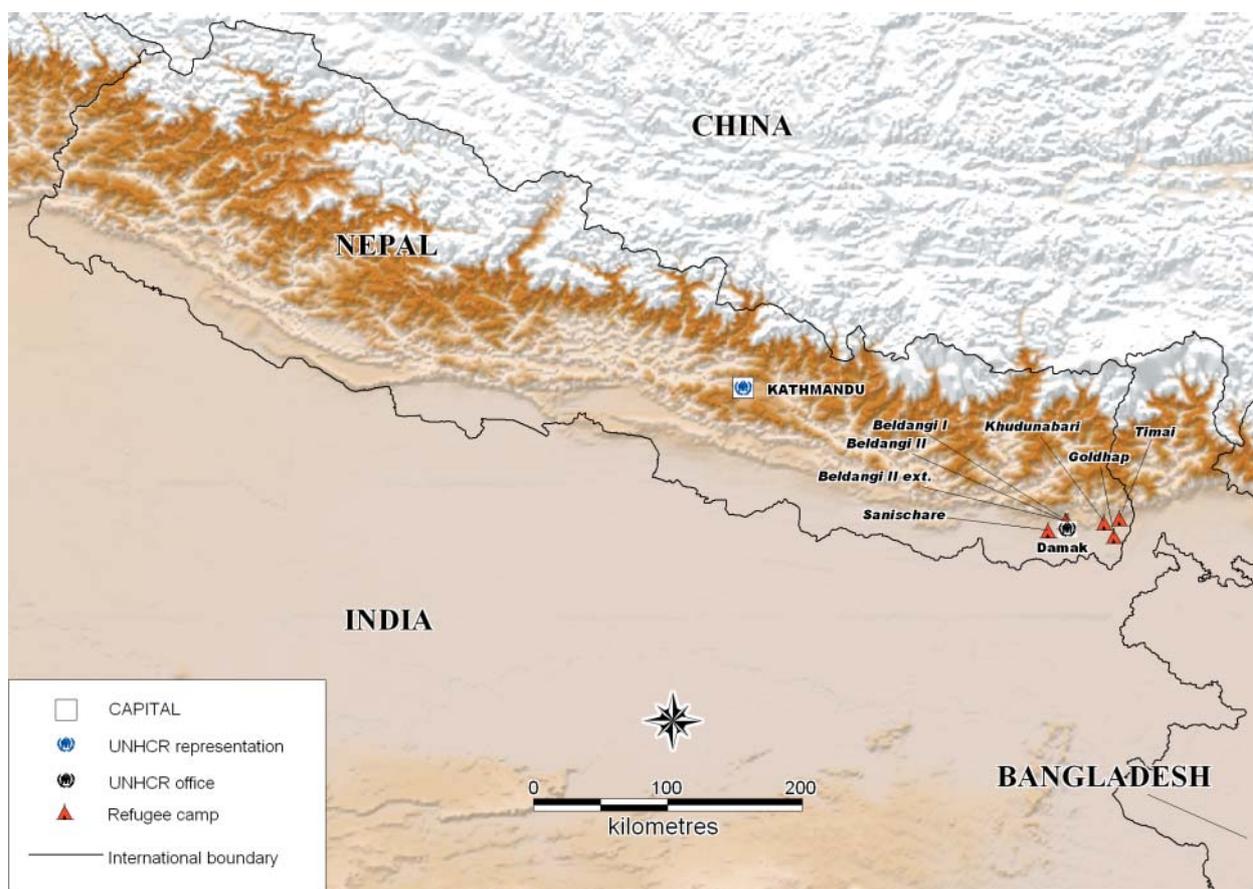


Nepal



Working environment

The context

In April 2006, following weeks of increasing violence and street protests, King Gyanendra agreed to reinstate Parliament and allow the formation of an interim government pending elections. In response, Maoist insurgents announced a three-month ceasefire, extended for another three months, ending on 31 October. While violence throughout the country has abated as both parties have adhered to the ceasefire, at the time of writing, talks between political parties and the Maoists had failed to produce any progress on fundamental issues such as disarmament, constitutional reform, peace and elections. With elections for a constitutional assembly planned for April 2007, and as the end of the ceasefire period approaches, Nepal seems to be heading for another period of uncertainty. It is unclear whether the Maoists will extend the ceasefire beyond October 2006 or resume their insurgency.

Nevertheless, the ceasefire has led to a period of relative stability, and there has been a renewed international focus on the plight of the more than 100,000 refugees in the country. The efforts made by a group of

resettlement States were instrumental in obtaining the permission of the Government of Nepal to resettle a small number of vulnerable refugees. Moreover, Nepal has agreed to UNHCR's long-standing request that it conduct a census of the camp populations.

The needs

While there is real optimism that solutions are finally in sight for the refugees in Nepal, these are probably not imminent, and UNHCR will continue to care for the camp populations for the foreseeable future. Gaps in programming and assistance have been identified through assessments with partners and feedback from refugees and other stakeholders. The major gaps include the lack of comprehensive refugee bio-data and national asylum legislation, as well as the absence of provisions for basic documents such as birth and marriage certificates.

