

# GEORGIA

## Executive Committee Summary

### **(a) Context and Beneficiary Population**

UNHCR Georgia is operating in a volatile and unsettled political environment, with two unresolved conflict situations, in Abkhazia and in South-Ossetia. A series of negotiations between the parties concerned have not yet led to a breakthrough and prospects for reaching tangible progress in the months to come remain limited. UNHCR's operations in Georgia target three refugee/IDP situations:

1) the IDP situation as the result of the Georgian-Abkhaz conflict, 2) the IDP situation as the result of the Georgian - South Ossetian conflict, 3) the Chechen refugee caseload in Georgia.

UNHCR Georgia will reorient protection and assistance operations in 2003, to enhance the protection of refugees in Georgia, while scaling down on assistance for IDPs and returnees. In parallel, it will strive to strengthen the capacity of the authorities and the civil society to protect refugees, asylum seekers, and other persons of concern. In 2003, UNHCR will put emphasis on the identification of durable solutions for refugees, IDPs and returnees. UNHCR shall also focus on the building of the institution of asylum. It is assumed that ensuring an adequate level of protection and addressing their needs would prevent further displacement in the region. UNHCR will search for durable solution for the following categories:

- ❖ Chechen refugees from the Russian Federation in Georgia (3,899 refugees - as of 26 Aug 2002 following the MRA new re-registration exercise of April 2002)
- ❖ Internally displaced persons (IDPs) from the 1992-3 Georgian-Abkhaz conflict (over 245,000 registered IDPs – of whom the above mentioned estimated 60,000 have returned to Gali District, yet not de-registered)
- ❖ Returnees (refugees & IDPs) displaced during the 1991-2 Georgian-Osset conflict (on a case-by-case basis- planning figure- 100 returnee families)

### **Chechnya situation**

Seeking durable solutions for this group has required frequent review and adjustments. Since the arrival of the first refugees in 1999, UNHCR's emergency assistance delivered in 2000 developed into a care and maintenance programme. UNHCR and partners provided assistance to refugees in the Pankisi Gorge, where the majority of Chechen are sheltered, to comply with a request from the Georgian authorities. All Chechen refugees enjoy international protection in Georgia. Following the events of September 11<sup>th</sup> 2001 and the establishment of a coalition against terrorism, the refugee situation in the Pankisi valley has triggered some security concern from various actors. Since summer 2002, the situation at the northern border between Georgia and Chechnya in the Russian Federation became very tense. The villages of the Pankisi valley where the refugees are living are situated at approximately 60 km as the crow flies from the border. In summer 2002, the Yori valley next to the Pankisi Valley was bombarded and for obvious staff security concerns UNHCR assistance had to be temporarily suspended. UNHCR requested the Georgian authorities to relocate the refugee caseload (which is composed for 80% of women, children and elderly) outside Pankisi. The discussion with the authorities on the relocation is still going on in summer 2002 and no formal agreement on this matter has been reached yet (and of course no precise relocation site has been identified at the time of writing the report). In 1993, it is assumed that conditions in Chechnya, Russian Federation, will be conducive for return and UNHCR shall assist the voluntary return.

Since 2000, UNHCR has worked closely with local NGOs and will continue to do so in 2003, in order to maximise limited resources and increase national capacity to plan and implement appropriate solutions for the protection of refugees in Georgia. The elected refugee committee and refugee women's groups are also active partners. .

### **Abkhazia situation**

The protection and assistance needs of the internally displaced persons from Abkhazia in Georgia (245,000, according to MRA statistics as of 30 June 2002) have evolved since UNHCR first established an emergency operation following the cease-fire in 1993. At the request of the United Nations Secretary General and the

Government of Georgia, UNHCR established an office in Georgia in order to meet the basic humanitarian needs of IDPs. It was believed that, following the 1994 Quadripartite Agreement between the two parties, Russia and UNHCR, the parties would agree to guarantee conditions supporting the right of the displaced to return to their original homes in safety and dignity. However, ten years down the road, only a limited number of persons returned to the Gali district. The security zone in this location is monitored by CIS peacekeepers from the Russian Federation, and UNOMIG- the United Nations Observer Mission in Georgia as observers. For many IDPs, returning to their place of origin is a desirable but elusive prospect, and the reality is such that the lack of political settlement to the conflict is a major impediment to the return process. It appears clearly that the IDPs will not be able to return to areas beyond the security zone of the Gali district under the current circumstances.

