

**Executive Committee of the
High Commissioner's Programme**

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**Overview of UNHCR's operational strategies in
the Asia-Pacific region**

A. Situational analysis

The protection environment in the Asia-Pacific region is fragile; few countries have acceded to the 1951 Refugee Convention and many lack legal frameworks that govern refugee protection. Among those which have acceded, many do not have the capacity to effectively implement their commitments. Despite the absence of legal frameworks, Asia has generously hosted millions of refugees and other displaced persons over the years. The region is home to some of the world's largest and most protracted refugee populations and currently hosts over 9.5 million persons of concern including refugees, internally displaced persons (IDPs), stateless persons and others. Together, they make up almost 27 per cent of the global population of concern to UNHCR. Of the 3.6 million refugees in Asia, the overwhelming majority reside in urban areas.

Irregular migratory movements have continued in Asia, with refugees in need of protection and a means to support their families travelling alongside other migrants. Mixed movements on all maritime routes in the Asia-Pacific region took place on an unprecedented scale throughout 2012. The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process), and the Almaty Process on Mixed Migration and International Protection provide regional platforms for dialogue and cooperation to protect asylum space and address mixed migratory flows.

In South-East Asia, the operationalization of the Regional Cooperation Framework under the auspices of the Bali Process continued to gain momentum, and a Regional Support Office was opened in Bangkok in September 2012. A consultations process was launched between Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, with the aim of introducing a draft Regional Cooperation Framework and a Regional Action Plan to strengthen refugee protection and address mixed migration movements in Central Asia.

In Myanmar, inter-communal violence in Rakhine State in June and October 2012 led to the internal displacement of some 115,000 people and unknown numbers displaced across borders, as well as a marked increase in the number of irregular maritime movements of Rohingya from the region. While figures are difficult to confirm due to the nature of these movements, independent observers estimate that, during the last quarter of 2012, some 5,000 people departed from the Myanmar/Bangladesh border. Efforts to address the irregular movement of Rohingya, including inter-State cooperation and burden sharing mechanisms, are required from the international community.

The year 2012 also saw an escalation of conflict in Myanmar's Kachin State. At the end of the year, an estimated 75,000 persons were internally displaced as a result. Meanwhile, peace negotiations with ethnic minority groups in the south-east of the country created

prospects for the return of IDPs and refugees. UNHCR is working with the Government and others to respond to the situations in Kachin and Rakhine States and is working to strengthen its operational capacity in south-eastern Myanmar.

Following the endorsement of the Solutions Strategy for Afghan Refugees to support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries at an international stakeholders' conference in May 2012, the Islamic Republics of Afghanistan, Iran and Pakistan, together with UNHCR, continued to work on further advancing implementation of the Strategy. The establishment of a Quadripartite Steering Committee as a platform for coordination has facilitated prioritization of the country-specific plans. The engagement of development partners and joint resource mobilization for implementation of the Strategy remain a priority in 2013.

In August 2012, following an increase in maritime arrivals to Australia, the Government adopted a new policy for the management of irregular migration. The policy supports the transfer of asylum-seekers to regional processing facilities in Nauru and Manus Island, Papua New Guinea. It also foresees a substantive expansion of Australia's refugee resettlement programme and an increase of financial support for regional initiatives aimed at improving UNHCR's capacity to expedite processing and refugee status determination for asylum-seekers in urban areas and improving the socio-economic conditions of asylum-seekers arriving in mixed flows. Such enhanced protection measures would reduce push factors and incentives for further irregular movements.

B. Achieving the Global Strategic Priorities

Safeguarding protection and asylum space

Disparities in asylum practices and conditions among countries in the region and the absence of predictable legal and normative frameworks on refugee protection present major challenges. Most countries that have not acceded to the 1951 Refugee Convention nevertheless continued to provide protection to refugees and asylum-seekers. UNHCR conducted refugee status determination in the majority of countries in the region, while advocating for national ownership of status determination processes. It also worked with concerned States to develop comprehensive regional approaches to stabilize populations until more durable solutions could be found, thereby discouraging irregular secondary movements. Significant progress was made recently in the Republic of Korea, where the Refugee Act was adopted and entered into force, as well as in China, which introduced the refugee definition in its Law on Exit and Entry of Aliens. In the Philippines, UNHCR recently signed a Memorandum of Understanding (MOU) with the Public Attorney's Office on refugees' access to legal aid. Under the MOU, free legal aid will be extended to refugees and stateless persons in the country.

