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Gender Based Violence among Tibetan Refugees in India

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Abstract
Gender-based violence (GBV) remains one of the most ignored yet pressing issues faced by Tibetan refugees living in India. Despite global attention on refugees, their day-to-day struggles, especially regarding women's safety and legal invisibility, often go unnoticed. This study combines a detailed review of existing literature with fresh field insights gathered by the author through direct conversations with 10 refugee women and 3 men living in various Tibetan settlements in India. Many respondents reported lack of documentation, poor legal aid, and minimal support from Indian authorities or their own Tibetan community administration. The findings highlight the gap between constitutional promises and ground reality. This paper calls for stronger policies, community-based interventions, and active involvement of local legal services. Overall, it contributes an original perspective rooted in real conversations, moving beyond generic reports to human stories of courage and struggle.
Keywords: *Tibetan refugees, gender-based violence, India, field observation, refugee rights, human rights, legal aid, marginalized women, refugee policy, social justice*

INTRODUCTION

People who are compelled to leave their homes because of uncontrollable circumstances, like social unrest or religious persecution, are known as refugees. Refugee migration is the result of conflict and violence, but human migration can also happen for good reasons, such as economic opportunity. The two World Wars and their aftermath saw the biggest refugee movements ever documented.

The 1951 Convention of the United Nations High Commissioner for Refugees (UNHCR) defines a refugee as follows:

"A person can only be considered a refugee if they are outside their country of nationality, or for stateless people, outside their country of habitual residence, or if they are outside their country of nationality and are unable to or unwilling to use that country's protection because of a well-founded fear of being persecuted because of their race, religion, nationality, membership in a particular social group, or political opinion."

Gender and gender-based violence (GBV) are not specifically listed as grounds for asylum in the 1951 United Nations Convention Relating to the Status of Refugees or its 1967 Protocol. Nonetheless, under the "membership of

However, under the "membership of a particular social group" (PSG) category, one of the five grounds for refugee status, gender-based violence may be eligible as a basis for asylum.

There is no comprehensive or particular refugee law in India. Political and administrative choices, frequently made on an as-needed basis, largely determine the status and treatment of refugees in the nation. Notwithstanding this legal void, India has a lengthy history of taking in refugees, dating back to the 1947 Partition, when almost 20 million people fled across the newly delineated boundaries between India and Pakistan.

Tibet, Sri Lanka, Iran, Bangladesh, Pakistan, Afghanistan, and Myanmar are just a few of the neighboring countries that have sent refugees to India over the years. It is a natural haven for persecuted populations in the area because of its geographic location, cultural diversity, and religious tolerance. India is seen as a safe and hospitable nation for those escaping oppression and conflict because of its secular democratic framework, stability, and respect for human rights.

India has frequently offered protection to those in need as a manifestation of moral obligation and cultural values, not just for political reasons.

Atithi Devo Bhava, or "The guest is equivalent to God," is a deeply ingrained cultural and traditional philosophy that forms the basis of India's hospitable attitude. Additionally, "Vasudhaiva Kutumbakam" means "The world is one family."According to Indian custom, someone who is in need of shelter is not viewed as a burden but rather is given consideration, respect, and dignity.

Throughout its history, India's humanitarian approach to refugees has been shaped by this principle.

India stands out as a country with democratic governance, secular values, and the rule of law in the South Asian region, which is frequently tainted by social unrest and political instability. Over the years, this has allowed India to host sizable refugee populations. India has taken in and is still taking in millions of refugees even though it is not a signatory to the 1951 Refugee Convention or its 1967 Protocol. Since gaining its independence, India is thought to have taken in more refugees and internally displaced people than Sri Lanka, Bhutan, the Maldives, and Singapore put together, with an estimated 25 million people.

Tibetan Refugees after the Chinese occupation of Tibet in 1950 and the subsequent uprising in 1959, the Tibetan refugees in India are among the longest-lasting refugee groups in the nation. Tens of thousands of Tibetans sought asylum in India following the 14th Dalai Lama's 1959 escape. The Indian government, under Prime Minister Jawaharlal Nehru, welcomed them on humanitarian grounds, offering land for settlements and support for cultural preservation.

Over time, around 1,00,000 Tibetans established themselves across India in settlements located in Himachal Pradesh, Karnataka, Arunachal Pradesh, and Uttarakhand, among others. Despite living in India for decades, many Tibetan refugees remain stateless and are excluded from citizenship, legal rights, and government welfare schemes. They face numerous challenges such as restricted access to education, employment limitations, economic marginalization, psychological trauma, political surveillance, and gender-based violence. While they have made significant contributions to Indian society and preserved their culture, the atrocities faced by Tibetan refugees in India—ranging from legal invisibility to socio-economic exclusion—remain a persistent and pressing human rights concern.

Gender-Based Violence (GBV) is a grave violation of human rights that disproportionately affects women across the globe, with refugee women among the most vulnerable. The United Nations High Commissioner for Refugees (2003) defines GBV as any act targeting an individual based on their gender, which harms their freedom, dignity, or well-being. Forced displacement disrupts social safety nets, increases dependency, and intensifies risks of violence, exploitation, and abuse.

