

## **Nepal should stop its plan to deport Tibetans to India**

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The Asian Human Rights Commission (AHRC) is deeply concerned about the government of Nepal's plan to deport all Tibetans living in the country to India, without valid refugee certificates.

The government's plan is already in process. Mr Modraj Dotel, the spokesman of the Ministry of Home Affairs, confirmed to the media on September 11 that the government began screening the refugee status of over 100 Tibetan protesters recently detained and would deport those without proper documents. The government's new plan seems to aim at stopping almost daily protests by the Tibetan exiles in front of the Chinese embassy building in Kathmandu since the Chinese government crack-down on protesters in Tibet in March of this year.

Currently, more than 20,000 Tibetans live in Nepal. They have lived in the country peacefully for a long time, and have no history of causing conflict with the Nepali people even under the now-abolished monarchy with de facto protection. The newly established Democratic Republic of Nepal should not provide less protection to the Tibetan exiles than the monarchy did. Rather, more de facto protection should be provided to the Tibetans in a democratic spirit.

The AHRC is of the opinion that the government's plan is arbitrary by targeting all Tibetans without valid refugee certificates. The AHRC was also informed that the government has stopped issuing refugee identity cards to Tibetan refugees for more than 10 years. The government's move will most likely destroy the livelihood of many Tibetan exiles and force them to become separated from family members who do hold valid refugee documents.

Moreover, the government of Nepal should ensure the freedom of peaceful assembly, which is one of the fundamental human rights, to all persons in the country including Tibetans. The government has legitimate authority to handle protesters according to law in case these protests turn violent. However, according to the information the AHRC received, the Tibetan protesters have been holding peaceful protests as a way to raise their concern about the human rights situation in Tibet. The present government of Nepal, which is headed by the Communist Party of Nepal (Maoists), should appreciate the rights of the oppressed persons to protest.

The AHRC wants to remind the government that the abolishment of the monarchy and the creation of the Democratic Republic of Nepal is the product of many Nepali people who came out to the streets to protest and call for democracy. Many Nepali people residing abroad could also hold a series of peaceful solidarity protests outside the country to support the people's movement in Nepal. The government should guarantee the freedom of peaceful assembly of the Tibetans in the same way that the Nepali people's freedom of peaceful assembly is protected in many other countries.

The AHRC therefore strongly appeals to the government of Nepal to withdraw its plan to deport Tibetans without valid refugee certificates to India and allow those who wish to stay, to remain in the country. The government should also stop the harsh treatment of Tibetan protesters and guarantee their right to hold peaceful assembly and protests. The Tibetans should not be treated as aliens; in fact they are the people who need more protection by the new government. The victimization of Tibetans should not be allowed under any circumstances in the current political situation.

The AHRC also appeals to the United Nations High Commissioner for Refugees to positively intervene in this matter and encourage the government of Nepal to take humanitarian and democratic approaches

towards Tibetan exiles and to guarantee their stay in the country with the freedom of peaceful assembly.