



# **COUNTRY OPERATIONS PLAN**

**Executive Committee Summary**

**Country: Indonesia and Singapore**

**Planning Year: 2005**

## Indonesia and Singapore 2005 Country Operations Plan

### Part I: Executive Committee Summary

#### (a) Context and Beneficiary Population(s)

Following the High Commissioner's declaration of cessation of refugee status for East Timorese as of 31 December 2002, Regional Office Jakarta (ROJ) initiated a comprehensive five point strategy to **find durable solutions** for the remaining caseload of 28,095 persons still in need of solutions in West Timor. The strategy was approved at a workshop with relevant government departments and other UN agencies in July 2003. As a result of consultations with the European Union (EU), the major donor to UNHCR's activities in favour of the former refugees, a programme was launched in West Timor in the second half of 2003, which resulted in the construction of some 870 houses in 10 settlement sites. The transfer of former refugees to the new settlement sites at the end of 2003 has contributed to a reduction in tension along the border with Timor Leste. The EU's satisfaction with progress, and at the visibility accorded to them in their partnership with UNHCR, has led them to provide a further additional contribution of up to three million Euro for 2004/2005 in order to complete the programme.

According to the initial findings of the Department of Population/Registration the figure of East Timorese in West Timor is some 110,000. Of these, according to BAKORNAS (National Co-ordination Board for Disaster and IDPs Management Secretariat) the number of people still in need of durable solutions in West Timor is 16,176 and this is the figure ROJ is using for planing purposes. With regard to **citizenship**, the former East Timorese refugees were informed by mass media and through the use of information leaflets on their options to either return voluntarily to Timor Leste or to remain in Indonesia. The Presidential Decree No 25, issued on 5 May 2003 on "Registration of the People from the Former Province of East Timor", was an important step towards local integration, as it instructed government officials to undertake and finalize by the end of 2003, the re-registration of all the East Timorese wishing to opt for Indonesian citizenship.

In terms of UNHCR's programme for **separated children**, it is planned to phase this out at the end of 2004. A large number of cases were closed in 2003 and it is planned that the relevant government departments will take over responsibility for the small number of remaining cases in 2005.

Although the number of **asylum-seekers** approaching UNHCR in 2003 (196 persons) was higher than in 2002 (120 persons), there is an overall downward trend in new persons seeking asylum which, together with solutions found through resettlement, has reduced the **refugee caseload**. Many of those who still remain in Indonesia belong to an older residual caseload of initially rejected cases, presently under temporary protection (Iraqis and Afghans) and a small number of cases waiting for resettlement. However, even though the numbers are relatively small, the remaining 'rejected' caseload has proven to be problematic for the office as evidenced by the recent series of hunger strikes and demonstrations by different groups across Indonesia.

Barring dramatic changes elsewhere in the world, this trend of smaller numbers of new cases is expected to continue in 2004 through to 2005. The focus of the office will thus now be turned towards improving the quality of Refugee Status Determination (RSD), while maintaining the capacity to provide support to offices in Dili and Manila, which are reducing in size.

**Political and Security Context:** Increased military activity in the province of Papua in 2003 and the breakdown of the Cessation of Hostilities Agreement (CoHA) and subsequent declaration of martial law on May 19, 2003, in the province of Aceh, marked a deterioration of the human rights situation in these two provinces. Following the start of the military operations in Aceh, there was a sizeable exodus of Acehnese into Malaysia, many of whom approached the UNHCR office in Kuala Lumpur for assistance. In conjunction with the imposition of martial law, the Government of Indonesia (GoRI) tightened control over the limited number of international humanitarian agencies allowed to operate in the province and has also imposed a ban on the entry of all foreigners, including journalists, into Aceh without formal authorisation. As independent monitors and observers are not allowed into the province, information about the full extent of the humanitarian crisis cannot be ascertained. In May 2004, the GoRI downgraded the state of martial law to a civil emergency.

