

# INDIA

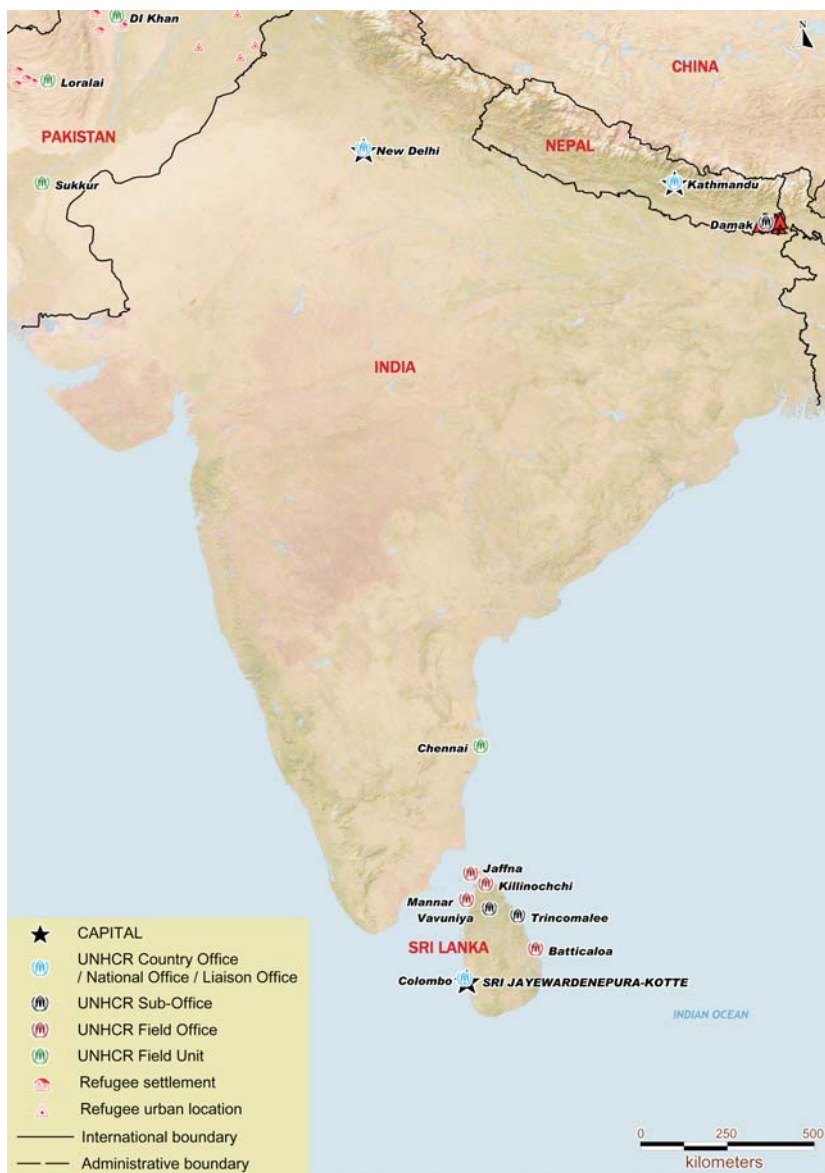
## Operational highlights

- UNHCR expanded its refugee status determination (RSD) capacity and improved RSD procedures to achieve a reduction in processing times.
- Closer cooperation and partnership with the Government of India resulted in the latter allowing greater access to asylum-seekers.
- UNHCR improved its outreach to persons of concern through regular community participatory assessments, open-house meetings and the Women's Protection and Outreach Centres.
- The protection space for refugees and asylum-seekers was maintained and there were no reports of *refoulement* of people with UNHCR documentation.

## Working environment

While India has ratified the majority of the international human rights instruments and generally has a liberal and tolerant attitude towards refugees, it is not party to the 1951 Refugee Convention or its 1967 Protocol, and does not have a national refugee protection framework. However, it recognizes and directly assists some 200,000 refugees from neighbouring states and respects UNHCR's mandate for refugees and asylum-seekers from other countries, mainly Afghanistan and Myanmar. In general, the Government respects the principle of *non-refoulement* for holders of UNHCR documentation.

