



**Bhutan – Researched and compiled by the Refugee Documentation Centre of Ireland on 14 January 2019**

**Information on the treatment of, and human rights abuses against ethnic Nepalese in Bhutan in the 1980s and 1990s. Treatment of ethnic Nepalese today.**

A report published by Human Rights Watch, in a section titled “Background”, states:

“Ethnic Nepalis first began migrating to Bhutan in the nineteenth century. Many became eligible for Bhutanese citizenship under the 1958 Nationality Law. Moreover, from the mid-1950s ethnic Nepalis began to be admitted into the bureaucracy, the army and the police, and were made members of the cabinet and the judiciary. However, by the late 1970s the Drukpa establishment had come to see the ethnic Nepalis’ growing numbers and influence as a threat to Bhutan’s cultural identity and the Drukpas’ own privileged position. Increasingly, Bhutan’s ruling elite asserted that the majority of the ethnic Nepalis in Bhutan were not in fact citizens but illegal immigrants who threatened Bhutan’s ‘survival as a distinct political and cultural entity.’

The government invoked these perceived threats as justification for a series of discriminatory measures aimed at the political, economic, and cultural exclusion of Bhutan’s ethnic Nepalis. Two new Citizenship Acts were passed in quick succession, in 1977 and 1985, each tightening the requirements for Bhutanese citizenship. The 1977 Citizenship Act increased the residency requirement for citizenship by 10 years: from five to 15 years for government servants and from 10 to 20 years for all other foreigners. The growing concerns about the threat posed by ethnic Nepalis to Bhutan’s cultural identity were reflected in an additional requirement for applicants for Bhutanese citizenship to have “some knowledge” of the Dzongkha language and Bhutanese history. The 1977 Act also provided that citizenship would not be granted to anyone who was related to any person involved in activities against the people, the country, and the King.<sup>10</sup> Bhutan’s first national census from 1979 to 1981 used the criteria set out in the 1977 Act to identify residents as citizens or not. Following the census, only those identified as citizens according to the 1977 Act were issued citizenship identity cards.

The 1985 Citizenship Act tightened the requirements for Bhutanese citizenship still further. Under the 1985 Act, a child only automatically qualifies for citizenship if both parents are Bhutanese. The 1985 Act raised the bar higher for naturalization. The 1985 Act also provided for citizenship by registration if one had been permanently domiciled in Bhutan on or before December 31, 1958, and one’s name had been registered in the Ministry of Home Affairs census register.

The 1985 Citizenship Act was followed by a new census in 1988. This census amounted to a selective, arbitrary, and retroactive implementation of the 1985 Act. First, the government only conducted the census in southern Bhutan. Second, the authorities excluded ethnic Nepalis from becoming naturalized citizens, as provided for under the 1985 Act; instead, the authorities restricted Bhutanese citizenship to ethnic Nepalis who had records, such as tax receipts, to prove residence in Bhutan in 1958—30 years before the census. Bhutanese officials refused to accept residency records from 1957 or earlier, or from the years 1957 and 1959 (indicating residency in 1958) to establish citizenship. They disregarded the citizenship identity cards issued after the previous census: the authorities classified people who could not prove residence in 1958 as non-nationals, 'returned migrants', or other illegal immigrant categories, even if they possessed a citizenship card.

The census caused considerable anxiety among the ethnic Nepali population in southern Bhutan. A series of 'Bhutanization' measures in line with Bhutan's 'one nation, one people' policy exacerbated this state of fear and resentment by trying to impose a distinct national identity. On January 16, 1989, the king issued a decree requiring all citizens to observe the traditional Drukpa code of values, dress, and etiquette called *driglam namzha*. Then in February 1989 the government removed the Nepali language from the curriculum in all schools in southern Bhutan.

Ethnic Nepalis perceived these policies as a direct attack on their cultural identity. This led to growing unrest in southern Bhutan, culminating in mass demonstrations in September and October 1990. The government response was swift. The authorities classified all participants in the demonstrations as *ngolops* ('anti-nationals'), and arrested and detained thousands of people accused of taking part in the demonstrations. Many were subjected to ill-treatment and torture; a number of people reportedly died in detention. The security forces staged frequent raids on the homes of ethnic Nepalis, and there were numerous accounts of women and girls being raped in the course of these raids. Following the demonstrations, the government closed all schools in southern Bhutan and suspended health services.

