

## **Chapter 4**

### **Bhutan**

# **An Uneasy Mosaic**

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## **Introduction**

The Kingdom of Bhutan is sandwiched between India and China. Excavated artefacts like stone tools and weapons suggest that Bhutan existed as early as 2000 B.C. It is a small country and was in the past among the least known countries in the region, in part due to self-imposed isolation. Bhutan has never been colonised. Its modern history commenced from 1907 after the first King of Bhutan, Ugyen Wangchuck, consolidated the country under monarchical rule. In 2008, Bhutan adopted the Constitution of Bhutan, following which Bhutan became a constitutional monarchy. Since 2008, Bhutan has held two rounds of democratic elections. The third one is due in 2018.

In the course of history, different peoples settled in different regions, populating Bhutan. These peoples are the ethno-linguistic groups who currently inhabit the country. This paper maps the different ethno-linguistic groups in Bhutan and examines minority issues faced by minority groups in the country.

## **Methodology**

The primary method for data collection and for the preparation of this report has been secondary data review, collation and analysis. Information was mostly downloaded from websites of various agencies and other documentation was searched and extracted from the web. Secondary statistics in Bhutan on topics of interest to this report are scarce and, where they are available, they are not shared in the public domain.

To supplement the information collected, in-depth interviews were conducted with key persons representing the *Lhotsampa* ethnic group and Christians. It was not possible to conduct focus group discussions since the

issue of human rights is a sensitive topic in Bhutan and people are cautious about discussing human rights in groups. Besides, any survey activity has to be endorsed by the government, and potential subjects of the study will only comply with prior written approvals, physically produced on request when they are approached for interviews.

## **Limitations**

This paper has been written in the context of data limitations. Data is either not available or, if it is available, not shared in the public domain. Further, human rights are not an issue that the government is comfortable discussing on a regular basis. For this reason, it is challenging to collect primary data. A limited number of interviews were therefore conducted with only a few representatives of minority groups.

## **The Ethnic Mosaic of Bhutan**

Mapping the diverse groups of people inhabiting Bhutan is necessary to establish the ethnic mosaic of Bhutan and to correct the misperception of outsiders that Bhutan comprises a homogenous Buddhist population. In this report, ethnic groups shall be identified based on ethno-lingual differences and geographical residence. Ethnic groups have not been mapped until now. However, the state authority (Dzongkha Development Commission) and internationally acclaimed linguists (among others, George van Driem) have carried out language surveys. This report has taken inspiration from the work of van Driem.

Ethnic groups are social groups with a shared culture such as language, customs and institutions. Ethnicity can no longer be qualified by race based on genetic constitution. Taking this as the point of departure, there are several ethnic groups in Bhutan. While some differ in the languages they speak, others have cultures that are distinct from the others. Whether others consider them different and whether they also consider themselves different from the others is a useful basis for identifying ethnic groups in the country.

Western Bhutan comprises the districts of Thimphu, Paro, Punakha, Chukha, Gasa, Wangdue Phodrang and Haa. The Ngalongpas of Tibetan descent are in the majority in these districts. The Ngalongpas came to Bhutan in the 8th and 9th centuries along with the Drukpa Kagyu Buddhism missionaries from Ralung in Tibet. Ngalongpas speak Dzongkha, which is now the national language of Bhutan. The intonation of Dzongkha spoken in the western districts of western Bhutan can vary but it is essentially the

same language. The Ngalong follow Drukpa Kagyu Buddhism. The Ngalong speakers constitute an estimated 21.13% of the total population of Bhutan – around 160,000 speakers.

There are also other ethnic groups in western Bhutan. In the northern areas, in Gasa district, there are people from Laya called Layaps who are highland pastoralists and speak a dialect similar to Dzongkha. The GNH Survey 2015 (Center for Bhutan Studies and GNH Research 2015) estimates that 0.25% of the population speaks Layapkha. The Layaps have a distinctive way of life. The women wear a unique dress. In Wangdue Phodrang district, there are several small groups – such as those living in Phobjikha, Rukubji and Sephu – who speak Hoen kha (also called La kha) (0.02% of the population), and semi-nomadic people who speak Brokkat. The small groups of people who live in a few villages in Ada Rukha and who originally spoke Olekha are called Oleps. Until a few years ago, there was only one woman in the village who spoke Olekha. Oleps share a common language and way of life with the Monpas of Trongsa in the Black Mountain region. The Black mountain region extends from Wangdue Phodrang to Trongsa and Zhemgang districts. The Lhop are an ethnic group from Samtse district in southwestern Bhutan. People of Nepali origin called Lhotsampas inhabit the southern areas of Chukha district.

The central Bhutan region comprises the districts of Trongsa, Bumthang and Zhemgang. The borders of Zhemgang district extend to the south of Bhutan. This region was populated around the 1st millennium BC – long before the Ngalongs came to Bhutan. The people of Bumthang are called Bumthaps and speak Bumthang kha. The GNH Survey 2015 estimates that 2.89% of the population speaks Bumthangkha. In Bumthang district there is a small group of people living in the Dur area who are pastoralists and who speak a dialect called Bjobikha, which is closely related to Tibetan.

There are several ethno-linguistic groups in Trongsa district. People from villages in Tangsibji county and Taktsi Yuesa village under Trongsa village speak Hoenkha, also called Nyenkha and Nga ked. The GNH Survey 2015 estimates that 1.70% of the population speaks this language. The people living in Nubi Gewog, Trongsa speak a Bumthangkha dialect called Nubi Choetoe, but some writers have placed this dialect under the Hoenkha group. In Trongsa district, the people living in areas to the east of the Mangdichhu river all speak Khengkha, the predominant language spoken under Zhemgang district. A people called the Monpas live in three villages under Langthel county in the Black Mountains; they speak Monkha and depend

on a mixed farming system, depending on agriculture and largely on the forests for their livelihoods. The GNH survey estimates that 0.19% of the population of Bhutan speaks Monkha. There is a small population of Monpas in Reti village, Korphu county. There are also some Lhotsampas living in Reti village.

The predominant ethnic populations of Zhemgang district are Khengpas, who speak Khengkha. The GNH survey estimates that 8.05% of the population of Bhutan speaks this language. There are small groups of people, such as the Monpas, living in Berti village, Trong county and Sharchokpas in Dogar country in southern Zhemgang. The inhabitants of the central region generally follow the Nyingma Buddhist religion.

The eastern Bhutan region comprises the districts of Trashigang, Mongar, Lhuentse, Trashiyangtse, Pemagatshel and Samdrupjongkhar. The majority ethnic group in eastern Bhutan are the Sharchokpa people, who came around 2000 years ago. They speak a language called Sharchokpa or Tsangla kha and follow the Nyingma Buddhism religion. The GNH Survey 2015 estimates that 33.72% of the population of Bhutan speaks Tsangla. This makes them the largest ethno-linguistic group in Bhutan.

Trashigang has populations of the Brokpa people in Merag, Sakten and Phongme counties. Brokpas are pastoralists who rear yak and sheep, speak a distinct language called Brokkat and have a unique traditional dress and social customs. The GNH Survey 2015 estimates that 0.16% of the population speaks Brokkat. There are Choecha Ngacha speakers living in some villages in Bartsam, Bidung and Shongphu counties as well. There are a few Brahmi-lo (Dakpakha) speaking households living in Thangrong village, Phongmey county. The majority of the population, however, speaks Tsangla.

