

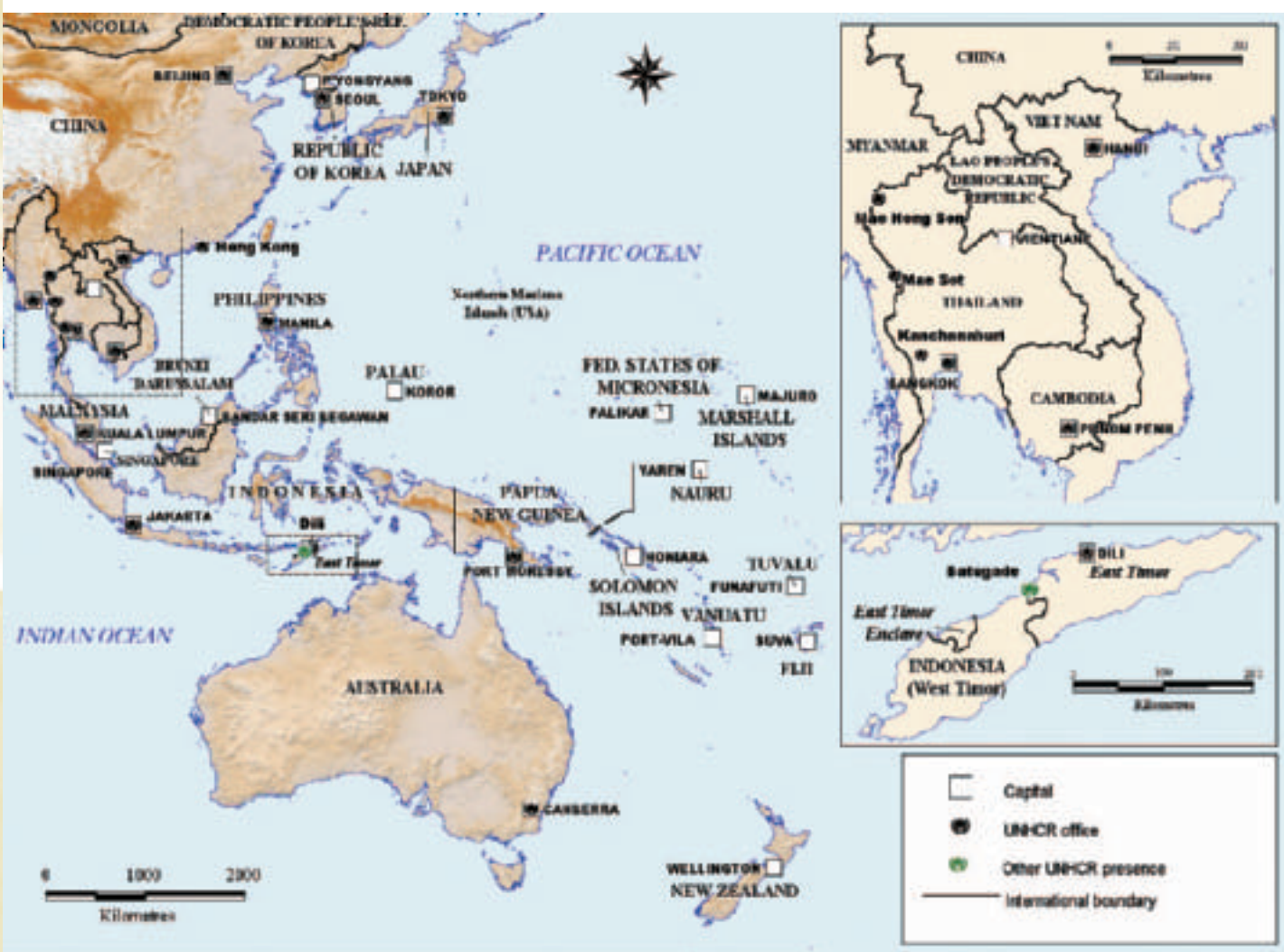
East Asia and the Pacific

Australia
Cambodia
China
Democratic People's Republic of Korea
East Timor
Indonesia
Japan
Lao People's Democratic Republic
Malaysia
Mongolia
New Zealand
Papua New Guinea
The Philippines
Republic of Korea
Singapore
South Pacific
Thailand
Viet Nam

