

REGIONAL STRATEGIC PRESENTATION SUMMARY
41ST MEETING OF THE STANDING COMMITTEE
(4–6 March 2008)

Bureau for Asia and the Pacific

Part A: Introduction

Current challenges

In relation to the key challenges described in UNHCR's Global Appeal for 2008-2009, the Bureau has focused in particular on the following areas:

- Resolving protracted refugee situations through comprehensive solutions, notably for the Afghan situation and for camp-based refugee populations in Bangladesh, Nepal and Thailand. Preserving and building asylum space, often in environments in which national security considerations tend to be prioritized by hosting States. In some countries, providing asylum can sometimes be considered as a hostile act towards friendly neighbours and the arrest/detention of refugees and/or asylum-seekers is of broad concern.
- Ensuring protection for people in need of international protection in mixed migratory movements, which are on the increase in the region. In view of related human trafficking and smuggling concerns, all offices are developing activities to feed into a broader regional strategy to address composite flows.
- Preventing *refoulement* of persons of concern will remain one of UNHCR's foremost priorities in the region.

Other current concerns in the region include:

- Security, which remains a significant challenge, most notably in Afghanistan, Pakistan and Sri Lanka, limiting access to persons of concern and necessitating increased measures for the safety and security of staff.
- As a result of new developments, e.g. an increase in resettlement activities in Nepal and larger than anticipated return and displacement figures in Sri Lanka, the Bureau has had to revise its budgetary planning assumptions and seek additional support as required to ensure that all core mandate activities continue to be carried out.

Organizational strategy

In support of the overall Bureau strategy and the ongoing regionalization and decentralization processes, the structure of the Bureau is being realigned following the integration of Central and South-west Asia. This includes the following developments:

- UNHCR's office in Almaty has been delegated responsibility to provide and coordinate support services closer to UNHCR country offices in Central Asia.
- The responsibilities of the regional office in Bangkok are being expanded to cover all ASEAN countries plus Bangladesh (scheduled to be implemented in 2009), with other existing regional offices being maintained in Beijing and Canberra.
- A strengthened coordination mechanism has been established in Kabul for the Afghan situation.

Part B: Progress on UNHCR's Global Strategic Objectives

Preserving and building asylum space

Preserving the protection space for **Afghans** in host countries continues to demand considerable efforts, particularly in view of the deteriorating security situation and the recognition that much more progress is required to enable the sustainability of returns on any significant scale.

- The declaration of a number of provinces in the **Islamic Republic of Iran** as “no-go areas” for foreigners will also have major implications for tens of thousands of Afghans residing in those provinces. UNHCR has informed the Iranian Government that it does not support the plan to move these persons to camps (scheduled to commence in spring 2008) but stands ready to explore alternative types of assistance other than camps.
- The Office has welcomed the decision by the Government to embark on an exercise to renew Afghan refugee registration cards and link them to work permits, and is committed to supporting the process to ensure that all Afghan refugees are able to benefit from the proposed changes and that they result in a more secure and predictable residency / asylum status in the Islamic Republic of Iran.

In **Pakistan**, UNHCR is advocating for a review of the Government of Pakistan's Three-year Plan, which foresees an ambitious accelerated schedule for the return of all registered Afghans by the end of 2009.

- The Office is in favour of an approach that takes into consideration the conditions in Afghanistan and the composition and characteristics of the Afghan population in Pakistan.
- With regard to the four camps for which closure was foreseen and agreed upon during 2007, UNHCR will work with both Governments through the tripartite agreement mechanism to ensure that the principles of voluntariness and gradualism are respected, and that viable relocation options are identified for those unable or unwilling to return to Afghanistan.
- A new two-year project called “Registration Information Project for Afghan Citizens” (RIPAC) will enable UNHCR to update existing registration information, profile some 120,000 registered Afghan households whose family members are at heightened risk, and devise solutions for them.

In **China**, UNHCR is continuing its efforts to:

- Identify durable solutions for persons of concern with a particular focus on facilitating early resettlement for strong protection cases;
- Work with the relevant authorities to mitigate the consequences on refugees and other people of concern of security precautions in the lead-up to the Olympic Games;
- See the finalization of the draft refugee regulations in 2008.