In Mongar district, besides the majority Sharchokpa people, there are also populations of people speaking Choecha Ngacha (also called Kurmedkha), a language related to Dzongkha and spoken by people living along the lower Kuri chu river in Tsakaling, Saleng and Tsamang counties. The GNH Survey 2015 estimates that 2.95% of the population speaks this language. In the southern part of Mongar, the people in Gongdue county speak Gongdue kha, a language not related to any language of Bhutan. The GNH Survey 2015 estimates that 0.36% of the population speaks this language. A small Khengkha-speaking group live in a village in Narang county, Mongar, while all the people living in Silambi county, Mongar speak Khengkha. The people of Chhali county speak Chhalikha; a dialect considered a mixture of several

Bhutanese languages. The GNH Survey 2015 estimates that 0.30% of the population speaks Chhalikha.

The people in Lhuentse district speak Chocha Ngacha – a dialect related to Dzongkha – and another dialect called Zhakat (also called Kurtoed kha) – a dialect of Bumthang kha. The GNH Survey 2015 estimates that 2.93% of the population speaks this language. The people of Khoma county in Lhuentse speak Dzala kha (also called Khoma kha), which is also spoken in the northern part of Trashiyangtse district. The GNH Survey 2015 estimates that 1.22% of the population speaks Chocha Ngacha.

In Trashiyangtse district there are groups of people speaking Dzala kha in Yangtse and Bomdeling counties. Choecha Ngacha is spoken by people living in Tongphu Zhangtsen county and some populations in Yangtse and Khamdang counties. A small population in a few villages under Tongphu Zhangtsen also speaks Khengkha. Dakpa kha (also called Brahmi lo) is spoken by the entire population of Thoedso county and some villages under Khamdang county. The GNH Survey 2015 estimates that 0.61% of the population speaks Dakpakha. Populations in Khamdang, Ramjar and Yalang counties speak Tsangla.

The language spoken by all people living in Pemagatshel is Tsangla. In Samdrupjongkhar district, the majority of the population speak Tsangla, but in the southern part of the district there are Lhotsampa people speaking Lhotsamkha, who live in Samrang, Pemathang, Langchenphu and Phuen-shothang counties.

The southern region comprises the districts of Samtse, Sarpang, Tsirang and Dagana. The people living in these districts are predominantly of Nepali origin, are called Lhotsampas (people of the southern border), and are mostly Hindus. They speak Lhotsamkha or Nepali. The GNH Survey 2015 estimates that 18.69% of the population speaks Lhotsamkha. The Lhotsampa, however, are not a homogeneous population; there are several sub-ethnic groups of people such as the Tamang, Rai, Limbu, Gurung, Ghalley, Magar, Newar (Pradhan), Lepcha, Sunwar, Sherpa, Giri, Bahuns, Chhetris, Kami, Darjee and Sarki, who all fall under the broad term Lhotsampa. Many of these sub-ethnic groups have their own languages and their own social customs. There are also Lhotsamkha-speaking people to be found in the southern region of Chukha district. In Dagana, besides Lhotsamkha, Dzongkha is spoken in most of the northern counties. There are also Khengkha speaking people in Drujeyang county.

Samtse district has a group of people called the Lhops (also called Doya) living in Jigme, Singye and Wangchuk villages in Dopuchen county and in Taba and Dramtoey villages, Tading county. The Lhops are considered indigenous – the first people who inhabited Bhutan. They have their own language, Lhokpukha, unique dress, social customs, and they follow an animist religion. The GNH Survey 2015 estimates that 0.13% of the population speaks Lhokpukha. A small group of Adivasis (indigenous people) with a socio-cultural affinity to the Adivasi population of West Bengal live in the counties of Ugentse, Chengmari, Yoeseltse and Tashichoeling. The Adivasis have their own language, called Kurukh, and their own social customs. Samtse district also has a small Lepcha population. 0.15% of the total population of Bhutan speaks Lepchakha.

A small population of Monpas can also be found in Chungshing village in Jigmechholing county, Sarpang district. In the mid-1990s people from other parts of the country were resettled in the southern region after they received land grants under the resettlement programme. The ethnic composition of southern Bhutan has therefore become more diverse than before, with an estimated 10–20%, as observed, now comprising of re-settlers from other parts of the country.

After the annexation of Tibet by the Chinese in 1959, Tibetans fled their country and many settled as refugees in Bhutan, mainly in areas such as Hongtsho and Begana, close to Thimphu. A few Tibetan families live in other districts, mainly in the urban areas of Trongsa, Bumthang and Trashiyangtse. In the 1970s Tibetans were given the choice to accept Bhutanese citizenship, which many accepted. Those who chose not to were allowed to stay as special residents. Tibetans speak a language called Boekha. The GNH Survey 2015 estimates that 0.25% of the population speaks Boekha.

The first National Population and Housing Census in Bhutan was conducted in 2005. The next census is long overdue and was conducted recently, in June 2017. The National & Population Housing Census 2005 Report contains data disaggregated by district, county, sex and a number of other variables. Ethnicity was not a data item in the census protocol, so statistics on population by ethnic group is not available. However, language spoken by respondents featured in the Census of 2017. Rough estimates (eg Khan & Rahman (2009)) show the Ngalong population to be around 15%, the Shar-chokpa population to be 50% and the Lhotsampa population to be around 30–35%.

In light of the above analysis of the many ethno-linguistic groups in Bhutan, it seems that Khan & Rahman (2009) have subsumed the many small ethnic groups discussed above under these three major ethnic groups of Bhutan. It is possible to establish a more accurate picture of the situation of ethnic groups in the country if data on ethnicity were to be collected and made accessible. This could then be supplemented with a survey to fill in data and information on ethnic groups where there are gaps. As it is, it is difficult to obtain such data because it is not available or not accessible in the public domain.

## Minorities and their Rights

Among the many definitions as to what constitutes a ‘minority’, the most accepted definition is that of the Special Rapporteur on Prevention of Discrimination and Protection of Minorities:

A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members – being nationals of the state – possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and maintain, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language. (Capotorti, 1977: 98)

In opposition to Capotorti’s definition, some have argued that numerical inferiority is not sufficient to label a group as a minority (Panikkar 2005). Rather, it is incumbent on certain groups’ feelings and experience of being discriminated against. Further, the social, economic and political positioning of groups can be analysed to determine power dynamics and their relative position in society. The question of minority groups in Bhutan can be explored using Panikkar’s formulation of experience of discrimination. This can entail delving into the different ethno-linguistic groups; examining whether they perceive their own identity as being the same or different from others; examining the development record in Bhutan; and finally exploring the recent history of ethnic issues, which had been brewing for decades, but which erupted into a movement in 1990 involving Lhotsampas in Bhutan.

