

Nepal:

Time for Bhutanese Refugees to Choose Their Future Path

Many of the 108,000 Bhutanese refugees in Nepal, where they have been stuck for 17 years, are tantalizingly close to a resolution of their plight. A vigorous response from the government of Nepal, the Office of the United Nations High Commissioner for Refugees (UNHCR), and donor governments is needed to create the conditions for refugees to exercise their right to choose their future path.

Background

A year ago, the United States offered to resettle 60,000 Bhutanese refugees, and Canada, Australia, and New Zealand have since followed the U.S. lead with combined offers of an additional 10,000 places. But certain refugee political leaders, few of whom actually live in the camps in eastern Nepal, are portraying the acceptance of resettlement as a betrayal of the long-desired return to Bhutan and therefore tantamount to treason. Death threats, physical attacks, and destruction of the property of leaders known to be sympathetic to resettlement have forced at least 50 people from the camps and prevented the resettlement program from going forward.

1. Establishing Security in the Camps

This has not been a good year for camp security. Incidents in Beldangi II, one of seven camps in Jhapa and Morang districts in eastern Nepal, involved the destruction of houses, assaults on leaders known to favor the resettlement option, and attacks against Nepali police brought in to quell the rioting. Two refugees died in the course of these incidents, and a third was murdered in mid-September. On top of these acts, refugees believed to be members of the Bhutanese Maoist political party and radical youth groups have repeatedly issued death threats against particular individuals, such as posters in Beldangi I with the names of nine refugees labeled “agents of America,” over the phrase, “You are warned!”

The government of Nepal accepts its responsibility for providing security for the refugees and has committed to deploying 25 members of the Armed Police Force in each of the seven camps. This step is very welcome, though its impact may be less than hoped for. APF expertise is in riot control and response to physical violence, and refugees told Refugees International that they doubted the ability of APF personnel to reduce threats and quiet intimidation in the crowded camp conditions. The perpetrators of the attacks are widely known, and pre-emptive steps, such as removing ringleaders from the camps may be necessary.

Policy Recommendations

1. The Government of Nepal announce officially and publicly in the camps that it supports refugee choice, including third country resettlement, and simplify the process for considering resettlement cases and granting exit visas.
2. UNHCR provide assistance and consider special protection measures for refugees forced to leave the camps due to violence and intimidation.
3. UNHCR in cooperation with the government of Nepal and resettlement countries mount a comprehensive information campaign on durable solutions, including the use of media such as radio and video.
4. The U.S., in the context of its generous resettlement offer, engage with India and Nepal on a fresh diplomatic initiative with the government of Bhutan to recognize the citizenship rights of Nepali speakers and allow the return for those refugees desiring to do so.
5. The U.S. begin a dialogue with Nepal on local integration for those unwilling to opt for resettlement or return.

2. Protecting the Especially Vulnerable

The atmosphere of intimidation has driven at least 50 and as many as 150 refugees from the camps. Others remain, but feel under constant threat. While security is the responsibility of the government of Nepal, UNHCR has a special responsibility, especially as the resettlement effort goes forward, to ensure that those needing protection receive it.

Among the refugees outside the camps, there are those who have no means of accessing basic necessities. They are unable to receive their camp rations and do not have family members in a position to provide them with what they need. While UNHCR provided a one-time grant of NR\$10,000 (about US\$160) to families forced from the camps, it is refusing to provide additional assistance on the following grounds: it has no mandate for aid programs outside the camps; it wants to avoid drawing more people out; and most refugees outside the camps have no need of additional assistance. This approach is excessively narrow and conservative, and is leaving an uncertain number of individuals in a vulnerable position. UNHCR should quickly survey the refugees forced from the camps, and provide assistance to those requiring it based on this needs assessment.

3. Clarifying Nepali Government Policy

The Nepali government deserves credit for granting sanctuary to the Bhutanese refugees for 17 years and investing scarce diplomatic resources in periodic negotiations on returns with the government of Bhutan. Its reaction to the resettlement offer, however, has been equivocal. While senior officials, notably the Foreign Minister, have endorsed resettlement as one possible durable solution, the government on the whole has failed to take the necessary steps to make it a reality. Especially problematic is the delay in granting exit permits to 41 individuals in urgent need of protection as identified by UNHCR and potential resettlement countries. The current process forces the refugee to get documentation and approvals inside the camp, which exposes the individual to intimidation and potential violence from the anti-resettlement groups. This contrasts with the relative ease of granting permits for Tibetan refugees to cross Nepali territory into India.

One thing that unites Bhutanese refugees across the political spectrum is the desire for the Nepali government to state clearly and publicly in the camps its policy towards resettlement and towards resolution of the refugee problem more broadly. Representatives of both UNHCR and the United States government told Refugees International that there could be no way forward without such a statement. Nonetheless, the person designated by the Nepali government to announce the policy, the Chief District Officer of Jhapa, the district where six of seven refugee camps are located, told RI that he is not prepared to make a public statement expressing Nepali support for resettlement, preferring instead to issue a letter to be distributed in the camps by government staff. Given the previous lack of clarity on Nepali policy and the volatile atmosphere in the camps, this would fall far short of what is needed.

4. Developing a Comprehensive Approach

There is a profound sense of injustice in Nepal that the efforts devoted to resettling Bhutanese refugees in third countries have not been matched by efforts to convince the government of Bhutan to create the conditions for return. While the leaders know that accepting resettlement does not forever preclude the possibility of return should political change come to Bhutan, in their hearts they know that large-scale resettlement will remove a mass of Bhutanese refugees from the region, making political mobilization at the local level more difficult. Further, the Bhutanese leadership will have paid no political penalty for violating the human rights of one hundred thousand of its citizens. The impunity is galling.

The proponents of resettlement in the international community hold out hope that as the number of refugees decrease in Nepal, Bhutan will be more open to returns and Nepal itself will be open to local integration. But neither development will occur without diplomatic engagement. India is the major power in the region, but it has refused to use its leverage under treaty obligations as the guarantor of Bhutan's security to negotiate a change in Bhutan's approach to the rights of its Nepali inhabitants. India and major donors to Bhutan, such as Japan, Austria, and Denmark, need to insist that as Bhutan begins to open up its political system, treating Nepali speakers equally, granting them their rights as citizens, and allowing for refugee return will enhance Bhutan's stature regionally and globally.

RI Vice President for Policy Joel Charny just returned from a two-week assessment of the situation for Bhutanese refugees in Nepal.