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BHUTANESE REFUGEES IN NEPAL: QUEST FOR CONFIDENCE BUILDING MEASURES

Abstract

The policy of forced assimilation by the Bhutanese monarch vis-a-vis the southern Bhutanese of Nepali origin alienated the latter leading to refugee influx into Nepal. Despite the fact that Nepal's response to the cause of these refugees has been sympathetic, it has added another burden to its growing population. Having burdened with these refugees, Nepal has been pursuing a bilateral approach towards the solution of the problem. But bilateral negotiation has been resulting in failure due to a host of reasons particularly for the lack of mutual trust and confidence. On Nepal's part, internationalisation of the issue or making India involved in seeking the solution of the problem would not be rational since such an effort is likely to invite outside intervention. However, the lingering of the problem is not only problematic for Nepal, but also the Bhutanese regime. Therefore, in addition to showing respect for human rights law, it is essential for the Bhutanese regime to create an environment suitable for the return of the refugees.

Bhutan and Nepal are landlocked countries and belong to the same geographic zone. Though they are separated by India and do not share contiguous border, socio-cultural factors bring them closer. Yet, it was amazing that Bhutan and Nepal established diplomatic relations only in 1983, that too for the formal purpose of making them members of South Asian Regional Co-operation (later it was transformed into South Asian Association for Regional

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Co-operation). It is also incomprehensible that, being monarchies, no monarchs from either country have paid bilateral visits ever since the relationship was established. King Birendra of Nepal visited Thimphu as the Chairman of SAARC and the King of Bhutan came to Kathmandu as one of the seven participants in the SAARC summit. What were the compelling reasons for such stand-offs are not made public.

Nevertheless, cordiality is not lacking between the two Kings who occasionally send greetings when the occasion arises, showing that royalties want to maintain perfect rapport despite their low key relations at the official level. Both Nepal and Bhutan are maintaining ambassadorial level representation in each other's capital.

Bhutan's self-imposed policy of isolation was deliberate in view of its claustrophobic geographical position in South of the Himalayas. Leo Rose has aptly summarised it in these words: "Bhutan's vulnerable geopolitical location between vastly larger, richer, stronger, and occasionally antagonistic neighbours has made external relations crucial not only to its survival as an independent state, but also to its internal politics. Like other buffer-area societies, the Bhutanese have often sought security by a withdrawal from the surrounding world --- when this was both possible and necessary" (Rose:1977:55).

Bhutan's foreign policy has now seemingly moved away from isolation because of the emergent internal factors that have had dragged Bhutan into the vortex of conflicts. These conflicts have external dimensions and linkages to whose responses Bhutan seems to be very much preoccupied. So, Bhutan today is no more a country of Shangri-La image, nor are the makers of Bhutan's external and security policies insensitive to the developments taking place in their surroundings.

Why Bhutan is pursuing at once a proactive as well as a reactive policy on certain specific issues, such as the problem of Bhutanese of Nepali origin who have been residing in seven refugee camps in Nepal, is understandable. For Bhutan, the domestic factor straddles all other factors in its foreign policy agenda as the Bhutanese Nepalis or Lhotshampas (people of southern Bhutan), who were forced to flee the country due to state-sponsored policies, compelled the Bhutanese regime to be more alert so as to foil the moves of refugee dissidents working from India and Nepal. Since there are as many as one hundred thousand refugees in Nepal alone plus about 25 thousand Bhutanese Nepalis scattered in the adjoining provinces of India, it is natural that the refugees draw the attention of international community whatever weak such international response might be. Nepal's Bhutan policy is also marked by unidimensionality as is Bhutan's towards Nepal. Both are apparently preoccupied with the single issue - the refugees-thus making their relations as being anchored to the refugee issue alone. Their bilateral relations are therefore narrow in scope and transient in nature unless they are transfused with fresh thinking and mission. Since we are now seized with the refugee problem, let us concentrate on it along with some wider ramifications of Bhutan-Nepal relations.

Origins and Status of Refugee Problem

Three major considerations seemed to have caused the mass exodus from Bhutan to Nepal and India. The first step was taken in 1958 by making it the cut off year for granting citizenship to the Lhotshampas or the southern Bhutanese (Nepalis). Reviving it in vigorous manner in the middle of the 1980s, Bhutan started harassing the Bhutanese Nepalis by imposing dress and language under the Driglam Namzha or code of conduct.

It had been believed that (taking a cue from Sikkim where the swollen Nepali population allegedly outnumbered the other communities leading to the integration of this 'half-sovereign country' into the Indian Union) the Bhutanese ruling elites wanted to stop the domination of the Nepalis by imposing stringent measures in order not to repeat the Sikkim way, however far fetched and unrealistic such an eventuality might be. The second was the issue of Greater Nepal, blown up by the strategists of Bhutan. According to this thesis, if Bhutan's demographic structure is changed by the dominant Nepalis, the entire region in South of the Himalayas would turn into a Nepali belt with all potentials of irredentism making Nepal as epicentre. It was belaboured to develop this aspect in order to scare India too in view of the large numbers of Nepalis in India.