Although India is not a signatory to the 1951 Refugee Convention, it hosts various refugee communities including Tibetans, Rohingya, Sri Lankan Tamils, Afghans, Chin, and Chakma under differing administrative and legal frameworks. Due to the absence of a national refugee law, refugees are governed by the Foreigners Act, 1946, which lacks gender-sensitive provisions, leaving refugee women particularly exposed to layered marginalization rooted in gender, non-citizenship, and socio-economic exclusion. Refugee camps in India, designed for temporary protection, often fail to provide adequate safety and oversight, exposing women to violence from armed actors, aid workers, and even fellow refugees.

Documented cases illustrate this vulnerability: a 13-year-old Tibetan girl was raped by a school cook at the Tibetan Children's Village in Gopalpur, and a 25-year-old Tibetan nurse was gang-raped by staff at The Oberoi Hotel in Delhi. Similar cases across other refugee groups highlight the prevalence and severity of GBV. Sri Lankan Tamil women in Tamil Nadu camps suffer from war-related trauma, domestic violence, and patriarchal dominance. Afghan women, especially post-2021, face heightened risks of intimate partner violence and economic abuse, while Chin women in Delhi and Mizoram frequently report sexual harassment and labor exploitation but remain silent due to fear of deportation and stigma.

Chakma women in Arunachal Pradesh face sexual violence, early marriage, and denial of healthcare, and adolescent girls often lack access to reproductive and mental health support. Rohingya women in Jammu and Delhi camps endure rape, trafficking, child marriage, and threats of detention while being denied legal protection and access to redressal mechanisms.

Internationally, GBV has been formally recognized as a human rights violation. The 1993 UN Declaration on the Elimination of Violence Against Women defined GBV as any act that results in or is likely to result

in physical, sexual, or psychological harm or suffering to women, including threats, coercion, or deprivation of liberty, in both public and private life. The 2003 UN Secretary-General's Bulletin expanded this to include the abuse of power for sexual purposes, such as exploitation for personal or political gain.

According to the World Health Organization, one in three women worldwide has experienced physical or sexual violence, often from intimate partners, with up to 38% of female homicides resulting from such abuse. GBV leads to severe consequences, including reproductive health issues, psychological trauma, and increased vulnerability to further exploitation. Scholars define GBV as rooted in unequal power dynamics and patriarchal societal norms, occurring across settings—from homes and workplaces to refugee camps—and encompassing a wide range of abuses, such as forced marriage, human trafficking, and deprivation of essential services.

The 2023 UN Secretary-General's report on Conflict-Related Sexual Violence documented a 50% increase in cases compared to the previous year, with 3,688 incidents—95% involving women and girls and 98% of the 1,186 child victims being girls. The report highlighted the continued use of sexual violence as a tactic of war, exacerbated by militarisation, arms proliferation, and displacement. Non-state armed groups employed GBV to control resources and populations in countries like the Central African Republic, Haiti, and Somalia. Despite some judicial progress, such as Colombia's investigation of GBV and Iraq's compensation for Yazidi survivors, systemic impunity, limited survivor support, and funding gaps remain major barriers. This underscores the urgent need for gender-sensitive refugee protection policies, survivor-centered care, arms control, and stronger legal accountability mechanisms—both globally and within India—to combat the entrenched and pervasive nature of gender-based violence in displacement contexts.

The Martha Farrell Foundation (MFF), in collaboration with the Women's Empowerment Desk (WED) of the Central Tibetan Administration (CTA), has spearheaded key initiatives to prevent gender-based violence (GBV) within Tibetan settlements in India. Recognising the importance of women's empowerment for holistic community development, WED released the first culturally sensitive guidelines in 2014 to create a Sexual Assault-Free Tibetan Society, blending traditional practices with modern legal frameworks.

These efforts led to the establishment of Sexual and Gender-Based Violence (SGBV) committees across settlements, schools, and CTA departments, supported by over 60 trained gender facilitators conducting community-based sessions in Tibetan to promote behavioral change. Stakeholder consultations identified vulnerable groups, including children in schools and hostels, single and working women, elderly persons, monks and nuns, persons with disabilities, and queer individuals, with interventions addressing a wide spectrum of violence—from rape, molestation, domestic violence, and workplace harassment to child sexual abuse and trafficking. Despite these efforts, persistent challenges such as societal silence, denial of GBV, language barriers, fear of insensitive treatment by Indian authorities, and poor coordination among redressal systems remain. MFF's participatory, experiential training model enhanced community knowledge and institutional capacity, while stakeholder involvement ensured local ownership and implementation.

However, as highlighted by Tenzin Tseyang (2015) and the Tibetan Women's Association, cultural norms continue to discourage disclosure of abuse, with only 3.2% of married women reporting marital violence and 10% facing workplace sexual harassment. Female illiteracy (33.1%) remains significantly higher than among men (19.5%), limiting awareness of rights, and nearly 45% of Tibetan women acknowledge gender inequality within their community. The 2018 WED-SARD assessment of 2,000 Tibetan respondents in India and Nepal revealed that while younger women show improved educational access and mobility, traditional gender roles still dominate, with men largely occupying decision-making spaces.

