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## 1999 Country Reports on Human Rights Practices

Released by the Bureau of Democracy, Human Rights, and Labor  
U.S. Department of State, February 25, 2000

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### BHUTAN

Bhutan is ruled by a hereditary monarch, King Jigme Singye Wangchuk, who governs with the support of a National Assembly and a Council of Ministers; there is no written constitution to protect fundamental political and human rights. Since ascending to the throne in 1972, the King has continued efforts toward social and political modernization begun by his father. In the last few years, Bhutan has rapidly improved services in education, health care, sanitation, and communications, with parallel but slower developments of the role of representatives in governance and decision making. In recent years, Bhutan has adopted some measures to transfer power from the King to the National Assembly. The judiciary is not independent of the King.

Approximately two-thirds of the government-declared population of 600,000 is composed of Buddhists with cultural traditions akin to those of Tibet. The Buddhist majority consists of two principal ethnic and linguistic groups: the Ngalongs of the western part of the country and the Sharchops of the eastern part of the country. The remaining third of the population, ethnic Nepalis, most of whom are Hindus, live in the country's southern districts. Bhutanese dissident groups claim that the actual population is between 650,000 and 700,000 and that the Government underreports the number of ethnic Nepalese in the country. The rapid growth of this ethnic Nepalese segment of the population led some in the Buddhist majority to fear for the survival of their culture. Government efforts to tighten citizenship requirements and to control illegal immigration resulted in political protests and led to ethnic conflict and repression of ethnic Nepalese in southern districts during the late 1980's and early 1990's. Tens of thousands of ethnic Nepalese left the country in 1991-92, many forcibly expelled. Approximately 97,000 ethnic Nepalese remain in refugee camps in Nepal and upwards of 15,000 reside outside of the camps in the Indian states of Assam and West Bengal. The Government maintains that some of those in the camps were never citizens, and therefore have no right to return. In 1998 the Government began resettling Buddhist Bhutanese from other regions of the country on land in southern districts vacated by the ethnic Nepalese now living in refugee camps in Nepal. A National Assembly resolution adopted in 1997 prohibits still-resident immediate

family members of ethnic Nepalese refugees from holding jobs with the Government or the armed forces. In early 1998, the Government implemented the resolution, and had dismissed 429 civil servants by November 1998, when implementation of the resolution was discontinued.

The Royal Bhutan Police, assisted by the Royal Bhutan Army, including those assigned to the Royal Body Guard, and a national militia, maintain internal security. Some members of these forces committed human rights abuses against ethnic Nepalese.

The economy is based on agriculture and forestry, which provide the main livelihood for 90 percent of the population and account for about half of the gross domestic product. Agriculture consists largely of subsistence farming and animal husbandry. Cardamon, citrus fruit, and spices are the leading agricultural exports. Cement and electricity are the other important exports. Strong trade and monetary ties link the economy closely to that of India. Hydroelectric power production potential and tourism are key resources, although the Government limits foreign tourist arrivals for reasons of lack of adequate tourist infrastructure and environmental concerns. Tourist arrivals are limited by means of pricing policies. Bhutan is a poor country. The gross national product (GNP) per capita is estimated to be \$470.

The Government significantly restricts the rights of the Kingdom's citizens, and problems remain in several areas. The King exercises strong, active, and direct power over the Government. Citizens do not yet have the right to change their government. The Government discourages political parties, and none operate legally. There were reports that security forces beat ethnic Nepalese refugees who entered the country to demonstrate. Arbitrary arrest and detention remain problems. Judges serve at the King's pleasure, and the Government limits significantly the right to a fair trial. Criminal cases and a variety of civil matters are adjudicated under a legal code established in the 17th century and revised and modernized in 1958 and 1965. In late 1998, the Government formed a special committee of jurists and government officials to review the country's basic law and propose changes. Programs to build a body of written law and to train lawyers are progressing. For example, the Government sends many lawyers to India and other countries for legal training. The Government limits significantly citizens' right to privacy. The Government restricts freedom of speech, the press, assembly, and association. The Government launched the country's first indigenous television service in June, modifying a ban on private television reception that had been in place since 1989. Citizens face significant limitations on freedom of religion. In July 1998, the Government initiated steps to renew negotiations with the Government of Nepal on procedures for the screening and repatriation of ethnic Nepalese in the refugee camps, and the two governments held a series of meetings during the second half of that year. After a 3-year hiatus, ministerial-level bilateral talks resumed in September. The Government restricts worker rights.