The major constraint, which ROJ will continue to face, is security threats from terrorist attacks. The global threat of terrorism (the Marriott Hotel bombing in Jakarta in August 2003 and the more recent bombing outside the Australian Embassy in September 2004 are examples) and corresponding security issues will be one of the main challenges the office will face in 2005. Security experts in Jakarta consider that it is not a matter of "if" there will be more serious security incidents but a question of "when", and ROJ must remain on alert in order to maintain staff safety. The threat of incidents from any of the dissatisfied individual cases is very real. These have earlier taken the form of direct physical threats to staff e.g. ICs attempting to force entry into the building and also to harm themselves in their efforts to influence decisions. Security measures to prevent such incidents must also be maintained throughout 2005.

**Regional Capacity Building and Operational Support:** 2004 is a period of transition for most of the offices in the sub-region covered by ROJ. Indonesia, Malaysia, and the Philippines have all undergone elections. In addition, 2004 will witness the departure of several international staff from the offices in Dili and Manila. The phasing down of operations in UNHCR Dili and Manila and the dramatic increase of asylum claims in Malaysia will mean that the regional support function of ROJ will need to be strengthened. Support in the fields of protection, programme, administration, and staff safety and security has been identified as crucial. ROJ will continue to provide guidance and support to all offices in the region as far as protection and refugee law is concerned.

In view of the experience gained over the years in dealing with intercepted cases and secondary movers, it is expected that UNHCR will be able to make a substantial contribution to the debate on preserving the integrity of asylum in the context of secondary movements, mixed flows of people and the legitimate interest of States in the region to manage migration and combat smuggling and trafficking. The Office will ensure follow-up to the Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and related Trans-national Crime (Bali I and II process). In this context, ROJ, in co-ordination with the Government of Fiji, organised in 2004 a Workshop on Reconciling Legitimate State Interest to Control Immigration with Refugee Protection as a further follow-up to the Bali process.

The Southeast Asia sub-region is prone to natural, man-made and complex disasters including some of the most notable refugee crises in history. Some three decades ago, countries in the sub-region founded the Association of South East Asian Nations (ASEAN) on the basis of neighbourliness, including regional collaboration in managing disasters. The latter, however, is the least developed compared to others such as the environment, trade, and security, and

debate on the subject has been confined to natural disasters. In line with the United Nations Millennium Development Goals, UNHCR has offered its support and technical expertise to the Sub-region through the ASEAN Committee on Disaster Management (ACDM). It is envisaged that UNHCR's support during the period of 2003 to 2005 will facilitate ASEAN members to be better prepared to manage emergencies involving mass displacement, including issues relating to a rights-based response.

Local institution capacity building (governments and NGOs) may eventually allow a more regional strategic approach for UNHCR in South East Asia. In 2005 ROJ will reinforce its efforts to strengthen local implementing partners and to ensure that refugee protection mechanisms are "institutionalised" within government legislation and actions.

**Policy matters:** ROJ was selected in 2004 as one of two pilot countries in the Asia-Pacific region where the office is expected to put **Age and Gender Mainstreaming (AGM)** policies into practice. ROJ will also act as the sub-regional focal point for AGM. An AGM team has been formed at ROJ and is responsible for drawing up the initial activity plan to strengthen the capacities within the offices, respective caseloads and project partners in order to include AGM considerations. It is expected therefore, that by 2005 all offices in the sub-region will include AGM activities in their programmes, in the sub-agreements with IPs, as well as in their CMS objectives. The goal of all offices will be to have a team approach to operationalise AGM issues not only on the inter-unit or inter-office levels but also to bring on board local partners, government departments, and interested donors.

ROJ will continue to implement the five key commitments for women that will advance the rights of refugee women, mainstream gender equality, and help prevent and ensure adequate responses to **sexual and gender-based violence (SGBV)**. ROJ will also ensure that the prevention of **HIV/AIDS**, as an essential component of the overall protection of refugees and displaced people, is included in all the projects since this is also reinforced in the Millennium Development Goals (MDGs).

