



South Asia

Major Developments

The 100,000 Bhutanese remaining in Nepal constituted the single largest refugee group in the region. Following the achievement of a bilateral agreement between the Bhutanese and Nepalese Governments, a joint verification exercise to assess the eligibility of refugees for repatriation finally began in March 2001 with the assistance of UNHCR. This was effectively a pilot exercise in preparation for the planned comprehensive verification of the entire refugee population. Progress was slow, and the exercise was only completed in December 2001, covering some 12,000 refugees in one of the seven camps. Nevertheless, UNHCR considered it the first positive and concrete step towards the durable solution of a decade-long Bhutanese refugee problem. The resolution of the refugee situation, however, depends largely on the outcome of future bilateral talks.

In Sri Lanka, a major development followed hard on the heels of the general elections held in December 2001. The new government, determined to bring peace to the country, revitalised the earlier

Bangladesh
India
Myanmar
Nepal
Sri Lanka



Norwegian initiative to facilitate direct talks between the Government and the separatist Liberation Tigers of Tamil Eelam (LTTE). This led to the signing of a memorandum of understanding between the two parties, declaring an indefinite cease-fire in February 2002. It is hoped that the ongoing political talks will increase the prospect of durable solutions for a large number of Sri Lankan refugees and internally displaced persons.

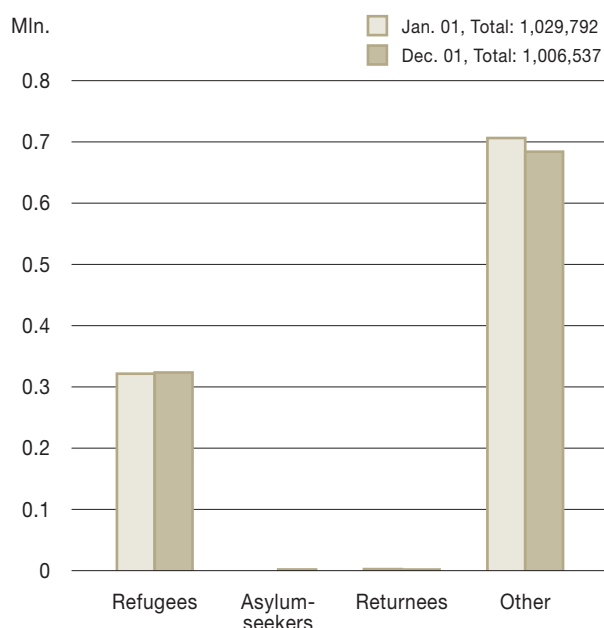
In India, UNHCR welcomed the Government's decision in September 2001 to reissue residence permits to a large number of Afghan refugees. Their permits expired three years previously, effectively making their stay in India illegal. Although they did not face serious protection related problems, many refugees felt insecure without such permits: they could not find employment and thus became more dependent on assistance from UNHCR. Resettlement has been the only durable solution for a small number of Afghan refugees in India. In view of the recent change in Afghanistan, it is hoped that the majority of them will be able to

return home (as soon as certain pre-conditions for voluntary repatriation are met).

Challenges and Concerns

Despite some encouraging developments as outlined above, there is no immediate prospect of durable solutions for the vast majority of the region's more than 200,000 refugees, whose well-being continues to depend almost entirely on UNHCR's protection and assistance. An increasing cause for concern is flagging donor interest in such protracted operations. Although both the Bhutanese and Nepalese governments have frequently expressed their commitment to a resolution of the refugee problem, some 100,000 refugees remain in the camps where they have lived for more than 10 years under temporary asylum. In Bangladesh, a residual refugee group of approximately 21,000 from Myanmar remain in two camps without any immediate prospect of a durable solution. The armed conflict in Sri Lanka and its periodic escala-

Persons of Concern to UNHCR



tion has prevented 800,000 IDPs from returning to their homes. In addition, there are more than 64,000 Sri Lankan refugees in over 130 different camps in the Indian State of Tamil Nadu. In order to achieve the early resolution of refugee problems in the region, it is imperative that all parties concerned, as well as the international community, find the political will and commitment to engage in constructive dialogue.

Although the countries in the region have traditionally been hospitable towards asylum-seekers and refugees, providing them with temporary asylum, none of the countries is a signatory either to the 1951 Convention or the 1967 Protocol. Under the circumstances, the enactment of an effective national refugee law has been one of the important objectives and challenges of UNHCR. This, however, depends largely on political developments in the region and requires a change in the mindset among ruling political circles. It can be confidently assumed that such a change will be greatly accelerated by increasing awareness of and interest in the refugee issue among segments of civil society. UNHCR's continual efforts to raise its profile are therefore crucial. These activities are labour intensive, requiring a range of human and material resources; unfortunately, their quality often depends on the level of funding made available to the relevant country programmes.

Progress Toward Solutions

As described earlier, the pilot verification exercise was a positive step towards a solution for the Bhutanese refugees in Nepal.

In Sri Lanka, the promotion of the Guiding Principles on Internal Displacement, a key component of UNHCR's response to the challenges of ensuring national protection for internally displaced persons, is slowly bearing fruit. Both the Government and NGOs have started consulting the Guiding Principles when tackling displaced persons issues. UNHCR has also been actively recommending that the Government use the Guiding Principles in developing a framework for relief, rehabilitation and reconciliation. It is expected that the Principles will become official government policy in 2002. This would undoubtedly enhance the prospects of repatriation and reintegration of refugees and displaced persons if the peace process continues to gather momentum.