In the absence of a national refugee protection framework, UNHCR conducts RSD for individual asylum-seekers from non-neighbouring countries and Myanmar. UNHCR also has a small presence in Chennai, the capital of Tamil Nadu State, to support the voluntary repatriation of Sri Lankan refugees.



Although India has a large population of stateless people, no accurate estimates of the number are available. UNHCR has initiated efforts to identify and map stateless groups.

National security continues to be a major concern for the Government of India. Security measures including identity checks were strengthened in October, when India hosted the Commonwealth Games. All foreigners, including refugees and asylum-seekers, were affected.

## Persons of concern

Type of Population	Origin	Total	Of whom assisted by UNHCR	Per cent female	Per cent under 18
Refugees	China	100,000	-	-	-
	Sri Lanka	70,000	-	49	-
	Afghanistan	9,100	9,100	46	31
	Myanmar	4,600	4,600	48	42
	Somalia	700	700	44	43
	Various	350	350	31	8
Asylum-seekers	Myanmar	3,300	3,300	39	36
	Afghanistan	220	220	52	42
	Various	180	180	28	23
<b>Total</b>		<b>188,450</b>	<b>18,450</b>		

## | Achievements and impact |

### ● Main objectives and targets

#### Favourable protection environment

- UNHCR provided documentation and technical advice to the Government of India as part of its input to the draft national refugee law.

#### Fair protection processes

- All asylum-seekers were registered on an individual basis within 21 days of first approaching UNHCR. Thanks to increased staffing and the streamlining of procedures, RSD processing was conducted in a timely and efficient manner. First-instance RSD decisions were made on average within 12 days of interview.

#### Security from violence and exploitation

- All reported survivors of sexual and gender-based violence received support from UNHCR and its partners. UNHCR also organized a number of training and sensitization sessions with local police and residents' welfare associations to raise awareness on refugee issues.

#### Basic needs and services

- Due to insufficient resources, only 1,260 of the most vulnerable refugees received financial assistance. Social services support was provided to some 860 unaccompanied and separated children, approximately 130 disabled refugees and 80 elderly refugees.
- UNHCR reached an agreement with government schools and the National Institute of Open Schools, whereby they now accept UNHCR certificates in lieu of birth certificates and prior education certificates for the enrolment of refugee and asylum-seeker children. Some 280 refugee and asylum-seeker children from Myanmar have, for the first time, enrolled in government schools. Overall, some 10 per cent of school-aged refugee and asylum-seeker children enrolled in government and open schools, while many others attend private schools.
- A public health doctor was funded by UNHCR to strengthen the health programme. More than 7,000 refugees and asylum-seekers were assisted by UNHCR to use health-care centres and hospitals. More than 90 per cent of children of concern were vaccinated for measles.

#### Community participation and self-management

- UNHCR fostered better relations with persons of concern through various channels, including the Women's Protection and Outreach Centres, participatory assessments and open house meetings. Women constituted more than 40 per cent of participants in community focal point meetings.
- In November, the first regional dialogues with refugee women and girls were successfully organized and saw the participation of 200 refugees and asylum-seekers from Afghanistan, Myanmar and Somalia.

An Afghan girl, in traditional clothes at a World Refugee Day celebration in New Delhi.



- UNHCR expanded self-reliance and livelihood programmes. Some 3,700 refugees and asylum-seekers benefited from income-generation activities, small business grants, local-language classes, skills training and job placement support. Most of the activities were conducted in UNHCR's partners' premises, providing a safe working environment, particularly for women. In addition, 40 unaccompanied and separated children participated in a special "learn and train" project.

