



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Indonesia and Singapore

Planning Year: 2006

Indonesia and Singapore 2006 Country Operations Plan

PART I: OVERVIEW

1. Protection and socio-economic operational environment

During the course of the year 2004, the Republic of Indonesia went through a major political process, i.e., successful and peaceful legislative and direct presidential elections for the first time in Indonesia's history. On the assumption that there will be no major political turbulence in 2005 and 2006, it is expected that the Republic of Indonesia will continue to deal with the asylum and refugee issues within the following framework:

- Australia's Pacific Solution where Indonesia will continue to cooperate to intercept illegal migrants and asylum seekers on their way to Australia,
- continuing tolerance to the presence of asylum seekers and refugees in Indonesia as long as their financial and physical needs are covered by the international community.

While sustained economic growth was reported by the World Bank in 2004, the economic recovery process is likely to continue to be slow and the unemployment rate will remain high on the national economic scene. In such a scenario, Indonesia will remain a relatively unattractive destination for illegal migrant workers, and individual asylum seekers alike.

Over the past several years, UNHCR has successfully intervened towards finding durable solutions for more than 200,000 East Timorese refugees in West Timor. By the end of 2005, UNHCR will entirely phase out from its involvement in the local settlement and repatriation activities in West Timor with the assumption that the estimated 16,176 remaining persons of concern to UNHCR being either fully integrated into Indonesia or successfully repatriated to Timor-Leste.

The 2006 programme of assistance will be oriented primarily to the needs of individual urban and/or semi-urban refugee population. The trend of a smaller number of new asylum seekers will remain unchanged during the planning year. The major nationalities who are expected to benefit from the UNHCR's programme will be Iraqis, Afghans, Iranians and individuals from a number of African countries. Due to the difficult economic conditions as well as the lack of access to formal and informal employment opportunities for most of the asylum seekers and refugees, beneficiaries will continue to rely on UNHCR and its partners for their basic needs such as food, accommodation, education, medical and community services.

Due to the uncertainty and volatile security situation in Iraq and some parts of Afghanistan, in the absence of a major policy review on UNHCR's part, the **Regional Representation will maintain the Temporary Protection Scheme** for all Iraqi nationals as well as those rejected Afghan asylum seekers coming from areas where there is generalized violence. At the same time, the Regional Representation will continue to facilitate a dialogue with these persons under Temporary Protection, the Indonesian authorities as well as traditional resettlement countries, including Australia, with regard to practical solutions for them. It is anticipated that, with the

support from the Australian Government, the International Organisation for Migration (IOM) will continue to provide rejected asylum seekers and temporary protection cases with similar assistance, if intercepted by Indonesian authorities.

As far as **resettlement activities** are concerned, the Regional Representation will continue its effort to find durable solutions for its recognised refugees through active communications with local embassies. Emergency as well as difficult resettlement cases will continue to be referred to the Resettlement Section at HQs.

The Regional Representation will continue to co-operate with and facilitate the involvement of the Indonesian authorities to further **strengthen the protection environment in Indonesia** aiming at laying a solid basis for Indonesian' accession to the 1951 Convention and 1967 Protocol relating the status of refugees. During 2004 a Presidential Decree was issued to officially endorse the National Plan of Action of Human Rights. As a result of UNHCR's extensive lobbying efforts, the Plan of Action includes, in the list of international human rights instruments, the 1951 Convention and its 1967 Protocol with a recommendation for accession by 2009. Pursuant to such a positive development, the 2006 programme is being planned to include various **promotional and training activities**.

Similarly, civil society such as academic institutions, human rights lawyers and local non-governmental organisations will continue to be key partners in the area of promotional and awareness-raising activities of the office. The Regional Representation will also **undertake public information activities** to enhance the understanding of the Government and people of Indonesia of their international obligations vis-à-vis persons of concern and, through public awareness campaigns, create a positive attitude towards asylum seekers and refugees.

Furthermore, the programme of the Regional Representation will cover the need to **strengthen UNHCR's ties with Association of South-East Asian Nations (ASEAN)** in advancing the debate on preserving the integrity of asylum in the context of secondary movements, mixed flows of people and the legitimate interest of States in the region to manage migration and combat smuggling and trafficking. The Office will ensure follow-up to the Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and related Trans-national Crime while maintaining its close collaboration with the Asia Pacific Consultations (APC).

UNHCR supportive input to ASEAN since early 2004 has provided the needed critical momentum and technical expertise to propel the ASEAN Committee on Disaster Management (ACDM) into action. Since then, ASEAN has been steadily progressing to strengthen its disaster management and emergency response framework and arrangements. A regional Agreement will be concluded and operationalised to include stand-by regional arrangements for emergency response. As a result, national emergency preparedness and response capacities are strengthened and, in turn, help prevent a large-scale outbreak of conflict and thus prevent internal and external displacement. The progress also helps improve confidence between ASEAN and UNHCR as Member Countries recognise the benefit of a fully functioning ACDM.

