

Research Assignment of Eleventh Annual Winter Course on Forced Migration 2013

MODULE C Reality of Protection: Case of Urban Refugees Residing in Nepal

Background

It is apparent that the population of asylum seekers and refugees prefer urban areas rather than camp settings. There is an increasing trend of living in cities and seeking for comfortable life among those populations. Considering this fact United Nations High Commissioner for Refugees (UNHCR) introduced its policy on urban refugees called "UNHCR Policy on Refugee Protection and Solutions in Urban Areas" in September 2009 after a long internal consultation. The policy aims to provide better protection and assistance to the people of concern.

The policy paper also states that due to the rapid urbanization a growing number and proportion of world's refugees are also to be found in urban areas. About 10.5 million of world's refugee population lives in cities and towns, compared to one third who live in camps. It has posed a great challenge in protecting refugees due to multiple factors like socio-cultural, economic, legal, political, security and so on.

According to UNHCR Nepal current statistics, it has been providing protection and assistance to some 400 urban asylum seekers and refugees from different countries. However, there is a growing voice that the protection and assistance provided by UNHCR is inadequate and not justifiable compared to the increasing need of that population and market situation. It is often reported that there is dissatisfaction among urban refugee groups regarding the treatment what they get from UNHCR.

Urban refugees are often confronted with a range of protection risks such as the threat of arrest and detention, *refoulement*, harassment, exploitation, discrimination, inadequate and overcrowded shelter, as well as vulnerability to sexual and gender-based violence (SGBV), HIV-AIDS, human smuggling and trafficking. In this context this paper aims to investigate and explore the following:

Objective:

To understand and find out the status of UNHCR urban refugee policy and its impact on different urban refugee communities residing in Nepal.

Research Questions:

- How the urban refugee policy is being advocated by the UNHCR?
- How other actors are playing their role in making urban refugee policy effective?
- To what extent the Government of Nepal is fulfilling its international obligations under international human rights law and refugee law?
- How the Judiciary of Nepal is delivering judgments that are protecting refugees under the Constitution?
- How do the different communities of urban refugees staying in Nepal review their situation?

Methodology:

This paper will be based on secondary sources of information primarily reports, books, journals, news articles, different web resources, documentary etc. Both of the qualitative and quantitative data will be used. If time permits some quick survey will be conducted via field visit with the urban refugees living in Kathmandu.

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October 20, 2013