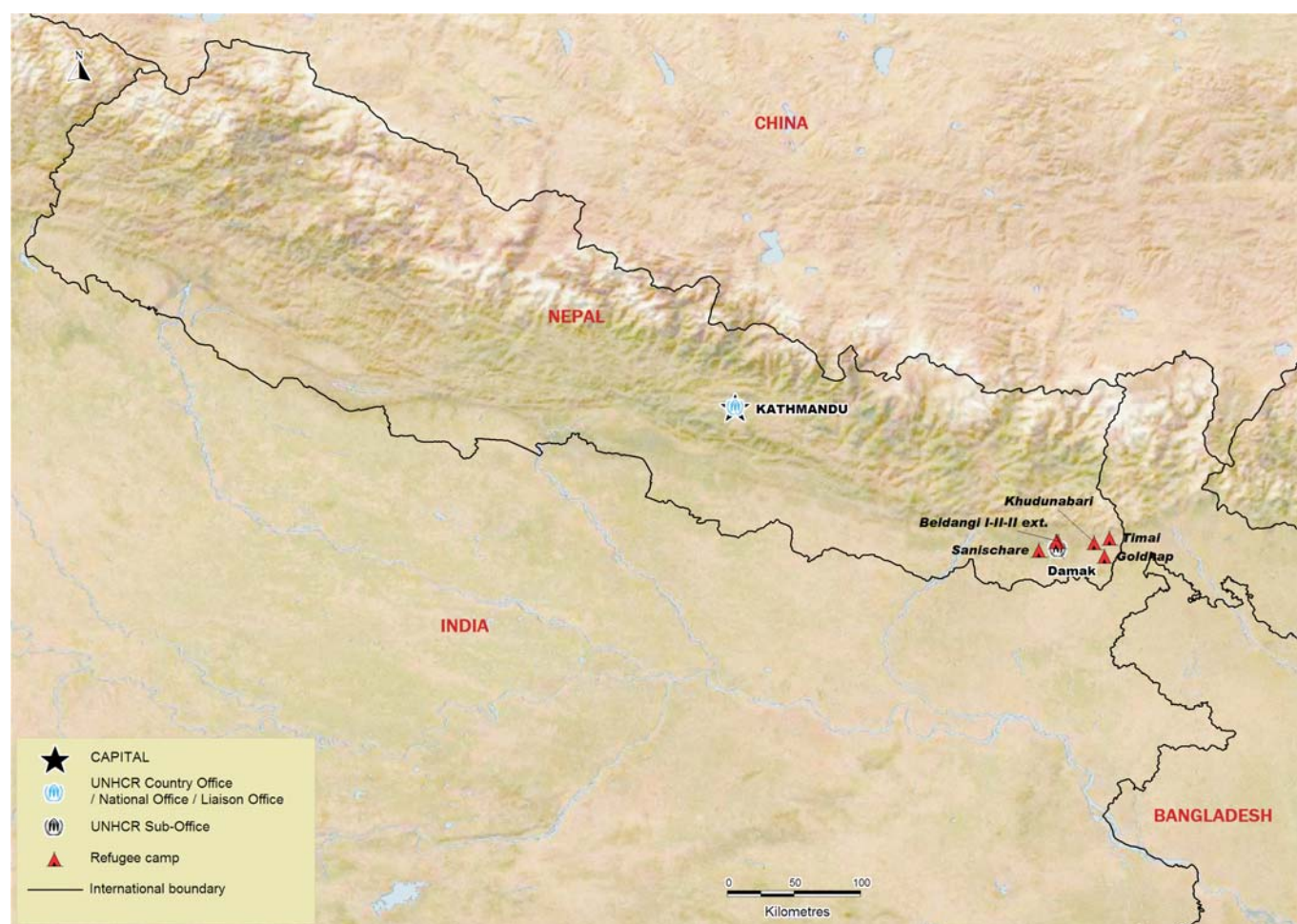


NEPAL



| Working environment |

o The context

The 2008 elections in Nepal led to the demise of the 240-year-old monarchy and the declaration of a federal democratic republic. Political tensions persist, however, particularly with respect to power-sharing arrangements, significantly impeding the delivery of services to the country's rural populations.

Although some improvements in the overall human rights situation were reported towards the end of 2008, State institutions are still recovering from the effects of the protracted conflict between government forces and Maoist rebels. Human rights observers identify impunity for past and present abuses and the insufficient political participation, particularly of women, caste minorities, *Madhesi* in the Terai region and other disadvantaged groups, as major concerns.

