



COUNTRY OPERATIONS PLAN

Country: Saudi Arabia

Planning Year: 2004

Country Operations Plan
UNHCR Regional Office in Saudi Arabia
1 January – 31 December 2004

Executive Summary

Context and Beneficiary Population

- **Political Context**

The estimated population of Saudi Arabia amounts to 22 million including 6.3 million or so foreign migrant workers. The UNHCR Regional Representation Office in Riyadh covers in addition Saudi Arabia, Bahrain, Kuwait, Oman, Qatar and UAE. The rest of the GCC countries have an estimated population of over 4 million in addition to several million expatriate workers including over three hundred thousand Palestinians. In addition, there are Bedoons (stateless persons) mainly in Kuwait (113,000) and KSA (about 70,000).

The Kingdom of Saudi Arabia as well as Bahrain, Kuwait, Oman, Qatar and UAE are not party to 1951 Convention or 1967 Protocol concerning status of refugees. Similarly there are no legislative or administrative provisions governing refugees.

The huge oil production in the Gulf countries coupled with their need for expatriate workers have attracted millions of migrant workers from all over the world and made the region a place of choice for persons seeking better opportunities. Furthermore, in Saudi Arabia, thousands of Muslim pilgrims choose for economic reasons to stay, live and work in the country clandestinely after performing Haj or Omrah.

With their vast wealth and an ambition for altruism, Saudi Arabia and the GCC countries have steadily become benefactors of other Moslem populations. Saudi Arabia, Kuwait and UAE have established special funds for development in the Arab countries, Africa and Southwest Asia. This has in turn wielded considerable political and economic influence in the Arab and Moslem worlds. Furthermore, Saudi Arabia hosts the Organisation of Islamic Countries and the Islamic Bank for Development which, are playing considerable role as Islamic political and economic gathering.

Taking into consideration that 54% of the world refugees are Moslems, KSA and other Gulf countries have demonstrated committed interest to channel humanitarian assistance to refugees in Afghanistan, Chechnya, Kosovo and other parts of the world. The aftermath of the second Gulf War, which unfolded hundreds of thousands of Iraqi seeking asylum within and outside the Middle East, has brought the issue of refugees to the forefront of the regional agenda. It became apparent then that not only poor countries produce refugees but volatile political climate could also produce refugees from rich countries. The upshot of the Gulf wars has transformed the responsiveness of Saudi Arabia and other Gulf countries to the plight of refugee's world-wide. It has revived their response to humanitarian situations, capacity building and respect of the principle of international protection. Though this trend of responsiveness led to the Gulf countries' significant bilateral assistance to refugees and displaced persons in Afghanistan, Chechnya, Kosovo and other parts of the world, considerable assistance was also channelled through UNHCR. In 2001, Saudi Arabia alone provided in total more than USD 250 million of bilateral humanitarian assistance to refugees around the world.

- Security Situation

Co-operation exists between UNHCR and the local authorities in order to ensure the security and well being of the urban asylum seekers and the refugees.

As for Rafha camp, its closeness from the Saudi-Iraqi border (12 kilometres) has caused a great deal of insecurity for the refugee population and concern for UNHCR. Camp authorities have taken extra security measures in the recent past, including the placement of extra lights around the camp, double fence as well as additional guards. Following the end of military operation in Iraq, significant number of Iraqi refugees in the camp have expressed wish to return to Iraq. A total of 2,991 refugees have returned to Iraq between the period 29 July to 10 November 2003. In addition 6 mentally ill and two refugee escorts have also returned to Iraq. Similarly a total of 1214 refugees are expected to return within the period 17 November to 15 December 2003. There are 984 refugees who have so far did sign up for return to Iraq.

