



STATEMENT
UPR Pre-session on Bhutan
Geneva, 28-08-2024

**Delivered by: The Global Campaign for the Release of Political Prisoners in Bhutan
(GCRPPB)**

1. Presentation of the Organisation

This statement is delivered on behalf of the Global Campaign for the Release of Political Prisoners in Bhutan (GCRPPB), a civil society organization formed in 2019 by Bhutanese human rights activists and the families of Bhutanese political prisoners in exile. It is based in the Hague, Netherlands, and functions throughout nine countries where former Bhutanese refugees have resettled.

2. National consultations for the drafting of the national report

GCRPPB advocates for the early and safe release of all Bhutanese political prisoners. For the 2024 UPR session on Bhutan, GCRPPB submitted its position independently, without coalition with other organizations.

As an organization in exile, GCRPPB is not recognized by the Bhutanese government and was not consulted in the drafting process. We also note civil society organisations within the country are not free to express themselves openly; any consultation process would be marred by the lack of independence experienced by civil society organisations within the country.

(PP Slide 1)

3. Plan of the Statement

The statement will raise three thematic issues in the following order: (1) Political prisoners in Bhutan, (2) Lack of repatriation efforts for Bhutanese refugees, including resettled individuals and their right to return or visit Bhutan, and (3) Absence of national human rights institutions and press freedom.

(PP Slide 2)

i. Political prisoners in Bhutan

A. Follow-up to the previous review

Many countries during the previous reviews noted torture, cruel, inhuman, and degrading treatment of pro-democracy activists, including recommendations to ratify human rights instruments, such as the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and the International Covenant on Civil and Political Rights

(ICCPR). However, there were no explicit recommendations regarding the plight of the political prisoners in Bhutan.

Following the forceful expulsion of tens of thousands of Nepali-speaking Bhutanese in the 1990s, Bhutan imprisoned numerous human rights activists between the early 1990s and 2009 for their involvement in peaceful political activities, such as distributing political literature and organizing awareness meetings. Human Rights Watch, in its inaugural report published in March 2023, documented 37 such individuals. Of these, three have been released upon completing their sentences, leaving 34 currently imprisoned, many serving life sentences.

The UN Working Group on Arbitrary Detention visited Bhutan from January 14 to 24, 2019, and found that many prisoners convicted of terrorism appeared unrelated to terrorism. The report also noted that defendants often lacked legal representation at critical stages of their proceedings, despite Chapter 5, Article 33b of the Civil and Criminal Procedure Code of Bhutan guaranteeing this right. Additionally, detainees were frequently unaware of their right to legal counsel due to inadequate notification by the police. Various former political prisoners with whom GCRPPB has engaged attest to this maltreatment and report having had no access to legal resources.

According to a former political prisoner released in July, ‘life inside jail has become more difficult with no connection to family or relatives,’ though Chapter 9, Article 1 of the Prison Act of Bhutan 1982 guarantees this right. Since the International Committee of the Red Cross (ICRC) withdrew its Reconnecting Families program, political prisoners have been unable to see or hear from their loved ones for over a decade now. Also, the ICRC handed over its project to the Bhutan Red Cross Society, led by the Bhutanese Queen. This organization holds an unsupportive stance toward political prisoners, whom their narrative falsely labels as "anti-national" or "terrorist.” Meanwhile, conditions for prisoners have deteriorated, with worsening health, food, bedding, and other necessities, and doctor visits now facing delays of 6 to 8 months.

(PP Slide 3 & 4)

B. New Developments since the previous review

Despite recommendations, Bhutan has not proceeded to ratify either the OPCAT nor have there been any changes regarding the wrongful imprisonments of Bhutanese political prisoners.

(PP Slide 5)

C. Recommendations

We therefore urge the immediate and unconditional release of the 34 Bhutanese political prisoners serving long-term sentences through amnesty. Their cases reveal significant doubts about their classification as terrorists and highlight the need for a fair reassessment and resolution. Additionally, GCRPPB advises Bhutan to respect the dignity of political detainees by protecting them from torture and ensuring they receive adequate essentials such as food, clothing, medical care, and other necessary support services.

Therefore, we recommend that the Government of Bhutan:

- a. Grant amnesty to all 34 political prisoners immediately and unconditionally.

