ANNUAL TRIPARTITE CONSULTATIONS ON RESETTLEMENT
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UNHCR GLOBAL RESETTLEMENT NEEDS 2002

This report provides an overview of currently identified resettlement needs among refugee populations of concern to UNHCR. The document is intended to: help the reader appreciate the various situations to which UNHCR and the international community are responding; assist resettlement countries in planning their activities; and assist UNHCR in prioritising its activities and allocation of resources.

The resettlement requirements estimated by UNHCR in this report are not exhaustive nor are they set in stone. They represent projections by UNHCR Headquarters staff based on inputs from field offices. Clearly, variable factors such as new migratory flows and changing conditions in countries of asylum and origin will effect ongoing revisions to the resettlement needs assessment throughout the year. Furthermore, administrative capacity and human resource limitations may impact on the actual numbers of cases referred to states for resettlement. The report, therefore, may best be considered as one among many planning tools and considerations, rather than as an authoritative document. It must further be noted that the projections herein do not capture unilateral resettlement activities carried out by governments, separate from UNHCR programmes, such as processing under family reunification programs or other categories of concern to states.

The absence of a given refugee population in this report should not be interpreted to mean that resettlement as a tool of protection and/or a durable solution should be precluded for that population. Nor should consideration of a given refugee population be interpreted to mean, unless otherwise indicated, that resettlement will necessarily be promoted for every refugee. UNHCR's decision to refer a refugee or group for resettlement is taken on an individual basis in accordance with the criteria outlined in the Resettlement Handbook. Similarly, a state's decision to resettle a refugee is based on the individual refugee claim and eligibility for resettlement under national legislation.

Finally, please note that the countries in this report are grouped according to the established regional boundaries as covered by the geographic Bureaux of UNHCR, e.g. North Africa is not included under the Africa Bureau region, but under the CASWANAME Bureau region. Furthermore, the projected numbers reflect the potential resettlement cases/individuals according to current location, rather than country-of-origin. For example, the numbers of African refugees projected in need of resettlement out of Africa does not include the refugees found elsewhere outside of Africa, who are instead included in the projections of the regions where they are located.

AFRICA

Projected needs: 12,400[1] persons

Africa's current regional resettlement priority, as endorsed by the Africa Bureau and UNHCR senior management, is to make resettlement a central part of a comprehensive protection strategy, including its dual use as both a tool of protection and a durable solution. At the same time, ensuring the integrity of resettlement activities is an ongoing priority for UNHCR. The increasing reliance of resettlement countries on UNHCR to identify cases, together with a gradual shift in emphasis to resolving long-standing refugee situations in Africa and the continued need to guard against corruption, are issues weighing heavily on this region.

The development of an efficient, effective resettlement program for Africa with safeguards against fraud and abuse is more critical than ever. Detailed and comprehensive analysis has clearly demonstrated the high level of need for resettlement for refugees from a continent faced with on-going and recurrent civil strife, non-existent or poor-quality asylum opportunities, and protracted refugee situations. UNHCR is fully committed to pursuing resettlement in this part of the world on a larger scale than ever, bringing capacity in line with need. Unfortunately, resettlement from Africa has suffered serious setbacks in 2001 and the first quarter of 2002, requiring UNHCR to divert invaluable time and resources to consolidating, rebuilding, and fortifying programs to rid them of their vulnerabilities to abuse and corruption. This has had the obvious and regrettable consequence of slowing resettlement processing from Africa. While the consolidation period is not entirely behind us, 2002 will see the program re-emerge stronger and healthier than ever.

In addition to developing the most effective resettlement program possible for Africa, UNHCR's intention in the region is equally aimed at diversifying the caseloads and source countries for resettlement, allowing equal access to resettlement for deserving cases irrespective of nationality. A snapshot of resettlement in Africa over the last five years demonstrates that departures for resettlement went from 20 countries of origin to more than 30 countries of origin. The overall refugee percentages in Africa who benefited from resettlement increased from 36% to 55%. These numbers indicate a steady growth in diversification of refugees resettled out of Africa, which would have not been possible without the governments' commitment to diversify their own policies and increase their responsiveness.

In order to maintain the aforementioned achievements and realise the above objectives, several perennial challenges must of course be overcome. Understaffing of resettlement activities both at Headquarters and in the field must first and foremost be corrected. While resettlement is highly viewed as a priority protection tool and a durable solution, and so forms part of the protection framework in the region, the lack of resources and personnel make it difficult to actualise the benefits of resettlement. Resettlement deployees are used with mixed success in the region. While the deployees succeed in most instances in "filling the gaps," the lack of continuity in coverage that their use represents exposes the process to arbitrary identification, prioritisation and selection processes. In the face of all the numerous challenges and constraints, continuous professional resettlement staffing must be secured; transparent and consistent case identification mechanisms must be put into place, as well as

[1] Not including Kenya. At the time of finalisation of this document, final input from Kenya was pending. This will be provided as an attachment during the ATC.

standard operating procedures for all aspects of the resettlement process. Strategies to address the issue of the "pull factor" must be developed, as well as strategies to manage pressures and threats made against UNHCR staff and implementing partners in the field.

UNHCR has nonetheless embraced the above challenges in a positive manner and is instituting measures to resolve them. The staffing issue, for instance, is being tackled through proposals for the creation of several protection and resettlement posts for Africa. Proposals have been made to create 8 professional resettlement posts, 3 JPO positions, 1 professional post re-titled and 3 JPO posts re-titled, thus allowing for the establishment of regional resettlement hubs in Accra, Ghana and Nairobi, Kenya. Another key goal of UNHCR is to identify categories or groups of refugees to expand the use of resettlement as a durable solution, especially in protracted refugee situations.

GREAT LAKES

Projected needs: 2,000 persons

Refugees in Burundi

According to the Government of Burundi, the country hosts approximately 28,102 refugees. UNHCR's statistics place the number at around 8,000. A registration process is underway to obtain a more accurate figure. The majority of refugees are from DRC, many having arrived in the 60s and another wave arriving between 1996-1998 during the civil war. Among this population are both Bantus and Tutsis (Banyamulenge). There are also smaller numbers of Rwandans, Somalis, Ethiopians, Ugandans, and Tanzanians in Burundi.

Burundi is a signatory to the 1951 Convention[2] and has a national legislation on asylum. In 2002, UNHCR is focusing on encouraging Burundi to bring its national law into conformity with international protection standards. While the transitional constitution of Burundi recognises the right to asylum, there have been no sessions of the eligibility committee. Rather, asylum has been applied in a *prima facie* way, through simplified procedures.

The continuation of the war in DRC has precluded repatriation of Congolese refugees. Burundian authorities are also not willing to provide for legal integration of refugees, given the generalised impoverishment of the country following the civil conflict. Asylum seekers and refugees are, however, generally well tolerated by the government. They have access to the informal labour market and sometimes to higher education. A new law as of 2001 facilitates the naturalisation process.

Congolese refugees are the priority for resettlement, given that they have urgent physical and legal protection needs as a result of their opposition to the rebel movement which controls the east of DRC with the support of Rwanda and Burundi, known as the *Rassemblement Congolais pour Démocratie* (RCD). This includes especially human rights activists, former intelligence and security service employees, former traditional chief and their families, and Congolese Bantus and Banyamulenge leaders suspected of working for the Republican

[2] Convention Relating to the Status of Refugees (28 July 1951)

Federalist Front which protects the Congolese Tutsis. There are also medical cases for whom resettlement is the only viable solution.

A third category is military deserters from the Rwandan Patriotic Army (RPA) or from the RCD who is seen as synonymous with the RPA. These people are often arrested and *refouled* by Burundian authorities.

Additionally, UNHCR is currently screening cases in the Muyinga camp and may submit some of these cases for resettlement who have no prospects for local integration. UNHCR Burundi anticipates submitting cases for a total of 100 individuals for resettlement in 2002.

Refugees in the Republic of Congo

As of the end of 2001, the general refugee population in Republic of Congo (RoC) numbered some 108,000. The breakdown by nationalities is as follows: 84,280 Congolese (DRC), 15,300 Angolans, 6,815 Rwandans and Burundians, and 1,520 from the Central African Republic.

Republic of Congo is a party to the 1951 Convention. The national legislation contains laws establishing both a National Eligibility Commission and a National Committee for Refugee Assistance to process asylum claims. However, the Commission is no longer functioning due to the conflict and political instability. Therefore, UNHCR conducts the interviews for asylum-seekers and makes recommendations to the Committee.

Although UNHCR facilitated the voluntary repatriation of 907 Angolan (Cabinda) refugees during 2001, it is not in a position to promote repatriation to countries like DRC and Burundi, due to prevailing insecurity.

Except for a successful local integration programme for Rwandan refugees in Loukolela, military conflicts and political instability create a generally insecure environment where refugees have little chance of locally integrating.

The proximity of Brazzaville with Kinshasa and the tripartite security agreement between DRC, RoC and Angola jeopardise the protection of the DRC refugees in RoC. Reports have been received that regular DRC intelligence/security missions are sent from Kinshasa to Brazzaville to identify and take action against those opposed to the current regime. One of the consequences of such a situation was the extradition of 19 DRC asylum seekers in April 2001.

In April 2002, a group of refugees from the DRC, 8 families/25 persons, were relocated on an emergency basis from Brazzaville to Pointe Noire. RoC authorities had indicated that the group's safety could not be guaranteed and the refugees, former followers of late Commander Masasu, were at immediate threat of *refoulement*. In addition, another group of about 38 persons, ethnic Tutsi refugees from DRC who, owing to the ongoing fighting between rebel groups and RoC government forces allegedly supported by ex-FAZ and ex-Interhamwe, found themselves in a very precarious situation, were equally relocated from Brazzaville to Pointe Noire.

The first group of ex-Masuasu followers was submitted for resettlement on an emergency basis to Sweden and Denmark. The second group of ethnic Tutsi refugees is currently in the process of being submitted for resettlement on an emergency basis to one or more Nordic countries.

In total, UNHCR Brazzaville expects to submit some 100 cases/450 persons in 2002 on the basis of legal and physical protection needs and women-at-risk. The actual number achieved will be dependent upon the deployment of a resettlement expert.

Refugees in the Democratic Republic of the Congo

As of the end of 2001, there were an estimated 362,000 refugees in the Democratic Republic of the Congo (DRC), including 187,000 Angolans, 75,000 Sudanese, 30,000 Rwandans, 20,000 Burundians, 3,000 Congolese (Brazzaville), 20,500 Ugandans and 26,500 Central Africans.

The government of DRC ratified both the 1951 Convention and its 1967 Protocol[3], as well as the OAU Convention[4]. The text for a national refugee law was developed in partnership with UNHCR and is now to be submitted to the Parliament. In the meantime, RSD[5] is conducted by UNHCR. Following the Inter-Congolese Dialogue held in Sun City from 25 February to 19 April 2002, the political structure of DRC will be changed, including the Parliament. The adoption of the draft text of national refugee legislation may be delayed as it will likely not be a priority issue for the government.

Conflicts in countries of origin hinder UNHCR from promoting voluntary repatriation of refugees currently in the DRC. In a context where most of the neighbouring countries are at war or in a fragile political state, the number of refugees continually increases while the possibility for repatriation becomes more remote. There have been, however, recent positive developments in Angola's peace process, which may enable future massive repatriation.

As far as local integration is concerned, the wars in the DRC have destabilised the political situation and the economy, thus hampering opportunities for meaningful local integration of refugees. Nevertheless, UNHCR has implemented integration programs for Rwandans and Burundians in Mbuji-Mayi, which has been carried out successfully, as well as that of Angolans in Bandundu and Katanga.

In 2001, 17 cases/46 persons were submitted for resettlement, on the grounds of physical protection needs and women-at-risk. The need for resettlement is expected to increase, given the continued political instability in DRC and its neighbouring countries. In 2002, UNHCR Kinshasa anticipates submitting some 50 cases/250 persons, given adequate staffing.

Due to the lack of national RSD procedures, this function accounts for 90% of UNHCR Kinshasa's protection activities. That leaves little time for resettlement activities, making the office dependent upon the availability of a resettlement expert.

[3] Protocol Relating to the Status of Refugees (31 January 1967)
[4] 1969 Organisation of African Unity Convention on Specific Aspects of the Refugee Problems in Africa
[5] Refugee Status Determination

Refugees in Rwanda

Rwanda hosts approximately 35,000 refugees, mainly Congolese from the DRC and Burundians. Another 2,500 urban refugees live in Kigali. These are non-*Banyamulenge* Congolese (i.e. not of Tutsi origin).

Rwanda is party to the 1951 Convention and its 1967 Protocol, and also to the 1969 OAU Convention. In April 2001, the parliament passed the National Refugee Law, which is expected to come into force in mid 2002. UNHCR Rwanda will then transfer the files of asylum seekers to the National Eligibility Committee who will conduct RSD, following training by UNHCR.

The current unstable regional political and military context has rendered it difficult to find durable solutions for refugees in Rwanda. The government isolates refugees in remote camps to reduce their freedom of movement and possible integration. For the old Burundian caseload, local integration may be a possibility. There are discussions, however, of possible repatriation exercises to both DRC and Burundi if the situation improves, though so far UNHCR Rwanda has neither promoted nor encouraged such movements.

In 2002, UNHCR Rwanda will resume resettlement referrals, which had been halted in 2001, due to the difficulties in obtaining clearance and exit permits for cases accepted in 2000. Priority will be given to cases with political/human rights backgrounds, who have protection problems in Rwanda (given the proximity with their countries of origin), and who have no foreseeable prospects of repatriation. It is expected that these cases will be referred through HQ, under urgent/emergency submissions. Focus will also be on a group of Congolese refugees who were evacuated from Kinshasa (Kiziba camp), deprived of their nationality, and who face major integration problems in Rwanda.

UNHCR will also strive to refer more cases of Burundian refugees from the Kigeme camp, and will submit its first cases from Gihembe camp. Attention will be given to cases with serious integration problems in the camps, and vulnerable groups such as women-at-risk, or children/adolescents.

Altogether, it is expected that UNHCR Rwanda will refer up to 80 cases/200 individuals in 2002.

Refugees in the United Republic of Tanzania

There are currently around 500,000 UNHCR-assisted refugees in Tanzania, originating from Burundi (351,180), DRC (117,516), Rwanda (24,241), Somalia (3,424), and other nations (1,721). While Burundian and Congolese nationals are accorded *prima facie* refugee status, Rwandans and other nationals are given individual RSD.

Tanzania is a party to the 1951 Convention and its 1967 Protocol, the 1969 OAU Convention, and various international and regional human rights conventions. In 1998, Tanzania enacted national legislation relating to the protection of refugees. However, in practice, refugees are often unable to avail themselves of the right accorded them. Refugees in Tanzania are largely confined to around 13 refugee camps where their freedom of movement, work and educational opportunities are severely restricted. Tanzania is currently not considering local

integration for the Burundian, Congolese and Rwandan refugee caseloads. The Government has, however, agreed to local integration for the 3,343 Somali refugees in Tanga Region, who have historical/cultural ties to Tanzania.

Since the signing of the Burundi Peace Accord in 2000, little progress has been achieved toward voluntary repatriation. UNHCR recently agreed to assist the Tanzanian and Burundian governments to facilitate the voluntary repatriation of Burundian refugees in the near future. In the DRC, while it is too early to tell whether the assumption of power by Joseph Kabila will have a positive effect on the peace process, initial indications are that progress is being made.

Despite the fact that repatriation is being considered as the most viable solution for most of the refugees in western Tanzania, resettlement for a number of them would still be the most viable option in the next few years.

In 2001, 160 cases/534 persons were resettled to third countries. It is expected that the number of cases submitted in 2002 will increase to 250 cases/1,000 people. Burundians, Congolese and Rwandans will continue to be the main resettlement caseloads. The criteria that will be used to identify resettlement cases for 2002 includes:

- *legal and physical protection cases,* with focus on the Mkugwa camp which hosts refugees who face problems in regular refugee camps, usually due to their ethnicity or political opinion. This group includes Hutu/Tutsi mixed marriages or mixed ethnicities, and mixed Bembe or Banyamulenge. There are also refugees such as political figures, military deserters and other persons who remain targets of persecution by their home countries even in Tanzania.
- *Women-at-Risk, medical cases, unaccompanied minors*
- *Persons who are lacking any other durable solutions,* including those who have been displaced within the region multiple times, some of whom were born in refuge and have no connection to their 'country of origin.' A group that may be identified for group submission is former Kigwa settlement residents in Lugufu who lack other durable solutions.

UNHCR is currently finalising an urban caseload database for Dar es Salaam. Once complete, UNHCR will be in a better position to assess the protection concerns of these cases and may submit some for resettlement.

