



COUNTRY OPERATIONS PLAN

Executive Committee Summary

Kingdom of Saudi Arabia & Gulf countries

Planning Year : 2007

2007 KINGDOM OF SAUDI ARABIA & GULF COUNTRIES Operations Plan

Part I: Overview

Protection and socio-economic operational environment

The population of KSA amounts to 23 million including 6 million foreign workers according to a census undertaken in 2004. It is the number one oil exporter in the world. Both history and geography in addition to proven oil reserves have endowed it with great potentials. Being the custodian of the two Moslem Holy Mosques (Makkah and Madina), Saudi Arabia assumed a leading role in the Islamic world. Pilgrimage to Saudi Arabia (Hajj & Omrah) attracts every year millions of Moslems from around the world.

Kuwait, Bahrain, Qatar, UAE and Oman have an estimated population of about 9.6 million in addition to several millions of expatriate workers. The huge oil wealth of the Gulf Countries and lack of expertise in various fields led to the recruitment of millions of workers from all over the world. Moreover, the region became a place of choice for persons seeking better opportunities. With its geographic proximity to the less privileged hotbeds in Southwest Asia, Middle East and the Horn of Africa, the GCC States resorted to extremely restrictive immigration policies to control illegal immigration.

Saudi Arabia, Kuwait, UAE, Qatar, Bahrain and the Sultanate of Oman did not yet accede to the 1951 Convention or to the 1967 Protocol concerning refugees. Consequently, there are no legislative or administrative provisions governing refugees. The long outstanding Palestinian refugee problem and the volatile situation in the Middle East have made the Gulf Countries reluctant to accede to the international regime-governing refugees. RO Riyadh's focus was on strengthening of the Gulf countries' adherence to refugee law principles and the improvement of the protection conditions and ultimately the promulgation of domestic refugee laws and the accession to the 1951 Convention. RO's efforts in this respect have led to an increasing understanding of international protection principles and UNHCR's mandate among Governments and NGOs. This has also reflected on UNHCR's ability to have access to increasing numbers of asylum-seekers and to ensure better respect of asylum seekers and refugees' basic rights.

At the end of 2005, there were 2,003 urban refugees and 541 urban asylum seekers registered with UNHCR offices in the Gulf region (323 refugees/212 asylum seekers) in KSA, (1,523 refugees/203 asylum seekers) in Kuwait, (104 refugees/79 asylum seekers) in UAE, (46 refugees/28 asylum seekers) in Qatar, (15 asylum seekers) in Bahrain, and (7 refugees/4 asylum seekers) in Oman. This figure includes 215 Eritrean ex-military refugees, who fled to Saudi Arabia in 2004 and early 2005 and who were admitted by the Saudi authorities in Gizan and granted refugee status by RO Riyadh.

UNHCR main caseload in the region was the Iraqi refugees in Rafha camp, which reached a peak of 33,000 in 1992. Approximately, 24,000 were resettled in 16 countries over the years and 5000 opted for spontaneous repatriation after the regime change in Iraq. In 2005, a significant arrangement was reached with the Saudi authorities after lengthy negotiations undertaken by RO Riyadh to secure an alternative solution for the residual caseload in Rafha camp (363 persons) at the end of 2005 as part of its exit strategy. The Saudi authorities, for the first time, authorized Iraqi refugees and their families, who opted to benefit from this alternative arrangement, to leave the camp and settle in urban areas in Saudi Arabia. They would be provided with a refugee identification card issued by the Saudi Ministry of Interior as well as residence permit. They will be allowed to work, access medical and education facilities. As of September 2006 only 95 refugees remain in the Rafha refugee camp.

