

# The Bhutan REVIEW

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## NEPAL-BHUTAN TALKS FAIL: KOIRALA BRIEFS AMBASSADORS

Disappointed at the failure of talks held on the eve of the 7th SAARC Summit in Dhaka with His Majesty King Jigme Singye Wangchuck, Nepalese Prime Minister Girija Prasad Koirala, while briefing Kathmandu-based Ambassadors on April 20, 1993, said that "time is running out and it seems we are left with no option but to prepare ourselves to internationalize the issue." He expressed hope that India would use her good offices to solve the problem but warned that if everything failed then "there is no option left for Nepal except to go to the United Nations." However, the Prime Minister maintained that Nepal had an "open mind" and would be receptive to "any proposal" to solve the problem of the Bhutanese refugees.

Meanwhile, in a separate development, His Majesty's Government of Nepal has raised the issue of Bhutanese refugees at the 49th session of the Economic and Social Council for Asia and the Pacific (ESCAP) in Bangkok on April 21,

1993. In a policy statement, National Planning Commission Vice-Chairman of His Majesty's Government of Nepal, Dr. Ram Sharan Mahat noted that humanitarian assistance being provided by donor countries and international organizations to Bhutanese refugees in Nepal at present is too low to meet their requirement. "It is our wish that this refugee problem can and should be solved in a manner that ensures their return to their home country with dignity," he said. "However, as things stand, the burden of supporting these refugees, though relieved somewhat through generous support from various donor countries and international organizations, cannot continue unabated without seriously damaging the growth prospect of the Nepalese economy," Dr Mahat added.

### LAST CAMBODIAN REFUGEES LEAVE THAILAND

"We hear that all the Cambodian refugees in Thailand have now returned to their country. Maybe our turn will come soon", says Bhanu Bhakta Sharma, an old man who has spent almost two years as a refugee in Timai camp. "The news about Cambodians gives us hope", adds another.

Thirteen months and 361,456 refugees later, the successful United Nations effort to repatriate Cambodian refugees from a string of dusty Thai border camps came to an end on April 28, 1993. The last convoy rolled out the camp at Site-2 with 1,943 refugees on board, ending the repatriation programme operated by the office of the United Nations High Commissioner for Refugees (UNHCR).



### AFTER THE DHAKA DEADLOCK

To the more than 100,000 Bhutanese in exile who have been forcibly and systematically evicted from their homes and country, the postponement of the Seventh SAARC Summit twice was cause for frustration, not so much because the Summit was expected to bring an immediate end to their woes but because, one way or the other, the search for a solution would begin. On the eve of the Summit, on April 9, 1993 King Jigme Singye Wangchuck and Prime Minister Girija Prasad Koirala finally met at Dhaka. The two leaders apparently believed there had been a meeting of minds because when questioned by journalists immediately after the meeting the King described the talks as having been "very positive" and stated that "we are drafting a press release... and this will be brought out in a day or two." Unfortunately, differences in the perceptions and positions of the two delegations could not be resolved and the expected joint communique did not emerge.

After the failure of bilateral talks both governments have taken their own independent courses of action with regard to the problem of Bhutanese refugees in Nepal. The Nepalese Prime Minister briefed Indian Prime Minister P.V. Narasimha Rao and indicated that the first option in Nepal's three-tiered strategy had failed. Since the bilateral option has been exhausted, the Dhaka talks between Prime Ministers Rao and Koirala has set in motion the second option which, if India is willing, will mean trilateral efforts with India in the lead.

Briefing the media at Tribhuvan International Airport on his return from Dhaka, a frustrated Prime Minister

Koirala admitted that continuing dialogue with the Bhutanese government would "simply be a futile effort" and that Nepal would have to prepare herself to internationalize the issue to "draw the attention of the world community." He confirmed that the Indian Prime Minister had been briefed and that Nepal hoped the Government of India would use "her good offices to resolve the issue."

Despite the visible lack of resolve on the part of the Bhutanese regime to approach the issue with sincerity of purpose, Nepal is clearly still willing to exercise restraint since, according to a spokesperson for the Nepalese Foreign Ministry "the Foreign Ministry has not yet decided to discontinue talks with the Bhutanese Government." This was further confirmed by the Prime Minister himself in an interview to the BBC when he also expressed consternation over allegations made by King Jigme and his government regarding weapons training supposedly imparted to dissidents by Nepal.

Bhutan, on the other hand, remained silent for a full week before announcing the failure of the Dhaka talks over the Bhutan Broadcasting Service (BBS) on April 17, 1993. The reasons for the one week of silence is subject to conjecture but conveniently, exactly at the time the regime completed the formulation of their 'arguments', an Indian correspondent of the BBC, Sudhir Bhowmick, was at hand. Over the course of the next three days the Hindi and Urdu services of the BBC was provided with exclusives from Thimphu through Bhowmick who had steady access to both King and Foreign Minister. Thimphu chose to

