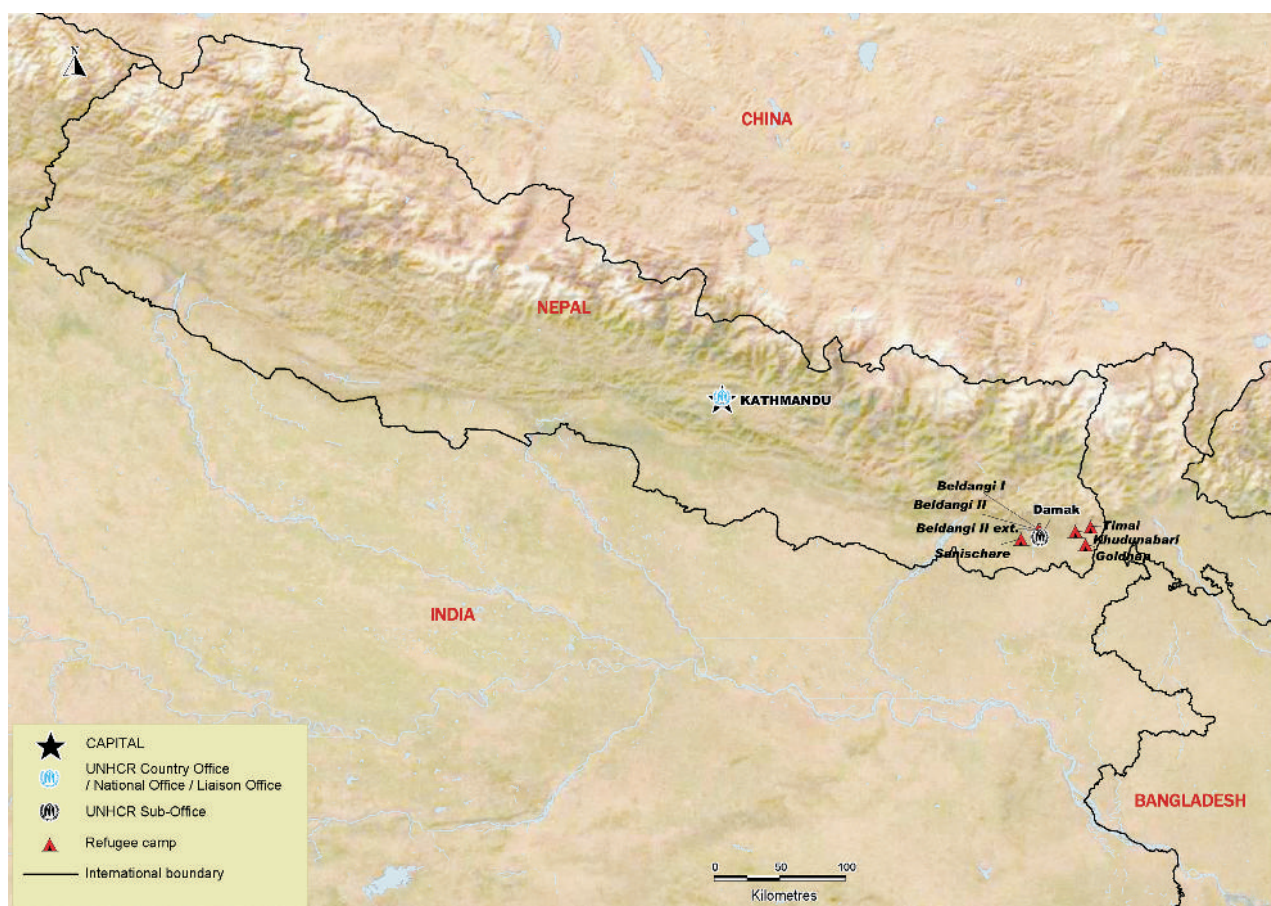


# NEPAL



## Operational highlights

- 2009 was a key year in terms of resolving one of Asia's most protracted refugee situations. Just one year after the start of large-scale resettlement for refugees from Bhutan, more than 25,500 refugees departed for third countries to start new lives. In 2009 alone, some 17,400 refugees left Nepal for resettlement. This reduced the camp population from 102,000 individuals to just under 86,000 individuals.
- Nepal had the largest number of resettlement submissions, the largest number of departures and the highest acceptance rate of any resettlement operation globally in 2009. A further 20,000 refugees officially

declared their interest in resettlement during the year, with over 21,000 refugees referred to resettlement countries for consideration. As an indicator of the success of the resettlement programme to date, the acceptance rate by resettlement countries stands at approximately 99 per cent.

