

BHUTAN: CONFLICT, DISPLACEMENT & CHILDREN



Girls in a Bhutanese Refugee Camp in Nepal
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**A discussion document prepared for
UNICEF Regional Office South Asia**

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ACKNOWLEDGEMENTS

This report is based upon material collected in Nepal, Bhutan, New Delhi and the United Kingdom. In the gathering, consideration and analysis of this material I have enjoyed the support and assistance of many people. I should here to like to offer my thanks to them.

Firstly, I am indebted to Reiko Nishijima at UNICEF-ROSA who has been responsible for the overall project of which this report is part. I should like to thank Reiko and her assistants, Damodar Adhikari and Tek Chhetri, for their warm support.

At the Bhutan Country Office of UNICEF I was fortunate to be welcomed and greatly assisted by several staff members. My particular thanks go to Guia Mendoza, Runar Soerensen and Bhai Thapa. I am also most grateful to the numerous other individuals and organisations who helped during my week-long stay in Thimpu, including staff members in sister United Nations organisations. Given the great sensitivity of the issues with which I was concerned, I refrain here from mentioning any individuals by name.

In Nepal my visit to Damak was hosted by AHURA-Bhutan. Due to the efficiency and helpfulness of their staff, I was able to meet many Bhutanese refugees and the staff of numerous organisations working in the camps of Jhapa District. I should particularly like to thank Dilip Bishwo and Ratan Gazmere.

I also benefitted greatly from discussions in the UK with Rachel Carnegie, Ingrid Massage, Michael Hutt, and Ashok Sayenju, in New Delhi with Ravi Nair and Suhas Chakma (SAHRDC), and in Kathmandu with Gopal Siwakoti (INHURED) and Rakesh Chhetri (CEMARD-Bhutan).

This document has been produced as part of a research programme on war-affected and displaced children at the Refugee Studies Centre, Oxford University, funded by the Andrew W. Mellon Fund. At all stages I have received support and encouragement from my colleagues at the RSC – Jo de Berry and Tom Feeny – and, most especially, from the project supervisor, Jo Boyden.

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INTRODUCTION

Background to the project

The Convention on the Rights of the Child (CRC) provides a global charter for the protection of children's survival, development and well being. Armed conflict creates conditions under which many of the rights laid out in the CRC are undermined. As the 1996 Graca Machel/UNICEF report on Children Affected by Armed Conflict pointed out, war increases the threats to children and clearly contravenes the mandate for their protection laid out in the CRC.

The international community has therefore a special duty of care and protection with regard to children exposed to armed conflict, civil strife and displacement. This duty requires agencies involved in preventative and emergency efforts to understand how children are affected by such adversities and to develop measures that mitigate the impact on children. Acknowledging the urgent need to improve child-focused emergency responses in the context of conflict, the UK government's Department for International Development (DfID) has provided financial support to UNICEF globally, through the Children Affected by Armed Conflict (CAAC) Project to raise the capacity of child-focused interventions in armed conflict.

As part of this initiative the Regional UNICEF Office in South Asia (ROSA) has undertaken the Children Affected by Armed Conflict Part One Project. The premises of the project are:

- Child protection during emergencies involves more than simple service delivery. The project seeks to develop a conceptual and practical framework to move forward policy, practice and advocacy on CAAC. This entails the development of new methods of information gathering and analysis, new approaches to programming and policy development and new ways of thinking about and working with children and their families during conflict.
- Working with and supporting children, their families, communities and other local stakeholders implies the need for in-depth understanding of the particular context, dynamics and impacts of armed conflict in South Asia.

- Building the capacity of UNICEF and partner organisations to respond more effectively to war-affected children requires the development of new training approaches that enhance not only individual learning, but also institutional memory. Current training practices that rely on ‘training events’ and the production of manuals are not the most effective way of meeting these objectives. The Project will therefore develop interactive and distance learning methods and produce learning modules and materials that will be made available on the UNICEF website.
- Children’s rights can be protected by promoting leadership and accountability for violations, and by ensuring that internationally agreed standards of child protection become accepted throughout the region and are sustained during conflict. This entails lobbying, advocacy and information dissemination on general human/children’s rights instruments, with a focus on principles and issues that are of particular relevance to war-affected children.

Establishing the knowledge base

To initiate the project UNICEF ROSA commissioned consultants at the Refugee Studies Centre, Oxford, to map out: 1) the existing knowledge on children affected by armed conflict in the South Asia region 2) the existing institutional capacity for intervention on CAAC. Between January and April 2001 two consultants travelled in India, Nepal, Bhutan, Sri Lanka, Pakistan and Afghanistan collecting existing secondary information on CAAC and meeting informed experts, particularly those involved in child-focused intervention in areas of conflict. The UNICEF country offices provided logistical support in Bhutan, India, Nepal and Sri Lanka. In Pakistan and Afghanistan the project was facilitated by the UNICEF Pakistan Country Office and Afghanistan Country Office in partnership with Save the Children Fund (US) Pakistan and Afghanistan Field Office. A complementary study on children in the Chittagong Hill tracts and Cox’s Bazaar of Bangladesh was funded by the British Council Bangladesh.

The findings of the research will constitute two regional discussion papers to be presented at a workshop in Kathmandu 9-13th July 2001. Country specific discussion documents have also been compiled. These use existing material and

insights from interviews with informed experts to promote conceptual and practical frameworks to move forward policy, practice and advocacy on children affected by armed conflict.

The Bhutan country discussion document

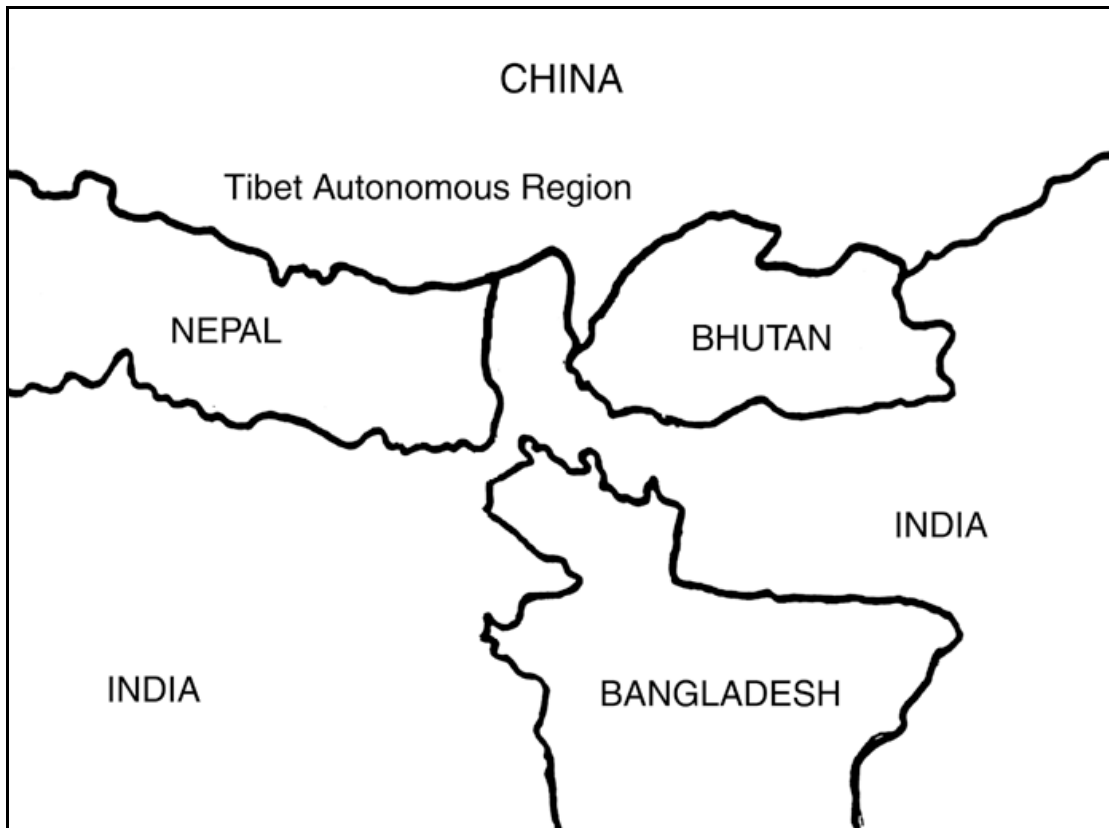
This document represents a first effort to create an overview of the conflict and displacement-related issues which have emerged in Bhutan in recent decades. The intention is to consider, in particular, how young people may be affected by the developments involving the Nepali-speaking population of the south and the ULFA-Bodo crisis in the south-east.

There is only a limited resource of material that provides a reliable historical account of events in Bhutan since the middle of the 20th Century. However, even this small amount far exceeds the data on the situation of children in areas affected by conflict. This author's own attempts to visit the areas of the country concerned were unsuccessful due to government insistence that it would be unsafe to travel to such places.

