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Claudia Artilles

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Abstract

The Chinese invasion of Tibet, and the Dalai Lama's subsequent decision to flee in 1959, resulted in the mass influx of Tibetan refugees into India that continues today. It has become clear to the Indian government, as well as to the Tibetan community in exile, that repatriation is unlikely in the near future. Consequently, an evaluation of India's protection of, and assistance for Tibetan refugees is necessary to ensure their treatment is in accordance with international standards. Unfortunately, such an assessment shows that there is a lack of proper protections and services; this ought to be of particular concern to the international community as India has served on the Executive Committee of the United Nations High Commissioner for Refugees (UNHCR) since 1995. How can a country be trusted to lead an international organization dedicated to the protection of refugees when it has such unstable and inadequate refugee policies itself?

Keywords

Human rights, Tibet, India, Refugees, Displaced peoples, Political rights, Labor

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Tibetan Refugees' Rights and Services in India

By Claudia Artilles

The Chinese invasion of Tibet, and the Dalai Lama's subsequent decision to flee in 1959, resulted in the mass influx of Tibetan refugees into India that continues today. It has become clear to the Indian government, as well as to the Tibetan community in exile, that repatriation is unlikely in the near future. Consequently, an evaluation of India's protection of, and assistance for Tibetan refugees is necessary to ensure their treatment is in accordance with international standards. Unfortunately, such an assessment shows that there is a lack of proper protections and services; this ought to be of particular concern to the international community as India has served on the Executive Committee of the United Nations High Commissioner for Refugees (UNHCR) since 1995. How can a country be trusted to lead an international organization dedicated to the protection of refugees when it has such unstable and inadequate refugee policies itself?

Central to the assessment is India's lack of legal obligation to provide refugee protections or services. This is largely a consequence of India's abstention from the 1951 Convention relating to the Status of Refugees and the subsequent 1967 Protocol, which, in addition to defining a refugee according to international law, outlines certain rights and services host states must afford them. With the exceptions of the customary international practice of *non-refoulement* and the obligation to provide asylum as outlined in Article 14 of the Universal Declaration of Human Rights (UDHR), India does not have international, regional, or national obligations to refugee populations on its soil (Feller 2006). Despite this, and despite the nation's refusal to accede to the 1951 Convention, India argues its current refugee policy is in accordance with international norms. However, India has no national refugee law, and no regional agreement on the matter exists.

The only mention of foreigners in Indian law are in the Registration of Foreigners Act of 1939, the Foreigners Act of 1946, and the Foreigners Order of 1948-- all of which employ the term *foreigner*, broadly defined as "a person who is not a citizen of India." Among other practices, the 1946 Act and the 1948 Order allow the government to limit employment opportunities, freedom of association, and a foreigner's possessions. These pieces of legislation also restrict movement inside India and prohibit select activities, most of which are political. In fact, Tibetan refugees are only allowed in India on the condition that they abstain from political protests against China – a clear suppression of their right to political expression as afforded by the UDHR. This political suppression was particularly evident during the 1991 visit of then Chinese Prime Minister Li Peng, during which Tibetan refugee leaders were arrested and placed under police surveillance to curtail protests. A similar occurrence was witnessed during Prime Minister Wen Jiabao's 2010 visit. Human rights law grants refugees fundamental civil and political rights, yet the Indian government denies these rights to Tibetan refugees.

India's lack of legal obligation allows it to alter refugee policies at will, often to reflect its current political interests. The result is a rather unstable refugee policy, exemplified in the disparity of rights and services afforded to Tibetan refugees according to their date of arrival in the country. The Indian government regarded the first wave of Tibetans arriving in 1959 with the Dalai Lama as refugees and granted them legal asylum. They were allotted land and housing – a privilege not afforded to other foreigners and one that would later be denied to newly arriving Tibetans. More importantly, these refugees were automatically given a Registration Certificate (RC). According to

the Tibetan Government-in-Exile, the Central Tibetan Administration (CTA), the RC is a legal document issued by the Indian authorities that allows Tibetan refugees “the right to enjoy all the privileges enjoyed by any Indian citizen except the right to vote and work in Indian government offices” (Immigration and Refugee Board of Canada 2009). While many question the extent of the ‘privileges enjoyed’ by RC-holding Tibetans, the value of the RC is not contested. The RC allows Tibetans to legally travel and work within the country, serves as an identity document, and is a prerequisite for the Identity Certificate, which is necessary for international travel. Tibetan refugees arriving between 1959 and the 1970s also benefited from services provided by the UNHCR, which despite its tumultuous relationship with India had a temporary presence in the country.

