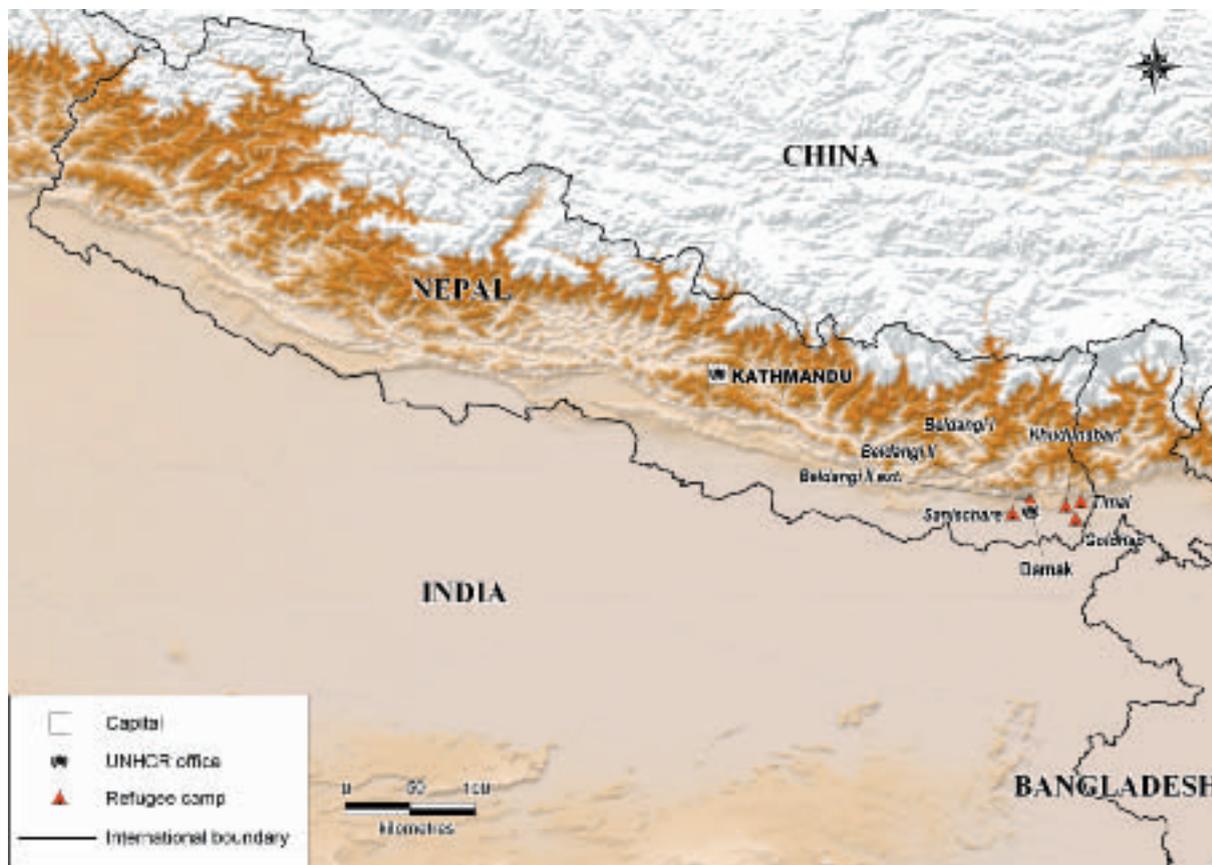


# Nepal



## Main objectives

- Actively support the Government of Nepal to provide refugees with international protection and seek durable solutions.
- Safeguard the welfare of vulnerable refugees through the establishment of community support mechanisms, and maintain preventive and response mechanisms to combat SGBV.
- Play a catalytic role in mitigating the existing imbalance between the living standards of refugees and host populations by targeting development assistance to the refugee-hosting areas.
- Promote accession to the 1951 Refugee Convention and the adoption of national refugee legislation.
- Ensure safe transit for Tibetans in Nepal and provide basic assistance during their temporary stay.