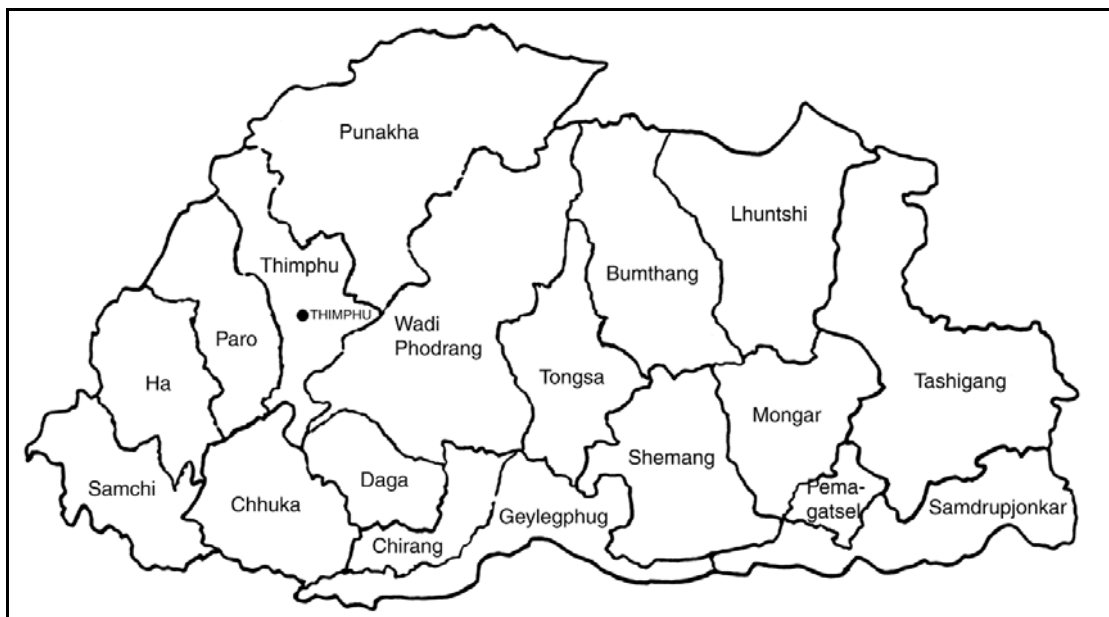
Given the lack of reliable, independent documentation and my own inability to see first-hand the situation, this report has had to rely on a good deal of anecdotal evidence and the accounts provided by Amnesty International. Wherever possible, I have sought to cross-check reports with a number of further sources. Nevertheless, much of this document remains, necessarily, speculative. It might best be considered as a prompt to those who are concerned with children's rights and welfare in Bhutan to conduct a thorough and sustained investigation into the issues raised herein.

In Nepal, the problems of access to the Lhotshampa population were comparatively few. Here I was able to hear first-hand about the experiences of refugees from Bhutan and to talk with children and their teachers and parents about the conditions and challenges of life in the camps. It was also possible to learn about young people's aspirations for the future, aspirations which have only become more focussed due to the recent commencement of the verification process.

Map of region



Map of Bhutan, showing 18 Dzonkhags (Districts)



Source: Amnesty International

SECTION 1

HISTORICAL & POLITICAL OVERVIEW

“...we are a small country between giant and powerful neighbours; we have no resources, we have only our culture and identity.”

His Majesty, King Jigme Singye Wangchuck¹

Looking at the map of Asia, one is immediately struck by Bhutan's geographical position: a small landlocked enclave sandwiched between two looming giants – China and India. Aside from hydro-electric energy created by fast-flowing rivers which descend from the mountains, there are few natural resources that can be used to earn foreign currency without causing threat to the environment.² The Himalayan mountains greatly hamper communications within Bhutan and, even today, the roads running east-west across the country are regularly closed due to heavy snow and landslides. Furthermore, the rugged terrain, which extends for most of the country's total land area of 46,500 square kilometres, is not able to support more than a scattered rural population without risk of damage to the fragile ecosystem. In terms of its population, the country consists of numerous ethnic groups, the most significant of which are Ngalong (estimated between 10-28% of the population), Sharchops (30-44%) and Nepalese (25-53%).³ Thus the challenges faced by Bhutan's leaders in seeking to maintain the country's independence, territorial integrity, as well as the unity and well-being of its citizenry, are not to be underestimated.

In spite of these immense challenges, Bhutan has survived and flourished as a sovereign nation since the 17th Century. In 1652 the country was united under a theocratic system of rule established by Shabdrung Ngawang Namgyal, a religious figure originally from Tibet. Noteworthy for later discussion is the fact that, during his primacy, the Shabdrung established a set of customs and ceremonies that formed the basis of Bhutan's assertion of cultural distinctiveness, particularly in relation to neighbouring Tibet. For example, the Kagyu Buddhist religious teachings were codified by the Shabdrung to give them a specifically Bhutanese flavour. He also devised a style of national dress and initiated the *tsechu* festival, for which Bhutan is now famous.

The country remained under theocratic rule for more than 250 years. Throughout this period there was tension between various factions which, at times, manifested in civil war. Change came in 1907 when the penlop ('governor') of

Tongsa District, Ugyen Wangchuck, reunited the country under his own leadership. The establishment of a system of hereditary monarchy was a departure from the theocracy of the Shabdrung but it has proven effective for the maintenance of unity and order over the past century.

Since this change in the form of government, the Bhutanese people have been ruled by four kings: Ugyen Wangchuck (1907-1926), Jigme Wangchuck (1926-1952), Jigme Dorji Wangchuck (1952-1972) and the present king, Jigme Singye Wangchuck (1972-). In 1953 the third king and the present monarch's father, Jigme Dorji Wangchuck, created the National Assembly as the legislative organ of the country.⁴ However, it was not until 1968, when the king relinquished his right of veto, that the assembly began to enjoy any form of sovereignty. Even today, critics argue that it is little more than a rubber stamp for the orders of the monarch: a view supported by the historical absence of opposition in this forum.

Bhutan in international context

To the north of the country are the Himalayan mountains. This range creates a natural border and some degree of obstacle to the free flow of people and goods with the People's Republic of China. The south, in contrast, consists of plains continuous with the Indian states which surround it on three sides. The consequent ease of access between the two countries has clearly served Bhutan's immediate needs and interests while, at the same time, raising concerns about the country's security internally and internationally.

In recent years this ease of access and the lack of formal controls on the movement of Indian and Bhutanese nationals between the two countries has enabled a potentially explosive situation to develop involving Assamese separatist groups. In 1991-1992 militants fighting with the United Liberation Front of Assam (ULFA) and the National Democratic Front of Bodoland (NDFB / 'Bodos') entered South East Bhutan and established bases there.⁵ Although they were clearly taking refuge from Indian Army operations against them, there are also claims from some Bhutanese human rights activists that they were welcomed into Bhutan by the government who sought their help in expelling Nepali-speaking citizens.⁶

The presence of the ULFA-Bodo militants has placed the government in an increasingly uncomfortable position. On one hand, there is pressure from the Indian

government to flush the militants out from their bases. On the other, rival groups in Assam, most notably the Bodo Liberation Tiger Force (BLTF), have allegedly carried out attacks on Bhutanese civilians passing through Assam. The aim behind this, it is believed, is to exert their own pressure on the authorities of Bhutan for the same end.⁷ The most notable such attack occurred in December 2000 when 15 civilians were massacred on Indian soil. This led to restrictions on the movement of people and goods from south east to south west Bhutan via Assam. Given the great difficulty of traversing the country internally, the threat to this route is a matter of great consequence.

Since 1999, the attitude of the Bhutanese government towards the ULFA-Bodo militants has hardened as a consequence of these pressures and in response to intermittent attacks on Bhutan's security forces. According to all reports, the authorities are preparing the way for military engagement: there has been a build-up of troops in the affected area, while emergency food and medical supplies have been stockpiled. Furthermore, during the winter months of 2000-2001 the King voiced his belief publicly that the country may have to undertake such action. According to articles carried in the national newspaper, *Kuensel*, in meetings to discuss the government's Eighth Five Year Plan, his Majesty elicited pledges of support from citizens throughout the country for pursuance of a military option.⁸

In the estimation of observers, the Bhutanese forces are a poor match for the highly-experienced, well-equipped militants who have been tested by many years of guerrilla-style warfare. Should the government choose to fight, it seems likely that this will be a drawn-out and costly conflict for the Bhutanese.

There are a large number of Indian forces in the area which could be mobilised to assist the Bhutanese Army. However, the authorities apparently fear that, by allowing these forces into the country, Bhutan's sovereignty could be put at risk. In this regard, the example of neighbouring Sikkim is highly pertinent. In 1975, this small kingdom became a state of India, losing its independence largely as a result of internal discord and the inability of the ruler to maintain control.⁹

As Michael Hutt has observed:

After Indian independence, Bhutan and its neighbour, Sikkim, were the only two states in the subcontinent that continued to be ruled by kings and associated elites of Tibetan origin and to maintain a national culture based on Tibetan Mahayana Buddhism.¹⁰

More than a quarter of a century later, the end of Sikkimese independence remains a potent symbol for the Bhutanese authorities, evidently reminding them of the fragile nature of sovereignty for a small state located in the midst of regional superpowers.

