

Nepal

Main objectives

Pending the attainment of durable solutions, UNHCR's main objectives remained to protect and assist the camp population in eastern Nepal; facilitate a resolution of their situation by encouraging the bilateral process of negotiation between the Bhutanese and Nepalese Governments; assist Tibetan arrivals in transit; conduct status determination of individual asylum-seekers and find durable solutions for recognised refugees through resettlement in a third country; and continue to pursue with the Nepalese Government the issue of detention of asylum-seekers and refugees.

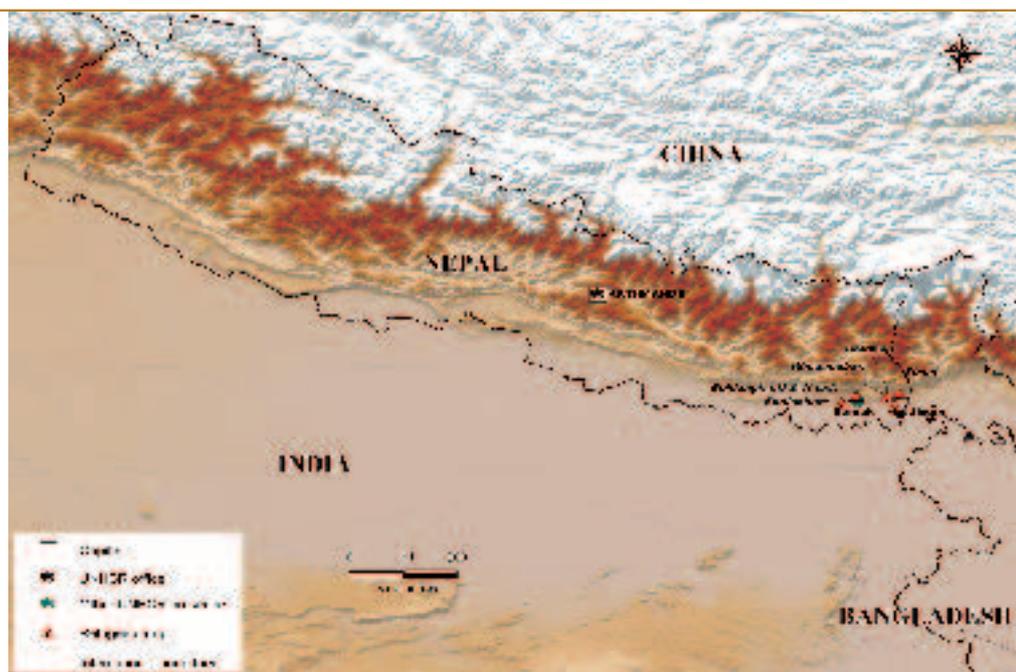
Impact

- Protection and assistance were provided to 102,263 people in seven camps located in the Jhapa and Morang Districts of eastern Nepal.
- UNHCR assisted 1,268 newly arrived Tibetans and facilitated their safe transit to a third country.
- Refugees recognised under the UNHCR mandate were protected and provided with necessary assistance.
- Actions were taken to address Sexual and Gender-Based Violence (SGBV) in the camps. Remedial and preventive measures were put in place. An improved referral system for SGBV was established.

Working environment

The Context

People from Bhutan began arriving in Nepal in 1991, with the influx peaking in 1992. At the request of the Government of Nepal, UNHCR commenced



protection and assistance activities. Resolution of the situation has been dependent upon a bilateral agreement on durable solutions between the Governments of Bhutan and Nepal. Unfortunately, in 2002 the parties involved failed to reach any agreement. Meanwhile, the security situation in Nepal deteriorated, affecting the welfare of the camp residents and highlighting the urgent need for a lasting solution to the situation.

Nepal is not a signatory to the 1951 Refugee Convention or the 1967 Protocol relating to the Status of Refugees. Specific national legislation relating to asylum-seekers or refugees does not exist. However, the Government has continued to show its generosity by granting temporary asylum to camp residents and new Tibetan arrivals. UNHCR conducts refugee status determination for other asylum-seekers.

