

Situation Operations Plan Gulf Countries

Part I. Executive Committee Summary

(a) Context and Beneficiary Population(s)

- **Political Context**

UNHCR's presence in Saudi Arabia goes back to 1987 when a Liaison Office was created for fund raising and public relations purposes. In the aftermath of the Gulf War and the civil uprising in Iraqi Southern provinces, the office was elevated to the level of the Branch Office in order to deal with the humanitarian emergency and to provide protection to the 33,000 Iraqi refugees in Rafha who were granted temporary asylum by Saudi Arabia. The office was able to sign an MOU with the Government in June 1993. In September 1998, as a result of KSA's prominent position in the Gulf region, and its increasing role in providing assistance to refugees and displaced persons world-wide, BO Riyadh became a Regional Co-ordination Centre (RCC) assigned with the role of co-ordinating and overseeing UNHCR operations and activities in the Gulf region.

RCC has since its creation, while continuing to seek durable solutions to the Iraqi remaining caseload (5,261 persons), re-oriented and expanded its role by extending UNHCR's protection mandate to new categories of refugees and reinforcing its promotion of Refugee Law and capacity building and fund raising activities. RCC has also started, within the implementation of its co-ordination role, to mobilise its resources with a view to enhancing UNHCR's capacities, promoting a common vision for a region which has its own historical, political, economical and cultural specificities and to draw the maximum benefit for the refugees in term of better protection conditions and understanding of their rights and of increased co-operation with UNHCR and funding of its operations world-wide. Some good results have been achieved, but a lot remain to be done in order to reach RCC's objectives. It is believed in this respect that further structural reinforcement of RCC's regional role will have tremendous impact on overall UNHCR's activities and presence in the region.

In April 2001, RCC was, as a result of Action 2 Review and the downsizing of OCM-Kuwait and LO-UAE, entrusted with the responsibility of covering fully and directly the whole Gulf region.

The Gulf countries play an important role in the Islamic and Arab affairs, this role is inter alia highlighted by the fact that they host major organizations like the Organization of the Islamic Conference (OIC) and the Islamic Development Bank (IDB).

Although not yet a signatory of the 1951 Convention, The Gulf countries have in consideration of the fact that a significantly large number of refugees of the world are of Muslim background, started in the past years to play a crucial role in assisting refugees and displaced persons worldwide. They have also showed increasing interest in major universal human rights instruments. In this respect, year 2000 has witnessed in particular the accession of KSA to the Convention on All Forms of Discrimination Against Women of 18 December 1979 and the establishment of a Committee on Accession to the 1951 Convention on Refugees.

It is worth mentioning that the Gulf countries, out of a total population of about 25 million, presently host some 10 million foreign workers, many of whom come from some refugee producing countries such as Afghanistan, Eritrea, Indonesia, Somalia, Sudan, Sri Lanka and the Mindanao region of the Philippines.

The Gulf countries remain preoccupied by the tense situation at the Kuwaiti/Iraqi border and the Kuwaiti Government is constantly concerned by the "Iraqi threat". The Kuwaiti authorities have in this respect expressed their concern as to a possibility of a massive influx of population from Iraq as a consequence of civil unrest and/or political uprising.

- **Security situation**

Co-operation exists between UNHCR and the local authorities in order to ensure the security and well-being of the urban asylum seekers and the refugees.

As for Rafha camp, its closeness from the Saudi-Iraqi border (12 kilometres) has caused a great deal of insecurity for the refugee population and concern for UNHCR. Infiltrators have been reported entering the camp for smuggling or intelligence purposes. Camp authorities have taken extra security measures in the recent past to address this problem, including the placement of extra lights around the camp, double fence as well as additional guards. UNHCR continues in its dialogue with the KSA authorities in improving camp security for the refugees while minimising as much as possible the impact on the refugees' daily lives.