Protection Issues

Regional Representation Riyadh's focus on 2004 would continue on strengthening the Gulf countries' respect to refugee law principles and the improvement of the protection conditions, accession to the 1951 Convention and ultimately the promulgation of domestic refugee laws. The Regional Representation's ongoing efforts in this respect have led to an increasing understanding of international protection principles and UNHCR's mandate among Governments and NGOs. This has also enabled UNHCR's to unfetter access to increasing numbers of asylum-seekers and to ensure better respect of refugees' basic rights.

In order to consolidate its protection mandate, UNHCR would also continue to efficiently expand its protection mandate to urban refugees in KSA and in the other countries in the region (Bahrain, Kuwait, Oman, Qatar and UAE). It is expected that allocation of funds for protection related activities might not be adequate. Nevertheless, mobilisation of available resources would continue during 2004 to improve overall protection conditions through promotion of Refugee Law and capacity building. This would necessitate increased co-operation with local authorities and better understanding of UNHCR's mandate and role and at times to practical arrangements allowing the Regional Representation to address in a structured manner the protection needs.

The Regional Representation in Riyadh would continue to search for durable solutions to the Iraqi residual caseload. At the same time, promotion and dissemination Refugee Law and capacity building would continue in the region where the asylum institution is nascent. Marked progress has been achieved in this regard throughout the whole region albeit, with some variations from one country to another. In this regard, Governments have been co-operative and understanding in respecting international protection principles and requirements. Furthermore, Saudi Arabia has for its part expressed serious interest in the accession to the 1951 Convention.

- UNHCR's Role and Overview of Beneficiary Population

1. Local Capacity/institution building and refugee law promotion

The presence of millions of migrant workers has led to demographic disproportion in KSA and other Gulf countries. This in turn generated a deleterious effect on policies

regarding asylum. The presence of refugees is being perceived as a destabilising as well as a pull factor due to the geographic proximity to hotbeds in Africa and Southeast Asia. Therefore, the strategic objective of the Regional Representation in Riyadh was to continue to encourage Gulf countries' respect to adherence to refugee law principles and the improvement of international protection conditions, accession to the 1951 Convention and ultimately the promulgation of domestic refugee laws. Efforts in this respect have led to an increasing understanding of international protection principles and UNHCR's mandate among Governments and NGOs. This has also been instrumental on UNHCR's ability to have access to increasing numbers of asylum-seekers and to ensure better respect of refugee's basic rights.

2. Public awareness and fund raising

The GCC region has an immense fund raising potential and is increasingly involved in the international humanitarian aid mainly through bilateral channels. Since the early nineties, the Gulf countries showed greater interest in assisting refugee's world-wide. During this period, Saudi Arabia provided hundreds of millions of USD in assistance to refugees and displaced persons. Also Kuwait, UAE and Qatar channelled large contributions.

The Gulf countries' humanitarian assistance to refugees remains mainly bilateral in character. However, the Regional Representation _resolute efforts supported by a long term systematic and integrated approach can influence these trends and eventually expand the returns of the fund raising process in the region. Therefore, drawing on both past and more recent accomplishments particularly the Gulf NGOs Network (GNN) process, the World Refugee Day (WRD) activities and the HC visit to Saudi Arabia and Qatar in October 2002 and Kuwait in July 2003, the Regional Representation strategy in 2004 would continue to capitalise on additional UNHCR visibility, stronger and institutionalised presence and wider acceptance throughout the Gulf region. Increased efforts would also continue in light of the current situation in Iraq and continued large repatriation and rehabilitation program in Afghanistan and Africa in order to harness greater political and financial support from governments, non-governmental interlocutors to UNHCR programs and projects would – wide.

Given the substantial increase in government multilateral contributions attained by Regional Representation in 2003 especially from Saudi Arabia, Kuwait and Qatar, Regional Representation will continue in 2004 to work within the proposed strategy to further increase both donor interest and annual contributions from local governments. Additionally, the Regional Representation will further develop its public awareness and fund raising activities to include governmental bodies that have direct links with the civil society.

