

# The Bhutan REVIEW

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## SEVENTH ICRC VISIT

A team of officials from the International Committee of the Red Cross (ICRC) led by Marc Flegenheimer, the Delhi-based Deputy Regional Delegate visited Bhutan during the first week of November. This was the seventh visit to the country by the ICRC.

The delegation was reportedly granted an audience by His Majesty the King and met senior officials in the Home Ministry including Home Minister Dago Tshering. As in the past, the delegation also met 106 prisoners categorized as "anti-nationals" in Chemgang prison.

The Royal Government has been taking advantage of these ICRC visits to the country to project itself as a government committed to human rights. The international community must, however, recognize that periodic visits to specified prisons alone is neither sufficient to safeguard the interests and rights of all prisoners in Bhutan, nor are reports of such visits adequate for fully understanding the human rights situation in the country. Where public associations of any kind are officially discouraged and, naturally, rights organizations and political parties are totally banned, a more aggressive approach is necessary to collect factual information if donors and other governments really wish to know about the true situation in Bhutan.

## RALLY NEAR INDO-BHUTAN BORDER

The three political parties in the Bhutanese movement for democratic reforms, Bhutan Peoples Party (BPP), Bhutan National Democratic Party (BNDP) and Druk National Congress (DNC), have announced plans to jointly organize a mass meeting in Jaigaon. The town in Jalpaiguri district, West Bengal, adjoins Phuntsholing, Bhutan's second largest town and the main gateway to the kingdom.

The Students Union of Bhutan (SUB) has also planned a cycle rally to coincide with the Jaigaon assembly. According to SUB sources, volunteers will gather at the Indo-Nepalese border at Kakarvitta and cycle together towards Bhutan amassing goodwill and support along the way.

The cycle rally and the mass meeting, planned for the first week of January 1996, is intended to highlight the lack of progress in the efforts to resolve the Bhutanese crisis and the problem of refugees. It is supported by the Bhutanese Coalition for Democratic Movement (BCDM), an umbrella body of associations, organizations and political parties of Bhutanese in exile.

## INGOs APPEAL

Five non-government organizations involved in providing aid and assistance to Bhutanese refugees have jointly appealed to the international community for help in resolving the problem. The Plea for Justice jointly issued by Caritas Nepal, Oxfam-UK, Save the Children Fund (UK), Lutheran World Service (LWS) and the Centre for Victims of Torture (CVICT) calls upon the international community to bring pressure to bear on the governments of Nepal and Bhutan, as well as on other SAARC nations, to find a just political solution to

the Bhutanese refugees. Forwarding the plea on behalf of the group on November 13, the Representative of LWS in Nepal, Duanne Poppe, has urged the diplomatic community to use their offices to "encourage and influence the governments involved in the Bhutanese refugee situation to resolve the problem of refugees as soon as possible."

Besides providing emergency relief during the initial period of the crisis, Caritas/Nepal has taken up the daunting task of running schools in the eight UNHCR-assisted Bhutanese

refugee camps in Nepal. Oxfam-UK provides assistance in the non-formal education sector and minor income generation programmes. SCF (UK) provides assistance in the health sector while Kathmandu-based CVICT provides specialized treatment/services to refugees who are victims of torture. LWS which played the lead role in all areas of relief activities in the initial stages is now responsible for shelters, general infrastructure, sanitation and some community services. The full text of the Plea is produced below.

### A PLEA FOR JUSTICE

*Since 1991 some 110,000 southern Bhutanese have been forced to abandon their homes in Bhutan and flee to Nepal and India, 88,000 of them ending up in UNHCR-assisted refugee camps in eastern Nepal. With the failure of bilateral talks between Nepal and Bhutan to show any real progress towards a solution since their initiation in 1993, we wish to draw the international community's attention once again to the salient facts of the situation, and plead with them to pursue justice for these people through whatever means.*

*These people must not be overlooked and condemned to life as stateless persons in refugee camps, simply because they lack international significance. Article 15 of the UN Universal Declaration of Human Rights lays down the right of all people to a nationality and protection against the arbitrary deprivation of nationality.*

*No talks have been held since April 1995, and despite the lack of progress neither Nepal or Bhutan have made an effort to involve a neutral third party or to internationalize the issue to date. We ask the international community to bring whatever pressure they can to bear on the governments of Nepal and Bhutan, as well as other SAARC countries, in order that a just political solution can be found soon for the Bhutanese refugees.*

## Support Group in Ireland Expresses Concern

In a press release this November, the Bhutanese Refugee Support Group in Ireland expressed serious concern over the lack of progress in the efforts to resolve the problem of Bhutanese refugees in Nepal. The Support Group, which undertakes campaigns and brings out a Newsletter to raise public awareness and to provide information about the Bhutanese problem, includes a large number of individuals who worked in Bhutan, many of them in the education sector, during the 1980s.

The group expressed dismay

over the tone of the proceedings of the 73rd National Assembly in Bhutan, and appealed to the King and the Royal Government of Bhutan to honour their commitment to repatriate those who have been forced to leave the country.