The rights and services afforded to Tibetans arriving after the 1970s are scarce and indicative of a changing Indian policy—arguably in an effort to preserve Sino-Indian relations. In 1963, the Indian government ceased to legally recognize arriving Tibetans as refugees. Consequently, those arriving after 1979 (including some arriving in the late 1960s) have had greater difficulty acquiring RCs. The newer process to acquire an RC is arduous and particularly concerning because employment, residency rights, and international travel are contingent upon this document. In addition, while the Indian government provided land to the original refugee community, newer arrivals have not been as fortunate. The denial of land by the government is troublesome considering that farming is chief to a Tibetan’s income and Indian law prohibits foreigners from purchasing land. Additionally, the UNHCR closed its office in New Delhi and discontinued its aid to Tibetan refugees in 1975. As a consequence of the Indian government’s lack of assistance, the CTA (with substantial assistance from NGOs) has had to shoulder the burden of providing for these refugees. Although the CTA is able to cover basic needs, they are overwhelmed and are unable to effectively address the broader social welfare of this burgeoning community (Adams 2005).

Even those with the RC continue to struggle with their refugee status. Unable to gain Indian citizenship, they cannot vote, work for local or federal governments, carry an Indian passport, or legally purchase land. Although Tibetans possessing an RC can legally work in pre-approved segments of the economy, many employers often discriminate against them in favor of Indian nationals. This resentment originates from the belief that Tibetan refugees are adversely affecting job opportunities and that they benefit from elevated standards of services not afforded to Indian nationals. While it is believed that communal relations between the Tibetans and the Indian host community have been improving, there have been isolated reports of aggression and discrimination that have largely gone uninvestigated by local police. To further exacerbate this issue, Tibetans are not represented in the local and central legislature and thus do not have readily available avenues for redress.

In 1949, when the United Nations debated legal protection versus material assistance for refugees, India argued that “the guarantee of legal rights without concomitant material assistance was a hollow concept” (Oberoi 2006, 22). However, it has become clear that as Tibetans continue to cross the border, India has not only decreased the rights afforded to these newcomers, but also the services provided to them. Given that repatriation for this refugee community does not appear possible in the immediate future, India needs to concern itself with improving its policy toward this population—thereby affording refugees the proper protection and treatment per international standards. Signing the 1951 Convention would be the best avenue by which to accomplish this as it will lessen the burden on India by affording it assistance and services from the UNHCR and

member states. Above all, India's lack of legal obligation should not be understood as an absence of Tibetan refugees' entitlement to proper services and protections.

Annotated Bibliography

Adams, W.F. 2005. "Tibetan Refugees in India: Integration Opportunities Through Development of Social, Cultural and Spiritual Traditions." *Community Development Journal* 40 (2): 216-219.

Annotation: Adams' study focuses on newly-arriving Tibetan refugees in India and the challenge of integrating them into the pre-existing refugee community. He asserts that new refugees are often without skills or qualifications, a disadvantage that may seclude them from both the community in exile and the larger Indian host community. Adams argues that by highlighting the new arrivals' wealth of cultural heritage, they may regain their lost social capital and sense of belonging. However, Adams' solution does not take into consideration that newcomers from Tibet have been perceived as being too Chinese – a perception that would clash with the idea of newcomers as culturally rich. Although Adams is correct in emphasizing the need for effective institutions that cater to the social welfare and integration needs of recent arrivals, his integration suggestions are too simplistic and require further research.

Amchok, Jamyang Tashi. 2010. "In Exile, It's Not Home." *Tibetan Review: The Monthly Magazine on all Aspects of Tibet*, 25-26.