The imposition of Driglam Namzha (cultural code of conduct) in the 1980s, forcing all the Bhutanese to conform to the Drukpa culture, language and dress, further disturbed the Bhutanese state with thousands of Bhutanese Nepalese leaving their country and finding their way into Nepal. The *raison d'tre* of the official policy of citizenship and other cultural measures adopted by Bhutan was made public saying that Bhutan would never "compromise on one nation and one people" formula that aimed at "long-term security and integrity of Bhutan and its survival as a nation" (Baral: 1996:157).

The third reason was the wave of democracy and human rights with which Nepal had also been liberated from the partyless regime in 1990. It made the Bhutanese Nepalese optimistic that they would also return to their country after some time with democracy and freedom. Nepalese parties and leaders, and other people embraced the Bhutanese Nepalese out of sympathy and support and also of confidence that Bhutanese ruler would have

no option but to take them back honourably as Bhutanese citizens.

The refugee problem anywhere in the world is heightened by a number of coercive factors, such as internal repression, ethnic, religious and communal conflicts, creation and restructuring of state boundaries, and displacement of population due to natural calamities. In certain situations, coup, self-determination movement, inter-state conflicts, etc are also the causal factors for influx of refugees. The latest example is Kosovo and the policy of ethnic cleansing vociferously pursued in Yugoslavia. Bhutan's case is precipitated by the fear psychology of Drukpa ruler who might have worked under the assumption that the swelling Nepalese population in Bhutan would in course of time outnumber the Drukpas, and hence the implementation of stringent legal and political measures so as to minimise the danger of being overturned by what they call "illegal immigrants". Although inter-state migration and increase of population are increasingly becoming sources of national insecurity for the small states, the crude methods used by the Bhutanese authorities for reducing the perceived threat led to the fleeing of a sizeable section of the Bhutanese population. And Nepal, for a variety of reasons, was the destination for them.

Faultlines of Nepal's Bhutan Policy

In hindsight, it could be observed that Nepal did never try to articulate its Bhutan policy. Its much-touted diversification of foreign policy did not reach another Himalayan Kingdom in close proximity. Nor did the Bhutanese regime ever develop contacts with Nepal due to security perceptions that any closer relationship with that country would prove to be detrimental to both the regime interest and larger national interest of Bhutan.

Nepal was first awakened following the streams of refugees poured into the country, making each party and leader scramble for embracing the refugees without doing any homework on the short-term and long-term effects of refugee flows into the country. Theoretically, the government should not have given asylum to the Bhutanese, but practically it was not possible in view of the overflowing sympathy of the Nepalis to the "evicted" other Nepalese of Bhutan. However, the manner and spontaneity with which the Bhutanese were received in Nepal could have been done on the basis of cool and calculated approaches to the issue instead of hugging them in competitive manners.

Nepal's initial response to the Bhutanese move was too direct and offensive, which, in turn, further distanced the newly restored democratic regime in Nepal from the Bhutanese regime then acting in paranoia. Declaring the first meeting between Prime Minister G. P. Koirala and the King of Bhutan in Dhaka a failure, provoking each side to be more aggressive and direct in their languages, quiet diplomacy took a back seat giving primacy to emotion and populism in the conduct of Nepal's Bhutan policy. Meanwhile, Nepal adopted three options on the basis of all party consensus - bilateral negotiation, use of Indian involvement, and internationalisation of the refugee problem if the former two options failed to yield any result. Taking bilateral approach as a baseline, the fourth meeting of the home ministers of the two countries reached an understanding on categorisation of the refugees residing in the camps of Nepal. The four categories made so far were: (a) forcefully evicted Bhutanese, (b) Bhutanese who left voluntarily, (c) Bhutanese with criminal records, and (d) non-Bhutanese.

Although the politicians and others criticised the categorisation formula on the grounds that it had weakened Nepal's negotiating

position, the fifth round continued to find out agreed strategies for operationalising the four points. But it was almost broken when negotiation entered into the sixth round. Governmental instability following the defeat of the Nepali Congress in the 1994 mid-term polls, the successive ministers seemed to adopt different strategies that side-tracked the issue of categorisation. On the contrary, both the CPN (UML) home minister and the foreign minister of the coalition government, whose head was no other person than Sher Bahadur Deuba who had finalised the categorisation scheme during his tenure as home minister, emphasised that all Bhutanese who were in the camps of Nepal should return. Bhutanese, on the contrary, thought that Nepal was changing its position on categorisation along with the changes of governments and hence rejected Nepal's demand of the repatriation of all Bhutanese. The Bhutanese said that the laws, customs and tradition did not allow those to return who had left the country voluntarily.

Nepal also raised the issue of "stateless" persons if Bhutan did not accept them as Bhutanese nationals. Since they were neither Bhutanese, nor Nepalis nor Indians, their political identity would not be established. Since then, the bilateral negotiation faced a deadlock that still continues, showing no light at the end of the diplomatic tunnel. During the seventh ministerial meeting (the last held at the foreign minister level), the meeting ended in fiasco despite much highlighted negotiating skills of the two foreign ministers (Prakash Lohani and Dawa Tshering) who had replaced their home ministers with a view to adding flavour as well as substance to bilateral negotiations. When Nepal raised the issue of "stateless persons" in case Bhutan failed to recognise the refugees as Bhutanese, the Bhutanese foreign minister told the Nepali side that he had no mandate to deal with such issues that, in his

opinion, were not in accord with the agreement on categorisation reached between the two countries at the fourth round.