Refugees' freedom of movement is hindered by regulations requiring exit permits. In most camps there are no security forces and no street lighting. Living conditions are deplorable due to lack of adequate space, and general disrepair of camp dwellings and structures, especially latrines. There is little opportunity for gainful employment, and other possibilities for self-reliance are virtually non-existent.

Tibetans in transit will continue to require assistance and protection, especially protection against *refoulement*.

Total requirements: USD 6,975,643

Main objectives

- Seek durable solutions for refugees and asylum-seekers to bring an end to their protracted situation in the camps, while continuing to ensure they receive adequate legal and physical protection.
- Prevent the *refoulement* of new Tibetan arrivals.
- Provide international protection to individual refugees and asylum-seekers pending assessment of their claims, and grant financial assistance to refugees pending durable solutions.
- Support efforts to provide protection and solutions for people displaced within Nepal by conflict. Ensure that comprehensive information is available on the overall situation of internally displaced persons (IDPs) within Nepal and that they have access to basic rights as citizens of the country, including the right to return to their homes in conditions of safety and dignity.

Key targets for 2007

- Camp populations and their household composition are profiled.
- All assistance to refugees in the camps meets UNHCR standards.
- No new Tibetan arrivals are *refouled*.
- All new arrivals at the Tibetan Transit Centre are provided with adequate food, shelter and health care.

Strategy and activities

UNHCR will continue to work closely with the Government, the Core Group of resettlement countries and Bhutan to find durable solutions for refugees. To keep the refugee community fully informed, UNHCR is running an information campaign and conducting an outreach programme among various refugee groups.

The refugee situation in Nepal has become politicized, with a number of so-called refugee leaders vocally opposed to any solution other than repatriation. While UNHCR respects the rights of individual refugees to express their opinion, and remains supportive of voluntary repatriation as the preferred solution, it warns against applying pressure on refugees that reduces their freedom to choose their own solutions.

While hoping that prospects for repatriation will improve, UNHCR urges that refugees have access to whichever solution is available, and not be blocked by the lack of progress on repatriation. There will also be refugees for whom local integration is a preferred option, and it is important that the range of possibilities offered does not exclude it. Refugee women married to Nepalese citizens, as well as their children, are entitled to Nepalese citizenship, which could also permit their local integration.

Tibetans

New arrivals from Tibet will continue to seek protection and a durable solution in India for the foreseeable future. It is expected that India will continue to provide *de facto* solutions for the vast majority of them. UNHCR foresees that it will remain responsible for protection and assistance to Tibetan arrivals in transit through Nepal for the next few years.

Planning figures

Type of population	Origin	Jan 2007		Dec 2007	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Bhutan	107,200	107,200	103,000	103,000
	Tibet	20,000	-	20,000	-
	Various	180	180	180	180
Asylum-seekers	Bhutan	500	-	100	-
	Various	80	-	80	30
IDPs		100,000	5,000	-	-
Others of Concern	Bhutan	10,000	-	10,000	-
	Tibet (recent arrivals)	900	900	900	900
Total		238,860	113,280	134,260	104,110



Election of refugee camp representatives.
UNHCR / A. Khatoon

Approximately 20,000 Tibetan refugees who arrived in Nepal before 1990 have to a large extent already integrated locally. However, formal recognition of many of their rights as citizens is still outstanding. Moreover, the recent conflict between the Government and the Maoist insurgency has illustrated the tenuous nature of their life in Nepal. UNHCR advocates for access to identity documentation and registration of births and marriages, as well as for increased government support for Tibetans. While other agencies provide assistance, their overall protection is ensured by UNHCR and the Nepalese Government.

Urban refugees

In the absence of national legislation on refugees, the Government of Nepal considers recognized refugees as illegal immigrants. As such, local integration is not a viable option. UNHCR is trying to identify durable solutions for recognized urban refugees. When voluntary repatriation is not possible, resettlement in a third country remains the option for most of this group. In today's volatile security situation UNHCR processes the cases of recognized refugees for resettlement very rapidly.

While UNHCR will continue administering services in accordance with its mandate for this group, the long-term goal is similar to that for the Tibetans: it is hoped that eventually the Government will take over the refugee status determination process.

Internally displaced persons (IDPs)

The spontaneous return home of internally displaced persons, including returns assisted by NGOs, has continued since the ceasefire. But a clear UN-led framework for returns is still missing.

UNHCR believes that conditions for sustainable return are often not present without a sustained and permanent ceasefire and peace process. Furthermore, the reasons

for displacement, including serious human rights violations and breaches of international humanitarian law by both parties to the conflict, have not been properly addressed. As such, their recurrence cannot be ruled out.

The return of the displaced within and outside Nepal, particularly those targeted by the insurgents, is likely to be highly politicized at the local level — where issues of property restitution and compensation are most critical. UNHCR and its protection partners need to ensure the right to return in safety and dignity, and that the rights of returnees will be respected.

