

REGIONAL STRATEGIC PRESENTATION SUMMARY
32ND STANDING COMMITTEE MEETING (8-11 March 2005)

Bureau for CASWANAME

Part A: Introduction

The majority of refugees in protracted situations originate from, and are hosted within, the **CASWANAME region**. The solution to such situations does not just lie with humanitarian institutions, but requires political intervention as well as coordinated support from development institutions. The year 2004 saw positive developments that UNHCR sought to support in a humanitarian capacity.

Afghanistan saw its first presidential elections in October 2004, a Government is in place, a national army and police force are being established, demobilization and disarmament have accelerated and there are continued economic improvements, all of which have contributed to the record rate of return. Yet the security, economic and social conditions in some parts of Afghanistan remain an obstacle to return. The threat from extremist elements continues and the Government and public institutions face formidable challenges in combating lawlessness and human rights issues, with the result that some Afghans wish to leave the country.

Security conditions in **Iraq** continue to be a barrier to the safe and dignified return of Iraqis as well as a challenge for UNHCR operations. The same is true for parts of Afghanistan where the security situation hinders UNHCR's access to the south and the south-east in particular. Despite the operating constraints in Iraq, UNHCR and NGO partners, as part of the United Nations Integrated Approach, have been able to provide assistance to the displaced from Falluja, where renewed clashes resulted in an estimated 200,000 persons fleeing their homes. Material assistance has also been provided to non-Iraqi refugees and returnee communities across Iraq, successfully demonstrating that, given the circumstances, running the operation from outside the country, "by remote management", is a viable option.

In 2004 there were positive developments with regard to the **Western Sahara** issue and the protracted situation of the Saharawi refugees. The parties to the conflict and Algeria, as the country of asylum agreed to implement the first phase of a series of Confidence-Building Measures (CBM) operated by UNHCR, to facilitate person-to-person contact between Saharawi communities in their place of asylum and place of origin. The CBM programme was considered a success by the parties and the country of asylum, all agreeing for a second phase to be implemented in 2005. Despite this encouraging signal, donor support has not yet been forthcoming for this additional UNHCR activity in 2005.

UNHCR is developing a strategy in 2005 to strengthen asylum institutions in **North Africa** gradually, in order to increase the capacity of the region to identify bona fide asylum-seekers and refugees amongst the mixed populations who transit through North Africa to cross the Mediterranean Sea to Europe.

UNHCR is continuing its comprehensive efforts to strengthen asylum institutions in **Central Asia** further and to achieve durable solutions for refugees and asylum-seekers, including through naturalization. As part of UNHCR's cooperation with the European Union (EU), UNHCR is increasingly involved in border-management activities to protect the rights of refugees within broader population movements

Part B: Progress on Strategic Objectives and Implementation of the Agenda for Protection

Strengthening the refugee protection framework (Strategic Goal 1, AfP Goal 1)

- UNHCR will continue its multi-year asylum projects in 2005 to ensure minimum protection for asylum-seekers and refugees, and to ensure proper asylum mechanisms are in order to proceed with durable solutions. In this respect a **Protection Gaps Analysis** was started in Central Asia in 2004. This initiative will continue throughout 2005 and lead to a conference with governments and donors

by the beginning of 2006. The European Union's Technical Assistance for the Commonwealth of Independent States (EU/TACIS) and UNHCR are working to strengthen protection capacity and support asylum systems in the region. (Afp 1.5)

- With support from UNHCR and the international community, the **Iraqi Ministry of Displacement and Migration** (MoDM) is now operational and has started to set up offices throughout Iraq. UNHCR capacity-building efforts with the MoDM will continue this year. Issues of nationality and statelessness affect hundreds of thousands of Iraqis who were stripped of their nationality under the previous regime. UNHCR is supporting the Government of Iraq to establish mechanisms to allow persons to reclaim their nationality. This will support the eventual return of Iraqis stripped of their nationality, and facilitate property claims. (Afp 1, 3 and 5)
- Obstacles remain to improving the protection space in parts of North Africa and the Middle East for persons of concern to UNHCR, though there are also positive developments in the region.
- The **Syrian Arab Republic** has informed UNHCR of its intention to accede to the 1951 Convention relating to the Status of Refugees. (Afp 1)
- There has been increasing pressure on Afghans in the Islamic Republic of Iran to leave, which in some cases has brought into question the voluntary nature of repatriation. Documentation for **Afghans in the Islamic Republic of Iran** and UNHCR access to deportees are still required in order to ensure that those Afghans with genuine protection concerns are identified through screening and that refoulement does not take place.
- In preparation for the expiry of the Tripartite Agreements in the Islamic Republics of Pakistan and Iran and the evolution of new modes of cooperation, it will be important to support Governments in the region to develop a mechanism to identify and protect persons in need of international protection. (Afp 3.2)
- A strategy is being developed to protect bona fide asylum-seekers in **mixed flows** of asylum-seekers and illegal migrants who transit through North Africa. North Africa has become a "transit hub" for large numbers of asylum-seekers, refugees and economic migrants from sub-Saharan Africa attempting to cross into Europe. In 2005 UNHCR will aim to enhance knowledge on the phenomenon of transit migration in North Africa including the refugee dimension; develop basic protection mechanisms in the North African States; and to participate in devising a multilateral approach to the management of protection on the high seas. (Afp 2.2 and 3.2)
- A migration and asylum project will also be implemented in **Central Asia** to ensure respect for key protection principles in the region by building national asylum mechanisms. Following from the Protection Gaps Analysis conducted across Central Asia in 2004, UNHCR will look to strengthen protection capacity in the region. (Afp 2.3, 3.2)
- Last year's pilot projects in the Middle East and the Islamic Republic of Iran aimed at enhancing a community development approach and **mainstreaming age and gender**. The results of an evaluation of the projects will be used to inform the roll-out of gender and age mainstreaming to all CASWANE countries in 2005. In Syria, Lebanon, Jordan, Egypt and the Islamic Republic of Iran, the pilot projects have resulted in enhanced reception facilities, protection monitoring, refugee status determination (RSD), and distribution mechanisms. A network of community services staff and multifunctional gender and age teams comprising protection, programme and field staff has been established in the Middle East. (Afp 4.4, 3.4, 1.2.4, 1.9.2, and 1.11.3).

