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Third Country Refugee
Resettlement Information
Refugees from Bhutan living in Nepal

Third Country Refugee Resettlement Information

This provides basic information about resettlement in answer to questions raised in the context of refugees originating from Bhutan in Nepal. It takes into consideration the submission of protection cases, as well as general group submissions.

Resettlement as a durable solution is now available to refugees from Bhutan. The Government of Nepal has agreed that it will allow refugees from Bhutan who wish to apply for resettlement to do so.

Resettlement is the relocation of a refugee and their family from Nepal to a third country. This is done with the support and agreement of the resettlement country's government as part of their humanitarian assistance programmes. Persons accepting and departing Nepal on resettlement will no longer be considered as refugees in Nepal, and will not automatically regain refugee status if they return to Nepal. They will be legal permanent residents and eventually if they choose, citizens of the country they are resettled. Resettlement to a third country does not preclude refugees' right to return to Bhutan if conditions permit.

Applying to UNHCR for resettlement does not mean automatic referral or acceptance for resettlement in a third country. The final decision on whether an individual is authorized to resettle in a particular country would be made by the government of that country, normally following an individual interview. UNHCR merely facilitates the process and has no role in making final decisions on resettlement.

Who is Eligible for Resettlement?

Only individuals that are registered with the Government of Nepal and recognized as refugees from Bhutan are eligible to apply for resettlement.

All registered refugees from Bhutan in Nepal are not discriminated against in resettlement regardless of their age, gender, education level, social status, religion, or ethnicity.

Resettlement is not a right and the decision to accept an applicant for resettlement lies entirely with the resettlement country.

Resettlement to a third country is a completely voluntary process. No one should try to convince you or force you to seek resettlement if this is not your personal wish. UNHCR will only submit your case for resettlement consideration after you have been approached and given your consent in writing to being resettled.

Do I Have to Pay for Resettlement?

All services provided by UNHCR and other agencies are free. You should not pay anyone for any assistance in resettlement. Please notify UNHCR if you encounter any problems, or if anyone tries to charge you for resettlement services. Also make use of all the suggestion boxes placed by UNHCR within the camp to air your concerns. These boxes will regularly be attended to.

How do I Apply for Resettlement?

UNHCR refers refugees interested in resettlement to the resettlement countries. Normally resettlement countries do not accept direct applications from individual refugees.

UNHCR will begin gathering information on your durable solutions preferences as of October 2007. UNHCR will assist you and your family to the extent possible depending on the availability of solutions, your situation and that of your family.

Refugees wishing to be processed for resettlement should complete a pre-printed '**Declaration of Interest**' form that UNHCR will make available widely in the camps through UNHCR staff, implementing partners, and other persons working in the camps. These forms should

be completed on a household basis and each adult person must confirm their consent in writing to be considered for resettlement.

These forms are free – you do not have pay anyone for these forms. If you need assistance in filing out the form, please contact UNHCR staff who will help you. You should not pay anyone to help you fill out the form.

Forms can be submitted to UNHCR through field staff, complaint boxes in the camps, or delivered to the UNHCR office in Damak or Kathmandu. All persons interested in being considered for resettlement will be considered.

Based on the **Declarations of Interest** received, UNHCR will process cases from all camps simultaneously.

Each family will be called to appear with all adult household members (18 years and older) to review their bio-data that so UNHCR may verify each family member's agreement to resettlement. The family must bring their RCU Census Slip (or refugee identification cards, once these are issued from the Census). UNHCR will visit all camps on a regular schedule until each family living in the camp and interested in resettlement to a third country has been seen.

Refugees should be assured that all interested persons will be considered for resettlement and the process will go on for atleast 4-5 years.

General Information about the Resettlement Process

UNHCR will use the information obtained during the personal meeting with each household to refer your case to a resettlement country for consideration. UNHCR will determine which country your case can be referred to.

Refugees do not have a choice as to the country to which they are submitted. This is UNHCR's worldwide policy for the resettlement of refugees.