The Royal Government of Bhutan and the Lhotshampas

The overriding concern of the authorities thus lies with the maintenance of the country's independence and its internal status quo. This is particularly relevant to the situation of the Nepali-speaking Lhotshampas (literally, "people of the south") since the Nepali-speaking immigrants to Sikkim are generally considered by the Bhutanese authorities as responsible for the loss of that country's independence. Kinley Dorji, editor of *Kuensel*, has expressed the Bhutanese concerns as follows:

Put into a regional perspective, Bhutan is cringing at what it sees as a demographic invasion as the Nepali population pans the entire Himalayan belt. Highlighting a ratio of one Drukpa to seventy Nepalis in the region and looking at the migratory habits of the rapidly-expanding Nepali population, Bhutan sees its very survival as a distinct nation threatened.¹¹

Although the Nepali-speakers in Bhutan constituted a minority of the population, there were evidently great fears that they would continue to arrive in large numbers and ultimately take over the country. One government minister, describing the Nepalese as "aggressive" and "colonising", has claimed that "beyond the simple, economic reasons, the(ir) large scale infiltration was conceived to change the demographic character of an unsuspecting people."¹²

The perceived threat to Bhutanese unity and sovereignty has been principally articulated in terms of culture and identity. As the single remaining Buddhist kingdom in the region and the only state within which the particular Kagyu form of Mahayana Buddhism flourishes, there is a strong concern to protect Bhutan's uniqueness. During the 1970s and the early 1980s the perceived threat to Drukpa cultural identity from the Nepalese-speaking population was addressed through measures aimed at integration, most notably through encouragement of Drukpa-Nepali marriage and through the compulsory relocation of students and teachers to districts away from their own homes and communities. At the end of the 1980s, however, this policy changed to one that was more akin to imposed cultural

uniformity as demonstrated in the greater insistence on Driglam Namzha (‘traditional values’), the removal of Nepalese from the curriculum of schools in the south and the inclusion of a clause in the 1985 Citizenship Act concerning fluency in Dzongkha for all applicants for citizenship.

Addressing Lhotshampa rights to citizenship

The history of the Nepali-speaking Lhotshampas in their relationship with the Bhutanese state is a complex one in which the smallest details are imbued with immense political importance. Basic facts are disputed by the main protagonists in their endeavours to validate or dismiss the claims of the Lhotshampas to full Bhutanese nationality and citizenship.

The first point of contention concerns the original arrival of Nepali-speakers into the country. According to government narratives, there were only very small groups of settlers until the early years of the 20th Century. Furthermore, it was not until the 1950s that mass immigration and large-scale settlement began in earnest.¹³ Alternative sources, in contrast, claim that Nepalese people began to move into Bhutanese territory in the late 19th Century and that, by 1905, their numbers were “substantial and well distributed.”¹⁴

This difference in accounts of the scale and history of immigration by Nepali-speakers has inevitably become vital to current debate about the legitimacy of Lhotshampa claims to nationality. Put briefly, government policy in denying nationality to many thousands of Nepali-speakers is largely justified by claims that many of the would-be citizens were, in fact, very recent arrivals taking advantage of Bhutan’s open border with India and its generous hospitality. On the other hand, the Nepali-speakers themselves point to more than a century of continuous residence in Bhutan to justify their claims to nationality.

The tension between the government and the Lhotshampas reached its climax in the early 1990s when an estimated 80 - 90,000 people left the country, taking up residence predominantly in camps in South East Nepal. This mass exodus should be seen as the direct result of fear and distrust which grew steadily through the 1970s and 1980s.¹⁵ It is important to consider government measures during this period as both cause and consequence of such fear and distrust. These measures may be summarised in chronological order as follows:

1958 Nationality Law

Affirms Bhutanese citizenship of all whose fathers are Bhutanese nationals

Affirms possibility of applying for citizenship by the following:

- i. those who have been resident in the country for more than ten years **and** own agricultural land within the Kingdom
- ii. women married to Bhutanese nationals
- iii. foreigners who have been resident for 10 years **and** engaged in government service for at least 5 years

1977 Citizenship Act

Amends conditions concerning applicants as follows:

- i. in the case of government servants, applicants require 15 years of service
- ii. other applicants should have resided in Bhutan for at least 20 years
- iii. applicants should have some knowledge of Dzongkha language (spoken & written) and the nation's history
- iv. applicants must pledge an oath of allegiance to the King, swear to observe all customs and traditions, and not to commit any act against the *tsa-wa-sum* (the country, the people and the king)

1985 Citizenship Act

Amends conditions concerning automatic citizenship as follows:

– residence in Bhutan prior to 31st December, 1958

Amends conditions concerning applicants as follows:

- those born after 1958 of only **one** parent who is a Bhutanese national must apply for citizenship
- applicants must demonstrate fluency in Dzongkha (speaking, reading & writing)¹⁶

The 1985 Act, in particular, caused great consternation amongst the Lhotshampa population for the following main reasons:

- i. It was seen as targeting the Nepali-speakers alone.
- ii. It effectively revoked the assurances of citizenship granted under the 1958 Law and 1977 Act to all those who had been resident in Bhutan for a period of years *regardless of the date of first arrival*.
- iii. It demanded a level of proficiency in Dzongkha that was beyond the capability of many people in the south, amongst whom this language was not necessary for the conduct of daily life. Until the 1970s the Nepali-speaking population of the south had not been allowed to travel to the Dzongkha-speaking north. In any event, many members of the older generations were illiterate.
- iv. It called into question the nationality of people who had been included as citizens in national censuses conducted in 1969 & 1979.

Concerns of the Lhotshampas

This Act did not, however, provoke a strong reaction until its terms began to be implemented through the 1988 Census. By then, feelings of insecurity and threat amongst the Lhotshampa population had been exacerbated by a series of practical measures introduced by the government over the course of the 1980s which were considered highly inimical to the Nepali-speaking population of the south. These included the following:

i. Decentralisation Policy

Although, in theory, this policy, introduced in 1981, was intended to devolve power away from Thimpu towards the local level, it effectively consolidated the power at the intermediate level of the district governors ('Dzongdas') at the expense of village block headmen ('Gewogs') and village leaders ('Mangiaps'). Prior to this development, the village leaders had been able to exercise some measure of authority in assisting their co-villagers with such matters as establishing their eligibility for citizenship. These powers were, allegedly, removed by the decentralisation policy.¹⁷

ii. *Green Belt Proposal*

This plan, first mooted in 1984, was intended to create a one kilometre-wide band of territory across the southern border devoid of human settlement. Since this area was predominantly populated by Nepali-speakers, it appeared to be a deliberate manoeuvre to disperse the Lhotshampas and encourage their emigration. According to some estimates, had it been implemented it would have led to the displacement of up to one third of the total Lhotshampa population.¹⁸ The plan was abandoned in the early 1990s after India withdrew its support.

iii. *The introduction of 'Driglam Namzha'*

This term, which literally translates as 'traditional values', was used to refer to a policy which included the enforced wearing of "national dress" and the speaking of Dzongkha. In the early 1980s it was applied only to government officials. However, possibly due to zealous officials at the district level, it was, in practice, imposed upon wider sections of the populace. This was notably the case amongst Lhotshampa communities, for whom the "national dress", which originated with the Tibetan-born leader Shabdrung Ngawang Namgyal, was alien to their own tradition and largely unsuitable to the climate and way of life in the southern plains of Bhutan.

iv. *Removal of Nepali language instruction from the school curriculum*

Until 1988 the Nepali language had been an important part of the curriculum for children up to grade five in schools of the south. The removal of this medium of instruction has been justified on the grounds that it added to the burdens of these children and was divisive.¹⁹

v. *Incentive scheme for Drukpa-Nepali intermarriage*

The financial inducement for such marriages was increased from 5,000 Ngultrum in 1978 to 10,000 in 1989. The policy was abandoned in 1991.²⁰

The 1988 Census and the demonstrations of 1990

The 1988 census and the explicit policy of 'Bhutanisation' of the Lhotshampas which followed confirmed the worst fears of the Lhotshampa population. The census exercise itself created great insecurity and panic amongst people, many of whom now faced the prospect of losing their citizenship rights. The allocation of Nepali-speakers

into 7 separate categories (F1-F7) of which only the first, F1, applied to “Genuine Bhutanese”, was seen as a highly discriminatory and iniquitous exercise, since it was not as strictly or pervasively applied to other population groups in the country. In particular, the categories of F4 [non-national married to a Bhutanese man], F5 [non-national married to a Bhutanese woman] and F7 [migrant and illegal settlers] were hugely resented. In one well-known case, a woman categorised as F4, and thus facing effective denial of her nationality and that of her children, committed suicide, sending shock-waves throughout southern Bhutan.

One measure that particularly engendered fear and resentment was the insistence that the Lhotshampas produce a receipt from 1958 showing that they had paid tax for their land holdings. In 1988 this became the only acceptable means of demonstrating citizenship. Failure to produce this 30 year old document was grounds for immediate classification as F7.

In the wake of this census exercise, further measures aimed at the ‘Bhutanisation’ of the Lhotshampas were instituted. These took the form of training in Driglam Namzha; restrictions on the use and teaching of the Nepali language; obstacles to the free practice of the Hindu religion; and the enforced wearing of “national dress” by the whole population within all activities of daily life.

One incident which conveys the mood at this time occurred at Kanglung College in eastern Bhutan in October 1989. This involved a dispute between the college authorities and a group of Lhotshampa students who were compelled to wear “national dress” during a Hindu celebration normally conducted in Nepali costume. Jamie Zeppa, a Canadian volunteer working as an English lecturer in the college, describes events following this incident which, itself, marked a more stringent approach to the enforcement of dress codes.

