

Working environment

The context

At the end of July 2008, Zambia was host to some 88,200 refugees. The majority, 52,300, were from the Democratic Republic of the Congo (DRC), while another 27,200 were from Angola. About 66 per cent of these refugees live in settlements and camps, and another 5 per cent in urban areas. The rest are spontaneously settled in different parts of the country, mainly along its borders with Angola and the DRC.

The Zambian authorities require refugees to reside in designated camps or settlements. Those refugees residing in urban areas must have special permission to do so. Zambian law does not allow refugees to obtain citizenship. However, the Government has indicated that it will grant permanent residence to some long-staying refugees.

The vast majority of refugees in settlements have been granted refugee status on a *prima facie* basis,

while others have been accepted as refugees on the basis of individual refugee status determination (RSD) conducted by the National Eligibility Committee.

Although Zambia is party to the 1951 Refugee Convention and its 1967 Protocol as well as the 1969 Convention of the Organization of African Unity, it maintains a reservation to the 1951 Convention with regard to the right of employment. In practice, however, refugees may be employed or self-employed. Nevertheless, legal restrictions on their freedom of movement limit their ability to work and achieve self-reliance, particularly for those living in the settlements and camps. Nonetheless, most urban refugees have attained some degree of self-sufficiency.

UNHCR has been advocating for the adoption of a new refugee law that would be in line with international protection principles. This law would include explicit prohibition of *refoulement*, provide for the right to documentation of refugees upon arrival, and clearly spell out the refugee status determination procedure.

The needs

UNHCR's programme in Zambia has been guided by joint planning sessions with refugees, as well as implementing and operational partners. Participatory needs assessments enable the Office to prioritize activities, in order to find sustainable solutions for the most pressing problems faced by refugees.

UNHCR relies on operational data and key standards and indicators to identify, verify and quantify needs. The main gaps are in the areas of legislation, documentation, freedom of movement, education, health, vocational training and livelihoods. Physical security has been identified as an important concern for urban refugees, many of whom also face pressure to leave urban areas. The promotion of self-reliance has been highlighted as an area requiring more efforts by all stakeholders.

Main objectives

- Improve the capacity of the Government and civil society to protect and assist refugees and asylum-seekers in accordance with international standards.
- Ensure that refugees and asylum-seekers have access to national social services, including education and health care.
- Find durable solutions for refugees, including voluntary repatriation in safety and dignity; local integration for those with few prospects of returning home; and resettlement for a limited number of individuals.
- Promote more flexible criteria for refugees to receive urban residence permits, which would allow them to work and benefit from health care services.
- Improve knowledge of refugee law among government officials, including immigration officers, Parliamentarians, members of the Refugee Status Determination Eligibility Committee, and the Sub-Committee on Urban Refugees.



Congolese refugee women carry food after a distribution in Kala camp.

UNHCR/K. Shimah

Planning figures					
Type of population	Origin	Jan 2009		Dec 2009	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Angola	23,060	17,760	17,860	16,220
	DRC	38,180	20,260	21,220	5,890
	Rwanda	4,080	3,160	4,060	3,120
	Various	12,520	4,730	12,510	4,560
Asylum-seekers	Various	40	40	40	40
Total		77,880	45,950	55,690	29,830

Key targets

- Refugees are not targets for violence.
- 1,270 refugees are resettled in third countries.
- 15,000 Congolese, 7,000 Angolans and 210 refugees of other nationalities are assisted to return home.
- Parliament passes a new refugee law.
- 1,900 Angolan refugees are granted permanent residence permits.
- A government-operated refugee registration system is fully operational.
- Refugees receive key documents such as birth certificates and marriage certificates on a regular basis.
- Angolan refugees improve their self-reliance by participating in income-generating activities.
- All refugees have access to basic and essential services such as health care and education.

Strategy and activities

UNHCR will seek durable solutions for Angolan refugees, including voluntary repatriation, local integration in Zambia, and limited resettlement, while also ensuring that refugees are protected and assisted as the operation winds down. In the Meheba and Mayukwayukwa settlements, UNHCR will focus on strengthening protection mechanisms, including registration, the issuance of documentation and access to justice through mobile courts.

In addition, UNHCR will maintain prevention and response mechanisms to address sexual and gender-based violence through a task force established for this purpose, while also ensuring the continued functioning of Victim Support Units, the HIV task force, multi-functional teams and neighbourhood watch groups. Individuals with specific needs will be identified and monitored to ensure they receive appropriate protection and assistance.

