

# SOUTH ASIA

Bangladesh, India, Myanmar, Nepal, Sri Lanka

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## RECENT DEVELOPMENTS

Positive progress was made in the pursuit of durable solutions for the protracted refugee situation in Nepal during the first six months of 2001. The first practical steps towards the repatriation of Bhutanese refugees in Nepal were established following successful bilateral discussions between the Governments of Bhutan and Nepal in December 2000. At that meeting the two Governments concerned resolved remaining key issues, allowing for the commencement of their joint verification process. On 26 March 2001, a ten-member joint verification team (five from each country) started interviewing refugees in Kundanabari camp in eastern Nepal. While the process remains slow, each Government has expressed its determination to expedite the process. UNHCR welcomed this positive development.

The intense armed conflict in Sri Lanka subsided before the end of 2000. This has provided UNHCR and its partner agencies with an opportunity to implement its return and reintegration activities for IDPs. In addition, UNHCR has successfully relocated several hundred families from Government welfare centres to new resettlement sites. Discussions continue with Sri Lankan authorities with a view to improving the situation of the remaining IDPs accommodated at other Government welfare centres. UNHCR expanded its links and co-operation with other institutions, and encouraged their involvement in IDP protection and assistance activities.

The search for solutions for protracted refugee situations in other countries in the South Asia region remains difficult. For these refugees, only limited progress was made in resolving their plight.

## STRATEGIC OBJECTIVES: PROGRESS AND CONSTRAINTS

UNHCR continued to provide protection and assistance to refugees and other persons of concern, to enable them to live in safety and have their basic needs met, while still promoting repatriation as the primary durable solution. A key strategy in this effort was to raise awareness of refugee issues among Governments, NGOs, civil society and the general public and to promote partnerships with local institutions. Particular emphasis was placed on creating links with key institutions and disseminating refugee law. In the case of Sri Lanka, similar emphasis has been placed on the promotion of the Guiding Principles on Internal Displacement, introduced two years ago by the UN Secretary General's Special Representatives on Internally Displaced Persons.

A model national law on refugees and asylum-seekers was finalised at the Fifth Regional Consultations on Refugee and Migratory Movements in South Asia in 1998. The Eminent Persons Group (EPG) has been leading the consultation and has also contributed to the production of the model law. EPG presented this model law to individual Governments in the region and conducted a variety of activities to promote its adoption.

The repatriation to Myanmar of the remaining 21,500 Muslim refugees in Bangladesh continued to slow down due to difficulties in clearing the profiles of those scheduled to return. The limited number of returns to Myanmar was offset by natural population growth in the refugee camps in Bangladesh. UNHCR continued to encourage bilateral discussions between the Governments of Bangladesh and Myanmar to accelerate the repatriation process. After discussions with the Bangladeshi authorities,

UNHCR succeeded in introducing and increasing some productive activities in the refugee camps, aiming at achieving self-reliance to the extent possible.

In Myanmar, the hand-over to other UN development agencies of UNHCR activities for returnees in Northern Rakhine State continued. The UNDP-led Basic Needs Assistance Programme was submitted to the Government for its approval in March. Meanwhile, UNHCR continues its programme in the Northern Rakhine State at a reduced level while maintaining essential activities for the benefit of returnees and the local Muslim population.

In Sri Lanka, UNHCR remains the sole agency dealing with the full cycle of displacement, from the prevention or minimising of displacement to the provision of emergency assistance in the case of displacement and the search for durable solutions. Until peace is achieved in Sri Lanka, the challenge for UNHCR continues to be able to respond effectively to new emergency situations while maintaining its capacity for ongoing reintegration activities, minimising displacements and assisting host communities to cope with new influxes. At the same time, UNHCR continues to play its advocacy role by raising public awareness over the plight of IDPs. This has been done with a view to obtaining greater support for the Government programme of providing protection and solutions for the IDP population.

## ACTIVITIES UNTIL 30 JUNE

Reports on UNHCR activities in two countries in the region are described in separate chapters (i.e. Nepal and Sri Lanka). In **India**, UNHCR provides protection and assistance to urban refugees, mainly from Afghanistan. India continued to host the largest urban refugee population in the region, comprising of more than 13,500 persons, of which 90 per cent is from Afghanistan. At present, conditions in Afghanistan are not conducive for their return. In the given circumstances, UNHCR

continued to explore the possibility of local integration of some eligible refugees through naturalisation. Afghans of Indian origin, who have legally entered and stayed in India for over ten years, should qualify for Indian nationality under the relevant laws. UNHCR also provides a basic subsistence allowance for economically needy mandate refugees, a welfare safety net for extremely vulnerable individuals, and access to primary health care and education.

