

COUNTRY OPERATION PLAN 2002 for NEPAL
(External Version)

PART I: (A) EXECUTIVE COMMITTEE SUMMARY

(a) Context and Beneficiary Population (s)

UNHCR's major role in Nepal is to seek durable solutions for approximately 98,900 **Bhutanese refugees**. Pending a durable solution, UNHCR continues to provide for their care and maintenance in eastern Nepal.

The influx of Bhutanese refugees into Nepal began in late 1991 and peaked in 1992. This influx was caused by the strict implementation of Bhutan's citizenship policy and other relevant factors and developments in the country. UNHCR and WFP started a care and maintenance programme and the distribution of food to 80,000 refugees in 1992 upon the request of the Government of Nepal. Refugees who arrived prior to 1 June 1993 were granted "prima facie" refugee status by the Government. New arrivals, after the cut-off-date, were required to undergo refugee status determination. The refugees are at present sheltered in seven camps in Jhapa and Morang Districts of Eastern Nepal.

The majority of the Bhutanese refugees are of Nepalese ethnic origin from Southern districts of Bhutan and are from rural backgrounds. According to Nepalese law, they are considered as foreigners and therefore have no political rights, nor are allowed to engage in any economic activities. Refugees do, however, enjoy de facto freedom of association. In 2002, UNHCR's care and maintenance programme for Bhutanese refugees will continue to focus on cost-effective delivery, greater refugee participation, and income generation through relief substitution and skill development. UNHCR will also continue to address the specific needs of refugee women and children.

While solutions to the Bhutanese refugee problem rest on bilateral negotiations between the Governments of Nepal and Bhutan, UNHCR continues to support and facilitate the bilateral process. Throughout the year 2000, bilateral discussions focused on the modalities of the joint verification of Bhutanese refugees to ascertain those refugees who would be eligible to return. It was not until late December 2000 that Nepal and Bhutan reached agreement on the modalities of the verification exercise. As a result, a process for joint verification was outlined and the terms of reference for the joint verification team were approved by both Governments. The members of the verification team were named in January 2001 and the joint verification of refugees commenced in Kudunabari refugee camp in late March 2001. In light of these developments, the Government of Nepal requested assistance from UNHCR to implement the verification programme. UNHCR responded and supported the establishment of the administrative structure for the joint verification team. UNHCR will continue to monitor the progress of this verification exercise, and to provide technical and financial support to the Joint Verification Team-Nepal.

The local population surrounding the refugee camps in Eastern Nepal has continued to benefit from the Refugee Affected Area Rehabilitation Programme (RARP) established in 1994. The programme provided basic infrastructures i.e. schools, health posts, road maintenance, irrigation, latrines, forestry/environmental protection activities, water supply and a loan scheme to mitigate the negative impact on the surrounding environment and economy due to the presence of a large number of refugees in densely populated areas.

UNHCR continues to assist newly arrived **Tibetans** for their transit through Nepal. UNHCR assisted 2,319 Tibetans in 2000. Tibetans are provided protection and assistance in the form of shelter, food, health care and transport while in Nepal. Tibetans who arrived prior to 1 January 1990 (approximately 20,000) are permitted to remain in Nepal. UNHCR is promoting with the Nepalese authorities the updating of registration and travel documents of those settled in Nepal. Upon UNHCR intervention, a new type of travel document was introduced as of 1st January 2001. This new travel document is in line with internationally accepted standards and is recognised by other countries.

There are a small number of **individual asylum seekers** of various nationalities that are of concern to UNHCR in Nepal. Nepal is neither a signatory to the 1951 Geneva Convention nor the 1967 Protocol and has no national legislation dealing with asylum seekers and refugees. The UNHCR Branch Office undertakes its own mandate refugee status determination. Those recognised by UNHCR are tolerated by the Government. They have no right to work and their prospect for long-term stay is therefore limited. UNHCR provides them with refugee documentation and financial assistance on a case by case basis pending a durable solution. Solutions for this caseload comprise of resettlement or voluntary return to their country of origin.

