

# The Bhutan REVIEW

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## FEBRUARY TALKS

All is quiet on the Nepal-Bhutan front even though February has arrived. According to the leader of the Bhutanese delegation to the October bilateral talks, both countries had "felt a sense of urgency" and wished to see the matter of people in refugee camps in Nepal expeditiously resolved.

Having agreed to the categorization of refugees into four categories it was further agreed, despite the Bhutanese sense of urgency, that the Nepal-Bhutan Joint Committee would meet only this February simply to determine the mechanisms for the process of verification and categorization. However, even this small step forward is unlikely to take place as scheduled since no dates have yet been finalized between the two countries. The promotion and transfer of Bhutanese delegate Jigmi Thinley as Ambassador and Permanent U.N. Representative in Geneva, and the elevation of Nepalese delegate Kedar Bhakta Shrestha to Acting Foreign Secretary will probably necessitate a reconstitution of the Joint Committee thereby providing justification for the inevitable delay.

## NEW BHUTANESE ENVOYS

Except for the Permanent Mission of Bhutan to the U.N. in New York, all other Bhutanese ambassadorial posts have recently been filled up through fresh appointments.

Former Minister in the Ministry of Social Services and Communications Dr. Tashi Tobgyel filled in the vacancy created in Dhaka by the transfer of Karma Dorji nearly a year ago.

Tobgye S. Dorji, Secretary in the Planning Commission has submitted his credentials to the Amir of Kuwait. This post was left vacant after the resignation of Sangye Penjor, the senior most Minister in the cabinet until his recent retirement.

Recently promoted Deputy Ministers Nado Rinchen and Jigmi Thinley have also left the kingdom to take up their ambassadorial assignments. Ambassador Rinchen who is also accredited to Kathmandu from New Delhi, has already presented his credentials to the Indian President. The new assignment for Karma Letho, also of Deputy Minister rank, has not been announced. It is assumed that he will rejoin the Ministry of Communications from where he was sent to New Delhi eight years ago.

As Permanent Representative of Bhutan to the U.N. in Geneva Jigmi Thinley will also represent Bhutan as Ambassador to the European Community and other Scandinavian and European countries. There has been no announcement regarding the placement of Paljor Dorji, Thinley's predecessor in Geneva.

## DIPLOMATS VISIT REFUGEE CAMPS

Concerned with the continuing eviction of people from Bhutan by the Royal Government, diplomats based in Kathmandu visited the refugee camps in Jhapa and Morang districts recently. The delegation included the American Charge d'affaires Michael Malinowsky, Canada's Chief Counsellor John Moore and the Representative of the U.N. High Commissioner for

Refugees in Nepal Tahir Ali.

The diplomats talked to the refugees and inquired about their well-being. The Bhutanese refugee screening post at the border in Kakarvita was also inspected by the delegation. The refugees are greatly encouraged by such visits which provide an opportunity for donors to get first hand information about the situation in the refugee camps.

## "IMPROVED" PRISON CONDITIONS IN BHUTAN - THE FACTS

"The government also banned the use of shackles in prisons, gave relations access to prisoners and invited the International Committee of the Red Cross to visit Bhutan periodically," thus stated the 1993 Amnesty International Report. However, the reality is quite different. The Royal Government may have whispered the above assurances into the ears of the Amnesty International delegation but prisoners in prisons other than Chemgang and Thimphu, reportedly continue to remain in shackles. Conditions in Chemgang prison (this prison has been made a showpiece for publicity) also improve substantially only prior to visits by the ICRC delegations. The much publicized one-time visit to Bhutan by the Amnesty International delegation in January 1992 and two subsequent visits by the ICRC over the last one year have strengthened the government's position to lobby its case in the international fora.

The government brazenly announced that it had been "given a clean chit" by the first ever Amnesty International delegation to be allowed to visit the country in January 1992. Fortunately for the regime, the "clean chit" was held back for one full year,

a year during which three-fourths of the refugee population were forced to make their way out of the country.

The first ever visit by the ICRC in January 1993 has also given the government a similar propaganda opportunity. Once one of the most notorious prisons, Chemgang prison near Thimphu, built by the inmates themselves over the last two years has been turned into a showpiece. Compared to the past, the diet has been improved, a few visitors as well as selected reading materials are allowed in. Recently, however, the Bhutan Review has learnt that there is another side to the story.

It has been reported that both mental and physical abuses continue and that prisoners remain in shackles except during the visit by the ICRC. Specifically, Home Minister Dago Tshering, Col. V. Namgyel of the Royal Body Guards and ADC to the King, and Capt. Kipchu of the Royal Bhutan Police, among others, make it a point to personally talk to the prisoners prior to each visit by the ICRC. The inmates are warned of dire consequences if anything against the government is reported. From time to

time, the above mentioned officials in particular, also reportedly abuse the inmates in inhuman ways. Left to the mercy of these same officials in the days ahead, and due to the uncertainty of subsequent visits by the ICRC or any other international human rights groups, the prisoners are left with little choice but to comply with the government instructions.