The Government claims that it has prosecuted government personnel for unspecified abuses committed in the early 1990's; however, public indications are that it has done little to investigate and prosecute security force officials responsible for torture, rape, and other abuses committed against ethnic Nepalese residents.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no confirmed reports of political or other extrajudicial killings during the year; however, there were press reports that a prisoner detained since 1997 died after he was tortured (see Section 1.c.). Human rights groups allege that Gomchen Karma, a Buddhist monk arrested in October 1997 during a peaceful demonstration in the eastern part of the country, was shot and killed by a government official. The Government stated that the shooting was accidental, that the official responsible has been suspended from duty and charged in connection with the incident, and that his case was being heard as of the end of 1998.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and abuse; however, human rights advocates state that in practice security forces ignore these provisions. There were reports that numerous ethnic Nepalese refugees attempting to return to the country were captured by security forces, beaten, and sent back across the border. Persons holding peaceful marches from India to Bhutan report that during the year, the police assaulted them, injuring several demonstrators, and then arrested and deported all of the marchers to Nepal (see Section 5). Instances of torture of ethnic Nepalese who attempted to return to the country occurred in 1996. Refugee newspapers published in Nepal allege that Nima Gyaltzen, a prisoner detained since 1997 without charge or trial in Zilnon Namgyeling jail in Thimphu, died after being subjected to torture during his incarceration. Amnesty International reported that 19-year-old Needup Phuntso was expelled from school in March 1998 and was tortured by members of the Royal Bhutanese police after his arrest in Thimphu in July 1998.

Refugee groups credibly claim that persons detained as suspected dissidents in the early 1990's were tortured by security forces, who also committed acts of rape. During those years, the Government's ethnic policies and the crackdown on ethnic Nepalese political agitation created a climate of impunity in which the Government tacitly condoned the physical abuse of ethnic Nepalese. The Government denies these abuses but also claims it has investigated and prosecuted three government officials for unspecified abuses of authority during that period. Details of these cases have not been made public, and there is little indication that the Government has adequately investigated or punished any security force officials involved in the widespread abuses of 1989-92. Human rights groups allege that a Buddhist monk arrested in October 1997, Thinley Oezor Kenpo, was tortured in custody in 1997. According to Amnesty International, Kenpo was one of 120 persons arrested for political reasons since 1997 who by December 1998 had been sentenced to up to 15 years in prison.

Prison conditions are reportedly adequate, if austere. In 1993 the International Committee of the Red Cross (ICRC) began a program of visits to prisons in the capital, Thimphu. In 1994 a new prison in Chemgang was opened. Together, these events contributed to a substantial improvement in conditions of detention over those that existed until a few years ago. Bhutanese human rights groups active outside the country maintain that prison

conditions outside of Thimphu remain oppressive.

The Government and the ICRC signed a new Memorandum of Understanding in September 1998, extending the ICRC prison visits program for another 5 years. During the same month, an ICRC team visited 54 inmates in Chemgang central jail and 127 inmates in Thimphu district jail. The ICRC conducted two prison visits during the year, as it has done for each of the past six years.

#### d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention remain problems. Under the Police Act of 1979, police may not arrest a person without a warrant and must produce an arrested person before a court within 24 hours of arrest, exclusive of travel time from place of arrest. Legal protections are incomplete, however, due to the lack of a fully elaborated criminal procedure code and to deficiencies in police training and practice. Incommunicado detention is known to occur. Incommunicado detention of suspected militants was a serious problem in 1991 and 1992, but the initiation of ICRC prison visits and the establishment of an ICRC mail service between detainees and family members has helped to allay this problem. Of those detained in connection with political dissidence and violence in southern areas in 1991-92, 1,685 were ultimately amnestied, 58 are serving sentences after conviction by the High Court, 9 were acquitted by the High Court, and 71 were released after serving prison sentences.

