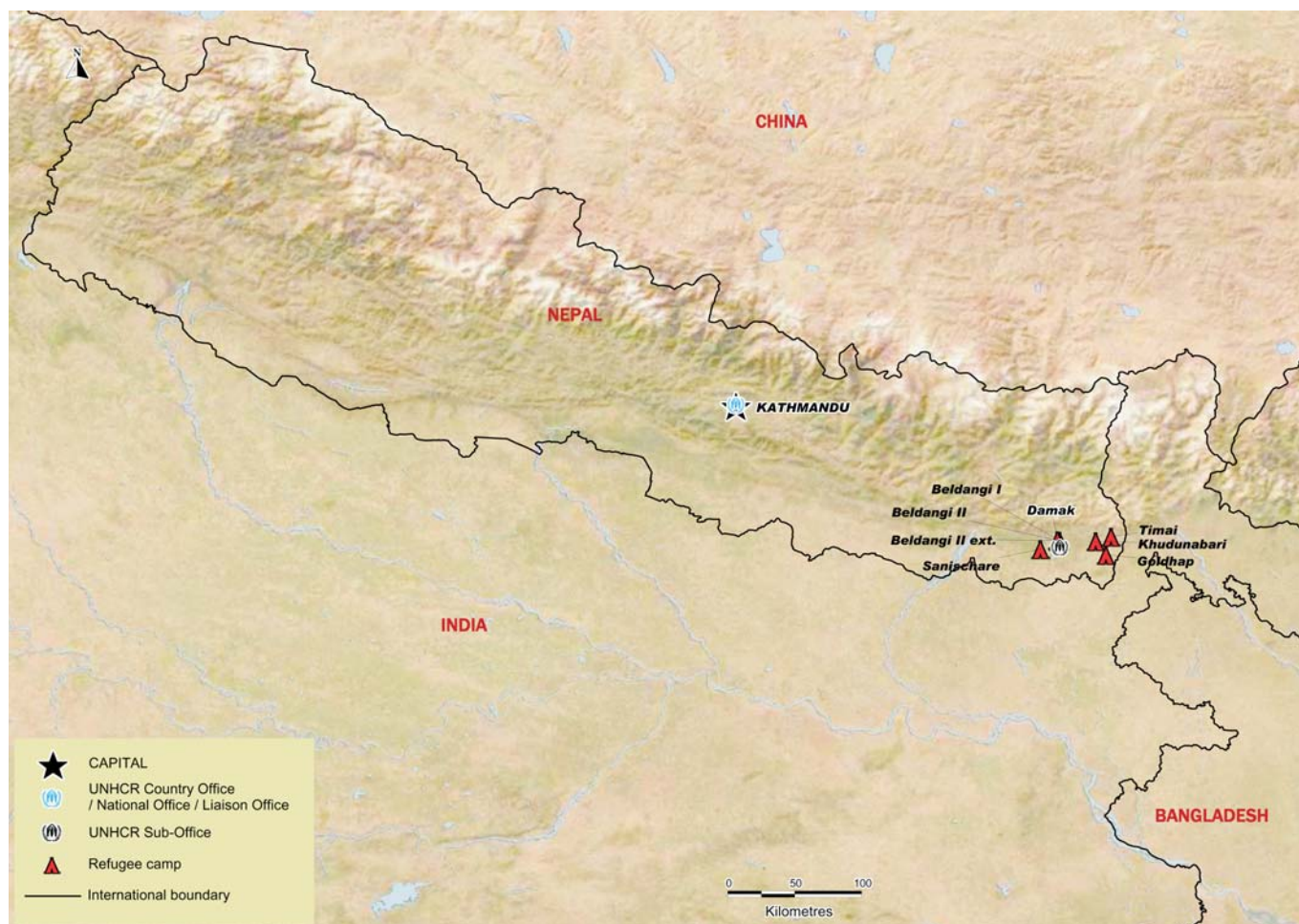


NEPAL



Working environment

The context

Though not a signatory to the 1951 Refugee Convention or the 1967 Protocol, and with no domestic refugee legislation, Nepal continues to host a large number of refugees and asylum-seekers, of whom the majority (more than 75,000) are refugees from Bhutan. UNHCR, with the support of the Government of Nepal and the international community, provides international

protection and assistance and seeks durable solutions for all refugees in the country.