Clarifying its position after the failure of the seventh round, the Nepali foreign ministry came out with a position paper and said: "Bhutan has continued to insist that verification should be based on the citizenship and immigration laws of the two countries. Under a retroactive Bhutanese Citizenship law, emigration automatically results in forfeiture of citizenship. The Bhutanese insistence seems to be designed to disenfranchise a very large segment of the refugee population in the camps. This is an unacceptable proposition because the problem of Bhutanese refugees in Nepal is by its very nature international that thousands of people originating in one country have fled across its international frontiers and sought refuge on the soil of a third country".

Shortly thereafter, the present author had met the King of Bhutan during his presentation of credential as ambassador and discussed the vexing issue of refugees and their implications for bilateral relations. Thoroughly briefed and quite at home with the issue, the King said that without adequate home-works and without sticking to the agreed agenda, such as categorisation scheme, no progress could be made by ministerial meetings.

In February 1997, a joint meeting was held at the under-secretary level, in which Bhutan was understood to have suggested "step-by-step approach" to which the Nepali delegation had a sense of Bhutanese "flexibility" at least in approaching the issue including the second category, despite the legal aspects involved in this category and also lack of mandate to deal with it. However, such optimism proved wrong during the Male SAARC Summit

and later when the home minister of Bhutan charged the refugees with trying to "turn all the Nepalese in the neighbouring areas against Bhutan and with the motive of turning Bhutan into a Nepal state".

Bhutan seemed to be preoccupied with one single agenda, making it a life and death issue for the monarchical regime. Bhutanese diplomacy was elective due to two reasons. First, Bhutan could impress on the Western World and Japan plus other members of the international community that a small Himalayan country with its own distinct tradition and cultural heritage was being destroyed by the Nepalis whose ethnic and cultural identities were with Nepal. Although the European Parliament and some other nations took up the issue of violation of human rights in Bhutan, they were also not prepared to put pressure on Bhutan. As the United States followed, an evasive policy saying that it had no formal relations with Bhutan, others seemingly shifted their initial position by distancing from the issue of democracy and human rights in Bhutan. This indirectly discouraged the Bhutanese refugees, in general, and the parties formed in exile, in particular, not to blow up democracy and human rights which the Bhutanese dissidents had been vociferously campaigning for transforming Bhutan's absolute monarchy into constitutional one *a la* Nepal. The Bhutanese exiles, taking a cue from Nepal's swift and decisive changes brought about by the movement for the restoration of democracy, then a global trend, inferred that in Bhutan too such a transformation was possible for change. And the Nepali politicians were also responsible for firing such imagination of quick transformation. As activist and believer in democracy and human freedoms, they could not be blamed, but

when they came to power they realised the difference between the two situations - one in the government, the other in opposition.

Nepal has so far pursued intermittent strategies for dealing with the issue of refugees. Recently, the refugees have come out with a statement that the Nepali parties have turned a deaf ear on the issue as if it did not exist. Such a casual, if not callous, attitude should be changed by intense and persistent diplomatic efforts. The absence of a foreign minister for a long time and the Prime Minister, who preferred to keep the foreign portfolio with him, also kept the refugee issue on the sideline. As a result, the refugees in the camps and outside lost hope of being repatriated within a timeframe. A field study shows that many refugees and others living as non-camp exiles are being assimilated in Nepal.

Nepal's Strategy

The three options - bilateral negotiation with Bhutan, Indian help, and internationalisation of the issue - are not yet fully pursued, despite the seven rounds plus one informal round (good will visit?) held during the home minister's visit to Thimphu in November 1998. Even the last visit was interpreted differently by the Prime Minister, who also held foreign portfolio, and by the home minister then on a "good will visit" to Bhutan. The visit was deliberately kept at a low-key due to Bhutanese sensitivity to unnecessary publicity in Nepal about the whole issue. Yet, contradicting the home minister and the ambassador, Prime Minister G. P. Koirala told the press that if the two ministers met, naturally they would discuss the issue of refugees.

The last visit undertaken by the home minister was stated to have succeeded in breaking the deadlock created in 1996-97,

adding that it had created a favourable environment to solve the refugee problem in a positive manner. Confining to the issue of repatriation of refugees, the government, however, seemed to depart from the previous strategy that had made democracy, human rights and repatriation as inextricably connected issues in the context of Bhutan. Although the next joint meeting was expected in early 1999, nothing happened in view of the impending general election in Nepal. Only recently, breaking long silence, Prime Minister K. P. Bhattarai expressed optimism about the resolution of the problem, hoping that both Bhutan and India would be helpful in this regard.

It can be said that Nepal's negotiating strategy was inchoate and intermittent along with occasional policy shifts, and priorities fixed without weighing the overall implications. If the issue of repatriation had been emphasised from the very beginning, the Bhutanese might have been more comfortable with Nepal.