By the end of 1990 the Bhutanese authorities coerced the first ethnic Nepalis to leave Bhutan. They released some ethnic Nepalis from prison on condition that they would leave the country, while giving others who were categorized as non-nationals under the 1988 census the 'choice' to leave the country or face imprisonment. Some fled to avoid falling victim to arbitrary arrest and detention. The security forces harassed many ethnic Nepalis, in some cases destroying their homes. The authorities forced the majority of those who became refugees into exile by intimidating them into signing so-called 'voluntary migration forms.'" (Human Rights Watch (1 May 2007) *Last Hope: The Need for Durable Solutions for Bhutanese Refugees in Nepal and India*, pp.13-16)

The Preface to a report published by Human Rights Without Frontiers, Nepal states:

"In its recent history, the country experienced two mass evictions – one in early 1950s that went unnoticed and the other in 1990s that drew world attention. Bhutan is the only country in world to evict largest number of people in terms of its national population. One fifth of the national population today

lives as refugees in Nepal and India. Some of these refugees are being resettled to western countries since 2008. (Human Rights Without Frontiers, Nepal (HRWF Nepal) (November 2009) *Human Rights & Justice in Bhutan: Shadow Report on First Universal Periodic Review of Bhutan*, p.5)

In a section titled “Bhutanese refugees” this report states:

“One of the major claims that Bhutan repeatedly makes is illegal immigration. It is stated that since the country began development activities in 1960, large number of people from neighboring countries migrated to this country. After an exclusive census carried out in southern districts in late 1980s, government mentioned that the country has around 125,000 illegal immigrants. In a planned eviction carried out in early 1990s, over 130,000 Nepali speaking people were flushed out of the country. Many of them took shelter in Nepal while some settled in India in disguise. Two decades after the mass eviction, the government still says there are around 80,000 illegal immigrants.

The government forced to sign, to almost all, the voluntary migration form before leaving the country to these evicted people. Besides, the local authority also seized the documents that people have which can prove their Bhutanese nationality to ensure they will not be able to produce in future.” (ibid, p.58)

This section of the report also states:

“The Citizenship Act 1985 is a foolish document that Bhutan prepared and forcefully implemented. The law demands that one has to produce documents of the living in Bhutanese on or before 1958 to prove anyone being Bhutanese. However, the Ministry of Home and the agency for official records, was established only in 1968. And interestingly, it is only for the Nepali-speaking people in southern districts who have to produce their documents to prove they were in Bhutan before 1958. For Bhutanese from other places are regarded as Bhutan just with their races. Even those southern Bhutanese who produced such documents failed to get genuine citizenship certification but were forcefully evicted.

In general, people of the specific nation state may be classified as national or non national. In Bhutanese case, the Nepali speaking population was categorized into seven groups and only one group is actually termed as genuine citizens.” (ibid, pp.58-59)

A Human Rights Watch report states:

“In the late 1980s Bhutanese elites regarded a growing ethnic Nepali population as a demographic and cultural threat. The government enacted discriminatory citizenship laws directed against ethnic Nepalis, that stripped about one-sixth of the population of their citizenship and paved the way for their expulsion.

After a campaign of harassment that escalated in the early 1990s, Bhutanese security forces began expelling people, first making them sign forms renouncing claims to their homes and homeland. ‘The army took all the people from their houses,’ a young refugee told me. “As we left Bhutan, we

were forced to sign the document. They snapped our photos. The man told me to smile, to show my teeth. He wanted to show that I was leaving my country willingly, happily, that I was not forced to leave.”

