SOUTH-EAST ASIA

A sprightly 83 year-old lady displaced by Typhoon Haiyan collects blankets for her family in Lilioan Barangay, Philippines

UNHCR / M. ULLAH

UNHCR
The UN Refugee Agency

| Overview |

Map legend:
- UNHCR Regional Office
- UNHCR Country Office / National Office / Liaison Office
- UNHCR Sub-Office
- UNHCR Field Office
- UNHCR Field Unit
- International boundary

Highlights

- To address the evolving situation in Myanmar, and its impact on the region, UNHCR engaged with States and UN partners on issues that included the provision of humanitarian assistance, the root causes of displacement, and ways to enhance protection for refugees. The organization advocated with States in the region to provide temporary protection and labour options.

- The Office worked closely with the members of the Bali Process. Under this initiative, the States involved gained greater awareness of the complexity of mixed and irregular population movements and considered protection-sensitive multilateral arrangements, particularly in the context of irregular maritime movements.

- Members of the Association of South-East Asian Nations (ASEAN) identified good practices in addressing birth registration and reducing and preventing statelessness, with UNHCR's advocacy and technical assistance.

- Civil-society actors and a range of other stakeholders, such as national human rights commissions, worked more closely with UNHCR on information and strategy exchanges, in order to promote alternatives to detention, access to detention facilities, and improved conditions for those subject to immigration detention.

- Key countries in the region were better equipped to meet the needs of children, particularly those who were unaccompanied and had moved irregularly in the region.

- UNHCR encouraged States in the region to address the needs of women, and issues related to sexual and gender-based violence (SGBV), through human rights and community-based approaches, particularly for victims of trafficking.

People of concern to UNHCR in South-East Asia | 2013

Legend: ■ 1 January   ■ 31 December

| Results in 2013 |
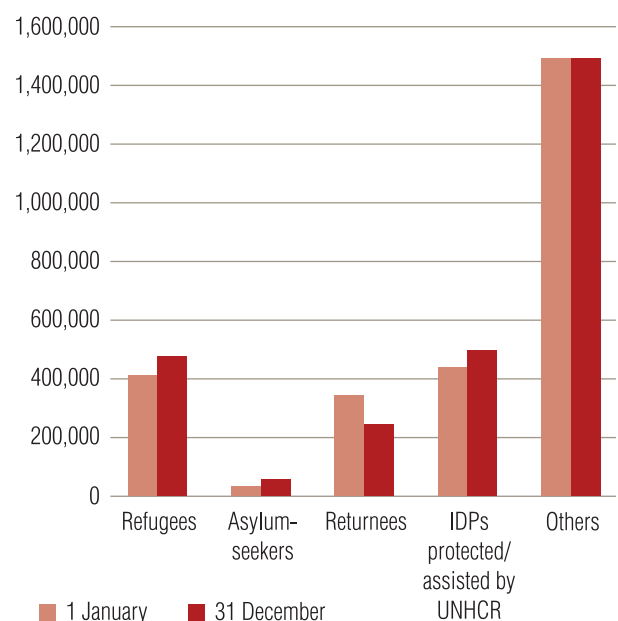
Working environment

The available protection space in the region was fragile and unpredictable due to a lack of national legal frameworks for refugees, asylum-seekers, and stateless people in most South-East Asian countries. Furthermore, some States introduced increasingly restrictive policies - such as denying safe disembarkation or access at the airport, narrowing protection space and access to asylum. There was also an increase in maritime "push backs" and instances of **refoulement**.

Only three States in the subregion were party to the 1951 Convention relating to the Status of Refugees, and only one had signed the 1954 Convention relating to the Status of Stateless Persons.

A major component of UNHCR's work was therefore to increase the protection space for all groups of concern and to advocate with States in South-East Asia to establish effective legal frameworks governing the protection of refugees and stateless populations. A significant and increasing number of refugees and asylum-seekers in the region resided in urban settings. In some States, which considered them to be illegal migrants, urban refugees and asylum-seekers thus faced detention, expulsion, *refoulement*, and other serious protection risks. Additionally, the lack of legal documents prevented them from accessing the labour market and basic services, including health care and education.

The inter-communal conflict in Myanmar's Rakhine State had driven a growing number of refugees to depart to, or transit through, various countries in the region, including irregularly by sea in unsafe boats. An increasing number of women and children have been risking their lives in this way and were at particular risk of exploitation, abuse, violence and trafficking. As a result of this and other factors, people-smuggling and human-trafficking networks in the region expanded, and irregular maritime movements and death at sea escalated.

Achievements and impact

UNHCR's Regional Office in Bangkok continued its engagement with the two ASEAN human rights mechanisms: the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC). UNHCR briefed AICHR representatives on issues related to detention, trafficking and statelessness, and co-hosted, with ACWC, a regional workshop entitled 'Promoting the Rights of ASEAN Women and Children', in August 2013.