While inmates in Chemgang prison and a few selected cells in Thimphu prison are known to the outside world and have started receiving better treatment on occasions, there are many others who continue to languish in inhuman conditions in other parts of the country. Many of these cases are known only when the inmates themselves are released. It has been recently reported that nine prisoners, five of whom have been identified, Madhulal Budhathoki, Prem Bahadur Rai, Man Bahadur Bhujel, Ram Lal Raut and Lok Bahadur Ghalay were transferred from Chemgang prison to Lungtenphug Army Headquarters near Thimphu during the first half of 1993. Since then their whereabouts are not known.

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To study the situation in the refugee camps and to find out more about the manner in which the Nepalese Government has been collecting data regarding refugees, the Royal Government has also dispatched spies to the camps. Two persons despatched by the Royal Government were recently apprehended by local police with incriminating documents in Goldhap Refugee camp.

## CENSUS, CATEGORIZATION AND SPIES

The Royal Government of Bhutan is going ahead with its dubious plans to scuttle, or at least delay, the bilateral talks with Nepal which began last year. Despite the on-going talks, the government is continuing to evict people from the south. The never ending census exercise continues with more and more people being declared "illegal-immigrants" in each new round.

Since 1990, the government has been forcing people to provide free labour thereby leaving very little time for them to tend their own fields. Proceeds from the sale of cash crops have to be deposited with the government. After ensuring that the people are economically broken, in the current round of census enumeration, in addition to all previous re-

quirements, each family must pay a minimum of Nu. 450.00 to be registered as a citizen. Besides this, the villagers have to regularly make cash contributions to the local authorities which are reportedly collected for different construction works. Also, for whatever reasons, anyone failing to be physically present in his/her respective village during two consecutive census enumerations loses his/her citizenship. The recent arrivals in the camp also report of increased intimidation and threats forcing people to leave the country.

A special feature in the latest round of census is "categorization". In addition to placing the southern Bhutanese in seven different cat-

egories formulated by the regime earlier, the Royal Government is presently busy placing southern Bhutanese, both those within the country and in the refugee camps in Nepal, in the four categories that have been agreed to between the two governments.

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## BOMB THROWN AT POLICE HQ?

According to the Bhutan Broadcasting Service (BBS), shortly before midnight on Thursday January 27, a home-made bomb was thrown at the sentry post of the Royal Bhutan Police headquarters in Thimphu. The device reportedly failed to explode.

Police suspect two cigarette-smoking individuals, one wearing a dark ghong and the other a white jacket over trousers. According to Corporal Lobzang on duty, the two passed by the post shortly before the incident. The matter is reportedly being investigated. No arrests have been made so far.

## REFUGEE STUDENTS TOP PRE-SLC EXAMINATIONS

The year opened with a ray of hope for refugee children pursuing their education in the camps. Despite the dilapidated conditions of the structures under which the students study, the class X sent-up examinations saw the Bhutanese students from the Beldangi refugee camp occupying the top positions in Jhapa district. Out of the 94 students who appeared for the sent-up examinations conducted by the Ministry of Education, His Majesty's Government of Nepal, 93 were declared successful with the top position in the district going to a refugee student. The 93 successful candidates will sit for the School Leaving Certificate (SLC) examination in February.

The new school session which started on 16 January after about a month's winter holidays also saw added enthusiasm among parents in educating their children. This is evident from the substantial increase in enrollment of children at the primary level.

## RIZAL TRANSFERRED TO CHEMGANG PRISON

In a much publicized outcome of the 'trial' of Tek Nath Rizal, the former Royal Advisory Councillor was sentenced to life imprisonment by the Thimphu High Court. It was reported that the Court gave Rizal ten days to appeal. According to reliable sources, Rizal remained unaware of this supposed offer.

Only three days after the Court verdict, the King "magnanimously" decreed that "Rizal will be released from prison once the government of Bhutan and Nepal resolve the problem of people living in refugee camps in eastern Nepal," with the implication that from a prisoner, Rizal status was converted to that of a hostage! Subsequent to this "magnanimous" gesture on the part of the King, Rizal has now been transferred to Chemgang prison near Thimphu. Except during and prior to visits by ICRC and others he is reportedly being abused and mistreated.

## The Bhutan REVIEW

### EASTERN INCENDIARY?

The alleged bomb attack on January 27 in the heart of the kingdom, upon the very citadel of the royal security forces, is fuel for much conjecture. If indeed there was such an attempt, a number of theories can be postulated for the origins of the plot.

