

South-East Asia

A man wearing a white t-shirt with the UNHCR logo and a blue cap is sitting cross-legged on a wooden floor. He is holding a pen and writing in a notebook. The background is a wall made of woven bamboo or rattan. There are some items hanging on the wall, including a blue shirt and a pink cloth.

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

UNHCR provided help to survivors of Cyclone Nargis in the Irrawaddy Delta, Myanmar.



| OPERATIONAL HIGHLIGHTS |

- UNHCR concluded the seven-year-old programme for Montagnard refugees from Viet Nam in Cambodia, having found durable solutions for all of them. A total of some 1,800 Montagnards were assisted, with close to 800 having returned to Viet Nam and nearly 1,000 having been resettled in a third country.
- The UNHCR office in Timor-Leste, which had been opened in 1999, was closed in 2011.
- Discussions with States on a regional approach to refugees and irregular movements in the Asia-Pacific region resulted in the endorsement by the Bali Process of a Regional Cooperation Framework (RCF). Talks on making the RCF operational,

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particularly through a Regional Support Office, continued throughout the remainder of 2011.

| Working environment |

The absence of an effective legal and normative framework governing refugee protection in some parts of South-East Asia made it challenging to preserve and strengthen protection space in 2011. Disparities in asylum practices and asylum conditions among countries in the Asia-Pacific region as a whole aggravated the problem of onward movements, as asylum-seekers sought to reach countries where they would have better chances of having their protection needs met and finding durable solutions. Another feature which has exacerbated the situation is the presence of many smuggling and trafficking rings.

The prevalence of mixed-migration movements in South-East Asia has led to a blurring of the distinction between asylum-seekers and migrants in the region. States continue to give priority to national security concerns and the fight against irregular migration. However, they are increasingly prepared to recognize that irregular population movements cannot be addressed unilaterally or through bilateral arrangements alone. The Regional Cooperation Framework agreed to by the Bali Process is expected to provide a platform for practical cooperation on addressing refugee needs and irregular movements in the region.

| Achievements and impact |

UNHCR strove to improve the protection space in South-East Asia for all persons of concern by advocating for access to asylum and respect for the principle of *non-refoulement*. Addressing onward movements and the harmonization of asylum practices were key elements of this approach. UNHCR also advocated for alternatives to detention for asylum-seekers and refugees, better access to livelihoods for urban refugees, and measures to reduce statelessness.

Progress was made within the Bali Process towards the adoption of a regional cooperative approach to irregular movements. States agreed to move forward with the implementation of the RCF, which was endorsed at the fourth Bali Ministerial Conference in March 2011, by establishing a Regional Support Office. This will operate under the direction of the co-chairs of the Bali Process, in consultation with UNHCR and the International Organization for Migration. Throughout the discussions, UNHCR played an important advocacy role by calling for the inclusion of core protection principles and practices as an integral part of regional cooperation arrangements under the RCF.

The increasing use of immigration detention facilities in South-East Asia to hold refugees and asylum-seekers, including children and other vulnerable groups, has become a worrying trend. UNHCR observed an increase in the number of persons of concern in detention in countries such as Thailand and Indonesia.

Following a proposal presented by UNHCR at a plenary meeting of the ASEAN Intergovernmental Commission on



Human Rights (AICHR), a workshop on statelessness was held in Manila in November 2011, attended by eight of the ten ASEAN countries. Among the workshop recommendations was the suggestion that AICHR engage with international organizations and other stakeholders to conduct a study on nationality laws and map stateless populations.

The Philippines ratified the 1954 Convention relating to the Status of Stateless Persons. The Government is in the process of developing a national statelessness determination procedure and regulations to guarantee the rights under the Convention.

Efforts to reduce statelessness continued in Viet Nam, where a large number of stateless persons acquired Vietnamese citizenship through a naturalization process. More than 9,000 persons are expected to benefit from the process in the coming years, including Vietnamese women who lost their citizenship through marriage to foreigners.

| Constraints |

Government concerns relating to national security and irregular migration continued to constrain efforts to promote refugee protection in South-East Asia. The lack of national legal frameworks for dealing with refugees and asylum-seekers in many countries in the subregion

remained a major protection challenge. Many urban refugees faced difficulties in their daily lives due to a lack of legal status, limited livelihood opportunities and insufficient access to social services.

UNHCR's efforts to expand humanitarian space for Muslim residents of Myanmar's northern Rakhine State, both in their country of origin and in countries of asylum, remained constrained. In Bangladesh, negative public attitudes towards refugees hindered attempts to address the situation of an estimated 200,000 undocumented persons from Myanmar residing outside camps who are of concern to UNHCR. A development approach aimed at combating poverty in the refugee-hosting area and attaining more equitable living conditions for persons of concern, as well as the host population, is pending approval by the Government of Bangladesh.

Operations

UNHCR's operations in **Myanmar** and **Thailand** are covered in separate chapters.