UNHCR continued its interventions with the Indian authorities, with a view to improving the legal status of refugees. The Government applied restrictions on the renewal of resident permits. As a result, these refugees became illegal stayers in the eyes of the authorities, although their stay has been tolerated in principle. Nevertheless, some refugees have been evicted from their place of residence and denied opportunities of work. Under these circumstances, UNHCR's major challenge is to find a way to secure their status while promoting their economic self-reliance as other durable solutions to their plight are not envisaged in the near future.

In **Bangladesh**, UNHCR continued to provide basic care and maintenance to over 21,500 Muslim Myanmar refugees accommodated in two camps, pending a durable solution. UNHCR received the consent of the Bangladeshi authorities and was able to expand productive activities such as kitchen gardening and poultry raising in the camps. Repatriation to Northern Rakhine State, Myanmar continued at a trickle pace, and only 209 persons returned to Myanmar during the first six months of 2001.

In **Myanmar**, UNHCR continued to provide assistance to over 230,000 returnees and the local Muslim population in the fields of food security, health, assistance to the most vulnerable especially women, community development, and infrastructure with a view to stabilising the population in Northern Rakhine State. UNHCR continued its monitoring activities to address public

policy issues, such as restricted freedom of movement and compulsory labour, which have adverse effects on returnees and the local Muslim population.

Since the UNHCR operations in the South Asia region focus mainly on its traditional mandate of refugee protection and finding durable solutions, Action 1 & 2 did not have much impact in terms of allocation of human and financial resources. However, the programme in Sri Lanka, where the primary beneficiaries are IDPs, has been classified as a Special Operation, implying that the continuation of its activities is subject to the availability of earmarked funds.

## OUTLOOK FOR JULY-DECEMBER

The joint verification of Bhutanese refugees in Nepal will continue, hopefully in a more accelerated manner. A ministerial meeting between the Governments of Bhutan and Nepal is planned in Thimphu, Bhutan, in late July or early August. The meeting is expected to address ways to expedite the verification process. UNHCR hopes that further progress on this issue may lead to the implementation of durable solutions during the course of the year. While respecting the bilateral process, UNHCR will continue offering advice to both Governments to

ensure that early solutions might be found for the refugees.

In Sri Lanka, efforts to relocate IDPs from Government welfare centres will continue. UNHCR will maintain its support of the Government's efforts in this regard.

In Myanmar, efforts will continue for the implementation of the UNDP-led Basic Needs Assistance Programme, enabling UNHCR's phase-out from the Northern Rakhine State. Efforts will also be made to try to accelerate the repatriation of Myanmar refugees.

The overall strategies and objectives for the South Asia region remain unchanged. In view of the protracted nature of the refugee situation, UNHCR plans to organise strategic reviews of some of its operations during the second half of the year.

UNHCR will continue supporting Regional Consultations on Refugee and Migratory Movements in South Asia and promoting the model national law to the States in the region. The Eminent Persons Group for South Asia will hold a meeting later in the year to assess the progress made and to discuss new initiatives to further raise awareness of refugee issues in the region.

## FINANCIAL DATA (USD)

Country	Annual Programme Budget			
	Initial Budget	Revised Budget	Total Funds Available <sup>1</sup>	Obligation Level
Bangladesh	2,928,029	2,814,368	3,295,827	1,620,890
India	2,532,789	2,960,704	1,758,500	1,758,500
Myanmar	4,306,747	5,097,162	4,205,367	2,554,900
Nepal	5,434,790	5,885,616	3,709,010	3,709,010
Sri Lanka	6,800,386	6,728,526	4,389,137	2,954,585
Regional Projects <sup>2</sup>	100,000	100,000	5,000	5,000
<b>TOTAL</b>	<b>22,102,741</b>	<b>23,586,376</b>	<b>17,362,841</b>	<b>12,602,885</b>

<sup>1</sup> Includes income from unrestricted contributions, income from contributions restricted to the regional, sub-regional and/or country level, opening balance and adjustments.

<sup>2</sup> Covers dissemination of refugee law in South Asia.