

# Nepal

## Executive Committee Summary

### **(a) Context and Beneficiary Populations:**

UNHCR, at the request of His Majesty's Government of Nepal (HMG-N), has been playing an active advisory, co-ordination and monitoring role in protection activities and the provision of assistance to Bhutanese refugees since 1993. Law and order at the camps are maintained by the Refugee Co-ordination Unit (RCU) under the Ministry of Home Affairs.

Care and maintenance for the concerned population continues with a strong emphasis on participation and self-reliance, including camp management and daily delivery of assistance. The assisted population, accommodated in seven camps in Eastern Nepal, will reach approximately 104,000 persons by the year 2003, unless durable solutions are agreed upon and implemented by then.

UNHCR works closely and effectively with its main Government counterpart (RCU) as well as with WFP and four Implementing Partners (AMDA, CARITAS-Nepal, LWF and Nepal Red Cross Society). This well-established arrangement is expected to continue in 2003.

As of June 2002, solutions to the population rest solely on bilateral negotiations between the Governments of Nepal and Bhutan. A breakthrough to the decade-long bilateral initiatives for solutions took place at the tenth round talks of Joint Ministerial Committee (JMC) in Kathmandu (24-28 December 2000). Both the Governments agreed to adopt terms of reference for a Joint Verification exercise of the camp population. It was also agreed to establish Joint Verification Team (JVT) composed of government officials of both countries and to mandate it to interview the population for classification in accordance with four categories which the two countries had agreed upon in 1993. They are: (1) Genuine Bhutanese forcefully evicted; (2) Bhutanese who emigrated voluntarily; (3) Non-Bhutanese, and (4) Bhutanese who have committed criminal acts. While the bilateral nature of the negotiations and the verification process precludes a specific role for UNHCR in the verification process, the two countries have come to accept, to a limited extent, the Office's advice, technical expertise and logistical support to facilitate the search of durable solutions.

The JVT's work started on 26 March 2001. Khudunabari camp (12,486 persons/1,964 families) was chosen as a test case camp. The verification of the population in the camp was concluded on 14 December 2001 without major disruption, even after the announcement of a nation-wide State of Emergency in Nepal in late November 2001. However, the 12<sup>th</sup> round of JMC, expected to discuss the next steps of verification, has not taken place. This is reportedly due to a lack of harmonisation of the respective positions on criteria for return. This has resulted in heightened tension and frustration of the refugee population and UNHCR continues to urge both Governments to resolve the issue as soon as possible.

In 2003, UNHCR will continue to provide assistance to Bhutanese refugees through its care and maintenance programme. The Office will also provide its support to the Bhutan-Nepal joint verification exercise as soon as the team resumes its activities. In view of the nature of this protracted operation, i.e. the care and maintenance operation running into its 11<sup>th</sup> year, UNHCR plans to gradually phase down its operation while providing basic needs. At the same time, UNHCR will impress more vigorously on the Governments of Bhutan and Nepal to agree on the implementation of durable solutions.

UNHCR continues its facilitating role for newly arrived Tibetans by assessing their situation and ensuring that those declared of concern for UNHCR receive proper treatment and adequate assistance before proceeding to a third country. Dialogue with HMG-N, regional and local officials will be continued in order to maintain and secure compliance with the HMG-N commitment to enforce a non-deportation policy. Efforts will continue in 2002 to assist HMG-N and the Ministry of Home Affairs to issue identification cards to those Tibetans who arrived in Nepal before 1990 and allowed to settle in Nepal but who were not present during the census exercise in 1994-1995.

The situation of some individual asylum seekers remains difficult. An increasing number of foreigners have been detained for the sole reason of having entered or stayed illegally. An explanation for this could be that Nepal is seen as being used as a transit country for further movement to the west. Unfortunately, in January 2002, there were reports of two refugees under the Mandate of UNHCR been handed over to their country of origin. Request for information and clarification by UNHCR from the Nepalese authorities have been to no avail. While those recognized under UNHCR's Mandate are usually tolerated by HMG-N, they do not have the right to work and prospects for extended stay are therefore very limited. The only viable durable solution for this group remains resettlement to a third country.

**(b) Selected Programme Goals and Objectives**

<b>Name of Beneficiary Population/Theme:</b> Bhutanese Refugees	
<b>Main Goal(s):</b> Continue to provide international protection and basic assistance to <i>104,000 refugees in 2003</i> residing in the camps in Jhapa and Morang Districts, while actively seeking ways to support the two concerned governments in agreeing and implementing durable solutions for them.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• Ensure that law and order are maintained at the camps and refugees are treated by the host Government authorities with due respect to refugee rights and protection</li> <li>• Ensure proper maintenance of refugee records and their qualitative improvement</li> <li>• Efficient management of seven camps in co-ordination with the government counterpart, WFP and implementing partners.</li> <li>• Promotion of self-reliance of refugees and their active involvement in the camp management and assistance delivery.</li> <li>• Timely and effective financial and logistic support to the Joint Verification Team (Nepal).</li> <li>• UNHCR's increased involvement in currently bilateral discussion on durable solutions.</li> </ul>	<ul style="list-style-type: none"> <li>• Refugees (and asylum seekers) enjoy the international protection acceptable standards</li> <li>• Relevant, reliable and accurate data on refugees is readily available for the provision of assistance as well as for the pursuit of their durable solution (including use for the joint verification)</li> <li>• Basic material and service needs of refugees are sufficiently covered.</li> <li>• Health and nutrition statistics of refugee populations remain sound.</li> <li>• Further transfer of responsibility in day-to-day camp management to refugee community.</li> <li>• Further emergence of income-generating and self-supporting activities within the camps.</li> <li>• Implementation of durable solutions (repatriation and local integration) by the two governments, reflecting UNHCR's due considerations and technical advise.</li> </ul>

<b>Name of Beneficiary Population/Theme: Tibetans and Individual Cases</b>	
Main Goal(s): UNHCR will provide assistance to Tibetans (new arrivals) taking the form of shelter, food, health care and transport while transiting Nepal.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<p>In 2003, it is anticipated, in view of the current reduction of the number of arrival which started in 2001 and which is apparent in the first two months of 2002, that an estimated 2,200 Tibetans would benefit from assistance. The assistance will include accommodation, domestic needs, medical care, transportation and other services while transiting Nepal.</p> <p>Tibetans who arrived in Nepal prior to 1 January 1990. UNHCR will monitor the ongoing issuance of identity document to all who arrived in Nepal prior to 1 January 1990 as well as issuance of a formal travel document for ID card holders.</p> <p>BO Kathmandu estimates that the present caseload of 21 individual cases and their 6 dependants (comprising of various nationalities) will need assistance. Asylum seekers, once recognised as refugees, will be provided with protection against refoulement and if needed with assistance in the form of a living allowance pending a durable solution.</p>	<p>Tibetans who have no other means of support would receive a one-time allowance to meet their food and accommodation costs, access to health services, and if necessary referral to hospitals in Kathmandu and the transportation cost for their onward travel to a third country.</p> <p>Individual cases recognised by UNHCR under its mandate will receive supplementary assistance on a case by case basis including monthly subsistence allowances, medical care cost, legitimate fees for language and vocational training courses.</p>