

# South Asia Analysis Group

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## **BHUTAN: Tek Nath Rijal takes the plunge: Update 34.**

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**Note No. 198**

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**by Dr. S. Chandrasekharan**

Tek Nath Rijal made up his mind finally to take up the cause of Bhutanese refugees by forming the Human Rights Council of Bhutan (HRCB) on 25<sup>th</sup> August.

Rijal was released from jail after ten years on 17<sup>th</sup> December 1999. On release he wrote a long personal letter to the King to give him an audience so that he could personally explain the refugee problem and find a solution to ensure "stability, peace and prosperity of Bhutan. There was no response from the King on the one hand and there had been pressure from the refugee organisations to take over the leadership. ([Update 27 in Note #. 172 of SAAG](#)) [1]

Rijal was reluctant to visit Nepal after the experience he had many years ago, when he was forcibly apprehended and handed over to the Bhutanese authorities, without any legal formalities what so ever. Rijal suffered incarceration for more than ten years and was declared a "prisoner of conscience" by Amnesty International.

In a release to the Press, Rijal made the following points:

- \* The worsening human rights situation inside Bhutan and the complications created by Bhutan's government in the refugee crisis had compelled him to form the HRCB. (Human Rights Group of Bhutan).
- \* The task has now befallen him to consolidate the various Bhutanese organisations to fight for the rights of the Bhutanese people. ( It is understood that various organisations now working independently but on behalf of the refugees have agreed to work under the umbrella organisation HRCB under the leadership of Rijal).
- \* He appealed for support from national, regional and international communities to resolve the crisis peacefully.

In another public meeting he made a special appeal to India not to treat the refugee issue as a bilateral one between Nepal and Bhutan, but intervene to resolve the issue immediately. He said "the world cannot ignore Bhutan's discrimination and racial subjugation of its minority people."

**Does Rijal's entry give some hope to the refugees?** The answer is yes, though there may be many sceptics who may not agree with this view. One regular reader from Nepal who has been following this site on the refugee question had said that South Asia Analysis Group is misleading the refugees by giving them hope where there is none. It is known and we have mentioned it before that given a chance the King of Bhutan would not take a single refugee back. But can a "state sponsored ethnic cleansing" be allowed to succeed? Should not the international organisations, countries who have an interest in the stability of Bhutan and other well meaning NGOs support the cause of the refugees and try to get them back to Bhutan with honour and dignity? What about Nepal itself, which has not shown any interest in getting due justice to the refugees?

The immediate impact of Rijal's entry will be

- \* The voice of the refugees will be heard now. In our earlier update 32 (Note #189), we quoted one of the refugees who said "where is the place where the voice of the refugees can be heard. Here is now a place headed by Rijal who is well known internationally. The demands of the refugees to make the verification process transparent and to include a representative of theirs in the joint verification teams cannot be ignored. There will be a collective and an authentic demand to expedite the whole repatriation process.
- \* International human rights groups, aid agencies and donor countries will take greater interest to ensure that the refugees are heard and their rights restored.
- \* There will be no further infighting or at least it will be reduced to the minimum when all organisations come under one umbrella of the movement now being led by Rijal.

\* It will also place Nepal on notice. Nepal has not distinguished itself well in the refugee crisis. In all the meetings Bhutan has had the better of Nepal and has invariably turned the crisis to their benefit. Be it in the verification, classification or subsequent harmonisation, Nepal has been behaving more like an onlooker to the detriment of the refugees. The latest point in support of this view is in Nepal meekly agreeing to the postponement of the 15<sup>th</sup> ministerial level talks slated for August 11-14. It would have been apparent to anyone that Bhutan is doing its very best to postpone the return of even those refugees under category I ( bonafide citizens as admitted by the JVT) by September!

**Two international teams visit the refugee camps.** A seven-member UN team visited the refugee camps in the last week of August to `review and assess' the situation in the refugee camps. The team included representatives of WFP (World Food Programme) and UNHCR. Their visit was more in the nature of an annual joint routine visit to review the UN operations in the camps.

Another four member team comprising of representatives of Human rights watch, Lutheran Refugee and Immigration Service of the US, Caritas and UN Habitat International visited the camps of the refugees including that of Kudenabari and they have given a scathing report on the action taken both by Bhutan and Nepal on the refugee crisis. The highlights of the report include

- \* The screening process of the refugees violates every international norm in the book.
- \* There are serious anomalies and failings in the verification process. The verification process itself does not stand up to scrutiny in international law. In category II, all the refugees mentioned that they were forced to sign voluntary migration forms under duress. Under international law, everyone has the right to leave and return to their own country. Bhutan's policies clearly violate this right.
- \* The refugees recounted the hardships and the manner in which they were driven out. Many complained of arbitrary detention, sexual violence and threats to their physical safety before they were forced to flee.
- \* Categorisation has been done arbitrarily with members of the same family including children being placed in different categories.
- \* Future screening should be according to two categories only- Bhutanese and non Bhutanese.
- \* Screening and repatriation should not proceed without the presence of an independent third party. Refugee representatives should be included at all stages of the repatriation process.

It is understood that the appeal petitions made by the refugees of the Kudenabariu have been examined and there are some differences between Nepal and Bhutan. It is a good sign that Nepal is finally waking up and not giving in to the machinations of Bhutan.

**Category:**

Notes <sup>[2]</sup>

**Countries:**

Bhutan <sup>[3]</sup>

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**Source URL:** <http://www.southasiaanalysis.org/note198>

**Links**

[1] <file:///E:/saag/www/notes2/note172.html>

[2] <http://www.southasiaanalysis.org/notes>

[3] <http://www.southasiaanalysis.org/bhutan>