ROJ will also undertake **public information activities** to enhance the ability and commitments of the GoRI to meet their international obligations and, through public awareness campaigns, create a positive attitude towards asylum seekers and refugees.

**Co-ordination:** ROJ will continue to co-ordinate its activities with other UN Agencies. In particular, UNHCR will continue to work closely with the Resident / Humanitarian Co-ordinator, UNDP, OCHA, UNICEF, WHO, WFP, UNAIDS and IOM and encourage their operational activities to respond to all vulnerable populations in Indonesia, including refugees. Within the UN system, UNHCR's lead role to respond to refugee situations is recognised with OCHA's support for co-ordination and within the UN Resident and Humanitarian Co-ordinator's overall role in Indonesia. Within Asia and Pacific, UNHCR will continue its close collaboration with the Asia Pacific Consultations (APC). Close co-operation with international NGOs will be maintained, and efforts will continue in order to develop contacts with national NGOs.

**ROJ's Strategy in 2005 and beyond:** Given the fact that Indonesia is not yet a party to the refugee instruments and has no eligibility mechanisms in place, refugee status determination (RSD) will continue to be UNHCR's responsibility, and recognised refugees will continue to be submitted for resettlement to third countries. However, efforts will be maintained to persuade the GoRI, Parliament, and relevant government departments of the merits of accession, which is in the GoRI's human rights plan of action, as well as to prepare them for appropriate national

legislation. One of ROJ's main targets, from a promotional viewpoint, will be the parliament which was elected in 2004.

While UNHCR will phase out its operational involvement in the East Timorese separated children programme by the end of 2004, the office will still maintain a monitoring role, as well as a coordinating, operational, and catalytic role with regard to implementation of the comprehensive strategy to find durable solutions for the remaining East Timorese in West Timor. With regard to the emergency management project, the strategy entails an engagement with, and strengthening of, the ACDM during 2004 and 2005, with a phase-down of UNHCR involvement by the end of 2005.

**Regional objectives have been established for 2005, as follows:**

1. Ensure effective protection through qualitative/quantitative improvements to RSD and protection interventions, including addressing the psycho-social and security needs of persons of concern.
2. Ensure age and gender-based operations planning and implementation.
3. Actively pursue durable solutions, particularly within the host country, where feasible, for persons of concern.
4. Improve the protection environment through the promotion of refugee law, working with civil society, and ensure a proper follow-up to the Bali Process.
5. Establish partnerships, and build capacity both internally and externally.
6. Continue to take concrete steps to ensure a safe working environment for the staff of UNHCR and implementing partners.

**(b) Selected Programme Goals and Objectives**

<b>Name of Beneficiary population/Theme one: Individual Cases in Indonesia and Singapore.</b>	
<b>Main Goal(s):</b> (1) Urban refugees in Indonesia and Singapore benefit from a fair and efficient RSD, assistance and facilitation of durable solutions and (2) The psycho-social and security needs of the refugees will be addressed.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• All asylum seekers (a/s) have access to territory and to a fair &amp; efficient RSD procedure.</li> </ul>	<ul style="list-style-type: none"> <li>• Governmental and non-governmental implementing partners trained on relevant protection and programme standards.</li> <li>• Asylum seekers are immediately referred to UNHCR, registered with PULIH and a RSD interview is scheduled with UNHCR.</li> </ul>
<ul style="list-style-type: none"> <li>• Recognised refugees have a minimum acceptable standard of living (including access to health care, accommodation and education) while awaiting a durable solution.</li> <li>• Provision of support to refugees in the search for durable solutions.</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly Subsistence Allowance (MSA) regularly paid, health referral system is effective and education costs covered.</li> <li>• Refugees are resettled in a timely manner, or repatriate voluntarily. Local integration sought for refugee spouses married to Indonesians.</li> </ul>
<ul style="list-style-type: none"> <li>• Protection &amp; assistance to a/s in Singapore.</li> </ul>	<ul style="list-style-type: none"> <li>• Emergency assistance to a/s, quick resettlement of recognised refugees.</li> </ul>

