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FLOODS

Record rainfall all along the southern foothills resulted in floods and landslides throughout most parts of the kingdom with considerable loss of life and property reported in southern Bhutan. 10 people were reportedly buried alive under a landslide in a single incident at Kharkhola in Sarbhang district on the morning of July 13 while a religious ceremony was in progress.

Sarbhang town, always under threat, was 'islanded' after the Sarbhang river abruptly changed course, sweeping away 23 houses and rendering hundreds homeless. Chirang and the major portion of Sarbhang district was completely cut off due to landslides on the Wangdi-Chirang road and swollen rivers on the Gaylegphug-Sarbhang route. Parts of the Gaylegphug area were also affected disrupting drinking water supplies while the heavy industries in Pasakha near Phuntsholing had to be temporarily shut down. According to reports, security forces based in the south were deployed to evacuate and rescue stranded people.

The unprecedented, heavy mid-July monsoon rains which destroyed homes, crops, and livestock in the south also effected people in other parts of the kingdom. Loss of life and property was reported from Tashigang and Samdrup Jongkhar districts. Most sections of highways also suffered from landslides and remained closed for some days. The unstable Sorchen bends on the main national highway linking the capital Thimphu with Phuntsholing on the Indo-Bhutan border was the source of problems yet again, resulting in the capital remaining cut-off for 10 consecutive days leading to scarcity of goods and price hikes.

PEACE MARCHERS RELEASED

791 Bhutanese refugees who were detained in different prisons in India's West Bengal state after they were arrested as they attempted to march in groups across Indian territory to Bhutan from Nepal, were released unconditionally on July 4. The Calcutta High Court ordered the release of the marchers, including 128 women, held in Siliguri, Jalpaiguri, and Berhampur jails.

The march was organized by the Appeal Movement Coordination Council (AMCC) when His Majesty King Jigme Singye Wangchuck failed to respond to an appeal, despatched by AMCC on a number of occasions, that called for national reconciliation, restoration of human rights and early repatriation of Bhutanese refugees. The refugees were making the journey to submit a copy of the appeal to the King. The Indian Government, taking the position that it could not permit hostile political activity against a neighbour, prevented the refugees from undertaking the march in Indian territory.

In the 74th National Assembly DISCONTINUE TALKS, MEMBERS DEMAND REPRESENTATIVES EXPRESS PEOPLES' GRATITUDE

Maintaining that no progress had been achieved in the negotiations with Nepal, and accusing the Nepalese Government of not being serious about the process, members of the Bhutanese National Assembly called for a halt to the Bhutan-Nepal bilateral talks. Charging Nepal with altering its position every time a new government came to power, the people's representatives meeting in the 74th session said there was no point in continuing the talks.

In his report to the Assembly, the Foreign Minister alleged that the Nepalese side had taken a position which was a marked departure from past decisions. According to the minister, the new Nepalese position was that verification of refugees should be based solely on individual statements, and that all the people who had lived in Bhutan should be taken back re-

gardless of whether they were Bhutanese citizens or not. Based on this new position, the minister warned, besides labourers and others who had worked in Bhutan, all those who had emigrated after selling their property would have to be taken back. He also reported to the Assembly that Nepal did not seem to be interested in the bilateral process. He alleged that all Nepalese ambassadors abroad have been instructed to make various allegations to tarnish Bhutan's image.

His Majesty intervened in the discussions to state that Bhutan was fully committed to solving the problem. He commanded that the eighth round of bilateral talks would take place since Bhutan had already agreed to hold it in Thimphu. The views of the members would be kept in mind by the Royal Government during the process of negotiations, His Majesty said.

The 74th session of the Bhutanese National Assembly took the opportunity to express and convey the appreciation of the people for His Majesty's able leadership in the development and economic growth of the country. The Assembly also recorded its appreciation to the Government of India.

The members expressed the deep gratitude of the people of Bhutan to His Majesty the King for the dedication and wisdom with which he continued to steer the kingdom towards economic prosperity. Representatives from various districts expressed their appreciation for facilities provided by the government in their dzongkhags. The people of Gasa expressed their appreciation for the establishment of Gasa as a separate dzongkhag. Gasa [current population: 2,500] was a separate dzongkhag until 1985 when it was

merged with Punakha [population: 20,000].

The Bhutan Chamber of Commerce and Industry (BCCI) representative expressed the appreciation of the business sector, while the Finance Minister said that all government officials, too, must be deeply grateful to His Majesty for the dynamic leadership in every field of development.

The National Assembly also recorded its appreciation to the Government of India for the continued goodwill and friendship and unfailing cooperation in Bhutan's development. Members from all parts of the country expressed their appreciation for India's contribution to peace and stability in South Asia and, in this context, appreciated Indian action which prevented peace marchers from using Indian soil to disrupt the peace and security of Bhutan.

BUDGETS, SALARIES, AND JOB RESPONSIBILITIES

Pay Increase

For the participants, the Assembly session started on a happy note. On the very first day, the Finance Minister announced in his budget speech that His Majesty had commanded a hike in salaries for everyone. Civil servants were granted a 25 per cent increase across the board while the salaries of *gups* (village headmen) and *chimis* (National Assembly members) were raised by 50 per cent. Army chief General Lam Dorji also confirmed that the undeclared non-budgeted defence accounts would incur an extra expenditure of Nu 95.5 million as His Majesty had also commanded increases in remuneration of all service personnel.

