

**Indonesia
2003**

Part I: Executive Committee Summary

Context and Beneficiary Population

UNHCR offices in Indonesia, Malaysia, Philippines, East Timor and its NGO representation in Singapore (and coverage of Brunei Darussalam) strive to promote respect and understanding and appropriate responses for all aspects of international refugee law. This includes the promotion of Accession to the 1951 Convention and related instruments, development of appropriate refugee legislation, ensuring access to refugee determination procedures and thereby protection through the granting (where appropriate) of refugee status, durable solutions and preparedness to respond to large scale influxes.

Indonesia is in transition to a democratic society and continues to de-emphasise political involvement of the military, to de-centralise its decision-making and to strengthen regional autonomy. Related to this transition is the evolving security situation in the different regions. As of July 2002, an estimated 1,2 million persons were internally displaced throughout the archipelago following the breakdown of security as a result of economic, political, religious or ethnic tensions.

The preoccupation of the Government of the Republic of Indonesia (GoRI) with its own internal situation, particularly during the first half of the year, prevented it from devoting its full attention to the myriad of important issues affecting the country - including economic concerns, civil strife (Aceh, Papua, Maluku, Central Sulawesi, and West Kalimantan), the refugee situation in West Timor, and moves towards decentralisation. Political uncertainties at the central level culminated in a change of leadership, with Vice-President Megawati Sukarnoputri assuming the Presidency on 23 July 2001, followed by her appointment of a new Cabinet.

As of September 2001, the Co-ordinating Ministry for People's Welfare (MENKO KESRA), assisted by the National Co-ordinating Board for Disaster and IDP Management (BAKORNAS) is the main counterpart for UNHCR and the UN system. It is clear that in 2003 GoRI will continue to take the lead in providing assistance to the refugees and in facilitating solutions to the refugee problem in West Timor.

The flow of individual asylum-seekers and families continued and increased throughout the year, interdiction arrangements between Indonesia and Australia notwithstanding. In 2001 the number of new asylum-seekers approaching the RO was 2,429 (consisting of 1,742 cases), and some 217 persons (117 cases) obtained refugee status in 2001. Countries of origin were principally Iraq, Afghanistan, and Iran. By the end of 2001 some Afghans had begun to request return to their country, owing to the change of situation and Government in Afghanistan. Resettlement countries announced a series of positive decisions at the end of 2001 and beginning of 2002 that have had a very positive impact on state of mind of the refugees. More positive decisions might come further to missions from Canada, Sweden and the United States coming to Jakarta in April 2002. It is expected that stricter migration-control measures imposed by both the Australian and the Indonesian Governments and support to the agreements reached in the Conference on People Smuggling held in Bali at the end of February 2002 will contribute to a decrease in the number of asylum-seekers (interdicted cases) showing up at UNHCR Office in Jakarta in 2003.

Persisting although gradually decreasing, intimidation and control of militia elements in the camps along with considerable misinformation in refugee camps, notably about the socio-economic situation in East Timor, and lack of UNHCR presence in West Timor, except for repatriation/reconciliation initiatives, combined with the infrequent access of UNHCR to refugee groups, made it extremely difficult to carry out standard protection activities. UNHCR constantly raised, with the authorities at central and provincial levels, concerns related to refugee protection and solutions.

West Timor continues to be designated by UNSECOORD as a Security Phase V area and only time-limited ad hoc operations are undertaken to promote voluntary repatriation in co-ordination with the GoRI that is represented by SATKORLAK/SATLAK. UN access in 2003 is contingent on a lowered security phase. An exchange of letters between the Government of Indonesia and UNSECOORD which sought to address security concerns in West Timor was unfortunately still not signed by September 2002.

Security

Following several threats and the occupation of UNHCR premises by asylum seekers and refugees in late 2001 and early 2002, additional security precautions have been put in place. The regional staff safety advisor is based in Jakarta.