In **Bangladesh**, UNHCR continued its protection and assistance programmes, benefiting 29,000 refugees from Myanmar's northern Rakhine State residing in two camps in Cox's Bazar and small numbers of refugees and asylum-seekers in urban areas. Conditions for the population in the camps continued to improve, particularly with regard to the prevalence of severe acute malnutrition (SAM), which dropped from 1.7 per cent in 2010 to 1.0 per

cent in 2011, and the occurrence of anaemia, which declined from 48.8 per cent to 36.5 per cent. However, the latest survey revealed a deterioration in the global acute malnutrition rate, which rose from 14.6 per cent in 2010 to 16.6 per cent in 2011.

In **Cambodia**, following successful implementation of the 2005 Memorandum of Understanding between Cambodia, Viet Nam and UNHCR, the last group of Montagnard refugees was voluntarily repatriated in July 2011, bringing to an end the seven-year old programme for this population.

UNHCR continued its efforts to help build the capacity of the Government to manage asylum procedures. Following the passing of domestic refugee legislation in December 2009, the Government assumed full responsibility for these functions. Progress was made in the development of a national asylum system, and the Refugee Office of Cambodia continued to register asylum-seekers and adjudicate cases.

In **Indonesia**, UNHCR remained the primary provider of protection for refugees and asylum-seekers, undertaking responsibility for registration, refugee status determination (RSD) and the search for durable solutions. The Office strengthened cooperation with the authorities by continuing to undertake capacity-building activities and conducting more than 20 training sessions on refugee law and RSD. Awareness-raising activities were also carried out, benefiting Government officials, academia and civil society. In order to respond effectively to the steady growth in new arrivals, UNHCR maintained its protection presence in strategic locations across the archipelago and reinforced its capacity in RSD, resettlement and community services.

Budget and expenditure in South-East Asia | USD

Country		PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 3 Reintegration projects	PILLAR 4 IDP projects	Total
Bangladesh	Budget	10,321,295	27,322	0	0	10,348,617
	Expenditure	6,772,902	18,321	0	0	6,791,223
Cambodia	Budget	1,114,725	64,641	0	0	1,179,366
	Expenditure	666,810	28,108	0	0	694,918
Indonesia	Budget	6,810,351	387,019	0	0	7,197,370
	Expenditure	3,183,065	259,784	0	0	3,442,849
Malaysia	Budget	16,147,088	399,752	0	0	16,546,840
	Expenditure	8,049,633	135,852	0	0	8,185,485
Myanmar	Budget	340,000	11,414,196	0	6,045,185	17,799,381
	Expenditure	0	6,713,780	0	4,848,273	11,562,053
Philippines	Budget	764,337	1,111,905	0	8,322,483	10,198,725
	Expenditure	760,194	313,747	0	3,026,240	4,100,181
Thailand Regional Office¹	Budget	24,592,481	988,878	0	0	25,581,359
	Expenditure	15,776,249	588,055	0	0	16,364,304
Timor Leste	Budget	569,174	78,826	0	0	648,000
	Expenditure	357,818	57,502	0	0	415,320
Viet Nam	Budget	9,000	263,808	377,372	0	650,180
	Expenditure	0	239,614	153,242	0	392,856
Total budget		60,668,451	14,736,347	377,372	14,367,668	90,149,838
Total expenditure		35,566,671	8,354,763	153,242	7,874,513	51,949,189

¹Includes the Office of the Regional Coordinator which provides support to 12 countries in the subregion.

In 2011, **Malaysia** and Australia agreed on an arrangement to provide for the transfer of 800 persons seeking international protection from Australia to Malaysia, in exchange for an additional 1,000 resettlement places in Australia for refugees in Malaysia. The Australia-Malaysia Arrangement on transfer and resettlement attracted significant media attention as well as concern from the human rights community. However, no transfers from Australia to Malaysia took place in 2011 as an Australian High Court decision found the arrangement unlawful under the 1958 Migration Act. Only the resettlement part of the agreement, which foresees an additional 1,000 places being made available in Australia over the next four years, is currently being implemented.

Significant achievements in 2011 included the improvement of working relations with the Government of Malaysia and a reduction in the number of arrests of asylum-seekers and refugees. There was an increase in the rate of release of persons of concern, including through verification prior to detention, and high levels of registration and RSD. The number of children participating in the education programme grew significantly in 2011, as did support for refugee communities through empowerment training and other initiatives, including direct support through the Social Protection Fund.

In the **Philippines**, UNHCR continued to co-lead with the Government the Protection Cluster in Mindanao, addressing the protection needs of internally displaced persons (IDPs) in the province. Towards the end of the year, UNHCR had to expand the IDP programme in northern Mindanao, where a tropical storm led to displacement, including of those previously displaced by armed conflict in the area.

Assistance was provided by UNHCR, including the provision of civil documentation, the building of community relations so as to improve protection of the displaced, and the implementation of quick impact projects to help returnees restart their livelihoods. UNHCR also piloted a displacement tracking and protection monitoring system servicing the Protection Cluster, and the Commission on Human Rights of the Philippines. Some 150 refugees were assisted under the Emergency Transit Mechanism, with 140 onward departures for resettlement countries.