use these occasions to make vitriolic attacks against Nepal yet, strangely, these regional services of the BBC did not see it fit to allow or seek reactions from Kathmandu. Having tired himself of justifying the refugee population on the supposed 3 dollars a day being provided by aid agencies, the Bhutanese Foreign Minister informed BBC listeners that Nepal did not desire a solution to the refugee problem because they were a source of dollars for the country! The official government weekly newspaper Kuensel carried the Bhutanese view of the failed Dhaka talks in detail. The Foreign Minister Dawa Tsering, providing readers with the background of the Nepal-Bhutan discussions, applying some bizarre logic blamed Nepal for the refugee problem by propounding that the problem would not have arisen in the first instance if Prime Minister Koirala had listened to King Jigme's advice in Colombo, Sri Lanka a year ago and not allowed refugees seeking sanctuary to enter Nepal. On the other hand, in the same article the King is quoted as saying "that he had assured the Nepalese Prime Minister that all bona fide Bhutanese nationals who had been forcibly evicted from Bhutan would be acknowledged as genuine Bhutanese refugees and that Bhutan would assume full responsibility over them." Furthermore, according to BBC, the Bhutanese government admitted that around 50,000 refugees in the camps could be genuine Bhutanese. For Bhutanese in exile these admissions by the monarch and Foreign Minister, who as late as January of this year remained adamant that the Royal Government could not be found guilty of mistreating southern

### U.S. SUPPORTS CREATION OF POST OF UN HIGH COMMISSIONER FOR HUMAN RIGHTS

GENEVA, (AP): The United States said on 27th April 1993 that it supports creation of a UN High Commissioner for Human Rights, a position it had previously opposed as another layer of UN bureaucracy. The position, which would be similar to the High Commissioner for Refugees, would spearhead UN protection of human rights, said Ambassador J. Kenneth Blackwell, head of the US delegation to the human rights talks in Geneva. Key duties would include dispatching special envoys to trouble spots to combat human rights abuses.

The position was proposed by Germany in 1986, and has been strongly supported by other European nations. "Creating the post would be one of the best moves that could be made by the World Conference on Human Rights," scheduled for June in Vienna, Blackwell said.

Bhutanese and that the refugees in the Nepalese camps were not Bhutanese, constitute tiny steps forward in the search for justice.

### ROYAL GOVERNMENT ACKNOWLEDGES EVICTING CITIZENS

Exactly a week after the event, the Bhutan Broadcasting Service (BBS) in its English news broadcast on April 17, 1993, finally made a reference to the failed Bhutan-Nepal bilateral talks in Dhaka, Bangladesh, regarding Bhutanese refugees in Nepal. In this news broadcast, in a departure from its past propaganda, the regime admitted that there were genuine Bhutanese in the refugee camps who had been forcibly evicted from their homes, and that the Bhutanese government would accept the responsibilities in their case. "His Majesty the King expressed dismay and surprise that Prime Minister Koirala had rejected his offer to set up a joint committee headed by Ministers to identify the people in the camps in Nepal. His Majesty had also assured the Nepalese Prime Minister that all bona fide Bhutanese nationals who had been forcibly evicted from Bhutan would be acknowledged as genuine Bhutanese refugees and Bhutan would be fully responsible for them."

The series of lies fabricated by the government appear to have been exhausted. It has finally accepted the fact that genuine citizens have been evicted. Since other bits of truth will ultimately prevail, rather than taking up a confrontational attitude, the Royal Government would do well to show sincerity of purpose in the dialogue with Nepal and take the steps necessary to create a safe environment and allow the people to return to their homes.



# EDITORIAL

## THE ART OF SECRECY AND DECEPTION

For well over three decades the population figure for the country was one among many other well-guarded secrets in Bhutan. Starting innocently enough with an imaginary seed number promulgated by royal decree, the population lie permeated the very fabric of Bhutanese society with each individual contributing towards the nurturing of this deception on a national scale. From its humble beginnings was born a colossal hoax that withstood close scrutiny and overcame skepticism from a horde of Bhutanese themselves and Bhutan experts, friends and foes alike.

Over the years, the hypothetical population figure and all other related statistical data continued to regenerate themselves, carefully taking into account developments over the period. An imaginary annual percentage population growth figure acted as the fresh seed for an across-the-board recalculation procedure that moved horizontally to cover socioeconomic indicators in all sectors, and vertically to ensure correction from individual and family units to the national level. Thus each year, in a calculated move, literally, a new set of figures representing all the requisite indicators emerged.

What is especially striking about the success of the population hoax by Bhutan is that it was achieved despite the large number of expatriate staff in the bureaucracy. Except at the local administration levels, at the time the deception began, and for the next two decades, the personnel in the government comprised mostly Indians even in very sensitive positions. During the last ten years, while the number of nationals in civil service increased substantially, a significant number out of the current 12,000-strong administration are still Indians. Did these foreigners willfully permit the Bhutanese regime to perpetrate the lie, or were the Bhutanese adroitly able to keep them always in the dark?