Besides, UNHCR Riyadh has been gradually extending the applicability of its protection mandate to other groups of refugees than those in Rafha camp, i.e. urban refugees. This expansion of UNHCR's mandate in the region is of crucial importance as there are large numbers of persons who may be, in need of international protection. Some Governments have, though with some reservations, agreed to that expansion. Others continue to show some reluctance. UNHCR has continued to efficiently expand the applicability of its protection mandate to the urban refugees in KSA and in the other countries under its direct supervision (Qatar, Bahrain, UAE, Kuwait and Oman). While doing so, UNHCR has faced a challenging situation where it was required to extend its protection to persons who were not allowed to stay in the GCC countries due to their illegal status (illegal entry or expired residence permit or visa). In order to circumvent this major difficulty, UNHCR was left with no other choice than to obtain from the concerned Governments clearance for a temporary stay of recognised refugees against a commitment to find durable solutions for them. With the onset of vigorous policies to localise the labour market, it is feared that 2007 would witness diminished work opportunities for foreigners and consequently more applicants approaching UNHCR seeking asylum to evade return to their home countries.

UNHCR is also closely monitoring the situation of Palestinians living in Saudi Arabia and the Gulf countries. Given the fact that the gulf region is outside UNRWA's area of operation, Palestinians are under international protection and covered by the Mandate of UNHCR. In terms of the established regional arrangements for hosting Palestinians in the Arab countries, although Saudi Arabia and the other GCC countries are not formally party to the 1965 Casablanca Protocol adopted within the framework of the League of Arab States, however, they are de facto implementing most of its stipulations. There is no official statistics that have been made public on the number of Palestinians living in Saudi Arabia or in the Gulf. Palestinians are holding various types of Travel Documents (TD): Egyptian, Lebanese, Syrian, Jordanian passports with two years validity and Palestinian passports. There are also very few holders of Iraqi TD. Palestinians living in the Gulf have first fled and resided in one of the neighbouring countries of Palestine before relocating to the Gulf region. They belong either to the group of "1948 Palestine Refugee" or "1967 Displaced Persons". Both categories are considered by UNHCR as refugees (cf. Note on the interpretation of Article 1D). It is believed that a large proportion of the Palestinians living today in the Gulf were initially registered with UNRWA in their first country of asylum. This

registration is still valid for them and their descendants. Many Palestinian families have been living in Saudi Arabia for the third or fourth generation. In general terms, Palestinians are subject to local regulations same as any other foreigner, however, in practical terms some immigration and penal rules do not apply to Palestinians. The standard of treatment of some Palestinians has been slowly and silently moving from the status of expatriate to something else, to a new category with a more favorable treatment that still does not exist in the local legislation. The authorities do not want this change in the standard of treatment to be perceived as a gradual local integration. They emphasize their international commitment towards the rights of Palestinian refugees and the relevant resolutions of the United Nations.

The presence of millions of migrant workers has led to demographic disproportion in KSA and other Gulf countries. This has in turn, generated a deleterious effect on policies regarding asylum. The presence of refugees is being perceived as a destabilising as well as a pull factor due to the geographic proximity to hotbeds in Africa and Asia. Therefore, the strategic objective of the Regional Representation in Riyadh was to continue to encourage Gulf countries' respect to refugee law principles as well as the improvement of international protection conditions, accession to the 1951 Convention and ultimately the promulgation of domestic refugee laws. Efforts in this respect have led to an increasing understanding of international protection principles and UNHCR's mandate among Governments and NGOs. This has also been instrumental on UNHCR's ability to have access to increasing numbers of asylum-seekers and to ensure better respect of refugees basic rights.

Besides, there are Bidoons (stateless persons) mainly in Kuwait (about 113,000) and KSA (about 70,000) who live under a precarious situation emanating from lack of legal status. The statelessness is being politicised because of demographic imbalance. Nevertheless, Kuwait is considering major steps towards resolving this issue and KSA has amended in 2004 its naturalizaion legislation opening the door for the potential naturalization of a number of stateless persons (Bedoon) and expatriates. None of the Gulf countries are parties neither to the 1954 Convention relating to the Status of Stateless Persons nor to the 1961 Convention relating to the Reduction of Statelessness.