A resettlement case normally consists of the applicant and his or her immediate relatives. For resettlement purposes 'immediate relatives' are spouses, children, and parents, and in certain circumstances, other close relatives. However, UNHCR will work with the resettlement countries to include all family members to the extent possible so as not to split up families. Persons over 18 years of age may apply for resettlement independently of their family; however UNHCR encourages families to be apply for resettlement together.

It is very important that the information provided to the resettlement country by UNHCR be clear, concise, complete, and correct. The resettlement country relies on this information when considering your case and assessing whether you qualify for resettlement in that country. For this reason, it is necessary that you tell the truth and that you do not withhold any information which could be relevant to your application.

The identities of all individuals applying for resettlement and any information provided in the process, will be kept strictly confidential. No information will be shared with outside parties without the express written consent of the individuals involved.

Application to this program does not necessarily require that you have to depart on resettlement to a third country. Any individual is free to withdraw his or her application for resettlement at any time during processing. However, such withdrawal will normally result in the permanent closure of any resettlement applications with UNHCR.

Any refugee who commits or attempts to commit fraud relating to his or her resettlement application may be permanently disqualified from resettlement under UNHCR auspices. Examples of fraud include: supplying false information about your background; claiming a false identity or attempting to substitute yourself for another person; attempting to add a person to your household or family who is not a dependent member of your family; attempting to bribe or threaten UNHCR or agency staff to gain access to resettlement, or taking money or demanding other services from other refugees for resettlement-related services.

Making false statements can be a criminal offense subject to prosecution in the courts of the country of asylum. False claims will result in the automatic denial of your resettlement application.

It is not possible to provide information on how long the process will take from the time a case is identified in the camp to the time it is submitted and accepted by the resettlement country. In addition, there are exit formalities that must be completed by the GON authorities before departure from Nepal. UNHCR is working closely with the different resettlement countries and with the GoN to have this procedure expedited.

While reviewing your case, the following factors will be kept in mind:

- Selection criteria: Each resettlement country has its own criteria for deciding who it will accept for resettlement. Generally, the issues that are considered include the reasons that you fled to Nepal, your situation in the camps, your ability to successfully integrate into a new society, and whether you have committed serious crimes.
- Family links abroad: It is not necessary to have family links in a third country to be considered for resettlement, and having a relative or a friend in a third country does not automatically entitle you to resettlement in a particular country. Information on family links is used to reunite refugees with their close relatives (spouses, parents, children, siblings) abroad, to the extent possible.

If you have relatives that have already applied for resettlement, please provide this information to UNHCR early on so that efforts are made to resettle you with other family members if you wish.

- Health requirements and availability of treatment: Your health status and that of your dependants are assessed to know if the resettlement country has the proper facilities for treatment.
- Skills: Skills and education are not relevant for some resettlement countries, while others may consider language skills, previous

job experience, and educational background when deciding whether to accept a refugee for resettlement. You may wish to avail yourself of opportunities in the camp to improve yourself through language and vocational training classes.

- Separated children: For children who are not living with at least one biological parent, trained UNHCR staff will undertake a 'Best Interests Determination' to assess whether resettlement is the most appropriate solution and to ensure it would be in the best interests of the child.

Consideration of your Case by a Resettlement Country

UNHCR works to submit your case to the most suitable country for consideration based on your profile and the resettlement country's requirements. UNHCR makes all submissions in the best interests of the refugee. UNHCR does not submit a resettlement case to more than one country at the same time.

Once UNHCR has submitted your case to a resettlement country, the decision to accept you and your family on resettlement lies solely with that country. UNHCR has no role whatsoever in deciding whether you are accepted for resettlement.

Please note that to be submitted for resettlement by UNHCR does not mean that you will be automatically accepted by the resettlement country. The resettlement country may consider you not suitable for resettlement in their country and not accept your application.

Some countries make decisions without an interview, but most countries will require you and each of your family members to attend an interview with a government representative.

If a resettlement country rejects your case, some countries have appeal procedures but these could be lengthy and complicated. Some countries do not have any appeal procedures for rejected cases. Normally, resettlement countries do not provide reasons for rejection.

