

Eastern Europe

Recent Developments

The year 2002 brought an end to the campaign by UNHCR for the countries of Eastern Europe to accede to the 1951 Refugee Convention with the last remaining country, Ukraine, becoming party to this refugee instrument in January 2002. Following their accession and with intensive capacity-building activities from UNHCR, States in the region have introduced and/or amended national legislation related to asylum. In efforts to help States to contribute to the reduction or avoidance of statelessness, UNHCR has worked closely with the authorities in developing national legislation regulating citizenship. UNHCR's experts in this field have organised a series of training seminars and workshops and are participating in the drafting of related legislation.

UNHCR remains engaged in Eastern Europe in the assistance and protection of IDPs, for whom, however, solutions remain to be found. In Chechnya,

Armenia
Azerbaijan
Belarus
Georgia
Republic of Moldova
Russian Federation
Ukraine



the conflict between the Russian troops and the Chechen militants continues. As a result, the vast majority of the Chechen IDPs in Ingushetia are unwilling to return to their places of origin. Although the Russian Government continues its efforts to encourage IDPs to return to Chechnya and be accommodated in newly rehabilitated temporary accommodation centres, the IDPs, expressing fear for their personal safety should they return, have generally preferred to remain in Ingushetia and face another winter and difficult living conditions. Social reconciliation within the Federation may have been further retarded as a result of the Moscow Theatre Centre hostage situation, in October 2002.

The problems in Georgia over Abkhazia and South Ossetia, as well as the decade-long dispute between Armenia and Azerbaijan over Nagorno-Karabakh remain unsolved, forcing the IDPs and refugees to remain outside of their places and

countries of origin. Nearly 10,000 Chechen refugees continue to be hosted abroad, mostly in Georgia but also in Azerbaijan. Tensions between Moscow and Tbilisi regarding security issues related to the Pankisi Gorge have further increased the anxiety of Chechen refugees and the local population. This has also increased concern over potential further displacement of the refugee population of the Pankisi Gorge.

The legal status of ethnic Meskhetians in Krasnodar Region continues to cause concern to UNHCR and other international actors alike. Despite court rulings that the Meskhetians are entitled to the right of permanent residency in the Russian Federation, some local authorities remain reluctant to implement these rulings. As a result, this particular group of Meskhetians remain without proper legal stay permits and is thus subject to harassment, including detention and forceful eviction, reducing progress toward sustainable integration.

Against this background, UNHCR will continue its humanitarian response on behalf of refugees and IDPs in Eastern Europe to ensure that national protection is properly granted to involuntarily displaced citizens, and that international protection is provided by those States where asylum is sought. The Office in close co-operation with UN and other international and national partners as part of multi-lateral efforts will seek durable solutions for the displaced and deal with the root causes of the displacement.

Strategic Objectives

UNHCR's strategic objectives in Eastern Europe have been: to promote and assist in establishing and strengthening existing asylum systems and building national capacities for effective provision of international protection for refugees; to consolidate the institutional framework and implementation mechanism and practices as follow-up to the final stages of the CIS Conference; to promote co-ordinated legislative and administrative measures to prevent or reduce statelessness; and to promote and contribute to comprehensive, durable solutions for involuntary displacement caused by conflicts in the Caucasus.

In working on the range of issues that were covered by the CIS Conference, UNHCR has developed partnerships with IOM and with the OSCE, in particular its Office of Democratic Institutions and Human Rights (ODIHR) and the High Commissioner on National Minorities. With the changed focus of the follow-up to the Conference after 2000, UNHCR expects that co-operation with these agencies will further evolve according to the priorities jointly determined with the concerned States. With the support of the Swedish Migration Board and the EU, UNHCR hopes to expand the Soderkoping Process, as well as other regional or sub-regional efforts focusing on asylum and migration issues.

UNHCR has relatively small offices in Belarus and Moldova which focus on asylum issues. In these countries, as in Ukraine and the Russian Federation, the issues of transit migration, trafficking, smuggling, and some ongoing population movements (resulting from the break-up of the USSR), compli-

cate the asylum debate and pose particular challenges for the Office. Larger operations in Ukraine, the Russian Federation and in the countries of the Caucasus reflect the role UNHCR is playing in resolving statelessness and citizenship issues (especially in Ukraine, with the return of formerly deported peoples to the Crimean peninsula and their integration), and in assisting countries to meet the needs of persons displaced by various conflicts in the region, including building asylum systems.

Now that all the States in Eastern Europe have become parties to the 1951 Convention, UNHCR has shifted its focus from the elaboration of legislation towards the effective implementation of refugee legislation and the establishment of national authorities dealing with procedures for RSD. Advocacy work and the provision of legal expertise and material assistance for proper implementation of legislation is still a necessity, demanding significant time and expertise on the part of UNHCR staff. Strengthening the NGO sector will remain a priority in Eastern Europe, and continued attention will be paid to consolidating the gains made in this respect through the CIS Conference process. NGOs will continue to receive support from dedicated regional UNHCR staff.