- UNHCR undertook a number of anti-fraud initiatives in 2009 related to both registration and resettlement, including anti-fraud training for UNHCR and implementing partner staff, the implementation of an electronic file-tracking system, a desk review of census absentees, the creation of a fraud investigation task force and the dissemination of anti-fraud materials to refugees.

### Persons of concern

Type of population	Origin	Total	Of whom assisted by UNHCR	Per cent female	Per cent under 18
Refugees	Bhutan	85,900	85,900	49	34
	Tibetans	20,000	838	50	-
	Various	260	250	36	36
	Bhutan	2,300	-	50	-
People in a refugee-like situation	Bhutan	900	-	38	31
Asylum-seekers	Various	50	20	35	24
Stateless	Stateless persons	800,000	-	-	-
Others of concern	Various	480	110	-	-
<b>Total</b>		<b>909,890</b>	<b>87,118</b>		



The Kathiwada family, who are in the last phase of their approval process for resettlement tend a small garden behind their house.

UNHCR / J. RAE

- The Government considered visa fee waivers for a small number of urban resettlement cases with pressing protection and humanitarian needs.
- UNHCR worked closely with members of Nepal's Constituent Assembly and other key stakeholders to address citizenship provisions in the draft constitution which could give rise to statelessness.

## | Working environment |

Nepal's peace process remained fragile in 2009. The Communist Party of Nepal (Maoists)-led Government resigned in early May 2009 and a coalition Government of all key political parties, except the Maoists, took office later that month. The international community and other key stakeholders continued to support Nepali efforts towards peace and development.

Despite regular strikes called by different political parties and social groups, refugee camps were accessible to UNHCR and its implementing partners throughout the year. However, strikes posed difficulties in the distribution of food and non-food items (NFIs) to the camps.

Nepal is not a signatory to the 1951 Refugee Convention or its 1967 Protocol, and it has no domestic refugee legislation. UNHCR continues to advocate for Nepal's adoption of legal instruments to address asylum issues and accession to international refugee instruments.

## | Achievements and impact |

### • Main objectives

The Office sought durable solutions for refugees in Nepal, notably through large-scale resettlement, while simultaneously ensuring adequate protection and assistance

in the camps. Projects were initiated to improve local services for refugees and host communities. UNHCR also sought to provide international protection to all refugees and asylum-seekers, with particular attention to those with specific needs.

The Office assisted Tibetans in transit through Nepal, worked to ensure their access to protection, and lobbied for greater legal integration for long-staying Tibetan refugees.

UNHCR also continued with efforts to prevent and reduce statelessness, including working closely with the Constituent Assembly, the Government and civil society to ensure that the new Constitution meets international standards regarding equal, non-discriminatory and effective access to citizenship.

### • Protection and solutions

UNHCR continued its protection and assistance programmes for the refugees from Bhutan in the seven camps in eastern Nepal. The resettlement programme continued successfully in 2009, with 17,400 refugees departing for resettlement. Almost 1,400 additional identity cards were distributed to the refugees from Bhutan aged 16 years and older.

The security situation in the camps remained stable, with both UNHCR and the police force patrolling the camps with refugee community watch teams. The installation of new solar-powered street lights within the camps also enhanced security.

Preventing and addressing sexual and gender-based violence remained a core component of UNHCR's work. Significant collaboration has been established with the law enforcement authorities, and the protection environment for refugee children has been improved.