EAST AND HORN OF AFRICA

Projected needs: 5,400[6] persons

Refugees in Djibouti

The population of 23,235 refugees in Djibouti is composed of 21,000 Somalis, 2,000 Ethiopians, and the rest of other nationalities. The vast majority resides in the Ali Adeh and Holl Holl camps, while a few are urban-based.

[6] This figure does not include Kenya's estimated submissions for 2002.

Djibouti is a signatory of the 1951 Convention and the 1967 protocol, but is not party to the 1969 OAU Convention. There is a national decree relative to the Statute of Refugees in the Republic of Djibouti.

The authorities do not entertain the notion of local integration for refugees in Djibouti, due to the severely depressed economic situation of the country.

Somalia is beginning to allow the repatriation of some of its nationals. A recent mission of Somaliland authorities screened 5,250 refugees who volunteered for repatriation. Another 9,000 who wish to repatriate have also now been screened. Repatriation plans are underway pending finalisation of logistical arrangements. The Ethiopian urban caseload is mainly Oromo, with a residual caseload in the camps that arrived after the fall of Mengistu. These caseloads cannot entertain the option of repatriation due to on-going fear of persecution.

Ethiopian urban refugees are often caught in roundups. In general, they integrate into Djibouti society less easily than Somali refugees. These refugees have legal as well as physical protection needs.

UNHCR Djibouti views resettlement as an important tool of refugee protection. Unfortunately, for 2002, no resettlement submissions are immediately anticipated, due to the need to develop adequate procedures to eliminate the possibilities of fraudulent submissions. Plans include developing Standard Operating Procedures and adequate checks and balances in line with proposals for resettlement reform in Africa. Resettlement and general protection training will be provided, targeting staff as well as implementing partners. A plan of action for RSD will also be implemented in the course of 2002, to sort out a backlog of some 4,500 cases.

Following the current reorganisation period, future resettlement activities will focus on the following caseloads:
- refugees from the Gaboye/Midgan minority clans who faced persecution in Somaliland and as such do not wish to avail themselves of the opportunity to return;
- a residual caseload of Ethiopians who arrived in 1991 for whom UNHCR has assessed repatriation is not a viable solution and who meet resettlement criteria.

Refugees in Eritrea

Eritrea currently hosts an estimated 2,700 refugees. The population is comprised of some 700 Sudanese mainly residing in Elit camp, and 2,000 Somalis in Umkulu camp. Small numbers of refugees reside in Haz Haz camp in Asmara, and some in urban areas.

Eritrea is one of two African countries which has neither acceded to the 1951 Convention nor the 1969 OAU Convention, nor does it have a national legislation or policy for dealing with refugees. Only Somalis and Sudanese living in designated camps are recognised as refugees. No individual status determination is conducted and refugees are not permitted to work.

Local integration is not a possibility and the asylum situation is precarious. For Somalis and Sudanese, voluntary repatriation in the near future is not realistic. Refugees residing outside the camps, or of nationalities other than Sudanese or Somali, have no other option but

resettlement on protection grounds, unless they can obtain temporary residence permits (usually possible only when sponsored by an employer).

In 2002, UNHCR is planning to undertake RSD of the Sudanese population in Eritrea. This exercise is expected to result in resettlement referrals for roughly 200 Sudanese refugees. Consideration will also be given to resettlement for some 1,200 Somali refugees who arrived in the country prior to May 2000 (i.e excluding new arrivals). These cases will cover the following categories: protection cases, medical cases, Somali Bantus, female-headed households, family reunification, and minority clans who cannot repatriate (mainly Midgan/Gaboye from southern Somalia, currently residing in Umkulu camp). A possible group designation for referral of the 1,200 Somalis will likely be sought. In total, UNHCR Asmara anticipates needing resettlement places for 1,400 persons in 2002.

Refugees in Ethiopia

The refugee population in Ethiopia consists of: southern Sudanese in the western camps, and a very small group of northern Sudanese; Somalis in the eastern camps; a residual Djiboutian caseload in Addis Ababa; Eritreans (esp. Jehovah's Witnesses); and various other nationalities in Addis, including Rwandans, Burundians, etc.

Ethiopia is a signatory to the 1951 Convention and the 1969 OAU Convention. Refugees are, however, not entitled to work. In addition, given the political situation in the country, some groups are not recognised as refugees, e.g. Eritreans and Djiboutians, and are not afforded rights or assistance.

Refugees are not permitted to locally integrate into Ethiopian society. For the Sudanese refugees, the conditions in Sudan are not conducive to return. For the Somalis, repatriation to NW Somalia is the only option.

The resettlement caseload in Ethiopia includes: southern Sudanese living in Ethiopia for almost 20 years, lacking prospects of both repatriation and local integration; a few Somali protection and medical needs cases who cannot repatriate; Djiboutian residual cases who could not repatriate; and a few residual Eritrean Jehovah's Witnesses with legal and physical protection needs. UNHCR is also considering Eritrean deserters in detention in Ethiopia as possible group category. UNHCR Ethiopia also plans to undertake an assessment of the urban caseload to reassess refugee status and resettlement potential on lack of local integration criteria. 1,500 persons are expected to be submitted in 2002.

Refugees in Kenya

Will be included as an attachment at a later date.

Refugees in Somalia

Somalia is host to 589 urban refugees, mainly Ethiopians who fled during the 1991 change of government. The Bioshina refugee camp, established for these refugees in Hargeisa, was closed in 1998 and many returned to Ethiopia through voluntary repatriation. Those who

remained number 193, while some 374 others are waiting for clearance from the Ethiopian Government to return home.

Somalia is party to the 1951 Convention. However, UNHCR resettlement activities are centred in Somaliland, a self-declared breakaway state that is not party to the 1951 Convention. Refugee affairs are governed by the Immigration Act. The socio-economic conditions in Somaliland make it difficult for refugees to attain self-sufficiency, undermining local integration.

UNHCR Somalia has identified 20 cases/69 individuals to be submitted in 2002, primarily Ethiopians. The number may increase, however, as some members of the group of 374 Ethiopians awaiting voluntary repatriation may be denied. Credible resettlement cases identified among the other urban refugees may also cause an increase. The total number of cases anticipated to be submitted in 2002 is 40 cases/130 individuals.

Refugees in the Sudan

Sudan hosts a total of 347,870 refugees, mostly recognised on a *prima facie* basis during large influxes. Refugees from Eritrea constitute the highest number with a total of 324,546. The second largest group is Ethiopians. The application of the cessation clauses to the pre-1991 Ethiopian refugees and the subsequent screening exercise decreased the number to 14,770. There are a few refugee groups from other nationalities including an estimated 8,504 Ugandans spread across Southern Sudan as well as a handful of Arab asylum-seekers.

The Sudan is party to the 1951 Convention and its 1967 Protocol, and also to the 1969 OAU Refugee Convention. The Asylum Act of 1974 incorporates these principles into national legislation.

Voluntary repatriation has proved to be the most viable durable solution for the protracted caseloads in Sudan. With the voluntary repatriation of Ethiopians concluded in 2001, UNHCR began the voluntary repatriation of Eritrean refugees, reaching 32,741 during 2001 and continuing during 2002 at the rate of several thousand per month. The re-opening of the Ugandan Embassy in Khartoum in September 2001 has also enabled UNHCR to facilitate voluntary repatriation of a residual group of Ugandan refugees in Sudan.

There are legal obstacles to local integration of refugees in Sudan. It is nearly impossible for refugees to fulfil the requirements for naturalisation, which require a formal renunciation of original citizenship in one's country of origin. Hence local integration through naturalisation is not a realistic option for refugees. After the implementation of the Cessation Clause for pre-1991 Ethiopian refugees, a group of around 8,000 individuals who wished to remain in Sudan were left undocumented. The government is currently considering issuing stay permits for this group.

UNHCR Sudan has prioritised the screened-in pre-1991 Ethiopian Refugees for resettlement. During an eligibility screening exercise, they were determined to be in need of continued international protection. The total number in this category was 287 cases/1,952 individuals. In 2001, 14 cases from this category were submitted. The remaining 273 cases/1,856 persons will be submitted to Canada, Australia and New Zealand during 2002.

UNHCR Sudan will also submit a handful of urgent protection cases for resettlement during 2002. Usually, such cases are directly identified by the protection officers in the course of routine work and often emanate from high profile members of opposition groups from Ethiopia and Eritrea. Some of the cases may include Arab asylum-seekers who are generally in detention awaiting deportation due to lack of valid documentation, thus creating a case of urgency/emergency. Total submissions for 2002 are therefore expected to be around 1,870 individuals.

A serious constraint in achieving this number may be the on-going lack of frequent selection missions to Sudan by the resettlement countries to whom cases are submitted. UNHCR Sudan would also encourage dossier decisions on compelling and well-prepared cases. If the infrequency of case adjudication is not reversed, UNHCR may be compelled to divert these cases to other resettlement countries in the future.

In order to guarantee accountability and integrity in the resettlement submissions, UNHCR Sudan adopted the accountability framework for protection and resettlement issued by the Regional Directorate in 2001. A resettlement panel was established which is chaired by the Deputy Representative and comprises members of staff from protection, program and community services. Cases approved by the panel are vetted by the Representative before being forwarded to the Regional Resettlement Officer in Nairobi for submission to resettlement countries.

UNHCR Sudan will pursue phase out of the refugee programme once the ongoing repatriation of Eritrean refugees is completed. It is anticipated that the High Commissioner will declare cessation clauses with regard to the long staying Eritrean refugees. Given the large number of Eritrean refugees in Sudan, there is a likelihood of a residual group with continuing fear of persecution (Sudan hosts some of the Eritrean political opposition). Depending on the number of such a residual group and their protection needs, resettlement may be one of the options in 2003-04.

Refugees in Uganda

The number of refugees in Uganda at the end of 2001 amounted to 179,328. The number has dropped since last year, primarily due to a re-registration and verification exercise, which took place in July 2001. The majority of refugees (87%) are Southern Sudanese and these are concentrated in Northern Uganda. Uganda also hosts a significant number of refugees from the DRC. Both nationalities are granted refugee status on a *prima facie* basis. In 2001, a large number of refugees from Rwanda entered the country from Tanzania in fear of forced repatriation. Most were also treated as *prima facie* refugees.

Uganda is a member of the Executive Committee of UNHCR. The country has ratified, with 9 reservations, the 1951 Convention and the 1967 Protocol. Uganda has also endorsed the 1969 OAU Convention. The Government and UNHCR have worked jointly since 1998, preparing a new refugee law that would strengthen the legal rights of refugees and would also clarify the Government's asylum procedures. A new Refugee Bill to replace the 1960 refugee act is still awaiting clearance and approval by Parliament.

Threats of intimidation from insurgency groups in and around refugee settlements in Northern Uganda continue to be a cause for concern. Attacks by the rebel group known as the

Lord Residence Army (LRA) have resulted in the deaths of some refugees. Other incidents have involved the enforced recruitment of refugees by the *Sudan People's Liberation Army* (SPLA).

At present, the prospect of repatriation is bleak for the majority of refugees in Uganda. The on-going conflicts in Sudan, DRC, and Somalia render repatriation an unsafe option. The growing influx of refugees from Rwanda has also hindered the voluntary repatriation of (Hutu) refugees to their country.

Legal barriers to integration include the fact that refugees cannot apply for citizenship except by marriage. The likelihood of refugees being able to integrate and receive fair treatment, compared to nationals, is hindered under these laws.

UNHCR Kampala focuses on the following groups for resettlement: Congolese refugees who fled persecution by the *Rassemblement Congolais pour la Démocratie* (RCD) and who are facing serious security problems due to the geographic proximity of the country and also the involvement of Uganda in the war in the DRC; Rwandan refugees affected by increased tension between Uganda and Rwanda and also the acknowledged presence of Rwandan Intelligence Officers in the country; Sudanese refugees who cannot return and who are under threat of abduction by the SPLA; a small number of Somalis who have no chance of local integration and whose return to their country is not a viable option, due to the ongoing crisis and instability.

Emphasis is also on women-at-risk, family reunification cases, and to a lesser extent, medical cases. Resettlement submissions have increased during 2001 and UNHCR Kampala anticipates submitting about 100 cases/500 persons in the course of 2002.

WEST AND CENTRAL AFRICA

Projected needs: 3,400 persons

Refugees in Benin

Benin hosts approximately 4,799 recognised refugees, of which 143 were resettled to Benin under the pilot resettlement project. These refugees are of various nationalities, the majority from Congo-Brazzaville, Togo, DRC, Rwanda, Chad, Nigeria and Burundi.

Benin enjoys a relatively stable political situation and is a signatory to the 1951 Convention and 1969 OAU Convention. It also has national legislation on refugees, creating favourable conditions for their protection.

Benin's porous borders remain a concern, especially with regard to Togolese and Nigerian refugees. However, the major obstacle refugees face is entering the job market or otherwise gaining self-sufficiency. The number of cases requesting resettlement due to the lack of local integration prospects is on the rise. When selecting cases for resettlement however, priority is accorded to security or at-risk cases.

There are several categories of refugees for whom resettlement is envisaged as a durable solution, notably Togolese ex-military rejected by the USA, certain Ogonis (Nigerians) some Congolese Brazzaville (for the most part ex-army officers and high profile individuals who worked for the former regime of President Lissouba), as well as at-risk categories of other nationalities (Burundese, Rwandese, RDC, Chadians, etc.). Resettlement needs are growing. For 2002, UNHCR Benin plans to submit around 100 cases/400 persons.

Refugees in Côte d'Ivoire

Côte d'Ivoire hosts approximately 127,198 refugees, of whom approximately 125,082 are Liberian and 2,116 are Sierra Leonean. The majority of Sierra Leoneans are expected to repatriate though as of mid March 2002, they had not yet begun to do so.

Côte d'Ivoire is party to the 1951 Convention, its 1967 Protocol, and the 1969 OAU Convention.

The resettlement caseload from Côte d'Ivoire is primarily Liberians with physical and legal protection needs, vulnerable cases, and sometimes medical cases. Approximately 20 cases/83 persons have been identified for possible resettlement submission from the Tabou area. In Abidjan, around 10 cases/15 persons are under review for possible resettlement. In Danané/Guiglo, many claims require further review, though UNHCR Abidjan currently projects submitting 20 of these cases/100 persons for resettlement.

Durable solutions are also being sought for other cases, ex-military and paramilitary from Liberia (377 cases/507 persons). Roughly 70 of these cases (100 persons) are expected to materialise into resettlement submissions for 2002.

Altogether, some 300 persons are expected to be submitted for resettlement in 2002.

Refugees in Gabon

The vast majority of the refugee population hosted by Gabon originates from Congo-Brazzaville. Most live in urban centres. The remaining refugee population is comprised of nationals of 24 different African countries.

Gabon is a signatory to both the 1951 Refugee Convention and its 1967 Protocol, as well as to the 1969 OUA Convention. From a legal perspective, refugee protection is theoretically guaranteed in Gabon. Due to earlier influxes of refugees in the 70s, the government of Gabon created the General Delegation for Refugees in 1976. With the civil wars in DRC and the Republic of Congo in the late 1990s, new waves of refugees fled to Gabon. New legislative measures were therefore adopted. In 2000, an accord was signed with UNHCR and Gabon established an Eligibility Commission and the *Commission Nationale pour les Réfugiés*.

Gabon enjoys a relatively peaceful and stable political climate, as well as an economy superior to many of its neighbours, making it a natural destination for refugees from the sub-region.

Voluntary repatriation for Congolese refugees will begin in 2002. A residual caseload is expected to require resettlement following the repatriation effort. Local integration possibilities are limited due to a difficult economic period that the country is currently experiencing. The economy cannot absorb the large numbers of immigrants and refugees. Refugees are often scape-goated for the poor economic conditions.

Although theoretically refugees have the possibility of naturalising, in practice, the procedure is very complicated and drawn-out. Many refugees who applied several years ago are still awaiting decisions. Because of weak prospects for local integration, resettlement remains the most viable durable solution for many refugees in Gabon.

Most refugees considered for resettlement in Gabon were dignitaries and government officials in their countries of origin. Most benefit from a university education. Resettlement is preferred for these cases due to their political profiles. Most cannot repatriate, having a legitimate fear of persecution given their political ties. These same reasons make local integration difficult as well.

The total population currently considered in need of resettlement is estimated at 2,000 cases, mostly from the Republic of Congo. For 2002, it is estimated that some 100 cases/300 persons will be submitted for resettlement, human resources permitting.

Refugees in The Gambia

There are approximately 12,000 refugees in The Gambia, the majority of whom originate from either Sierra Leone or the Casamance region of Senegal. Smaller numbers originate from Eritrea, Ethiopia, Iraq, Liberia, Rwanda and Somalia. The refugee population resides in both urban and rural settings, the preponderance in Banjul and the remainder in two camps. Kundum Camp in Basse hosts the anglophones from Sierra Leone and Liberia while Bambali Camp hosts the francophones from Senegal.

