HUMAN RIGHTS OF TIBETAN REFUGEES IN DHARAMSHALA SETTLEMENT
"HUMAN RIGHTS OF TIBETAN REFUGEES IN DHARAMSHALA SETTLEMENT"

Introduction

Tibetan refugees have settled in India by tens of thousands since 1959. Many of the refugees eventually put down new roots in agricultural and handicraft settlements established mainly in 1960s and 1970s in Southern India and other parts of the country. During this process of rehabilitation of the Tibetans in several places in India, Dharamshala in Himachal Pradesh in northern India was one of the places selected for the purpose. The Dharamshala settlement happens to be the headquarter of the Tibetan government in exile and the seat of His Holiness the Dalia Lama. The Dalai Lama’s vision of exile society took root in his new headquarter i.e. Dharamshala and he revitalized his small administration in almost five decades. Today there are about 8000 Tibetan refugees living in Dharamshala Municipal Committee Area.

A large Tibetan Community and the presence of traditional architectural designs drawn from Tibet have enhanced the charm of the area. During this period of five decades the Tibetan Government in exile has been successful to save both the Tibetans in exile and their cultural alike. Along with this economic development is promoted and the creations of Tibetan Education system is established to raise refugee children with full knowledge of their language, history, religion and culture. All this became possible with the support and humanitarian assistance provided by the Indian government. India has quietly shown its support for Tibetans' human rights and the benevolent policy of Government of India contributed a lot for the perseverance of Tibetans’ exceptional religion, culture, political and social identity which is under enormous threat even in their own country.
The Study

The present study is purely exploratory and evaluative in nature. The study is based on the responses of Tibetan refugees, administrative authorities of Central Tibetan Administration and Foreigner's Regional Registration Office at Dharamshala, District Kangra. The authorities were approached and persuaded to cooperate in the study. The language used for the present study was English because maximum numbers of them speak and understand English well. Exceptions occurred when interacting with old aged Tibetans and others who are familiar with their Tibetan language. In such settings the assistant was required.

Field work of this research was conducted among Tibetan refugees of the Dharamshala Settlement, Himachal Pradesh, as the research population was relatively large and dispersed or partially dispersed in urban settings, it was neither feasible nor desirable to contact all the Tibetans for the purpose of data collection. The study therefore was limited only to the Tibetan population accessible to researcher. The sample population constituted Tibetan subjects of all age group (above 18) who were available and showed keen interest in this study.

One of the objectives of the present investigation was to study the status of Tibetan refugees in Dharamshala Settlement and their awareness about Human Rights. To fulfill this objective following research methodology was used:

1. Method

The data pertaining to registration of Tibetan refugees' reason of migration, language spoken and written by them, family size, source of income, education facilities, medical facilities, awareness of Human Rights, awareness of human rights of refugees in exile etc. were to be collected. For this the information was collected by employing “Survey Method of Research”. Survey method is concerned with the present attempt to determine the status of the
phenomenon under investigation. Survey method gathers data from a relatively large number of cases at a particular time. It is not concerned with characteristics of individuals as individual. It is concerned with the generalized statistics that results when data are abstracted from a number of individual cases. It is essentially cross-sectional. It pictures a prevailing condition at a particular time.

2. Sample

The data were to be collected from the Tibetan subjects who had migrated from Tibet or were born in India after the migration of their parents. Out of 37 settlement of Tibetans in India, only one Settlement Dharamshala, the headquarter of Tibetan Government in exile and the seat of his Holiness Dalai Lama was selected. As per registration record about 8000 Tibetans are residing in Dharamshala Settlement. Out of this it was decided to have 500 subjects of the whole population as a sample.

The sample comprised of 500 Tibetan subjects out of which 165 Tibetans had migrated where as rest of the sample i.e. 335 Tibetans had been born in India to refugee parents. The distribution of the sample by age, gender and qualification wise is given in the following tables:

6.1 Age-wise Distribution of the Sample

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Age-Group (In-Year)</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>18-35</td>
<td>321</td>
<td>64.2</td>
</tr>
<tr>
<td>2.</td>
<td>35-60</td>
<td>125</td>
<td>25.0</td>
</tr>
<tr>
<td>3.</td>
<td>Above 60</td>
<td>54</td>
<td>10.8</td>
</tr>
</tbody>
</table>
6.2 Gender-wise Distribution of the Sample

Table - 6.2

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Category</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Male</td>
<td>299</td>
<td>59.8</td>
</tr>
<tr>
<td>2.</td>
<td>Female</td>
<td>201</td>
<td>40.2</td>
</tr>
</tbody>
</table>

6.3 Qualification-wise distribution of the Sample

Table - 6.3

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Qualification</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Illiterate</td>
<td>42</td>
<td>804</td>
</tr>
<tr>
<td>2.</td>
<td>Primary</td>
<td>45</td>
<td>09.0</td>
</tr>
<tr>
<td>3.</td>
<td>Matric</td>
<td>90</td>
<td>18.0</td>
</tr>
<tr>
<td>4.</td>
<td>10+2</td>
<td>151</td>
<td>30.2</td>
</tr>
<tr>
<td>5.</td>
<td>Graduate</td>
<td>116</td>
<td>23.2</td>
</tr>
<tr>
<td>6.</td>
<td>Post - Graduate</td>
<td>39</td>
<td>07.8</td>
</tr>
<tr>
<td>7.</td>
<td>Others*</td>
<td>17</td>
<td>03.4</td>
</tr>
</tbody>
</table>

- Medical Doctors, Administrator, Engineers, Social Workers, Computer Programmer, Journalist etc.

3. Tools

To collect the relevant information related to the attainment of the objective of the study following tools were used:

i) Questionnaires for Tibetan Subjects

ii) Interview Schedule for Illiterate Tibetan Subjects, Tibetan Settlement Officer, Spokes of Tibetan Centre for Human Rights and Democracy, Spokes Person of Central Tibetan Administration, Director of Tibetan Reception Centre at Dharamshala and Assistant Superintendent of Police, Kangra at Dharamshala.

iii) Observation Schedule.
Development of the Questionnaire for Tibetan Subjects.

The questionnaire developed for the Tibetan Subjects consisted of three parts:

Part (A) dealt with the data pertaining to age, gender, and qualification, Part (B) dealt with the status of Tibetans in terms of their reasons for migration, languages spoken and written by them, family size, sources of income, monthly income, education facilities and medical facilities being provided to Tibetans. Part (C) consisted of the items which related to the awareness of Tibetans about various human rights provided to them in India, the human rights spelled out in International Convention on the status of refugees and how far they are successfully availing these rights in India.

The items related to the above components were framed by the investigator herself. The items so framed were shown to the members of the faculty and language experts. Their suggestions were incorporated and the items which were not as per the objectives of the study were dropped. The final format of the questionnaire consisted of 25 items.

Development of the Interview Schedules

3.2 (a) Interview Schedule for illiterate Tibetans

The questionnaire developed for the literate Tibetans was used as the interview schedule for the illiterate Tibetan refugees as they could not respond to it in black and white. The items were read by the investigator or translated to them and the responses were recorded by the investigator or translator.

3.2 (b) Interview Schedule for the Tibetan Settlement Officer

The information was to be verified from the Tibetan Settlement Officer, who is responsible for maintaining the records of Tibetan population pertaining to, new arrival, returnees and the welfare of Tibetans in the Dharamshla settlement. The
interview schedule consisted of 10 items out of which 06 Open ended and 04 close ended.