In this context, UNHCR's programmes have focussed since 1993/94 on the self-reliance of IDPs. UNHCR has been able to successfully build the capacity of national NGOs to implement self-reliance programmes, which are expected to be operationally and financially sustainable by year 2003. The UNHCR implementing partners during 2000, 2001 and 2002 will be promoting the self-reliance of IDPs, through revolving loan funds, income generation groups and agricultural co-operatives, without further funding from UNHCR. The role of other stakeholders in Georgia has supported UNHCR's gradual phase-out of assistance for IDPs has been made possible thanks to co-operation and co-ordination with other international and national agencies and thanks to the issuance by UNHCR in 2002 of grants for innovative self-reliance projects for IDPs. UNHCR will continue to encourage and sponsor such initiatives in 2003. Development agencies and their partners are gradually including vulnerable IDPs in their poverty alleviation strategies. Advocacy by UNHCR will continue to this effect.

In 2003, UNHCR will be able to focus its activities the promotion of legislation, which would enable the full realisation of the rights of the IDPs. The programmes will be designed so as to increase the capacity of the IDPs themselves to access and protect their rights as citizens. UNHCR, as member of the peace process through the Co-ordination Council and its Working Group no. II on refugees and displaced, shall continue to advocate for the right of the IDPs to return to their place of origin in safety and dignity, as enshrined in the 1994 Quadripartite Agreement.

Several factors, other than the security concern, will need to be addressed by the international community in order to ensure sustainability of return, when the political situation permits. These factors are in particular: the presence of mines, the destruction of agricultural land, endemic poverty and destruction of housing.

In the Gali district, an approximate number of 60,000 persons have returned in a spontaneous manner since 2000. This district has only limited communal infrastructure to support a durable return, and many returnees commute to their place of former displacement for household goods and medical treatment. During 2002, UNHCR plans to complete an extended school rehabilitation programme in districts beyond Gali. In 2003, contingent on the peace process, UNHCR will continue to channel limited resources directly to improve communal services in Gali and beyond. This is to support the efforts of the UN Special Representative of the Secretary-General (SRSG) and the UN-led peace-building process, for the rights and protection of IDPs and returned IDPs.

Under the present circumstances, i.e. in the absence of a comprehensive political settlement of the conflict, UNHCR does not foresee a substantial return movement of IDPs to the places of their origin in Abkhazia in 2003. Nevertheless, as a contribution to the UN-led peace process and prepare grounds for potential returns as part of the conflict resolution process, UNHCR would be able to further its modest assistance programme in war-affected areas of Abkhazia, in Gali district and beyond. The implementation of those will be co-ordinated with SRSG for Georgia, relevant Georgian and *de facto* Abkhaz authorities and other actors concerned.

### **Ossetian Situation**

The rate of return of the estimated 60,000 persons who fled from (Georgia) and Georgia proper and South Ossetia to North Ossetia, Russian Federation (and/or were displaced within Georgia), following the 1991-2 conflict has slowed to a trickle of less than 65 families per year (300-400 persons). While UNHCR will remain engaged in the OSCE-sponsored conflict resolution process through the mechanism of the Joint Control Commission (JCC) to advocate for the right to return and the protection of returnees in the place of origin, assistance has been limited in 2000-2002, due to the low rate of return. As in 2002, in 2003, on a case-by-case basis basic shelter assistance will continue to be provided by UNHCR to returnee families (refugees and IDPs). Protection monitoring in returnee villages will continue, particularly in minority villages.

However, without a solution to the conflict, no major return over and above the levels of 2000-2002 can be anticipated. Until the question of the status of South-Ossetia is solved, reconstruction and poverty alleviation programmes cannot start. Many war-affected persons in South Ossetia are destitute, surviving with great difficulties. Without major economic rehabilitation in the region, there are few opportunities to encourage a return. At the end of 2001, UNHCR closed its field offices in Tskhinvali and Gori resulting in significant staffing reductions. In 2002, shelter assistance continues to be provided on a case-by-case basis to newly returned families (refugees and IDPs) through a national NGO with protection and assistance monitoring by a UNHCR mobile team operating from Tbilisi. In 2003, this minimal approach to assistance will continue to reflect actual needs of returnees (refugees & IDPs).