Perhaps lacking courage, or truly deceived by the Royal Government hoax, no official, scholar, journalist or politician in the region ever questioned the population figure. But beyond the subcontinent skepticism abounded. It was only three years ago that King Jigme Singye Wangchuck finally admitted to the hoax in an interview to a foreign correspondent and down-sized the population figure from nearly 1.4 million to 0.6 million. While some argue that this correction was necessitated by the 'southern problem', the revelation was perhaps largely due to the difficulties in continuing with a farce that was becoming increasingly visible as the demand for reliable and verifiable data grew while inconsistencies began to be questioned, politely by expatriates and timidly by Bhutanese. The eventual admission regarding the long charade exemplifies the inherent capacity of the regime for deception and corroborates comments by friends and critics alike that Bhutan has elevated secrecy, dissimulation and deception to the status of an art form.

What are the implications of such 'traits' and 'strengths' of the regime for the refugee population that longs to return home and waits patiently for justice? While the moral of the story certainly seems to indicate that truth will ultimately prevail in the end and that lies, no matter how painstakingly and conscientiously put together, must be exposed in the end, it is equally clear that the regime will test the patience of everyone else before it relents. In the process, as in the past, many sane and otherwise competent people will continue to be misled and will continue to believe the most outrageous theories put out by the government and, unfortunately, many will still consider it inconceivable that the Bhutanese government would resort to other untruths.

Thus far, feigning total innocence in the ways of the world and resorting to deliberate displays of naivete, Thimphu has managed to get away with absolutely preposterous positions on the 'southern problem'. A world unaccustomed to such deviousness and cunning became easy prey and accepted even the most outlandish statements issued from Thimphu, aided and abetted by a pliant media that tasted hospitality as never before. According to the level of exposure and the amount of truth gleaned by the media, the Royal Government has taken progressively differing positions. The Foreign Minister who over the course of five years has been regularly interviewed by BBC has stated the Thimphu view that the 'southern problem' was a nuisance created by a 'few disgruntled people'; an attempt by illegal immigrants to take over the country; the handiwork of politically motivated southern Bhutanese abetted by non-nationals; a crisis which threatens the very survival of 'Bhutanese' nationhood. He also stated the regime's position that refugees in Nepal who were evicted or forced to flee were not Bhutanese but Indians evicted from India or poor Nepalese from the vicinity of the camps; only a few dissidents were genuine Bhutanese but criminals; some of the refugees were Bhutanese but who had legally emigrated; some refugees were Bhutanese who may have been evicted.

Is there any measure of truth in the latest statements emanating from Thimphu? Going by past form this is highly unlikely. More probably, in the quest for a strategy that will delay the inevitable, a fresh conspiracy has been in the making. Following the post-Summit lull Thimphu was suddenly vociferous after a week. The belated reactions of both the monarch and the Foreign Minister contain outrageous arguments and unfold a Bhutanese position that borders on the absurd. While this may appear to be a desperate gamble, it is more likely an attempt at yet another lesson in masterly deception based on the age-old pretense of Bhutanese 'innocence' and naivete. This time, however, there is every indication that the regime has over-reached itself and is likely to find itself a victim of its own making. The astute Foreign Minister cannot have deliberately chosen a path that causes himself to look positively stupid unless it served a specific purpose. The absurd reasons and justifications for scuttling of the bilateral talks, subsequent admission of forcible evictions from Bhutan, the acceptance of a possible figure of around 50,000 refugees as Bhutanese, and the undeniable fact that the indomitable figure at the helm of Bhutanese foreign policy has less cause for allegiance to the nation than any refugee in exile must give everyone, within and outside, cause for grave concern.

# HOW TO PREVENT ETHNIC CONFLICT

By Dietrich Fischer, Inter Press Service

The terrible tragedy in the former Yugoslavia is only one of many similar conflicts being fought among various ethnic, linguistic and religious groups around the world. How can such tragedies be avoided in the future? What can be done to end ongoing civil wars? A comparison between two similar conflicts - in Switzerland and in northern Ireland - may give some indication. In both cases, a catholic minority felt oppressed by a Protestant majority. In Ireland, the British government has tried to suppress a separatist movement with military force, so far unsuccessfully. By contrast, a peaceful solution was found to the dispute in Switzerland.

The Catholic French-speaking minority in Switzerland's Jura region within the canton of Bern had long felt regularly overruled in the cantonal parliament by the Protestant German-speaking majority. Simmering resentment erupted in 1950 when Bern rejected a candidate from the Jura for minister of public construction, arguing that a French-speaker he would have difficulty overseeing construction in the mostly German-speaking canton. This infuriated people in the Jura. Street demonstrations were held and a separatist movement formed. In hopes of easing tension, the Bernese government publicly pointed out that the people of the Jura were much better off remaining part of the Bern canton, because they received more government subsidies than they paid in taxes. But only the people of Jura knew what they valued more, subsidies or self determination.