UNHCR is working closely with the Office of the High Commissioner for Human Rights and OCHA in developing an overall protection framework for the return of internally displaced persons.

Constraints

The provision of security for refugees and humanitarian staff is limited by constraints of manpower and geography as well as political factors. In the polarized environment of the camps, UNHCR aims to ensure access to accurate information and guarantee the freedom of individual refugees to make their own decisions on their future. The various tensions within the camp community also carry potential risks for the security of refugees, partners and UNHCR.

With regard to the internally displaced, sustainable returns will depend on the political situation. Without a lasting peace agreement and an end to political and social instability, it will not be possible to adequately assist and protect them.

Organization and implementation

UNHCR presence

Number of offices	2
Total staff	55
International	9
National	39
UNVs	4
JPOs	3

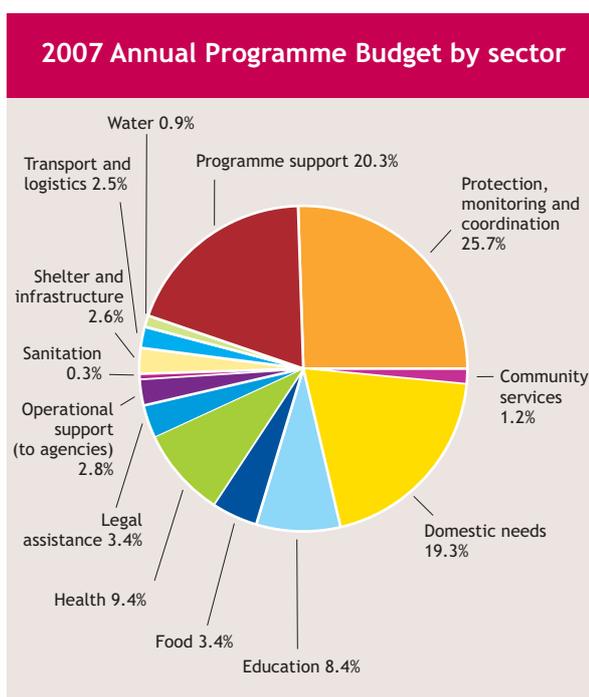
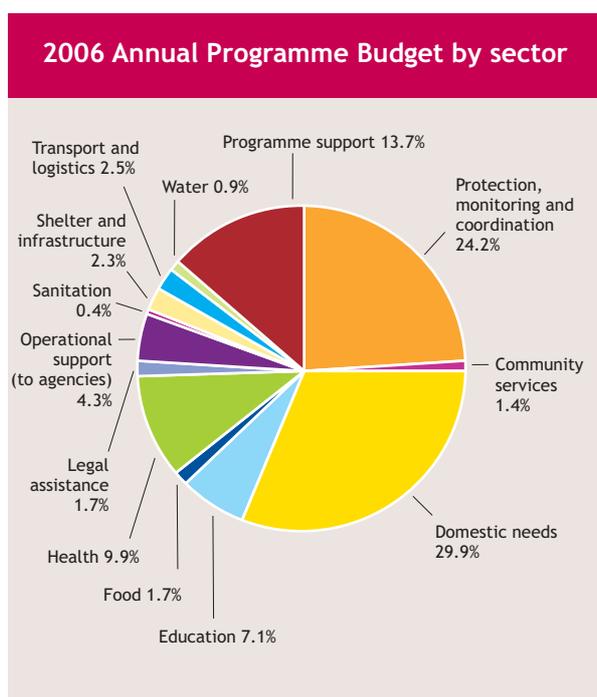
Coordination

UNHCR Nepal will continue to cooperate with the Government and the Core Group of resettlement countries on issues related to refugees in the camps. At the camp level, coordination with WFP, UNICEF, UNFPA, OCHA, UNAIDS and implementing and operational

partners will continue as in previous years. UNHCR and OHCHR co-chair the IDP protection working group at the country level. UNHCR chairs the shelter working group, where other material assistance such as household needs for IDPs are also discussed. OCHA is also responsible for the overall coordination and reporting on activities implemented in the context of the consolidated appeals process (CAP).

Partners	
Implementing partners	
Government: Home Ministry.	
NGOs: Association of Medical Doctors of Asia, CARITAS (Nepal), Nepal Bar Association (Jhapa Unit), Lutheran World Federation.	
Others: Forum for Protection of Public Interest.	
Operational partners	
Others: UN Country Team.	

Budget (USD)		
Activities and services	Annual Programme Budget	
	2006	2007
Protection, monitoring and coordination	1,663,725	1,790,507
Community services	92,859	82,665
Domestic needs	2,054,683	1,347,547
Education	488,336	584,698
Food	114,193	236,231
Health	677,360	654,883
Legal assistance	114,817	236,141
Operational support (to agencies)	297,160	194,419
Sanitation	30,093	19,239
Shelter and infrastructure	159,186	183,270
Transport and logistics	170,542	171,761
Water	61,771	61,220
Total operations	5,924,725	5,562,580
Programme support	940,717	1,413,063
Total	6,865,442	6,975,643



Nepal