The Gambia is a party to the 1951 Convention and the 1967 Protocol. Draft refugee legislation has been finalised and is awaiting discussion by parliament. There are approximately 350 asylum seekers who have not lodged applications for refugee status pending the establishment of a national eligibility commission. Some residents of the Kundum camp experience the two-fold difficulty that there is little opportunity to work inside the camp and their freedom of movement outside the camp is curtailed, requiring permission which is not always granted. While the consolidation and movement away from the border of two former camps for Senegalese refugees was a positive development, both in terms of protection and politics, this is not a permanent solution. The protracted conflict in Casamance continues to forestall their repatriation.

While urban refugees in The Gambia have the freedom to work and attempt to integrate locally, a certain number have been unable to do so. In addition, there remain and will arise specific cases where refugees with special needs – whether due to problems of physical or legal protection, medical care, or lack of local integration prospects – will benefit from the durable solution of resettlement. It is envisioned that a percentage of the Sierra Leonean caseload will choose to repatriate in light of the relative stability now prevailing and the upcoming elections in their country. In 2002, UNHCR anticipates submitting some 150 persons for resettlement.

Resettlement is a vital tool of protection and the means to a durable solution for certain refugees in The Gambia. Resettlement activities are currently conducted by a deployee working from UNHCR Dakar, which has requested the creation of a permanent Resettlement Officer post.

Refugees in Ghana

Ghana is host to approximately 28,000 refugees comprised of some 25,000 Liberians, 2,000 Sierra Leoneans, 850 Togolese and less than 100 refugees from other west and central African nations.

Ghana has acceded to the 1951 Convention and its 1967 Protocol. It has also ratified the 1969 OAU Convention. Ghana has enacted the Refugee Law of 1992, which established a Refugee Board to carry out RSD. Roughly 4,000 Liberians were granted refugee status by the Board in 2000. The Sierra Leonean refugees were granted status by the Board between 1997 and 2000. The most recent influx of Sierra Leonean refugees (many fleeing from Guinea) have been granted *prima facie* refugee status. During 2001, the mandate of the board lapsed and RSD ceased. UNHCR Ghana has been advised that the Board will be reconstituted during 2002 and RSD will resume.

Of the Togolese caseload, approximately 390 are at Krisan camp, whereas the rest are assessed to be well-integrated in the eastern Volta region. The caseload at Krisan camp is comprised mainly of ex-military or ex-politicians and their families who cannot return to their countries of origin as long as the present government is in power. UNHCR expects that most of the Sierra Leoneans at Krisan camp will be willing to repatriate during 2002/2003. Most Liberians, however, are not willing to repatriate due to the situation in their country of origin and find it difficult to integrate locally.

Among the Sierra Leonean caseload, UNHCR Ghana has identified a number of survivors of violence and torture who will be submitted for resettlement. Submissions will also focus on women-at-risk and other security and physical protection cases. Lastly, Liberian and Togolese refugees with lack of local integration prospects and a smaller number of Liberian high profile political cases may be submitted.

Following recent allegations of irregularities in resettlement submissions and in view of the increased resettlement activities conducted by resettlement countries in Ghana, efforts are underway to significantly strengthen the UNHCR Ghana office, and specifically the management of resettlement activities. This includes establishing Ghana as the regional hub for resettlement activities, increasing staffing, establishing written procedures for identification and case processing and management including registration and photo taking of refugees upon arrival, as well as proper data management. Strategies to manage refugee expectations relating to resettlement will also be developed to reduce the pressures on the office which aggravate the potential for corruption.

Due to the persistent lack of resettlement focus that prevailed until recently at UNHCR Accra, there is a significant backlog of partially completed submissions (approximately 500), as well as a need to address new submissions. It is envisioned that, together with the Regional Resettlement Officer currently based in Accra, a total of three deployees and at least one

resettlement clerk will assist in addressing both the existing backlog and new submissions as part of a process of restoring credibility and regularity to resettlement activities at UNHCR Accra.

Following the resumption of resettlement activities and the recruitment of resettlement deployees, UNHCR Ghana intends to submit some 200 cases/800 persons during the remainder of 2002.

Refugees in Guinea

Guinea hosts approximately 177,601 refugees, of whom 82,203 are Liberian, 95,273 Sierra Leonean, and 125 of other nationalities.

Guinea is a party to the 1951 Convention and its 1967 Protocol, as well as to the 1969 OAU Convention. A national refugee law was promulgated in August 2000. While the law is not fully implemented, an Eligibility Committee functions on the basis of an accord signed between the Government and UNHCR.

The security situation in the forest area of the country where the refugees are accommodated deteriorated significantly in September 2000 following rebel attacks in the areas bordering Liberia and statements made by the authorities accusing refugees of rebel activity. In the ensuing backlash, refugees fleeing the camps were harassed, detained and many suffered human rights violations as they sought to make their way to Conakry to return to Sierra Leone.

In order to respond to the very urgent security needs of the refugees and to facilitate the return of those wishing to do so, UNHCR commenced a three pronged operation: relocating refugees from unsafe areas to new sites; facilitating the return of those who opt to go back to Sierra Leone; and identifying and processing those in need of resettlement.

Sierra Leonean refugees: A considerable portion of the Sierra Leonean caseload wish to repatriate with the facilitation of UNHCR. While many are anxious to do so immediately, a significant number prefer to wait for the outcome of the presidential elections (due in May 2002) before reaching a decision. Many however will not want to return nor could they be expected to return given their past experiences and on-going fear.

Liberian refugees: Durable solutions for Liberian refugees in the Nzerekore region remain elusive. This is essentially a residual caseload that, for Convention reasons, is unable to repatriate. Some of these have been displaced repeatedly, having sought asylum in Sierra Leone before being forced to flee to Guinea. Another group consists of those who may still be interested in returning, but the present situation in Lofa and Limba (characterised by attacks, violence and renewed displacement) is not conducive to return, and a latter group of new arrivals who fled the recent fighting in Lofa county. Local integration was actively pursued as a durable solution for this caseload. The recent decision of the government that refugees must reside in camps and their refusal to allow UNHCR to pursue a local integration programme in 2000 has meant that UNHCR has had to re-introduce care and maintenance programmes in 2001.

Urban caseload: The main challenges in identifying durable solutions for the urban refugee caseload is enabling them to achieve a degree of self-sufficiency. Income generating activities, micro-projects, and skills training are encouraged but difficulties are still encountered in terms of language and the inability of the private sector to absorb those with foreign academic qualifications.

The deterioration in the security situation in Guinea which seriously jeopardised the climate of asylum and in which many refugees were victims of abuse, violence and sexual harassment led to an increased focus on the need to address through resettlement not only the vulnerability of these populations but also the fact that many have a "well founded fear of persecution" in the event of return to their countries of origin.

The asylum climate in Guinea has improved significantly with the transfer of refugees from the precarious, insecure border areas to new camps coupled with UNHCR's efforts to maintain the civilian and humanitarian nature of these camps. Security has been stepped up in the camps to improve the protection of women and children. While these initiatives address their physical security needs, addressing issues relating to their continued vulnerability and exploitation remain major challenges.

The profiles of cases considered for resettlement are as follows:

Women at risk: Despite efforts to improve their safety, cases of rape in the camps continue to be reported. Women-at-risk also include those lacking support structures and those with imputed political opinions.

Survivors of violence: These are cases of individuals singled out for their political or imputed political opinion and subjected to human rights violations. While both local integration and repatriation have been pursued for many, not all will be able to do so given their ongoing need for physical rehabilitation and trauma counselling.

Protection and Security cases: These refugees are faced with security threats as a result of proximity to their country of origin and by virtue of previous positions they held in the government or various political associations. Refugees are repeatedly rounded up and detained on spurious charges of espionage, threats to state security, collaborating with rebels, etc. During detention many are beaten or roughly treated.

Liberian refugees with a lack of local integration prospects: This includes the residual caseload who cannot repatriate due to their political opinions, their ethnicity (e.g. Krahns and Mandingos), or due to the insecurity in the areas of return, namely Lofa County. While the vast majority has made very real attempts to locally integrate, repeated displacement (to Sierra Leone and then Guinea) coupled with harassment, abuse and language difficulties have made the prospects for local integration bleak.

Separated children: Following best interest determinations, a small group of separated children, some ex-combatants, may also be in need of resettlement. Initial discussions with agencies involved in their care in Guinea suggest that many will be unable to return and successfully reunite with their families and their communities.

The original target set for submissions from Guinea for 2002 under the resettlement plan was 700 cases. However, it was necessary to revise down the target as a result of delays and

difficulties. Not taking into account possible group submissions, the target for 2002 submissions is 400 cases/1,200 persons.

UNHCR Conakry encourages resettlement countries to undertake circuit rides to the camps to support efforts to gradually shift the focus of resettlement from Conakry to the camps and reinforce the message that cases will receive equal consideration in the camp and there is no need for migration to the capital.

Refugees in Liberia

It is estimated that Liberia hosts over 60,000 Sierra Leonean refugees of whom over half reside in six refugee camps. Another 2,000 Ethiopian refugees live in urban areas, as well as 45 from Sudan and Ghana.

Liberia is a party to the 1951 Convention and its 1967 Protocol, and also to the 1969 OAU Convention. Liberia adopted a Refugee Act in 1993. However, as a result of the 7-year civil war, lack of functioning institutions, economic hardship, and the current military actions between government forces and dissidents in certain parts of the country, some refugees' rights have been abused. Incidents of harassment, extortion, and looting of refugees' property have been reported.

Liberia and Sierra Leone share common cultures, languages and, to a certain extent, traditions. Therefore, local integration of Sierra Leonean refugees into the Liberian society should theoretically not pose a problem. However, the current political and socio-economic conditions noted above make it difficult for refugees to locally integrate. Furthermore, while the majority of Sierra Leonean refugees are expected to repatriate in the near future, given recent politico-economic improvements in that country, there will be some who cannot return.

UNHCR Monrovia uses resettlement as a protection tool and as a durable solution strategy to solving refugees' problems. In 2001, 5 cases/16 individuals were submitted for resettlement. All were Sudanese urban long-stayers. In 2002, UNHCR Monrovia intends to process 15 cases/50 individuals for resettlement. These are likely to include Sudanese and Sierra Leoneans.

Refugees in Mali

Mali continues to host approximately 2,500 urban refugees of various nationalities, the majority of whom originate from Sierra Leone. Other nationalities which appear in significant numbers include Liberians and Mauritanians. Mali also hosts some 6,000 Mauritanians in the rural region of Kayes, about 480 km from Bamako.

Mali is a party to the 1951 Convention and the 1967 Protocol. Furthermore, the government of Mali adopted national legislation respecting the protection of refugees in July 1998. This action was followed in October 1998 by the constitution of a National Commission charged with RSD, which has functioned effectively since that time. Refugees benefit from the same treatment as nationals of Mali with respect to their access to employment, education, social security and medical treatment.

In general, refugees in Mali are well-integrated. Furthermore, it is envisioned that many will choose to repatriate in light of the relative stability now prevailing in Sierra Leone. Nonetheless, there remain and will arise specific cases where refugees with special needs – whether due to problems of physical or legal protection, medical care, or lack of local integration prospects – will benefit from the durable solution of resettlement.

It is hoped that the creation of a permanent resettlement post in Dakar, covering Mali, will better ensure the continuity of resettlement activities in the future. As a result of a concerted effort to address resettlement needs in Mali, it is expected that the resettlement caseload will increase, even while the refugee population is declining. It is anticipated that 100 persons will be submitted for resettlement in 2002.

Refugees in Nigeria

The refugee population in Nigeria is estimated at around 7,200 individuals, of which 3,000 are Chadians, 2,041 are Sierra-Leoneans, and 1,505 are Liberians, plus various other nationalities. These refugees are mainly accommodated at refugee camps and in Lagos. The Chadian refugees are situated in the northern part of the country.

The organised voluntary repatriation of some 1,500 Chadian refugees in northern Nigeria was put on hold due to a bloody religious conflict in the area. Many refugees left their homes for safety and some spontaneously repatriated. Similarly, voluntary repatriation of Liberian refugees has been put on hold due to recent fighting between government troops and dissident Liberians United for Reconciliation and Democracy. As for Sierra Leoneans, UNHCR Nigeria was involved in a Joint Fact-finding Mission to Sierra Leone in November 2001 to assess whether conditions were conducive to return. With the exception of 2 districts (Kenema and Kailahum), the country has been cleared for facilitated repatriation. Most of the Sierra Leoneans refugees in Nigeria originate from Kono, Bo, Pujehun, and Freetown, therefore most will be able to return home if they wish.

In 2001, UNHCR Nigeria heavily promoted local integration activities for refugees, discontinuing some forms of aid and encouraging income-generating activities. Options for local integration and self-support in Nigeria are, however, limited by the depressed economy.

Resettlement is generally considered for the following profiles of cases:

Liberians
Separated Children: During Liberian repatriation exercises, some parents went back to Liberia, leaving their children behind to neighbours, friends and relatives. UNHCR Nigeria is engaged in family tracing and family reunion for these children, some of whom are in found in a vulnerable situation in the camps. In 2001, UNHCR conducted a sensitisation campaign to encourage them repatriate, but many of these youths claimed not to know their parents' whereabouts. For some special cases, UNHCR might recommend resettlement when repatriation is not in the child's best interest. It is estimated that 38 such persons may be referred for resettlement this year.

Long-stayers: 10 Liberians in exile since 1990 and 1991 have been identified for resettlement in 2002.

Female heads of household: 10 have been identified for resettlement in 2002.

Krahn Liberians: A handful of this minority ethnic group who cannot repatriate will be referred for resettlement in 2002.

Sierra Leoneans
The Sierra Leonean refugees face the same problems as the Liberians, though most will be able to repatriate in the near future. Emphasis is therefore not on resettlement unless particular protection cases arise or for those separated children whose parents cannot be traced. It is anticipated that some 15 individuals will be submitted for resettlement in 2002.

Other nationalities
For an estimated 20 individuals of other nationalities who can neither repatriate nor locally integrate, resettlement will be promoted in 2002.

In total, UNHCR Nigeria estimates that about 100 individuals are likely to be submitted for resettlement in 2002.

SOUTHERN AFRICA

Projected needs: 1,600 persons

Refugees in Angola

Angola is host to approximately 12,250 refugees, primarily Congolese nationals (DRC). The majority of the caseload arrived in the 70s fleeing the Katanga area conflict and was granted *prima facie* status.

The legal instruments on refugees in force in Angola are nearly identical to the International Conventions to which Angola is signatory: the 1951 Convention, the 1967 Protocol and the 1969 OAU convention.

Around one third of the Angolan population has been displaced by the ongoing conflict and many refugees have become secondarily displaced within Angola. Although refugee status permits employment, opportunities are rare and therefore local integration prospects are limited.

The lack of a tripartite agreement is an obstacle for the repatriation of the refugees that have expressed their desire to do so. However, after the last registration exercise, UNHCR Angola submitted to the DRC a list of approximately 219 persons wishing to repatriate and recently received a positive response.

Resettlement is used as a durable solution for cases encountering protection problems in Angola or lacking local integration prospects. UNHCR Luanda has pre-identified roughly 70 cases/210 persons for resettlement in 2002, based on risk factors (women), medical cases and lack of local integration prospects. The case preparation and submission is envisaged to take place in 2002.

Refugees in Botswana

Botswana hosts about 4,275 refugees who reside at Dukwi Refugee Camp with the exception of a small population of 98 urban refugees. The refugees originate from the Caprivi region of Namibia, Angola, the DRC, Somalia, Rwanda, and Burundi.

Botswana is a party to both the 1951 Convention and 1969 OAU Convention. Although Botswana has its Refugee Act of 1967, new legislation is soon to be promulgated to bring the refugee regime in line with international standards of refugee protection.

UNHCR's work in Botswana is focused on achieving durable solutions. The major challenge of voluntary repatriation is the protracted nature of conflict in the countries of origin. Local integration is theoretically possible, though difficult to achieve due to the economy. Recognised refugees are permitted to naturalise after lengthy stay in the country, though only some 250 Angolans and a handful of other nationalities have benefited from this.

The major challenges affecting resettlement are irregular movers and the country's strict interpretation of the first country of asylum principle, resulting in rejections of asylum applications.

In 2002, government policy is expected to change and rejected mandate refugee cases will be reviewed and likely granted refugee status on humanitarian grounds. For the remaining cases, UNHCR will continue to assess both individuals and groups for consideration for resettlement. Capacity is expected to increase, given the planned addition of a resettlement officer in South Africa, also covering Botswana. UNHCR anticipates submitting 50 cases/150 persons for resettlement in 2002. Many of the cases are of the political leadership of Namibian refugees who have been offered temporary asylum conditioned upon their resettlement to a third country.