It was not disclosed, however, that the shortfall in the budget would be covered by the retrenchment of over 2,000 civil servants, mainly belonging to the south and east, an exercise which is already underway.

BCDM Delegation Meets WB Minister

A delegation of the Bhutanese Coalition for Democratic Movement (BCDM) met Buddhadev Bhattacharya, Home Minister of West Bengal, on July 1. According to reports, the Minister was apprised of the political problem of southern Bhutan and the current situation of the Bhutanese refugees in Nepal and India. Specifically, the delegation expressed concern over the condition of Bhutanese refugee marchers in West Bengal jails. The Minister reportedly expressed his party's sympathy and support for the struggle for democratic reforms in Bhutan, and assured the delegation that all refugees detained in Indian jails would be released soon.

Budget

The presentation of the annual budget by the Finance Minister in the National Assembly is itself a very recent phenomenon. This decision to make legislators privy to such information is commendable. Unfortunately, besides thanking the government for this privilege, members can do little else. The Assembly lacks the authority to approve or modify the budget. In fact, as the absence of discussion or debate on the figures indicate, it lacks even the courage to question. Moreover, any faint credibility that this procedure might have acquired as a forum for seeking financial accountability from the government is quashed by the irregularity of sessions. When the budget is presented only as and when it is convenient for the government to do so, at times well past the start of the fiscal year and in some years not at all, Assembly participation in the process becomes devoid of meaning.

RAC Functions

Once every few years, as if to remind themselves too, the authorities take time off to highlight in the Assembly the role of the other token institution of Bhutanese democracy - the *Lodoe Tshogdey* (Royal Advisory Council), an eight-member body (5 from the public, 2 from the monk body and a chairman nominated by the King) established in 1963 and often described as the "guardian of the constitution." Responding this time to a member's request to explain the functions of the RAC, the council chairman said that the RAC, whose members were elected to this important body by the people themselves, was responsible for "promoting and safeguarding the trust, confidence and harmonious relationship between the government and the people." It is RAC's duty, he declared, to bring to the attention of His Majesty, the cabinet, and the National Assembly, any activity

against the country by any individual or organization, including by the King himself. Councillors were expected, the chairman said, to discharge these duties "without fear or favour." But if councillors are found to be less than enthusiastic about their duties, they will find ample sympathy among the public for their discretion - Tek Nath Rizal, an 'elected' councillor who was removed from office for discharging this very duty (the only time any councillor attempted to advise the government) and who is now spending his seventh year in prison, remains a grim reminder of what can befall anyone who happens to take this "responsibility" seriously. Consequently, councillors are relieved to have another set of responsibilities thrust upon them - resolving High Court decisions challenged by litigants. Conveniently for both councillors and the regime, this task occupies the 'royal advisors' year round.

New United Front Declared

The formation of a new alliance of Bhutanese dissidents, the United Front for Democracy in Bhutan (UFD) was announced on July 11. At a press conference in Kathmandu, Chairman of the Druk National Congress (DNC) Rongthong Kunley Dorji disclosed that the new front had been formed to take the struggle inside the country. Dorji informed the gathering that in a meeting held in Kathmandu on June 22 friends had entrusted him with the task of providing the central leadership to the front.

Besides the DNC and the People's Forum for Human Rights, Bhutan (PFHRB/S.K.Pradhan), the launching of the new alliance was attended by Bhutanese dissident youth based in Kathmandu. A rep-

resentative of the Appeal Movement Coordination Council (AMCC) was present as an observer, but the Bhutanese Coalition for Democratic Movement (BCDM) was conspicuously absent. The absence of the two political parties, Bhutan National Democratic Party (BNDP) and Bhutan People's Party (BPP) which are the main constituents of BCDM, has not helped advance the new group's claim of representing a 'united' front.

Responding to suggestions that the announcement may have been premature since the alliance had evidently not succeeded in bringing all dissident factions together, Dorji indicated that he was holding discussions with the other organiza-

tions. He said he was confident that in the near future all the factions would unite under a central leadership.

Explore Appointment of Mediator - UNHCR Ex-Com Chairman

Ambassador Larsen who visited Bhutan, Nepal, and India in January this year has recommended that the appointment of an impartial mediator be further explored to resolve the problem of Bhutanese refugees in Nepal. He has also suggested that mutual confidence between Bhutan and UNHCR be developed, and indicated that India's involvement would be helpful in facilitating a solution.

See page 3 for more

LARSEN'S REPORT : A SECOND FOUL

In his capacity as Chairman of the Executive Committee of the United Nations High Commissioner for Refugees (UNHCR), Jakob Esper Larsen, Danish Ambassador to the United Nations in Geneva, visited Bhutan, Nepal and India in January of this year. After the Ambassador failed to visit the refugee camps or meet with representatives of the exiled Bhutanese community, partly on account of foul weather but more so because Larsen ostensibly had more pressing engagements elsewhere, a concerned international community in Kathmandu made its displeasure known through a leak in the local media. A rejoinder issued by Larsen from Geneva did nothing to clear the air or justify the Ambassador's lapse. [Review, March 1996]

Ambassador Larsen submitted his mission report this June. If he learnt anything from his trip to Nepal, it is not reflected in the report. His mission statement, that he set out on a gallant mission to help the Governments of Nepal and Bhutan find a solution to "the problem caused by refugees and other persons," not only reveals Larsen's ignorance and heartlessness but is an affront to the millions of refugees worldwide who, not out of choice but because of circumstances created by their governments, are not able to live in their own homes and countries.

