

Republic of Congo
COP 2002

Part I : Executive Committee Summary

Since the signature of the two Peace Agreements in December 1999, respectively in Pointe Noire and in Brazzaville, by the government and different factions involved in the conflict that started in October 1998, prospects for a lasting peace in Congo Brazzaville have gained momentum. The social and economic situation has positively evolved throughout the year 2000 with the financial injections from the French Oil Company (Elf) into the Congo economy. A Committee of Reconciliation was created although the internal political situation was rather fragile.

In March 2001, the long awaited National Dialogue took place under the auspices of President Omar Bongo of Gabon, although not all concerned parties accepted the proposed framework. The National Dialogue has adopted a project proposal of a new Constitution, which aims at establishing a presidential regime of 7 years renewable once. The outcome of the National Dialogue seems to have geared a peace process towards security, stability and national elections that are scheduled to take place next year in order to democratically elect a new regime. It is therefore anticipated that the residual caseload of some 3,000 RoC Congolese refugees remaining in the Democratic Republic of Congo and the 17,500 refugees in Gabon would most probably register for voluntary repatriation. UNHCR and the two governments of the RoC and Gabon have signed a tripartite agreement for the voluntary repatriation of Congolese refugees.

UNHCR plans to reach an agreement with the government before the end of 2001 to support the functioning of a National Eligibility Commission. This Eligibility Commission is foreseen to replace the existing Ministerial Commission created with a view of addressing humanitarian issues and problems of Rwandan refugees, who entered Northern RoC in 1997 from Eastern DRC.

In 2002, provided the current political and social trends remain, UNHCR will support the re-activation and strengthening of the National Committee for Assistance to Refugee (NCAR) through the National Eligibility Commission to address individual protection cases in Brazzaville, Pointe Noire and elsewhere as required. Voluntary repatriation, as a durable solution, will further be promoted on a case by case basis when security conditions in the country of origin will permit.

UNHCR will implement Care and Maintenance assistance programmes in favour of new refugees (originating mainly from the Central African Republic, following the aborted coup of May 2001). Meanwhile, opportunities for Local Settlement or Resettlement to third countries will continue to be sought for recognised refugees, with a view of ensuring sustainable and high level of self-reliance. Based on the outcome of the Inter-Congolese Dialogue scheduled to take place on 17 October 2001 in Addis Ababa (Ethiopia) and the withdrawal of foreign troops, some DRC refugees may return from Northern RoC, and individual reintegration packages will be made available.

(a) Context and Beneficiary Populations.

Over the last two years, the evolution of the war in the Democratic Republic of the Congo led to an influx of some 100,000 refugees from the Equator Province into the Likouala Region, which is mostly swampland and is sparsely settled also due to almost inaccessible rainforest. Due to armed conflicts between government and rebels (MLC) forces along the main river, access to more than a third of refugee settlements remains difficult and often impossible. Although confronted with considerable logistic challenges and working in a generally unstable environment, UNHCR managed to provide protection and deliver assistance to refugees on accessible sites. In April 2001 the Ubangui river was re-opened allowing free navigation and access to more refugees living along the banks.

However, UNHCR strategic planning for the RoC was based on the assumption that the DRC refugee caseload in Northern RoC would substantially diminish and that operations requirements, in terms of funding and human resources would therefore decrease. Operational and logistical challenges coupled with the slow pace of repatriation of DRC refugees to Equator Province, as compared to the 2001 planning figures have brought UNHCR to review its objectives for the second half of the year. To that effect, an inter-agency consultation meeting was organised in Brazzaville on 15 June 2001, attended by the RoC Government, UNHCR's implementing partners, FAO, WFP, OCHA RoC and DRC, and the humanitarian community involved in the activities in the northern part of Republic of Congo, including the donor community. A new co-ordination mechanism has been devised, as well as a revised plan of action covering the period June to December 2001.

Hence, UNHCR's operational assumptions for the Northern RoC are now based on the following grounds:

- The peace process in DRC is still hampered by many unpredictable events and uncertainties. The disengagement of armed forces that should have been followed by plans of withdrawal of invited and non-invited armies remains problematic.
- The Mai-Mai forces have become a reality and a component of the Peace Process. The Pre-Inter Congolese Dialogue has been postponed until 17 October 2001, as there were still fundamental differences within the main components of the parties to the Congolese Dialogue.
- The recent political developments in Central African Republic have engendered a new refugee situation that affects the Northern RoC and the Equator Province of the DRC.

In the aftermath of the attempted coup in Bangui perpetrated by mutineers of the CAR army under the leadership of the former President, General André Kolingba, the population fled massively the capital and its suburbs to the interior of the country, mainly along the border area between CAR, RoC and DRC. Some 30 000 persons from the Yakoma ethnic group for the most, crossed the Ubangui river into Zongo in the Equator Province of the DRC since June 2001. An additional number of 1,675 CAR refugees found asylum in Betou, Impfondo and Brazzaville in the RoC. The flow of refugees continues, albeit, at a lower pace. In view of the political situation in Central African Republic, which remains very fragile, no prospects of stabilisation and return to normalcy are rising yet.