Linkages to other countries:

In the event that repatriation of Bhutanese refugees starts, UNHCR requires closer linkage with Bhutan with a view to facilitating the return and reintegration of refugees.

Security:

The UN Resident Coordinator's Programme implements a field staff security system of which UNHCR is a part. Due to rising security concerns, it was recommended to establish a UN field security advisor post in Nepal. UN Security Plan for Nepal has also been updated. The Minister of Home Affairs of the Government of Nepal is responsible for maintaining security, law and order in the refugee camps. Police posts are established on the perimeter of the camps which provide necessary security arrangements.

Capacity and presence of Implementing Partners:

Four implementing partners undertake sector activities for the Bhutanese refugee assistance programme. They are Nepal Red Cross Society, Lutheran World Federation, Association of Medical Doctors in Asia, and CARITAS-Nepal. Monthly inter-agency coordination has been satisfactory and UNHCR enjoys strong support from these agencies.

Presence and roles of other UN agencies and international organizations:

The World Food Programme (WFP) provides basic food and supplementary food commodities for the refugees in the camp. Since 1999, WFP has been engaging in a project to provide supplementary income and skills training to Bhutanese refugees. UNHCR Kathmandu actively participates in the UN Resident Coordinator's programme and the establishment of UNDAF in Nepal. UNFPA, WHO and UNICEF, through the Ministry of Health, support refugee programmes and provide family planning services, essential drugs and vaccines.

(b) Selected Programme Goals and Objectives

<p>Name of Beneficiary Population/Theme: Bhutanese Refugees Project: 02/AB/NEP/CM/201 As of end December 2000 a total of 98,897 Bhutanese refugees residing in seven camps in Eastern Nepal benefited from UNHCR assistance and protection. It is anticipated that there will be a population increase of 1.5 percent per year due to births, death and other factors.</p>	
<p>Main Goal(s): UNHCR will continue providing basic material assistance to some 101,850 Bhutanese refugees in the seven camps located in Jhapa and Morang districts of Eastern Nepal.</p>	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • To co-ordinate all protection and assistance activities; • Provide protection and assistance to Bhutanese Refugees until a lasting solution is found. • Promote self-reliance for Bhutanese refugees and encourage their active involvement in camp management. 	<ul style="list-style-type: none"> • Restructuring of the programme. • Refugees to become increasingly involved in the running of the services. • Cost-effective programme delivery. • Further shift in responsibilities to refugees under the close supervision of NGOs involved in the various sectors. • Expanded income generating/self support activities.

<p>Name of Beneficiary Population/Theme: Tibetans Tibetan new-arrivals (in-transit) and Individual Cases Project: 02/AB/NEP/CM/200 Tibetan new-arrivals transiting through Nepal. In 2000 the number of arrivals (2,319) increased by some 6 percent compared to 1999.</p> <p>There are a few individual cases of various nationalities that are of concern to UNHCR in Nepal. UNHCR undertakes their refugee status determination. Those recognised under UNHCR's mandate are tolerated by the Government of Nepal They have no right to work and their prospect for long-term stay is limited.</p>	
<p>Main Goal(s): UNHCR will provide protection and assistance to Tibetans (new arrivals) taking the form of shelter, food, health care and transport while transiting Nepal.</p>	
Principal Objectives	Related Outputs

<p>In 2002, it is anticipated that 2,500 new arrival Tibetans and persons of concern would benefit from UNHCR's assistance programme. The assistance will include accommodation, domestic needs, medical care, transportation and other services while transiting Nepal. The Tibetan Refugee Welfare Office (TRWO) would implement the assistance programme for transiting Tibetans.</p> <p>Individual Cases: UNHCR Kathmandu estimates that 15 Principal Applicants (PA) and their 10 dependants (comprising of various nationalities) per month 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 in each case.</p>	<p>2,500 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 both in the Tibetan Reception Centre (TRC) Clinic and referral to hospitals in Kathmandu and the transportation cost for their onward travel to a third country.</p> <p>Individual cases recognised by UNHCR will receive supplementary assistance including: monthly subsistence allowances, medical care cost, language and vocational training courses on a case by case basis.</p>
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