The organization continued to monitor the development of the legally-binding ASEAN Convention against Trafficking in Persons and a Regional Plan of Action to Combat Trafficking in Persons. In Manila, in November 2013, it contributed by engaging in the AICHR Regional Workshop on the Human Rights-based Approach to Combat Trafficking in Persons, Especially Women and Children.

UNHCR held a series of workshops on statelessness, citizenship, and birth registration in Malaysia, Myanmar and Viet Nam, that provided technical assistance for accession to the 1954 Statelessness Convention and trained government officials, civil society, and UNHCR staff on civil registration and documentation. Some populations saw a reduction in statelessness, such as former Cambodian refugees who were granted Vietnamese nationality.

To address the situation in Rakhine State, Myanmar, and the resulting outflow of refugees, UNHCR consulted with countries affected by the outflow and relevant UN agencies on possible solutions. Together, they developed a strategy to provide humanitarian assistance within Rakhine State, address the root causes, and implement protection safeguards for refugees through temporary protection.

The organization continued to promote and implement comprehensive, protection-sensitive responses to irregular population movements and mixed migration through regional cooperation. In March 2013, the Government of Indonesia and UNHCR co-hosted the Regional Roundtable on Irregular Movements by Sea in the Asia-Pacific Region, which underlined the need for a holistic and comprehensive solution that addressed the origins of irregular migration. In an effort to implement the recommendations produced by the Roundtable, UNHCR later consulted with regional States on mapping and harmonizing disembarkation procedures and legal and safety standards.

In Jakarta, the Government of the Republic of Indonesia organized the Special Conference on Irregular Movement of Persons, attended by Ministers and high-level representatives from countries of origin, transit, and destination. UNHCR's interventions at the Conference helped ensure that the concluding document, the Jakarta Declaration, included a protection-sensitive regional approach recognizing the importance of burden sharing and collective responsibility.

UNHCR continued to encourage States to adopt alternatives to immigration detention or, where this is not an option, to improve the conditions of detention. As part of an ongoing dialogue, in November 2013, UNHCR, the Asia Pacific Refugee Rights Network, and the International Detention Coalition co-organized

a regional consultation on immigration detention for South Asia and South-East Asia. Good practices emerged in some countries, such as release to community centres in Indonesia and shelters for women and children in Thailand.

Regional guidelines for responding to the rights and needs of unaccompanied and separated children (UASC) were developed based on UNHCR-commissioned research that mapped and analysed the protection situation of such children in key countries in South-East Asia, including through regional consultations.

In November 2013, the Asia-Pacific Emergency Management Platform, coordinated by the UNHCR eCentre in Tokyo, organised a Forum on Urban Humanitarian Response in Malaysia. The Forum allowed UNHCR and a variety of stakeholders from government and civil-society institutions to discuss challenges in urban emergency response, share lessons and identify areas for future collaboration.

Constraints

In South-East Asia, where mixed-migration movements prevailed, a number of States implemented detention, border-control, and restrictive policies to manage irregular migration and ensure national security. This was considered detrimental to international protection. The lack of national legal frameworks for refugees, asylum-seekers, and stateless people in the region posed serious challenges to UNHCR's attempts to safeguard and expand protection and asylum space.

Refugees in South-East Asia were often considered illegal migrants and detained under immigration laws. The continued use of immigration detention facilities to hold asylum-seekers and refugees, including children, women, and others vulnerable to exploitation and abuse, presented a major challenge, particularly as automatic detention for those intercepted, or who arrived irregularly, by boat had increased. UNHCR continued to have limited access to those held in such detention facilities, particularly at airports and ports. In addition, a lack of legal documents prevented people of concern from accessing the labour market and basic services, including health care and education.

Operations

The operations in Myanmar and the Philippines are covered in separate country chapters.

At camps in **Bangladesh**, the Government granted permission for children to access secondary education; the permanent presence of female police to improve security for women and girls; and improvements to various facilities, including semi-permanent shelters, water and sanitation systems. Moreover, UNHCR and the Government carried out a joint verification of the camps' population and were preparing a common

population database, which was expected to lead to improved assistance and services in the camps.

The Government also announced a new "National Strategy on Myanmar Refugees and Nationals of Myanmar", emphasizing border security and law and order, but also recognizing the acute humanitarian situation faced by the Rohingya population. Importantly, the strategy called for a "listing" of the unregistered Rohingya population, estimated by the Government to number between 300,000 and 500,000.

UNHCR's presence in **Indonesia** extended in Makassar, Medan, Surabaya, Pontianak, Kupang and Tanjung Pinang, allowing the organization to better monitor and respond to the protection situation, as well as related irregular maritime movements within the vast archipelago. Moreover, asylum-seekers' access to the refugee status determination (RSD) process improved, with UNHCR having increased its capacity to conduct RSD.

