

COUNTRY OPERATIONS PLAN BANGLADESH (External Version)

2002

Part I: Executive Committee Summary

(a) Context and Beneficiary Population(s)

Rationale

In 1991, refugees from Northern Rakhine State (NRS) of Myanmar began crossing into Bangladesh. The influx reached some 250,000 by mid-1992. Following the request of the Government of Bangladesh (GOB), UNHCR's involvement started in May 1993. Initially, Bangladesh conducted repatriation on a bilateral basis with the Government of Myanmar (GOUM). Over the last eight years, 93 % of the refugees have repatriated. There is a need to find lasting solutions for the remaining caseload of approximately 21,000 refugees.

Some 120 urban refugees from various countries are residing in Bangladesh. Bangladesh is yet to become a signatory to the international refugee instruments. They require protection under the UNHCR mandate and some need financial assistance.

UNHCR's primary purpose in Bangladesh, therefore, is to safeguard rights and well-being of refugees and to seek lasting solutions to their plight.

Security situation

In 2001, a general election will take place and so far numerous hartal (strikes) have adversely affected the operation for the refugees in the camps, disrupting the transport of food to the camps and restricting the movement of staff. In 2002, the security situation may continue to be of concern and UNHCR will monitor the situation closely.

Various measures will be taken to further reinforce security in the camps by improving shed arrangements, sanitation and other facilities. Special attention will continue to be paid to the needs of women and children. UNHCR will maintain a presence in the camps and exercise its protection mandate through firm and timely interventions.

Protection Issues

In July 1997, the law and order situation broke down in the camps and the authorities were able to bring the situation under control only in mid-1998. Repatriation consequently resumed in November 1998. The situation has remained more stable since that time. The government will continue to be responsible for the general law and order situation. UNHCR will maintain its vigilance to ensure refugees live in safety and with dignity.

The awareness of women with regard to sexual harassment and other forms of violence has markedly increased over the last few years through workshops and community activities. These activities will continue in 2002. Further awareness raising programmes for refugee men, women and adolescents will be organised to discuss topics such as women's physical safety, reproductive health, trafficking, and domestic and sexual violence.

There are approximately 200 refugees in detention in 2001, the majority of whom are waiting for their trial to be completed. In 2002, UNHCR will continue to provide legal assistance and conduct regular jail visits in order to identify asylum seekers and monitor the situation of the detainees.

Bangladesh is not a signatory to the 1951 Convention or to the 1967 Protocol. It has no national legislation dealing with asylum-seekers and refugees. Although Bangladesh has

experienced several mass influxes of refugees from Myanmar in 1978 and 1991 and a trickle of urban refugees, refugees are considered UNHCR mandate refugees. Nevertheless, the refugees from NRS of Myanmar live in a state of “legal limbo” for lack of recognition of their rights to work and freedom of movement by the Government of Bangladesh (GOB) and lack of citizenship in Myanmar.

Of the residual caseload of some 21,000 refugees, prospect for return for 16,000 refugees is uncertain as they remain uncleared for return by the Myanmar authorities. Of the total caseload, 5,000 refugees are reluctant to return for their alleged fear of persecution and, therefore, solutions other than repatriation have to be explored. Due to procedural difficulties and an unwillingness of some refugees to repatriate, return of the remaining refugees continues to be slow .

UNHCR assists urban refugees for repatriation, resettlement in third countries as well as temporary self-sufficiency in Bangladesh. Continued efforts will be made to promote an understanding of international refugee law and national legislation.

UNHCR’s role

UNHCR Bangladesh continues to engage in core activities of the Office. It will continue to provide protection and assistance to refugees from NRS of Myanmar as well as refugees from various countries while pursuing their durable solutions. UNHCR co-ordinates closely with various ministries of the GOB, NGOs who are UNHCR implementing and operational partners and UN agencies.

UNHCR will continue to encourage bilateral dialogue between the Governments of Myanmar and Bangladesh to accelerate repatriation and to find lasting solutions for the remaining refugees in the camps. The GOB will be encouraged to support further plans for the consolidation of camps, improvement of its environment and expansion of activities to promote self-dependency of refugees.

UNHCR will accord refugee status to eligible asylum-seekers and provide material assistance to those who are in need. In addition to supporting temporary self-sufficiency in Bangladesh, UNHCR assists them in finding their lasting solutions.

Promotional activities will encourage Bangladesh to accede to the international legal instruments on refugees.

Overview of each beneficiary population

Refugees from NRS Myanmar

The population of concern to UNHCR Bangladesh constitutes some 21,000 refugees from NRS of Myanmar. The male – female ratio is around 1:1 and sixty percent of them are under 18 years of age. The majority of them are Muslims and a few families are Hindu. Prior to their flight, they were farmers, petty traders and casual labourers. There is a low rate of literacy and low level of education. Of the total caseload, the cases of approximately 4,500 refugees are pending with the Myanmar authorities for re-verification for their return. The bio-data of 16,000 uncleared refugees were not taken into account by the GOUM authorities so far. Some 5,000 refugees with protection concerns and some who are unwilling to return will require durable solutions other than voluntary repatriation. Some 10% of the total population belong to vulnerable groups. With the progress of repatriation, there has been a concomitant increase in the percentage of this group.