Planning figures

TYPE OF POPULATION	ORIGIN	JAN 2010		DEC 2010 - JAN 2011		DEC 2011	
		TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR
Refugees	Bhutan	89,500	89,500	73,000	73,000	56,500	56,500
	Tibetans	20,000	-	20,000	-	20,000	-
	Various	300	300	300	300	300	300
People in refugee-like situations	Tibetans	1,500	1,500	1,500	1,500	1,500	1,500
	Various	1,900	-	1,900	-	1,900	-
Asylum-seekers	Bhutan	900	-	500	-	500	-
	Various	100	100	100	100	100	100
Internally displaced		50,000	-	50,000	-	50,000	-
Stateless		800,000	1,000	795,000	1,000	790,000	1,000
TOTAL		964,200	92,400	942,300	75,900	920,800	59,400

● The needs

Nepal has not acceded to the 1951 Refugee Convention, or its 1967 Protocol, and has no domestic asylum law. In the absence of formal refugee legislation, the Government of Nepal has embraced different approaches for different refugee populations.

Most of the refugees from Bhutan who arrived in Nepal between 1990 and 1993 were recognized on a *prima facie* basis. A large-scale resettlement programme was initiated in November 2007. As of the beginning of September 2009, more than 78,000 refugees had expressed their interest in resettlement and over 20,000 had left the camps in Nepal for third countries.

The ongoing large-scale resettlement operation has changed camp dynamics considerably. With the departure of many skilled refugees, maintaining services is a challenge. Through increased contacts of refugees with the Office for durable solutions-related work, various types of long-standing psycho-social issues have come to the attention of the Office. Additionally, questions of child custody and divorce must now be addressed prior to the departure of refugees for resettlement.

Efforts to prevent and respond to sexual and gender-based violence in the camps remain ongoing.

Tibetans who arrived in Nepal before 1990 were also recognized as *prima facie* refugees and have legal residence and religious freedom. However, their enjoyment of civil, political and economic rights is limited, and many are without identity documents.

Since 1990, Tibetans who arrive in Nepal in search of international protection have been allowed access to the territory as a means of obtaining a solution in a third country - India. UNHCR protects and assists these persons while they are in transit.

There are also approximately 300 third-country asylum-seekers and refugees residing in Kathmandu who are considered to be illegal migrants and, after overstaying their tourist visas, are subject to visa fines and at risk of detention under Nepal's immigration laws.

UNHCR estimates that there are approximately 800,000 Nepalese who remain stateless, even after the Government's citizenship campaign in 2007. Key causes of statelessness include the inability to cover the indirect costs of applying for a citizenship certificate, difficulties in dealing with bureaucratic procedures, administrative shortcomings,

lack of motivation to apply for citizenship and low levels of public awareness on the importance of possessing a citizenship document.

| Main objectives |

Favourable protection environment

- Ensure standards of protection are met for all refugees and asylum-seekers, taking into account age, gender and diversity, with particular attention to the legal and physical protection of those with specific needs.
- Continue with efforts to prevent and reduce statelessness, including through advocacy with the Government and other actors, as well as by identifying stateless populations and implementing small projects to reduce statelessness.
- Promote the development of a national protection regime in accordance with international standards.

Fair protection processes

- Assist Tibetans in transit through Nepal, prevent *refoulement* of new arrivals, and advocate for access to documentation for long-staying Tibetan refugees.

Basic needs and services

- Ensure adequate nutrition for children and persons with specific needs, reduce the risk of HIV and AIDS, and improve water-supply, shelter and sanitation services.

Community participation and self-management

- Initiate projects to develop the capacity of local services for the mutual benefit

Key targets for 2010

- All refugees and asylum-seekers in Nepal receive protection, and UNHCR assistance meets adequate standards while taking age, gender and diversity into account.
- Group resettlement in third countries remains available for registered refugees from Bhutan.
- Refugees from Bhutan are able to make free and informed decisions about their preferred durable solution.
- Adequate services are provided in the refugee camps, and joint programmes are established to benefit the host community and refugees.
- The safe transit of new Tibetan arrivals through Nepal is facilitated.

of the refugees from Bhutan and the host communities, so as to promote peaceful coexistence and harmonious relations between the two.

Durable solutions

- Provide international protection and assistance to individual urban refugees and asylum-seekers in Kathmandu through community-based programmes, and advocate for and implement durable solutions for urban refugees.
- Continue to seek durable solutions for refugees from Bhutan, including through large-scale resettlement, and ensure that refugees are able to make free and informed decisions by providing comprehensive information on durable solutions, including third country resettlement.



An elderly refugee woman is reassured that her family will not be split up during the resettlement process.

