

A young IDP who benefited from vocational training repairs a customer's motorcycle outside his own shop in Myanmar.



- Bangladesh**
- Brunei Darussalam**
- Cambodia**
- Indonesia**
- Lao People's Democratic Republic**
- Malaysia**
- Myanmar**
- Philippines**
- Singapore**
- Thailand**
- Timor-Leste**
- Viet Nam**

South-East Asia



UNHCR / K. MCKINSEY

| Working environment |

Several countries in South-East Asia have generously hosted large numbers of refugees for decades, but in general the subregion lacks strong legal frameworks for the protection of people of concern to UNHCR. This has led UNHCR to offer technical and capacity-building support to those countries that wish to develop their asylum frameworks in line with international norms. UNHCR also advocates for accession to the Refugee Convention and its Protocol.

The Philippines is the only State in South-East Asia that is Party to the 1954 Convention related to the Status of Stateless Persons, and no country in the subregion has yet acceded to the 1961 Convention on the Reduction of Statelessness.

However, all States in the subregion have signed the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

Where no legal framework has been put in place by a State, UNHCR fills the gap by identifying people in need of international protection. Without solid legal frameworks to protect them, refugees and stateless people in the region are treated as illegal migrants, subject to detention and deportation.

In Indonesia and Malaysia, UNHCR has faced a steady increase in the number of new arrivals in recent years. The challenge in these countries is to deliver protection in an environment of mixed migration that lacks legal frameworks for dealing with refugees.

South-East Asia

In Myanmar, escalating conflict in Kachin State, and inter-communal conflict among residents of Rakhine State in June 2012 resulted in internal displacement as well outflows to other countries. On the other hand, ongoing peace negotiations between the Government and insurgent groups in south-eastern Myanmar have increased the prospects for the return of internally displaced persons (IDPs), as well as refugees from Myanmar in Thailand.

In Thailand, UNHCR operates in a challenging protection space. The country remains a major port of asylum for ethnic minorities from Myanmar, with groups of new arrivals ranging in number from a few hundred to several thousand entering the country temporarily due to tensions in the border area. A gradual increase in the number of asylum-seekers who are not from Myanmar has also been observed.

Throughout the subregion, the irregular movement of refugees, asylum-seekers and migrants by air, land and sea continues, though figures are not readily available. Irregular movements by sea create particular difficulties for States, and humanitarian concerns abound for individuals who risk their lives on unseaworthy vessels. Interception and “push-back” policies add to the risks.

This situation highlights the need for a regional approach to refugee protection and international migration issues in the South-East Asia subregion. UNHCR is participating in the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which this year adopted a Regional Cooperation Framework to respond to the challenges posed by mixed migration. To facilitate the implementation of the Framework, the Regional Support Office was established in Bangkok in September 2012.

Several countries in the region have taken steps to help identify, prevent and reduce statelessness. For instance, the Lao People’s Democratic Republic and Viet Nam have included a definition of a “stateless person” in their nationality laws, which will aid in the identification of stateless individuals. In Thailand, an amendment to the country’s Civil Registration Act in August 2008 has led to an increase in the number of refugee children whose births are registered. A revision to Thailand’s civil registration law also entitles all children born in the country to be registered at birth.

UNHCR is currently working with the Government of the Philippines, UNFPA and UNICEF, to improve levels of birth registration in Mindanao. In Viet Nam, revisions to the country’s nationality laws allow Cambodians who were formerly considered refugees to be naturalized, and Vietnamese women who had lost their citizenship through marriage to foreigners to reacquire it.

At the regional level, UNHCR’s collaboration with the ASEAN Intergovernmental Commission on Human Rights (AICHR) was strengthened at a meeting on good practices in dealing with statelessness, which was co-hosted by the two organizations in 2011.

| Strategy |

UNHCR will advocate for the rights of persons of concern and for States’ adherence to international protection standards. It will do so in cooperation with the Governments concerned and with the support of regional institutions and civil-society actors. UNHCR will also work with States to make the Regional Cooperation Framework adopted by the Bali Process operational, so that protection-sensitive responses are developed to manage irregular movements of people and mixed migration.



Closer cooperation with regional and subregional institutions, as well NGOs and civil society, aims to promote government ownership of refugee protection, particularly with regard to access to protection, basic services and registration. UNHCR will also continue its collaboration with the AICHR on statelessness. The two organizations will co-host a meeting at the end of 2012 that will bring together national civil registrars from every ASEAN State to identify good practices in birth registration.

Protection strategies will focus on the establishment of protection-sensitive responses to mixed-migration, registration, documentation, access to asylum, refugee status determination and the promotion of alternatives to detention. They will also aim to protect and assist the most vulnerable urban refugees and prevent *refoulement*. Where the necessary conditions are in place, the strategies will seek durable solutions, including local integration and voluntary repatriation.

| Constraints |

In South-East Asia’s complex mixed-migration context, States’ interests relating to national security and the maintenance of good relations with neighbours constrain refugee protection and access to asylum. The problem is compounded by the lack of national legal frameworks for dealing with refugees and asylum-seekers in many countries. The use of detention facilities to hold asylum-seekers, refugees and stateless people, including children and others vulnerable to exploitation and abuse, is a worrying trend. In addition, many urban refugees and asylum-seekers face a precarious situation due to limited livelihood opportunities or access to social services.

