

Update on UNHCR's operations in the CASWANAME region Executive Committee 2005

Part A: Major developments

- The situation in Central Asia remains of concern to UNHCR. Following the events in Andijan in the Republic of Uzbekistan and resultant outflow of Uzbek asylum-seekers into neighbouring Kyrgyzstan in May 2005, UNHCR undertook a humanitarian transfer operation of 439 Uzbeks from Kyrgyzstan to Romania in July 2005 to assure their protection in accordance with international standards as set out in the 1951 Convention and to support Kyrgyzstan with an exit strategy. This operation demonstrated the vital role of partnership with human rights institutions, the international community and concerned States in the region, in creating an enabling environment for UNHCR to fulfil its protection mandate.
- In Afghanistan, parliamentary and provincial council elections are expected to take place on 18 September 2005, representing a further positive step in the nation-building process. Afghanistan has however witnessed a deterioration of security conditions in the south and east of the country in the lead-up to elections.
- Despite some political milestones in Iraq with the elections, development of a constitution and the planned referendum for October 2005, security remains a concern. Under current conditions, UNHCR is still not able to promote return to Iraq. Spontaneous returns continue, however, and some return movements are assisted by UNHCR. With UNHCR's support, national partners have further developed their expertise to manage displacement issues inside Iraq. The 2005 Iraq Operation Supplementary Appeal is underfunded and fresh contributions are required to allow for the continuation of important capacity-building activities to support the protection of refugees and sustainable solutions for returnees in Iraq.
- Security conditions are gradually becoming more compelling in the region and may have implications for the mode of UNHCR operations to ensure staff safety.

Part B: Progress on global objectives and implementation of agenda for protection

Strengthening the refugee protection framework: Strategic Goal 1 – AfP Goal 1

- As of the end of August 2005, some 470,000 Afghans, 160,000 from the Islamic Republic of Iran (38,000 of whom UNHCR assisted) and 310,000 from Pakistan, returned to Afghanistan, bringing the total number of repatriations since 2002 to some 3.8 million. The Tripartite Agreement between the Islamic Republic of Iran, Afghanistan and UNHCR on the modalities of repatriation was renewed in June 2005. Both the Pakistan and Islamic Republic of Iran Tripartite Agreements are due to expire in March 2006, and are the subject of negotiations on conditions for renewal in order to support sustainable solutions for Afghans.
- A census of Afghans in Pakistan was completed in June 2005 confirming that there are 3 million Afghans in Pakistan, albeit not all of concern to UNHCR. The closure of Afghan settlements this year for security reasons may increase the pace of return from Pakistan, with an option of relocation for those Afghans who cannot yet return. In the Islamic Republic of Iran, there are some 900,000 Afghans. UNHCR is reassessing its reintegration strategy in Afghanistan for implementation from 2007 with the aim of unblocking obstacles to return in the more challenging provinces of origin.
- Provision needs to be made for those Afghans that cannot yet return to Afghanistan as well as those Afghans in the region that are not of concern to UNHCR. The third round of Strategic Consultations on Refugees and Populations Movements to and from Afghanistan will be held on 7 October in Geneva, to be co-chaired by the United States Government and UNHCR. Increasing bilateral and regional cooperation to achieve comprehensive solutions for Afghans in the region is the way forward; this should be addressed through longer-term development assistance programmes, beyond a purely humanitarian focus, when addressing poverty and migration issues.

- Returnee monitoring and technical surveys conducted in Iraq confirm the positive impact of community-based projects and legal assistance which are being implemented through UNHCR partners to support the reintegration of returnees. However, many Iraqis are returning to a situation of further displacement and continue to face considerable obstacles. Lack of housing, unemployment, prevailing poverty, problems with legal documentation as well as the security situation remain fundamental challenges to their reintegration. The needs are great and, with additional funding, UNHCR could do more to support the integration of returnees in Iraq.
- In Turkmenistan, a far-reaching durable solution for refugees was generously offered by Presidential decree with the naturalization of over 13,000 Tajiks, the majority of whom are refugees of Turkmen ethnicity. Residence permits have been granted to another 3,000 Tajiks of Uzbek ethnicity.
- The continuation of the Confidence Building Measures (CBM) for the Western Sahara situation has been stalled pending the final approval of the Plan of Action for 2005, although one component of the CBM, the telephone service, remains operational. UNHCR has undertaken several démarches towards the comprehensive registration of Sahrawi refugees in the Tindouf camps in Algeria. The host Government has indicated that while registration does not pose a problem in principle, its implementation depends on the global resolution of the conflict. Meanwhile, in order to ensure a more effective use of resources allocated for humanitarian assistance in Tindouf and in close consultation with the World Food Programme (WFP), it has been decided to limit the assistance programme as of September 2005 to the most vulnerable among the camp populations, estimated at 90,000 persons.
- The groundwork for an eventual declaration of cessation for Tajik refugees has been initiated. Recent developments in Uzbekistan and the political uncertainties witnessed in the Central Asia region could lead to a postponement of the declaration of cessation towards the end of 2005/early 2006. A declaration of cessation will not amount to UNHCR's withdrawal from its protection responsibilities in Central Asia.
- Efforts to secure solutions for Somali refugees in Yemen continue through the development of the Comprehensive Plan of Action (CPA) for Somali refugees.

Durable solutions: Strategic Goal 5 – AfP Goals 1.3 and 5

- On 30 August 2005 Afghanistan acceded to the 1951 Convention relating to the Status of Refugees, paving the way for the establishment of a national legal framework for the protection of refugees and returnees in Afghanistan, a landmark development for the region.
- In North Africa the asylum institution-building project is progressing, but not without constraints, including UNHCR's access to migrant and asylum-seeker sites. More active involvement by the authorities would facilitate the implementation of this project. UNHCR's protection capacity in the region has been enhanced with additional staff. Workshops with governmental and civil society partners are planned as well as an analysis of migration and refugee legislation in the region. UNHCR with EU support is seeking to support governments in the region to address the mixed flow of asylum-seekers and migrants who move through the region, some on their way to Europe.
- In Iraq, the Ministry of Displacement and Migration has started to review its mandate and in this context UNHCR and IOM have supported the drafting of a law on migration and refugee affairs. The Ministry has expanded its field presence to six locations in southern, northern and central Iraq and will establish a presence in additional locations this year. UNHCR continues to support the capacity of the Ministry and has also provided extensive technical inputs to the Iraq Property Claims Commission (IPCC) since its inception in 2004. IPCC has already received over 126,000 claims at 30 IPCC offices established in Iraq. The initial deadline of 30 June 2005 for filing claims has been extended. Legal Aid and Information Centres (LAICs) have been strengthened with a view to building legal information networks run by national NGOs.

- The Bureau is actively engaged in the global roll-out of UNHCR's age, gender and diversity mainstreaming strategy. The pilot phase was undertaken in 2004 in Egypt, the Islamic Republic of Iran, Jordan, Lebanon and Syria. Multifunctional teams led by the Representatives were established and participatory assessments were conducted with refugee women and men of all ages and backgrounds. The project will gradually cover the whole CASWANAME region by the end of 2006.
- The Protection Gaps Analysis in Central Asia within the project of Strengthening Protection Capacity has been completed (Phase I). In an increasingly challenging protection environment in Central Asia, the Bureau is analysing ways forward to share the results of the findings with all stakeholders, prioritize the needs and propose solutions.
- The Organization of the Islamic Conference (OIC) and UNHCR are jointly to organize a Conference on Refugees in the OIC member States. Both organizations look forward to the confirmation of a venue for this important Ministerial conference scheduled for early 2006.