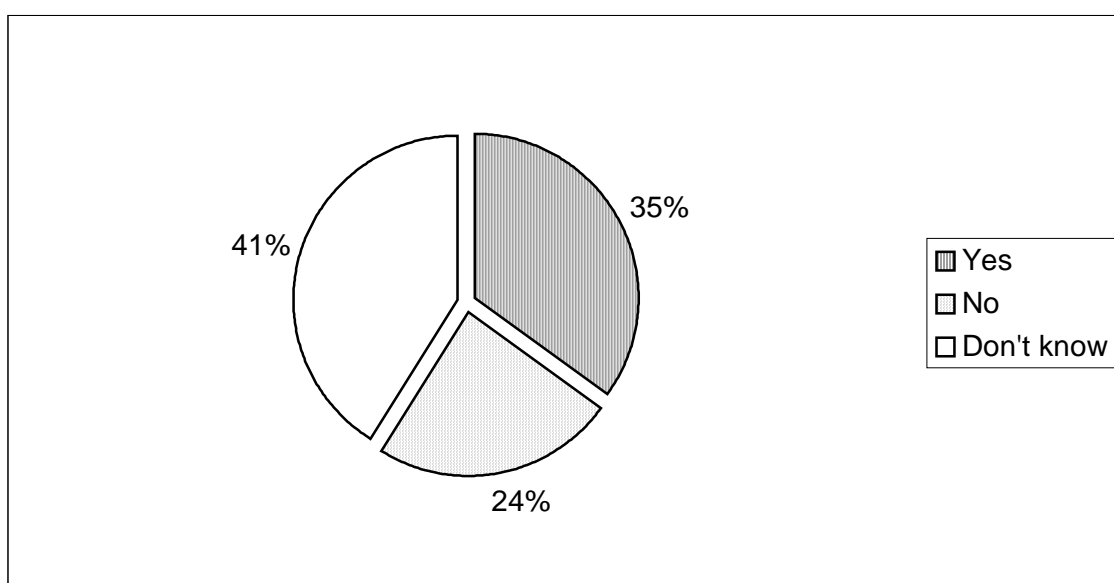
4.14 Rationale Behind Armed Revolution Against the Royal Government of Bhutan

The derailed bilateral process and the cut-short of facilities by the aid agencies made the people revolt against the autocratic and oligarchic policies of the Royal Government of Bhutan. For this purpose, Bhutanese Communist Party (BCP) was formed in 2001. The respondents also reported that of all political parties in exile, BCP was doing better. The data obtained on the question of raising arms against the government of Bhutan have been presented in the table below:

Table 14: Armed Revolution Against Bhutan

S.N.	Options	Number	Percent
1	Yes	35	35
2	No	24	24
3	Don't know	41	41
Total		100	100

Source: Field survey, January 2007.



While analyzing the views of the respondents on the issue of raising arms against the government of Bhutan, about 35 percent of the respondents revealed that it was reasonable and wise, followed by 24 percent unwise and the rest 41 percent unanswered. This shows that 41 percent of the respondents knew nothing about armed revolution in Bhutan.

4.15 Mechanism to Resolve the Refugee Impasse after the Failure of Bilateral Negotiations

As no mechanism could be adopted for resolving the issue after the failure of bilateral talks, the researcher made an attempt to collect people's ideas to end their frustration. On the question of the best option to resolve the refugee problem, different opinions were received. The gathered ideas have been tabulated below:

Table 15: Best Way to Solve the Refugee Imbroglio

S.N.	Options	Number	Percent
1	Involvement of Indian government in this issue	40	40
2	Representation of refugee leaders in the talks	12	12
3	Aggressive strategy of Nepal government	8	8
4	Three options proposed by the UNHCR	39	39
5	All the above	1	1
Total		100	100

Source: Field survey, January 2007.

When it was asked that even the 15th round of bilateral talks between the governments of Bhutan and Nepal on resolving crisis brought no indication of returning home "what would be the best option to resolve the refugee crisis", about 40 percent of the respondents opined for necessity of involving Indian government in this issue followed by 12

percent representation of refugee leaders in the talks, 8 percent aggressive strategy of Nepal Government, 39 percent three options proposed by the UNHCR and the rest 1 percent advocated for all the options raised above.

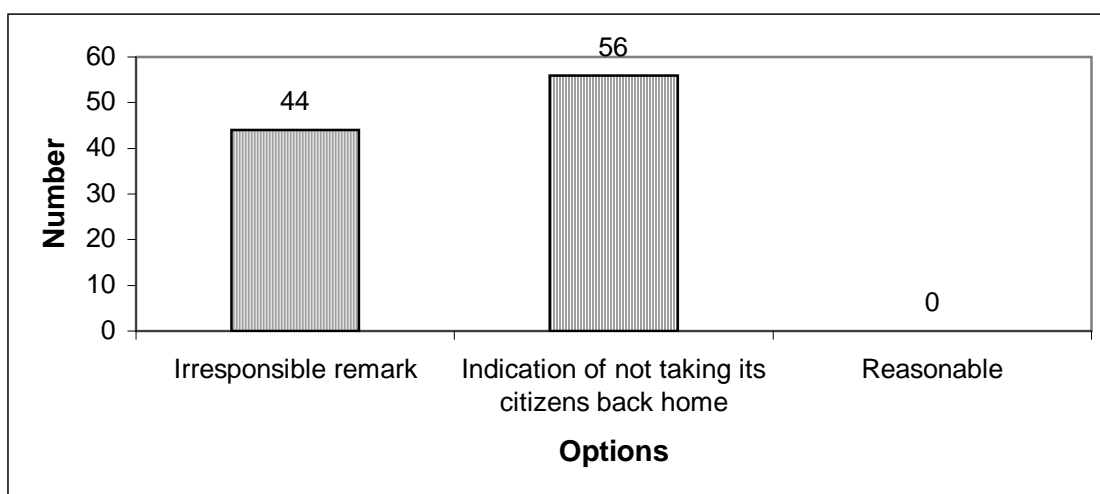
4.16 Recent Remark of Bhutanese Foreign Minister Khandu Wangchuk Labeling the Bhutanese Refugees as "Readymade Terrorists"

In December 2006, the Bhutanese Foreign Minister abruptly remarked the refugees as readymade terrorists. According to him, taking them back to Bhutan would mean importing highly politicized people. In the light of the above statements, the researcher tried to assess the authenticity of that remark. The data collected on this topic have been tabulated below:

Table 16: Refugees as Readymade Terrorists

S.N.	Options	Number	Percent
1	Irresponsible remark	44	44
2	Indication of not taking its citizens back home	56	56
3	Reasonable	0	0
Total		100	100

Source: field survey, January 2007.



