



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Democratic Republic of the Congo

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN FOR THE DRC

EXECUTIVE SUMMARY

1. Protection and socio-economic operational environment

At the beginning of March 2005, the UNHCR operational environment in the DRC remained stable despite a relatively volatile political mood in the capital Kinshasa, with growing unease about elections planned for June 2005 and the apparent lack of preparedness by the transitional government for the elections. The National Assembly has yet to decide on the Constitution as well as several key laws, including the referendum on the Constitution and components of electoral law. Some 24 – 28 millions people are expected to take part in the elections. Considering these high figures the challenges ahead are huge for a country that is vast and lacks road and other infrastructures due to the many years of war.

Since the 2002 all-inclusive transitional process, the transitional government of the DRC is gaining more control on its borders and territory in the North-East. However, this process remains slow and complex, mainly in the two Kivus and Ituri district. Although still lagging behind on most of the critical issues, the transition tried to stay on course of its political programme. The training and reintegration of the national security forces have gathered momentum; deployment of trained-armed force to the east and appointment of new governors for provincial administration raised hope towards re-establishment of state authority throughout the country. In addition, the decision to publicly denounce and punish corrupt tendencies also demonstrated that the transition had taken up its political role seriously. Meanwhile, the donor community and international financial institutions continued to demonstrate a desirable level of confidence in the political process through their continued engagements to keep the transition on course. The UN 1565 Resolution has expanded the peacekeeping force of MONUC by 5,900 to 16,000 troops. The majority of the additional troops have been deployed in the eastern part of the DRC. Under the Chapter VII mandate, MONUC can military engage to protect civilians and humanitarian workers.

At the end of 2004, there were 278,481 refugees in the DRC. The 2006 programme is being planned on the basis that it will register some of the most important strategic and programmatic changes in the DRC refugee operation in as much as finding solutions for protected refugee situation that existed over the last two decades. Principally, in light of increased access to Rwandan and Burundian refugees in the Kivus; the progress made in the Sudan peace process and the continued stability in Angola, massive repatriation from the DRC is foreseen in 2006. In addition, UNHCR will embark in 2005 in a vast repatriation operation of Congolese (DRC) refugees from neighboring countries.

In February 2005, UNHCR organized a joint donors strategic planning meeting to develop the 2006 COP. Representatives of the Government of the DRC and main donors countries as well as UN agencies participated. The strategic planning meeting was preceded by donors' field missions as well as three inter-agency assessment missions. This process not only permitted active interaction with key partners but also facilitated reaching agreement for the strategic directions of UNHCR programme in the DRC for 2006 and beyond.

The majority of Rwandan and Burundian refugees are living scattered in villages over a very wide area in the North and South Kivu provinces. These refugees fled after the dismantlement of refugee camps in 1996 and have been hiding in the forests since then. It is believed that armed groups such as the FDLR and Interahamwe have held the majority of the refugees against their will. With the deployment of both FARDC (Congolese armed forces) and the MONUC, the security situation has improved allowing expanded humanitarian space. UNHCR and its partners undertook several assessment missions. The estimated number of Rwandan refugees scattered in North and South Kivu is about 109,000. If the disarmament of foreign troops and other armed group continues and with the progressive pacification of these two provinces, more Rwandan and Burundian refugees would reach UNHCR's assembly points to return home. UNHCR expects to repatriate 10,000 Rwandan and 5,000 Burundian refugees in 2006.

With regard to Sudanese refugees, the long awaited peace agreement between the SPLA and the Government of Sudan has been signed on 9 January 2005, paving the way for refugees to go home. However, several years of war have destroyed the entire infrastructure, limiting the absorption capacity of South Sudan to receive a huge number of returnees in potential return areas. Out of some 27,000 refugees (including 11,000 on sites), UNHCR expects to repatriate some 14,000 in organized movements. With the commencement of the repatriation to South Sudan scheduled for the last quarter of the current year, some 6,000 are expected to have returned in 2005 and some 8,000 in 2006.

At the beginning of 2006, UNHCR expects to have an estimated 94,000 Angolan refugees in Bas Congo, Bas Fleuve, Bandundu provinces and Kinshasa divided into three main groups: i) camp-based refugees; ii) Angolan refugees from Cabinda and iii) spontaneously settled Angolan refugees. On the assumption that repatriation of the camp-based refugees living in Kimvula (Bas Congo) and Kahemba (Bandundu) will be completed as scheduled by the end of 2005, provision of protection and basic assistance for some 5,000 refugees opting to locally integrate is foreseen. In addition, as the prospect for return for the 1,425 refugees from Cabinda remains uncertain, they will continue to receive protection and humanitarian assistance in 2006. On the other hand, the majority of the estimated 83,000 spontaneously settled Angolan refugees, who arrived in the DRC in several waves, have settled in Bas Congo and Bandundu provinces. In December 2004, the Tripartite Commission on the Voluntary Repatriation of Angolan refugees recommended the assisted return of this group. A survey of return intentions among this community carried out in February 2005 revealed that some 42,000 wish to

return home in 2006 under the auspices of UNHCR. Considering the scattered nature of settlements and narrow window of opportunity for repatriation which is limited to the dry season (May-Oct.), it is foreseen to facilitate the repatriation of the spontaneously settled Angolan over 2006 and 2007.

