

# AZERBAIJAN

## Part I: Executive Summary

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

The goals and objectives proposed for the UNHCR's program in 2003 are based on the assumption that the international context will be propitious for beginning the implementation of durable solutions for the uprooted population hosted by Azerbaijan. It is assumed that the situation in Afghanistan will allow for progressive voluntary repatriation of refugees. Likewise, it is assumed that substantial progress will materialize in the course of the negotiations over the Nagorno Karabakh conflict and that, consequently, concrete plans for the return of IDPs will be on the agenda of the Azerbaijani Government as well as on that of concerned international organizations and donors. This orientation is dissimilar from the previous year plans which were, on the contrary, based on a conservative approach given the prevailing the status quo concerning the Nagorno Karabakh conflict.

The decision to establish a UNHCR presence in Azerbaijan (1992/93) was a response to the humanitarian crisis caused by exodus of hundreds of thousands of IDPs as a consequence of the Nagorno Karabakh conflict. In addition, a small number of asylum seekers from Iraq and Iran started to approach the BO in 1994. and UNHCR started to develop a protection framework for these persons, including a resettlement program, in 1996 and 1997. The law on IDPS and refugees was adopted by the Azerbaijani parliament in 1993, but it was meant to address the needs of the victims of the Nagorno Karabakh conflict, i.e. some 240,000 refugees from Armenia (1988/89) and 620,000 IDP (1994 Government statistics). This law was also applied towards 48,000 Meshketians Turks who had fled communal violence in Uzbekistan in 1988. Priority was to given by the Azeri authorities to the reduction of statelessness amongst the refugees from Armenia and Uzbekistan. In 1997 and 1998, UNHCR worked closely with the Council of Europe and a new citizenship law was ultimately adopted in September 1998 which, inter-alia, provides for automatic naturalization of the above-mentioned categories of refugees. In September 1999, UNHCR assisted the Parliament in adopting a new refugee law and, in the presidential administration to promulgate a decree, both legal acts allowing for a more complete implementation of the 1951 Convention. As a result of these efforts an agreement was signed between the Government and UNHCR to set up a joint Refugee Status Determination unit, under the umbrella of the State Committee of Refugees and IDPs (SCR) headed by a Deputy Prime Minister, as a transition mechanism towards an independent governmental procedure. Lastly, in 2000, UNHCR and the Council of Europe obtained the promulgation of a much needed law on national NGO which will be privileged partners of the Organization in the future. In 2002 and in 2003, UNHCR legal and protection activities will cover the necessary follow up on the implementation of these three legal reforms in cooperation with the State Committee on Refugees and IDPs (refugee determination procedure), Council of Europe the OSCE and national NGOs whose capacities will need enhancement to enable them to fully play their role in support of UNHCR's mandate.

In 2000 and in 2001, the number of asylum seekers originating from Afghanistan and Chechnya, RF, increased. In particular, several thousand of Chechens reached Baku in the course of 2000, but contacted UNHCR in May 2001 only, after their own solidarity networks had collapsed. The number of asylum seekers registered with UNHCR exceeded 7000 persons (including approximately 5,400 Chechens) by December 2001. Registration and issuance of protection letters for persons of concern requesting the authorities to grant temporary protection letter are issued to them. A program of family visits is implemented with the assistance of a national and an international NGO, and serves as a basis to determine whether individual assistance is needed. Faced with this increase, UNHCR Baku had to expand its delivery capacity, both in terms of assistance and of human resources. With regard to the Chechen caseload, the position of UNHCR is that refugees shall be assisted as soon as the situation in Chechnya, Russian Federation, is conducive for return and that the voluntary nature of the return is established. As far as the IDP situation is concerned, it is

assumed that the peace resolution process will continue. Within this inter-agency framework, UNHCR is committed to participate in assisting the authorities to creating a conducive environment for return.

Based on the goal adopted for 2003 which is to promote and implement durable solutions for refugees in Azerbaijan, the orientations of UNHCR protection activities in 2003 will therefore include three complementary directions: a) to follow-up on legal reforms concerning citizenship, in close cooperation with the Council of Europe and the OSCE; b) to provide assistance and expertise to the Government to establish a functioning refugee status determination unit; c) to facilitate, in the framework of a regional coordination framework, the voluntary return of refugees, when the conditions in their country of origin permit.

