

Update on UNHCR's Operations in Asia and the Pacific Executive Committee 2009

Part A: Major developments

- The provision of protection and humanitarian assistance to persons of concern is becoming more complex in an environment where there are greater restrictions on access to affected populations and where threats against United Nations staff members are on the rise. The deliberate targeting of humanitarian workers in Pakistan and Afghanistan has presented the Office with the very difficult task of balancing the imperative of maintaining humanitarian action and reaching those most in need, with that of ensuring staff safety.
- In Pakistan, three UNHCR staff were killed during the first half of 2009. UNHCR's partners have also faced threats. The continued deterioration of the security situation in Balochistan resulted in the withdrawal of all UNHCR international staff. The Voluntary Repatriation Centres for Afghan refugees in Pakistan were also closed due to security concerns. In Afghanistan, intensified conflict and the targeting of aid workers resulted in the death of three staff members of a UNHCR implementing partner. There has also been an increase in threats against the UN Mission in Afghanistan in the lead up to elections in August.
- In response, UNHCR is continuously making adjustments to its operations, in terms of security measures and staffing structures. Actions under way include increasing the emphasis on training, providing guidance on security measures for partners, working with local implementing partners to see how they can support and monitor operational activities, and reaching out to communities and their leaders in areas where access is particularly difficult.
- In Sri Lanka, some 271,000 IDPs continue to be accommodated in camps in the north of the country. In August 2009, the Government marked the beginning of the return process under the 180-day Resettlement Plan, beginning with the return of some 4,100 IDPs from the camps in Vavuniya, to Batticaloa, Trincomalee and Jaffna. UNHCR is providing assistance to those returning while relief efforts in emergency shelter sites continue in the country's North and East. UNHCR and its partners continue to advocate for improved conditions in the IDP sites, including freedom of movement and family reunification, and for direct access to return areas, both prior to and after return, in order to better support the Government's efforts.
- In Pakistan, the humanitarian community was faced with the unprecedented challenge of assisting, in a remarkably short time period, over 2 million persons living in camps, with host families or in rented accommodation in Pakistan's North-West Frontier Province (NWFP). The Government of Pakistan, the United Nations and national and international non-governmental partners coordinated closely to swiftly expand the existing humanitarian operation, originally planned to cover the needs of a half a million persons. UNHCR focused on ensuring the rapid establishment of camps, assisting the authorities with registration, distributing non-food items (NFIs), both in and outside the camps, and monitoring protection. In July, the Government of Pakistan announced a return plan and the NWFP authorities and the UN Humanitarian Coordinator signed a Return Policy Framework, which reiterated that return should be guided by the principles of voluntariness and non-discrimination, and conducted in safety and dignity, with the support of the international community. By mid-August 2009, some 130,000 families had returned, primarily to Swat and Buner districts, and 11 camps had closed.
- In March 2009, the Government of Pakistan and UNHCR signed a Letter of Mutual Intent based on a revised strategy for the management of Afghans living in Pakistan, with a view to extending the validity of the Proof of Registration cards for Afghans to 2012. In July, UNHCR and the Governments of Afghanistan and Pakistan held a Tripartite meeting to exchange views on the Pakistani Government's proposed strategy for the future management of Afghans in the country.

- Population movements to and from Afghanistan have become more complex. Repatriation levels have dropped in comparison to the first half of 2008. Reintegration challenges have also sharpened with landlessness more apparent among poorer returnees long absent from their homeland. Conflict in southern Afghanistan has so far induced the displacement of an estimated 2,500 families.
- In 2009, the Government of the Islamic Republic of Iran has taken a series of positive measures aimed at enhancing the predictability and sustainability of the stay of registered Afghan refugees, in particular the distribution of temporary work permits to those registered. UNHCR has allocated an additional US\$ 3 million for health and education with a view to improving access to services for registered urban refugees who comprise some 96.4 per cent of the population.
- Following the visit of the High Commissioner to Myanmar in March 2009, the Government invited the Office to upgrade the level of its assistance activities in the northern Rakhine State (NRS) in the five priority sectors of water and sanitation, agriculture, infrastructure, health and education. UNHCR responded with an immediate increase of its budget for the NRS by US\$ 1.8 million.
- The Memorandum of Agreement on the establishment of a new Emergency Transit Mechanism in the Philippines was signed by the Government of the Philippines, UNHCR and IOM in late August in Manila, making the Philippines the second country in the world to be formally designated as a transit country for at-risk refugees on their way to resettlement elsewhere. Individual refugees in danger will be able to find a temporary haven in the Philippines while en route to resettlement in a third country.