In **Thailand**, the arrest and prolonged detention of urban cases and other persons of concern are issues that UNHCR continues to address with relevant authorities.

- Despite repeated calls for their release and assurances of durable solutions, a group of 149 Lao Hmong refugees, including 90 children, has been detained since December 2006.
- UNHCR has welcomed the current moves by the authorities to conduct a screening for some 7,000 Lao Hmong residing in Petchaboun, and is urging that this be carried out in accordance with international standards and criteria.

Given the fragile situation in the South-east and in the Northern Rakhine State (NRS) of **Myanmar**, UNHCR's activities remain very necessary for the populations of concern. Current developments include:

- The Government is now proceeding with the distribution of temporary registration certificates to residents of NRS, which may be the first step toward the improvement of the legal status of this population.
- Access to the Muslim residents of NRS is more necessary than ever, as is UNHCR's presence in order to assist affected communities in the South-east.

In **Central Asia**, access to asylum continues to be restricted in many situations:

- In some cases, asylum claims are determined according to national security interests as opposed to international legal standards.
- As a result of regional political developments, there has been an upward trend in the number of asylum-seekers from within the region, resulting in an increased number of politicized cases, and necessitating additional protection interventions by UNHCR offices.
- Significant progress has been made with the Government of **Kazakhstan** in the drafting of national refugee legislation, which, it is hoped will be presented for discussion in Parliament and adopted in the course of 2008.

UNHCR's Regional Office in **Australia** has started an ambitious programme of protection capacity building in the Pacific region, aimed at ensuring knowledge of international principles and instruments, as well as access to refugee status determination (RSD) procedures. UNHCR also very much welcomes the decision taken by the Government of Australia to close its offshore processing centres in Nauru and Papua New Guinea.

Both **Indonesia and Mongolia** have indicated their intention to accede to the 1951 Convention relating to the Status of Refugees and to its 1967 Protocol.

Developing comprehensive solutions

In **Thailand**, coordinated efforts involving all stakeholders are being pursued to identify solutions for the situation of Myanmar refugees. In addition to large-scale group resettlement, which included over 14,600 individuals being resettled from Thailand in 2007 (mostly refugees from Myanmar), UNHCR is looking forward to new opportunities for access to education and employment for camp-based refugees.

Recognizing the importance of comprehensive registration for achieving durable solutions, in **Bangladesh**, individual ID and ration cards have been introduced to replace family books for Rohingya refugees, with distribution expected to begin in March.

- As a first step towards resolving this protracted situation, UNHCR has engaged with a number of resettlement countries which have offered places for persons with specific needs.
- Bangladesh's inclusion in the High Commissioner's Initiative for Protracted Refugee Situations should also support ongoing efforts by the Steering Group in Bangladesh to promote a comprehensive solution to the protracted situation of Rohingya refugees. This will include continuing to mobilize resources to improve the conditions within the camps as well as to provide development support to the surrounding communities.
- The High Commissioner's forthcoming visit to the country will hopefully provide the necessary impetus to identify a strategy for comprehensive solutions for this population, many of whom have been in camps for more than 15 years.

In **Nepal**, a core group of countries has been pursuing efforts to identify solutions for refugees. Thanks to the cooperation of the Government of Nepal, progress has been made on a number of important fronts:

- A comprehensive registration exercise (with the distribution of ID cards expected to be completed in April 2008); increased security in the camps; and the approval of large-scale group resettlement by the Government of Nepal, including recently endorsed accelerated procedures for exit permits for resettling refugees.
- With a number of countries having confirmed their interest in receiving resettlement submissions, it is expected that the majority of the population will be able to benefit from this solution should they choose to.
- At the same time, UNHCR and all concerned stakeholders continue to pursue other options for the refugees.

UNHCR has developed a two-year strategy for refugees in **Papua New Guinea** with the aim of:

- Shifting the programme away from the continuous provision of assistance to enabling skills development and livelihood opportunities;
- Ensuring that refugee needs are incorporated within national development plans;
- Empowering and mobilizing refugee women as key actors in shaping the future of their communities.

