

Community Services Assistant gives training to indigenous women displaced by the long-running conflict on Mindanao Island, in the Philippines.

- Bangladesh
- Brunei Darussalam
- Cambodia
- Indonesia
- Lao People's Democratic Republic
- Malaysia
- Myanmar
- Philippines
- Singapore
- Thailand
- Timor-Leste
- Viet Nam

# South-East Asia



## | Working environment |

While the subregion has been a generous host to large numbers of refugees for decades, the legal frameworks for the protection of individual persons of concern to UNHCR in South-East Asia are weak. In the region, only Cambodia, the Philippines and Timor-Leste have acceded to the 1951 Refugee Convention or its 1967 Protocol. These countries have national asylum systems in place, although at varying levels of development. Thailand has a system for screening people arriving from Myanmar, although it is not currently operational. These countries are being assisted by UNHCR to further develop their national asylum frameworks in line with international standards. Only the Philippines has acceded to the 1954 Convention related to the Status of Stateless Persons and no country in the region has yet acceded to the 1961 Convention on the Reduction of Statelessness. Elsewhere in the region, UNHCR is left to fill the gap for identifying people in need of international protection and

assisting them. Generally in the region, refugees and stateless people continue to be seen as illegal migrants, subject to immigration detention. Specifically regarding children and women, all countries in the region have signed the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. Universal accession to these instruments indicates the commitment of States in the region to uphold and protect the rights of children and women.

In Indonesia and Malaysia, UNHCR has faced a steady increase in the number of new arrivals in recent years. The challenge in these countries is to deliver protection in an environment of mixed migration that lacks a legal framework for dealing with refugees. The situation highlights the need for a regional approach to address refugee protection and international migration issues in South-East Asia region.

## South-East Asia

Towards this end, UNHCR participates in the Bali Process, which adopted this year a Regional Cooperation Framework to respond to challenges posed by mixed migration.

The protracted displacement situation of Muslims from Myanmar's northern Rakhine State is taking on a broader regional dimension. In Bangladesh, living conditions for the registered members of this population in designated camps have relatively improved in the past few years, but a much larger unregistered group, scattered in local villages, reportedly lives in dire circumstances.

Statelessness is an issue for which good practices in the region have emerged in recent years to identify, prevent and reduce the incidence of statelessness and to provide protection to stateless people. For example, Lao People's Democratic Republic (PDR) and Viet Nam have included a definition of "stateless person" in their nationality laws, which will help identify statelessness. In Thailand, some 400,000 migrants have received confirmation and documentation of their nationality, thanks to an ongoing nationality verification exercise in cooperation with Cambodia, Lao PDR and Myanmar. In Cambodia the Government launched a mobile registration campaign resulting in the registration of more than 7 million adults and children. Now more than 90 per cent of the Cambodian population is registered. In Viet Nam, significant progress has been made following recent revisions to the country's nationality laws, which have allowed Cambodians who were formerly considered refugees to be naturalized, and ethnic Vietnamese women who had lost their citizenship through marriage to foreigners to reacquire it. Further action to address statelessness in the region continues to be pursued, with the ASEAN Intergovernmental Commission on Human Rights having also become engaged in examining the issue.

In Thailand, UNHCR continues to operate in a challenging protection environment. Thailand remains a major country of asylum for ethnic minorities from Myanmar, with groups of new arrivals ranging in numbers from a few hundred to several thousand entering the country on a temporary basis, due to tensions in the border area. A gradual increase in the number of non-Myanmar asylum-seekers has also been observed.

### | Strategy |

UNHCR will advocate for the rights of its people of concern and for the adherence of South-East Asian States to international protection standards. It will do so in cooperation with the governments concerned and with the support of regional institutions and civil society actors. UNHCR will also engage with States in operationalizing the Regional Cooperation Framework adopted by the Bali Process with the aim of improving protection space in the region and developing protection-sensitive responses to irregular movements of people and mixed migration.

Closer cooperation with regional and subregional institutions and processes as well as a range of relevant stakeholders will help UNHCR deal with the complexities surrounding populations of concern in the subregion. This strategy is underpinned by activities designed to promote government ownership of refugee protection, in line with international standards, particularly in the areas of access to protection, basic services and registration.

Protection strategies will focus on the establishment of protection-sensitive responses to mixed flow situations, registration, access to asylum, refugee status determination (RSD), and the promotion of alternative arrangements to the detention of people of UNHCR's concern. They will also aim to



protect and assist the most vulnerable urban refugees and prevent *refoulement*.

### | Constraints |

In South-East Asia's complex context of mixed migration, States' interests relating to national security and the maintenance of good relations with their neighbours continue to constrain refugee protection, compounded by the lack of national legal frameworks for dealing with refugees and asylum-seekers in many countries.

The use of detention facilities to hold asylum-seekers, refugees and stateless people, including children and others at risk of exploitation and abuse, is a worrying trend that continues in the region. In addition, many urban refugees and asylum-seekers face a precarious situation due to limited livelihood opportunities or access to social services in certain countries. UNHCR is seeking to address these issues through advocacy, and by strengthening ties with civil society and national human rights institutions.

### | Operations |

UNHCR's operations in **Bangladesh, Malaysia, Myanmar and Thailand** are described in separate chapters.

In **Cambodia**, UNHCR will continue to help the Government to build a national asylum system. Ensuring the protection of refugees and asylum-seekers in an urban setting will remain of paramount importance, and UNHCR will redouble efforts to

strengthen the Government's capacity to prevent *refoulement*, as well as to implement its own asylum procedures.