While assessing the recent remark of Bhutanese Foreign Minister Khandu Wangchuk labeling the Bhutanese refugees as "Ready-made terrorists" about 44 percent said that it was an irresponsible remark, about 56 percent reported that it was an indication of not taking its citizens back home and no one was found taking the remark as reasonable.

The data above reveals that political consciousness has increased among the refugees since no respondents was found taking the remark of the Foreign Minister of Bhutan as reasonable.

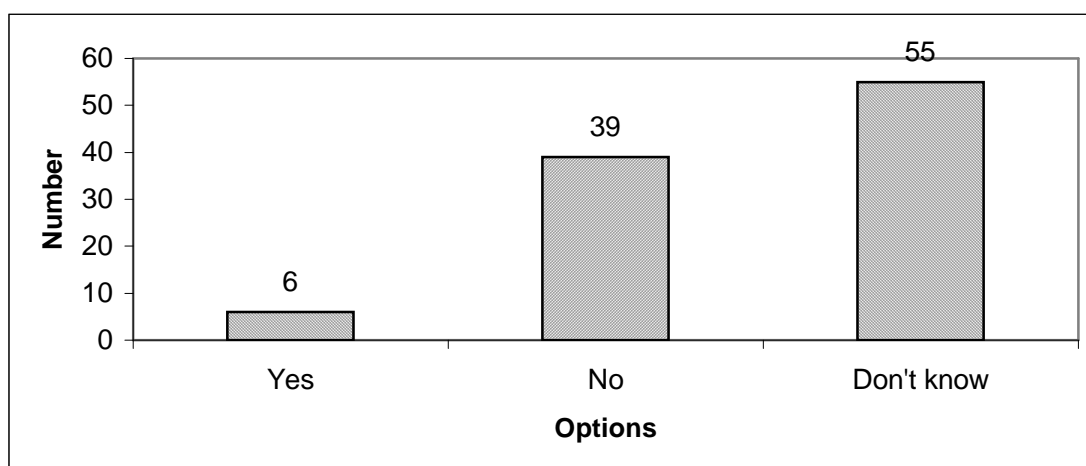
4.17 Faith in the New King of Bhutan Taking Initiatives for Resolving the Refugee Crisis

After the change of Kingship in Bhutan, the prospect of ending the refugee crisis took a different direction. India lessened its influences in Bhutan by allowing the Government of Bhutan to decide its defense and foreign policies independently. So, it was found necessary to make an effective survey to judge refugee people's hope in him for ending their one and a half decade long and unimproved status. The data gathered on this topic have been shown in the table below:

Table 17: Refugees Hope in the New Monarch's Initiative

S.N.	Options	Number	Percent
1	Yes	6	6
2	No	39	39
3	Don't know	55	55
Total		100	100

Source: Field survey, January 2007.



While asking whether the new king Jigme Geshar Namgyel Wangchuk of Bhutan would take initiatives to resolve the refugee crisis, about 6 percent said that he would, but about 39 percent reported that he won't and the rest 55 percent were found unanswered.

Thus, the finding reveals that the Bhutanese refugees have no hope in king on taking initiatives to resolve the crisis.

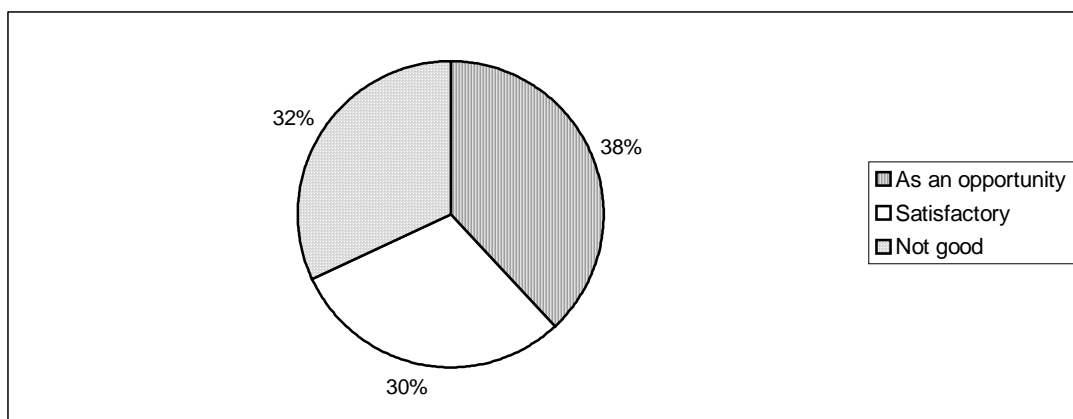
4.18 Three Options of the UNHCR for Resolving the Bhutanese Refugee Crisis

When bilateral negotiations between Nepal and Bhutan brought no indication of refugee repatriation, the UNHCR and the Nepal Government also failed to seek Indian's favour in resolving this crisis. The political and non-political organizations in exile too failed to mobilize the support of the International Community. As a result, the UNHCR came with the "Durable Solution Proposal" comprising of three options-Repatriation, Local integration into the host society and Resettlement in the third countries. Thus, in order to assess refugees interests, the researcher also researched on this burning issue. The gathered data have been presented in the table below:

Table 18: Three Options of the UNHCR

S.N.	Options	Number	Percent
1	As an opportunity	38	38
2	Satisfactory	30	30
3	Not good	32	32
Total		100	100

Source: Field survey, January 2007.



In due course of assessing the views of respondents on the three options proposed by the UNHCR, about 38 percent took it as an opportunity, followed by 30 percent satisfactory and the rest 32 percent not good.

Thus, the data revealed that the people have no more patience to remain as refugees. They need sustainable solution of this impending crisis.

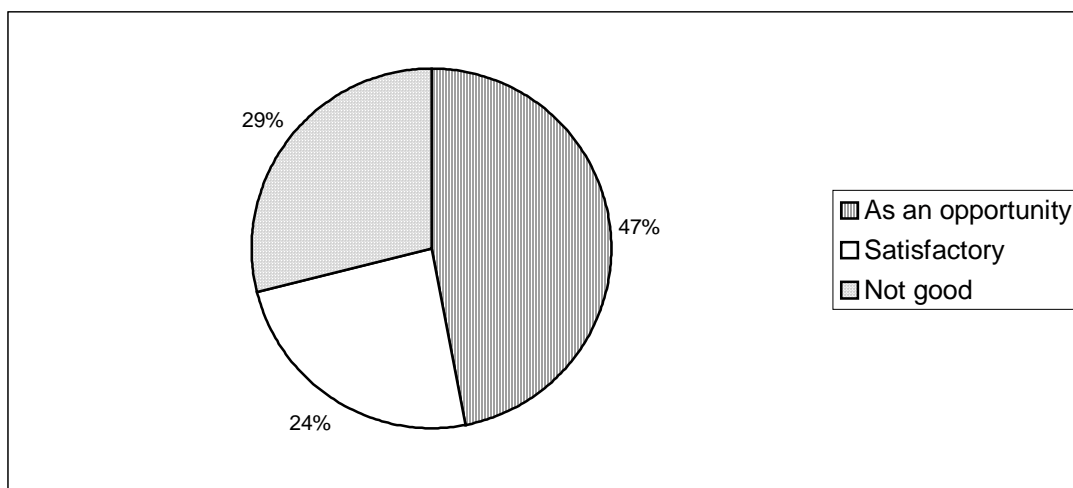
4.19 Resettlement Proposal of the USA and other Democratic Countries for Bhutanese Refugees

