

The Bhutan REVIEW

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News, Views and Reviews

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TEK NATH RIZAL SENTENCED TO LIFE



Before Abduction - The United Rizal Family in Thimphu

After exactly four years of detention in solitary confinement former Royal Advisory Councillor Tek Nath Rizal has been sentenced to life imprisonment by the Bhutanese regime.

Abducted from Nepal in 1989 and adopted by Amnesty International as a prisoner of conscience, the Royal Government formally charged Rizal on nine fabricated charges last December following pressure from international human rights groups over the prolonged period of unlawful detention without trial. After nearly a year, the Bhutanese High Court in Thimphu passed the sentence on 16 November.

AMAZING 'PARDON'

In a strange development, the Royal Government announced that Tek Nath Rizal had been granted conditional clemency by the King on 19 November. In this amazing 'pardon', the King has 'magnanimously' issued a *kasho* (edict) decreeing that Rizal shall be released as soon as the southern problem is resolved.

The *kasho* itself means very little and obviously offers very little by way of consolation, for it is established that release of 'political' prisoners will form a part of any southern problem settlement package. The timing of its release, however, is indeed remarkable.

For some inexplicable reason, or more likely with a definite purpose, this extraordinary bit of news about royal conditional 'clemency' was suppressed in the official me-

dia for one full week. The print media in the form of *Kuensel* could be excused for not being in a position to carry this late-breaking news of 19 November in its November 20 issue, but there is little excuse for the Bhutan Broadcasting Service with its daily 'news' service. Is the heavy hand of the censor so slow that developments in "the most significant trial", by the government's own reckoning, can only be reported days later - the verdict announced by the High Court on 16 November was reported on November 19, and the 'pardon' of 19 November was aired on November 27 - or were the days intentionally allowed to lapse to indicate that the 'pardon', like the sentence, was the product of most "reasoned judgement"?

NEPAL HAILS UNHCR EFFORTS

Responding to the statement of the United Nations High Commissioner for Refugees at the General Assembly, Nepal commended the agency for providing effective humanitarian assistance and protection to refugees around the globe under most difficult circumstances. In a written submission Nepal hailed UNHCR efforts to find durable solutions to the problems of refugees and paid tributes to those UNHCR staff who risked their own lives to alleviate the suffering of others.

The statement expressed the appreciation of His Majesty's Government to the UNHCR for providing assistance to over a hundred thousand refugees whose influx into Nepal "has aggravated the environmental degradation and social problems, and above all, put pressure on the economy of the country." The statement also expressed Nepal's strong belief "in the rights of refugees to return to their country safely and with dignity," and appreciated "UNHCR's offer of the services of its good offices in finding a durable solution to this problem."

HUROB and the Review wish all readers a Happy New Year. Some of our readers have complained of being confused by the numbering system of the Review - currently the issue for a particular month appears during the first week of the following month. Starting

this January this will be amended so that the issue for a particular month is published during the first week of the same month. This should help dispel the confusion among some of our new readers, especially those failing to scan the Refugee Information box. In order to effect this changeover, the November and December issues have been combined into this single issue of eight pages, allowing us to appear, minus any ambiguities, with the January issue during the first week of January 1994. The Human Rights Organization of Bhutan (HUROB) takes this opportunity to sincerely thank all our well-wishers for the words of encouragement and unfailing support. Through these columns we would like to say a very special **Thank You** to the numerous friends whose generous contributions have made the Review and other HUROB publications possible.

UNHCR RELEASES REPORT

Releasing *The State of the World's Refugees - The Challenge of Protection*, the first-ever report of its kind, at the United Nations in New York on November 9, the United Nations High Commissioner for Refugees (UNHCR) Sadako Ogata noted that in view of the scale of today's refugee problem, traditional methods of refugee protection were no longer adequate; they must be complemented by innovative means to prevent conditions that result in refugee outflow, and efforts to promote repatriation solutions for those who had already fled. Introducing the 191-page report, she said that refugee numbers were growing relentlessly, and that the world could not achieve a new order and emerge from its current phase of turmoil unless the problems of human displacement had been effectively addressed.

The report detailed some of the causes of refugee movements, Mrs. Ogata said, including individual persecution, massive violations of human rights and armed conflicts - all of which were exacerbated by severe economic problems which heightened social frictions. Nationalistic, ethnic or communal tensions had become the common denominator in refugee movements throughout the world.

Prevention remained the best solution to a refugee problem, she

added. The end of the ideological confrontation had given rise to unprecedented opportunities to address the causes of refugee flows through collective efforts of the United Nations and the international community. Humanitarian action of behalf of refugees must be firmly rooted in a broader framework of political initiatives, although the report warned against the politicization of humanitarian efforts.

Asylum must be preserved for those who had no option but to cross an international border in search of protection from persecution and conflict, according to the report. Further, no one should be forced to return to a country where he or she had a genuine fear of persecution, or would face danger to life and liberty.

The challenge of refugee protection in the 1990s was two-fold, the report concluded. First, international protection must be provided to those forced to flee violence and persecution through granting of asylum; second, States must accept their responsibility to respect and safeguard fundamental human rights so that people did not have to seek protection outside their own countries.

Responding to a question regarding UNHCR efforts on behalf of Bhutanese refugees in Nepal,

Mrs. Ogata said because the problem concerned a complex mix of people, the agency was trying to assist the Nepalese Government in categorizing the type of people to help in deciding who should remain.

Asked by a reporter whether donor countries were growing tired of contributing to the UNHCR, Mrs. Ogata noted that, whereas in 1992 the agency was funded well, donations were not as promising this year. However, while admitting difficulties, she said that UNHCR was not confronted with declining donations. "I have not called that 'donor fatigue' yet," she said, adding that \$800 million of a \$1.2 billion budget had been raised. She conceded that donor countries faced their own recessions, but said that UNHCR's demands were not overly great for them. She also felt that there was a need for UNHCR to link up with political initiatives and development assistance.

Meanwhile, addressing the Ad Hoc Committee meeting of the General Assembly to announce voluntary contributions to the 1994 Programmes of UNHCR on 10 November, President of the General Assembly, H.E. Mr. S.R. Insanally, noted that despite some positive developments and voluntary repatriations over the past twelve months, "the overwhelming trend remains one of flight caused by nationalistic, ethnic or communal tensions, which, more than ever before, impel refugee movements around the world. In Asia, 250,000 refugees from Myanmar have flooded into neighbouring Bangladesh, and 100,000 Bhutanese have fled to

Nepal."

Appreciating the concern and solidarity of the international community with the world's refugees, demonstrated so far through generous level of support to UNHCR activities, the President of the UN General Assembly called upon member States to "live up to their humanitarian commitments and, fully grasping the link between the refugee problem and issues of international peace and stability, respond again with generosity to the needs of the world's refugees."

See also 'The Ethnic Factor: The Nepalese of Bhutan' Page 8.

RIGHTS GROUPS CALL FOR TEK NATH RIZAL'S UNCONDITIONAL RELEASE

Marking the day of Tek Nath Rizal's abduction from Nepal by agents of the Royal Government of Bhutan, Nepalese human rights groups along with Bhutanese human rights organizations organized a peaceful rally on 16th November in Kathmandu calling for his immediate and unconditional release from prison in Bhutan. A large number of activists, supporters and well-wishers, participated in the rally which started from Singha Durbar and dispersed at the SAARC Secretariat after submitting letters addressed separately to all SAARC Heads of States/Governments. The organizers of the rally, through these letters, also urged all SAARC leaders to use their influence in pressurizing the Royal Government of Bhutan to solve the refugee problem in a just manner.

The Bhutan REVIEW

FROM PRISONER TO HOSTAGE ?

That the very core of the Bhutanese legal system, government protestations notwithstanding, has been hopelessly out of sync with the times is well known: what the frame-up of Tek Nath Rizal by the Royal Government has reiterated is the fact that 'honourable' men—Bhutan's first and only lady judge having only recently joined this all-male bastion—can, and will, display the same level of dishonourable failings common to mere mortals when operating within limits prescribed by the dictates of absolute monarchy. The 'trial' of Rizal, the recent verdict passed by the Thimphu High Court, and the subsequent royal 'pardon' succinctly bring to the fore all that is wrong with the judiciary system in Bhutan.

It would be unjust, of course, to judge the judges themselves harshly. After all, they are appointed by and remain accountable to the supreme individual in the kingdom. And, even if it is true nowhere else, in this case, in clichéd fashion, it is truly a case of the one paying the piper calling the tune.

There was thus never any doubt, from the very beginning, regarding the outcome of this 'trial': considering that in November 1989, in what was decidedly an extreme step even for the wily Bhutanese administration, risking international condemnation, the regime undertook the trouble and expense to shanghai the dissident leader from foreign territory, and held him thereafter in inhuman conditions without charge over the protests of individuals, governments and international human rights groups, the regime could hardly have allowed even the "highest court in the kingdom" to decide otherwise.