The incident is reportedly under investigation by the Royal Bhutan Police. However, even if there is a genuinely serious attempt to dig up the truth, considering the level of incompetence of the kingdom's men in blue, and judging from their past performance, it is unlikely that the "case" will ever be solved.

For the government, which fortunately suffered no material damage, going to the heart of the matter is neither necessary nor prudent. In fact, from every perspective the case would be best left unresolved. To this end, the regime has already met with a stroke of luck — no culprits were nabbed. Moreover, the very nature of the crime points to this being the handiwork of enemies of the state; and, provided the mystery remains unsolved, there are more than 300,000 *lhotshampa* "enemies" who, given these conditions, can automatically be implicated by inference. Having ensured that every southern Bhutanese has been made a potential suspect, there is little motivation for further serious investigation on the part of the government.

In view of the advantages to the regime in not finding out who was behind the brazen attempt, it is possible that the truth will never be known. But there are a number of possibilities that could explain the incident. One, although the possibility is remote, it is quite feasible that the entire episode is a concoction of the regime itself, and that the incident never did actually take place. Two, even more improbable, the attack was real and some "anti-nationals", read *lhotshampas*, were indeed behind the attempt. Three, and most probable, the attempt was real but the attackers were not, as the government will have inferred, directly related to the southern problem.

While it may appear far-fetched, scenario one, of a plot hatched by the regime as a means of providing "evidence" of hardcore terrorist activity by anti-nationals, cannot be completely ruled out. Over the past one year especially, to justify its excesses and to defend itself against international criticism, the government has undertaken an aggressive propaganda campaign to conjure up "anti-national terrorists". Faced with scepticism and a credibility problem, it appears quite feasible for a state, desperate to bolster its sagging credibility, to engineer anti-state crimes which, in the absence of actual culprits and other currently acknowledged state enemies, can be attributed through circumstantial evidence to supposed anti-nationals from the south. This conveniently unsuccessful attempt could be one instance of a plot hatched to serve as "proof" that the regime is deserving of international sympathy as it desperately struggles against an "organized group of anti-national terrorists" capable of striking at the very heart of the kingdom.

If the hatching of a devious plot by the regime seems inconceivable, the government-willed scenario of a couple of "anti-national *lhotshampa* terrorists" bravely venturing into "enemy" territory to hurl a primitive missile is even more implausible. If some are inclined to infer, as the government hopes, that the heinous attempt is the act of southern *ngolops*, this conclusion must be weighed against the following indisputable facts. Except for the shooting of the Gaylegphug *Dungpa* — behind which there is another story — over the last two full years, the government has not provided a single instance of activities directed against the state by *lhotshampa* dissidents. The government media has continuously carried news of supposed "terrorist" activity in the south, but victims have invariably been innocent villagers, almost exclusively *lhotshampas*. No government facilities have been targeted, no security outposts attacked, no patrols ambushed, no attempts made on the numerous dignitaries visiting the south. To imagine, therefore, that individuals or groups, never having once opted to "do battle" even in familiar terrain with easier targets, would consider such a foolhardy plot is impossible.

If there was an attempt, and the convenient *lhotshampa* scapegoats are not involved, then who were the midnight raiders? The answer probably lies in the east. The recent months have reportedly witnessed a build-up of *sharchop* chauvinism as it begins to dawn on easterners that the government has only been toying with them through false promises ever since the southern crisis was engineered. The bitterness and resentment over continued *ngalong* domination despite government wooing of eastern Bhutan has been primarily responsible for this undercurrent of heightened awareness. The *sharchops* have begun asking questions and, accustomed to the domineering old ways, the regime has not been very tactful in responding. As a result, the matter is being further exacerbated. It seems eminently probable, therefore, that the regime is facing a far more dangerous opponent — the resurgent *sharchops*.

There may be other suspects and other scenarios but no more may be heard of this case in the near future. If, as is most likely, it is true that there were two pairs of eastern hands, or worse still, for the regime, a pair each of eastern and western hands involved in the crime, then the countdown has begun. For the privileged class in the kingdom, this may mean having to give up much more than what would have appeased the *lhotshampas* in the south.

## OF ROYAL MINISTERS AND SECRETARIES

The first month of 1994 saw the appointment, by Royal Command, of two new Deputy Ministers. Home Secretary Jigmi Thinley from Mendegang in Thimphu district and Khandu Wangchuk, Secretary in the Royal Civil Service Commission, from Dhopshari in Paro joined the privileged dozen on January 5. Three new Secretaries to the Government were also appointed when the government announced on January 11 that His Majesty had been pleased to command the promotions of Sangay Ngedup Dorji, Thinlay Gyamtsho and Yeshey Zimba.

In September 1993, carrying news of Nado Rinchen's ministerial appointment, the Review had revealed the startling composition of the current cabinet in a front-page story. At that time, 10 (83.33%) of the 12 Ministers were from the western region which has just 15% of the total population; Haa district with a miniscule 1.5% of Bhutan's population alone provided 6 Ministers (50%). The remaining 2 positions (16.67%) were shared by the South, Central and the East with a combined 85% of the total population.