UNHCR will promote self-reliance among refugees to reduce the need for continued support in the education, health, agriculture, water and sanitation sectors. While resettlement opportunities for Angolan refugees are limited, UNHCR will continue to pursue this solution for those with specific protection needs.

UNHCR will facilitate the voluntary repatriation of Congolese refugees residing in the Kala and Mwange refugee camps. Refugees considering repatriation will receive information about the socio-economic conditions prevailing in the areas of return. Those opting to go home will be registered and transported to Katanga Province by road and ship. While these refugees are in Zambia, the Office will ensure that they receive basic assistance and services in education, water, sanitation and health.

Due to the progress achieved in facilitating voluntary repatriation, UNHCR will review the possibility of closing Mwange camp and merging the remaining population in Kala camp. It will also ensure sustainable environmental management in the refugee camps and their surroundings, including areas where camps have been closed.

While policies, requiring refugees to reside in camps, remain unchanged, UNHCR will encourage the Government to make the criteria for urban residence more flexible. This would benefit refugees by allowing them access to better medical assistance and more job opportunities.

Constraints

UNHCR views local integration as the most appropriate durable solution for many long-staying Angolan refugees, and has promoted both self-reliance and changes in the law to make it possible for them to gain permanent resident status. Although the Government has recently taken steps towards the revision of relevant laws, it has moved slowly because of political sensitivities related to the integration of refugees into Zambian society. As a result, the Angolan refugee population dependent on UNHCR has remained larger than expected.

Repatriation to the DRC began in May 2007. The goal was to help at least 20,000 Congolese refugees to return by the end of the year and another 20,000 by the end of 2008. But security problems in the main areas of return in Katanga Province during the second half of 2007 and other concerns among the refugees, such as the availability of services in areas of return and lack of money for school fees, have kept levels of return lower than projected. The slow pace of the repatriation has put an unexpected burden on the 2009 programme, as more refugees than planned for remain in the settlements.

Organization and implementation

UNHCR presence	
Number of offices	5
Total staff	94
International	9
National	49
JPOs	1
UNVs	29
Others	6

Coordination

UNHCR coordinates country-wide refugee assistance operations in collaboration with the Commissioner for Refugees of the Ministry of Home Affairs. The Office has 10 implementing partners: one local and three international NGOs as well as six government departments. UNHCR will also work closely with WFP and other UN agencies. As part of the UN Country Team, UNHCR will liaise with other UN agencies regarding issues of common interest and participate in the UN thematic groups on gender and HIV and AIDS. The Office will conduct joint programmes with UN agencies to improve the provision of targeted development assistance in refugee-affected areas.

Financial information

UNHCR's requirements increased significantly in 2006 due to the peak period in the Angolan repatriation. Since 2006, the budget has steadily declined. In 2009, the budget will increase again as a result of the Global Needs Assessment initiative, which will target unmet needs for USD 4.9 million.

Partners

Implementing partners

Government agencies: Commissioner for Refugees; District Water Department; District Health Department; District Community Services Department; District Education Department; District Agriculture Department

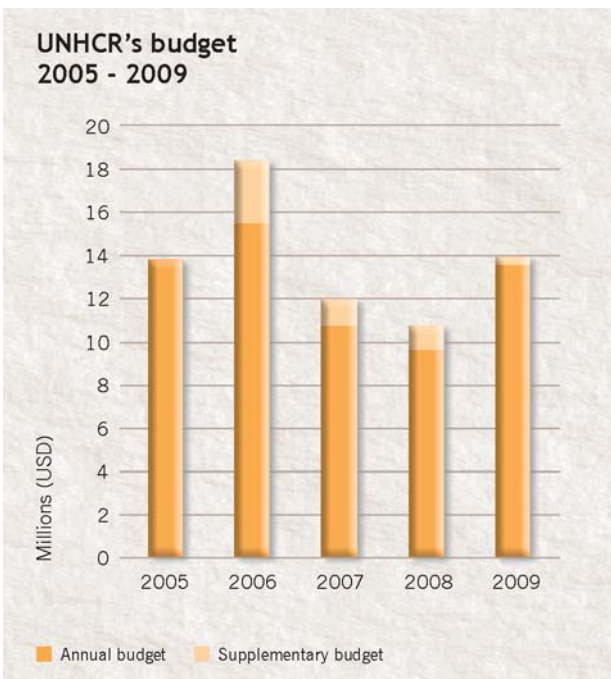
NGOs: Aktion Afrika Hilfe; Oxfam, World Vision International; Zambia Red Cross Society