3.2 (c) Interview Schedule for the Spokes Person of TCHRD

The information was to be verified from the Director of TCHRD, as the Tibetan Centre for Human Rights and Democracy has for many years monitored and reported on the human rights situation of Tibetan and through its reports and publications has kept the world informed of the gross human rights violations taking place in Tibet. The total interview schedule consisted of 09 Items out of which 03 open ended and 06 close ended.

3.2 (d) Interview Schedule for Director of Tibetan Reception Centre at Dharamshala:

The information was to be verified from the director of Tibetan Reception Centre, which is responsible for the records of recently arrived Tibetans in Dharamshala Settlement and to cater to the needs of new refugees arriving for Tibet. The total interview schedule consisted of 09 Items out of which 06 open ended and 03 close ended.

3.2 (e) Interview Schedule for ASP Kangra

The information was to be verified from the Superintendent of Police, district Kangra at Dharamshala. As the office of Superintendent of Police, Kangra is also the foreigner’s registration office, which kept the record of registration of Tibetan in settlement, issue them identity papers, permit them to stay in settlement etc. The total interview Schedule consisted of 08 items out of which 07 opened and 01 were close ended.
(f) Interview Schedule for Spokes Person of Tibetan Central Administration (CTA)

The information was to be verified from the Spokes – person of Central Tibetan Administration. This is responsible for the rehabilitation of Tibetan refugees, monitoring and handling cultural and political affairs through its various department, etc., and restoring the freedom of Tibet. The interview schedule consists of 09 items out of which 06 open ended and 03 were close ended.

Analysis and Interpretation of Data

In the present study, a vivid description of data collected with the help of the questionnaires, interview schedule and observation schedule is presented. To draw proper inferences, collected data were converted into percentage form and the analysis and interpretation of the data are given as under:-

Reasons for Migration

The responses pertaining to the reasons for migration given by the subjects of the sample are given in Table 6.4 and figure No. 6.1 as under:-

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Reasons for Migration</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Political</td>
<td>40</td>
<td>24.2</td>
</tr>
<tr>
<td>2.</td>
<td>Social</td>
<td>06</td>
<td>03.6</td>
</tr>
<tr>
<td>3.</td>
<td>Religious</td>
<td>54</td>
<td>32.7</td>
</tr>
<tr>
<td>4.</td>
<td>Economic</td>
<td>05</td>
<td>03.0</td>
</tr>
<tr>
<td>5.</td>
<td>Any Other</td>
<td>22</td>
<td>13.3</td>
</tr>
<tr>
<td></td>
<td>More than one reason mentioned in above S. No. i.e. (1) (2) (3) (4) &amp; (5)</td>
<td>38</td>
<td>23.0</td>
</tr>
</tbody>
</table>
From the above table 6.4 and figure No.6.1, it is evident that 24.2 percent of respondents gave political reason 3.6 percent social reason 32.7 percent religious reason 3.0 percent economic reason and 13.3 percent other reasons for their migration to India. 23.0 percent respondents mentioned more than one reasons for their migration.

From this it can be said that religious reasons followed by political and more than one reasons mentioned by the respondents were the main reasons for the migration of Tibetans to India. Any other reasons responsible for the migration of Tibetans in India were cultural genocide, poor and bleak education opportunities, atrocities committed by Chinese, torture, imprisonment, religious education, wish to seek blessings of His Holiness the Dalai Lama etc. Social and Economic reasons were the reasons which were not significantly responsible for their migration.
CHAPTER VI

Main Temple of His Holiness Dalia Lama in Dharamshala

Refugees waiting to seek blessing of His Holiness the Dalia Lama

Refugees practice and profess their religion freely

Refugees monks seeking religious education

An aged monk enjoying right to life in India

Refugees children getting education in tibetan school
Languages Spoken by Respondents

The distribution of the sample on the basis of languages spoken by respondents is given in Table 6.5 and figure No. 6.2 as under.

Table 6.5
Languages Spoken by Respondents

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Languages Spoken</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Tibetan</td>
<td>17</td>
<td>3.4</td>
</tr>
<tr>
<td>2.</td>
<td>Tibetan &amp; English</td>
<td>119</td>
<td>23.8</td>
</tr>
<tr>
<td>3.</td>
<td>Tibetan, English &amp; Hindi</td>
<td>350</td>
<td>70.0</td>
</tr>
<tr>
<td>4.</td>
<td>Tibetan, English, Hindi &amp; Chinese</td>
<td>06</td>
<td>1.2</td>
</tr>
<tr>
<td>5.</td>
<td>Tibetan, English, Hindi &amp; other</td>
<td>08</td>
<td>1.6</td>
</tr>
</tbody>
</table>

Figure 6.2
Languages Spoken by Respondents
From the Table 6.5 and figure No. 6.2, it is evident that 70.0 percent of respondents spoke Tibetan, English and Hindi, which is highest fraction in this study followed by 23.8 percent, fluent in Tibetan and English while 3.4 percent were fluent in Tibetan only. 1.6 percent spoke Tibetan, English and Hindi and other languages also. Rest of 1.2 percent respondents spoke in Chinese along with English, Tibetan and Hindi.

The above study indicates that vast majority of respondents were trilingual, and a small majority and by lingual. A very small fraction in this study is fluent in Tibetan only. As per the responses the other languages they could speak were Kannada, French, Ladakhi and Nepali.

Languages Written by Respondents

The distribution of the sample on the basis of language which respondents could write is given in Table 6.6 and figure No. 6.3 as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Writing of Languages</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Tibetan</td>
<td>32</td>
<td>6.4</td>
</tr>
<tr>
<td>2.</td>
<td>Tibetan &amp; English</td>
<td>385</td>
<td>77.0</td>
</tr>
<tr>
<td>3.</td>
<td>Tibetan, English &amp; Hindi</td>
<td>36</td>
<td>07.2</td>
</tr>
<tr>
<td>4.</td>
<td>Tibetan, English, Hindi &amp; other</td>
<td>05</td>
<td>01.0</td>
</tr>
<tr>
<td>5.</td>
<td>Illiterate</td>
<td>42</td>
<td>08.4</td>
</tr>
</tbody>
</table>
From the above Table 6.6 and figure No. 6.3, it is evident that 77.0 percent of respondents could write in Tibetan and English followed by 7.2 percent who could write in Tibetan English and Hindi. 6.4 percent write in Tibetan only. The smallest fraction of this sample i.e. 1.0 percent could write in other languages alongwith Tibetan, English and Hindi. 08.4 percent respondents were not in opposition to write they were illiterate.

The above study reveals that majority of respondents could write in English and Tibetan only, while small fraction of them was good to write in other languages like Kannada, French and Nepali.

**Family Size of the Respondents**

The distribution of the sample on the basis of family size of respondents is given in Table 6.7 and figure No. 6.4 as under:


Table 6.7 and figure No. 6.4, throws light on the size of the families of the Tibetan refugees in the settlement. It was found that 49.6 percent of respondents had 5 to 10 members of the family. 39.0 percent were having less than five member of the family, 2.2 percent of them were having more than ten members of the family and 9.2 percent did not respond on this items.

