**Discrimination against Ethnic Nepali Children in Bhutan**

**Submission from Human Rights Watch to the Committee on the Rights of the Child**

September 2007

Human Rights Watch wishes to bring to the Committee’s attention information regarding the following violations of the Convention on the Rights of the Child by the Bhutanese government:

* deprivation of nationality and identity for ethnic Nepali children (arts. 7 and 8);
* denial of the right to return to one’s own country (art. 10);
* discrimination against ethnic Nepali children in Bhutan (art. 2), including in access to education (art. 28), health care (art. 24), and landownership (arts. 16, 27 (3));
* denial of the right of ethnic or linguistic minorities to enjoy their own culture and use their own language (art. 30); and
* sexual violence and other abuses against girls and women (art. 19).

Information regarding the status of children in Bhutan is difficult to obtain due to restrictions on media and civil society groups by the Bhutanese government. Accordingly, this submission does not comprehensively address all violations of children’s rights in Bhutan.

Human Rights Watch’s information is based in large part on our interviews in November 2006 with more than 150 Bhutanese refugees in Nepal and India, both children and adults; with 18 Bhutanese citizens who traveled to India; and with UN, NGO, and government officials. The complete findings of our investigation can be found in: “Last Hope: The Need for Durable Solutions for Bhutanese Refugees in Nepal and India,” vol. 19, no. 7(C), May 2007, <http://hrw.org/reports/2007/bhutan0507/>.

Human Rights Watch previously investigated and reported on gender-based violence against Bhutanese refugee women and girls and systematic discrimination against them in access to aid in: “Trapped by Inequality: Bhutanese Refugee Women in Nepal,” vol. 15, no. 8(C), September 2003, <http://www.hrw.org/reports/2003/nepal0903/>.

**Restrictive Citizenship Laws in Bhutan—Deprivation of Nationality and Identity Resulting in Statelessness and Refugee Flows (arts. 7 and 8)**

More than 106,000 ethnic Nepalese refugees from Bhutan, of whom 40 percent are children, have been living in refugee camps in Nepal since the early 1990s. In addition, there are an estimated 10,000-15,000 unregistered refugees in Nepal and 15,000-30,000 unregistered refugees in India. Bhutan’s restrictive citizenship laws render these children (as well as adults) stateless. These laws also, along with other forms of government-sponsored discrimination against ethnic Nepalis in Bhutan, forced them to flee the country. At present, Bhutan is offering to restore Bhutanese nationality based on very narrow criteria, which would mean that only an exceedingly small group of refugees would be deemed to be “genuine Bhutanese.” At the same time, these laws effectively deny Bhutanese nationality to a number of its ethnic Nepali citizens, including children, still living in Bhutan.

The ancestors of Bhutanese refugees in Nepal first began migrating to Bhutan in the 19th century. Many became eligible for Bhutanese citizenship under a 1958 Nationality Law. These ethnic Nepalis, who are Hindus and speak the Nepali language, differ greatly in terms of culture, language, and religion from the Ngalongs and Sharchhops, together known as Drukpas, who speak Dzongkha and are Buddhists. By the late 1970s the ethnically, culturally, and politically dominant Drukpa establishment had come to see the Nepali speakers’ growing numbers and influence as a threat to Bhutan’s cultural identity and to their own privileged position. Increasingly, the government asserted that the majority of the Nepali speakers in Bhutan were not in fact citizens but illegal immigrants who threatened Bhutan’s political, religious, and cultural identity.   
  
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 Nepali speakers. These include two Citizenship Acts that tightened the requirements for citizenship. The 1977 Citizenship Act was followed by a nationwide census, and citizenship cards were issued only to those who met the strict qualifications of that Act. A 1985 Citizenship Act tightened the requirements for Bhutanese citizenship still further.   
  
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, it took place only in southern Bhutan, where the Nepali-speaking population resided. Second, Nepali speakers were denied the benefits of the provisions in the 1985 Act on citizenship by naturalization; instead, Bhutanese citizenship for Nepali speakers was restricted to those who could prove residence in Bhutan since before December 31, 1958. The citizenship identity cards issued after the previous census were disregarded: people who could not prove residence since before the 1958 cut-off date were classified as illegal immigrants, even if they were in possession of a citizenship card.   
  