Nepal is in the midst of a political transition, with general elections planned for late 2011. However, those elections will only take place if a new constitution is promulgated by May 2011, provided differences between the country's various political groupings with respect to power-sharing arrangements are overcome. Other major challenges include the rehabilitation of former Maoist combatants and their integration into the country's armed forces, and demands for autonomy or

Planning figures for Nepal

TYPE OF POPULATION	ORIGIN	JAN 2011		DEC 2011	
		TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR
Refugees	Bhutan	73,300	73,300	58,200	58,200
	Tibetans	20,000	0	20,000	0
	Various	250	250	250	250
Asylum-seekers	Bhutan	500	0	300	0
	Various	50	50	80	80
Stateless	Stateless	800,000	1,000	800,000	5,000
Others of concern	Tibetans	1,500	1,500	1,500	1,500
	Bhutan	370	0	370	0
Total		895,970	76,100	880,700	65,030

independence among groups in the Terai region (southern lowlands).

The political uncertainty and frequent changes in government have affected UNHCR's operations in Nepal, particularly with regard to camp consolidation, refugee registration and statelessness. The draft constitutional provisions on citizenship and fundamental rights issued in November 2009, further restrict access to citizenship, raising the prospect of a significant increase in the size of the stateless population in Nepal.

| The needs |

UNHCR continues to seek comprehensive solutions for the 75,000 refugees from Bhutan who remain in Nepal. The Office will facilitate the resettlement of up to 16,000 refugees in 2011. Resettlement referrals achieve a remarkable 99 per cent acceptance rate, and the rate of declarations of interest in resettlement among the refugees is equally impressive. Indeed, more than 56,000 of the current camp population have already expressed interest in resettlement. However, the departure of skilled refugees has made it difficult to maintain basic services in the camps.

UNHCR continues to advocate with the Government for a complementary registration exercise for pending non-registered cases. It also promotes the issuance of identity cards to all newly-registered refugees, as well as children reaching 16 years of age.

Each year, approximately 1,000 Tibetans transit through Nepal. UNHCR advocates for their access to the territory and facilitates their safe transit to India, while providing for their basic needs (food, shelter and medical care) during their brief stay in Nepal. Tibetans who arrived in Nepal prior to 1990 are entitled to recognition as refugees by the Government, as well as to documentation giving them the right to remain in the country (but not the right to work). Not all pre-1990 arrivals have been registered, however, and many Tibetans and their children remain without documentation.

UNHCR is continuing its efforts to improve access to protection and durable solutions for some 300 urban refugees and asylum-seekers from 10 countries, and to enhance community participation and vocational skills.

Nepal is not party to either of the international Conventions relating to statelessness. However, it has certain obligations to prevent statelessness under the international human rights treaties it has ratified. Recent research shows that 3 to 5 million people over the age of 16 are entitled to citizenship certificates but may not have them. Since the draft citizenship provisions proposed in the new constitution further restrict access to citizenship, UNHCR and other partners are concerned about the prospect of more widespread statelessness.

| Strategy and activities in 2011 |

The launch of a large-scale resettlement programme for refugees from Bhutan in camps has contributed to the resolution of this protracted refugee situation. Pending an opportunity to promote voluntary repatriation for those who seek it, UNHCR will continue to ensure that group resettlement in third countries remains available. Measures will be undertaken to prevent registration and resettlement fraud.

UNHCR will continue to ensure that refugees have access to information through targeted information sessions. Efforts to

Main objectives and targets

Favourable protection environment

- Access to territory is improved for persons seeking protection. No cases of detention for illegal entry or stay are reported.
- *Refoulement* is stopped or reduced.
 - ☞ *No credible cases of refoulement reported.*
- Statelessness is prevented or reduced.
 - ☞ *UNHCR comments on draft legal acts in 10 instances.*

Security from violence and exploitation

- The risk of gender-based violence is reduced and the quality of response is improved.
 - ☞ *All survivors of gender-based violence receive support.*

Basic needs and services

- The health of the population remains stable.
 - ☞ *All pregnant women receive antenatal care.*
 - ☞ *The crude mortality rate stands at less than 1.5 deaths/1,000/month.*
 - ☞ *Some 1,500 persons use reproductive health services.*
- Nutritional well-being is improved
 - ☞ *The global rate of acute malnutrition is limited to 5 per cent.*
- Services for groups with specific needs are strengthened.
 - ☞ *Some 50 per cent of persons of concern with psychosocial needs gain greater independence.*

Durable solutions

- The potential for resettlement is fulfilled.
 - ☞ *All eligible individuals are resettled.*
 - ☞ *All identified urgent and emergency cases are resettled.*
- The durable solutions strategy is strengthened or updated.
 - ☞ *A strengthened durable solutions strategy is implemented.*
 - ☞ *Some 73,000 people of concern are contacted through outreach efforts.*

prevent and respond to sexual and gender-based violence will continue, with particular emphasis on working with men and boys.

