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Bhutan Update 23: Stale mate on the refugee question continues.

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For the past three years the South Asia Analysis Group has been following the vexed question of the hundred and odd thousand Bhutanese refugees in Nepal who have been abandoned both by the governments of Bhutan and Nepal with India also distancing itself from the issue. There has been accusations that the Group besides criticising the governments concerned has made no effort to suggest some viable solution on this complex issue.

It was in this context that in the [last update](#) ^[1] certain suggestions were made. These were-

* It is better to have informal talks to prepare the ground rather than continue with another formal rounds of talks between Nepal and Bhutan.

* The categories of I & II, namely those unlawfully evicted and those who were said to have voluntarily migrated should be clubbed and their cases examined afresh in the light of the 1958 Nationality law and subsequent Acts of 1977 and 1985. Strict standards were applied in the implementation of the 1985 Act in the census that followed. The poor and illiterate Lhotsampas who had lived in Bhutan for decades were made to provide documentary evidence of their citizenship. They were supposed to have a sound knowledge of Bhutanese history, culture, customs and traditions and the ability to speak the national language Dzongkha

well!

* The case of Non Bhutanese under category III would be few and could be considered separately regarding their repatriation. Those under category IV which again would be few may not like to be repatriated to Bhutan and as they are an educated lot other countries would be able to absorb them.

* It is still not too late for the Government of India to step in and solve the problem to the satisfaction of all concerned. The UNHCR which is fully aware of this problem could take up the question of restitution of the returning refugees.

Any solution of the refugee problem should take care of those innocent Bhutanese who were forced to sign the so called voluntary migration forms. The bulk of the refugees in the camps in Nepal belongs to this category. It is also necessary to take note of the security concerns of Bhutan and the instability that was being created by a few of the disgruntled Bhutanese who would at any rate come under the category of IV. These people have done the greatest damage to their fellow ethnic Nepalese and the latter should not be made to suffer for the mistakes of a few.

After completion of verification of the Kudenabari camp in end December there has been no move to continue the verification of other camps. It was thought that the harmonisation process would be expedited so that the laborious process of verification of the refugees of the other camps numbering more than 88,000 could be avoided. It is now learnt that the two governments have not been able to reach any decision and the dead lock continues. Despite guarded diplomatic utterances from both sides, it is seen that the Nepalese side is totally frustrated. Nepal should come out clean and say that their patience is exhausted.

Former Foreign minister of Nepal Chakra Prasad Bastola visited Bhutan for a week and met all the key personnel including the King. The King is said to have made an offer, though not officially stated that those coming under category II can reapply for citizenship. This is certainly a ploy to get rid of the bulk of the refugees who come under this category and whose future will be at the mercy of the Royal Government of Bhutan. It has been our consistent view that all those who were said to have voluntarily signed the migration forms and left Bhutan for the refugee camps in Nepal were the poor innocent people who were coerced to sign the forms. Legally and morally there was no justification for evicting them in the first instance. If they were to apply again to the RGOB, it would amount to legitimising the illegal acts of Bhutan And what is the guarantee that they would be taken back?

The refugees' representatives should never accept the division of genuine Bhutanese into categories I and II. There should be no compromise on this issue and any dilution of this position would amount to **justification of ethnic cleansing** that was carried out so blatantly by Bhutan with the acquiescence of the Government of India.

Meantime Bhutan to gain time is reaching out to other groups in Nepal. The idea appears to be some kind of Track II diplomacy, to gain confidence of others, create pressure points favourable to the position taken by Bhutan on the question of refugees and to shift the focus away from the regular and official

bodies dealing with the refugee question in Nepal.

As part of this effort the RGOB invited Madhav Nepal for a three-day visit from April 22. Madhav Nepal is the leader of the opposition and the general secretary of the communist party of Nepal. The Bhutanese foreign minister Lyonpo Jigmi Thinley admitted that the visit was a part of an 'ongoing process of consultations at the government level over the problem of the people in the refugee camps in Nepal.' He added that it was critical that a common perception and understanding be developed to create a right environment for the solution. If there was any doubt over the invitation to Madhav Nepal it was made clear that "such consultations will have a positive impact on the official level talks." The government of Nepal should take note of this statement which was deliberate and significant as Bhutan is trying to say" **look if you do not accept our point of view, there are other ways of getting you accept."**

Like Bastola, Madhav Nepal also had an audience with the King of Bhutan. The King well known for his charms and leaving those who visit him "dazzled," applied the same magic on Madhav Nepal who at the end of the visit said that he found the King "very frank" and serious about solving the refugee problem and what is more "even willing to take new steps for solving this problem." What new steps? One is tempted to ask. Is it to ask category II people seek citizenship?

With Bhutan dragging on the issue on some pretext or other, the refugees are the sufferers. They are not involved in the ongoing talks. Verification has been suspended after the first camp. They have no idea as to when they would go back and whether they would go back at all. It is natural that they are frustrated. They have been very patient and peaceful till now though a decade has passed. It is hoped that they do not come to the inevitable option that "**violence is the only way out.**"

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