The 1988 census placed people into one of seven categories. Only those people who could prove they resided in Bhutan in 1958 were categorized as “genuine Bhutanese;” everyone else was placed in one of six other categories. The Bhutanese authorities applied exceedingly strict criteria in this regard. For example, people who had documents proving residence before and after 1958, but not 1958 itself, were categorized as “returned migrants,” that is, people who had left Bhutan and then returned again. Census officials frequently confiscated the citizenship cards of people who had no documents to prove residence in 1958.   
  
The census caused considerable anxiety among the Nepali speaking population in southern Bhutan. This state of fear and resentment was exacerbated by a series of “Bhutanization” measures aimed at enforcing a distinct national identity, in line with Bhutan’s “one nation, one people” policy. For example, on January 16, 1989, the king issued a decree requiring all citizens to observe the traditional Drukpa code of values and dress. This was followed in February 1989 by a decision to remove Nepali from the curriculum in all schools in southern Bhutan.   
  
These policies were perceived as a direct attack on the cultural identity of the ethnic Nepalis, and led to growing unrest in southern Bhutan, culminating in mass demonstrations in September and October 1990. The government response was swift. All participants in the demonstrations were classed as *ngolops* (anti-nationals), and thousands of people accused of taking part in the demonstrations were arrested and detained. Many were subjected to ill-treatment and torture; a number of people were reported to have 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.   
  
By the end of 1990, the first Nepali speakers fled Bhutan. Some had been released from prison on condition that they would leave the country, while others fled to avoid falling victim to arbitrary arrest and detention. People who were categorized as non-nationals under the 1988 census were told to leave the country or face imprisonment. The security forces harassed many Nepali speakers, in some cases destroying their homes, and forcing others into exile by intimidating them into signing so-called “voluntary migration forms.”   
  
Durable Solutions: The Right to Return to One’s Own Country (art. 10)  
The Bhutanese have now been living in the camps in Nepal for more than 15 years with no progress to resolve the causes of their displacement that would enable them to go home in the foreseeable future. With the passage of time, international donor governments have become increasingly reluctant simply to keep sending money to maintain a protracted situation. Consequently, the support system in the camps has come under increasing strain, with budgetary constraints necessitating cuts in the provision of essential services. For example, whereas UNHCR used to provide all refugees with plastic sheeting once every two years to repair roofs, it now only provides these materials to the most vulnerable. As a result, many refugees are left with leaking roofs in their huts. The problem also affects schools in the camps; leaky roofs in primary school classrooms mean that children are often forced to attend class standing up in portions where it is dry, unable to use the jute mats that they usually sit on because they get soggy in the rain.[1](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn1) Shortages in kerosene fuel means that children no longer have enough oil lamps at night to do their homework. Mothers find it impossible to provide breakfast for their school-going children or prepare the required small meals several times a day for infants because they have to use coal briquettes for cooking, which take much longer to heat.[2](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn2) A refugee teacher observed that more and more students are dropping out of school because they have no future prospects. “They ask, ‘What is the use of studying, where are no opportunities?’ Some drop their studies and loiter, they remain idle. The frustration is increasing all the time.”[3](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn3)

Despite 15 rounds of bilateral talks between Bhutanese and Nepalese government authorities, there has been no progress toward resolving the refugee situation. Exhaustive negotiations so far have resulted only in a “verification exercise” carried out over a two-year period by a Joint Verification Team of Nepalese and Bhutanese officials. The verification exercise was intended to resolve the nationality status of the refugees and pave the way for the repatriation of those found to be Bhutanese nationals who were forced out of the country by placing them in one of four categories. The results, released in 2003, were disappointing to say the least. First, the verification exercise never expanded beyond one camp, Khundunabari, so, at best, was able to verify the status of only 10 percent of the total refugee population. Even so, only 2.5 percent of the refugees were found to be Bhutanese citizens who had been forcibly expelled and who would be allowed to repatriate with full citizenship rights. To date, none of this small “category 1” group has actually been allowed to return.

The bulk of the refugees, 70 percent, were categorized as “Bhutanese who voluntarily migrated”—“category 2,” which supposedly provides for the right to return (though none have yet been allowed back), but without compensation or restoration of lost property and with an arduous process for reclaiming their Bhutanese citizenship. Another 24.5 percent were categorized as non-Bhutanese—utterly stateless. Finally, 3 percent were categorized as “criminals”—usually as a result of the nonviolent expression of their political beliefs, who presumably would be subject to arrest upon return.