The next option chosen by Nepal was to involve India, making it a trilateral issue because of the use of Indian territory by the Bhutanese refugees on way to Nepal. India is also the first asylum country in addition to being the host of about 25 thousand Bhutanese in India, though India does not recognise them as refugees. In Nepal, there has been a strong feeling that India should take initiative to resolve the issue in view of its leverage over Bhutan. Accounting to them, why did India prevent the Bhutanese to go back to their country but "allowed them" to go to Nepal via the Siliguri corridor. India, on the other hand, maintains that since the Bhutanese went to Nepal as individuals - without assuming the character of a mobilised group- they had no problems, but now they want to return in groups which is not acceptable to India. Although India might have its own

compulsions for not allowing the refugees through the Indian corridor, the rationale advanced by India is untenable.

India, it would appear, would not like to take initiative or the role of a mediator because of the Bhutanese sensitivity that does not like to see India as a mediator or even as an involved party. If Bhutan, a major party, is against such mediation or negotiation, India, by virtue of being the closest and reliable neighbour, is not likely to do this job unless it feels that its own vital security, economic and political interests are in jeopardy.

The other aspect for India not being involved in the Bhutanese problem is due to the attitude of Indian bureaucracy including that of the defence strategists. My understanding in New Delhi is that most of the members of Indian bureaucracy treat Bhutan sympathetically or from utilitarian points of view. As any country's foreign policy is to promote its national interest, these bureaucrats and policy planners do not like to annoy Bhutan. Such a psyche also prevails in the political circles, with almost all politicians belonging to various parties being unanimous on not criticising Bhutan on this issue. The Nepali leaders and diplomats have been trying to impress on the Indian leaders that if the refugee issue continued to fester, all the three countries - Bhutan India and Nepal - are likely to be adversely affected and hence the need for early resolution of the problem through confidence building measures to be activated by the affected countries. But, the Indian leaders do not react to such arguments if only to suggest that both Bhutan and Nepal should solve it in a spirit of good neighbourly relations. Jyoti Basu, the chief minister of the affected state of India (West Bengal), too appreciated our concerns but failed to persuade the Centre to resolve the problem.

How India behaved uniformly could be inferred from Inder Kumar Gujral, known as a thinker-politician or statesman. Gujral, contrary to our expectation, did not depart from the previous position on the Bhutanese refugee issue, affirming the same doctrine of non-interference either through mediation or by persuading the two neighbours to find out a solution to the problem. In fact, the much touted "Gujral doctrine", articulated by Gujral in a speech in London in August 1996, had five elements - (a) non-reciprocity with India's relations with its neighbours but Pakistan, (b) non-interference in other's affairs, (c) no use of South Asian territories against other neighbours, (d) respect for each other's territorial integrity by all South Asian countries and (e) settlement of disputes through peaceful bilateral negotiations. The Gujral doctrine therefore could not be applicable to the refugee issue despite its other positive features with which Indo-Nepal relations could reach an unprecedented height. Gujral further widened and extended the scope of bilateral relations initiated by P. V. Narasimha Rao in the mid-1990s. On Bhutanese refugee issue, however, both Gujral and Rao echoed the same language as used by other politicians, including the present Prime Minister, Atal Behari Vajpayee.

For the Indian public at large - ranging from the bureaucracy, political parties, defence strategists to the intellectual elites including the media - democracy and human rights are non-issues, while the repatriation of refugees is a bilateral problem to be amicably settled by the two neighbours. Now, how do we expect India to play a role on an issue that is very much sensitive to its closest neighbour, Bhutan? Nevertheless, India's good will and sympathy is essential for bringing the two countries closer, and Prime Minister K. P. Bhattarai's opinion that if India "lends a

small helping hand, this problem would be amicably settled" is not misplaced. Yet, to expect that India would exercise its good offices without Bhutan's endorsement on such an Indian role would be far short of reality.

From a broader and longer perspective, however, any third party mediation or intervention is not a good precedent for the future. Any power would be tempted to intervene even on the smallest pretext if we go on inviting it for the resolution of a problem. What would happen if more serious crises would develop demanding intervention? Mediation is another form of intervention in international politics and inviting any power for solving a problem amounts to setting precedent for the future. So the first option - bilateral negotiation - should be exhausted along with the intensification of CBMs among the affected countries. If confidence is restored between Bhutan and Nepal, solution would not be far off. Thus, instead of urging India to exercise its good offices, which India is reluctant to do, let Nepal take initiative for confidence-building measures.

The third option-internationalisation of the refugee issue- is not appropriate in the present context as the issue is already internationalised in the media and in the official circles. Nepali policy makers should be clear and imaginative if one talks of internationalisation. Is it going to be inserted into one of the agenda of the United Nations or some other effective measures of internationalisation should be clearly spelt out as guidelines. In my opinion, such a strategy is not likely to be pragmatic and effective. Since no major powers of the world and other donors, whose clout would be useful, seem to be serious about the issue and are preoccupied elsewhere in the world, the Bhutanese problem is almost a forgotten case for them.