## Planning figures

Population	Jan 2005	Dec 2005
Bhutanese camp population	104,000	105,000
Tibetans (in transit)	2,000	2,000
Urban refugees/ Asylum-seekers	50	50
<b>Total</b>	<b>106,050</b>	<b>107,050</b>

**Total requirements: USD 6,398,200**

## Working environment

### Recent developments

At the 54<sup>th</sup> Executive Committee plenary session in September 2003, the High Commissioner emphasized that a top priority for UNHCR is the

resolution of the political stalemate affecting the over 100,000 people in camps in Nepal. Although subsequent high level consultations among various stakeholders have produced no concrete results, the High Commissioner's statement did effectively highlight the plight of the population concerned. A number of donors are now eager to see agreement on a timeframe and benchmarks for the verification of the remaining camps and an early start to voluntary repatriation among those eligible for return. After a delay of several months, the Governments of Bhutan and Nepal announced the resumption of the bilateral process, which had been halted in December 2003 when the Bhutanese leader of the Nepal-Bhutan Joint Verification Team announced conditions for return, leading immediately to a violent reaction from the camp population. The repatriation of the very first group of refugees (envisaged in February 2004) was postponed indefinitely.

The rise in security incidents in and near the camps, coupled with the mounting sense of frustration among the refugee population over the protracted nature of their predicament, has lent greater urgency to the Office's efforts to find appropriate durable solutions. UNHCR is involved with other agencies and international interlocutors in current efforts to identify a comprehensive, solution-based approach to this situation.

The transit period, during which Tibetans of concern to UNHCR remain in Nepal, has increased from a few weeks to several months, due to recent changes in procedures and administrative matters preventing early departures. UNHCR continues to work closely with the Government to ensure timely processing of Tibetan new arrivals and to overcome obstacles.

An unprecedented influx of some 200 individual asylum-seekers from Pakistan that started at the end of 2003 has put some strain on UNHCR's capacity to respond in terms of prompt refugee status determination. The Government of Nepal has been requested to allow those who would be recognized as refugees to remain in the country until voluntary repatriation becomes an option.

## Constraints

Despite UNHCR's attempts to assist the Governments of Bhutan and Nepal to identify acceptable solutions for the camp populations, the Office has not been allowed to play a meaningful role in the joint Bhutanese-Nepalese process of verification of these persons. Neither has UNHCR been granted access by the Government of Bhutan to the areas of potential return. Under the current conditions, UNHCR maintains the position that it would not stand in the way of refugees who wish to exercise their right of return. The Office would however verify that return is voluntary and based on a free and well-informed decision.

The overall security situation continues to worsen. An increasing number of nationwide or district-wide strikes and traffic blockades have been called by Maoist insurgents. These have seriously hampered UNHCR's ability to access and monitor the camps on a daily basis. The threat to the safety of all humanitarian workers is of great concern, and the areas of UNHCR operations remain under UN security phase III (see Glossary). There has been no police presence in the camps since their withdrawal in the last quarter of 2003, however, the unified command, comprising unarmed police inside the camps and armed police and military outside the camps, has now established a presence outside Beldangi camp. Negotiations continue with the Government to establish a unified command in all the remaining camps. The need for police in the camps has been greatly heightened by increased tensions between the host communities and the camp populations. The insecurity has also compromised UNHCR's mobility and ability to monitor and reach the border, with implications for Tibetans seeking UNHCR protection. Increased security check points and patrols have led to the interception of Tibetan asylum-seekers, detention of these persons and some sporadic unconfirmed reports of *refoulement* in border areas.

Despite efforts to prevent SGBV, the number of reported incidents remains relatively high. However, this is an indication, at least partially, of an improved referral and response mechanism. Under-reporting; fear of social stigma and ostracism; pressure to settle incidents within the

community framework; and other regressive factors need to be continuously addressed. UNHCR is actively monitoring the situation to ensure that perpetrators are brought to justice.

Owing to the protracted residence of refugees in the camps, the incidence of domestic violence, alcoholism, trafficking and suicide has increased.

## Strategy

### Protection and solutions

UNHCR is seeking to carry out, subject to government agreement, two information-gathering activities: 1) a re-registration/profiling exercise, and 2) a socio-economic survey of the camp population and hosting areas. The resulting data would enable better targeting of assistance and more rapid development of safety nets for protecting the vulnerable. The data would also help to establish how additional assistance to local communities might best mitigate some of the long-term effects of hosting the camps. UNHCR would conduct a mass information campaign to inform the intended beneficiaries of these developments.

UNHCR monitors the situation of new Tibetan arrivals at the border. It also liaises with the relevant authorities to ensure protection of these persons during their temporary stay in Nepal. The Office will call for clear procedures and guidelines to be disseminated by the central government to the local authorities in areas of arrival. UNHCR will also conduct capacity-building activities with concerned authorities.