Part B: Progress on implementation of UNHCR's global strategic objectives

Ensuring international standards of protection are met for all persons of concern to UNHCR

- In Pakistan, UNHCR is now focusing its activities on providing support for return transportation, distributing NFIs (176,000 family kits had been distributed by mid-August) and establishing mechanisms for monitoring returnee areas in coordination with partners. Plans are also being made for the provision of transitional shelter for families returning to rural areas. UNHCR will continue to support those families who are not ready to return, respond to new emergency situations, and provide NFIs to families who have been forced to move from Waziristan in the Federally Administered Tribal Areas, where some 80,000 persons have been registered by the authorities. UNHCR also continued to assume the cluster lead for camp coordination and management, protection and emergency shelter.
- In close collaboration with the Government of Pakistan and the donor community, UNHCR is implementing a "Registration Information Project for Afghan Citizens," with a view to updating registration data, identifying self-reliance options for refugees until return is feasible, and assisting refugees in need of specific assistance.
- In the Islamic Republic of Iran all male Afghans of 18-60 years of age, who were registered as refugees, were invited by the authorities to apply for a temporary work permit; this was also optional for females. In April, the Government began facilitating the distribution of Amayesh IV identity cards and providing targeted support for registered Afghan refugees with specific needs.
- In India, the number of new arrivals dramatically increased in 2008, with the trend continuing in 2009. Despite the absence of legal instruments, India continued to provide effective protection to several hundred thousand refugees and asylum-seekers. To cope with increasing numbers of new arrivals and a backlog in registration, UNHCR is supporting the Government with more effective registration and refugee status determination (RSD) procedures.

- In Thailand, despite the ongoing resettlement operation, the overall number of refugees has not decreased commensurately, as new arrivals continue to enter the camps. With support from UNHCR, the Government is reviewing the status of the unregistered asylum-seekers from Myanmar in four camps. This process is due to be completed in September 2009 and following an evaluation, it will be implemented in the remaining camps.
- In an effort to provide some protection coverage to approximately 45,900 unregistered asylum-seekers in Malaysia, who are mostly from Myanmar, UNHCR has started a registration exercise. Funding will be required to reinforce these efforts, including assistance for the newly registered group.
- In Japan, the asylum process has seen considerable improvement in the last two years in line with international standards. UNHCR has continued supporting the Government to improve RSD procedures, to find alternatives to detention, and to assist with the implementation of the new resettlement programme.
- Amendments made to the Republic of Korea's Immigration Control Act came into force in June 2009. The amendments may allow asylum-seekers to work, however related rulings set a one-year waiting time frame from the date of asylum application, and may limit the granting of a work permit until a first instance decision is made. UNHCR will continue to work with the Government to facilitate and promote asylum-seekers' legal access to employment.