Four persons were arrested in February 1997 in Trashi and charged with involvement in seditious activities. They were convicted by the High Court and are currently serving prison sentences. Human rights groups allege that in July and August 1997, the Royal Bhutan Police (RBP) in and around Samdrup Jongkar town in the east arrested some 50 suspected supporters of a Bhutanese dissident group active outside the country. The Government states that only 16 persons were arrested during this period and that they have been charged with involvement in seditious activities and are awaiting trial. Many were said to be supporters of one-time Druk National Congress (DNC) and United Front for Democracy in Bhutan (UFD) leader Rongthong Kunley Dorji, who was arrested in India in April 1997, following the issuance of an extradition request by Bhutanese authorities. Dorji faces extradition proceedings in India and possible return to Bhutan to face charges of fraud, nonpayment of loans, and incitement to violence. The original Bhutanese extradition request included a third charge, "anti-national activities," but this was later dropped when it became clear that Indian law would preclude his extradition to face political charges. Human rights groups contend that the charges brought against Dorji are politically motivated and constitute an attempt by the government to suppress his prodemocracy activities. In June 1998 an Indian court granted Dorji bail, but placed restrictions on his movements. Dorji's extradition case still is pending in the Indian courts. According to an Amnesty International report released during the year, 30 persons were detained in 1998, most of them on suspicion of being members or supporters of the DNC.

Amnesty International (AI) has reported that some of those arrested are feared to be at risk of torture. Bhutanese human rights groups outside the country claim that the arrests, including those of several Buddhist monks, are aimed at imposing Ngalong norms on the eastern, Sharchop community, which has a distinct ethnic and religious identity. The Government denies that it has such a policy; many government officials, including both the former Head of Government, Foreign Minister Jigme Thinley, and the Chief Justice of

the High Court Sonam Tobgye, are Sharchops.

Persons holding peaceful marches from India to Bhutan charge that during the year, the police assaulted them, injuring several demonstrators, and then arrested and deported all of the marchers to Nepal (see Section 5). By one estimate, approximately 100 marchers were arrested and deported during the year. The Government acknowledged that 58 persons whom it described as "terrorists" were serving sentences at the end of 1998 for crimes including rape, murder, and robbery. It stated that a total of 134 persons were arrested in connection with the October 1997 disturbances in the east; of that number, more than one-half either had been tried and acquitted or had been released after serving short sentences.

Although the Government does not formally use exile as a form of punishment, many accused political dissidents freed under Government amnesties say that they were released on the condition that they depart the country. Many of them subsequently registered at refugee camps in Nepal. The Government denies this.

#### e. Denial of Fair Public Trial

There is no written constitution, and the judiciary is not independent of the King.

The judicial system consists of district courts and a High Court in Thimphu. Judges are appointed by the King on the recommendation of the Chief Justice and may be removed by him. Village headmen adjudicate minor offenses and administrative matters.

Criminal cases and a variety of civil matters are adjudicated under a legal code established in the 17th century and revised in 1958 and 1965. For offenses against the State, state-appointed prosecutors file charges and prosecute cases. In other cases, the relevant organizations and departments of government file charges and conduct the prosecution. Defendants are supposed to be presented with written charges in languages that they understand and given time to prepare their own defense. However, this practice is not always followed, according to some political dissidents. In cases where defendants cannot write their own defense, courts assign judicial officers to assist defendants. There were reports that defendants receive legal representation at trial, and that they may choose from a list of 150 government-licensed and employed advocates to assist with their defense; however, it is not known how many defendants actually receive such assistance. A legal education program is gradually building a body of persons who have received formal training in the law abroad. Village headmen, who have the power to arbitrate disputes, make up the bottom rung of the judicial system. Magistrates can review their decisions, each with responsibility for a block of villages. Magistrates' decisions can be appealed to district judges, of which there is one for each of the country's 20 districts. The High Court in Thimphu is the country's supreme court. Its decisions can be appealed to the King.

Defendants have the right to appeal to the High Court and may make a final appeal to the King, who traditionally delegates the decision to the Royal Advisory Council. Trials are to be conducted in open hearings; however, there are allegations that this is not always the case in practice.

Questions of family law, such as marriage, divorce, and adoption, are traditionally resolved according to a citizen's religion: Buddhist tradition for the majority of the

population and Hindu tradition for the ethnic Nepalese; however, the Government states that there is one formal law that governs these matters.

Some or all of the approximately 75 prisoners serving sentences for offenses related to political dissidence or violence, primarily by ethnic Nepalese during 1991-92, may be political prisoners.

