

# Statelessness Among Former Bhutanese Citizens: A Public Issue of Concern

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## **ABSTRACT**

Much has been studied and written on Gross National Happiness (GNH) and Bhutanese Refugee Issue in the past decades, but the scholars and researchers are yet to write on the issue of statelessness among the former Bhutanese Citizens. In this article, I have attempted to study and analyze this issue to find the root cause of Bhutanese Citizens becoming stateless in their own country and in diaspora. An attempt has been made to find the suitable answer of how a country that propagates the philosophy of happiness could revoke the citizenship of its people and escape from the crime. This paper mainly focuses on the issue of statelessness among the former Bhutanese Refugees in their country of resettlement and studies the activities of respective community organizations that make the issue public for its resolution. Phenomenological approach was followed to write this article.

**Keywords:** Bhutanese diaspora, Bhutanese refugees, gross national happiness, Lhotsampas, Statelessness

## **Introduction**

Bhutanese Citizens after being evicted lived as refugees in United Nation High Commissioner for Refugees (UNHCR) assisted camps in Nepal for many years and were resettled in eight countries namely, Australia, Canada, Denmark, New Zealand, Norway, The

Netherlands, United Kingdom, United States of America from 2007 to 2016. Around 7,000 Bhutanese refugees are still living in refugee camps in eastern Nepal. In due course of time almost everyone has become the citizen of their respective countries of resettlement but those resettled in Denmark, a few in The Netherlands and the United Kingdom continue to remain stateless even after living there for more than 10 years. “Having lost the citizenship of my country-of-origin Bhutan and living as refugees in Nepal’s improvised camps for more than 20 years, my expectation was that I will become citizen after being resettled and having fulfilled the basic criteria, but that has not happened even after 12 years of being resettled in The Netherlands,” said 83 years old Pabitra Khadga during a conversation with the author. Khadga was one of those unfortunate resettled Bhutanese refugees who was brought to The Netherlands by International Office of Migration (IOM) under UN resettlement program in 2010 and is still stateless. Like her, there are others who are curiously waiting to become the citizen of their host country.

This issue has been considered as a very insignificant by both the local and the mainstream medias as well as the local representatives, thus making it public has become a herculean task for the concerned stateless people alone. In the recent days community workers has been meeting politicians, policy makers, aligning with wider non-governmental bodies, publishing articles etc. towards finding some attention on this issue. Lately because of persistent effort of the community leaders this issue has been gaining attention of the public in the Netherlands.

### **Statelessness in general**

United Nation in its 1954 Convention relating to the Status of Stateless Persons defined the term ‘stateless person’ “as somebody who is not considered as a national by any state under the operation of its law” (United Nation, 1954, p. 3). “While immigrants can return to their state of nationality, and refugees

are covered by an extensive system of international law and protection, the stateless have no state to which to ‘return’ and no comprehensive system of international law and protection to safeguard them” (Belton, 2011). Kristy further said that due of “their non-immigrant, unknown status, the stateless people demand a distinct place within liberal theorising on just membership. Thus far, liberal political theory has either ignored this category of persons or subsumed them under the subjects of immigration or refugee-hood” (Belton, 2011).

UN Refugee Agency United Nation High Commissioner for Refugees in its 2019 report mentioned that the total numbers of stateless people stand 4.2 million and they are all shattered around 76 countries of the world (Global Trends, 2019). Similarly in Europe, as per European Network of Statelessness, over 50,000 stateless face the risk of rights violations every day (ENS, 2021). It said that many European Nations do not have any rules or an established process to find stateless people, determine their statelessness, and provide them with a route out of limbo (ENS, 2021). Out of Europe’s 50,000 stateless population a small group of the resettled Bhutanese refugees, who were resettled as part of the UNHCR resettlement project during 2009-2011 (UNHCR, 2020). Resettled refugees are the invitees of those countries that accepted them to live permanently with dignity and honour. European Commission has defined a resettled refugee as “a refugee who is identified by the United Nations High Commissioner for Refugees and who is transferred from the country in which they have sought protection to a third state which has agreed to admit them as refugees with permanent residence status” (EC, 2021, p. 2). It is unclear in that definition if such a refugee can be left stateless or can acquire citizenship in their resettled country. If European countries don’t have an established process to identify stateless people, determine their statelessness, and provide them with a route out of limbo (ENS, 2021) then how can such issue find its due place as one of the public issues among the policy makers?