Role of UNHCR

In 2003 UNHCR Jakarta (ROJA) will continue to provide protection for *individual cases* in Indonesia and Singapore through status determination, limited assistance and facilitation of solutions (primarily resettlement). For *East Timor refugees* in 2003, UNHCR will continue to support the Government of Indonesia's (GoRI) plan to seek durable solutions, i.e., local sustainable integration in Indonesia and limited residual voluntary repatriation to East Timor with a planned activity phase-out by mid-2003. ROJA will continue to advocate for *Accession* to the 1951 Convention and for the improvement of the general understanding to the plight of refugees and solutions among the general public as well as policy-makers and influential thinkers. Under *Partnership for Prevention and Emergency Preparedness*, ROJA will continue its activities on *Training of Indonesian Police*, and *Emergency Preparedness*. Police training activities are considered a legitimate capacity building exercise for UNHCR. It promotes "human security" more broadly, which is a goal UNHCR has committed itself to and has a clear link to more humane treatment of refugees and asylum seekers in a country without international obligations or national legislation in place to ensure this. Emergency Preparedness activities at the regional, country and sub-regional levels intend to *strengthen the capacity* of governments to respond to population displacements within the region.

Three primary areas of engagement provide the framework for UNHCR's work in Indonesia and Singapore:

i) **Timor operation.** While direct protection is hindered due to the UN and UNHCR's lack of access to the refugee population, UNHCR will continue to support the GoRI's local settlement programme, with gradual hand-over to development agencies by end of June 2003. From January 2003 to the phase-out, ROJA expects to provide a contribution to support the local settlement of up to 15,000 refugees in Nusa Tenggara Timur (NTT) outside of West Timor as well as facilitating limited residual voluntary repatriation of some 5,000 refugees.

Involvement with individual cases. As Indonesia and Singapore have not acceded to the 1951 Convention and lack refugee legislation, UNHCR will continue its direct protection support and limited assistance to UNHCR-recognised refugees. Most of the refugees have transited other countries and were interdicted, presumably, en route to Australia. Though in the absence of official refugee legislation UNHCR-recognised refugees are not protected from refoulement, in practical terms, their presence is tolerated in both countries with the understanding that a durable solution is being sought and will be provided.

Population displacement: Indonesia's 1.2 million displaced persons continue to be a concern to the GoRI and the UN family. UNHCR continues, in an extremely limited manner, to support the UN family's response to internal displacement through technical inputs. The de-stabilising impact and potential of a region-wide crisis cannot be disregarded should the situation deteriorate to a point that people move across international borders, for example from Aceh and Papua. ROJA plans to support the establishment of a system enabling the countries in the region to undertake joint actions allowing them to develop contingency plans with local and regional partners.

Intricate situational linkages condition the pursuit of UNHCR's objectives in Indonesia and the broader region. UNHCR must continue a situational approach between UNHCR Indonesia and UNHCR East Timor. UNHCR will work with the East Timor government and promote its bi-lateral relations with Indonesia in the areas of refugee-related work. In the Southeast Asian context, ROJA will continue to work with the UNHCR Offices and Governments of Philippines, Malaysia and Singapore (and monitor Brunei) on issues related to irregular movers, standardisation of refugee reception, assistance and durable solutions as well as early-warning watches and preparedness. Finally, UNHCR will continue to co-ordinate its activities with other UN Agencies and its involvement in the development of the Common Country Assessment (CCA) and UN Development Assistance Framework (UNDAF). In particular, UNHCR will continue to work closely with the Resident / Humanitarian Co-ordinator, UNDP, OCHA, UNICEF, WHO, WFP, and IOM and encourage their operational activities to respond to all vulnerable populations in Indonesia, including refugees. Within the UN system, UNHCR 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 the Asia and Pacific, UNHCR will more closely liaise with regional institutions including the Asia Development Bank (ADB),

and the Asia Pacific Consultations (APC). Special mention should also be made of the European Commission with whom close co-ordination will have to be maintained for the successful implementation of the contribution of EURO 6,000,000 it provided towards durable solutions for East Timorese refugees. Close co-operation with international NGOs will continue, and efforts will continue to develop contacts with national NGOs.

Local institution capacity building (governments and NGOs) may eventually allow UNHCR to evolve to a more regional strategic approach in South East Asia. Should countries accede to the 1951 Convention and implement refugee procedures, a regional presence could become a more cost-effective option and permit a further reduction of small country offices. In 2003 ROJA will reinforce its efforts to strengthen local implementing partners and ensure its mandate is "institutionalised" within government legislation and actions. Largely due to the lack of Accession by most regional governments (with the exception of the Philippines) local partners need yet to be identified, trained and strengthened before this reduction could take place in a responsible manner.

