

COUNTRY OPERATIONS PLAN

Country: Turkmenistan

Planning Year: 2002

Part I: Executive summary

(a) Context and Beneficiary Populations

Turkmenistan is one of the former Soviet Republics and became an independent country in October 1991. The democratisation process is still in its embryonic phase: no political parties except for the government controlled "democratic party". The country enjoys stability and, unlike in some neighbouring countries, the security situation does not give rise to serious concern at the present time.

UNHCR has been present in Turkmenistan since July 1995 and officially established a Liaison Office in September 1995. Since it opened its office, UNHCR has been involved in the following main activities:

- (i) traditional UNHCR Mandate activities in the field of international protection including individual refugee status determination, assistance as well as search for durable solutions (be it local integration, voluntary repatriation or resettlement) on behalf of persons of concern to UNHCR in Turkmenistan;
- (ii) activities falling within the framework of the July 1996 CIS Conference on refugees, returnees, other forms of involuntary displacements etc. which required that UNHCR be involved in legal and administrative capacity building activities as follows: assistance to the government in developing national mechanisms and structures to deal with asylum seekers and refugees such as drafting of national refugee legislation, accession to relevant international refugee instruments, technical assistance, legal advice, training and seminars on international refugee and humanitarian law targeting government officials as well as NGOs and other concerned International Organizations. UNHCR was also involved in the development and support to the nascent NGO sector, in a region where such a notion had to be developed. The CIS Conference provided a solid framework for UNHCR involvement in the development of the NGO sector.

The estimated number of asylum seekers and refugees, as reported in the annual statistical report, stood at 14,757 at the beginning of 2001, of whom 14,188 were refugees, both recognized refugees under the Mandate of UNHCR and prima facie refugees, and 569 were asylum seekers awaiting registration or refugee status determination. The great majority of the caseload in Turkmenistan consists of 13,008 Tajiks who fled the civil war and who are considered by UNHCR as prima facie refugees. The Afghans, who totalled 1,578, included both prima facie and mandate refugees as well as asylum seekers awaiting refugee status determination. There were also a few individual cases of Azeris, Armenians, Iraqis, Iranians and Russians.

During 2000, UNHCR continued its active involvement with two major durable solutions, i.e. voluntary repatriation and local integration. In 2000, for the first time since the office opened, resettlement was also pursued for cases fulfilling the resettlement handbook criteria. Altogether 166 refugees, mostly Afghans, were accepted for resettlement in the USA in September 2000 and 93 Afghan refugees, ethnic Hazaras, were also accepted for resettlement in Canada. UNHCR also assisted a total of 403 refugees and asylum seekers to repatriate voluntarily, of whom 256 were Tajiks, 120 Afghans, 14 Armenians and 13 Azeris. Parallel to the resettlement and the voluntary repatriation, UNHCR started in 2000 its involvement in the local integration of some 12,000 refugees, mostly ethnic Turkmen. Due to staffing and budgetary constraints, these efforts however only reached some of the local integration settlements. Progress was slow in promoting and speeding up the voluntary repatriation of those Tajiks wishing to be repatriated voluntarily, for reasons explained in the 2000 Country Report. From October 2000, only individual returns of Tajik refugees are organized by UNHCR.

During the year 2002, UNHCR is planning to continue its involvement in the promotion of refugee law and capacity building, the protection of refugees including the individual refugee status determination, the accession by Turkmenistan to the Conventions on statelessness, the establishment of a national structure dealing with populations of concern to UNHCR, the training of the staff of the government refugee office, and the search for durable solutions for all refugees, be it voluntary repatriation, local integration and resettlement. The population of beneficiaries could increase should the situation in Afghanistan deteriorate further. UNHCR will be assisted by a number of implementing partners, not only from the Government, but increasingly from the NGO sector, as a result of successful though lengthy efforts to develop the capacity of some NGOs with a view to enhancing their involvement as full fledged UNHCR partners.

UNHCR is still hopeful that the government refugee office will be established in 2001. The refugee office will require UNHCR partial funding and technical assistance during the initial stages of its existence.

UNHCR will also continue its assistance to refugees, with a view to ensuring their local integration and self sufficiency. Recognized refugees will be provided with time limited financial assistance based on thorough needs assessments, whereas other forms of assistance in the field of health, education, employment, housing will be provided to all. Local integration programmes for refugees in Lebap, Mary and Akhal provinces, begun in 2000, are planned to phase-out by the end of 2002. One of the challenges for the year 2002 will be to promote the acquisition of the Turkmen citizenship for refugees integrating locally. These efforts will run parallel to the promotion on the accession by Turkmenistan to the statelessness Conventions. 7 refugees have already received Turkmen citizenship in 2000, and about 65 are in the process of receiving it in the province of Lebap.