ACCOUNT 1: Tensions in Kanglung College

Dil and his friend are arrested and taken to Tashigang for not wearing national dress outside the campus. They were on their way back from Pala's when the police picked them up. Many students, northern and southern, wear jeans to Pala's. The arrest seems malicious and provocative. Dil and his friend return to school but a few days later, they disappear again. ...I hear they have run away. They have gone to join unnamed others across the border after they were beaten up by northern students for wearing Nepali dress under their ghos. And then, five more southern students disappear. They are taken at night. Arrested, gone, delivered to Thimpu for questioning, I hear from the other lecturers. The students will not talk about it; they look terrified at the mere mention of the five who are gone. This is the most frightening thing.²¹

The tensions that had been growing throughout the 1980s eventually found expression in the form of mass demonstrations in southern Bhutan during September and October, 1990. These came in the wake of the arrest and imprisonment of leading figures in the Lhotshampa community responsible for the production and dissemination of oppositional material. Although most prisoners were soon released, six remained in jail and were adopted by Amnesty International as prisoners of conscience. These included Tek Nath Rizal, a former member of the Royal Advisory Council who was dismissed from his position after presenting a petition expressing the concerns of the Nepali-speaking population to the king.²²

According to Lhotshampa sources, the demonstrations themselves were intended as peaceful protests against the perceived injustices of the government. In the view of the Bhutanese authorities, however, these were violent, anti-national activities aimed at damaging the harmony and well-being of the country. Indeed, there are independently-corroborated reports that people wearing *gho* and *kira* were physically abused and their clothes burned.

Whatever the nature and intention of these demonstrations, they provided the impetus for a chain of events which led to the mass exodus of Nepali-speakers during the early 1990s. While some sought refuge in India, the vast majority made their way to South East Nepal where they were eventually accommodated in camps established by UNHCR.

Until today, the bulk of this refugee population have remained in the Nepalese camps, waiting for diplomatic endeavours to enable them to return to their homes in

Bhutan. In the meantime, small groups of Lhotshampas have allegedly re-entered Bhutanese territory in order to conduct raids on people living in the south. It is claimed that fellow Nepali-speakers have been the particular targets of the attacks, possibly in revenge for their collaboration with the authorities at the time of the exodus. The incidence of these actions appears to have diminished since the mid-1990s, partly as a consequence of greater control from within the Bhutanese refugee community and partly due to tighter security at the border. In the apparent estimation of the Bhutan government the threat of raids has not ended altogether. However, caution should be exercised in evaluating the scale of this phenomenon since it has arguably been used by the government as a means of discrediting the Lhotshampa refugees as a whole. According to witness reports, in the early 1990s booklets showing horrific pictures of people beheaded by the returning Nepali-speakers were distributed through schools across the country as part of a propaganda exercise.²³

For the government, the census conducted in 1988 was needed in order to identify illegal immigrants who had entered via the open border with India and who were enjoying, illegitimately, the benefits of Bhutanese citizenship. According to an official report, it had taken the government almost three decades to become fully cognizant of the scale of this problem and act accordingly.

The measures adopted by the authorities in the wake of this census, notably the classification of many southerners as ‘non-nationals’ and their subsequent expulsion, as well as the efforts at Bhutanisation already mentioned, were intended to safeguard the identity and integrity of the kingdom. The demonstrations that such measures provoked were characterised as “anti-national” and the Bhutan People’s Party which spearheaded them was branded a “terrorist” movement, backed by Indian sympathisers.²⁴

Government policy towards the refugees

The government does not deny that a mass exodus took place. However, it contests the fact that large numbers of genuine citizens were compelled to leave by Bhutanese security forces, as claimed by the Lhotshampas and many human rights observers.²⁵ In the original view of government spokespeople, those who left did so for two main reasons:

- i. They were illegal immigrants who agreed to depart after receiving full compensation for land which they had “illegally occupied”.²⁶
- ii. They were persuaded or coerced by “anti-national organizations” which sought to mobilise international support by creating a bogus image of expulsion and mass displacement.²⁷

Since 1993 the government’s position has been articulated rather differently. After discussions with the Nepalese authorities it now officially recognises that those who left and took up residence in the camps in south east Nepal may be allocated to one of the four following categories:

Four-fold Classification of Residents of Refugee Camps in SE Nepal

- Bonafide Bhutanese who were forcibly evicted
- Bhutanese who emigrated voluntarily
- Non-Bhutanese
- Bhutanese who have committed criminal acts

A process of verifying the status of the refugees in the camps, conducted by a joint team of Bhutanese and Nepalese government officials, began in March 2001. This process employs the four categories above - a cause for great concern amongst Bhutanese refugee and international human rights groups. In particular, they strongly object to the notion of voluntary migration, arguing that:

- i. Many refugees were forced into signing migration forms under severe threat and physical coercion, thereby rendering the notion of ‘voluntarism’ irrelevant.
- ii. The automatic forfeiture of citizenship by people who choose to emigrate is out of keeping with international human rights conventions to which the government of Bhutan is bound.

The resettlement of the Lhotshampas’ lands

While the claims of the refugees to Bhutanese nationality and the right of return are being verified, the government of Bhutan continues with its policy of resettling citizens from other parts of the country on the refugees’ former lands. This raises questions about the government’s intention towards the refugees and their aspirations for return to their original homes. In the event that large numbers of refugees do

return, the presence of the newly-settled Bhutanese from the north and east would appear highly provocative. It is not hard to imagine a tense and potentially hostile atmosphere soon developing. This is a concern expressed by the European Parliament, which in a statement given in September, 2000 stated that it:

“regrets the officially instituted and illegal occupation of the homes and lands of those who have been driven out, as this complicates possible future repatriation and makes a just settlement more difficult to achieve.”²⁸

SECTION 2

THE STATE OF KNOWLEDGE ABOUT BHUTAN

According to historian Leo Rose, Bhutan is “about as ‘data-free’ as it is possible for a polity over three hundred years old to be.”²⁹ The practical reasons for the shortage of reliable information are apparent and include the following:

- i. the **physical challenges** of moving around the country for the purposes of data collection
- ii. the **lack of local researchers** with the requisite training and experience
- iii. the historical **isolation** of Bhutan and current **restrictions on visitors** which have severely limited the opportunities for research by foreigners

All of these practical obstacles could, in theory, be overcome if there were the official will to do so. However, it would appear at present that the government is extremely wary of any independent efforts at monitoring and research. Clearly recognising the political implications of revealing even basic data about the country, the authorities have, moreover, exercised tight control of information compiled under its own auspices. The prospect of researchers producing reports over which the government may not have full ownership is evidently a source of great concern.

Given the lack of independent research and monitoring, the small amount of knowledge which the government has shared over the years should, necessarily, be treated with caution. If we consider the example of population statistics we can see the extent to which government data may be subject to re-formulation in light of political aims. Prior to 1969, estimates of the total population varied between 300-800,000. The census conducted in that year, however, established that there were over one million Bhutanese citizens in the country. Not coincidentally, it was necessary for Bhutan to have a population of at least one million in order to apply for membership of the United Nations. Once membership had been secured (formalised in 1971), these figures were revised to 930,614. However, in an interview given in 1990 the King stated that the population was only 600,000 and, as Michael Hutt notes, “Although some school textbooks still give totals of over a million, the new figure (of 600,000) has become the conventional wisdom...”³⁰ This figure was re-affirmed in

the National Assembly in June 1997. Somewhat confusingly, the government has also given population growth estimates at 2.5% per annum.³¹

The figure of 600,000 is disputed by Nepali-speaking dissident groups who claim that the government systematically underreports the numbers of Lhotshampas. According to these sources, the figure for the population as a whole is between 650,000 and 700,000.³² Certainly, the government is best aware of the true figure since it has, for several years, conducted an annual census exercise. However, the results of this are never disseminated publicly.

Sources of Information

Given the government's tight control over research and the distribution of data, those seeking to understand the social, economic and political realities across the country are obliged to rely on impressionistic and anecdotal sources. The opportunity to check on reports through personal visit is hampered by the government's restrictions on movement, particularly for foreigners and particularly within districts in the south and east. In the capital, Thimpu, information is spread by word-of-mouth with considerable caution due to the perceived presence of government informers in many social and work situations.

Outside the country, reports are compiled by numerous human rights organisations and campaigning journalists, many of them Bhutanese in origin. These reports rely upon the help of individuals within the country who pass news about conditions and recent abuses through established networks. Such information suffers from an unavoidable lack of consistency in collection and cannot be verified independently. As a consequence, the reports compiled by these means are liable to be dismissed as unreliable or as propaganda.

Amnesty International were allowed to visit Bhutan for the first time in 1992. This visit and the report which was published later in the same year, have been cited frequently by the Bhutanese authorities to demonstrate their own openness to monitoring and to the discussion of human rights. However, following dissemination of this report, the government suspended dialogue with Amnesty until 1998, effectively preventing any further visits until that time. ICRC personnel have been visiting the country regularly in recent years but, due to that organisation's mandate, their findings are not made available to the public.

It would appear that some donor organisations based in Thimpu are able to gain access to areas of the country otherwise off-limits, provided that this is related to a particular project which they are supporting. In general, it seems that Bhutanese nationals are more likely to be granted such access with the justification from the authorities that it may be particularly unsafe for foreigners to enter certain districts of the south and east. This argument does not appear fully justified by events, particularly with regard to the south west of the country where reported incidents of violence are few and attacks on foreigners unknown.