Anger grew and cases of politically motivated arson began to occur. To solve the conflict, the Bernese government eventually agreed to let the

people in the Jura hold a referendum to decide if the majority wanted to be independent from the Bern canton. The resulting vote was nearly evenly split. At that point, no matter what would have been decided, half of the voters would have been deeply dissatisfied. This split situation is similar to what has happened in Bosnia-Herzegovina, where the Serb minority boycotted the referendum on independence. After a second referendum was separately held in each of the six districts of the Jura, the results were more definite. In three districts, the majority chose to remain in the Bern canton, but in the other three, the majority voted to form a separate canton. Then each individual community along the new borderline was allowed to vote whether it wanted to switch sides. After several did, the new canton of Jura was welcomed into the Swiss confederation in 1978. Essentially this was the end of the conflict. Democracy is no guarantee that people will always make the right decision. But if they make a mistake, they have nobody else to blame but themselves. That is why it would be worth trying this type of solution in other seemingly intractable disputes. If Yugoslavia had, back in 1990 when its political problems began, divided its provinces into semi-autonomous cantons according to the voting preferences of its inhabitants, I believe the current strife might have been avoided. This kind of solution can still be tried, but it would probably be necessary for an international peacekeeping force, with the means and authority to separate warring factions, to guarantee that the outcome of such a vote be respected by all parties.

For those governments who ignore a

democratic solution, does the international community have the right - or even the duty - to intervene if the rights of minorities are being violated? Under ancient Roman law, the head of a household, the pater familias, had absolute authority over his family. He could sell his children into slavery or beat them to death and the State had no right to intervene in this "internal affair". He had no right to hurt someone else's children, but his own family was his own to rule.

Today we consider that notion absurd. But on the international level, we still cling to the obsolete notion of absolute state sovereignty. That concept makes no sense if a government is unable to protect its own population from brutal violence such as "ethnic cleansing" or when it is the murderer of its own people.

The World Court has only the authority to hear cases in which one government files suit against another government. And when it makes a decision, it has power to enforce it. For minorities - and in some cases, majorities - who cannot find justice in their own countries, an international criminal court should be established. It is unrealistic to assume that the highest court in a country will guarantee justice, especially when the government oppresses its own people and controls the legal system. Furthermore, a United Nations peace enforcement unit should be created as a mechanism to back up the decisions of an international criminal court. Protecting the rights of minorities, at their own request, is completely different from unilateral intervention by one country in the internal affairs of another.

## HUROB APPEALS FOR INTERNATIONAL SUPPORT

*Text of Appeal distributed to the international community in Kathmandu by HUROB after the failure of talks in Dhaka between Prime Minister Girija Prasad Koirala and King Jigme Singye Wangchuck on April 9, 1993.*

With the Royal Government of Bhutan having indicated its unwillingness to resolve the problem of Bhutanese refugees in Nepal on a bilateral basis with His Majesty's Government, and with the Rt. Hon'ble Prime Minister of Nepal also having indicated the futility of continuing dialogue with the King of Bhutan, the onus of resolving the current crisis in Bhutan must now be shared by the entire international community. We are certain that the world community in general and immediate neighbours in particular will not allow the suffering of over a hundred thousand Bhutanese citizens displaced by a defiant regime to unnecessarily continue.

In its attempts to stem the tide of international opinion against its repressive policies, the Royal Government currently claims that it has adopted measures necessary to safeguard the indigenous population, and

that it has the right to exercise its authority to achieve this professed noble intention. But, should the world permit or accept the exercising of this right by the regime if, in the process, other ethnic groups are deprived of their fundamental right to nationality?

The issue of nationality is the crux of the current Bhutanese crisis. While the Royal Government continues its policy of evicting alleged illegal immigrants from southern Bhutan, the adamant position of the Royal Government at the SAARC Summit in Dhaka, reflected in its refusal to acknowledge refugees on Nepalese soil as Bhutanese and rejection of proposals for joint identification/verification, is clearly indicative of the bona fides of the refugees.

If the steps taken so far by the Royal Government is any indication, in the absence of intervention by the international community, it is certain that

the prevailing policies will continue. While generous humanitarian assistance may enable refugees on Nepalese soil to survive, unless concrete measures are initiated immediately to resolve the crisis, the problem can only escalate with disastrous consequences for the region as a whole.

We remain convinced that the international community will recognize the unethical stance and policies of the Royal Government which seeks to deny a section of its citizens their basic rights and that pressure will be brought to bear on the Bhutanese regime. Since the extended bilateral efforts between Bhutan and Nepal have been finally declared unsuccessful, we trust that necessary support and cooperation will be extended to His Majesty's Government of Nepal in the continuing efforts to resolve the problem of Bhutanese refugees in Nepal.



## BHUTAN : THE HUMAN RIGHTS SITUATION COMMUNIQUE, NO.17, DECEMBER 1992

Communique is an occasional publication of the Asian Regional Exchange for New Alternatives (ARENA), Hong Kong, that seeks to provide in-depth analysis and coverage of issues of concern for action, reflection and information. Issue No.17 which actually came out in March this year is a 16 page document devoted entirely to Bhutan. Compiled for ARENA by the South Asian Human Rights Documentation Centre (SAHRDC), New Delhi, the document provides a detailed analysis of the human rights situation in Bhutan. An oversight in an otherwise excellent report is the concentration on events and horrors of the 1989-90 period and the use of the present tense to describe them as there have been significant refinements since then in the manner of harassment, intimidation and eviction.

Following an introduction by Ravi Nair, Executive Director of SAHRDC as Guest Editor, the report provides an overview and the historical background, establishes the causes for the current confrontation and discusses the political scenario before converging on the violation of human rights by royal forces, detailing the human rights score card in the kingdom and finally covering the refugee problem. In shorter sections the report also carries human rights violations by dissident groups, economic repression, and a Free T.N.Rizal campaign.