The fact of the matter is that a problem prevails today because a regime, for reasons best known to itself, considered it politically expedient to target a particular ethnic group resulting in the eviction of a sixth of the country's population. To state that the victims of this move on the part of the Government are now the cause of the problem is not only an unintelligent comment but a travesty of justice. No matter how helpful his recommendations might be, WE ARE NOT AMUSED.

*Report by the Chairman of the Executive Committee of UNHCR to India, Bhutan and Nepal
6-27 January 1996*

In my capacity as Chairman of the Executive Committee, I undertook, from 6 to 27 January this year, a mission to India, Bhutan and Nepal.

The purpose of the mission was first and foremost to have discussions with the Governments of Bhutan and Nepal with a view to familiarizing myself with and, if possible, facilitating a solution to the problem caused by the refugees and other persons who have arrived in Nepal from Bhutan, via India, since 1991 and by the presence of some 90,000 persons in six camps in eastern Nepal.

I also had talks in New Delhi with representatives of the Government of India and with NGO and UN agency representatives concerning UNHCR's presence and activities in India. In addition, I had meetings with the Ambassadors of Bhutan and the Charge d'Affaires of Nepal in New Delhi, and had interviews with the press and radio in the countries visited. It was foreseen that I should have visited the refugee camps in Nepal but, unfortunately, this visit had to be cancelled due to a changed schedule and because of bad weather.

During my visit to Bhutan and Nepal, the authorities of both countries briefed me extensively on their concerns and perceptions in relation to a complex situation in which problems of ethnicity, citizenship, national identity and security considerations all play a part.

In Bhutan, I had extensive discussions with His Majesty King Jigme Wangchuck - who is also Head of the Royal Government of Bhutan, Foreign Minister Dawa Tsering, and Home Minister Dago Tshering. I also had meetings with the President of the Supreme Court and the Representative of UNDP in Bhutan.

According to the Bhutanese authorities, the result of the 1988 census, which revealed the presence of a large numbers of illegal immigrants of Nepalese ethnic origin, had been of deep concern. In a climate of ethnic tensions and mounting violence exacerbated by dissident groups within and outside the country, it had been necessary, in their view, to take measures to persuade illegal residents to leave the country. It was recognized that excesses had occurred. These, however, were far outweighed by countless actions that constituted a direct threat to the security and stability of the kingdom.

Bhutan questions how large a part Bhutanese citizens make up of the refugees in the camps in Nepal. They argue that the control and screening of arrivals in Nepal had been very casual in the early stages. It was further stressed to me - and in particular by His Majesty King Jigme - that

the Government had endeavoured to persuade Bhutanese citizens of Nepalese ethnic origin to remain in the country. These efforts of persuasion had been only partly successful as clannishness within the families and threats from dissidents had led many to leave the country together with or after the illegal immigrants. It should however be noted that Bhutanese citizens of Nepalese ethnic origin still represent more than one third of the country's population.

The main message from the King and the two Ministers was that Bhutan stands ready to resume negotiations with Nepal which were interrupted in April 1995. It was stressed, at the same time, that the basis for any such negotiations should be the agreement which - according to the Bhutanese side - was almost reached during the last round of negotiations in April 1995. This comprised an understanding between the two Governments on the interpretation of the four categories of persons in the refugee camps, agreed upon between the two countries in October 1993, as well as agreement on modalities for joint field verification of the persons in the camps. (It is recalled that the four categories referred to are Bhutanese who have been evicted forcibly; Bhutanese who have emigrated; non-Bhutanese; and Bhutanese who have committed criminal acts.) The Bhutanese Government found it important that the bilateral negotiations should be pursued and carried through before any other procedures for solving the problems might have to be considered.

During my stay in Kathmandu I had extensive talks with Prime Minister Deuba, Foreign Minister Lohani and Foreign Secretary Shrestha. I also had a long meeting - which partly substituted the cancelled visit to the refugee camps - with the WFP Acting Representative and the heads of NGOs participating in the Bhutanese Refugees Assistance Programme. Furthermore, I had talks with the Ambassadors of the USA, Germany and India in Kathmandu on the refugee problems and met over lunch with a group of former Nepalese Ministers and high officials.

In the meetings I had, it was emphasized by the Nepalese Ministers that Nepal considered itself to be an innocent victim - with considerable economic and social damage as the consequence - of the population problems of Bhutan. It is my impression from the talks with the Prime Minister and the Foreign Minister that the Kingdom of Nepal questions the value of continuing protracted bilateral negotiations on the present basis - that is to say using the four categories I have already described as the point of departure for solving the problems. Nepal is deeply concerned by the Bhutanese contention that the majority of the refugees are not Bhutanese

citizens, or by voluntarily leaving Bhutan have forfeited their right to citizenship. This would mean that Bhutan would accept to take back only a small number of the refugees and that many thousands of the refugees in the camps could be reduced to statelessness, making solutions even more difficult to find.