True, a few among the learned judges may have noticed the oddity in Rizal being tried according to the National Security Act legislated only in 1992. All of them would have easily recollected that he was abducted from Nepal at the end of 1989. They may not, naturally, have been aware of the exact details of his detention which included a couple of months in Thimphu itself and subsequently, until the time of the start of his trial in January this year, three years in solitary confinement, the first two in Rabuna prison in Wangdiphodrang and the next in Thimphu Central prison. Despite the knowledge of this legal impropriety in trying someone on the basis of a subsequently legislated Act, the collective strength of conviction of the judges in the "highest court in the kingdom" was obviously not enough to convince them of the need to dispute or challenge the State which reportedly framed the charges through its Home Ministry.

On the charges themselves, there is no doubt that some among the judges may have noted the contradictions and obvious frame-up. After all, they may have realized, it has been confirmed that he was abducted in the very first week of the government's swoop on dissidents; it has been ascertained beyond doubt that Rizal has been continuously behind bars since November 1989; it has been verified that he has had no access to visitors, news or mail throughout the period of his incarceration; it is common knowledge that no overt dissident activity took place until early 1990; it is also common knowledge that the first activity by the masses in southern Bhutan occurred only in September-October 1990, eleven full months after his abduction; it is also on record that the first case of open incitement to create a rift on ethnic lines appeared in the official national weekly *Kuensel* in late October 1990. Yet, according to the Home Ministry, the prisoner they themselves held, in the Bhutanese version of maximum security, was conducting his alleged business of harming the State almost as if directly wired to each and every southern Bhutanese.

Notwithstanding all the conspicuous pointers to an obvious frame-up, the highest court in the country found Rizal guilty enough to be awarded a life sentence. Even though the government clearly believed that it had an open-and-shut case—why else would they confidently and stubbornly hold him in custody for so long—the prolonging of the 'trial' to close to a year was obviously meant to convey the impression that justice had been served and that diligence, much hard work, patient hearings and close scrutiny of 'witnesses' went into ensuring a properly considered verdict. While this might have been partly true, the subsequent decision emanating from the palace only days later has proven, unintentionally but conclusively, how futile the contrived efforts of the judiciary system were, and how worthless the "reasoned judgement".

The Royal pardon granted even before the enormity of the sentence itself had sunk in has not come as a surprise to Bhutanese in exile. If the Bhutanese refugee community fails to draw comfort from this latest pitch, and is seen to be less than enthusiastic over the 'magnanimous' gesture, it is because plainly the point of this latest exercise was for the regime to score on the public relations front. The King's seemingly generous conditional royal pardon, which will allow Rizal freedom once the southern issue is resolved, must be seen for what it is, a statement of the obvious since the resolution of the southern problem in any case must, and will, include appropriate reforms and release of all 'political' prisoners. For the time being, all that the provisional clemency has done is to turn Tek Nath Rizal from prisoner to hostage.

ROOFTOP REFUGEES

Ethnic Nepalese Stranded Outside Bhutan

By Hamish McDonald in Bhadrapur, Nepal

Over the past couple of years, the Far Eastern Economic Review published weekly in Hong Kong had managed to stand out singularly in its failure to present a balanced picture of the Bhutanese crisis. In fact, even as their colleagues at *Asiaweek* next door chipped away at the phony facade of godliness created by the regime in scathing editorial comments, FEER ran a fairy-tale story in its yearbook early this year. In the person of Hamish McDonald, for the first time, FEER visits Bhutanese refugee camps and listens to the refugees' story. This is his report in the November 11 issue.

Darkness falls on Goldhap Camp and the crowd, watching teenagers kick around a soccer ball, thins out and melts into a line of thatch huts. Bhawani Shankar Dhungana and some other older people sit on rough wooden benches in an open-sided shelter, light up kerosene lamps that cast a dim glow on their weather-beaten faces, and talk about their exile.

Dhungana was imprisoned for two years, his 3 hectares of land seized by officials, and he has been disowned by his government. But after a year in Goldhap, Dhungana said: "I am ready to go back at this second if the chance comes. It is my land, the only property I have. I do not like to stay here."

Dhungana and his group are among some 85,000 uprooted Bhutanese living in eight camps strung around this southeastern corner of Nepal. Miserably poor and ragged, their presence haunts their homeland, Bhutan, a tiny nation that once seemed to sit serenely above the world's troubles in the high Himalayas, ruled by a handsome and enlightened king.

But remote as they are, these refugees are not as isolated as they think: indeed, how their fate is settled could well influence the geopolitics of a region where the world's two biggest nations, India and China, meet along a broken, disputed border and in which India is engaged in almost continuous battle with hill tribes to secure the rich Brahmaputra valley.

After nearly two years of diplomatic inaction, Bhutan and Nepal held their first ministerial-level meeting in Kathmandu on 4-7 October to work towards a settlement. But because the two countries are so far apart on basic issues, and are approaching the negotiations with no obvious sense of urgency—the next meeting is not likely until February—Dhungana and his compatriots could be stuck in the camps for many more years.

By the camp-dwellers' own account, accepted by many outside observers, they are victims of a kind of ethnic cleansing launched by Bhutan's dominant group against the Nepalese minority. The language of the Buddhist Bhutanese is closely related to that found in neighbouring Tibet, while the Nepalese are Hindus. When the ethnic Nepalese, who made up more than one third of Bhutan's 600,000 population and lived mostly in southern lowlands, started protesting in September 1990 against attempts to make them use the national language, Dzongkha, and wear the Bhutanese dress, the army and police started driving them out of their homes.

The Bhutanese Government of King Jigme Singye Wangchuck claims that most of the refugees are not from Bhutan at all. Instead, it says, they are from Nepal or India, attracted by the free food, shelter

and medicine in the camps. Alternatively, the camp-dwellers are described as recruits for a Trojan Horse being readied by proponents of a "Greater Nepal," whose aims are to overwhelm Bhutan and the neighbouring Indian hill regions such as the former kingdom of Sikkim, now an Indian state, as well as parts of Assam. In this version, the victims of the story are not ethnic Nepalese, but the tiny ethnic Bhutanese population.

Publications from Thimphu, the Bhutanese capital, detail a mounting campaign of murder and terror by the Greater Nepal nationalists starting in the late 1980s. This campaign continues, Thimphu alleges, with Nepal supplying former Gurkha soldiers to train and arm infiltrators in bases close to the refugee camps.

That the refugees are all ethnic Nepalese, and that they arrived sometime in the past three years, is agreed. So is the approximate start of the troubles, around 1988 when Thimphu attempted a detailed census of the southern Bhutan population to see how many Nepalese had settled across the open border. But beyond that, independent verification is difficult. Thimphu has a tight policy on foreign visitors. Only about 3,000 tourists are given visas each year, and most stay in the north for the spectacular mountain scenery and Buddhist institutions, rather than the steamy south.

However, the people in the camps do seem to display a deep familiarity with southern Bhutan, and have consistent stories. The government's accounts, meanwhile, are flawed by a major inconsistency: while denying that most of the camp-people are refugees, it acknowledges the mounting efforts by King Wangchuck in 1991 and 1992 to persuade ethnic Nepalese not to leave.

Dhungana said he was in a demonstration on 21 October 1990, in Gaylephu, located in the district of Sarbhang. The demonstration was called because the use of Nepalese had been banned in primary schools, people were being fined for not wearing Bhutanese dress at all times, and women were having their hair forcibly cut in the Bhutanese style. He was arrested a month later, and released only in September 1992. He left the following week to join his family, who had already fled via India into Nepal.

Thakur Prasad Luitel, also from Sarbhang district, was arrested by a party of army and police who came to his farmhouse on 3 November 1990. Luitel's wife, Dhanmaya, said their 17-year-old daughter Janaka died as a result of being gang-raped by members of the arresting party. "I saw many police and army go into the house, and heard my daughter

Janaka cry out," she said. "When they left I found her unconscious. I could not take her to the hospital, and she died three days later." Dhanmaya hung her head in embarrassment and wept when asked about signs of the assault. Other refugees recounted repeated threats and intimidation to make them leave Bhutan, including forced signatures of "voluntary emigration forms."

The camps are certainly not idyllic, even set against the impoverished background of Nepal. The UN High Commissioner for Refugees (UNHCR) supplies basic rations and medical assistance, but malnutrition and health problems hover not far away. Cholera is a constant worry at the biggest camp, Sanischare, where 16,500 people live in huts made of bamboo, thatch and plastic sheeting on recently cleared forestland. Many of the latrines collapsed during this year's monsoon, and the resulting spread of human waste threatens to contaminate the wells, the camp's only supply of water.