The above study indicates that the respondents had families of different sizes i.e. one to four members or five to ten members respectively.
6.8 Sources of Income of Respondents

The distribution of the sample on the basis of source of income of respondents given in the Table No. 6.8 and figure No. 6.5 as under:

**Table No. 6.8**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Source</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Trading / Business</td>
<td>189</td>
<td>37.8</td>
</tr>
<tr>
<td>2.</td>
<td>Manufacturing</td>
<td>74</td>
<td>14.8</td>
</tr>
<tr>
<td>3.</td>
<td>Service Sector</td>
<td>154</td>
<td>30.8</td>
</tr>
<tr>
<td>4.</td>
<td>Others</td>
<td>55</td>
<td>11.0</td>
</tr>
<tr>
<td>5.</td>
<td>Stipends (Provided by Welfare office of CTA)</td>
<td>28</td>
<td>05.6</td>
</tr>
</tbody>
</table>

**Figure - 6.5**

Sources of Income of Respondents

The above Table 6.8 and figure No. 6.5 reveal that 37.8 percent respondents’ source of income was trading and business followed by 30.8 percent respondents in Service Sector, 14.8 percents in manufacturing
activities and 11.0 percent in other small occupations. Rest of 5.6 percents were getting stipend through the welfare office of the Central Tibetan Administration in exile.

The study indicates that most common source of income of the respondents was business or trading, and one of the good section of respondents was engaged in service sector i.e. working as school teachers, health workers, cooperative employees, working in different departments of Central Tibetan Administration as well as engaged in private services and some of them earned their livelihood from manufacturing activities i.e. from carpet weaving, handicrafts, Handmade paper, metal carving, making of thangka paintings, greeting cards etc.
CHAPTER - VI

Manufacturing unit of carpet in Tibetan Settlement

Tibetan Refugees, manufacturing carpets (1)

Tibetan Refugees women manufacturing carpets (2)

Tibetan refugees women working in carpet weaving unit

366
Handicraft items made by Tibetan refugees

Metal items made by Tibetan refugees

Wooden items made by Tibetan refugees

Tibetan refugees working on Thangka Painting
CHAPTER VI

Painting of Buddha made by Tibetan refugee

Refugee women tailoring cloths in settlement

Tibetan women making livelihood from a small petty shop

Traditional Tibetan Jewellery for sale
6.9 Monthly income of Respondents

The responses of Tibetan subject about the monthly income of respondent in the settlement are given in the Table No. 6.9 and figure No. 6.6 as under:

Table No. 6.9
Monthly income of Respondents

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Income</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Below 5000</td>
<td>287</td>
<td>57.4</td>
</tr>
<tr>
<td>2</td>
<td>5000 – 10,000</td>
<td>161</td>
<td>32.2</td>
</tr>
<tr>
<td>3</td>
<td>Above 10,000</td>
<td>24</td>
<td>04.8</td>
</tr>
<tr>
<td>4</td>
<td>No Comment</td>
<td>28</td>
<td>05.6</td>
</tr>
</tbody>
</table>

Figure – 6.6
Monthly income of Respondents

The table 6.9 and figure No. 6.6 shows that 57.4 percent were having monthly income below 5000 per month, 32.2 percent were having income between 5000–10,000 per month and only 04.8 percent were having their
monthly income more than 10,000 per month. However, 05.6 percent respondents did not respond on this.

From this it may be said about half of the Tibetan population earn up to Rs. 5000 per month and a good percentage of them earn up to 10,000 only.

6.10 Income Sufficient to fulfill basic needs

Tibetan refugees in India are occupied in various works of life. The responses of the Tibetan subjects about the income sufficient to fulfill their basic needs are given in table 6.10 and figure No. 6.7 as under:

Table No. 6.10
Income Sufficient to fulfill basic needs

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>261</td>
<td>52.2</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>217</td>
<td>43.4</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>22</td>
<td>04.4</td>
</tr>
</tbody>
</table>

Figure - 6.7
Income Sufficient to fulfill basic needs
From the Table 6.10 and figure No. 6.7 it is evident that 52.2 percent of the respondents were found satisfied with their income to fulfill the basic needs of life and 43.4 percent were not satisfied with their income. 04.4 percent were respondent did not respond to this items.

From this it can be said that half of the Tibetan refugees were satisfied with their income to fulfill their basic needs while some of them were of the view that in the time of inflation their income is not sufficient to fulfill their basic needs.

6.11 Loan facilities being availed

The responses of Tibetan subjects about loan facilities being availed is given in Table 6.11 (A) and figure 6.8 as under:

**Table 6.11 (A)**
Loan Facilities being availed

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>121</td>
<td>24.2</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>298</td>
<td>59.6</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>81</td>
<td>16.2</td>
</tr>
</tbody>
</table>

**6.11 (B)**
Institution financing the respondents

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>State Bank of India</td>
</tr>
<tr>
<td>2.</td>
<td>Punjab National Bank</td>
</tr>
<tr>
<td>4.</td>
<td>UCO Bank</td>
</tr>
<tr>
<td>5.</td>
<td>HDFC Bank</td>
</tr>
<tr>
<td>6.</td>
<td>ICICI Bank</td>
</tr>
</tbody>
</table>
above table 6.11 (A) and Figure No. 6.8 indicates that out of the respondents 24.2 percent of the respondents had availed the loan facility from financial institutions mentioned in the Table 6.11 (B) as under further 59.6 percent of the respondents did not availed this opportunity and reasons given were that there are so many formalities which had to be fulfill by the applicant like:

i) Residence permit,
ii) Registration Certificate
iii) Local Address
iv) Indian Referee
v) Verification of genuines by Tibetan Welfare Office, etc.

While 16.2 percent did not comment on this items.

The study indicates that small proportion of Tibetan is availing loan facilities from different financial institutions whereas large proportion has not availed loan facility.
6.12 Awareness about Educational Institutions being run by Tibetan Government in Exile.

The responses of Tibetan subjects about their awareness regarding educational institutions being run by Tibetan Government in exile is given in Table 6.12 and figure No. 6.9 as under.

**Table - 6.12**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>497</td>
<td>99.4</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>03</td>
<td>00.6</td>
</tr>
</tbody>
</table>

**Figure - 6.9**

Awareness about Educational Institutions being run by Tibetan Government in Exile.

Above Table 6.12 and figure No. 6.9 reveal that 99.4 percent respondents were found aware about the educational institutions being run by the Tibetan Government in exile, while 0.6 percent were not found aware as they did not respond.

The respondents who were found aware mentioned the following educational institutions being run by Tibetan Government in exile.
i) The Tibetan Medical and Astro Institute in Dharamshala.
ii) The Library of Tibetan Works and Archives (LTWA) in Dharamshala.
iii) The Tibetan Institute of Performing Arts (TIPA) in Dharamshala.
v) Sarah College of Higher Tibetan Studies in Dharamshala.
vi) Senior Secondary School (Upper TCV School)
vii) Senior Secondary School (Lower TCV School)
viii) Norbulingka Institute for Tibetan Culture in Dharamshala
6.13 Satisfaction with the educational facilities provided by Government of India/Private Agencies

The responses of Tibetan subjects about their satisfaction with the educational facilities provided by Government of India/private agencies are given in the Table 6.13 and figure 6.10 as under:

**Table - 6.13**
Satisfaction with the educational facilities provided by Government of India/Private Agencies

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>467</td>
<td>93.4</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>07</td>
<td>01.4</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>26</td>
<td>05.2</td>
</tr>
</tbody>
</table>

**Figure - 6.10**
Satisfaction with the educational facilities provided by Government of India/Private Agencies

Above Table 6.13 and figure No. 6.10 indicates that the 93.4 percent of the respondent were satisfied with the educational facilities provided by Indian government and private agencies respectively while 01.4 percent was not satisfied and rest of 05.2 percent did not respond on this item.
The study reveals that Tibetan refugees in India are satisfied with the education facilities provided to them by government of India and private agencies to their ward. Only a meager numbers who were dissatisfied said that they are considered as a foreigner, there is no provision of teaching Tibetan language to Tibetan students in public schools and there is no provision of reservation for Tibetans in Higher Studies in India.