Refugees in South Africa

According to statistics provided by the Department of Home Affairs in November 2001, 65,838 applications for asylum were received by the authorities in South Africa between 1994 and 2001. Among these, 22,813 were approved and 38,071 rejected. Young males comprise the majority of asylum seekers, originating mainly from Angola, Burundi, DRC, Somalia and Rwanda. There are no refugee camps in South Africa and the refugee caseload is predominantly urban.

The Republic of South Africa is party to the 1951 Geneva Convention and its 1967 Protocol, and also to the 1969 OAU Convention. The 1998 Refugee Act disallows asylum seekers to work or study for the first six months. However, they may do so after this period if the asylum request is still pending.

As a result of a growing restrictive approach by the South African government and the backlog of cases not being addressed, there are a number of mandate refugees who are unable to find local integration opportunities. Due to an often hostile environment towards foreigners, assuring access to basic assistance like primary health care, education, food and

shelter remains a challenge. Durable solutions for the most vulnerable refugees in need of coordinated assistance can therefore not always be obtained locally.

In 2002, there will be a continued need for resettlement for legal and physical protection reasons for especially compelling cases of mandate refugees who have not received asylum in South Africa. In several instances, cases of refugees claiming on-going persecution in South Africa by the authorities of their country of origin were assessed to be credible. These types of claims are mainly reported by Angolan, Congolese, Ethiopian, Ugandan and Rwandan nationals. While UNHCR's focus is to intervene with the authorities to ensure that these incidents are investigated, a continued need is foreseen for resettlement for those in urgent need of physical protection.

UNHCR will also resettle those amongst the refugee community who are deemed especially vulnerable when efforts to identify and mobilise local support structures have not been successful. It is currently anticipated that approximately 80 cases/240 persons will be in need of resettlement in 2002.

Refugees in Swaziland

Swaziland presently hosts some 1,000 asylum seekers and refugees, mainly originating from Angola, Burundi, DRC, Rwanda and Somalia. The majority is registered in the camp, though they are generally allowed to reside outside the camp if they are employed.

Swaziland is party to the 1951 Geneva Convention and its 1967 Protocol. It has also ratified the 1969 OAU Convention. The national legislation currently in force is the 1978 Refugee Control Order. A draft Refugee Bill was tabled before parliament during the second half of 2001.

Local integration prospects in Swaziland are generally good. For that reason, UNHCR will promote resettlement primarily on the grounds of family reunification as well as vulnerable cases such as unaccompanied minors and survivors of violence and torture, for whom specialised assistance cannot be provided. It is anticipated that approximately 15 cases/45 persons will be in need of resettlement in 2002.

Refugees on Indian Ocean Islands (Madagascar, Mauritius, Comoros and the Seychelles)

Madagascar hosts 34 refugees, recognised by UNHCR under its mandate. The Comoros hosts 12 refugees and asylum seekers. Mauritius hosts 14 asylum seekers. There are no known cases of refugees or asylum seekers in The Seychelles. Most refugees in the Indian Ocean Islands come from the DRC, Congo, Rwanda and Burundi. The majority of the applicants are young males.

As the states are not party to any of the international refugee instruments, prospects for local integration for refugees recognised by the office are not present. In The Comoros and Mauritius, the office is under continued pressure by the governments to relocate mandate refugees to third countries as soon as possible.

For those that cannot voluntary repatriate in the near future, resettlement is the only available durable solution. UNHCR will therefore continue to promote resettlement for persons deemed of concern to the office. Those who moved irregularly to the Islands after having found effective protection elsewhere will not be considered for resettlement. It is anticipated that approximately 15 persons will be in need of resettlement from the Islands in 2002.

Refugees in Zambia

Zambia hosts approximately 286,662 refugees, of whom 224,718 are Angolan and 52,585 are from DRC. The remainder is from Rwanda (4,955), Burundi (2,229), Somalia (893), Uganda (770) and other countries (313).

Zambia is a party to the 1951 Geneva Convention though it maintains reservations with regard to employment and freedom of movement. Zambia is also a party to the 1969 OAU Convention. Zambia's National Eligibility Committee adjudicates individual cases using both instruments. A managerial *prima facie* status is used for refugees arriving in border areas and in mass influx situations.

Though there are third generation refugees in Meheba Refugee Camp (one of five in which UNHCR operates and one in six of the camps in Zambia, the sixth being Ukwimi, for former combatants) Zambia's constitution and Refugee Act effectively preclude naturalisation. UNHCR is actively promoting reconsideration of Zambia's reservations to the 1951 Convention and naturalisation legislation.

Under prevailing conditions, voluntary repatriation is not a viable solution for the vast majority of the refugees in Zambia owing to ongoing wars in Angola, DRC and Burundi. Some Rwandan refugees opt to repatriate, while the majority are Hutu or mixed marriages and are unwilling to return.

Local integration is only an option for a tiny proportion of refugees (primarily those with high demand skills such as doctors and nurses) who are able to obtain work permits. Otherwise, refugees cannot obtain residence permits, nor can they work or move freely.

The most common primary ground for resettlement for UNHCR Lusaka cases is legal/physical protection needs. These tend to be refugees of two types: (1) prominent or politically active refugees who, because of Zambia’s proximity to their countries of origin and relatively weak protection capabilities, need third country resettlement to remove the threat of surveillance, abduction or assassination and (2) refugees of minority or mixed ethnicity who are targeted in the camps and even in the urban areas.

The next most common ground of referral is survivors of torture. Frequently, survivors of torture overlap with women-at-risk, most noticeably women without male accompaniment who have been raped and who, because of the absence of protectors, cannot find adequate security either in the camps or in urban settings.

The remaining referrals are for cases of: family reunification, unaccompanied minors, elderly and medical. UNHCR Lusaka looks for lack of local integration *plus* another resettlement ground.

Assuming current resources are maintained, UNHCR Lusaka anticipates referring 300 cases/900 persons in 2002. Absent new influxes or the relaxation of the criteria applied for interview, the demand for resettlement is not anticipated to increase.

Refugees in Malawi

Malawi hosts approximately 6,401 refugees, the majority from Rwanda followed by Congo, Burundi, Somalia and smaller numbers from Uganda, Eritrea, Sudan, Ethiopia, Angola, Sierra Leone, Liberia, Kenya and Zimbabwe.

Malawi is party to the 1951 Convention and has its own Refugee Act. All refugees are expected to reside in camps and are not permitted to work. UNHCR Malawi is negotiating with the government to amend the refugee law on local integration. A tripartite agreement for voluntary repatriation of Rwandan refugees is also awaiting signature by the Government of Malawi.

The only durable solution at the moment is resettlement. Most refugees complain of insecurity amongst themselves originating from their countries of origin. It is also difficult for refugees to achieve meaningful integration except for those with needed skills, e.g. teachers, medical personnel and mechanics.

In 2001, 12 cases were referred from Malawi, primarily upon legal and physical protection and family reunification grounds. In 2002, UNHCR Malawi anticipates submitting about 40 persons for resettlement.

THE AMERICAS

Projected needs: 160 persons

Northern and Central America

The Northern and Central America region has not traditionally been a region producing resettlement cases. Local integration has proved in the past to be the most suitable solution to regional refugee problems. At present, the main destabilising factor is the conflict in Colombia which produces a considerable increase of refugee movements, both internally and in the neighbouring countries of the region. In this respect, resettlement has the potential to increasingly become an effective protection tool for particular refugees who face physical risks or other urgent protection concerns.

Refugees in Costa Rica

The refugee caseload in Costa Rica comprises the following nationalities as of March 2002: Colombians: 4,791, Nicaraguans: 2,636, Cubans: 1,062, Salvadorans: 793, Peruvians: 235, others: 322, for a total of 9,839 persons.

Costa Rica signed both the 1951 Convention and its 1967 Protocol with no reservations. In 1983, Costa Rica also adopted refugee status determination procedures to implement the 1951 Convention.

The impact that the Colombian conflict has had in Costa Rica from a refugee perspective is very significant. In order to illustrate such impact, it should be highlighted that in 1999, the country processed 88 asylum claims from Colombian asylum seekers; in 2000, 1450 asylum claims were filed; in 2001, 5,018 Colombian asylum seekers were processed for refugee status.

The main goal of the Costa Rica Programme for Refugees is the achievement of local integration for the new influx of Colombian refugees arriving in the country. Costa Rica has traditionally been considered a country with adequate conditions to promote the local integration of refugees.

Although resettlement has not been a feature of Costa Rica's protection regime, the new conditions have resulted in a gradual deterioration of security for refugees. The size of the new influx has also led to the use of resettlement for cases that need protection on urgent grounds, or as the result of the long waiting period for status determination. The long waiting period has serious negative impact on local integration as work permits are granted only upon recognition of refugee status.

In view of the above, UNHCR expects about 10 cases/30 persons to be submitted in 2002. However, it is possible that additional submissions will be made, as cases alleging threats against their physical security in Costa Rica may increase.

Refugees in Cuba

Students make up the vast majority of refugees in Cuba. Most were Mandate refugees before travelling to Cuba on government scholarships, and enjoy legal temporary residence in Cuba limited to the duration of their studies. Originating primarily from Western Sahara, most return to Algeria, their country of first asylum. They are not likely to be able to repatriate in the near future. A much smaller group are *sur place* Mandate refugees, recognised after entering Cuba with tourist visas, due to recent and ongoing violence in their home countries. They are tolerated by the Cuban government but have no legal status.

Cuba is not party to the 1951 Convention nor the 1967 Protocol. Refugees and asylum seekers who spontaneously arrive in Cuba with tourist visas are granted provisional authorisation of stay until UNHCR can find a suitable third country for resettlement. There is no legal framework for local integration for these refugees nor material conditions to promote it.

For those students who cannot repatriate at the end of their studies nor return to their country of first asylum, resettlement will be needed. This group, numbering around 50 persons, originates from Sudan, Ethiopia, Eritrea, Sierra Leone, and Liberia. In 2002, some 30 of these 50 persons are foreseen for resettlement submission.

Recently arrived refugees, numbering around 59 persons, originate from Afghanistan, Ethiopia, Eritrea, Iraq, Iran, and Gaza. Some of these cases are already in the resettlement

process and some 30 of them are foreseen for resettlement submission in 2002, for a total of 60 submissions expected from Cuba in 2002.

Refugees in Venezuela, Panama, Peru, Ecuador, Surinam and Guyana

Colombians are the primary refugee population in the countries covered by UNHCR Venezuela. The widening and worsening of Colombia's conflict has prompted not only massive internal displacement but also increased refugee flows to Colombia's neighbours. In Ecuador, the government has maintained a liberal asylum policy and has allowed Colombians in need of protection to file asylum applications. By contrast, in Venezuela, Panama and Peru, the governments are reluctant to receive refugees from Colombia and lack effective RSD procedures. Colombians in need of protection thus cross irregularly into the territories and hide in remote border areas or in shantytowns of larger cities. Official statistics on refugees and asylum seekers are misleading. In Venezuela, officials report only 200 asylum seekers, while unofficial estimates are in the tens of thousands. These persons would apply for refugee status if proper RSD procedures were in place. Most Colombians in need of protection are fleeing threats to their life by paramilitary and guerrilla groups. There are different profiles within the refugee groups, such as: strong individual cases under the 1951 Convention, persons fleeing generalised violence, falling under the 1984 Cartagena Declaration and UNHCR's mandate, and persons with combined economic and security motives.

UNHCR Venezuela places particular focus on the countries neighbouring Colombia (Venezuela, Panamá, Ecuador). All have a legislative refugee framework in place, however the challenge is to ensure its effective implementation, i.e to set up fair and efficient RSD procedures in both the capitals and at the Colombian border. In the absence of clear instructions, border officials apply migration law and do not refer *ex officio* individual cases to the eligibility commissions. Colombians in need of protection have had to hide in remote border areas without protection/assistance or were forced to return to their country of origin. There is great need to strengthen the institutional framework and improve RSD procedures.

The rationale for resettlement is that many Colombians in need of protection, particularly those who suffered individual persecution by paramilitaries and guerrilla groups, face precarious security conditions in countries neighbouring Colombia where the governments are either not willing to or are incapable of providing protection. Needs are expected to increase, as the situation in Colombia worsens and is further regionalised. Should the worst case scenario materialise, i.e. a complete breakdown of peace negotiations in Colombia plus generalised armed conflict, refugee flows will significantly augment and security conditions in neighbouring countries will worsen. The planning figure for 2002 assumes that the status quo prevails: up to 20 resettlement cases/60 persons are anticipated to be submitted. Under the worst case scenario, some 100 cases might arise. Resettlement countries should be alerted that the situation might seriously deteriorate over the course of the year.

Refugees in Southern South America: Argentina, Bolivia, Chile, Brazil, Uruguay, Paraguay

In the past decade, some countries in the region have begun to shift from being refugee-producing countries to refugee-receiving countries. Resettlement, therefore, is now being

developed as part of the growing commitment of States in the region to take part in the international response to refugee crises around the world. Regional Office Argentina is committed to enhancing resettlement as a tool of protection and to maintaining it as one of its priorities in the region.

Resettlement programmes in South America have been reinforced and are demonstrating excellent potential to develop into sustainable and solid resettlement programmes, particularly in Brazil and Chile, which would provide alternative resettlement opportunities to refugees in need of this durable solution. Preliminary discussions also have been held with the Uruguayan government regarding their interest in establishing a resettlement program in the future.

All six countries in the region have ratified the 1951 Convention and the 1967 Protocol, Bolivia being the most recent government to do so, in 2000. Of these six countries, however, only Brazil has a comprehensive refugee law, which has been in effect since 1997.

The need for resettlement of refugees from the region is minimal. Resettlement, therefore, is limited to cases with specific urgent security or protection needs that cannot be properly addressed in the country of first asylum. Based on 2001 experience, UNHCR anticipates submitting very few exceptional cases for resettlement, such as 5 cases/10 persons. Never the less, it will also be important to monitor the escalating violence in Colombia and the human rights abuses there and the possible increase in Colombian asylum seekers to this region.

CENTRAL ASIA, SOUTH WEST ASIA, NORTH AFRICA, and MIDDLE EAST (CASWANAME)

Projected needs: 14,027 persons

The CASWANAME region hosts one of the largest numbers of individually mandated refugees in need of resettlement around the globe. This is largely due to the fact that few States in the region have acceded to the 1951 Convention or any regional instrument (e.g. the 1969 OAU Convention for North African countries). The fragile and sometimes volatile asylum institutions in many of the countries of the region have necessitated UNHCR resettlement operations for purposes of protection. Many of the asylum countries do not provide refugees with guarantees against *refoulement* insofar as there are no legal provisions or procedures for the granting of asylum or local integration. With the exception of Afghan refugees, there are no short-term prospects for voluntary repatriation. Third country resettlement often remains the only durable solution for refugees in this region.

In recent years, the number of asylum-seekers approaching UNHCR offices in the Middle East has increased and UNHCR has progressively incorporated resettlement as a component of its protection framework for most of the countries in the region. From 1999 until 11 September 2002, the number of refugees originating from the Middle East processed by UNHCR for resettlement increased by more than 100% yearly, with submissions to all resettlement countries. Beginning with the implementation of the Middle East Resettlement Project (MERP) in 1999, UNHCR has strengthened its human resource capacity in the region

in order to ensure quality resettlement submissions in a timely manner. In doing so, UNHCR offices have sought to expedite determination of refugee status and resettlement processing.

The enhancement of UNHCR's resettlement capacity in the region is the result of regional policy reviews, training initiatives, and capacity building of the field offices. The involvement of qualified national staff in the resettlement process, and the use of expertise from NGO partners and ex-government officials from resettlement countries, have proven very effective in diversifying out-processing of resettlement cases. UNHCR is now processing resettlement cases from nearly all countries in the region, including Iran and Central Asia, where until 1999, no resettlement activities were carried out in a harmonised and systematic manner. In addition to embarking on harmonising eligibility criteria for identification of cases, UNHCR has also improved the accessibility of resettlement to refugees needing this solution, reducing the possibility of secondary movement in the region.

CENTRAL ASIA

Projected needs: 630 persons

Refugees in Kazakhstan

Currently, Kazakhstan is host to approximately 19,538 refugees: 11,900 Chechens, 4,100 Tajiks, 2,360 Afghans, and 500 of other nationalities, mainly Chinese Uighurs and Palestinians.