Selected Programme Goals and Objectives

Name of Beneficiary Population #1: Durable solutions for East Timorese refugees	
Main Goal (s): Some 10,000 to 20,000 East Timorese refugees in Indonesia have access to the durable solution of their choice, either local settlement or repatriation.	
Principal Objectives	Related Outputs
Through support to Indonesian Government (GoRI), promote and facilitate permanent solutions for East Timorese refugees, with planned disengagement by the end of June 2003.	Cessation comes into effect on 31 December 2002 Residual East Timorese refugee caseload voluntarily repatriate through GoRI's mechanism for voluntary repatriation at the point of departure. East Timorese refugees wishing to permanently reside in Indonesia locally settled in Nusa Tenggara Timur (NTT) province outside of West Timor. Separated children reunified with their parents. Statelessness avoided.

Name of Beneficiary Population #2: Assistance, Protection and Durable Solutions for Individual Cases in Indonesia and Singapore.	
Main Goal (s): Urban refugees in Indonesia and Singapore benefit from protection, assistance and facilitation of durable solutions.	
Principal Objectives	Related Outputs
Asylum-seekers and new arrivals have access to RSD procedures conducted directly by UNHCR. All recognised refugees obtain necessary support in the search of durable solutions. Refugees have a minimum acceptable standard of living (including access to health and education) while awaiting a durable solution. Local capacity for RSD is developed in Indonesia.	Implementing agencies fully operational and effective. Partners trained on relevant protection and programme standards. RSD procedures established through a local NGO, supported by UNHCR's technical training and advice allowing ROJA to disengage from direct RSD. Refugees successfully repatriated/resettled. Monthly Subsistence Allowance (MSA) regularly paid, health referral system is effective and education costs covered

Name of Theme #1: Promotion of refugee law and accession to 1951 Convention	
Main Goal (s): International refugee law is widely advocated in Indonesia. The Republic of Indonesia accedes to the 1951 Convention and/or 1967 protocol.	
Principal Objectives	Related Outputs
The public has positive attitude towards refugees. 1951 Convention provisions are adhered to by Indonesia and implemented through national legislation.	International refugee law offered as academic course in a number of higher education institutions; Academic institutions produce specialists in refugee law; Media publications on refugee issues positive and provide accurate information; Refugee law network enhanced; National asylum procedure established with the Ministry of Justice and Human Rights; National legislation harmonised with international refugee standards.

Name of Theme #2: Partnership for prevention and emergency preparedness	
Main Goal (s): Population displacement prevented and emergency preparedness promoted. Reduced fear of persecution among local population through capacity building of the Indonesian Police (INP). Emergency preparedness institutionalised in the region and individual countries.	
Principal Objectives	Related Outputs
<p>Key principles of human rights and refugee law integrated into the curriculum of the National Police Schools (SPN) at provincial level. Police self-reliant to develop and manage training.</p> <p>Partnership for emergency preparedness institutionalised. National disaster management agencies in Indonesia and East Timor able to undertake national and local capacity building schemes, including refugees and IDPs Centre for Refugee Studies operating as resource for emergency preparedness for Indonesia and the region.</p>	<p>Key principles of human rights and refugee law integrated into the curriculum of three provincial training schools. Training management and follow up system established. Indonesian instructors continue BRIMOB training without further coaching. School for Riot Police (PUSDIK BRIMOB) curriculum revised. School for Riot Police (PUSDIK BRIMOB) trained instructors coached and advised on logistics and administration. Police consolidates the annual cycle of mission, internal capacity development, external co-ordination and budget planning. Syllabi for the police produced in joint co-operation with international and local stakeholders.</p> <p>Partnership for Emergency Preparedness Technical Working Group (PEP-TWG), The TWG formally adopts and operationalises a regional programme for emergency preparedness including translating international principles into inter-country standing arrangements. Other agencies commit resources and technical backup for the TWG. Local/national contingency plans regularly updated by national disaster management agencies and their local counterparts. At inter-country level, joint contingency plans elevated into inter-country joint preparedness activities. BAKORNAS and NDMO each able to support local governments managing emergencies, have formal and regular access to UN agencies and INGOs, and actively participate in regional activities. BAKORNAS and other agencies in Indonesia and in the Region engage the Centre for Refugee Studies to undertake capacity building activities.</p>