#### Durable solutions

- In 2010, some 2,000 Sri Lankan refugees repatriated with UNHCR assistance. In total, more than 3,000 refugees were interviewed and some 1,500 signed the voluntary repatriation form to depart for Sri Lanka in 2011. Thirty Afghan refugees were also assisted to repatriate.
- Resettlement is used as a protection tool for those refugees whose protection needs cannot be met in India. Almost 700 people with unmet protection needs were submitted for resettlement and some 600 refugees departed for third countries.
- The Government of India allows Afghan refugees of Indian origin to apply for Indian citizenship through naturalization. Owing to bureaucratic delays, only some 20 refugees were able to naturalize in 2010, although the total number of refugees who have become Indian citizens so far is above 650. In addition, some 4,000 eligible refugees are at different stages of the naturalization process.

## | Constraints |

While the Government continued to respect protection and humanitarian principles in general, the lack of a national refugee protection framework remains one of the major challenges in India as *ad hoc* approaches are adapted to refugee protection. Poverty emerges as the greatest concern for refugees and asylum-seekers in India. Addressing this issue, in a context where almost 40 per cent of the population is below the poverty line, remains a major challenge. Moreover, there is limited knowledge of refugee issues, and while the protection environment remains generally favourable, it is affected by xenophobia in some quarters of the local population against refugees and asylum-seekers. Despite increased prevention and response efforts, women remained vulnerable to sexual and gender-based violence.

## | Financial information |

The India operation's budget in 2010 was increased in line with changing needs, including the opening up of services to asylum-seekers and expanding livelihoods and self-reliance programmes. Nevertheless, given the growing requirement of a larger population of concern that needed to be met with the resources available, UNHCR was obliged to reduce the assistance level for newly recognized refugees and those with specific needs. The increasing demand for participation in UNHCR's income-generation activities could not be fully met.

## | Organization and implementation |

The Office of the Chief of Mission is based in New Delhi and there is a field office in Chennai. UNHCR offices in India coordinate closely with the offices in Sri Lanka to facilitate the voluntary repatriation of Sri Lankan refugees from India.

## | UNHCR's presence in 2010 |

□ Number of offices	<b>2</b>
□ Total staff	<b>45</b>
International	6
National	29
JPOs	0
UNVs	10
Others	0

## | Working with others |

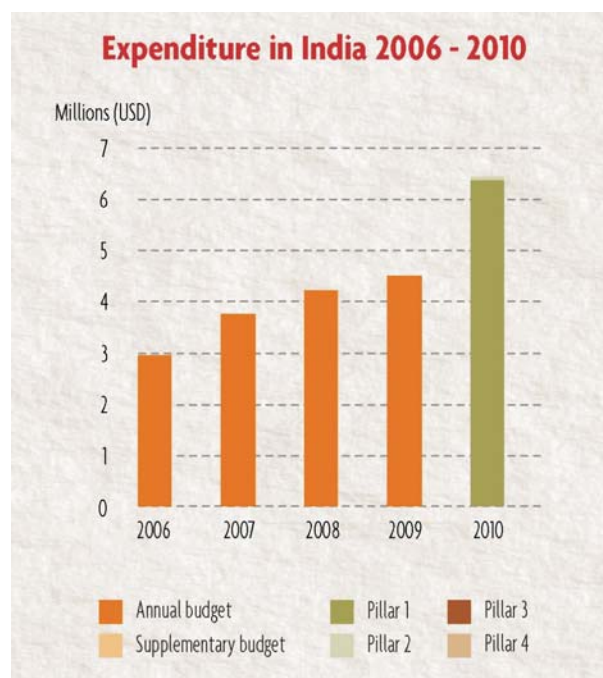
UNHCR strengthened partnership and cooperation with the Government of India, other UN agencies and civil society. It also participated in the United Nations Development Assistance Framework (UNDAF) process and worked with the UN Country Team on HIV and AIDS, gender issues and disaster management.

## | Overall assessment |

The protection space for refugees and asylum-seekers was preserved despite the absence of a national refugee protection framework. Overall processing times for RSD were significantly reduced through increased staffing and the simplification of procedures. UNHCR advanced its partnership with the Government and expanded its access to asylum-seekers in detention.