A number of strategies to address the population displacements in the Caucasus countries have been drawn up. These include the promotion of integrated approaches through partnerships with development and financial institutions. The main objectives are to hand over support activities for these populations; advocate for the rights of IDPs as citizens; and assist governments to ensure these rights. Continued efforts will also be made to strengthen the capacity of governments to manage these problems to build confidence at the local level in areas of return, where and when security allows UNHCR to continue its presence. Significant time and diplomatic efforts will be required from staff in the capital and field officers in the areas of displacement or return. High levels of co-ordination are needed with other UN agencies, with the political parties to the peace settlement process including OSCE or UN bodies, with parts of the Government and relevant parliamentary committees, with secessionist authorities, with the peacekeepers and the military, as well as with the donor community.



Azerbaijan: Micro-credit schemes benefit IDPs. Here, metal objects are made and sold.
UNHCR / A. Hollmann.

In the Northern Caucasus, UNHCR's strategy will be to ensure the provision of national protection and integration assistance in Ingushetia and other areas of the Russian Federation for those displaced by the Chechnya conflict who choose not to go back, and to provide limited relief assistance to those returning voluntarily to Chechnya, when feasible. The strategy will take into account factors such as the insecure environment, the absence of a peace settlement and the ongoing conflict. UNHCR will advocate for and intervene to ensure that the basic rights of the displaced are respected, but will be unable to offer effective protection and material assistance inside Chechnya, due to lack of presence for security reasons.

In the Southern Caucasus, the strategic focus will be on international protection of refugees in the respective countries of asylum and the facilitation of voluntary repatriation on a case-by-case basis. UNHCR will continue to explore building the relationship between possible sustainable integration, where appropriate, and programmes and partners to address national development.

In addition to the country programme in the Russian Federation, which is presented in a separate chapter, the Office has operations in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine.

Operations

In **Armenia**, UNHCR's presence and activities are focused on further improving and strengthening the asylum system in accordance with international standards and norms; implementing local integration as a durable solution, with particular emphasis on supporting the legal, social and economic rights of refugees and calling for the inclusion of refugees in national development plans while ensuring that the needs of the most vulnerable refugee groups and communities are met; supporting naturalisation; and strengthening the capacity of governmental institutions and NGOs.

UNHCR will continue to provide technical and legal advice and assistance, while at the same time widening its institutional support to the judiciary, border guards and other key elements of the asylum system. This assistance includes training, both in-country and abroad, co-operation on drafting legislation and advice on governmental decisions, support for the provision of free legal aid and counselling, maintaining a reception centre for and providing material assistance to asylum-seekers, and the dissemination of protection-related information. UNHCR will provide improved shelter for a limited number of the most needy refugees and support the rehabilitation of community infrastructure such as schools, water supply systems and irrigation schemes in rural communities with mixed refugee and local populations (in co-operation with the Armenian Social Investment Fund). UNHCR will also continue to advocate the inclusion of refugees in the Poverty Reduction Strategy process and in the development plans and projects of the Government and other multilateral, bilateral and private agencies and actors.

In **Azerbaijan** UNHCR's goal for 2003 is to promote and implement durable solutions for refugees. Its protection activities will therefore entail three distinct yet complementary drives: 1) to follow-up on legal reforms of citizenship, in close co-operation

with the Council of Europe and the OSCE; 2) to assist the Government to establish a functioning RSD unit; 3) to facilitate the voluntary return of refugees, in particular Afghans, as part of a regional co-ordination framework. Given the uncertainties surrounding the outcome of the negotiation process over the Nagorno Karabakh conflict, and in view of the as yet limited impact of the 2001 presidential decrees allocating substantial governmental resources to improve the life of IDPs and refugees, UNHCR continues to promote long-term measures aimed at raising IDP living conditions to match those of the rest of the population. In parallel, UNHCR is maintaining its part of an inter-agency contingency plan, drawn up to cover the eventuality that IDPs return to their regions of origin. Lastly, UNHCR, together with the World Bank and UNDP as well as relevant governmental bodies, is providing technical advice to ensure that the specific needs of IDPs are included in the Poverty Reduction Strategy promoted by the IMF and the World Bank.

In **Belarus**, which acceded in 2001 to the 1951 Refugee Convention, work will be continued on refining the national refugee legislation and its practical implementation. The capacity-building programmes will cover: strengthening Belarus' migration services, especially after restructuring of the Government late in 2001, through technical assistance and training; the establishment of reception facilities for asylum-seekers at the borders; and strengthening the screening procedures followed by the Ministry of Internal Affairs for undocumented asylum-seekers. The focus on co-operation with national NGOs will be shifted towards improving their networking ability, promotion of financial sustainability and enhancing their skills (and impact) as advocates. Cross-border co-operation on asylum and migration-related issues between Belarus and neighbouring States will be further promoted. Through its assistance activities, UNHCR will aim to facilitate durable solutions for recognised refugees, with local integration a priority. Repatriation of Afghan refugees will be facilitated on a voluntary basis. In addition, UNHCR in Belarus will continue to meet the needs of vulnerable groups not provided for by the Government: this will include protection and assistance for refugees considered by UNHCR to have been unduly rejected by the Government.