The release also urged the international community to do everything in their power to urge the Royal Government "to work towards a just resolution of the problem."

The following is the full text of the release:

## BRIEFS..

A proposal calling for the eviction of all relatives of sharchop *ngolops*, was discussed during the 73rd National Assembly session. This did not make it into the *Kuensel*.

During the Assembly session His Majesty the King intervened, in English, to command Home Minister Dago Tshering to stop blabbering about terrorists during every session and to talk of development programmes instead.

Senior officials, especially those in grades 1 to 3 (Director and above), are a frightened lot and extremely wary of taking any decisions in the wake of the court martial and imprisonment of Col Tandin Dorji, former Chief of Police.

The continent's disease, rampant corruption, has finally begun to openly manifest itself. Sadly, everyone is 'making hay while the sun shines' as money, all admit, now talks loudly, clearly and unashamedly all over Bhutan. With the total loss of morality at all levels, the authority to enforce discipline and seek accountability has completely vanished.

## RBA, RBP CLASH

In the old days, the only big bully among the Bhutanese armed services was the **Royal Body Guards (RBG)**. Their proximity to power and authority meant that officers and soldiers of the dreaded RBG, and even their wives and servants, could act with impunity. This, they still do. Lately, however, at least far from the capital, the **Royal Bhutan Army (RBA)** has also begun to swagger.

The RBA, which did not have a single platoon posted in the south until 1990, now has a formidable presence in all the southern districts, ostensibly for security reasons: ostensibly, because they have consistently proved impotent in the face of "terrorists" who routinely loot and plunder southern villages. Sweeping powers have been granted to the RBA, and neither the police nor local civil administration has the power to challenge their authority. As a result, indiscipline behaviour on the part of soldiers has become a serious problem.

There have been a number of occasions in the past few years when soldiers and officers have got their way by pointing cocked revolvers at district officials, and even *Dzongdags* (district administrators) have been threatened by gun-toting officers. But this November a Major Gembo of the RBA caused panic and mayhem at Sarbhong checkpoint on the Bhutan-Assam border when he actually opened fire at policemen on duty, allegedly because they were slow in raising the barrier. No one was hurt but the incident has further widened the rift between the **Royal Bhutan Police (RBP)** and RBA. Major Gembo has been taken to Thimphu but there are no reports yet of any disciplinary action initiated against him.

Meanwhile, despite the crowded presence of these 'security' forces in the south, Bodo militants taking shelter inside Bhutan continue to pose problems. Having used these people earlier to intimidate and harass southern Bhutanese villagers, the government is now unable to control the groups as they openly flaunt their presence and defy Bhutanese authorities. Bodos - tribals in India's Assam state waging a struggle for statehood - have camps located around Gaylegphug, Kalikhola, Manas and Daifam areas in southern Bhutan.

*The Review Family wishes all readers a Merry Christmas and a Happy New Year*

*We ask those who share our concern to do everything in their power to urge the Royal Government of Bhutan to work towards a just resolution of the problem.*

## The Bhutan REVIEW

### END OF THE LOAN MELA

The Royal Government recently reported 705 cases of defaults on government rural credit loans in the eastern district of Tashigang. Of the Nu 4.78 million extended as seasonal and term loans by the Bhutan Development Finance Corporation (BDFC) to people in the district since 1989, Nu 3.96 million was still left unrecovered as of October this year, according to *Kuensel*.

Observers are not surprised. From the very beginning, it was evident that the regime's 'loan mela' (loan fair), as such political gimmicks are called in the Indian media, had little chance of success.

1989 was the year when murmurs of protest had begun to gain momentum in southern Bhutan following the regime's discriminatory policies and regulations targeting southern Bhutanese (*lhotshampas*). The 1988 fraudulent census and subsequent dress code, change in education policies effecting the south, and threat of massive 'relocation' on account of a proposed "green belt" right across southern Bhutan, had all contributed to the growing insecurity of southern Bhutanese. By 1989, many in the south felt they had had enough and serious dissent had begun to surface.

One direct result of the rumblings in southern Bhutan was the Royal Government's sudden interest in the welfare of *sharchops* in Eastern Bhutan. Long neglected by the regime except as a source of taxes and menial manpower, the eastern districts suddenly became a hub of activity in 1989 as the regime started an accelerated development drive. Accompanied by the entire royal family, His Majesty the King led a procession of officials to each of the districts. In one public gathering after another, monarch, ministers and officials acknowledged the problems and needs of *sharchops*, and proffered solutions and relief. The promises came not from mere minor functionaries, but from His Majesty himself, and the Ministers were on hand to note and obey the Royal Command. A flurry of activities and programmes followed as ministries and departments vied with one another for the honour of being noticed as the most successful in serving the people of eastern Bhutan. Every dream of every eastern Bhutanese - from roads to hospitals, power projects to schools, agriculture and animal husbandry to business and commerce - it seemed, was about to be fulfilled.