In **Indonesia**, due to the absence of national refugee legislation and procedures, UNHCR continues to be the primary provider of protection and assistance to refugees and asylum-seekers, undertaking responsibility for registration, RSD and the search for durable solutions. UNHCR will continue advocating for the country's accession to the 1951 Refugee Convention and its 1967 Protocol. Efforts to build national capacity to take on more asylum responsibilities will be advanced by countrywide training sessions.

With an expanded protection presence in five strategic locations across the archipelago, UNHCR will strengthen cooperation with the authorities in these areas in order to bolster their understanding of its protection mandate.

In the **Philippines**, UNHCR will continue to support the process whereby refugees can acquire citizenship and will help refugees to become self-reliant. The Government will be assisted to increase its capacity to implement its obligations as a signatory to the 1951 Refugee Convention. The emergency transit mechanism for accelerated resettlement processing will be maintained in Manila.

UNHCR assumed leadership of the protection cluster under the joint UN response to the situation of internally displaced persons (IDPs) in Mindanao in mid-2010. It will assist the authorities to ensure that the protection needs of vulnerable populations are met through effective coordination.

The Philippines has acceded to the 1954 Convention on the Status of Stateless Persons and is in the process of developing a national statelessness framework, including status determination procedures, with the support of UNHCR. The mapping of stateless populations will also be undertaken.

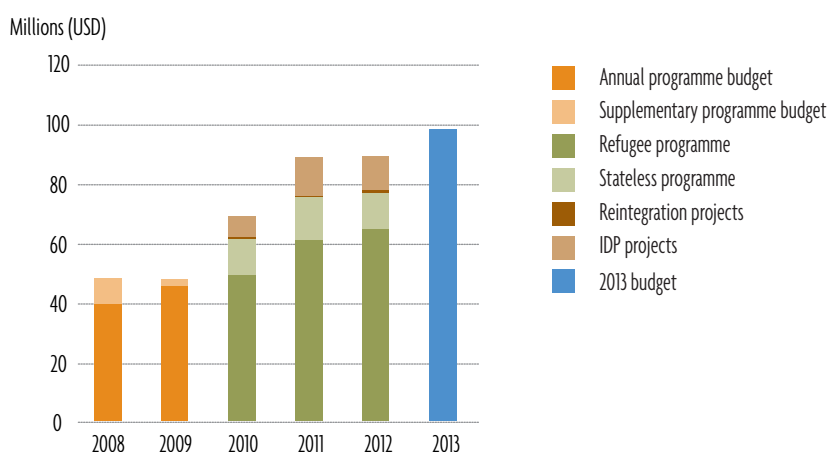
In **Timor-Leste**, UNHCR, operating from the Regional Office in Thailand and in collaboration with other UNHCR offices in the region, will continue to assist the small number of asylum-seekers and refugees in the country. It will also help build the Government's capacity to implement its asylum policy in line with international standards. In addition, UNHCR will strengthen institutional capacity and knowledge on statelessness, in anticipation of Timor-Leste's accession to the statelessness conventions.

In **Viet Nam**, UNHCR will provide community-based reintegration support for the sustainable reintegration of returnees in the Central Highlands. It will advocate for a humanitarian and lasting solution for Cambodians who were formerly refugees, and have been residing in the country without legal status since the 1970s, as well as other stateless people. The latter include Vietnamese women who lost their citizenship through marriage, whose naturalization process is expected to be completed in 2012.

## Financial information

UNHCR's financial requirements in South-East Asia have expanded steadily since 2007, reflecting a sharp increase in the number of beneficiaries. There has been a slight reduction for 2012, mainly due to the phasing out of a Montagnard refugee programme in Cambodia following the attainment of durable solutions, and the planned closure of the office in Timor-Leste at the end of 2011. An increase in IDP project requirements in 2010-2011 is the consequence of UNHCR leadership of the protection cluster in the southern Philippines, in addition to its ongoing engagement in the south-east of Myanmar. The gradual strengthening of local currencies against the US dollar is also affecting the programme.

### UNHCR's budget in South-East Asia 2008 – 2013



### UNHCR Budget in South-East Asia (USD)

OPERATION	2011 REVISED BUDGET	2012				TOTAL	2013
		REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	REINTEGRATION PROJECTS PILLAR 3	IDP PROJECTS PILLAR 4		
Bangladesh	10,778,617	14,411,420	55,966	0	0	14,467,386	14,509,170
Cambodia	1,163,366	938,450	10,000	0	0	948,450	956,950
Indonesia	7,677,369	5,735,087	173,602	0	0	5,908,689	6,269,908
Malaysia	16,736,300	15,894,090	510,384	0	0	16,404,474	16,503,791
Myanmar	17,273,381	0	9,847,188	0	7,211,448	17,058,637	25,074,816
Philippines	9,573,079	785,325	778,277	0	4,457,762	6,021,365	5,488,618
Thailand <sup>1</sup>	25,684,005	21,632,910	706,230	0	0	22,339,140	23,334,055
Thailand Regional Office <sup>1</sup>	0	5,617,310	0	0	0	5,617,310	5,703,671
Timor-Leste	409,342	217,346	19,654	0	0	237,000	231,878
Viet Nam	641,180	0	345,000	565,000	0	910,000	909,999
<b>Total</b>	<b>89,936,639</b>	<b>65,231,937</b>	<b>12,446,302</b>	<b>565,000</b>	<b>11,669,211</b>	<b>89,912,450</b>	<b>98,982,856</b>

<sup>1</sup>From 2012, Thailand and the Thailand Regional Office are reported separately.