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@Appeal for the Release of Tek Nath Rizal: Prisoner of Conscience

Tek Nath Rizal, a prisoner of conscience and a former member of the National Assembly and Royal Advisory Council, is spending his fourth year in prison in Bhutan. He was sentenced to life imprisonment on 16 November 1993, but granted a pardon by King Jigme Singye Wangchuck three days later. However, the pardon was made conditional on the Governments of Nepal and Bhutan resolving the problem of the southern Bhutanese refugees living in refugee camps in Nepal. In January 1994, he was transferred to Changang prison from Thimphu Central prison where he had been reportedly held in handcuffs. Amnesty International believes that he is a prisoner of conscience held for the peaceful exercise of his rights to freedom of expression and association and is calling for his immediate and unconditional release.

Tek Nath Rizal was sentenced to life imprisonment on 16 November 1993 by the High Court in Thimphu after a trial which lasted 10 months. He was found guilty of four out of nine offences under the Thrimshung Chhenpo (General Law of the Land) and the National Security Act 1992. The charges of which he was found guilty included treasonable acts against the Tsa-Wa-Sum (King, Country and People), attempts to create misunderstanding or hostility between Bhutan and friendly countries, and "sowing communal discord" between different communities in the Kingdom.

Tek Nath Rizal had been first arrested in 1988 after petitioning the King about alleged unfair practices adopted during the 1988 census operation, including retroactive application of the 1985 Citizenship Act. He believed that these practices would disenfranchise and bar from citizenship many Nepali-speaking people who had been living in southern Bhutan for generations. He was released after three days, after signing an agreement barring him from attending public functions and on condition that he left the capital, Thimphu. He was expelled from the Royal Advisory Council on grounds of spreading false allegations and inciting southern Bhutanese against the government. He went into exile in Nepal where, in 1989, along with other southern Bhutanese who had left the country, he set up the *People's Forum for Human Rights*. The organization distributed several leaflets and booklets on the situation in southern Bhutan. One of the booklets, *Bhutan: We Want Justice*, protested against the Bhutan Government's policy of driglam namzha or cultural integration, which attempted to impose the northern Bhutanese code of conduct throughout the country, including by imposing the wearing of Bhutan national dress (*gho* for men and *kira* for women) during official public activities.

"The great crime of the government at the moment is that it does not respect individual identity. A government is for the people. It is bound to respect individuals. The dress, the language, the religion are part of every man's individual identity. Bakhu (gho/kira) does not make a Bhutanese. The cowl does not make the monk. A Bhutanese does not become a lesser Bhutanese when he/she does not wear them.... Is it too difficult to understand that the Nepalese will not lose or gain his Bhutanese identity by wearing or not wearing Bakhu. Identity is something deeper than a piece of cloth you put on."

Bhutan: We Want Justice

Tek Nath Rizal was arrested again in Nepal in November 1989, along with Sushil Pokhrel and Jogen Gazmere, and handed over to the Bhutanese authorities. Ratan Gazmere, Vishwanath Chhetri and Bakti Prasad Sharma, who had assisted in the writing and distribution of the pamphlets, were also arrested at this time. All six men were said by the Bhutanese Government to have organized a campaign of civil disobedience, involving acts of violence, protesting against the government's policy of national integration. They were detained in solitary confinement at Wangdi Phodrang prison and were told that they were to be imprisoned for life. Tek Nath Rizal was made to wear shackles for 20 months until they were removed in October 1991.

Amnesty International adopted him and the five others as prisoners of conscience and repeatedly called for their immediate and unconditional release. The organization investigated all the information provided by the government as evidence for their involvement in violence and concluded that the individual violent crimes for which these six prisoners were held responsible were all committed in April - June 1990, six or more months after they were detained. It also examined the booklet *Bhutan: We Want Justice* and concluded that it did not contain threats of armed uprising against the state or the advocacy of violence. Amnesty International therefore continued to consider these six people as prisoners of conscience and urged that they be immediately and unconditionally released. Amnesty International was further concerned about their continuing incommunicado detention without charge or trial and the authorities' refusal at the time to disclose the precise place where they were being detained.

In December 1991 Ratan Gazmere, Bakti Prasad Sharma and Vishwanath Chhetri were released, shortly before an Amnesty International delegation visited the country. Jogen Gazmere and Sushil Pokhrel were also released in January 1992. However, Tek Nath Rizal, regarded by the government as the "ring-leader" responsible for the unrest in the southern part of the country remained in detention.

Tek Nath Rizal was born into a farming family in the village of Lamidara, Chirang district, southwestern Bhutan on 28 March 1947. He has two brothers and five sisters and is married and has three sons. He was educated at local schools to primary education level, but received no secondary school education. After leaving school he held various jobs before returning to his village two years later, to become a farmer and social worker. In 1975 he was chosen to represent the people in Lamidara Sub-Division in the National Assembly of Bhutan. He served for three consecutive terms from 1975 to 1984. While working as a public representative, the Royal Government of Bhutan also gave him an additional assignment from 1977 to 1985 as a labour recruiting officer for the Department of Trade and Industry.

In 1985 Tek Nath Rizal was unanimously elected as Royal Advisory Councillor to represent the southwestern part of Bhutan. He moved to Thimphu with his family. Soon after taking up his new post, he was appointed as a member of the judicial system in the High Court. In 1986 he was a member of the Royal Audit Commission when it carried out an audit exercise in various districts. During these investigations he played a key role in uncovering embezzlement of government funds in several districts.

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