- **Protection Issues**

Taking into consideration the fact that the Gulf countries are not party to any international or regional instruments relating to refugees and have no asylum policy, the protection issues which are or will be dealt with by RCC are mainly:

KSA

- The provision of protection and durable solutions to the Iraqi refugees in Rafha camp (5261 persons), who have been granted asylum by KSA on prima facie basis.
- The provision of protection and finding of durable solutions to increasing numbers of urban refugees.
- The monitoring of persons of concern to UNHCR (mainly Palestinians, Sudanese, Somalis, Eritreans, Afghans, etc.) who, after having been granted refugee status in their first countries of asylum, found job opportunities in KSA, but were not provided by GSA with any special treatment or services as refugees, and were dealt with as foreign workers requiring sponsorship. As these people are mainly irregular movers, RCC's role is devoted to protection in the form of prevention of deportation, renewal of CTDs and legal counselling.

Kuwait:

- The provision of protection to the 2776 refugees who have been recognised by UNHCR.
- The monitoring of the situation of 25,000 persons of concern mainly Iraqis, Somalis and Afghans and who may potentially find themselves in a refugee type situation.
- The monitoring with a view of counselling and undertaking of representational activities on behalf of the 931 Bedouins or stateless who are registered with UNHCR out of a total of 117,000 Bedouins.

UAE:

- The provision of protection to the 562 urban refugees who were recognised by UNHCR.
- The monitoring of situation of persons of concern to UNHCR with a view to prevent their deportation.

Other Gulf Countries.

- The provision of protection to the Palestinian refugees as well to newly recognised refugees and asylum seekers in Qatar, Bahrain and Oman.
- The monitoring of the situation of tens of thousands of persons of concern to UNHCR originating from refugee producing countries, including Somalia, Sudan, Afghanistan and Sri Lanka

- **UNHCR's role**

1. Local Capacity/institution building and refugee law promotion

Considering the role that the Gulf countries play in the Islamic and Arab world, as well their increasing role in assisting refugees world-wide and taking into account that they have yet no asylum policy, local capacity building and establishment of indigenous institution for refugee protection in the Gulf countries is of extreme importance. Therefore, RCC's strategic objective is primarily the strengthening of the Gulf countries' adherence to refugee law principles and the improvement of the protection conditions and ultimately the promulgation of domestic refugee laws and the accession to the 1951 Convention .

The continued and more focussed dialogue between UNHCR and the Gulf countries have led in the recent past to a better recognition by the later of UNHCR as a non-political humanitarian refugee agency. This has led also to an increasing understanding of refugee law principles and UNHCR's mandate among the government and NGOs staff . It has also led in particular in KSA to a growing interest in the accession to the 1951 Refugee Convention. Consequently, RCC will have to take benefit

of this momentum in order to make more tangible progress in the coming year towards the achievement of its strategic objective.

2. Public awareness and fund raising

The GCC region has an immense fund raising potential and is increasingly involved in the international humanitarian aid mainly through bilateral channels. Since the early nineties, the Gulf countries showed greater interest in assisting refugees world wide. During 1999-2000 for example, the Saudi government assistance to refugees and displaced persons reached USD 70 million in addition to USD121million contributed by six Gulf NGOs alone.

The Gulf countries humanitarian assistance to refugees remains mainly bilateral in character due to deeply rooted political perceptions and cultural practices. However, determined efforts supported by a long-term integrated approach can influence these trends and eventually expand the returns of the fund raising process in the region. Founded on this premise RCC's strategy in 2002 will capitalise on public awareness, additional UNHCR visibility, stronger presence and wider acceptance throughout the region in order to harness political and financial support to UNHCR programs.

Despite the fact that a sudden and substantial increase in government multilateral participation is not likely to occur in the short run, RCC will work within the proposed strategy to increase donor interest within local government. RCC will further develop its communication network to include governmental bodies that have direct links with the civil society and will seek, in co-ordination with HQ, the involvement of the Gulf countries' leadership.