Clearly, the article in the Review has not gone unnoticed. The equations and percentages have apparently made an impression and the regime has evidently sought to make amends. Not surprisingly, however, the redressal fails to take into account the glaring imbalance relating to 85% of the population in the eastern, central and southern regions which continue to contribute only 2 Ministers, further reducing the percentage representation from the bulk of the people to a mere 14.29%. Instead, in the mistaken notion that only those among the privileged and, therefore, powerful need to be mollified, the regime has sought to bring about some 'parity'. The elevation to cabinet rank of two more westerners (*ngalongs*) from outside the Haa valley now ensures a more 'equitable' distribution among them; with 12 Ministers out of 14, the percentage share of the west now rises to 85.71% but Haa district's disproportionate and uncomfortably high share now reduces to 'only' 42.86%!

Rumours abound that at least one of the promotions may have been inspired by domestic compulsions rather than by sheer requirements of the state. Be that as it may, while not everyone was taken completely by surprise, the special dispensation of royal favours on Thinley and Wangchuk has, nevertheless, reportedly caused consternation in many circles.

The ire of *sharchops* (easterners) in general was only to be expected because, yet again, this community comprising nearly 38% of the population has been overlooked despite the regime's endless stream of promises in exchange for their support for the government's foolhardy southern policy. But it is within the bureaucracy, the pillar upon which the present political in-

situation depends for its survival, that there have been steady murmurs of discontent.

In the filling up of posts at the highest levels, every western Bhutanese always remains a potential candidate while others automatically assume the position of non-starters. Righteous claims by the Royal Government of equality and equal opportunities notwithstanding, therefore, beyond a certain level, the average civil servant from the east and the south seldom fools himself and harbours visions of, or vies for, such exalted positions.

But even ignoring southerners, and overlooking numerous eastern Bhutanese whose competence, qualification and seniority could have justified the royal nod, the number of *ngalong* bureaucrats overlooked and unceremoniously thrust aside in this instance is surprising. There is no denying the fact that both new deputy ministers had very high profile careers thanks to fortuitous circumstances and well-placed connections; but it is equally a fact that both are fairly junior even among the new breed of educated and qualified bureaucrats, and that neither has displayed any extraordinary intellect and acumen.

That two very junior candidates could leave behind someone of the stature of Foreign Secretary T.J. Rixin (yes, he is from Bumthang!) who has held the highest post (Grade 1) in civil service for close to a decade has reportedly caused deep resentment in the administration. Despite his marriage to Princess Sonam Chhoden Wangchuk, Rixin has not changed and remains a popular civil servant. His royal ties, albeit of the old order, could hardly have been cause for discomfort or reason for his disqualification since other royal brother-in-law, Sangay Ngedup Dorji, brother of Their Majesties the Queens, continues to leapfrog up the career ladder with unfair abandon.

A second Foreign Service casualty who can justifiably claim bewilderment by the turn of events, past and present, is current Ambassador to Kuwait, Tobgye S. Dorji. The gross inequity is best put in perspective by the fact that when the two new Excellencies together reported for their first job, Dorji was already a Director (Grade 3) in the Foreign Ministry. During the time that the two have climbed up 9 grades and crashed past the civil service barrier, the Ambassador has only just managed to climb the final two rungs to Grade 1.

Managing Director of the State Trading Corporation of Bhutan, Tshering Wangdi, must wonder too as to what he must do to appease the Gods. He has languished for long in Grade 2 as Director General, but the new ministers cannot fail to recollect that it was he, then Second Secretary in Bhutan's Mission at New Delhi, who enrolled the two in

St. Stephen's College as undergraduates. It is indeed telling that this same individual whose intellect, honesty and integrity were appreciated, and whose brutal frankness served to inspire a motivated leader in the early eighties, has now become an anathema to the monarch. Because criticism, however healthy and well-intentioned, is no longer tolerated, Wangdi finds himself transferred to the backwaters.

It is not only the 'younger' lot of bureaucrats who have had to make way to accommodate the special royal dispensation. Two 'old' stalwarts of Gaselo village in Wangdiphodrang district, Pema Wangchuk and Dorji Tenzing, tipped to join the cabinet rank since nearly a decade ago, have also been sidelined. With a background in Agriculture, soft-spoken Pema Wangchuk was a Director in the Agriculture Department when the two joined service. A potential candidate for the title of most respected civil servant together with the Foreign Secretary, Wangchuk is currently Secretary in the Survey of Bhutan. Cousin Dorji Tenzing (alias Tenzin Dhendup for a year during 1992-1993 ostensibly to ward off evil spirits) who led the Animal Husbandry sector for long, was pulled aside and made the hatchet man to undertake the unpleasant royal command relating to physical deportation of Indians and Nepalis in the mid-eighties. Having successfully fulfilled the regime's objective of making Bhutan labour-free through extreme measures, he was cynically made Secretary of both the main manpower intensive sectors, Roads and Works and Housing. He remains at the same post.