Bhutan’s attempts to limit the unconditional right of return to people in category 1 violate its obligations under international law. Regarding the people in category 2, Bhutanese who are deemed to have left Bhutan voluntarily, Bhutan argues that these people have renounced their Bhutanese citizenship. However, the circumstances surrounding people’s departure from Bhutan in the early 1990s make clear that, far from leaving voluntarily, Nepali speakers were either forced to leave, or felt compelled to leave the country to avoid harassment, physical abuse, and imprisonment. There is, thus, no basis for distinguishing between people in categories 1 and 2: they should all be allowed to exercise their right to return to Bhutan should they so wish and have their status as citizens of Bhutan restored to them with immediate effect.   
  
The verification exercise put children in a particular quandary. Under the 1985 Citizenship Act, only children whose parents are both citizens of Bhutan are citizens by birth. Since only 2.5 percent of the refugees in one camp have been recognized as citizens, few children will have two Bhutanese citizen parents. Those belonging to category 2, the largest category that theoretically will be allowed to return, will find it nearly impossible to obtain Bhutanese citizenship upon return. They will be required to qualify under the 1985 Citizenship Act. Among other strict provisions, the Act requires proficiency in the Dzongkha language, which in almost all cases the children have not heard spoken their entire lifetimes outside primary school language classes in the camps. The Act also requires 20 years of residency in Bhutan (or 15 years for children with one Bhutanese parent)—which no child could fulfill. After returning, they would have to wait 15-20 years before being able to apply for citizenship. This means that it is likely that most Bhutanese children currently living in the Nepalese refugee camps if they ever are allowed to repatriate will most likely remain stateless. As stateless persons they would face significant restrictions on their basic rights.   
  
While voluntary repatriation is recognized, in principle, as the optimal refugee solution, it presumes fundamental changes in the conditions that caused the refugees to flee in the first place. Repatriation of the Bhutanese refugees in conditions of safety and dignity would only be feasible if Bhutan took real steps to protect ethnic Nepalis’ human rights by guaranteeing their physical safety and respecting their civil, political, economic, social, and cultural rights. Until the Bhutanese government agrees to such terms and conditions, repatriation to Bhutan cannot be promoted as a durable solution for the Bhutanese refugees in Nepal. Available evidence suggests that conditions in Bhutan have not significantly improved for ethnic Nepalis. Aspects of current conditions in Bhutan are addressed below.

Most refugees we spoke with initially said that their first choice was to return, and many stuck to that as the only acceptable solution. But they differ on the terms and conditions of return. And they differ on how much longer they can wait for repatriation. Many refugees expressed their concern about the current conditions for ethnic Nepalis in Bhutan—and the implications of this for their own repatriation.

For the most part, refugee children told us they are not set on a particular solution, but do not want to remain in limbo any longer. A young man expressed his frustration, saying, “I cannot live in the camp any more. I will go to any country where they will give me citizenship, even if it is Afghanistan.”[4](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn4) Parents also fret about their children’s future. One man said, “We want to live in an atmosphere where we can eat our own bread earned from our own sweat… Half our lives have been spent as refugees. We don’t want that tag on our children’s forehead. We want them to be proud citizens.”[5](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn5)

Many children and young adults whom we interviewed consistently said that their true desire was to be restored to the status of full citizens with full respect for their political, civil, economic, social, and cultural rights. A refugee student said, “I feel that even if we go back to Bhutan, since the Bhutanese government is not interested, they will oppress us. Because of that fear, we don’t want to go back. We will not be given any citizens’ rights in Bhutan.”[6](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn6) A young woman said: “We want to go to our country. My motherland where I was born is precious to me. My family feels the same way. I want to go back to a Bhutan that is better than this. Until now, Bhutanese have been deprived of their rights. Men and women should be equal and free. If we go back to our motherland, I have the same hope for human rights.”[7](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn7)  
  
Discrimination Against Ethnic Nepalese Children in Bhutan (art. 2)

Ethnic Nepalis who managed to avoid expulsion and who remain inside Bhutan face persistent discrimination and ongoing threats to their citizenship status. Bhutanese Nepali speakers who still live in Bhutan told us that 15 years after the mass eviction of their fellow ethnic Nepalis, they continue to suffer discrimination in almost all aspects of their daily lives, including in education, health, employment, and land ownership. Some have been denied citizenship cards following the latest census in 2005 and are now effectively stateless in their own country.[8](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn8)

Following the unrest in southern Bhutan in the early 1990s, the government introduced No Objection Certificates (NOCs), which are issued by the police on the basis of confirmation from the *dzongdag* (district administrator) that the person in question is not in any way involved in “anti-national activity.”[9](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn9) Under the current Bhutanese system, NOCs are required for enrollment in higher education, for employment with the civil service, to obtain business and trading licenses, for travel documents, for buying and selling land, and for selling some cash crops. Not having an NOC deprives a person of almost all means of earning a living. While Drukpas routinely receive NOCs, ethnic Nepalis experience great difficulties, particularly if they are known to have relatives in the refugee camps in Nepal.