As concerned to Ugandan refugees, they mainly originate from Bundibudyo District in Uganda. They fled due to fighting between the UPDF (Uganda People Defence Force) and ADF (Allied Democratic Front) between 1997 and 2001. Since 2002, UNHCR did not have access to this group due to the insecurity due to ethnic fighting between Hema and Lendu in the DRC Ituri region. As the ADF is no longer active in their district of origin and the security situation has further improved, some refugees might have opted for spontaneous return while other have remained in Boga (DRC). If the security situation in Ituri permits and access is available, UNHCR foresee a proper registration of this group and also assess their intentions.

UNHCR will continue to place a strong emphasis on the institutionalisation of the protection of refugees in the DRC. It intends to do so through building the capacity of the transitional government in general and of the CNR in particular in the implementation of the national legislation related to the protection and care and maintenance of the refugees. UNHCR will continue to support the activities of the CNR through training of staff on refugee protection, voluntary repatriation and refugee status determination. UNHCR will also put together coordination mechanisms for the protection of asylum seekers throughout the refugee status determination process. Staff will receive training on human rights and international humanitarian law. UNHCR will also work with the DRC higher learning institutions for the development and consolidation of the refugee law for students pursuing international law.

2. Operational goals and potential for durable solutions

UNHCR's Global strategic objectives provide the lead for the overall strategic goals of the 2006 DRC refugee programme. In addition, the DRC programme subscribes to the Africa Protection Directions Guidelines issued by the Director of the Bureau under the Memorandum AF00/018/04, dated 22 December 2004.

Overall Objective: Fulfil the international protection mandate and facilitate the provision of humanitarian assistance to refugees and persons of concern to UNHCR, while working towards lasting solutions to their situation. In this regard, the option of voluntary repatriation as a durable solution will be pursued in respect of spontaneously-settled Angolan, Rwandan, Burundian and Sudanese refugees. At the same time, local integration as an alternative solution will be pursued in respect of groups who have opted to remain in the DR Congo. The UNHCR programme will also focus on policy priorities relating to women and children, refugees with special needs, HIV/AIDS, prevention of SGBV through focus on protecting women and girls against violence, promote responsible environment management and rehabilitation of refugee affected areas, and addressing minimum standards of emergency humanitarian assistance in sectors of interventions.

Objective 1: Strengthen the capacity of national institutions dealing with refugee/returnees issues. UNHCR will work in partnership with the government as part of the Global Consultations of the Agenda for Protection adopted by States signatories to the 1951 Geneva Convention in December 2001.

Objective 2: Pursue voluntary repatriation of 45,000 refugees (22,000 Angolan; 10,000 Rwandan; 8,000 Sudanese; 5,000 Burundian) in safety and dignity.

Objective 3: Pursue local integration of some 15,000 refugees (Angolan including Cabindan, Sudanese, Congolese and urban refugees) who would have opted to remain in DRC.

Objective 4: Promote refugees' self-reliance in urban as well as rural settings through micro-credit as well as other targeted interventions, in collaboration with ILO, UNOPS and specialised NGOs.

Objective 5: Advocate for the inclusion of refugee and returnee issues in the CCA/UNDAF and MDG initiatives. Liaise with the Government and the World Bank and advocate for the inclusion of refugee and returnee issues in the Government development plans.

Objective 6: Support initiatives for Demobilisation, Disarmament, Repatriation, Reintegration and Reinsertion (DDRRR) as well as DDR and MDRP through close cooperation with MONUC (*Mission d'observation des Nations Unies au Congo*), UNDP and the World Bank.

Objective 7: Work in partnership with UN, NGO and Government partners in joint assessment and planning activities.

Objective 8: Support the rehabilitation of the environment in refugee camps, areas formerly occupied by refugees as well as -in collaboration with UNDP and other relevant stakeholders- in the villages of return of DRC refugees.

Objective 9: Continue the sensitisation on SGBV and HIV/AIDS at all levels and in all UNHCR projects.

Objective 10: Enhance UNHCR's oversight and accountability capacities through on-the job training as well as the reinforcement of the programme control unit.