To end the Bhutanese Refugee Crisis, Democratic countries of the West including the USA have shown interest in taking the interested refugees for resettlement. On this very issue, the researcher made an assessment of the views of the respondents. The data collected on this topic have been tabulated below:

Table 19: Resettlement Proposal of the USA and Other Democratic Countries

S.N.	Options	Number	Percent
1	As an opportunity	47	47
2	Satisfactory	24	24
3	Not good	29	29
Total		100	100

Source: Field survey, January 2007.



While assessing the views of the respondents on the proposal of the government of the USA and other democratic countries taking Bhutanese refugees on humanitarian ground for resettlement, about 47 percent took the step as an opportunity, followed by 24 percent satisfactory and the rest 29 percent not good. `

Hence, it can be further asserted that the refugee people need immediate solution of refugee crisis. They are no more in position to hold the tag "refugee".

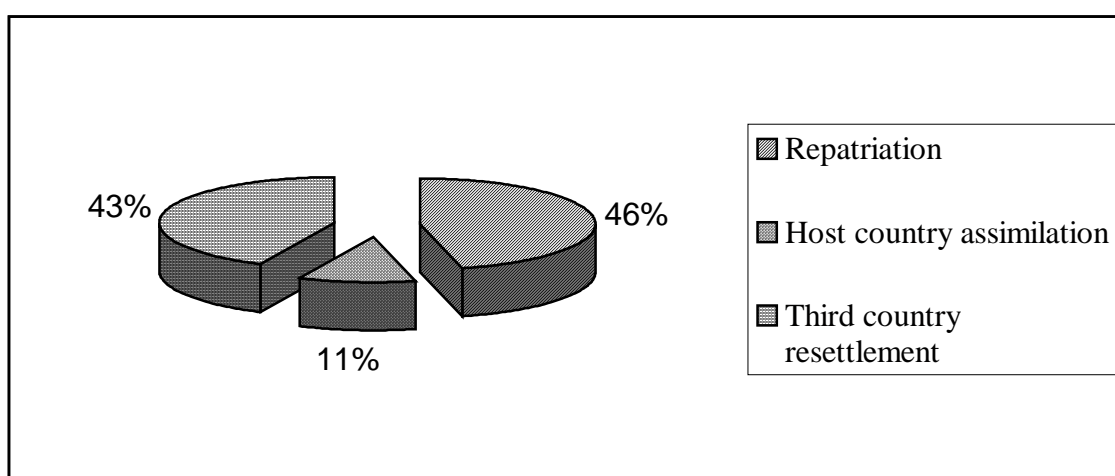
4.20 Durable Solution for Bhutanese Refugee Impasse

On seeing the hesitant future and doomed expectations of the people in the UNHCR managed Bhutanese refugee camps, the researcher found it necessary to discover/explore the alternatives/options for providing durable solution to this impending crisis. Thus, the data gathered on this topic have been presented in the table below:

Table 20: Alternative Channels for Durable Solution

S.N.	Options	Number	Percent
1	Repatriation	46	46
2	Host country assimilation	11	11
3	Third country resettlement	43	43
Total		100	100

Source: Field survey, January 2007.



When asked "what would be the durable solution for Bhutanese refugee crisis", about 46 percent of the respondents opined for repatriation, followed by 11 percent host country assimilation and the rest 43 percent third country resettlement.

The data reveals that still majority of the people want to be repatriated despite many hardships, since they love their motherland more than anything.

The presentation and analysis of data collected from the field survey reveal that the Bhutanese refugee community, since its inception in the early 1990s, has been trapped into the vicious circle of grief-strickenness engulfed by relentless suffocation, perpetual frustration and hesitant and doomed future expectations. The visionless activities of Bhutanese political parties have poured fuel into the minds of the frustrated people. Increasing economic interests of the leaders of political and non-political organizations in exile have given rise to unrest and security problem in the region. The irrational remark of the Bhutanese Foreign Minister has generated revolutionary spirit in the exiled Bhutanese youths against the atrocities of the Royal Government of Bhutan. Similarly, the confusion created by the Durable Solution Proposal of the UNHCR has led to the agglomeration of conflict and polarization among the refugee people. Due to the misinterpretation of Durable Solution agenda by the leaders of Bhutanese political parties and human rights organizations, family and social disputes have become common in the camps. So, conflict of interests between those who are interested in voluntary repatriation and those who prefer third country resettlement have become widespread. The incident at Beldangi two camp on 27 May 2007 is sufficient to illustrate this fact.

Above all, the Bhutanese refugee community is still waiting patiently and silently to pave the way for the stakeholders to resolve their problem peacefully.

CHAPTER V

FINDINGS, CONCLUSION AND RECOMMENDATIONS

This chapter presents the findings and conclusion and suggests recommendations for resolving the Bhutanese Refugee impasse in the days to come.

5.1 Findings of the Study

As this study basically was designed for the partial fulfillment of Master's Degree in political science, the study has some obvious limitations. The nature of the study, its objective, time and financial constraints were the limiting factors of this study.

The survey study did not have any hypothesis to prove or disprove, rather it is a general study of the people which gives a glimpse of the collective view of the refugee people on the present state of affairs taking place in and around the refugee community. However, the study was not a census but a survey conducted by selecting the sample using simple random sampling method.

The survey was based on the response of the Bhutanese people living in Timai Refugee Camp to a set of questionnaire distributed to them. Out of the total population of Timai Refugee Camp, one hundred households were randomly selected as sample for the study.

The analysis of the survey data shows that the situation of individual refugee in the UNHCR managed camps is not sound and decent. The refugee community seems dissatisfied with the unimproved living standard and futile bilateral attempts. The overall scenario of the Kingdom of Nepal in general, and the Bhutanese refugee impasse in particular is in a transitional phase. The major findings of the study based on the analysis of the pros and cons of the Bhutanese refugee issue have been presented in the paragraphs below:

While assessing the remembrance of exact date of being evicted from Bhutan, it was found that about 64 percent of the respondents could remember the exact date of leaving their motherland while the remaining 36 percent had forgotten it. This shows that still a vast majority of the refugee people have strong faith and love towards their place of birth. But, it cannot be denied that feeling of patriotism is slowly vanishing from the mind of the people due to increased frustration.

