

Resettlement for Bhutanese refugees

by Christer Lænkholm

The US offer to resettle 60,000 of the 106,000 Bhutanese refugees in Nepal might offer a solution to this protracted refugee situation. Resettlement may not be a perfect solution but after 16 years of exile refugees may well choose it as the best option available.

Bhutanese Hindus of Nepalese origin – an estimated one sixth of the population of Bhutan – were arbitrarily stripped of their nationality in the early 1990s and either were forcibly expelled from the tiny Himalayan kingdom or fled in order to escape the enforcement of restrictive citizenship laws and other forms of institutionalised discrimination.¹ The Bhutanese live in seven camps in the Jhapa and Morang districts in southeastern Nepal, close to the Indian border, frustrated by 15 fruitless rounds of bilateral negotiations between the governments of Nepal and Bhutan and the failure of the international community to secure durable solutions to their displacement.

The Nepalese authorities have consistently seen the refugees as the responsibility of the Kingdom of Bhutan and have pressed for resettlement and repatriation as a solution, not integration. Host communities have expressed concern over the refugees' adverse effects on local communities, citing over-exploitation of water and forest resources, damage of roads by transport vehicles serving the camps and competition for employment as the refugees drive down wages. There are reports of increasing rates of crime and sexual and gender-based violence.

The Bhutanese refugees are restricted to the camps and prohibited from engaging in income-generating activities, even within the camp confines. As a consequence, they are entirely dependent on the support of the international community for their survival. With the passage of time the support system in the camps has come under increasing strain as

a result of donor fatigue. Budgetary constraints facing UNHCR and the World Food Programme have necessitated cuts in the provision of essential services, including food, fuel, medical care and shelter materials. Some services which used to be extended to all refugees have now been limited to the most vulnerable.

Human Rights Watch reports that donor substitution of kerosene by less expensive briquettes has led to respiratory and other health problems. Without kerosene the camps now have no lighting at night, with impacts on young people's studies. Women complain that conditions in the camps, with large numbers of people being forced to live together in close confinement in deteriorating circumstances, are not conducive to creating a safe environment for women and girls.

The Bhutanese refugees in Nepal are thus trapped between their forced dependency on international assistance and the increasing reluctance of the international community to keep providing for their needs. While the resettlement offer has given hope to many, the lack of clear information from the US authorities or about the prospects for other durable solutions – repatriation to Bhutan or local integration in Nepal – has resulted in increasing anxiety and tension among the refugees. The fate of the remaining 46,000 refugees and of up to 45,000 unregistered refugees in Nepal and India remains unclear. Organisations working in the camps have expressed concern that the unofficially announced resettlement offer may attract new refugees, as well as local Nepalese economic migrants.

Many refugees see resettlement as tantamount to defeat and a means to absolve the Bhutanese government of its legal and moral responsibility to make amends for the blatant violation of their rights. Some opponents of resettlement have threatened refugees who speak out in favour of resettlement, leaving many refugees fearful of expressing their thoughts on their future. Having been residents of a refugee camp for up to 16 years, many young people have never known or cannot remember life in Bhutan. Understandably, few have much enthusiasm for repatriation. The US offer has widened the generation gap between parents wishing to return and children favouring resettlement.

A survey conducted in 2002 and 2003 found that 80% of the refugees chose repatriation as their most desired solution but in the context of bleak prospects for repatriation and an offer for facilitated resettlement in one of the richest countries in the world, this is likely to change. UNHCR estimates that up to 80% of the population will apply for resettlement.

There has been much speculation about why the US announced in October 2006 its willingness to resettle refugees. Cynics have pointed to the desire of the Bush Administration to be seen to fulfil their refugee resettlement quota by absorbing a group of politically unthreatening refugees. Unofficially it has been announced that vulnerable persons and families will be given highest priority for resettlement but civil society groups have voiced concern that selection will be based on language and educational skills, leading to a brain drain in the camps, especially among teachers and health workers, and a further deterioration in conditions for those remaining. There are also fears among the refugees that the offer might be withdrawn at any time and without warning. Refugees want reassurance that a decision on their



Bhutanese
refugee
distributing
food to other
refugees,
Timal camp,
Nepal

Christer Lænkholm

asked to choose between a future in the US and their right to return to their own country.

It is essential that the refugees' right to self-determination is respected and that they are empowered to make well-informed decisions about the various consequences of all three durable solution options. They may be forced to make some pragmatic decisions. At the moment repatriation is not a realistic prospect; the human rights situation of the remaining ethnic Nepalis in Bhutan is highly precarious despite announced moves towards democratisation

in the Buddhist kingdom. In the absence of a UNHCR presence in Bhutan and given Bhutan's unwillingness to entertain the idea that UNHCR could facilitate and monitor voluntary repatriation of the refugees, there can be no guarantees

of a secure legal status for any returning ethnic Nepali refugees.

Thus for many refugees the 'next-best choice' might be the best option for their and their children's future. Realistically, a lot of the refugees may end up getting low-skilled and low-paid jobs and finding difficulties integrating in the USA – but they will be able to offer their children the possibility of a better education and job prospects than would be possible if they stay languishing in the refugee camps.

Christer Lænkholm (chl@dca.dk) is a Relief Officer for DanChurchAid (DCA www.dca.dk). DCA is a long-time partner of the Lutheran World Federation (LWF www.lutheranworld.org) which has worked with Bhutanese refugees in Nepal since they arrived in 1991.

For further information, see the April 2007 report of Human Rights Watch, 'The Need for Durable Solutions for Bhutanese Refugees in Nepal and India' (<http://hrw.org/reports/2007/bhutan0507>).

1. For the background to the Bhutanese displacement, see FMR7 (www.fmreview.org/FMRpdfs/FMR07/fmr7.7.pdf); FMR10 (<http://www.fmreview.org/FMRpdfs/FMR10/fmr10.18.pdf>); FMR19 (www.fmreview.org/FMRpdfs/FMR19/FMR19update.pdf); and FMR25 (www.fmreview.org/FMRpdfs/FMR25/FMR2545.pdf).

part to accept the offer of resettlement does not extinguish their right to return to Bhutan. Despite Bhutan's intransigence, refugees have not given up hope that one day they will be allowed to return home. Some refugees now fear that they are being

Bulgaria's treatment of asylum seekers

by Valeria Ilareva

Asylum seekers face appalling treatment at the immigration detention centre in Bulgaria. Treated as undocumented immigrants, they are penalised and deported – in blatant violation of Bulgarian law and Refugee Convention obligations.

Alfred is a 16-year-old unaccompanied asylum seeker from Kosovo. Frightened and confused, he looks even younger. He has been detained at the immigration detention centre in Sofia since May 2007, held under the same regime as adults. No officials from the State Agency for Refugees¹,

who come to the detention centre to interview asylum seekers, have visited him. On 14 September 2007, I visit him for a second time, having advised him the week before to submit a second asylum application. He says he cannot do so but I give him a sheet of paper and ask him

to write the application in front of me in his language, Albanian. He writes it. I accompany Alfred to find an official to witness receipt of his asylum application. The official starts shouting that Alfred has already presented an asylum application. When I try to explain that Bulgaria's Law on Asylum and Refugees obliges state officials to receive asylum applications and forward them for consideration to the competent body, she berates me for telling her how to do her job. We are startled by her