6.14 Satisfaction with the Medical facilities Provided by Indian Government:

The responses of Tibetan subjects about their satisfaction with the medical facilities provided by Indian government are given in Table 6.14 and figure No. 6.11 as under:

Table 6.14
Satisfaction with the Medical facilities Provided by Indian Government

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>487</td>
<td>97.4</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>13</td>
<td>02.6</td>
</tr>
</tbody>
</table>

Figure – 6.11
Satisfaction with the Medical facilities Provided by Indian Government
The above Table No. 6.14 and figure No. 6.11 indicates that majority of the respondents were found satisfied with the medical facilities provided by Government of India to them i.e. 97.4 percent and rest of 02.6 percent did not respond on the same.

The above study reveals that Tibetan refugees in India are provided with the right to health and medical care. Most of them are satisfied with the medical facilities provided to them by Indian government.

6.15 Awareness about Human Rights

The responses of Tibetan subject about the awareness about human rights are given in table 6.15 and figure No. 6.12 as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>412</td>
<td>82.4</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>67</td>
<td>13.4</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>21</td>
<td>04.2</td>
</tr>
</tbody>
</table>

Publications of TCHRD to aware Tibetan refugees about their Human Rights
The above table 6.15 and figure No. 6.12 shows that 82.4 percent were aware about human rights 13.4 percent were aware of the human rights. Rests of the 17.6 percent of the respondents were not found aware of the human rights. As 13.4 percent respondents responded 'No’ and 04.2 percent even not responded.

It is found in the study that majority of Tibetan refugees are aware about their human rights.

6.16 Awareness about Refugees Human Rights Under Indian Constitution

The Indian Constitutions provides some of the fundamental rights to all persons including refugees. Responses of the Tibetan subjects regarding the awareness about refugee’s Human Rights under Indian Constitution are given in Table 6.16 and figure No. 6.13 as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses (Regarding knowledge about Human Rights)</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>397</td>
<td>79.4</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>35</td>
<td>07.0</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>68</td>
<td>13.6</td>
</tr>
</tbody>
</table>
Above table 6.16 and figure No. 6.13 reveals that out of total respondents, 79.4 percent were found aware about refugee’s human rights under Indian constitution and 7.0 percent were not aware, 13.6 percent had no idea about human rights for refugees under Indian Constitution.

It is found that majority of Tibetan refugees are aware of the human rights provided to them in the Part – III of the Indian Constitution. They mentioned almost all the rights available to them in India.

6.17 Awareness about human Rights for refugees spelled out in 1951 Convention on the Status of Refugees

The responses of Tibetan subjects regarding the human rights for refugees spelled out in 1951 Convention on the Status of Refugees is given in Table 6.17 and figure No. 6.14 as under:
The above Table 6.17 and figure No. 6.14 indicates that 56.6 percent of the respondents were aware of human rights for refugees spelled out in 1951 convention on the status and rights of refugees. 29.0 percent were not aware of these. While 14.4 percent of them did not responds.

It is found that more than half of refugees are aware of human rights for refugees spelled out in the 1951 Convention on the Status of refugees and they narrated some of the rights mentioned in the convention i.e. right to non-discrimination in respect of race, religious or country of origin, right to live with human dignity, right to profess / practice their religion, right to travel, right to education, right to medical
facility, right to shelter, right not be to expelled, right to have identity papers etc.

6.18 Violation of Human Rights at the place of domicile (in exile)

The responses of Tibetan subjects about the violation of Human rights at the place of domicile (in exile) are given in Table 6.18 and figure No. 6.15 as under:

**Table No. 6.18**

Violation of Human Rights at the place of domicile (in exile)

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>37</td>
<td>07.4</td>
</tr>
<tr>
<td>2.</td>
<td>No</td>
<td>418</td>
<td>83.6</td>
</tr>
<tr>
<td>3.</td>
<td>No comment</td>
<td>45</td>
<td>09.0</td>
</tr>
</tbody>
</table>

**Figure - 6.15**

Violation of Human Rights at the place of domicile (in exile)

The above Table 6.18 and figure No. 6.15 shows that 7.4 percent respondents were of the view that there is violation of human right to their place of domicile which is a very small number in this study. 83.6 percent of the respondents were of the view that there is no violation of their human rights. While 9.0 percent did not respond.
It is concluded that majority of respondents were contented with the rights provided to them and they stated that there is no violation of human rights.

6.19 **Awareness about Redressal Machinery in India**

The responses of Tibetan subjects regarding the awareness about the redressal machinery in India and further on the basis of the satisfaction of the respondents is given in Tables 6.19 (A), 6.19 (B) and figure No. 6.16 and 6.17 respectively as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Responses</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yes</td>
<td>319</td>
<td>63.8</td>
</tr>
<tr>
<td>2</td>
<td>Not aware</td>
<td>158</td>
<td>31.6</td>
</tr>
<tr>
<td>3</td>
<td>No comment</td>
<td>23</td>
<td>04.6</td>
</tr>
</tbody>
</table>
Above Table 6.19 (A) and figure No. 6.16 reveals that 63.8 percent of the respondents were aware of redressal machinery working in India while 31.6 percent were did not had the knowledge and rest of 19.1 percent did not respond.

In Table 6.19 (B) and figure No. 6.17 it is found that among the respondents who were aware to redressal machinery working in India, 80.8 percent were found satisfied with the redressal machinery working in India only a meager number of them were not satisfied i.e. 19.1 percent. They specified the reasons: that there is prolonged judicial process, the delay of justice, no accountability, biased attitude towards Tibetan refugees, non – cooperative behaviour of police etc.

It was found from the above study that in case of any violation of human rights, there is effective redressal machinery in India.
6.20 Evaluation of existing Legal framework Governing the Human Rights of Refugees in India

The responses of the Tibetan subjects about the existing legal framework governing the human rights of refugees in India is given in Table 6.20 and figure No. 6.18 as under:

Table 6.20
Evaluation of existing Legal framework governing the Human Rights of Refugees in India

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Response</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Satisfied</td>
<td>413</td>
<td>82.6</td>
</tr>
<tr>
<td>2.</td>
<td>Dissatisfied</td>
<td>39</td>
<td>7.8</td>
</tr>
<tr>
<td>3.</td>
<td>No Response</td>
<td>48</td>
<td>9.6</td>
</tr>
</tbody>
</table>

Figure -6.18
Evaluation of existing Legal framework governing the Human Rights of Refugees in India
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Above Table 6.20 and figure No. 6.18 indicates that 82.6 percent of the respondents were satisfied with the existing legal framework governing the human rights of refugees in India. 7.8 percent were not satisfied. Rest of the 9.6 percent did not respond.

So it is concluded that majority of respondents are quite satisfied with existing legal system. They were of the view that being refugees in India, they are far better, contented and entitled to all basic human rights here.