A total of 1,268 Tibetan new arrivals were provided with basic assistance (food, shelter, health and transportation) through implementing agreements with the Tibetan Refugee Welfare Office during their short transit in Nepal. New arrivals were allowed by the Government to wait in transit in Nepal pending their departure to a third country.

Constraints

Most of the camp residents in eastern Nepal expressed their wish to repatriate. However, bilateral talks between Bhutan and Nepal did not take place due to difficulties over the categorisation of those verified in Khudunabari camp.

The security situation deteriorated drastically in 2002 because of continuing Maoist insurgency. UNHCR was compelled to deploy its own Field Safety Advisor in eastern Nepal.

Funding

The programme was implemented through earmarked contributions and allocations. However, the 2002 global funding shortfall still affected the programme in Nepal, and the Office's ability to cover refugee needs, such as the replacement of household items (e.g. cooking utensils, kerosene stoves, water containers). The planned purchase of project vehicles had to be deferred.

Achievements and impact

Protection and solutions

UNHCR undertook refugee status determination of asylum-seekers other than those in the camps or in transit. Those recognised as refugees under UNHCR's mandate are allowed to remain in the country, but they have no right to work and no

prospect of a long-term stay or integration in Nepal. Consequently, all mandate refugee cases are submitted for resettlement. UNHCR continued to ensure that the basic rights of refugees were respected in accordance with internationally recognised principles. Refugees remain dependent on external assistance.

SGBV emerged as a major protection issue in the course of the year. During the last quarter of 2002, UNHCR's Inspector General's office dispatched a team to investigate allegations of SGBV in the camps. UNHCR responded to the allegations and reoriented the overall programme to address such problems. A number of initiatives were taken immediately in order to minimise SGBV and provide support to victims and their families. UNHCR has re-established a full-time presence in all seven camps and has put in place an enhanced reporting and referral mechanism for dealing with SGBV incidents. The needs of victims, including specialised counselling, medical care, legal aid, relocation and security have been assessed, and measures taken to meet these needs. UNHCR has also initiated the revision of camp rules and camp management guidelines, which are jointly drawn up by the Government, UNHCR, implementing partners and representatives from the camp communities. The revised rules and guidelines should reflect certain changes already in place. These include referral and reporting mechanisms, as well as accountability for the performance of assigned functions.

Awareness and advocacy activities were carried out in the camps on aspects of SGBV and national legis-

Persons of Concern				
Main Origin / Type of Population	Total In Country	Of whom UNHCR assisted	Per cent Female	Per cent under 18
Bhutan (Refugees)	112,300	102,300	49	42
Tibet (Refugees)	20,100	150	-	-

Income and Expenditure (USD) Annual Programme Budget				
Revised Budget	Income from Contributions ¹	Other Funds Available ²	Total Funds Available	Total Expenditure
5,969,230	1,332,081	4,028,011	5,360,092	5,289,517

¹ Includes income from contributions restricted at the country level.
² Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.
 The above figures do not include costs at Headquarters.

lation covering SGBV. These activities were aimed at women, children and implementing agency staff. UNHCR has reached an agreement with the Jhapa Unit of the Nepal Bar Association to assist victims who wish to pursue their cases in Nepalese courts (by providing legal counselling and representation). A comprehensive action plan has been drawn up to address all aspects of SGBV and other social problems. Corrective measures in these areas will be further intensified in collaboration with UNICEF and the ILO in 2003, as part of UN Country Team objectives in line with the Secretary General's Millennium Development Goals (MDG).

Activities and assistance

Community services: Community and gender awareness training, social sensitisation and literacy training were carried out along with skills training for small-scale income generation activities. Female camp residents became increasingly involved in self-help activities and in the daily management of camp activities. Childcare centres were staffed by members of the community to provide early childhood stimulation and give mothers some time to engage in other activities. These activities helped women develop skills as well as providing holistic development for children, and therapy for the disabled or mentally ill. Support provided to Camp Management Committees resulted in the smooth administration of day-to-day camp activities.

Further to the identification of SGBV victims, awareness and sensitisation activities were conducted for women and children as well as men, in an attempt to give victims the confidence to report such incidents. Awareness-raising sessions for men were also conducted to highlight the consequences of abuses and crimes such as rape, sexual harassment and domestic violence.