If we define an ethnic group as a group that is considered to be different by others and also considers themselves to be different, then we can aggregate people into four broad ethnic groups in Bhutan from the many ethno-linguistic groups described above. The first are the Ngalongpas of western Bhutan; the second are the Sharchokpas of Eastern Bhutan; third are the Lhotsampas of southern Bhutan and lastly the Bumthangpa–Kheng-

pa people of central Bhutan.<sup>1</sup> Many authors writing about ethnic groups in Bhutan tend to categorize people into the first three ethnic groups and include the Bumthangpa–Khengpa people under the Sharchogpa people.

As mentioned in the section above, there are some groups who are considered to be the indigenous people of Bhutan, such as the Monpas of the Black Mountains and the Lhops of southwestern Bhutan. These groups live in remote areas and until a few decades ago were not mainstreamed into development. As a result, the areas these groups live in have remained backward, which in turn affects the socio-economic status of these marginalized groups. This is in spite of the balanced development programmes that the government has commissioned to ensure equitable regional development throughout the country. However, under the initiatives of the government, which are supplemented by NGOs, many development programmes have been launched in the areas inhabited by these people. As a consequence, there is rapid development, but the cost is the dilution of a traditional way of life of these groups. There are a few other pastoralist groups living in the remote alpine regions of the country, such as the Brokpa, the Layaps, Lunaps and the Brokkat and Lakha-speaking people, who face similar challenges. However, this does not make them ‘minorities’ if we apply the definition adopted in this report. The fact alone that their culture and traditions may be at risk, without the added element of domination by another ethnic group, does not qualify them as a ‘minority’, since this risk is more development-related.

The Ngalong of western Bhutan are numerically fewer than the Sharchokpas of eastern Bhutan and the Lhotsampas of southern Bhutan. However, they are politically ascendant and form the most dominant ethnic group in Bhutan. The reasons for their dominance can be traced back throughout history to when the first incursions of Buddhist missionaries from Tibet were directed to western Bhutan. They were thus the first people to embrace Buddhism, whence the term *Nga* (first), *long* (rise) came into usage – the first to ‘rise from the darkness’. The higher exposure of the Ngalong to Buddhism and religious practice compared to other ethnic groups had therefore already created a sense of superiority over other groups.

The second reason for the dominance of the Ngalong is that when Bhutan was a country of minor fiefdoms that were frequently at war with each

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1. The Bumthang and Kheng people share a common language but they may consider themselves different from each other.

other, Jigme Namgyal from Kurtoe in Lhuentse in the east defeated all the contesting chieftains of eastern Bhutan and marched onto Trongsa to consolidate his power and establish his political base there, in order to become the most powerful political entity in Bhutan. It was his son, however, Ugyen Wangchuck, who fought against all the warring overlords of western Bhutan and unified the country under his rule. In 1907, he was crowned the first King of Bhutan of the Wangchuck dynasty ruling from western Bhutan, namely from two capitals – Thimphu and Punakha. Western Bhutan thus became the centre of political power and the Ngalongs, by extension, also became politically powerful, owing to their proximity to the seat of royalty and officialdom. This is also the reason behind Ngalongkha being adopted as the national language – now called Dzongkha or ‘the language spoken in the Dzong’.

The third reason, connected with the second, is that the districts of western Bhutan, namely Thimphu, Paro and Punakha, in the early years received most of the development assistance, due to which the value of the land served by these developmental facilities increased significantly, compared to other districts in the country. As the assets that the Ngalong owned, namely land, appreciated significantly, the Ngalong also became more economically powerful.

The Sharchokpas are numerically the largest ethnic group. They inhabit the six districts of the eastern region. Sharchokpas are also found in many other districts, where they have migrated for work or residence. The non-Sharchokpa people of the districts of Lhuentse, Trashigang, Mongar and Trashiyangtse (ethno-linguistic groups) also consider themselves Sharchokpas in an attempt to assume a regional identity. The people of Trongsa, Bumthang and Kheng, residing east of Pelala were also considered as peoples of Sharchog Khorlo Tsibgye (Eight Spokes of the Wheel of Eastern Bhutan) and in earlier times were considered Sharchokpas, though Sharchokpas may not consider them so (Gyeltshen 2004). What distinguishes Sharchokpas from the Ngalongpas is that the Sharchokpas have a separate language and follow the Nyingmapa sect of Mahayana Buddhism, while the Ngalongs follow the Kagyupa sect of Mahayana Buddhism. The Drukpa Kagyu sect of Mahayana Buddhism is the official religion of Bhutan. The Sharchokpas have their own customs. They also prefer to marry from within their own ethnic group, though marriage to people from other ethnic groups also occurs. Sharchokpas, though the most numerous group, are neither a dominant group nor a minority. For that matter, no ethnic group in Bhutan is in the absolute majority; each one constitutes less than 50% of the total population.

The Lhotsampa are the only ethnic group in Bhutan practising a non-Buddhist culture, and the only ones who speak Nepali, an Indo-Aryan language (called Lhotsamkha in Bhutan). The Lhotsampas came to Bhutan in the 1870s, mainly from the middle hills and the lowland Terai of eastern and central Nepal. Thereafter, they migrated to Bhutan at various points in history. In southern Bhutan they found a landscape similar to the one they had left behind in Nepal, so they rapidly adapted to their new home. They cleared jungles for habitation, dug irrigation canals, terraced land for growing paddy and cultivated cash crops such as orange, betel, cardamom and ginger. They grew and harvested a variety of agricultural crops from the fertile soil. For many years, Lhotsampas were the only cash-paying taxpayers in Bhutan, while people from other regions paid their tax in kind.

As for the circumstances leading to the migration of Lhotsampas from Nepal, there are several theories. A Bhutanese historian, Phuntsho (2013), states that Lhotsampas were recruited from Nepal as labourers to extract lumber from the forests of southern Bhutan. According to anecdotal evidence, however, the Bhutanese government resettled the Lhotsampas in the hot, humid, malaria-infested forests of Southern Bhutan. Bhutanese residing in more temperate regions Bhutan avoided living in the South in those days. The twin objectives of opening up the south to habitation were to create a buffer with the southern neighbour, India, and to open up the forests for the economic extraction of timber, crops and other produce.

## **Mapping of Minorities**

According to Capotorti's definition of minorities, only the Lhotsampas can be considered a minority group in Bhutan. They have a history of being discriminated against in Bhutanese society. Their marginal situation became more overt and more pronounced from the late 1980s up until 2008. The year 2008 was significant in that democracy was introduced to the country. The advent of democracy was probably more significant for the Lhotsampas than for any other ethnic group in Bhutan in terms of conferment of rights. Before 2008 the Lhotsampas' social, economic and political rights had been systematically curtailed.

In the late 1980s the government advocated and implemented a 'One Nation One People' policy, which was essentially an acculturation project. It focused on rolling back certain cultural endowments, such as the teaching of the Nepali language in schools; enforcing a countrywide dress code; and removing Lhotsamkha (Nepali) as one of the languages used in the national parliament. The government also ceased the integration policy wherein

they had been providing cash incentives for inter-marriage between ethnic Lhotsampas and members of other ethnic groups. Further, the government started the national citizenship census exercise, wherein people were required to prove their registration and residence in Bhutan before 1958. As a result, many people who could not show proof became non-nationals overnight, even though many had been born and raised in Bhutan.