One ethnic Nepali student from Bhutan who had no NOC and who had gone to India to go to college said, “The NOC is crucial. Without an NOC we get no government jobs, no promotions. Even some private sector people ask for the NOC. My parents are really worried that I will not get a job. It is very hard for us to get jobs, particularly white-collar jobs.”[10](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn10)

Without documents, their situation in Bhutan is so difficult that some ethnic Nepalis living in Bhutan told us that even if they are not going to be forced out of the country, they might have to leave at some point in the future simply because they will not be able to survive.

*Discrimination in the Right to Education (art. 28)*   
After the unrest in southern Bhutan in September and October 1990, all schools in the southern districts were closed. Recently a number of schools have reopened, but only in places where Drukpas have been resettled on land formerly owned by refugees. Drukpa students are given priority for the limited number of places available in these schools, leaving many ethnic Nepali children to compete for the few remaining places. Complained one ethnic Nepali man who is still living in Bhutan: “They will say, ‘try next year.’ But for Drukpa children, there is no problem. Even today, Nepali children are not getting admission.”[11](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn11)

There is no instruction in the Nepali language, even in schools in the southern districts: only Dzongkha and English are taught. Ethnic Nepalis are still expected to wear the traditional Drukpa clothes (*gho* for males, *kira* for females) in schools and other public places, as stipulated by the king’s 1989 decree of *driglam namzha*.[12](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn12)

As a result, a number of Bhutanese families appear to resort to educating their children privately. One man living in India said that after he took part in the protests, one of his brothers who was living elsewhere managed to remain in Bhutan. But he does not have an NOC. “His children are in private schools in India because they could not be admitted into government schools. They did not get an NOC. My brother says that ‘because of you, there is so much trouble for us.’”[13](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn13)

Children of one national and one non-national parent are not identified as Bhutanese citizens. One woman, category F7, who is married to a man from category F1, said that she was worried about her son’s future because her son, despite his father’s citizenship, was not given an NOC for admission into school. “Couples are fighting. If they marry across categories, there is a problem. They blame each other if their child does not get admission… That is the first thing they ask each other now, before they decide on marriage.”[14](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn14)

Because an NOC is required to enroll in higher education, ethnic Nepalis are often unable to attend schools or colleges in Bhutan and, if they can afford it, seek higher education in India. But that still does not assure them jobs when they return to Bhutan.

***Discrimination in the Right to Health (art. 24)***

There are very few health care facilities in the south, so in effect Nepali speakers are denied access to health care much of the time. This is true even for people with documents. Bhutanese citizens said they go to private doctors in India for healthcare. But this can be expensive, and only those that can afford it, therefore, have access to medical treatment.

***Discrimination in Land Ownership and Inheritance Laws (arts. 16, 27(3))***

Ethnic Nepalis also face discrimination with respect to land ownership. Among other things, this can result in children being denied the inheritance of their family’s property. Buying and selling land requires an NOC. Moreover, government guidelines for a nationwide land survey state that any land that is registered in the name of a non-national is liable to confiscation by the government. This is a major concern for those people who were denied registration in the 2005 census and who have not been given a new citizenship card. As one man said, “If only one member in a family is F1, all property is registered in his name. When he dies, the property will not be transferred to his family members, but it will be confiscated by the government. It is written in the Land Act.”[15](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn15) Another man stated, “Suppose I am F1 and I marry a foreigner. Our child would be F4 and the child would not inherit my property. The property would go to the Bhutanese government.”[16](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn16)

**Denial of the Right of Ethnic or Linguistic Minorities to Enjoy Their Own Culture and Use Their Own Language (art. 30)**

The Bhutanese “one nation, one people” decree imposes the northern Drukpa tradition, including food habits, dress code, and customs, upon the entire population.  Every Bhutanese citizen is expected to wear traditional Drukpa clothes: *gho* for males and *kira* for women. Bhutanese people who live in the southern areas, most of them ethnic Nepalis, find these clothes unsuitable for warmer climate. Kolu Mai Maar, a 60-year-old woman who ended up as a refugee in India, remembers that the wearing of *kira* was particularly troublesome. “When I was in Bhutan, they used to force us to wear *kiras*. I did not know how to wear them and tie the knots. But if we did not wear the *kiras* the police troubled us… I would prefer to stay at home than wear those uncomfortable clothes.”[17](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn17)

Ethnic Nepalis are Hindus unlike the Buddhist Drukpas. Some students complained that government-run hostels for children did not accommodate Hindu food requirements. A Bhutanese refugee in India named Durga Nepal said that he was expelled from college in 1989 because he had refused to eat beef.

