

Ukraine

AT A GLANCE

Main Objectives and Activities

Create an asylum system that meets international standards; build up the capacity of government institutions and NGOs to meet the protection and assistance needs of refugees, asylum-seekers and displaced populations; ensure that Formerly Deported Peoples (FDPs) who have returned to Ukraine, and their eligible descendants, acquire Ukrainian citizenship.

Impact

- Revisions of the refugee law and the citizenship law, in which UNHCR's comments were reflected, passed first readings in Parliament.
- The State Committee for Protection of the State Border of Ukraine established a mechanism for an appropriate hand-over of asylum applications from border guards to the migration authorities.
- Statelessness was averted for a total of 13,358 FDPs who acquired Ukrainian citizenship and 23,064 FDPs received advice on citizenship and other legal issues.
- Bilateral agreements on simplified citizenship procedures were signed with Belarus and Kazakhstan.
- UNHCR's comments on refugee children were incorporated into the draft law on Protection of Childhood.



Main Refugee Origin/Type of Population	Persons of Concern			
	Total in Country	Of whom UNHCR assisted	Per cent Female	Per cent under 18
Formerly Deported Crimean Tatars	258,000	42,300	-	-
Refugees ¹	3,900	1,300	-	-

¹Including refugees from Georgia, Afghanistan, Africa.

Revised Budget	Income and Expenditure (USD)			
	Annual Programme Budget			
	Income from Contributions ¹	Other Funds Available ²	Total Funds Available	Total Expenditure
3,580,621	921,991	2,208,351	3,130,342	3,041,716

¹Includes income from contributions earmarked at the country level.

²Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.

The above figures do not include costs at Headquarters.



WORKING ENVIRONMENT

The Context

Ukraine has not yet acceded to the 1951 Convention, mainly due to its wish to have national refugee legislation in place, in line with international obligations, but also due to the socio-economic costs accession is perceived to entail. The current legislation leaves many people with uncertain legal status. Protection of refugees and asylum-seekers was complicated by increasing illegal migration through the territory of Ukraine. As a result of the anticipated eastward expansion of the European Union, Ukraine and its neighbours are strengthening border controls on their western frontiers. UNHCR's efforts since 1998 to help prevent statelessness, particularly of some 250,000 Formerly Deported Tatars returning to Crimea, has been successful and has helped to diffuse a potential major destabilising factor for the country.

Constraints

The abolition of the central authority on refugee matters delayed the implementation of various refugee-related activities. Unfortunately, few of the officials who had received UNHCR training were transferred to the new State Department of Nationalities and Migration, which became operational in September. Renewed efforts were required to help the new refugee authority acquire the relevant knowledge and skills. In Crimea, the acquisition of Ukrainian citizenship by FDPs was slowed down by their inability to pay for the procedure, for example the special fee levied on those with Uzbek citizenship, or the so-called reunification fee for FDPs who are citizens of other CIS countries. Ukraine's economic vicissitudes, including the consequences of economic reform and privatisation, and the continuing impact of the Chernobyl disaster, all continued to hamper integration efforts, development of the asylum system and the process of normalising the status of FDPs. Furthermore, political, social and economic problems distracted public and media attention from refugee issues, which were therefore widely regarded as low priorities.

Funding

Due to the funding shortfall, some of the activities could not take place as originally planned or were conducted at a reduced level. Pilot projects for the local integration of recognised refugees had to be cancelled. There was a drastic reduction in the scale of refugee law training for authorities, the rehabilitation of shelter for FDPs, and income-generating projects.

ACHIEVEMENTS AND IMPACT

Protection and Solutions

Both the revised refugee law and the revised citizenship law passed their first parliamentary reading in 2000 and their second reading was tabled for 2001. UNHCR's comments were incorporated into the two drafts, with the result that, if adopted, these laws will be in line with international standards. The refugee law will allow the refugees to enjoy additional rights, such as those to family reunification, access to education or the issuance of travel documents. Refugee documents will be renewed on a yearly basis (by contrast with the renewable three-month period currently granted), while the new citizenship law will allow those refugees who have been in the country for at least three years to be naturalised. In order to provide temporary protection to asylum-seekers rejected due to strict application of the safe third country clause, an agreement was reached with the Government to legalise their stay in the country for six months, while the revised refugee law remains under consideration.