Recent Developments

The number of East Timorese refugees repatriating from West Timor fell sharply in September 2002, as the Indonesian Government stopped providing financial assistance to those returning. With the return of over 222,000 East Timorese recorded by UNHCR, it is now estimated that some 30,000 East Timorese remain in West Timor. During East Timor's independence celebrations in May 2002, the High Commissioner announced that, providing certain minimal safeguards are in place, his Office would apply the cessation of refugee status for East Timorese refugees as of 1 January 2003. UNHCR's presence in East Timor has been phased down gradually since March 2002, and will be further reduced in 2003.

In Malaysia, the implementation in August 2002 of new laws, which included caning, fines and imprisonment for illegal migrants, led to the



exodus of several hundred thousand people to the neighbouring States of Indonesia, the Philippines and Thailand. In addition, over a thousand people approached UNHCR in Kuala Lumpur seeking protection and assistance. UNHCR deployed a number of staff under emergency procedures to deal with the resulting backlog of RSD and resettlement cases.

UNHCR concluded its RSD activities on the Pacific Island of Nauru in late October 2002. UNHCR's intervention in Nauru in September 2001 followed a formal request for assistance by the Government of Nauru. Since that time, the level of asylum-seekers entering the region has fallen significantly, due to a number of factors, including the demise of the Taliban regime in Afghanistan, the introduction by the Australian Government of legislation which facilitated the interdiction of boats carrying asylum-seekers, the tragic loss of 350 lives at sea off the coast of Indonesia in October 2001, and a reduc-

tion in processing time in Indonesia due to better opportunities for resettlement from Jakarta.

The tripartite agreement between Cambodia, Viet Nam and UNHCR on the return of Vietnamese Montagnards concluded in January 2002 was suspended in April 2002, following a number of security incidents in Monduliri and Ratanakiri provinces in Cambodia. After UNHCR withdrew from the tripartite agreement, the United States agreed to resettle all 905 Montagnards remaining in Cambodia. By the end of June, 782 refugees had been processed and had left for the United States, leaving 123 awaiting clearance. Although a solution was found for this group, subsequent Vietnamese Montagnard asylum-seekers, were denied access to Cambodia and new arrivals have been deported. The refugee protection regime in Cambodia has also been called into question by recent forced returns of refugees and other persons of concern to their countries of origin.

UNHCR will continue to seek the Cambodian Government's full commitment to its international obligations.

In China, from mid-March, over 80 North Koreans entered diplomatic missions in order to seek asylum. The entry of 25 North Korean asylum-seekers into the Spanish Embassy on 14 March 2002 was followed by a series of similar entries into the German, US, Canadian, South Korean, and Albanian embassies and diplomatic compounds in Beijing, as well as the US and Japanese Consulates in Shenyang. Although all 80 asylum-seekers were eventually permitted to leave China and were subsequently resettled in a third country, UNHCR remains concerned about the situation of North Koreans in China, some of whom may be in need of international protection. UNHCR has renewed its request to the Government for access to the border area.

Following a review of its asylum policy, the Government of Japan introduced important changes in August. These changes resulted in the harmonisation of integration assistance provided to refugees and the establishment of a cross-ministerial committee to co-ordinate all refugee and related asylum matters. Refugees, regardless of origin, will now be entitled to improved services such as language training, an employment referral service, vocational training and temporary accommodation.

