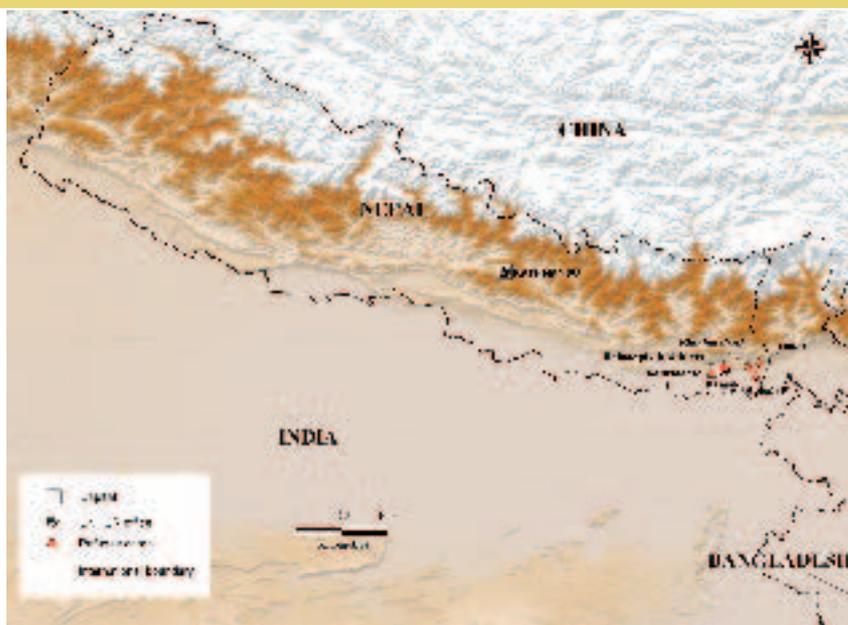


Main objectives

- Urge the Governments of Nepal and Bhutan to find durable solutions for the Bhutanese camp population.
- Provide international protection to this population pending durable solutions.
- Implement relevant UNHCR policies and guidelines on protection, especially of refugee women and children, and the prevention and response to sexual and gender-based violence (SGBV).
- Ensure safe transit for Tibetans and provide basic assistance during their temporary stay in Nepal.
- Conduct refugee status determination (RSD); provide advice and assistance to urban refugees and asylum-seekers.



Planning figures

Population	Jan. 2004	Dec. 2004
Asylum-seekers	40	40
Bhutanese camp population	104,000	104,000
Tibetans	2,200	1,700
Total	106,240	105,740

Total requirements: USD 6,108,029

Working environment

Recent developments

At the 12th Ministerial Joint Committee (MJC) meeting between the Governments of Nepal and Bhutan in February 2003, the Governments agreed to categorise 12,183 residents in Khudunabari, one of the seven camps housing Bhutanese populations in eastern Nepal. As a result of this categorisation exercise, only 293 persons (2.4 per cent) were recognised as *bona fide* Bhutanese citizens. 8,595 persons (70.6 per cent) were categorised as voluntary migrants who will have the option to re-apply for Bhutanese citizenship. Of the remainder, 2,948 persons were categorised as non-Bhutanese and 347 as Bhutanese law offenders. The majority of the population in Khudunabari has since appealed the categorisation decisions, claiming to have sufficient evidence to prove their Bhutanese citizenship or to have been evicted by force. UNHCR presented its concerns over the results to the Governments, particularly with regard to the appeal process, which was not conducted in accordance with internationally accepted practices, and to the summary categorisation of entire families as perpetrators of criminal acts. It is hoped that these concerns will be addressed and

arrangements for voluntary repatriation will be finalised at the forthcoming 15th MJC meeting. In the meantime, UNHCR has recommended to the Government of Nepal that it should initiate discussions on local settlement and integration for those who cannot or do not want to return. Earlier, UNHCR presented a proposal for comprehensive solutions to the two Governments which were, however, rejected by both parties.

In recent months, the Government of Nepal has re-affirmed its commitment to the principle of *non-refoulement* with respect to Tibetans transiting through Nepal.

Constraints

The exclusion of UNHCR from the bilateral Bhutan-Nepal process has prevented the organisation from playing a credible role in the possible voluntary repatriation of the camp populations. Having waited more than ten years for the bilateral process to yield solutions, most of them wish to repatriate. The majority have voiced concerns over Bhutan's non-compliance with international practices, including the exclusion of UNHCR from an eventual return

and reintegration process. However, as the Government of Bhutan does not see a UNHCR presence in Bhutan as necessary, and given the consequent dearth of information on conditions in the country of origin, the Office cannot play a role in the repatriation process.

The unstable political and security situation in Nepal could further complicate any resolution of the refugee problem. The security environment became increasingly volatile following the unilateral withdrawal of Maoist rebels from peace talks in August 2003.

Strategy

Protection and solutions

Nepal is not a signatory to the 1951 Refugee Convention or the 1967 Protocol relating to the Status of Refugees. As a result, UNHCR works to ensure that basic refugee rights are respected in accordance with internationally recognised principles.