The martial law in the province of Nanggroe Aceh Darussalam (NAD), which had been declared on 19 May 2003, was downgraded to a state of civil emergency later in 2004. The powerful earthquake and tsunami disasters on 26 December 2004 were immediately followed by an unprecedented response from the international community. In order to accommodate the massive international relief efforts, the Indonesian Government lifted the ban on the presence of foreigners in the province of NAD and allowed access to the province by foreigners including foreign military teams, international NGOs and journalists. At the time of planning for the 2006 COP in March 2005, there were on-going peace-talks between the Indonesian Government and the rebel group, GAM, which could possibly lead to durable solutions for the civilians who fled to Malaysia. There was the potential that any positive development could present new opportunities to address the protection situations through spontaneous and voluntary returns to Indonesia among the caseload in Malaysia.

The major constraint, which the office will continue to face, is security threats from terrorist attacks. The global threat of terrorism (the Australian embassy bombing in Jakarta in September 2004 was an example) and corresponding security issues will be one of the main challenges the office will face in 2006. The Regional Representation must remain on alert in order to maintain staff safety. Dissatisfied individuals, in particular rejected cases, will continue to pose a potential, but real threat to UNHCR staff. Security measures must be maintained throughout 2006 in order to prevent and defuse direct physical threats to staff and forceful entry into the building by such individual cases.

The Regional Representation in Indonesia will maintain its limited operational presence in Singapore through an implementing partner's agreement. In view of the persistently difficult protection environment in Singapore, the programme in Singapore will focus on the prompt refugee status determination and resettlement activities for those who approach UNHCR's implementing partner. The scaled-down operations in UNHCR Dili and Manila as well as the on-going surge of asylum claims in Malaysia will require the maintenance of the regional support function of the Regional Representation during the planning year. The regional support will be provided in the fields of protection, programme, administration, and staff safety and security.

2. Operational goals and potential for durable solutions

Reflecting UNHCR's Global Objectives and Objectives in Asia and the Pacific 2005-2007, the Regional Representation in Indonesia has set the following strategic goals for the sub-region (during the Sub-Regional meeting that took place in February 2005):

- Ensure effective protection through qualitative/quantitative improvements to RSD and protection interventions, including addressing the psycho-social and security needs of persons of concern.
- Ensure age and gender-based operations planning and implementation.
- Actively pursue durable solutions, particularly within the host country, where feasible, for persons of concern.
- Improve the protection environment through the promotion of refugee law, working with civil society, and ensure a proper follow-up to the Regional Process.

- Establish partnerships, and build capacity both internally and externally.
- Continue to take concrete steps to ensure a safe working environment for the staff of UNHCR and implementing partners.

Within the above sub-regional goals, the Regional Representation in Indonesia will focus on the following country-specific objectives for Indonesia and Singapore:

- Approximately 450 asylum seekers, including temporary protection cases, have access to territory and to a fair and efficient RSD procedure which has a proper component to ensure that special needs of women, children, adolescents and elderly persons are met at all times. (Global Strategic Objective 1)
- Approximately 150 refugees in any given month have a minimum acceptable standard of living (including access to health care, accommodation, education and community services) while awaiting a durable solution through the programme activities reflecting Age and Gender Mainstreaming (AGM) policies. (Global Strategic Objective 6)
- Approximately 100 refugees in Indonesia and Singapore secure durable solutions through resettlement. (Global Strategic Objective 3)
- UNHCR's mandate and the 1951 Convention / 1967 Protocol are effectively promoted toward the enactment of national refugee legislation and accession to the 1951 Convention and 1967 Protocol by 2009. (Global Strategic Objective 1)
- Close follow-up is given to major regional processes including the Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and related Trans-national Crime to enhance the relevance and effectiveness of UNHCR's protection activities. (Global Strategic Objective 1)
- The ASEAN Committee on Disaster Management secures an adequate resource-base to sustain its regional programme and the operationalisation of ASEAN emergency response Regional Agreement into regional stand-by emergency response arrangements. (Global Strategic Objective 1).

Considering the fact that Indonesia is not yet a party to the refugee instruments and has no eligibility mechanisms in place, refugee status determination (RSD) will continue to be UNHCR's responsibility, and recognised refugees will continue to be submitted for resettlement to third countries. Given the current political climate for refugees in Indonesia and the difficult economic situation, as well as the limited administrative capabilities of the government, accession to the 1951 Convention/1967 Protocol remains unlikely during the planning year.

While UNHCR will phase out its operational involvement in West Timor by the end of 2005, the office in Jakarta will still maintain a monitoring role.