

Country Operation Plan: India 2002

Part I: Country Level

Executive Committee Summary

(a) Context and beneficiary Population(s)

UNHCR in India continues to operate as a Mission under the umbrella of the UN Resident Coordinator, without a formal status accorded by the Government. Nevertheless, UNHCR intervenes with the Government on behalf of refugees when necessary and the Office is accepted as the de facto mandated UN refugee agency.

UNHCR's main objective in India is to provide international protection to refugees and to find their durable solutions. In the absence of the Government accession to any international refugee instrument or having any national legislation on refugee protection, UNHCR continues to carry out its own mandate status determination for refugees. Based on needs assessment and available resources, the Office provides temporary assistance and supports self-sufficiency activities among refugees pending the availability of a durable solution. The Office is also engaged in a wide range of promotional activities with academic institutions, human rights organisations, law enforcement agencies and the civil society at large on refugee protection and awareness. This is to enhance safeguarding of refugee protection and to improve the quality of asylum. This is becoming more crucial given some change in the environment where refugees are placed as described in the below paragraph.

National security concerns on the part of the Government of India impact on the authorities' perception of refugees in India. For the past three years, a more stringent application of the Foreigners Act, which restricts the issuance and renewal of Residential Permits (RPs) for mandate refugees has been in force. This change coupled with the Government of Delhi's order that all house owners have to report about tenants of foreign origin to the local police station has made the mandate refugees feel insecure and vulnerable. Income generating activities have been adversely affected and most have in fact collapsed. Hence, an increasing number of refugees demand from the Office the resumption of subsistence allowances which has compelled the Office to review its earlier attempt at a self reliance programme.

By 2002 the Office is determined to complete the review and to introduce more comprehensive approach to self-reliance of refugees, although UNHCR is fully aware that self-reliance is a daunting task. Pending the availability of a durable solution, establishing effective self-reliance activities will be a key instrument in ensuring the welfare of refugees by promoting a move from dependency to empowerment for the able bodied among those receiving subsistence allowance from UNHCR.

Under these circumstances, two types of durable solution activities have been underway. One is resettlement of refugees among those who are eligible in third countries. UNHCR is also exploring the possibility of local integration through naturalisation for Afghan refugees of Indian origin, who have legally entered and stayed in India for over ten years and should in principle qualify for Indian nationality under the law.

UNHCR's direct beneficiary groups (a total of 13,856 as of end December 2000) comprise of urban refugees, the majority of whom are the Afghans. Within the different refugee groups, the Office continues to address concerns of gender equality among refugee men and women by providing skill training, literacy and basic management skills to build refugee women's self-confidence and enhance decision-making capabilities and to supplement their incomes. Nearly 40 % of the refugee population comprise of children below 17 years and the Office also gives priority to refugee children and adolescents. It addresses their basic needs like education, nutrition, etc. Since most UNHCR mandate refugees in India live in marginal areas of the city, they have to cope with the urban environment problems and hazards like the lack of safe drinking water, pollution, poor sanitation and inadequate shelter though no specific interventions have been made to tackle these problems.

Through its Liaison Office in Chennai, UNHCR monitors the conditions of asylum of some 65,000 Sri Lankan refugees and verifies the voluntary character of repatriation and facilitates repatriation if and when the condition/situation of the county of origin becomes conducive to return.

UNHCR collaborates with NGOs, other UN agencies and international organizations in the country. Although UNHCR's mandate is distinct and unique, it also participates in the UNDAF process on gender issues. UNHCR works through implementing partners like Public Interest Legal Service and Research Center (PILSARC), National Council of YMCAs of India (YMCA), Voluntary Health Association of Delhi (VHAD), and Socio-Legal Information Center (SLIC) and will continue to diversify its partnerships, in particular in the Income Generation sector.

(b) Main Programme Goal(s) and Principal Objectives

Name of Beneficiary Population / Care and Maintenance of urban refugees	
Main Goal(s)	
<ul style="list-style-type: none"> • Access of asylum seekers to Refugee Status Determination • Effective implementation of international refugee protection principles • Promotion of Durable Solutions 	
Principal Objectives	Major Related Outputs
<ul style="list-style-type: none"> • Refugee Status Determination procedures remain transparent and impartial with humanitarian spirit sustained. • Refugees have access to durable solution options such as naturalisation for Indian origin Afghans • Ensure economic and social well being of refugees • Refugees have access to primary health 	<ul style="list-style-type: none"> • Refugee Status Determination carried out and managed effectively and system of monitoring the process in place • Systematic and effective identification of durable solutions and effective assistance and implementation of the solutions • Subsistence allowance paid to economically needy and EVI refugees • Preventive health and health referral

care and education, special needs are met	programme effective <ul style="list-style-type: none">• Major communicable diseases are under control
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