



COUNTRY OPERATIONS PLAN

Country: East Timor

Year: 2002

Executive Summary

(a) Context and Beneficiary Population

East Timor continues to move along the path to independence with general elections and the formation of a National Constituent Assembly scheduled for the end of August. The preparation of a draft Constitution and eventual presidential elections are envisaged to take place early 2002.

The year 2001 saw the East Timorese people, in “partnership” with UNTAET, deal with the complex and demanding groundwork needed in preparing for full independence. That process would include civil registration (and an electoral registration database) and the determination and adoption by the National Council of an electoral system (including regulations on political parties). Preceding that, an UNTAET administered civic education programme was a crucial component of the transition process.

The estimated number that fled the violence leading up to and immediately after the UN administered Popular Consultations of August 1999, is approximately 280,000 people. As of July 2001, over 180,000 East Timorese refugees had returned to their places of origin. Due to a lack of reliable data concerning the number of refugees still remaining in West Timor, coupled with the withdrawal of UN agencies following the brutal murder of three UNHCR staff in Atambua (September 2000), very little reliable statistical and socio-demographic data is available.

With the phasing out of UNHCR’s primary assistance programme, which was based on the supply and distribution of some 35,000 shelter units, UNHCR’s core programme will be based on protection and monitoring of returnees. UNHCR’s continued presence in East Timor into 2002 remains resolutely based upon the aspirations of the East Timorese people and the goals of the International Community (as presented in United Nations Security Council Resolution 1272). More specifically, UNHCR’s objectives will be based upon a single caseload (small number of residual returnees) and a longer-term core mandate theme (international protection). With the full support of the Regional Office in Jakarta, UNHCR East Timor will pursue the following goals consistent with the regional strategies and operational objectives:

- Implement a long-term protection strategy to support an independent East Timor in best defining and enacting domestic refugee legislation.
- Promote East Timor’s accession to international refugee and statelessness conventions and protocols, and the establishment of an effective refugee protection framework.
- Assist in the repatriation and reintegration of a residual caseload still returning to East Timor.
- Support national peace and reconciliation programmes to assist in addressing fundamental protection concerns.

It is emphasised that UNHCR’s strategies in East Timor are based on a situational approach. The importance of UNHCR’s regional structure is underscored through the high level of joint planning and co-ordinated operations between the Offices in Dili and Jakarta. UNHCR East Timor has been working in partnership with the UNHCR Office in Jakarta to contribute to the Indonesian Government’s plan to seek durable solutions i.e.

sustainable local re-integration in Indonesia and residual voluntary repatriation to East Timor.

Outside of an ongoing collaboration with the UN agencies and linkages to their assistance programmes, UNHCR will endeavour to build a strong relationship with the new Government of East Timor. On the operational level, co-ordination and co-operation with the UN Peace Keeping Force (PKF) and with the UN civilian police (CivPol) remains important. This is especially so given the complexity of residual repatriation movements to East Timor. Within the same context, UNHCR in East Timor will continue to work with the Church and traditional community leadership structures.

Given the challenge in East Timor, it remains imperative that the successful reintegration of all returnees (especially those arriving late and who may have pro-autonomy sentiments) be treated as an integral element of the broader process of reconciliation. Likewise, an effective process of reconciliation will be the *sine qua non* for the establishment of national protection mechanisms. Yet just as the reconciliation process is dependent on the successful reintegration of all returnees, so too is national protection dependent on a well-functioning state and civil society. As such, UNHCR's protection-based activities aimed at achieving reintegration will be impacted by the quality of national protection mechanisms in East Timor. A post-UNTAET Government (even with substantial assistance from the international community) will not have the full capacity to extend absolute protection to all citizens, in the immediate future. The breadth of activities required in promoting and developing national protection mechanisms in East Timor means that the Government will remain dependent on external assistance for the immediate future.

(b) Programme Goals and Objectives

Beneficiary Population – East Timorese Returnees	
Main Goal(s): Facilitate repatriation, reception and reintegration in safety and dignity	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Protection of individual cases. • Reintegration of returnees. • Identification (and prompt referral) of vulnerable cases. • Community driven reconciliation. 	<ul style="list-style-type: none"> • Direct protection assistance, referral, follow-up and monitoring of individual cases • Individual counselling and assistance • Limited provision of NFI assistance. • Public information, advocacy and reconciliation.

Theme – International Protection	
Main Goal(s): Protection of refugees and assistance to asylum-seekers (ad-interim measures).	
Main Goal(s): East Timor accedes to 1951 Convention relating to the Status of Refugees and related instruments.	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Ensure protection of those persons who seek asylum in East Timor and facilitate an appropriate durable solution. • Establishment of a refugee status determination procedure (RSD) • Ensure non-refoulement. • Accession to 1951 Convention and 	<ul style="list-style-type: none"> • Provide RSD process in-lieu of non-existence of state structures. • Comply with UNHCR's global policy on irregular movers. • Information sessions for Parliament, government members, civil authorities, etc. • Support the preparation of basic

1967 Protocol and related instruments.	national legislation including RSD and durable solution procedures. <ul style="list-style-type: none">• Support (provide advice) on national legislation, citizenship, immigration and refugee law(s)
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