Work to enhance the capacity-building programme led to stronger engagement with Government counterparts. Cooperation with the Directorate General of Immigration continued through provision of various training activities and resulted in UNHCR having regular access to all people of concern, including those detained in immigration detention centres.

In **Malaysia**, the Office continued to undertake registration and RSD activities as well as to issue refugee-related documents. These activities reduced individuals' risk of being arrested and detained. UNHCR placed more focus on self-reliance and self-sufficiency activities, and met with officials at all levels, including with the Home Minister, to advocate for refugees' and asylum seekers' legal rights.

Given the diversity of the refugee population, UNHCR Malaysia maintained regular dialogue with the population through individual interviews, household assessments and focus-group meetings.

In **Thailand**, the pilot phase of an assessment aimed at garnering Myanmar refugees' long-term plans was concluded for the residents of one of nine temporary camps. The second phase of the profiling, covering the remaining camps, commenced toward year-end. Meanwhile, birth registration was carried out for those born prior to the enactment of the new Civil Registration Act, as a result of extensive advocacy with the Royal Thai Government.

As peace negotiations continued in Myanmar between the Government and non-state parties, UNHCR in Myanmar and Thailand reinforced the coordination of programmes.

In **Viet Nam,** by the end of 2013, most of those who had previously been registered as refugees from Cambodia and had later lost Cambodian citizenship were naturalized, with only some of this group remaining to

be processed for naturalization. Women who had lost Vietnamese nationality as a result of their marriage with foreign nationals also reacquired Vietnamese citizenship. To support these women, additional consultative clubs were established in five provinces to provide information on nationality laws and policies. There were 51 such clubs in 13 provinces by year-end.

Good practices, experiences and challenges on prevention, reduction and protection of statelessness were regularly shared among ASEAN member States through fora such as AICHR and ACWC.

Meanwhile, in **Cambodia** and **Timor-Leste**, the Office continued to support the capacity building of government staff responsible for asylum issues. In Cambodia, refugees and asylum-seekers received assistance to enhance sustainable self-reliance.

UNHCR continued to monitor, through its Regional Office, the protection situation in **Brunei Darussalam, Lao People's Democratic Republic** and **Singapore**. It also carried out RSD for arriving asylum-seekers and worked with the Governments in these countries to find solutions for refugees.

While carrying out its operational and resource coordination role for the subregion, UNHCR's **Regional Office for South-East Asia** continued to advocate for protection-sensitive regional approaches to be undertaken by institutions such as ASEAN, and by groupings such as the Bali Process, on behalf of asylum-seekers, refugees and stateless people, with a particular focus on the rights of women and children. It also worked with regional civil society structures on related issues, such as the Asia Pacific Refugee Rights Network.

| Financial information |

UNHCR's initial 2013 financial requirements for South-East Asia of USD 102.3 million went up to USD 170.1 million by the end of the year. This increase corresponded to new requirements for the response to the situations in Myanmar's Rakhine and Kachin States, a strengthening of UNHCR's protection presence and capacity in Myanmar, and the Office's involvement

in the inter-agency emergency response to Typhoon Haiyan in the Philippines.

Of the USD 170 million required, available funding allowed for expenditure of USD 86.7 million, with the operations in Myanmar and the Philippines representing 54 per cent of this amount.

Budget and expenditure in South-East Asia | USD

Operation		PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 4 IDP projects	Total
Bangladesh	Budget	13,353,311	94,490	0	**13,447,801**
	Expenditure	8,269,600	81,141	0	**8,350,741**
Indonesia	Budget	7,816,642	190,694	0	**8,007,336**
	Expenditure	4,407,422	138,961	0	**4,546,383**
Malaysia	Budget	17,010,811	563,362	0	**17,574,173**
	Expenditure	9,535,114	31,741	0	**9,566,855**
Myanmar	Budget	13,203,885	12,064,783	43,212,902	**68,481,570**
	Expenditure	0	5,073,772	24,218,950	**29,292,722**
Philippines	Budget	808,620	1,513,369	24,058,649	**26,380,638**
	Expenditure	733,755	949,800	15,653,957	**17,337,512**
Thailand	Budget	27,390,846	653,675	0	**28,044,521**
	Expenditure	13,238,102	361,526	0	**13,599,628**
Thailand Regional Office[1]	Budget	7,257,368	216,856	0	**7,474,224**
	Expenditure	3,216,458	216,856	0	**3,433,313**
Viet Nam	Budget	90,500	551,492	0	**641,992**
	Expenditure	0	551,493	0	**551,493**
	Total budget	**86,931,983**	**15,848,721**	**67,271,552**	**170,052,256**
	Total expenditure	**39,400,451**	**7,405,290**	**39,872,907**	**86,678,648**

[1] Includes activities in Cambodia.