Because of the new situation created since June 2001 by the influx of refugees from CAR, and in view of delivering protection and assistance to those refugees from DRC who are expected to remain in RoC for some time, additional funding was sought and obtained in 2001 from the Operational Reserve. In order to maintain similar levels of assistance in favour of all groups of refugees, funding in 2002 will have to remain within the same budgetary envelopes as in 2001.

Following the inter-regional consultation meeting held in Libreville from 26 to 29 May 2001 during which the modalities of voluntary repatriation of Congolese refugees in Gabon were discussed, a Tripartite Agreement has been signed by governments of Gabon and RoC respectively and UNHCR on 11 September in Libreville, spelling out the legal framework of the repatriation operation foreseen to take place during the course of 2002. Meanwhile, a pilot phase targeting the voluntary repatriation of some 3,000 RoC refugees from Gabon would be launched during the last quarter of 2001. These new developments will require a substantial budgetary increase in the 2002 repatriation programmes, five to six times what was foreseen at the time of submitting the initial COP in April 2001.

(b) Overview of each beneficiary population in RoC.

(c) Selected Programme Goals and Objectives

Theme: National legislation conforming to international standards.	
Main Goals: Support the Government in the implementation of the Refugee National Legislation as well as the establishment of National Eligibility Commission in RoC.	
Principal Objectives	Related outputs
<ol style="list-style-type: none"> 1. All asylum seekers have access to refugee status determination procedures that are non-discriminatory and in accordance with international standards. 2. All refugees are registered and recognised and benefit from national legislation, conforming to international standards. 	<ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> (a) National Eligibility Commission fully functioning (b) System for monitoring refugee status determination procedures/ consultative role of UNHCR. (c) Completed training for Government officials involved in refugee status determination. 2. <ol style="list-style-type: none"> (a) Refugees and asylum seekers have access to Law enforcement mechanisms (b) Completed training for Law enforcement/ border officials.

Theme: Registration/Documentation of refugees	
Main Goals: Support the RoC Government in undertaking refugees registration exercise and provision of legal documentation to all refugees throughout the RoC.	
Principal Objectives	Related outputs
<ul style="list-style-type: none"> • All refugees in Roc will be registered, after refugees from DRC have been registered late in 2001. 	<ul style="list-style-type: none"> • Registration has been completed, and statistical info for all groups of refugees is fully available for all intended purposes.

Name of beneficiary Population: Congolese refugees from DRC	
Main Goals: Ensure that asylum's rights are respected. Provide care and maintenance assistance to refugees where access exists. Gradual phase out and gradual handover to UN agencies in various sectors such as health and education.	
Principal Objectives	Related outputs
<ul style="list-style-type: none"> • Reinforce the logistic support needed to implement activities in Northern RoC. • Continue (where needed) care and maintenance activity implemented since 2000. (• Reinforce and expand co-ordination mechanism set in 2001 with all relevant actors 	<ul style="list-style-type: none"> • Pre-positioning of items in Betou, Impfondo and Loukolela facilitate timely distribution and access to refugees. • Refugees are protected and assisted toward a self reliance process • Government, UN Sister's agencies, NGOs participate in planning process and attend coordination meetings.

Name of beneficiary Population: Angolan refugees from Cabinda province.	
Main Goals: Facilitate local settlement of existing caseloads and voluntary repatriation to Cabinda province.	
Principal Objectives	Related outputs
<ul style="list-style-type: none"> • Needy refugees achieve self-sufficiency • Organized voluntary repatriation facilitated. • Safe asylum is still fully available to refugees. • Identified activities phased out by the end of 2002 	<ul style="list-style-type: none"> • The majority of identified needy refugees no longer in need of systematic care and maintenance assistance. • Refugees benefit from safe asylum. • Registered refugees for VOLREP have been safely repatriated. • Kondi and Mavoadi sites closed, as a result of local integration and/or repatriation.

Name of beneficiary Population: RoC Congolese returnees from Gabon, DRC and other countries.	
Main Goals:	
Principal Objectives	Related outputs
<ul style="list-style-type: none"> • Refugees who expressed their will to be repatriated have access to UNHCR assistance and the return is carried out in safety and dignity. • Facilitate returnees' reintegration process and sensibilisation of development actors for local infrastructure and improvement of absorption capacities in areas of origin. 	<ul style="list-style-type: none"> • Transit and reception centres operational and fully utilised, with associated services: health, medical care. • Non-food items positioned and available for distribution to returnees. • Provision of seeds/tools packages for refugees originating from rural areas. • UN agencies and local authorities integrate returnees in their plans and activities. • A minimum number of protection related cases are reported, after return.