With the out-of-turn elevation of the two officials fueling speculations and bitterness, people have reportedly been confused further by the creation of the three Secretaries a week later. Most would like to believe that the decision was taken to make sincere amends on behalf of Yeshey Zimba, a man from Punakha district with impeccable credentials, senior to the new ministers and widely acknowledged as being far more competent. Unfortunately, it is more probable that the decision emanated either from a royal desire to play to the *sharchop* gallery via Thinlay Gyamtsho from Tashigang district or, even more likely, the announcement was a result of royal capitulation to domestic in-law pressure to promote Sangay Ngedup Dorji.

Regardless of how the decision was arrived at, there is no doubt in the minds of the people that, yet once again, royalty continues to climb upwards on the backs of other diligent people. In the past Sangay Ngedup Dorji's promotions were made palatable to the public by latching him on to other commendable civil servants, colleagues he subsequently managed to leave behind. This time Zimba has been made the beast of burden.

## U.S. HUMAN RIGHTS REPORT 1993 - BHUTAN

"IN QUOTES"

"Despite some positive actions including the government's authorization of periodic prison visits by the International Committee of the Red Cross (ICRC) and implementation of certain legal reforms, there remained serious concern about the Government's human rights practices." This is the conclusion of the United States State Department in the Human Rights Report for Bhutan for 1993. The report is more critical of Bhutan this year than in earlier years, and questions many government claims and denials.

In compliance with legislations under the Foreign Assistance Act of 1961 and the Trade Act of 1974, for the past 18 years the State Department has been submitting annual country reports on human rights practices to the Committees on Foreign Relations and Foreign Affairs of the U.S. Senate and House of Representatives respectively. The reports cover human rights practices of all nations that are members of the United Nations along with a few that are not. The assessments are presented by the State Department to assist Members of Congress in the consideration of legislation, particularly foreign assistance legislation.

### RESPECT FOR HUMAN RIGHTS:

There were no independent confirmations of political or extrajudicial killings on the part of the state. On the other hand, the government charged dissident groups with 17 murders between August 13, 1992 and June 5, 1993 and the government-controlled media reported numerous incidents of violence by alleged dissidents, the report states. However, "a substantial but undetermined number of the attacks the government has identified as incidents of terrorism appear in fact to have been the work of armed robber gangs taking advantage of unsettled conditions on the Indo-Bhutan border," the report concludes.

Claims of Bhutanese human rights groups that many detainees outside the Thimphu area are still unaccounted for, that they are being held without charge, and that some may have been "disappeared" by the government finds a mention. According to the report, the government denies such disappearances ever took place and, instead, accused dissident groups of kidnaping over 200 people over the last 3 years, including 24 between August 1992 and June 1993.

The government claimed to have arrested 17 "confirmed terrorists" while another 55 "terrorists" were handed over to the administration by village volunteers between January 1992 and May 1993. No information was released regarding these detainees. On the basis of past performance, the report fears that

their detention will be arbitrarily prolonged. About 200 "antinationalists" are still in detention, most of them in Chemgang prison, pending trial on charges related to political unrest in southern Bhutan.

The trial of Tek Nath Rizal, the only internationally recognized political prisoner in Bhutan, after over three years of detention; his sentence of life imprisonment under the 1992 National Security Act; and the grant of conditional clemency (he will be released as soon as the southern problem is resolved) has been covered in the report.

Despite the lack of written guarantees, traditional Bhutanese culture is highly respectful of personal privacy, the report notes. However, "these traditions have been undermined by the government's emphasis on promoting national integration." Also, "police regularly conduct house-to-house searches for suspected dissidents without explanation or legal justification."

The report states that according to human rights groups there were "hundreds of cases in which police or army forces had allegedly beaten, raped, and robbed suspected supporters of the dissident movement and their families." The report quotes a HUROB survey of 1781 refugee families of whom 204 stated that they left Bhutan because a family member had been beaten or tortured, 21 claimed to have been raped, and 383 because they had been threatened with or feared rape.

Referring to a survey conducted by a consultant for an international refugee agency covering victims of violence in the camps, the report finds the conclusion that most state sanctioned violence took place in 1990 and 1991 consistent with reports from other sources. Although the situation appeared to have improved during the first half of 1993, the report states that towards the end of 1993 the situation in Bhutan was deteriorating once again with reports of increased intimidation and abuses.

### RESPECT FOR CIVIL LIBERTIES:

The report states that the population is relatively unaffected by the print media owing to low adult literacy and notes that *Kuensel*, the government's weekly, is the country's only newspaper. It acknowledges that Indian and foreign publications are available but editions containing articles critical of the government or royal family are confiscated or censored.