UNHCR officials said arrivals in the camps peaked in April-July 1992, when up to 1,000 [10,000—monthly] people crossed into Nepal. More recently, Bhutan seems to have softened its policies. In June, the UNHCR set up a reception centre at the usual border-crossing point to screen new arrivals, allowing in only people with genuine reasons to fear persecution. As a result the numbers have since fallen to a trickle.

"The criteria we have announced for eligibility are pretty well known through the grapevine," said the UNHCR's representative for Nepal, Tahir Ali. "The people who turn up are by and large people who meet these criteria. It appears that the major crisis is over."

Both Bhutan and Nepal have come under strong pressure from India to solve the refugee issue bilaterally. Both lean quite heavily to New Delhi. Nepal is currently ruled by the pro-Indian Nepal Congress government, and by treaty Bhutan consults India on defence and foreign policy.

Some diplomats, however, regard a bilateral approach as a "strait-jacket" which could prevent an early solution, and think third-party involvement is necessary to fix the basic grounds for negotiation. "They have set themselves a very slow timetable and many steps have to be taken before anything substantial materialises," one senior diplomat said, referring to the recent ministerial talks. "When they come to the heart of the matter, I can't see how they will do it in a bilateral framework and perhaps they do need some kind of third element. The vast majority of cases are going to be in dispute: how are they going to resolve them?"

FORCED EVICTIONS

A GROSS HUMAN RIGHTS VIOLATION

In the face of growing concern worldwide regarding forced evictions and displacement of people, a South Asia Regional Consultation was held in Kathmandu from 8-11 November 1993. Organized by YUVA, Bombay and co-hosted by INSEC, Kathmandu, the meeting was attended by 34 participants from Bangladesh, Bhutan, India, Maldives, Nepal and Pakistan. Such interaction was felt necessary in order to develop a common perspective and initiate joint action agendas in coordination with one another from the region.

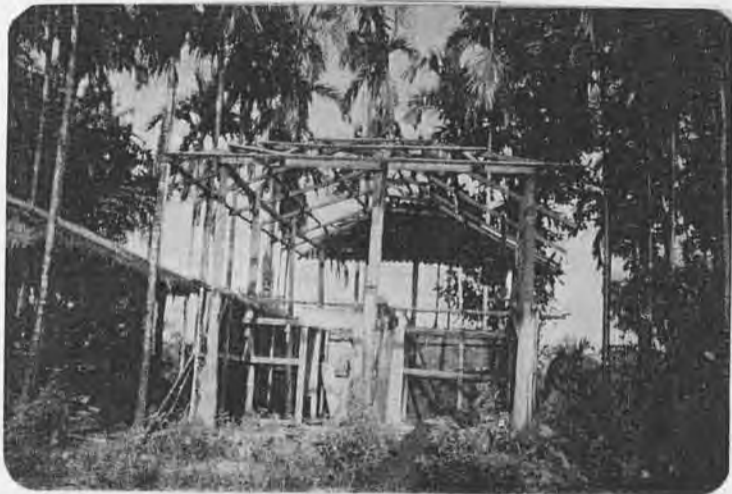
Contravening numerous international legal human rights instruments, forced eviction is rampant in the region. Based on reports of the growing practice of forced evictions in different parts of the world including many South Asian countries, the United Nations Commission on Human Rights adopted a historic resolution in March 1993. The resolution declares that forced evictions are "a gross violation of human rights, in particular the right to adequate housing". The resolution also urges Governments to confer legal security of tenure to all persons currently threatened with forced eviction and to adopt all necessary measures giving full protection against forced evictions, based upon effective participation, consultation and negotiation with affected persons or groups.

In the light of this background, the meeting urged South Asian governments to recognize the human rights dimensions of forced eviction, to ratify international instruments and also to respect the obligations contained in the constitutional provisions and international instruments. The participants also called upon concerned NGOs and other organizations to continue to put pressure on governments to follow the directives as laid down by the UN Commission for Human Rights.

In drawing up a Plan of Action, the participants considered documentation and information dissemination as vitally important and agreed, among other issues, to start a Regional Newsletter on Eviction and Displacement. Considering the gravity of the problem of Bhutanese refugees in Nepal, the participants also decided to take up the issue of Bhutanese refugees as a special programme for the next six months to build pressure on the Bhutanese government to amicably resolve the problem. In a letter addressed to His Majesty the King of Bhutan, the participants urged the Royal Government to:

immediately halt further eviction of people from Southern Bhutan,
repeal all repressive laws in order to pave the way for safe repatriation of all the Bhutanese refugees back to Bhutan,
repatriate with dignity and honour all the Bhutanese refugees who have taken asylum outside the Kingdom since 1988,
grant human rights including the right to nationality,
restore all land and property confiscated by the Royal Government from the refugees, and
immediately halt any plan of resettlement in southern Bhutan.

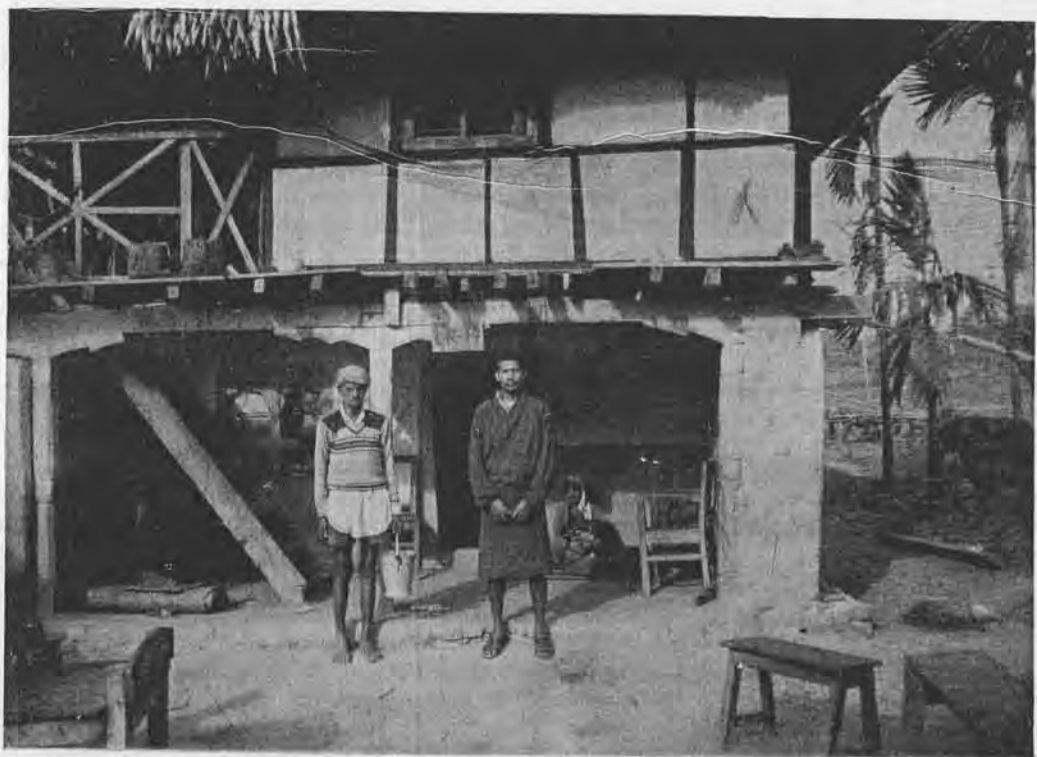
Houses in southern Bhutan destroyed by the Royal Bhutan Army



In Gaylegphug, Sarbhong District, early 1992.



In Chargaray, Samchi District, March 1993.



PHOTOS TELL A TALE OF WOE

27 year-old Shivalal Chapagai who had himself photographed with his 68 year-old father, Gauri Kanta Chapagai, in front of his house in southern Bhutan four years ago is snapped recently in front of his refugee hut.

A resident of Lodrai village in Gaylegphug Block under Sarbhong district, Chapagai has his land registered under *Thram* (land deed) No.25 and had a house numbered LR/14.

Chapagai worked in the Department of Power as a Meter Reader. The nature of his duties took him around the villages where invariably views were exchanged about the repression going on. On being informed by friends that his arrest by local authorities was imminent, Chapagai fled the country on 17 July 1992. The next week, on 22 July, his house was destroyed. The photograph of the ruins was taken recently.

Chapagai currently lives in Hut No.16, Sector D, Goldhap Refugee Camp.

1993

JANUARY

Human Rights Organization of Bhutan (HUROB) launches publication of a monthly news bulletin, The Bhutan Review. Bhutanese citizens of Indian origin evicted by the government arrive in the refugee camps in Nepal. Red Cross Society in the United Kingdom initiates fund raising drive to assist Bhutanese refugees in Nepal.