New CBMs Between Bhutan and Nepal

Bhutan, India and Nepal are the closest neighbours due to a number of natural factors, among which geo-politics is paramount. Culturally, economically and geographically, their interests are similar. If the idea of South Asian Growth Quadrangle within the framework of SAARC is augmented with concrete action plans, the two countries' natural resources can be beneficial to the entire region. Moreover, there is no area of discord between the two because of no contiguous border similar to India and Nepal. So both the neighbours can concentrate on many areas where co-operation is possible. Such a positive approach needs some basics of how national interest can be fulfilled without having to be influenced by conventional wisdom of foreign policy strategies that normally aim at playing off one neighbour against the other.

The new confidence building measures I am suggesting here stem from our own objective understanding of the complexity of the area and of the thrust of the SAARC initiative for enhanced co-operation. Although the "South Asian Regional Initiative (SARI)" has not taken off as yet, the beginning towards this direction is in the offing. The CBMs here are exclusively confined to Nepal and Bhutan, with India figuring occasionally in my discourse. The following measures can be immediately started with a view to moving closer to each other on the eve of fresh negotiations to be started by the two sides.

Personal CBMS

The personal CBMs primarily relate to the personal diplomacy to be conducted by various state functionaries. Personal does not strictly confine to a person visiting another country but it aims at

establishing personal rapport at various levels - Heads of State, Heads of Government, ministers, planning commission members and bureaucrats. Since both the countries are sovereign and independent, there should be no inhibition for exchange of visits at all levels. I am surprised to observe that the two members of SAARC are still isolated from each other, contravening the spirit of SAARC itself. Even otherwise, the two Himalyan Kingdoms should have forged perfect bilateral relations above the day to day problems, such as refugees. Moreover, both are kingdoms having similar royal etiquette.

What was the status of relations between Bhutan and Nepal before the 1990 change in Nepal is not clear to us. Yet, we can assume that despite lack of frequent exchange of visits of the two Kings, bilateral relationship was neither cordial nor inimical. Now the government and the King should take initiative to promote personal CBMs. by inviting the King of Bhutan or by paying a visit to Bhutan by the King of Nepal. Our King is a constitutional monarch requiring him to act on the advice of the Council of Ministers. But such personal diplomacy has worked well in India and in the United Kingdom as the constitutional heads of state also carry much weight if they command respect and dignity. If King Birendra can visit Thimphu as SAARC chairman, why cannot he visit again if invitation is extended to him by his counterpart.

An exchange of visits between the ministers of the two countries would create a new environment for removing mistrust and apprehensions. The Prime Minister can also visit Bhutan or for that matter the Bhutanese counterpart to Nepal. For activating such close interactions, enough ground works have to be done because of the long tradition of imposed isolation from each other.

While alluding to personal CBMs, the role of non-governmental sectors cannot be ignored. As track-two process is increasingly becoming useful in recent years, despite its limitations for creating a decisive impact on the hard-core areas as are ubiquitous in Indo-Pakistan relations, the role of non-state actors in international relations is a new reality. Given the present status of Nepal-Bhutan relations, such ideas might be construed unrealistic, but a beginning can be made by using various channels of communication.

Information CBMs

Information CBM is a powerful instrument for removing the cobweb of mistrust between the two countries. Bhutan, in particular, seems to be very sensitive to the media of Nepal. How a seasoned foreign minister of the status of Dawa Tsering wanted to avoid the Nepali media during his visit to Kathmandu in April 1996 points to the fact that the Bhutanese authorities prefer quiet diplomacy to demonstrative diplomatic manoeuvres. In a democracy, media has a natural instinct to be free in order to insure both transparency and freedom of choice. So, no government expects the free media to be compliant to the official lines. Nevertheless, in certain areas, particularly when a country is involved in crucial negotiations with another country which is ill-disposed to the searching, even wild, media, a kind of self-imposed restraint can be demonstrated by the media.

Bhutan has one-dimensional policy today and whatever reports appear on Bhutan in the Nepali press are immediately transmitted through various sources employed by the government. Once it happened to me when I was in India as Nepal's ambassador. During my visit to Calcutta I held a press conference in order to

focus on two areas --- promotion of economic diplomacy by inviting the Indian entrepreneurs for investment and joint ventures, and on the Bhutanese refugee issue. As the accredited ambassador to Bhutan, I was a bit careful in choosing my words trying to state the facts, and not my own comments, on the status of the refugees in Nepal, and on Bhutan's unwillingness to accept them as the citizens of Bhutan. The *Statesman's* (Calcutta) report was slightly twisted by inserting the words "blaming Bhutan" for all acts of commission and omission. Immediately after my arrival in Delhi (Sunday), an emergency call from the Bhutanese ambassador came informing me that he would like to see me immediately at my residence that evening. Expectedly, he came with a clipping of the *Statesman* and asked me about it. Since we were good friends, I explained my position saying that I had not blamed Bhutan but, on the contrary, I had urged Bhutanese authorities to be more pragmatic on the issue of "stateless persons" if Bhutan refused to accept them as the citizens of Bhutan.