Strategic Objectives

UNHCR's principle objectives for 2003 will be to strengthen respect for the fundamental protection principles of *non-refoulement* and asylum and to improve the level of dialogue on refugee issues with States and regional organisations. UNHCR's strategic directions will encompass the recommendations arising out of the Global Consultations and the Agenda on Protection. Although many States have adopted increasingly restrictive laws since the terrorist attacks of 11 September 2001, UNHCR will continue to encourage Governments not only to accede to international conventions on refugees and statelessness but also to act on the basic principles enshrined in these instruments. Additional strategic objectives include the achieve-

ment of durable solutions for recognised refugees, such as resettlement, sustainable reintegration in returnee areas, the strengthening of emergency preparedness and response capabilities in the region and the facilitation of regional and sub-regional dialogue between governments on refugee and migratory issues. UNHCR will also seek to ensure adherence throughout the region to more consistent standards of protection and assistance. The Asia-Pacific Consultations for Refugees, Displaced Persons and Migrants will remain an important forum serving the latter purpose.

In a renewed response to the issue of secondary movement in the region, UNHCR prepared a concept paper on *A Comprehensive Approach to Secondary Movement in the Asia-Pacific Region*. The paper seeks to promote a comprehensive burden and responsibility sharing approach. The approach is one of ensuring the protection of asylum-seekers and refugees while giving due recognition to the understandable concerns of States about unauthorised movement. The approach builds on the 1989 Excom Conclusion on Irregular Movements. The approach is also being promoted through the process begun in February 2002 as a result of the Bali Regional Conference on People Smuggling, Trafficking Persons and related Transnational Crime

Operations

Programmes in **Thailand** and **Indonesia** are described in separate chapters. The following paragraphs summarise UNHCR's objectives and activities in countries not covered elsewhere in country chapters.

The UNHCR Office in **Australia**, which also covers New Zealand, Papua New Guinea and the South Pacific, will continue to prioritise the provision of protection-related advice, promotion of refugee law, resettlement and public information activities. With the completion of UNHCR's operations in Nauru, the Office will devote greater resources to core objectives in Australia, New Zealand and the South Pacific. The Office will continue to monitor policy and legislative developments on asylum and reception issues, including a regional programme of monitoring of detention centres, and provide

advice to the authorities. The Office will also continue to conduct public information and public awareness activities and support the national committee, Australia for UNHCR, in its private sector fund raising activities.

In **Cambodia**, recent arrests and deportations of asylum-seekers and refugees signify a general deterioration of the institution of asylum. UNHCR will seek access to new arrivals and continue to ensure that asylum seekers are identified and protected against *refoulement*. The Office will also encourage the Government to pass national legislation on refugees (and help with the drafting of laws) and establish a fair and functioning asylum system.

In **China**, UNHCR will continue to pursue durable solutions for some 300,000 Vietnamese refugees through naturalisation for the vast majority and repatriation of a limited number who may wish to return. For refugees who are expected to remain, the Office will aim at establishing an understanding with the Government on legal modalities and a timeframe for the granting of citizenship. Vocational training will continue to be provided to 5,000 vulnerable Vietnamese refugees. UNHCR will also continue its operational partnership with the Government to manage the Revolving Fund-Based Credit Scheme, retaining an advisory and monitoring capacity to preserve its effectiveness in supporting local integration. In urban areas, the quality of protection and durable solutions for refugees and asylum-seekers remain constrained by restrictions on employment and education, the absence of local integration possibilities and limited resettlement opportunities. To this end, the Office will pursue the establishment and implementation in China and Macau of national legislation which complies with international protection standards, and the extension to the Hong Kong Special Administrative Region of the 1951 Convention and 1967 Protocol on refugees.

In **Japan** and the **Republic of Korea** UNHCR will promote public information and fund raising activities in support of UNHCR programmes and the improvement of asylum systems and international protection. The Office will also provide protection and assistance to the small urban refugee population. The Regional Training Centre for International Humanitarian Response will continue



Thailand: Karen refugee children from Myanmar attend school.
UNHCR/H.J. Davies

to hold a range of workshops on emergency preparedness management and will seek, through partnerships, to further devolve activities to various organisations and institutions in the region.