- b. Ensure that released political prisoners receive proper rehabilitation and are settled with adequate compensation.
- c. Invite the ICRC to monitor prison conditions and facilitate family visits.

(PP Slide 6)

ii. Lack of repatriation efforts for Bhutanese refugees

A. Follow-up to the previous review

In the early 1990s, Bhutan forcibly expelled around 120,000 citizens—about one-sixth of its population at the time, predominantly Nepali-speaking southern Bhutanese—due to their involvement in a peaceful human rights and democracy movement. These individuals were subsequently pushed into Nepal by the Indian Government, where the UN High Commissioner for Refugees (UNHCR) facilitated their placement in seven refugee camps across eastern Nepal. Despite numerous peaceful attempts supported by the international community to return to Bhutan until 2007, all efforts failed. As a result, in an attempt to find an alternative solution, UNHCR successfully resettled 113,000 refugees across eight Western countries, yet approximately 6,500 remain in two refugee camps in Nepal, still awaiting dignified repatriation to Bhutan. UNHCR ceased its operations on December 31, 2020, leaving the remaining refugees in Nepal without relief supplies.

The Bhutanese government has also denied tourist visas to resettled refugees holding passports from their resettling countries, preventing them from visiting ailing parents, family, and friends in Bhutan, on the sole basis that they are former Bhutanese refugees. For example, as a former refugee, I have not been able to meet my parents in Bhutan since 19 August 1990. Now they are over 90 years old. Though I possess a Dutch passport with Bhutan written as the birthplace, I am not eligible to visit Bhutan, even as a tourist, like other fellow Dutch citizens can.

In previous UPR cycles, countries such as the United States, the Netherlands, Denmark, Switzerland, France, Australia, and Austria, among others, have recommended that Bhutan repatriate Bhutanese refugees living in refugee camps in Nepal. To date, not a single Bhutanese refugee has been repatriated. The Bhutanese government's lack of political will to accept these citizens is the primary reason for the failure to implement these recommendations. Additionally, many recommendations were too general, allowing Bhutan to neglect them easily.

(PP Slide 7)

B. New Developments since the previous review

Despite recommendations, Bhutan has not made a single stride towards repatriation efforts for Bhutanese refugees and resettled, former Bhutanese refugees.

(PP Slide 8)

C. Recommendations

We recommend that the Government of Bhutan:

- a. Immediately develop a process for repatriating all those Bhutanese refugees who wish to return with honour and dignity in a time-bound manner, under the supervision of the UN-HCR.
- b. Guarantee the right of former Bhutanese citizens with overseas passports to obtain tourist visas, so as to enable them to visit Bhutan to meet their near and dear ones.

(PP Slide 9)

iii. Absence of national human rights institutions and press freedom

A. Follow-up to the previous review

In past UPR cycles, several member states recommended that Bhutan consider establishing an independent national human rights institution in conformity with the Paris Principles. Despite introducing some democratic changes with a written constitution that explains the guarantee of the fundamental rights of Bhutanese citizens, Bhutan continues to ignore this recommendation. The government can quickly mobilise the necessary resources from the international community, but it has yet to show any political will. Furthermore, most of those recommendations asked Bhutan to “consider” or “continue,” words that did not convey sufficient urgency, allowing Bhutan to neglect these calls.

There are several incidents of human rights violations such as arbitrary detention, unfair trials, unlawful state seizures of private land, and discrimination in the recognition of citizenship. The lack of freedom of the press in Bhutan was evident when the Reporters Without Borders Press Freedom Index rated Bhutan as 147th in the world, down from the 90th position in its 2023 report. Thus, there is an urgent need for an independent human rights institution in line with the Paris Principles in Bhutan to protect people’s fundamental rights, which are written in the country’s constitution.

(PP Slide 10)

B. New Developments since the previous review

Despite recommendations, Bhutan has not established a national human rights body.

(PP Slide 11)

C. Recommendations

We recommend that the Government of Bhutan:

- a. Take immediate measures to establish an Independent Human Rights Institution in Bhutan, per the Paris Principles.
- b. Eliminate all obstacles curtailing the country’s freedom of press, speech, and expression.
- c. Allow international human rights organisations to operate in the country.

(PP Slide 12)

Thank you for your attention.