6.21 The status of Tibetan refugees in India

The responses of the Tibetan subjects on the status of Tibetan refugees in India is given in the table 6.21 and figure No. 6.19 as under:

Table 6.21
The status of Tibetan refugees in India

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Status</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Excellent</td>
<td>273</td>
<td>54.6</td>
</tr>
<tr>
<td>2.</td>
<td>Satisfied</td>
<td>210</td>
<td>42.0</td>
</tr>
<tr>
<td>3.</td>
<td>Deprived</td>
<td>17</td>
<td>3.4</td>
</tr>
</tbody>
</table>

Figure - 6.19
The status of Tibetan refugees in India

No Comment

Respondents 273210
Percentage 54.642
Above table 6.21 and figure No. 6.19 indicates that 54.6 percent respondents were of the view that status of Tibetans in India is excellent 42.0 percent were of the view that it is satisfactory. While 3.4 percent did not comment.

From the above study it can be said that the majority of respondents are of the view that the status of refugees is excellent in India while good number of them are only satisfied with their status.

6.22 Knowledge of Political System Working in Tibet

The responses of the Tibetan subjects about Political system working in Tibet are given in the Table 6.22 and figure No. 6.20 as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Response</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Yes</td>
<td>364</td>
<td>72.8</td>
</tr>
<tr>
<td>2.</td>
<td>No.</td>
<td>121</td>
<td>24.2</td>
</tr>
<tr>
<td>3.</td>
<td>No Comment</td>
<td>15</td>
<td>3.0</td>
</tr>
</tbody>
</table>

Figure - 6.20
Knowledge of Political System Working in Tibet
Further to study the dissatisfaction of the respondents with respect to the existing political system working in Tibet is given in the Table 6.21 (B) as under:

**Table 6.22 (B)**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Status</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Satisfied</td>
<td>17</td>
<td>4.6</td>
</tr>
<tr>
<td>2.</td>
<td>Dissatisfied</td>
<td>347</td>
<td>95.3</td>
</tr>
</tbody>
</table>

**Figure – 6.21**

Satisfaction with the political system working in Tibet

The above study in Table 6.22 (A) and figure No. 6.20 (A) reveals that 72.8 percent of the respondents were having knowledge about political system working in Tibet. 24.2 percent were having no knowledge while 3.0 percent did not respond.

Further Table 6.22 (B) and figure 6.21(B) reveals that among 72.8 percent of respondents only 4.6 percent were found satisfied with the working of existing political system in Tibet while 95.3 percent were not satisfied. They mentioned all the reasons i.e. autocratic political system, denial of religious freedom, denial of democratic rights and denial of Human rights.
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Other reasons they disclosed were racial discrimination, denial of education, denial of right to speak, forced sterilization, no privacy, etc.

From the above study it can be said that majority of respondents were having knowledge about political system working in Tibet and were not satisfied with the working of political system there.

6.23 Willingness of Refugees towards going back to Tibet

The responses of Tibetan subjects about their willingness towards going back to Tibet are given in the Table 6.23 and figure No. 22 as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Response</th>
<th>Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Willing to return to Tibet</td>
<td>447</td>
<td>89.4</td>
</tr>
<tr>
<td>2.</td>
<td>Unwilling to return to Tibet</td>
<td>40</td>
<td>8.0</td>
</tr>
<tr>
<td>3.</td>
<td>Not sure about their return</td>
<td>13</td>
<td>2.6</td>
</tr>
</tbody>
</table>

Figure - 6.22
Willingness of Refugees towards going back to Tibet
Above table 6.23 and figure No. 6.22 indicates that 89.4 percent respondents were willing to go back to their home land i.e. Tibet. While 8.0 percent of them were found unwilling to return to Tibet. However 2.6 percent of them were not sure about returning to Tibet.

The study indicates that majority of them are willing to return to Tibet. They believed that there would be an independence day for Tibet soon.

6.24 Responses of the Settlement officer of Tibetan Settlement Office, Dharamshala Settlement

Since Tibetan Settlement office is responsible to look after the welfare of Tibetans in the settlement and to maintain the record of population in the settlements, the researcher has endeavoured here to have the views of the Tibetan settlement officer of Dharamshala settlement Mr. Tsering Thysntoa about the Tibetan refugees in the settlement, their awareness about human rights and about their status in India respectively.

In response to the item about the main functions of Tibetan Settlement office, he explained that the office look after the Welfare of Tibetans in the Settlement in respect of providing financial assistance to the poor and needy families, who are genuinely in need of support and destitute among Tibetans to alleviate their sufferings and hardship, organizes joint community meeting for improving relationship between the communities etc. On the question about total population of Tibetan Community in Dharamshala Settlement he stated that total population was 5000 in Dharamshala committee area but there were 3000 more Tibetan refugees which he considered as floating population. These Tibetans come for teachings of His Holiness the Dalia Lama or for pilgrimage or to meet family members for two or three months. While responding on the reasons of Tibetans migration in India in recent years,
he mentioned that reasons are same as they were earlier i.e. political religious, social etc. and violation of democratic as well as human rights along with denial of education in Tibetan language. This is also supported by the survey in the Dharamshala settlement, where 24.2 percent gave political, 3.6 percent social, 32.7 percent religious and 13.3 percent other reasons for their migration to India.\(^1\) while responding to the query Tibetan settlements in India are overcrowded with new arrival and birth in the community, he was of the view that it is true, but Government of India is not allotting land for new settlements. Though Tibetan governments in exile is getting offers from Australia, European countries, Canada and America for the third country settlement of Tibetan refugees. But these countries are not allotting land for settlements like India where Tibetan refugees can settle in groups to sustain and preserve their cultural and social identity. That's why Tibetan government is not accepting and accepting their proposal and is trying to sort out things in India only. While responding about treatment meted out by local people and GOI, he stated that Tibetans are treated well off by the local people and relations with the local population have been harmonious and the benevolent treatment by GOI has been made Tibetans able to live their life with dignity as a human being. In response to a question about the protection of human rights of Tibetan refugees in India he stated that the human rights of Tibetan refugees are well protected in India and Tibetans are well contented and happy with the rights provided to them in India. It is supported by the field work done in Dharmshala settlement where 83.6 percent respondents\(^2\) stated that there is no violation of human rights of Tibetans refugees in the place of their domicile (in exile). In response to present policies made for Tibetan refugees by GOI, he was of the view that Tibetan’s are satisfied with the policies made by GOI for them in every aspect of life i.e. for education,

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1. See Table No. 6.4.
2. See, Table No.
resettlement of Tibetans in India, livelihood etc. This is supported by the survey conducted in Dharamshala settlement, which shows that Tibetan subjects are satisfied with the policies framed by Government of India.\(^3\)

In response to the status of Tibetan refugees in India, he was of the view that status of Tibetan refugees in India is satisfactory. He stated that GOI helps Tibetan Community and always provided humanitarian assistance. Tibetan is provided with so many rights which are generally not availed by refugees. Further GOI allowed Tibetan community to have its government in – exile which shows that status of Tibetans in India is satisfactory. It is further evident from the survey conduct at Dharamshala settlement where 42.0 percent respondents\(^4\) were of the view that the status of Tibetans in India is satisfactory.

In response to the question, should India sign the 1951 convention on the Status of refugees, he did not reply on this. While responding to the question about the need of legislation for refugees in India, he stated that India does not need to have separate legislation on refugee because constitution of India providing all basic rights to refugees in present set up.


The Tibetan Government – in – exile established a Central Tibetan Administration (CTA) which for all practical purpose functions as the Tibetan Government – in – exile. It administers all matters pertaining to Tibetan in Exile, including re-establishment, preservation and development of Tibetan culture and education, and leads the struggle for the restoration of Tibet's freedom. The researcher has endeavoured here to have the views of the spokes – person of the Tibetan government – in –

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3. For detail See, Table No. 6.8, 6.13, 6.14.
4. See Table No.
exile at Dharamshala settlement Mr. Thubten Samphel about the status of Tibetan refugees after fifty years in exile (India), the awareness of human rights among Tibetan refugees, the human rights Tibetan refugees availing in India etc.