In **Mongolia**, UNHCR will co-operate with the Government on awareness and capacity-building activities aimed at promoting Mongolia's accession to the 1951 Convention and 1967 Protocol on refugees and developing national refugee legislation and RSD procedures.

It is expected that, if a number of minimal safeguards are in place, UNHCR will apply the cessation of refugee status for **East Timorese** refugees as of 1 January 2003. UNHCR will maintain a reduced presence, including a small border office for six months, to facilitate continued return and re-integration. In addition, UNHCR will call robustly for East Timor's accession to international refugee and statelessness conventions and protocols and the development of national refugee legislation. UNHCR will continue to work towards the reunification of separated children.

The implementation of laws aimed at reducing the number of illegal migrants in **Malaysia** in August 2002 led to a surge of asylum-seekers approaching the UNHCR Office in Kuala Lumpur. The Office has had to take on several new staff members to undertake refugee status determination and resettlement activities. UNHCR will continue to focus on providing protection and assistance aimed at achieving durable solutions for refugees and asylum-seekers in addition to undertaking promotion and advocacy activities through training and seminars. As NGOs are not permitted to work with refugees, UNHCR has little choice but to continue to directly implement core mandate activities including care and maintenance as well as refugee status determination. UNHCR will extend its links with civil society to supplement support and resources for those in need of international protection, and increase its monitoring activities beyond Kuala Lumpur.

UNHCR's operations in **Papua New Guinea** were covered in 2002 from its Regional Office in Canberra. Following a joint PNG Government/UNHCR assessment in August 2002, some 300 persons from West Papua (Indonesia) were found to be refugees. UNHCR agreed to support the PNG Government in settling this group in East Awin. Increased tension in West Papua in late 2002 and the accommodation on Manus Island of several hundred asylum-seekers intercepted by the Australian navy, underlines the importance of re-establishing a UNHCR presence. The Office will continue to advise the Government on issues pertaining to the 1951 Convention, including the implementation of its obligations under domestic law. The Regional Office will re-open a Field Office in Port Moresby in early 2003. The Regional Office will continue monitoring developments in the region (including those which may cause refugee influxes into Papua New Guinea and elsewhere in the South Pacific) promote accession to the Refugee Convention and its implementation in the national refugee legislation, and increase awareness of and support for refugees.

UNHCR supported a submission to Parliament of refugee legislation by the Government of the **Philippines**, including a revised Immigration Bill. As one of the few signatories to the 1951 Convention in the region, UNHCR believes it could

serve as an example for other ASEAN countries. The Philippines Government has indicated that it may ratify the Statelessness Convention. UNHCR will continue to provide technical advice to the Government and civil society on contingency planning and preparedness. This training has proved useful in dealing with the return of tens of thousands of Filipinos from Malaysia. UNHCR will seek to regularise the status of some 2,000 Vietnamese and promote their local integration. Recently an agreement was reached for refugees to receive work permits in the Philippines.

Due to the limited number of asylum-seekers in **Singapore**, UNHCR works through an NGO to ensure that persons of concern have access to RSD procedures. UNHCR provides basic assistance to recognised refugees and intervenes with the authorities to ensure that persons of concern are released from detention.

| Budget (USD) | |
|----------------------------------|-------------------|
| Country | Annual Programme |
| Australia and New Zealand | 882,253 |
| Cambodia | 545,533 |
| China | 3,370,370 |
| East Timor | 1,755,879 |
| Indonesia | 8,026,232 |
| Japan | 2,870,465 |
| Malaysia | 850,976 |
| Mongolia | 259,735 |
| Papua New Guinea | 278,218 |
| Philippines | 350,201 |
| Republic of Korea | 405,155 |
| Singapore | 57,800 |
| Thailand | 5,779,835 |
| Viet Nam | 107,694 |
| Regional Activities ¹ | 160,000 |
| Total | 25,700,346 |

¹ Includes general protection activities and dissemination of refugee law, transport and repatriation activities of Indochinese and scholarships for refugee students in East Asia and the Pacific.