For Tibetans, a part-time medical/social counsellor was hired to provide counselling to traumatised new arrivals and for the medical follow-up of referral cases.

Domestic needs/household support: Some 15,000 women of reproductive age living in the camps were provided with sanitary materials. All new-born babies received blankets. 7,050 jute mats and 249 boxes of chalk produced by a group of refugee women (Refugee Women Forum) were supplied to camp schools.



Nepal: Childcare centres were staffed by members of the community to give mothers time to engage in other activities. *UNHCR / A. Hollmann*

All school-age children received a school uniform. Kerosene, soap, clothes, etc. were provided as per agreed criteria. Distribution of kerosene curtailed the use of traditional fuels (mainly wood) and served to guard against the degradation of forests around the refugee camps. Incidents of forest encroachment were minimal. 1,268 new Tibetan arrivals and 32 mandate refugees were given financial and medical assistance.

Education: A total of 39,870 pupils up to grade ten were enrolled in camp schools using the Bhutanese curriculum taught by 1,075 teachers from within the camp communities. 20,555 boys and 19,315 girls were given equal educational opportunities. The literacy rate in the camps was estimated to be 70 per cent. More than 6,000 pupils went on to secondary education with direct assistance from an NGO. Under DAFI, four students had the opportunity to receive tertiary education. Eight mandate refugees were assisted with English language training, three with computer courses and four refugee children are being assisted with primary education at local schools.

Food: WFP distributed basic and supplementary food rations. UNHCR supplied some 3,600 metric tons of green vegetables and condiments. A supplementary feeding programme was undertaken for malnourished children, pregnant/lactating mothers, elderly and sick persons and infants being weaned. The overall impact was the reduced incidence of micronutrient deficiencies and a more balanced diet throughout the year.

Health/nutrition: Basic preventive and curative health services were provided through 370 trained camp health workers and 1,700 community health volunteers to camp residents and the population living close to the camps. The health programme concentrated on: health education, including HIV/AIDS prevention, family planning, inoculations, mother-and-child health projects, ambulance services (for referrals to local hospitals), and maintenance of health facilities. Mortality rates were below the national level. UNHCR was part of the Thematic Group on HIV/AIDS and worked closely with UN agencies and the Government on this issue. Basic preventive and curative services were provided to all 1,268 Tibetan new arrivals and serious medical cases were referred to local hospitals in Kathmandu.

Legal assistance: Law and order and camp population statistics and records were maintained by government officials. UNHCR reinforced its presence and protection activities in the camps following allegations of SGBV. By the end of 2002, efforts were focused on proper documentation of all identified cases, the setting up of proper mechanisms to bring perpetrators to justice and providing legal aid to victims who express a wish to pursue their case under Nepalese law. Awareness activities were also undertaken to end the former practice, whereby crimes were investigated and a form of justice served by Camp Management Committees. UNHCR followed up with the Government the question of the issuance of identity cards for Tibetans who were settled in Nepal before 1990. Altogether, some 20,000 Tibetans who arrived prior to January 1990 were allowed to reside legally in Nepal.

Operational support (to agencies): Programme implementation and overall delivery of assistance were facilitated by operational support costs provided to partners.

Sanitation: Solid waste management and vector control were carried out through the construction and repair of family latrines and spraying in the camps. About 6,000 family latrines were repaired. Ultra Low Volume fumigation/spraying was carried out by camp residents. These activities had a significant impact on maintaining a clean camp environment, and kept the incidence of vector-borne diseases to a negligible level.

Shelter/other infrastructure: A total of 11,010 shelters were repaired or renovated by individual families. In all camps, footbridges were maintained and repaired and drainage improved. There were no outbreaks of diseases attributable to poor living conditions.

Transport/logistics: All camp access roads were repaired and maintained. Centrally located warehouses were hired in Damak, where relief items and construction materials were safely stored. Warehouses and distribution centres in camps were maintained and furnished. Vehicles and motorcycles were regularly serviced. Transportation costs were covered for 361 Tibetans in transit (travelling onwards to a third country).

Water: Maintenance and repairs of water supply systems were carried out by trained camp resident workers. They succeeded in providing some 22 litres of potable water per person per day without interruption. Through regular water testing and chlorination, the risk of water-borne diseases was minimised. Water tanks and 13 bore-wells were maintained in the camps.