While asked about the status of Tibetan refugees after fifty years in exile (India), he stated that in the last fifty years, Tibetans are able to establish their second home in India with the rehabilitation in 37 settlements with construction of schools and monasteries. The Tibetan in exile has experienced tremendous changes, changes which have improved their education, standard of living and broaden their attitude. So after 50 years the status of Tibetan refugees in India is unquestionably excellent in all aspect of life. It is also supported by the survey conducted in the Dharamshala settlement where more than half of respondents i.e. 54.6 percent were of the view that status of Tibetans refugees is excellent.

In response to the question, should India sign the 1951 convention on the status and rights of refugee, he was of the view that 1959 onward Tibetans are living in India as guest. We cannot give our opinion regarding this matter to India. It depends upon the Indian government, they want to sign it or not. He was of the view that India is providing all basic human rights and humanitarian support to all who took asylum in this country. The rights mentioned in the 1951 convention on the status of refugees are already provided to refugees in India even without signing the convention. So there is no need to sign the convention at all. In response to the question should India need a separate legislation for refugees in India, he was of the view that Constitution of India provide protection to the human rights of foreigners, aliens or refugees in India with its citizens. So the refugees in India are provided with all basic rights to live as a human being. As per Tibetan refugees are concerned, Tibetan community likes to thanks government of Indian to give almost all the rights equivalent to the citizens of India. Without having specific
law, India is fulfilling the needs and requirement of refugees. So there is no need of separate refugee law in India.

In response to the question about the policies and programmes framed by the Indian government for Tibetan he stated that, Tibetan government – in – exile is satisfied with the policies and programmes framed by the government of India for Tibetan. Tibetan government – in – exile is not formally recognized as such by the world at large and particular by the host government. The government of India has accepted Tibetan as refugees basically on humanitarian concerns. Due to India's benevolent policies religion, and programmes, Tibetans' are able to preserve their religion culture, political and social identity. On responding to the query, whether human rights of Tibetan refugees are protected in India, he stated that human rights of Tibetan refugees are totally protected in India. Even without having national legislation on refugees in India, refugees are availing all basic human rights to live as a human being. That's why, most of Tibetan refugees population is living in India in comparison to other countries of the world. Where they are generally not provided with the facilities and benefit which they are getting in India. Which is also supported by the survey conducted were of the view that their human rights are not violated at the place of their domicile (in exile). In response to the question about the relationship among local people and Tibetan refugees he was of the view that the relationship among Tibetans and Indians are friendly, some time there will be little bit controversy between them but Indians are always cooperative towards the (Tibetans). He added that it is only with the assistance and cooperation of local people and government of India that Tibetan are being able to built their community separately in exile and are able to protect their religion, culture and tradition in exile.

On the query about the over crowdedness of the Tibetan settlements in India, he was of the view that it is true, that day by day the settlements in India are getting overcrowded with the birth in
community and fresh arrivals of refugees from Tibet but in the main time there is also movement of Tibetans out of India. India can not refuse asylum to Tibetan on the Principle of non-refoulement but it is also true that fresh arrived Tibetans are not provided with registration certificate by the government of India. In response to the question regarding the avoidance of citizenship of India by Tibetans under the guidelines of Dalia Lama government he stated that it is not true. The Tibetans who are willing and are eligible to get citizenship of India they can avail it. One can find many Tibetans availing citizenship of India. But in the meantime, he stressed that by taking citizenship, the submission of Tibetan in the mainstream of India will adversely affect the solo purpose of Tibetan to save their race, their distinct culture, religion and identity.

6.26 Responses of the Director of Tibetan Reception Centre at Dharamshala Settlement

The Tibetan Reception Centre is responsible for the records of newly arrival Tibetans in exile i.e. in India and to cater to the needs of new refugees arriving from Tibet. The researcher has endeavoured here to have the views of the Director of Tibetan Reception Centre at Dharamshala Settlement Mr. Lawang Norbu about the newly arrived Tibetan refugees, about the awareness of human rights among Tibetan refugees and status of Tibetan refugees in India.

While asked about the main function of the Tibetan Reception Centre, he mentioned that centre exclusively deals with the newly arrived Tibetans in exile. In centre newly arrived refugees are given food and lodging, and guided to their onward destination. The Reception Centre keeps the records of new arrivals in India and helps them to find jobs, joining schools and monasteries and also provide training and financial assistance to help refugees to start their own business. In response to the reasons of migration in recent years, he mentioned that human right
violation, unlawful policies of China, denial of education, democratic rights, religious rights etc. are the main reasons of the migration but in recent years the maximum number of newly arrivals are children and young Tibetans between the age of 14 and 25 years, some of them have been monks and nuns and nuns. Who come with a hope to get enrolled in Tibetans schools to receive broad - based modern education. This emerged as one of the reason of Tibetan refugee's migration in India in recent years. It is supported by the survey conducted in the Dharamshala settlement, were 13.3 percent respondents\(^5\) motioned of other reason of their migration to India, in which they mentioned poor and bleak education opportunity and denial of religious education in Tibet as the cause of their migration. In response to the over crowdedness of settlement due to fresh arrivals and birth in community, he was of the view that it is true that fresh arrival and birth in Tibetan community posed peculiar problem but some time it is difficult to find out the solution. In response to a question in respect of view and treatment of Tibetan refugees by local people and Government of India, he stated that generally the relationship between Tibetan and local population is good but some time there occurred small conflicts between local and Tibetans, otherwise Tibetans are treated well off by locals. Further Government of India accepted and assisted Tibetans on humanitarian grounds and treated Tibetan very well. Government of India viewed Tibetan sympathetically and the kindness of Indian government make Tibetan to enjoy the right to live. While responding to the question on the satisfaction over the policies and Programmes framed by GOI for Tibetan refugees, he was of the view that Tibetans are satisfied with the generous policies of GOI towards the Tibetan refugees which make possible their all round development. No other country in the world can facilitate and provide humanitarian assistance to refugee

\(^5\) See, Table No. 6.13.
as India is providing to Tibetan refugees. While responding to the
question about the status of Tibetan refugees in India, he stated that the
status of Tibetan refugees in India is excellent in all aspects of life i.e.
social, cultural and economical respectively. This is also evident from the
survey conducted in the Dharamshal Settlement. Where 54.6 percent
respondents were of the view that status of Tibetan refugees in India is
excellent.

In response to a question, should India sign 1951 convention on
the status of refugees, he was of the view that India should sign the
convention because India is hosting such a large population from
different part of Asia and World. Signing the convention will allow United
Nations to provide greater assistance to refugee population and relieving
India of the burden. In response to the query about separate legislation
for refugees in India, he was of the view that law enforcement provisions
in India ensure full protection of the human rights of refugees. So there
is no need of separate legislation for refugees in India. On the query
about the protection of human rights of Tibetan refugees' he that the
human rights of Tibetan refugees are protected in India.

6.27 Responses of the Spoksperson of Tibetan Centre for Human Rights and
Democracy (TCHRD)

Since the Tibetan Centre for Human Rights and Democracy is
responsible for the promotion of human rights and to generate global
awareness about human rights situation in Tibet through publications
and interaction with international Human Rights organizations. The
researcher has endeavoured here to have the views of the spokesperson
of the TCHRD Mr. Tenzin Norge about the awareness of human rights
among Tibetan refugees and about their status in India respectively.