Stateless people are equal to non-existence people. If the people do not exist legally, they are vulnerable to human trade, forced labor, violence, organisational discrimination human rights abuses, health care denial, to restrictions on freedom of movement (Qualliotine, 2015). If stateless is nonexistence, then are such people considered as public? Public is a group of people who, in facing a similar problem, recognise it and organise themselves to address it (Dewey, 1927). In this case stateless people are those without citizenship and they cannot exercise the right to organise themselves to express their issues.

### **Stateless people of Bhutanese origin**

Bhutan, a small landlocked Kingdom in the eastern Himalayas with a population of around a million multi-ethnic, multi-religious, multi-racial and multi-lingual citizen staged a mass uprising by its ethnic minorities Lhosampa community (inhabitants of southern Bhutan) demanding human rights and justice during early 1990. The king's overnight implementations of 'one nation one people' policy requiring all the citizens to wear same clothes, speak same languages, follow same religion, tradition and culture antagonised citizens. Initial appeals to the king through representatives about the arising mass anger, due to the abrupt implementation of 'one nation one people' policy was seen as an act of treason and such representatives were thrown into prisoners labelling them 'anti-nationals' and 'terrorists' (Rajesh, 2001). Student leaders and activists from various educational institutions organised themselves to bring issues to the public in an underground manner through leaflets, booklets, cassettes and visits to educational institutions and meeting fellow with students. They organised cultural programs in many schools (though clandestinely) to educate and aware students to organise themselves and raise voice against the ensuing injustice in schools and colleges. But before any concrete plans were implemented the authorities knew the students' plans and used the police forces to

crush them mercilessly. The police arrested prominent student leaders and other fearing arrests were successful in fleeing from the country to neighbouring India.

Country's media were all government-owned that published news labeling the students as terrorists and traitors. They were accused of plotting to over-throw the king. In a country like Bhutan where kings are considered as the God, the news of Southern Bhutanese trying to overthrow king (published in the media) was enough to provoke those majority ruling ethnic group (Ngalong), who worships the king as an undisputed God. A huge communal backlash followed which instantly changed the situation in all walks of life, all over Bhutan. In school and other educational institutions, all time prevailing harmony and friendship between Ngalong and Lhosampa students ended abruptly. In no time Ngalong friends turned into hardcore enemies of Lhosampa students. The environment of fear, suspicion, hatred etc., overtook in every sphere of the public all over Bhutan. It led to massive arbitrary arrest, disappearance, exodus, suspension from public services, military intervention resulting in loot, rape, torture, and all forms of oppression on to the Lhosampa community.

### **Efforts from exile**

Student leaders and other Bhutanese activists managed to bring together many Bhutanese who after fleeing from Bhutan were sheltering in the various parts of India into one common place. After days of deliberations, they decided to continue their work of bringing the issues in public both in India and Bhutan. Students in exile reactivated their student body called Students Union of Bhutan (SUB) and other activists re-organized themselves into Peoples Forum for Human Rights in Bhutan (PFHRB).

The SUB started to publish a monthly newsletter called "The Bhutan Focus" to expose the atrocities of the Royal Government of Bhutan on students and other common people and also for disseminating other related information. The Bhutan Focus was

circulated widely in Bhutan and also in India and that reached the information to the respective stakeholder. In Bhutan, there was no private media thus all media were the mouthpiece of the king and his autocratic regime, thus Bhutan Focus had a huge challenge to counter the misleading allegation of the regime against the activists. The continuous suppression and persecutions of the activists inside Bhutan had tremendously increased the exodus of Bhutanese intellectuals into India. To bring the political issue into public (both inside and outside Bhutan) a group of former civil service officers launched a political party called Bhutan Peoples' Party (BPP) on 2 June 1990. Representative delegations from these organizations traveled repeatedly to Calcutta and New Delhi, met with the concerned Indian authorities and sought their support to resolve human rights violations in Southern Bhutan. A support group consisting of several prominent civil society leaders was formed in India to take the issues to concerned stakeholders and put pressures on Bhutan's regime to resolve the issues. Local people and their leaders in the bordering India provided food, shelter, and protection.

### **Peaceful protests**

During September 1990 tens of thousands of Southern Bhutanese took to the streets protesting against discriminatory policy of the government (AHURA-Bhutan, 2000). The government deployed its army and police to suppress the peaceful protestors and ultimately everyone present in the demonstrations were expelled from the country labeling them as anti-national terrorists (The Diplomat, 2016). Many were arrested, disappeared and killed in various parts of Bhutan. The relatives of those demonstrators who were not expelled had their Bhutanese Citizenship Identity Cards revoked and they were rendered stateless inside the country. Houses and other properties of those leading the protest were either burnt or confiscated. Martial law was imposed. Schools, hospitals, private houses, marketplaces and other public places

were used to house the Royal Bhutan Army, Royal Bhutan Police and the Militias (created solely to suppress the protesters).