Taboos such as barring menstruating women from religious spaces persist, and girls in schools report harassment yet hesitate to speak out due to fear of inaction. A concerning child sex ratio of 904 girls per 1000 boys suggests gender preference, while legal literacy and awareness of domestic violence protections remain low. Politically, although women have reserved seats and civil service visibility, leadership is male-dominated, constrained by social perceptions of female shyness or inadequacy. The WED itself was critiqued for unclear mandates, insufficient staffing, and lack of inter-departmental collaboration, functioning more as a donor initiative than a mainstreamed institutional body.

Recommendations include publicising the Women's Empowerment Policy, forming Sexual Harassment Committees, promoting affirmative economic action, and establishing gender desks across CTA departments.

While support from His Holiness the Dalai Lama and community educational progress offer hope, deeply embedded patriarchy, underreporting, and institutional gaps continue to hinder the full realization of gender equality and empowerment among Tibetan women in exile.

LITERATURE REVIEW

Prior studies (Samdup, 2017; Dolma, 2019) have discussed Tibetan diaspora challenges, focusing mainly on cultural preservation and political identity. Reports by UNHCR and Human Rights Watch briefly mention gender violence but lack localized data. Hence, there's a clear gap in first-hand narratives and qualitative exploration of women's lived experiences.

METHODOLOGY

The study uses a qualitative approach. The author visited two Tibetan settlements in Himachal Pradesh and Uttarakhand in April–May 2025. Informal interviews were conducted with 10 women aged 19–52 and 3 men aged 25–60. Participants were selected using convenience sampling and spoke freely about domestic violence, lack of legal help, and social stigma. Conversations were documented anonymously, respecting participants' privacy.

AUTHOR'S OBSERVATION (DETAILED)

During field visits, I (the author) personally spoke with 13 Tibetan refugees. Some women narrated how they endured domestic abuse silently, fearing social boycott. One young lady, aged about 22, confided that she had no official ID — so approaching police was impossible. A middle-aged mother explained how she fled her husband's beatings but had nowhere to go, since local shelters refused her due to lack of Indian documents. Interestingly, a few men admitted knowing about such violence but hesitated to intervene, fearing they would face community backlash. What struck me deeply was the hopelessness among these women: they felt stuck between two systems — neither fully protected by Indian laws nor sufficiently supported by Tibetan leadership. This raw, unfiltered insight made me realize that reports and surveys often miss this silent suffering. Seeing it first-hand left a deep impact on me as a researcher and a human being.

DISCUSSION

The study's findings confirm and expand on the literature: lack of documents prevents refugees from accessing police and legal aid; stigma silences survivors; and limited funding for community welfare compounds the problem. Recent policy discussions have not prioritized refugee women's safety. Thus, bridging the gap between constitutional promises and practical solutions is crucial.

SUGGESTION

To protect Tibetan refugees in India from Gender-Based Violence (GBV), India must adopt a multi-pronged approach that combines legal reforms, administrative coordination, and community empowerment.

Firstly, India should enact a national refugee law that includes gender-sensitive provisions, explicitly addressing the unique vulnerabilities of refugee women and girls. Such legislation must define GBV clearly, guarantee protection from deportation for survivors, and create refugee-specific reporting and redressal mechanisms.

Secondly, it is essential to ensure access to Indian legal and justice systems for Tibetan refugees by providing legal aid, interpreters, and gender-sensitive legal counselling. Awareness about protective laws such as the Domestic Violence Act (2005), Sexual Harassment of Women at Workplace Act (2013), POCSO Act (2012), and IPC provisions on sexual violence must be promoted within refugee settlements.

Thirdly, there should be stronger coordination between the Central Tibetan Administration (CTA) and Indian state and district authorities, allowing refugees access to government-run One Stop Centres, women's helplines, and protection services.

Fourthly, all Tibetan institutions—schools, monasteries, hostels—must establish Internal Complaints Committees (ICCs) and gender desks to ensure institutional support for survivors, alongside regular gender-sensitization workshops.

Fifth, local police, welfare officers, and NGOs must be trained in trauma-informed and culturally sensitive handling of GBV cases involving Tibetan refugees.
Sixth, legal literacy and awareness must be increased through educational campaigns, school curriculum integration, and multilingual resources, particularly in Tibetan, focusing on rights and reporting procedures.
Seventh, the Indian government should support community-led initiatives and civil society **efforts** like those of the Martha Farrell Foundation and CTA's Women's Empowerment Desk (WED) that train peer educators and promote survivor-centred support models.
Eighth, Tibetan refugees should have access to safe shelters, medical aid, psychosocial counseling, and economic rehabilitation**,** including the establishment of refugee-specific GBV support units.
Ninth, efforts must be made to address cultural stigma and societal silence around GBV through community dialogue, awareness programs, and engagement with Tibetan religious and community leaders to break the culture of denial and promote gender equality.
Finally, the government and civil society should implement robust monitoring and evaluation mechanisms to assess the impact of interventions, document best practices, and replicate successful models in other refugee communities across South Asia.

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