Nepal is not a signatory to the 1951 Refugee Convention or the 1967 Protocol relating to the Status of Refugees. No specific and applicable national legislation relating to asylum-seekers or refugees exists. UNHCR works to ensure that basic refugee rights are respected in accordance with internationally recognized principles. The Office will carry out timely and accurate refugee status determination, as well as pursue solutions for urban refugees through resettlement or voluntary repatriation whenever possible.

### Assistance

UNHCR will work towards re-orienting and broadening the programme from relief to development assistance for the camp populations and hosting communities. The Office is requesting other UN agencies and development partners to work together and help to bridge the gap between the camp populations and local communities. It is hoped that UNHCR will be able to provide capacity building through various training activities to the camp populations to enable them to take care of their individual needs. This would be accompanied by the establishment of safety net arrangements and community support mechanisms for the most vulnerable segments of the population.

Equal participation by women will be strongly encouraged at all levels of the camp leadership structures. The Refugee Women's Forum plans to involve women in various income-generating or self-reliance activities, thus complementing the awareness-raising activities on gender and other related issues, including domestic violence, girl trafficking, early marriage and polygamy. Similarly, the Bhutanese Refugee Association for Victims of Violence plans to provide skills training to disabled persons, their parents and other vulnerable individuals. Almost all children aged 5-18 will continue to receive formal education in the camp schools.

UNHCR will continue to provide urban refugees of various nationalities as well as Tibetans transiting through Nepal with protection, subsistence allowances and medical care.

### Desired impact

The Bhutanese camp populations will receive adequate protection and assistance until durable solutions are identified and implemented. Pending solutions, the populations will play an active role in managing their own communities, ensuring order in the camps and identifying and prioritizing their needs. All individuals will have personal identification documents and all children will be registered at birth. Women will have a more prominent role in the management of the camps and all children will have access to primary education. Basic health care will



A Bhutanese refugee in Jhapa District undertaking an income-generating activity. *UNHCR / A. Hollmann*

be provided to all populations. The overall literacy and mortality rate of the camp population will be comparable to national averages.

UNHCR will advocate safe transit of Tibetans through Nepal. They will have unhindered access to UNHCR and their basic needs will be met while in transit. Refugees and asylum-seekers will have access to UNHCR protection, including refugee status determination procedures and assistance when required. Suitable solutions will be identified for each refugee.

## Organization and implementation

### Management structure

UNHCR will operate with 54 staff (15 internationals, including three JPOs and two international UNVs, and 39 nationals, including two national UNVs). The office in Kathmandu is responsible for the overall management of the country operations, as well as for liaising with the Government, diplomatic missions, NGOs and other interested parties. The operational activities for the camp population will be coordinated through an office in Damak in eastern Nepal.

### Coordination

UNHCR will work with five local and one international NGO and coordinate with the Ministry of Home Affairs, through its Refugee Coordination Unit in Damak. WFP ensures basic and supplementary food commodities. Collaboration with other UN agencies and foreign diplomatic missions will be further strengthened in order to bring about durable solutions, involving them as partners in

projects for the camp populations and host communities.

Each camp has a Camp Management Committee (CMC) composed of a camp secretary and deputy, a focal point for women's issues, sector and sub-sector heads and their assistants, five sub-committees (for administration, infrastructure, distribution, health and social services) and a community mediation board. The CMCs, along with other Bhutanese forums and organizations, such as the Refugee Women's Forum, the Bhutanese Health Association and the Children's Forum, will continue to be instrumental in camp management including the maintenance of order, the distribution of relief materials, the provision of health and sanitary services, organization of skills training and social services for marginalized groups and vulnerable individuals.

### Offices

**Kathmandu**  
Damak

### Partners

#### Government agencies

Ministry of Home Affairs/National Unit for the Coordination of Refugee Affairs

#### NGOs

Association of Medical Doctors of Asia (Nepal)  
CARITAS (Nepal)  
Lutheran World Federation  
Nepal Bar Association  
Nepal Red Cross Society  
Tibetan Refugee Welfare Office

### Budget (USD)

Activities and services	Annual Programme
Protection, monitoring and coordination	1,616,622
Community services	38,946
Crop production	121,161
Domestic needs	1,029,906
Education	416,838
Food	233,570
Health	467,099
Income generation	230,034
Legal assistance	215,413
Operational support (to agencies)	225,145
Sanitation	106,013
Shelter/other infrastructure	495,944
Transport/logistics	330,742
Water (non-agricultural)	103,276
<b>Total operations</b>	<b>5,630,709</b>
Programme support	767,491
<b>Total</b>	<b>6,398,200</b>