**Name of Beneficiary Population/Theme Two: Promotion of Refugee Law**

<b>Main Goal(s):</b> (1) Indonesia takes steps towards adopting a proper legal framework as regards refugees and asylum seekers and (2) ROJ will provide effective follow-up to the Bali process.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>Promotion of UNHCR's mandate and the 1951 Convention/ 1967 Protocol.</li> <li>Enactment of national refugee legislation.</li> <li>Accession to the 1951 Convention and 1967 Protocol.</li> </ul>	<ul style="list-style-type: none"> <li>Improved awareness and understanding on refugee law, UNHCR and its mandate among the Executive, Legislative and National Human Rights Commission as well as the public at large.</li> <li>Refugee law lectures in selected major Indonesian universities and wherever feasible development of a refugee law curriculum.</li> </ul>
<ul style="list-style-type: none"> <li>Close follow up is given to the Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and related Trans-national Crime and the process is possibly absorbed in existing or ad hoc mechanisms.</li> </ul>	<ul style="list-style-type: none"> <li>UNHCR's views, policy and concerns are taken into consideration thus preserving the integrity of asylum in the context of secondary movements, mixed flows of people and the legitimate interest of States in the region to manage migration and combat smuggling and trafficking.</li> </ul>

<b>Name of Beneficiary Population/Theme Three: East Timorese caseload</b>	
<b>Main Goal(s):</b> (1) Continue the search for durable solutions for former East Timorese refugees in co-operation with the GoRI and other agencies and (2) Monitor the situation of any remaining unresolved separated children cases.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>Former East Timorese who decided to remain in Indonesia are successfully integrated either in West Timor (WT) or outside WT and are moving towards economic self reliance, allowing them to meet all their basic needs while living in harmony and peace with local communities in settlement sites that are sustainable.</li> </ul>	<ul style="list-style-type: none"> <li>At least 8,000 former East Timorese refugees families settled and their living conditions improved.</li> <li>Settlement sites are properly developed and rehabilitated.</li> <li>Former refugees (women and men) settled are trained in skills to help them to improve their productive capacities.</li> </ul>
<ul style="list-style-type: none"> <li>The new Governmental system set up to deal with East Timorese separated refugee children in Indonesia will be monitored by UNHCR to ensure that durable solutions continue to be found in the best interest of the children involved.</li> </ul>	<ul style="list-style-type: none"> <li>The re-establishment of communication between caretakers and parents as well as between children and parents and facilitation of family reunification, if appropriate, continues to be ensured by the Government.</li> </ul>

<b>Name of Beneficiary Population/Theme Four: Establishing Partnership and Capacity Building</b>	
<b>Main Goal(s):</b> (1) Emergency preparedness will be institutionalised in the region and individual countries and (2) Offices in the region under ROJ receive support on Protection, Programme, Administration, and Staff Safety and Security related matters.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>More effective disaster management in the sub-region as a result of an operational and functioning ASEAN</li> </ul>	<ul style="list-style-type: none"> <li>Improved co-ordination among disaster management national agencies in ASEAN member countries and with international and</li> </ul>

Committee on Disaster Management (ACDM).	regional entities including the UN system, and a greater understanding of a rights-based response.
<ul style="list-style-type: none"> <li>• ASEAN Disaster Management framework is more attuned to humanitarian aspects of disasters particularly those involving mass displacement and refugees.</li> </ul>	<ul style="list-style-type: none"> <li>• Complex emergencies are integrated into the ASEAN disaster management framework</li> </ul>
<ul style="list-style-type: none"> <li>• Country Offices in Timor Leste, Malaysia, and the Philippines receive guidance and technical support in areas of Protection, Programme, Administration, and Staff Safety and Security to make their work more efficient.</li> </ul>	<ul style="list-style-type: none"> <li>• Management and technical support missions in the areas of Protection, Programme, Administration and Staff Safety, and Security are provided to the Offices in Dili, Kuala Lumpur, and Manila.</li> </ul>