



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Japan

Planning Year: 2006

Part I: OVERVIEW

1. Protection and socio-economic operational environment

Overall

Since UNHCR opened its office in Tokyo (RO Tokyo) in late 1970's, the focus of its programme derived from the important position of Japan as being one of the largest government donor and its potential to become a humanitarian leader in the Asia-Pacific region. For more than a decade, Japan has maintained the position of being the second largest donor of UNHCR and, correspondingly, the expectation of the international community that Japan pays its share of the burden in hosting refugees has grown stronger. Within the UN system, the Government of Japan (GOJ) has expressed readiness to carry more responsibility, for example, by becoming an active member of the Security Council and advocating the concept of "Human Security". The GOJ is strongly supporting the UN Reform process. The recent decline in the ODA budget, with the increase in the assessed contribution to the UN, has drastically reduced the GOJ's voluntary contribution to all UN agencies. Under the theme of "International Peace Cooperation", Japan has provided significant financial support to the post-conflict recovery of Afghanistan and Iraq. The Self-Defence Force troops are participating in the peace-building phase of these countries. Most recently, Japan took the lead in assisting the countries affected by the Indian Ocean Earthquake-Tsunami of December 2004.

Protection and assistance

Japan acceded to the 1951 Convention in 1981 and the 1967 Protocol in 1982 and has established asylum procedures. With the exception of the admission of some 11,000 Indo-Chinese refugees since 1975 in the context of the Comprehensive Plan of Action (CPA), Japan has been receiving a small number of asylum applications (3, 544 people applied for asylum between 1982 and 2004). This may be partly explained by geographic reasons, but also by strict immigration control measures. To date, Japan hosts 330 Convention refugees; approximately half of them are Indochinese refugees from the CPA period. In addition, 284 rejected asylum-seekers were allowed to remain on humanitarian grounds. The majority of urban refugees and asylum-seekers is mainly from Myanmar, Turkey, China, and some African countries. The number of asylum-seekers per annum, while relatively low, has been regularly increasing over the years. It is expected that this trend will continue in the coming years.

In addition to the revision of the Immigration Control and Refugee Recognition Act in 2004, the Government continues to tackle illegal immigration through tighter enforcement of deportation orders. The amended Act, which will enter into force in June 2005, will provide asylum-seekers with a temporary permit pending the outcome of their claim. The reform also introduced an advisory panel in the administrative appeal instance, without, however, establishing an independent appeal body. Reception conditions for asylum-seekers have been recently established, with the increased funding by the Ministry of Foreign Affairs (MOFA) of a small-scale reception/ shelter programme. Convention refugees are provided with long-term immigration status, which entitles them to social security and health insurance, as well as the right to work. UNHCR continues to have a dialogue with the GOJ, in particular in issues, such as the transparency of asylum decisions, access to free of charge legal counselling, respect of confidentiality principles in asylum procedures, and burden sharing in the form of resettlement intake.

UNHCR continues to undertake protection monitoring from admission stage to local integration, advocacy, refugee law training, support to domestic NGOs and promotion of resettlement as a burden-sharing tool. The Office maintains contacts with the Ministry of Justice (MOJ) and closely monitors the refugee status determination

procedures. The lack of durable solutions for a group of mandate refugees highlighted the need for enhanced cooperation in the context of UNHCR's supervisory function deriving from Article 35 of the 1951 Convention. Also, persons determined by Japan not to be in need of international protection, such as Afghans, require special measures based on humanitarian considerations pending their safe and voluntary return to Afghanistan. UNHCR continues to promote the primacy of voluntary repatriation, the provision of a return assistance package to those willing to return and special consideration for compelling humanitarian cases.

Official fund raising and partnership

The interest of the GOJ to use the reformed UN system as an arena to advocate international peace and cooperation and themes, such as Human Security and Empowerment of refugees, provides UNHCR strong justification to construct closer ties with Japan, particularly in the field of durable solutions and prevention. Therefore, since 2004, UNHCR has enhanced its relationship with the GOJ from a donor-recipient relationship to a partnership at all levels. Under this new approach, RO Tokyo, in collaboration with Headquarters (HQs), will continue to increase its contacts with various actors, including Parliamentarians. Through close contacts between UNHCR field and Japanese Embassies, there is recognition of the importance of UNHCR's field presence and support to Japanese NGOs. The efforts to give visibility to Japanese contributions to field operations and timely reporting on priority projects funded by Japan are also being enhanced.

PI-PSFR-J4U

Media interest in refugees is relatively low in Japan. Increased efforts to raise this level are being undertaken. In addition, during the past few years, RO Tokyo has been establishing new contacts with non-traditional supporters. These include new NGOs, companies, educational institutions, religious organizations, academics and individuals. The internet and RO Tokyo's web site have been instrumental for this approach. In addition, concerns raised by humanitarian opinion leaders in favour of improving the domestic asylum situation have frequently been taken up by the media. As a result, the acronym "UNHCR" has gained popularity. UNHCR, with a clear mandate, is appreciated as the only UN agency in Japan having both a protection and fund raising function. RO Tokyo takes advantage of this public image and works on sensitizing the public to support the GOJ to share the burden of the international community. In the field of private sector fund raising, the Japan Association for UNHCR (J4U) is gradually taking over RO Tokyo's fund raising work. Since it is foreseen that, from 2006, J4U will become financially self-sustaining, RO Tokyo will need to ensure that J4U management establishes a well planned strategy to increase private sector contributions. With increased fund raising from individual supporters, J4U is expected to become more involved in public awareness activities addressing the general public, while RO Tokyo will focus more on the media and relationship with special groups.