Annotation: Amchok, a Tibetan refugee, provides a brief, yet revealing narrative of the statelessness experienced by Tibetan refugees in India. He describes the many difficulties Tibetan refugees have in identifying with their host communities, particularly in India. He offers further insight into the relationship between the Tibetan community in Dharamsala and the Indian community, detailing past and recent conflicts-- most notably, the lack of a path to citizenship for refugees and their children. Amchok details how the absence of an effective citizenship system for Tibetan refugees in India has been a major contributor to the community's feelings of statelessness. He surmises that the only way to mediate the statelessness experienced by the exiled Tibetans is for them to return to Tibet. Despite the questionable solution to statelessness presented by the author, the article's description of Tibetan statelessness is valuable to anyone interested in the subject.

Baker, Jessica Susanne. 2005. The Dynamics of Education and Nationalism in the Tibetan Refugee School System in India. M.A. Thesis, Department of Religious Studies, The University of Colorado, Boulder.

Annotation: In her thesis, Baker explores how nationalism is taught within the Tibetan refugee school system and its importance in maintaining solidarity amongst the Tibetan refugees. She argues that education and nationalism both eases and creates tensions within the exiled Tibetan community. The tensions are created as the youth fails to express the same opinions as the older refugee generation; according to Baker, this issue is attributed to outside cultural influences and flaws within the refugee school curriculum. She goes on to illustrate the perspectives and frustrations of youth in the refugee community and the consequential paths of the Tibetan independence movement. Baker's analysis provides

valuable insight into the communal relationship of the Tibetan exiles, yet her emphasis on the education system may prove limiting to those searching for a broader review.

Bhatia, Shushum, Tsegyal Dranyi, and Derrick Rowley. 2002. "A Social and Demographic Study of Tibetan Refugees in India." *Social Science & Medicine* 54: 411 - 422.

Annotation: This quantitative study describes the demographic, social, and health characteristics of Tibetan refugees in India. The results illustrate changes in the population indicative of a transition from the poverty associated with lesser-developed countries to the higher socioeconomic level characteristics of middle-income societies. Higher levels of education attainment, a larger working population, a declining birth rate, and increasing life expectancies are just a few of the changes signaling the shift. The authors attribute these improvements to the host country and to the resilience and progress of the Tibetan people and of the government-in-exile. However, the authors also point out that improvements are still needed to ensure continued progress. Though this study would undoubtedly be of interest to humanitarian assistance personnel, especially health providers, it is crucial to remember that the data was gathered between 1994 and 1996, and thus may not be indicative of the current living conditions of refugees in India.

Central Tibetan Administration of His Holiness the Dalai Lama. 1997. "The New Tibetan Refugees," edited by Office of the Reception Centers. Dharamsala.

Annotation: This report by the Tibetan Government-in-Exile outlines the migration of "new [Tibetan] refugees" to India. It outlines routes taken, reasons behind the decision to migrate, types of refugees arriving and the services being offered to them. The report asserts that not all refugees may receive adequate assistance due to unspecified limitations of the government-in-exile. The report only outlines initial assistance and referrals provided to new refugees and fails to detail what long-term services are offered. Furthermore, the report does not include what refugee assistance is provided by the Indian government or NGOs. Although a bit outdated, this report serves to further establish the second "wave" of refugees arriving after 1979 as a distinct population within the exile community. This distinction is crucial in understanding the disparity of services offered to the Tibetan refugees today.

Chang-Muy, Fernando. 1992. "International Refugee Law in Asia." *New York University Journal of International Law and Politics* 24 (3): 9.

Annotation: In this detailed piece, Chang-Muy discusses the creation and development of the United Nations High Commissioner for Refugees and international refugee law. He explores the complexity of refugee protection and evaluates solutions to the refugee problem. In discussing the responsibilities of "producing" and "receiving" countries, he highlights the difficulty of getting Asian "receiving" countries to establish appropriate refugee procedures. According to Chang-Muy, the difficulty is rooted in the absence of refugee law within many Asian countries and compounded by the fact that many of these countries are not part of international refugee conventions and protocols. He concludes that the root cause of refugee flows, rather than just the effects, ought to be addressed, and

criticizes previous efforts for being too nearsighted and fragmentary. Although over a decade old, this article is helpful in examining the development of refugee law and illustrates previous mistakes made by Asian countries in addressing their refugee influxes. Lastly, it serves as an excellent comparative piece when evaluating current refugee law and responses across Asia.