It is the wish of the Government of Nepal that, during the foreseen resumed bilateral negotiations, the two Governments should not seek to obtain agreement on the content and interpretation of the four categories agreed upon in 1993, but rather right away begin the foreseen joint verification of the status of the refugees. The Nepalese Government has serious doubts as to whether acceptable results can be obtained during such a verification process if it were conducted by two parties alone. The Government therefore believes that the two countries could agree to appoint a mutually acceptable impartial mediator, be it a government, institution, independent person or persons, who could assure that the process of verification is carried through in a reliable way. The Prime Minister underlined that Nepal would commit itself to accept the findings of such an impartial body, and integrate anybody identified as Nepalese.

It is indeed a tragic sad situation that these two small developing countries - which have otherwise enjoyed friendly relations for years - find themselves confronted with. Moreover, refugees in the camps in Eastern Nepal become more and more desperate and without hope for a future outside the camps, the longer the present situation drags on with no real progress in bilateral negotiations and the risk of eventual donor fatigue.

It is difficult to give meaningful advice under the present circumstances. Should I, nonetheless, attempt to, then it would be that, for a solution acceptable to the two countries to be reached, the following would seem relevant:

** Firstly, mutual confidence and cooperation should be developed between Bhutan and UNHCR given the central role UNHCR plays as overall administrator of the camps and will have to play in the context of any solution and implementation. In this respect, I am happy to say that, after my mission to the region, the Government of Bhutan has extended an official invitation to the outgoing and incoming Directors of UNHCR's Regional Bureau for Asia and Oceania to visit Bhutan. I hope that this visit will open avenues of cooperation which will facilitate a solution to this difficult problem.*

** Secondly, the appointment of an impartial mediator should be further explored. The task of the mediator could be to carry through - with representatives of the two countries and in cooperation with UNHCR - the*

foreseen verification process of the population in the camps which might be given priority over continued political discussions between the two countries which have not proved fruitful so far.

** And thirdly, as recommended by the Council of Development Ministers of the European Union in December 1995, I believe it would be helpful if India would find it possible also to play some kind of mediating role in facilitating a solution to the problem...*

*Geneva, 26 June 1996
Jakob Esper Larsen*

"IN QUOTES"

"In 1987 and 1988 many [non-national workers] were sent back along with labourers reduced from the Penden and Chukha projects. The non-national labourers all left the country and returned home and made no complaints of being forcefully evicted, nor did they claim to be Bhutanese until four years later."

"The message of the Bhutanese people is loud and clear. The people claiming to be refugees left of their own free will because they never saw Bhutan as their own country. Otherwise why would they sell all their properties and emigrate? They never recognized the existence of our national laws. Otherwise, why would they commit criminal acts?"

Home Minister Dago Tshering, in the 74th National Assembly.

MEDIA SCAN

NO MEETING GROUND

Less than a decade ago, Bhutan, the last lamaist Buddhist monarchy in the Himalayas, was considered the ideal locale in which the Sri Lankan government and rebel Tamil militants might negotiate a solution to their violent ethnic conflict. Within a couple of years, however, Bhutan itself had turned into another theatre of ethnic strife, this one pitting the dominant Buddhist communities in northern Bhutan against an immigrant Nepali Hindu community in the southern third of the kingdom. The situation quickly became a stalemate, and for the past five years it has remained the most significant political issue in the country, although it tends to be treated as a problem of law and order.

If one reads the proceedings of Bhutan's Tshongdu (National Assembly) and speeches by its members, one rarely finds a forward-looking statement that rises above populism and xenophobia. Nor has there been an honest effort to identify issues affecting the body politic. However, the Tshongdu is handicapped as a forum for dissenting voices, and structural reforms in the style of representation are badly needed. Visitors to Bhutan are told that political reforms are on King Jigme Singye Wangchuck's agenda but that he is unsure about the timing of their introduction and his subjects' response...

In the face of a worldwide uproar in favour of the refugees, the Bhutanese establishment, from King Jigme to the least significant functionary, closed ranks and made a concerted effort to counteract what they claimed was Nepalese disinformation. Cabinet ministers, High Court judges, articulate members of the Tshongdu, senior bureaucrats, and above all, the king himself, worked aggressively to explain their point of view. They prepared reports and statistics, sent delegations to various fora where the refugee issue was debated; invited scholars, journalists, jurists, and concerned opinion leaders to Bhutan; welcomed representatives of UNHCR, the refugee agency, as well as dignitaries from the United States, India and other countries; and engaged in talks with His Majesty's Government of Nepal to try and resolve the deadlock.

The effort has paid off. The Bhutanese have successfully portrayed themselves as victims of a Nepali conspiracy, as people who had nothing to hide and whose only objective was self-preservation. The diplomatic offensive mounted by the small Bhutanese establishment has been so effective that despite the uproar, the refugees have been left with no significant voice in the world fora...

The Bhutanese who have developed a sense of confidence in their ability to handle the ethnic conflict in their own way, believe the talks with Nepal (seven in all, with Kathmandu governments of all hues) have deflated the issue. Once the talks were underway, it became a game of numbers. The Bhutanese accept that some of the refugees will return to Bhutan, but many of them will remain in Nepal; some may opt for India, although India is not officially involved in the negotiations. Bhutanese officials hasten to add, however, that those who do return are certain to face social, economic, cultural, and even administrative problems. They are also worried about the role of the international NGOs that have been active in the refugee camps...