Gulf NGOs have increased in number, capacity and social influence. Their interest in playing an enhanced role in international humanitarian aid and assuming larger visibility has markedly progressed. Therefore, in line of its systematic and integrated public awareness and fund raising strategy, Regional Representation will further strengthen and improve the effectiveness of its institutionalised co-operation and partnerships with local NGOs within the context of the Gulf NGOs Network (GNN) process, encourage further structured involvement of NGOs in funding UNHCR programs, establish new links with additional NGOs through co-operation agreements and long term partnerships.

3. Assistance and Durable solutions for recognised refugees

Rafha caseload

Following the recent drastic change in the situation in Iraq, 3341 refugees have hitherto returned to their home country with financial and logistical support of GoKSA. Similarly, 1055 refugees have expressed wish to do so in the near future. It is envisaged that a great part of the remaining 984 would sign up for return. Rafha camp population would be reduced to a very small residual caseload in early 2004. With regard to the Afghan refugees, arrangements are underway for the return of the 109 Afghan Hazara to their habitual residence in Nejef and Kerbla'a.

In view of this evolving situation, UNHCR is considering a new set of exit strategy with a view to closing the camp during 2004.

Urban refugees in the Gulf countries.

UNHCR faces a challenging situation where it is required to extend its protection to persons who are not allowed to stay in the GCC countries due to their illegal status. In order to circumvent this major difficulty, UNHCR is left with no other choice than to obtain from the concerned Governments clearance for a temporary stay of recognised refugees against a commitment to find durable solutions for them outside the countries. With the onset of economic recession, pursuit of vigorous policies to localise the labour market and the precipitates of the present conflict in Iraq, it is feared that 2004 would witness decreased work opportunities and consequently more persons approaching UNHCR seeking asylum to evade return to their home countries.

4. Expansion of UNHCR's protection mandate/Expanding Asylum Space

UNHCR Riyadh has been extending its protection mandate to other groups of refugees than those in Rafha camp, i.e. urban refugees. This expansion of UNHCR's mandate in the region is of crucial importance as there are a large number of persons who may be, as showed above, in need of international protection. Some Governments have, though with some reservations, agreed to that expansion. Others continue to show some reluctance.

Consultative process with the host governments and confidence-building with the local authorities have yielded promising results in this respect, enabling UNHCR to gradually ensure better respect of basic protection principles, mainly the principle of non-refoulement, to extend its access to asylum seekers in the urban context and then to carry out the necessary RSD. However, much has yet to be done in order to strengthen the foundations of the nascent institution of the International Protection in the region. One of the handicaps hindering the expansion of UNHCR's mandate in the Gulf region is the persistent lack of capacity (e.g. human resources) on the part of UNHCR to promptly respond to and continuously follow up on arising protection needs in the region.

- Policy Issues

During his official visit to both Saudi Arabia and Qatar in October 2002 and to Kuwait in July 2003, Monday, 17 November 2003 17/11/2003 11:51 the High Commissioner called upon governments to link up with UNHCR and foster a partnership for alleviating the plight of refugees. This partnership is all the more relevant in this

region taking into consideration that 54% of the world-refugees are or hailing from Muslim or Arab countries. The partnership would further consolidate the nascent asylum institution, public awareness and capacity building. The High Commissioner also encouraged governments to benefit from UNHCR as a conduit for their humanitarian contribution instead of the bilateral channels.

Regional Representation's strategic objective in the Gulf region remains to foster such strong partnership with the local governments, which would result in widening the protection space in the Gulf region. In order to achieve these objectives, Regional Representation Riyadh plans to continue to pursue an integrated approach in undertaking promotion of Refugee law and capacity building, improvement of protection conditions, fund raising, enhancing of UNHCR's capacities in the Gulf region and finding of durable solutions.