SECTION 3

CONFLICT & DISPLACEMENT – EFFECTS UPON CHILDREN

Issues to be addressed

- **The ULFA-Bodo Crisis**
- **The Nepali-speaking population in the south**
- **The Lhotshampa refugees in Nepal**

The ULFA-Bodo Crisis

To date, the effects of this crisis upon children and their families living in the south-eastern districts have seemingly been limited. That said, there have been occasional bombings and attacks on civilians within the country which have generally been downplayed by the authorities. The attack on buses passing through Assam which resulted in the deaths of 15 men, women and children in December 2000 was discussed more openly. Although this attack may not have been the work of the ULFA-Bodo militants, it was clearly related to the current crisis.

Service Provision and Infrastructure

Aside from the immediate effects of violence, a more long-term concern resulting from the crisis is with the provision of services and the development of local infrastructure. Reportedly, some educational facilities have been closed due to security concerns, most notably a large, new polytechnic in Deotang which was relocated to Phuentsholing. The empty facility was apparently converted into an army camp.

According to government sources there are currently 7,000 school children in this area attending 22 schools.³³ Government officials suggest that these schools may be subject to swift closure in the event of armed conflict, which appears quite likely at present.

The south-eastern districts of Bhutan are, in any event, amongst the poorest in the country according to a recent assessment conducted by the government in conjunction with the Asian Development Bank. So far, the findings of this exercise have not been made available for quotation but informal reports suggest that these districts are low in the national league tables according to key indicators such as household income, access to basic facilities, and health. This situation will certainly

have been exacerbated for many residents of this area by the heavy floods in August 2000 which caused over thirty deaths, damaged and destroyed bridges, factories, homes and public facilities across the south of the country.³⁴

The current tension between the government and the ULFA-Bodo militants is already affecting efforts to improve the infrastructure and services in the south-eastern districts. One development agency reported that, as a consequence of the perceived unrest, it has now become harder and much more expensive to recruit contractors from outside the area to conduct engineering work in the south-east.³⁵ There is, in any case, concern that new facilities provided may become a target for the combatants. Efforts to offer needed direct assistance are also being hampered. For example, in 2000 Save the Children (US) were obliged to cancel a nutrition programme in the area.

Officials openly acknowledge that this current crisis is adversely affecting their own measures to improve conditions in the south-east. Furthermore, should the government decide to engage in a full military operation, it is likely that the country's development budget will be redirected to the war effort. This is a prospect already being contemplated by government officials.³⁶ The effects of such a redirection of funds would likely be felt by children throughout Bhutan due to consequent decreases in support for education and health provision.

Child Recruitment

The prospect of large-scale military action against the ULFA-Bodo militants raises concerns about the possibility of child recruitment to the security forces, potentially involving young people from all parts of the kingdom. In a recent document, the Coalition to Stop the Use of Child Soldiers cites several sources which indicate that underage recruitment has taken place in the past, notably during the security mobilisation of the early 1990s.³⁷ In addition, there is a system of village defence committees which provides support for local patrols. Children have reportedly been used in these on a regular basis.

At present, most observers agree that the government is abiding by its own decision not to recruit males under 18 years of age, even though it has retained 15 as the official age from which it may be possible to commence voluntary recruitment.³⁸ However, the government representative to the United Nations in Geneva stated in

September 2000 that “a war like situation does not prevail in Bhutan. As such the question of the use of children as combatants...does not arise”.³⁹ This statement seems to suggest that, should armed conflict take place, the government might well reconsider its position with regard to the recruitment of children.

The Nepali-speaking population of the south

The unrest of the early 1990s

Unsurprisingly, accounts of the situation in the south of Bhutan in the early 1990s vary greatly between the government and the Lhotshampas who left the country. For the former, this was a period of violent and terrorist attacks by anti-national elements on innocent civilians, local officials and public facilities.⁴⁰ Speaking at a public meeting in January, 2001 the home minister, Lyonpo Thinley Gyamtsho, recalled one incident at this time in the following terms:

ACCOUNT 2: A Bhutanese official recalling the events of 1990⁴¹

We can never forget the ngolop uprising in Tsirang in 1990 when, on September 25, 1990, a large mob, many men armed with Khukhuris and other weapons marched to the Tsirang Dzong shouting anti-Bhutan slogans. The mob forced the people to strip their ghos and kiras which were then set on fire before they entered the Damphu Junior High School. At the school, they threatened and abused the headmistress, teachers and students at knife-point, thus forcing the closure of the Damphu Junior High School along with others.

For their part, the southern Bhutanese who left the country at this time have consistently claimed that they were subjected to a wide range of abuses by the security forces. These included arbitrary arrest and imprisonment without trial, torture, intimidation, rape of women and girls, and house demolition. In reported cases, those who left the country claimed that they did so as a result of some form of threat or assault. The following account is typical of many cited by Amnesty and other human rights organisations:

ACCOUNT 3: A 23-year old woman from Sarbhang District ⁴²

My husband and I had heard that the army were coming to confiscate our goods so we both went to take our valuables to my parents' house. On the way back we were arrested on the banks of the Thulopinkhwa River, by about 10 army personnel. The soldiers started beating us, asking us if we had gone to see the party people and where the leaders were. They asked us about the campsites of the party people. We said we didn't know. The soldiers tied our hands behind our backs and dragged us along....We were taken to Sarbhang, about 30km away, and kept in the school which had been turned into an army barracks, for about a month. I was locked inside a room...every night two or three soldiers came and raped me. I saw the men being made to fight each other like bulls. The old people and children were made to clean the compound and latrines...On release I went home and stayed there for one month until I realised I was pregnant. I was so ashamed that I couldn't face the other villagers so I left Bhutan in early 1991. I left my children with my mother-in-law in Bhutan... As a result of the rape, I had twins, one of which died and one survived. I do not know if I will see my husband again.

Impacts on children

It is within this context of violence, fear and infrastructural damage that we should consider the situation of Nepali-speaking children still living in the southern districts of Bhutan. Here the principal issues suggested by informants and by the documentation of human rights organisations appear to be the following:

- i. Access to Education*
- ii. Family Separation*
- iii. Child Domestic Labour/Work*
- iv. Cultural Life*

Underlying all of these issues is the question of national identity and citizenship. It has been widely alleged that even those Lhotshampas who were classified as F1 ('genuine Bhutanese') in the 1988 Census became subject to a range of discriminatory practices and even expulsion during the 1990s. One means by which such discrimination is seen to operate is through the system of No Objection Certificates (NOCs).⁴³ This was introduced by the government in 1990 following the demonstrations. These certificates, which are necessary for accessing educational services, government employment and obtaining business licences and passports, are granted only to those individuals who have no connection to so-called 'anti-national

activities'. In effect, this means that members of the same household may be held responsible for the actions of relatives and denied a certificate. According to a government report of 1992, the NOCs, which were introduced as "a necessary interim measure to screen out students who were involved in anti-national activities or whose parents were directly responsible for the closure and destruction of schools and other service facilities" had been discontinued.⁴⁴ However, human rights observers contest this claim, and the recent testimonies of Lhotshampa citizens of Bhutan suggest that the NOCs are still used, albeit in an inconsistent and unpredictable manner.

i. Access to Education

CRC: Article 28, paragraph a

States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

make primary education compulsory and available free to all.

As suggested, the most immediate way in which the NOC system affects children is in the access to education. Given the lack of independent, ongoing monitoring in the south of the country, it is hard to assess the total number of children denied schooling by this means. However, the frequency of personal accounts of exclusion is such to suggest that there is a widespread problem resulting from government policy at the local, if not the national, level. This is an issue which affects not only Lhotshampa children but also, reportedly, Sharchop children in the east of the country following the activity of political dissidents, mostly in 1997.⁴⁵

Government personnel acknowledge that there are problems of accommodation for children in the south of the country. This, they claim, is part of a nationwide challenge to provide sufficient educational facilities and trained teachers to meet the ever-growing demand for schooling.⁴⁶ The situation in the south has been particularly exacerbated by the "anti-national activities" of the early 1990s which included the destruction of educational and health establishments and which necessitated closures throughout the area. The government is currently working hard to re-open these facilities in order to meet demand.

There are two main objections to this argument:

- Many schools were not, as claimed, destroyed by dissident Lhotshampas but appropriated by the security forces for sole use as barracks and police stations. This is a view expressed clearly by Amnesty International and in the accounts of Lhotshampa residents of the south.⁴⁷ Even today, some of these buildings are still being partially or fully occupied by the security forces.
- Children of security personnel and of northern Bhutanese now resettled in the south enjoy priority of access to the limited school places available.

These two points have led observers to question the government's underlying intention. Could it be, they wonder, that the authorities are deliberately limiting the educational access of the remaining Lhotshampa population in order to encourage more citizens to leave the country? Or, is this part of a policy to deliberately de-educate a section of the population in order to render them less of a threat to the ruling Ngalong elite? Once again, in the absence of independent, systematic monitoring it is difficult to discern the true facts of the situation.

ii. *Family Separation*

CRC: Article 7, paragraph 1

The child shall be registered immediately after birth...and shall have..., as far as possible, the right to know and be cared for by his or her parents.