Dissidence in the south and, at the same time, promises in the east! Surely, it was hardly a matter of pure coincidence. Especially when promises were always followed by a clarion call to the people to come to the aid of the regime and to help squash the "anti-national" *ngolops* (traitors) in the south.

The need of the hour, the Royal Government realized, was support and allegiance at any cost - quite literally. Thus, in a part of the country where, despite the high population, no project or venture, large or small, had appeared attractive and viable only a year earlier, the government was now ready to pour in huge amounts. Many schemes that had gathered dust because they were rejected by the Royal Government despite the desperate efforts of middle-level *sharchop* bureaucrats to push them through were revived and quickly found feasible.

But large schemes and huge infrastructural projects, the regime realized, impressive and heart-warming as they were, were hardly likely to immediately and sufficiently convince and sway influential villagers whose support and traditional rhetoric was crucial to the regime's divide-and-rule strategy for contriving an ethnic rift between *sharchops* and *lhotshampas*. Thus, while on one hand the regime promised fertile land in the south to people in eastern Bhutan once all *lhotshampas* had been driven out, the government, on the other hand, also sought to drum up popular support by rewarding prominent individuals through lucrative deals.

An easy way to quickly please and appease select people without appearing to be directly bribing them for their backing was seen to be through institutional loans. As a consequence of the government's decision to buy the support of eastern Bhutanese, all financial institutions in the country, including the Bank of Bhutan which is partly owned and operated by the State Bank of India, were directed to liberally provide loans. While the Bank of Bhutan, on account of its lineage, was at least able to express concerns over the financial impropriety - but could not refuse to comply with the Royal Command altogether although it was able to slow down disbursements - other institutions were not so lucky.

The spate of loans that resulted was hardly the dream of financial institutions. And not unexpectedly, from the start, almost everyone began defaulting on their loans. The government, desperately willing to believe it could buy people's loyalty, withheld punitive measures for as long as it could. But, for a nation which depends wholly on external assistance for all its development programmes, its own claims as being the most well-off state in South Asia notwithstanding, such an enterprise could not be sustained forever. And the bubble, it appears, has finally burst.

Maybe the Asian Development Bank (AsDB) which solely sustains BDFC through loans and grants has started asking difficult questions. Or, just maybe, with the ugly head of dissidence becoming more pronounced in the east the regime has finally realized that money only buys fleeting loyalty.

## HUMAN RIGHT, REFUGEES, STATELESSNESS

The question of human rights has occupied a prominent position on the international agenda ever since the UN General Assembly established the Universal Declaration of Human Rights in 1948. Today, it is no more possible to talk about international affairs without reference to human rights than it is to talk about Chemistry without mentioning molecules, or economics without supply and demand. Respect for human rights is now rightly seen as one of the principal building blocks of peace, security and development.

The issue of human rights is also so inextricably linked to the question of human displacement that it is impossible to examine one without referring to the other. This linkage takes a number of forms, each of which has important implications for the search for solutions to the refugee problems.

Violations of human rights are a major - indeed, the major - cause of mass population displacement. This fundamental

relationship is not always given adequate recognition. In recent years, it has become commonplace for politicians, the media and even humanitarian organizations to perceive uprooted people as the victims of armed conflict and even to describe them as 'war refugees'. In many ways, however, it would be more accurate to describe refugees as people whose human rights have been seriously violated or threatened.

According to the 1948 Universal Declaration of Human Rights, all human beings have a right to life, liberty and security of person. They have a right not to be subjected to torture, slavery or arbitrary exile, as well as a right to own property, to move freely within the borders of their country and to be protected against arbitrary interference in their privacy and family life.

In many instances, people's human rights are abused not only on the basis of their individual characteristics or activities, but

also because of the social group to which they belong. In response to this problem, a body of international law has been established, recognizing that groups of people who wish to preserve a distinct identity should not be subjected to forced assimilation, segregation or discrimination.

The International Covenant on Civil and Political Rights, for example, states that such minorities "shall not be denied the right... to enjoy their own culture, to profess and practice their own religion, or to use their own language." Similarly, the International Convention on Genocide forbids any activities which are undertaken "with intent to destroy, in whole or in part, a national, ethnical, racial or religious group." As recent experience in former Yugoslavia has demonstrated, massive population displacements are almost certain to ensue when the rights identified in these treaties come under sustained attack.

### THE PROBLEM OF STATELESSNESS

On March 10, 1993, a group of Khmer Rouge soldiers marched into the Cambodian fishing village of Chong Kneas and opened fire, killing and injuring more than 60 people of ethnic Vietnamese background. In the panic which followed, more than 30,000 people from this minority group fled into Viet Nam, while 5,000 more found themselves stranded on the Cambodian side of the border. These displaced people and their ancestors have lived in Cambodia for generations. They speak fluent Khmer and consider themselves to be Cambodian citizens. But they are not recognized as such by the Cambodian authorities, and have consequently been prevented from returning to their villages. By mid-1995, there was still no solution in sight for them.

