

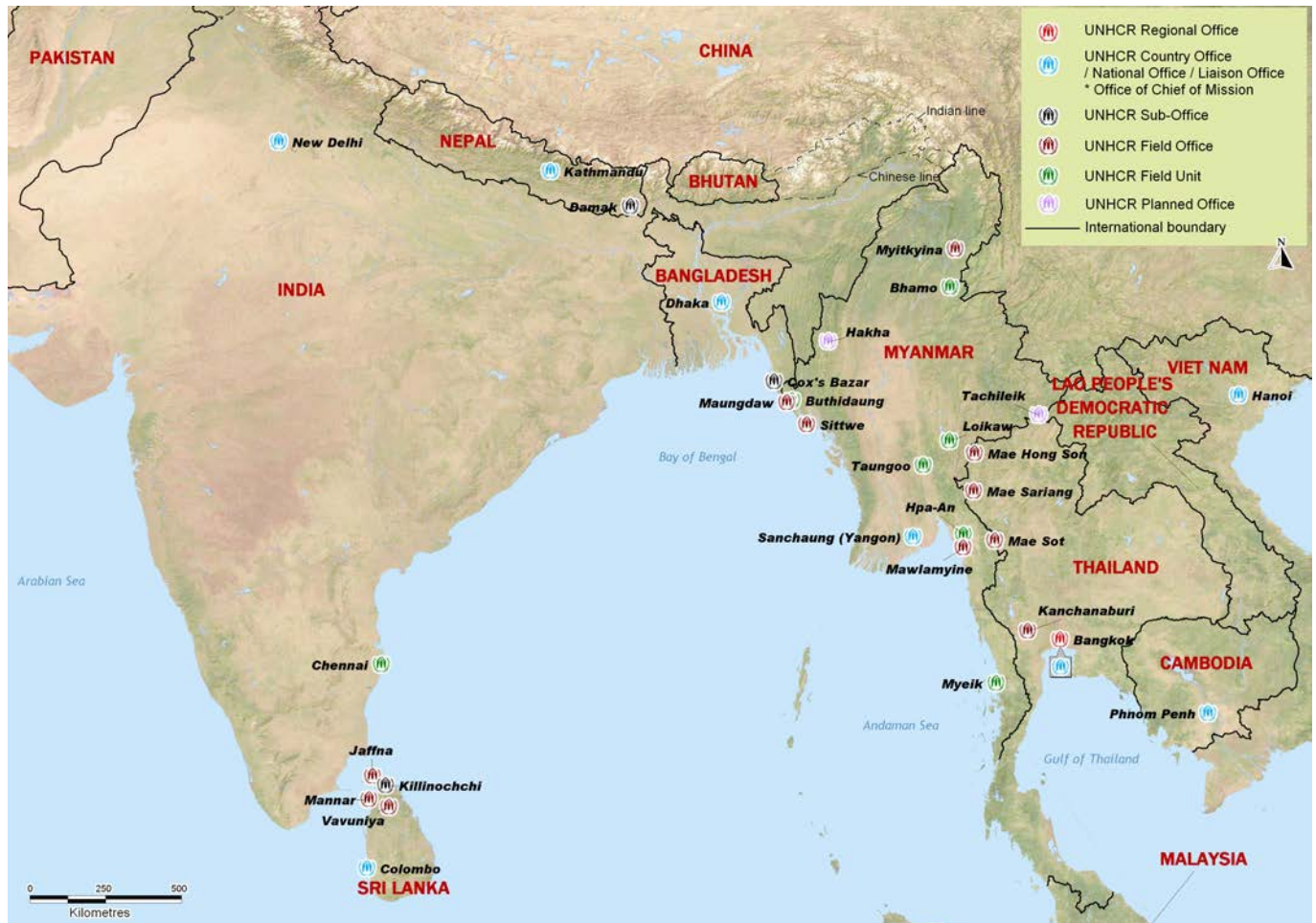


India
Nepal
Sri Lanka

A refugee from Myanmar's northern Rakhine State shows off the pumpkin vines she has planted over her shelter in Kutupalong camp (Bangladesh).



South Asia



| Working environment |

The States of the region have traditionally offered asylum to refugees and generally respected the principle of *non-refoulement*, although they have not acceded to the 1951 Refugee Convention or its 1976 Protocol and have not promulgated national refugee legislation.