As a consequence of alleged discrimination, Lhotshampa families are under continual pressure to separate. The desire to provide education for their children has led parents with sufficient means to send their offspring into India for schooling, either as day pupils or, more commonly, as boarders. Some Lhotshampa children who have been granted school places in Bhutan are obliged to travel to other districts in the country, compelling them to become boarders.⁴⁸ Furthermore, the economic difficulties created by the NOC system, which excludes most Lhotshampas from government employment and from running their own businesses, has increased the pressure on migration in pursuit of employment. There are, for example, large groups of Nepali-speaking Bhutanese

engaged in road construction in the north of the country. Some, but by no means all, are accompanied by their families who live in makeshift camps.

The separation of family members which these circumstances have occasioned, should be seen as additional to the widespread separation resulting from the displacement of the early 1990s. Although there were incidents of communal displacement by village,⁴⁹ and in spite of the pressure brought to bear upon relatives to follow those who left, it is still the case that many close family members remain separated from one another. This includes parents and children. Inevitably, having left their homes and businesses in Bhutan, the Lhotshampas have had to contend with further forces, principally economic, which encourage further separation.

iii. Child Domestic Labour/Work

CRC: Article 32, paragraph 1

States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

In Bhutan there is a well-established, if informal, system whereby children from remote, rural areas come to live in households in the larger towns, notably Thimpu. Here they are required to assist with various domestic tasks for which, in return, they receive food, accommodation and, ideally, access to schooling. In many cases, it seems, both boys and girls are placed with members of the extended family, arriving around the age of 10 and returning to their own villages at 16 or 17. Although this practice is commonplace, there is no formal system of checking and monitoring the welfare of children involved. Inevitably, this raises concerns about maltreatment and abuse.

Bhutanese human rights activists have claimed that the incidence of Lhotshampa children entering into this system of domestic service has increased greatly in recent years.⁵⁰ This is a direct consequence of both the exclusion of these children from schools and the impoverishment of their families due to the measures outlined above.

iv. *Cultural Life*

CRC: Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Christopher Strawn has commented as follows on the government's cultural policy since the late 1980s:

“What is clear is that prior to 1988 the government was moving away from simply letting the southern Bhutanese live as they pleased, continuing their cultural traditions. After 1988, all tolerance of Nepali Bhutanese cultural freedom disappeared.”⁵¹

This alleged intolerance has impacted in various ways on Lhotshampa children's cultural lives:

- As already mentioned, since 1988 children have not been able to study the **Nepali language** as part of the school curriculum. The government points out that Nepali is still included as one of the official languages of Bhutan and that the national newspaper and radio broadcasts are still available in this language.
- The vast majority of the Lhotshampas are Hindus and, as such, many maintain that they are subject to **religious oppression**. Although temples exist in the south they are not allowed in the capital and other parts of the country. In these areas practising Hindus who do not wish to use the local Buddhist temple are obliged to conduct their prayers at home, except at the time of major festivals when permission has been granted for the construction of tents. It is alleged that in Thimpu Hindus are not allowed to use the funeral facilities available to the majority Buddhist population. Instead, they utilise areas of public land away from the city.

The government now appears to have turned its attention to the tiny Christian population of the country. According to one member of this community: “Christians are asked either to leave their religion or leave the country. In some places they are beaten very badly...Christians now face

termination of employment, expulsion from the country, cancellation of trade licenses, and denial of all state benefits.”⁵²

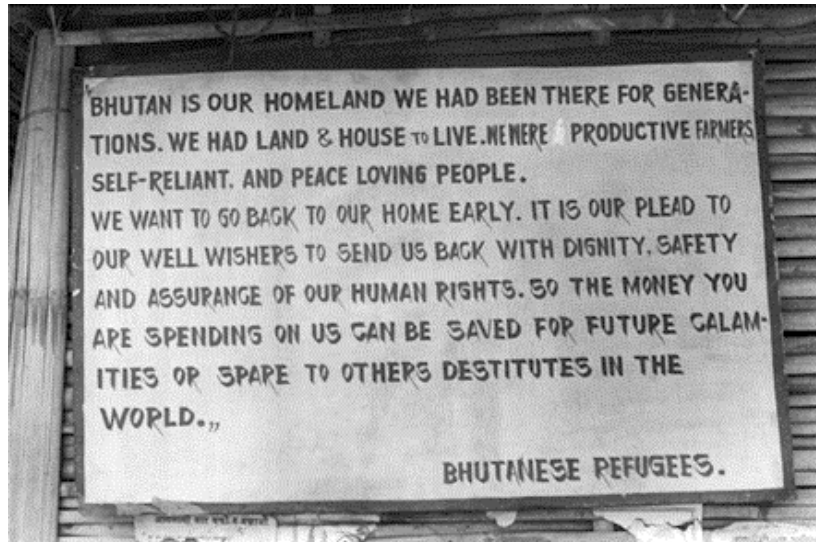
- **Restrictions on socio-religious gatherings** have also occurred. This was the case with a ban in 1988 on the *kirtan sangh* (devotional singing groups) that spread from India in the 1970s.⁵³ More recently Christians in Thimpu have been forbidden from gathering for socio-religious purposes.
- Since the late 1980s there has been a **more pervasive enforcement of dress codes**. Whereas in the early years of the decade only those engaged on official business were obliged to wear the *gho* (men) and *kira*(women), there is effective enforcement of such attire for all citizens in most activities of daily life, including schooling. As already explained, this “national dress” is not part of the tradition of the Nepali-speaking population of the south, nor does it necessarily suit the climate or way of life in this area.

ACCOUNT 4: **17 year old boy, Sarbhang District**⁵⁴

The army came from Gaylephug Police Station and took out all the Nepali books from the school...and made a big fire. At that time I was in the class. The army marched towards a pile of (Nepali) books... Some of the students did not want to return their books...but returned them to escape from beating. I was not allowed to read Nepali in Bhutan. As Dzongkha is the national language, the Government of Bhutan wanted to stop the use of Nepali. The Nepali language was banned there after in our school. Later the school was closed...and turned into an army camp. In school we had to wear Bakhu (Northern Bhutanese dress)... since 1989.

The Lhotshampa refugees in Nepal

There are currently seven camps in South East Nepal, housing 98,000 refugees. A further 20-30,000 refugees are estimated to reside in North East India, principally in West Bengal and Assam.⁵⁵ The vast majority left Bhutan in the early 1990s but small numbers still continue to come, alleging that they have been forced out by government repression.



Board displayed in one of the refugee camps in Jhapa District, SE Nepal
© Howard Davies / Exile Images

Within the camps, UNHCR is responsible overall for the welfare and protection of the refugees. However, food distribution, health, education and other basic services are delivered by a number of INGOs and local NGOs, most of whom have been working in the camps since the early 1990s.

Despite the passing of more than a decade, during which time many children have been born who know no life other than that of the camp, the residents all claim that their highest priority is to return to their homes in Bhutan. It would seem that every refugee, from teenagers to the elderly, is able to relate a story of forced expulsion at the hands of the Bhutanese security forces and to recall their arrival in Nepal. Here is the account of one young woman given in 1995:

ACCOUNT 5: 15 year old girl, Beldangi Refugee Camp, Nepal⁵⁶

One afternoon when I was doing English and I was sitting in the front row, soldiers came to the school. They caught our books and threw them out of the door. The army lived in my school from that day. They used to beat people and rape girls. We were told to leave the country. The refugees came to Nepal, where they built their first shelters from sticks and plastic.

My house has been destroyed by the Bhutanese army.
What will happen to us if UNHCR stop giving us rations?
In Bhutan we had everything.
I want people not to think that what I am saying is lies.
I want you to feel our pain.

Children living in the camps encounter a range of challenges resulting directly from the displacement of their families in the early 1990s. The main issues appear to be the following:

Main issues concerning children in the Bhutanese refugee camps

- i. Lack of Nationality*
- ii. Economic hardship & undernourishment*
- iii. Future prospects*
- iv. Shortcomings of educational provision*
- v. Early marriage & pregnancy*
- vi. Children's role at family and community level*

i. Lack of Nationality

CRC: Article 8, paragraph 1

States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

After a decade of deliberation by the governments of Nepal and Bhutan, a process of verifying the claims of the refugees to Bhutanese nationality and right of return commenced in March, 2001. Theoretically, this would appear to be a progressive development, offering some measure of hope to the camp residents. However, the process itself, which is conducted by two teams, one Nepali and the other Bhutanese, has so far been slow and cumbersome. On average only ten families a day have been interviewed, at which rate the process will take an estimated 5 - 6 years to complete.⁵⁷ Until this has been achieved, no-one will be allowed to return. This is a point taken up in the report of the UN Committee on the Rights of the Child, in response to the presentation of its first official report by the Bhutanese government. The committee made the following recommendation:

“In accordance with the best interests of children residing in the camps, their right to a nationality, and preservation of identity (articles 3, 7 and 8 of the Convention), and with a view to reaching a just and durable solution, the Committee recommends the State party to: make greater efforts to expedite the verification process, and consider the possibility of repatriating individuals within a reasonable time following individual verification;”⁵⁸

In the meantime, children in the camps are effectively denied citizenship and nationality. In its 1997 report on *The State of the World's Refugees*, UNHCR observes that “citizenship provides the legal connection between individuals and the state, and thus serves as the basis for the realization and enjoyment of all other rights.”⁵⁹ This point is most important in respect of Bhutanese refugee children: their lives in social, economic and political terms are profoundly affected by the lack of citizenship and nationality.