In response to the item about the main functions of TCHRD, he
explained that primary mission of the centre is the Human Rights
documentation, research and collection of information about human rights situation in Tibet. Secondary mission is to educate the community about concept, value and meaning of human rights and democracy. People need to understand the meaning of democracy and democratic rights. In response to a refugees question about the steps taken by TCHRD to aware. Tibetan refugees' community about their basic human rights, he was of the view that the staff of the TCHRD go to people in settlements and schools, to communicate with people. To conduct workshops to aware them about human rights they have as refugees in India. Though this is not the primary focus, but it is important that entire community should know about their human rights in exile as refugees.

On the response of question about the protection of human rights of Tibetan refugees in India, he stated that the basic human rights of Tibetan are very well protected in India. Government of India (GOI) is very helpful and had benefitted Tibetans in all aspects of life. This is supported by the survey conducted in the Dharamshala settlement, where 83.6 percent. Respondents were of the view that their human rights are not violated at the place of their domicile (in exile). While responding over the satisfaction with the policies and programmes framed by Government of India for Tibetan refugees, he said that they are quite satisfied with the policies and programmes made by GOI for Tibetans in respect of education, settlements and Higher Tibetan studies etc. further the economic support given to Tibetan and all kind of facilitation and sponsorship given by the GOI and state Government respectively make Tibetan able to recreate Tibetan society with its core values intact. Which is supported by survey, where 93.4 percent respondents were private agencies respectively, 97.4 percent were

7. See, Table No. 6.8.
8. See, Table No.
satisfied with the medical facilities provided by GOI, and 94.6 percent respondents were indulge in different works of life etc. he mentioned that for last fifty years the benevolent policies of GOI ensures Tibetan cultural identity and social autonomy outside the Tibet and make Tibetan to lead a dignified life.

On responding to the query, whether Tibetan refugees are more advantageous as compared to other refugees in India, he was of the view that it is true. Because the rights provided to Tibetan community are more than the rights generally provided to the refugees, i.e. Tibetans are privileged one, of getting travel documents i.e. to travel to foreign countries and come back to India on the basis of identity card (IC). Tibetans are allowed to engage themselves in wage-earning employment in agriculture, agro-industries and handcraft etc. which is generally not allowed to refugees is very much evident from the survey conducted in Dharamshala Tibetan Settlement. On the query regarding status of Tibetan refugees, he said that status of Tibetan refugees is excellent, because Tibetan in India are well off in terms of social, cultural and economic aspect. This is supported by the survey, where the 54.6 percent respondents were of the view that the status of Tibetan refugees in India is excellent. In response to the question should India sign convention on the status of Refugees, he was of the view that main provision of the convention are already implemented by the government of India without signing the 1951 convention on the status of refugees. Keeping in view the treatment that has been given by the government of India to the refugees from all over Asia and world, it is not necessary that India should sign the convention on the status of refugees. In response to the question, should India need a separate legislation for refugees, he stated that India does not need a separate legislation for refugees

9. See, Table No.
10. See, Table No. 6.8.
because the current set-up is good enough, but he added that his view is only from Tibetan perspective only. While responding to the query in respect of over crowdedness of Tibetan Settlements in India, he was of the view, it is true that with continues migration from Tibet and birth in the exiled community, settlement has became over crowded. Hence creating a problem of unemployment, shelter, food etc.

**Responses of the Assistant Superintendent of Police Kangra at Dharamshala**

Since superintendent of Police Office (Foreigner's Regional Registration Office) Kangra at Dharamshala is responsible to register foreign visitors residing in India for over six months, and to maintain the record of the some, the researcher has endeavoured there to have the view of the Assistant Superintendent of Police Kangra at Dharamshala Mr. Sanjeev Gandhi about the legislation of Tibetan refugees in Foreigner's Regional Registration Office (FRRO), and other functions performed by FRRO in respect to Tibetan refugees in Dharamshala Settlement.

In response to the question about the main functions of Foreigner's Regional Registration Office regarding Tibetan refugees, he explained that the Foreigner's Regional Registration Office's main functions regarding Tibetan refugees are the registration of Tibetans who recently arrived in the Settlement, give approval to the overstay in the Settlement and provide security to Tibetan refugees living in the Settlement. While responding to the procedure of registration for Tibetan refugees he mentioned that to get registration certificate from Foreigner's Regional Registration Office (FRRO), Tibetan required following documents:

- Tibetan Welfare Office (Non Tibetan Settlement Office) recommendation,
- School Certificate
- Tibetan Branch Security Office recommendation
He stated that every Tibetan refugee over the age of 17 who are living in India, even those who were born here must be registered. He stated that the procurement of a Registration Certificate is mandatory for Tibetan refugees, while responding to the query about the renewal of Registration Certificate; he stated that every Tibetan refugee in Settlement must renewed registration certificate yearly or in some settlement after six months.

In response to the question about the cases of Tibetan refugees staying without valid registration certificate he was of the view that there are some cases, where Tibetans have been found staying without valid registration. Though the validity of the registration certificate has been checked by local police from time to time, however, sometime Tibetan refugees who are already residing in the settlement tried to hide such Tibetans from any police action. When such people are caught by local police, they took extension from FRRO and in the meantime, they get registered legally. He added that the long term registration certificate are issued by FRRO to only those Tibetans who arrived at India for seeking education and those who came under the category of refugees but no instructions have been issued by the government of India for issues of Registration Certificate to those Tibetan who arrived under pilgrimage category. Most of the time such Tibetans do not return back and continue to stay in Indian without having any legal document which creates a mess.

While responding about the protection of basic human rights of Tibetan refugees, he stated that the basic human rights of Tibetan refugees are very well protected in India. On the query about the status of Tibetan refugees in India he was of the opinion that the status of Tibetan refugees in India is excellent. In response to the question should India need a separate legislation on the status and rights of the refugees, he was of the view that India need a separate legislation on refugee. He stated that country like India which has accepted such a large refugee
population should not make arrangement on ad-hoc bases. India needs a refugee law to provide uniform treatment to refugees here. Further he added that some time migrant workers receive refugee’s status in India and are often eligible for the same humanitarian services offered to refugees. Which further affect the economy of India. So the need for a refugee law in India is immediate and necessary. To the question should India sign the 1951 convention on the status and rights of refugees, he did not reply on this.

Findings

The scrutiny of the responses obtained from the respondents in the survey at Dharamshala settlement, the interviews held with the administrative authorities of Tibetan Government – in – exile as well as with local administration i.e. Kangra Police, presents a clear cut picture of the status of Tibetan refugees and their awareness about human rights at Dharamshala settlement and enable researcher to come to the following findings:

The survey has shown that the political repression, religious persecution, barriers to endogamous marriages by the Chinese Government, torture, imprisonment, willingness to follow Dalia Lama forced Tibetans to seek refuge in India. But in recent years the hope of receiving proper education at Tibetan schools in exile has emerged as one of the primary reason of Tibetan refugee's migration to India. The study reveals that they come with a hope to get enrolled in schools and receive broad – based modern education. During an interview it is accepted by the Director of Tibetan Reception Centre at Dharamshala that after 1980 the maximum number of refugees who came from Tibet has been between 14 and 25 years old. Further, the Tibetan settlement officer also accepted that Tibetan Schools in settlement are overcrowded. Further the study reveals that majority of Tibetans refugees in the settlement are bilingual, trilingual or multilingual. Hindi and English are two major
languages spoken by Tibetan in India. More than 90 percent of respondent speak Hindi and English. During interview it has been found that some of the respondents learnt Hindi and English as they felt, these are the necessary languages to communicate with Indians as well as other foreigners and other peoples those come to them.