Reports of unprecedented dissent in the monk body in Tongsa with poster campaigns around Tongsa and Bumthang. 4: The King of Bhutan arrives in India "to extend solidarity and support of the Bhutanese people to the Government and people of India, at a time when India faced a very difficult situation." However, the opportunity is mostly used to make scathing attacks on Bhutanese dissidents as well as the Nepalese government. 20: Mr Bill Clinton takes over as the 42nd President of the United States of America with, among others, the following inaugural words: "Our hopes, our hearts and our hands are with those on every continent who are building democracy and freedom. Their cause is America's cause." 20: International Committee of Red Cross (ICRC) starts a week-long visit to Bhutan. The first visit to the country by the ICRC, its purpose is to study the conditions of prisons and prisoners in the country. 22: The King of Bhutan begins a private visit to Calcutta, India. During his stay in Calcutta, the King meets Mr Jyoti Basu, Chief Minister of West Bengal and veteran leader of the Communist Party of India (Marxist). He also meets other prominent politicians.

FEBRUARY

The Canadian International Development Agency (CIDA) announces its plans to eliminate bilateral aid programmes to some fourteen countries, seven each in Africa and Asia, including Bhutan. 3: Bhutan Broadcasting Service (BBS) reports of a number of Bhutanese vehicles being robbed by armed Bodo (tribals fighting for separate homeland in Assam, India) activists near the Bhutan-India border at Nanglam in Samdrup Jongkhar, Bhutan. 5: BBS reports of an attack on the house of Kinzang, a resident of Daifam in eastern Bhutan by ten Bodo militants. 21: Mr Tahir Ali, Resident Representative of UNHCR in Kathmandu states that the UNHCR headquarters in Geneva had established contact with Thimphu and proposed to send a team to Bhutan. 27: India-Bhutan cooperation in water resources comes up for discussion at a meeting in Kathmandu on "Cooperative Development of Himalayan Water Resources." 28: A joint delegation of human rights organizations of Nepal call on Prime Minister Girija Prasad Koirala and urge him to raise the issue of Bhutanese refugees at the 49th session of the United Nations Commission on Human Rights in Geneva.

MARCH

8: The Afro-Asian People's Solidarity Committee Central Secretariat in its two-day deliberations convened in Kathmandu on 'Recent World Trends' denounces the Bhutanese government and calls for the safe return of the Bhutanese refugees with dignity and honour. 11: The World Food Programme (WFP), the food aid organization of the United Nations system, announces additional food assistance to about 85,000 Bhutanese refugees in Nepal for the next six months. 19: The Government of India offers a loan of IRs. 250 million to the Royal Government of Bhutan. 22: The School of Oriental and African Studies (SOAS), London, organizes a two-day conference on "Bhutan - A Traditional Order and the Forces of Change". 25: A four-day Asia-Pacific Conference of NGOs on Human Rights passes a resolution drawing the attention of the world community to human rights violations taking place in Bhutan. 29: A five-day Asia-Pacific Conference on Human Rights opens in Bangkok, Thailand.

APRIL

5: Political Science Association of Nepal (POLSAN) organizes a discussion programme on the problem of Bhutanese refugees and concludes that only political pluralism and respect for human rights could bring a far reaching solution to the problem. 9: On the eve of SAARC Summit in Dhaka, the King of Bhutan and the Prime Minister of Nepal meet and discuss the issue of Bhutanese refugees in Nepal. 12: On his return from the SAARC Summit in Dhaka, Prime Minister Girija Prasad Koirala announces the failure of bilateral talks. 17: Bhutan Broadcasting Service (BBS), for the first time announces the failure of bilateral talks with the Nepalese Prime Minister on the issue of Bhutanese refugees in Nepal. The announcement also acknowledges the existence of people in the camps in Nepal who have actually been evicted from the country. 18: Bhutan's Foreign Minister, Dawa Tsering, in an interview with the BBC accuses the Nepalese government for the current refugee problem but at the same time confesses that there are about 50,000 Bhutanese in the refugee camps in Jhapa. 20: Nepalese Prime Minister Mr. Girija Prasad Koirala briefs diplomats based in Kathmandu on the failed talks between him and the King of Bhutan. 23: Nepal's National Planning Commission Vice-Chairman at the 49th session of ESCAP in Bangkok calls for more assistance to support Bhutanese refugees in Nepal. 23: The President of the Commission of the European Community raises the issue of Bhutanese refugees in Nepal with the Nepalese Ambassador to the European Community. 24: In an interview to the Voice of America, Prime Minister Girija Prasad Koirala voices Nepal's willingness to hold direct bilateral talks with the King of Bhutan to resolve the refugee problem. 25: The Nepalese Prime Minister despatches a letter to the King of Bhutan. 28: The United Nations today completes the repatriation of 361,456 Cambodians to their homeland; about 700 refused to return. 29: Quoting the Operation, Monitoring and Implementation Unit (OMIU) and UNHCR sources, The Rising Nepal reports that over 97% of the people in the refugee camps possess documentary evidence to prove they are Bhutanese citizens.

MAY

First Secretary of the Japanese Embassy in New Delhi, Mr Fujio Samukawa visits refugee camps in eastern Nepal. Albert Einstein Scholarship of the German Government (DAFI) awarded to 55 Bhutanese refugee students to continue post-secondary education. 5: Nepalese Minister of State for Finance, Mr Mahesh Acharya, raises the issue of Bhutanese refugees in Nepal at the 26th annual meeting of the Asian Development Bank in Manila. 7: Indian Army General, Lt. Gen Jameel Mahmood, GOC, Eastern Command, along with his wife and seven others killed when the MI-8 helicopter carrying them crashes minutes after take-off from Haa, near Thimphu, Bhutan. 11: The Government of Canada provides C\$ 150,000 humanitarian assistance to Bhutanese refugees in Nepal. 13: Talking to reporters in Gauhati, India, Bhutanese Home Minister Dago Tshering offers Bhutan's help to India to flush out Indian outlaws from Bhutanese territory. 13: The International Council, a 20-member group of former heads of Governments which met in the Chinese city of Shanghai, briefed on the problem of Bhutanese refugees in Nepal by former Nepalese Prime Minister Kirti Nidhi Bista. 25: In an interview to the BBC, the Bhutanese Foreign Minister indicates that Bhutan would soon begin dialogue with Nepal. 26: The British Ambassador in Nepal, H.E. Mr Timothy J.B. George, visits refugee camps in eastern Nepal. 26: In response to the Nepalese Prime Minister's letter offering to continue bilateral dialogue to resolve the problem of Bhutanese refugees, the King of Bhutan sends a communication inviting a ministerial level delegation to Bhutan.

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INTERNATIONAL COMMITTEE OF RED CROSS (ICRC) VISITS BHUTAN

The Human Rights Organization of Bhutan (HUROB) welcomed the international committee of Red Cross (ICRC) to Bhutan in a delegation of five members... The visit of ICRC delegation to the country was certainly a step in the right direction, but it is yet to be seen whether the government will touch...

KING VISITS DELHI AND CALCUTTA

There is no denying the solidarity and support of the Bhutanese people to the Government and people of India, at a time when India faced a very difficult situation... The King's visit to Delhi in the last of a four day state visit to India on January 1, 1993... The King's visit to Calcutta, India... The King meets Mr Jyoti Basu, Chief Minister of West Bengal and veteran leader of the Communist Party of India (Marxist). He also meets other prominent politicians.

SHAME ON US

The King's visit to Calcutta, India... The King meets Mr Jyoti Basu, Chief Minister of West Bengal and veteran leader of the Communist Party of India (Marxist). He also meets other prominent politicians.