For the Bhutanese authorities, the ethnic conflict represents a problem of law and order, and left to themselves, they would handle it in their own way. In the viewpoint of those who have left, the real issues facing the kingdom are not illegal immigration, anti-national activity, or terrorism as claimed by the government, but rather the establishment of political pluralism, democracy and protection for human rights. The two sides are as far apart as it is possible to be in their perception.

A.C.Sinha, HIMAL South Asia, July 1996

The Bhutan REVIEW

PROMISES TO KEEP

Acquiescing to royal wishes, during its 70th session Bhutan's National Assembly entrusted His Majesty the King with the responsibility of finding a permanent solution to the *ngolop* (anti-national) problem. Matching this trust, on October 17, 1991, His Majesty pledged he would abdicate if he did not succeed in finding a lasting solution. However, while accepting this responsibility and making his pledge, His Majesty implored the National Assembly, to allow him a free and unfettered hand to resolve the problem because, His Majesty explained to the members, "if the authority and power to decide on how to go about finding a solution to the problem was not included with the responsibility and accountability involved, it would not be possible to find a proper solution to the *ngolop* problem."

Alas, promises have been hard to keep.

The root cause behind the reasons why a lasting solution is still elusive - and why fulfilling the related pledge cannot be deemed obligatory - appears to lie with the elected representatives. An otherwise disciplined lot, it is evident from reports carried by the official media that members of the august body have not only consistently failed to abide by their 1991 promise to the king, they appear to be intent on being singularly uncooperative. They agreed back then to let His Majesty have his full say in the matter and agreed they would accept all his decisions on the issue. But disregarding their solemn vow, they never cease to tirelessly question and advise the government on matters relating to the *ngolop* problem. His Majesty is obviously constrained by this tight leash. Consequently, the Royal Government has been unable to come up with a satisfactory long-term solution.

In each of the four sessions in the five years since the deal between monarch and legislators was struck, despite handing over the task of finding a solution to His Majesty, Assembly members have forced lengthy debates on the various facets of the southern problem. The representatives have probed and prodded, queried and counselled, recommended and proposed. These myriad inputs from the Assembly floor, and strident demands which are, without exception, at variance with benevolent government policy, have made it extremely difficult for His Majesty and the Royal Government to implement an amicable strategy. Indeed, even royal wisdom is questioned: when His Majesty seeks to protect his southern Bhutanese subjects, "evict every *lhotshampa*," members demand; when royal magnanimity is displayed, "no amnesty to *ngolops*," they cry; and when royal perseverance persists, "discontinue the talks," they advise. When the Government is at pains to explain to the world that it has never occurred to them ever to evict any individual from the country, let alone people in thousands, and also that there is absolutely no discrimination in the kingdom, the members not very helpfully throw spanners into the works with repeated 'discussions' on the Assembly floor about throwing out citizens and removing southern Bhutanese from government service. Little wonder, then, that His Majesty and the Royal Government have not been able to find a solution.

By not giving His Majesty the promised free hand, the Assembly members are guilty of violating the 1991 *genja* (legally binding written agreement) - Assembly resolutions, all will agree, must qualify as super *genjas*. The desire of the members to time-and-again needlessly choose to play the role of real legislators has put the government in a fix. Used to issuing unilateral royal decrees and unquestioningly implementing royal commands to ensure the smooth and effective functioning of the system, His Majesty and the Royal Government are suddenly at a loss. The quest for transparency on the part of the National Assembly where the *ngolop* issue is concerned, and insistence by elected members that the government take into account their views, has, understandably, complicated matters for His Majesty and the regime. Because of its 'democratic' heritage and image, the Royal Government cannot overlook the wishes of the people, and clearly feels duty-bound to accept the dictates of the National Assembly. In the process, any progress in finding a permanent solution to the *ngolop* problem that His Majesty might have made by riding roughshod over the people's sentiments has been stymied.

Whomsoever may be at fault, the problem remains unresolved.

For their part, the Assembly members are unlikely to remind His Majesty of his pledge. As individuals who have outsmarted their neighbours in the village to be elected to the nation's highest and most powerful body, the people's representatives are, if nothing else, astute. Aware of their own failure to uphold their end of the bargain, these perceptive members would not foolishly remind the monarch of his.

For His Majesty, it would be simple enough to command the National Assembly to recall the 1991 agreement, to stop interfering, and to allow him take decisions as he sees fit on this issue, as he has competently done, and continues to do, in every other sphere. But this might not be democratic. And even if such a move helped end the country's most serious political crisis, it would do Bhutan's image no good to be seen as undemocratic. Therefore, since, in any case, nobody seems to remember or care for the pledge and counter-pledge anyway, His Majesty might choose to pay 'heed' to the 'elected' representatives and reluctantly inform the Nepalese (who, at least according to his officials, are not keen about a solution either) why he and his Government, despite their better judgment and appreciation of the problem, cannot afford to be more accommodating and forthcoming.

ELSEWHERE IN OTHER PARLIAMENTS

While the honourable elected representatives of the Bhutanese people demonstrated features of the Bhutanese form of constitutional monarchy and democracy at work by participating in lively discussions and spirited debates this June and July in the National Assembly, a forum where members are empowered with the freedom to express their opinions and even criticize the King, the political crisis in Bhutan also featured in other parliaments.

It is only understandable that the issue of Bhutanese refugees has repeatedly come up for discussions in the Nepalese Parliament since the refugees are on Nepalese soil and are a constant reminder that the problem in southern Bhutan remains unresolved after all these years. In every session since refugees from Bhutan in large numbers were forced to seek sanctuary in the

country, parliamentarians in Nepal have continued to question His Majesty's Government on the steps being taken to resolve the problem.