Intermarriage between residents of the camp and Nepali citizens of the surrounding areas has not been especially frequent to date. However, such cases, when they do occur, raise particular concerns regarding the nationality of any offspring. Under the 1985 Citizenship Act of Bhutan both parents must be nationals in order for the children to qualify for automatic citizenship. In Nepal, it is only necessary for the father to hold nationality. Children of a Nepali man and a Bhutanese woman would, therefore, qualify for Nepalese nationality but not that of Bhutan. In the reverse situation – a Bhutanese man wed to a Nepalese woman – there is the apparent danger that the children would not be able to claim nationality of either country, rendering them permanently stateless.

ii. *Economic Hardship & Undernourishment*

CRC: Article 27, paragraph 1

States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

As refugees, the residents of the camps are formally prohibited from pursuing paid employment in Nepal. It is assumed, instead, that their immediate survival needs will be met by UNHCR and the agencies currently working within the camps. This situation exposes many families to great hardship economically.

Residents speak of undernourishment due to the insufficiency of rations. Since all refugees receive the same quantity of rations, regardless of age, it is reported that only those families with a number of small children can manage properly with the total amount provided. The effects of insufficient nourishment are believed to manifest in micro-nutrient deficiency. Seemingly young women are most affected: they describe frequent stomach pains due to hunger and associated problems such as an inability to concentrate for more than short

periods of time. There is also great concern that the rations themselves, which have been reduced in quantity twice in recent years, may soon be stopped altogether due to a lack of donor support.⁶⁰

Economic hardship in the camp not only affects nutritional status. There are other, less obvious, ways in which residents suffer due to their inability to provide for themselves in a normal manner. For example, it is hard for many families to make offerings at religious festivals or to organise a wedding according to custom. According to research undertaken in 1997, one 17 year old youth remarked that, “In Bhutan we used to invite a lot of guests for the ceremony, whereas here we cannot provide food for the guests.” A number of teenage girls also told the researcher that “they would prefer to return to Bhutan before they got married, so that they could have a “proper wedding”.”⁶¹

This same report also notes the frustration that teenagers in the camps feel due to their inability to purchase new clothes. The sense of disadvantage is heightened by the sight of their peers from the neighbouring communities dressed in the latest styles.⁶² This is undoubtedly one factor which contributes to a sense of inferiority amongst the refugees – especially girls – in relation to the local Nepali citizens.

A particularly unhappy consequence of economic hardship is the reported trafficking of girls and young women. Although the numbers involved are hard to assess, not least because of the shame involved for the girl and her family, many local community workers believe that this practice is on the increase. Currently, MAITI-Nepal – a local NGO – is working on this issue, and has had some success in bringing back to the camps girls who had been trafficked to Bombay, Poona and other Indian cities for the purposes of enforced sex work.

iii. Future Prospects

Under present circumstances, the prospects for young people in the camps seem highly constrained. Most are not able to continue their education beyond the ten grades of schooling provided within the camps. Of those that wish to continue, some receive support from Caritas for their studies in schools outside the camp. Others must find some alternative means to obtain the funds necessary to pay the fees as well as for transportation.

Recently there have been reports of young people with secondary school diplomas who have found employment as English teachers in private schools outside the camps. Most of these are males who have an advantage over their Nepali peers in that their own schooling is conducted, as in Bhutan, in English. Nevertheless, the total numbers who are able to earn some income in this way are very small and the wages are not good – often lower than those paid to Nepali citizens. This, however, is the only possibility of formal, paid employment that school students in the camps may reasonably imagine for themselves: other professions are generally inaccessible due to both the residents’ lack of citizenship status and the already-saturated labour market. Thus, for the overwhelming majority, the notion of return to Bhutan represents not only the fulfilment of a family and communal dream but the possibility of a brighter individual future.



Children learning deaf sign language at a disability project in Beldangi II Camp
© Howard Davies / Exile Images

iv. Shortcomings of educational provision

A good deal has been said about the quality of education provision offered to children in the camps. It has been suggested by several sources that this compares very favourably with the government schools attended by neighbouring Nepali children. However, it is still the case that their experience of school is frustrating

for many young refugees. The older children, in particular, compare the education received not with Nepal but with Bhutan, and find the current provision wanting. There are several reasons for dissatisfaction and frustration:

a. Class sizes

According to the estimates of local education officers the ratio of teachers to students in the camps compare unfavourably with former schools in southern Bhutan. Although in early grades, the Bhutanese schools had large classes, sometimes in excess of 100 students, the dropout rate was high and in later grades, as a consequence, class sizes were small indeed, often as low as 10 or 20. In comparison, the classes in the camps remain full through much of the primary and secondary cycle, with an average of 50-60 students per teacher.

In addition, the facilities available have not grown in line with the natural increase in the school-going population. There is currently an intake of approximately 3,500 children per annum, while the graduation rate from all levels is only 1,000. Although the birth rate is believed to have slowed down in the last few years, there are still challenges to accommodate those children who are now reaching school-going age.

b. School buildings

Due to building restrictions imposed by the Nepali government, most schools are housed in structures made from bamboo and thatch. These are far from ideal both in terms of their resilience to the monsoon rains as well as the problems of noise and disturbance due to the use of bamboo screens to section off classroom space.

c. Teaching standards

Some of the teachers working in the camp schools are continuing careers started in Bhutan. However, the majority are new teachers, a growing number of whom are themselves graduates of these same schools. The new teachers are often as young as 18 and trained only at a basic level. Furthermore, given that they receive a small amount of pocket money, there is sometimes concern about their motivation, particularly the younger ones who, in many cases, would prefer to work in one of the

private schools in the area. The result is a very rapid turnover of teaching staff with the resulting disruption to the students.

There also appears to be a challenge in recruiting women teachers which may reflect the fact that far fewer girls than boys remain at school into the higher grades.

d. *Space for home study*

Housing in the camp consists of bamboo and thatch huts, each one housing up to eight persons. These huts have no electricity and only screens to partition the internal space. The kerosene which is used to provide light and heat is expensive and, therefore, often unavailable. In addition, the close proximity of homes in the camp adds to the noise and general disturbance. Such conditions reportedly create great problems for many children who endeavour to study after school.

v. *Early Marriage and Pregnancy*

This is an issue of apparently great concern to many residents of the camps and to NGO personnel. According to these sources, there is a high incidence of girls as young as 12-14 years of age marrying and occasionally eloping. In some cases, couples wed at such a young age due to the fact that the girl has become pregnant. More generally, girls enter into early motherhood subsequent to marriage in their mid-teens.

Given that married couples tend to drop out of school, early marriage is seen by women and youth activists as highly damaging to the welfare of the young, most especially to girls. The health implications for both mother and child are immense, with danger of low birth weight and other obstetric problems.

The main reasons given for the occurrence of early marriage and pregnancy focus on (a) living conditions in the camp: the close proximity of housing, boredom and lack of social & leisure facilities, and (b) the inability of parents to exercise effective discipline. It should be noted, however, that there is also a role here for tradition since, according to one researcher, many teenagers in the camps reported that their own parents had married in Bhutan at the age of 12-13.⁶³ The current concern with early marriage should thus be seen also as a response to changing social conditions and values.

vi. *Children's role in the family and community*

In such a situation of displacement and ongoing exile, children in the refugee camps appear to play an important role in mitigating the psychological and emotional strains of their elders. Writing of the situation she found while researching in the camps, Rachel Hinton observed that “children, often without a full awareness of the history of the trauma suffered by adults, tended to internalize problems and to feel personally responsible for their parents’ emotional state.”⁶⁴ This author then offers the example of a five year old boy who adopted dependent behaviour, including breastfeeding, at times when his mother was in a depressed state. She also quotes the words of a thirteen year old girl, as follows:

“Sometimes I play at being a child, I am grown up now, but my mother likes to have babies, and it makes her happy when I sit by her and she gives [spoon-feeds] me food.”⁶⁵

This observation also hints at the resourcefulness and resilience of children in a situation in which they are generally considered by outside agencies to be merely passive victims in need of support and care.

On a practical level, it is apparent that children are also very active in support of their households and the community at large. Girls, in particular, play an important role in domestic tasks which include the fetching of water. Some of the boys assist their households by engaging in work as day labourers in the local area. Several refugees reported that they knew of families that were supported entirely or even headed by young people under the age of eighteen. In some cases these young people are orphans but there were also reports of children who had been separated from their parents, some of whom were in prison in Bhutan.

Various initiatives by INGOs and local organisations have brought children together to discuss issues of concern and to generate small-scale community actions. There are also informal networks of support which particularly embrace those children who are currently taking responsibility for their household. In such ways, young people are expanding their role and challenging some of the conventions which surround the normal hierarchies of age and gender.

Overall, however, perhaps the greatest contribution that children in the camps make to the community is to function as symbols of hope for the future. After more than a decade in exile, it is evidently of great importance and value to adults that their offspring commonly express the determination to return to Bhutan. The following poem by Parbati, a 16 year old from Beldangi Camp, conveys the sentiments voiced by many of her peers:

ACCOUNT 6: A 16 year old refugee's poem

Right and left and everywhere,
I see the image of our dragon flag,
But oh, my country for whom I care,
When shall I find your face with a smile?

An hour grows into a day and a day into a year
Deeply I think, with your picture in mind,
Oh, my country where to find you,
I am in prison with my thoughts of you.

Yet I can never forget your picture,
Wonderful dragon, so full of colours.
I will never forget my motherland
Until my last breath of life.