India, for instance, continues to grant asylum and provide direct assistance to some 200,000 refugees from neighbouring States. In the absence of a national legal framework for asylum, UNHCR undertakes refugee status determination (RSD) and assists nearly 22,000 urban refugees and asylum-seekers. A positive development was seen in 2012, when the Government agreed to issue long-term visas to eligible mandate refugees and a specific asylum-seeker group.

In Nepal, more than 69,000 of an original total of 108,000 refugees from Bhutan have found a durable solution in third countries, thanks to the support of resettlement States and the cooperation of the Government of Nepal. Meanwhile, consolidation of the camps for the refugees from Bhutan in the country was completed in May 2012, with the seven original camps being merged into two.

UNHCR, in cooperation with the Government of Nepal and the UN Country Team, has developed a five-year Community-Based Development Programme/Transitional Solutions Initiative (CBDP/TSI) which aims to promote peaceful coexistence between the remaining refugees and host communities. Currently, the final programme document is pending the approval of the Government of Nepal.

Three years after the end of the conflict in Sri Lanka, the requirements are evolving from humanitarian relief to early

recovery and development. By the end of September 2012, some 468,000 people had returned to their places of origin, while an undetermined number remain displaced in various parts of the country. Sri Lankan refugees continue to return home, albeit at a slow pace. Meanwhile, preserving asylum space and ensuring protection for refugees will also remain a priority.

| Strategy |

UNHCR will work with host governments, UN Country Teams, civil society and other partners in South Asia to find comprehensive solutions for refugees and internally displaced persons (IDPs), many of whom are in states of protracted displacement. It will also strengthen its efforts to address the needs of urban refugees and work to preserve asylum space and strengthen protection practices in the region.

In India, UNHCR will ensure that effective RSD systems are in place. It will enhance protection outreach through centres in areas where most urban refugees reside. It will also develop and implement a new livelihoods strategy to help refugees to become self-reliant through training, employment and entrepreneurship opportunities, in cooperation with local authorities and civil society.

UNHCR will address the requirements of people with specific needs in India by collaborating with community service providers, community-based organizations and local NGOs. It will support community development initiatives, help refugees who wish to repatriate voluntarily, use resettlement to address urgent protection needs that cannot be met in India and assist eligible refugees who wish to be naturalized.

The cooperation of the Government of India will be sought to strengthen UNHCR's programme to facilitate the voluntary repatriation of Sri Lankan refugees living in India. UNHCR's offices in India and Sri Lanka will coordinate closely in this area. UNHCR will also aim to raise awareness of statelessness in the country.

In Nepal, UNHCR will pursue third-country resettlement for refugees from Bhutan and work closely with the Government and the Core Group of eight countries offering resettlement: Australia, Canada, Denmark, the Netherlands, New Zealand, Norway, the United Kingdom and the United States of America. Once approved by the Government of Nepal, UNHCR with the Government, the UN Country Team and other partners, will implement the Community Based Development Programme/Transitional Solutions Initiative, while advocacy for the voluntary repatriation of refugees to Bhutan will continue.

UNHCR will continue to ensure access to protection to urban refugees and asylum-seekers. It will also advocate for the Government to develop a national asylum framework and accede to international refugee instruments. With regard to Tibetan arrivals transiting through Nepal, UNHCR will continue to advocate for their access to the territory, provide for their basic needs during their brief stay in the country, and facilitate their safe transit to a third country where they are able to obtain asylum.

In Sri Lanka, UNHCR is realigning its priorities to reflect changes in the operational environment with regard to IDPs. This transition, which calls for a shift of focus from humanitarian relief to return and reintegration activities, will continue through 2013.

UNHCR's primary objectives in Sri Lanka include monitoring and advocating for the rights of persons of concern, conducting targeted protection interventions and focusing on supporting the issuance of civil-status documentation and advocating to uphold land and property rights. UNHCR also seeks to improve returnees' self-reliance and ability to prevent and respond to sexual and gender-based violence (SGBV) through awareness raising and training.

In 2013, UNHCR will focus on achieving durable solutions for the remaining IDPs in Sri Lanka by means of advocacy with the Government. It will also strengthen its relationships with the Government and national bodies in order to ensure a responsible handover of its responsibilities.

UNHCR will also work to on improving condition and ensuring protection of asylum-seekers and refugees in Sri Lanka and seek durable solutions for them, mainly through resettlement.

| Constraints |

In India, UNHCR's capacity is stretched due to the increasing needs of refugees and asylum-seekers. Poverty constitutes a key protection challenge for the majority of refugees and asylum-seekers. In some cases, they also face discrimination at the hands of local communities due to competition for scarce resources and the latter's limited knowledge and understanding of refugee issues.