UNHCR protected and assisted some 300 urban asylum-seekers and refugees in Kathmandu. In addition to monthly financial assistance, the Office provided educational support for school-age children, as well as medical assistance, psychosocial counselling and integrated social services. UNHCR provided protection and assistance to some 1,000 Tibetans transiting through Nepal to India.

UNHCR estimates that at least 800,000 persons in Nepal may be de facto stateless, even after the Government's citizenship certificate distribution campaign of 2007, which provided 2.6 million citizens with documentation. In November 2009, Nepal's Constituent Assembly circulated draft constitutional provisions on the issues of citizenship and fundamental rights. While current laws create risks of de facto statelessness by imposing discriminatory requirements for obtaining a citizenship certificate, the new draft provisions significantly increased the risk of de jure statelessness by severely restricting the legal definition of who may qualify as a citizen.

### ○ *Activities and assistance*

**Community services:** Women's groups were established in each of the camps and informal skills training, social awareness and functional literacy classes were provided to more than 5,000 women with specific needs. Youth centres conducted outreach activities on HIV and AIDS, sexual and gender-based violence, human rights and the dangers of substance abuse. Vocational and skills training programmes were conducted for some 1,500 beneficiaries. A new partnership with the Centre for Legal Research and Resource Development is helping to provide alternatives to formal justice systems and ensure that ongoing mediation in camps complies with national and international law. The Kathmandu Community Centre for urban refugees was established in November 2009 and is run by trained social workers.

**Domestic needs and household support:** All families received cooking fuel and all refugee women and girls of reproductive age were provided with sanitary materials. The production of relief items in the camps created income-generation opportunities, particularly for mothers of malnourished children, single mothers and economically marginalized refugees. Sports competitions were organized and sporting apparel, footwear and equipment provided.

**Education:** Almost all children of school-going age were enrolled in refugee-managed primary and secondary institutions in 2009. More than 500 children with disabilities were integrated into regular educational activities under the inclusive education programme. Over 2,500 refugee students in grades 11 and 12 received a cash grant to cover admission and tuition fees for higher secondary education in local schools. Advanced computer courses were offered to 685 refugee youths. Solar lights installed in 40 school classrooms provided opportunities for children to study during evening hours. Some 6,000 refugee adults successfully completed English courses.

**Food:** WFP provided rations for all refugees. UNHCR supplemented the rations of people with specific needs. Every refugee was given 260 grams of vegetables per week,

and children with severe malnutrition were provided therapeutic feeding. Over 50 per cent female representation was ensured in committees responsible for distribution of food commodities.

**Health and nutrition:** All malnourished children under five years of age, pregnant and breast-feeding women, tuberculosis patients and medically vulnerable refugees received supplementary feeding in the camps. The establishment of a Voluntary Counselling and Testing Centre for HIV and AIDS outside the refugee camps in Damak has improved access for refugees who do not wish to avail of the services in the camp.

A comprehensive Community-Based Management of Acute Malnutrition (CMAM) programme and the distribution of the "plumpy nut" supplement to severely malnourished children have enhanced UNHCR's capacity to identify and respond to children with critical needs. The micronutrient supplementation programme for all children under five continued in 2009.

**Legal assistance:** All refugees in need of legal assistance were given counselling and representation. Lawyers from the Nepal Bar Association provided legal services in all the camps and legal counselling in 300 cases. Legal aid clinics, organized twice a month in the camps, continued to raise awareness of issues pertaining to naturalization, family law and laws governing common crimes. Some 600 individuals—refugees, local authorities and police personnel—were trained to understand refugee rights and to address sexual and gender-based violence. Five safe houses were built in Beldangi-I camp to address the protection needs of security-related cases.

**Operational support (to agencies):** UNHCR helped defray the operational costs of implementing partners. Some 1,100 refugee workers implemented activities for refugees. A number of posts in implementing partners were converted from refugee workers to national staff following the departure of refugee workers for resettlement.