Gulf NGOs have increased in number, capacity and social influence. Their interest in playing an enhanced role in international humanitarian aid and assuming larger visibility has markedly progressed. Therefore, RCC will concentrate its efforts, at this stage, to increase existing involvement of NGOs in funding UNHCR programs, establish new links with additional NGOs and further develop long-term partnerships.

Notwithstanding the limitless prospect of fund raising in the private sector, especially from the general public, tangible results will require substantial resources and could possibly create unnecessary competition with NGOs. Consequently, RCC fund raising activities during this period will focus only on selected leading corporations, prominent figures and foundations.

3. Durable solutions for recognised refugees

KSA

In order to find durable solutions to the long standing and remaining Iraqi caseload (5,261) in Rafha camp, UNHCR has designed an Exit Strategy to be implemented within a timeframe period of 3 years. However, the implementation of the said Exit Strategy has been stalled (only about 330 refugees were resettled during 2000) due to an unexpected change in UNHCR's counterparts' positions. Nevertheless, RCC is confident that its continued efforts will lead to a more flexible and responsive attitude from the concerned UNHCR counterparts and that its Exit strategy will be implemented although with some delay.

Kuwait

UNHCR's role in Kuwait aims at protecting and assisting the predominantly long-stayer, population of Iraqis, Palestinians, and other refugees and persons of concern to the office. This is achieved primarily on case by case negotiations with the Kuwaiti authorities for local solutions, i.e. to permit the individuals to legalise their status within the country and to benefit from the social framework of the society in terms of work, education, health and security. For those cases which are denied local solutions, other solutions, mainly resettlement are sought.

UAE

The UAE is hosting several old groups of refugees (Ugandans, Zanzibaris, Palestinians, Somalis) which are not in general eligible for resettlement. However, there are refugees from various other nationalities which are processed for resettlement as they are in an illegal situation (no residence permit) and may face deportation in the long run if they remained in the country. As for repatriation, UNHCR assists in arranging voluntary repatriation via the UAE mainly of Somalis.

4. Expansion of UNHCR's protection mandate.

A crucial breakthrough was in the past year achieved regarding the expansion of UNHCR's protection mandate to new categories of refugees in KSA, Bahrain, Qatar and Oman. Thanks to persistent and

tremendous efforts exerted by RCC, the GSA and the other concerned governments in the region (Bahrain, Qatar, but not yet Oman) have agreed to allow UNHCR to deal with urban asylum seekers and refugees. RCC has accordingly began to perform its new protection role on behalf of urban refugees by ensuring Governments' commitment to basic refugee law principles, including non-refoulement, and by assessing asylum claims through RSD. But much has yet to be done in order to strengthen the foundations of the nascent institution of the International Protection in the region. Likewise, there is still a persistent protection gap in terms of quick responses and daily follow up to arising protection needs in the region due to the lack of sufficient number of experienced staff who can be rapidly deployed in the region whenever needed. Therefore, one of RCC's challenges in the coming year will be to strengthen not only Governments' further adherence to the institution of International Protection, but also its own capacities in order to be able to timely and properly address the increasing protection needs.

- **Overview of beneficiary population**

Theme # 1 Rafha camp caseload:

In the aftermath of the Gulf War, about 33,000 Iraqis as well as a number of Afghans, who fled from Southern Iraq, were granted temporary asylum by the Kingdom of Saudi Arabia and resided in Rafha camp. 25,107 Iraqi refugees have so far been resettled and 3,257 Iraqi refugees have voluntarily repatriated. The residual population in Rafha camp is 5,261 refugees as of end of February 2001. While ensuring protection and monitoring assistance, RCC will also implement an Exit Strategy within 3 years framework period.