In the meantime, the king of Bhutan and his government accused protesters that their objectives were to overtake the country by overthrowing the king. The only governments-controlled two media of the country were publishing and broadcasting the king's messages to unite against the protesting citizens. All the destructions done by the security agencies while quelling and expelling the peaceful protesters were shown as acts done by the peaceful protesters, thus the entire country minus the ethnic Lhosampa united and turned against the Lhosampa community giving a false impression that they are separatist and are involving in vandalism and terrorism to destroy the country. The king established a separate militia force (mostly recruited from ruling ethnic Ngalong community members) to fight and spy the ethnic Lhosampa community.

The government representatives took the same blames and accusation to the international media and forum. They sought international community's support to suppress and defeat the protesters in the name of terrorists' eradication.

Likewise, due to the command of the king, the government of Bhutan initiated a campaign of changing all the names of the villages, towns, rivers, and other names of cultural symbols of Lhosampa community that existed since centuries to ruling ethnic community's names. Similarly, the king distributed (as gift) all the land and properties vacated by the evicted citizens to those ruling ethnic group people who joined militia and other loyal people as his appreciation for their support to crush and evict the protesters from the country.

Meanwhile the Ministry of Home and Cultural Affairs, Bhutan issued a circular stating that the citizenship of all those protesters, their family members and close supporters has been cancelled and

have been levelled as non-nationals. This has resulted in the production of more than eighty-thousand Bhutanese Citizens as stateless inside their own country. Any attempts by the victims to raise their voice publicly against injustice was considered as going against the king and were levelled as traitors and were dealt with forceful eviction, arrest, torture, social boycott, and several other extreme means of punishments, thus as of now nobody has been daring to highlight these issues from inside the country. As of now all those issues has been successfully suppressed even though numerous attempts have been made by exile-based organizations, activists, and intellectuals to expose those issues from outside the country.

### **Bhutanese refugees and their exile-based struggles**

By the end of 1990 tens of thousands of Bhutanese were already evicted and were taking shelter in the various tea garden areas of neighbouring India (Amnesty International, 1992). In the meantime, India denied shelter and used force to expel those evicted Bhutanese from Indian soil and pushed them into Nepal that resulted in the establishment of Bhutanese Refugee Camp in eastern part of Nepal during early 1991 (Bhutan News Network, 2018). UNHCR organised seven Bhutanese Refugee Camps in various parts of eastern Nepal at the end of 1991 (Manfred Ringhofer, 2002-2003).

Fifteen rounds of Bhutan-Nepal bilateral talks for the dignified return of Bhutanese refugees failed amidst huge international pressure on Bhutan to take back its citizens (European Parliament, 2000).

Peaceful movements like Appeal Movement Coordinating Council (AMCC)'s peace march to Bhutan, cycle rally to Bhutan by SUB, March to Bhutan campaign by Bhutan Gorkha National Liberation Front (BGNLF), BPP's hunger strike at Jantar Mantar in New Delhi, mass meetings in and around refugee camps, numerous

peaceful demonstrations inside and outside the refugee camps organised by refugees and many other similar efforts in exile were successful to gain the attention of the international communities like that of European Union that passed a resolution in support of efforts of the refugees to return to Bhutan. Several regional as well as the international non-governmental organisations like Human Rights Watch, Amnesty International, International Red Cross Society, Lutheran World Service, Jesuit Refugee Service and others came forward to support of Bhutanese refugee issue and released statements pressuring Bhutan to resolve their issues amicably.

Despite all these efforts from refugees as well as the international communities, Bhutan government continued resisting all outside pressures. Instead, it managed to deflect the attention of the international community by aggressively campaigning its initiatives like that of Gross National Happiness (GNH), sustainable development, preservation of forest and its claim of preserving and protecting its unique culture and Buddhism.

### **Issues dispersed with resettlement**

Thus, when the hope of the protracted refugee issue to get its just resolution diminished even after an exercise of two decades, eight core group of countries namely Australia, Canada, Denmark, New Zealand, Norway, The Netherlands, United Kingdom, United States of America volunteered to resettle all those willing Bhutanese refugees in their respective countries. During the initial period refugees were sharply divided into two groups: one those supporting the third country resettlement and the other group in favouring repatriation but not in support of resettlement. Those supporting third country resettlement argued that the Bhutan Government will never allow repatriation to happen and prolonging their stay in the refugee camps can reach them nowhere, instead unlimited stay in the uncertain manner in the refugee camps can ultimately ruins the future of children and subsequent generations. Therefore, they said that to make the life

easy and to build the future of their children one needs to opt for resettlement outrightly. Meanwhile the group that opposes the resettlement argued that Bhutan is their country where they were born and brought up, built houses, owned lands and properties, have family members, friends and relatives thus it is their birth right to get repatriated to Bhutan and to live a dignified life. This group also opined that their language, culture, religion and other aspects of life is quite different from the people in the resettling countries, thus the life there will become much more difficult mostly of those elderly and uneducated people.