Despite the country's accession to the 1951 Convention and its Protocol, the refugee protection regime leaves several critical gaps. The government maintains an asylum policy excluding CIS citizens from the asylum procedure, thus denying official recognition to Chechens and Tajiks. Uighurs from China are also excluded from the asylum procedure. The operational scope of the national RSD is also limited to Almaty, thus asylum seekers residing in other parts of the country cannot have their claims examined. So far, out of some 19,538 persons of concern to UNHCR, only 630 persons, primarily Afghans, have been recognised by the government as refugees.

Refugees cannot naturalise nor obtain permanent residence permits. Coupled with the legal barriers, the lack of employment, health services and shortage of housing and food create an environment where local integration is not a realistic option. For Chechen refugees, UNHCR Almaty has negotiated with the authorities *de facto* refugee status and permission to stay in the country pending improvement of the situation in Chechnya. Tajik refugees have the option of repatriation and UNHCR has facilitated such for 1,254 persons since 2000. For Afghans, voluntary repatriation may become an option, though most are taking a wait-and-see approach. Most Afghan refugees in Kazakhstan do not face serious protection problems.

The situation is the most fragile for the Chinese Uighur refugees, due to Kazakhstan's delicate relations with China and since they are neither CIS citizens nor are admitted to the national asylum procedure. UNHCR has urged the authorities to tolerate the stay of most Chinese Uighur refugees while resettlement is sought.

UNHCR Almaty uses resettlement primarily when the protection of a given refugee cannot be ensured in the country by other means and/or for medical reasons. Hence, the main target groups are the Chinese Uighurs and Afghans. The latter group includes those denied refugee status in Kazakhstan on the basis of erroneous application of the "third safe country" concept and medical cases. It is anticipated that submissions in 2002 will not exceed 30 cases.

Refugees in Kyrgyzstan

There are approximately of 9,296 recognized refugees in Kyrgyzstan, primarily from Tajikistan, with smaller numbers from Afghanistan, Iran and Sri Lanka.

The Kyrgyz Republic acceded to the 1951 Convention and its 1967 Protocol in 1996, however national legislation is not in place and administrative structures are lacking. Refugee matters are currently governed by the Temporary Provision on Refugees (TPR). While the government does conduct RSD, there are serious shortcomings in the TPR, including application of the principle of safe third country, which may lead to *refoulement* of persons in need of international protection.

There are limited prospects of local integration for refugees coming from a different cultural background and outside the Central Asian region. The Kyrgyz Republic has not traditionally welcomed immigrants in large numbers and, moreover, lacks the basic economic resources to assist refugees in their integration. Security concerns also play a role in integration prospects. Given these factors, there are very limited prospects for the local integration for Afghan, Chechen and Chinese Uighur refugees. The situation for Tajik refugees, most of whom are ethnic Kyrgyz, is much better.

The main resettlement caseload consists of refugees with physical and legal protection needs, medical cases, single and elderly refugees without extended family support, women-at-risk, survivors of torture and violence, rejected asylum seekers in need of international protection, family reunification cases and Convention recognised refugees with no prospects of local integration.

Voluntary repatriation may be a viable option for many Afghan refugees later in the year. However, even in this situation, resettlement will remain an appropriate protection response for a limited number of Afghan refugees for whom neither repatriation nor local integration are viable options, such as for those with certain political associations. In 2001, UNHCR referred 138 persons for resettlement.

While Chechens are not granted refugee status, many are granted the limited status of "asylum seeker." The total caseload of Chechen asylum seekers is 372. Resettlement is promoted only in the case of a few individuals who lack legal and physical protection. It is expected that in 2002, a small number of Chechens will be submitted for resettlement.

All Chinese Uighur asylum applications have been rejected on formal grounds. The Kyrgyz and Chinese governments have signed bilateral agreements that make it difficult for the Kyrgyz authorities to grant asylum to Uighurs. UNHCR therefore grants mandate refugee status to those in need of international protection. A few cases threatened with *refoulement* have been submitted in previous years. If the situation in the Xinjang Autonomous Region of China deteriorates, it is likely that asylum seekers will increase, as will the numbers of

resettlement submissions. As it stands, in 2002, a few Chinese Uighur cases will be submitted for resettlement. The UNHCR planning figure for submissions in 2002 is 150 persons.

Refugees in Tajikistan

The asylum-seekers/refugee caseload consists primarily of Afghans, with small numbers of Iranians, Iraqis and Russians. The number of recognised refugees in Tajikistan is approximately 4,638. Some additional 6,000 Afghans reside in Tajikistan, many with expired visas.

Tajikistan acceded to the 1951 Convention and its 1967 Protocol in 1992. Since 2001, the national individual refugee status determination process has been suspended and no one has been granted refugee status. At the insistence of UNHCR, the government issues temporary identification cards to asylum seekers. The government has initiated the drafting of a new refugee law, though the law will codify many of the new restrictions imposed on the asylum regime by subsequent resolutions. It is anticipated that 1,000 Afghans will repatriate in 2002.

There is no legal or administrative provision concerning local integration of refugees. Refugees having lived in Tajikistan for over 4-5 years have not been able to acquire citizenship, even though the law provides for it. Even those Afghans with Tajik spouses have not succeeded in naturalising. The Tajik Government is very reluctant to consider applications from Afghan nationals for Tajik citizenship.

Since May 2001, UNHCR Dushanbe has received more then 800 applications requesting resettlement. So far, 184 of them have been processed. The majority is comprised of medical cases, women-at-risk, and family reunification cases (primarily to Canada and the US). The UNHCR planing figure for 2002 is 200 persons.

Refugees in Turkmenistan

The number of refugees presently in Turkmenistan is as follows: 12,486 *prima facie* Tajik refugees; 661 Afghan mandate refugees (primarily of Hazara, Uzbek and Tajik ethnicity); 764 *prima facie* Afghan ethnic Turkmen refugees; and 31 mandate refugees from the Russian Federation (Chechnya), Azerbaijan and Iraq.

Turkmenistan is a signatory to the 1951 Convention and its 1967 Protocol. A National Refugee Law was adopted in 1997 but has not been yet implemented. Since 1995, UNHCR undertakes RSD for all asylum seekers.

The main protection/legal integration need of the *prima facie* Tajik and Afghan refugees of Turkmen ethnicity is citizenship. Although the law provides for it, few were naturalised. Citizenship is not necessary to protect their continued stay in Turkmenistan, however, the lack of citizenship or permanent residence documents may be an obstacle to assuming full civil rights.

Since Turkmenistan basically fulfils the criteria of a safe country of asylum, resettlement needs are assessed on a case-by-case basis. With the recent events in Afghanistan, the

majority of refugees now consider their country of origin safe and have expressed their wish to return. Resettlement is envisaged only as a solution for any eventual residual population.

UNHCR Ashgabad currently provides resettlement only for persons who have no legal status in Turkmenistan, long-stayers with no prospects of local integration, and special needs cases such as victims of torture, unaccompanied minors, women-at-risk, and medical cases. In 2002, the UNHCR planning figure is 50 persons.

Refugees in Uzbekistan

There are 2,539 recognised mandate refugees and 1,027 asylum seekers currently registered with UNHCR Tashkent. The vast majority of this caseload are Afghans. An additional 4,000 Afghans are estimated to be in the country. Most Afghans arrived in Uzbekistan before 1992 in order to study under the Soviet exchange programme. A second group arrived after the Taliban captured the Mazar-i-Sharif area (bordering Uzbekistan) in August 1998.

Uzbekistan is not a signatory to the 1951 Refugee Convention. In the absence of a national legislation and a domestic administrative structure to deal with asylum seekers and refugees, UNHCR Tashkent has conducted RSD since 1994. Recognised mandate refugees are issued refugee certificates. These documents aim to protect them from arrest, detention, deportation and *refoulement*. While recognised refugees are more or less protected under a gentleman's agreement with the authorities, asylum seekers whose cases are pending are not afforded the same protection and their situation is precarious.

Despite the opportunities for repatriation to Afghanistan currently, the majority of the refugee population and is still unable to return. Since the Government does not formally recognise the UNHCR mandate certificate as a valid legal document for refugees, local integration prospects are limited. Therefore, resettlement appears to be, in many cases, the only identifiable durable solution.

UNHCR Tashkent uses resettlement as a protection tool for individual cases with special protection and social needs. Groups identified as at-risk include: refugees in need of physical and legal protection; women-at-risk; and urgent medical cases. UNHCR Tashkent's planning figure is 200 persons for resettlement in 2002.

SOUTH-WEST ASIA

Projected needs : 4,000 persons

Refugees in Iran

According to Bureau for Aliens and Foreign Immigrants Affairs (BAFIA), there are over 2.5 million refugees--2.3 million Afghans and 200,000 Iraqis--in Iran, residing mostly in urban areas.

Iran is party to the 1951 Convention but has no domestic asylum legislation. Afghans and Iraqis who entered Iran before 1992 were issued refugee status but this process ceased in

1992. Prior to 11 September 2001, the continuing civil war, insecurity and drought precipitated some 1,000 Afghans to seek refuge in Iran daily for the first half of 2001.

UNHCR has embarked on facilitating voluntary repatriation for Afghans and over 70,000 have repatriated so far. However, conditions for those unable or unwilling to return are not conducive to local integration as residence permits and employment are not allowed, nor are medical and educational services provided. In addition, deportations remain a threat.

In light of recent changes in Afghanistan, UNHCR Iran is reviewing its resettlement caseload with particular attention to pending claims that were primarily based on the conditions in Afghanistan prior to 11 September 2001. Priority continues to be given to women-at-risk cases; refugees in need of physical and legal protection; and victims of torture and violence. Refugees falling within these categories are considered for resettlement processing. There are Afghans and Iraqis with credible refugee claims for whom resettlement is the only viable durable solution, though if the situation continues to improve in Afghanistan, submissions will significantly decrease in the coming years. However, the planing figures for Iraqi refugees will increase since UNHCR will embark on identifying very vulnerable Iraqi refugees who are potentially stateless. The resettlement planing figure of UNHCR Tehran for 2002 is 1,500 persons. UNHCR is urging resettlement countries to increase their intake out of Iran to meet the overall resettlement needs.

UNHCR Iran has implemented measures to improve resettlement procedures to ensure quality of submissions, increase transparency, and guard against corruption. In order to manage these improvements, the number of resettlement staff has increased. Improvements include: revised job descriptions; development of standard operating procedures for refugee status determination and resettlement processing; a registration system for correspondence; and the establishment of a panel for reviewing resettlement decisions. For women-at-risk cases, UNHCR Iran instituted mandatory home visits.

Even with the emerging situation in Afghanistan, the impending voluntary repatriation, and the Iranian government's disinclination to facilitate exit permits, UNHCR regards resettlement from Iran as an important component of its overall protection strategy, as well as an expression of international responsibility-sharing.

Refugees in Pakistan

Pakistan has hosted a large number of Afghan refugees for more than two decades. Pakistan is not a signatory to the 1951 Convention nor its 1967 Protocol. The Government of Pakistan considers all non-Afghan refugees to be illegal migrants and they are tolerated only until UNHCR resettles them. Since 1998, the government also considers newly arrived Afghans illegal migrants. Afghans may be arrested and detained by the authorities under the Foreigners Act.

Over 700,000 Afghans have repatriated from Pakistan since UNHCR began its facilitated repatriation program. Resettlement staff undertook a mission to Pakistan in early April to assess the on-going need for resettlement and the relationship between repatriation and resettlement activities. Despite the large repatriation effort underway, UNHCR and resettlement countries unanimously concurred during Consultations on 11 April that there is a need to maintain resettlement as a component of the UNHCR protection framework for

Afghan refugees in Pakistan who can only be protected through resettlement. The phase out of the resettlement program will take place over several years and most likely there will be a need to screen the residual caseload when the overwhelming majority of refugees has repatriated. The mission to Pakistan also concluded that simultaneous resettlement efforts were not affecting repatriation.

In 2001, UNHCR Islamabad submitted 1,108 cases/4,326 persons for resettlement. Prior to 11 September 2001, UNHCR's planing figure was 10,000 persons for 2002, however, in light the changes, UNHCR's planing figure for 2002 has been reduced to 2,500. In addition to the traditional resettlement countries, Chile has taken refugees out of Pakistan.

UNHCR is in the process of finalising its revised RSD guidelines for Afghans. The application of resettlement criteria will subsequently be revised accordingly in line with RSD guidelines. It was concluded during the April consultations to continue to resettle: women-at-risk; refugees in need of physical and legal protection; and survivors of violence and torture.

NORTH AFRICA and The MIDDLE EAST

Projected Needs: 9,397 Persons

Refugees in Egypt

Egypt hosts 7,230 recognised refugees of more than 28 different nationalities. The three largest communities are Sudanese, Somalis and Yemenis.

Since 1981, Egypt is party to the 1951 Convention and its 1967 Protocol, and to the 1969 OAU Convention with reservations to articles 12 (1) (personal status), 20 (rationing), 22 (1) (access to primary education), 23 (access to public relief and assistance) and 24 (labour legislation and social security).

Under an agreement between UNHCR and the Egyptian Government from 1954, UNHCR conducts individual RSD for all applicants. The agreement also stipulates that UNHCR should take every possible measure to resettle refugees residing in Egypt. There are no specific provisions in domestic legislation for the protection of refugees and asylum seekers and no one has benefited from "political asylum" in Egypt over the last 5 years. Recognised refugees are granted a six-month renewable residence permit with the understanding that UNHCR will undertake resettlement for them.

The many reservations made by the Egyptian Government to the 1951 Convention constitute serious legal barriers to local integration, including limited access to the labour market and to public schooling, etc. Further, the generous practice of the government in issuing entry visas (i.e. for Sudanese and Somalis) must be balanced with the need for support from the international community. Egyptian authorities strongly support UNHCR's efforts to promote equitable burden sharing through resettlement. Due to such considerations, local integration is not a viable option for many refugees.

Due to the ongoing conflict in Sudan, and the unstable situation in Somalia, UNHCR Cairo is not currently promoting voluntary repatriation for refugees from these communities.

Given the lack of alternatives for the vast majority of refugees and increasing xenophobia vis-à-vis some categories of refugees, resettlement remains the main durable solution for many. Particular attention is given to resettlement for the following groups: survivors of torture, medically at risk individuals, single women/single female heads of household, and unaccompanied minors. Further, for some 30-40 cases per year who are threatened with *refoulement* or prolonged detention, resettlement is also a protection tool.

In 2001, 1445 cases/3527 persons were submitted for resettlement, which was similar to the submissions level for 2000 (1567 cases/3734 persons). In 2001, approximately 80% of cases submitted for resettlement were Sudanese refugees, and just over 10% were of Somali origin. Given the composition of asylum seekers pending RSD interview, a similar pattern is expected for 2002. The total number of submissions for 2002 is estimated at 2,500.

Refugees in Iraq

Iraq hosts a refugee population of 39,000, composed mainly of Iranian refugees (from Ahwaz region and from the Kurdish part of Iran) and Kurdish refugees from Turkey. The majority of the caseload lives in Al-Tash camp, some 150 km west of Baghdad. This caseload has been largely recognised on *prima facie* basis by the government more than 20 years ago. A smaller number of Iranian refugees live in Northern Iraq, under Kurdish control, having arrived since the beginning of 1980s. UNHCR has conducted RSD for this caseload and they are all ethnic Kurds associated with Iranian Kurdish opposition parties. There are no prospects of local integration for this group. UNHCR was resettling them until the Iraqi Government suspended the UNHCR resettlement program in Northern Iraq.

Iraq is not a party to the 1951 Convention or its Protocol. However, the National Refugee Law of 1971 acts, with its own refugee definition, as the main legislation on asylum. Refugees entering the country on an individual basis are recognised by a national committee assembled under the 1971 law. For the group residing in Northern Iraq, RSD is carried out by UNHCR. The local authorities in the north endeavour to ensure their physical security, though there is no local integration legislation.

The Iraqi and Iranian governments have recently negotiated limited voluntarily repatriation of refugees from both countries. A number of families from Al-Tash camp have been approved to repatriate. Given the renewed momentum in discussions between the two governments, voluntarily repatriation might indeed be utilised for the majority of the refugees from the Al-Tash camp and the Ahwazis. Repatriation to Iran is not feasible for the majority of the Iranian refugees in Northern Iraq due to the threat of retribution for political affiliation. A large number of Iranian refugees have lived, however, for up to 20 years in Northern Iraq.

In April 1999, the Iraqi government requested UNHCR to suspend resettlement activities from Northern Iraq. The suspension is still in place. Despite the fact that a few are departing, the majority (even if accepted for resettlement) would not be able to do so. The planing figure for refugees in Iraq is 500 this year and files for 200 refugees have been prepared for Canada, 100 for Finland, and 50 for Norway. UNHCR urges the resettlement countries to allocate 150 places for the refugees in Al-tash to meet the resettlement needs in this camp.