While the scale of UNHCR operations in **Georgia** will continue to diminish in 2003, particularly in respect of IDPs, the objectives remain: 1) to provide protection and life-sustaining assistance to Chechen refugees while durable solutions are being identified; 2) to facilitate the voluntary return and local integration of refugees and IDPs to their places of former residence, while supporting the UN and OSCE-led conflict resolution processes in Abkhazia and South Ossetia, respectively, and promoting the full exercise by IDPs of their rights as citizens of Georgia; 3) to reinforce the protection of the rights of refugees and asylum-seekers through implementation of the 1951 Convention, bringing national instruments into line with international standards; and 4) to encourage Georgia to adopt legislation on property restitution and on the voluntary return of formerly deported Meshkhetians and the restoration of their citizenship rights, while promoting accession to the conventions on statelessness.

UNHCR's operations will focus on protection, capacity-building for the authorities and implementing partners, repatriation of Ossetian refugees and life-sustaining assistance to destitute Chechen refugees. In so doing, UNHCR will work with WFP, UNICEF, national and international NGOs, as well as the authorities. In its assistance activities, UNHCR will prioritise the most needy groups and continue to advocate the relocation of Chechen refugees outside the Pankisi Valley to ensure better security and delivery of basic assistance. The Office will continue to promote other durable solutions, such as resettlement. Individual shelter assistance will be provided to returnee families of both refugees and IDPs. Protection monitoring in returnee villages will continue, particularly in minority villages. Refugees and IDPs will receive individual legal assistance on a variety of problems, including property restitution, through local implementing partners throughout Georgia. UNHCR will also work to promote legislation that will uphold all the rights of the IDPs. Training is planned for local NGOs, authorities, border guards and parliamentarians, including a course on refugee law. The security situation in certain parts of the country is a major cause for concern as it renders working conditions precarious.

UNHCR exercises its core mandate and provides basic protection and assistance to asylum-seekers

and refugees in the **Republic of Moldova**. Protection from *refoulement* is ensured for those who have registered with UNHCR in the country. The precarious situation of asylum-seekers has improved since UNHCR-issued “protection letters” were recognised by the authorities, and the courts began to develop jurisprudence based on international standards. The Main Directorate for Refugees in the Ministry of Justice started to observe UNHCR’s work in detail, with a view to taking on responsibility for RSD and related activities as from January 2003. Officials have begun extensive training programmes, some of which are organised by UNHCR. Regional co-operation aimed at strengthening government capacity will have to be continued and expanded. UNHCR’s objectives and priorities are to assist the Government to implement refugee law and establish relevant structures; to promote awareness and understanding of refugees and strengthen the capacity to address migration issues; to reduce the potential for statelessness and promote accession to international instruments on statelessness; to extend protection and assistance to persons of concern (particularly to prevent *refoulement*) and to help find durable solutions for them, including local integration, voluntary repatriation and resettlement; and to promote an effective NGO network, sensitising the authorities, the judiciary and the general public to the rights of asylum-seekers, refugees, IDPs and stateless persons.

Affected by the enlargement of the EU, **Ukraine** urgently needs to strengthen its capacity to manage migration and to process and integrate an increasing number of persons requiring international protection. Having acceded to the 1951 Refugee Convention and its 1967 Protocol, Ukraine has requested continued support from UNHCR to bring national legislation into line with these and other relevant international standards. Considerable investment into the training and capacity-building of governmental and NGO partners will continue to be necessary to promote a satisfactory implementation of international and national law. Special attention needs to be paid to the establishment of adequate reception facilities and standards for asylum-seekers, to the quality and accessibility of asylum procedures, to the prevention of *refoulement* and to local integration

of recognised refugees. The provision of legal assistance to asylum-seekers and refugees through a network of NGOs and legal clinics, now covering most of the Ukraine’s provinces, will remain a priority. Material assistance activities will focus increasingly on self-reliance programmes, including micro-credit, vocational training, job placement and employment creation schemes. At the same time, UNHCR is helping a growing number of asylum-seekers and refugees to return to their countries of origin. During 2003, UNHCR will also work for the reduction and prevention of statelessness. The Office will promote accession to the relevant Conventions and continue to provide legal assistance for the naturalisation of formerly deported persons. Over the past few years UNHCR has successfully put in place mechanisms promoting co-operation on asylum and migration issues between Ukraine’s border, asylum and law-enforcement authorities and their counterparts in neighbouring countries: in 2003 these mechanisms will be maintained and where possible strengthened.

Budget (USD)	
Country	Annual Programme
Armenia	1,822,792
Azerbaijan	3,076,099
Belarus	958,696
Georgia ¹	4,826,025
Republic of Moldova	1,169,534
Russian Federation	13,651,753
Ukraine	2,579,644
Regional Activities ²	505,500
Total	28,590,043

¹ This includes USD 1.15 million for activities in respect of IDPs.
² Includes follow-up to the 1996 CIS Conference, and scholarships for refugee students.