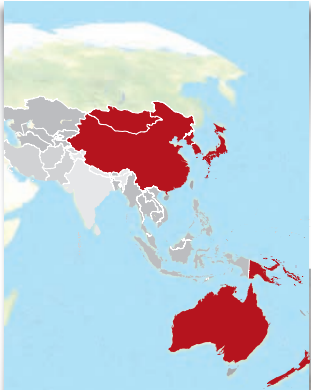


# EAST ASIA AND THE PACIFIC



UNHCR

2013 GLOBAL REPORT

Australia

China

Japan

Mongolia

New Zealand

Pacific Island States

Papua New Guinea

Republic of Korea



An informal Urdu-English class run by Pakistani Ahmadi refugee volunteers in Sanhe City, China

UNHCR / V. TAN



# | Overview |

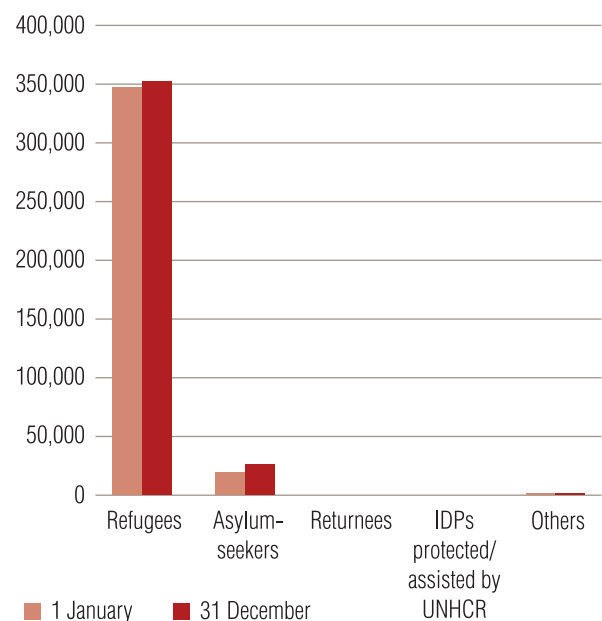


## Highlights

- Australia’s general election led to a change of Government, which introduced further restrictive measures to regulate the arrival, reception and treatment of maritime mixed flows, otherwise referred to as irregular maritime movements. Named ‘Operation Sovereign Borders’, these measures involved offshore processing in Nauru and Papua New Guinea and active border- protection policies, including boat interception.
- Papua New Guinea began lifting its seven reservations to the 1951 Refugee Convention. There were positive steps towards the integration of West Papuan refugees.
- Nauru established a refugee determination system with an independent merit review tribunal. It also ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- The Republic of Korea’s Refugee Act came into effect in July 2013 and progress was made in the protection of refugees and asylum-seekers. A newly-constructed refugee support centre was near completion at year-end.

- In June 2013, 30 members of the Republic of Korea’s Parliament formed a “Group of Friends of UNHCR”, with the aim of supporting the agency’s efforts, both nationally and internationally.
- In China, the Exit-Entry Administration Law, adopted in June 2012, entered into force in July 2013. For the first time, domestic law included provisions to regulate the legal stay of asylum-seekers and refugees.
- Australia, Japan, and the Republic of Korea maintained or increased their generous financial support to UNHCR for its operations worldwide. Enhanced efforts in private sector fundraising in these three countries as well as in Hong Kong SAR, China, also yielded positive results.

## People of concern to UNHCR in East Asia and the Pacific | 2013



# | Results in 2013 |

## Working environment

Australia hardened its asylum policies in response to a significant upward trend in arrivals of asylum-seekers by boat. It expanded offshore processing (on Manus Island, Papua New Guinea, and Nauru) and intercepted asylum-seeker boats travelling to Australia. Asylum-seekers arriving by boat on or after 19 July 2013 were denied settlement in Australia, although temporary protection visas were re-introduced for those found to be refugees. Policy changes resulted in a significant backlog of asylum-seekers awaiting refugee status determination (RSD), although progress was made in releasing them into alternatives to closed detention. Despite an increase in national resettlement capacity in 2012 (12,000 places), during 2013 this reverted to pre-2011 levels, with approximately 6,000 places.

In New Zealand, refugee protection remained positive, despite legislative amendments to deter boat arrivals. The refugee quota remained at 750 resettlement places per year. Support for resettled refugees remained effective.

Pacific Island Countries focused collaborative efforts on border management and gradually introduced refugee protection into laws, policies and activities. The small number of asylum-seekers who moved into the Pacific was generally brought to UNHCR's attention for processing. Climate change and natural disasters continued to concern these countries.

In Papua New Guinea, a new migration act and regulations were drafted to address the lack of clear legislative or regulatory guidance on RSD for officials. UNHCR continued to support a small number of non-Melanesian refugees in Papua New Guinea (not associated with the Australia/Papua New Guinea transfer arrangements) who were seeking resettlement to address serious physical protection concerns.