In order to ensure that the report can stand on its own without the reader having to refer to other documents for basic facts, the report wisely includes a country profile and extensive background information that introduces the different ethnic groups in the kingdom and traces major historical developments related to the country. Information and data related to the more modern era are also briefly covered in the introduction.

The background of the details regarding the current crisis is unfortunately provided under a misleading title, "The Ethnic Confrontation." It bears repeating that despite the best efforts of the Royal Government the 'southern problem' has yet to take on an ethnic hue, and it remains a case of dissent by a section of people, albeit primarily belonging to one ethnic group, against the repressive policies of the regime. The struggle and dissent is targeted against the government rather than against other fellow citizens. Despite the unfortunate choice of heading, the report clearly spells out "the genesis of the current problem in Bhutan [which] lies in a 1988 Royal Government directive to have a census conducted in the southern districts, ostensibly to weed out illegal immigrants." The report mentions the hard and vindictive stand of the government against 'immigrants' since the mid-1980s and the beginning of repression in earnest after 1988.

The report covers the various regulations introduced by the govern-

ment that either went against southern Bhutanese sentiments or made life especially difficult in southern Bhutan. The repressive actions of the government following the peaceful demonstrations of September-October 1990 and the connivance of Assam and West Bengal police are specifically mentioned. The report also categorically states that "the RBA (Royal Bhutan Army) has made frequent incursions into Indian territory to kill or capture innocent Bhutanese refugees. On 12 December 1990, two refugee Bhutanese citizens were shot dead, another was shot in the right arm and a fourth was arrested by RBA in Faras Basti, Sankosh subdivision, Alipore, district Jalpaiguri, in the Indian state of West Bengal. On 10 December 1990, the Jalpaiguri authorities lodged a protest with the Royal Government about alleged unprovoked firing on the people of Kalikhola, near the Indo-Bhutan border."

The denial and views of the Royal Government are also included. The government claims that dissident organizations "have maligned the good name of the Kingdom by distorting facts and making false allegations." The King's interview to Newsweek where he insists that wearing the national dress is not necessary, as long as people wore something distinctive, and where he "insists he is not opposed to democracy though he dodges the question of whether it is the right course for Bhutan at this juncture" have been covered.

In "The Political Scenario" the report highlights the "demographic flux" in the entire north-eastern region of India and warns of possible ethnic conflicts in the area. The document gives Bhutanese Foreign Minister Dawa Tsering credit for "con-juring up" the Greater Nepal conspiracy and his use of this "bogy" in tackling Jyoti Basu, Chief Minister of West Bengal. The report also covers the hearings given to dissidents in exile by various leaders in India and the consequent "public relations exercises at various levels" launched by Thimphu which "has not been oblivious of these developments." "The Human Rights Violations by Royal Forces" has been presented through seven individual case studies that, according to SAHRDC, have been properly substantiated by affidavits and evidence. The cases include shooting of unarmed persons (Dil Bahadur Chhetri), multiple rape (report provides victim's name and affidavit), solitary confinement without trial for over two years (Vishwanath Chhetri), confiscation of cash crops (Kashmakar Koirala), raid and plunder of seven houses by the security forces, arbitrary arrest and detention without trial (Y.N.Sharma) and death in custody later confirmed by the government after pressure from Amnesty International (H.B.Sapkota). The report includes HUOB statistics that include 27 deaths in custody and 45 abductions from outside of

Bhutanese territory by Bhutanese forces in collaboration with Indian local authorities.

According to the report, "security forces in the south of Bhutan have consistently violated the provisions of Common Article 3 of the Geneva Convention and the accepted norms of international humanitarian law by carrying summary executions, torture, rape and assault of its citizens. Suspected dissidents and the Nepali populace are their victims. They have also destroyed and looted civilian property, usually when conducting house-to-house searches without warrants. The security forces have also systematically violated international human rights laws by using lethal force against peaceful demonstrators; by engaging in widespread and arbitrary arrests of suspected dissident sympathizers; by detaining suspects for extended periods of time without charge or trial; and by denying them access to family members and lawyers. Torture is systematic and widespread, and includes forced confessions, prolonged beatings, electric shocks and sexual abuse. Conditions of detention frequently constitute gross mistreatment, crowded and unsanitary facilities without adequate clothing." The brief section entitled "Human Rights Violations by Dissident Groups" primarily carries government denial of allegations of blatant human rights violations in the kingdom. The government claims that only 42 southern Bhutanese were arrested and that of these 39 who were magnanimously given amnesties are responsible for maligning the government. (Since the regime consistently believes in the use of these figures - also refer U.S. 1992 State Department Report - one can only wonder where the government mouth-piece Kuensel gets its amnestied figures of thousands if such a number has never been arrested in the first place). Government propaganda apart, the report does concede that there have been alleged instances of arson, kidnaping and even murder by some dissident organizations.