Theme # 2 - Urban Caseload

In the Gulf countries, there are 8731 recognised refugees under UNHCR mandate, while at the same time a huge number of expatriates enjoy a de facto asylum. Due to new restrictive immigration rules, many expatriates were asked to leave the region. This fact has given rise to increased number of persons of concern approaching UNHCR to seek international protection. Likewise, RCC is being approached by asylum seekers who entered legally the country using pilgrimage visas, like in KSA (Haj or Omra) or illegally by infiltrating from neighbouring countries to the whole Gulf region.

UNHCR provides assistance to the needy refugees, namely care and maintenance and other types of assistance related to resettlement of accepted cases. However, RCC's objective for the coming year is to further involve Governments and NGOs in the provision of assistance to this category of refugees.

Theme # 3 - Promotion of Refugee Law and Capacity Building:

KSA and the other Gulf countries are not parties to any international or regional instruments relating to refugees and have no official asylum policy. Promotion of Refugee Law has proved to be instrumental, not only in increasing better knowledge and understanding of Refugee Law Principles and UNHCR's mandate amongst Governments and NGOs' officials and further improvement of the protection conditions in the region, but also in drawing the attention to the plight of the refugees world-wide and their needs for humanitarian assistance, which fact has started to have tremendous impact on fund raising through multilateral channels. As result of RCC's promotional and capacity building activities, KSA has established a Committee on Accession. Therefore, RCC's objective is to continue strengthening and enlarging its promotional and capacity building activities in the Gulf region and to follow up on the issue of accession with the Saudi authorities and in particular with the Committee on Accession.

Theme # 4 - Public Awareness and Fund Raising:

The past decade has witnessed greater involvement of the GCC countries in international humanitarian aid in reflection of the growing importance of this issue to local governments and civil societies alike.

UNHCR public awareness and fund raising activities during the recent past, though unsystematic, proved to be instrumental not only in exposing the untapped potential of the region but also in instilling better understanding of UNHCR mandate, role and activities on one hand; and stimulating increased participation of governments and NGOs in multilateral humanitarian assistance on the other. As a result, and despite limited means and resources, RCC and field offices were able during 2000 to raise USD 1.5 million of pledges and contributions from Gulf governments, NGO community and private sources.

To acquire a larger share in the region's public and private humanitarian assistance and significantly increase financial support for UNHCR, RCC will have to apply systematic sustained efforts backed by

long term commitment and sufficient resources. Accordingly, RCC's objectives in 2002 will focus on accomplishing the following:

- Increase governmental interest in meeting UNHCR funding requirements by engaging governmental bodies including those which have direct links to civil societies.
- Increase the current level of NGOs contributions to UNHCR programs by strengthening partnerships with the most capable and efficient organisations and establishing new links with additional ones.
- Pursue noteworthy funding from selected private sources such as corporations, foundations and affluent individuals.

- **Policy Issues**

In order to achieve our strategy, we have adopted an integrated approach including promotion of Refugee law and capacity building, improvement of protection conditions, fund raising, enhancing of UNHCR's capacities in the Gulf region and finding of durable solutions. All these issues are closely interrelated and any progress in one issue reflects necessarily on the others.

RCC has also given a regional perspective to its activities to capitalise on existing strong affinities between the Gulf countries and their need for common approaches and visions to fundamental issues. UNHCR finds itself in the region standing at crossroads and has therefore to make a strategic choice in order to accompany and influence the new movement and trend to the benefit of the refugee cause in the region and world-wide.

- **Linkages to other countries within a defined "situation"**

Common problems in the Gulf region, like urban caseloads, the Bedouins, capacity building, fund raising etc, require a common global policy. Although a regional and structured policy has yet to be more clearly defined, RCC, being the Regional Co-ordination Centre for the Gulf region, has devoted its efforts to start promoting at least a common understanding and approach to these major problems. Some good results have been achieved, but the desired common vision and approach could not entirely be reached. It is believed that a reinforcement of UNHCR's regional presence, structure and mode of functioning would have tremendous impact on the whole region which is intended to be in the long run one of UNHCR's major counterparts world-wide, especially in terms of fund raising.