UNHCR's presence in 2010

□ Number of offices	2
□ Total staff	159
International	16
National	120
JPOs	4
UNVs	16
Other- Regional	3

PARTNERS

Implementing partners

Government agencies:

Ministry of Home Affairs

NGOs:

Association of Medical Doctors of Asia (Nepal)

CARITAS (Nepal)

Nepal Bar Association

Lutheran World Federation

ProPublic

Transcultural Psychosocial Organization Nepal

Nepal Chepang Association

Others:

Tribhuvan University Faculty of Law

Operational partners

Government agencies:

Ministry of Home Affairs

NGOs:

CARITAS (Nepal)

International Catholic Migration Commission

Lutheran World Federation

Others:

UN Country Team

Strategy and activities

UNHCR will continue to promote protection and assistance for all categories of refugees in Nepal, with particular attention to age, gender and diversity. It will also keep up the search for durable solutions for them.

UNHCR will continue to work closely with the Government of Nepal, the Core Working Group of resettlement countries and the Government of Bhutan to find durable solutions for refugees from Bhutan in Nepal.

The Office will continue to ensure that refugees from Bhutan fully understand the durable solutions options available to them and facilitate access to these solutions, including identifying, verifying and referring refugees for resettlement.

Services in the camps are gradually being adjusted, as the number of refugees diminishes, with greater emphasis on training refugee staff to replace those who have or will be departing for third countries. In the context of the expected decrease in the population of camp-based refugees and the need to integrate public health, education and social services for refugees and host communities, UNHCR is devising a “reach-out strategy” aimed at developing the capacity of local services through projects of benefit to both refugees and host communities.

UNHCR will continue to protect and assist Tibetan new arrivals and facilitate their transit to a third country (India). Additionally, UNHCR will work with the Government of Nepal and other UN agencies to achieve greater legal integration for the long-staying population of Tibetan refugees, including improving vital-events registration such as records of birth, death and marriage, and ensuring the consistent issuance of identity documents.

UNHCR advocates for the adoption of legal instruments to address asylum issues, accession to international refugee instruments and development of a national legal framework. Discussions with the Government will focus on improving protection and access to durable solutions for recognized urban refugees, including resettlement for a limited number of vulnerable refugees. UNHCR is also placing greater emphasis on working with urban refugee women, men, boys and girls to enhance community participation and increase vocational skills.

UNHCR will promote awareness-raising on issues related to citizenship and statelessness, seek to strengthen partnerships on issues relating to statelessness and initiate joint activities to reduce and prevent statelessness in Nepal. The Office will seek further amendments to the citizenship law and improvements in its application through advocacy and by providing technical assistance to the Government.

○ Constraints

The presence of the refugees from Bhutan in the seven camps has at times been perceived as harmful to the environment and the economic prospects of the host community. The perception that services available in the camps are better than those for nationals has also led to resentment from refugee host communities. UNHCR and its NGO partners are working with the Government, refugees and civil society to improve relations between refugees and the host communities.

Political instability and sporadic violence throughout the eastern region will continue to interfere with operations. Although UNHCR should continue to have uninterrupted access to camps, spontaneous strikes affect the movement of NGO partners, prevent refugees from attending resettlement-related interviews in Damak, and challenge the timely delivery of assistance.

Organization and implementation

○ Coordination

UNHCR will cooperate with the Government and resettlement countries on issues related to refugees from Bhutan. Coordination with WFP and NGO partners will continue at the camp level. UNHCR is seeking the technical support of other UN agencies in designing its “reach out” strategy aimed at developing the capacity of local services for the benefit of both refugees and host communities. The Office will also continue to coordinate closely with OHCHR on protection issues which involve the mandates of both agencies.

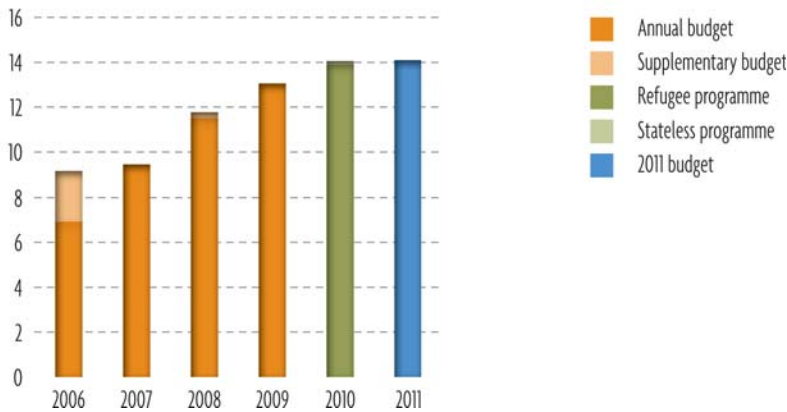
Financial information

UNHCR's expenditures in Nepal have increased steadily since 2006 as a result of new initiatives aimed to improve living

conditions in the camps and enhance the use of resettlement as a durable solution. Funds allocated under the stateless pillar will help pursue efforts to assist those without citizenship.