UNHCR Baghdad requests that once voluntary repatriation to Iran is concluded, resettlement countries allocate a considerable number of places for the residual caseload, taking into consideration resettlement as a durable solution and not only family reunification criteria.

Refugees in Israel

Israel hosts some 300 recognised refugees and some 250 asylum seekers awaiting decisions on their applications. Some 400 apply yearly, out of which half are usually found to be baseless claims. The population is composed mainly of Africans (Ethiopians, Eritreans, Liberians, and Sierra Leoneans).

Israel is a signatory to the 1951 Convention. However, its national laws prohibit citizens of certain "enemy" countries from entering legally or residing in the country. This discrepancy produces a resettlement population. The total number of persons resettled in the last two years was 16, all of them from such countries. There are at present 3 refugees in prison awaiting resettlement (2 Sudanese and 1 Iranian), and another 12 refugees (Iraqis and Iranians) awaiting resettlement while residing on a kibbutz.

In addition to the 15 cases noted above, the number of resettlement submissions will depend upon whether illegal crossings take place. In any case, no more than 20 persons are anticipated for submission in 2002.

Although resettlement cases are few, UNHCR protection staff spend a significant portion of their time visiting these cases in prisons, finding interim solutions between the prison and the departure (e.g. finding a kibbutz that will take them), and solving their special needs.

Refugees in Jordan

As for recognised refugees, during 2001, UNHCR Jordan granted status to 1,084, of which 88% were from Iraq. This trend is expected to continue throughout 2002, given the current political climate surrounding Iraq and the region. Other nationalities include Sudanese, Somalis and Chechens.

The Government of Jordan has not ratified the 1951 Convention nor its 1967 Protocol. The Memorandum of Understanding (MOU) between UNHCR and the Jordan, signed in 1998, is the agreed instrument of refugee protection in the country. The MOU provides for *non-refoulement*, non-expulsion and temporary protection to recognised refugees, whose status is determined by UNHCR. Refugees are granted only 6-month residence in Jordan once recognised, hence timely resettlement processing is of utmost importance.

Given the fact that the majority of the recognised refugees in need of durable solutions are from Iraq, voluntary repatriation and local integration are not deemed viable. The current situation in Iraq is not conducive to repatriation. Due to the limited legal framework adopted in Jordan, as explained above, local integration is also not realistic. Resettlement is therefore the only durable solution adopted for Iraqi refugees. Voluntary repatriation is promoted on case-by-case basis for other nationals such as Eritreans.

The profile of the Iraqi caseload in Jordan is as follows: an increasing number of Christians and Sabeans claiming discrimination mounting to persecution on religious grounds; *sur place* refugees with a well-founded fear of persecution on grounds of their political opinion; family members of recognised refugees in Jordan or other countries claiming persecution on the basis of imputed political opinion; Shiite Muslim scholars; draft evaders or military deserters; former high-ranking officials of the Iraqi regime, including military officers (pilots, doctors and instructors) and intelligence agents; and alleged participants in the 1991 uprising.

Resettlement is one of the most viable protection tools used by UNHCR Jordan and the linkage between the resettlement and protection units has been fortified significantly. The mechanism for verification of refugee claim and bio-data has been particularly strengthened.

A major constraint is the rejection of *sur place* cases by resettlement countries, despite the common understanding between UNHCR and those countries that not only past but also fear for future persecution is evaluated when assessing a refugee claim. Refugees who are former high-ranking officials of the Iraqi government, its military or security operations, face difficulty in being accepted as well.

The office anticipates that it will not encounter any significant changes in the caseload in need of resettlement in 2002, and that an estimated 1,000 persons will be submitted.

Refugees in Lebanon

Iraqi and Sudanese refugees comprise the bulk of the refugee caseload amounting to 3,500 in Lebanon. The Iraqi caseload consists primarily of large families with children. There are also many young single, often educated men. The Sudanese refugees are mainly single men.

Lebanon has not yet acceded to the 1951 Convention or 1967 Protocol. UNHCR conducts RSD for asylum seekers. Refugees do not enjoy any legal status in Lebanon, which seriously affects their prospects of local integration. The situation is further compounded by the pressure from the authorities to find durable solutions for refugees with a one-year period starting from their recognition date.

The majority of the Iraqi and Sudanese refugees cannot repatriate, the situation in both countries not being conducive for safe return. The protection situation in Lebanon in the past years has stepped up the pace of resettlement activities by UNHCR Beirut. Resettlement is used as a major protection tool and operates as a safeguard against the arrest and *refoulement* of refugees. Through resettlement, UNHCR hopes to ensure a greater asylum space for refugees and asylum seekers in Lebanon. Resettlement remains the only viable solution for the overwhelming majority of refugees in Lebanon.

Iraqi and Sudanese refugees comprise the bulk of UNHCR Beirut's submission to resettlement countries. Of particular concern is a group of refugees that has been in Lebanon for a long time and for whom UNHCR is actively seeking a durable solution. UNHCR Beirut anticipates an increase in the resettlement submissions. For 2002, an estimated 1,000 persons will be submitted.

Refugees in Saudi Arabia

Three are 5,193 refugees in Rafha camp, which consists of Iraqi refugees (1983 cases/5084 persons) and Afghan refugees (12 cases/109 persons).

Saudi Arabia is neither party to the 1951 Convention and its 1967 Protocol, nor to any other international or regional instrument. There is no national constitutional or legislative provision for granting asylum to the refugees. Nevertheless, UNHCR's efforts have so far led to the expansion of its mandate to categories of refugees other than Iraqis in Rafha Camp, who were at the time granted asylum on a very exceptional basis.

Although an Amnesty was issued by the Iraqi Government in 1999, the refugees did not express interest in it, citing the Government's failure to respect amnesties in the past. Therefore, UNHCR did not encourage repatriation.

After lengthy negotiations between UNHCR and the Saudi government, a burden-sharing arrangement has been reached to resolve the issue of the residual caseload in Rafha. Briefly, the Saudi government has offered limited local integration for some 2,260 refugees who are not interested in resettlement, as long as resettlement countries review the cases of the remaining 2,877 who are interested in resettlement.

During a 30 April Working Group meeting on Rafha, it was explained that those refugees who have opted for resettlement are not interested in remaining in Rafha as many have family links elsewhere. Those who do not wish to pursue resettlement are satisfied with the KSA offer of limited local integration given that they have no intention of remaining in KSA permanently and wish to return to Iraq as soon as conditions allow. The Saudi offer for limited local integration would include: total freedom of movement to Rafha town; employment in Rafha province; maintenance of the camp as a shelter; and, continued UNHCR presence. It is felt that movement on the resettlement track will encourage parallel movement on the local integration track by the KSA authorities. Several countries present at the meeting pledged to send selection missions or otherwise review cases in the course of 2002.

The total resettlement caseload is: 1,422 cases/2,877 persons, consisting of 278 families/1,609 persons and 1,144 singles/1,268 persons. All 2,877 are expected to be submitted in 2002.

The lack of durable solutions thus far has significantly contributed to a sense of frustration and despondency among the refugee population. They have been in a virtual state of confinement for more than a decade in the camp and there is therefore a sense of urgency about resolving this situation as quickly as possible. Three UNHCR staff members were deployed from within the region for the preparation of resettlement registration forms for the entire resettlement caseload.

Refugees in Syria

The number of recognised urban refugees in Syria is approximately 3,271, of which 1,597 are Iraqis, 662 Yemenis, 407 Afghans, 397 Somalis, 109 Sudanese, and 99 of other nationalities. An additional 200 *prima facie* refugees reside in the El Hol camp in north-east Syria.

Syria is not a Party to the 1951 Convention nor the 1967 Protocol and there is no governmental structure in charge of refugee issues nor domestic RSD procedure. A MOU between UNHCR and Syrian authorities is in the final stage of negotiations. Until November 2001, Arab nationals in Syria enjoyed a visa-free entry and unlimited stay. Following a new immigration regulation in June 2001, all foreigners' stay is limited to three months and residence permits are only given on certain conditions and for a limited period of time. This new regulation directly affects asylum seekers and refugees whose asylum applications may be pending or who may be in the process for resettlement. UNHCR is currently negotiating with the Syrian authorities a special right to remain for asylum seekers and refugees (and subsequent protection from *refoulement* or deportation). However, in the interim, resettlement from Syria will become even more important, and fast processing of resettlement cases (including security clearance, etc.) will be crucial.

Voluntary repatriation of refugees has proven not to be a realistic option mainly because of the volatile conditions prevailing in their respective countries of origin. The possibility of formal and durable integration in Syria is basically non-existent, due to the lack of a legal framework pertaining to refugee protection, the harsh economic situation, as well as security concerns. Lack of durable solutions prospects is therefore the most common criterion for resettlement processing. Resettlement is in fact the only possible durable solution that enables recognised refugees to enjoy full-fledged protection and integration prospects. Resettlement in Syria constitutes a tool to provide protection as well as to enhance the institution of asylum in the country.

Resettlement will continue to be the best durable solution for mandate refugees in Syria. The resettlement caseload consists of mainly urban refugees living in Damascus. Unaccompanied minors are given special attention and they are a priority for resettlement, as are other vulnerable groups such as single women, female heads of household, and medical cases in need of treatment abroad.

In addition, there remains a residual caseload of approximately 200 refugees in the El Hol camp. The camp is in its phase out stage, but no resettlement solution has yet been identified for the entire residual caseload. 53 cases from this group have been accepted for resettlement and are awaiting departure. Approximately 150 persons are still in need of a durable solution. They have all been rejected by one or more resettlement selection missions. Their need for a durable solution is urgent considering that the camp is expected to close in 2002. The planning figure for resettlement for 2002 is 1,500 persons (approximately 350 cases), provided that the overall situation in the region remains stable.

ASIA

Projected needs: 1,500 persons

SOUTH ASIA

Projected needs: 450 persons

The region of South Asia includes India, Nepal and Bangladesh, countries which are not parties to the 1951 Convention nor its 1967 Protocol. Implementation of refugee law is therefore virtually non-existent as local refugee legislation is not in place. This situation limits to a great extent, and often excludes completely, the possibility of local integration of refugees.

There are no indications that the countries in the region are considering any change of their present handling of refugees. There are certain protracted refugee situations which are expected to be resolved through voluntary repatriation, such as the Bhutanese in Nepal or the Myanmarese Rohingyas in Bangladesh. For these groups, resettlement will be considered as a component of the durable solution strategy and will be limited to individual refugees who cannot avail themselves (for well-identified protection reasons) of the option to repatriate voluntarily.

There are also groups of urban refugees from a variety of countries in the main cities of the region for which resettlement remains the only viable durable solution. The resettlement submissions for the current year will predominantly represent urban refugees identified by the UNHCR local offices as in need of resettlement.

Refugees in Bangladesh

UNHCR is actively involved with 250,000 refugees of Rohingya ethnicity (mainly Muslims and a few Hindus) who fled the Northern Rakhine State (NRS) in Myanmar in the early 90s. Following important repatriation movements, a total of 21,695 refugees remain in two camps in south-eastern Bangladesh, as of December 2001.

The decrease in the number of refugees willing to repatriate and the Government of Bangladesh's (GOB) reluctance to allow the remaining refugees to locally settle present severe challenges in securing durable solutions. Bangladesh is not a party to the 1951 Convention nor 1967 Protocol and there is no domestic law providing for local integration. However, UNHCR considers that there is still value in pursuing both voluntary repatriation and exploring options for local settlement. The Office may explore the possibilities of resettlement for camp refugees at a later stage.

In addition, the Office is providing protection to a total of 111 refugees in urban areas who fled from Somalia, Myanmar, Iran, Sri Lanka, Sierra Leone and Afghanistan. Voluntary repatriation or local integration is not an option for most of the urban refugees in Bangladesh. Resettlement continues to be the only viable solution for the urban cases as no other durable solutions are foreseeable in the near future. We anticipate submission of 15 urban cases/20 persons in 2002.

Refugees in India

India is not signatory to the 1951 Convention and it deals with refugees under ad hoc administrative procedures. Mandate refugees fall within the ambit of laws governing foreigners.

Aside from Tibetans and Sri Lankans, who come directly under the jurisdiction of the Government of India as *prima facie* refugees, there are urban refugees falling within the mandate of UNHCR whose status has been individually determined. Since India does not have a formal refugee protection regime, the legal status of mandate refugees falls within the provisions of the Foreigners Act. As of December 2001, there were 13,146 refugees registered with OCM out of which 11,972 (91 percent) were Afghans. The Afghans can be divided into two groups; first, the ethnic Afghans numbering 2,738 persons and the Afghans of Sikh and Hindu faith, numbering 9,234 persons (77 percent of Afghan caseload). The rest are: Myanmarese - 876, Iranians - 95, Somalis - 68, Sudanese - 87, Iraqis - 24, and small numbers of other nationalities.

In view of the constraints posed in voluntary repatriation and in local integration, and in view of the lack of legal status for most caseloads, resettlement remains the most viable durable solution for most nationality groups, except for the Afghans of Hindu/Sikh faith, and for those married to Indians, and for Somalis from Northwest Somalia. In regard to the Myanmarese, voluntary repatriation is seen as the most desirable durable solution option and no resettlement is pursued presently.

Resettlement will mainly focus on Afghans (non-Hindu/Sikh), Iraqis, Iranians and Sudanese.

As regards the Afghans, despite changes in Afghanistan, voluntary repatriation is not expected to increase this year. Most Afghans have adopted a wait and see approach. At the same time, their *de facto* local integration in India is not foreseen. The following are sub-groups which may warrant prioritisation for resettlement: a) Afghans previously affiliated with the Najibullah regime, b) women heads of household (not necessarily at risk), and c) other vulnerable and protection cases.

The overall projection for resettlement is:
100 cases/300 persons Afghans
10 cases/35 persons Iranians
45 cases/50 persons Sudanese
6 cases/6 persons Iraqis

If provision is made additionally for some protection cases, the total number of persons to be submitted is estimated at approximately 400 persons.

Refugees in Nepal

Nepal is not a signatory to the 1951 Convention nor to the 1967 Protocol and does not have a national refugee legislation. Apart from the Tibetan refugees (pre-1 January 1990, as those arrived after this cut-off date are only allowed a transit passage to India) and the Bhutanese refugees for whom quasi convention-like regulations apply, asylum seekers and refugees under UNHCR's Mandate are considered illegal aliens and are subject to arrest and detention under current immigration laws. They have no rights and are in no position to find work or to locally integrate. The only viable durable solution for them is resettlement to a third country. This group is very small, less than 30 cases, out of which a maximum of 10 cases a year actually depart from Nepal for resettlement to a third country. It is projected that the same average number of 30 persons is likely to be submitted for resettlement in 2002. Unless the

situation of urban refugees worsens due to the state of emergency, the need is not foreseen at this time to increase the number or resettlement submissions.

Bhutanese who are recognised as refugees by the authorities are only allowed to reside in one of seven refugee camps in Eastern Nepal. They do not have the right to find gainful employment and thus are entirely dependent on UNHCR's assistance. For the time being, the most favoured durable solution for this group is voluntary repatriation, closely followed by local integration for those who may not be allowed or able to return. As discussions between the governments are continuing in order to implement a repatriation programme, it appears too early to express an estimation of the number of refugees who will have to resort to resettlement as the only viable durable solution.

EAST ASIA and The PACIFIC

Projected needs: 1,050 persons

The East Asia and the Pacific region includes the following countries: Cambodia, Indonesia, Malaysia, Nauru and Thailand. The region is characterised by the same legal restrictions as South Asia, due to lack of local refugee legislation and the lack of participation of the countries in any international refugee instrument. The present conditions do not allow any pursuit of the local integration solution as authorities request UNHCR to resettle the refugees under its Mandate.

Therefore, resettlement will continue to remain the only viable solution to the refugees living in urban or semi-urban situations throughout the region, while for the Myanmarese camp refugees in Thailand, the UNHCR is still considering voluntary repatriation as the primary solution to be pursued.

A particularly relevant development took place in the Republic of Nauru in the Pacific, which agreed to receive a number of refugees intercepted by the Australian authorities while trying to illegally reach Australia. As no possibilities exist on the island for a prolonged stay of the refugees, UNHCR is trying to identify resettlement possibilities for those refugees for whom voluntary repatriation is not feasible.

Refugees in Indonesia

Indonesia is not a party to either the 1951 Convention nor the 1967 Protocol. It does not have any domestic legislation dealing with asylum or refugees. Refugees are therefore subject to the penalties imposed under Indonesian law for illegal entry and overstay. Legal status with its attendant socio-economic rights, is not possible for refugees in Indonesia even with the support of the UNHCR. Further, the Indonesian government has become increasingly intolerant of the refugees and have repeatedly requested UNHCR to resettle them. Accordingly, it is expected that all cases pending that are granted refugee status will be referred for resettlement.

