

COUNTRY OPERATIONS PLAN 2002: SWAZILAND

PART I: Executive Committee Summary

The Office continues to follow its plan of action for the gradual phase-out in the Kingdom. The *exit plan* considered three core assumptions that called for specific strategies for its implementation in the areas of: (a) legal and institutional capacity development including promotion of accession (b) refocusing the programme from care and maintenance to a local integration approach, for just over 1000 urban refugees from different nationalities and (c) exploring residual administrative arrangement with either UNDP or other partners. In this respect, many tangible achievements have been recorded, most notably in the following areas:

The country acceded to three Conventions; namely, the 1951 UN Refugee Convention Relating to the Status of Refugees, the 1954 Convention on the Stateless persons and the 1961 Convention on the Reduction of Statelessness. Further, the government was assisted in the formulation of a draft national refugee legislation that is consistent with international standards. The bill was recently reviewed by the Cabinet and is expected to be tabled before parliament during the second half of this year.

Regarding programme's goals, much groundwork and important processes biased towards local integration have been covered. These include: (a) the winning over of the refugees in changing their attitudes by involving them in assuming responsibilities for their lives (b) the establishment of a revolving fund for small scale businesses (c) the signing of a three year agreement on the management of UNHCR revolving fund with an Implementing Partner, (d) the finalisation of a *service level agreement with NEDBANK*. NEDBANK forms part of the Loan Committee and assists in the review of loan proposals, as well as in the actual disbursement of loans to the refugees at zero cost to UNHCR. Further, a *refugee profile database* has also been developed and continues to be updated.

There are however, a number of crucial areas and actions that remain outstanding and will require the direct and deliberate involvement of UNHCR, so as to consolidate the processes. These include the implementation of the Goodwill Ambassador Programme (GWA). The GWA is expected to (a) reinforce the understanding of the refugee law through broader capacity and constituency building (b) assist in resource mobilisation, and (c) eventually become the *link* between the government and UNHCR. The issue of the *link* is necessary given the protocol formalities and demands in the Kingdom. It also remains crucial that the *Malindza crop production project* is implemented. The short-term objective of the initiative is the creation of employment opportunities for the refugees. The long-term objective is the generation of enough food for the refugees in the camp, thereby reducing direct costs for example in the food sector. Further, and in an effort to ensure the *sustainability of the initiative*, the *World University Services of Canada "WUSC"* has been approached to provide a Development Worker who will be attached to this initiative at zero cost to UNHCR.

In the meantime, and in an effort to address some of the concerns and challenges placed upon the protection regime, whilst at the same time consolidating gained efforts in the areas of protection and programme delivery, the following objectives for 2002 have been developed.

Objective No.1:

To provide and promote the delivery of international protection and assistance to refugees including the strengthening of local integration for the urban refugees, by consolidating the ideals of self-sufficiency through the reinforcing of the legal and institutional capacity development.

Objective No.2

Mainstream policy priorities in the programme delivery, with special emphasis on education, sexual reproductive health, HIV/Aids, security and welfare of refugee women, girls, youth and other vulnerable group. Further, a broad based youth support for HIV/Aids initiative will be reinforced and environmentally friendly practices and hygiene will be strengthened and implemented.

Objective 3:

Engage in a joint plan of action and resource mobilisation ventures through private sector fund-raising initiatives with core partners including the government.

Objective 4:

Through the *Goodwill Ambassador Programme*, reinforce the understanding of humanitarian action, peace agenda, the asylum institution and the plight and rights of refugees through advocacy and public awareness campaigns targeting the communities, traditional leaders, law makers and school children. Further and in conjunction with UNICEF, UNFPA and IOM, a human and refugee rights civic education initiative whose major thrust is intended to address *the "rights issues"* will be implemented.

Other Notable Challenges

For the past few years, the Kingdom of Swaziland has been undergoing many socio-political and economic difficulties. Calls for multiparty democracy continue to challenge the leadership. This situation is further compounded by high unemployment, increased security concerns, high level of intolerance and alarming rate of HIV/Aid infection. Understandably therefore, the priorities of the government have been directed towards combating these challenges that are aimed at ensuring the protection of the country's peace and people's livelihood.

Capacity of Government Officials and the Implementing Partner:

Further, the present capacity gap is expected to be reinforced once the draft refugee bill becomes operational. In this respect, by 2002, the Office would have completed the exercise of assisting the government in establishing the proposed structures in the *draft refugee bill* namely the (a) the national refugee eligibility committee (b) the national refugee appeals board and (c) the national refugee advisory board. It is also expected that the incumbents who will occupy the above-mentioned offices would have undergone an in-depth training on international refugee law. It is further envisaged that by end of 2002, the Implementing Partner would have consolidated their broad-based capacity, thereby enabling them not only to effectively deliver the programme activities, but also meet all other reporting requirements. Further, the IP is expected to have reinforced its resource mobilisation strategies.

Collaborative efforts with PARinAC and other UN Agencies

Issues of collaboration with extended partners and other UN Agencies shall continue to remain high on the agenda. Further, in 2002, the Office would have assisted PARinAC to establish its own *independent and functional secretariat*. The PARinAC spirit is expected to also play a pivotal role in resource mobilisation. The expertise of

the PARinAC Members in the areas of tracing, community development, child rights, conflict management and trauma healing will be reinforced.

In the meantime and within the UNDAF framework, the Office is expected to continue to benefit from the broader activities that fall within the ambit of other sister agencies. An example of inter-agency co-operation is the above mentioned *human and refugee rights civic education* whose major thrust is to address the “rights issues.”

The Rationale for Adjusting the “EXIT” Strategy Plan To December 2002

The principal objectives and rationale of requesting a review and possible adjustment to the current *exit plan to December 2002*, is necessitated by the following reasons:

The refugee programme in the country represents a core UNHCR responsibility. It is our conviction that the extension period for *exit* will allow UNHCR not only to address the gap in national capacity, but also consolidate the efforts thus far made in refocusing the programme from care and maintenance to local integration. Further, such a smart and practical move will also enable the Office to reinforce the PARinAC spirit and ideals with NGOs, civil society, and other relevant actors. The strengthening of the “gap” and “broad-based partnership” goals will no doubt yield greater dividends for an effective refugee status determination to be in place, whilst at the same time enabling the Office to consolidate its hub of refugee rights defenders and protectors.

Further, the current political context of the country requires to be taken into consideration. As previously alluded, Swaziland continues on its path to self-determination against a background of political and economic labour pains. Other constraints are the direct results of the instabilities in other parts of the continent, for they continue to have an effect on the Kingdom in many ways. These include ever-increasing illegal migration movements and the organised crime syndicates. It is worth noting that despite these socio-political challenges, the government remains committed to its obligations to the asylum institution, the cause of the refugees and the Office.