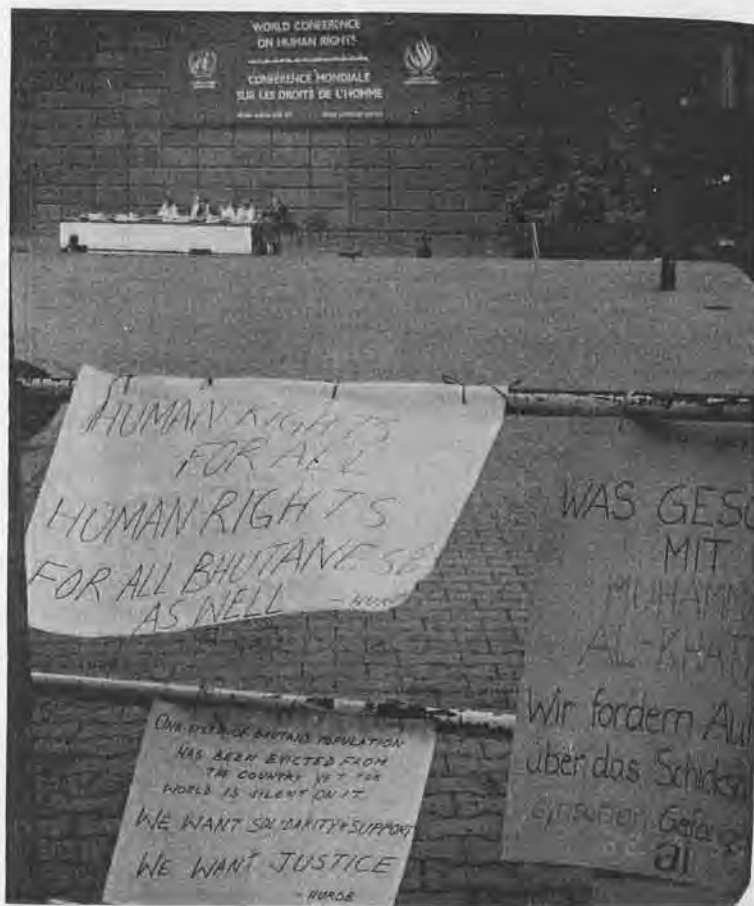
Maiden Issue of the Review



The Bhutanese Monarch and Nepalese Prime Minister in Dhaka



Refugees Still Trickle In



The World Conference on Human Rights, Vienna



The Bhutanese Monarch and the Indian Prime Minister



Signing the Joint Communique

JUNE

- 4: Senior socialist leader of India, Prof. Madhu Dandavate, deplores India's inability to help democratic movements in neighbouring Bhutan and Burma.
- 14: To address major human rights issues confronting the world, the Second World Conference on Human Rights begins in Vienna, Austria. The Royal Government is represented by a four-member delegation. Five participants from Nepal-based Bhutanese dissident groups, including two from HUROB, also attend.
- 16: In Vienna, the Nepalese Home Minister meets separately with the Foreign Ministers of Denmark and Norway. He briefs them about the problem of Bhutanese refugees in Nepal.
- 17: The Nepalese Home Minister holds talks in Vienna with the Swedish Minister for Development Cooperation and Human Rights Issues and briefs him on the problem of Bhutanese refugees in Nepal.
- 24: In its programme "Outlook", the British Broadcasting Corporation (BBC) features Tek Nath Rizal as the day's prisoner-of-conscience.
- 25: The second World Conference on Human Rights in Vienna concludes.

JULY

- 1: Addressing the joint session of Nepalese Parliament, His Majesty King Birendra Bir Bikram Shah Dev says "Nepal will continue diplomatic efforts for an early solution of the Bhutanese refugees problem."
- 8: The 72nd session of the Bhutanese National Assembly begins.
- 9: The plight of Bhutanese refugees is discussed in distant Osaka, Japan, at a talk programme organized by Amnesty International, Kansai Chapter.
- 15: A Nepalese delegation led by Home Minister Mr Sher Bahadur Deupa arrives in Thimphu for first Bhutan-Nepal talks.
- 18: Nepal and Bhutan agree to form joint ministerial-level Committee.
- 21: Severe floods in Nepal. Loss of many lives.
- 27: European Community's Executive Commission announces emergency aid worth US \$600,000 for Bhutanese refugees.
- 28: Seminar on Bhutan takes place at the India International Centre, New Delhi. Former Ambassador of India to Bhutan, Mr Salman Haidar says resolution of the Bhutanese refugee situation in India's interest as well.
- 30: U.S. Congressmen write to the King of Bhutan expressing concern over human rights situation in the kingdom and asking the monarch to facilitate the early return of Bhutanese refugees.

AUGUST

- Bhutanese refugees skip a meal and donate the collection of rice, pulses and money to flood victims.
- 5: King Jigme Singye Wangchuck in a letter to the Nepalese Prime Minister expresses sympathy over the tremendous loss of lives and property in Nepal due to the devastating floods in the kingdom.
- 5: Netherlands Minister for Development Cooperation, Mr J.P. Pronk, accompanied by his wife and six officials in Bhutan on six-day official visit.
- 20: One-day talk programme on Bhutan at the Nepal International Centre. "Key to refugee problem lies with India," say foreign policy experts.
- 21: The first visit in five years by an Indian Prime Minister - Mr P.V. Narasimha Rao arrives in Paro.
- 22: "We are convinced that quiet diplomacy, carried out between Bhutan and Nepal, offers the best chance for working out a solution to this difficult question. I am confident that our friends in Bhutan and Nepal have the wisdom and ability to tackle and solve even this difficult question," says Rao.
- 31: Nepalese Foreign Secretary Mr Yadav Kant Silwal reiterates Nepal's commitment to resolve the Bhutanese refugee problem, whether through bilateral or trilateral talks.

SEPTEMBER

- 1: U.S. Assistant Secretary of State for South Asian Affairs Robin Raphel says both Bhutan and Nepal have been urged to speedily resolve the problem of Bhutanese refugees.
- 6: New UNICEF Representative Stewart McNab arrives in Bhutan.
- 17: Bhutanese Princess Ashi Deki arrested in Taiwan for smuggling 22 rhino horns valued at US \$740,000 into the Island from Hongkong. Stated to be Taiwan's biggest haul of endangered wildlife parts.
- 29: The Government of India sets up Human Rights Commission with sweeping powers to protect human rights violations, including those by army and paramilitary forces.
- 29: Indo-Bhutan Plan Talks conclude in Thimphu with two governments completing discussions on nearly 90 projects.
- 30: An earthquake measuring 5.4 on the Richter scale rocks Maharashtra and neighbouring states resulting in death toll of over 21,000.
- 30: World Food Programme (WFP) announces additional assistance of US\$1.7 million for Bhutanese refugees.

OCTOBER

- Nobel Peace Prize awarded jointly to African National Congress leader Mr. Nelson Mandela and South African President, Mr. F.W. de Clerk for their contribution in ending apartheid and taking the country towards democracy.
- 3: Prime Minister Koirala calls an all party meeting to discuss Bhutanese refugee problem.
- 4: Bhutanese delegation led by Home Minister Dago Tshering arrives Kathmandu and calls on the Prime Minister at his residence.
- 5: First meeting of the Joint Ministerial Committee held in Kathmandu. Home Minister Deupa hosts reception in honour of the Bhutanese delegation.
- 6: His Majesty the King of Nepal grants audience to the Bhutanese Home Minister.
- 7: Bhutanese delegation returns home after completing the first round of Joint Ministerial Committee meeting. The meeting agrees to categorization of refugees.
- 11: DANIDA agrees to provide Nu. 425 million assistance to Bhutan for sewerage and water supply systems in major towns.
- 13: The Nepalese Prime Minister briefs U.N. Secretary General Dr. Boutros Boutros-Ghali on Nepal-Bhutan talks to resolve the problem of Bhutanese refugees in Nepal.
- 15: Bhutanese Human Rights groups and political parties react to the outcome of the Joint Ministerial Meeting.
- 21: The Australian Minister for Development Cooperation, Mr. Gordon Bilney, announces additional AU\$ 100,000 assistance for Bhutanese refugees.
- 21: Swedish King Carl VI Gustaf and Queen Silvia arrive in Bhutan on a private visit.

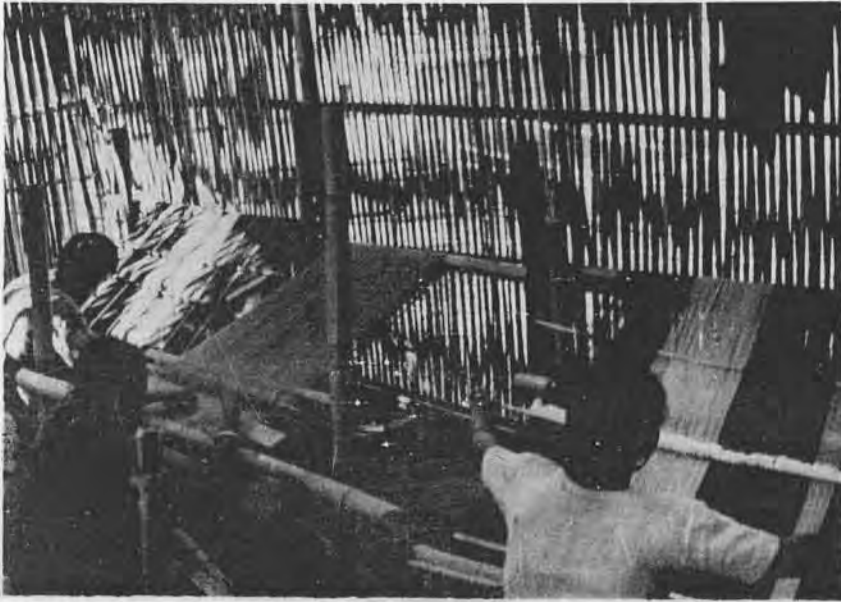
NOVEMBER

- 3: 35 Non-Governmental Organizations participating in the South Asian conference of PARINAC in Kathmandu demand a review of the categorization agreement between Bhutan and Nepal.
- 9: Nepalese statement at the UN General Assembly hails UNHCR efforts, expresses appreciation for assistance provided to refugees in Nepal.
- 10: International Committee for Red Cross (ICRC) and Bhutan sign Memorandum of Understanding for regular visits and access to Bhutanese prisons and prisoners.
- 10: *The State of the World's Refugees - The Challenge of Protection*, the first-ever report of its kind, released by United Nations High Commissioner for Refugees Mrs. Sadako Ogata in New York.
- 16: Nepalese Human Rights Organizations and Bhutanese in exile organize rally in Kathmandu for release of Tek Nath Rizal.
- 19: The Bhutan Broadcasting Service (BBS) belatedly announces that Tek Nath Rizal has been sentenced to life by the High Court on 16 November.
- 23: Prime Minister Zia addresses SAARC Ministerial conference on Women and Family Health in Kathmandu, Nepal.
- 27: *Kuensel* carries the story of conditional pardon for Tek Nath Rizal. According to the story, the 'pardon' was issued on November 19, a day before the story of his sentence itself was printed in the weekly.
- 28: A week after the fact, after it was printed in *Kuensel*, the government radio station BBS announces the news of the conditional royal pardon granted to Tek Nath Rizal.