UNHCR supported measures to increase the protection and self-sufficiency of refugees living in urban areas. For example, a landmark health insurance scheme that was introduced in the Islamic Republic of Iran in 2011 and the issuance of work permits for registered refugees in the country, provide livelihood opportunities and essential health services to the population. In 2012, the Government of India adopted a policy that allows eligible refugees to apply for long-stay visas and work permits, which brought about a marked improvement in the quality of asylum in the country. UNHCR will continue to support civil-society organizations which advocate for better asylum conditions in the region.

In 2012, UNHCR began mapping the implementation of its Policy on Refugee Protection and Solutions in Urban Areas. This exercise, which was completed in six operations in Asia, revealed a number of innovative practices that could be applied to other operations, as well as common challenges that should be addressed to ensure that refugees in urban settings benefit from effective protection. The protection of refugees in urban areas will remain a priority in 2013.

The prevalence of irregular migratory movements involving different categories of migrants, including persons of concern to UNHCR, and smuggling and trafficking rings, further adds to the protection challenges in the region. Progress was made in the context of the Bali Process to implement the Regional Cooperation Framework on mixed migration. The two co-chairs of the Bali Process, Australia and Indonesia, co-manage the Regional Support Office in Bangkok, with the support of UNHCR and the International Organization for Migration (IOM). The goal of the Regional Support Office is to strengthen cooperation on refugee protection and international migration through information sharing, capacity building and the pooling of resources. The Office will organize a Regional Roundtable on Irregular Movements by Sea in March 2013 (co-hosted by the Government of Indonesia and UNHCR) in order to develop bilateral and multilateral arrangements among States affected by irregular maritime movements.

In Central Asia, consultations were held among States in 2012 which led to the adoption of a Regional Cooperation Framework and Regional Action Plan and the launching of the Almaty Process on Mixed Migration and International Protection. These accords establish protection-sensitive border management and asylum systems tailored to the sub-region. In the second half of 2012, UNHCR and IOM co-hosted the first meeting of national coordinators from the Central Asian States. The second Ministerial Conference on Refugee Protection and International Migration, organized by UNHCR, IOM and the Government of Kazakhstan, will take place in June 2013 in Almaty.

In the Pacific Rim, UNHCR engaged with the authorities of Australia, Nauru and Papua New Guinea, providing legal advice and promoting adherence of the new mixed flow management policy to international refugee protection standards.

Finding solutions for protracted refugee situations

Afghan refugees make up the largest group of refugees living in a protracted situation. The Governments of Pakistan and the Islamic Republic of Iran continue to generously host some 2.6 million registered Afghan refugees. The Solutions Strategy for Afghan Refugees, to support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries supports continued voluntary repatriation, strengthened reintegration through community-based investments in areas of high return in Afghanistan, and the preservation of asylum space and assistance to host communities in asylum countries. Country work plans have been elaborated and the implementation of the strategy is well under way in the three countries, including strong advocacy and fundraising initiatives. The first meeting of the Quadripartite Steering Committee, which took place in Geneva in October 2012, endorsed terms of reference for the Committee and for the National Steering Committees. The second meeting, hosted by the Government of Afghanistan, took place in Abu Dhabi in January 2013. At this meeting, the Deputy Special Representative of the Secretary-General provided a briefing on the link between the Solutions Strategy and the Secretary-General's framework on durable solutions for IDPs and refugees, which is being piloted in Afghanistan. Participants agreed to expand efforts to mobilize resources for the Solutions Strategy, including from development partners.

The large-scale resettlement programme for Bhutanese refugees in Nepal continued, with over 75,000 persons finding a durable solution in third countries. Some 40,000 Bhutanese remain in camps in Nepal, down from an initial 110,000 at the onset of the programme in late 2007. The remaining refugees live in two camps, reduced from seven originally. UNHCR continues to engage in constructive dialogue with the Bhutanese Government with regard to voluntary repatriation.

In Myanmar, UNHCR, together with governments and partners in the region, is preparing for the possible voluntary repatriation of refugees and IDPs originating from the south-east. This includes profiling the refugees to determine their return intentions and reintegration needs in areas of return. UNHCR currently supports some 239,000 IDPs in south-eastern Myanmar, monitoring protection, engaging in advocacy with the Government and working to improve access to essential services. In 2012, UNHCR expanded operations in this

region to gain access to more than 100,000 individuals in need of assistance. This trend is expected to continue in 2013 as permission is granted to work in previously inaccessible areas.

