

Working environment

The context

Nepal's peace and reconciliation process moved ahead in the first half of 2008. A federal democratic republic was declared on 28 May, ending the country's 250-year-old monarchy. A new coalition government is in power, facing many challenges in addressing poverty, injustice and social exclusion.

The Maoist leaders have repeatedly declared their intention to resume bilateral talks with Bhutan regarding the voluntary repatriation of refugees. Meanwhile, at mid-October, some 5,500 refugees have been resettled in third countries as part of a large-scale programme launched in March 2008.

In March 2007, at the request of the former government, UNHCR halted refugee status determination (RSD) and the search for durable solutions for urban refugees in Nepal. Urban refugees and asylum-seekers are considered illegal migrants under the law in Nepal. However, in November, the country's Supreme Court invited the Government to sign

the 1951 Refugee Convention and adopt domestic refugee legislation. It is hoped that UNHCR's discussions with the new Government will lead to progress on these issues.

Approximately 20,000 Tibetan refugees who arrived in Nepal before 1990 have found adequate protection and de facto economic integration. More efforts are needed to ensure that their legal rights are better anchored. New arrivals from Tibet seeking protection and durable solutions will continue to transit through Nepal on their way to India.

Following adoption of the 2006 Citizenship Bill, Nepal distributed some 2.6 million citizenship certificates to previously stateless people. It is estimated that some 800,000 individuals, in particular women and members of indigenous groups, still lack access to citizenship certificates.

The needs

A census in 2007 fixed the refugee camp population at 107,810 people. By September 2008, all registered refugees 16 years of age or older had received identity cards.

The start of large-scale resettlement has opened a new chapter for the refugees living in the seven camps in Jhapa and Morang districts in eastern Nepal. Ongoing information campaigns and direct feedback from those resettled will help refugees make informed decisions about resettlement.

Most refugees in Nepal remain dependent on international assistance, as opportunities for income generation and livelihoods are limited by the Government. Gaps in assistance, for instance in the provision of health, nutrition, water and sanitation services, are being addressed.

The camps in eastern Nepal are overcrowded due to the limited availability of land. In March, a fire destroyed most of the huts in the Goldhap camp, leaving some 10,000 people homeless. Reconstruction at Goldhap has been completed, but other camps face similar hazards. To expand the living space for families in the camps, the huts of those who have departed are being dismantled.

- Ensure adequate nutrition for children and people with specific needs, reduce the risk of HIV and AIDS, and improve water, shelter and sanitation services.
- Provide international protection to individual refugees as well as asylum-seekers pending RSD, as well as financial assistance to refugees in need pending durable solutions.
- Develop and promote a strategy to reduce statelessness.

Key targets

- Camp populations and households are able to make informed and free decisions about their preferred durable solution.
- Group resettlement to third countries is available for the camp population.
- Conditions are in place for the voluntary repatriation to Bhutan of a first group of refugees.
- All refugees and asylum-seekers receive protection, and UNHCR assistance is of an adequate standard.

Main objectives

- Seek durable solutions for refugees and asylum-seekers, notably through large-scale resettlement; ensure that they are able to make informed and free decisions; and that those with specific needs enjoy legal and physical protection.
- Promote the provision of documentation and registration of marriages, births and death certificates to enhance protection and facilitate the search for durable solutions.
- Promote the development of a national protection regime in accordance with international standards.
- Assist Tibetans in transit through Nepal, prevent *refoulement* of new arrivals and promote greater legal integration for long-staying Tibetan refugees.

Strategy and activities

UNHCR will establish strong working relations with the Government, the Constituent Assembly and local authorities to find durable solutions for all refugees in Nepal. It will keep refugees fully informed about the durable solutions options available to them in order to help them make free and informed choices.

UNHCR will identify, verify and refer refugees for resettlement. Some 10,000 refugees are expected to leave for resettlement in 2008 and another 24,000 in 2009. At the same time, the Office will work with the Governments of Nepal and Bhutan to promote other

Planning figures

Type of population	Origin	Jan 2009		Dec 2009	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Bhutan	100,000	100,000	76,000	76,000
	Tibetans	20,150	-	20,150	-
	Various	220	220	220	220
People in refugee-like situations		2,500	2,500	2,500	2,500
Asylum-seekers	Various	50	50	50	50
IDPs		50,000	-	-	-
Stateless		800,000	-	800,000	-
Others of concern	Tibetans	100	100	140	140
Total		973,020	102,870	899,060	78,910

durable solutions, including repatriation to Bhutan and the acquisition of Nepalese nationality by those who qualify under Nepalese law.

Services in the camps will be adjusted to the changing number of refugees, with emphasis on the training of refugee staff to replace those who have departed. There will be a greater focus on supporting refugee hosting communities.

With India committed to providing de facto solutions for the vast majority of newly arrived Tibetans, UNHCR will protect and assist those transiting through Nepal. UNHCR will work with the new Government of Nepal to achieve greater legal integration for the old Tibetan caseload through improvements in registration, the issuance of identity documents, and access to citizenship.