Creation of a network of four legal NGOs covering five regions (Vinnitsa, Donetsk, Lviv, Lugansk and Khmerlnitsky) enabled the expansion of protection activities outside the capital. A network of legal NGOs in Ukraine made a concerted effort (backed up by donor embassies) to hasten accession to the 1951 Convention to which the authorities responded positively.

From the start of UNHCR's involvement in Crimea in 1996 until the end of 2000, a total of 83,416 FDPs became Ukrainian citizens. Although the initial deadline for simplified citizenship applications was 31 December 1999, it was extended by two years following agreement between Ukraine and Uzbekistan. This was to accommodate the fact that the Uzbek authorities continued throughout 2000 to forward vital documents certifying release from Uzbek citizenship. The move will benefit the remaining 8,500 Uzbeks who have not availed themselves of the current procedure and still hold Uzbek citizenship. In 2000 there were 21,000 FDPs from CIS countries which have not agreed to simplified renunciation procedures with Ukraine. Of these, 11,000 are Russian citizens, while the others are from Georgia, Tajikistan, Kyrgyzstan, Belarus and Kazakhstan. In 2000, UNHCR facilitated the negotiation process leading to bilateral citizenship agreements with Georgia, Tajikistan and Kyrgyzstan. Appropriate agreements were also concluded with Belarus and Kazakhstan.

In addition to the citizenship campaign, UNHCR also worked towards full integration of FDPs in Crimea. Accommodation remained the most pressing need. It is estimated that approximately half of those who have returned lack proper housing, while many live in dire conditions. UNHCR continued to provide basic integration assistance to the most vulnerable groups of FDPs, such as rehabilitation of apartment buildings, improved access to the local social support scheme and initiatives conducive to economic self-reliance.

Activities and Assistance

Community Services: Through their elected leaders, the refugee community was involved in the planning and delivery of assistance activities. The Refugee Women's Committee managed the family support centre in Kiev, under the supervision of an NGO. In addition to providing a venue for community gatherings, various local integration activities took place there. These included social and psychological counselling, Russian and mother tongue language tuition, special coaching for children with learning difficulties (due to insufficient knowledge of the local language), day-care, art classes, cultural events and activities for adolescents. The refugee community in Odessa emulated the positive experiences of their counterparts in Kiev by opening a similar community centre in November with support

from the local Odessa authorities. The counselling centre in Uzhgorod in western Ukraine continued to be the venue for legal and social counselling and the processing of asylum applications. In an effort to promote mutual understanding among the various ethnic groups in Crimea, tolerance-building activities continued, through education and the arts.

Domestic Needs/Household Support: UNHCR provided cash assistance every month to (on average) 765 vulnerable refugees and asylum-seekers (such as households headed by women) to cover their domestic needs and accommodation costs. In addition, some 800 vulnerable beneficiaries were provided with one-off food assistance, winter clothes, bed linen, blankets and hygiene kits. In Crimea, single cash payments were made to 115 FDPs in need. Winter clothes were distributed to 130 of the most vulnerable FDP schoolchildren.

Education: Children of recognised refugees were given access to local schools throughout the country and the enrolment rate shot up (from 35 to 80 per cent). However, the situation remained problematic for the children of asylum-seekers and those rejected due to strict interpretation by the authorities of the safe third country rule (affecting 60 per cent of all asylum applications). To ensure their access to schools, UNHCR continued to provide 12 selected local schools with basic



school furniture and equipment, textbooks and school supplies. Classrooms were refurbished in two local schools with a large number of refugee pupils. In addition, summer camps were organised. These were attended by local children as well as 690 refugees, asylum-seekers and FDPs. Support for a vocational skills programme in Kiev increased employment opportunities for some 400 beneficiaries. A similar programme was initiated in Odessa in September, with 40 beneficiaries. Four schools with a large number of FDP children enjoyed the provision of technical assistance, learning materials and basic school furniture. Classes and pre-school educational activities were organised for 125 FDP children, including drawing, music and classes on native language and traditions, with FDPs themselves volunteering as teachers.

Food: Emergency food assistance was provided to some 800 FDPs in the Mukachevo and Uzhgorod regions of western Ukraine and to 220 needy refugee families in Kiev.