Concerning the reasons for leaving Bhutan, it was found that about 9 percent of respondents left due to racial discrimination, followed by 3 percent due to neighbours influence, 19 percent due to being participated for the movement of human rights and democracy, 3 percent because of the omission of Nepali language in primary schools, 8 percent due to the discriminatory census of 1988-90 and 5 percent regarded all the reasons mentioned above as the major reasons behind leaving Bhutan. But, about 53 percent of the respondents were force to leave the country due to severe torture by the then Royal Military Forces. Thus, more than half of the respondents had left Bhutan forcefully. No one was found satisfied for being homeless and stateless.

In so far as the question of human rights and democracy in Bhutan is concerned, the researcher found that instead of fighting for them (Human Rights and Democracy), the Southern Bhutanese forcefully left the country thinking that they would at least survive. The respondents could not fight for human rights and democracy remaining inside Bhutan. In this context, it was found that about 55 percent of the respondents left Bhutan as there was no freedom for human rights in Bhutan. About 5 percent were of the view that it was easy to fight for human rights and democracy in Bhutan from outside, followed by 2 percent due to massive support from Indian and Nepalese people. Similarly, 37 percent of the respondents were bound to leave the country as their leaders lacked

farsighted leadership quality to direct them and the remaining 1 percent have considered all the reasons discussed above as the reasons behind leaving Bhutan rather than fighting for human rights and democracy inside the country. It was found from the field survey that overall situation in Bhutan in those days was not conducive for the people to launch the protest movements against the tactics of the then Royal Government.

While investigating the factors forcing the evicted Bhutanese citizens entering Nepal rather than taking asylum in the immediate neighbour India, it was found that about 61 percent of the respondents were not allowed by the Indian government, followed by 7 percent due to language and cultural difference with Indian people. Eight percent of the respondents were suggested by the Bhutanese political leaders to take shelter in Nepal. About 23 percent of the respondents came to Nepal due to the similar language and culture with the people out here. But, 1 percent of the respondents could not stay in India due to all the reasons mentioned above. Thus, Government of India was mainly responsible for not granting political asylum to the Nepali-speaking Bhutanese citizens.

From the field survey, it can be understood that the Bhutanese refugees had to face a lot of problems at the initial stage when they first arrived into the refugee camps. This is true as about 22 percent of the respondents had to face the scarcity of pure drinking water, followed by 12 percent food crisis, 16 percent medicine, 19 percent fuel for cooking, 18 percent shelter and the remaining 13 percent all the problems listed above. Innumerable difficulties and hardships were incurred by the Bhutanese refugees at the initial days in the camps. Moreover, many of those problems are still troubling the refugee community.

On researching the support rendered by the local Nepali people at the initial days when the Bhutanese refugees first entered into Nepal, it

was revealed that without the support of the local people, no attempts could have been made to establish the refugee camps for immediate shelter. It was also true that the government of Nepal had provided full security to the lives of the evicted Bhutanese. Regarding the support of the local people at the initial days, about 11 percent of the respondents had taken the immediate rescue operation assistance of them positively, while about 65 percent had taken it moderate and about 24 percent regarded the support as bad and inadequate. Thus, majority of the Bhutanese refugees did not receive positive support at the local level in the initial days.

While assessing the time period when the UNHCR and other aid agencies were invited to help the Bhutanese Refugees, it seemed important to know as to whom the refugee community was indebted for inviting the aid agencies including the UNHCR. About 28 percent of the respondents were indebted to the leaders of Bhutanese political parties and Human Rights Organizations, about 2 percent to the Nepalese political parties, about 35 percent to the then Nepalese Government, about 3 percent to the local Nepali people and the civil societies and about 32 percent to the international community.

In the case of assistance rendered to the refugee community by the UNHCR and other aid agencies on humanitarian ground, the researcher was interested to know people's immediate reaction to it. About 12 percent of the respondents regarded the humanitarian assistance program as incredible, followed by 43 percent as satisfactory and about 45 percent as insufficient. It was clear from the finding that the wants of a vast majority of the refugees were not satisfied. They were found even more harassed by the cut-short in facilities by the aid agencies since January 2005.

While gathering information about the foodstuffs being provided to the refugee community, it was found that of the total respondents surveyed, about 9 percent revealed that they were sufficient, while the remaining 91 percent replied that the foodstuffs were insufficient. Hence, the problem of basic necessity was rampant in the camps. The respondents were found dissatisfied with the humanitarian aid programmes of the agencies involved.

While analyzing the alternatives adopted by the refugee community to manage clothes and other necessities (which are not provided by the aid agencies) in the camps, it was revealed that about 92 percent of the respondents managed through manual labour outside the camps, followed by 1 percent through the support of the relatives at the local level and the rest 7 percent through the nominal income of some of their family members doing jobs outside the camps. Though the laws of the host country forbid the refugees from working outside the camps, they are compelled to breach those legal formalities to manage their necessities.

The unimproved situation in the camps compelled the researcher to find out the various problems the refugee community was facing. In response to the researcher's question, about 51 percent of the respondents were found excessively troubled by the problem of basic necessities, followed by 2 percent threat of outsiders, 3 percent threat of Bhutanese Communist Party and the remaining 44 percent frustration. Thus, it was found that increased frustration and problem of basic necessities were identified as burning problems leaving aside all the minor ones.

When the respondents were asked to assess the efforts of Bhutanese leaders for returning home, it was found that the efforts of the leaders were not adequate. About 15 percent of the respondents were satisfied with the efforts of their leaders, while about 47 percent considered those efforts as insufficient and about 38 percent were

dissatisfied with the leaders and their efforts for repatriation were coined bad. Hence, it can be concluded that the efforts of the Bhutanese leaders for returning home prior to January 2007 appeared insufficient and not in favour of the refugee community.

The researchers attempt to discover the problems of the leaders of Bhutanese political parties and Human Rights organizations for establishing democracy and Human Rights in Bhutan was able to come up with three different hurdles prevailing in them. About 13 percent of the respondents pointed out that their leaders lacked political culture, followed by 18 percent lack of understanding and belief and the rest 69 percent lack of strong leadership capacity. So, the leaders of Bhutanese political parties and Human Rights organizations seemed incapable to mould public opinion in favour of them. Unless they become capable and strong enough to show their progress and loyalty to the refugee community, they are not going to succeed in their collective agenda of repatriation.

On the prospect of an armed revolution against the Government of Bhutan by the Bhutanese youths in exile, majority of the respondents were found uninterested. About 35 percent of the respondents regarded the efforts of the youths as rational and agreed to join hands with them. But, about 24 percent considered the attempt as meaningless and wrong, while about 41 percent of the respondents remained uninterested. This is a clear indication that the refugee community in general is not interested to raise arms against the Royal Regime.