The subject has been broached in the parliaments in Europe too. Parliamentarians have expressed their concerns and sought clarifications from their governments. In a significant move this March, some Members of the European Parliament representing a number of countries drew the attention of the House to the Bhutanese crisis and succeeded in unanimously passing a resolution that called for, *inter alia*, Member States to discuss with the Government of Bhutan proposals for the repatriation and reintegration of refugees in their former homes in Bhutan, and for the Government of Bhutan to make practical

preparations for UNHCR-supervised return of refugees, and to safeguard the rights of minorities on its territories.

More recently, Members of Parliament in Britain and in India raised, in their respective Parliaments, questions concerning the political problem in Bhutan and matters relating to Bhutanese refugees. In the British House of Commons, Mr. Nicholas Winterton, MP, and Mr. Ronnie Campbell, MP, posed oral questions to the Secretary of State, Foreign Ministry, on 12 June 1996. In the Indian Lower House of Parliament (Lok Sabha), Mr. R. B. Rai, MP, submitted a written question for response by the Minister of External Affairs on 15 July 1996. The transcripts of the proceedings in the two Houses follow.

INDIAN LOK SABHA

UNSTARRED QUESTION NO. 555 TO BE ANSWERED ON 15TH JULY, 1996

BHUTANESE REFUGEES

555. SHRI R. B. RAI:

Will the Minister for External Affairs be pleased to state:

(a) whether the Government are aware of the fact that thousands of Bhutanese refugees have taken shelter in the Indo-Nepal border areas;

(b) whether some of these refugees while participating in appeal march to return to Bhutan have been arrested and jailed by the police of West Bengal;

(c) if so, the reasons therefor and the number of refugees arrested so far;

(d) whether it is a fact that one of the refugees died in a Central Jail in West Bengal; and

(e) if so, the details thereof?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS

(Shri I. K. Gujral)

(a) to (c): Government are aware of the movement of Bhutanese citizens of Nepalese origin from their place of origin to camps in Nepal. Some groups have attempted to march from Nepal through Indian territory towards Bhutan in order to agitate the matter of their status and their demands. It is the consistent policy of the Government of not allowing political activities on Indian soil directed against friendly countries. Hence prohibitory orders have been imposed by the competent authorities. 1896 persons were taken into protective custody, in accordance with the laws of the land, for violating the prohibitory orders. Most of them have already released.

(d) & (e): It is learnt that one of the detainees Shri Babu Ram Tamang, who was suffering from tuberculosis, passed away on 13 June 1996 in the Berhampur Central Jail.

BRITISH HOUSE OF COMMONS

Oral Questions and Answers concerning Bhutan raised in the British House of Commons on June 12, 1996.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on human rights in Bhutan.

Mr. Hanley, Secretary of State, Foreign Ministry: We understand that the human rights situation in southern Bhutan has improved significantly in the past three years and that the flow of refugees has almost ceased.

Mr. Winterton: As the position of the Bhutanese and Nepalese Governments is irreconcilable, with the Government of Bhutan insisting that 99 per cent of the refugees are not Bhutanese and the Nepalese Government insisting that they are not Nepalese and that they came from Bhutan and must go back there, how can the British Government continue to argue that the best approach to solving the problem lies in bilateral talks between the Governments of Nepal and Bhutan? What assurance can my right honourable Friend give to those refugees that they will not become stateless, which many of them fear?

Mr. Hanley: My honourable Friend has rightly drawn attention to a serious dilemma. We believe that bilateral negotiations offer the best solution to the problem and we will continue to encourage the Governments of Bhutan and Nepal to conduct them. We take suitable opportunities to express firmly our concern to the Bhutanese about human rights. We provide humanitarian aid to support the refugees in Nepal because they are human beings irrespective of

the status that people might give them. We have raised the issue with the Indian Government, too, on the basis of our humanitarian concern. We will continue to encourage Bhutan and Nepal in their dialogue.

Mr. Ronnie Campbell, MP: Does the right honourable Gentleman agree that human rights in Bhutan and throughout the Indian sub-continent are of great concern to neighbouring countries, including those that share borders with Bhutan? One of my constituents who went to visit his family not long ago was murdered at the airport and did not even get into the country. I have already written to the Minister about that case and I hope that he will take up that abuse of human rights of one of our passport holders.

Mr. Hanley: I would be grateful if the honourable Gentleman would send me the details of that case, which I do not have with me. I shall certainly look into the matter.

As for talks between Bhutan and Nepal, matters are not quite as bad as some might think. The seventh round of inter-ministerial talks took place in Kathmandu in April, and ended with an agreement to continue those talks at Thimphu, although no date was set. I hope that those next talks will help to make progress towards a lasting solution to the problem.

As to the incident to which the honourable Gentleman referred, any such case must be properly investigated independently and the guilty must be brought to justice.

74th National Assembly Session 'Debates'

The National Assembly which met in session between 28 June and 19 July discussed several issues. The *ngolop* (anti-national) problem, however, continued to generate the most 'debate'. The following represents the crisis-related issues as reported in *Kuensel*.