**Sanitation:** Latrines were maintained, garbage was collected and cleanup campaigns conducted regularly within the camps. Construction materials were provided to refugee families to replace over 2,400 latrine roofs, and sanitation volunteers helped refugee families to shift close to 3,400 latrine pits. A joint solid waste collection, transportation and disposal project has been implemented for refugees and host community residents in Beldangi and Sanischare camps.

**Shelter and infrastructure:** Some 1,400 shelters were renovated in 2009. A fire in March 2009 destroyed 184 shelters and a camp school at Beldangi-II camp. Forty-five families were relocated to huts vacated by resettled refugees and 138 new shelters were constructed. Most huts vacated by refugees who departed on resettlement were dismantled, while 288 huts have been reallocated to families with specific needs. Vacant spaces available after the dismantling of huts have been used by refugees for kitchen gardening.

**Transport and logistics:** Access to Goldhap camp was interrupted after a segment of the access road and a bridge were washed away during heavy flooding. A bamboo

crossing and road diversion provided a temporary solution, with more permanent repairs planned for 2010. Adequate stocks of relief items and the participation of women in their distribution ensured smooth and fair deliveries.

**Water:** No outbreak of waterborne diseases was reported. To contribute to coexistence between refugee and host communities, a water supply system has been completed for the communities hosting the Beldangi camps. A revolving fund has been established for the operation and management of the project, with the beneficiaries and the host community contributing labour and construction costs.

## ○ Constraints

The lack of political stability created a challenging working environment. Despite the frequent general strikes and road blocks, there were no major disruptions in the delivery of assistance to the refugee camps. The irregular presence of government camp officials due to high job turnover and delay in replacements affected the overall operation and camp management. The rate of departure of skilled and experienced refugee workers for resettlement presented challenges in maintaining the quality of services in camps, especially for health and education.

UNHCR and OHCHR carried out interventions to protect the rights of Tibetan refugees, and there were fewer arrests of these refugees than in 2008.

## | Financial information |

The operation in Nepal was well funded. The receipt of additional resources ensured that durable solutions staff were deployed and programmes to reduce anaemia, provide better sanitation and water services and improve refugees' education, health and nutrition could be implemented.

## | Organization and implementation |

With the resettlement programme in high gear, UNHCR staff increased from some 148 to a total of 163 with 27 international staff, four JPOs and 132 national employees. A public information team was successful in raising awareness among local, national and international media and the general public of refugee issues and UNHCR's work. There was extensive coverage of the resettlement process, and the Office facilitated more than 100 official visitors to the refugee camps.

## | Working with others |

UNHCR consolidated implementing arrangements with 10 partners (three international, six national NGOs and one government department). The Office engaged a new partner in community mediation, and collaborated with UNFPA on gender issues. WFP and IOM were crucial partners in assisting the refugees from Bhutan. The Office cooperated with other UN agencies and members of civil society on advocacy related to statelessness.

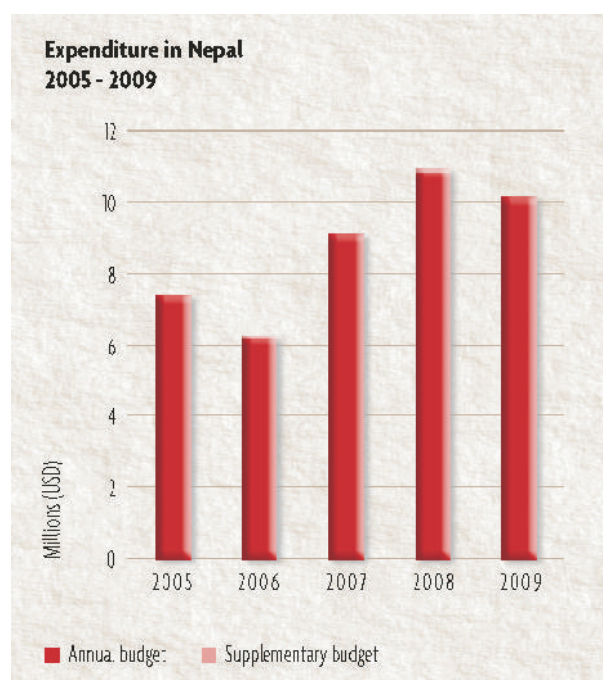
## | Overall assessment |

An emphasis on large-scale resettlement for refugees from Bhutan, in a context where other durable solutions such as voluntary repatriation and local integration remained elusive, was successful. UNHCR strove to maintain proper care and maintenance services in the camps while providing support to those who were not yet resettled. Maintaining peaceful co-existence among camp inmates and between refugees and the host population was of the utmost importance. Cooperation among all stakeholders, including the armed police force, was crucial in defusing tensions.