Voluntary contributions to South-East Asia | USD

Earmarking / Donor	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 4 IDP projects	All pillars	Total
BANGLADESH					
Australia	630,000				**630,000**
Canada				292,113	**292,113**
Central Emergency Response Fund	300,424				**300,424**
European Union	1,948,052				**1,948,052**
Japan				297,030	**297,030**
Private donors in Japan	67,506				**67,506**
Private donors in the Netherlands	650,784			11,043	**661,827**
United Nations Children's Fund	173,382				**173,382**
United States of America	1,613,087				**1,613,087**
BANGLADESH Total	**5,383,235**			**600,186**	**5,983,421**
INDONESIA					
Australia	1,101,309				**1,101,309**
INDONESIA Total	**1,101,309**				**1,101,309**
MALAYSIA					
Australia	1,802,652				**1,802,652**
Private donors in Qatar				265,515	**265,515**
United Nations Programme on HIV and AIDS	100,000				**100,000**
MALAYSIA Total	**1,902,652**			**265,515**	**2,168,167**
MYANMAR					
Australia			2,478,145		**2,478,145**
Canada				1,458,206	**1,458,206**
Central Emergency Response Fund			3,150,000		**3,150,000**
European Union			6,975	3,252,477	**3,259,452**
Germany			1,326,260		**1,326,260**
Japan		1,993,908	4,775,355		**6,769,263**
Private donors in Qatar			2,000,000		**2,000,000**
Private donors in the United States of America			296,460		**296,460**
Republic of Korea			245,377		**245,377**
Saudi Arabia			1,883,735		**1,883,735**
Sweden				1,342,883	**1,342,883**
Switzerland		158,730	158,730		**317,460**
United Kingdom			1,636,666	806,331	**2,442,997**
United Nations Children's Fund		82,738			**82,738**
United Nations Peacebuilding Fund		164,128			**164,128**
United Nations Programme on HIV and AIDS			40,000		**40,000**
United States of America				13,800,000	**13,800,000**
MYANMAR Total		**2,399,504**	**17,997,703**	**20,659,896**	**41,057,104**
PHILIPPINES					
Brazil			150,000		**150,000**
Canada			194,742		**194,742**
Central Emergency Response Fund			4,452,376		**4,452,376**
Germany			4,805,914		**4,805,914**
Japan			2,000,000		**2,000,000**
Norway			975,638		**975,638**
Private donors in Australia			603,884		**603,884**
Private donors in Canada			69,915		**69,915**
Private donors in China (Hong Kong SAR)			154,310		**154,310**
Private donors in France			34,258		**34,258**
Private donors in Germany			675,705		**675,705**

Earmarking / Donor	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 4 IDP projects	All pillars	Total
Private donors in Greece			14,341		**14,341**
Private donors in Italy			156,799		**156,799**
Private donors in Japan			249,996		**249,996**
Private donors in Kuwait			47,383		**47,383**
Private donors in the Philippines			5,252		**5,252**
Private donors in Spain			304,635		**304,635**
Private donors in Sweden			1,105,619		**1,105,619**
Private donors in Switzerland			79,604		**79,604**
Private donors in Thailand			13,764		**13,764**
Private donors in the Republic of Korea			47,379		**47,379**
Private donors in the United Kingdom			138,943		**138,943**
Private donors in the United States of America			850,331		**850,331**
Republic of Korea			200,000		**200,000**
Spain			51,102		**51,102**
United Kingdom			396,276		**396,276**
PHILIPPINES Total			**17,778,166**		**17,778,166**
SOUTH EAST ASIA OVERALL					
Private donors in Canada				52,798	**52,798**
Private donors in China (Hong Kong SAR)				25,073	**25,073**
Private donors in Germany				264,901	**264,901**
United States of America				6,250,000	**6,250,000**
SOUTH EAST ASIA OVERALL Total				**6,592,772**	**6,592,772**
THAILAND					
Australia	153,776				**153,776**
European Union	590,796				**590,796**
Japan				792,079	**792,079**
Luxembourg	259,740				**259,740**
Private donors in Thailand	3,601,103			659,578	**4,260,681**
Saudi Arabia	200,019				**200,019**
Switzerland				323,974	**323,974**
THAILAND Total	**4,805,434**			**1,775,632**	**6,581,066**
THAILAND REGIONAL OFFICE					
United Nations Programme on HIV and AIDS	180,375				**180,375**
THAILAND REGIONAL OFFICE Total	**180,375**				**180,375**
VIET NAM					
Viet Nam				180,000	**180,000**
VIET NAM Total				**180,000**	**180,000**
Total	**13,373,005**	**2,399,504**	**35,775,869**	**30,074,001**	**81,622,380**

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)