Dolma, Sonam, Sonal Singh, Lynne Lohfeld, James J. Orbinski, and Edward J. Mills. 2006. "Dangerous Journey: Documenting the Experience of Tibetan Refugees." *American Journal of Public Health* 96 (11): 2061-2064.

Annotation: Dolma et al. presents a research study conducted on Tibetan refugees in Nepal. They conclude that, on their journey from Tibet, the refugees experienced hardships and human rights abuses that may have consequences on their long-term physical and mental health. The authors highlight the inhumane treatment of refugees by Nepalese border guards, emphasizing that most of the hardships experienced by the refugees were preventable. They believe more effective international pressure is required to ensure that border countries comply with international laws and human rights. The authors also insist that the Tibetan government in exile must establish programs addressing the mental and physical health needs of refugees, yet they fail to specify what program structure or content may be of use. Although lacking in breadth, and only focusing on the journey to Nepal, which is not always the final destination for Tibetan refugees, the study paints a vivid picture of the obstacles faced during migration.

Falcone, Jessica, and Tsering Wangchuk. 2008. "'We're Not Home': Tibetan Refugees in India in the Twenty-First Century." *India Review* 7 (3): 164-199.

Annotation: Falcone and Wangchuk explore the statelessness of Tibetan refugees through the use of testimonies, public discourse, media, and Tibetan and Indian documentation, with an emphasis on the relations between the Tibetan community in exile and the Indian government. They discuss concrete legal concepts such as citizenship and parameters of the Indian immigration system, as well as philosophical ideas, including the ability of a shelter to become a home – a reference to the refugee community's ability to fully integrate into Indian society. Although covering an array of issues, the authors are thorough and objective in their presentation. Additionally, despite the article's reliance on the testimony of unnamed informants, there is a clear sense of reliability due to the array of sources employed. Although not an introductory article on the subject, it caters to a wide audience and proves to be a necessary source for those interested in the Tibetan refugee population in India.

Feller, Erika. 2006. "Asylum, Migration and Refugee Protection: Realities, Myths and the Promise of Things to Come." *International Journal of Refugee Law* 18 (3): 509-536.

Annotation: In this well-written and insightful article, Feller manages to address the development, challenges, and future of asylum, migration, and refugee protection. Feller argues that instead of preventing migration, states should focus their efforts on better managing it. She discusses the issue of asylum and the challenges associated with upholding it. Feller addresses the legality of asylum, while trying to mediate the legal rights of the individual with the concerns of the states. More importantly, Feller emphasizes the danger of mis-categorization: refugees are not migrants and categorizing them as such puts their rights

in jeopardy. She goes on to define a refugee and outline the rights associated with the status. Although acknowledging that not all states have refugee law or are part of international efforts to protect refugees, Feller points out that the right to seek and enjoy asylum is outlined in Article 14 of the Universal Declaration of Human Rights.

Human Rights Watch. 2006. "India-China: Tibetans' Human Rights Are Not Negotiable." Available online: <http://www.hrw.org/en/news/2006/11/16/india-china-tibetans-human-rights-are-not-negotiable>.

Annotation: In this news article, Human Rights Watch (HRW) calls on India to allow Tibetan refugees to peacefully protest the upcoming visit of the Chinese president. In lieu of the pending visit, India had warned the Tibetan refugee population not to protest the leaders' meeting and threatened to deport those who disobeyed the order. According to HRW, India has historically protected Tibetan human rights, but has recently been failing to uphold those rights in an effort to strengthen relations with China. HRW successfully reports on India's infringement of Tibetan refugees rights pending the Chinese president's visit in a brief report that is as much a news article as it is a call to action.

Immigration and Refugee Board of Canada. 1992. "India: 1) Legal Status of Tibetan Refugees; 2) Rights of Tibetans to Indian Nationality." Available online: <http://www.unhcr.org/refworld/docid/3ae6aab124.html>.