**(b) Programme goals and objectives**

Theme 1: Strengthening Asylum	
<p>Main Goals:</p> <ul style="list-style-type: none"> <li>❖ Reinforce refugees' protection by ensuring that refugees in Georgia enjoy all the rights granted under the 1951 Convention.</li> </ul> <p>Ensure that Chechen refugees in need of protection continue to be granted refugee status and that no forced return is implemented.</p>	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>❖ Amendment of the national refugee legislation and improvement of practices, particularly regarding the access to the territory for refugees and to the RSD procedure.</li> <li>❖ Improve the knowledge of international refugee Law by local authorities and NGOs and enhance their capacity to address refugee issues .</li> <li>❖ Assist the authorities in the implementation of the rules and procedures for registration of refugees and asylum seekers, with special attention on vulnerable groups.</li> <li>❖ Identify durable solutions for Chechen refugees and implement them.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Increased access by asylum seekers/refugees to RSD process and enhanced protection therein.</li> <li>❖ Training of local authorities, NGOs and law students on norms, standards and best practices of refugee protection.</li> <li>❖ Provision of technical and advisory assistance to the Ministry of Refugees and Accommodation for a regular and proper registration of refugees and asylum seekers.</li> <li>❖ Establishment of close co-operation mechanisms With the Ministry of Refugees and Accommodation, other government departments as well as with HQs and selected embassies to design durable solution for Chechen refugees.</li> </ul>
Theme 2: Partnership in Europe	

<p>Main Goals:</p> <ul style="list-style-type: none"> <li>❖ <i>UNHCR through partnership with governmental, non-governmental, international and national agencies has enhanced presence and impact.</i></li> </ul>	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> <li>❖ Support the UN-led Georgian-Abkhaz peace process and the work of the SRSR, advocating for return of the displaced population to their original homes in safety and dignity on the basis of the 1994 Quadripartite Agreement between the two sides, the Russian Federation and UNHCR.</li> <li>❖ Support the New Approach to IDPs through membership in the Steering Committee for the Georgian self-reliance Fund (GSRF) (including Government of Georgia, WB, UNDP, SDC, USAID, UNHCR); while simultaneously advocating for the right of IDPs to return to their place of origin in safety and dignity.</li> <li>❖ Collaborate with the OSCE and COE on the issue of reduction of statelessness.</li> <li>❖ Support the activities of the four members (Georgia/Russian Federation/South Ossetia/North Ossetia) of the Joint Control Commission (JCC) under the leadership of OSCE, in the promotion of the right to return.</li> <li>❖ Enhance capacity of Government of Georgia to receive asylum-seekers in accordance with international norms and standards.</li> <li>❖ Cooperate with international NGOs to deliver effective and timely assistance to beneficiaries.</li> <li>❖ Continue to build the capacity of local NGOs to meet the needs of persons of concern to UNHCR in Georgia.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Chairing Working II on Refugees and IDPs of the Coordinating Council (CC) and participation in other Working Groups of the CC.</li> <li>❖ Strengthened co-operation within the Steering Committee and enhanced support from the Government of Georgia for the GSRF and the New Approach.</li> <li>❖ The potential for statelessness is decreased by increasing the Georgian Government's awareness of the importance to ratify the Statelessness Conventions.</li> <li>❖ Participation to the JCC and its working group on refugees and displaced.</li> <li>❖ Participation in IOM training of border guards is ensured.</li> <li>❖ Smooth and timely delivery of assistance to beneficiaries is ensured.</li> <li>❖ Training of national partners in protection and programme issues is provided and permits to better address the needs of persons of concern to UNHCR.</li> </ul>

<p>Theme 3: Preparedness and Response</p> <p><b>Situation: Chechen refugees from the Russian Federation in Georgia</b></p>	
<p>Main Goals:</p> <ul style="list-style-type: none"> <li>❖ <i>Protection and life-sustaining assistance to Chechen refugees, identification of durable solutions which meet the support of The Georgian authorities.</i></li> </ul>	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> <li>❖ Provide humanitarian assistance to needy refugees.</li> <li>❖ Integrate “Kist-Chechen” refugees with family ties in Georgia, promoting self-reliance of this group.</li> <li>❖ Negotiate with authorities to relocate some part of the Chechen refugees (of non-Kist origin)</li> </ul>	<ul style="list-style-type: none"> <li>❖ In particular "vulnerable" refugees are adequately fed, sheltered and protected on the whole territory of Georgia.</li> <li>❖ Self-reliance programmes for Chechen refugees will support their integration whilst conditions do not allow for a return to Chechnya.</li> <li>❖ Alternative shelter and care maintenance package to UNHCR standards (sanitation, water,</li> </ul>