UNHCR's budget in Nepal 2006 - 2011

Millions (USD)



2010 UNHCR Budget for Nepal (USD)

RIGHTS GROUPS AND OBJECTIVES	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
Favourable protection environment			
National legal framework	110,822	0	110,822
Prevention of statelessness	0	93,846	93,846
Cooperation with partners	328,514	0	328,514
Public attitudes towards persons of concern	51,589	0	51,589
Access to territory	75,406	0	75,406
Non-refoulement	75,406	0	75,406
Environmental protection	53,072	0	53,072
Subtotal	694,809	93,846	788,655
Fair protection processes and documentation			
Reception conditions	593,407	0	593,407
Registration and profiling	214,461	0	214,461
Fair and efficient status determination	122,709	0	122,709
Family reunification	328,514	0	328,514
Individual documentation	471,023	0	471,023
Civil status documentation	48,692	0	48,692
Subtotal	1,778,806	0	1,778,806
Security from violence and exploitation			
Law enforcement	206,175	0	206,175
Community security management system	43,383	0	43,383
Gender-based violence	142,481	0	142,481
Protection of children	446,864	0	446,864
Non-arbitrary detention	78,133	0	78,133
Access to legal remedies	135,151	0	135,151
Subtotal	1,052,187	0	1,052,187

Consequences of a 20 – 40 per cent funding shortfall

Refugees from Bhutan

- Roads will not be regularly repaired, affecting access to refugee camps.
- Vehicles for implementing partners will not be replaced, which may compromise security, camp access and, ultimately, delivery of services.
- Schools and classrooms will not be repaired and maintained.
- The supply of drugs will be inadequate, and complicated medical cases may not be referred to medical specialists.
- The construction of semi-permanent shelters for vulnerable families will not be completed.
- Infrastructure enhancement, such as the upgrading of health centres and schools in host communities, will be limited.
- The information campaign on durable solutions will be curtailed, which may affect the refugees' ability to make well-informed decisions on durable-solutions options.

Urban Refugees

- Adequate services will not be provided for urban refugees.
- The enhancement of women- and children-friendly rooms at the newly established Kathmandu Community Centre (for urban refugees) will not materialize.
- Waiting areas, reception centres and interview rooms for urban refugees and other persons of concern will not be adequately maintained.
- There will be no expansion of services for marginalized populations.
- Investment in outreach programmes with the urban host communities will not be undertaken.
- Vocational-training programmes for urban refugees will be limited, making it more difficult to discontinue the subsistence allowance.

RIGHTS GROUPS AND OBJECTIVES	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
Basic needs and essential services			
Nutrition	171,012	0	171,012
Water	239,252	0	239,252
Shelter and other infrastructure	350,245	0	350,245
Basic domestic and hygiene items	1,426,168	0	1,426,168
Primary health care	1,245,437	0	1,245,437
HIV and AIDS	132,594	0	132,594
Education	997,468	0	997,468
Sanitation services	89,809	0	89,809
Services for groups with specific needs	944,583	0	944,583
Subtotal	5,596,568	0	5,596,568
Community participation and self-management			
Participatory assessment and community mobilization	97,526	0	97,526
Community self-management and equal representation	34,063	0	34,063
Camp management and coordination	124,108	0	124,108
Self-reliance and livelihoods	708,075	0	708,075
Subtotal	963,772	0	963,772
Durable solutions			
Durable solutions strategy	187,813	0	187,813
Resettlement	1,778,551	0	1,778,551
Local integration support	181,439	0	181,439
Subtotal	2,147,803	0	2,147,803
External relations			
Public information	172,744	0	172,744
Subtotal	172,744	0	172,744
Logistics and operations support			
Supply chain and logistics	693,284	25,058	718,342
Programme management, coordination and support	779,440	35,769	815,209
Subtotal	1,472,724	60,827	1,533,551
Headquarters and regional support			
Technical advice and support to operations	45,299	0	45,299
Subtotal	45,299	0	45,299
Total	13,924,712	154,673	14,079,385

2011 Budget	14,122,600
2009 Revised annual budget	13,079,655