Annotation: The report offers basic and brief information regarding the legal status of Tibetan refugees in India and their rights to Indian citizenship. It reviews how the Indian government granted political asylum to Tibetan refugees in 1959 and offered them numerous settlements across the country. Nonetheless, Tibetan refugees are subject to residency permit regulations and do not have the right to acquire Indian citizenship – even if born on Indian soil. The report fails to distinguish between the status and rights of the initial wave of refugees in 1959 and those that have arrived during and after the second wave in 1979. Furthermore, there is debate over the right of Tibetans to acquire Indian citizenship that is not discussed in the report. Overall, the information provided, although well-sourced, is very rudimentary and far from comprehensive.

Immigration and Refugee Board of Canada. 1999. "India: Situation of Tibetan Refugees and Those Not Recognized as Refugees; Including Legal Rights and Living Conditions." Available online: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=3ae6ad4124>.

Annotation: The report offers information on the living conditions and legal rights of Tibetans in India as of 1999. It includes statistics on the Tibetan presence in India, as well as outlines public services and employment opportunities for refugees. The report briefly covers relations with the local population, identification and citizenship requirements, and constraints on Tibetan freedom of movement, political participation, and protest. The report draws from various sources to offer a thorough and unbiased presentation. It incorporates many in depth issues in a relatively brief report, leading to informative, yet shallow coverage. However, the report makes up for its brevity by referring the reader to other sources that cover the issues more comprehensively. Although somewhat dated, this report reflects the difficulties faced by new Tibetan refugees in India and outlines legalities that have not been affected by time.

Immigration and Refugee Board of Canada. 2009. "China/India: Residency Rights of Tibetans Residing in India; Requirements for Tibetans to Obtain and Retain Permanent Residence in India." Available online: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4a7040b81c&skip=0&coi=IND&rid=4562d8cf2&querysi=tibetans&searchin=title&display=10&sort=date>

Annotation: This report addresses the issue of Tibetan residency rights in India and outlines the requirements to obtain and retain permanent residence in the country. The report highlights the importance of the Registration Certificate (RC) in determining the living conditions of refugees. However, the RC is no longer granted to refugees automatically, except to Indian-born children of the refugees who arrived prior to 1979. Although the Tibetan Government-in-Exile asserts that the possession of an RC affords them the same rights as an Indian citizen, with the exception of the right to vote and work within the government, others argue the contrary. By using various sources, some of them even contradictory, the report offers the reader a multi-faceted overview of the subject and successfully illustrates the challenges that new Tibetan refugees face with regards to permanent residence.

Oberoi, Pia. 2006. "India and the 1951 Convention." In Exile and Belonging: Refugees and State Policy in South Asia. New Delhi: Oxford University Press.

Annotation: Oberoi uses this section to elaborate on India's stance on the United Nation's 1951 Convention relating to the Status of Refugees and its 1967 Protocol – two of the most widespread international documents regarding refugee rights. According to Oberoi, India argues that the Convention and the Protocol are "historically Eurocentric and not responsive to the needs of developing countries." Oberoi goes on to highlight India's involvement in international debate on refugee issues and the rights afforded to refugees in India's constitution, as a means by which to credit India for its commitment to refugees. He concludes that India's refusal to sign the 1951 Convention is based largely on artificial definitions of what a refugee is, and on the UN's perceived Western bias, rather than on the malicious behalf of India. Oberoi explains that India has not yet acceded to the Convention because the country's abstention is the main reason it has no international legal obligation to provide refugee protection. This makes enforcement of refugee protection and services in the country difficult. The impact this abstention has on Indian refugee policy is so substantial that Oberoi would benefit from dedicating a couple more pages to the issue.

Oberoi, Pia. 2006. "India and the International Refugee Regime". In Exile and Belonging: Refugees and State Policy in South Asia. New Delhi: Oxford University Press.

Annotation: In this section, Oberoi discusses India's relation, or lack thereof, with the United Nations High Commissioner for Refugees (UNHCR). India decided not to participate in the UNHCR's proposed World Refugee Year (WRY), a decision that had both financial and political motivations. However, as the Tibetan refugee population grew, India agreed to the establishment of a UNHCR branch office, and consequently developed a working relationship with the UNHCR. However, this relationship was challenged when

China joined the UN, and in 1975 the UNHCR discontinued its assistance to India. Then, four years later, the UNHCR reopened its office in India to cater to the Afghan asylum seekers. Although India refused to formalize the UNHCR's status, it did request membership to the UNHCR's Executive Committee, which was granted in 1995. Oberoi does an excellent job of presenting the complex and tumultuous relationship between the UNHCR and India, without sacrificing significant detail for brevity.