Oh, my mother do not be sad.
Let me return full of smiles
With tears of joy and happiness to all.
Rather than nothing at all⁶⁶

SECTION 4

ISSUES FOR RESEARCH/MONITORING

In March 1999 the Royal Government of Bhutan submitted its first report to the UN Committee on the Rights of the Child in Geneva. In its response, given in June 2001, the committee made several recommendations which involve the co-operation of UNICEF. At least two of these contain elements of monitoring or research.

“The Committee recommends the State party to:
establish a mechanism to systematically collect and analyze disaggregated data of all persons under 18 years for all areas covered by the Convention, including the most vulnerable groups (i.e. children of different ethnicity, living in remote areas, children with disabilities, children of economically disadvantaged households, etc.); and
seek technical assistance from, *inter alia*, UNICEF, in this regard.”

Paragraph 22

“The Committee recommends the State party to:
conduct a study to assess the nature and extent of ill-treatment of children, and design policies and programmes to address it;... and
seek assistance from, *inter alia*, UNICEF”

Paragraph 41

It would thus seem necessary for UNICEF to consider carefully the best way to assist the government to meet the UN committee’s recommendations regarding the collection of data. Clearly the monitoring that the committee recommends should explore the range of difficulties faced by children and their families as a consequence of the unrest in the south and the possible escalation of violent activity in connection with the ULFA-Bodo unrest. The particular issues that such monitoring might address include the following:

- i. The access of children from Lhotshampa and other minority communities to school education.
- ii. The current process of re-settling families from northern Bhutan in the homes of Lhotshampa refugees, thereby creating a potentially conflictual situation at the time of the refugees’ eventual return.
- iii. The economic and social difficulties encountered by families whose members have been denied or lost Bhutanese citizenship – in particular families where one or other parent is not Bhutanese.
- iv. The possibilities for children of religious minorities to practice their religion freely.

- v. The incidence and conditions of children working as domestic helpers in Thimpu and other large towns.
- vi. The access to basic services of children living in the districts of the country affected by the current ULFA-Bodo crisis.

The challenges to the institution of effective monitoring of such issues, in both practical and political terms, are not to be underestimated. However, the knowledge that such monitoring would provide is surely crucial to any serious and sustained effort to protect the rights of children in Bhutan and of those who wish to return.

Endnotes

- ¹ From an interview with His Majesty, published in Himal Sept.-Oct. 1992. Cited in Hutt M. (ed) (1994) *Bhutan: Perspectives on conflict and dissent* Gartmore: Kiscadale Asia Research Series No. 4 page 10
- ² Calcium carbide, wood products, cement and some agricultural produce are also exported. However, the quantities of all these are not great.
- ³ Hutt, 1994:7
- ⁴ The assembly is constituted by 150 members, more than two-thirds (105) are elected within a network of locally-based committees. Ten further seats are reserved for representatives of the Buddhist order, 29 ordinary members and 6 ministers are nominated by the king.
- ⁵ For details of the Assamese militant groups see Chandran S. & Joseph M. (2001) *Lethal Fields: Landmines and IEDs in South Asia* International Committee to Ban Landmines pages 4-6
- ⁶ Rakesh Chhetri, Kathmandu Post, January 31, 2001
- ⁷ *ibid*
- ⁸ See, for example, Kuensel April 14-20, 2001
- ⁹ For discussion of the events surrounding the demise of Sikkimese independence see Sinha A.C. (1975) *Politics of Sikkim: a sociological study* Faridabad: Thomson Press Ltd, pages 33-37.
- ¹⁰ Hutt, 1994:9
- ¹¹ In Hutt, 1994:90
- ¹² Thinley J. in Hutt, 1994:65
- ¹³ Thinley, 1994:45-7
- ¹⁴ Dhakal D.N.S & Strawn C. (1994) *Bhutan: A Movement in Exile* Jaipur: Nirala Publications page 118
- ¹⁵ As Rose notes, however, resentment towards the government was evident as early as the 1950s and led to the creation of the Bhutan State Congress in Assam in 1952. This party demanded political reforms within Bhutan and an end to what it saw as discriminatory policies towards the Nepali-speaking population who "had most of the obligations associated with subjectship but few of the privileges of citizenship." This included restrictions on the right to own land. Rose L. 1977 *The Politics of Bhutan* London: Cornell University Press pages 110-111
- ¹⁶ Outline of conditions contained in the three statutes taken from Amnesty International (1992) *Human Rights Violations against the Nepali-speaking Population in the South*
- ¹⁷ Strawn, 1994:102
- ¹⁸ John A. (2000) *Political Militancy among Bhutanese Refugee Youth* Colombo: RCSS
- ¹⁹ Thinley, 1994:61
- ²⁰ *ibid* p.106
- ²¹ Zeppa J. (1999) *Beyond the Earth and the Sky: a journey into Bhutan* London: Macmillan page 194
- ²² According to Amnesty International, the six prisoners were held on charges relating to crimes which were committed six months after they were detained. (1992:9)
- ²³ There were, allegedly, two booklets distributed: *Anti-national Activities in Southern Bhutan, a Terrorist Movement* published by the Department of Information in 1991 and *The Southern Bhutan Problem, Threat to a Nation's Survival* published in 1993 by the Ministry of Home Affairs.
- ²⁴ US Department of State, 1998
www.state.gov/www/global/human_rights/1998_hrp_report/bhutan.html
- ²⁵ This is the view, for example, of Amnesty International, Human Rights Watch and the European Union
- ²⁶ Thinley 1994:65
- ²⁷ Department of Information, Bhutan (1992) *Anti-National Activities in Southern Bhutan: an update on the terrorist movement* page 8
- ²⁸ From statement of the European Parliament on Bhutanese refugees in Nepal, 6 September 2000
- ²⁹ Rose, 1977:11
- ³⁰ 1994:7
- ³¹ Health Survey, Royal Government of Bhutan, 2000
- ³² US Department of State, 1998:1
- ³³ Personal communication with Ministry of Education official, April, 2001
- ³⁴ Kuensel August 12th, 2000

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- ³⁵ Personal communication, April, 2001
- ³⁶ See, for example, Kuensel January 13th, 2001
- ³⁷ Coalition to Stop the Use of Child Soldiers, (2001) personal communication
- ³⁸ The retention by the RGoB of 15 as the minimum age of voluntary recruitment is noted by UN Committee on the Rights of the Child in its response to Bhutan's first report delivered in June, 2001.
- ³⁹ *ibid* page 25
- ⁴⁰ Amnesty International comments on the claims made to this effect in the Kuensel newspaper by stating that there was an "apparent lack of evidence to confirm that political opponents of the government, rather than common criminals, were responsible." 1992:11
- ⁴¹ Kuensel January 13, 2001
- ⁴² Cited in Amnesty International, 1992:19-20
- ⁴³ According to one source, in 2000 the term 'No Objection Certificate' was replaced with 'Security Clearance Certificate'. Nevertheless, the principle and usage remain the same. All of the Bhutanese with whom I spoke in Bhutan also continued to use the term 'NOC'.
- ⁴⁴ Department of Information, 1992:25
- ⁴⁵ For a report into the government's response to the activities of political dissidents in the east see Amnesty International, 1998
- ⁴⁶ Initial Report by the Royal Government of Bhutan to the CRC Committee, 1999:38
- ⁴⁷ Amnesty International, 1992:11
- ⁴⁸ To be clear, this may be seen as the continuation of a government policy pursued in earlier decades by which students and teachers were sent to districts away from their homes in order to facilitate a process of integration. However, this policy was abandoned in the late 1980s.
- ⁴⁹ Amnesty International, (1994) *BHUTAN: Forcible Exile* pages 11-12
- ⁵⁰ For example, statement by Mangala Sharma, executive director of BRAVVE at the Women's Commission for Refugee Women and Children, 8th March, 2001 (unpublished)
- ⁵¹ 1994:112
- ⁵² Quote taken from report by Fides, the news service of the Vatican, based on information provided by Christian Solidarity. CWNNews.com/Fides, 20 April, 2001
- ⁵³ Strawn, 1994:121
- ⁵⁴ This is taken from a collection of narratives and drawings compiled by teachers in the camps.
- ⁵⁵ John, 2000:11
- ⁵⁶ As endnote 51
- ⁵⁷ The government of Bhutan has recently proposed a bilateral meeting to consider ways to speed up the process.
- ⁵⁸ Paragraph 53 of "Concluding Comments of the Committee on the Rights of the Child: Bhutan" Unedited Draft, 8 June, 2001
- ⁵⁹ UNHCR, 1997:241
- ⁶⁰ It is reported that the quantity of rice – the basic staple – was reduced from 790 grammes per person per half month to 760g and then 740g. Apparently, shortage of donor funds was the reason given by UNHCR for this reduction.
- ⁶¹ Parry-Williams S. (1997) *A Study of the Views of Teenage Bhutanese Refugees in Nepal* unpublished dissertation, Hull University page 33
- ⁶² *ibid* page 28
- ⁶³ *ibid* page 34
- ⁶⁴ Hinton R. (2000) 'Seen but not heard: refugee children and models for intervention' in Panter-Brick C. & Smith M. (eds) *Abandoned Children* Cambridge University Press page 207
- ⁶⁵ *Ibid*
- ⁶⁶ Taken from 'Voices with Vision' Newsletter produced by the Bhutanese refugee students of the Rose Class in co-ordination with Photo Voice, Oct/Nov 2000