Health/Nutrition: UNHCR continued to provide funding to designated hospitals in Kiev and Odessa for outpatient consultations, treatment and medicines for some 3,200 refugees and asylum-seekers. The service also benefited the local population. UNHCR continued to cover the costs when refugees and asylum-seekers were referred to specialised hospitals. A reproductive health and family planning programme was launched in Kiev in the summer in close co-operation with the Ukrainian Family Planning Association and UNFPA, benefiting 200 persons. Lectures and seminars were held on family planning; reproductive health; awareness and prevention of HIV/AIDS and sexually transmitted diseases; the prevention of domestic violence, and other gender-related issues. Medical assistance was also provided on an emergency basis to persons of concern temporarily residing in a dormitory in Mukachevo. In Crimea, medical assistance was provided to the 149 most vulnerable FDPs.

Income Generation: UNHCR continued to operate in 14 regions in Crimea, where 79 small business loans were taken out in such fields as agriculture, light industry and catering, benefiting 507 FDPs. Grants were given to ten refugees to organise small trading activities. UNHCR's approach gradually changed: whereas it formerly favoured the payment of grants, the policy in 2000 was to offer interest-free loans.

Legal Assistance: UNHCR continued to offer various conferences, training activities, seminars and round-table discussions for government officials dealing with refugee issues, such as the Migration Service, border

guards, the Interior Ministry, judges and lawyers. Working in partnership with the European Council on Refugees and Exiles (ECRE), and German government experts, UNHCR organised training sessions on refugee status determination; interviewing techniques and gender issues; and unaccompanied children and other vulnerable groups. UNHCR and the Council of Europe jointly provided training on the applicability of the European Convention on Human Rights as a tool for refugee protection. Further to one of the recommendations for action made at the 1996 CIS Conference, a meeting on citizenship and avoidance of statelessness was held in Kiev in December, attended by governmental and NGO experts from all CIS countries and the Baltic States. Through the refugee reception centre in Kiev, legal assistance was provided to 12,000 persons, mainly asylum-seekers and persons whose applications had been rejected by reference to a strict interpretation of the safe third country rule. Counsellors and lawyers followed up on police harassment and emergency cases. Technical and material assistance was provided to the newly restructured State Department of Nationalities and Migration and regional offices of the Migration Service to strengthen their operational capacities. An extensive awareness campaign was supported by UNHCR through the mass media. To increase legal awareness among the FDP population, a bi-monthly television programme was financed by UNHCR. UNHCR's bi-monthly newsletter (*Citizen*) informed FDPs on UNHCR's ongoing programmes, changes in citizenship legislation, the importance of avoiding statelessness by acquiring Ukrainian citizenship, and progress made in streamlining the latter process. The newsletter was an essential legal guide for FDPs residing in settlements and remote areas, where almost no other source of information was available. A total of 10,000 copies were distributed bi-monthly. UNHCR also supported research on statelessness and citizenship among FDPs and the problems of their integration into Ukrainian society.

Operational Support (to Agencies): UNHCR covered the costs of implementing partners for fuel, office rental and supplies, and maintenance of vehicles and equipment.

Shelter/Other Infrastructure: Six shelter rehabilitation projects were completed in various regions of Crimea to house 500 FDPs including 40 elderly persons. However, a large number of FDPs continued to live in virtually uninhabitable accommodation in damp basements or abandoned houses. UNHCR also supported the rehabilitation of the designated temporary accommodation

centre in Odessa, which will house asylum-seekers waiting for the results of their applications.

Transport/Logistics: UNHCR continued to promote and facilitate voluntary repatriation and resettlement of selected groups of beneficiaries whenever feasible. Eight persons repatriated to their country of origin. Five cases were accepted for resettlement in third countries. In western Ukraine, asylum-seekers intercepted by border guards were transported from Mukachevo to Uzhgorod for refugee status determination.

ORGANISATION AND IMPLEMENTATION

Management

UNHCR operated with offices in Kiev and Simferopol, which were supported by a total of 20 staff; there were five international (including one JPO) and 15 national staff.

Working with Others

UNHCR worked with 17 implementing partners, all of which were Ukrainian entities, including six government agencies and 11 NGOs. With the citizenship campaign nearing completion, UNHCR can look back on successful co-operation with the OSCE and in particular the OSCE High Commissioner for National Minorities.