Today, about 108,000 of these stateless Bhutanese are living in seven refugee camps in Nepal. The Bhutanese authorities have not allowed a single refugee to return.” (Human Rights Watch (1 February 2008) *Bhutan's ethnic cleansing*)

An Immigration and Refugee Board of Canada response to a request for information on Bhutanese citizens of Nepalese origin states:

“Many ethnic-Nepalese people obtained Bhutanese citizenship under Bhutan's 1958 nationality law. However, according to the Office of the United Nations High Commissioner for Refugees (UNHCR), the government adopted ‘a series of ethno-nationalist policies’ in the 1980s, including setting citizenship requirements that ‘effectively disenfranchised’ many ethnic Nepalese (often known as Lhotshampas). In 1980, the government enacted the Bhutan Marriage Act, which classifies foreign-born spouses of Bhutanese citizens as non-citizens even if they previously held Bhutanese citizenship. The Bhutan Citizenship Act of 1985 grants children born after 1985 ‘citizenship by birth’ only if both parents are citizens, and restricts ‘citizenship by registration’ to those who can prove that they were living in Bhutan on or before 31 December 1958. According , residents who did not meet the new requirements were classified as ‘non-nationals, ‘returned migrants’, or other illegal immigrant categories’.

During a 1988 census that was conducted only in the southern region where ethnic-Nepalese Lhotshampas live, Bhutanese authorities required ethnic-Nepalese residents to produce documents such as tax receipts from 1958 in order to be registered as citizens. Sources note the difficulties people in Bhutan would face in producing appropriate documentation as Bhutan is a largely ‘paperless and illiterate society’. There are reports of Bhutanese authorities rejecting or confiscating documentary evidence such as tax receipts from other years (before or after 1958), residency records or citizenship identity cards.

HRW describes the implementation of the citizenship legislation as ‘selective’ and ‘arbitrary’. Sources indicate that the legislation specifically targets ethnic Nepalese in Bhutan. Although the citizenship act allows residents to apply for citizenship through naturalization, the Asian Centre for Human Rights (ACHR) states that it is ‘next to impossible’ to meet the conditions.” (Immigration and Refugee Board of Canada (23 October 2008) *BTN102942.E – Bhutan: Whether Bhutanese citizens of Nepalese origin face restrictions in obtaining passports or travelling abroad*)

An article from Tokyo-based current affairs magazine *The Diplomat* states:

“Bhutan is the world’s biggest creator of refugees by per capita. In one fell swoop in the 1990s, the country expelled the Lhotshampa, an ethnic group with its origins in Nepal which made up one-sixth of Bhutan’s population, to preserve its unique national identity. More than 20 years on, thousands still remain in camps in Nepal, lost in their own country.” (The Diplomat (21 September 2016) *Bhutan's Dark Secret: The Lhotshampa Expulsion*)

This article also states:

“The expulsion of the Lhotshampas did not happen overnight. Bhutan’s Citizenship Acts of 1958 and 1985 combined to make matters worse for the group. As many Lhotshampa were given citizenship in 1958, that year was the year later given as a ‘cut off’ point. If residents could not supply proof that they were Bhutanese residents before 1958, they were deemed to be illegal immigrants. According to human rights groups, even those who could supply the required proof were often evicted.

In 1988 a census was conducted; however, poorly trained census officials made numerous mistakes in administering the census, as well as stoking up ethnic tensions. Following the census, the Bhutanese government realized the extent of the Bhutanese-Nepali population residing in Bhutan, most notably the Nepali speaking Lhotshampa ethnic group. Ethnic tensions rose and since 1988 over 100,000 Lhotshampa have left Nepal, with many claiming to have been forced out by the Bhutanese government. Many were accused of being illegal aliens and claim they have faced violence and ethnic discrimination. Clashes, sometimes violent, between the Bhutan People’s Party, dominated by the Lhotshampa, and the government are also common.” (ibid)

The 2016 Freedom House report for Bhutan states:

“The government has for decades attempted to diminish and repress the rights of ethnic Nepalis, and to force many of them to leave Bhutan, thereby changing the ethnic makeup of the country.