On December 17, the King pardoned 200 prisoners to mark National Day; all reportedly were released. Among them were 40 persons convicted of "anti-national" offenses, including prominent ethnic Nepalese dissident and internationally recognized political prisoner Tek Nath Rizal. Tek Nath Rizal was arrested in 1988 in Nepal and extradited to Bhutan, where he was held in solitary confinement in Wangdiphodrang military prison until his 1992 conviction for "anti-national" crimes, including writing and distributing political pamphlets and attending political meetings. He was convicted under the 1993 National Security Act, although at the time of his conviction it had not yet been passed. However, a United Nations Human Rights Commission Working Group on Arbitrary Detention that visited the country in 1994 at the Government's invitation determined that Rizal had received a fair trial and declared his detention "not to be arbitrary."

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

There are no laws providing for these rights. The Government requires all citizens, including minorities, to wear the traditional dress of the Buddhist majority when visiting Buddhist religious buildings, monasteries, or government offices, and in schools and when attending official functions and public ceremonies. According to human rights groups police regularly conduct house-to-house searches for suspected dissidents without explanation or legal justification.

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Government restricts freedom of speech and of the press. The country's only regular publication is Kuensel, a government-run weekly newspaper with a circulation of 10,000. Bhutanese human rights groups state that government ministries regularly review editorial material and have the power to, and regularly do, suppress or change content. They allege that the board of directors nominally responsible for editorial policy is appointed by and can be removed by the Government. Kuensel, which publishes simultaneous editions in the English, Dzongkha, and Nepali languages, supports the Government but does occasionally report criticism of the King and Government policies in the National Assembly. Nepalese, Indian, and other foreign newspapers are available.

In 1989 the Government banned all private television reception and ordered that television antennas and satellite dishes be dismantled. Many homes in Paro and Thimphu nonetheless have satellite dishes and receive signals from international broadcasters. In June the Government introduced locally produced television service with the inauguration of the Bhutan Broadcasting Service. The service broadcasts 4 hours of programming daily: 2 hours of locally-produced programming in Dzongkha, and 2 hours of English-language programming produced outside of the country (such as from the British Broadcasting Corporation (BBC) and the Cable News Network (CNN)). Late in the year,

the Government began licensing cable operators to provide service in Thimphu and Paro. The Government radio station broadcasts each day in the four major languages (Dzongkha, Nepali, English, and Sharchop). The Government inaugurated the country's first Internet service provider, Druknet, in June.

English is the medium of instruction in schools and the national language, Dzongkha, is taught as second language. The teaching of Nepali as a second language was discontinued in 1990.

#### b. Freedom of Peaceful Assembly and Association

The Government restricts freedom of assembly and association. Citizens may engage in peaceful assembly and association only for purposes approved by the Government. Although the Government allows civic and business organizations, there are no legally recognized political parties. The Government regards parties organized by ethnic Nepalese exiles--the Bhutan People's Party (BPP) and the Bhutan National Democratic Party (BNDP)--as well as the Druk National Congress (DNC)--as "terrorist and anti-national" organizations and has declared them illegal. These parties do not conduct activities inside the country. They seek the repatriation of refugees and democratic reform.

#### c. Freedom of Religion

The Government imposes limits on freedom of religion. The Drukpa branch of the Kagyupa School of Mahayana Buddhism is the state religion. About two-thirds of the population practice either Drukpa Kagyupa or Ningmapa Buddhism. The Drukpa branch is practiced predominantly in the western and central parts of the country, which are inhabited mainly by ethnic Ngalongs (descendants of Tibetan immigrants who predominate in government and the civil service, and whose cultural norms have been declared to be the standard for all citizens). The Ningmapa school is practiced predominantly in the eastern part of the country, although there are adherents in other areas, including the royal family. Most of those living in the east are ethnic Sharchops--the descendants of those thought to be the country's original inhabitants. The Government subsidizes monasteries and shrines of the Drukpa sect and provides aid to about one-third of the Kingdom's 12,000 monks. The Government also provides financial assistance for the construction of Drukpa Kagyupa and Ningmapa Buddhist temples and shrines. In the early 1990's, the Government provided funds for the construction of new Hindu temples and centers of Sanskrit and Hindu learning and for the renovation of existing temples and places of Hindu learning. The Drukpa branch enjoys statutory representation in the National Assembly and in the Royal Advisory Council and is an influential voice on public policy. Citizens of other faiths, mostly Hindus, enjoy freedom of worship but may not proselytize. Under the law, conversions are illegal.