The situation of Cambodia's ethnic Vietnamese population provides a graphic example of an important but sometimes forgotten humanitarian issue: the problem of statelessness. One consequence of an international system based on the nation-state is the vital importance of citizenship. To be able to reside in a country, to work, to vote, to carry a passport, and hence to be able to leave or enter that state, citizenship is required. Both substantively and symbolically, citizenship enables an individual to belong to a society. It is for this reason that nationality has been recognized as a human right, and the arbitrary deprivation of citizenship is prohibited under international law.

Despite these legal provisions, a substantial but unknown number of people are living in circumstances similar to those of the ethnic Vietnamese in Cambodia, lacking citizenship and the rights associated with that status. Significantly, while international human rights law acknowledges the right to a nationality, it does not spell out the circumstances under which a state must grant citizenship; each country remains sovereign in its ability to establish nationality laws

and to determine whether individuals are recognized as citizens.

The problem of statelessness is related to the issue of human displacement in two principal ways. First, statelessness can act as an obstacle in the search for solutions to refugee problems. In a number of different situations, countries of origin have refused to allow the return and reintegration of refugees whose claim to citizenship has been rejected, even if, like Cambodia's ethnic Vietnamese population, they were born and bred in that state. Refugees who are prevented from repatriating in this way may, of course, encounter even greater difficulties if no other country is prepared to offer them long-term residence rights and the opportunity to apply for citizenship.

Controversies over citizenship are currently impeding the search for solutions in a number of countries around the world. In addition to the Cambodian situation, difficulties have arisen with regard to the ethnic Nepali refugees who have fled from Bhutan into Nepal, members of Kuwait's Bidoon minority living in other Arab states, and a small number of ethnic Chinese boat people who remain in Hong Kong. The details of these cases differ substantially, and in each instance they are surrounded by complex legal, factual and political disputes. What these situations have in common is that the country of origin will not allow the people concerned to return, citing lack of citizenship as the reason for their exclusion.

A second and perhaps even more important connection between statelessness and the refugee problem is to be found in the threat of displacement and expulsion which hangs over many people who are not recognized as citizens of the countries to which they essentially belong. This threat derives less from the simple absence of citizenship, however,

and more from the policies and prejudices which often motivates a state's decision to withhold citizenship from a particular group of people.

When it occurs on a collective basis, statelessness is almost always an indicator of underlying social and political tensions, involving minority groups which are perceived by the majority and the authorities as different, disloyal or dangerous. Contemporary examples of this syndrome include the Roma (gypsy) minority in the Czech Republic, Myanmar's Muslim minority, commonly known as Rohingyas, and the large population of ethnic Russians in Estonia and Latvia. In the former Soviet states generally, there is a particular risk that the resurgence of ethnic nationalism and the introduction of new nationality laws might lead to large-scale statelessness and mass population movements.

Recent developments in the former Soviet Union and the countries of Eastern Europe, coupled with the simultaneous emergence of a proactive, preventive and solution-oriented approach to the problem of human displacement, have generated a new awareness of the plight of stateless people. It is now widely accepted that the question of statelessness goes beyond the domestic jurisdiction of states, given its important human rights implications, its potentially damaging impact on inter-state relations and its propensity to create refugee problems.

In most situations, people become stateless not as a result of some historical or legal quirk, but because a state has not learned to live with or tolerate its minorities. Respecting the full spectrum of human rights - which includes the right to nationality - is essential if a society is to live at peace with itself and in harmony with its neighbours.

*The State of the World's Refugees, 1995.*

## IN SEARCH OF SOLUTIONS

If global refugee problems are to be adequately and effectively tackled, a **proactive and preventive, homeland-oriented and holistic or integrated** strategy must replace the prevailing **reactive, exile-oriented and refugee-specific or refugee-centred** approach. This is the thrust of the message in UNHCR's **The State of the World's Refugees 1995: In Search of Solutions** [264 pp, Oxford University Press 1995].

Established in 1951 and charged with the responsibility of "seeking permanent solutions for the problem of refugees," UNHCR has since played the lead role in coordinating the 'international refugee regime' which involves a host of institutions, laws and agreements specifically designed to help solve the problems of people forced to leave their homeland. In the face of new and more complex refugee situations, however, there is growing recognition that bolder initiatives are necessary if mass displacement of populations in future is to be contained and if durable solutions to existing problems are to be found.

The "reactive, exile-oriented and refugee-centred" policy for UNHCR was implicitly written into the statute of the Office when it was created in 1951. Set up as a temporary body to take care of war refugees, mostly of European origin, UNHCR was charged with providing international protection and seeking permanent solutions for refugees already, by definition, in exile. As a consequence of this definition of the term "refugee", the 1951 Refugee Convention contained clauses and conditions that made demands not of the country of origin but only of the country of asylum. More significantly, it was implicit in the definition that an individual could become of concern to the UNHCR only after he or she had succeeded in fleeing his or her country. The "permanent solutions" then envisaged, reflecting this definition, understandably revolved around the individual refugee, involving voluntary repatriation or assimilation. The 1967 Protocol Relating to the Status of Refugees removed the January 1, 1951 date in the definition of refugee, but changed little else.