UNHCR will advocate for the new Government's adoption of laws to address asylum issues and promote Nepal's accession to international refugee instruments. Discussions will also focus on the resumption of RSD and the availability of durable solutions for recognized urban refugees.



A fire in Goldhap camp left many refugees from Bhutan homeless.

The Office will promote awareness of issues related to statelessness and citizenship with the new authorities in the Government and Constituent Assembly, and will encourage local NGOs and officials to ensure that all those entitled to Nepalese nationality are issued a citizenship certificate. To reduce statelessness and the risk of it, UNHCR will seek amendments to the law and improvements in its application, both through advocacy and the provision of technical assistance to the Government.

Constraints

Intimidation and threats have been used inside and outside the camps to dissuade refugees from opting for third-country resettlement. A regular police presence in the camps is helping UNHCR and its partners to do their best to ensure that all refugees are able to choose freely. Nonetheless, sporadic incidents continue to constrain access to camps and delivery of assistance.

Organization and implementation

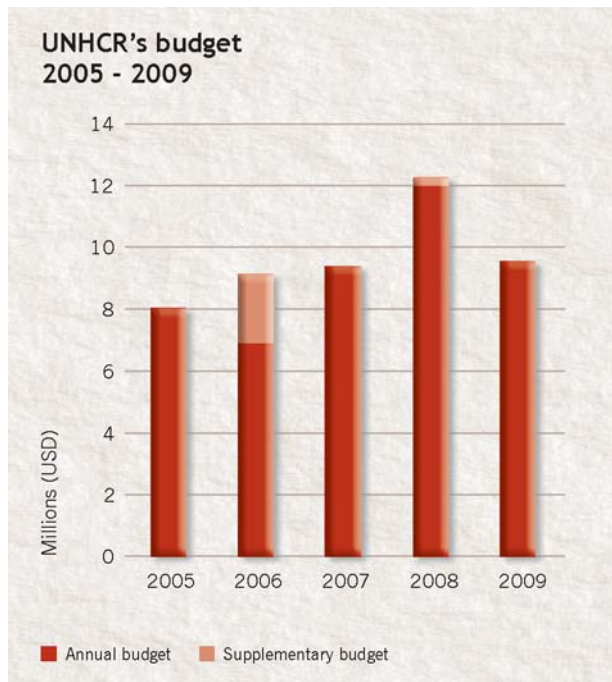
UNHCR presence	
Number of offices	2
Total staff ¹	76
International	9
National	40
UNVs	14
JPOs	5
Others	8

¹ This chart does not include additional staff for the resettlement component.

Coordination

UNHCR will cooperate with the Government and the Core Group of resettlement countries on issues related to refugees in the camps. Coordination with WFP, UNICEF, UNFPA, OCHA, UNAIDS and implementing

and operational partners will continue at the camp level. UNHCR will also coordinate closely with OHCHR on protection issues which involve the mandate of both agencies.



Financial information

UNHCR's expenditures in Nepal have continued increasing since 2005. In 2008, the initial budget was increased during the year to meet additional requirements due to the improvements of facilities in the camps, the reconstruction of the fire-ravaged Goldhap camp and the commencement of the third country resettlement.

Partners

Implementing partners

Government: Ministry of Home Affairs

NGOs: Association of Medical Doctors of Asia (Nepal), CARITAS (Nepal), Nepal Bar Association, Lutheran World Federation, Federation of Women Entrepreneurs - Associations of Nepal, General Welfare Pratisthan, Knight Chess Club, Maiti Nepal, ProPublic, Transcultural Psychosocial Organisation - Nepal, Nepal Chepang Association, Fatima Foundation

Others: Tribhuvan University - Faculty of Law

Operational partners

NGOs: Norwegian Refugee Council, International Catholic Migration Commission, International Rescue Committee

Others: UN Country Team

Budget (USD)

Activities and services	2008			2009
	Annual budget	Supplementary budget ¹	Total	Annual budget
Protection, monitoring and coordination	2,323,081	0	2,323,081	2,477,851
Community services	200,241	0	200,241	177,798
Domestic needs	1,548,128	0	1,548,128	1,515,090
Education	598,298	0	598,298	737,113
Food	212,766	0	212,766	42,072
Health	1,018,594	128,500	1,147,094	999,111
Legal assistance	646,099	0	646,099	879,652
Operational support (to agencies)	230,476	9,500	239,976	469,421
Sanitation	21,277	34,500	55,777	16,668
Shelter and infrastructure	96,177	0	96,177	99,648
Transport and logistics	146,809	0	146,809	194,149
Water	81,135	80,500	161,635	86,573
Total operations	7,123,081	253,000	7,376,081	7,695,146
Programme support	1,693,171	0	1,693,171	1,868,954
Total	8,816,251	253,000	9,069,251	9,564,100

¹ Includes supplementary programmes for anaemia control and prevention (USD 138,000) and water and sanitation activities (USD 115,000).

Note: Supplementary programme budgets exclude 7 per cent support costs that are recovered from contributions to meet indirect costs for UNHCR.