The King has declared major Hindu festivals to be national holidays, and the royal family participates in them. Foreign missionaries are not permitted to proselytize, but international Christian relief organizations and Jesuit priests are active in education and humanitarian activities. According to dissidents living outside of the country, the Government restricts the import into the country of printed religious matter; only Buddhist religious texts are allowed to enter.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Citizens traveling in border regions are required to show their citizenship identity cards at immigration check points, which in some cases are located at a considerable distance from what is in effect an open border with India. By treaty, citizens may reside and work in India.

Bhutan is not a signatory to the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol (See Section 5 regarding the ethnic Nepalese refugee situation).

The Government states that it recognizes the right to asylum in accordance with international refugee law; however, it has no official policy regarding refugees, asylum, first asylum, or the return of refugees to countries in which they fear persecution.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not yet have the right to change their government. Bhutan is a monarchy with sovereign power vested in the King. In June 1998, the King introduced term limits for his Council of Ministers and proposed measures to increase the role of the National Assembly in the formation of his Government. The National Assembly elected a new Council of Ministers and Government in July 1998 to a 5-year term. There are elected or partially elected assemblies at the local, district, and national levels, and the Government claims to encourage decentralization and citizen participation. Since 1969, the National Assembly has had the power to remove ministers, who are appointed by the King, but it has never done so. Political authority resides ultimately in the King and decisionmaking involves only a small number of officials. Major decisions are routinely made by officials subject to questioning by the National Assembly, but the National Assembly is not known to have overturned any decisions reached by the King and government officials.

Political parties do not exist legally, and their formation is discouraged by the Government as unnecessarily divisive. The Government prohibits parties established abroad by ethnic Nepalese (see Section 2.b.).

The National Assembly, established in 1953, has 150 members. Of these, 105 are elected by citizens, 10 are selected by a part of the Buddhist clergy, and the remaining 35 are appointed by the King to represent the Government.

The procedures for the nomination and election of National Assembly members are set out in an amendment to the country's Basic Law proposed by the King and adopted by the 73rd session of the National Assembly in 1995. It provides that in order to be eligible for nomination as a candidate for election to the National Assembly, a person must be a citizen of Bhutan, be at least 25 years of age, not be married to a foreign national, not have been terminated or compulsorily retired for misconduct from government service, not have committed any act of treason against the King, the people, and country, have no criminal record or any criminal case pending against him, have respect for the nation's laws, and be able to read and write in Dzongkha (the language, having different dialects in the eastern and western areas of the country, spoken by Bhutanese Buddhists).

Each National Assembly constituency consists of a number of villages. Each village is

permitted to nominate one candidate but must do so by consensus. There is no provision for self-nomination and the law states that " no person...may campaign for the candidacy or canvass through other means. " If more than one village within a constituency puts forward a candidate, an election is conducted by the district development committee, and the candidate obtaining a simple majority of votes cast is declared the winner. Individuals do not have the right to vote. Every family in a village is entitled to one vote in elections. The law does not make clear how a candidate is selected if none achieves a simple majority. It does state, however, that in case of a tie among the candidates in the election, drawing of lots shall be resorted to. The candidate whose name is drawn shall be deemed to be elected.

Human rights activists claim that the only time individual citizens have any involvement in choosing a National Assembly representative is when they are asked for their consensus approval of a village candidate by the village headman. The name put to villagers for consensus approval by the headman is suggested to him by district officials, who in turn take their direction from the central Government. Consensus approval takes place at a public gathering. There is no secret ballot, according to human rights activists.

The Assembly enacts laws, approves senior Government appointments, and advises the King on matters of national importance. Voting is by secret ballot, with a simple majority needed to pass a measure. The King may not formally veto legislation, but may return bills for further consideration. The Assembly occasionally rejects the King's recommendations or delays implementing them, but in general, the King has enough influence to persuade the Assembly to approve legislation that he considers essential or to withdraw proposals he opposes. The Assembly may question government officials and force them to resign by a two-thirds vote of no confidence. The National Assembly has never compelled any government official to resign. The Royal Civil Service Commission is responsible for disciplining subministerial level government officials and has removed several following their convictions for crimes including embezzlement.