In trying to explore the best ways to resolve the Bhutanese Refugee Crisis at a time when the bilateral negotiations between Nepal and Bhutan failed to suggest a favourable measure, the respondents were allowed by the researcher to give their opinions. In doing so, about 40 percent of the respondents stressed on the need to involve Indian government in this

issue, while about 12 percent focused on the representation of refugee leaders in the talks. Likewise, about 8 percent believed in the aggressive strategy of Nepal Government, about 39 percent demanded to implement the three options proposed by the UNHCR. Finally, only 1 percent of the respondents found solution of this crisis in the application of all the options suggested above. Hence, the role of the government of India and the UNHCR seem more relevant and time-relative to resolve the Nepal-Bhutan refugee deadlock.

While evaluating the recent remark of the Bhutanese Foreign Minister labeling the refugees as Readymade Terrorists, it was clear that non of the respondents could find relevance in it. For, they stood vehemently against that statement saying another equally valuable point that Bhutan Government itself is feeding the Indian terrorists. About 44 percent of the respondents regarded the remark as irrational and irresponsible one, while about 56 percent of the respondents took it as an indication of not taking its citizens back home. But, non of the respondents supported the remark as being reasonable. This shows that political consciousness has increased in the refugee community. In addition, it was also clear that in this or that allegation, the Royal Government of Bhutan was and is attempting to further suppress the voice of its citizens, whether they are in exile or inside the country.

After the change of kingship in Bhutan, it became essential to assess the views of the refugee people regarding his role in resolving the refugee crisis. It was found that about 6 percent of the respondents had faith in him, while about 39 percent had no hope in his rule as he did not appear matured enough to decide such a big issue. But, about 55 percent of the respondents were found unanswered. This is because, the change of leadership was not going to bring any beneficial output to the Nepali-speaking Bhutanese citizens in and outside the country. The respondents

were also of the opinion that democracy and Human Rights in Bhutan seems impossible unless the refugee crises gets resolved.

For ending the Bhutanese refugee imbroglio through the three different channels/options proposed by the UNHCR, the views of the respondents were sought by the researcher. Of the total respondents surveyed, about 38 percent coined it as an opportunity, followed by about 30 percent as satisfactory and the remaining 32 percent regarded it as bad and misleading on the allegation that the proposal of the UNHCR was sure to hamper democratization process in Bhutan. Since majority of the refugee people have desired to end their status through the three options of the UNHCR, the concerned authorities are urged to take immediate steps to begin the formal process thereby allowing the refugees to make voluntary and pre-informed choices.

Majority of the respondents in due course of their stay in the refugee camps had seen something new in the resettlement proposal of the government of the USA and other democratic countries. In this regard, 47 percent of the respondents had taken it as an opportunity to begin new life, followed by 24 percent as only satisfactory, which means they had no better idea of post-resettlement opportunities. But only 29 percent of the respondents had shown negative attitude labeling the proposal itself as being inhumane and bad. This shows that more than half of the refugee community (especially the educated and the younger circle) is extremely interested in third-country resettlement.

Finally, about 50 percent of the respondents had given due emphasis on repatriation and the remaining 50 percent had accorded emphasis on local integration and third country resettlement to provide a durable solution to the one and a half decade long and unresolved Bhutanese refugee issue. Of the total respondents surveyed, 46 percent were found interested in repatriation, while 11 percent were interested in

host country assimilation and the remaining 43 percent in third country resettlement.

To sum up, for durable solution to the Bhutanese refugee impasse, three options proposed by the UNHCR are to be implemented without encroaching the refugees right to voluntary repatriation to their original homeland.

5.2 Conclusion

Analyzing all the collected facts, figures, literatures and information from the study, it can be concluded that the status of people in the UNHCR managed Bhutanese Refugee camps is discouraging. Major problems confronted by the refugee community are:

- Problem of basic necessities
- Fuel crisis
- Increased frustration
- Lack of career opportunity
- Malnutrition
- Lack of adequate medicinal facilities
- Increased threat of outsiders
- Cut-short in facilities for the maintenance of the camps
- Internal chaos and disturbances due to jam-packed living
- Problem of drug abuse and girls trafficking
- Social and religious discords
- Lack of coercive authority to maintain security in the camps and
- Problems created by the Durable Solution Proposal of the UNHCR.

Similarly, the foodstuffs provided by the aid agencies have been found insufficient and majority of the camp people seem dissatisfied with

the unilateral acts of the aid agencies to minimize those facilities. The rigorous threat of the Bhutanese Communist Party (BCP) for donation and for physical participation of refugee youths in the movement for democracy in Bhutan is yet another problem rampant in the camps. The problem of basic necessities like clothes and other household requirements compel the people to go for manual labour at low wages breaching the laws of the host country, which, in many instances, create disputes between the refugees and the locals. The study reveals that due to futile negotiations between Nepal and Bhutan Governments and subsequent refugee verification programme undertaken by the Joint Verification Team (JVT) have created frustration in the refugee community towards their mission of voluntary repatriation. The activities of the leaders of Bhutanese political parties for repatriation and for establishing democracy and human rights in Bhutan have been considered by the refugee community as insufficient. Hence, the leaders of the Bhutanese political parties and human rights organizations must work wholeheartedly to give pace to the refugee repatriation process.

The study also reveals that Bhutanese political and human rights leaders in exile possess no political culture, clear-cut understanding and belief and strong and farsighted leadership capacity. So, the main responsibility to correct them would be by formulating such humanitarian programmes which help bring India into confidence to resolve the refugee problem.

The repeated allegations of the Royal Government of Bhutan labeling the refugees as "Readymade Terrorists" and the frustrating situation of the camps are inspiring the youths to raise arms against the autocratic regime. Hence, proper counseling, skillful training and adequate career opportunities are to be provided to the refugee people so that the frustrated youths may be brought into peaceful tracks.

It is clear from the findings of the study that the Durable Solution Proposal of the UNHCR must be made open with equal emphasis on all the alternatives proposed so that individual Bhutanese Refugee comes up with a voluntary and pre-informed choice. As majority of the respondents have expressly welcomed the marvellous attempt of the UNHCR for ending the Bhutanese Refugee Imbroglio, Bhutanese Political Parties and the Government of Nepal must not create hurdles in the way of its implementation. At the same time, awareness programmes in the light of third country resettlement should be launched in all the seven different camps separately by the UNHCR, the Government of Nepal and the interested countries on the various privileges, immunities and services that the resettled refugees would receive in respective countries.

