

COUNTRY OPERATIONS PLAN

Country: Swaziland

Planning Year: 2003

Prepared by: BO Pretoria

12 April 2002

PART I: Executive Summary:

(a) Context and beneficiary population

After almost 20 years of continuous presence in Swaziland, the UNHCR Branch Office in Mbabane was closed as of 30 September 2001. Protection and programme activities in the country now fall under the direct responsibility of BO Pretoria. In 2003, UNHCR's programme will continue to concentrate on legal and institutional capacity building in relation to the adoption of the new Refugee Bill, while redirecting the objective of the assistance programme from care and maintenance to self-reliance for some 150 camp based refugees. Protection support and limited assistance will also be extended to some 900 urban refugees who are self-settled.

Swaziland has acceded to 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. Existing national legislation (1978 Refugee Law) does not provide protection in line with international standards; however, with continued lobbying and advocacy efforts by UNHCR, it is expected that a draft Refugee Bill will be approved by parliament in 2002, thereby reinforcing the legal framework in accordance with international standards. However, substantial support will have to be extended to the government upon adoption of the Bill, particularly in reference to the establishment of a National Eligibility Committee, a National Refugee Appeals Board, a National Refugee Advisory Board, and a National Commissioner for Refugees, all of which are provided for under the draft Bill.

The closure of the UNHCR Liaison Office in Mbabane in 2001 has had serious repercussions for relations between the Government of Swaziland and UNHCR. This is due to the lack of implementation of a systematic, phased exit strategy and insufficient consultation with the government and the refugee community prior to closure. As a result, the refugee community has developed a level of distrust vis-à-vis UNHCR and has become even more resistant to the idea of integration in Swaziland, pressing, sometimes violently, for resettlement at any cost. In addition, the relationship between the government and the implementing partner CARITAS was sustained only through the concerted efforts of the former Head of Liaison Office; the government has shown a certain reluctance to accept CARITAS as a full partner in the absence of a regular presence of UNHCR. It is imperative that a renewed relationship with the authorities and the refugee community is fostered in 2002 as a prerequisite for the implementation of an effective self-reliance programme in 2003.

Towards the development of an appropriate self-reliance programme for the residents of Malindza camp, comprised of some 25 families (approximately 150 persons), a skills audit will be undertaken in 2002 in order to devise tailor-made assistance packages to promote self-reliance. The self-reliance programme implemented in 2003 will incorporate vocational skills training, English language courses, small business loans and other income generation activities. The assistance programme will also support the re-vitalisation of the Malindza crop production project, which will provide employment opportunities for the residents as well as develop a sustainable source of food for the camp. It is envisaged that this project will be undertaken in co-operation with a development worker from the World University Services of Canada (WUSC).

Assistance will also be provided to the self-settled population of some 900 refugees and asylum seekers to reinforce and strengthen their self-reliance. This assistance

will be in the form of business training, small business loans, job insertion activities and other support for income generation. Refugee "self-help" initiatives, such as the Swaziland Refugee Business Forum, will be supported and strengthened. In addition, emergency assistance will be provided to both the camp residents and needy persons among the self-settled population. Protection concerns will be communicated through CARITAS to the Branch Office for advice and intervention as needed. In addition, Programme and Protection staff from BOSA will undertake regular monitoring missions to ensure that the protection and assistance needs of the population of concern are met.

It is the goal of the Branch Office in Pretoria to assist the existing population of concern in Swaziland to become self-reliant or attain other appropriate durable solutions during 2002-2003, laying the groundwork for a phase out of UNHCR assistance in 2004.

As in previous years, CARITAS will remain the implementing partner in Swaziland. BOSA will also maintain close contacts with the government and other UN agencies.

In an effort to create the conditions for the partnership between UNHCR and Swazi civil society in general, as well as with government, to be maintained and further developed, the Office enlisted the co-operation of Senator Mrs Constance Simelane. The Honourable Senator Simelane has agreed to become UNHCR's Honorary Liaison for Swaziland, and the Office has prepared the formalisation of this very important arrangement. A Letter of Agreement was signed between UNHCR and Senator Simelane in October 2001.

(b) Selected programme Goals and Objectives

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| Name of Beneficiary Population Theme: Refugees and asylum seekers in Swaziland | |
| Main Goal : Refugees attain appropriate durable solutions, mainly through engaging in self-reliance activities | |
| Principal Objectives | Related Outputs |
| Strengthened legal and social framework which allows refugees to become self-reliant | <ul style="list-style-type: none"> • comprehensive self-reliance programme implemented • emergency assistance provided to needy refugees and asylum seekers pending their becoming self-reliant • education supported for refugee and asylum seeker children • training and support to government officials • regular training and support for implementing partner • existing broad based network of partnerships (PARinAC) maintained • continued efforts by the refugee youth group to combat the spread of HIV/AIDS |