As a result of the original mandate in the Statute of the UNHCR, and the general international consensus that UNHCR was a purely humanitarian body which should be responsible for people after they had been displaced but could not address the causes which had caused them to become refugees in the first instance, the traditional approaches to the refugee problem presupposed the existence of exiled populations. The concern and emphasis, therefore, was primarily "to solve the problems of refugees, not to resolve the refugee problem."

The acceptance of this exile-oriented approach meant that considerable stress was laid on the right of people to leave their own country while ignoring the more fundamental human right: the right to live in safety and security in one's own country - the right to remain. This also placed the responsibility and onus of solving refugee problems on the countries of asylum rather than on the states from which they were forced to flee. Thus, the Refugee

Convention enumerates in detail the rights which the host country must grant refugees, but says nothing about the role and responsibilities of countries of origin in finding solutions.

A number of factors have combined to bring about a reassessment and revision of the traditional approaches to refugee problems in the past few years, the book reveals. The hope that the end of the Cold War would bring global stability has been belied, conventional responses have proved inadequate not only because of the magnitude of refugee movements but also because of the nature of some of the conflicts, and donors as well as host countries are beginning to show disquiet. The breakdown in the conventional categories of refugees as UNHCR is forced to respond to internally displaced and resident populations has also contributed to a rethinking of policy. Changing strategic interests of influential nations, new notions of security, debate over sovereignty and increased emphasis on human rights have also affected the strategies that are now emerging.

The fundamental principle of the emerging approach to the issue of human displacement is that "refugee movements are not inevitable, but can be averted if action is taken to reduce or remove the threats which force people to leave their own country and to seek sanctuary elsewhere." This concept of prevention includes activities such as monitoring and early warning, diplomatic intervention, economic and social development, conflict resolution, institution building, the protection of human and minority rights etc. The international community and specific governments concerned, more than UNHCR and other humanitarian organizations, must undertake these tasks. In contrast to the traditional approach where the right to seek and enjoy asylum elsewhere was protected, this new perspective focusses equal attention to one's right to return to one's homeland and on a notion that has become known as the 'right to remain' or the 'right not to be displaced'. This new paradigm also implies the concept of state responsibility: that "governments must not only be held to account for actions which force people to seek sanctuary in other countries, but must also be encouraged to create conditions which allow refugees to return to their homeland."

**PROTECTING HUMAN RIGHTS**: Based on the truth that "today's human rights abuses are tomorrow's refugee movements," the book states that UNHCR and its partners are formulating a variety of strategies intended to avert the need for people to leave their homes. It is commonplace for politicians, media, and even humanitarian agencies to perceive uprooted people as victims of armed conflict, the report states, but "violations of human rights are a major - indeed, the major - cause of mass population displacement." Moreover, UNHCR affirms that human rights are "much more than abstract principles." On the one hand they contribute to prevention of refugee movements by placing constraints on the actions of governments and by reinforcing the accountability of states for the treatment of their citizens, and at the same time they contribute to the resolution of

refugee situations by providing a set of standards and objectives.

**PROMOTING DEVELOPMENT**: Since the formation of the United Nations, the relationship between development and displacement has undergone significant change. In the early years, the post-war economic boom helped resolve and prevent refugee problems as millions of war-displaced were accommodated in reconstruction projects in western Europe itself, while many others migrated to the USA, Canada, Australia and Israel. In recent years, however, economic disparities, population growth and degradation of the natural environment have all contributed to large population displacements and frequent humanitarian emergencies.

There is a "strong and indisputable relationship" between development difficulties faced by countries and their propensity to be affected by conflict and human displacement, according to the High Commissioner for Refugees. This, the book shows, is confirmed by relating UNHCR's data on refugees with UNDP's Human Development Index (HDI). None of the 30 top countries on the 1994 HDI are refugee-producing states, but among the 30 states at the bottom of the index, half, including Bhutan, are affected by the problem of human displacement. The flow of refugees from a country cannot, however, be explained in economic terms alone, the report states, pointing out that many of the countries at the very bottom of the index, including Nepal, have given sanctuary to refugees instead.

Recognizing the link between development and displacement, in the past two years the international community has begun to promote "preventive development" as opposed to the traditional view of prevention which only included human rights monitoring, peacekeeping, institution building and dispute resolution. According to the High Commissioner for Refugees: "Today's refugee problems cannot be treated in isolation from the political, social and economic causes which give rise to them."

Environment issues have also become an area of serious concern following the arrival and settlement in recent years, of large numbers of refugees in some of the world's poorest and already fragile regions. Reflecting the international community's decision to adopt a more proactive and holistic approach, UNHCR now lays greater emphasis on tree nurseries and afforestation schemes, and takes other measures such as introduction of fuel-efficient stoves and provision of kerosene to help limit the damage to the environment.