"Although the humanitarian assistance programme of the UNHCR and other aid agencies seems incredible, the cut-short in basic facilities is slowly dragging the frustrated refugee people to indulge in anti-social activities to earn their livelihood thereby creating psychological terror and unrest in the refugee affected area. Hence, the UNHCR and other aid agencies should increase the amount of budget for Bhutanese Refugees by 50 percent so that the problem of basic necessities can be reduced. As a result, the prospects of mob violence and social insecurity get nipped at the bud."¹⁰⁹

"Finally, for resolving the Bhutanese Refugee Crisis, a tripartite talk amongst the heads of states of Nepal, India and Bhutan should be held under the Good Offices of the UNO or any other internationally recognized, independent and non-political organization."¹¹⁰ For this purpose, Nepal should seek the support of the International Community to bring India into confidence and persuade to bring changes in her

109. Based on Interview with Mr. T.P. Mishra: The Editor, "The Bhutan Reporter Monthly", April 2007.

110 Based on Focus Group Discussion Conducted at Timai Refugee Camp, January 2007.

foreign policy to address the refugee problem on ground of humanity. Similarly, the government of Nepal should convince India through informal negotiations to make Bhutan participate in the talk. When Bhutan agrees to discuss the issue jointly, the monitoring authority should be formally invited through the consent of the parties to the talk.

India's more recent statement on Bhutanese refugee issue seems to ease the regional deadlock by accelerating the process of tripartite negotiation in the near future.

5.3 Recommendations

It is a matter of pride for Nepal and its people that despite being in a decade long conflict and struggle for real democracy, it has been able to accommodate mass Bhutanese population evicted by Bhutan and suffering in the UNHCR managed camps for over a period of sixteen years. In view of protracted refugee imbroglio, attempts have been made to present the ways that would facilitate the scholars, planners, policy makers and the stakeholders who are striving to provide Durable Solution for Bhutanese Refugee impasse in the following sections:

1. Involvement of Indian Government in the Bhutanese Refugee Issue: The findings of the study reveal that the Nepal-Bhutan refugee crisis cannot be resolved through bilateral negotiations. On analyzing the aftermaths of the previous negotiations, Nepal Government should make full attempts to bring India in this issue under the Good Offices of the UNO or any other International Non-Political Agency.
2. Increment of basic facilities in the camps. The Bhutanese Refugee community seems dissatisfied with the amount of foodstuffs provided by the aid agencies. Similarly, the cut-short in facilities like allowance for the maintenance of the huts, clothes, utensils, etc

have compelled refugees to be even more frustrated. Minimization of educational facilities has created innumerable dropout cases. Reduction of allowance for higher education after class ten has led refugee students to go for manual labour in the coal mining areas in India bearing all the probable risks. Therefore, to prevent all sorts of forthcoming disastrous consequences, the UNHCR and other aid agencies should allocate sufficient amount of budget for providing adequate facilities to the refugee community.

3. Accountability and transparency: The study clearly brings out the reality that the activities of the Bhutanese political parties and Human Rights Organizations in exile are not goal-oriented. The leaders are found indulged in maximizing personal economic gains. They possess no political culture, clear-cut understanding and belief and strong, philanthropic and towering leadership quality. They are not at all accountable to the refugee community. Activities or programmes organized by them are also not time-relative and transparent. Thus, there is a difference between theory and practice because the leaders say one thing but do another. The compromise between the Bhutanese political leaders and the Indian Officials at Pani-Tanki, India to suspend the long-march programme of the Bhutanese Refugees for fifteen days is sufficient to prove the facts stated above. So, the leaders of Bhutanese political parties and Human Rights Organizations must reform themselves in attitude and cultivate political culture and strong leadership quality so as to accelerate the pace of voluntary repatriation of the exiled Bhutanese citizens to their original homeland. At the same time, they should undertake camp-based programmes to involve the general public as well as to ensure

transparency in their day-to-day expenditure. They should also continue to exert pressure on Nepal Government to convince India to allow free passage for the refugees to return to their motherland.

4. Need of skillful trainings and career opportunities: The findings of the study reveal that the repeated allegations of the Royal Government of Bhutan labeling the Refugees as "Ready-made Terrorists" is inspiring the youths to raise arms against the regime. Unless skillful trainings and adequate employment opportunities are provided to them, the situation doesn't seem to get normalized. Hence, the attention of the stakeholders should fall on this burning issue.
5. Problems in the camps: Refugee camps have been engulfed by innumerable problems ranging from increased frustration to tensions created by durable solution campaign. The study portrays that frustration, jam-packed settlement, economic crisis, social and religious conflicts, threat of outsiders, threat of Bhutanese Communist Party (BCP), fuel crisis and the increasing family disintegration due to the durable solution propaganda are the major problems faced by the people in the UNHCR managed Bhutanese Refugee camps. In this context, the UNHCR and the Government of Nepal should now take major steps to improve security in the camps. It would be more appropriate to restore previous police posts in the camps deploying both Janapath and Sashastra Police Forces.
6. Issuance of travel documents on simple basis: The Government of Nepal should issue Travel Documents to the leaders of Bhutanese Political Parties and Human Rights Organizations in exile on

simple recommendations for advocacy and campaign for Democracy and Human Rights in Bhutan outside Nepal.

7. Nepal's official position on third country resettlement: For, the Government of USA and other democratic countries have proposed to take interested Bhutanese Refugees for resettlement in their countries on humanitarian grounds. But, Nepal Government has not yet granted formal approval to the proposal. So, time has come for Nepal to make her official position on this issue to pave the way for the countries concerned to begin or withhold the process of resettlement. If Nepal permits voluntary resettlement for Bhutanese Refugees, she must sign agreements with the Governments of the interested countries for the safety security and citizenery rights of the resettled refugees.
8. Support and solidarity of Nepal for democracy and Human Rights in Bhutan: Not only the Government but the civil society and the political parties of Nepal should render relentless support to the movement for democracy and human rights in Bhutan for regional peace and stability. In addition, Nepal should continue to mount pressure on India to resolve the refugee issue. At this juncture, Nepal Government must not hesitate to raise the refugee issue among SAARC countries and even in the SAARC Summit.
9. Need of awareness programmes on third country resettlement: The Bhutanese refugee community appears to know nothing about UNHCR's policy of third country resettlement. People do not know what durable solution actually means. For, durable solution proposal of the UNHCR has been found misinterpreted to mean only third country resettlement. Even the political leaders do not understand the real meaning of it. Hence, the UNHCR should

organize awareness programmes in all camps to convince the people. Programmes should be organized in such a way that the refugee community gets clear-cut idea on the prospects and challenges one has to undergo after resettlement. The UNHCR should also brief the people on the various consequences they have to face if the offer is rejected.