Measures to prevent, identify and respond to child protection issues will be strengthened, particularly for those with specific needs, and for separated and unaccompanied children. There is also a need for more psychosocial programmes to ensure that support systems are in place for particularly vulnerable refugees

UNHCR's presence in 2011

□ Number of offices	2
□ Total staff	170
International	17
National	136
JPOs	4
UNVs	10
Others	3

PARTNERS

Implementing partners

Government agencies:

Ministry of Home Affairs

NGOs:

Association of Medical Doctors of Asia (AMDA Nepal)

CARITAS Nepal

Forum for Protection of Public Interest (Pro Public Nepal)

Lutheran World Federation

Nepal Bar Association

Trans-cultural Psychosocial Organisation (TPO Nepal)

Vajra Foundation Nepal

Others:

Tribhuvan University – Faculty of Law

UNV

UNOPS

Operational partners

Government agencies:

Ministry of Home Affairs

NGOs:

International Catholic Migration Commission

Others:

IOM

WFP



Resettlement has been key to resolving the protracted displacement of Bhutanese refugees, who consist of the majority of the refugee population in Nepal.

in the camps. As part of a comprehensive community services strategy, vocational training and self-reliance activities will be expanded.

UNHCR will expand advocacy with host communities and the Government to upgrade host community facilities, so as to extend their services to refugees. There will be a gradual movement towards the consolidation of camps, with the proposed closure of two of them in 2011. Participatory assessments and discussions with refugees, host community residents and Government counterparts will be intensified.

Tibetan arrivals transiting through Nepal to India will continue to receive protection and assistance from UNHCR. Additionally, UNHCR will continue to advocate for the issuance of appropriate legal documents to people of concern within the long-staying Tibetan population in Nepal.

UNHCR will continue to provide legal and physical protection to urban refugees and asylum-seekers. As resettlement will only be available for a limited number of

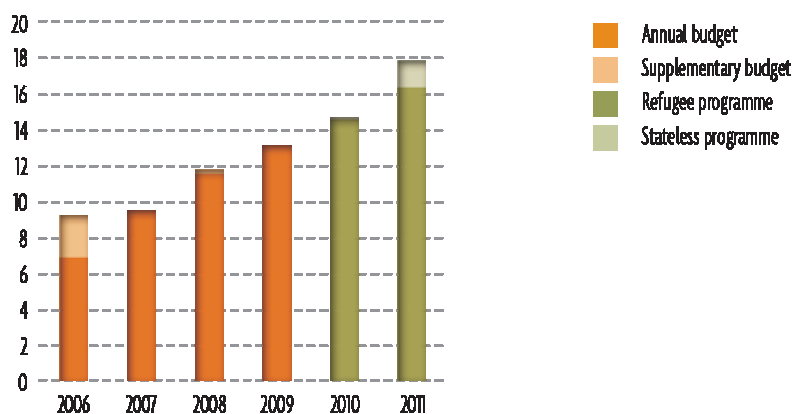
people in this group, other durable solutions will need to be found for the remainder. Advocacy with the Government will promote the adoption of best practices to address protection concerns, accession to international refugee instruments, and the development of a national legal framework. Community participation and activities to increase vocational skills will be enhanced.

In accordance with its mandate to combat and reduce statelessness, UNHCR will continue to advocate for non-discriminatory and effective access to citizenship. In particular, the Office will continue its legal advocacy to promote the adoption of appropriate citizenship laws and policies, consistent with international standards, especially those embraced by Nepal as a State party to human rights treaties.

Furthermore, UNHCR will implement targeted projects to identify segments of the population that are especially at risk of being deprived of their citizenship rights, and will provide legal and administrative assistance in securing proof of nationality in the form of citizenship certificates.

UNHCR's budget in Nepal 2006 – 2011

Millions (USD)



UNHCR will continue to engage the Government of Nepal, other concerned UN agencies, academics, legislators, political parties and civil society groups in these efforts.

○ Constraints

With a rapidly decreasing camp population, UNHCR faces major difficulties in maintaining the quality of services in all the camps. In addition, anxiety about the future and the weakening of social support networks for those who choose not to be resettled have heightened the need for psychosocial support and counselling for individuals, families and communities.

The frequent strikes in the eastern region where the refugee camps are located will continue to pose challenges for the movement of NGO partners, prevent refugees from attending resettlement-related interviews, and obstruct the timely delivery of assistance. Continued political instability and frequent changes in government also affect the operation.