There were political demonstrations, some of which turned violent, in various parts of southern Bhutan in September 1990. Following this, the government militarised southern Bhutan. There were anecdotal reports of villagers being harassed by the local administrations and the military. The result was an exodus of Lhotsampas to the refugee camps in eastern Nepal. Concurrently, the government imposed the requirement for a security clearance for recruitment in government jobs, promotions of civil servants, training and studies, business licences, passports for international travel and admission of children in schools. The certificate was commonly called a 'police clearance' because citizens had to apply to the Royal Bhutan Police, who then conducted a review of documents and registers maintained at the district level. If any family member of the applicant had participated in the demonstrations of 1990 or had a record of family members being imprisoned, the clearance was denied to all family members, including the applicant, though they themselves were innocent. This instrument was sufficient to marginalise the Lhotsampas economically, politically and socially. Most families of Lhotsampa ethnicity were affected. Thus began almost two decades of suffering for the Lhotsampa people of Bhutan. Many families were divided, with some family members resident in the refugee camps in Nepal and some within Bhutan. Schools and medical facilities in southern Bhutan were closed down and all development activities in the southern districts ceased after anti-government miscreants who left the country returned and vandalised facilities. Thus, the majority of innocent Lhotsampa, stereotyped as anti-nationals, underwent harrowing experiences of public shaming and deprivation of their rights.

There were no avenues for Lhotsampas to advocate for their rights, since they had already been labeled anti-national. Many were arrested arbitrarily, detained and tortured in prison. This was because there were no legal frameworks assuring individual rights. Southern Bhutan was in a state of emergency. Intimidation, harassment and perpetration of violence by the local state machinery against Lhotsampas in the country were common. By decree of parliament, more than 200 civil servants were terminated from the civil service on the grounds that they had family members in the refugee

camps in eastern Nepal. The dismissal letters issued by the Royal Civil Service Commission cited 'in the interest of public service' as the reason for the dismissal of the Lhotsampas.

After 2008, with the enactment of the Constitution of Bhutan and introduction of a constitutional monarchy, access to rights for Lhotsampas, as for all the citizens of Bhutan, was guaranteed. As such, Lhotsampas are now treated equally before the law and can invoke their rights, and overt discrimination has decreased.

The provisions of the constitution provide a framework within which no citizen or institution can overtly discriminate against other citizens. After the constitution was endorsed in 2008, Lhotsampas no longer had difficulty in obtaining the documents they needed. Consequently, children were readily accepted into schools. Lhotsampa applicants for higher studies in professional occupations and college graduates could obtain opportunities for tertiary studies and jobs based on merit. Civil servants availed promotions based on performance evaluations by supervisors and training opportunities based on their needs. Lhotsampas aspiring to start up businesses could easily obtain licences. It was no longer problematic for Lhotsampas to avail travel documents such as passports to travel abroad. In short, Lhotsampas seemingly were not discriminated any longer.

## **Lhotsampas: After Democracy**

It is not easy to identify and distinguish if and how Lhotsampas are being discriminated against since 2008. Data disaggregated by ethnicity is not available. The recourse adopted here, therefore, is to fill this gap with information from in-depth conversations with Lhotsampas serving in government and operating businesses, as well as several other categories of people, including students and youth.

Lhotsampa civil servants still feel a sense of insecurity, especially with regard to performance appraisals by their supervisors. Some also felt that they did not get the recognition they deserved, compared to colleagues from other ethnic groups, who they felt sometimes enjoyed more favour from supervisors. Therefore, they feel a sense of nepotism practised on ethnic lines. For similar reasons, some felt that Lhotsampa civil servants could not aspire for senior executive posts, since the ministries did not nominate them, even though they felt they fulfilled all the criteria. Many businesses also recruit people based on family and ethnic affiliations. Some Lhotsampa students

felt deprived because not all the criteria for selection for further studies were favourable towards them.

## **Religious Minorities**

Buddhism is the state religion of Bhutan. Hinduism is accepted in the country because Hindus are free to practice their religion. While being represented in the Council for Religious Organizations, Hindus have also received state support for the construction of temples in some parts of the country, including Thimphu, the capital city.

A few Muslim families are also reportedly living in Samtse district, but like the Adivasis they are a very small group and are therefore overlooked.

Christians are a religious minority in Bhutan who adhere to several denominations of Christianity, such as Roman Catholic, Protestant and Pentecostal, among others. The exact number of Christians cannot be determined, owing to a lack of data. It is observed that the number of conversions to Christianity is on an upward trend. This may be the reason that Christians are not always looked upon in a positive light.

Although the Constitution of Bhutan, 2008 allows the freedom to practise any faith, Christians have not been allowed to legally register themselves as a religious organisation under the Religious Organisations Act, 2007. Only Buddhists and Hindus are members of the Council for Religious Organisations. There have been reports of instances of harassment of Christians, especially in rural areas. Christians across the country have not been given the permission or the means to construct a church, though Buddhists and Hindus continue to enjoy state patronage and funds for establishing temples across the country. Christians therefore congregate in private houses to worship. Christians have also not been allocated a proper place for burial of their dead, though they continually request that such a place be allocated by the government. Reports indicate that Christians are looked upon with suspicion, as potential proselytisers and converters. According to the Constitution of Bhutan 2008, proselytisation is banned. The Penal Code of Bhutan has provisions to penalise people who forcefully convert people to other faiths.

## **People from Low Castes**

Lhotsampas are mostly Hindus. As in neighbouring countries, such as India and Nepal, the Hindus of Bhutan also practice the caste system.

However, there is no dowry system. Bhutan is a secular state and the laws do not espouse caste differentiation. On the other hand, constitutional provisions are unclear about the prohibition of caste discrimination because caste is not specifically mentioned as a category. Lhotsampas are caste conscious and observe purity and pollution aspects prescribed by the caste system. Though caste practices are not followed as stringently as in the past, discrimination based on caste is very much a reality in rural southern Bhutan.

In the case of marriage, people from different castes often observe endogamy to maintain 'purity'. There was a case in 2016, which garnered media attention, wherein a man from a low caste married a woman from a higher caste. The people marrying were ostracised ceremoniously, as the bride's parents symbolically expelled their daughter from the higher caste to a lower one. When the person from the lower caste filed a case in court, the case was dismissed on the grounds that it was not within the mandate and purview of the court to settle such cases. That such cases do not come to the attention of the media regularly does not imply that these do not happen on a regular basis. Events such as these demonstrate that low caste people face discrimination not only from higher caste Lhotsampas but also from the legal system. People who are both ethnically Lhotsampa and from a low caste are positioned in an intersectional category, rendering them open to a double burden of discrimination.

## Constitution and Law

The Constitution of Bhutan 2008 does not recognise 'minorities', as evidenced by an absence of specific provisions discussing minorities and their rights in the constitution. The constitution states that 'all persons are equal before the law and are entitled to the equal and effective protection of the law'. Further, the constitution stipulates that no person can be discriminated against on the grounds of race, sex, language, religion, politics etc. Likewise, there is no other legislation dealing with minorities.

Therefore, there is no official policy or position on minorities in Bhutan. The provisions for equal treatment before the law and non-discrimination of people based on their differences suggest that the law does not differentiate people by minority status. This implies, therefore, that while all are equal before the law, minorities are not even recognised by the law, and therefore have little opportunity to have their issues legally addressed, even if they are not prevented from approaching the courts to voice their grievances.