The new homeland-oriented, holistic approach also hopes to take into account the environment issue in the country of origin when refugees repatriate. In the old refugee-centred strategy, when conflicts were resolved and refugees could return home, UNHCR traditionally provided a modest resettlement package ("dismissively referred to as 'a cooking pot and a handshake'") to enable the refugee to begin life anew in his homeland. In the new holistic scheme, along with the returnee the entire community is targeted through small Quick Impact Schemes (QIPs) designed to provide an economic boost to

the community as a whole.

**INVESTING IN THE FUTURE**: With one out of every 110 persons on earth displaced from his or her home, there are strong enough reasons to be seriously concerned, the report concludes, especially since "solutions are ultimately dependent on political, military and economic factors which lie beyond the control of humanitarian organizations." Nevertheless, UNHCR believes that times have generally changed for the better in most parts of the world since the end of the Cold War despite the spate of ongoing conflicts in some regions. This has resulted in a new degree of international cooperation wherein an alternative solutions-oriented approach to the refugee problem is viable. The international community, however, must devote more effort to the task of conflict prevention. The cost of not reinvesting in the future will be high, the book warns.

## "IN QUOTES"

"Many words have been written about the causes of refugee movements, most of which ignore a simple point: that mass displacements are the consequence of decisions taken by powerful individuals and institutions, both within and outside of the countries which actually produce refugees. Wars do not start unless an army is ordered into action. Some people are maimed by landmines because other people have a direct interest in the manufacture and sale of such weapons. Ethnic cleansing only takes place when political leaders and their supporters conclude that it is in their interest to organize such expulsions."

**The State of the World's Refugees, 1995.**

## MEDIA SCAN

### FROM THE FRYING PAN

Birman Rai, is presently an inmate of South Khudunabari refugee camp in Jhapa of eastern Nepal. He had fled from his village Pakhang in Phuntsholing district of southern Bhutan. A former member of the Royal Bhutanese Army, he was expelled from it on frivolous ground of being medically unfit in 1993 because of his brother's alleged association with dissidents.

Like thousands of other ethnic Nepali refugees, Birman Rai along with his 13 family members were forced to leave Bhutan. To seek asylum they arrived at Kakarvitta Screening Centre near the Indo-Nepal border on December 22, 1993.

During his interview with a representative of the Nepalese government at the KSC he was asked to show relevant documents in order to examine his nationality and his claim to refugee status. He had to submit his pay book number 14150, insurance documents, land records, tax payment receipts and the most important document of all - his "clearing certificate" that had discharged him from the Bhutanese Army. Till date he has not been given back any of these documents.

Birman Rai possibly did not realise that his documents could have helped him claim refugee status in the West. He is among the hundreds of refugees from Bhutan who submitted their Bhutanese nationality documents - especially Bhutanese national identity cards - at the KSC for examination and never got them back. In the Khudunabari camp itself, there are 150 such complaints from the 3849 individual refugees...

The issue of these missing documents that could prove the Bhutanese nationality of these refugees goes beyond the dereliction of duty of the concerned officials. The refugees made several representations to the RCU and the UNHCR. Both these organisations failed to take note of this problem and to initiate inquiries to prevent harassment of the refugees.

A number of these refugees in Jhapa have alleged that many Nepalese citizens have been seeking asylum in Europe by falsely claiming to be the victims of human rights abuses by the Bhutanese government. The documents of the original Bhutanese citizens are adequate for refugee status.

It is also alleged that there is a black market for Bhutanese national identity cards. The value of such documents could vary from 10,000 to 40,000 Nepalese rupees. Such business with people's misery goes unchecked. The UNHCR and the Nepalese government officials blame one another. It is further alleged that representatives of the Nepalese government and local staff of the UNHCR are entrepreneurs in refugees' misery...

The issue of Nepalese citizens seeking asylum in Europe has reportedly been raised by a few Bhutanese refugee human rights non-government organisations with the diplomatic missions in Kathmandu. However, problems also pertain to the splintering of human rights groups and political parties of Bhutanese refugees. There are over two dozen advocacy groups and political parties of the Bhutanese refugees. Some of the advocacy groups and political parties have been providing certificates to Nepalese citizens as fake Bhutanese to facilitate asylum seeking in the West.

The officials at the KSC said they have no such documents and most of these cases have been handled by their predecessors. The question is, when photocopies of original documents can be made, why are the documents kept with the officials?

With the UNHCR and the Nepalese government officials turning a blind eye to the growing trade in Bhutanese national identity cards, the documents of the new arrivals are conveniently misplaced as the business flourishes in Nepal.