Amidst deep division among the Bhutanese Refugee Community on the issue of resettlement UNHCR started the Bhutanese Refugee resettlement program during the year of 2007. By 2015, it successfully resettled 5,554 in Australia, 6,500 in Canada, 874 in Denmark, 1,002 in New Zealand, 327 in The Netherlands, 566 in Norway, 358 in UK and 84,819 in USA (UNHCR, 2015).

As of 30 November 2021, around seven thousand Bhutanese Refugees were still living in the refugee camps in Nepal waiting for a day to be repatriated home in Bhutan. Leaders and activists among them make public statements time and again with the aim to make their issue public and to create pressure on Bhutan but as of now nothing positive can be seen on Bhutan's stand towards the issues of Lhosampas and its refugee community. Family members of political prisoners are waiting that one-day Bhutan will release them out of mercy and they could be reunited. As per Bhutan Watch Annual Human Rights Report published in 2021 there were fifty-five political prisoners serving life sentences in various prisons of the country (Bhutan Watch, 2021)

### **Resettlement in Europe**

UNHCR's resettlement program enabled just over 2,000 Bhutanese refugees to find homes in various European countries

– Denmark, Norway, The Netherlands The United Kingdom, - with the first groups arriving in each country between 2007 and 2010 (BNS, 2009). In the United Kingdom, the resettled Bhutanese refugees are living mostly in Manchester and its neighbouring areas, but in Norway, Denmark and the Netherlands, refugees were dispersed across the countries, not out of their own choice, but according to the plans of the respective governments.

### **Formation of Bhutanese community organisations**

The resettled Bhutanese refugees formed community organizations in their respective countries of resettlement to stay connected and find collective solutions to common issues. The Bhutanese Community in The Netherlands (BCN) was registered with the Dutch Chamber of Commerce in 2009, the Association of Bhutanese Communities in Denmark (ABCD), the Bhutanese Welfare Association (BWA, UK), and the Association of Bhutanese in Norway (ABN) were like wise registered by the resettled Bhutanese in Denmark, United Kingdom and Norway, respectively. The common objectives of these community organizations are to unite all former Bhutanese Citizens who are living in the same country to assist them with effective integration into local society, to preserve and promote their language, culture and traditions, to show support and solidarity to both their community members and other communities during times of need and emergencies, to provide a platform for community members to develop their skills and talents by organizing periodic cultural programs, seminars, workshops, leadership trainings and other related gatherings, to act as a network with Bhutanese communities living in other parts of the world and make efforts to work together towards preserving their common history, documents and other precious articles, to raise awareness about their existence with their local communities and governments by inviting them to cultural events, to enable reconnection with families and friends living back in Bhutan, to network with

organizations working on similar issues and find common solutions (BCN, 2009).

## **Statelessness among Bhutanese community members in Europe**

Most Bhutanese refugees resettled in the Netherlands are successful naturalized citizens, but some community members have been denied their right to citizenship on the grounds that they could not fulfil the criteria required for the language diploma, as they were elderly and had never been to school. The Bhutanese Community in The Netherlands (BCN) has been doing everything possible, including meeting with Dutch Parliamentarians to help them to get citizenship, but as of today 30 November 2021 it has been unsuccessful, and these community members continues to remain stateless (Bhutan News Network, 2019). Similarly, in the United Kingdom a few elderly Bhutanese Community members remain statelessness due to their inability to fulfil the language requirements to acquire citizenship, and BWA representatives there are working to try and resolve the issue.

In Denmark, many Bhutanese community members are without citizenship even after living legally for 10 years in the country and fulfilling several other criteria. The ABCD representatives have been actively campaigning to garner support in finding a just solution to this human rights violation.

Bhutanese Community organizations based in Europe has been in recent days teaming up with other like-minded organizations to work for the common cause and to bring their issues on the surface and to garner media attentions. Recently they also got connected to a powerful pressure group on statelessness in Europe called European Network on Statelessness (ENS) and got its membership. BCN representatives during the last parliamentary election in The Netherlands were in contact with various

parliamentary candidates most from Dutch Green Party and lobbied for their help to seek the possible resolution of the statelessness in the Bhutanese Community members in The Netherlands (deKanttekening, 2021).