Organisation and implementation

Management

UNHCR operated with 35 staff in Nepal (six internationals, one JPO and 28 nationals). The office in Kathmandu is responsible for the overall management of the operation including liaison with various government ministries, diplomatic missions, NGOs and the media. Operational activities for the population in the camp in eastern Nepal are co-ordinated through the UNHCR Sub-Office in Jhapa.

Working with others

UNHCR worked with one Government counterpart, three locally-based international NGOs and one national NGO. UNHCR worked closely with WFP and liaised with UNFPA, UNICEF, WHO and UNAIDS. UNHCR has also discussed issues pertaining to SGBV, joint action on female trafficking and prostitution with UNICEF, the ILO and UNIFEM. UNHCR participated in the UN co-ordination and security management schemes

Overall assessment

2002 was a difficult year for UNHCR operations in Nepal. UNHCR worked in increasingly challenging circumstances. Unlike 2001, the year passed without any major improvement in prospects for durable solutions for the camp population. A 12th Ministerial-level meeting between the Governments of Nepal and Bhutan did not take place owing to a divergence of views on eligibility for return. Meanwhile, the security situation in Nepal deteriorated significantly. This affected the security not only of UNHCR staff but also of the camp population in general. These two factors, of insecurity and political stalemate,

created a tense atmosphere in the camps. It is in this environment that SGBV incidents occurred. UNHCR's prompt intervention led to remedial and preventive measures being put in place and increased awareness of gender issues.

In 2003, UNHCR will continue to highlight the plight of the population in the camps and urge the international community to support a speedy resolution of this protracted situation. This action is intended to complement efforts by the Governments of Bhutan and Nepal to expedite durable solutions for the concerned population. UNHCR also intends to call for the protection of individual asylum-seekers and refugees, as more cases of detention were reported in 2002 than during the previous year.

Offices
Kathmandu
Jhapa (Bhadrapur, Damak)

Partners
Government Agencies
Ministry of Home Affairs
National Unit for the Co-ordination of Refugee Affairs
NGOs
Association of Medical Doctors for Asia (Nepal)
CARITAS (Nepal)
Lutheran World Federation
Nepal Red Cross Society
Tibetan Refugee Welfare Office

Financial Report (USD)

Expenditure Breakdown	Annual Programme Budget			
	Current Year's Projects	notes	Prior Years' Projects	notes
Protection, Monitoring and Co-ordination	845,829		9,308	
Community Services	60,709		12,694	
Domestic Needs / Household Support	756,809		360,968	
Education	383,889		215,624	
Food	378,299		65,260	
Forestry	0		35,746	
Health / Nutrition	426,425		106,783	
Income Generation	0		11,984	
Legal Assistance	124,191		4,037	
Operational Support (to Agencies)	171,940		56,958	
Sanitation	23,557		23,761	
Shelter / Other Infrastructure	82,763		42,100	
Transport / Logistics	158,262		53,213	
Water	63,283		38,351	
Instalments with Implementing Partners	960,537		(926,302)	
Sub-total Operational	4,436,491		110,485	
Programme Support	582,461		64	
Sub-total Disbursements / Deliveries	5,018,952	(3)	110,550	(5)
Unliquidated Obligations	270,565	(3)	0	(5)
Total	5,289,517	(1) (3)	110,550	
Instalments with Implementing Partners				
Payments Made	3,330,380		54,478	
Reporting Received	2,369,844		980,780	
Balance	960,537		(926,302)	
Outstanding 1st January	0		987,591	
Refunded to UNHCR	0		55,861	
Currency Adjustment	0		(5,429)	
Outstanding 31 December	960,537		0	
Unliquidated Obligations				
Outstanding 1st January	0		150,320	(5)
New Obligations	5,289,517	(1)	0	
Disbursements	5,018,952	(3)	110,550	(5)
Cancellations	0		39,770	(5)
Outstanding 31 December	270,565	(3)	0	(5)
Figures which cross-reference to Accounts: (1) Annex to Statement 1 (3) Schedule 3 (5) Schedule 5				