China's new Exit-Entry Administration Law entered into force in July. For the first time, domestic law regulated the legal stay of asylum-seekers and refugees. However, with implementation rules unclear, UNHCR continued to conduct RSD under its mandate and sought solutions through resettlement for those recognized. It issued all registered people of concern with Government-recognized certificates. At year-end, 532 people of concern (152 refugees and 380 asylum-seekers) were registered in mainland China. Although the number remained relatively small in comparison with regular migration movements into China, as a result of its strong economic and trade growth, the number of asylum-seekers was expected to grow.

In Japan, a change in Government led to a tighter fiscal policy and reduced overseas development assistance generally. UNHCR nevertheless enjoyed strong political and financial support.

## Achievements and impact

Together with Government and civil society actors in Australia and New Zealand respectively, UNHCR developed opportunities for resettlement and local integration. The organization's reports on the offshore processing centres in Nauru and Manus Island, Papua New Guinea, found that conditions did not comply with international standards and garnered considerable media attention.

Following successful advocacy by the organization, Papua New Guinea took positive steps toward the integration of West Papuan refugees, including waiving citizenship fees, and took action to lift the seven reservations to the 1951 Refugee Convention.

According to China's new Exit-Entry Administration Law, asylum-seekers applying for refugee status could stay in the country with a temporary identity certificate issued by a public security official at the application screening. A recognized refugee could stay and reside in China with a refugee identity certificate issued by a public security official, whereas asylum-seekers could remain in the country while their application was being determined.

Pending the implementation of these legislative developments, 532 individuals were issued with UNHCR asylum-seeker and refugee certificates. During a visit to China, the High Commissioner initiated a broad consultative process with State authorities.

The Office also signed a letter of intent with China's Ministry of Civil Affairs to establish a platform for future cooperation in the areas of preparedness, emergency responses and disaster reduction.

In Hong Kong SAR, China, the Court of Final Appeal ruled that the territory had an obligation to conduct an independent enquiry into claims of *refoulement* on grounds of persecution. As a result, the Hong Kong authorities announced a Unified Screening Mechanism that would be operational in March 2014. This prompted UNHCR to plan the phasing out of its RSD activities, while providing advice, capacity building and training to the local authorities. In 2013, Hong Kong SAR, China, also agreed to extend its responsibility to support refugees and asylum-seekers in the territory.

In the Republic of Korea, a new Refugee Act, which came into effect on 1 July 2013, addressed the treatment of asylum-seekers and refugees for the first time, and progress was noted in addressing gaps in their protection. To support implementation of the Act's provisions, a newly-constructed refugee support centre near Seoul was expected to open in 2014.

In Japan, UNHCR secured observer status in the sub-committee for a review of the asylum system, which was established by the Ministry of Justice. This will allow UNHCR to present its views and share good practices, which will have an impact on the overall asylum system in Japan in the years to come. The organization continued to train Immigration Bureau officials and refugee examination counsellors in RSD, and facilitated immigration officials' study visits to Europe and New Zealand. The Government announced that a formal resettlement programme would follow the pilot phase, which was due to end in 2015.

Following national elections, the Government of Japan reviewed its official development assistance policies with a new emphasis on gender and the prevention of sexual and gender-based violence and pledged USD 3 billion for women's empowerment and health care globally.

Meanwhile, UNHCR actively contributed to the 5th Tokyo International Conference on African Development (TICAD). Key references relating to refugees and forced displacement were included in the Yokohama Declaration 2013 and the Yokohama Action Plan 2013-2017.

## Constraints

Concerns related to national security and the curbing of mixed migration had an impact on the protection of people of concern to UNHCR in the region. The increasing use of detention facilities to hold asylum-seekers and refugees, including children and vulnerable groups, and UNHCR's inability to access them, remained key concerns.

## Operations

In **Australia**, UNHCR's advocacy addressed: an RSD processing backlog of 33,000 claims; limited opportunities for durable solutions and self-reliance, owing to the reintroduction of temporary protection visas for refugees arriving by boat; and reduced work rights for asylum-seekers in the community. UNHCR undertook several monitoring missions to Nauru and Papua New Guinea to assess the conditions and treatment of asylum-seekers at the regional processing centres.

**New Zealand's** authorities were increasingly concerned by the possibility of refugees and asylum-seekers arriving in large numbers by boat and passed legislation in June 2013 to deter them.

The Office continued its supervisory and monitoring role in Australia and New Zealand in accordance with article 35 of the 1951 Refugee Convention. While it did not play a direct role in RSD, it continued to advise the two Governments on policy, law and practice relating to refugees and asylum-seekers.

In **Pacific Island Countries**, UNHCR implemented an Australia-funded capacity-building project to help States to address the needs of refugees and asylum-seekers, while promoting refugee law and principles in the region. It also maintained a residual mandate responsibility to provide protection and assistance to refugees and asylum-seekers in the absence of a State-run RSD system.