- **Capacity and presence of implementing partners.**

RCC co-ordinates with UN agencies on behalf of some categories of refugees in the region. RCC has established a close co-operation in respect of individual cases, with UNDP office in Bahrain and UNESCO office in Qatar. As a result of Action 2 Review, RCC will have to establish closer co-operation with UNDP in Kuwait and UAE.

RCC co-ordinates with the international Islamic Relief Organisation (IIRO) in the field of registration of the refugees in Rafha camp and update of Government records. As a result of the expansion of its protection mandate in the Gulf region, RCC has started to involve the Gulf NGOs in the assistance of those recognised refugees.

RCC has also started contributing to the building of Gulf NGOs' capacities in order to prepare these NGOs for further involvement in the implementation of UNHCR's operations within and outside the region. In this respect, an EMPT Training was organised in February 2000 for the Saudi NGOs in co-operation with SJRC and a similar Training designed for major Gulf NGOs is due to take place in Doha (Qatar) end of April 2001 thanks to a close co-operation with Qatari Charitable Society (QCS).

RCC will in the coming year continue to build an effective partnership with Gulf NGOs in order to ensure appropriate support to UNHCR activities in the area of financial contribution to meet humanitarian crisis. One of RCC's main objectives will be also to build a network of major Gulf NGOs in order to promote a common approach and further co-operation in the field advocacy and capacity building, fund raising and assistance to the refugees.

- **Presence and roles of other UN agencies and international organisations.**

In addition to the UN agencies referred to above the Gulf is also hosting the Organisation of the Islamic Conference OIC (MOU was signed with GOS on 5 July 1988), Islamic Development Bank

IDB (MOU was signed with GOS on 15 January 1994 and was extended for five more years on 29 September 1999). Besides, ILO and the United Nations Iraq-Kuwait Observation Mission (UNIKOM) have a presence in Kuwait. UNHCR and UNIKOM have working relations and the procedure for notification of asylum seekers crossing the demilitarized zone manned by UNIKOM forces has been agreed upon and included in UNIKOM's Standard Operation Procedures (SOP). Other international Organisations present in the region including ICRC, Arab Towns Organisation, Arab Fund For Economic and Social Development, Arab Planning Institute, Arab Centre For Medical Literature, The Gulf Arab States Educational Research Centre, The Inter-Arab investment Guarantee Corporation, Organisation Of Arab Petroleum Exporting Countries (OAPEC) and the Regional Organisation For The Protection of Marine Environment.

RCC has been able to extent its co-operation to these organisations in respect of sharing of information and views on refugees at a very high level. Hence, the HC has been regularly invited to attend the ministerial and summit meetings of the OIC. Likewise, RCC was able to organise in Riyadh in February 1999 and in co-operation with the GCC a very important Seminar on Refugee Law. RCC has also engaged discussion with IDB with the view to strengthening their co-operation. Plans are in particular being made to implement concrete proposals related to joint projects. It is expected that the co-operation with the above mentioned Islamic and Arab organisations will tremendously be reinforced and strengthened in the coming year, mainly as a consequence of the increasing awareness amongst the Gulf and Islamic leaders of their responsibilities towards the about 70% of the refugees world-wide who are of Muslim origin.

Selected Program Goals and Objectives

Name of Beneficiary Population/Theme: Rafha Camp Caseload	
Main Goals: to provide protection and ensure non-refoulement and good treatment, monitor assistance, expedite reduction of restrictions on the camp and continue efforts on implementation of an Exit Strategy on behalf of the residual caseload in Rafha camp	
Principal Objectives:	Related Outputs:
<ul style="list-style-type: none"> • Prevent refoulement and ensure good treatment and respect of refugees' rights. • Improve camp security/reduce restrictions. • Monitor quality/quantity of the assistance provided by the GSA in all aspects including health and education, and provide advice regarding camp management issues. • Monitor spontaneous return to Iraq. • Implement the Exit Strategy for the residual caseload. 	<ul style="list-style-type: none"> • Improvement of protection conditions. • Reduced tension and frustration among the Rafha residual caseload. • Better health care, education, food, water, sanitation, etc. • Refugees will be able to repatriate on their free will in conditions of safety and dignity. • The traditional resettlement countries are convinced to resume resettlement from the camp without linking to local integration.