OVERALL ASSESSMENT

Although Ukraine has not yet acceded to the 1951 Convention and 1967 Protocol, significant progress was made in the establishment of the national asylum system. Refugee status determination continued to be implemented in all 27 regions in the country. An Appeals Commission was put in place, offering recourse to the courts. The authorities demonstrated a willingness to support the basic legal and social rights of the refugees and asylum-seekers.

The Citizenship campaign continued to push for the right of FDPs to obtain Ukrainian citizenship. If a revised citizenship law is passed, it will offer a highly significant element of security for thousands of FDPs. Although all FDPs were in great need of assistance, UNHCR targeted its assistance to the most vulnerable and supported their integration into Ukrainian society. Venues were provided so that they could maintain their language and cultural heritage.

Through UNHCR's assistance, the basic needs of the refugees and asylum-seekers were met. UNHCR's activities are however to a large extent still concentrated in

the capital and most beneficiaries had to travel to Kiev to avail themselves of assistance. The strengthening of the programme in Odessa (the region with the second largest number of recognised refugees) meant that refugee needs were addressed in a more timely manner and with input from local authorities and structures. This positive experience can be regarded as a model for continued assistance in those areas where the beneficiaries are located.

The operation saw an important shift in emphasis: from the provision of assistance, to the pro-active approach of finding lasting solutions for refugees. Voluntary repatriation and resettlement were promoted but more emphasis was put on local integration. Many of the recognised refugees were Afghans who had been in the country for several years, knew the local language and culture and had established a robust social network. Several refugees from African countries were students in the former Soviet Union and are married to Ukrainian nationals. Consequently, and in spite of some difficulties (e.g. gaps in the legal system, high taxation) local integration was actively pursued in close co-ordination with the relevant governmental bodies.

Offices

Kiev
Simferopol

Partners

Government Agencies

Kiev City Directorate for Migration
Ministry of Interior
Oil Refinery Hospital
Regional Department of Nationalities and Migration (Crimea and Odessa)
State Department of Nationalities and Migration

NGOs

Adventist Development and Relief Agency
Charity Foundation "Edelweiss"
Crimean Tatar Lawyers League "Initium"
Donetsk Foundation of Social Protection
Foundation for Naturalisation and Human Rights "Assistance"
Help
Legal Counselling Centre "Solidarity"
Lugansk Refugee Aid Foundation
Neeka
Podil Centre of Human Rights
State Public Charity Foundation for Refugees and Migrants "Sympathy" (Odessa)

Financial Report (USD)				
Expenditure Breakdown	Current Year's Projects		Prior Years' Projects	
		notes		notes
Protection, Monitoring and Co-ordination	380,282		0	
Community Services	133,405		165,670	
Domestic Needs / Household Support	408,702		9,686	
Education	75,511		76,043	
Food	4,713		6,847	
Health / Nutrition	85,910		67,279	
Income Generation	49,531		98,820	
Legal Assistance	305,188		120,860	
Operational Support (to Agencies)	43,246		113,598	
Shelter / Other Infrastructure	407,444		465,950	
Transport / Logistics	3,002		733	
Instalments with Implementing Partners	456,361		(1,108,434)	
Sub-total Operational	2,353,295		1,125,486	
Programme Support	632,013		4,209	
Sub-total Disbursements / Deliveries	2,985,308	(3)	1,129,695	(6)
Unliquidated Obligations	56,408	(3)	0	
Total	3,041,716	(1) (3)	1,129,695	
Instalments with Implementing Partners				
Payments Made	1,305,338		254,178	
Reporting Received	848,977		1,362,612	
Balance	456,361		(1,108,434)	
Outstanding 1 January	0		844,841	
Refunded to UNHCR	0		(242,443)	
Currency Adjustment	5		(5,328)	
Outstanding 31 December	456,366		(26,478)	
Unliquidated Obligations				
Outstanding 1 January	0		174,306	(6)
New Obligations	3,041,716	(1)	0	
Disbursements	2,985,308	(3)	21,261	(6)
Cancellations	0		153,045	(6)
Outstanding 31 December	56,408	(3)	0	

Figures which cross reference to Accounts:

(1) Annex to Statement 1

(3) Schedule 3

(6) Schedule 6