



COUNTRY OPERATIONS PLAN

Executive Committee Summary

Country: Korea

Planning Year: 2005

Part I: Executive Summary

A. Context: Beneficiary Population(s) and Theme(s)

The Republic of Korea (ROK) is party to the 1951 Convention and 1967 Protocol relating to the Status of Refugees. ROK acceded to the 1951 Convention in 1992 and amendments to the immigration law took effect in 1994. ROK contributed to the burden-sharing associated with the Indo-Chinese refugee boat arrivals. Only recently, it has hosted a small population of urban refugees and asylum-seekers of various nationalities, numbering less than 150 annually, although the numbers have increased dramatically during the latter quarter of 2003. The number is inclusive of those in the process of applying for refugee status as well as those who had claims rejected, some of whom were accorded mandate status by UNHCR. There is a need to develop the asylum system to satisfactorily fulfil its obligations to international protection standards.

In contrast with the limited engagement of ROK in matters related to non-Korean asylum-seekers on Korean territory, the issue of citizens of Democratic Peoples' Republic of Korea (DPRK) in third countries retains prominence for both the government and the public at-large. The increase in the total numbers of DPRK nationals received in ROK and the degree to which this impacts on the perceptions of people, both official and private, as regards the theme of refugees, continues to make the issue one of interest to the UNHCR Representation in Seoul (Seoul Office).

ROK remains supportive of UNHCR, both politically and financially, through participation in the Executive Committee (ExCom) deliberations and through their annual contributions to UNHCR programme. ROK continues to be considered a donor with some potential – evidenced by the Government's average annual contribution of just over US\$ 1 million in unearmarked funds over the last six years, and in-kind contributions to the Afghan emergency in 2002 that nearly doubled this amount and again a further contribution to Iraq in 2003.

This context provides the rationale for UNHCR's presence and involvement in ROK. The Office's role also derives from Headquarters (HQs)' global strategies and the operational objectives in the Regional Bureau for Asia and the Pacific, including the promotion of asylum and international protection and the mobilisation of resources and other support for UNHCR activities. On this basis, the overall objectives of UNHCR operation in 2005 in the ROK will be threefold; (a) the provision of international protection to persons of concern through the strengthening of RSD procedures, (b) the further capacity building of domestic non-governmental institutions and (c) the promotion of relations with the Government, public information and public awareness with a view to broadening support of towards the work of UNHCR and its programmes of assistance world-wide. A cross-cutting theme related to the above-objectives will be the evolving situation related to DPRK and the extent to which this requires engagement with government and non-governmental actors in the field of emergency preparedness, contingency planning and response, as well as the public awareness elements related to a refugee population with direct blood ties to the people of ROK.

The overall challenge for UNHCR in ROK will be determined by the extent to which advances noted in the domestic asylum procedures in late 2003 and 2004 (12 Convention recognitions and 8 humanitarian permits in the course of 5 months) are furthered during the course of 2005. The Seoul Office will continue to strive to foster even more active engagement of policy makers in domestic asylum issues with a view to raising the potential for increased contributions to UNHCR. In the sphere of public awareness, some degree of specialized effort will have to be brought to bear on tapping potential wells of public support for UNHCR. On the other hand, continued efforts will be needed in the area of refugee protection where substantial improvements are still required, especially in removing obstacles to asylum procedures.

The Country Operations Plan for 2005 foresees implementation of four inter-linked operational themes, i.e., (1) provision of international protection and on-going assistance to the rapidly increasing beneficiary population of urban asylum-seekers; (2) exploring the nature of UNHCR's role in improving the general public's understanding of the issue of DPRK nationals within the wider context of global refugee matters; (3) broadening of public awareness and the mobilisation of support/resources for domestic and international refugee relief efforts; and (4) public information. UNHCR will continue to pursue strengthening the capacity of local, national partners who can advocate stronger protection mechanisms with government agencies while the office gains wider latitude to promote public awareness, and ultimately, mobilization of greater public and private resources. Increased knowledge of and engagement with government and non-governmental actors in ROK will similarly provide a firmer foundation of knowledge about their operational and strategic objectives, while increasing the relevance of UNHCR to the needs of the domestic audience.