There are legislative provisions for non-discrimination, but these tend to overlook the needs of minorities. Therefore, there is a justification for overarching legislation for the protection of minorities. This is because membership of the social category 'minority' may change over time and context. A group that is a minority today may cease to be one once they have realised their rights, and another social group may become a minority. Whichever group becomes a minority will need protection and the best means for this is to ensure that protection of minority rights is enshrined in legislation.

## **Parliamentary Committees**

There are two committees in parliament, namely the Social and Economic Committee and the Human Rights Committee, which are identifying and discussing issues of concern. However, it is difficult to tell if these committees are active and responsive to the issues that everyday people and minorities face. Further, there are no reports of their work in the public domain.

## **Civil Society Organisations**

The Civil Society Organisations Act was enforced in 2007, and CSOs started formal registration in 2010 after the Rules and Regulations of the Act were endorsed. Currently, there are 50 CSOs in Bhutan. However, none of the CSOs registered work in the area of human rights and advocacy for human rights. This reflects that the type of CSOs that are being registered are the ones supplementing and complementing efforts in service delivery, or mutual benefit organisations. There is a clear lack of human rights advocacy CSOs in Bhutan.

While the Civil Society Act establishes the rationale for civil society and legitimises the existence and operation of civil society organisations (CSO), it is weak in the area of facilitating advocacy work by CSOs for its target groups and constituents. There have been on-going discussions among CSOs and the government on the need to amend provisions that empower the CSO Authority to approve the CSO registration applications of organisations that have applied to advocate and address emerging social issues.

## **Religious freedom**

The Constitution of Bhutan (2008), while designating Buddhism as the spiritual heritage of the nation, confers the right to follow any religion. Proselytization, however, is banned. The penal code categorises coercion or inducement to convert as a misdemeanour, which is punishable with a

sentence of three years in prison. Further, the law prohibits oral or written communication that promotes enmity between religious groups. Violations are punishable by up to three years in prison.

The Penal Code of Bhutan (2004) also criminalised promoting civil unrest by advocating religious abhorrence, disturbing public tranquillity, or committing an act that is prejudicial to the maintenance of harmony between religious groups, stipulating a penalty of five to nine years in prison.

Religious groups are required to register with the government. Without registration, a religious organisation is not recognised by the government and will not enjoy rights to organise publicly, own property, accept money, conduct outreach activities, import literature, or hold worship services. The law permits the government to ‘avoid breaches of the peace’ by requiring licences for public assembly, prohibiting assembly in designated areas, and imposing curfews. Religious organisations considered a threat to the spiritual heritage of the country are prohibited from registering. Some years ago, a group of Lhotsampa people from the Kirat sub-group (consisting of Rai and Subba ethnicity) applied to register themselves as a Kirat Dharma group with the organisation. Their application was turned down.

An eight-member board of the Commission for Religious Organisations defines the structure of religious institutions, enforces the prohibition on religious leaders running in secular elections, and monitors religious fundraising activities. The Commission for Religious Organisations is required to ‘ensure that religious institutions and personalities promote the spiritual heritage of the country’ by developing a society ‘rooted in Buddhist ethos’.

Further, religious groups are required to acquire government approval to construct temples. All religious buildings are subject to legal requirements to adhere to traditional Bhutanese architectural standards. Religious organisations are prohibited from being involved in political activity. Ordained members of the clergy, irrespective of religion and including the sizable population of Buddhist monks, are barred from political activities.

## **The Role of ICRC in Bhutan**

Up to 2008 the government received periodic visits from the International Committee of the Red Cross to monitor the condition of prisons and treatment of prisoners detained on political grounds. Based on their observations, the government would receive recommendations from the ICRC.

Over the years, such visits have had a beneficial impact on the condition of prisons and prisoners in Bhutan.

## **Life and security**

The Constitution of Bhutan (2008) guarantees all citizens the right to life, liberty and security of persons. The constitution also entrusts to the state the responsibility to provide security in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond one's control. Before the constitution came into force, there were reports of people going missing if they criticised the government or came into conflict with authority. Since 2008 such incidents have not been commonly heard of. There are now laws in place that people must be produced within 48 hours to be charged in court for crimes they are alleged to have committed, but this was not the case before. People used to languish in detention for extensive and indefinite periods of time, without access to legal aid for redress and due process of law.

There have been a few cases of kidnapping in southern Bhutan in the last few years. Most of them occurred in Sarpang district. The kidnappers are alleged to be from across the border in India. Kidnappers were encouraged to continue their activities after a lukewarm response from security personnel on both sides of the border – in India and Bhutan – to investigating the kidnappings. The limited security arrangements in place at the southern borders are insufficient to quell future attempts at kidnappings and other crimes.

Efforts are underway to implement the existing rules that guarantee security of person. Much can be done to ensure a rapid response in times of violence against individuals, and to provide legal aid and settle cases for crimes committed against people.

As with so many aspects of life in Bhutan, data is scarce. Either such data are not collected or, if collected, such data are not made available for public consumption. Hence, data on such disappearances are mostly not shared in the public domain. One only hears about these cases on the grapevine. For instance, no one heard about the two Christian pastors who were sentenced to four years of imprisonment in 2014 on the grounds of illegal receipt of unauthorised funds from abroad and unauthorised assembly of people for viewing of a documentary. This was reported in the Religious Freedom Report (US State Department 2015). The pastors were released on bail in 2015, only after paying fines. In 2017 the Royal Bhutan Police have posted pho-

tographs on their website of 29 missing persons. It is possible that some of these missing persons are those absconding from the law.

## Participation

The constitution guarantees as a fundamental right the right to equal access and opportunity to join the public service and to practise any lawful trade, profession or vocation.

In terms of the participation of Lhotsampas in institutions, electoral events and bureaucracy, much has changed over the years. For instance, before the 1990s there were a substantial number of Lhotsampas who were recruited to the civil service and the armed forces. Between 1990 and 2008 this number decreased because many could not produce documents such as security clearances for the application process. Besides this, taking Lhotsampas into the armed forces may have been perceived as a risk to national security.

Since 2008 many Lhotsampas now enter service based on merit and not ethnicity. However, even now there are no Lhotsampas occupying senior executive posts. While the ruling governments try to balance out the ministerial portfolios based on regions and ethnicity, there are comparatively few Lhotsampa executives. There are two Lhotsampa ministers in the current ruling government. Among members of parliament, there are six who are from the Lhotsampa ethnic group out of a total of 47 currently representing their constituencies in the National Assembly (parliament). From the total 25 members of the National Council, only two are Lhotsampas. In the previous government there was only one serving Lhotsampa minister. There are no Lhotsampas in the post of secretary, which is the highest executive position in the civil service. There are around half a dozen Lhotsampas serving as directors or commissioners. There is only one Lhotsampa District Administrator (Dzongda) in a total of 20 districts. In terms of local government, 40 of the 205 County Executive Officers (Gups) are of Lhotsampa ethnicity. There are only a few Drangpons (judges) of Lhotsampa ethnicity in the judiciary. Since the language of the court in Bhutan is Dzongkha, the national language of Bhutan, most Lhotsampas are overlooked when it comes to nominations for the post of judge.