Tibetans in Nepal posed another set of challenges, but UNHCR's approach addressed some of the concerns of the authorities. Most of the urban refugees believe they have few prospects for durable solutions outside Nepal.

Finally, work on statelessness will need to continue with a sense of urgency beyond 2009. The new Constitution, which in its current draft contains provisions which create a serious risk of de jure statelessness, was due to be adopted in May 2010 but this deadline may be extended.

Partners	
<b>Implementing partners</b>	
<b>Government:</b>	Ministry of Home Affairs/ National Unit for the Coordination of Refugee Affairs
<b>NGOs:</b>	Association of Medical Doctors of Asia (Nepal), CARITAS (Nepal), Nepal Bar Association – Jhapa Unit, Lutheran World Federation, Forum for Protection of Public Interest, Transcultural Psychosocial Organization Nepal, and Nepal Chepang Association
<b>Others:</b>	UN Agencies: UNDP, UNV Programme, UNOPS
<b>Operational partners</b>	
<b>NGOs:</b>	NRC, CeLRRd
<b>Others:</b>	IOM, WFP and UN Country Team



### Budget, income and expenditure in Nepal (USD)

	Final budget	Income from contributions	Other funds available	Total funds available	Total expenditure
<b>Annual budget</b>	<b>12,538,757</b>	<b>8,048,163</b>	<b>2,583,348</b>	<b>10,631,510</b>	<b>10,197,944</b>

Note: Supplementary programmes do not include seven per cent support costs that are recovered from contributions to meet indirect costs for UNHCR. Income from contributions includes contributions earmarked at the country level. Other funds available include transfers from unearmarked and broadly earmarked contributions, opening balance and adjustments.

### Financial report for UNHCR's operations in Nepal (USD)

Expenditure breakdown	Current years' project			Previous years' project
	Annual budget	Supplementary budgets	Total	Annual and supplementary budgets
Protection, monitoring and coordination	2,639,621	0	2,639,621	0
Community services	98,082	0	98,082	59,384
Domestic needs and household support	724,894	0	724,894	454,161
Education	686,273	0	686,273	170,187
Food	101,105	0	101,105	35,711
Health and nutrition	1,116,457	0	1,116,457	289,600
Legal assistance	949,876	0	949,876	166,901
Operational support (to agencies)	265,176	0	265,176	68,780
Sanitation	41,066	0	41,066	13,967
Shelter and infrastructure	114,995	0	114,995	153,699
Transport and logistics	100,250	0	100,250	36,420
Water	116,089	0	116,089	65,288
Instalments to implementing partners	1,441,637	0	1,441,637	(1,514,098)
<b>Subtotal operational activities</b>	<b>8,395,520</b>	<b>0</b>	<b>8,395,520</b>	<b>0</b>
Programme support	1,802,424	0	1,802,424	0
<b>Total expenditure</b>	<b>10,197,944</b>	<b>0</b>	<b>10,197,944</b>	<b>0</b>

#### Cancellation on previous years' expenditure

(3,432)

#### Instalments with implementing partners

Payments made	4,999,383	0	4,999,383
Reporting received	(3,557,746)	0	(3,557,746)
<b>Balance</b>	<b>1,441,637</b>	<b>0</b>	<b>1,441,637</b>

#### Previous year's report

Instalments with implementing partners:			
Outstanding 1st January			1,794,286
Reporting received			(1,514,098)
Refunded to UNHCR			(238,075)
Currency adjustment			26
<b>Outstanding 31st December</b>			<b>42,139</b>