UNHCR is working with the Government of Bangladesh to address the plight of some 30,000 registered Rohingya refugees from Myanmar, who reside in two official camps. In addition, there are reportedly an estimated 200,000 people from Rakhine State who are in the country without any legal status, including some 40,000 unregistered individuals living in two makeshift settlements. The undocumented population is considered by UNHCR to be in a refugee-like situation and therefore of concern to the Office. Though UNHCR does not provide any significant assistance to the population, the Office monitors their well-being.

Ensuring protection and durable solutions for IDPs

In Myanmar, inter-communal violence among residents of Rakhine State in June and October 2012 led to the internal displacement of some 115,000 people. UNHCR has access to all areas of displacement and stands ready to support the Government in providing humanitarian assistance and addressing the root causes of the disturbances, including statelessness and legal status.

In Kyrgyzstan, UNHCR continues to support the sustainable reintegration of those displaced by ethnic violence in the country in June 2010, including through community development, coexistence, livelihood and protection programmes. In 2013, UNHCR will focus on early warning and emergency preparedness in Central Asia, while preparing for the cessation of the Office's engagement in the IDP situation by 2015.

In Pakistan, some 745,000 persons remain displaced as a result of ongoing security operations in Khyber Pakhtunkhwa and the Federally Administered Tribal Areas. UNHCR is supporting the Government with registration, camp management and coordination, the provision of assistance to host communities and the protection of vulnerable groups.

UNHCR estimates that almost 500,000 people remain uprooted from their homes by the ongoing conflict in Afghanistan. Many have been displaced more than once, owing to lack of protection or livelihood opportunities in areas of return, or due to food insecurity or natural disasters. In 2013, UNHCR's work will focus primarily on assisting IDPs displaced by conflict to return and reintegrate. The Office will also support the Government's efforts to develop a national policy for IDPs in 2013.

In Sri Lanka, the majority of IDPs returned to their places of origin. Following the closure of Menik Farm camp in September 2012, small numbers of people remain displaced in the north and east of the country, mainly in host communities. UNHCR will continue to work with the Government and advocate for durable solutions for the remaining IDPs, while reinforcing voluntary repatriation and reintegration efforts.

In January 2013, the Philippines passed a bill that seeks to protect the rights of more than one million IDPs in the country. When the bill becomes law, upon the President's endorsement, the Philippines will become the first country in the region to have comprehensive legislation which protects people against arbitrary displacement and guarantees the rights of the internally displaced in accordance with the UN Guiding Principles on Internal Displacement.

UNHCR and the Government of the Philippines co-lead the protection cluster for the IDP situation in Mindanao, which forms part of the joint UN response. The Office is working with civil-society partners to establish an information database and provide documentation to the IDPs.

Reducing and preventing statelessness and protecting stateless persons

In 2012, Turkmenistan acceded to the 1961 Convention on the Reduction of Statelessness and provided citizenship to 3,300 stateless persons. This historic step makes Turkmenistan

the first country in Central Asia and the third in the Asia-Pacific region to be party to both Statelessness Conventions, having already acceded to the 1954 Convention relating to the Status of Stateless Persons in 2011. In 2013, UNHCR will support the Government with implementation of its accession-related obligations.

The Philippines, which acceded to the 1961 Convention on the Reduction of Statelessness in 2011, adopted a refugee and statelessness determination procedure in October 2012. UNHCR foresees a continuing need to assist some 800,000 Rohingya without nationality in Myanmar and is prepared to assist with technical expertise to achieve a solution for this particular situation.

UNHCR has strengthened its collaboration with the ASEAN (Association of Southeast Asian Nations) Intergovernmental Commission on Human Rights (AICHR) to address statelessness in South-East Asia. A regional workshop on good practices in birth registration was organized jointly by UNHCR and AICHR in Bangkok in December 2012. This event brought together delegates from Brunei Darussalam, Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Thailand, and Viet Nam, as well as from the ASEAN Secretariat, the United Nations Children's Fund (UNICEF), the United Nations Economic Commission for Asia and the Pacific, and Plan International. They joined AICHR representatives and UNHCR staff working on statelessness issues in South-East Asia to share good practices on birth registration and share lessons learned.

C. Financial information

The 2013 comprehensive needs assessment budget of \$526 million for Asia and the Pacific, approved by the Executive Committee at its 63rd Session in October 2012, has been increased to \$577 million as of mid-January 2013. This increase is largely due to the establishment of a supplementary budget for the Myanmar situation in order to respond to unforeseen humanitarian needs resulting from population displacement, mainly in Rakhine State, as well as to step up preparatory activities on both sides of the Thai-Myanmar border for voluntary repatriation, in light of recent positive developments, improving the prospects for repatriation.
