



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Armenia

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN FOR ARMENIA

Part I: OVERVIEW

1. Protection and socio-economic operational environment

Over a decade ago, some 360,000 ethnic Armenians fled neighbouring Azerbaijan into Armenia as a result of the conflict over the disputed region of Nagorno-Karabakh. Although 2004 marked the 10th anniversary of the cease-fire agreement still holding today, prospects in the future to achieve a peaceful solution to the conflict are considered slight. Against this background, local integration remains the best and more realistic durable solution available to refugees from Azerbaijan.

Armenia continues to suffer from the inter-linked consequences of the unresolved Nagorno-Karabakh conflict, the collapse of its former economy, declining access to social services and related evils. Despite the rapid pace of recent GDP growth, which was 10.1% in 2004, the overall socio-economic situation in the country continues to be characterized by high levels of unemployment and pervasive poverty. Half of the population still lives below the poverty line, with refugees being among the most disadvantaged and vulnerable groups. Other challenges include the judiciary, the rule of law, human rights as well as freedom of the media and information. It is estimated that some one million persons have emigrated from Armenia since 1989, including large numbers of refugees.

With the adoption of the Poverty Reduction Strategy Paper (PRSP) in 2003 the Government of Armenia (GoA) has shown its commitment to combat poverty and ensure a more equitable distribution of the benefits of economic growth to all, including locally integrating refugees. The said strategy was praised as best practice by the High Commissioner's Convention Plus Forum in summer this year. An important step in the same direction has been taken by the UN Country Team in Armenia in the context of the United Nations Development Assistance Framework (UNDAF), which identifies the reduction of economic, social and political inequality in Armenia as the overarching common goal for the period 2005-2009 and also includes refugees as a target group.

The statistics of the Government of Armenia (GoA) show 235,101 refugees from Azerbaijan. Given the substantial naturalization campaign and migration within the region, the actual figure is expected to be substantially lower. A pilot census is under way in one province will be combined with a survey on Millennium Development Goals (MDG). The office hopes to be able to update its database in order to adapt and priorities its objectives in line with actual needs. Furthermore, the data gathered during the MDG survey will enable other UN Agencies to focus their development projects also on refugee populated areas and to bridge potential socio-economic gaps between the local population and refugees.

Refugee issues are already incorporated into the general development policy and programmes of GoA and the UN-Agencies specialized in development. This holds in particular true for the new shelter programme of the GoA that targets exclusively refugees from Azerbaijan. UNHCR and the Norwegian Refugee Council (NRC) will have to monitor the impact of this government programme to ensure that none of the refugees and naturalized former refugees is left behind. As the government programme is not encompassing refugees and former naturalized refugees who live on their own land (in makeshift huts), one group of beneficiaries is already identified and will require UNHCR's and NRC's intervention in this field, the most significant component of UNHCR's programme during the past years, in 2006. The office anticipates to accomplish the shelter programme in about three years, provided that all actors maintain their commitment to the very end.

Asylum development, reduction of statelessness and local integration are the three major protection concerns in Armenia. With its location at the crossroads between Europe and the Near East, Armenia is increasingly becoming a transit point for irregular migrants, including victims of human trafficking, as well as asylum-seekers trying to reach Western and Central Europe. This is evidenced by the growing number of asylum-seekers from non-CIS countries registered in Armenia. With the enlargement of the European Union in 2004, Armenia came closer to its external border and could well become a route more often taken by asylum-seekers in the future. Thus, while the basic elements of the national asylum system are in place, further efforts are necessary in order to improve the specific legal framework and its implementation in accordance with international standards in order to meet the likelihood of increased numbers of asylum-seekers arriving in Armenia. This confronts Armenia with the on-going challenge of improving its national asylum system in order to effectively manage the complex nexus between asylum and migration.

UNHCR's role in the field of asylum development in Armenia is based on the provision of its material support, organizational expertise and technical advice aimed at further improving and strengthening the national asylum legal framework and its on-going implementation. UNHCR has worked closely with the GoA towards amending the 1999 Law on Refugees. As a result, a new set of amendments to the Law was adopted in early 2004 which brings it more in line with internationally recognized standards, although some gaps remain to be closed. Together with the Danish Refugee Council (DRC), Armenia has conducted a comprehensive analysis of protection gaps. Now, the identified gaps are jointly addressed to be resolved in collaboration with all stakeholders. DRC's continued support will be instrumental to take advantage of the momentum created in the past months. UNHCR also assists the Government to effectively and fairly implement the asylum system through legal capacity-building activities, jointly conducting RSD interviews, holding regular discussions and guidance. In this regard, increasing efforts have been put in improving the quality of the RSD procedure, the management of asylum data and the reception and management of asylum-seekers at border entry points.

There are substantial grounds to believe that refugees from Azerbaijan are "de jure" stateless while at the same time they are able to exercise a significant number of human rights. UNHCR's continued involvement in facilitating the naturalisation of refugees from Azerbaijan is based not only on implementing a durable solution for this refugee group (naturalization being one of the numerous components of local integration), but also because of UNHCR's mandate to promote the reduction of statelessness. To date, some 65,000 refugees from Azerbaijan have voluntarily naturalized while others have kept their refugee status for various reasons, including psychological and socio-economic ones. UNHCR will remain engaged in both maintaining and codifying the existing facilitated naturalisation procedure so as to ensure that those refugees who make a free and informed choice to acquire Armenian citizenship will benefit from a predictable national legal and administrative framework for the reduction of statelessness.

Although the GoA has adopted a policy of local integration of refugees from Azerbaijan, the most persistent constraint toward the successful local integration of refugees from Azerbaijan remains their poverty and inability to benefit from economic growth. While the refugees have access to the labour market, the general lack of employment restricts the capacity of the refugees to become self-reliant. Likewise, while refugees have access to the national social services, including the national social welfare system, the system is not able to adequately meet the needs of the socially disadvantaged, including the refugees. The refugees are largely poor, marginalized, vulnerable and without the power to improve their lives. Another major constraint towards local integration of refugees will continue to be the solution of the refugees' shelter problem. This has to be achieved through a rights-based approach focused on establishing and implementing legal mechanisms to protect the housing rights of refugees while at the same time addressing the needs of refugees living in sub-standard shelter.

2. Operational goals and potential for durable solutions

- Update the existing database to obtain more reliable planning figures and understanding of actual requirements.
- Address and redress the protection gaps identified during the recent gap analysis.
- Work towards the completion of the ongoing shelter programme for refugees from Ngorno Karabakh.

Specific protection objectives

- Asylum-seekers and refugees are admitted safely into Armenia.
- Asylum-seekers and refugees benefit from the national asylum legal framework, including access to a fair, gender-sensitive and effective RSD procedure and treatment in accordance with relevant international standards and norms.
- Persons who do not meet the criteria for refugee status as per the 1951 Convention but who are still in need of international protection are provided with temporary asylum as a complementary form of protection.
- Asylum and refugee protection concerns are incorporated in national legislation and programmes to combat trafficking and smuggling
- The national legal framework on citizenship is improved in accordance with international standards as established in the 1954 and 1961 Statelessness Conventions.
- Refugees from Azerbaijan have continued access to the facilitated procedure for the acquisition of Armenian citizenship in the process of their local integration.
- New-born children are registered in a timely manner and properly documented.
- Partnerships in support of local integration are further developed and implemented
- Refugees in temporary accommodation have increased access to permanent and adequate housing
- The housing rights of refugees are protected through strengthening of the national legal framework
- Refugees have access to improved basic social services and economic opportunities.
- Refugees are aware of and able to effectively exercise their civil, political, social and economic rights.