Oberoi, Pia. 2006. "Conclusions: Hesitant Involvement with the Refugee Regime". In Exile and Belonging: Refugees and State Policy in South Asia. New Delhi: Oxford University Press.

Annotation: This conclusion reiterates Oberoi's previous points regarding India's abstention from the 1951 Convention and its relationship with international bodies such as the United Nations High Commissioner for Refugees (UNHCR). However, this brief conclusion does more than just restate and summarize. Oberoi uses this conclusion to point out that the Indian government has created few institutional mechanisms to address its refugee situation. Nonetheless, India maintains that it has respected the 1951 Convention and the 1967 Protocol in spirit-- if not legally. Oberoi highlights the hypocrisy in the dilemma and uses India's lack of refugee institutions to illustrate the active role of NGOs in addressing India's refugee populations. By offering a multifaceted history of India's hesitant involvement with the refugee regime, Oberoi offers the reader the ability to make a realistic assumption on how India will proceed with its refugee policies in the future.

Prost, Audrey. 2008. "Contagion and its Guises: Inequalities and Disease among Tibetan Exiles in India." *International Migration* 46 (5):55-70.

Annotation: Prost uses the Tibetan community in exile as an example for her analysis on health and social inequalities in diasporic communities. In this work, she argues that health disparities are reflective of broader social inequalities and proposes the exploration of "migration stages" when addressing these issues. Additionally, by successfully differentiating between new refugees and established refugees in Dharamsala, India, Prost offers a glimpse into the internal struggles of the exiled community. While Prost's article is directed towards the medical community, she nonetheless provides a readable account of the Tibetan refugee experience for a general audience.

Sachs, Emily, Barry Rosenfeld, Dechen Lhewa, Andrew Rasmussen, and Allen Keller. 2008. "Entering Exile: Trauma, Mental Health, and Coping among Tibetan Refugees Arriving in Dharamsala, India." *Journal of Traumatic Stress* 21 (2):199-208.

Annotation: Sachs et al. presents a study focusing on the mental state of Tibetan refugees arriving in Dharamsala, India. The study's results are unique because they show lower rates of psychological distress than previously reported. Possible reasons for the lower rates are discussed in detail, including: other studies disproportionately sampling severely distressed individuals; the time at which participants were recruited; and several factors specific to newly arriving refugees, leading to what the authors call a "honeymoon period." The study also explores various coping mechanisms used by the refugees and their ability to handle psychological distress. Unfortunately, the significance of the results gets lost in heavy statistical analysis and psychological jargon. Written primarily for those in the mental health field, this article may be of use for practitioners interested in the social services and health

needs of this distinct population, or in the effects of ill treatment and torture on mental health.

Shekhawat, Prahlad Singh. 2010. "From McLeod Ganj to Sangha Shala." *Tibetan Review: The Monthly Magazine on all Aspects of Tibet*, 28.

Annotation: In this recent article in the *Tibetan Review*, Shekhawat insists that relations between local Indians and Tibetan refugees are "on the whole, quite good." He goes on to argue that overall, this relationship should serve as a model to other refugee communities and host countries. In support of his claims, Shekhawat describes the various institutions that have been developed by Tibetan refugees to benefit Indians and to promote intercultural communication, and the significance of northern towns, such as McLeod Ganj and Bhagsus, that have both Tibetan and Indian influences. Yet despite his assertions, he does not explain why these efforts and integrated districts have failed to significantly relieve intercommunal tensions between Indians and the Tibetan refugee population. Though an advocate of intercultural communication, the author fails to provide enough supporting details to prove his main argument regarding current Indian and Tibetan relations.

Singh Negi, Rajender. 2009. "Living in Exile: Gains and Losses of Tibetans in India." *OneWorld South Asia*. Available online: <http://southasia.oneworld.net/opinioncomment/living-in-exile-gains-and-losses-of-tibetans-in-india>.

