



UNHCR
2012 GLOBAL REPORT

EAST ASIA AND THE PACIFIC

Somali refugee student with her
teacher in the Republic of Korea



- Australia
- China
- Democratic People's
Republic of Korea
- Japan
- Mongolia
- New Zealand
- Pacific Island States
- Papua New Guinea
- Republic of Korea

UNHCR / K. EGZABHER

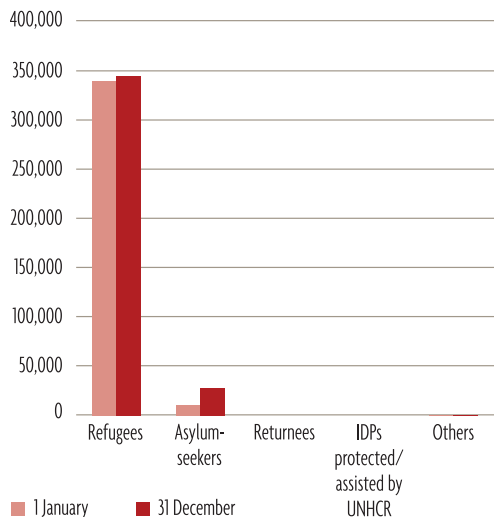


Highlights

- China adopted a new Entry and Exit Law with specific provisions to regulate the legal stay of asylum-seekers and refugees. The law will enter into force in July 2013.
- The Bali Process Regional Cooperation Framework (RCF) served in 2012 as a platform for practical collaboration by States in addressing irregular movements in the region in a protection-sensitive manner. A Regional Support Office for the RCF, co-managed by Australia and Indonesia with the support of UNHCR and IOM, was established in September 2012 in Bangkok.
- In December 2012 UNHCR closed its office in Port Moresby, Papua New Guinea, after signing agreements with the national and local authorities, refugee representatives and the Catholic Diocese to ensure that West Papuan refugees would continue to receive protection and services. Protection advocacy and capacity-building will be covered by UNHCR's regional office in Canberra.



**People of concern to UNHCR in 2012
East Asia and the Pacific**



Working environment

Irregular movements in the Asia-Pacific region, particularly by sea, multiplied in 2012, with various routes being used by asylum-seekers and migrants from different countries of origin. The prevalence of mixed movements has blurred the distinction between asylum-seekers and migrants. Many States in the subregion give priority to national security concerns and resort to restrictive asylum policies to avoid creating “pull” factors.

The use of detention facilities, including for children and other categories of people of concern at risk, continued. However, in some countries the numbers of detained asylum-seekers started to decrease in large part due to measures taken to expedite refugee status determination (RSD) and the introduction of alternatives to detention.

Australia responded to a growing number of irregular maritime arrivals with a range of policy measures, including the doubling of UNHCR-referred resettlement places to 12,000 (within an increased humanitarian programme intake of 20,000); greater focus on regional cooperation and capacity building; and a return to offshore processing in Nauru and Papua New Guinea for asylum-seekers arriving by boat.

In New Zealand, while the overall landscape remained stable, draft asylum legislation of a more restrictive nature was introduced before Parliament.

In Japan, the Liberal Democratic Party, which was victorious in the December general election, renewed the country’s commitments on refugee issues worldwide.

The Republic of Korea enacted a Refugee Act in February 2012 that will enter into force in July 2013. UNHCR provided technical advice to the Ministry of Justice in the drafting of a Presidential Decree and Regulations, which will accompany the Refugee Act.

Achievements and impact

Favourable protection environment

- In Papua New Guinea, some 9,000 West Papuan refugees remained in need of durable solutions. UNHCR combined durable solutions advocacy for the West Papuans with a final round of capacity-building and self-reliance projects in preparation for the closure of its Port Moresby office in December 2012. UNHCR’s agreements with national and local authorities, refugee representatives and the Catholic Diocese should ensure the continuity of service provision for the West Papuan refugees.
- The Chinese Government adopted a policy decision to grant refugee children access to Chinese public education institutions on the same conditions as Chinese pupils.
- The Republic of Korea’s adoption of the Refugee Act in February 2012 will allow the Government to build a refugee assistance centre and to resettle refugees in the country.
- UNHCR’s partnerships with the Korean Bar Association, the Dong Cheon Foundation and the Ministry of Justice led to the training of many lawyers, legal aid providers and interpreters.