In **China** and **Mongolia**, UNHCR registered, carried out RSD and sought durable solutions for refugees. It also provided basic assistance to vulnerable people and worked to improve their protection. In China, capacity-building activities included a workshop organized for Ministry of Public Security officials and academics on UNHCR's mandate and registration. The Office also conducted outreach missions and provided protection training for local public security officials in several provincial locations. Twenty-one refugees were resettled to third countries.

In **Hong Kong SAR, China**, a rise in asylum applications resulted in enhanced screening, which determined that only a small number needed international protection. Following the Hong Kong authorities' announcement of the launch of the Unified Screening Mechanism, UNHCR began phasing out RSD activities there. Resettlement remained the main durable solution in Hong Kong SAR, China, given a lack of local integration prospects and the fact that voluntary repatriation was rarely requested or suitable. In 2013, 39 people were submitted for resettlement and 31 refugees were resettled in third countries.

In **Japan**, asylum applications increased, while the overall recognition rate decreased further, with very few asylum-seekers recognized as refugees. The Office began to engage non-traditional partners in efforts to better support the local integration of refugees/humanitarian status holders.

The **Regional Centre for Emergency Preparedness** (eCentre) ran a number of inter-agency preparedness initiatives throughout 2013, with particular focus on the Afghanistan situation. More broadly, it implemented a wide range of inter-agency training sessions, field exercises and partnership initiatives, addressing topics such as humanitarian response in urban settings; emergency management in the refugee context; operating in complex security environments; and security risk management. It also facilitated several initiatives of the Asia-Pacific Emergency Management (APEM) Platform, an inter-agency forum of 40 key government and NGO partners from the Asia-Pacific region.

The organization intensified its efforts to ensure that asylum-seekers in the **Republic of Korea** could submit asylum claims at the Seoul Immigration Refugee Office, at immigration detention centres and ports of entry, in particular at Incheon Airport. State authorities required greater capacity to deal with the backlog of asylum applications, particularly at the appeal stage.

## Financial information

Of the total USD 15.3 million required for the subregion in 2013, available funding allowed for expenditure of USD 11.2 million. Although essential and critical needs in the region were met through vigorous reprioritization throughout the year, lack of funds inhibited the organization's capacity to scale up public awareness-raising on refugee issues, as well as

training and capacity-building activities on refugee protection for government and non-government partners. Moreover, unmet needs remained in a number of countries, particularly with regard to livelihoods and basic services among urban refugees and asylum-seekers.

### Budget and expenditure in East Asia and the Pacific | USD

Operation		PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	Total
Australia Regional Office <sup>1</sup>	Budget	2,859,685	0	2,859,685
	Expenditure	2,102,593	0	2,102,593
China Regional Office <sup>2</sup>	Budget	4,194,341	172,488	4,366,829
	Expenditure	3,660,063	172,488	3,832,551
Japan	Budget	4,430,557	48,176	4,478,733
	Expenditure	3,614,999	34,907	3,649,907
Republic of Korea	Budget	2,352,804	187,348	2,540,151
	Expenditure	1,317,945	102,872	1,420,817
Regional activities	Budget	1,100,001	0	1,100,001
	Expenditure	146,744	0	146,744
<b>Total budget</b>		<b>14,937,388</b>	<b>408,012</b>	<b>15,345,400</b>
<b>Total expenditure</b>		<b>10,842,344</b>	<b>310,267</b>	<b>11,152,611</b>

<sup>1</sup> Includes activities in New Zealand, the Pacific Island countries and Papua New Guinea.

<sup>2</sup> Provides support to Mongolia.

### Voluntary contributions to East Asia and the Pacific | USD

Earmarking / Donor	PILLAR 1 Refugee programme	All pillars	Total
<b>AUSTRALIA REGIONAL OFFICE</b>			
Australia	322,911		322,911
<b>AUSTRALIA REGIONAL OFFICE Total</b>		<b>322,911</b>	<b>322,911</b>
<b>CHINA REGIONAL OFFICE</b>			
China		125,014	125,014
<b>CHINA REGIONAL OFFICE Total</b>		<b>125,014</b>	<b>125,014</b>
<b>JAPAN</b>			
Private donors in Japan	68,395		68,395
<b>JAPAN Total</b>		<b>68,395</b>	<b>68,395</b>
<b>EAST ASIA AND THE PACIFIC OVERALL</b>			
United States of America		6,250,000	6,250,000
<b>EAST ASIA AND THE PACIFIC OVERALL Total</b>		<b>6,250,000</b>	<b>6,250,000</b>
<b>Total</b>		<b>391,305</b>	<b>6,375,014</b>
			<b>6,766,319</b>

Note: Includes indirect support costs that are recovered from contributions to Pillars 3 and 4, supplementary budgets and the "New or additional activities – mandate-related" (NAM)