1. Halt Bilateral Talks

Many members called for a halt to the bilateral talks with Nepal as the Nepalese government, they claimed, was not serious about the process. The frequent change in position by the Nepalese side every time a new government came to power was an indication of their unwillingness to resolve the problem and the main reason for the lack of progress, members said.

Briefing the Assembly, Foreign Minister Dawa Tsering, leader of the Bhutanese delegation to the bilateral talks in April this year, reported that the Nepalese position had undergone a sea change. The acceptance of this new position, which went against all previously agreed decisions, would imply, he said, that a large number of labourers who had worked in Bhutan and all those who had sold their property and emigrated would have to be taken back. He also endorsed the views of other members that "the Nepalese government does not seem to be interested in solving the problem through the bilateral process." He claimed that Nepal was now engaged in tarnishing the image of Bhutan through its ambassadors, and that donors to Bhutan were being approached to put pressure on the Royal Government to accept all the people in the camps.

Bringing the "debate" to the level of the public representatives, Home Minister Dago Tsering ingeniously suggested that Bhutan should not convey its cabinet "decisions" to Nepal since the Nepalese had never conveyed theirs. It is not, of course, a matter of literally disclosing state secrets - the seventh round of negotiations stalled after the Bhutanese side expressed its inability to react immediately to a Nepalese submission and indicated that a response would be possible only after this "new" proposal had been perused by the Bhutanese cabinet. The minister, however, probably basing his assumptions on his own level of understanding and interpretation of the negotiations, went on to warn that the current Nepalese attitude was not conducive to progress in finding a solution to the problem of people in the camps.

His Majesty indicated that Bhutan was committed to solving the problem and regretted the backward steps in the bilateral negotiations. The eighth round should be held, His Majesty said, because Bhutan had already agreed to hold it in Thimphu. The views of the members would be taken into account during the negotiations, he said, and a report would be submitted to the National Assembly during the 75th session.

2. Bhutan should not take back people

While on the one hand government resolve to find a solution purportedly still prevails, and to this end

the bilateral process is kept alive, representatives and government ministers alike repeated past demands that not a single person from among the people in the camps in Nepal should be allowed to return under any circumstances. Many had emigrated freely after disposal of their property, yet others had fled after committing crimes, and many others were not even from Bhutan, they said. The unanimous decision, it appeared, was that no one should ever be allowed to return. If the government has already decided that not a single person should be allowed to return, why does the farce of negotiations continue?

In a twist not uncommon in a forum where choreographed 'debates' have little bearing on actual government decisions, this steadfast resolve expressed on behalf of both the government and the people, was inexplicably converted to a mere "concern" that would be taken into account during the eighth round of talks. This posturing best explains the failure in finding a solution to the problem and the continuing pretense of an honest dialogue with Nepal.

3. Anti-govt allegations not true

"Where did all this happen? When did it happen? We certainly did not see it," declared the representative of Chirang, denying as totally baseless and false allegations of human rights violations and forced evictions by the Bhutanese government. All that he did know, he said, was that His Majesty had exempted the people from rural taxes to encourage them to stay and had made repeated appeals to them not to leave, but that they had left anyway. People who left, he said, did so because they considered themselves Nepalese and not Bhutanese. The same people who were responsible for abusing the human rights of innocent villagers and destroying facilities established by the government are now alleging they were forcefully evicted, he said.

The Home Minister informed the Assembly that people in the camps made these allegations simply to gain sympathy and support from other countries and organizations.

4. No discrimination in Bhutan

During the 74th session the representatives from the south delivered a strong message, a message that has been reiterated both prior to and since the exodus of refugees, albeit more loudly now - there is no discrimination in Bhutan. As proof, a member reminded the Assembly that he was speaking in Nepali, and that the Royal family participated in Dasain festivities, a day which has been declared a national holiday. As evidence of non-discrimination of southern Bhutanese the Home Minister enumerated the following: freedom to practice Hinduism, *Kuensel* in Nepali, radio broadcast in Nepali, acceptance of petitions in Nepali, free sales of Nepali books and periodicals, and permission for screening of Nepali films!

5. Do not discriminate against relatives of ngolops - HM

Although during an earlier agenda item members vociferously vouched for the fact there is no discrimination in Bhutan, His Majesty

was forced to intervene when the same representatives reiterated a demand which has been heard before - that relatives of those in exile not be treated on par with other Bhutanese citizens.

As in past sessions, the Secretary of the Royal Civil Service Commission (RCSC) repeated the equal-opportunity policy of the Royal Government. Southern Bhutanese, without discrimination, continued to be recruited, trained and promoted in the civil service, and southern Bhutanese continued to be educated outside the country, he claimed. This policy prevailed, he said, despite the fact that many southern Bhutanese absconded from the country. Senior government officials expressed their concern and questioned the wisdom of continuing with such a policy. Government tolerance of relatives of anti-nationals encouraged subversive activities, members stated.

His Majesty commanded the Assembly to abide by the decisions of the 72nd and 73rd sessions when it was decided not to discriminate against relatives of ngolops. Bhutan was the only country in the world, His Majesty informed the Assembly, which employed relatives of anti-nationals in all sectors of the government and treated them equally with other citizens.

The repeated discussions on this topic leads one to wonder: If, as the Royal Government likes to claim, "most of the people in the camps are not Bhutanese, and many have not even stepped foot in Bhutan," shouldn't the whole business of ngolops' relatives in Bhutan, whether in or out of jobs, really be inconsequential as the numbers involved should be insignificant!