**Suhas Chakma, The Telegraph, Calcutta, December 1, 1995.**

# THE STATE OF THE WORLD'S REFUGEES, 1995

**The State of the World's Refugees 1995, In Search of Solutions**, a report by UNHCR was released this November. The report reveals that a more proactive and preventive approach is now being adopted in dealing with the global refugee problem, replacing the traditional reactive strategy. Thus, the focus is now shifting from the country of asylum to the country of origin and there is increasing emphasis on human rights, the abuse of which is the major cause of refugee movements, according to the report.

Although the number of conflicts taking place is the same as 10 or 15 years ago, the number of people of concern to UNHCR has risen in recent years to 27 million in 1995 from 17 million in 1991. Of this, some 14.5 million are refugees - people who have crossed an international border and been granted asylum. But at the same time, in the past five years some 9 million refugees returned to their homeland.

The report admits that humanitarian organizations such as the UNHCR can, at best, play only a limited role in the new paradigm, and insists that governments and the world's financial institutions must be more involved. The cost of finding lasting solutions to existing situations, and of preventing new crises, will be less than the amounts currently expended in emergency humanitarian operations. "Greater respect for human rights is essential," the report states and advocates that "increased support and assistance should be given to states which observe democratic principles and human rights standards" as rewards in much the same way they are given to states which undertake structural reforms.

## The Resourcefulness of Refugees

Although the search for solutions is confronted with significant obstacles, it is too easy to fall into the trap of humanitarian pessimism - a syndrome which unwittingly undermines the very cause which it seeks to advocate. When every new displacement is referred to as 'an unprecedented crisis', when refugees are portrayed as people who bring nothing but needs, and when aid organizations and the media insist on giving publicity to refugee problems rather than their resolution, should it be surprising that the world has become somewhat weary of the issue? In conclusion, therefore, it is necessary to recall some of the more positive observations which emerge from a review of the state of the world's refugees.

Recent years have witnessed a substantial growth in the number of people and organizations with a professional interest in refugees, in both practical and analytical functions. As with any other specialized field of activity, the refugee sector has developed its own shorthand, a vocabulary full of concepts such as 'temporary protection', 'safe third country' and 'durable solutions', which mean relatively little to people who are not engaged in this area.

While these are normal and perhaps inevitable developments, they have had an unfortunate effect of diminishing the attention paid to the aspirations and activities of refugees themselves. As one anthropologist has observed, refugees are too often seen as the objects of action, as 'beneficiaries' or 'a caseload', rather than as actors in their own right. **"They are people whose lot it is to be counted, registered, studied, surveyed, and in due course hopefully 'returned', at which point they become 'ordinary people' once again."** [D. TURTON, *Refugees Returning Home*, UN Research Institute for Social Development, Geneva, 1993]

Refugee camps and settlements are not, of course, 'normal' places, particularly in situations where the population has little or no access to land or wage labour, and must therefore rely on external assistance. But perhaps the most striking characteristic of any refugee population, particularly in the post-emergency phase, is the extent to which its members are preoccupied with very ordinary human concerns: choosing a partner, bringing up children, maintaining social relationships, trying to improve their standard of living

and generally making the best of what can be a very demanding situation, both physically and psychologically.

Like any other group of people, refugees are not all equally industrious. But to realize their basic needs and aspirations, exiled and displaced populations are usually obliged to develop a whole range of practical coping strategies. Some of these strategies naturally revolve around the provision of assistance, one of the most visible and essential resources in a refugee situation. As one analyst has commented, "when refugees buy and sell ration cards, register children several time over, split their families between a relief camp and external economic activities and set up markets around camps to trade relief grain and other commodities, they are demonstrating qualities of resourcefulness and ingenuity." [ibid]

When there are other means of making a living in a refugee settlement area, they are very rarely ignored. As a study of Ethiopian refugees in Somalia concluded, "not only did the refugees seize every available opportunity to earn an income, but they also entered into economic relationships with local businessmen or rich farmers by devising contractual agreements to gain access to land or employment. More often than not these were inequitable relationships, but under prevailing constraints they provided the refugees with a means to engage

in productive activities, no matter how infinitesimal were the returns." [G. KIBREAB, *Journal of Refugee Studies*, vol. 6, no. 4, 1993]

Precisely the same kind of resourcefulness can be seen in any UNHCR repatriation programme, when, after years of living in exile, refugees calmly disembark from the bus, truck or boat which has brought them back to their homeland, pick up their meagre belongings and a modest package of assistance, walk back to their village and start to pick up the pieces of the life they left behind.

Moreover, as UNHCR's own statistics demonstrate, the majority of returnees who repatriate do so of their own accord, without being provided with transport by the organization.

The search for solutions does not, therefore, depend on governments, international organizations and NGOs alone. It relies to a great extent on the knowledge and capacities of refugees themselves, and on their determination to resume a more productive life. The protection and assistance provided by states and humanitarian organizations is, of course, an essential component of the search for solutions. But such activities are most likely to prove effective when they support refugee choices and coping strategies, enabling the men, women and young people concerned to manifest their resourcefulness.