Name of Beneficiary Population/Theme: Urban Caseload	
Main Goals: Ensure adequate protection, identify and pursue durable solutions on behalf of refugees in the GCC countries (KSA, Kuwait, UAE, Qatar, Bahrain, Sultanate of Oman)	
Principal Objectives:	Related Outputs:
<ul style="list-style-type: none"> • Register, conduct eligibility interviews according to standard procedures and updated criteria for all asylum seekers approaching UNHCR. • Intervene with the local authorities to prevent refoulement. • Approach the local authorities to stay deportation of illegal/over stayers and allow access for eligibility determination, as well to request assignment a focal point at the Ministry of Interior for such cases. • Expedite durable solutions for the recognised refugees by resettlement or voluntary repatriation. • Convince local NGOs in the Gulf region to provide assistance to needy refugees and vulnerable asylum seekers upon UNHCR recommendation. 	<ul style="list-style-type: none"> • Asylum seekers approaching UNHCR are systematically registered and timely processed for status determination and backlog is eliminated. • RSD is conducted in line with the usual UNHCR standards/procedures. • Urgent protection cases receiving adequate and timely attention. • Illegal asylum seekers allowed to reach our office, and their logistics facilitated. • Adequate submission in accordance with UNHCR criteria is achieved. • Refugees able to return to their countries on condition of safety. • All needy cases granted financial assistance especially women, children and adolescents and refugees with special needs.

Name of Beneficiary Population/Theme: Promotion of Refugee Law	
Main Goals: Promote Refugee Law Principles and capacity building in KSA and the GCC countries.	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Organise seminars on Refugee Law at national and regional levels. • Provide training on refugee law principles/EM training to high officials, local authorities and NGOs at national and sub-regional levels • Promote activities aiming at accession to the 1951 Convention and adoption of a refugee law policy in line with international standards • Promote ad-hoc instruction, pragmatic working arrangements or at least tolerance regarding basic protection needs. 	<ul style="list-style-type: none"> • Better knowledge and understanding of Refugee Law principles and UNHCR mandate • Adoption of a refugee law policy in line with international standards. • Tolerance of RSD carried out by UNHCR officers.

Name of Beneficiary Population/Theme: Fund Raising and Public Awareness	
Main Goal (s)	
<ul style="list-style-type: none"> • Promote awareness of UNHCR role and activities 	
<ul style="list-style-type: none"> • Increase financial contributions to UNHCR programs 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Ensure the financial support of Governments, NGOs and private sector/individuals in GCC countries to UNHCR programs • Strengthen and expand co-operative relations and partnerships with NGOs in the Gulf region within the Partners in Action framework • Brace collaboration with regional organisations, development funds/ aid agencies such as OIC, IDB, SDF, KDF, etc. • Establish more influential, comprehensive and responsive communication links with the local and international mass media in the GCC countries. • Increase visibility of UNHCR in the civil society through direct engagement and organisation of specialised events and initiatives. • Expand the distribution network of UNHCR public awareness and fund raising materials throughout the Gulf region. 	<ul style="list-style-type: none"> • Increased donor contribution to UNHCR • More effective partnerships in supporting UNHCR activities and additional financial contributions. • Increased support and greater potential for complementary funding. • Mobilised media in support of UNHCR work and positive reporting on refugee issues. • Increased general public awareness and donor interest. • Improved perception and understanding of UNHCR activities and requirements.