UNHCR will continue to highlight the positive repercussion of the refugee presence in the country and to emphasize the obligations of Turkmenistan as signatory to the 1951 Geneva Convention and 1967 Protocol and as signatory of a Cooperation Agreement with UNHCR. UNHCR will also promote and monitor the full implementation of the refugee law, which was adopted by the Mejlis in mid 1997. For this, it will be necessary to maintain an adequate international and local presence in the country.

The adoption of the refugee Law by the Mejlis (Parliament) in mid 1997, the accession to the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 Protocol on Refugees in March 1998, and the Signing of a Cooperation Agreement between the Government of Turkmenistan and UNHCR in March 1998, during the CASWAME consultations, form a solid legal framework for the overall protection of asylum seekers and refugees in Turkmenistan. Despite the interest that the Government continues to show, UNHCR is aware that refugee matters are not a priority from the point of view of the Government.

Within the overall framework of a newly independent country, whose neutrality was adopted by the General Assembly of the United Nations in December 1995, and which is facing the serious economic and social difficulties that are common to most CIS countries, UNHCR is operating in the capital city of Ashgabat with a Liaison Office. Monthly protection/programme missions take place to the various provinces sheltering refugees. The creation of a sub office in the province of Lebap, which could cover the provinces of Lebap and Mary, though considered as desirable, is nevertheless not being envisaged because of budgetary constraints.

The trust that has been developed between the national authorities, in particular the Ministry for Foreign Affairs and the Ministry of Internal Affairs and UNHCR continues to prevail and this has resulted in enhanced protection of asylum seekers and refugees. UNHCR interventions are not supposed to serve purposes other than those of assistance to genuine asylum seekers and refugees, i.e. UNHCR cannot be seen as trying to by pass the visa regime regulations, but as focusing on the protection of persons falling under its Mandate and requiring its protection.

(b) Selected Programmes Goals and Objectives

Name of Beneficiary Population/Theme: Tajiks	
Main Goal(s):	
<ul style="list-style-type: none"> • Enhancement of international protection • Facilitation of local integration • Facilitation of voluntary repatriation 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • The rights of Tajik refugees and asylum - seekers are respected • Self-sufficiency of Tajik refugees and asylum-seekers is obtained • Tajik refugees and other persons of concern are able to move back to their place of origin in safety and dignity 	<ul style="list-style-type: none"> • Effective RSD procedures (UNHCR or Government) • Number of permanent resident permits issued to Tajik refugees and other persons of concern • Adoption of a legal framework supporting local integration of Tajik refugees and other persons of concern • Number of organized individual repatriation movements to Tajikistan • Number of refugees acquiring Turkmen nationality • Number of successful UNHCR interventions on detention cases • Number of Tajiks successfully locally integrating

Name of Beneficiary Population/Theme: Afghans	
Main Goal(s):	
<ul style="list-style-type: none"> • Enhancement of international protection • Facilitation of local integration • Assistance in resettlement to third countries • Assistance in voluntary repatriation 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • The rights of Afghan refugees and asylum - seekers are respected • Self-sufficiency of Afghan refugees and asylum-seekers is obtained • Afghan refugees and other persons of concern are able to move back to their place of origin in safety and dignity • UNHCR resettlement referrals are submitted according to UNHCR criteria applied in a transparent and consistent manner 	<ul style="list-style-type: none"> • Effective RSD procedures (UNHCR or Government) • Number of permanent resident permits issued to Afghan refugees and other persons of concern • Adoption of a legal framework supporting local integration of Afghan refugees and other persons of concern • Number of Afghans repatriated • Adequate, reliable and prompt submission of resettlement cases is made available

Name of Beneficiary Population/Theme: Urban refugees	
Main Goal(s):	
<ul style="list-style-type: none"> • Enhancement of international protection • Facilitation of local integration • Assistance in resettlement to third countries • Facilitation of voluntary repatriation 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • The rights of urban refugees and asylum - seekers are respected • Self-sufficiency of urban refugees and asylum-seekers is obtained • Urban refugees and other persons of concern are able to move back to their place of origin in safety and dignity • UNHCR resettlement referrals are submitted according to UNHCR criteria applied in a transparent and consistent manner 	<ul style="list-style-type: none"> • Effective RSD procedures for urban refugees (UNHCR or Government) • Number of permanent resident permits issued to refugees and other persons of concern • Adoption of a legal framework supporting local integration of urban refugees and other persons of concern • Number of organized repatriation movements • Adequate, reliable and prompt submission of resettlement cases is made available • Number of refugees successfully locally integrating