In **India**, the strategic use of resettlement for Afghans has provided an initial opportunity for the naturalization of Afghans of Hindu and Sikh ethnicity.

In **Sri Lanka**, following the reduction of hostilities in the east of the country:

- The Government has organized the return of some 170,000 displaced persons to their original homes in Batticaloa and Trincomalee districts.
- UNHCR continues to work with the authorities and in coordination with relevant agencies to support their efforts and to ensure that appropriate conditions are in place for these returns.
- Issues of access and security remain of concern in the north, where recent developments have led to new displacement and created serious difficulties in terms of access.
- Within the context of the UN Country Team's efforts, UNHCR is adapting its response mechanisms to the evolving situation.

UNHCR and UNDP have submitted a project to the Government of **Tajikistan** for the local integration of the remaining 1,000 Afghan refugees in that country. A Government-established working group, including UNHCR, is considering the granting of a more permanent legal status to the Afghan refugees.

Until the security situation improves and unless national and international efforts are redoubled to support the reconstruction of **Afghanistan**, prospects for the return of registered Afghans beyond the levels of 2006 and 2007 remain limited.

- UNHCR's commitment to support the return and reintegration of registered Afghans, remains based on the protection principles of voluntary and gradual return.
- While over 5 million Afghans have returned since 2002, the relatively low numbers of UNHCR-assisted returns from Pakistan and the Islamic Republic of Iran in 2007 confirm that further mass returns are unlikely.

- Given the deteriorating security environment and limited absorption capacity in Afghanistan, as well as the profile of the remaining registered Afghans in the region – the majority of whom do not own land or homes in Afghanistan and have been in exile for over 20 years, with over half born outside their homeland – UNHCR will be working with the Governments and concerned stakeholders to review its planning assumptions and strategy for the coming period.
- The inclusion of the Afghan situation in the High Commissioner’s “Initiative for Protracted Refugee Situations” should help refocus efforts by both UNHCR and the international community to address the displacement of Afghans in the region. This may include strategic partnerships in countries of asylum, such as the “Refugee Affected and Hosting Area” (RAHA) programme in Pakistan and the joint programmes in the Islamic Republic of Iran, as well as the facilitation of assistance to the Government of Afghanistan through the Afghanistan National Development Strategy for areas of high return.
- UNHCR will adopt a flexible approach to support the return and reintegration of Afghans by focusing interventions on regions with the highest rate of return and enhancing targeted support to existing development initiatives in such regions.

In January 2008, UNHCR and **China** signed a handover agreement on the revolving fund-based credit scheme established in 1995 to assist Indochinese refugees and their hosting communities, thus ending UNHCR’s direct engagement with this population in China.

In what could be a significant contribution toward achieving durable solutions for refugees in all parts of the world, preliminary discussions are ongoing at governmental level for **Japan** to become a resettlement destination.

Part C: Conclusions

- Progress toward resolving **protracted refugee situations** can only be achieved through the combined efforts of the concerned host Governments and a number of different stakeholders. The support of the Executive Committee will be essential in this regard.
- **Preserving and expanding protection space** in a region characterized by large population movements and significant income disparities requires an equally broad engagement by partners to ensure that the rights of refugees and asylum-seekers are respected and that they are able to enjoy the dignity and respect that asylum is intended to offer. At the same time, it is important for UNHCR to continue to work with host States to ensure that their legitimate security concerns are respected and to continue to pursue strategic partnerships that will contribute to a more equitable **sharing of burdens**, so that **durable solutions** may be found effectively and rapidly for refugees in Asia.
- Recent events have again underlined the need to maintain the utmost vigilance with regard to **safety and security**. All UNHCR offices across the region have reviewed their security preparedness, with a number – particularly the offices in Afghanistan and Pakistan – having identified additional needs in order to meet enhanced minimum safety and security requirements. UNHCR will continue to rely on the support of the Committee to ensure that its staff are able to discharge their duties with the necessary guarantees for their safety in such challenging working environments.

UNHCR
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