"The right to education is undoubtedly the basic human right". Article 26 of the Universal Declaration of Human Rights (1948) states that: "Everyone has the right to education". Similarly, Article 22 of the United Nations, Says, "The contracting states shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education."

The education of refugees, as any other need, is the responsibility of the government in the country of asylum. India is fulfilling its international commitment by providing and facilitating the education for Tibetan refugees in India. The support and the favourable policies of the Indian Government towards the Tibetan refugees have helped in imparting the education to the Tibetan refugees. The Government of India and Central Tibetan Administration ran school in which most to Tibetan refugees' children enrolled. Few of Tibetan children are enrolled in private /public schools. The survey revealed that 93.4 percent Tibetan refugees are satisfied with the educational facilities provided to them. It has been found in the survey that education standard of Tibetan refugees is very good. Only 8.4 percent of the Tibetan refugees have been found totally illiterate and there are 88.2 percent Tibetan refugees whose education varied between 5th standard to post graduation. Rests of 3.4 percent are professionally qualified.

It is also quite evident from the study that Tibetan refugees in India are provided with freedom trade & professional and they are involved in various works of life. The support of Indian Government has helped them to work freely in India and they are able to earn sufficient income for livelihood which is supported by the field study. About 37.8
percent of Tibetan refugees are involved in trading / business, 14.8 percent in manufacturing activities i.e. carpet weaving, Handicrafts, handmade paper, metal carving making of Thangka Painting, Greeting cards etc., 30.8 percent in service sector i.e. working for the Tibetan – government – in – exile, as school teachers, health workers, cooperative employees, working in different departments of central Tibetan administration as well as engaged in private services such as in hotels, shops and restaurant etc. and 11.0 percent in other works such as a salesman or sales woman, tailoring clothes, working as helper, street vendor or in seasonal petty business etc. while 5.6 percent of them were getting stipend provided by the Tibetan Welfare office. It has been found that Tibetan refugees are able to earn sufficient income for fulfillment of their basic needs of life. This is supported by the survey in Dharamshala where 52.2 percent Tibetan refugees are satisfied with their income to fulfill basic needs of life. Though refugees are not provided with the loan facilities in exile but Tibetan refugees are exception to this. They are allowed to avail loan facilities from financial institution in India for establishment of business or self employment etc. It has been found in the survey that 24.2 percent Tibetans had availed loans from financial institutions like State Bank of India, (SBI), Punjab National Bank (PNB), ICICI, HDFC, UCO, and Jammu and Kashmir Bank (J&K) etc.

"The right to Medical facility is a human right" and article 21 of the Indian Constitution includes within its ambit the right to health and medical care. It is quite evident from the survey that Tibetan refugees are provided with medical facilities by Government of India as well as Tibetan Government in – exile. The health centers run by the State Government and subsidized by the Indian Health Ministry provided free health care to Tibetan refugees with the citizens of India. With the help of Government of India, the Central Tibetan Administration (CTA) has been able to establish primary health care centers in almost every Tibetan settlement.
in India. With a minimum of one community health worker to look after the preventive and curative health care needs of community. In Dharamshala settlement except the government zonal hospital and primary health centers, there is one modern allopathic hospital and one Tibetan medical and Astrological Institution to provide medical facilities to Tibetan refugees. The study indicates that 97.4 percent Tibetan refugees have been found satisfied with the medical facilities provided by the Government of India.

It was hypothesized that the human rights of Tibetan refugees are satisfactorily protected in India; the researcher has found an affirmative answers to this. It has been found during the study that Government of India is respecting and enforcing the basic human rights. Majority of Tibetan refugees are aware of human rights. In the Dharamshala Settlement Tibetan Centre for Human rights and democracy facilitate seminars, conduct workshop in schools, and make Tibetan subjects aware of human rights. Further appreciable efforts were made by local administration i.e. Kangra Police, which conducted the programmes from time to time to provide Tibetan the information about their human rights in – exile, about their legal rights, about the registration process and about transfer from one settlement to other. 82.4 percent Tibetan refugees were aware of human rights. The study indicates that almost all the basic human rights are available to the Tibetan refugees despite non – existence of refugees specific legislation. 79.4 percent Tibetan refugees were aware of human rights for refugees under Indian Constitution. During interview it has been found that some of aged and illiterate Tibetans knew that they have right to religious freedom and right to life in India. This was deprived in their home land Tibet.

The survey indicates that there are no human rights abuses against Tibetans in India. The law enforcement provisions ensure the full protection of the rights of refugees. 83.6 percent of the Tibetan refugees stated that there is no violation of Human rights of Tibetan refugees.
They were satisfied with the rights provided to them in exile. However, some of them were of the view that subtle discrimination is visible. The survey shows that in case of any violation of human rights of Tibetans, they have the remedies contemplated under the Constitution and Statutory remedies under the Protection of Human Rights Act, 1993 with effective redressal machinery. 63.8 percent Tibetans were aware about the redressal machinery in India, out of which 80.8 percent were satisfied with its working, only a small number of Tibetans i.e. 19.1 percent were not satisfied, because they felt that there is prolonged judicial process, the delay of justice, non-accountability, biased attitude toward Tibetan refugees and non-co-operative behavior of police etc. It is also quite evident from the survey that Tibetans refugees are satisfied with existing legal frame work governing the human rights of refugees in India. They felt that being refugees in India they are the most privileged one. 82.6 percent Tibetan refugees have been found satisfied with the existing legal frame work. Tibetan administrative authorities are also satisfied with Indian Judicial System. They are of the view that India does not need a separate legislation for refugees. They are satisfied with the present legislative set-up.

The survey revealed that the status of Tibetan refugees in India is excellent, satisfactory but not bad. 54.6 percent Tibetan have been found that their status is excellent, 42.0 percent Tibetans were of the view that their status is satisfactory. They felt that being refugees in India, status of Tibetan refugees is far better. They are well off in terms of social, cultural and economic aspects. During interviews administrative authorities admitted that India gave preferential treatment to Tibetan refugees as a result of which, being refugees in India, Tibetans are able to establish the democratic administration in exile at Dharamshala. Further, Tibetans established their schools following a moderate secular education in Tibetan language, literature, culture and religion. Centers of Tibetan culture and tradition are also set up to teach the art of carpet
weaving, wood and metal carving. Besides this, monasteries and nunneries are established to revive religious education and tradition. All this become possible with the support of Government of India. So it is observed from the survey that Tibetan refugees are most successful refugee community in India. They are indeed well off in terms of every field. Though, most of them are willing to go back to their home land Tibet. They believe that there will be soon independence as for Tibet. But the new generation of Tibetan refugees, born and brought up in India is least interested to going back to Tibet. China’s political dominance over the Tibet beams the hope of young generation to go back to Tibet. So they want citizenship of India. It is observed from the survey that attraction of Tibetan youth to western world is also a reason of their unwillingness to return to Tibet. During interview the administrative authorities accepted that young generation is divided on the issue of Tibet. The above mentioned findings establish that human rights of Tibetan refugees are well protected in India and the status of Tibetan refugees is excellent, satisfactory but not deprived in India.

The survey reveals that majority feels India’s record in the protection of human rights is excellent, some feel that it is satisfactory but not feels that they are deprived of these rights.