Statelessness has become a major issue for the resettled Bhutanese communities in the Netherlands, Denmark and United Kingdom. As invited refugees that also through the United Nations resettlement program, the resettling countries must be responsible for providing all the needs of those people including the citizenship. Citizenship plays a vital role for restoring the self confidence among the stateless people and it further allows them to travel and participates in the political processes of the host country. It is quite strange that such invited guests have been forced to continue living the life of statelessness without any apparent solution in sight.

### **Community's effort to make this issue public**

In the Netherlands it is almost impossible to receive the attention of the policy makers as well the concerned stakeholders on the issue of a small ethnic community. The public in this issue are even a small section of community members who have almost never been to formal schooling and cannot read or write even in their native language, Nepali. Having to go to school in a very strange environment, in a strange school, to learn a strange language, to obtain a language diploma to be able to qualify for applying for nationality and that also at the age of 60 plus is not a possibility for the normal human beings. Thus, those Bhutanese Community members have no other option other than to remain without citizenship for the rest of their lives.

The BCN and its representatives were taking the issue of statelessness in the community out of the confinement of four walls of the concerned community member's house. To that extent the following strategies were adopted:-

- Data and proper documents of the stateless members of the community were collected and compiled.
- Similar stateless from other communities were identified and meetings were held with their representatives to find a common ground for a joint action.
- BCN became the member of pan European stateless network called European Network on Statelessness, participated in virtual meetings and other activities and could introduce the community's issue with the network.
- Friendly candidates, who stood for the Dutch Parliamentary election of March 2020 were identified and meetings introducing them about Bhutanese Community and their issue of statelessness were held. They were sought help if they got elected to the parliament. Community members with citizenship were encouraged to vote for those candidates with whom the issue was discussed and assurance of support was received. Later, the photographs of ballot papers with vote on their names were sent to them for making proper relationship so that the chance of raising issue at the parliament could be higher.
- Community representatives met the concerned parliamentary committee members at the Dutch parliament and submitted memorandum seeking their support for the resolution of the stateless issue in the community.
- Issue was highlighted during several meetings of the Refugee Focus Group formed to advise on the issue of refugee and related matters to the Dutch Government, Hague based UNHCR officials, Dutch Refugee Council and Central Agency for the Reception of Asylum Seekers and their support to raise the issue of statelessness in The Bhutanese Community was sought.
- The BCN organized a few workshops aimed at creating awareness about the issue of the stateless people in the community.

- Dinner events were organized inviting the local Dutch community members and the issues faced by the community were discussed.

## **Conclusion**

There are many issues in all communities but not all communities' issues could be brought to public. They remain hidden and the public facing those issues suffer all the time silently and invisibly.

In Bhutan the issues of discrimination on the Lhosampa community exploded automatically, only because the point of saturation of repression was reached and people became fearless to bring out their issues out in the form of appeals, literatures circulations and mass protest. But unfortunately, the regime was autocratic which crushed those public's movement using armies and militia resulting in ethnic cleansing, killing, arresting etc. There are around eighty-thousand stateless people inside Bhutan now, but they do not dare to form a group, nor can they dare to bring that issue public due to fear of reprisal and eviction from the country. Efforts made by the exiled organizations to expose those issues from outside the country lacks concrete data as Bhutan is a closed country which does not issue visas to the independent researchers who wanted to do research on issues faced by the people. There are several other issues being faced by the people but none of those issues comes out.

On 10 October 2021 a video of prisoners' unrest (in one of the notorious and highly guarded prison of Bhutan) became viral in the social media where prisoners at Chemgang Central Prison were seen raising slogans against the police officer for torturing and treating them like animals in the prison (Bhutan News Network, 2021). The country that propagates the philosophy of Gross National Happiness and claims to have a separate ministry to look after the happiness of the people seems very peaceful and happy to the outside world, but the world never even tries to see why prisons

in such a happy country are full of political prisoners and why do prisoners unrest take place in such a happy country. Tourists are guided by the government trained guides who determine the itinerary and accommodation to make sure that the visiting tourist do not intermingle with the common people because there are series of serious common people's issues and if heard by tourist then its happiness image will be destroyed.

Few stateless people of Bhutanese origin are too insignificant issue to be made public in such a highly populated country like that of The Netherlands. Thus, organising enough to make this issue public is a herculean task on the shoulder of the community leaders. Identifying other communities having similar issues and working collaboratively with them can be the only alternative for Bhutanese Community organisations.

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