1993

THE YEAR IN REVIEW

CAMP-LIFE IN PICTURES



AT WORK... Weaving Blankets



AT PLAY... Camp Children



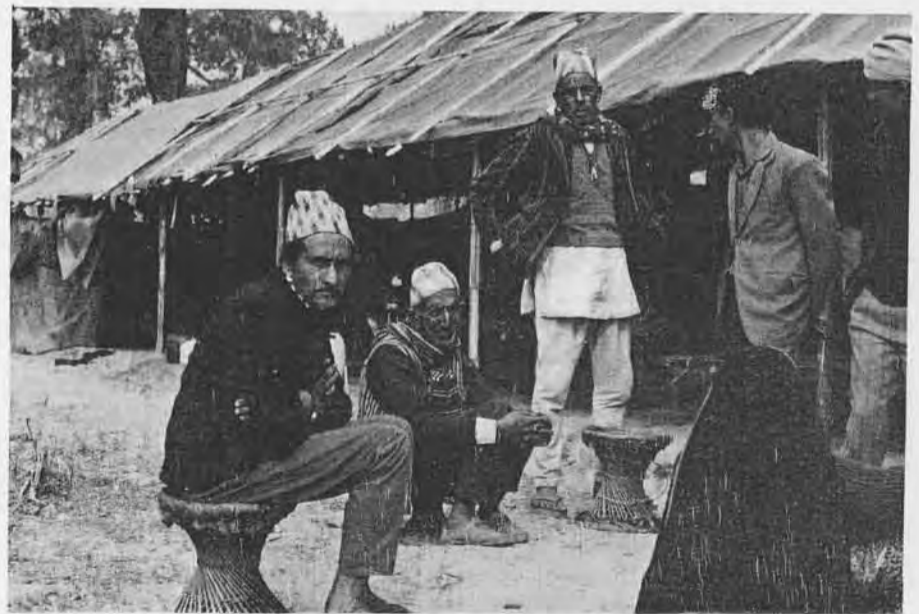
IN SEARCH OF KNOWLEDGE... The Formal Way



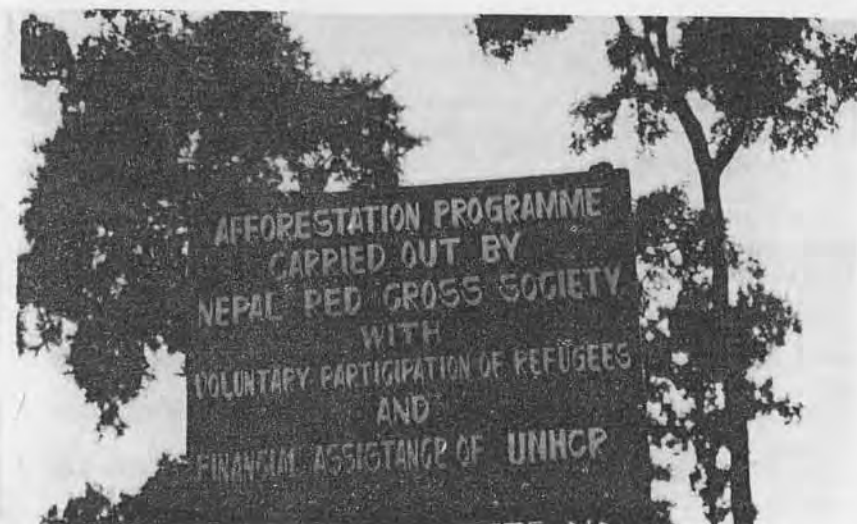
IN SEARCH OF KNOWLEDGE... The Non-Formal Way.



RECREATION... Youth at Carroms



KILLING TIME... Idle Village Elders



HELPING HAND... For the Environment



LIFE IN EXILE... Pathri (Sanischare) Camp

MOCKERY OF JUSTICE : 'TRIAL' OF TEK NATH RIZAL

On 16 November 1993, Tek Nath Rizal was sentenced to life by the Bhutanese High Court. It was exactly on this day four years ago that he was kidnapped by agents of the Royal Government of Bhutan from Birtamod in Jhapa district in south-eastern Nepal.

After over three years in prison without trial, all the time in shackles and solitary confinement, the government yielded to pressure from international human rights groups and finally registered a case against him in the Thimphu High Court on December 29, 1992. A 'trial' was supposedly conducted and the case heard by the 'honourable' judges over a period of almost one full year. Surprisingly, considering the enormity of the accusations against Rizal and the show put up earlier by the Royal Government for the 'trial' of 41 *ngolops*, nothing further was heard of the proceedings. Now, a year later, cruelly timed to coincide with the date of his abduction, Rizal's 'trial' has been deemed to have ended and a verdict of life imprisonment has been pronounced.

Claiming that Tek Nath Rizal was 'arrested' in Nepal in 1989, the official Bhutanese media described him as "the mastermind behind the antinational movement," and announced that of the nine charges brought against him by the Home Ministry, he "was found guilty of four" while "two were dismissed, two were found redundant and one was deferred." The High Court "found him guilty of violating the National Security Act by instigating, initiating and carrying out harmful activities against the *Tsa Wa Sum*." There were reportedly 33 hearings in this 'trial' and 15 witnesses appeared in the court.

A year ago, denouncing the start of the farcical trial, in the January issue of the Review we had written thus:

"Tek Nath Rizal, a member in the National Assembly from Lamidara in Chirang district, was elected to the Royal Advisory Council by the National Assembly in October 1984 to represent the people of Chirang and Samchi districts. In 1988 the royal government began a census exercise in the southern districts based on the 1985 Citizenship Act. While the Act contained specific provisions that discriminated against Bhutanese of Nepalese ethnicity settled in the south, the people became agitated by the manner of implementation which appeared to be explicitly designed to ensure that genuine citizens based on 1958 as the cut-off year could be categorized as illegal immigrants. Presuming this to be the result of misinterpretation by the administration rather than a deliberate government policy, the people, according to accepted practices for taking their grievances to the monarch, approached their elected representatives to seek a remedy from the king. Tek Nath Rizal sought an audience and apprised the monarch of the fears of the people and begged a review of the situation which had caused his subjects in the south grave anxiety. On being commanded by the monarch to submit his points in writing, Rizal solicited the help of senior southern Bhutanese

bureaucrats and submitted a petition, jointly signed by the then two southern Bhutanese councillors, on April 9, 1988.

Rizal, who by virtue of his position as Royal Advisory Councillor was also a member of the Cabinet, was forbidden from participating in the June 1, 1988 Cabinet session when the petition was termed seditious and tantamount to treason. He was subsequently arrested, detained and tortured. Although an elected member, his services were terminated. He was released after being forced to sign a confession-cum-agreement which included, inter-alia, a stipulation barring him from meeting more than three people at a time. The tension of constant surveillance and fear of being re-arrested with fatal consequences, as per the agreement, forced him to leave the country in July 1988. After spending some time with friends in India, he sought sanctuary in Birtamod, Jhapa, Nepal.

Meanwhile, conditions in Bhutan had deteriorated with the regime introducing new discriminatory policies and regulations. This increased the fears of southern Bhutanese. Rizal who had maintained his links with people in Bhutan remained fully aware of the situation. The People's Forum for Human Rights was formed in exile at Birtamod under the Chairmanship of Tek Nath Rizal. It is significant that contrary to allegations of 'political motivation' of southern Bhutanese, the first organization in exile chose to address the basic issue of fundamental rights in the kingdom. However, before any serious activity could be initiated Rizal was abducted from his house by agents of the royal government abetted by Nepalese police on the night of November 15, 1989. He was flown out of Kathmandu under escort by a special Druk Air flight.