I was in a hostel and life was very difficult for us. They used to discriminate against us for our language, religion, and dress. But the most difficult part was that we were not allowed to eat what we want. We are Hindus and we don’t eat beef. But we were compelled to eat beef. We protested against this to the college authorities. So we were asked to leave. All 21 Hindu students of Nepali origin were asked to leave. They were all 17 years old. Not only were they expelled from college, but they were asked to leave the country. We did not know politics. All we said was that we did not want to eat beef because our religion did not permit it. For this, we were called anti-national.[18](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn18)

In February 1989, the government removed the Nepali language from the curriculum in all schools in southern Bhutan. Since then, only Dzongkha and English are taught. A former journalist told Human Rights Watch, “No Nepali is taught in schools any more. And if a child speaks Nepali, some schools fine the child.”[19](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn19)

**Sexual Violence and Other Human Rights Abuses Against Girls and Women by Bhutanese Police and Army in the 1990s (arts. 2, 19)**

Although Human Rights Watch has not recently investigated sexual violence in Bhutan, we have interviewed refugees who suffered sexual violence and other serious rights violations during the forced deportations in the early 1990s. Some of these violations occurred when the individuals were children. Responsibility for these abuses lay with the Bhutanese police and army, who were often acting to enforce the policies of government officials, including village heads, block-level administrators, and district officers. When their husbands or other relatives fled the country, women were often punished or threatened, including with arrest, because the whole family was labeled “anti-national.” Female heads of household, disabled women, and girls, often more vulnerable because of their status in society, were among those abused.

A young woman told Human Rights Watch that Bhutanese police raped her in the early 1990s in the course of the campaign against ethnic Nepalis. She said, “The police took my family and accused us of having connections with Indians. I said ‘yes, we have connections with them because we live close to the border.’ And then the officer raped me. I was 13 years old at the time. They raped me three or four times a day for seven days. They had taken me from my house along with two other girls, my aunt’s daughter, and daughter-in-law. After that, we didn’t feel like staying there. I felt my life was at risk.”[20](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn20)

Bhutanese refugees, particularly girls, remain at risk because of the government’s refusal to protect their right to return. Extensive social awareness campaigns have provided refugee girls and women with a better understanding of their rights, and also raised awareness among refugee men about their responsibilities. Despite these positive developments, the threat of sexual and domestic violence remains high. Refugee women in the camps in Nepal said that the worsening conditions had resulted in strains on families that were contributing to domestic violence.[21](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn21) Some women said that they did not make use of the reporting mechanisms in the camps for fear that the men would retaliate with even more violence if they realized they had been reported. Many refugee girls and women also fear sexual violence in the camps, particularly if they are on their own. One young woman said, “Sometimes when we walk at night it is dangerous. There are difficulties inside and outside the camp. It is not safe to walk alone at night.”[22](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftn22)

**Human Rights Watch’s Recommendations to the Government of Bhutan**

* Respect and protect the civil, political, economic, social, and cultural rights of ethnic Nepali children in Bhutan, without discrimination.
* Amend the citizenship laws so that all Bhutanese are protected from arbitrary denationalization and statelessness. In particular, citizenship by naturalization should be an open, fair, and transparent process that does not exclude persons with genuine ties to the country from applying and being granted citizenship simply on the basis that they have voiced criticisms of the government or are proficient in Nepali but not in Dzongkha.
* Bhutan should make special allowance regarding citizenship by naturalization for the children of Bhutanese who were expelled in the early 1990s.  The requirement of 20 years residency (15 for children with one Bhutanese citizen parent) and proficiency in the Dzongkha language should be waived for such children, as their lack of residency and language proficiency have been beyond their ability to control and these requirements would render them stateless for at least 15-20 years after repatriation.
* Abolish the system of No Objection Certificates (NOCs) and grant equal rights to all Bhutanese citizens. Ensure that neither NOCs nor any other political loyalty test be a prerequisite for children’s admission to government schools or for higher education.
* Eliminate all discrimination against ethnic Nepalis on the basis of the connections to refugees in the camps in Nepal.
* Ensure that all Bhutanese citizens receive new citizenship cards without discrimination.
* Respect the right of return of all Bhutanese refugees by abolishing the current four-tiered categorization process and applying internationally recognized refugee-status-determination procedures.