Government reports that most of the schools in southern Bhutan closed since 1990 have been reopened have been challenged by outside observers who have confirmed the reopening of only half the schools, according to the report. The report errs in stating that Nepali as a medium of instruction in schools has been banned since 1990. The

medium of instruction in all schools in the country has always been English — Nepali, taught as a third language upto the primary level (down from junior high level earlier) in the south, has been abolished.

"Some Bhutanese enjoy considerable freedom of movement, but many reports indicate that ethnic Nepalis face substantial restrictions on their ability to travel inside Bhutan," the report states. Bhutanese may engage in peaceful assembly and association only for purposes approved by the government, although the government allows civic and business organizations. Political parties are banned.

The recent crisis in the south and the discrimination towards ethnic Nepalese stems from the threat perceived by the ruling elite that northerners would be swamped by the increasing southern population, according to the report. From [brief] attempts at assimilation, the regime stepped to "Bhutanization" and policies geared to reducing the southern population through retroactive application of the 1985 citizenship act. Making impossible demands on the population to prove their domicile in Bhutan prior to 1958 — the year citizenship was first granted [but not formalized through documentation] to ethnic Nepalese settled in the southern foothills since the turn of the century — the government revoked the citizenship of and expelled many whose families had been in Bhutan for generations, according to the report. Government claims that the word of village elders is an acceptable substitute for written documentation in the census exercise is disputed by dissident groups, the report adds. Quoting a circular of the Home Ministry, the report also notes that citizenship is reportedly being revoked of relatives of dissidents. Along with those expelled and forcibly evicted, "still many more fled the country in the face of officially sanctioned pressure," and thousands of ethnic Nepalese with "unquestioned claims to Bhutanese citizenship" moved to India or the refugee camps in Nepal to "escape the climate of fear and uncertainty in southern Bhutan," says the report.

### RESPECT FOR POLITICAL RIGHTS:

The level of political rights enjoyed by Bhutanese is summed up in the observation: "Citizens of Bhutan do not have the right to change their government. Bhutan is an absolute monarchy, with sovereign power vested in the King. The government has resisted democratic changes." Both the Bhutan Peoples Party (BPP) and the Bhutan National Democratic Party (BNDP) formed in exile are outlawed because "political parties do not exist, and the government discourages their formation."

### ATTITUDE TO INVESTIGATION OF HUMAN RIGHTS VIOLATIONS:

Human rights groups, like political parties, are not permitted in Bhutan, although three Bhutanese human rights groups in exile, HUROB, PFHRB and AHURA monitor the situation in the country and collect depositions from the refugees, the report states. The groups report violations of human rights by dissidents but only rarely.

Based on three ICRC visits to prisons near Thimphu and ongoing dialogue with Amnesty International, the government attitude to international human rights and humanitarian groups is showing signs of improvement, the report believes. However, the government continues to deny visas to international groups and individual investigators, the report admits. Shackles may no longer be in use, but "much more needs to be done," according to the report.

## MEDIA SCAN

In India, not many profess faith in democracy these days. Striking an optimistic note amid this pessimism, the Right Honourable Lord Templeman, said that democracy remains the only method of governance which provides the greatest happiness to the greatest number.

His impressive description of the essentials of democracy, which among other things included a free press, an impartial civil service and a neutral army, led to a lively interaction with the audience. The occasion was a lecture organized by the British Council on "The Machinery of Democracy." To a pessimist's anguish, his retort was: "Hasn't democracy succeeded in your country? Let us all keep trying."

For him, secularism essentially meant tolerance. Fair conduct of elections was a pre-requisite of democracy. He said we must work towards a general consensus for public sharing of wealth. To those who advocated dictatorship as an alternative form of governance, only manipulate the economy for their own advantage."...

In order that democracy may function efficiently and give effect to the preferences of the majority of the electorate, it is essential there should be stable political parties. Elaborating on it in the question-answer session, Lord Templeman said "We cannot all be exercising the same rights as individuals. We must ensure that people whose way prevails are those who are elected by the majority." ...

Democracy, in all circumstances, Lord Templeman argued, was better than any other system. "Within a democracy, private competitive enterprise can work only when monopoly is abolished," he said. "The private enterprise capitalist must be free to make money but in doing so he incurs a debt to society to contribute according to his means towards the expenses of the State and the relief of property." ...

