



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Philippines

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN for the PHILIPPINES

Part I: OVERVIEW

1. Protection and socio-economic operational environment

In 2004, UNHCR activities continued to build on previous confidence and capacity building measures aimed at ensuring full implementation by the government of its obligations as a signatory to the refugee international instruments. The emphasis was placed on adopting a long term approach and broadening the level of discussion on refugee issues at the national level by situating and re-orienting the advocacy framework with links to wider and more nationally relevant processes relating to immigration, migration, human trafficking, gender, development, internal displacement, and human rights. The approach capitalized on existing processes and maximized impact and use of limited UNHCR financial resources, including strengthening linkages with the UNCT and harnessing regional support through scheduled missions.

The openness by the government to engage UNHCR provided for, with limited exceptions, a generally favorable protection environment for refugees and asylum seekers. Refugee protection principles remained incorporated in selected national legislation and regulations and in the existing national refugee status determination procedure. Revision and/or drafting of crucial supplementary refugee legislation and regulations are expected to be finalized in 2005-2006. They will focus on addressing the identified gaps in the existing RSD regulations and providing for detailed procedures to alleviate causes of delay in the finalization of determinations and to improve the quality of RSD decisions by the Refugee Processing Unit. A training program for new members of the Refugee Processing Unit and Heads of Immigration Offices and Alien Control Officers of the Bureau of Immigration has been jointly developed for 2004-2006 and being implemented by UNHCR, the Bureau of Immigration Executive Training Team and the Department of Justice Refugee Processing Unit.

Mechanisms remained in place for refugees to have access to identity documents, convention travel documents, regularization of immigration status, work permits and business registration. Access to education at all levels, including free public school education at the primary and secondary level, as well as to social services and health facilities continued to be provided. In one isolated case involving detention, legal and judicial remedies, appeal, and access to legal representation and to visitation were ensured. Access to the asylum procedure and referrals for various psychosocial services also remained available from government institutions and a network of NGOs.

A number of recognized refugees were under the process and attaining concrete progress towards acquisition of the citizenship of the Philippines. 24 cases are expected to complete naturalization assessment for filing in regular courts by end 2005-early 2006 and 40 cases are expected to be progressing towards resolution by 2006-2007. In 2004, the first ever decision in Philippine courts granting

judicial naturalization to an Iranian refugee and in UNHCR history in the Philippines was released.

UNHCR also continued to use its good offices to the Philippine Government to address the issue of potential statelessness facing the screened out Vietnamese and ODP cases through provision of information to countries considering adopting a humanitarian solution to the caseload and regular discussion with the government on facilitating individual case issues affecting potential local integration. Technical assistance continues to be provided to Mindanao in collaboration with the Regional Office Jakarta, the E-Centre, the National Disaster Coordinating Council, the United Nations Development Programme, and other stakeholders for capacity building, training and emergency management and contingency planning.

In 2004, promotion activities jointly undertaken with the Department of Justice and the various law schools and law institutes were successful in developing templates for human rights law and refugee law courses for adoption by legal education institutions in the Philippines in 2005-2006. In addition, the number of legal aid institutions providing free legal aid to refugees and asylum seekers are expected to increase to 6 institutions by 2006.

UNHCR also increased involvement in joint UN Country Team advocacy, particularly in MDG advocacy with various stakeholders in government, business, and civil society. Congress has already constituted in early 2005 a Special Committee on the Millennium Development Goals to spearhead and coordinate MDG related legislation.

The main developments that had impact on UNHCR's role in 2004 were continuing political instability arising from mid-year national and local elections, political challenges and maneuverings to challenge the results and in the selection of various appointments to key national and legislative positions. Security and terrorism issues have implications as regards the resolution of security clearances for asylum claims and permanent residency applications of mandate refugees. The peace negotiations with the secessionist MILF (Moro Islamic Liberation Front) and the New People's Army/National Democratic Front attained some progress. During the year, natural disasters caused massive displacement, with an estimated 800,000 persons alone affected in the last month of the year.

The goals, objectives, strategies and activities will be primarily accomplished with limited staffing and resources consisting of a national professional post and a finance and administration assistant and only with full approval of the administrative budget. In 2004, the level of funding available under the approved project budget was insufficient to cover programmed activities. Financial support from the regional office was requested to cover the shortfall. The unfavorable economic conditions in the country and the continuing fiscal crisis affect prospects for economic integration for refugees and provision of socio-economic assistance and budgetary support for refugee related services and programs by the national government.

Cooperation by the government in relation to UNHCR's work is indispensable to the attainment of the goals, objectives, strategies and activities. The ongoing war on terrorism and political instability can complicate and adversely affect the political atmosphere relating to refugee protection. Attainment of policy changes, particularly enactment of legislation and revision of regulations, remains complicated.

Naturalization under current law and jurisprudence remains a lengthy process (requiring a minimum of 3 to 6 years) with the outcome still uncertain. Nationalized industries where refugees engage are restrictive. The implementation of self-reliance activities and employment prospects of refugees are affected even if current work permit regulations qualify a significant number to apply for a work permit. Cooperation by refugees in order to pursue interventions relating to naturalization and immigration status is required for progress to be made.

In the event of a mass influx scenario coming from within the region or the occurrence of any massive displacement in the Philippines, a revision of the current objectives and strategies for protection and assistance is imperative.

2. Operational goals and potential for durable solutions

Derived from UNHCR's Global Strategic Objectives (GSO) and the Bureau Objectives for Asia and the Pacific (BAP), the following are the overall strategic goals of the 2006 Philippine Country Programme:

- Continue national capacity building initiatives with the aim of developing best practices for an asylum system within a developing Asian country framework, promoting full implementation by the national government of its convention obligations, undertake its supervisory responsibility, particularly over the conduct of RSD, institutionalization of refugee policy and legislation, and enhancement of reception standards (*GSO No. 1/BAP Objective No. 1*).
- Promote wider advocacy on refugee issues at the national level and regional level by mainstreaming initiatives into ongoing national processes relating to immigration, migration, human trafficking, gender, development, human rights law education, statelessness and internal displacement (*GSO No. 1, No. 5, No. 6/BAP Objective No. 1, No. 4, No. 5, No. 7*).
- Strengthen representation with the national government and other stakeholders - the UN System, Civil Society, and specific Embassies - to harness support and complement UNHCR objectives in the country and within the region (*GSO No. 1, No. 5, No. 6/BAP Objective No. 1, No. 5, No. 7*).

- Ensure key stakeholders address refugee issues, assume complementary responsibilities for the protection and assistance of refugees and asylum seekers, and institutionalize refugee protection and priorities to ensure sustainability of UNHCR initiatives. (*GSO No. 1, No. 5, No. 6/BAP Objective No. 5, No. 7*)
- Maintain the current durable solutions for the decreasing urban refugee caseload focused on promoting local integration and repatriation with the aim of attaining concrete progress towards solutions for 75% of the caseload by end 2006 (*GSO No. 2, No. 3, No. 8/BAP Objective No. 2*).
- Facilitate technical assistance and provide support for emergency management and contingency planning activities and policy discussions on internal displacement. (*GSO No. 3, No. 6, No. 5/BAP Objective No. 3, No. 5*).