Fair protection processes and documentation

- In Japan, UNHCR offered training sessions on protection and RSD to the Immigration Bureau. The establishment of a

framework for cooperation between the Immigration Bureau and civil society aims to improve the asylum process, including by providing alternatives to detention.

- Australia codified in legislation its non-*refoulement* obligations, and took steps to meet its pledge to identify statelessness more effectively. The country has not yet established a statelessness determination procedure.
- In Australia, UNHCR monitored detention practices, admissibility and RSD procedures, as well as the transfer of asylum-seekers from Australia for offshore processing in Nauru and Papua New Guinea.
- Several Pacific Island Countries made progress to put in place laws and/or procedures to manage asylum-seekers and showed readiness to cooperate with UNHCR. The Office provided RSD capacity building in several Pacific Island Countries. As co-lead of the Pacific Protection Cluster, UNHCR assisted Pacific Island Countries to boost their capacity to respond to complex natural and man-made emergencies.
- In the Hong Kong Special Administrative Region (SAR China), UNHCR undertook RSD and continued to strengthen cooperation with the Government, including by providing RSD training to immigration officials and intervening in cases to prevent *refoulement*. The Government agreed to extend its responsibility to the provision of assistance to refugees in the territory. A judicial review was heard by the Court of Final Appeal in relation to the territory’s obligation to conduct its own independent enquiry for refugees under international law, in which UNHCR participated as an intervening party.
- The establishment of a framework for cooperation between the Hong Kong Immigration Bureau and the SAR’s civil society aimed to improve the asylum process, including by finding alternatives to detention.

Durable solutions

- The Australian humanitarian programme increased to 20,000 places, of which approximately 12,000 are for UNHCR-referred refugees.
- New Zealand launched a Refugee Resettlement Strategy to enhance its capacity to resettle and provide effective settlement services to refugees, including to provide greater consistency and collaboration between organizations involved.
- The Government of Japan decided to extend the resettlement pilot project for two additional years, and established a council of experts on resettlement with the involvement of civil society.

Constraints

In Australia, the highly charged public debate around asylum-seekers arriving by boat has the potential further to erode support for the institution of asylum and the 1951 Refugee Convention. The high numbers of asylum-seekers may also have an impact on the efficiency and effectiveness of its refugee assessment processes and make it difficult for the Government to move people from detention into community settings. The introduction of draft legislation in New Zealand drew attention to irregular maritime movements and heralded the possible introduction of stricter border security measures.

The number of asylum-seekers in China tripled in 2012, with most of the applicants from African countries. UNHCR

delivered protection and basic subsistence services to recognized refugees without going through an operational or implementing partner. In the Hong Kong SAR, UNHCR continued to represent the main alternative avenue for Government-rejected cases to attempt to extend their stay in the country. This forced UNHCR to screen a large number of asylum-applications, only some of which are from people in need of international protection.

In Japan, the backlog at the appeal stage grew considerably and the long waiting period adversely affected newly arrived asylum-seekers, particularly in the area of accommodation.

In the Republic of Korea, UNHCR continued to receive reports of asylum-seekers facing difficulties in submitting asylum claims at the Seoul Immigration Refugee Office and at immigration detention centres and ports of entry, in particular at Incheon Airport. Several cases were reported of asylum-seekers who tried to submit their asylum-claims at the airport being deported to transit countries or countries of origin, without being granted access to RSD procedures.

Operations

UNHCR continued its supervisory and monitoring role in **Australia** and **New Zealand** in accordance with article 35 of the 1951 Refugee Convention. UNHCR does not have a direct role in RSD, but continued to provide advice to the two Governments on policy, law and practice relating to refugees and asylum-seekers.

UNHCR closed its office in **Papua New Guinea** at the end of 2012 and its representative function is now being undertaken by the regional office in Canberra.

In **Pacific Island Countries**, UNHCR implemented a capacity-building project funded by Australia to help States address the needs of refugees and asylum-seekers while promoting refugee law and principles in the region. UNHCR also has 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**, UNHCR undertook RSD, provided basic assistance to people of concern and worked to improve the protection space for asylum-seekers and refugees. UNHCR resettled 33 individuals from China. Capacity-building activities for the authorities included a round table on statelessness and RSD.