As of December 2001, Indonesia had a total of 315 refugee cases (567 individuals).

Regional Office Jakarta estimates that in 2002, the office will recognise 300 refugees (180 cases with 120 dependants). The cases are predominately Iraqi (approx. 85%). The remainder are mostly Afghan (10%) and Iranian (3 %). Cases with family links to Australia or European countries will continue to be submitted to those countries.

The refugee population handled by RO Jakarta prior to 2000 was approximately 30 cases. The refugee caseload expanded considerably due to the Australian-Indonesian Interception Program. As a result, thousands of Middle Eastern asylum seekers have been apprehended trying to go to Australia by boat illegally and have been processed by UNHCR Jakarta for refugee status and resettlement submissions.

With respect to resettlements in 2002, UNHCR Jakarta anticipates submitting 300 refugees, which corresponds to the number of asylum seekers who are likely to be recognised as refugees. For the last 6 months, the number of intercepted cases has virtually stopped. If this trend continues, the number of refugees in need of resettlement is likely to decrease.

Refugees in Malaysia

The refugee caseload in Malaysia is primarily Acehnese Indonesians (83), Afghans (77), Myanmarese Muslims (29) and Chins (22), Somalis (21), and a few of other nationalities, for a total of 266 recognised refugees. Persons of concern to UNHCR include some 45,100 Muslims from Southern Philippines and 5,100 Muslims from Myanmar (Rohingyas), who were registered in 1992/1993.

Malaysia is not a party to the 1951 Convention or the 1967 Protocol and has no national legislation dealing with refugees and their protection. Refugees and asylum seekers are generally treated as illegal immigrants. Since 11 September, the Malaysian authorities have further tightened immigration controls which have resulted in protection problems for Mandate refugees. Once refugees and asylum seekers are detained, the immigration authorities will release them only for purposes of resettlement. Resettlement remains the only option for all detained refugee cases to avoid *refoulement*, and the authorities expect expeditious resettlement of cases. UNHCR Malaysia has recently experienced increasingly difficult access to detention cases for resettlement activities.

In view of the precarious asylum conditions in Malaysia, local integration opportunities remain highly improbable and resettlement continues to be a major tool to address protection concerns for recognised refugees. On average, UNHCR Malaysia has resettled 50 to 100 refugees annually in recent years. Approximately 110 submissions are projected for 2002.

Long-stayer cases: In 2002, UNHCR Malaysia plans to submit for resettlement to New Zealand some 40 Afghan refugees who have been in Malaysia since 1994/5 and who are in need of durable solutions. 20 Somalis and Iranians will also be submitted to New Zealand.

Emergency cases: Emergency cases would continue to be submitted through UNHCR HQs. Many of the Acehnese face immediate risk of deportation to Indonesia. Other nationalities who are arrested/detained as illegal immigrants also face imminent deportation. These two categories would be the primary beneficiaries of emergency submissions, amounting to some 50 persons.

UNHCR Malaysia cautions that the Malaysian Foreign Ministry is becoming increasingly demanding that the resettlement process for detained cases be completed quickly. They say that all cases should be resettled within one month from the time of detention in order to avoid deportation. UNHCR Malaysia has recorded several deportations of refugees while waiting for resettlement approval. There are also situations where refugees are detained indefinitely while awaiting resettlement approval from the third countries.

Refugees in Nauru

Nauru is a Pacific micro-state consisting of one island with a population of 12,000 persons. Nauru is neither a party to the 1951 Convention nor its 1967 Protocol. It does not have any domestic legislation dealing with asylum seekers or refugees. Asylum seekers and refugees have no legal status in Nauru and are detained with no freedom of movement. The presence of asylum seekers in Nauru is a result of a bilateral agreement between Nauru and Australia.

In September 2001, Australia transferred to Nauru 433 refugees and asylum seekers rescued at sea by the MV Tampa. Approximately one third of this group were transferred to New Zealand for processing. UNHCR agreed to undertake the refugee status determination and resettlement processing for those remaining as it was a case of rescue-at-sea where burden sharing principles applied. UNHCR also agreed to process an additional group of asylum seekers and refugees who travelled to Nauru with the ex-Tampa group on board the Australian ship, the HMAS Manoora, due to the compelling humanitarian nature of the cases.

Subsequently UNHCR advised that it was not in a position to undertake the refugee status determination of further groups of asylum seekers shipped by Australia to Nauru. The Australian Government is undertaking their assessment.

Asylum seekers and refugees have no legal status in Nauru and are detained with no freedom of movement. There is no possibility of local integration. The only durable solution available for recognised refugees is resettlement. Due to their ongoing detention, resettlement is urgently required.

The UNHCR caseload in Nauru initially totalled 529, composed of the following:

Afghan:	292 persons (all men travelling alone)
Iraqi:	201 persons
Palestinian (from Iraq):	27 persons
Other:	10 persons

The 140 non-Afghan refugees recognised by UNHCR after the first instance decision are in the process of being resettled. All of these cases have been submitted. It is anticipated following the appeal that there will be an additional small number in need of resettlement. As regards the Afghan cases, additional interviews are being conducted in view of the political developments in their country. Many cases have family links to resettlement countries. The links range from spouses to parents/siblings/aunts and uncles.

Refugees in Thailand

The majority of refugees in Thailand have fled into the country from Myanmar, with more than 110,000 persons residing in camps along the Thai-Myanmar border and approximately 1,000 'semi-urban' refugees (i.e. Myanmar refugees recognised on political grounds under individual status determination) residing outside camps. There is also one remaining camp for 34 Laotian refugees admitted to Thailand in the late 1970s and recognised under the Comprehensive Plan of Action (CPA). With regard to urban refugees, there are presently more than 370 refugees from 18 countries residing in Thailand under the protection of UNHCR.

Thailand is not party to the 1951 Convention nor its 1967 Protocol. UNHCR Mandate refugees are covered by the national legislation for foreigners. The only viable durable solution available to refugees in Thailand is either voluntary repatriation or resettlement, as the government does not allow the local integration of refugees. However, the prospects of voluntary repatriation of Myanmarese camp refugees are slim as asylum seekers continue to cross the border from Myanmar as a result of armed conflict and human rights abuses, and there are few indications this trend will abate any time soon. In co-ordination with the government in order to avoid creating a pull factor, very limited resettlement may be available for Myanmarese camp refugees, based on identified criteria such as family reunification, security concerns, and vulnerability (medical needs, women-at-risk, unaccompanied minors, etc.).

UNHCR also expects to see the number of urban refugees increasing in the coming years, particularly with the Chinese and Middle East caseloads, following the general trend toward increased people smuggling and movement of asylum seekers outside their regions of origin. The urban caseload is made up of refugees from 18 countries, many of whom have been under the protection of UNHCR for several years. As local integration is effectively not available in Thailand, all urban or 'semi-urban' refugees in the country are eligible for resettlement; priorities must therefore be applied in order to ensure that refugees most in need of protection are considered. Priority for resettlement will be given to family reunification, vulnerability (particularly those with medical needs and victims of violence and torture), and refugees in immigration detention.

UNHCR Bangkok anticipates submitting approximately 200 cases/500 persons for resettlement consideration during 2002.

EUROPE

Projected needs: 7,800 persons

EASTERN EUROPE

Projected needs: 1,900 persons

The countries in the Eastern European region are characterised by very weak economies and a high rate of unemployment. A unfortunate outcome of this situation is the emergence of widespread xenophobia which targets non-European refugees as the scapegoat of the prevailing social and economic problems. Racist attacks on refugees, often with fatal consequences, have increased in the recent past. Particularly in the Russian Federation, gangs of youths have attacked and murdered refugees, especially those of African origin, without being arrested or otherwise punished for their crimes. A climate of impunity surrounds racist and xenophobic activities, creating conditions for more violent attacks against refugees.

Despite UNHCR's efforts in local capacity building, most of the countries of the region do not have proper asylum systems in place, although they may have acceded to the international refugee instruments, such as the 1951 Convention and its 1967 Protocol. Even when asylum systems are formally in place, like in the Russian Federation, asylum seekers have to wait up to two years for the processing for status determination. During this period, they remain unregistered, with the status of illegal aliens. They suffer harassment from police officers and are often arrested and fined for lack of proper documents.

The vast majority of the refugees in the Eastern European countries are former students, military officers, and other professional cadres, who were sent to the former USSR for training by their respective pro-Moscow regimes of Africa and Asia. With the dissolution of the Soviet Union and the emergence of new governments in Africa and Asia more inclined to the Western ideology, this category of refugees found it impossible to return to their respective countries of origin.

Although most of the refugees have been living in the region for many years and have achieved a certain level of integration, in practice, they remain out of the basic social and economic sphere. Children do not have access to basic education; and medical care is not provided to refugees who are not officially registered.

The main focus of UNHCR's activities in the region remains the capacity building of local asylum systems and the reinforcement of the implementation of local refugee legislation. However, UNHCR is also engaged in resettling refugees mainly from the Russian Federation, and to a lesser extent from Moldova and Ukraine, due to the prevailing situation of physical insecurity for refugees in that country. The protection strategy in the region will have to maintain a resettlement option for the refugees who face physical and legal obstacles to their residence in the countries of the region. As the general situation does not seem to be rapidly improving, UNHCR is planning to continue its resettlement activities from these countries and especially from the Russian Federation.

Refugees in Armenia

Some 260,000 refugees are estimated to be in Armenia. The vast majority are ethnic Armenians who fled Azerbaijan in 1988 –1992 and were recognised on a *prima facie* basis at the time of their arrival. The remainder are a handful of Sudanese, Somalis, and Iraqis, recognised under the 1999 Refugee Law.

Additionally, there are approximately 11,000 ethnic Armenians displaced from various CIS countries who are not recognised as refugees nor given any official status. Another 48,000

displaced persons from Nagorno-Karabakh are currently in Armenia. The government does not recognise this group as refugees either and encourages them to return home.

Armenia is party to the 1951 Convention and 1967 Protocol. It also has a national legal framework for asylum and refugee protection although further improvement is necessary to meet the international standards. The Law on Refugees limits the duration of refugee status to three years. This has not yet caused any immediate concerns but might, in the long-run, have serious consequences for newly recognised refugees.

The government pursues a policy of local integration for Armenian refugees from Azerbaijan, who have nearly all the same rights as citizens. There is no immediate risk of *refoulement* or any other protection-related problems for this population.

As for newly recognised refugees, for the time being, they do not face immediate protection problems, though they do lack prospects for local integration given the socio-economic situation of the country and the discrimination they face.

For a small number of mandate cases, resettlement is currently the only viable durable solution. Mixed marriages and military deserters with protection components make up the majority of cases submitted. Some 12 cases/40 persons with immediate protection problems are expected to be submitted for resettlement in 2002.

Refugees in Azerbaijan

Persons of concern to UNHCR Baku consist of asylum seekers from neighbouring countries, mostly from Russian Federation (5,394 individuals registered), Afghanistan (931), Iran (144), Iraq (41) and to a lesser extent the Middle East and Northern Africa. At present there are 362 individuals recognised as refugees under the UNHCR Mandate (64 ethnic Chechens from the Russian Federation, 246 Afghans, 10 Iranians, 31 Iraqis, and a handful of other nationalities).

Azerbaijan is a Party to the 1951 Convention and its 1967 Protocol. The legislation to establish RSD procedures was developed in November 2000, however the structures are not yet functioning. UNHCR Baku is conducting capacity-building and training with the RSD unit to ensure implementation on par with UNHCR standards. Until the unit is operational, UNHCR continues to conduct RSD.

Repatriation is not yet feasible for refugees from Afghanistan and Chechnya. Local integration is attainable only for asylum seekers married to nationals who are eligible for residency permits. Those asylum seekers who are ineligible for residency permits remain undocumented for years, and are considered *de facto* illegal aliens with no access to employment, education or health care. Those who enter or remain illegally are sometimes subject to arrest, detention, expulsion and extradition. Resettlement remains the only viable durable solution for the majority of refugees.

About 100 cases/300 persons are anticipated to be submitted for resettlement in 2002. The vast majority will be submitted on the grounds of "legal or physical protection needs" as a primary resettlement criterion, and "lack of local integration prospects" as a secondary criterion. There may be submissions of urgent security cases, as well as specific vulnerable cases (medical, women at risk, unaccompanied minors).

Refugees in the Russian Federation

The Russian Federation hosts some 21,141 recognised refugees. 97% originate from CIS countries (mainly from the Caucuses and Central Asian republics), and 3% from 'far-abroad': Afghanistan, Africa, the Middle East and China. 710 asylum applications are officially pending, while thousands are on waiting lists to submit claims. There are 100-150,000 Afghans currently in the country, most of whom are *sur place* refugees. The huge decrease in the number of refugees (from 235,000 to 21,141) in the last four years primarily reflects the simplified procedures mainly for ethnic Russians to accede to Russian citizenship or forced migrant status.

Over the last ten years, the Russian Government has taken several steps to establish an asylum system, including: ratification in 1992 of the 1951 Geneva Convention and of its 1967 Protocol; passing in 1993 of the national refugee legislation (amended in 1997); and establishment in 1992 of an administration in charge of managing migration and determining refugee status. RSD started before the 1993 refugee law to address the situation of millions of persons forced to relocate from CIS and Baltic countries to Russia. For other asylum seekers, the procedure started only in 1997, resulting in a backlog of applications which, to date, has not been resolved.

With the restructuring of the government in May 2000, responsibility for migration management was transferred to the Ministry of the Interior. It is hoped that the transfer will lead to more consistency in the treatment of asylum-seekers and refugees. However, in the short term, the liquidation and restructuring processes have entailed a suspension of the activities and further delays in the processing of asylum claims.

While awaiting RSD, asylum seekers are considered illegal aliens and may be subject to police harassment by law enforcement agencies, including fines, administrative detention, threats of eviction, and risk of deportation. This precarious situation is aggravated by growing xenophobia towards non-Slavic people. African refugees in particular face serious legal and physical protection problems, which significantly limit chances for local integration. In addition to the lack of access to employment, education and health care faced by most non-CIS asylum seekers, Africans (both women and men) are frequent victims of racially motivated assaults by neo-Nazi skinhead gangs.

Since 1995, UNHCR Moscow has been implementing a voluntary repatriation programme for non-CIS refugees, primarily for Africans and Georgians. For a variety of reasons, the Georgian repatriation movement has considerably slowed and UNHCR's focus for these refugees has changed to local integration.

Due to their compelling lack of legal and physical protection, Africans have been identified as a priority group for resettlement. Out of 374 cases processed for resettlement in year 2001, 244 were of African nationality, 115 Afghan, and 15 cases were Iraqi, ethnic Armenians from Azerbaijan, and others.

During 2002, it is anticipated that UNHCR Moscow will continue to process Africans (who have been registered with UNHCR for a year or more), Afghans, and other nationals of concern with compelling vulnerability necessitating resettlement, including a small group of

Baku Armenians. It is anticipated that some 1,500 refugees will be submitted for resettlement in 2002.

Refugees in the Republic of Moldova

Moldova hosts 161 recognised refugees under the UNHCR Mandate, of which the vast majority are Chechens from the Russian Federation. Another 118 asylum applications are pending, again the majority Chechens and some Iraqis.

Moldova acceded to the 1951 Geneva Convention and its 1967 Protocol in December 2001. It awaits adoption of domestic legislation on refugees by mid 2002. A central refugee authority was established under the Ministry of Justice in March 2001. Due to the legal vacuum, many asylum seekers and mandate refugees remain unregistered, destitute, and exposed to fines for illegal stay, despite the fact that local Courts accept the principal of *non-refoulement* under the European Convention of Human Rights.

UNHCR has provided protection letters which helps to prevent expulsion, but access to the labour market is still forbidden. Until the domestic law is adopted and government structures are developed, local integration is not feasible. UNHCR therefore conducts RSD and provides *interim* protection and limited material assistance to those affected. In conducting RSD, vulnerable cases among mandate refugees are identified for possible resettlement. The NGO implementing partner also assists UNHCR in identifying vulnerable cases.

The main caseload in Moldova is Chechens, who are not normally considered a resettlement caseload due to reasonable prospects for voluntary repatriation and local integration. Therefore, resettlement is considered an exceptional durable solution and continues to be used as a protection tool to address special needs, *i.e.* legal and physical protection, women-at-risk, and survivors of violence and torture. It is anticipated that approximately 10 cases/30 persons will be submitted in 2002.

Refugees in Ukraine

2,983 recognised refugees reside in Ukraine. The majority originate from Afghanistan, many having been associated with the Najibullah regime and having long-lasting links with Ukraine as former students or military trainees. The next largest group is from other CIS countries: Armenia, Azerbaijan, the Russian Federation (Chechnya), and Georgia. Finally, Ukraine hosts 120 recognised refugees from Congo (Brazzaville), Angola and Ethiopia, as well from Iraq and Iran. The biggest groups of asylum seekers, currently pending procedures, originate from Afghanistan, Angola, Russia, Azerbaijan, Syria, Sudan and Iraq.