Lord Templeman based his arguments on the thesis that history has proved that the protection of the community against the exercise of power and the indulgence of greed by individuals lies in a democracy. *The Hindu, New Delhi, January 4, 1994.*

Following persistent rumours, a noticeable increase in the influx was observed, particularly during December. New arrivals predominantly originated from particular areas in Chukha district and reported visits during the night by police and immigration officials, retrenchment from employment and seizure of land or harvest after having categorized as illegal immigrants (F7) under the latest census in May/July. Reported reasons for F7 status include cases of mixed marriages (with Indian nationals), having relatives in Nepal or India who left Bhutan earlier and failure to produce 1958 land documents. New arrivals further claim having been threatened with substantial fines (1000-5000 Nu/person) and imprisonment should they attempt to stay in Bhutan. Local authorities reportedly would be subject to similar treatment should they fail to force the F7-citizens to leave. Unlike accounts of many of the previous arrivals, GOB authorities have not reportedly allowed any grace period for new arrivals to arrange for disposal of assets and transport while still in Bhutan.

An unusually high proportion of younger children seeking reunification with their parents was recorded. Anticipating difficulties with the authorities during an upcoming census, the children had been acting as foster parents after the children's natural parents had left.

UNHCR monthly situation report ending 31 December 1993.

# U.S. Human Rights Report 1993 on Bhutan - Excerpts

The abuses committed by Government forces in southern Bhutan were a consequence of Government policies intended to reduce the presence of ethnic Nepalese. These policies created a climate in which intimidation of ethnic Nepalese was encouraged and physical abuse tacitly condoned. A 1993 survey of victims of violence in the refugee camps, prepared by a consultant to an international refugee agency found that most alleged incidents of torture in southern Bhutan took place in 1990 and 1991. This finding is consistent with reports that abuse by Government forces peaked during the year following the September 1990 disturbances led by the BPP. The consultant found that reported rapes continued at a high rate into 1992; However, there were few reported cases of rape and torture in 1993. The Government flatly denied such abuse ever occurred. Since October 1993, newly arriving refugees have reported incidence of intimidation and abuse which indicate another deterioration of the situation in Bhutan. While the influx to camps has remained low, cases accepted by the United Nations High Commissioner for Refugees on the grounds of persecution (as opposed to family reunion claims) have doubled to 66 percent.

...Since early 1988, Bhutan has sought to reduce the ethnic Nepalese population by implementing a 1985 Act that significantly tightened the requirements for transmitting citizenship. Until 1985, citizenship was transmitted as long as the father was a Bhutanese citizen under the 1958 Nationality Law of Bhutan (which granted citizenship to all ethnic Nepalese adults who owned land and had lived in Bhutan for at least 10 years). The 1985 Act raised this standard by requiring that both parents be Bhutanese citizens in order to transmit citizenship. Residents of Bhutan who could not satisfy this new requirement were retroactively declared illegal immigrants.

People losing their citizenship under the 1985 Act may apply for naturalization but only after satisfying a rigorous set of standards, including proficiency in the Dzongkha language and proof of residence in Bhutan during the previous 15 years. Exile political groups complain that the law makes unfair demands for documentation on largely illiterate people in a country that has only recently adopted basic administrative procedures. They claim that many ethnic Nepalese whose families have been in Bhutan for generations were expelled because they were unable to document their residence. The Government denies this and asserts for example, that the word of village leaders is an acceptable substitute for written documentation. Refugee groups dispute this statement and report that village elders are not present when citizenship interviews are carried out. The



Preserving Culture and Tradition - Around the Waist!  
Photo: David Klammer, Frankfurter Allgemeine Magazin

1985 Citizenship Act also provides for the revocation of citizenship of any naturalized citizen who "has shown by act or speech to be disloyal in any manner whatsoever to the king, country and people of Bhutan". The Bhutanese Home Ministry in a circular notification dated August 17, 1990, advised that "any Bhutanese national leaving the country to assist and help the anti-nationals shall no longer be considered as a Bhutanese citizen....such people's family members living under the same household also be held fully responsible and forfeit their citizenship". Human rights groups charge this provision was widely used to revoke the citizenship of ethnic Nepalese who were subsequently exiled from southern Bhutan. In 1993 growing numbers of refugees reported their citizenship was revoked under this provision.

Arrivals of refugees from Bhutan in the eight camps run by the United Nations High Commissioner for Refugees (UNHCR) and its co-operating agencies in Nepal peaked during 1992. By mid-1993, arrivals had fallen to slightly more than 100 per month reflecting tightened screening at the Nepalese border and an apparent reduction in official pressure on the ethnic Nepalese. By September 1993, 85,000 were registered in the UNHCR camps, of whom about 66,000 arrived during 1992. Between 5,000 and 15,000 more are believed to have left Bhutan and settled with family members in India. The total outflow of approximately 100,000 people is equal to about 15 percent of Bhutan's population.

