



COUNTRY OPERATIONS PLAN

Country: Republic of Korea

Planning Year: 2004

Part I: Executive Committee Summary

A. Context: Beneficiary Population(s) and Theme(s)

The Republic of Korea is party to the 1951 Convention and 1967 Protocol relating to the Status of Refugees. The Republic of Korea acceded to the Convention in 1992 and amendments to the immigration law to allow for refugee status took effect in 1994. Except for an earlier period when the country contributed in small part to the burden-sharing associated with the Indo-Chinese refugee boat arrivals, the Republic of Korea has a very short and recent history of hosting only a small population of urban refugees and asylum-seekers of various nationalities, numbering less than one hundred annually. The number is inclusive of those in the process of applying for refugee status as well as those who had claims rejected, some of whom were accorded mandate status by UNHCR. In comparison with other industrialised nations, the Republic of Korea has yet to satisfactorily fulfil its obligations to international protection standards.

In contrast with the very limited engagement of the Republic of Korea in matters related to non-Korean asylum seekers on Korean territory, the issue of citizens of North Korea ("DPRK") in third countries retains understandable prominence for both the government and the public at-large when it comes to refugee affairs. The increase in the total numbers of DPRK nationals received in the South and the degree to which this impacts on the perceptions of people, both official and private, as regards the theme of refugees, makes the issue one of operational interest to the Liaison Office in Seoul.

The Republic of Korea is a UN member state that remains supportive of UNHCR, both politically and financially, through their participation in EXCOM deliberations and through their annual contributions to UNHCR programme. The Republic of Korea continues to be considered a donor with substantial potential. Although private sector contributions in the Republic of Korea have been negligible for reasons related to the relatively new presence of UNHCR in the country and the subsequent lack of good donor contacts, the vibrant private sector in this country is considered a source of great potential. A market survey commissioned by UNHCR in 2002 revealed that the Korean public is the most aware of UNHCR's core protection responsibilities out of all of the industrialized nations surveyed, and those who *are* willing to contribute would do so at twice the amount of the average Japanese – the only surveyed country with shared cultural traits and where private sector fundraising comprises the second largest portion of UNHCR's private sector base.

The above context provides the rationale for UNHCR's presence and involvement in the Republic of Korea. The Office's role also derives from Headquarters' global strategies and the operational objectives in the Regional Bureau for Asia and Pacific, including the promotion of asylum and international protection and the mobilisation of resources and other support for UNHCR activities. On this basis, the overall objectives of UNHCR operation in 2004 in the Republic of Korea will be twofold; (a) the provision of international protection to persons of concern through the strengthening of Korean government RSD procedures and the further capacity building of domestic Korean non-governmental institutions and (b) the promotion of relations with the Governments, public information and public awareness with a view to broadening support of both public and private sectors towards the work of UNHCR and its programmes of assistance world-wide. A cross-cutting theme related to the above-objectives will be the evolving situation related to North Korea and the extent to which this requires engagement with government and non-governmental actors in the field of emergency preparedness, contingency planning and response, as well as the public awareness elements related to a refugee population of direct blood ties to the people of the Republic of Korea.

The overall challenge for UNHCR in the Republic of Korea will be determined by the extent to which advances noted in the domestic asylum procedures in late 2002 and 2003 (five Convention recognitions and eight humanitarian permits in the course of two months) are furthered during the course of 2003. If in the course of 2003 UNHCR is able to achieve higher-

level contact within the Government – through the visit of the High Commissioner to Korea, for example – this could be the catalyst for even more active engagement of policy makers in domestic asylum issues as well as raising the potential for greater voluntary contributions to UNHCR. In the sphere of public awareness, efforts will need to be pursued to increase public support for UNHCR, by strengthening contacts with the new government as well as the external publicity work initiated by the Liaison Office since its opening in 2001. On the other hand, continued efforts will also be needed in the area of refugee protection where substantial improvements are still required, especially in removing obstacles to asylum procedures.

In light of the above-mentioned, the Country Operations Plan for 2004 foresees implementation of four inter-linked operational themes i.e. (1) provision of international protection and on-going assistance to the small beneficiary population of urban asylum seekers, (2) exploring the nature of UNHCR's role in improving the general public's understanding of the issue of North Koreans within the wider context of global refugee matters; (3) broadening of public awareness and the mobilisation of support/resources for domestic and international refugee relief efforts, and (4) public information. Operationally, efforts in respect of all of the themes will need to be synchronised to ensure that while global refugee situations receive greater attention and support from both the Government and the public, the domestic asylum situation is not neglected. The UNHCR will continue to pursue strengthened capacity of local, national partners who can advocate stronger protection mechanisms with government agencies while the office gains wider latitude to promote public awareness and, ultimately, mobilization of greater public and private resources. Increased knowledge of and engagement with government and non-governmental actors in the Republic of Korea working with DPRK nationals will increase the relevancy of UNHCR to the needs of a domestic audience interested in a timely refugee situation in the region. Implementation of the latter theme of public information, through introduction of a more comprehensive public awareness strategy integrating public information activities with protection goals, is expected to provide an essential means to help underpin this delicate balance.