Urban refugees/ Promotional activities

The small urban caseload of refugees are protected under UNHCR. The GOB tolerates their temporary stay in Bangladesh. Apart from provision of international protection, UNHCR extends its assistance, including the repatriation and third country resettlement of eligible

refugees. Urban refugees come from Iran, Afghanistan, Myanmar, Sierra Leone, Sri Lanka and Somalia. Approximately 70% are single adult males.

Promotional activities are geared towards Bangladesh's accession to the 1951 Convention and/or a national law. Once this is achieved, UNHCR will assist the GOB to implement a normative framework. Until such time, UNHCR is concentrating on developing a support base with a strong appreciation of refugee issues which also assists in convincing the GOB of the need for a law.

Policy Issues

In the context of both protection and assistance, special attention has been paid to women and children. Female headed households have been targeted for productive activities to increase their resources. The involvement of women in various activities is one of the major policies which has been pursued through the opening of more women's centres. Women have been encouraged to actively participate in these activities. Through awareness sessions, there has been a marked reduction of sexual and gender-based violence. It can clearly be seen that women have been less restricted in their movements in the camps resulting in more active participation in daily camp life.

Improving the quality of education in the camps will continue to be a priority. Recreational activities for children and adolescents have been expanded and will continue. Similarly, skills training for adolescents will continue to be increased.

To save forest areas and to ensure that the environment is not degraded, compressed rice husks and kerosene have been and will be distributed for cooking and lighting purposes. Tree planting in the camps was introduced in 2000 and has been expanded to ensure recovery of the environment. Environmental hygiene is included in the health education programme targeted to adults and adolescents.

Linkages to other countries

UNHCR's operations in Bangladesh and in Myanmar are closely linked. While the operation in Bangladesh is a care and maintenance programme, the one in Myanmar creates conditions for return. UNHCR's activities in NRS help to ensure the safety of returnees from Bangladesh and contribute to stabilising the population in the area. Provision of community-based assistance and monitoring programmes in the returnee areas of NRS support returnees' reintegration process.

UNHCR Dhaka and Yangon maintain contact with each other in order to encourage the bilateral dialogue between the two governments in finding durable solutions for the remaining caseload. The Sub-Office Cox's Bazar and Field Office Maungdaw co-ordinate their work through regular meetings and exchange visits.

BO Dhaka maintains contact with other offices in the region in order to share information regarding irregular movements, provide up-to-date country information and support for advocacy activities.

Role of NGOs and UN Agencies

It is envisaged that the same organisations currently working in the refugee camps will continue to provide assistance to the proposed consolidated camp. They are MSF-H, CONCERN Bangladesh and International Federation of Red Cross and Red Crescent Societies (IFRC)-Bangladesh Red Crescent Society (BDRCS). Since July 1999, MSF-H has been funding their own activities. WFP provides the general food ration and the Food for Work (FFW) programme both for refugees and surrounding local population. UNHCR will continue to encourage other UN agencies, particularly UNICEF, UNDP, UNESCO and UNFPA, to initiate programmes in the Teknaf and Cox's Bazar areas which will include assistance to refugees. Dhaka Ahsania Mission (DAM) implements programmes for the urban caseload. Bangladesh Bar Council (BBC) and the Refugee Migratory Movements

Research Unit (RMMRU) of Dhaka University currently organise promotional activities on refugee law.

(b) Selected Programme Goals and Objectives

Name of Beneficiary Population/Theme: Refugees from Northern Rakhine State, Myanmar.	
Main Goal(s): Durable solutions for the refugees	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Refugees enjoy personal security and safety • Voluntary repatriation • Refugees reach self-dependency during their temporary stay in Bangladesh 	<ul style="list-style-type: none"> • No refugees refouled or pressured to return and stay in the camps is safe • Refugees cleared and willing to return assisted to repatriate • Refugees no longer fully dependent on assistance for their survival

The UNHCR strategy is to pursue voluntary repatriation and self-dependency for the refugees not yet able or willing to return. UNHCR will urge for a continuation of bilateral talks between the GOB and the GOUM. Meanwhile, expansion of productive activities and skills training will hopefully pave the way to self-dependency.

Name of Beneficiary Population/Theme: Urban refugees	
Main Goal(s): International protection and a normative framework for refugee protection	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Access to international protection for asylum seekers and refugees 	<ul style="list-style-type: none"> • RSD for all asylum seekers conducted by UNHCR • Refugees recognised and provided with identification and assistance when necessary
<ul style="list-style-type: none"> • Durable solutions for refugees 	<ul style="list-style-type: none"> • Refugees repatriated and resettled. • Refugees are self-reliant
<ul style="list-style-type: none"> • Accession to the 1951 Convention by the Government of Bangladesh 	<ul style="list-style-type: none"> • Awareness raised amongst government officials on the need for the Convention/ National Legislation

In the absence of a legal framework in Bangladesh, UNHCR will continue to recognise refugees under its mandate, provide international protection and assist urban refugees to find solutions to their plight. UNHCR will continue to encourage the GOB to accede to the Refugee Convention and /or adopt domestic laws relating to asylum seekers.