**03KATHMANDU647**

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 C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 000647 SIPDIS STATE FOR SA/INS AND PRM LONDON FOR POL - GURNEY GENEVA FOR RMA - LYNCH E.O. 12958: DECL: 04/07/2013 TAGS: PREF PHUM PREL PGOV NP BT SUBJECT: NEPAL: BHUTANESE REFUGEE CONCERNS ABOUT REPATRIATION REF: A. (A) KATHMANDU 0565 [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647#parB) B. (B) NEW DELHI 1470 [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647#parC) C. (C) GENEVA 1010 Classified By: DCM ROBERT K. BOGGS. REASON: 1.5 (B,D). ------- SUMMARY -------- [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647%22%20%5Cl%20%22par1) 1. (C) On April 8 a delegation of Bhutanese refugees from eastern Nepal met with poloff to raise a number of concerns about ongoing discussions between the Governments of Nepal and Bhutan regarding the refugees' categorization and possible repatriation to Bhutan. Among such concerns are whether returnees will be able to reclaim their former property; what will happen to returnees who are ultimately denied Bhutanese citizenship; whether members of the same family will be categorized differently; and whether the Bhutanese Government will allow UNHCR monitoring of repatriation. The refugees asked the USG to maintain pressure on the Bhutanese to offer returnees equitable treatment, including the reinstatement of their citizenship. The Embassy has seen no evidence thus far that the Nepali and Bhutanese governments are addressing these concerns in continuing discussions of the refugee problem. End summary. -------------------------------------------- REFUGEES RAISE QUESTIONS ABOUT REPATRIATION -------------------------------------------- [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647%22%20%5Cl%20%22par2) 2. (C) On April 8 a six-man delegation, composed of the secretaries of the six Bhutanese refugee camps in eastern SIPDIS Nepal, visited poloff to discuss the reported agreement between the Governments of Nepal and Bhutan regarding categorization of the refugees and probable numbers eligible for repatriation to Bhutan (Ref A). Although no one from either government has briefed the refugee community on the agreement, the delegation said they understood from press reports that about 60 percent of the "verified" refugees had been classified as "voluntary" emigrants from Bhutan. The Government of Bhutan (GOB) reportedly had agreed to take back refugees in this voluntary category with the proviso that they must reapply for Bhutanese citizenship. The returnees would have two years within which they must qualify for citizenship. The refugee leaders believed that those classified as non-Bhutanese or criminals would not be accepted for repatriation under any conditions. (Note: Details of the agreement have not been made public. The refugees' understanding, however, tracks generally with what we were told privately by the MFA. End note.) [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647#par3) 3. (SBU) The refugee representatives expressed concern that the two governments had not sought input from the refugee community in drafting the agreement. By their own estimation, the delegates said that approximately 80 percent of the 100,000 refugees likely fall into the "voluntary" migrant category. (Note: The refugees maintain that "voluntary" is a polite fiction, since, they claim, the GOB forced most of them to sign documents asserting that they were leaving the country of their own free will. Many of those who signed such documents--illiterate Nepali-speaking farmers--could not read or understand the language in which the documents were written. End note.) Where will the returnees live while their applications for citizenship are being reviewed over the two-year period? The land in Bhutan formerly owned by the refugees has since been occupied by others, the delegation charged; there is little hope of reclaiming it. The GOB might put them in "transit camps" pending review of their citizenship claims, they worried. Who will monitor their treatment in Bhutan, given the GOB's persistent refusal to entertain a UNHCR presence? they asked. [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647#par4) 4. (SBU) Ramesh Subha, Secretary at the Beldangi I camp, said the refugees had heard that the GOB is setting up "camps" for laborers in the barren northeast of the country. Noting that GOB had reportedly committed to provide employment for the returnees, Subha speculated that the returnees might be resettled in these camps to work as manual laborers for prospective hydropower projects. Of greatest concern to the delegation, however, was what they perceived as the uncertain fate of returnees who must reapply for citizenship. The same regime that had once branded them as undesirables and forced them out of the country remains in power, they observed. Should the GOB ultimately reject their applications--and most seemed to believe this a likely outcome--would they be forced out again? [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647#par5) 5. (SBU) The delegation also voiced concern about the possibility that members of the same family might be categorized differently, thus increasing the difficulty of family reunification. Of particular concern, they said, is the GOB's reported refusal to accept those designated as "criminals." A person can be classified as a "criminal" in Bhutan without ever having been charged with a crime, they asserted, let alone convicted. Anyone perceived as having pursued "anti-national activities," such as participating in a political rally, could fall into that category. (Note: Most of the camp secretaries apparently spent some time in jail in Bhutan for political activism. End note.) Even if the children, grandchildren, nieces and nephews of those deemed "criminals" are allowed to return, they might well be barred from enrolling in school, according to T.B. Gurung, Secretary at Khudunabari Camp, since enrollment requires a SIPDIS certificate of "no objection" from the local authorities. Some of his relatives still in Bhutan are unable to enroll their children in school because of his earlier political activism, Gurung noted. ------------------------------- APPEAL TO KEEP UP THE PRESSURE ------------------------------- [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647%22%20%5Cl%20%22par6) 6. (SBU) The Government of Nepal is anxious to achieve a settlement and thus unlikely to raise these issues during negotiation of the agreement, the delegation said. The refugees thus must depend on "influential" third countries like the US to maintain pressure on the GOB to offer returnees as equitable and humane treatment as possible. In particular, they stressed, the refugees want reinstatement of their former property, reinstatement of their lost citizenship, and GOB agreement to allow UNHCR monitoring of repatriation and resettlement within Bhutan. Poloff thanked the delegation for their presentation and assured them of USG interest in the matter. Noting our limited engagement with the GOB, poloff urged the delegation to contact other local diplomatic and aid missions, such as the Swiss and the EU, that provide significant aid to Bhutan. The delegation did not inquire about prospects for third-country resettlement. -------- COMMENT -------- [Â¶](http://www.bhutan-research.org/us-diplomatic-cables-on-bhutan/03kathmandu647%22%20%5Cl%20%22par7) 7. (C) The Governments of Nepal and Bhutan, we have been told by the Nepalese Foreign Secretary, have agreed to send a bilateral team soon to the camps to brief the refugees on the content of the agreement (Ref A). In the meantime, however, news--most of it apparently accurate--of the agreement has leaked to the community, leaving them to draw their own conclusions regarding its implementation. The concerns they raise are valid, as is, we believe, their fear that these awkward questions are being swept under the carpet in the two governments' haste to conclude an agreement. The Government of Nepal has already indicated to us that the GOB has not budged on its objection to UNHCR involvement in the repatriation process within Bhutan. The Embassy believes it important that the USG and donor countries continue to impress upon the GOB the need to resolve this long-standing problem as fairly and expeditiously as possible. MALINOWSKI