In June 1998, the King issued a decree setting out several measures intended to increase the role of the National Assembly in the formation and dissolution of his Government. The decree, later adopted by the 76th session of the National Assembly, provided that all cabinet ministers are to be elected by the National Assembly and that the roles and responsibilities of the cabinet ministries were to be spelled out. Each cabinet minister is to be elected by simple majority in a secret ballot in the National Assembly from among candidates nominated by the King. The King is to select nominees for Cabinet office from among senior government officials holding the rank of secretary or above. The King is to award the portfolios of his ministers, whose terms will be limited to 5 years, after which they must pass a vote of confidence in the National Assembly in order to remain in office. Finally, the decree provided that the National Assembly, by a two-thirds vote of no confidence, can require the King to abdicate and to be replaced by the next in the line of succession. After adopting the decree, the National Assembly elected a new Cabinet of Ministers consistent with the decree. Human rights groups maintain that since only the King may nominate candidates for cabinet office, their election by the National Assembly is not a significant democratic reform. The King also removed himself as Chairman of the Cabinet of Ministers in 1998; Foreign Minister Jigme Thinley was elected to that position by the National Assembly for one year, and was replaced by Minister for Health and Education Sangay Ngedup in July.

Women are underrepresented in government and politics, although they have made small but visible gains. Three women hold seats in the National Assembly.

All major ethnic groups, including ethnic Nepalese, are represented in the National Assembly. There are 16 "southern Bhutanese" in the National Assembly.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no legal human rights nongovernmental organizations (NGO's) in the country. The Government regards human rights groups established by ethnic Nepalese exiles--the Human Rights Organization of Bhutan, the People's Forum for Human Rights in Bhutan, and the Association of Human Rights Activists - Bhutan--as political organizations and does not permit them to operate in the country. Amnesty International (AI) visited Bhutan in 1992 to investigate and to report on the alleged abuse of ethnic Nepalese. In late November 1998, AI again sent a delegation to the country; by year's end, it had not published a report on the visit.

ICRC representatives continue twice yearly prison visits, and the Government has allowed them access to detention facilities, including those in southern districts inhabited by ethnic Nepalese. The chairman and members of the United Nations Human Rights Commission Working Group on Arbitrary Detention made a second visit to the country in May 1996 as a follow-up to an October 1994 visit. In addition to meetings with government officials, members of the working group visited prisons and interviewed prisoners in Thimphu, Phuntsoling, and Samtse.

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Ongoing government efforts to cultivate a national identity rooted in the language, religion, and culture of the Ngalong ethnic group constrain cultural expression by other ethnic groups. In the 1980's and early 1990's, concern over rapid population growth and political agitation by ethnic Nepalese resulted in policies and abusive practices that led to the departure of tens of thousands of ethnic Nepalese, many of whom were expelled forcibly.

The Government claims that ethnic and gender discrimination in employment is not a problem. It claims that ethnic Nepalese fill 22 percent of government jobs, which is slightly less than their proportion of the total population. Bhutanese human rights groups active outside the country claim that ethnic Nepalese actually make up about 35 percent of the country's population and that the Government underreports their number. Women are accorded respect in the traditions of most ethnic groups; however, persistence of traditional gender roles apparently accounts for the low proportion of women in government employment. Exile groups claim that ethnic and gender discrimination is a problem.

#### Women

There is no evidence that rape or spousal abuse are extensive problems.

There are credible reports by refugees and human rights groups that security forces raped large numbers of ethnic Nepalese women in the southern area of the country in 1991 and 1992. According to Amnesty International, some women were said to have died as a result. In one independent survey of 1,779 refugee families, 26 percent of the respondents cited rape, fear of rape, or threat of rape as a prime reason for their departure from the country. The Government has denied these reports.

Rape was made a criminal offense in 1953, but that law had weak penalties and was enforced poorly. In 1993 the National Assembly adopted a revised rape act with clear definitions of criminal sexual assault and stronger penalties. In cases of rape involving minors, sentences range from 5 to 17 years. In extreme cases, a rapist may be imprisoned for life.

Women constitute 48 percent of the population and participate freely in the social and econo