The government expelled a large percentage of Nepali speakers in the early 1990s, after previously stripping them of their citizenship. Many fled to Nepal as refugees. The government maintains that many Nepali speakers left Bhutan voluntarily or had been illegal immigrants, but in 1992, well over 100,000 such refugees living in extremely poor conditions in Nepal were denied reentry to Bhutan, and the Bhutanese government has consistently refused to repatriate them. A resettlement effort aimed at transferring the refugees to third countries began in 2007. By late 2015, more than 100,000 Bhutanese refugees in Nepal had been resettled, mostly in the United States, with approximately 18,000 remaining.” (Freedom House (12 August 2016) *Freedom in the World 2016 – Bhutan*)

See also the 2018 Freedom House for Bhutan which, in response to the question “Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?”, states:

“The government has for decades attempted to diminish and repress the rights of ethnic Nepalis, forcing many of them to leave Bhutan. The government expelled a large percentage of Nepali speakers in the early 1990s; in 1992, well over 100,000 refugees living in Nepal were denied reentry to Bhutan. A resettlement effort aimed at transferring the refugees to other countries began in 2007. By November 2017, close to 111,000 Bhutanese refugees in Nepal had been resettled, mostly in the United States. Approximately 2,000 more were undergoing screening before being resettled,

after which 8,500 refugees would remain in Nepal awaiting resettlement.”  
(Freedom House (January 2018) *Freedom in the World 2018 – Bhutan*)

The 2018 Bertelsmann Stiftung Transformation Index report for Bhutan states:

“The concept of Bhutan as a nation-state is widely accepted in the country among all its component ethnic groups. Before and since the expulsion or flight of thousands of ethnic-Nepali Lhotshampas, in the late 1980s and early 1990s, the government vigorously promoted the concept of the Bhutanese nation-state, such that it has acquired legitimacy among all groups. Yet, the state is not making honest efforts to integrate the 10,000 ethnic-Nepali Lhotshampas who remain in the country after the forced mass expulsion.

Access to citizenship is determined by the 1985 Citizenship Act. The rules are strict. Persons whose parents are both Bhutanese qualify for citizenship as do those domiciled before December 31, 1958. Otherwise applicants for citizenship should have at least 15 years (public servants) or 20 years (others) proof of residence and proficiency in the national language. Some external organizations have commented on the ‘very strict criteria’ facing ethnic-Nepali Bhutanese’ when trying to obtain citizenship and security clearances. Failure to secure such clearances can limit access to employment, business ownership, education and international travel. The number of residents without such clearances is not disclosed by government.”  
(Bertelsmann Stiftung (2 January 2018) *Bertelsmann Stiftung’s Transformation Index: BTI 2018 Country Report – Bhutan*, PP.7-8)

The 2017 US Department of State country report for Bhutan, in a section titled “Stateless Persons”, states:

“A nationwide census in 1985 resulted in a determination that many Nepali-speaking persons in Bhutan were not citizens, effectively rendering them stateless.

The government alleged that they were not citizens because they could not prove they had been resident in the country in 1958. Officials repeated the census in 1988-89 in the southern districts. During the second round of the census, those who were deemed not to be citizens in 1985 could apply for citizenship provided they met certain conditions. The government categorized those who did not meet the new criteria as illegal immigrants and expelled them. According to NGOs, an unknown number of Nepali-speaking stateless persons remained in the country, mainly in the south. Officials conducted the last census in 2005. While records do not show any figures on stateless persons, informed sources estimated 1,000 families are stateless.

For a child to qualify for Bhutanese citizenship, both parents must be Bhutanese citizens. NGOs and media sources highlighted the existence of stateless children born to unwed mothers who were unable to prove the identity of the father of the child. According to 2014 NGO reports, more than 700 children born in the country were not recognized as Bhutanese citizens because their fathers’ nationality was undocumented. Nonetheless, the government claimed that 20 children in the kingdom fell into this category. In May the UN Committee on the Rights of the Child (UNCRC) urged the government to end discrimination against children based on ethnic origin,

particularly in access to education. The UNCRC also requested that the government amend the Citizenship Act of 1985.

Stateless persons cannot obtain 'no objection certificates' and security clearance certificates, which are often necessary for access to public healthcare, employment, access to primary and secondary education, enrollment at institutions of higher education, travel documents, and business ownership. The National Commission for Women and Children stated children without citizenship were eligible for public educational and health services." (US Department of State (20 April 2018) *2017 Country Reports on Human Rights Practices – Bhutan*, pp.9-10)

An article from the South China Morning Post states:

"The Himalayan nation of Bhutan, often described as a 'Shangri-La' where happiness is equated to wealth, is holding elections this week. But the Lhotshampa people, brutally driven out of the small kingdom in the 1990s, will not be voting.