The proposed goals of UNHCR's assistance program to IDPs in Azerbaijan in 2003 are the result of an evolution which took place over the past four years. During 1998 – 2000, in addition to on-going cooperation with concerned governmental entities, UNHCR actively promoted partnerships with in-country stakeholders in areas of concern to the Organization, such as the EC, USAID, UN agencies and the WB, with a view to best mobilize foreign aid resources on long-term measures concerning IDPs and refugees. This was done in a context of declining voluntary contributions to humanitarian assistance programmes addressing the needs of the displaced population, victim of a prolonged conflict over Nagorno Karabakh and the resulting occupation of significant parts of the Azerbaijani territory. Over the above mentioned period, international assistance shifted from a purely humanitarian approach to a long term development strategy. UNHCR therefore started to implement a hand over strategy with development oriented partners in order to ensure that remaining needs of IDP (some 570,000 persons, out of which UNHCR's assistance reaches 50,000 most destitute persons) will continue to be addressed as they are integrated into development programmes addressing the national community as a whole. This approach allowed for a consistent management of the downsizing of the UNHCR assistance program for IDPs in Azerbaijan while benefiting from supportive measures from development oriented international organizations and interested donors. This evolution took place on the background of continued diplomatic efforts to reach a comprehensive peace settlement over the Nagorno Karabakh conflict, which would include *inter-alia* the return of IDP to their homeland, within the OSCE/Minsk Group negotiation format agreed by Armenia and Azerbaijan. The uncertainties which constantly prevailed over the outcome of the OSCE/Minsk Group led above-mentioned stake-holders and in particular UNHCR, to work, in two parallel directions: a) to promote long-term measures aimed at improving IDP living conditions on par with that of the rest of the national community, b) developing a contingency planning approach aimed at enhancing existing national capacities and access to potential international resources in the event of return of IDP to their regions of origin while implementing reconstruction and rehabilitation (including de-mining) of these regions.

The two above-mentioned parallel directions are reflected in UNHCR activities in Azerbaijan in 2002 and will be the basis for UNHCR strategy in 2003 on the IDP issue. The Government and IMF/WB led exercise, initiated in July 2001, to design a Poverty Reduction Country Strategy (PRCS) should influence the formulation of the Government budget in 2003. UNHCR and the concerned Government bodies are making efforts to ensure that the specific needs of the IDPs are included into the CPRS. Given the constraints of the prevailing economic and social situation in Azerbaijan, the two above-mentioned dimensions will be complementary, i.e. an active UNHCR participation in the implementation of the PRCS as well as a pro-active role, in a broad partnership framework including concerned Government entities, international organizations, donors and NGOs (national as well as international), in the contingency planning process.

**(b) Selected Programme Goals and Objectives**

<b>Strengthening Asylum</b>	<b>Project</b>
<b>Goals:</b> <ul style="list-style-type: none"> <li>Asylum seekers have access to fair and efficient governmental RSD<sup>1</sup> procedure.</li> <li>Pending the full implementation of the above, refugees and persons of concern receive protection and assistance from UNHCR.</li> </ul>	03/AB/AZE/CM/200
<b>Objectives</b>	<b>Outputs</b>
<ul style="list-style-type: none"> <li>RSD process is fair and efficient.</li> <li>Recognised refugees and asylum seekers pending final decision enjoy basic social rights by the Government of Azerbaijan.</li> <li>Pending Government of Azerbaijan taking full responsibility for it, the protection and other basic needs of vulnerable refugees and asylum seekers are addressed by UNHCR.</li> </ul>	<ul style="list-style-type: none"> <li>Eligibility decisions are taken within a reasonable time and in transparent way, with a possibility for an appeal.</li> <li>Asylum seekers are provided temporary ID cards. Refugees are provided ID documents and residence permits.</li> <li>Refugees are given access to the same social services as vulnerable Azerbaijani citizens.</li> <li>Refugees and asylum seekers receive UNHCR “protection letters”, and assistance when needed.</li> </ul>