In **Mongolia**, UNHCR advocated for the Government's accession to the 1951 Refugee Convention, while also undertaking RSD,

providing basic assistance to people of concern and working to improve the protection space for asylum-seekers and refugees.

Resettlement remained the main durable solution in the **Hong Kong SAR**, given the lack of local integration prospects as well as the fact that voluntary repatriation is very rarely requested or suitable. In 2012, a total of 38 people were submitted for resettlement, including one stateless person. Some 53 refugees departed for resettlement third countries.

In **Japan**, the number of asylum applications in 2012 stood at over 2,500, the highest number since 1982, and some 10 times more than in 2002. The demographic characteristics of asylum-seekers have also shifted from predominantly single males to more women and children and a wider range of nationalities. The rise in the number of asylum applications began to have an impact on the RSD system as well as State/NGO assistance, as the processing took longer and the needs for assistance were mounting.

The UNHCR Regional Centre for Emergency Preparedness (e-Centre) continued to work with government and civil-society actors throughout the Asia-Pacific region to strengthen inter-agency emergency response capacity. Activities included technical support for field operations, tailored capacity-building activities for partners, and forums for structured information exchange. In 2012, the e-Centre helped to form the Asia-Pacific Emergency Management Platform, which includes 38 leading government and civil-society institutions from the e-Centre partner network.

UNHCR's partnership with the Japanese clothing retailer UNIQLO supported two successful internship programmes at Damak in Nepal and a third in Cox's Bazaar in Bangladesh. Seven UNHCR operations benefited from UNIQLO's in-kind donations in 2012, among them the emergency operation for Syrian refugees in Jordan.

Fuji Optical, celebrating the 30th anniversary of its annual Vision Mission, visited Azerbaijan for the eighth time with assistance from UNHCR and made a cash donation of USD 100,000 for refugee education.

In the **Republic of Korea**, the National Assembly Human Rights Forum and UNHCR hosted two symposiums on national refugee law and policy. UNHCR organized a mission of immigration officials to New Zealand. It also obtained direct tax-deductible status and expanded partnerships with corporate companies for fund raising. UNHCR signed an agreement with UNIQLO Korea as part of its global partnership with UNIQLO Japan.

| Financial information |

The competing financial requirements of large humanitarian emergencies and protracted refugee situations elsewhere in the world had an impact on operations in East Asia and the Pacific, constraining protection and advocacy operations in the subregion. In Australia and China developments related to mixed flows and asylum policies imposed new and growing requirements on

UNHCR. Many operations had to function in 2012 with limited financial and human resources. This had a direct impact on all UNHCR offices, including by reducing the ability of regional offices to cover their areas of responsibility through missions. At the end of 2012, overall expenditure stood at USD 13 million for the subregion, against a total budget of USD 16.5 million.

Budget and expenditure in East Asia and the Pacific | USD

Operation		PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	Total
Australia Regional Office ¹	Budget	2,144,316	0	2,144,316
	Expenditure	1,809,328	0	1,809,328
China Regional Office	Budget	5,621,120	143,934	5,765,054
	Expenditure	4,346,970	107,243	4,454,213
Japan	Budget	4,656,671	51,772	4,708,443
	Expenditure	4,104,373	41,194	4,145,567
Papua New Guinea	Budget	1,375,249	0	1,375,249
	Expenditure	1,221,387	0	1,221,387
Republic of Korea	Budget	1,931,121	188,402	2,119,523
	Expenditure	1,233,324	118,976	1,352,300
Regional activities	Budget	412,769	0	412,769
	Expenditure	90,012	0	90,012
Total budget		16,141,246	384,108	16,525,354
Total expenditure		12,805,394	267,413	13,072,807

¹ Includes activities in China and Mongolia.

Voluntary contributions to East Asia and the Pacific | USD

Earmarking / Donor	PILLAR 1 Refugee programme	Total
AUSTRALIA REGIONAL OFFICE		
Australia	322,911	322,911
Brazil	50,000	50,000
Australia Regional Office subtotal	372,911	372,911
CHINA REGIONAL OFFICE		
China	124,630	124,630
China Regional Office subtotal	124,630	124,630
JAPAN		
Japan Association for UNHCR	92,095	92,095
Japan subtotal	92,095	92,095
PAPUA NEW GUINEA		
United Nations Delivering as One	40,558	40,558
Papua New Guinea subtotal	40,558	40,558
Total	630,194	630,194

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) Reserve.