10. Need of clear provisions of the interested countries for resettlement: The study reveals that the interested countries (particularly the Core Group Countries) have not yet come up with clear-cut policies for resettling the Bhutanese refugees in their lands. All paper works do not help refugees to decide their future as they are illiterate. Hence, the representatives of the concerned countries must meet the people at the grass-root level and brief them on the privileges, immunities and benefits that they would receive after resettlement. At the same time, available material provided by the UNHCR on third country resettlement is superficial as it bits around the bush.

11. Opening of three options for Durable Solution: For providing a lasting solution to the Bhutanese refugee imbroglio, three options proposed by the UNHCR should be implemented. Emphasis should be accorded equally to all the options. For Those who are interested in voluntary repatriation, the UNHCR and Nepal Government should continue to mount pressure on the Government of Bhutan. For those who wish to be assimilated into the host society, arrangements should be made by the host Government and the UNHCR. But, for those who are interested in third country resettlement, permission should be granted to them on simple recommendations. Nepal Government should provide full security

to the people interested in third country resettlement until they remain in the refugee camps. The UNHCR and the resettling countries should give top priority to the vulnerable, old-age, diseased and helpless people for resettlement. Undue formalities should not be made to delay the process of resettlement. Similarly, due to poor security situation in the camps, arrangements should be made to resettle the interested refugees of one particular camp at a time.

BIBLIOGRAPHY

- Adhikari, I.P. (27 December 2006). "People Criticize Royal Allegation."
The Kathmandu Post, Kathmandu: Katipur Publications Pvt. Ltd.
- Adhikari, Ramesh (2003). *South Asia and South East Asia*. Kathmandu:
Kshitiz Prakashan.
- Amnesty International (August 1994). *Bhutan: Forcible Exile*. London:
Head Office, Amnesty International.
- Association of Press Freedom Activists Bhutan (May 2007). *Status of
Press Freedom in Bhutan Silenced and Controlled*. Kathmandu:
Association of Press Freedom Activists Bhutan.
- Bhattarai, Govindraaj (May 26, 2007). "Socha, Jaga Ra Utha Bhutani."
Kantipur National Daily, Vol. 97, Kathmandu: Kantipur
Publications Pvt. Ltd.
- Bhutanese Movement Steering Committee (June 2006). *Resolutions of
the First Meeting*. Jhapa: Bhutanese Movement Steering
Committee.
- Dulal, Hari Bansha (January 2007). *Bhutanese Refugees Trapped and
Tantalized*. USA: Department of Environmental Science and public
Policy, George Mason University, Virginia.
- Eight Party Alliance and the Civil Society (December 2006). *Workshop
on the Bhutanese "Crisis" in the Changed Context*. Kathmandu:
Bhutan Support Group of the Eight Party Alliance.
- Embassy of the United States of America (April 2007). *Fact Sheet on the
US Resettlement Program*. Kathmandu: US Department of State
for Population, Migration and Refugees.
- Frelick, Bill (June 2007). "Ethnic Nepalis Are in Threat." *The Bhutan
Reporter Monthly*, Kathmandu: APFA-Bhutan.

- Gautam, Kazi (January 2007). "Resettlement: How Comprehensive is it for Refugees?," *The Bhutan Reporter Monthly*, Kathmandu, Vol. III, Issue 24, APFA-Bhutan.
- Giri, N.B. (March 2007). *Background and Aims and Objectives of the Refugee Rights Coordinating Committee*. Kathmandu: Refugee Rights Coordinating Committee.
- Giri, N.B. (March 2007). *Why Comprehensive Solution of Resettlement for the Bhutanese Refugees?*, Kathmandu: Refugee Rights Coordinating Committee.
- Human Rights Watch (January 2005). *Ethnic Nepalis in Severe Torture*. New York: Information Division, Human Rights Watch Head Office.
- Husain, Asad (1979). *Conflict in Asia: A Case Study of Nepal*. New Delhi: Classical Publications.
- Hutt, Michael (1994). *Nepal in the Nineties Versions of the Past, Visions of the Future*. New Delhi: Oxford University Press.
- Joshi, Bhuwan Lal and Rose, Leo E. (1966). *Democratic Innovations in Nepal: A Case Study of Political Acculturation*. USA: Berkeley and Los Angeles University of California Press.
- Karki, Saraswati (November 25, 2006). "Ambassadors Visit Refugee Camps: Resettlement as an Opportunity." *Kantipur National Daily*, Kathmandu: Kantipur Publications Pvt. Ltd.
- Khatiwada, Bhagirath (August 2006). *Challenges of Good Governance in Nepal*. Kathmandu: A Master's Degree Thesis, Submitted to the Central Department of Rural Development, Faculty of Humanities and Social Sciences, T.U.
- Khatri, Tej Bahadur (1997). *People's Attitude Towards Party Politics in Nepal*. Kathmandu: A Master's Degree Thesis, Submitted to the

Central Department of Political Science, Faculty of Humanities and Social Sciences, T.U.

Mishra, T.P. (3 March 2007). "Bhutan's New King: Question of Democracy." *The Kathmandu Post*, Kathmandu: Kantipur Publications Pvt. Ltd.

Mishra, T.P. (December 29, 2006). "Refugees or Ready-Made Terrorists." *The Kathmandu Post*, Kathmandu: Kantipur Publications Pvt. Ltd.

Mishra, T.P. (September 2006). "Prospects of Undemocratic Elections in Bhutan." *The Bhutan Reporter Monthly*, Kathmandu, Vol. IX APFA-Bhutan.

National Front for Democracy, Bhutan (February 2003). *Theocracy to Secular Democracy*. Jhapa: National Front for Democracy, Bhutan.

National Front for Democracy, Bhutan (July 2006). *Draft Constitution*. Jhapa: National Front for Democracy, Bhutan.

Peoples' Forum for Human Rights Bhutan (August 2005). *Steps Towards Solution to Bhutanese Refugee Problem*. Jhapa: Peoples' Forum for Human Rights Bhutan.

Poudel, Balaram (June 2001). *Bhuan Hijo Ra Aaja*. Kathmandu: Bani Publication.

Pradhan, Bishwa (2003). *Diplomatic Strategy for Nepal*. Kathmandu: Ratna Pustak Bhandar.

Public Administration Campus (December 2004/July 2005). *Public Administration Journal*. Kathmandu: Volume XXII and XXIII. Central Department of Public Administration, Faculty of Management, Tribhuvan University.