<b>Nagorno Karabakh Situation</b>	<b>Project</b>
<b>Goals:</b> <ul style="list-style-type: none"> <li>Assist the Government of Azerbaijan in the preparation of the return of the IDPs, as part of an inter-agency framework.</li> <li>Facilitate the local integration of those IDPs who cannot or will not return in a way that links up with the Poverty Alleviation Strategy of the Government of Azerbaijan.</li> </ul>	03/AB/AZE/LS/400
<b>Objectives</b>	<b>Outputs</b>
<ul style="list-style-type: none"> <li>Facilitate and participate in inter-agency needs assessment of the occupied territories.</li> <li>Advocate for a comprehensive coordination mechanism to be set up between humanitarian and reconstruction –oriented donors, agencies and the government units.</li> </ul>	<ul style="list-style-type: none"> <li>Needs assessment of specific occupied areas is completed with UNHCR’s participation.</li> <li>Coordination Group is established with the participation of key humanitarian and reconstruction agencies and donors.</li> </ul>
<ul style="list-style-type: none"> <li>Meet the housing needs of 500-700 IDP (and/or asylum seeker / refugee) families are met.</li> <li>Develop literacy programs for IDP and refugee/asylum seeker children in 10-15 communities so that they learn to read, write and count in good learning environment.</li> <li>Search for solutions, in cooperation with the authorities, to improve access to gainful employment by IDPs and refugees/asylum seekers.</li> </ul>	<ul style="list-style-type: none"> <li>10 public buildings in Baku and Sumgait inhabited by IDPs (and asylum seekers and refugees) are rehabilitated to an acceptable standard.</li> <li>10-15 primary schools in IDP communities are rehabilitated.</li> <li>Teacher / parent association is formed or strengthened in each beneficiary school.</li> <li>Free weekly bulletin is distributed to potential employers and employees in Baku and Sumgait.</li> <li>Job placement centre is operational and used by potential employers and IDPs (and refugees / asylum seekers).</li> </ul>

<sup>1</sup> RSD: refugee status determination.

Chechnya Situation	Project
<b>Goals:</b> <ul style="list-style-type: none"> <li>• Facilitate voluntary repatriation of persons of concern from the Russian Federation (Chechnya) registered by UNHCR Baku.</li> <li>• Assist the vulnerable among these persons in maintaining acceptable living conditions pending their repatriation.</li> </ul>	03/AB/AZE/CM/200
<b>Objectives</b>	<b>Outputs</b>
<ul style="list-style-type: none"> <li>• Facilitate voluntary repatriation of 70-80% of the Chechen caseload (estimated over 4,000 individuals) registered by UNHCR Baku, when conditions are conducive for return and on the basis of voluntariness.</li> <li>• Implement the Cross-border operation ensuring return in safety and dignity, in cooperation with UNHCR Moscow.</li> <li>• Meet the needs of the most vulnerable persons in terms of food, housing, health care and education.</li> </ul>	<ul style="list-style-type: none"> <li>• Accurate information is provided to the Chechens in Baku on conditions in their areas of origin.</li> <li>• Potential returnees are counselled and registered by UNHCR.</li> <li>• Physical safety of the returnees during the return travel is monitored by UNHCR staff.</li> <li>• The vulnerable persons' need for external assistance is assessed by IP's social workers.</li> <li>• Assistance for lodging, food, etc. is provided to those vulnerable.</li> </ul>

Afghanistan Situation	Project
<b>Goals:</b> <ul style="list-style-type: none"> <li>• Facilitate voluntary repatriation of the Afghans.</li> <li>• Provide alternative durable solution for those Afghan refugees who do not want or cannot repatriate.</li> </ul>	03/AB/AZE/CM/200
<b>Objectives</b>	<b>Outputs</b>
<ul style="list-style-type: none"> <li>• Facilitate voluntary repatriation of 90% of the Afghan caseload registered by UNHCR Baku.</li> <li>• Ensure that Cross-border operation for return in safety and dignity is carried out efficiently by UNHCR Offices in Tehran, Baku and Kabul.</li> <li>• Ensure that the needs of the most vulnerable persons are met in terms of food, housing, health care and education.</li> <li>• Assist the authorities in the conduction of fair and efficient RSD process for the Afghan asylum seekers who cannot or do not wish to repatriate.</li> <li>• Resettle remaining Afghan refugees for whom neither repatriation nor local integration is a viable option.</li> </ul>	<ul style="list-style-type: none"> <li>• Accurate information is made available to the Afghans in Baku on conditions in their areas of origin.</li> <li>• Potential returnees are counselled and registered by UNHCR.</li> <li>• The physical safety of the returnees during the travel is monitored by UNHCR staff.</li> <li>• Vulnerable persons' need for external assistance is assessed by IP's social workers.</li> <li>• Assistance for lodging, food, etc. is provided to those vulnerable who require it.</li> <li>• Eligibility of individuals requesting for international protection are assessed and decided by UNHCR/Government of Azerbaijan in a timely manner.</li> <li>• Afghan refugees still in need of international protection and without protection and/or integration prospects are resettled to third countries.</li> </ul>