The report includes a substantive section that covers violation of human rights by the Royal Government under the title "Bhutan: The Human Rights Score Card." These specific violations fall under the following:

- Freedom from Political and Extrajudicial Killings:
- Disappearances:
- Torture, Cruel, Inhuman and Degrading Punishment:
- Arbitrary Arrest or Exile:
- Denial of Fair Public Trial:
- Arbitrary Interference with Personal Lives:
- Respect for Civil Liberties:
- Peaceful Assembly, Association:
- Freedom of Religion:
- Respect for Political Rights:
- Attitudes to Investigations of Alleged Human Rights Violations:
- Discrimination Based on Race, Sex, Religion, Language or Social

Status:

The Right of Association:

Organizing, Collective Bargaining:

Forced or Compulsory Labour:

An interesting section "The Economics of Repression" makes reference to the Seventh Five Year Plan (1992-97) document and analyses budget allocations and socioeconomic indicators. It compares the 2.4% of the total Plan outlay for the Royal Bhutan Police with the 0.3% spent by "the highly policed state like India" and comments on the 26.5% for administrative services, which includes defence, which is equal to the share of social services (19.8%) and community services (9.7%) put together. It ends with the question; "Can a country where all major indicators point at poverty afford such largesse on police and defence, euphemistically called administrative services?"

## MEDIA SCAN

Bhanumaya Gurung, whose ugly scars were caused when boiling water was poured over her by Bhutanese securitymen, is just one of the 100,000 or so Bhutanese of Nepali origin who have left their homes because of persecution - or fear of it. Almost, 75,000 of them now live in crowded camps in Jhapa and Morang, in eastern Nepal, depending totally on the dole from the United Nations High Commissioner for Refugees (UNHCR). ...Records maintained by the UNHCR and the Human Rights Organization of Bhutan (HUOB), however, show that 97 per cent of them were able to produce some document to prove that they were domiciled in Bhutan. Says UNHCR programme officer Veerapong Vongvarotai: "They either had their citizenship cards or land/property receipts or birth certificates and we were extremely strict while verifying the credentials." ...Is SAARC the only forum for talks? Not quite. The problem can be solved bilaterally but there seems to be a complete lack of political will. Bhutan is firm in its conviction that the refugees are "non-nationals" and hence they are not its headache. Nepal, however, seems desperate to ask: "We are a poor country," says Nepalese Home Minister Sher Bahadur Deupa, "we cannot afford to support such large refugee population much longer. We must solve this problem as soon as possible through dialogue."

*Sunday, Weekly Newsmagazine, New Delhi, March 6, 1993.*

Despite the academic nature of many of the subjects — traditional Bhutanese architecture and textiles, linguistics and discussions of Bhutanese Buddhism — it was impossible to keep politics out. There was some heated discussion of the seventy-eight thousand Bhutanese refugees in camps in Nepal after Dr. Brian Shaw from the University of Hong Kong, gave a paper on the refugee camps and UNHCR policy, and then admitted that he had never actually been to the camps. A UNHCR official attending the conference asked for an unscheduled slot to make a statement rebutting some of Dr Shaw's remarks. *BBC News, London, March 24, 1993.*

While TV images of the horrors of ethnic cleansing in the former Yugoslavia fill our living rooms every night, a similar tragedy in the Himalayan kingdom of Bhutan is going by relatively unnoticed by the world. The government of Bhutan has declared more than 100,000 southern Bhutanese of Nepali origin, about one-sixth of its total population, to be illegal immigrants contrary to historical evidence. There is adequate proof that the ancestors of these people have been settled in Bhutan since the 17th century. ... The people of Bhutan are not emigrating voluntarily as claimed by the government, but are instead victims of forced evictions. It is a common sight in the refugee camps to come across children and pregnant women dying due to hunger, disease, malnutrition and inadequate medical care. So far more than 1,500 refugees have died in Nepal after making the journey from Bhutan. Stories of torture in jail or while in police custody of the southern Bhutanese have been well-documented by several international human rights organizations. ...This is, indeed, sad because on the one hand the government of Bhutan has ratified the UN Convention on the Rights of the Child, while on the other it is completely depriving of their right to live in their country of birth.

The human rights situation in Bhutan is no less pathetic than the situation in the former Yugoslavia or Burma. The international community must not turn a blind eye to the ethnic cleansing occurring in the Himalayan kingdom. The Bhutanese problem is urgent and international intervention is needed to arrive at a peaceful solution, where the people of Bhutan will be able to enjoy their basic human rights and fundamental freedoms.

*The Nation, Bangkok, April 19, 1993.*

## "IN QUOTES"

"All bona fide Bhutanese nationals who had been forcibly evicted from Bhutan would be acknowledged as genuine Bhutanese refugees." King Jigme Singye Wangchuck, quoted by the Bhutan Broadcasting Service, April 17, 1993.

At the Regional Human Rights Conference in Bangkok, April 1993...

"We believe torture is torture. We don't believe the practice of torture represents a regional variation, cultural, historical or political traditions these nations espouse."

Derek Evans of Amnesty International.

"My delegation does not accept the view that to express concern over grave violations of human rights in whatever country such abuses may occur is an interference in that country's internal affairs."

Seiichiro Otsuka, Head of Japanese delegation.