## Trees & Refugees

In the Himalayan kingdom of Nepal, which has been home to some 85,000 exiled Bhutanese in recent years, UNHCR and its partners are also attempting to combine the replacement of trees which have already been felled with longer-term strategies intended to limit environmental impact of the refugee population.

To reduce their level of fuel-wood consumption - which amounted to approximately

400 kilos per capita a year - UNHCR provided the Bhutanese with kerosene stoves and fuel. And to enhance compliance with the country's tree harvesting regulations, UNHCR is providing funding for forestry patrols and supporting public education campaigns. Simultaneous efforts are also being made to strengthen Nepal's forestry department, by training local staff to produce land maps, to undertake environmental impact assessments and to make use of modern reforestation techniques.

There is now a consensus among relief organizations that environmental protection should begin in the emergency phase of refugee influx. In reality, however, the urgent need to provide food, water and shelter for thousands of new arrivals has too often relegated ecological concerns to a very low rank on the list of priorities. And while there are hundreds of humanitarian organizations around the world with expertise in functions such as logistics, sanitation, camp management and health care, far fewer agencies can claim the same kind of knowledge and experience in the environmental sector. UNHCR itself appointed an environmental coordinator just three years ago, with the primary objective of ensuring that ecological considerations are built into the organization's planning, implementation and monitoring procedures.

### MAJOR DONORS TO UNHCR, 1994

	US\$ million	Per Capita (US\$)
1. USA	232	0.99
2. European Commission	225	0.67
3. Japan	121	0.98
4. Sweden	81	9.29
5. United Kingdom	68	1.22
6. Netherlands	60	4.04
7. Norway	45	10.49
8. Denmark	38	7.42
9. Canada	26	0.89
10. Switzerland	21	3.21
11. Germany	17	0.21
12. Italy	15	0.27
13. France	11	0.18
14. Australia	11	0.60
15. Finland	11	2.27
16. Other Governments	15	
Luxembourg		1.02
Ireland		0.87
Belgium		0.22
Austria		0.12
Spain		0.06
17. NGOs, UN, Private Sector	38	
<b>TOTAL</b>	<b>1,065</b>	

## Largest Refugee Populations by Country of Origin, 1995

RANK	Country of Origin	Total Population	Number of Refugees	Refugees as % of Total	RANK	Country of Origin	Total Population	Number of Refugees	Refugees as % of Total
1.	Western Sahara	272	166.5	61.21	23.	Slovenia	1,942	14.7	0.76
2.	Rwanda	7,750	2,257.0	29.12	24.	Tajikistan	5,933	42.1	0.71
3.	Liberia	2,941	794.0	27.00	25.	Nicaragua	4,275	22.9	0.54
4.	Bhutan	657	103.3	15.72	26.	Myanmar/Burma	45,555	203.9	0.45
5.	Afghanistan	18,879	2,743.6	14.53	27.	Guatemala	10,322	45.1	0.44
6.	Eritrea	3,437	422.4	12.29	28.	Sri Lanka	18,125	77.3	0.43
7.	Bosnia & Herzegovina	3,527	321.2	9.11	29.	Viet Nam	72,931	307.0	0.42
8.	Burundi	6,209	389.2	6.27	30.	Yugoslavia	10,763	38.5	0.36
9.	Sierra Leone	4,402	283.9	6.25	31.	Ethiopia	53,435	188.0	0.35
10.	Somalia	9,077	535.9	5.90	32.	Lao	4,742	15.4	0.32
11.	Armenia	3,548	201.5	5.68	33.	Senegal	8,102	25.6	0.32
12.	Togo	4,010	167.7	4.18	34.	El Salvador	5,641	16.7	0.30
13.	Azerbaijan	7,472	299.0	4.00	35.	Niger	8,846	22.0	0.25
14.	Iraq	19,925	702.1	3.52	36.	Zaire	42,552	71.6	0.17
15.	Chad	6,183	211.9	3.43	37.	Uzbekistan	22,349	29.0	0.13
16.	Djibouti	566	18.0	3.18	38.	Uganda	20,621	26.0	0.13
17.	Mauritania	2,217	68.0	3.07	39.	Iran	65,758	49.9	0.08
18.	Angola	10,674	283.9	2.66	40.	Algeria	27,325	20.1	0.07
19.	Croatia	4,504	78.3	1.74	41.	Bangladesh	117,787	53.9	0.05
20.	Mali	10,462	172.7	1.65	42.	Turkey	60,771	16.9	0.03
21.	Mozambique	15,527	234.5	1.51	43.	Tibet (China)	*	109.2	
22.	Sudan	27,361	398.6	1.46	44.	Palestinians	*	75.3	

*Refugee statistics and population data (in thousands) from State of the World's Refugees 1995, UNHCR, and World Population 1994. Doc. ST/ESA/SER.A/142, UN Population Division, respectively. Total population figures for Tibet and Palestinians not available. 1994 population figure for Bhutan based on Royal Government's correction of 1990 (600,000) and annual growth rate of 2.3 per cent.*