Durable solutions (Strategic Goal 5)

- To date, over 3.5 million **Afghan refugees**¹ have returned to their homes. Some 838,000 Afghans returned in 2004, of whom over 760,000 were assisted by UNHCR. Similarly high numbers of Afghans are expected to return in 2005 and 2006. Over the next two years, the opportunity exists to develop a new framework with a mix of solutions that can settle both the problems generated by past displacements, and prepare for the management of future challenges. This will require continuing political engagement and support. Intermediate solutions for different categories of movements (temporary seasonal migrants) and persons (long-stayers with productive livelihoods) are being explored to ensure forward momentum in achieving durable solutions for displaced Afghans in the region. (AfP 5.3, 5.4, 5.7)
- There are still 135,000 **internally displaced persons (IDPs) in Afghanistan**, mostly from Kandahar, Helmand and Herat, who cannot return to their place of origin for protection reasons or because they are victims of drought. In 2005, UNHCR is working with the Government of Afghanistan to facilitate the return of 55,000 IDPs to their homes and to support 30,000 IDPs to integrate in their place of displacement.
- Return trends from Pakistan show a higher proportion returning from urban areas than from the ‘old camps’ in North-West Frontier Province (NWFP) and Baluchistan. In 2004 all ‘new camps’ were closed and 80,000 Afghans returned to Afghanistan from the new camps, some 14,000 vulnerable Afghans were relocated and continue to receive assistance. Yet, return to areas in Afghanistan where security is problematic and reconstruction activities are limited has been very low. Results of the census presently under way will reveal how many Afghans remain in Pakistan as well as provide an indication of their intent to return to Afghanistan. To inform a more targeted approach to repatriation, in 2005 UNHCR will assess ‘old camp’ populations in the Federally Administered Tribal Areas (FATA) and NWFP on prospects for return, potential for self-reliance and security.
- Men and women sign the Voluntary Repatriation form individually and female-headed households and the elderly, sick or disabled are identified and, on arrival in Afghanistan, have access to community-services facilities as appropriate. Some Afghan women and girls have been put under considerable pressure on their return to the Islamic Republic of Afghanistan and UNHCR has established a number of safe houses for women who have been forced to marry or who have been victims of Sexual and Gender-Based Violence (SGBV). (AfP 5.2.7, 5.2.8, 6)
- UNHCR has coordinated its **reintegration efforts in Afghanistan** with relevant stakeholders. Development agencies work on livelihood issues while UNHCR remains focused on shelter, water and income-generation activities. Since 2002, UNHCR has been able to complete some 115,000 shelter units benefiting 921,000 individuals and over 7,000 water points benefiting 184,000 families. In 2005 UNHCR will aim to cover the most vulnerable and problematic return areas with a total of over 21,000 shelter units and will continue to support the Ministry for Rural Rehabilitation and Development (MRRD) with water activities. A UNHCR support appraisal team is assessing whether returnees have access to the necessary development support to ensure sustainable return in accordance with the 4Rs (Repatriation, Reintegration, Rehabilitation and Reconstruction) approach. UNHCR will continue to lobby for an increased inclusion of returnees in National Development Programmes and the Poverty Reduction Strategy Paper (PRSP) and programme interventions to support this process. (AfP 5.3)
- Concerning **voluntary repatriation to Iraq**, UNHCR maintains its position in support of the Iraqi authorities’ request to host countries not to return Iraqis forcefully at this stage in order not to destabilize further an already fragile ethnic and social balance. UNHCR will only be able to facilitate

¹ This figure includes both UNHCR assisted and non-assisted returnees.

return when it is voluntary, the special protection needs of vulnerable persons are met, when UNHCR has unhindered access to returnees at all stages of the return process, and when return takes place in dignity and in conditions of physical, material and legal safety.