Affirming and developing an international protection regime

- The repatriation of Lao Hmong in Thailand implemented by the Government of Thailand continued this year, with concern by UNHCR for the voluntary nature of some of the movements. UNHCR continues to call for the status of the Lao Hmong to be reviewed in a process that meets international standards and upholds the principle of *non-refoulement*. UNHCR has also advocated for the 158 Lao Hmongs (97 of whom are children) in detention in Nong Khai, to be released pending a more durable solution.
- A draft of the national refugee legislation in Cambodia has been shared with UNHCR for comments before it is adopted by the Council of Ministers.
- UNHCR organized training workshops in mainland China and Hong Kong SAR on refugee law and RSD. The participants were government officials from both the central administration and local provinces, where some UNHCR-registered refugees are currently residing.
- In Central Asia, UNHCR continues to advocate for asylum space. In Kazakhstan, a draft refugee law was formally presented to the Parliament in April, and UNHCR is working to ensure that it is in compliance with international standards. In Kyrgyzstan, UNHCR is working to improve access to RSD. In Tajikistan, following the transfer of the RSD function to the Migration Service under the Ministry of Internal Affairs in April, efforts have focused on capacity building. In 2009, some 163 Afghan refugees were resettled from Uzbekistan and 253 have been processed.
- The April Bali Process ministerial meeting reactivated an Ad Hoc Group with a mandate to develop practical responses to assist countries to mitigate increased irregular population movements and enhance information sharing. The first Ad Hoc Group meeting took place in July, and included the participation of the 12 most affected countries, the ASEAN Secretariat, UNHCR, IOM and UNODC. UNHCR highlighted the need for legal and social frameworks to protect refugees and asylum-seekers and encouraged participants to consider adopting consistent registration practices, harmonized policies regarding access to services, and a common set of standards for voluntary return.

Attaining durable solutions

- Repatriation to Afghanistan has slowed this year, with some 51,000 returns by the third week of August compared to 223,000 for the same period last year, due in part to the Afghan election context and the closure of the voluntary repatriation centres in Pakistan because of the security situation. This trend is expected to continue. The low rate of voluntary repatriation from the Islamic Republic of Iran reflects the fact that most registered Afghans have been in exile there for over a quarter of a century, and also the differences in socio-economic conditions and opportunities. Some 3,465 persons had returned by mid-August, which was slightly higher than the figure for the same period in 2008.
- Over 6,500 IDPs in the south returned to their places of origin in northern and western Afghanistan this year. UNHCR is supporting their sustainable reintegration, ensuring that their food, shelter and water needs are addressed. Careful preparation of return movements and protection oversight are important as land disputes between returnees and local populations in ethnically mixed locations have become an increasing challenge for the sustainable return and reintegration process. Contingency planning and preparedness are under way in advance of winter and with the prospect of further conflict-driven displacement later in the year.
- As part of the UN's Delivering as One initiative in Pakistan to bring development assistance to Refugee Affected and Hosting Areas (RAHA) over the next five years, a Supplementary Budget of US\$ 27 million was established, corresponding to UNHCR's portion of the overall US\$ 140 million for the project. The RAHA programme was signed between UN agencies and the Government in May. The main goals of the RAHA programme are to increase tolerance towards Afghans in Pakistan and provide them with a predictable means of temporary stay. It will benefit up to 2.5 million Pakistanis and Afghans, and strengthen governance and public service delivery.
- Large scale resettlement for registered refugees from Bhutan continued in Nepal. As of 1 August 2009, almost 18,000 individuals have departed for a third country, which represents 17 per cent of the overall refugee population. For those who remain in the camps, UNHCR is working with the Government of Nepal and NGO partners to ensure continued access to services. Group resettlement of refugees from Malaysia and Thailand continued with a cumulative total of more than 10,000 refugees having departed to a third country from Malaysia, and well over 50,000 from Thailand as of August 2009.
- In Bangladesh, UNHCR continues to advocate for improved living conditions in the camps, particularly with respect to freedom of movement, the right to work, and access to education. Discussions are also underway with the Government regarding ways to improve the situation of persons from the northern Rakhine State of Myanmar living outside the official camps.
- Efforts are being made to address the displacement of Muslim residents of the northern Rakhine State. These include discussions with the Government of Myanmar on measures to prevent further displacement and to enhance prospects for durable solutions, including voluntary repatriation. UNHCR is also pursuing the use of resettlement.
- In Papua New Guinea, the impact achieved on the three-year strategy for the local integration of refugees in East Awin has improved the refugees' self-reliance and local integration prospects.
- The naturalization of former Cambodian refugees in Viet Nam has started this year. Following the establishment of working groups at the provincial level, 1,800 out of the total population of 2,357 persons have completed formalities for acquisition of Vietnamese citizenship and the process is ongoing for the remaining individuals.