Annotation: In this interview with OneWorld South Asia, Thubten Samphel, secretary of the Tibetan Government-in-Exile's Department of Information and International Relations, discusses the Tibetan refugee experience in India and the current situation in Tibet. Samphel asserts that the Indian government has been very generous with the Tibetan refugees, even affording them most of the rights enjoyed by Indian citizens. Samphel discusses the "Middle-Way Approach," a proposal for an autonomous, rather than sovereign, Tibet, which according to Samphel is supported by an overwhelming amount of the Tibetan population, but which has been rejected by the Chinese government. Samphel also sheds some light on the grim human rights and socio-economic condition of Tibetans living under Chinese rule. Despite the interviewer's efforts, Samphel sticks to his political rhetoric and consequently the interview does not provide any true insight into the Tibetan plight in India. Given Samphel's position within the Tibetan Government-in-Exile, it would not be surprising that he is intentionally restricting any critique of Indian policies so as to protect political relations between the two governments.

United States Bureau of Citizenship and Immigration Services. 2003. "India: Information on Tibetan Refugees and Settlements." Available online: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=3f51f90821>.

Annotation: In a succinct and concise manner, this website addresses many of the significant processes that Tibetan refugees encounter en route to Dharamsala, India -- with special emphasis provided on the Nepalese and Indian immigration systems. Overall, the webpage offers an informative glimpse into the Tibetan refugee experience, from a largely legal and human rights viewpoint. Though limited by its brevity, the webpage puts forward sound

research and refers to various other resources for more detailed information. However, an area of significant weakness, which skews the site's conclusions, is that it fails to mention that Tibetans are considered foreigners by India, and thus are not granted equal status under the law.

United States Committee for Refugees and Immigrants. 2007. "World Refugee Survey 2007 – India." Available online: <http://www.refugees.org/countryreports.aspx?id=2000>.

Annotation: The 2007 World Refugee Survey offers an overview of the refugee conditions in India. It provides statistics on the amount and origin of refugees and asylum seekers in the country, and their access to public services and aide. Although not focusing on one specific refugee group, the survey does point out that some populations, such as Sri Lankan Tamils and Tibetans, are given more rights than others. It also specifies that India is not party to the 1951 Convention relating to the Status of Refugees, and has no refugee law, which is key to evaluating its services to refugees-- or lack thereof. Like most sources of this kind, the survey offers some excellent information but is mostly introductory and should not be used as a comprehensive overlook of refugee conditions in India.

Vela, William. 2003. "Analysis of Indian Citizenship for Tibetans." San Francisco: U.S. Department of Justice Executive Office of Immigration Review.

Annotation: Filed with the San Francisco Immigration Court by attorney William Vela, this brief explores the legal issue of Indian citizenship for Tibetan refugees. Although the brief concerns an individual Tibetan refugee seeking asylum in the United States, it is of use to a larger audience because it establishes that Tibetan refugees are classified by Indian law as foreigners and thereby do not have the same rights and privileges as Indian citizens. Vela supports his claims with a series of resources all filed as exhibits, including correspondence with various officials, government documents, and excerpts from other legal cases. Although alone this brief may not suffice as support for the argument that Tibetan refugees are not, and may not be able to become, Indian citizens, it surely serves as a strong supporting document.

Yeh, Emily. 2002. "Will the Real Tibetan Please Stand Up!: Identity Politics in the Tibetan Diaspora". In Klieger, P.C. (ed.), Tibet, Self, and the Tibetan Diaspora : Voices of Difference ; PIATS 2000: Tibetan Studies: Proceedings of the Ninth Seminar of the International Association for Tibetan Studies. Boston: Brill.

Annotation: Yeh reviews the markers of Tibetan identity and how they vary in different Tibetan communities. To a lesser extent, she also addresses the cultural politics of Tibetan identity in India, Lhasa, and China for comparative purposes. She explores race and physical characteristics, language and dialects, and community affiliation as Tibetan markers. Most informative is Yeh's section on questions of authenticity within and across the Tibetan communities, and how each region defines Tibetan identity. Although well- written and supported, Yeh attempts to address broad and complex issues in a relatively short paper and the piece would benefit from extending the length to allow for more detail and explanation.

Furthermore, because she only focuses on Tibetan communities in Tibet, India, and California, the breadth of her study is limited.