UNHCR may re-submit your file to another resettlement country for consideration; however, this is not automatic and is determined on a case by case basis depending on the reasons for rejection.

It is important to your resettlement application that you are not involved in any criminal activities or carry out any activities incompatible with your status as a refugee during your stay in Nepal. Refugees must follow the laws and regulations of Nepal, including the camp rules and regulations, and must cooperate with the authorities in the country of asylum in all aspects.

Medical Examination

Several resettlement countries require medical examinations before they give a final decision on a case; this can take several months. You and each of your family members will be required to undertake a medical examination if required by the resettlement country.

All refugees must sign a consent form indicating their willingness to undertake the medical examination before hand. It is your decision to undertake a required medical exam and you can refuse to do so if you wish. However, if the medical examination is required by the resettlement country, the processing of your case would be stopped and UNHCR will consider that you have withdrawn your resettlement application.

Your resettlement application can be rejected by the resettlement country based on the outcome of your medical examination. UNHCR may decide to submit your case to another country but this is not automatic and is decided on a case by case basis depending on the reasons for rejection.

Cultural Orientation

Individuals who are accepted for resettlement to a third country will participate in a cultural orientation program. Some countries do this prior to departure from the asylum country while others wait until the refugees arrive in their new country. This program will provide you and

your family with important information about life in the country of resettlement to help make your integration in the new country easier.

Travel

Once your case has been accepted by a resettlement country another organization, such as the International Organization for Migration (IOM), will arrange your travel from Nepal to your new country.

Refugees from Bhutan currently require a GoN travel document and exit permit to leave Nepal. The relevant GoN Ministries must issue exit clearance before you can depart from Nepal to a third country.

Usually UNHCR has no involvement in this process. All inquiries about dates of departure and other travel-related issues should be directed to the responsible agency. IOM or another agency will ensure that all departing refugees are provided with important information regarding what to expect prior to travel during travel and upon arrival in the country of resettlement.

Reception and Integration in the Country of Resettlement

Upon arrival in the country of resettlement, resettlement countries help you integrate into your new society as quickly as possible, and they have special programs to assist in this process. Resettlement can be a permanent solution – resettled refugees are accepted for permanent residency and will eventually be eligible to apply for citizenship in their new country. Resettled refugees are free to move around within the country of resettlement, and once issued proper travel documents, are free to travel to other countries.

Normally, refugees are provided financial assistance for a certain period of time after arrival; the level and duration of assistance varies from country to country and may depend on the circumstances of the case. If they are physically able to do so, resettled refugees are expected to find employment in order to support themselves and their families, and assistance is generally provided to help newcomers find suitable work.

All resettled refugees will be encouraged to study the language of their new country to help them adjust to their new country. Children will be enrolled in public schools soon after arrival, and adults may also be eligible for educational opportunities, including vocational training and university studies.

Appropriate housing, support to access services including quality health care, will be provided to resettled refugees.

Resettled refugees will enjoy the freedom to practice their religion and to maintain their cultural identity and traditions. They will be accorded all the rights as available to citizens in the resettlement country - except the right to vote or hold certain positions unless they choose to become citizens of that country.

Can I Repatriate to Bhutan after I am Resettled to Another Country?

Resettlement is not intended to prevent you from repatriating to your home country. Many refugees who have been resettled from other countries also continue to want to return home and often they do when conditions improve and repatriation is possible. Although Bhutan will set the terms for repatriation, you will have the right to travel and may be able return to Bhutan if and when conditions permit or within the framework of the applicable visa regime in place for travel to Bhutan.

UNHCR together with the international community will continue its efforts to impress upon the Bhutanese authorities to take back its citizens in conditions of safety and dignity.

Further Information

If you have any additional questions regarding the resettlement process, you should contact UNHCR staff in the camp directly, or write a letter to UNHCR and place it in one of the UNHCR blue mail boxes in the camps.

If UNHCR staff members are not able to answer your questions immediately, we will refer your questions to the appropriate source and provide you with a response as soon as possible.

(This information sheet has been intimated to the Government of Nepal)

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