

Nepal

Response to Information Request Number:	NPL01001.ZNY
Date:	May 02, 2001
Subject:	Nepal: Information on the Issuance of Refugee Travel Documents by the Nepalese Government
From:	INS Resource Information Center
Keywords:	Nepal / Convention refugees / Durable solutions / Freedom of movement / Host country / International migration / Resettlement

Query:

Applicant is ethnic Nepalese, born in Bhutan. Applicant states the census laws in Bhutan changed and all non-Bhutanese nationals were stripped of their Bhutanese citizenship. Applicant states he left Bhutan in 1992 and went to India until 1994. Applicant claims he then traveled to Nepal and stayed until entering the U.S. with a refugee travel document issued by the Government of Nepal. Applicant claims to have had no legal status in Nepal or India. Applicant claims that Bhutanese exiles in Nepal are sometimes given travel documents, for instance, to attend international conferences on human rights.

Response:

BACKGROUND

According to the U.S. Department of State,

The rapid growth of [the] ethnic Nepalese segment of the population [in Bhutan] led the Buddhist majority to fear for the survival of their culture. Government efforts to tighten citizenship requirements and control illegal immigration resulted in political protests and led to ethnic conflict and repression of ethnic Nepalese in southern districts during the late 1980's and early 1990's. Tens of thousands of ethnic Nepalese left Bhutan in 1991-92, many forcibly expelled.... The Government [of Bhutan] maintains that some of those in the camps were never residents of Bhutan, therefore, have no right to return (Feb. 1998).

The U.S. Committee for Refugees reports that there are about 110,000 Bhutanese living in Nepal. Most of them live in six UNHCR-assisted camps in the eastern part of the country, are recognized as refugees by the UNHCR, and receive UNHCR assistance, but according to the Government of Nepal, there are about 1,400 registered refugees and about 10,000-25,000 Bhutanese not registered as refugees living outside the camps. The camps are largely refugee-run and are officially closed, though refugees generally move in and out of them freely. Bhutanese refugees in Nepal are considered to be in the country only temporarily (although repatriation is not on-going), and officially they are not allowed to work (USCR 2000, 168). Bhutanese living in Nepal who are not registered as refugees "have whatever other status foreigners may have in Nepal such as tourist, long term resident or illegal alien" (UNHCR 1 May 2001).

There are approximately 15,000 ethnic Nepalese from Bhutan living in West Bengal and Assam states in India. Under the Indo-Bhutanese friendship treaty of 1950 they are allowed to work and live freely in India without the requirement of staying in refugee

camps, yet they receive no government assistance (USCR 2000, 165, 168).

Although many Bhutanese in Nepal have demanded permission to repatriate, for the most part their efforts to return to Bhutan have failed.

In 1996, Bhutanese refugees began demanding that they be allowed to repatriate. Since, the Appeal Movement Coordination Council has held yearly protests and marches in which hundreds of refugees have attempted—usually unsuccessfully—to return to Bhutan through India. During 1999, the Movement held several such protests, all of which ended in the refugees being pushed back either by the Indian or Bhutanese authorities (USCR 2000, 168).

In talks between Bhutan and Nepal on the future of the refugees in Nepal (held for the first time in three years in September 1999), Nepal emphasized “the economic, political, and environmental strain” the presence of the Bhutanese refugees poses for Nepal, but the Bhutanese, “who did not want the refugees back,” made few concessions (USCR 2000, 168). Thus, the talks yielded little progress on the issue (USCR 2000, 168).

REFUGEE TRAVEL DOCUMENTS ISSUED BY THE GOVERNMENT OF NEPAL

In a telephone interview, an official at the Royal Embassy of Nepal stated that the Government of Nepal does not issue travel documents to persons who do not have refugee status in Nepal (2 May 2001).

Travel documents are indeed issued to those Bhutanese in Nepal who are registered refugees (just as they are issued to Tibetan refugees, the only other large refugee group in Nepal) (Royal Embassy of Nepal 2 May 2001). The process for obtaining Refugee Travel Documents from the Nepalese government is explained as follows by a UNHCR representative in Nepal. The representative indicated that this process can be time-consuming but that most requests for travel documents are granted (1 May 2001).

[A] Bhutanese registered refugee [who] needs a Travel Document...has to provide to the governmental Refugee Coordination Unit (RCU) Office in Badrapur, Jhapa District [Nepal], a clear explanation as to why he/she needs such a Travel Document. If the reason is deemed valid, then the RCU will forward the request and its own recommendation to the governmental National Unit for the Coordination of Refugee Affairs (NUCRA) at the Ministry of Home in Kathmandu. NUCRA then processes the request internally and with the Ministry of Foreign Affairs which ultimately delivers the Travel Document... [R]easons considered as valid by the RCU authorities to deliver Travel Documents are studies, family reunification, medical needs and attending conferences abroad (1 May 2001).

Refugee travel documents issued by the Government of Nepal confer no rights to the document holders except for foreign travel (DIRB, 27 May 1999).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References:

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