**Questions for the Government of Bhutan**

1) Why has the Bhutanese government not admitted for return a single one of the refugees identified by the joint Bhutanese-Nepali verification exercise as Bhutanese citizens?

2) What steps is the Bhutanese government taking to allow the repatriation in safety and dignity of the Bhutanese refugees, including children, in Nepal and India and the restoration of their citizenship and properties?

3) What steps is the Bhutanese government taking to provide free and compulsory education for all children, including ethnic Nepali children living in the southern districts?

4) How does the government use No Objection Certificates (NOCs)? What impact does the lack of an NOC have on: a) the ability of a child to attend a government school; b) the admission of students to higher education; c) the ability to obtain travel documents; and d) the buying and selling of land?

5) Please provide complete demographic data from the 2005 census, including information on “non-national residents” of Bhutan.

6)  What is the law and practice on inheritance of a family’s property when only one member of a family has F-1 status (“genuine Bhutanese”) so that all land and property is registered in that person’s name?  If that person dies, do the surviving family members (including F-4 children of a Bhutanese father and a non-Bhutanese mother) inherit the land and property or does the government confiscate the land and property?  If the government does confiscate the family’s land and property, how does it ensure respect for the child’s right to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development, particularly with regard the child’s needs for adequate housing?

[1](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref1) Human Rights Watch interview with camp secretary Parshuram Nepal, Timai refugee camp, Nepal, November 16, 2006.

[2](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref2) Human Rights Watch interview with the secretary of the Bhutanese Refugee Women Forum, Beldangi camp, Nepal, November 12, 2006.

[3](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref3) Human Rights Watch interview, Sanischare camp, Nepal, November 14, 2006.

[4](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref4) Human Rights Watch interview, Birtamod, Nepal, November 18, 2006.

[5](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref5) Human Rights Watch interview, Beldangi I camp, Nepal, November 13, 2006.

[6](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref6) Human Rights Watch interview, Kalimpong, India, November 22, 2006.

[7](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref7) Human Rights Watch interview, Goldhap camp, Nepal, November 12, 2006.

[8](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref8) Under Bhutanese law, Bhutanese citizens are divided into seven different categories:

F1, genuine Bhutanese

F2, returned migrants (people who had left Bhutan and then returned)

F3, drop-out cases (people who were not around at the time of the census)

F4, non-national women married to Bhutanese men

F5, non-national men married to Bhutanese women

F6, adopted children

F7, non-nationals (migrants and illegal immigrants).

[9](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref9) Tessa Piper, “The Exodus of Ethnic Nepalis from Southern Bhutan,” April 1, 1995, http://www.unhcr.org/home/RSDCOI/3ae6a6c08.html (accessed January 24, 2007), sec. 5.3.

[10](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref10) Human Rights Watch interview with ethnic Nepali living in Bhutan, details withheld.

[11](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref11) Human Rights Watch interview, with ethnic Nepali living in Bhutan, details withheld, November 25, 2006.

[12](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref12) Human Rights Watch interview with ethnic Nepali living in Bhutan, details withheld.

[13](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref13) Human Rights Watch interview, details withheld, November 24, 2006.

[14](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref14) Human Rights Watch interview with ethnic Nepali woman, details withheld, November 24, 2006.

[15](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref15) Human Rights Watch interview with ethnic Nepali living in Bhutan, details withheld.

[16](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref16) Human Rights Watch interview with ethnic Nepali living in Bhutan, details withheld.

[17](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref17) Human Rights Watch interview with Kolu Mai Magar, Murey Forest Basti, Darjeeling District, West Bengal, India, November 11, 2006.

[18](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref18) Human Rights Watch interview, Gariba, India, November 23, 2006.

[19](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref19) Human Rights Watch interview, details withheld, November 25, 2006.

[20](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref20) Human Rights Watch interview with a young woman, Bhutanese refugee camp, Nepal, March 28, 2003.

[21](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref21) Human Rights Watch interview with the secretary of the Bhutanese Refugee Women Forum, Beldangi I camp, Nepal, November 13, 2006.

[22](http://www.hrw.org/legacy/backgrounder/crd/2007/bhutan1007/" \l "_ftnref22) Human Rights Watch interview, Beldangi I, Nepal, November 13, 2006.