All adult citizens in Bhutan are eligible to cast their vote at the time of elections. Since 2008 Lhotsampas have not been discriminated against in terms of their right to cast their vote. However, it is estimated that there more than 10,000 persons of Lhotsampa ethnicity who as yet are not

### **Profile of a vulnerable community:**

#### **LGBT+ Community in Bhutan**

The LGBT+ community is an emerging entity in Bhutan. Though homosexuality among men has always been known of, for example among monks and in prisons, gay women were unacknowledged until recently. It was only a few years ago that LGBT+ people began to gain some attention in the media and consequently in society. The issues of LGBT+ people are still emerging because only a few have come out and declared their status; many have not, fearing societal stigmatisation and discrimination. There are currently 92 LGBT+ people who are registered members of an informal organisation called Rainbow Bhutan: Celebrating Diversity. The UNDP estimates there to be more; through mapping and size estimation helped by forthcoming individuals, they estimate that there are 9,105 men who have sex with men in Bhutan. Similar estimates regarding other members of the LGBT+ community are not available.

LGBT+ people are stigmatised in society. A commonly held perception about LGBT+ people is that they are abnormal. Due to this, most LGBT+ people in Bhutan are afraid to declare their sexuality. This discriminative attitude also translates to derogatory name calling and both physical and sexual violence towards LGBT+ people in Bhutan. Legislation is strongly biased towards LGBT+ people in Bhutan; Article 213 in Chapter 14 of the Penal Code of Bhutan states: 'A defendant shall be guilty of the offence of unnatural sex if the defendant engages in sodomy or any other sexual conduct that is against the order of nature.' Classified as a crime, same-sex sexual intercourse is punishable by a prison sentence from one month up to a year. As a result, LGBT+ people are compelled to exist as a 'hidden population' for fear of

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citizens. Many could not vote in the last elections in 2013 and many may not exercise this right in 2018, during Bhutan's third round of democratic elections. Besides the inability to vote, Lhotsampas without citizenship documents face immense difficulties travelling abroad and seeking jobs. In fact, they face many difficulties asserting their self-determination for a better and more fulfilling life in Bhutan. There have been efforts by the Department of Census and Immigration to collect data and information to establish the status of Lhotsampas without citizenship. However, as per constitutional provisions, His Majesty, the King of Bhutan holds the prerogative to award citizenship. Several batches of people received citizenship in the last couple of years from His Majesty, the King. There are still people in Bhutan still without citizenship. It is reported that more than 8,000 persons have now received citizenship from His Majesty, the King. It is not known how many of these recipients were Lhotsampas.

The constitution categorises all Lhotsampas as ‘citizens by registration’, implying that they were only conferred citizenship in 1958 because either they or their parents were domiciled in Bhutan and registered in the records of the government.

## Culture and Identity

The constitution entrusts the state to preserve, protect and promote the cultural heritage of the country by conserving and encouraging research on local arts, custom, knowledge and culture, to encourage free participation in the cultural life of the community. Further, the constitution permits the enactment of legislation necessary to advance the cause if it leads to the cultural enrichment of Bhutanese society. One of the domains of the Gross National Happiness framework is cultural diversity, but the government and GNH advocates did not, until recently, pursue the promotion of cultural diversity and resilience in the country. It is very difficult to identify any work on language or other cultural studies done on the Lhotsampa culture.

As described in earlier sections, Lhotsampas have a distinct culture, which gives them an identity built on their language, religion, customs, traditions and the feeling of being Lhotsampa. The period between 1990 and 2008 was a time when Lhotsampas could not practise their culture as desired. Although the right to practise religion, language and other aspects of culture is now being exercised, certain aspects of cultural deprivation still exist. For example, with the withdrawal of the Nepali language in schools, it is now taught in only two *Pathshalas* in southern Bhutan. The Nepali language is in a state of decay and decline in Bhutan. The current generation of Lhotsampa children cannot read and write in their own language any longer because there is no formal support for its teaching in schools. Parents could teach their children at home but many parents themselves are deficient in the written language. There is a concurrent stress on promoting the national language, Dzongkha, which suggests that the relegation of minority languages could lead to the assimilation of minority groups to the dominant culture within a few generations.

All Bhutanese citizens are expected to wear the national dress – the *gho* for men and the *kira* for women – when visiting government institutions and temples and when attending official functions. Otherwise, people are free to wear their ethnic dress. There is no objection to Lhotsampas wearing their ethnic dress during festivals and while participating in cultural programmes like music and dance. In official functions such as the National

... ... *Profile of a vulnerable community continued ...*

arrest or being blackmailed on the grounds of this law. As a small society where visibility can become pronounced, many LGBT+ people fear being in the spotlight and having to experience the stigmatisation that accompanies being the subject of talk and gossip.

In the last decade, there has been a shift in the strength of the group's self-mobilisation, as well as wide-ranging support from prominent personalities in Bhutanese society, which has been captured by the media. Some LGBT+ people have set up and are operating websites. In recent years several LGBT+ people have declared their sexuality in public. Media coverage has been increasing, through news articles, television interviews and posts on social media. LGBT+ people are participating in international and regional conferences and symposia to share their work in Bhutan. Article 213 of the Penal Code has been discussed occasionally in parliament with regard to its discrimination against a sexual minority, but no serious attempts have yet been made to amend the law. On the other hand, there have never been any convictions under the law. Donors both within the country and outside have been providing financial support for events to create public awareness and to enhance the visibility and acceptance of LGBT+ people in Bhutan.

Though the LGBT+ movement has started, therefore, it is still weak. No studies have yet been conducted to assess economic discrimination against LGBT+ people as a group, but they remain vulnerable to societal and legislative discrimination as well as to Sexually Transmitted Infections and HIV/AIDS. Education and awareness among the general public, as well as amendments to the law, will be determining factors for societal acceptance of LGBT+ people in Bhutan.

Day (17 December), a few Lhotsampa dances feature in the cultural programme. Schools also feature some Lhotsampa cultural entries such as songs and dances in their cultural programmes.

## **Non-discrimination and Equality (Socio-economic Rights)**

Under the Principles of State Policy in the Constitution of Bhutan (2008), there are several clauses guaranteeing socio-economic rights for all citizens. The first fundamental right enshrined in the constitution is that 'all persons shall have the right to life, liberty and security of person and shall not be deprived of such rights except in accordance with due process of law.' Also, article 8 states that 'inequalities of income and concentration of wealth will

be minimised', while article 11 entrusts the state with the 'responsibility to ensure all citizens secure an adequate livelihood, and for this if people are not capable, to institute capacity through the right to work, vocational guidance and training.' Further, article 14 ensures 'the right to fair and reasonable remuneration for one's work.'

The socio-economic situation of the Lhotsampas has particularly improved after the discontinuation of discriminatory procedures. Many Lhotsampas joined the private sector as employees in business firms or started their own, mostly small businesses. This was not necessarily due to any desire for a career in business. Many were compelled to enter the private sector because government jobs were not accessible to Lhotsampas who had been denied the Security Clearance Certificate. This is also the reason that a large number of Lhotsampas currently subsisting in the small-scale retail business sector. Earlier, a crime committed by a family member, whether alleged or convicted, was used to implicate all other family members when they applied for a Security Clearance Certificate. Currently, security clearances are issued on an individual basis and no adverse records of erring family members are transferred.