**Thimphu Recipe:**

**CONFUSION,  
CONTRADICTION,  
DECEPTION.**

**THE HINDUSTAN  
TIMES,**

**NEW DELHI, INDIA**

*April 28, 1993*

"Bhutanese Foreign Minister Dawa Tsering argues that Nepal is trying to "put the cart before the horse". He said that when he visited Kathmandu in November to prepare the ground for bilateral discussions between the Bhutanese King and the Nepalese Prime Minister, the Nepalese officials proposed that a ministerial-level joint committee of the two countries be set up. Bhutan accepted the proposal but insisted that it could first identify the various categories of people in the refugee camps of eastern Nepal. Mr Tsering says that Bhutan will never accept those Nepalese who were illegally staying in Bhutan and could not get citizenship and those who had citizenship but left the country after renouncing it."

**KUENSEL,**

**THIMPHU, BHUTAN**

*April 17, 1993*

"The reluctance of the Nepalese Prime Minister to agree to the proposal of His Majesty the King to set up a ministerial-level Joint Committee to determine the status of the people in the refugee camps in Nepal prevented a major breakthrough in resolving the current impasse between Bhutan and Nepal. His Majesty made the proposal to Prime Minister Girija Prasad Koirala during their meeting in Dhaka on April 9 on the eve of the Seventh SAARC Summit. His Majesty the King expressed dismay and surprise that Prime Minister Koirala had rejected his offer to set up a Joint Committee headed by ministers to identify the people in the camps in Nepal."

The two news items, one appearing in the only Bhutanese weekly newspaper and the other carried by a leading Indian daily, provides ample proof of the Royal Government's policy of fraud and deception. While blatant lies are fed to Bhutanese readers the story that appears outside is completely different. Thus, while the Foreign Minister will have Bhutanese believe, via the Kuensel, that the King magnanimously proposed a Joint Committee to work out a solution, the truth is indicated in his interview to the Hindustan Times wherein it is admitted that the proposal emanated from Kathmandu.

**WORLD CONFERENCE ON HUMAN RIGHTS - PREPARATORY PROCESS**

The World Conference on Human Rights will be held in Vienna, Austria from 14 - 25 June, 1993. The objectives of the Conference are:

- to review and assess at a high level, progress in human rights since the adoption of the Universal Declaration on Human Rights,
- to identify obstacles and ways in which they might be overcome,
- to examine the relationship between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights,
- to examine ways to improve the implementation of human rights standards and instruments,
- to evaluate the effectiveness of the methods and mechanisms used by the United Nations, and
- to make concrete recommendations for improving the effectiveness of United Nations activities and mechanisms and for the resources needed to that end.

Prior to the Conference in Vienna, various regional preparatory meetings were held. The Regional Meeting for Asia attended by official delegates from 49 countries and a large number of NGOs from the region took place between March 29 and April 2, 1993 in Bangkok. This was preceded by a conference of NGOs from the region.

The Bangkok Declaration released at the end of the Regional Meeting in which Bhutan as Vice Chairperson was able to play a significant role,

was substantially diluted on the way to reaching a consensus. There were compromises on many vital human rights issues that confront the region today. Though the Governments reaffirmed their commitments to the principles contained in the Charter of the United Nations and the Universal Declaration on Human Rights, no firm commitment was demonstrated in terms of their implementation. While the universality of human rights was mentioned, the Governments reiterated "that all countries, large and small, have the right to determine their political systems, control and freely utilize their resources, and freely pursue their economic, social and cultural development." This effectively confined Human Rights issues as internal matters of individual states and thus, in practice, its universality lost all meaning. So much so that even reference to elements like torture was deleted from the final Declaration. A delegate of the Amnesty International rightly argued saying, "We believe torture is torture. We do not believe the practice of torture represents a regional variation, cultural, historical or political traditions these nations espouse." But such arguments fell on deaf ears, particularly of those representing governments which are bent upon continuing with their obsolete systems of governance against the desires of their peoples. Ironically, governments which have all along resisted democratic reforms

in their own countries joined hands with others to stress the urgent need to democratize the United Nations system instead! In effect, the Bangkok Declaration reflects consensus based on excessive compromise on many basic issues and clearly shows the lack of commitment of leadership in the Asian region towards the universal protection and promotion of human rights.

On the other hand, the Conference of NGOs came up with the Bangkok NGO Declaration on Human Rights which identified various issues of concern and challenges being faced today in the area of human rights. The NGO Declaration makes several specific recommendations. The 18-page Declaration deals with issues ranging from universality and indivisibility of human rights to spread of AIDS and related discrimination. In contrast to the declaration by the governments, the NGO Declaration puts people before the state by stressing that human rights transcends political boundaries. On indivisibility, the NGO Declaration calls for a holistic and integrated approach so that one set of rights can not be used to bargain for another. If the outcome of the preparatory process in Bangkok is any indication, substantial differences are going to be carried to the Vienna Conference next June. If this happens, it will be a major blow to the cause of protection and promotion of human rights universally. Human rights

should be seen in the context of individual human beings rather than for the protection of institutions of governance. If nothing else, the meeting in Vienna should arrive at a consensus on the global standards on human rights and we should no longer be arguing on Western or Eastern concept of human rights.