B. Main Programme Goals and Principal Objectives

Name of Theme: Ensure the quality of asylum in Korea and fulfil responsibilities towards the supervisory Mandate of Art. 35 of the 1951 Convention	
Main Goal(s): <i>The Republic of Korea demonstrates good faith efforts at full compliance with obligations deriving from the 1951 Convention</i>	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> ▪ Improvements to national legislation and ministerial procedures to ensure adherence to international standards ▪ The Republic of Korea continues to strengthen capacities for the protection of refugees, including demonstration of new standards to ensure "effective protection" of Convention refugees and the proper identification of refugees within broader migration movements ▪ Open dialogue with the Republic of Korea to explore methods of sharing asylum burdens and the responsibility for international protection more fairly, while supporting this through increased awareness among the general public. ▪ The Republic of Korea builds further on initial steps to ensure durable solutions 	<ul style="list-style-type: none"> ▪ Monitor the RSD procedures of the Government through individual case review and support the recognition of individuals deserving of international protection ▪ Capitalize on newly established channels of constructive dialogue with the Justice Ministry in order to highlight issues considered contrary to basic asylum principles, especially regarding access, detention and non-refoulement ▪ UNHCR maintains contacts with the Ministry of Justice and other governmental bodies (National Human Rights Commission, National Assembly) in fulfilment of its advisory role ▪ UNHCR and the Ministry of Justice collaborate on methods to strengthen domestic legislation and regulations governing asylum ▪ UNHCR keeps the media and the public informed of developments and problems observed in the asylum system in fulfilment of its <u>advocacy</u> role ▪ UNHCR advises Courts and asylum lawyers on specific questions of

Country Operations Plan

	<p>International Refugee and Human Rights Law</p> <ul style="list-style-type: none"> ▪ The Government achieves full transparency in its reporting on registration, RSD and other objective measures of the refugee population.
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Name of Beneficiary Population: Urban caseload of asylum seekers and refugees in the Republic of Korea

Main Goal(s): *Ensure the respect of basic human rights of asylum seekers and refugees in the Republic of Korea*

Principal Objectives	Related Outputs
<ul style="list-style-type: none"> ▪ <i>Achieve improvements to the basic living conditions of the urban caseload, including both refugees and asylum seekers</i> ▪ <i>Ensure legal support for asylum applicants</i> 	<ul style="list-style-type: none"> • Asylum seekers and refugees do not face hunger, lack of shelter or lack of medical services • The Government of the Republic of Korea continues to take more proactive steps to fill existing needs of the urban caseload, in conjunction with national NGOs. • The Government of Korea implements procedures to guarantee identity documents for asylum seekers • Applicants receive legal counselling and representation

Name of Beneficiary Population/Theme: Public Information and Public Awareness activities in the Republic of Korea

Main Goal(s) *Public understands and supports refugee cause as promoted by UNHCR*

Principal Objectives	Related Outputs
<ul style="list-style-type: none"> ▪ Asylum seekers benefit from fair and transparent RSD procedures in the Republic of Korea as a result of the media coverage especially on protection issues ▪ Quantity and quality of media coverage on the international refugee issues are improved. ▪ More educational institutions are carrying the subject of refugees ▪ A significant number of Joint public awareness activities are carried out through closer collaboration with NGOs 	<ul style="list-style-type: none"> • PI/PA materials produced in timely manner and distributed to well targeted audience • Media well informed of UNHCR's activities both domestically and internationally • Linkages between protection issues and public information activities strengthened • Materials developed for schools and text book companies • UNHCR's Korean website regularly updated • Events attracting media attention are produced and publicised widely

Name of Beneficiary Population/Theme: Private sector fundraising in Korea

Main Goal(s) *Enhance PSFR possibilities in the Republic of Korea*

Principal Objectives	Related Outputs
<ul style="list-style-type: none"> ▪ Private Sector contributions are increased in Korea and become a more reliable measure of the ability to consider this as a consistent source of funding. 	<ul style="list-style-type: none"> ▪ Greater utility of Korean web page as portal for on-line contributions from the general public ▪ Modest but effective fundraising activities implemented in ROK.