Operational partners

Government agencies: Ministries of Foreign Affairs; Home Affairs; Health; and Education

NGOs: Facilitating Opportunities for Refugee Growth and Empowerment (FORGE)

Others: FAO, ILO, IFRC, IOM, UNFPA, UNICEF, WFP



Global Needs Assessment

Zambia was one of four UNHCR operations in Africa to pilot the Global Needs Assessment (GNA) initiative in 2008. Working with the Government of Zambia, refugees, and UN and NGO partners, the Office has succeeded in mapping a comprehensive profile of the refugee needs in the country.

The results of the assessment show that considerable additional resources are required to cover needs in the areas of food security, nutrition, malaria prevention and treatment, safe motherhood, HIV and AIDS prevention, primary health care, education and basic infrastructure. Sexual and gender-based violence and limited access to legal assistance and justice in camps are persistent problems requiring stronger responses. Another key challenge in 2009 will be to ensure the takeover by the Government of registration and documentation processes.

Community participation and self-reliance projects require more resources. There is a need to identify the legal and administrative constraints on refugees which restrict their self-reliance. There is also a need to promote refugees' economic independence through sustainable agriculture, aquaculture, micro-enterprise development, land use management and vocational skills training.

To meet all the needs in Zambia, the 2009 budget will include USD 4.9 million for unmet needs

identified by the GNA initiative. New GNA targets to improve basic services and expand solutions include:

- Strengthened refugee-related legislation which is fully in line with international protection standards;
- more government capacity to register and profile refugees and to provide them with essential documentation;
- improvement in police capacity to deal effectively with cases of violence and exploitation—particularly sexual and gender-based violence and violence against children—and to ensure access to justice through free legal advice and facilitation of mobile court sessions;
- better access to basic and essential services for refugees with specific needs, especially in the areas of food security, health, education, water and infrastructure;
- greater refugee participation in the management of refugee camps, through membership in general committees and task forces addressing issues such as sexual and gender-based violence and HIV and AIDS;
- more community mobilization through the involvement of refugee workers in the health and educational services offered in the camps; and
- an increase in participation by women and youth in refugee organizations, and elimination of discrimination on the basis of ethnic differences, gender or age.

Budget (USD)						
Activities and services	2008			2009		
	Annual budget	Supplementary budget ¹	Total	Annual budget	Supplementary budget Zimbabwe Situation	Total
Protection, monitoring and coordination	3,216,405	280,374	3,496,779	3,028,658	70,291	3,098,949
Community services	238,337	0	238,337	194,496	4,161	198,657
Crop production	62,700	0	62,700	121,377	0	121,377
Domestic needs	222,752	0	222,752	147,881	32,571	180,452
Education	224,087	0	224,087	146,459	0	146,459
Fisheries	27,856	0	27,856	29,616	0	29,616
Food	10,000	0	10,000	0	2,615	2,615
Forestry	20,957	0	20,957	29,877	0	29,877
Health	291,801	654,205	946,006	275,941	14,424	290,365
Income generation	194,204	0	194,204	181,817	0	181,817
Legal assistance	544,264	0	544,264	452,620	14,138	466,758
Livestock	6,000	0	6,000	13,386	0	13,386
Operational support (to agencies)	1,053,399	0	1,053,399	906,664	36,798	943,462
Sanitation	21,894	60,000	81,894	53,248	3,966	57,214
Shelter and infrastructure	115,201	0	115,201	141,999	13,990	155,989
Transport and logistics	847,544	0	847,544	951,301	30,000	981,301
Water	75,371	140,000	215,371	88,818	7,576	96,394
Global Needs Assessment	0	0	0	4,912,718	0	4,912,718
Total operations	7,172,772	1,134,579	8,307,351	11,676,876	230,530	11,907,406
Programme support	1,662,731	0	1,662,731	1,809,849	0	1,809,849
Total	8,835,503	1,134,579	9,970,082	13,486,725	230,530	13,717,255

¹ Includes supplementary programmes for the Zimbabwe Situation (USD 934,579) and water and sanitation activities (USD 200,000).

Note: Supplementary programme budgets exclude 7 per cent support costs that are recovered from contributions to meet indirect costs for UNHCR.