The scope of information CBM is wide enough if one tries to be less emotive on Nepal-Bhutan relations. Our media people can visit Bhutan or the Bhutanese side can send its own people for interviews with Nepali dignitaries and for collecting information from Nepal. I am convinced that media plays a significant role to promote understanding between the two countries. If one tries to understand Bhutanese diplomacy conducted in the non-governmental sectors, it can be stated that most intellectuals from India and other foreign countries came back with different feelings that go against our perception and understanding. The Bhutanese regime seems to concentrate much effort to cultivate journalists, academics and others by playing host to them in best possible manners, including audience with the King. It can also be

called royal diplomacy because King Jigme Singhye Wanchuk is described by such visitors as a "friendly King" who tries to be as informal as possible during his audience with the visitors. My own impression of the Bhutanese King was not different from those of others as the King appeared to be quite at home with the subject (refugee), trying hard to impress me that a beginning should be immediately made with a view to lessening the burden of camp refugees. In his opinion, it could be done on the basis of categorisation scheme agreed to by the two governments.

A new approach to activating information CBM with the Indian media persons is also desirable in order to create a positive atmosphere between the three countries. If Indian media starts sending positive information on the issue, its impact on the official circles would be great. To our surprise, no Indian national dailies published in English seem to concentrate on the issue of refugees as yet. If our thrust and approach are different trying to be more sympathetic to both Nepal and Bhutan, perhaps the Indian press would be more forthcoming to highlight the issue. For it, a more cool and calculated strategy that avoids offensive or aggressive diplomacy should be devised.

Regime CBMs

Regime CBMs imply more or less the elements of today's state-to-state relations as guided by the Charter of the United Nations or by the principles of Panch Sheel adhered to by most of the countries. It is non-interference in one's own internal affairs, despite the non-democratic features of the regime. It is de-ideologised foreign policy in that a country would have to commit itself to maintaining state-to-state relations, as the Chinese prefer to do regardless of the nature of the regime. Is it possible in democratic systems?

Democracy and human rights are now generally treated as domestic domains leaving them to the natives of that country. If the people want change, let them do it with or without international support. One of the sources of souring Bhutan-Nepal relations was the issue of democracy highlighted by the Nepali government leaders when they lashed out at the Bhutanese regime for violating human rights. The NC government made human rights as one of the key components of Nepal's foreign policy without however weighing the practicality of such a policy at a time when ideological component is itself eroded in domestic politics in all democratic countries of the world.

The ideological content of foreign policy is diluted in the post-Cold War international politics, with most Western and non-Western democracies adopting realistic approach and becoming highly selective in their behaviours. If one standard is applied to a certain regime, branded as non-democratic, another set of norms is imposed on others. The United States, Japan, West European democracies and India are seemingly at rapport with the so-called non-democratic regimes. It has been said that in developed democracies also, let alone democracies in the developing countries, "neat ideological" elements have almost been overtaken by policies urging the democratic governments to be more alert on policy matters rather than on rigid ideological divide. How parties are becoming more distinct in their ideology-free convergence could as well be observed in Nepal. Since ideological component is being replaced by effective policy implementation across the democratic world, how could Nepal's foreign policy geared to promoting ideology encounter the emergent problems dominating inter-state relations? I am not at all suggesting to be indifferent to democratic struggle. People struggling hard for

achieving freedoms should be universally encouraged. What I am stressing here is that political brinkmanship demonstrated in the guise of ideology should not overshadow the conduct of foreign policy.

Bhutan's foreign policy today is more geared to protecting the royal regime from the onslaught of its opponents now working from across the borders. And Bhutan harbours the suspicion that Nepal is behind the opponents of the regime. Nepal has neither the capacity nor resources to heighten the anti-regime movement of Bhutan despite Bhutan's continued misgivings about the motive of Nepal.

The pro-democracy parties of Bhutan have also to address this aspect from a new perspective, facilitating Nepal to conduct its Bhutan policy with the sole objective of sending back the refugees to Bhutan. Other Bhutanese unwilling to go back without having their conditions fulfilled should have the choice to stay back as dissidents all over the world live in exile.

Declaratory CBMs

Declaratory CBMs are promoted by government leaders who make best choice of language while mentioning bilateral relations. If government leaders in particular start showing good gestures in their statements and speeches or interviews, they will have salutary effects on changing the attitudes of Bhutanese policy makers. In monarchies, such statements are singled out as symbol and substance of friendly relations because they expect that no pejorative language should be used against the King and his regime. The Bhutanese seem to be particularly sensitive to the status of their country and want others to consider this aspect. So, for a small country, symbol is as much important as substance.

Economic CBMs

Economic CBMs can also be called co-operative CBMs because of the emphasis they lay on economic co-operation and development. Integrated tourism, including pilgrimage tourism, would encounter less difficulty, as the Buddhists of all countries would be interested in visiting shrines of both the countries. Other areas can be explored in a limited manner in view of the highly selective approach adopted for tourism trade by Bhutan. The countries of the South Asian Growth Quadrangle can devise new strategies for upgrading the level of economic co-operation in various sectors that accrue benefits to all. What the countries of the quadrangle need is a little more initiative and openness for undertaking such mutually beneficial ventures.