The Nepali-speaking Lhotshampa were called immigrants and stripped of citizenship rights when the king at the time introduced a 'One Nation, One People' policy in 1985.

The edict made following the customs of the Buddhist majority mandatory, including wearing their traditional dress, and speaking Nepali was banned.

Those who resisted were labelled 'anti-nationals', arrested and subjected to brutal treatment including rape and torture, according to Amnesty International.

The security forces made detainees sign declarations saying they would leave Bhutan voluntarily as a condition of their release.

Some 100,000 – one sixth of Bhutan's population – fled, ending up in refugee camps in eastern Nepal." (South China Morning Post (15 October 2018) *Meet Bhutan's Lhotshampa: the no-so-happy 'anti-national' minority living in exile*)

This article also states:

"It is unclear how many of the community are still in Bhutan: a 2017 census did not include questions about ethnicity, language or religion, which would have given an indication of how many people identify as part of Nepali-speaking, mostly Hindu minority.

The government has prevented human rights groups established by Nepali-speakers from operating, categorising them as political organisations that do not promote national unity, according to the US State Department.

In the lead up to the 2008 and 2013 polls there were reports of small protests by Nepali-speakers unable to vote, and during the 2013 elections international monitors also documented Nepali-speakers being turned away from polling centres." (ibid)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

### References:

Bertelsmann Stiftung (2 January 2018) *Bertelsmann Stiftung's Transformation Index: BTI 2018 Country Report – Bhutan*

[https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2018/pdf/BTI\\_2018\\_Bhutan.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2018/pdf/BTI_2018_Bhutan.pdf)

(Accessed 14 January 2019)

The Diplomat (21 September 2016) *Bhutan's Dark Secret: The Lhotshampa Expulsion*

<https://thediplomat.com/2016/09/bhutans-dark-secret-the-lhotshampa-expulsion/>

(Accessed 14 January 2019)

Freedom House (January 2018) *Freedom in the World 2018 – Bhutan*

<https://freedomhouse.org/report/freedom-world/2018/bhutan>

(Accessed 14 January 2019)

Freedom House (12 August 2016) *Freedom in the World 2016 – Bhutan*

<https://www.refworld.org/docid/57b1ad6011.html>

(Accessed 14 January 2019)

Human Rights Watch (1 February 2008) *Bhutan's ethnic cleansing*

<https://www.hrw.org/news/2008/02/01/bhutans-ethnic-cleansing>

(Accessed 14 January 2019)

Human Rights Watch (1 May 2007) *Last Hope: The Need for Durable Solutions for Bhutanese Refugees in Nepal and India*

<https://www.hrw.org/reports/2007/bhutan0507/bhutan0507web.pdf>

(Accessed 14 January 2019)

Human Rights Without Frontiers, Nepal (HRWF Nepal) (November 2009) *Human Rights & Justice in Bhutan: Shadow Report on First Universal Periodic Review of Bhutan*

[http://www.apfanews.com/media/upload/final\\_report.pdf](http://www.apfanews.com/media/upload/final_report.pdf)

(Accessed 14 January 2019)

Immigration and Refugee Board of Canada (23 October 2008) BTN102942.E –) *Bhutan: Whether Bhutanese citizens of Nepalese origin face restrictions in obtaining passports or travelling abroad*

<https://www.refworld.org/docid/49b92b5dc.html>

(Accessed 14 January 2019)



South China Morning Post (15 October 2018) *Meet Bhutan's Lhotshampa: the no-so-happy 'anti-national' minority living in exile*  
<https://www.scmp.com/news/asia/south-asia/article/2168595/meet-bhutans-lhotshampa-no-so-happy-anti-national-minority>  
(Accessed 14 January 2019)

US Department of State (20 April 2018) *2017 Country Reports on Human Rights Practices – Bhutan*  
<https://www.state.gov/documents/organization/277523.pdf>  
(Accessed 14 January 2019)

**Sources Consulted:**

Bertelsmann Stiftung  
Electronic Immigration Network  
European Country of Origin Information Network  
Freedom House  
Google  
Human Rights Watch  
Immigration and Refugee Board of Canada  
Lexis Nexis  
Refugee Documentation Centre Query Database  
UNHCR Refworld  
US Department of State