UNHCR's outreach to refugees and asylum-seekers was strengthened through a number of communication channels. Improving their livelihoods remains one of the key challenges for refugees and asylum-seekers living in India. UNHCR's efforts are geared towards assisting refugees and asylum-seekers develop coping mechanisms and to become self-reliant. However, due to financial constraints, UNHCR was able to assist only half of the targeted persons with specific needs and had to restrict its income-generating activities to a very small group of refugees.

Partners	
<b>Implementing partners</b>	
<b>NGOs:</b> Confederation of Voluntary Association, Don Bosco <i>Ashalayam</i> , Gandhi National Memorial Society, New Delhi Young Men's Christian Association, Public Interest Legal Support and Research Centre, Socio-Legal Information Centre	
<b>Operational partners</b>	
<b>Government:</b> Ministries of Home and External Affairs, South Asia Association of Regional Cooperation Disaster Management Centre	
<b>Others:</b> Indian Society of International Law, Jawaharlal Nehru University, Mahanirban Calcutta Research Group, The Other Media, United Services Institute, UNDSS	



## Budget, income and expenditure in India | USD

	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	Total
<b>FINAL BUDGET</b>	<b>10,066,054</b>	<b>75,000</b>	<b>10,141,054</b>
Income from contributions <sup>1</sup>	175,691	0	175,691
Other funds available	6,207,604	74,626	6,282,230
<b>TOTAL FUNDS AVAILABLE</b>	<b>6,383,295</b>	<b>74,626</b>	<b>6,457,921</b>
<b>EXPENDITURE BREAKDOWN</b>			
<i>Favourable protection environment</i>			
International and regional instruments	117,743	0	117,743
National legal framework	190,491	0	190,491
Prevention of statelessness	0	74,626	74,626
<b>Subtotal</b>	<b>308,234</b>	<b>74,626</b>	<b>382,860</b>
<i>Fair protection processes and documentation</i>			
Registration and profiling	247,249	0	247,249
Fair and efficient status determination	629,843	0	629,843
<b>Subtotal</b>	<b>877,092</b>	<b>0</b>	<b>877,092</b>
<i>Security from violence and exploitation</i>			
Gender-based violence	135,524	0	135,524
Protection of children	119,816	0	119,816
Access to legal remedies	79,018	0	79,018
<b>Subtotal</b>	<b>334,358</b>	<b>0</b>	<b>334,358</b>
<i>Basic needs and essential services</i>			
Nutrition	91,310	0	91,310
Basic domestic and hygiene items	533,804	0	533,804
Primary health care	318,143	0	318,143
HIV and AIDS	76,385	0	76,385
Education	443,028	0	443,028
Services for groups with specific needs	468,347	0	468,347
<b>Subtotal</b>	<b>1,931,018</b>	<b>0</b>	<b>1,931,018</b>
<i>Community participation and self-management</i>			
Community self-management and equal representation	127,877	0	127,877
Self-reliance and livelihoods	697,530	0	697,530
<b>Subtotal</b>	<b>825,408</b>	<b>0</b>	<b>825,408</b>
<i>Durable solutions</i>			
Voluntary return	569,602	0	569,602
Resettlement	198,584	0	198,584
Local integration support	130,166	0	130,166
<b>Subtotal</b>	<b>898,352</b>	<b>0</b>	<b>898,352</b>
<i>External relations</i>			
Partnership	39,827	0	39,827
Public information	41,949	0	41,949
<b>Subtotal</b>	<b>81,776</b>	<b>0</b>	<b>81,776</b>
<i>Logistics and operations support</i>			
Programme management, coordination and support	1,065,084	0	1,065,084
<b>Subtotal</b>	<b>1,065,084</b>	<b>0</b>	<b>1,065,084</b>
Instalments to implementing partners	61,973	0	61,973
<b>Total</b>	<b>6,383,295</b>	<b>74,626</b>	<b>6,457,921</b>

<sup>1</sup> Income from contributions includes indirect support costs that are recovered from contributions to Pillars 3 and 4, supplementary budgets and the "New or additional activities - mandate-related" (NAM) reserve. Contributions towards all pillars are included under Pillar 1.