Domestic CBMs

Democratic system is expected to be transparent, accountable and efficient. To conduct itself in accordance with these underpinnings, a party in power should carry with it all other parties represented in Parliament. So a ruling party should try to get the support of other opposition parties for resolving problems arising from a variety of sources. On the Bhutanese refugee issue, all parliamentary parties had agreed on three options - bilateral, resolution through Indian involvement, and internationalisation. Yet, three ministers belonging to three different sets of ministries--single party government headed by G. P. Koirala, minority government headed by the CPN (UML) leader, Man Mohan Adhikari and the coalition government headed by the NC leader, Sher Bahadur Deuba - showed major divergences on their approach to the problem. Although the opposition groups did not attack the ruling party much on the categorisation scheme, the

sixth round represented by the UML Home Minister, Khadga Oli, and the seventh round led by the RPP Foreign Minister, P. C. Lohani, under Deuba's Prime Ministerial leadership, the Nepali position seemed to be tough on the issue of repatriation of all categories.

Now, all the parties in Parliament should once again come together to redesign the negotiation skill for the future. It is better to ponder over the past pitfalls or strengths if any in order to formulate more realistic strategies for the future. So, confidence among the parties is an imperative in the new context because parties themselves show their double standards while in power and out of power. If political leaders lose their credibility by changing positions or stands, the negotiation would become more difficult.

New Policy Options Ahead

Strategies are not static. They have to be both time-specific and result-oriented, as the new foreign minister of Nepal has expressed recently in the *Pratinidhi Sabha*. Did the options activated in the past yield results or suffered set backs has to be assessed now. In my opinion, Nepal's greatest weakness was to pursue intermittent policy that neither demonstrated coherence nor continuity. Perhaps, the governmental instability, caused by hung parliament denying no majority to a single party with the concomitant aberrations noticed in political behaviours, had greatly contributed to sidelining the refugee problem. Guided by short-term gain, the politicians at the helm seemed to pursue *Innenpolitik* "stress the influence of domestic factors on foreign policy". Coalition partners that came in quick succession were seemingly projecting their role image if only to undermine the progress made in the past.

Now the government has a comfortable majority. Its immediate task is to review as well as revive the past actions for developing negotiating strategies for the future. What can be the possible options or policies for the resolution of the refugee problem has to be devised. In my opinion, some of the following options can be identified and/or adopted:

- Issue a statement (by the Prime Minister) urging the King of Bhutan to take a lead to end the impasse. Our intents should be explicit assuring Bhutan that such a joint effort would basically be made for the promotion of friendly relations between the two kingdoms.
- Send another good will mission before the finalisation of the ministerial meeting. It should keep low profile, freeing itself from publicity.
- A first round talk should be held at the foreign secretary level before moving on to the ministerial level meeting to be held in Thimphu. In this meeting, Nepal should quietly draw the attention of Bhutan to the distribution of land and property in the absence of their owners (refugees) because it would further complicate the repatriation process even after the successful negotiation.
- Pick up the thread from the categorisation scheme but it should be supported by the all party committee. Although it is highly contestable subject, it has to be accepted unless better options are available for forward movement.
- Open informal dialogue with the government of West Bengal (India) whose role seems to be crucial for easing the problem. The narrow Siliguri corridor is in North Bengal and the West Bengal police had allegedly all along been involved in

encouraging the Bhutanese to move into Nepal after they came to that part of India. It can be done both at the Central and State level as the good talent of a West Bengal minister was used for finding out a suitable formula on the Ganga water dispute then existing between India and Bangladesh. The open declaration of Chief Minister Jyoti Basu, in favour of the refugee repatriation, could make the task easier for us. What Nepal needs today is a little more interest to be shown by the government of West Bengal in order to persuade both New Delhi and the King of Bhutan, besides issuing orders to the local authorities in Darjeeling and Jalpaiguri districts.

The track-two diplomacy should be used for persuading the intellectuals, media and leading politicians (including former prime ministers) of India to show their concerns, if not mediation to the problem is not acceptable. Intensify all efforts of confidence building in order to convince them all that what Nepal needed was a practicable solution to the refugee problem as well as to better trilateral relations between the three neighbours - Bhutan, India and Nepal.

It is better to probe into the role of Nepali dominated areas such as Sikkim, Darjeeling and Jalpaiguri. Are these areas likely to play some roles to influence both India and Bhutan, drawing their attention to prospective security scenarios in that part of India and of Bhutan? Many more options can be identified for improving relations. Many of them may not also be successful prompting the government to pick up other alternatives.

Upcoming Refugee Scenarios

Any refugee issue is by nature problematic. It involves multiple aspects of society, polity, economy, foreign policy, environment, drug-trafficking and crimes of all sorts. So the refugees are always

"unwanted" people for a host country. Refugees in general represent an "economic burden, a political liability, a foreign policy complication," or all of the elements mentioned above (Suhrke: 1992). The recent statement of Foreign Minister Mahat, who put the refugee on the top foreign policy agenda, suggested how it had already become a liability.