The Eminent Persons Group (EPG), consisting of former senior government officials, former judges, lawyers, academics and journalists in the region, continues to play an important role in improving the quality of asylum in the region. In their individual capacities, they have been promoting the adoption of the model national refugee law in their respective countries. In India, the Ministry of Home Affairs circulated the model refugee law among the concerned Ministries and institutions as a practical step towards drafting a national law. In September 2001, the fifth annual regional meeting of EPG was held in Colombo, where it made a series of practical recommendations on this subject as well as on issues of migration and refugee protection in general.

Operations

UNHCR's operations in **Nepal** and **Sri Lanka** are described in separate country chapters.

Towards the end of 2001 UNHCR reviewed its approach to the operation in **Bangladesh** and **Myanmar**, and renewed its efforts to resolve the plight of a residual group of some 21,000 refugees still in Bangladesh. This was prompted by the fact that only 283 refugees returned to Myanmar in

2001, the lowest number since the resumption of repatriation in 1998. The main bottlenecks have been technical ones such as split family cases, where only part of the family is willing to return (as the Myanmar Government only accepts return of a complete family) or when certain extended family members have not been cleared by the Myanmar authorities to return. As a first step, UNHCR and the Government of Bangladesh jointly conducted an in-depth population survey in the camps in December 2001. This provided a better understanding of family structures, places of origin and levels of interest in repatriation. The survey revealed that some 7,500 persons would be willing to return immediately. The remaining population is either unwilling to return or may consider return if specific conditions are met. The data was shared with both governments, and the Myanmar Government subsequently agreed to accept return of split families if the Bangladesh authorities could issue a certificate on the composition of families concerned. The Myanmar Government has also declared its willingness to accept the immediate return of some 5,000 persons who have already been cleared for return.

In Northern Rakhine State in **Myanmar**, the presence of UNHCR continued to play a crucial protection role in a protracted programme to promote the sustainable reintegration of a large number of Muslim returnees, concentrating on improving their social status and ensuring respect for their rights. UNHCR's frequent dialogues with the authorities both at the central and local levels resulted in a declining incidence of compulsory labour and other types of economic contribution exacted from this group. UNHCR's assistance activities, such as income-generating projects, were targeted mainly at vulnerable groups, those who as yet lacked the resources to live independently. One of the causes of this community's social isolation has been a language problem. As an effective confidence-building measure, UNHCR continued to promote (Myanmar lan-

guage) literacy programmes, particularly among women.

In **India**, UNHCR continued to provide protection and assistance to some 13,000 urban refugees, the majority being Afghans. UNHCR worked hard to persuade the Government to resolve the long-standing issue of the renewal of residence permits for refugees in order to regularise their status. With no immediate prospect of voluntary repatriation, a total of 1,531 eligible refugees were resettled to third countries in 2001. For those refugees who



Nepal: Refugee women have increasingly become involved in self-help activities. Bhutanese refugees in Jhapa District. *UNHCR / A. Hollmann*

remain in India, UNHCR's assistance activities continued to focus on meeting the needs of vulnerable groups such as women, children and the elderly. During 2001, refugees enjoyed markedly improved access to primary education and public health services. UNHCR also launched a review of its self-reliance programmes for refugees.

Funding

UNHCR's operations in South Asia, particularly in Myanmar and Sri Lanka, were well funded in 2001 by earmarked contributions received from several donors. These two country programmes were defined as special operations (non-core activities) under Action 1. The high level of funding reflected donor's strong support and interest in UNHCR's role to provide protection to returnees and internally displaced persons.

Voluntary Contributions – Restricted (USD)			
Donor	Earmarking ¹	Annual Programme Budget	
		Income	Contribution
Australia	Sri Lanka	194,444	194,444
	Myanmar	277,778	277,778
European Commission	Bangladesh	510,204	510,204
	Sri Lanka	1,615,646	1,615,646
	Myanmar	2,267,573	2,267,573
	Nepal	1,275,510	1,275,510
	Nepal	142,568	142,568
Germany	Nepal	142,568	142,568
Human Appeal Int. (UAE)	Bangladesh	1,000	1,000
Japan	South Asia	0	900,000
	Bangladesh	600,000	600,000
	India	200,000	200,000
	Sri Lanka	1,000,000	1,000,000
	Myanmar	1,000,000	1,000,000
	Nepal	1,100,000	1,100,000
	South Asia	20,325	20,325
Mainichi Shimbun (JPN)	South Asia	20,325	20,325
Netherlands	Sri Lanka	1,767,753	1,767,753
Parthenon Trust, UK	Myanmar	117,391	117,391
Shin-Nyo-En Found. (JPN)	Nepal	85,470	85,470
Stichting Vluchteling (NET)	Nepal	60,597	60,597
United Kingdom	Sri Lanka	882,353	882,353
United States of America	South Asia	4,100,000	4,100,000
	Bangladesh	300,000	300,000
	Sri Lanka	400,000	400,000
	Myanmar	700,000	700,000
	Nepal	438,300	438,300
TOTAL²		19,056,912	19,956,912

¹ For more information on the various earmarkings, please refer to the Donor Profiles.

² Total funds available for obligation in the region also included unrestricted voluntary contributions, lightly restricted contributions, opening balances and adjustments.

Budget and Expenditure (USD)		
Country	Revised Budget	Expenditure
	Annual Programme Budget	
Bangladesh	2,692,109	2,508,683
India	2,894,203	2,530,812
Myanmar	5,072,162	5,009,393
Nepal	5,593,981	5,395,752
Sri Lanka	6,232,204	5,967,330
Regional Projects ¹	100,000	15,000
TOTAL	22,584,659	21,426,970

¹ Includes activities for the dissemination of refugee law in South Asia.