<p>from the Pankisi Valley to elsewhere in Georgia for their enhanced protection and proper delivery of assistance.</p> <ul style="list-style-type: none"> <li>❖ Assist with family reunification of refugees.</li> <li>❖ Resettle limited number of eligible refugees to third countries, who meet the resettlement criteria.</li> <li>❖ Voluntary return of refugees.</li> <li>❖ Assist refugees in the voluntary repatriation process, as soon as conditions are conducive for return.</li> </ul>	<p>food, healthcare, education) assuring the protection and assistance needs of refugees at a location outside the Pankisi Valley for those Chechen refugees (of non-Kist origin) who are not eligible for resettlement to a third country.</p> <ul style="list-style-type: none"> <li>❖ Chechens for whom a family reunion solution shall be found and their cases processed.</li> <li>❖ Potential resettlement countries, including new ones, will be identified.</li> <li>❖ Chechen are given the option by the Russian Federation to return to their homes in safety and dignity and return voluntarily.</li> </ul>
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<p>Theme 3: Preparedness and Response  <b>Situation: Abkhazia (IDPs and Returned IDPs)</b></p>	
<p>Main Goals:</p> <ul style="list-style-type: none"> <li>❖ <i>To promote the right of IDPs to return to their place of origin and prevent further displacement, in support of the UN-led conflict resolution process.</i></li> <li>❖ <i>The ensure the full realisation of the rights of the IDPs as citizens of Georgia.</i></li> </ul>	
<p>Principal Objectives</p>	<p>Related Outputs</p>
<ul style="list-style-type: none"> <li>❖ To ensure the protection of IDPs and other displaced persons.</li> <li>❖ To support IDPs in achieving greater self-reliance.</li> <li>❖ Improve legislation and practice to support IDPs in fully exercising their civil rights as citizens of Georgia.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Confident working relationships with the UNOMIG and NGOs are established.</li> <li>❖ Continue to chair Working Group II of the Coordinating Council on Refugees and IDPs in order to enhance the peace process..</li> <li>❖ Community based rehabilitation is undertaken in Gali and areas beyond Gali for preparation of IDP return.</li> <li>❖ The Georgian self-reliance Fund is politically supported by the Georgian authorities, which allows for smooth implementation of GSFR.</li> <li>❖ UNHCR revolving loan fund projects from 1997-2001 continues.</li> <li>❖ Development agencies mainstream IDPs in their poverty alleviation strategies as a result of UNHCR advocacy.</li> <li>❖ IDP adolescents are motivated to effect positive change for their communities, supporting an emerging civil society in Georgia.</li> <li>❖ UNHCR advocates with the Georgian Government for IDPs to be able, in practice, to vote, hold property and have access to the same civil rights as other citizens of Georgia.</li> </ul>

Theme 3: Preparedness and Response	
<b>Situation: Ossetia (Returnees to the Georgian-Osset conflict zone)</b>	
Main Goals:	
<ul style="list-style-type: none"> <li>❖ <i>The return of refugees and IDPs to their place of origin in safety and dignity.</i></li> <li>❖ <i>The right of returnees (refugees &amp; IDPs) to return to their place of origin is respected and protected.</i></li> </ul>	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> <li>❖ Facilitate the voluntary repatriation of refugees and IDPs to their place of origin and ensure that returnees are protected.</li>   <li>❖ Returnees receive a one-time assistance to support a lasting return and recover property through an expedient and fair mechanism of property restitution.</li> </ul>	<ul style="list-style-type: none"> <li>❖ UNHCR participation in the OSCE-led conflict resolution process results in an enhanced commitment from the two sides to protect the right of refugees to return to their place of origin and ensure their return in safety and dignity.</li> <li>❖ Draft Law on property restitution is given to the Parliament for discussion.</li>   <li>❖ Shelter solutions are provided for returnees on a needs basis as well as restitution of property to original owners and solutions for secondary occupants as appropriate.</li> </ul>

Theme 3: Preparedness and Response	
<b>Statelessness</b>	
Main Goals:	
<ul style="list-style-type: none"> <li>❖ <i>Encourage the Government of Georgia to adopt legislation, which would allow individual Meskhetians to voluntarily return And to be restored in their citizenship rights.</i></li> </ul>	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> <li>❖ Pursue the accession by Georgia to the Conventions on Statelessness.</li>   <li>❖ Lobby with the Georgian authorities for the amendment to the draft law on the return of the Meskhetians and to the Georgian citizenship law, in order to enable the return to Georgia of individual Meskhetians.</li>   <li>❖ To prevent or to solve statelessness issues for individual Meskhetians.</li> </ul>	<ul style="list-style-type: none"> <li>❖ A discussion framework with the Georgian authorities is established.</li>   <li>❖ Co-operation with the Council of Europe and the OSCE/HCNM is established</li> <li>❖ Draft law on return of Meskhetians is finalised by the Ministry of Justice.</li>   <li>❖ Contacts with local authorities in the concerned countries of residence of the Meskhetians are developed.</li> </ul>