As late as April 29, 1993, however, with only a day left before the end, the preparatory meeting in Vienna remained bogged down by north-south disputes which are bound to spill over to the main conference. The stalemate is the result of a few countries, mainly from Asia, which continue to argue against the basic premise of the West, one that is largely accepted by the rest of the world, that standards of human rights are universal, and that Governments have an obligation to their citizens to respect these standards. As a corollary, the international community has a right and duty to take action when a state persistently violates the human rights of its citizens. Thus, despite the combined efforts of the few autocratic regimes, including a suddenly vocal Bhutan, the strength of the Western block and the NGOs is likely to result in substantial changes in the way human rights issues are dealt with all over the world in future so that the universality of human rights as a principle that will be enforced throughout the world regardless of culture, religion and history.

**WHERE ARE THE BHUTANESE REFUGEES ?**

According to Dawa Tsering, the Foreign Minister of Bhutan, as reported in the 17th April 1993 issue of Kuensel, there are various categories of people in the refugee camps in Nepal. These are :

- illegal residents;
- imported Nepalese labourers who are claiming to be Bhutanese by virtue of having worked in Bhutan;
- dissidents, many of whom have committed criminal offenses;
- Bhutanese nationals who had emigrated legally after renouncing their citizenship and selling all their properties;
- Bhutanese nationals who had left of their own free will in response to the inducements offered by the dissident groups in Nepal; and
- people from other parts of the region, including Nepal itself, who had never even set foot in Bhutan.

Never missing any opportunity for obfuscation, the Foreign Minister who, having entered Bhutan after 1958, would be the last person qualified to sit in judgment, deliberately fails to include that particular category of people which the Royal Government and the King magnanimously have conceded exist in the refugee camps, and who would be entitled to the generosity of Thimphu "all bona fide nationals who had been forcibly evicted from Bhutan

would be acknowledged as genuine Bhutanese refugees and that Bhutan would assume full responsibility over them." It may be noted that the admission in quotes is also carried in the same article.

Regardless of the position taken by the regime, and the great pains taken by the Foreign Minister to proclaim the sincerity of Thimphu to resolve the issue of Bhutanese refugees on Nepalese soil, the intentions of the Royal Government are evident from the categorization of refugees in the camps. It is abundantly clear that the regime intends to go to absurd lengths to try and keep all the refugees out. Having failed to substantiate earlier claims that the refugees were not Bhutanese, while now conceding that at least some are in fact Bhutanese, the government provides ludicrous reasons why they have forfeited the right to return home. In fact, in view of the determination of categories, the Royal Government's admission of forced eviction of genuine Bhutanese citizens and the generous willingness to "assume full responsibility over them" has no meaning. Since the current crisis has germinated because of the manipulative regime's unscrupulous and vile manner of determining the true status of citizens, the Royal Government's unilateral categorization of people as non-Bhutanese can be ignored until such a time that there is an opportunity for people to receive a just hearing. Surprisingly, however, there are three categories above which consist of people Thimphu deigns to consider as being Bhutanese citizens. Unfortunately, all such refugees have, according to

the Bhutanese government, forfeited their right to Bhutanese nationality. The regime clearly implies that no individual has the right to dissent, and those that do pay the extreme penalty of losing their citizenship. It is also clear that Thimphu believes that any state may coerce citizens into signing documents which shall be taken as absolute proof that the person has "voluntarily and willingly" renounced his nationality. Also, according to the regime, any citizen who is forced to leave his home and country for whatever reasons loses the right to return home forever. Accustomed to making the most outrageous demands on its subjects, only the Bhutanese regime could ever hope that such immoral, unethical and legally improper terms would find international acceptance, and actually believe that the position the government has taken is tenable. How the Royal Government managed to undertake the task of identification and categorization of refugees in the camps remains a mys-

tery, but the assertiveness that the King and his Foreign Minister have shown while making frequent references to the various categories of people in the Bhutanese refugee camps may perhaps be intended to display the extent and superior competence of the Royal Network of Informers. However, when it has repeatedly expressed difficulties and inability to even determine the exact number of Royal subjects within the kingdom, let alone be capable of providing data on different categories, the show of sudden 'competence and intelligence' on unfamiliar foreign soil can only be considered hilarious. The Foreign Minister can hardly be faulted for pursuing a policy of the absurd since the most outrageous schemes of the past have brought Bhutanese diplomacy a measure of success. He might, however, do well to realize that the run of good luck is bound to turn sometime, with possibly unpleasant consequences.

**REFUGEE CAMP INFORMATION**

Location	District	Refugees	Students
Timai	Jhapa	7,999	2,674
Goldhap	Jhapa	7,818	2,500
Beldangi I	Jhapa	14,618	4,375
Beldangi II	Jhapa	25,606	5,182
Beldangi II Ext.	Jhapa	9,527	3,666
Patthri	Morang	16,399	4,541
Khujunabari	Jhapa	2,100	-
<b>Total</b>		<b>84,067</b>	<b>22,938</b>
Cumulative births:		1,789	
Cumulative deaths:		1,970	

The above figures are as of April 30, 1993.