6. Ngolops should be punished according to law of land

The Assembly members and the Home Minister repeated the calls for punishing ngolops according to the law of the land if they returned.

"The criminals who absconded will fall under category 4, namely, Bhutanese who have committed criminal acts," the Home Minister stated, providing details of crimes and terrorist activities allegedly committed by anti-nationals. Rongthong Kunley, "a Bhutanese national turned traitor," has violated the laws of the land and must appear before a court of law to prove his innocence, the Minister said, adding that he would be brought back to Bhutan to face the law. The Assembly endorsed the seizure of Kunley's properties.

7. Citizenship Act should not be changed

The public was alarmed by ngolop propaganda aimed at changing the citizenship laws of the country, some members claimed, and appealed to the government not to alter the 1985 Citizenship Act and the census records. Outsiders cannot dictate changes and only the National Assembly itself can amend the laws of the country, the Home Minister reminded members. The Speaker confirmed that all citizenship laws and acts had been deliberated upon and passed by the Assembly and it was upto the Bhutanese people and the National

Assembly to make amendments if required.

8. New ID cards only after verification

The issue of identity cards surfaced again with representatives alleging misuse of existing documents by anti-nationals. The Home Minister agreed that the inexpensive cards printed in Calcutta were easy to fake, but reminded the Assembly that the issue had been deliberated upon during the 71st and 73rd sessions when His Majesty had commanded that new cards be withheld until the verification of people in the camps is complete.

9. People ask for resettlement, govt. seeks workers

A number of public representatives reminded the Assembly that the government had promised to resettle people in agriculture land now lying vacant in southern Bhutan. Government officials joining the debate supported the demand of these members and agreed that early resettlement of landless and marginal farmers would significantly increase food production, reduce environmental degradation, and improve the overall quality of life. The Home Minister reported that more than 10,000 applications for land had been received and that some areas in the south had been identified. Resettlement would proceed, he said, as soon as security arrangements were made.

Discussions, however, veered towards the country's huge requirement of manpower for development projects. In addition to 30,000 non-nationals already working in Bhutan, some 50,000 manual workers more would be needed for new projects which have already been initiated, His Majesty said. Given this large requirement of labour, even though Bhutanese were generally averse to working as labourers, His Majesty suggested that mobilization of these people into the work force instead of resettlement may be an answer. His Majesty commanded the establishment of a committee to study the resettlement and labour mobilization issues.

10. Stop employing Nepalese

A total ban on the employment of Nepalese nationals, both in government and private sectors, was proposed by the Assembly. The number of those already employed should also be reduced, a member proposed. In this connection the Home Minister disclosed that in 1987 there were 113,000 non-nationals working in Bhutan. Many were "sent back" in 1987 and 1988. They made no complaints of being forcefully evicted, "nor did they claim to be Bhutanese refugees until four years later," he said. Then, according to the Minister, after four years of managing quite well on their own, attracted by the facilities they trooped into the camps in Nepal in 1991/92!

Currently, of the more than 30,000 non-nationals employed in the country, some 10,000 were Nepalese nationals, he revealed. These people were being retained, the Minister claimed, because if retrenched they would head straight for the camps in Nepal and claim to be refugees.

11. Peace March

The so-called "peace march", claimed members, was actually an aggression which, reported *Kuensel*, "emanated from the refugee camps in Nepal but was greatly flamed by support among ethnic Nepalese across the Duars." The declared objective was to submit an "appeal letter" which in reality was a 37-point demand letter, said the Home Minister.

Both His Majesty and the Home Minister informed the Assembly that the march would allegedly begin with a few hundred people from the camps and swell to thousands in India. These ethnic Nepalese, more than 90 per cent non-Bhutanese, had no intention of leaving Bhutan once they entered the country, it was stated. They had been promised land and jobs for their support, the Chukha Dzongdag claimed.

His Majesty and the members expressed their deep appreciation to the Government of India for the steps taken to prevent the marchers from creating law and order problems and for not allowing anti-Bhutan activities on Indian soil.

12. Security concerns

Assembly members from the southern dzongkhags requested the government for additional security bases because of the continued terrorism and new threats of aggression. General Lam Dorji said the security forces were always at the service of the people, and pointed out that since His Majesty had commanded the deployment of security forces in the south in 1990, 15 outposts and 3 military wings had been established. No one, however, questioned why such a large security force had still not been successful in "protecting" the public from alleged attacks by 'terrorists' and criminals.

13. Lhotshampa loyalty to *tsawa sum*

National Assembly members from the southern dzongkhags reiterated their full loyalty to the *Tsawa sum* and pledged to uphold the commitments contained in the *genja* signed by all Lhotshampa members and submitted to the 71st session. According to these representatives, the people of southern Bhutan were ready to lay down their lives to protect their villages and security of the country. The members claimed that people have vowed to keep out at all costs anti-nationals intent on causing harm in the name of a "peace march".

14. Allegiance to HM and monarchy

Pledging their allegiance to the King and commitment to the institution of monarchy at the concluding session, Assembly members described the latter as the foundation of Bhutan's past and future. They continued to be concerned over the ngolop problem but expressed full faith and confidence in His Majesty in dealing with this threat to the security of the nation. A southern representative recalled the horrors committed by anti-nationals and, along with his colleagues from the south, pledged support to resolve the ngolop problem.