B. Main Programme Goals and Principal Objectives

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| Name of Theme Strengthening the implementation of the 1951 Convention and 1967 Protocol | |
| Goal(s): Monitor policy developments on asylum and reception issues. Support the Government in its efforts to fulfil its obligations deriving from the 1951 Convention to ensure that the rights of refugees and asylum-seekers are adequately taken into account. | |
| Principal Objectives | Related Outputs |
| Protection concerns are addressed by the Korean authorities and translated into policy decisions. | - Engage the government, through continuous effective contacts at an appropriate level, on policy developments to ensure UNHCR views are taken into consideration. <ul style="list-style-type: none"> ▪ Increase contacts and advocacy activities, including through provision of comments to the government at all levels, especially regarding issues of |

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| | <p>access to asylum and <i>non-refoulement</i>.</p> <ul style="list-style-type: none"> ▪ Monitor the national refugee status determination through individual case review and provision of advice to the government. |
| ROK provides asylum-seekers with effective access to fair and efficient asylum procedures at ports of entry, including proper identification of refugees within broader migration movements. | - Provide training, advice and information to government officials, such as immigration officers, MINBYUN and other relevant actors involved in refugee status determination (on refugee law and related international instruments). |
| Reception conditions of asylum-seekers are in conformity with international standards and best state practice. | <ul style="list-style-type: none"> ▪ Promote international standards and provide advice to government and NGOs in the context of the implementation of reception policies, ▪ UNHCR maintains contacts with the Ministry of Justice and other governmental bodies (National Human Rights Commission) in fulfilment of its advisory role, ▪ UNHCR advises Courts and asylum lawyers on specific questions of International Refugee and Human Rights Law. |

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| Name of Beneficiary Population Urban caseload of asylum-seekers and refugees in ROK | |
| Goal(s): Ensure protection and respect of basic human rights | |
| Principal Objectives | Related Outputs |
| <ul style="list-style-type: none"> ▪ All asylum-seekers have access to fair and expeditious asylum procedures. | <ul style="list-style-type: none"> - UNHCR reviews selected individual cases and provides necessary information and advice to MOJ, - UNHCR visits border authorities at ports of entry and monitors conditions of access to asylum by potential applicants. |
| Reception conditions of asylum-seekers are in conformity with international standards and best state practice, including access to free of charge legal assistance, adequate information and counselling and assistance where needed. | <ul style="list-style-type: none"> - Promote international standards and provide advice to government and NGOs in the context of the implementation of reception policies - Improve the basic living conditions of the urban caseload, both refugees and asylum-seekers. Ensuring all have suitable shelter |
| <ul style="list-style-type: none"> ▪ Convention and mandate refugees find | Promote local integration activities. |

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| <p>lasting solutions.</p> | |
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| <p>Name of Beneficiary Population/Theme <i>Public Information and Public Awareness activities in ROK</i></p> | |
| <p>Goal(s): Public understands and accepts refugee cause as promoted by UNHCR</p> | |
| <p style="text-align: center;">Principal Objectives</p> | <p style="text-align: center;">Related Outputs</p> |
| <ul style="list-style-type: none"> - Protection concerns are addressed by ROK authorities and translated into policy decisions. ▪ Quantity and quality of media coverage on the international refugee issues are improved. ▪ More educational and public institutions are aware of the subject of refugees ▪ Joint public awareness activities are carried out through closer collaboration with NGOs | <p>Engage the government through continuous contacts on policy developments to ensure UNHCR views are taken into consideration.</p> <p>Increase contacts and advocacy activities, including comments to the government on specific issues/cases, at all levels of government.</p> <ul style="list-style-type: none"> ▪ PI/PA materials produced in timely manner and distributed to well targeted audience, ▪ Media well informed of UNHCR's activities both domestically and internationally, ▪ Link between protection issues and public information activities strengthened, ▪ Materials developed and translated for various audiences, for example government and schools, ▪ UNHCR's Korean website is regularly updated, |

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| <p>Name of Beneficiary Population/Theme <i>Raising awareness of UNHCR role and private sector fundraising in Korea</i></p> | |
| <p>Goal(s): Increase awareness of UNHCR's role in ROK and globally whilst enhancing possibilities for PSFR in ROK</p> | |
| <p style="text-align: center;">Principal Objectives</p> | <p style="text-align: center;">Related Outputs</p> |
| <ul style="list-style-type: none"> ▪ Private Sector contributions are increased in Korea and become a more reliable measure of the ability to consider this as a consistent source of funding. | <ul style="list-style-type: none"> ▪ Greater utility of Korean web page as portal for on-line contributions from the general public, ▪ Modest but effective fundraising activities implemented in ROK. |