Organization and implementation

○ Coordination

UNHCR will continue to work closely with the Government, resettlement countries and IOM on the resettlement of

refugees from Bhutan. As part of the community development strategy, the Office will engage with bilateral donors and UN agencies in providing development assistance to refugee-affected areas in the vicinity of camps proposed for closure. This may prove challenging, as the districts in which the refugee camps are located are among the most developed in Nepal. UNHCR will work with various national and international organizations, as well as several UN agencies, academic institutions and civil society organizations, to raise awareness of statelessness in Nepal and advocate for solutions to the problem.

Financial information

UNHCR's financial requirements in Nepal have increased steadily since 2006 as the result of new initiatives aimed at improving living conditions in the camps. Intensive vocational training activities and efforts in group resettlement, including more campaigns and information sessions on durable solutions and resettlement processing activities, have also contributed to these increases. In 2011, UNHCR will give priority to the stateless programme, to ensure that the new constitution meets international standards, and fulfils Nepal's obligations under international human rights treaties relating to equal, non-discriminatory and effective access to citizenship.

2011 UNHCR Budget for Nepal (USD)

RIGHTS GROUPS AND OBJECTIVES	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
Favourable protection environment			
National legal framework	220,970	145,694	366,663
Prevention of statelessness	0	407,791	407,791
Cooperation with partners	102,503	0	102,503
Public attitudes towards persons of concern	102,503	0	102,503
Access to territory	119,385	0	119,385
Non-refoulement	80,058	0	80,058
Environmental protection	231,641	0	231,641
Subtotal	857,059	553,485	1,410,544
Fair protection processes and documentation			
Reception conditions	416,270	0	416,270
Registration and profiling	529,404	0	529,404
Fair and efficient status determination	105,609	0	105,609
Family reunification	85,340	0	85,340
Individual documentation	254,845	0	254,845
Civil status documentation	82,002	0	82,002
Subtotal	1,473,470	0	1,473,470

Consequences of a 20 – 40 per cent funding shortfall

- The supply of drugs will be inadequate. Complicated medical cases will not be referred to specialists, which will affect the health of people of concern, and hamper the process of resettling them.
- The information campaign on durable solutions will be curtailed, which may make it difficult for refugees to make well-informed decisions.
- Infrastructure improvements, such as upgrading of services in host communities, will be adversely affected.
- The rehabilitation of refugee-affected areas will be hampered. This could hamper intra-community dialogue and cause delays in the camp consolidation process.
- Programmes at the Kathmandu Community Centre will not be adequate and there will be an increase in the number of refugees living below the poverty line.
- Only basic primary health care will be provided and all secondary referrals will stop.
- Only minor projects will be implemented, limited to helping individuals within marginalized and disadvantaged groups to acquire legal proof of their citizenship. The broader statelessness issue will not be addressed and millions of people may remain either stateless or without proof of citizenship.

RIGHTS GROUPS AND OBJECTIVES	REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	TOTAL
Security from violence and exploitation			
Law enforcement	103,514	0	103,514
Community security management system	91,873	0	91,873
Gender-based violence	145,624	0	145,624
Protection of children	475,473	0	475,473
Non-arbitrary detention	55,534	0	55,534
Access to legal remedies	216,548	0	216,548
Subtotal	1,088,566	0	1,088,566
Basic needs and essential services			
Nutrition	392,076	0	392,076
Water	210,463	0	210,463
Shelter and other infrastructure	632,226	0	632,226
Basic domestic and hygiene items	1,386,741	0	1,386,741
Primary health care	1,536,437	0	1,536,437
HIV and AIDS	124,476	0	124,476
Education	1,336,934	0	1,336,934
Sanitation services	104,304	0	104,304
Services for groups with specific needs	585,324	0	585,324
Subtotal	6,308,982	0	6,308,982
Community participation and self-management			
Participatory assessment and community mobilisation	204,157	0	204,157
Camp management and coordination	228,209	0	228,209
Self-reliance and livelihoods	353,815	0	353,815
Subtotal	786,182	0	786,182
Durable solutions			
Durable solutions strategy	938,076	0	938,076
Resettlement	1,822,324	0	1,822,324
Local integration support	1,814,973	0	1,814,973
Reduction of statelessness	0	668,361	668,361
Subtotal	4,575,373	668,361	5,243,734
External relations			
Public information	457,252	0	457,252
Subtotal	457,252	0	457,252
Logistics and operations support			
Programme management, coordination and support	852,830	145,929	998,759
Subtotal	852,830	145,929	998,759
Total	16,399,714	1,367,774	17,767,488
2010 Revised budget	14,486,610	154,673	14,641,283