Operations

UNHCR's operations in **Malaysia**, **Myanmar** and **Thailand** are described in separate chapters.

In the wake of the June 2012 inter-communal conflict in Myanmar's Rakhine State, the Government of **Bangladesh** closed its borders to newly arriving asylum-seekers. UNHCR is advocating for asylum for new arrivals as well as for access to those already in Bangladesh but not registered. The assistance provided to a small number of refugees in camps in Bangladesh will continue.

In **Cambodia**, UNHCR will significantly reduce its presence at the end of 2012, when the Regional Coordinator's Office in Thailand will begin overseeing programmes in the country. The emphasis will be on promoting the self-reliance of the refugees, strengthening the protection regime to prevent *refoulement* and implementing asylum procedures.

In **Indonesia**, the absence of refugee legislation and procedures leaves UNHCR responsible for protecting and assisting refugees and asylum-seekers, in addition to conducting registration, RSD and the search for durable solutions. Advocacy for Indonesia's accession to the 1951 Refugee Convention and its 1967 Protocol will continue, and country-wide training sessions will build national capacity to take on more asylum responsibilities. An expanded protection presence in five strategic locations across the archipelago will allow UNHCR to improve understanding of its mandate among authorities in the region.

In the **Philippines**, UNHCR will support the process to enable refugees to acquire citizenship. The Government will be assisted to improve its capacity to implement its obligations as a signatory to the 1951 Refugee Convention. The existing emergency transit centre for accelerated resettlement processing in Manila will be maintained.

Together with the Government of the Philippines, UNHCR co-leads the national protection cluster under the joint UN response to the situation of IDPs in Mindanao in mid-2010.

The Philippines has acceded to the 1954 Convention on the Status of Stateless Persons and is developing a national framework to address statelessness, including status-determination procedures, with the support of UNHCR.

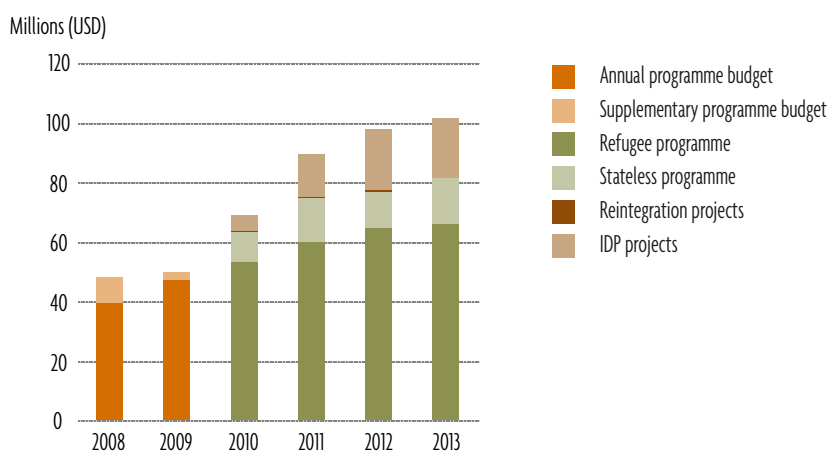
In **Timor-Leste**, UNHCR, operating from the Regional Coordinator's Office in Thailand, will assist the declining number of asylum-seekers and refugees in the country. It will also help build the Government's capacity to implement its asylum policy. UNHCR will also strengthen institutional capacity on statelessness in anticipation of Timor-Leste's accession to the Statelessness Conventions.

In **Viet Nam**, UNHCR will end its community-based programme for the sustainable reintegration of returnees in the Central Highlands at the end of 2012. It will continue to advocate for a humanitarian solution for Cambodians who were formerly refugees and have been residing in the country without legal status since the 1970s. The naturalization process for Vietnamese women who lost their citizenship through marriage is expected to be completed by the end of 2012.

Financial information

UNHCR's financial requirements in South-East Asia have expanded steadily since 2007, reflecting a sharp increase in the number of beneficiaries. Recent developments in various parts of Myanmar – inter-communal conflict in Rakhine State and escalation of the conflict in Kachin State on the one hand and the peace process continuing in the south-eastern states on the other – led to a significant increase in financial requirements both in Myanmar and Thailand in 2012. These requirements are expected to grow in 2013.

UNHCR's budget in South-East Asia 2008 – 2013



UNHCR's budget in South-East Asia (USD)

OPERATION	2012 REVISED BUDGET (as of 30 June 2012)	2013			TOTAL
		REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	IDP PROJECTS PILLAR 4	
Bangladesh	14,500,885	11,682,453	94,490	0	11,776,942
Cambodia ¹	949,248	0	0	0	0
Indonesia	5,911,688	7,676,140	190,694	0	7,866,834
Malaysia	16,562,272	16,813,060	563,362	0	17,376,422
Myanmar	24,596,797	0	12,064,787	14,098,616	26,163,403
Philippines	7,598,497	808,120	1,513,369	6,105,650	8,427,140
Thailand	22,347,137	23,003,978	693,675	0	23,697,653
Thailand Regional Office ²	5,447,307	6,689,357	0	0	6,689,357
Timor-Leste	207,000	0	0	0	0
Viet Nam	910,500	0	400,000	0	400,000
Total	99,031,330	66,673,107	15,520,378	20,204,266	102,397,750

¹ From 2013, Cambodia will be reported under the Thailand Regional Office.

² Includes the Office of the Regional Coordinator which provides support to countries in the subregion.