Subsequent to the arrest of Rizal the number of people outside the country increased as many youth fled Bhutan fearing arrests. Even in the absence of Rizal the people in exile rallied behind PFHR under new leadership. On September 7, 1991, PFHR was formally renamed the Human Rights Organization of Bhutan (HUROB) with all the existing office bearers retaining the same offices in HUROB, and Rizal continues to be its Chairman.

According to the government's only weekly, *Kuensel*, "Tek Nath Rizal will be tried on nine specific charges which include acts of treason against the *Tsa Wa Sum*, attempts to create misunderstanding and hostility between the royal government and the governments of friendly countries, instigating and writing seditious literature against the *Tsa Wa Sum*, sowing communal discord in the kingdom, and personally organizing and initiating underground activities against the royal government. Tek Nath Rizal has been charged with fomenting and masterminding the current disturbances in Southern Bhutan, beginning with the deliberate misinterpretation of the royal government's census policy in 1988 to planning, directing, and coordinating subversive activities against the royal government before his extradition from Nepal at the end of 1989. Some of Tek Nath Rizal's

objectives undermined the sovereignty and independence of the Kingdom itself, according to the spokesman of the Home Ministry. The Home Ministry spokesman pointed out that every charge against Tek Nath Rizal could be categorised as treason since they constituted serious violations of both the *Thrimshung Chhenpo* (General law of the land) and the National Security Act, 1992."

The decision of the regime to produce Rizal before a court of law would have been welcomed were it not for the fact that the malafide intentions of the government are patently obvious. The regime kept Rizal in custody for over three years in the absence of any specific charges while it continued with repressive measures that led to the escalation of the crisis. The government has now come up with a case built primarily upon circumstances and events that have taken place while Rizal was held incommunicado in solitary confinement. Rizal has undeniably been the rallying point for all Bhutanese in exile. However, the extrapolation by the regime to implicate him for events over the last three years clearly signifies the extent of fabrication of charges.

1. Rizal who has been incarcerated since November 15, 1989, is being charged with violations of the National Security Act enacted only in 1992, a legally improper and unacceptable procedure.

2. Rizal has already been penalized for his part in "writing seditious literature", the April 1988 appeal to the king, and hence cannot be retried for the same crime.

3. The charges against Rizal with regard to "fomenting and masterminding the current disturbances in Southern Bhutan" is a case of extreme extrapolation of events and circumstances. Rizal had already spent 11 months in solitary confinement before the September-October 1990 peaceful demonstrations by the people in southern Bhutan against the repressive policies of the government.

4. Rizal cannot be charged with "sowing communal discord" since he was already in prison for exactly a year before the regime itself took the issue to the other communities in November 1990. Till then all other ethnic communities remained largely unaware of unrest in southern Bhutan generated by government policies and regulations.

5. The charges against Rizal for "personally organising and initiating underground activities against the royal government" and "planning, directing, and coordinating subversive activities against the royal government before his 'extradition' from Nepal at the end of 1989" can only hold in a country where an individual cannot express dissent against violation of fundamental rights by a government. Until the time of Rizal's abduction, the only platform created was the People's Forum for Human Rights to protest the blatant violation of human rights in the kingdom.

6. The charge that "Rizal's objectives undermined the sovereignty

and independence of the kingdom itself" is exactly the reverse of the contention made by Rizal in his appeal of April 9, 1988 wherein, as an elected representative of the people, he petitioned the monarch for immediate justice to avoid a situation that would place the nation in jeopardy."

These arguments of a year ago still remain valid. Imprisoned since 1989 for his convictions and the courage to speak out, Rizal has now been sentenced to life for "violating" the National Security Act which was itself only legislated at the end of 1992; he has also been charged with and found 'guilty' of "masterminding", "instigating" and "initiating" activities against the State even though he has been in solitary confinement without visitation rights for four years. In the 'trial' of Tek Nath Rizal, justice has not simply been denied: through denial of the right to a fair trial, the Bhutanese regime has made a total mockery of justice itself.

MEDIA SCAN

BHUTANESE DISSIDENT IMPRISONED FOR LIFE

Bhutan's main political dissident has been sentenced to life imprisonment by the high court of the tiny Himalayan kingdom for anti-national activities, Bhutanese radio reported. The Bhutan Broadcasting Service (BBS) said at the weekend that Tek Nath Rizal, a dissident political leader, was sentenced to life imprisonment by the court for "master-minding anti-national activities".

"Passing the verdict on Tuesday, the High Court found him guilty of [violating] the National Security Act by instigating, initiating and carrying out harmful activities against the *Tsa Wa Sum* (king, country and people)," the BBS said.

It said the court found Rizal guilty of four of the nine charges [brought] against him by the country's home ministry and has been given 10 days to appeal.

Bhutan, an absolute monarchy ruled by King Jigme Singye Wangchuck, has faced dissident activities in recent times and there are more than 100,000 Bhutanese refugees living in camps in neighbouring Nepal.

"Rizal has been subjected to gross injustice through the sham trial," Rishikesh Shaha, President of the Human Rights Organization of Nepal (HURON), told Reuters.

Shaha has appealed to the International Commission of Jurists and Amnesty International to take up Rizal's case.

Officials of Amnesty's Nepal chapter, seeking anonymity, told Reuters the Bhutanese government had earlier rejected their plea for Amnesty to be present during Rizal's one-year trial.

A leading Bhutanese exile in Nepal Bhim Subba said that Rizal was 'arrested' in 1989 but tried and punished under a law that was issued only in 1992. "This alone constitutes a major contradiction," he said.

Gulf News, Dubai, 22 November 1993.

LIFE TERM FOR BHUTAN 'TERRORIST' LEADER

The High Court of Bhutan has sentenced Tek Nath Rizal, a leader of the movement opposing the king, to life imprisonment.

The former royal councillor, who is widely known as the chief architect of the 'terrorist' movement in southern Bhutan, which has plunged the kingdom into one of its worst crisis in modern history, was found guilty of violating national security by "instigating, initiating and carrying out activities harmful to the king and the people".

The court found him guilty of coercing all southern Bhutanese of Nepalese ethnic origin into a civil disobedience movement. The court also found him guilty of trying to create a rift between Bhutan and India through propaganda that the Bhutan Government was persecuting Hindus and Indians in Bhutan.

The Hindu, New Delhi, 26 November 1993.

TOP BHUTAN DISSIDENT IS GIVEN A LIFE SENTENCE

Bhutan's main political dissident has been sentenced to life imprisonment by the high court of the tiny Himalayan kingdom, the Bhutanese radio reported.

The radio, monitored here during the weekend, said the [a] dissident political leader, Tek Nath Rizal, was sentenced to life imprisonment by the court for "masterminding anti-national activities." Bhutan is an absolute monarchy ruled by King Jigme Singye Wangchuck. There are more than 100,000 Bhutanese refugees living in camps in neighboring Nepal.

International Herald Tribune, Singapore, 22 November 1993.

"IN QUOTES"

"I was expecting the letter ever since it was carried by the June 1993 issue of The Bhutan Review which is published in Kathmandu."

King Jigme Singe Wangchuck in a letter to U.S. Congressmen

"Latest accounts of individual cases suggest a deterioration of the situation in Bhutan, including incidents of intimidation and abuse involving government authorities (eviction at gunpoint, destruction of houses, beatings) of individuals and families who had remained behind at the time of mass exodus."

UNHCR Situation Report on Bhutanese Refugees 1-31 October 1993

PARINAC REGIONAL CONFERENCE FOR SOUTH ASIA

Co-hosted by the United Nations High Commissioner for Refugees (UNHCR) and the International Council of Voluntary Agencies (ICVA) based in Geneva, the Regional UNHCR/NGO Partnership in Action (PARINAC) Conference for South Asia, the second of six consultations, was held in Kathmandu from 1-3 November 1993. 71 NGOs from Bangladesh, India, Sri Lanka and Nepal participated in the meeting which discussed four general themes having particular relevance to some or all the countries represented; protection, internally displaced persons, emergencies and the relief to development issue. The meeting recommended the establishment of NGO/UNHCR coordination mechanism to:

strengthen the region's legal framework relating to refugees by promoting accession to the 1951 Convention and 1967 Protocol on the status of refugees, exchange information on early warning for refugee emergencies, improve operational procedures for early response, address relief and rehabilitation to development requirements, and, support activities on behalf of the internally displaced, where appropriate.

The goal of the PARINAC is reportedly "to care for and protect refugees, and strive for a more open

and just world order in which today's refugees will find their way home and no one will be forced to flee tomorrow" by bringing UNHCR and hundreds of NGOs together. With such a noble goal, the 'partnership' itself could have been equally caring and pragmatic.