- Linkages to Other Countries within a Defined "Situation"

The Gulf countries have their own historic, political, economic and cultural specificity. They share also common problems like potential asylum-seekers amongst millions of expatriates, hundreds of thousands of refugees who were granted refugee status elsewhere and moved to the region seeking better living conditions. The presence of large numbers of stateless persons known as Bedoun manifests the fragility of the naturalisation process. In addition, absence of local capacities adds to their ability to respond despite the abundance of funds. Taking the above into consideration, Regional Representation Riyadh has focussed its efforts to promote a common understanding and approach to these major problems. Some good results have been achieved though not to the expectations of Regional Representation Riyadh. More progress could be attained and the ambitious goals could be achieved provided that UNHCR's regional presence and capacities are adequately reinforced in terms of sufficient number of experienced staff in protection, fund raising and programming. It is the price to be paid if we really want the Gulf region to be one of UNHCR's major partners.

- Capacity and Presence of Implementing Partners.

As UNHCR has no resident presence in Bahrain, Oman and Qatar, day-to-day advocacy and intervention on refugee issues are carried out through other UN agencies present in the respective countries. Regional Representation Riyadh will continue to foster inter-agency co-operation in respect of refugee protection, in particular with UNDP in Bahrain and UNESCO in Qatar.

In Saudi Arabia there are NGOs with proven record in dealing with refugee situations. Regional Representation Riyadh co-ordinates with the international Islamic Relief Organisation (IIRO) in the field of registration of the refugees in Rafha camp and updating of Government records. Through 2004, IIRO would continue to operate for the benefit of the residual caseload at Rafha in the framework of an exit strategy currently being developed. In Kuwait, the Zakat House would continue in providing assistance to some 1,500 refugees. RR concluded in 2003 a framework agreement with Human International appeal (HAI) of UAE and the MOU with the UAE Red Crescent Society (UAERCS) entrusting the Red Crescent Society to administer the Sheikha Fatima Fund for refugee women and children. Similarly, the Regional Representation plans to conclude co-operation agreements in 2004 with the Saudi based International Islamic Relief Organisation (IIRO), Prince Sultan Special Committee for Relief (PSSCR) and the Red Crescent Society (SRCS) and Kuwait Red Crescent Society (KRCS).

The Gulf Non-Governmental organisation Network (GNN) continues to be the focus of Regional Representation in enhancing the Gulf NGOs' capacity for their future involvement in the implementation of UNHCR's operations within and outside the region. Regional Representation will in the coming year continue to build upon the effective partnership with Gulf NGOs in order to ensure appropriate support to UNHCR's humanitarian activities and the established area of financial contribution. Efforts will also be made to strengthen the network of major Gulf NGOs in order to promote a common approach and further co-operation in the field and areas of advocacy, capacity building, and fund raising and refugee assistance.

- Presence and Roles of Other UN Agencies and International Organisations.

In addition to the UN agencies referred to above, the regional Representation maintains working relationship with the Organisation of the Islamic Conference (OIC) as envisaged in the framework of the MOU signed on 5 July 1988. The MOU signed with Islamic Development Bank (IDB), which was extended for a five-year period on 29 October 1999 continues to provide the framework for close co-operation. Efforts are being pursued to foster working relations with other region organisations such as the Arab Fund for Economic and Social Development (AFESD), Saudi Development Fund (SDF), Kuwait Fund for Arab Economic Development (KFAED), Arab Planning Institute, Arab Centre For Medical Literature and the Gulf Arab States Educational Research Centre. The regional Representation is also exploring tapping funds for capacity-building and training from financial institutions such as the Inter-Arab Investment Guarantee Corporation and the Organisation of Arab Petroleum Exporting Countries (OAPEC). It should be mentioned the Regional Representation was able to establish rapport with these organisations in respects of sharing of information and views on refugees at a very high level. RR would further expand its co-operation with OIC, IDB, ISF, AAF, GCC Secretariat, development funds and financial institutions in new areas of common interest including promotion of Refugee Law and provision of assistance to refugees within UNHCR 4 R's strategy.