

# South Asia Analysis Group

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## **BHUTAN: update 12-All round letdowns for the Refugees in Nepal:**

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**by S.Chandrasekharan**

### **The Refugee issue:**

In the last update we had mentioned about the visit of Mrs. Sadoka Ogata, the United Nations High Commissioner for Refugees and the message she carried from Bhutanese officials that Bhutan was ready to take back home the refugees. She also declared at the Beldangi camp "I pledge that UNHCR will take every effort to return you."

While we did not want to sound cynical, we did say that the statement of UNHCR High Commissioner sounded too good to be true. Knowing the mind set of the King of Bhutan, the ruling elite and the coterie round the King, who in the past had privately indicated that not a single refugee will be taken back, the statement that the refugees will be taken was startling and beyond imagination.

It now appears that the refugees are being taken for a "ride" and they have been let down by everyone who had stakes/concerns over the issue. This includes India, Nepal, Bhutan and the UNHCR.

AID agencies are planning to withdraw support to the refugees. Save the Children of United Kingdom has already decided to withdraw funds. The UNHCR has threatened that food aid will be discontinued by the year end.

It is not clear why the UNHCR from a deliberate pro active role has made a sudden turnabout to total abandonment. The refugees were given high hopes, only to be let down.

Only recently the European Union announced a grant of an additional EUR 1.5 million for the Bhutanese refugees to EUR 11 million granted earlier. The European Parliament also passed a resolution on 11th September, reiterating its call to the governments of Bhutan and Nepal to reach an agreement which will allow the early and voluntary repatriation of Bhutanese refugees to their country of origin. Other significant points made in the resolution were

- \* Criticised the Bhutan government for officially instituted and illegal occupation of homes and lands of those driven out thus complicating a just settlement.
- \* Welcomed the compromise on the definition on the "family" for identification of genuine refugees in the bilateral talks between Nepal and Bhutan.
- \* Criticised India which consistently refused to help in resolving the repatriation issue of refugees who are the victims of arbitrary deprivation of nationality and forcible eviction
- \* Called on the Indian government to take full account of the humanitarian situation of the refugees and take political initiatives.
- \* Called on everyone to find an early and permanent solution bearing in mind that almost 98000 people have been denied their human rights for the last eight years.

The European parliament has rightly condemned the Indian government for failing to take any initiative on the refugee question notwithstanding the fact that more than 25,000 of the refugees are living in India and those refugees now in Nepal were forcibly taken over across the Indian territory from Bhutan to Nepal by the Indian authorities.

The Nepalese prime minister during his week long visit to India ending 6th of August raised the refugee issue with his Indian counterpart, but did not get a positive response. Earlier before his departure he pointed out that the issue is not a bilateral one but tri lateral with India being a party as "Nepal and Bhutan do not share a common border and that the issue can be solved only if India takes an interest because the refugees came through India."

### **The New Citizenship Bill of Nepal:**

What has complicated the refugee question is neither the abandonment of UNHCR nor the refusal of Bhutan to take back the refugees or that of India refusing to get involved, but the action of Nepal in passing the "Citizenship Amendment Bill" on 28th July 2000 thus amending the Nepal Citizenship Act of 1964. The bill has not been passed by the Upper house yet and the King of Nepal is yet to give his assent. But the implications of the new act besides granting citizenship to roughly four million Madhesias (Indian origin) are that it would solve the refugee problem neatly keeping all the parties happy, the governments of Bhutan, Nepal and India, but leave the poor refugees in lurch.

Clause 4 Article 9 of the Nepal Constitution of 1992 stipulates that "the acquisition of citizenship of Nepal by a foreigner may be regulated by law which may inter alia, require the fulfillment of the following conditions:

- (a) that he can speak and write the language of the nation of Nepal:
- (b) that he is engaged in any occupation in Nepal:
- (d) that he has renounced his citizenship of another country: and

(e) that he has resided in Nepal for at least fifteen years."

The amendment bill just approved by Nepal's parliament has reduced the residence period to ten years.

Thus all the 100,000 refugees who came in 1992 will become eligible for citizenship by 2002. Earlier it was thought that those who were coerced to give up their citizenship (the so-called voluntary renunciation of citizenship) will not be more than one third of the total number of refugees. Informal enquiries reveal that over 60,000 of the refugees will come under this category.

With UNHCR cutting off funds by the end of this year, the Refugees will have no alternative but to stay where they are with no hope of returning or retrieving their lands in Bhutan. Nepal has neither space nor funds to rehabilitate the refugees who would be eligible for citizenship. Many will drift to India in search of employment causing more agony to the poor refugees. It looks that all the parties concerned have conspired to leave the refugees in the cold. It is a pity.

### **Joint Operations:**

Finally Bhutan has decided to go in for military operations against the insurgent groups of North India. The joint operations with Indian security forces commenced two weeks ago and reports of "body counts" have already started coming in. Some eighteen militants are said to have been killed so far.

For the past year and a half, talks have been going on between India and Bhutan on joint military operations, the first being held in Thimpu in December 1998. After initial hesitation and talks with leaders of the United Liberation Front of Assam (ULFA) and National Democratic Front of Bodoland (NDBF), Bhutan finally decided to go for the operations. It is said that the immediate provocation was that both the Muviah and Khaplang groups have also moved into Bhutan to establish training camps.

The Bhutan assembly in its 78th session in July had also passed a resolution that military force should be used to evict the militants from Bhutanese territory if peaceful negotiations fail.

The situation in Bhutan cannot be said to be stable in view of the unrest among the Nepali population in southern parts. There are allegations from official Bhutanese sources that the Nepalese people are being supported by ULFA and Bodo militants. There is no evidence of Nepalese people both inside and outside in the Refugee camps seeking the support of the insurgents. On the other hand the officials of Bhutan government have been frequently visiting the camps of the insurgents on the ostensible purpose of persuading them to leave.

It is too early to make an assessment of joint operations. The refugees in Nepal are not likely to accept this let down by everyone around them meekly.

The situation is a very disquieting one.

**Category:**

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**Countries:**

Bhutan <sup>[2]</sup>

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