Holding of the conference in a country hosting refugees provided the UNHCR/ICVA 'partnership' an opportunity to involve individuals and organizations from among the victims themselves at no extra cost. Whether for effective refugee assistance programmes or for finding long term solutions to refugee problems, the involvement and cooperation of refugees is essential. Non-involvement of refugees in their welfare is a sure recipe for their further exploitation. But, even though a note for correspondents at the end of the conference stated that "strong emphasis was placed on the questions that **refugee men and women should be effectively involved** in planning for the response to emergencies in which they are involved," refugee organizations based in Nepal were not invited.

Reliable sources state that the UNHCR/ICVA combined desperately seek the participation of Bhutanese NGOs at the conference, only, like the Bhutanese regime itself, the 'partnership' required organizations to provide "proof of current domicile" in Bhutan proper to

qualify. While distant ICVA may be excused, it is indeed disheartening, and a sad commentary on the state of affairs, that even as it is intimately involved with 85,000 Bhutanese refugees, UNHCR still needed to find out the hard way that NGOs cannot, and do not, exist in Bhutan, least of all those operating in the rights - refugees - forced evictions triangle.

Bhutanese organizations based in exile, working for and with the refugees, could have provided meaningful and useful inputs to the conference since UNHCR and NGO shortcomings, as also their strengths, are more visible on the receiving end. But clearly the refugees were not considered equal to the task; for the 'partnership' with zillions of combined man-years of experience in refugee issues (of dealing with them, not being one!), refugees must obviously go through yet another cycle of reincarnation to qualify as normal human beings.

An individual becomes a refugee through compulsion, not by choice. Because a person has become a refugee, it should not be automatically construed that he has lost either the ability or the right to contribute to society. The UNHCR/ICVA combine might do well to recognize this reality and consider refugee participation in the other four regional conferences to follow.

BHUTANESE STATEMENT AT THE UN

"The long-term success of the United Nations, in our view, will depend on how democratic it becomes in its functioning and to what extent it will involve all its members, large and small, in the decision-making process. We hope that the United Nations will become the centrepiece of a more just and equitable world order and will speak for the whole of humanity rather than just for a privileged few." These thoughts, expressions and even words, seemingly plagiarized from dissident literature, summed up the irony in the deposition of the Royal Government of Bhutan to the UN on October 5 this year.

In his statement to the 48th Session of the United Nations General Assembly, Bhutanese Foreign Minister Dawa Tsering rightly noted the momentous events of the new decade which "continue to pose challenges and offer opportunities" and paid rich tributes to the courage and the agreement that President Clinton called "the peace of the brave" between Prime Minister Rabin and Chairman Arafat. However, the irony in the ingenuous observation that "deep-seated emotions will continue to blur reason and not all groups will take to the road to healing at the same pace" and calls for "extremist factions on both sides to desist from the use of force" stand out all the more, coming as they do from a

regime which has itself continuously and publicly displayed its own unwillingness to see reason.

"My delegation is happy with the progressive dismantling of apartheid and the process towards universal franchise in South Africa," and "we applaud the positive results of the UN involvement in Cambodia, El Salvador and Haiti," continued Tsering, unmindful of the fact that universal franchise is a far cry in his own country, and that even as he takes to applauding successful UN involvement he continues to lobby against intervention of the UN on the issue of Bhutanese refugees in Nepal, a problem which is the result of a form of 'apartheid' recently established in Bhutan.

On the issue of human rights, a regime responsible for making one-sixths of its population refugees had this to say: "The Second World Conference on Human Rights held in Vienna this year clearly recognized that social progress and political stability cannot be ensured without respect for human rights. The conference also recognized that human rights and social progress can only be promoted and preserved in a healthy and natural environment. For our part, we are fully committed to advancing the human rights of all our people." Fine words, indeed; unfortunately, over a hundred thousand

refugees stand testimony to this great lie.

In the light of what is already known about the southern problem, there is little possibility that the world is taken in by the Bhutanese statement attempting to project the regime as one which respects "universal franchise", believes in "democratic functioning", and is "committed to advancing the human rights" of all citizens. On the other hand, if the Royal Government is serious about a just and equitable world order, it must recognize that reforms, like charity, must necessarily begin at home. A State under serious scrutiny of the international community and human rights groups regarding the ill-treatment of its own citizens can ill afford to offer advice or make demands in the matter of rights and justice. If it desires reforms in the world, it must introduce and accept reforms within. As a first step, the Royal Government could begin by recognizing that its policy regarding the King's subjects in the south has been unfair, immoral and wrong; accepting that a large section of the people, because of their ethnic background, have been deprived of their fundamental right to nationality; and acknowledging that democratic reforms are necessary to protect the interests of "all" the "rather than just a privileged few."

The Ethnic Factor: The Nepalese of Bhutan

The following has been extracted from *The State of the World's Refugees*, a 191-page report released by Sadako Ogata, United Nations High Commissioner for Refugees on November 10, 1993. The book, ISBN 01402.3487X, is published by Penguin Books.

The ethnic origins of the refugees who have arrived in Nepal since 1990 are not in dispute. All agree that they are made up of a number of ethnic groups who fit comfortably under the generic label of "Nepalese". For the most part Hindu by religion, they are commonly known in Bhutan as "Lhotshampas". This ethnic designation sets them apart from the Bhutan's northern population of Buddhist Drukpas. Almost everything else about the refugees is a subject of some controversy - be it the date of their migration to Bhutan, the validity of their claim to Bhutanese citizenship, the reasons for their flight and even, in some cases, whether they are coming from Bhutan at all.

The first refugees began fleeing to Nepal in early 1991, crossing malaria-infested jungles in India and arriving with little more than the clothes on their backs. During the first half of 1992, the influx increased sharply, with between 300 and 500 people arriving each day. By June 1993, estimates put their number at more than 100,000. Around 86,000 are in six camps in eastern Nepal and some 25,000 are scattered in India.

According to the refugees, they were forced to leave their homes as a result of abuses ranging from revocation of citizenship and property rights, to discrimination, persecution, torture and rape. The government of Bhutan denies the charges and says that many are recent illegal immigrants. However, in a public statement made in April 1993, the Bhutanese authorities estimated that 30% of the population in the camps could be Bhutanese citizens.

The precise date of large-scale Nepalese immigration into Bhutan is also disputed. Some cite continuous migration eastwards since the 1700s, while others, including Bhutanese authorities, say it is much more recent phenomena. Nevertheless, many of the Lhotshampas appear to have lived in the southern plains of Bhutan for several generations. Immigrants already in the country in 1958 were granted citizenship.

Bhutan says large-scale immigration has continued since that date, and that measures to curb it are necessary if the Drukpas are not to become a minority in their own small country. Bhutan's official national population figures range dramatically from 600,000 to 1.4 million. The ethnic breakdown is similarly confusing. In a 1992 interview with Reuters, the King of Bhutan said that 28 per cent of the population were of Nepalese origin; other recent estimates have ranged from between 45 and 53 per cent. A new citizenship act introduced in 1985 introduced more restrictive criteria and applied them retrospectively, thus endangering the acquired rights of many Lhotshampas, or those of their spouses and children.

The exodus to Nepal came after an edict was issued in 1989 requiring residents either to show proof of citizenship in accordance with the 1985 nationality law and the census which followed in 1988, or to leave the country by January 1992. Other measures - seen as discriminatory by the Lhotshampas - were introduced, including the compulsory wearing of national dress and the removal of the Nepalese language from the primary school curriculum. Growing unrest among the Nepalese population led to pro-democracy demonstration in 1990 which, in turn, set off a government backlash conditioned by concern over Nepalese nationalist movements in Sikkim and India.

For Nepal, the refugees have posed a dilemma. Although many Lhotshampas have never visited Nepal and few have any family links there, they do regard it as their original home. There is concern that a prolongation of the situation may result in additional ethnic Nepalese returning to an impoverished homeland, where a demographic explosion is already threatening to become a national catastrophe. The majority of the refugees are located in the most politically volatile area of the country, and local resentment is on the rise. As a result, the government wishes to see rapid repatriation to Bhutan. In the meantime, Nepalese arriving after 1 June 1993 are being individually screened to ensure that only genuine refugees enter the camps.

Following a long period of stalemate, the Bhutanese and Nepalese governments agreed to resume talks on the problem in July 1993, giving rise to hopes of progress towards a solution. The longer the situation festers, the greater the danger that frustration will lead to increasing politicization and militancy which, if unchecked, could result in an ethnic upheaval involving not only Bhutan and Nepal, but also parts of neighbouring India.

REFUGEE CAMP INFORMATION

Location	District	Refugees	Students
Timai	Jhapa	8,148	2,674
Goldhap	Jhapa	7,888	2,495
Beldangi I	Jhapa	14,496	2,843
Beldangi II	Jhapa	18,695	5,182
Beldangi II Ext.	Jhapa	9,574	3,075
Patthri	Morang	16,570	4,495
Khujunabari	Jhapa	9,483	2,057
Total		84,854	22,821
Cumulative births:		3,073	
Cumulative deaths:		2,315	

The above figures are as of November 30, 1993.