## **Income**

The discussion on income is addressed indirectly mainly because of the dearth of data and information. The approach adopted here is to ascertain economic status, here meaning poverty, by districts in Bhutan. The Poverty Analysis Report 2012 (National Statistical Bureau 2012) shows that while poverty rates in majority-Lhotsampa districts such as Tsirang and Sarpang are mid-range, the districts of Dagana and Samtse have higher rates of poverty. In fact, Samtse has among the highest poverty rates in the country. Of the total population of poor people in the country in 2012, 17% resided in Samtse. Likewise, Samtse had the highest proportion of poor and subsistence poor households. Reasons for high poverty rates in Samtse include the protracted period of closure of development works from the 1990s, as well as its high population and inaccessibility – to reach Samtse, travellers used to have to go through India. The road connecting Samtse in southern Bhutan with other places along the border has only recently been completed.

## **Employment**

The Constitution of Bhutan guarantees Bhutanese citizens the right to practise any lawful trade, profession or vocation. The constitution also states that Bhutanese citizens shall have the right to equal pay for work of equal value.

**Good practice case study:  
The Tarayana Foundation**

The Tarayana Foundation was founded in 2003 by Her Majesty the Queen Mother and launched by His Majesty the King. It was registered as a civil society organisation and has the status of a public benefit organisation. It is governed by a board of directors and guided by an executive committee, while its operations are executed by a Secretariat. The main objective of the Tarayana Foundation is to uplift and enhance the lives of vulnerable individuals and communities in Bhutan. Since 2003 the foundation has grown significantly – in strength of staff, in resources, and in the diverse programmes and activities that it implements among the poorest and most vulnerable sections of the country. It is one of the few CSOs that have partnered with the government for many development programmes, facilitated by their deep reach into the villages and their ability to respond rapidly and effectively to address community-level and community-articulated development needs.

The Lhops (also called Doya) are a small ethnic group living in four to five villages in the southwestern district of Samtse, among the foothills of southern Bhutan. They are considered to be the indigenous people of Bhutan. The Lhops have a distinct language, religion and culture, and follow unique customs and traditions. Owing to their isolation and voicelessness, they have been left out of the development process and face a quality of life much lower than that of neighbouring communities. High infant mortality; disease; poor sanitation and hygiene practices; low economic capacity due to unsophisticated farming technology; and few economic opportunities all make this ethnic group very vulnerable.

Since 2005 the Tarayana Foundation has been working in the Lhop communities of Jigme, Singye, Wangchuk, Taba and Ramtoed, using a multi-pronged approach to address the development needs of the Lhops. In the area of education and capacity building, the foundation has been sponsoring children to study in schools by paying for their school uniforms, meal and travel allowances, and nominal fees paid to the school. It has also

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The Ministry of Labour & Human Resources carries out regular Labour Force Surveys, so data from the last ten years is available. Though data is not segregated by ethnicity, the data is again approached indirectly here by examining the incidence of unemployment by district – mainly in the southern districts. It must be clarified here that the gross population counts in the southern districts also include people of other ethnicities residing in the district. However, since more than 80% of the population in the southern districts are Lhotsampas, for the sake of comparison and discussion, the commentary will

consider these southern districts (Dagana, Tsirang, Sarpang and Samtse) as the ones inhabited by Lhotsampas in the southern districts.

A review of statistics shows that in 2014 four districts with predominantly Lhotsampa populations – namely Dagana, Tsirang, Sarpang and Samtse – together contained 1,376 of the total number of unemployed people in the country (9,174), which is 15% of the total. This is a decrease from previous years; in 2012 this number went as high as 25%. Data on the number of Lhotsampas employed by the government are not available. The number of Lhotsampas in the private and business sector is also not available, but it is observed that many Lhotsampas joined the business sector after the 1990s, as is evident in the number of small businesses, such as restaurants and retail shops, that are owned and operated by Lhotsampas.

## **Land and property**

The Land Act (2007) specifically mentions that the Royal family, individuals, families, government institutions, NGOs and religious organisations in Bhutan are authorised to own land.

The Constitution of Bhutan bestows to all Bhutanese citizens the right to own property. They are, however, barred from selling or transferring land or any immovable property to persons who are not citizens of Bhutan, except in keeping with laws enacted by parliament. Further, the constitution protects the right to property by acquisition or requisition, except for public purpose, and on payment of fair compensation in accordance with the provisions of the law.

Land is dear to all Bhutanese people. Only citizens can own land in Bhutan. Non-nationals are not permitted to hold land within Bhutan. The sole prerogative to grant land to Bhutanese people lies with His Majesty, the King of Bhutan. Many people with marginal or no land have been and continue to be granted land. There have been several resettlement programmes; the ones in the mid-1990s in the southern districts took place en masse, with settlers from throughout the country occupying the land of Lhotsampas who had left Bhutan for refugee camps. Officials from the government, the army or their relatives were allotted the best land. Many recipients of prime land were not necessarily landless. Further, periodic land measurements revealed that the land of many Bhutanese people was in excess of what was reflected in the land documents. Now, either the excess land of people from other parts of the country has been regularised

*...Good practice case study continued...*

provided scholarships for the tertiary education of a Lhop girl studying in India. The foundation has also invested in enhancing the capacity of Lhop people – mainly women – by training them in a range of skills, including house building, commercial and organic farming practices, tailoring and cloth weaving from nettles for women, and paper-making. By enhancing economic opportunities for Lhop people, the foundation has facilitated the forming of production groups for growing and marketing farm products such as cardamom, orange and vegetables. It has also provided microloans for small business activities. Self-help groups have also been formed in the communities to enhance participation in enterprise. Over 50 houses have been constructed thanks to facilitation and provision of CGI roofing material by the foundation. To enhance social cohesion, the foundation has organised the ‘Doya Way of Life Festival’ to create awareness of this little-known group. They have also established a Doya Community Radio to increase the dissemination of information in the communities.

Though the foundation has worked intensively with the Lhop people, it has also faced challenges in the process, mainly posed by the isolated nature of the communities and rugged terrain, which make service delivery difficult. Further, many programmes require behavioural changes on the part of the Lhop people; these take time and should not be forced on the Lhops. In spite of these challenges, much progress has been made; the Lhops are on their way to finding a place in the country’s development initiatives and many of the development issues that have confronted them so far are being addressed. All this has led to the Lhop people living a more wholesome and dignified life in the remote areas in which they live. One important lesson that can be learned from this case study is that challenges such as these can be overcome if all agencies involved in the development process, including organisations such as the Tarayana Foundation, and other stakeholders, such as government entities and the Lhop people themselves, all collectively contribute to the timely mobilisation of resources, constant communication, and reciprocal appreciation.

and made legal holding, or those with excess land have been allowed to re-purchase excess land.

Lhotsampa citizens, like other ethnic groups in the country, are free to purchase land and settle down in any part of the country. Lhotsampas, mainly those working away from their parents, have moved out from their traditional homeland in southern Bhutan and settled down in other parts of the country, including in Thimphu, the capital city of Bhutan. Many villagers from southern Bhutan migrated to urban centres in the 1990s, when it

was no longer secure to stay in their villages. While many returned, some have continued to live in urban areas having found new vocations.