In January of this year, Ukraine acceded to the 1951 Convention and its 1967 Protocol. A first Refugee Law was adopted in 1993, with implementation commencing in 1996. In June 2001 a new, much improved Refugee Law was adopted. Due to administrative obstacles, however, this law has not yet been implemented, while application of the 1993 Law ceased in August 2001. Therefore, all newcomers' asylum applications as well as documentation needs of those who are in process are not entertained. Implementation is also awaited on refugee naturalisation procedures and the issuance of permanent resident permits. This increases the vulnerability of refugees to police harassment.

The current economic and social situation in Ukraine does not favour local integration. Many refugees are faced with the same, often severe, social and employment difficulties as the local population, which refugee-specific bureaucratic and cultural obstacles further exacerbate. Namely, discrimination, xenophobia and racism create additional problems for some refugees.

These circumstances lead to the (mostly illegal) onward movement even of recognised refugees. Of the 5,174 refugees recognised since the introduction of RSD in 1996, only 2,983 continue to reside in Ukraine. In the Afghan community, however, a comparatively high percentage of refugees already resided in Ukraine for several years before claiming asylum, meaning that many already achieved a degree of local integration before being granted refugee status.

Resettlement needs will depend on progress in the implementation of the 2001 Refugee Law. UNHCR implementing partners have identified 425 persons who have been rejected on the basis of the 1993 Refugee Law, but remain of concern to UNHCR. It is hoped that a considerable number of them will be able to reapply and be granted status under the 2001 Law. UNHCR Ukraine will focus on supporting an effective implementation of the legal framework which would lead to local integration as the best durable solution for the majority of refugees.

At the same time, developments in Afghanistan, Angola and Congo (Brazzaville) may significantly increase the attractiveness of repatriation. UNHCR Ukraine will promote repatriation for those for whom it is safe and viable. Finally, even if Refugee Law implementation progresses well, the office expects that a limited number of rejected cases as well as recognised refugees - due to individual legal, social, and medical factors - will need to be considered for resettlement. In sum, UNHCR Ukraine estimates that some 15 cases/30 persons will be submitted for resettlement in 2002.

SOUTH-EASTERN EUROPE

Projected Needs: 2,250 persons

The UNHCR resettlement program in former Yugoslavia began in October 1992 in Croatia when UNHCR had to appeal to resettle over 4,000 ex-detainees in Bosnian and Hercegovina. The release from detention of the ex-detainees had been conditioned on resettling them in third countries. From 1992-1995, resettlement countries responded very generously to UNHCR's appeals for resettlement quotas for refugees out of former Yugoslavia and resettlement was used not only as a protection tool but also a burden-sharing mechanism to provide asylum to thousands of Bosnian refugees fleeing persecution. During this period, more than 30,000 refugees resettled under UNHCR auspices from Croatia. In 1996, with the mass influx of refugees arriving in Yugoslavia from Croatia and Bosnia and Hercegovina, UNHCR embarked on a resettlement program for Krajina Serb refugees out of Yugoslavia which mainly focused on mixed marriages, victims of violence and torture; ex-detainees, and family reunification cases. However, since the Dayton Agreement, UNHCR has been focusing on repatriating the overwhelming majority of refugees from the region and the use of resettlement has gradually been reduced with respect to UNHCR protection activities.

Resettlement will be phased out of the UNHCR protection framework in former Yugoslavia for refugees from the region in 2003; however, until after efficient asylum systems are developed by the succeeding states, mandate refugees originating from outside the region will be in need of resettlement.

Refugees in Bosnia and Hercegovina (BiH)

Refugees in BiH fall into three categories: refugees from the Federal Republic of Yugoslavia (FRY) who arrived in 1998 and 1999, during the Kosovo crisis and NATO campaign, ethnic Serbs from Croatia, and refugees recognised under UNHCR's mandate. The first group currently numbers around 9,000 and are protected under the *Instruction on the Temporary Admission (TA) of Refugees from the Federal Republic of Yugoslavia,* which gives *prima facie* status to those who sought protection before 21 November 2001. Croatian Serbs number around 25,000 and have applied for refugee status through re-registration carried out in Republika Srpska (RS) in 2000. Finally, UNHCR has received 670 asylum applications of whom 36 refugees were recognised under UNHCR's mandate: 20 Iranians, 10 Iraqis, 3 Turks, 2 Palestinians, and 1 Romanian.

BiH's *Law on Immigration and Asylum* was adopted in December 1999. The new legislation entails a complete institutional and structural reform. Administrative procedures at the State level are not clearly defined, and the implementation of the *Law* will further require co-ordination with Entity, Cantonal and Municipal authorities. Further, institutions foreseen under the *Law* still must be established, including a competent, fully equipped and trained asylum unit and appeals panel. The competent Ministry is, moreover, under-funded and does not have the necessary capacity or expertise. Therefore, UNHCR undertakes RSD on behalf of the Ministry for Human Rights and Refugees (MHRR) under UNHCR's mandate.

Refugee assistance is minimal and employment is not permitted, undermining the possibility of local integration. UNHCR continues to identify FRY refugees with protection concerns requiring resettlement such as woman-at-risk, survivors of violence, and mixed marriages. The vast majority of Croatian Serbs have indicated their desire to locally integrate in RS. The legal status of this group is under debate as it appears likely that a great number may already have some form of RS citizenship. Local integration of refugees recognised under UNHCR's mandate does not exist in practice, given the poor economy and the nearly non-existent assistance. For most recognised refugees, resettlement remains the only viable durable solution.

In 2001, UNHCR processed the claims of 799 FRY refugees for resettlement. 461 were found to be suitable for resettlement, of which 68 cases/281 refugees were submitted to resettlement countries as follows: 36/136 to Norway, 15/72 to USA, 11/49 to Canada, 5/20 to Sweden, and 1/4 to Finland. No Croatian Serb refugees were submitted for resettlement in 2001. Due to the ongoing debate as to the legal status of these cases, resettlement might be an option for only a very small number. As for recognised refugees, in 2001, UNHCR submitted 28 for resettlement: 12/26 to Norway, and 2 refugees to Sweden. Owing to the lack of local integration prospects, UNHCR will continue to submit the claims of the recognised refugees for resettlement.

In 2002, UNHCR estimates that 70 cases/200 persons from the FRY caseload will be submitted for resettlement. No submissions of Croatian Serbs are expected in 2002.

It is expected that a high proportion of the residual caseload of FRY refugees will be Kosovo Roma, who are at a double disadvantage, first as refugees with bleak prospects of returning in safety and dignity in the foreseeable future and, secondly, as members of a minority group which is discriminated against and marginalised throughout the Balkan region. Resettlement is also complicated when resettlement countries use integration potential as a selection criteria, given the high rate of illiteracy and large family compositions.

Refugees in Croatia

Croatia currently hosts 19,913 refugees, of which 18,512 originate from BiH, while 1,401 are from FRY. Of the BiH refugees, 12,257 are Bosnian Croats, 5,447 are Bosnian Muslims, while the rest are of other ethnicities. Most of the refugees from FRY are ethnic Albanians (630), followed by ethnic Croats (608) and other ethnicities. The vast majority reside in private accommodation, while a small number are in collective centers.

Croatia acceded to the 1951 Refugee Convention and 1967 Protocol in 1991. In the absence of a Law on Asylum, which is being drafted and is yet to be adopted by the Croatian parliament, Croatia has applied the Law on Movement and Stay of Aliens, which has proved inadequate. At present, there are some 100 cases pending an asylum decision from the Croatian Government. To date, all asylum applicants have been denied.

Following the Dayton Peace Accord of 1995, the number of refugees in Croatia has steadily decreased. As of 1996, the Croatian government stopped registering new arrivals from BiH. Never the less, a considerable number of BiH refugees continued arriving. These refugees, however, could not avail themselves of TP status and consequently do not benefit from the rights, benefits and assistance offered to earlier arrivals.

Since the Dayton Accord, sustained efforts have been placed on voluntary return to BiH and the entire region. As for local integration in Croatia, while Bosnian Croats have fair prospects, ethnic Muslims and other non-Croats are not likely to secure this durable solution. 5 years of prior residency (not as a refugee) is one of the prerequisites for applying for Croatian citizenship. Despite improvements in BiH and repatriation efforts, there remain a number of cases whose only long-term solution is third country resettlement. Since the Dayton Accord, resettlement has moved from being a direct tool of protection to being primarily one of the durable solutions available to a limited number of BiH refugees in Croatia.

The majority of UNHCR Croatia's resettlement caseload are ethnic Muslims from Republika Srpska who faced multiple displacements in BiH, while not being able to return to their areas of origin or find alternative accommodation elsewhere in BiH within a foreseeable time frame. A significant number are widowed women with children. A handful of ICTY witnesses are also being processed. Given the protection concerns in Republika Srpska, the absence of a legal and practical framework for local integration in the Federation area in BiH, and poor prospects for local integration in Croatia, resettlement appears to be the only appropriate durable solution for such cases.

Given the major downsizing of resettlement country quotas for Bosnians, UNHCR Croatia will be phasing out its Special Programme for ex-detainees and other vulnerable categories

towards the end of 2002. The US Overseas Processing Entity (OPE) seconded their caseworkers to UNHCR in order to clear the backlog of 781 cases in Split in late 2001. A second round of interviews will process the remaining applications of 300 cases/1000 persons. UNHCR conducts the final review on these cases and submits the referrals. It is anticipated that about 1,000 persons will be submitted in 2002.

Refugees in the Federal Republic of Yugoslavia

There are approximately 400,000 refugees in the Federal Republic of Yugoslavia (FRY). Most of the refugees are ethnic Serbs who sought refuge in the FRY from Bosnia and Croatia. They are *prima facie* refugees and are granted refugee status by the Serbian Commissioner for Refugees.

In late 2000, dramatic political changes shifted the political landscape in the FRY, introducing a significant move towards democracy. However, many political issues remain unresolved, i.e. Montenegro, Southern Serbia and Kosovo, affecting the refugee population. In addition, the FRY faces serious economic and humanitarian challenges after years of international isolation, destruction from war, and mismanagement by the previous regime.

Although local integration is likely to be the durable solution for the majority of refugees in the FRY, it is questionable whether the country can absorb the large number of refugees and offer integration in conformity with international standards. A number of legal and socio-economic obstacles (including massive unemployment) will need to be addressed before integration becomes a real option.

Resettlement remains an instrument of protection and a durable solution for a limited number of vulnerable refugees in Yugoslavia that are too traumatised to return to their country of origin and cannot integrate successfully in the country of asylum. UNHCR Belgrade will remain engaged in finding solutions through resettlement for Bosnian and Croatian refugees that can neither safely repatriate nor hope to effectively integrate in their country of refuge. This category of persons includes persons of mixed ethnicity or in mixed marriages; women-at-risk cases; ex-detainees; survivors of torture; and victims of violence.

Resettlement needs to be maintained as the only durable solution for refugees originating from outside the region, as the FRY currently does not have asylum procedures for refugees originating out of region. In 2002, UNHCR Belgrade plans to resettle approximately 970 refugees from the region and an additional 30 refugees from outside the region, for a total of 1,000.

Refugees in the Former Yugoslav Republic of Macedonia (FYROM)

FYROM currently hosts 26 mandate refugees, 81 asylum seekers, and 3,444 persons protected under FYROM's programme for Temporary Humanitarian Assisted Persons (THAP). Persons under THAP have not been officially recognised either by FYROM or UNHCR and their temporary status is reviewed every 6 months. The vast majority of the cases are ethnic minorities from Kosovo, including Romas, Ashkalis, Egyptians (RAE), Gorani, Serbs, Bosnian Muslims, Croats, Montenegrins and Turks.

In 2001, UNHCR interviewed 2000 THAP beneficiaries to identify the most vulnerable cases. 65 cases/305 individuals were submitted for resettlement. These were primarily women-at-risk, survivor of violence or torture, or medical cases. The Office also submitted two cases of rejected asylum seekers from Iraq (1 person) and Uzbekistan (5 persons) in 2001. The other resettlement cases comprised ex-THAP holders of Albanian origin and THAP refugees with medical needs.

During the first half of 2002, UNHCR will interview the remaining THAP caseload. The Office expects to identify only a small number of cases for resettlement which will not exceed 50 persons, as the most vulnerable cases were submitted last year. This projection might change if FYROM terminates the THAP status. Given the relatively recent establishment of the FYROM asylum procedure and its low capacity, the lack of complementary forms of protection in the current Law on Movement and Residence of Aliens, and the tendency so far of the asylum authorities to reject cases, it is likely that many of the refugees will be denied asylum. Should this scenario materialise during 2002, the Office may be compelled to submit a much larger caseload for resettlement.

SOUTHERN EUROPE

Projected needs: 3,650 persons

Refugees in Turkey

Iranian and Iraqi refugees constitute 97% of UNHCR Ankara's resettlement caseload. European refugees accommodated in the Gazi Osman Pasa camp form the remainder of the caseload, consisting of 30 cases/92 persons (47 Bosnians, 15 Yugoslavs and 30 Kosovars).

Turkey is a signatory to the 51 Convention but has limited its applicability to refugees from Europe. This means that Turkey has undertaken no legal obligation with regard to non-European refugees and the government does not allow them to remain in the country. Their temporary stay is permitted only until their departure to resettlement countries. Since local integration and voluntary repatriation are not options for non-European refugees in Turkey, resettlement is the only durable solution and protection tool for these cases.

Some of the European refugees living in the camp have received residence permits allowing them to locally integrate. Most of the Bosnians in the camp are from Republika Srpska and cannot return home. The Kosovar caseload consists of ethnic minorities and as such their return is also not feasible under current circumstances.

UNHCR Ankara estimates the resettlement needs for 2002 at 3,600 persons. 85% is expected to be Iranians (60-70% of them of the Bahai religious minority and mostly of Fars and Azari origin, and the rest primarily of Kurdish origin, belonging to political opposition parties). 13% is expected to be Iraqis and 2% miscellaneous nationalities. These estimates are based on the assumptions that there will be a similar number of asylum seekers in 2002 as in 2001, and that UNHCR's processing capacity will remain at the 2001 level.

While UNHCR Ankara understands that, following the events of Sept. 11, more stringent security background checks are required, the Office cautions against 'blanket profiling' in the

security checks, since it may unfairly screen out young (military age) single men. Other problematic profiles for resettlement include: Iranian refugees ex-northern Iraq, Iraqi ex-military officers, refugees previously affiliated with intelligence services and cases with claims based on sexual preference. There is also a need to reserve some resettlement places for refugees of nationalities other than Iranian and Iraqi, which selection missions so far have not been receptive to. Due to stricter security checks, the waiting period for refugees to be resettled is expected to be longer than previous years.

Refugees in Cyprus

Cyprus currently hosts approximately 70 recognised refugees, of which 11 have been submitted and are pending decision, and a few more will likely be submitted in the future. For the remainder, UNHCR Cyprus is pursuing local integration.

The Government of Cyprus (GOC) is party to the 1951 Convention and the 1967 Protocol. The GOC has traditionally accepted the RSD decisions of UNHCR and grants approved cases refugee status. In January 2002, the authorities assumed full responsibility for RSD and refugee matters. Given these new national RSD procedures and the fact that Cyprus is an EU candidate member, UNHCR's focus will shift from resettlement to local integration. Legislative changes are necessary, however, to grant refugees full rights and facilitate local integration (e.g. refugees currently have only limited access to the labour market).

From the GOC, UNHCR expects to submit some 35 vulnerable cases in 2002. Roughly 15 of those would be refugees recognised before 2002 for whom local integration is not feasible. The remaining 10 would be recognised since January 2002. It is expected that all cases recognised before 2002 will either be resettled or locally integrated by the end of 2002.

The self-proclaimed "Turkish Republic of Northern Cyprus" ("TRNC") is not a party to the Convention or Protocol. In the "TRNC," refugees are only tolerated temporarily until UNHCR resettles them. No protected status or rights are granted during this period. UNHCR will therefore pursue resettlement for all refugees in the "TRNC." In 2001, asylum-seekers who arrive illegally were not allowed to remain pending the assessment of their refugee claim and were deported after having served a sentence for illegal entry. UNHCR continues to advocate for a change in this policy, but without result thus far. The number of persons arriving legally is limited and therefore no more than 15 refugees from the "TRNC" are expected to be submitted in 2002. However, if the "TRNC" would change their policy and allow asylum-seekers, who arrived illegally, to remain pending the final assessment of their claim, this number may increase significantly.