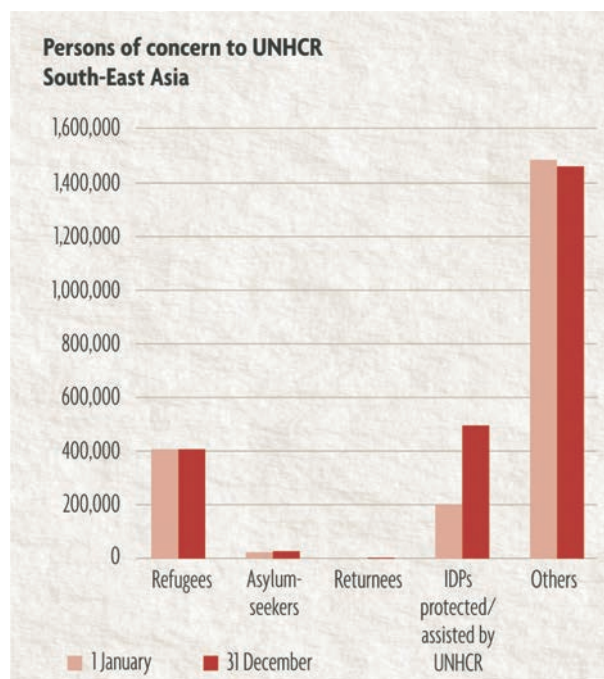
In **Timor-Leste**, progress was made towards establishing a refugee admission mechanism and improving the Government's capacity to conduct RSD in accordance with international standards. UNHCR closed its office in Dili at

the end of 2011; its Regional Office in Thailand has taken over refugee protection activities in Timor-Leste to build the Government's capacity in the areas of asylum and statelessness.

In **Viet Nam**, close to 1,000 former Cambodian refugees from a camp previously assisted by UNHCR acquired Vietnamese citizenship through a naturalization process. In the central highlands, community-based education projects were implemented in the areas where the Montagnard refugees from Cambodia returned.

Financial information

Of the total requirements delineated in the comprehensive needs assessment, 37 per cent were met by the contributions earmarked for UNHCR operations in South-East Asia. These contributions helped meet about 60 per cent of the prioritized activities in the subregion, while unearmarked funding covered the rest. Though the level of funding enabled UNHCR to maintain its processing capacity in South-East Asia, it was not enough to address backlogs. Moreover, the funding level made prioritization of human resources necessary.



Voluntary contributions to South-East Asia | USD

Earmarking / Donor	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 4 IDP projects	All pillars	Total
SOUTH-EAST ASIA SUBREGION					
United States of America				5,850,000	5,850,000
South-East Asia subtotal	0	0	0	5,850,000	5,850,000
BANGLADESH					
Australia	456,988				456,988
Canada				203,874	203,874
Espana con ACNUR				28,896	28,896
European Union	1,333,333				1,333,333
Japan				369,322	369,322
IKEA Foundation	1,744,462				1,744,462
Fast Retailing Co., Ltd. (UNIQLO)	365,217				365,217
Bangladesh subtotal	3,900,001	0	0	602,091	4,502,092
INDONESIA					
Australia	759,409				759,409
Indonesia subtotal	759,409	0	0	0	759,409
MALAYSIA					
Australia	407,168				407,168
Private donors in Malaysia	1,976				1,976
Private donors in Switzerland				173	173
United States of America	700,000				700,000
Malaysia subtotal	1,109,144	0	0	173	1,109,317
MYANMAR					
Australia			694,726	3,743,316	4,438,042
Canada				356,779	356,779
CERF			577,796		577,796
Charities Aid Foundation				2,441	2,441
European Union		1,037,037	1,001,431		2,038,468
Japan				861,751	861,751
Sweden		1,678,342			1,678,342
UN Trust Fund for Human Security		888,100			888,100
Myanmar subtotal	0	3,603,479	2,273,953	4,964,286	10,841,718
PHILIPPINES					
CERF			1,000,002		1,000,002
Lebara Foundation	141,443				141,443
Japan				369,322	369,322
Spain			493,827		493,827
Philippines subtotal	141,443	0	1,493,829	369,322	2,004,594
THAILAND REGIONAL OFFICE					
European Union	2,069,868				2,069,868
Japan				1,231,072	1,231,072
Luxembourg				459,921	459,921
Private donors in China				36,574	36,574
Private donors in Thailand				3,330,039	3,330,039
Switzerland				430,108	430,108
UN Programme on HIV and AIDS	190,634				190,634
UN Trust Fund for Human Security	136,710				136,710
Thailand Regional Office subtotal	2,397,212	0	0	5,487,714	7,884,926
VIET NAM					
European Union		103,417			103,417
Viet Nam subtotal	0	103,417	0	0	103,417
Total	8,307,208	3,706,896	3,767,782	17,273,586	33,055,472