- Some 20,000 Iraqi refugees have availed themselves of UNHCR's facilitated voluntary repatriation scheme. Another 251,000 persons are estimated to have returned spontaneously, mainly from the Islamic Republic of Iran. While the number of returns seems to indicate that people view the situation as improved, conditions inside Iraq are far from secure and do not allow for a return in safety or dignity. UNHCR has endeavoured to support those who have returned. In 2004 the reintegration programme was expanded in the north and initiated in the south of the country. Over 80 rural returnee-affected communities were supported, with improved access to water, education, health and income-generation activities. More than 75,000 persons across Iraq have directly benefited from these interventions.
- An **Iraqi Property Claims Commission (IPPC)** is now in place with the support of UNHCR, which will allow Iraqis to reclaim property legally. In 2005 UNHCR will take the lead in establishing out-of-country claims receipt services in surrounding countries. This is a top priority during the first quarter of 2005 that will enable Iraqis eventually to reclaim property taken under the previous regime, thereby improving conditions for an eventual return. (**AfP 5.2**)
- In **Central Asia**, citizenship has been granted to Tajik refugees in Kyrgyzstan a process which will lead to local integration for almost all Tajik refugees in Kyrgyzstan. In Turkmenistan, a countrywide registration of all refugees (mainly Afghans and Tajiks) is due to be completed in 2005. The registration will improve the security and freedom of movement of refugees (**AfP 1.11**) and provide a basis for negotiating naturalization of all Tajik and Afghan refugees of Turkmen ethnicity. Tajikistan is using resettlement as a comprehensive solution for a protracted refugee situation and UNHCR has initiated a large-scale resettlement programme for Afghan refugees, while at the same time starting negotiations for naturalization of remaining refugees (**AfP 3.6, 5.4**). The same process has been initiated in Uzbekistan with a view to facilitating discussions on adherence to the 1951 Convention and the integration of some 40,000 Tajik citizens. The Protection Gaps Analysis in Central Asia will explore the feasibility of comprehensive plans of action to end a 'refugee' situation (**AfP 5.1**)

Build effective partnerships to better protect people of concern and ensure delivery of quality programmes (Strategic Goal 7)

- UNHCR's **operations in Iraq** depend on a partnership approach. UNHCR is part of the United Nations Integrated Approach whereby the United Nations Response is coordinated according to themes. UNHCR is head of Cluster 8 on refugee and IDP issues, with IOM as deputy head. The security situation in Iraq has forced UNHCR to run operations by 'remote management' from Amman. One positive outcome is the strong equitable partnership that UNHCR has developed with NGOs, Iraqi community leaders and local and national layers of the Interim Government of Iraq (IGI) and the MoDM in particular. The operation as a whole has therefore concentrated on capacity building from the earliest stages. MoDM officials and NGOs have participated in training, consultations and planning exercises with the Office sharing their knowledge of the situation in Iraq. As a result, the Iraq operation has far greater 'Iraqi ownership' than would be usual at this stage of an operation. (**AfP 3.3**)
- Partnership between UNHCR and the Governments of the Islamic Republics of Afghanistan, Iran and Pakistan has underpinned the repatriation operation in the region in the form of **Tripartite Agreements** between the respective host Governments, Afghanistan and UNHCR. As the Tripartite Agreements expire in March 2005 for the Islamic Republic of Iran and in March 2006 for Pakistan, new arrangements that also include development institutions are key if more comprehensive solutions are to be found for Afghans who remain in a situation of displacement. This is already under way in the context of the work of UNHCR's Afghanistan Comprehensive Solutions Unit (ACSU).

- A strategic partnership with donors, development agencies and NGOs has characterized the **Afghan operation** in the field and at headquarters. The February 2005 meeting co-hosted by the European Commission and UNHCR in Brussels is an example of this, providing a forum for Governments in the region and the international community to forge a common understanding and support for the way forward. (**AfP 3.5**)
- The Organization Islamic Conferences (OIC) and UNHCR are jointly organizing a Ministerial **Conference on Refugees in the OIC** member States in November 2005 exploring ‘The problem of refugees in the Muslim world’. The Conference aims to strengthen cooperation to resolve refugee situations by raising awareness on the basic tenets of refugee law, the role of UNHCR, the nature of refugee problems in OIC member States as well as the contribution of OIC States in assisting refugees in protracted situations. (**AfP 1.8**)
- A joint plan of action has been developed with **the League of Arab States (LAS)** that includes training on refugee issues as well as promotional activities and advocacy; implementation will start in 2005 and extend to 2006 (**AfP 1.8**). In the Gulf, UNHCR has supported the creation of a Gulf NGO network in order to strengthen partnership between civil society and UNHCR on refugee issues. (**AfP 3.3**)
- In cooperation with the **United Nations Relief Works Agency (UNRWA)** and the States concerned, and mindful of the mandated responsibilities between agencies for Palestinian refugees, UNHCR will continue to address the protection problems faced by Palestinians outside the UNRWA area.