During the last few years, KSA and other GCC States have demonstrated some limited interest to channel humanitarian assistance to refugees through UNHCR taking into consideration that over 50% of the world refugees were Muslims. Meanwhile, the GCC States have provided hundreds of millions US dollars in bilateral assistance to refugees and displaced persons in Afghanistan, Chechnya, Kosovo, Iraq, Liberia, Sudan, Somalia and other parts of the world. The bilateral delivery continued to prompt UNHCR to persuade local donors (governments, NGOs and the private sector) to channel some of their assistance through multilateral channels. The Regional Representation succeeded during 2004 to attract USD 1,631,003 million in contributions and pledges despite new organisational measures imposed by local governments on NGOs, fund raising schemes and funding channelling methods.

1. Operational goals and potential for durable solutions

- RO Riyadh's focus will continue to be on strengthening the Gulf countries' adherence to refugee law principles and the improvement of the protection conditions and ultimately the promulgation of domestic refugee laws and the accession to the 1951 Convention. RO's efforts in this respect have led to an increasing understanding of international protection principles and UNHCR's mandate among Governments and NGOs. This will reflect on UNHCR's ability to have access to increasing numbers of asylum-seekers and to ensure better respect of refugees' basic rights.
- RO Riyadh will continue to monitor the implementation of the alternative arrangement secured to ex-Rafha Iraqi refugees by the Saudi authorities to authorize them to leave the camp and settle with their families in urban areas in Saudi Arabia. RO will also ensure the status of this category of refugees and their families, in terms of identity documentation, residence permit, access to work and other medical and education facilities.
- RO Riyadh will continue to give high priority to the residual Eritrean ex-military refugees in Gizan, who were granted temporary authorization to stay. RO Riyadh will continue to ensure their protection and non-refoulement, monitor the implementation of their care and maintenance project provided by the Saudi government, and identify resettlement countries for them, and hence expedite safe departures of accepted cases to their final destinations.
- As to urban caseload, due to the ongoing restrictive immigration rules in the region, some expatriates were asked to leave Saudi Arabia and the other Gulf States in order to pave the way to employ nationals instead. As large numbers of 7 million foreign workers hosted by Saudi Arabia and about 4 millions hosted by other Gulf Countries originate from refugee producing countries, the situation can slowly unfold with an increase in asylum applications.
- RO will continue to efficiently expand the applicability of its protection mandate to the urban refugees in KSA and in the other countries under its direct supervision (Qatar, Bahrain, UAE, Kuwait and Oman). Mobilisation of resources continued aiming at improving overall protection conditions through promotion of Refugee Law and capacity building. This has led to increased co-operation with local authorities and better understanding of UNHCR's mandate and role and at times to practical arrangements allowing the Regional office to address in a structured manner the protection needs.
- Capacity building of local counterparts in the Gulf countries and promotion of refugee law will continue to be a priority for RO Riyadh. In 2006, RO successfully conducted several refugee law trainings for Organization of Islamic Conference (OIC) staff in Jeddah; government and NGOs key officials in Doha in collaboration with the Ministry of Foreign Affairs; and for Federal government in Abu Dhabi. RO Riyadh also planned several other trainings to be conducted during 2007.