My own field-trip to the two districts affected most by the refugee population leads me to some upcoming scenarios. First, the assimilation of a sizeable section of refugees is in progress. If such a trend continues, only helpless occupants would remain in the camps. A recent statement criticising the parties for not paying attention to the issue of repatriation suggests that they are impatient. It is not at all an unnatural phenomenon in any part of the world, as refugees tend to be migrants in course of time and start finding their own space in the country of asylum.

Second, a section of the refugees may return to Bhutan after filing petition to the King expressing their innocence or apology. It was reported last year that a move was afoot with the tacit support of a local representative of the UNHCR. Since the patience is running out, this category may resort to this option. It depends on how Nepal would conduct its Bhutan policy and rekindle their hope. At the present juncture, such a dramatic shift is not in sight though many of the options mentioned above may create a better understanding for easing the problem.

Third, if India takes initiative to end the impasse, some Bhutanese may go back on the conditions that their security is well guaranteed and assets kept intact. What they do after their return is a big problem. A categorical statement from the side of Bhutan should come for their rehabilitation. Above all,

rehabilitation is likely to be a big issue because of the occupation of lands by the Drukpas from upper Bhutan.

Fourth, if negotiations go well, establishing unprecedented warmth and cordiality between the two countries, the King of Bhutan would grant amnesty to those who want to live peacefully showing allegiance to the King and Kingdom. For it also needs Bhutan's own verification on the basis of petitions to be submitted to the King. The poorest of the poor in the camps may opt for such a way out as other categories would either be assimilated in Nepal or stay back until a situation where they would have effective roles.

Sixth, the political dissidents working simultaneously for democracy and repatriation may continue to be in exile as the Nepali leaders and party activists did during the royal regime following the 1960 take over. They are political fugitives with a mission to fulfil. If their movement for democracy becomes successful, the entire scenario would undergo transformation. Such a wave of democracy has slightly receded in recent years. More importantly, democratic countries are far from committing themselves to exercising their influence on non-democratic regimes. Countries with new democracies are also not successful in providing basic needs to their people with democratic polities themselves becoming neither democratic in their behaviours nor effective in providing good governance. Yet, democracy's attraction remains undiminished despite its low ebb at present. Its wave may bounce back with full swing, sweeping both authoritarian and non-functional "democratic" regimes.

Finally, the scope of distribution of refugee population in India, Bhutan and Nepal cannot be ruled out. A former foreign secretary of India, who was also posted in Thimphu during his

diplomatic career, had suggested that India would not lose anything if it decided to take a portion of the refugees residing in the camps. Although no official version has come as yet along this line, it can be treated as one of the options. Nepal on its side cannot subscribe to such a suggestion until the categorisation scheme, if accepted, produces non-Bhutanese for fresh rehabilitation. Nevertheless, even for accepting such a trilateral distribution of refugees, the three countries should agree on making it a practicable solution to the problem.

Concluding Observations

So far my discourse on Bhutanese refugees is concentrated only on contrived-solutions and not on natural repatriation or adjustment. The Universal Declaration of Human Rights has clearly stated the right to return to one's own country if security is assured by the home country. Some Bhutanese, as discussed before, may return if the King of Bhutan assures them safety. It is also quite common in other refugee situations where reverse refugee flows take place. Some of the impatient and helpless refugees may hasten for voluntary repatriation. Some limited changes within the home country may also assure the refugees for self-repatriation. For ordinary Bhutanese, return of assets plus feeling of security would prompt them to go back. A proactive role of the UNHCR also may ease the process. But, overriding everything else, the King of Bhutan alone can create such a situation by inviting his nationals back home.

A holistic approach to the refugee problem has been a feature in recent years. It has been manifested in three ways: "in the range of actors involved in the search for solutions; in the range of issues which it seeks to address; and in the range of people which

it is designed to benefit" (The State of the World Refugees: 1995:48). Thus, "actors, issues and beneficiaries" dominate the refugee problem. Are the countries and peoples involved able to tackle the refugee issue on a holistic plane? Or would they address each sector on a priority basis? In the given context, some core human rights issue, specially right to return, can be invoked but not issues concerning regime change as was earlier made out as one of the components by the political opponents of the regime. So, one of the demands of some Bhutanese dissident leaders that they should also be included in the negotiations with Bhutan may not be realistic at this stage. Informal inputs to be made by them would, however, be helpful.

From a longer-term perspective, any further lingering of the refugee problem would be detrimental to the interest of Bhutanese regime itself. In course of time, it may lose the good will and moderation of its own people making them more aggressive in their attitudes towards the King. As an enlightened ruler, the King of Bhutan can seize an opportunity to ease the embittered relations between him and his own people (praja?). Buying time, therefore, would only complicate the problem. What strategies are to be followed depends on his own acumen and statesmanship.

For Nepal, the worst possible scenario is an increase of population and its attending impacts on the Nepali nation as a whole. As Nepal's population pressure has already reached the saturation point, refugees would be an additional burden. Yet, such an addition alone would not endanger the nation because other factors are more critical than the one concerning one hundred thousand additional people. It is only a question of justice and right which we are all concerned about. We expect that countries willing to join "the community of democracies" (a recent

US proposal) would be sensitive to the issue of honourable repatriation of the refugees to Bhutan.

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