The lack of direct access to the camps in the southern Indian state of Tamil Nadu affects UNHCR's efforts to support the voluntary repatriation of Sri Lankan refugees, though it now conducts repatriation interviews outside the camps, while relying on civil-society groups to monitor the situation within them.

In Nepal, the ongoing departure of skilled refugee workers makes it difficult to maintain the quality of services in the camps. In the absence of related domestic legislation, urban refugees and asylum-seekers are considered as illegal migrants under Nepal's immigration laws.

In Sri Lanka, the limited resources available for the operation will adversely affect UNHCR's capacity to deliver assistance, gain access to people of concern and assist the authorities in the period of transition. Efforts will continue towards preserving asylum space for refugees according to the country's positive practice in the past.

| Operations |

UNHCR's operation in **Nepal** is presented in a separate chapter.

In **India**, some 17,900 refugees and 3,400 asylum-seekers, mainly Afghan, Myanmar and Somali nationals, were registered with UNHCR as of 30 September 2012. The steady rise in the number of refugees and asylum-seekers over the past few years, without a corresponding increase in resources, has prompted UNHCR to move towards improving the self-reliance of people of concern. In 2013 UNHCR will organize skills-training sessions and strengthen community-based support mechanisms. Direct financial assistance will be offered only to vulnerable refugees with specific needs.

UNHCR's budget in South Asia 2008 – 2013



Intensified advocacy and major improvements in registration and RSD, together with a strengthened partnership between UNHCR and the Government of India, have led the Government to allow UNHCR mandate refugees to apply for long-term visas and work permits. UNHCR will work closely with the authorities to assist eligible persons of concern to benefit from this generous policy.

Pending the adoption of a national refugee protection framework, UNHCR will conduct RSD. It will support all refugees and asylum-seekers in accessing government health and education services, and monitor their situation either directly or through implementing partners.

UNHCR will help refugees who wish to repatriate voluntarily, use resettlement to address compelling protection needs that cannot be met in India, and provide legal assistance for the naturalization of eligible refugees. Engagement with the Government of India and civil society in Tamil Nadu through advocacy and specific interventions will aim to ensure a favourable protection environment for Sri Lankan refugees.

In **Sri Lanka**, UNHCR continues to promote the reintegration of refugee and IDP returnees while winding down its direct engagement in the IDP situation. UNHCR will strengthen returnee monitoring and cooperate with development actors to improve livelihoods and self-reliance. Support for civil society and national protection mechanisms will improve their capacity to take over UNHCR's activities to assist remaining IDPs and returnees. Humanitarian assistance will be provided to those in need on a case-by-case basis.

UNHCR will facilitate the voluntary return of Sri Lankan refugees, most of whom live in India, in conditions of safety and dignity. It will also address statelessness among the returning refugees by helping them to obtain essential civil documentation.

UNHCR will also continue to undertake RSD, provide basic assistance to refugees and seek durable solutions for them. Interventions with government counterparts will aim to preserve asylum space for urban refugees and address their protection concerns, which have grown in the course of 2012.

Financial information

UNHCR's 2013 requirements in South Asia are at USD 38.8 million, a reduction from USD 46.7 million in 2012, largely due to a scaling down in IDP-related activities in Sri Lanka. The budget for 2013 in South Asia covers the protection of the urban refugee population in India; measures to facilitate the return home of refugees; resettlement expenses; the community-based development programme in Nepal and services in the remaining camps in the country; and protection and assistance for urban refugees and refugee and IDP returnees in Sri Lanka.

In general, major unmet needs have been identified in the areas of livelihoods, education, basic assistance and documentation in all three countries covered in this subregional overview.

UNHCR's budget in South Asia (USD)

OPERATION	2012 REVISED BUDGET (as of 30 June 2012)	2013				TOTAL
		REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	REINTEGRATION PROJECTS PILLAR 3	IDP PROJECTS PILLAR 4	
India	13,211,411	12,927,790	78,823	0	0	13,006,613
Nepal	15,717,609	9,917,356	1,403,756	4,258,080	0	15,579,191
Sri Lanka	17,741,728	7,686,638	113,392	0	2,450,569	10,250,600
Total	46,670,749	30,531,784	1,595,971	4,258,080	2,450,569	38,836,404