- Countries in the Gulf are hosting a large Sudanese Community and as a result of the developments of the Darfur crisis in 2004, UNHCR in KSA and the Gulf countries encouraged the authorities not to forcibly return rejected Sudanese cases from Darfur to their country of origin. UNHCR informed, advised and counselled its counterparts on the required standard of treatment for Sudanese from Darfur in view of the tragic developments in their place of origin. UNHCR explained the rationale behind the need for a complementary form of protection for this particular group at this particular time.
- In accordance with the latest position paper on the treatment of Liberian Asylum-seekers and Refugees, RO Riyadh has acquired new practice for this group by processing all new Liberian cases for RSD. Recognized refugees will enjoy full refugee status (protection, durable solution, assistance). Whereas intervention to stay any forced return for rejected cases would be requested from the government, and a complementary form of protection would be sought for them, as well as those who have already been granted temporary protection in the past, by approaching the concerned authorities.
- Somali asylum seekers, who will approach RO Riyadh and other gulf countries will be dealt with in compliance with the latest UNHCR advisory. Asylum seekers, who originate from northwest Somalia (Somaliland) are subjected to RSD, while those originating from southern and central Somalia are considered to be in need of international protection and, excepting exclusion grounds, should be granted, if not refugee status, then a complementary form of protection.
- A new group of Eritrean refugees, holders of convention travel documents (CTDs) issued by the government of Sudan, has emerged in 2005 consequent to the declaration of cessation clause for Eritreans. This group becomes ipso facto in an illegal status in Saudi Arabia upon expiry of their CTDs. RO will continue to use its good offices with the Sudanese Embassy in Riyadh on behalf of this category of Eritrean refugees, who will approach RO Riyadh seeking our intervention for renewal of their travel documents. RO Riyadh will also continue to intervene on their behalf with the Saudi authorities, if need be, to stay their deportation and to have access to social services (health care, education, etc.).
- RO Riyadh will continue in 2007 strengthening the public awareness and fund raising activities within its long-term regional strategy especially in light of the humanitarian crises in Iraq and Darfur, the continued repatriation and reintegration requirements in Afghanistan and Africa and the implementation of the repatriation and reintegration program in Southern Sudan. This has wielded interest of public opinion and decision-makers in UNHCR's mandate and activities in the region. It has also allowed RO Riyadh to continue to draw donations from government and non-government sources.

Part II: Comprehensive needs and partnership

1. Outcomes of joint planning and management of identified gaps

RO Riyadh organized a one day retreat during the first half of March 2006 attended by RO staff. Colleagues from FO Rafha, LO Kuwait, and LO Abu Dhabi sent their

written contributions in order to undertake an overall need assessment for the operations in the Gulf in 2007.

2. Comprehensive needs and contributions

a) Contributions by the host government, refugee and/or local communities:
It is assumed that the Saudi government will continue to cover the entire expenses of the residual Eritrean caseload in Gizan, until UNHCR would secure resettlement country/countries for them.

b) Financial contributions of partners:
UNHCR will continue, whenever feasible, to refer to NGOs in the Gulf needy urban refugees for assistance. The bulk of the assistance of UNHCR's persons of concern will therefore continue to be carried on by NGOs in the region. In addition, UNHCR will, whenever possible, request local NGOs to cover basic relief items as food, household necessities and other commodities and to meet their essential medical needs. From its side, UNHCR will provide one time grant for emergency cases or will provide assistance for cases who would not have been assisted by local NGOs.

3. Implementation and co-operation

Cooperation with other UN agencies operating in the Gulf region is limited due to the specificity of UNHCR mandate that is focusing on non-nationals. UNHCR is however actively involved in issues that are common to all country team UN agencies. In that respect, UNHCR is regularly participating in UN Country Team meetings and the Security Management Team (SMT). UNHCR is also sharing the cost of the security arrangement of a common compound together with UNICEF.

4. Multi- year strategies:

- Protection needs of urban refugees will be addressed by ensuring Governments' commitment to basic refugee law principles, including non-refoulement and by assessing asylum claims through conducting RSD and finding durable solutions in accordance with UNHCR standards and procedures.
- Strengthening national capacities for protection and asylum including advocacy, lobbying, and technical support for developing refugee legislation and refugee status determination procedures through a gradual incremental process.
- Improving the legal and social conditions of refugees and asylum seekers through empowerment, protection partnerships and limited assistance.
- Additional efforts will be exerted to increase governmental financial contributions, involvement in multilateral assistance from NGOs and development funds and raise funds from the private sector.
- Increase political support of UNHCR role and activities by strengthening partnerships and cooperation networks with governments, NGOs, media, academia, advocacy groups and the civic societies at large.

- Improve the implementation capacity of governmental and nongovernmental interlocutors through progressive training programs and the establishment and operation of the @ Center and stockpiling project.
- Widen public awareness through expansive use of Arabic publications and stronger working relationships with local, regional and international media in the region.