Many refugees specially those who arrived in Nepal during 1991 and 1992 claim to have been pressured to leave by local authorities. These pressures include the threat to confiscate property, denial of public services and physical intimidation. For much of 1993, refugees reported leaving Bhutan because of increasing depopulation in southern districts. Feelings of apprehension and

insecurity, the loss of their jobs after it was discovered that they had family members who had fled the country, and the wish to be reunited with relatives already living in the camps. As the year drew to a close, however refugees increasingly reported incidents of persecution - including beatings, destruction of homes and eviction at gunpoint - as the reason for fleeing. Expulsions appear to continue under the government circular described in Section 1.F. which provides for the exile of persons whose family members have joined the "antinational" movement.

The government claims that those who were expelled are Nepalese or Indian citizens who came to Bhutan to work after the 1958 Nationality Law was issued. It also claims the majority of those arriving in Nepal have left voluntarily after selling their land and property. There are credible reports that these "voluntary emigrants" were compelled to sign away their property by government officials. In July Nepal and Bhutan agreed to form a joint committee to settle the problem of the refugees. However, the king and other Bhutanese officials have repeatedly stated they will accept responsibility only for "bonafide Bhutanese nationals who have been forcefully evicted". Documentation requirements are to be determined by the joint committee. However, the government of Bhutan has made clear that it plans to accept few repatriates.

...Ethnic Nepalese first came to Bhutan in large numbers at the turn of the century. These migrants were granted Bhutanese citizenship for the first time under the citizenship law of 1958. The Government contends there was large-scale illegal immigration which went undetected by the Government until the census carried out in 1988. The discovery that ethnic Nepalese were on the verge of becoming a majority prompted the Government to launch an aggressive campaign to reassert Bhutanese (Drukpa) culture and

tighten immigration. If no action was taken the ruling elite feared, Bhutan's Buddhist society would be overwhelmed by the Hindu ethnic Nepalese, as happened in neighboring Sikkim (which was annexed by India in 1974). Early efforts at halting the unfavorable demographic trends focused on limiting immigration and attempting to assimilate the existing ethnic Nepalese. Attempts at assimilation included financial incentives for intermarriage, education for some students in regions other than their own, and direction of economic developments to the south. By 1989 assimilation gave way to policies aimed at "Bhutanization." Measures intended to preserve a national identity required the wearing of Bhutanese dress, made the teaching of dzongkha compulsory, and banned instruction in Nepalese. Under the 1985 Citizenship Act, tens of thousands of ethnic Nepalese were declared to be illegal immigrants and forcibly evicted from the country. Still more fled the country in the face of officially sanctioned pressure.

International pressure on Bhutan increased during 1992, as concern spread about the ballooning refugee population in Nepal. In response, the Government tried to stem the outflow of migrants from southern Bhutan. A royal decree was issued making it a criminal offense to forcibly evict any citizen, and three Government officials were con-

victed on charges related to intimidation of ethnic Nepalese. Ethnic Nepalese were also excluded from paying rural taxes and contributing labor for development projects in 1992. By that time, however, the exodus had gained momentum; thousands of ethnic Nepalese with unquestioned claims to Bhutanese citizenship moved to India or the refugee camps in Nepal to be reunited with family members and escape a climate of fear and uncertainty in southern Bhutan.

...Ethnic Nepalese have been required to produce "No Objection Certificates" issued by the police for admission to schools and for jobs. For example, a November 6 advertisement in the national newspaper requires students seeking to enter a driving school to produce a "No Objection Certificate." Admission to a course for a postgraduate certificate in education requires a "No Objection Certificate." These certificates continue to be required despite claims by the Government that they would be abandoned. In fact, these certificates are used to prevent ethnic Nepalese from taking jobs or educational slots in many districts of Bhutan.

## SEVENTH PLAN TOUR

Arriving in connection with the review of the Seventh Plan activities, His Majesty the King and the royal entourage were received by representatives of the people and district officials of Chirang, Dagana and Sarbhong districts, according to the Bhutan Broadcasting Service. The guard of honour was presented by the security forces. About 150 peoples' representatives and sectoral heads of the district administration attended the meeting to review the problems and constraints in the implementation of the Seventh Plan.

In the past, the arrival of the King meant that most of the population would be on hand to accord a warm welcome. What stands out in the above news item is the lack of participation of the people themselves. Is it that the people did not wish to line the roads to receive their monarch, or were they barred from doing so?

## REFUGEE CAMP INFORMATION

Location	District	Refugees	Students
Timai	Jhapa	8,186	3,250
Goldhap	Jhapa	7,912	2,710
Beldangi I	Jhapa	14,674	4,719
Beldangi II	Jhapa	18,729	6,149
Beldangi II Ext.	Jhapa	9,584	3,415
Sanishare(Pathri)	Morang	16,624	5,217
Khudunabari(N)	Jhapa	7,152	3,148
Khudunabari(S)	Jhapa	2,585	
<b>Total</b>		<b>85,446</b>	<b>28,608</b>

Cumulative births: 3,268

Cumulative deaths: 2,460

The above figures are as of January 31, 1994.