The **eCentre** in RO Tokyo is an important asset as it facilitates the strengthening of relations with UNHCR's operational partners in Japan and the Asia-Pacific region. It will continue to function in 2006 in Tokyo and, aside from the programme planning, implementation and administration, will be linked to the Emergency and Security Service (ESS), Headquarters. (See ESS 2006 COP.)

2. Operational goals

Protection

The 2006 programme will continue to focus on monitoring and capacity-building activities aimed at promoting fair asylum procedures, adequate reception arrangements for asylum-seekers, alternatives to detention, complementary forms of

protection, as well as the creation of a resettlement intake programme. One of UNHCR's priorities will be to exercise its supervisory function on refugee status determination procedures in full cooperation with the authorities and the civil society. UNHCR will also continue to promote a consolidated asylum procedure whereby criteria for providing complementary forms of protection are clearly defined and differentiated from immigration considerations. UNHCR will work closely with MOJ and MOFA to ensure that international standards are taken in consideration into policy decisions and at implementation level. Enhanced exchanges with key Parliamentarians and other influential actors will also be crucial in achieving these goals.

As for reception conditions and assistance to refugees, in particular social counselling and legal assistance, UNHCR Protection staff will be in charge of supervising the assistance provided through the Japan Association for Refugees (JAR), and the International Social Services – Japan (ISSJ).

In consultation with the GOJ and relevant NGOs, where appropriate, specific objectives will be to:

- Monitor policy developments on asylum and reception issues, and provide advice to the government to ensure that the rights of refugees and asylum-seekers are adequately taken into account.
- Monitor the implementation of these efforts through provision of advice on individual cases, ensuring that the assessment of claims on their merits and the procedure are fair and efficient at all stages.
- Actively promote the creation of a resettlement programme in Japan.
- In collaboration with PI, increase public support for refugees through dissemination of accurate information on the asylum situation in Japan, advocacy, public information, and public awareness and private sector fund raising activities.
- Promote the establishment of a free of charge legal counselling programme and support networks of information.

Official fund raising and partnership

The ODA Charter (August 2003) established Japan's new ODA policy which favours bilateral aid. The budgeted level of funding for the UN agencies is no longer related to the size of the total budget of an agency or to the urgency of funding. For UNHCR, the general benchmark used to be 10-15 per cent of the total budget..

In close consultation with HQs, RO Tokyo will foster the partnership and contacts with MOFA, the Parliamentary League for UNHCR and individual Parliamentarians to secure high levels of stable funding, particularly, the core contribution, grant aid, JPO programmes and also, through the Trust Fund for Human Security, of refugee programmes globally. Furthermore, RO Tokyo will continue to ensure more funding for programmes in Africa. Some concrete activities foreseen are;

- Arrange field visits by Parliamentarians.
- Ensure enhanced visibility and publicity to Japanese contributions.
- Establish partnership between selected Japanese Embassies and UNHCR Field Offices (FOs).
- Collaborate with the GOJ to ensure timely and detailed funding submissions.
- Facilitate an active role of the GOJ in Convention Plus and other policies related to durable solutions.
- Make effective use of high level missions and bilateral consultations between UNHCR and the GOJ.

PI activities and Private Sector Fundraising (PSFR)

RO Tokyo's PI activities in 2006 will continue to focus on (1) increasing the support of the civil society for Japan to share the burden of refugee protection and assistance of the international community and (2) enhancing the visibility of UNHCR-Japan

partnership in Japan and in the field. In this regard, close consultations with the GOJ are required. Given the very limited funding, RO Tokyo will seek co-sponsors and the collaboration of J4U. All PI activities, particularly media relations, will be seen from the angle of contributing to UNHCR-Japan partnership, enhancing the protection of refugees and increasing fund raising opportunities. Such activities include;

- Increase the visibility of Japanese contributions in Japan, UNHCR, refugee situations and empowerment of refugees (including in Japan), and the identification of subject audiences and tools for such a strategy.
- Seek to establish direct contacts with newspaper editors and columnists of monthly magazines.
- Monitor and support the private sector fund raising activities undertaken by J4U, taking into consideration the need for it to become self-sufficient in 2006.
- Promote the expansion of World Refugee Day (WRD) campaign that started in 2005, and identify potential donors and PI sponsors. UNHCR staff will give public appearances and contribute to publications in Japan.
- Provide the necessary support to J4U to take on basic public awareness activities in order to allow RO Tokyo to devote more attention to media relations.

In order to increase the operational and managerial capacity of Japanese and Asian individuals and organizations, including NGOs, the eCentre will continue to offer training and capacity building, The Workshop for media, to be held for the first time in 2005, will be replicated in 2006. Through UNHCR's partnership with JICA, the eCentre will offer the JICA staff and others the opportunity to be trained in staff safety.