While respecting the bilateral process as one means of resolving the refugee problem, UNHCR will continue to explore ways to bring Bhutan and Nepal together to consider comprehensive solutions for the population in question.

The social cost of the Bhutanese populations' prolonged stay in Nepalese camps has become very evident. Frustration has led to increased tension with local residents, cases of suicide, SGBV, domestic violence, alcoholism and trafficking. To address this situation, UNHCR will continue to reinforce its protection, prevention and monitoring activities. The High Commissioner's five commitments to refugee women will continue to be central to the programme. By strengthening its community services, the Office will strive to involve more disaffected young adults in camp activities. They will also be drawn into awareness activities on gender issues, children's rights, prevention of SGBV and domestic violence.

UNHCR will continue to assist Tibetans transiting through Nepal to a third country. The Office will also help the Government with the issue of providing refugee identification cards to Tibetans who are settled in Nepal but who were not present during the 1994-95 census.

UNHCR will pursue solutions for urban refugees through voluntary repatriation or resettlement. In the current context, local integration is not possible in Nepal. The Office will continue to seek access to persons in need of its assistance and ensure that the detention of asylum-seekers is kept to a minimum.

Assistance

UNHCR's assistance will be reviewed in 2004 in view of the protracted nature of the refugee situation. As work outside the camps is not permitted, the population remains dependent on external assistance. Camp populations will be encouraged to engage in various self-reliance activities, including skills training. The Office will also maintain its focus on key sectoral activities and priority cases, especially women, children, adolescents and older persons.

UNHCR will continue to provide urban refugees of various nationalities with protection, legal counselling and subsistence allowances. The Office will also determine their resettlement needs when voluntary repatriation is not an option.

Basic assistance in the form of food, temporary shelter and medical care will continue to be provided to Tibetans transiting through Nepal on their way to third countries.

Desired impact

As UNHCR cannot provide support to protracted refugee situations for an unlimited time, it is hoped that the Governments of Bhutan and Nepal will reconsider the proposed comprehensive approach, which allows for burden-sharing and complements the bilateral process. As part of the approach, development agencies would be encouraged to become involved in assisting the two Governments.

UNHCR's programme in Nepal will continue to provide the camp population with adequate protection. Refugee women will be encouraged to play an active role in decision-making and the management of camp activities. Refugee children will have access to education. The overall literacy and mortality rates among beneficiaries will compare favourably with the national averages. Tibetans will continue to have their basic needs met. Mandate refugees and asylum-seekers will have access to UNHCR protection and material assistance when required. UNHCR will continue to advocate adherence to the principle of *non-refoulement*.

Organisation and implementation

Management structure

UNHCR will operate with 48 staff in Nepal (11 international, including two JPOs and one UNV, and 37 national, including two UNVs). The office in Kathmandu will be re-



Nepal: Open air school after the destruction of the former building. UNHCR / S. Peters

sponsible for the overall management of the programme, as well as for liaison with the Government, diplomatic missions, United Nations agencies and NGOs. Operational activities for the Bhutanese refugees will be co-ordinated through the offices in Damak and Jhapa.

Co-ordination

Bhutanese camp populations fall under the overall protection of the Government of Nepal. In Nepal, UNHCR

will work with one international and five national NGOs, and act as the co-ordinating and funding agency for the delivery of protection and assistance. In Jhapa, UNHCR co-ordinates its activities with the Ministry of Home Affairs and the Refugee Co-ordination Unit. UNHCR collaborates with the UN Resident Co-ordinator, WFP, UNICEF and ILO on issues relating to psycho-social counselling, trafficking and prostitution. Each camp has a Camp Management Committee (CMC), composed of a camp secretary, a focal point for women's issues, sector/sub-



sector heads, a counselling board and representatives of sub-committees (for Administration, Project Services, Distribution, Health and Social Services). The CMCs, along with other Bhutanese refugee organisations such as the Refugee Women's Forum, the Bhutanese Health Association and the Children's Forum, will continue to play a vital role in camp management, including the distribution of relief materials, health and sanitary services, fire prevention, skills training and social services for vulnerable persons.

Offices

Kathmandu

Damak

Jhapa

Partners

Government agency

Ministry of Home Affairs/National Unit for the Co-ordination of Refugees Affairs

NGOs

Association of Medical Doctors of Asia

CARITAS (Nepal)

Lutheran World Federation

Nepal Bar Association, Jhapa Unit

Nepal Red Cross Society

Tibetan Refugee Welfare Office

Budget (USD)

Activities and services	Annual Programme
Protection, monitoring and co-ordination	1,095,406
Community services	93,118
Domestic needs	1,188,165
Education	497,804
Food	524,933
Health	632,827
Legal assistance	651,467
Operational support (to agencies)	242,023
Sanitation	67,832
Shelter / other infrastructure	151,026
Transport / logistics	229,882
Water	104,123
Total Operations	5,478,606
Programme support	629,423
Total	6,108,029