## **Health**

The Constitution of Bhutan (2008) entrusts to the state the responsibility to provide free access to basic public health services providing both modern and traditional medicines. Also, the state is to endeavour to provide security in the event of sickness and disability or lack of adequate means of livelihood for reasons beyond one's control.

The health needs of the Bhutanese population are met through a tiered system of health facilities at the capital, district and county levels. This network of health facilities provides both preventive and curative services to all citizens, free of cost. For diseases that cannot be treated within the country due to lack of expertise or equipment, patients are referred to India for treatment at the government's cost. There are no distinctions in access and treatment, no matter what the citizen's ethnicity. Even people from India working on projects and private construction avail medical treatment and care free of cost, just like the rest of the Bhutanese population.

The southern districts together have six (19%) of the total number of hospitals and 42 (20%) county-based Basic Health Units. As such, the distribution of health facilities is as sufficient for catering to the population of each health facility's jurisdiction as it is in other parts of the country.

## **Education**

The Constitution of Bhutan (2008) entrusts to the state the responsibility of providing education for the purpose of improving and increasing the knowledge, values and skills of the entire population, with education being directed towards the full development of the human personality. Furthermore, the state is to provide free education to all children of school-going age, up to the 10th standard, and to ensure that technical and professional education is made generally available and that higher education is equally accessible to all on the basis of merit.

Primary education (up to class 10) is free for all citizens. The four districts inhabited by Lhotsampas have 117 (19%) schools out of a total of 620 schools in the country. Of the total 117 schools in southern Bhutan, 41 schools do not have road access, i.e. they are located in remote areas and are not connected with roads of any kind. School admission is no longer a

problem for Lhotsampa children, as long as they fulfil the age requirements (minimum six years of age). Samtse is one of the least reached districts in the country and is the cause of high rates of poverty in the country. Samtse is the district with the highest proportion of schools with student-teacher ratio more than 24 (the maximum class size) suggesting that schools may be inadequate or teachers may not be enough to distribute to all districts in the country.

## Conclusion and Recommendations

Bhutan is a mosaic of different ethnic groups, with around 21 different groups, identified mainly on linguistic profiles built from linguistic studies carried out in Bhutan. The number of ethnic groups, however, is provisional and can benefit from a more comprehensive study on ethnicity in Bhutan. The absence of any legislation in Bhutan on minorities as a category and their issues, including in the Constitution of Bhutan (2008), does not suggest that there are no minorities and that they do not have issues. Bhutan's recent history, particularly from the late 1980s to 2008, has seen a turbulent political period revolving around citizenship, rights and ethnicity, mainly concerning the Lhotsampas of southern Bhutan. The groups that currently face the most discrimination, therefore, are Christians and Lhotsampas. However, this discrimination often takes more subtle forms.

The following recommendations are proposed:

- A comprehensive study, including field research, is required to identify the various ethnic groups in the country so that the nuances of ethnicity might be documented and that groups who are distinct in their own right might not be agglomerated with other dominant ethnic groups, as is the case now. The outcome of such a study would be a useful contribution to the mapping of ethnic groups and hence the exploration of an important component of Bhutan's cultural heritage;
- The committees in the Bhutanese Parliament constituted to address social and economic issues need to be sensitised. Agencies should advocate and lobby with parliamentarians to encourage them in turn to advocate for legislation on minorities and minority issues;
- Minority issues are relevant and important to the Bhutanese context. Minorities and their issues need to be discussed and legislation enacted to ensure their protection. It is also necessary to bring about amendments to other legislation, namely the Civil Society Organisations Act (2007), to permit the registration of civil society organisations with

strong advocacy roles and to give CSOs more freedom to do advocacy work;

- There is no civil society organisation as yet registered to advocate for human rights in Bhutan. Now is the time for an entity such as this to apply, and for the government to approve its registration. Human rights advocates would be able to work towards protecting the rights of all the citizens of Bhutan and preventing discrimination; and
- It is recommended that data disaggregated by ethnicity be collected and made available in the public domain. Furthermore, public access to census data –which could be made dependent on researchers justifying their need for the data sets – would be most useful for social research.

## References

- Bodt, T. (2012). *The New Lamp: Clarifying the History, Peoples, Languages and Traditions of Eastern Bhutan and Eastern Mon*. Monpasang Publications.
- Capotorti, F. (1977). *Study on the Rights of Persons belonging to Ethnic, Religious and Linguistic Minorities*. UN Document E/CN.4/Sub.2/384/Add.1-7.
- Center for Bhutan Studies and GNH (Gross National Happiness) Research (2015). *A Compass Towards a Just and Harmonious Society: 2015 GNH Survey Report*.
- Chand, R. (2009). *Monpas of Bhutan: A Study of Tribal Survival and Development Response*. Bulletin of the Hiroshima University Museum.
- Chophel, S. (2008), 'Cultural Diversity and Resilience' in *Gross National Happiness Survey Findings*. pp. 148–169.
- Department of Culture (2016). *Draft Cultural Heritage Bill of Bhutan, 2016*.
- Dorji, J. (2003). *Lhop: A Tribal Community in South Western Bhutan and its survival through Time*.
- Dorji, J. (2011). 'Hen Kha: A Dialect of Mangde Valley in Bhutan', *Journal of Bhutan Studies* 24. 69–86.
- Giri, S. (2004). *The Vital Link – Monpas and Their Forests*. Thimphu, Bhutan: Center for Bhutan Studies.
- Gyeltshen, T. (2004). *Post-Zhabdrung Era Migration of Kurmedkha Speaking People in Eastern Bhutan*. Kanglung, Bhutan: Sherubtse College.
- Khan, B. U. and Rahman, M. M. (2009). *Protection of Minorities: A South Asian Discourse*.
- National Statistical Bureau (2012). *Poverty Analysis Report 2012*.
- Panikkar, K.A. (2005). 'Minorities in South Asia', Keynote address delivered to the work-

shop on the Condition of Minorities in South Asia, held in Delhi on 16-19 September 2005. Available at: <http://www.sacw.net/DC/CommunalismCollection/ArticlesArchive/knp15102005.html>

Phuntsho, Karma (2013). *The History of Bhutan*. New Delhi: Haus Publishing.

Royal Government of Bhutan (2008). *The Constitution of Bhutan*.

Royal Government of Bhutan (2004). *Penal Code of Bhutan*.

Sharma, B. D. (2005). *Lhops (Doya) of Bhutan: An Ethnography Account*. New Delhi: Akansha Publishing House.

US State Department (2015). *International Religious Freedom Report, Bhutan*.

Van Driem, G. (1994). *Language Policy in Bhutan*. University of Leiden.

Van Driem, G. (2004). 'Bhutan's endangered languages documentation programme under the Dzongkha Development Authority: The three rare gems', in Ura, Karma and Kinga, Sonam (eds.) *The Spider and the Piglet*. Thimphu: The Centre for Bhutan Studies.

Van Driem, G. (2014). *Language and Identity in Bhutan*. Druk Journal.

Wangdi, P. (2015). *Language Policy and Planning in Bhutan*. Dzongkha Development Commission.