- Refugee Rights Coordinating Committee (2006). *Refugees and Asylum after September 11*. Kathmandu: Refugee Rights Coordinating Committee.
- Rizal, Tek Kath (June 2006). *Open Appeal to the United Nations, the SAARC, the European Community, the Bhutan Donor Agencies and the World Community*. Jhapa: Bhutanese Movement Steering Committee.
- Rizal, Tek Nath (2004). *Nirbasan*. Kathmandu: Sap Publishing House.
- Rizal, Tek Nath (January 2005). *Bhutan Aspects of Governance and Refugee Crisis*. Kathmandu: Human Rights Council of Bhutan.
- Rizal, Tek Nath (May 2004). *Ethnic Cleansing and Political Repression in Bhutan, the Other Side of the Shangrila, An Account of a Prisoner of Conscience*. Kathmandu: SAP Publishing House.
- Rizal, Tek Nath and Penjore, Thinley (2007). *Unveiling Bhutan Aspects of Bhutanese Refugee Impasses*. Kathmandu: Bhutanese Movement Steering Committee.
- Rose, Deep (June 2007). "Time has Ripen to Decide." *The Bhutan Reporter Monthly*, Kathmandu, Vol. III, APFA-Bhutan.
- SAARC Secretariat (July 2003). *Profile of the SAARC*. Kathmandu: Media, Publications and Human Resources Development Division SAARC Secretariat.
- Shah, Rish Kesh (October 8, 1993). "Repression Encourages Eviction." *The Rising Nepal Daily*, Kathmandu: Gorkha Patra Sansthan.
- Sobhan, Farooq (2002). *Strengthening Cooperation and Security in South Asia Post 9/11*. Dhaka: Bangladesh Enterprise Institute the University Press Limited.
- United Nations High Commissioner for Refugees (July 1996). *Statute of the Office of the United Nations High Commissioner for Refugees*.

Geneva, Switzerland: Office of the United Nations High Commissioner for Refugees.

United Nations High Commissioner for Refugees (October 2003). *Convention and Protocol Relating to the Status of Refugees*. Geneva: Office of the United Nations High Commissioner for Refugees.

Wangdi, Kenzang (17 December 1999). "Southern Bhutan Benefits from Military Forces." *The Kuensel*, Thimphu: Ministry of Information, Royal Government of Bhutan.

ANNEX-1
Questionnaire

General information of the respondent		
Name:	sex:	age:
Sector:	unit:	hut no.:
Address in Bhutan:	level of education:	
Total family members:	male:	female:
No. Of educated members in the family:	male:	female:

1. Do you remember the exact date of being evicted from Bhutan?
 - A. Yes
 - b. No
2. What were the reasons behind leaving your motherland?
 - A. Racial discrimination
 - B. Excessive torture by the then military force
 - C. Neighbors left and I too did the same
 - D. Due to being participated for the movement of human rights
 - E. Omission of Nepali language in primary schools in southern Bhutan in 1989
 - F. Discriminatory census of 1988-90
 - G. All the above
3. Why did you leave Bhutan rather than fighting for human rights and democracy within the country?
 - A. No freedom for human rights in Bhutan
 - B. It was thought easy and safe to fight for human rights and democracy from outside the country
 - C. Massive support from Indian and Nepalese people
 - D. Lack of farsighted leaders
 - E. All the above
4. What were the reasons behind entering Nepal rather than taking asylum in immediate Neighbour India?
 - A. Indian government didn't allow
 - B. Language and cultural difference with Indian people
 - C. Bhutanese leaders suggested to take shelter in Nepal
 - D. Similar language and culture with Nepalese people
 - E. All the above

5. What sort of burning problems you faced at the initial days in the camps?
- a. Drinking water
 - b. Food
 - c. Medicine
 - d. Fuel for cooking
 - e. Shelter
 - f. All the above
6. How do you take the support of local people at the initial days?
- A. Good
 - b. Moderate
 - c. Bad
7. Whom do you give credit for bringing UNHCR for help?
- A. Leaders of Bhutanese political parties and human rights organizations
 - B. Nepalese political parties
 - C. Nepalese government
 - D. Local people and civil societies
 - E. International community
8. How do you take the assistance of UNHCR and other aid agencies rendered to you in humanitarian ground?
- A. Incredible
 - b. Satisfactory
 - c. Insufficient
9. Are the basic foodstuffs provided to you sufficient?
- A. Yes
 - b. No
10. How do you manage clothes and other necessities?
- A. Through manual labour
 - B. There is support of relatives at the local level
 - C. Some of the family members are doing jobs outside the camp
11. What are the major problems in the camps?
- A. Lack of basic necessities
 - B. Threat of outsiders
 - C. Threat of Bhutanese communist party
 - D. Frustration
12. How do you take the efforts of Bhutanese leaders for returning home?
- a. Satisfactory
 - b. Insufficient
 - c. Bad

13. What are the major problems of the leaders of Bhutanese political parties and the human rights organizations to be establishing human rights and democracy in Bhutan?
- A. Lack of political culture
 - B. Lack of understanding and belief
 - C. Lack of strong leadership capacity
14. It is reported that some of the Bhutanese youths are going to raise arms against the Bhutanese government. Do you think that it is reasonable and wise?
- A. Yes
 - b. No
 - c. Don't know
15. The 16th rounds of bilateral talks between the governments of Nepal and Bhutan on resolving the refugee crisis bring no indication of returning home. So, what do you think would be the best option to accelerate the process of formal negotiation?
- A. Involvement of Indian government in this issue
 - B. Representation of refugee leaders in the talks
 - C. Aggressive strategy of Nepal government
 - D. Three options proposed by the UNHCR
 - E. All the above
16. How do you take the recent remark of Bhutanese foreign minister Khandu Wangchuk labeling the Bhutanese refugees as "readymade terrorists"?
- A. Irresponsible remark
 - B. Indication of not taking its citizens back home
 - C. Reasonable
17. Do you think that the new king Jigme Geshar Namgyel Wangchuk of Bhutan would take initiatives to resolve the refugee crisis?
- A. Yes
 - b. No
 - c. Don't know

18. How do you take the three options of UNHCR for resolving the Bhutanese refugee crisis?
- A. As an opportunity
 - B. Satisfactory
 - C. Not good
19. How do you take the proposal of the government of the usa and other democratic countries taking Bhutanese refugees for resettlement?
- A. As an opportunity
 - b. Satisfactory
 - c. Not good
20. What would be the durable solution for Bhutanese refugee crisis?
- A. Repatriation
 - B. Host country assimilation
 - C. Third country resettlement

Focus group discussion: people of Timai Refugee Camp

1. What were the causes of being evicted?
2. What are the major problems in the camp?
3. How do you take the three options of the UNHCR?
4. What would be the role of the leaders of Bhutanese political parties and other organizations to resolve the refugee crisis?
5. How can the Refugee Crisis be resolved?

Personal Interview

Leaders of the Bhutanese Political and non-political Organizations in exile, the representatives of the Aid Agencies and the member of the Core-Group

1. What were the major causes of conflict in Bhutan?
2. What are the major problems in the camps?
3. What are the future strategies and policies of your organization/party/country to resolve the Bhutanese refugee crisis?
4. What are your remarks on the three options proposed by the UNHCR?
5. How can the refugee problem be resolved?