



Evaluation of UNHCR's programme  
to prevent and reduce statelessness  
in Crimea, Ukraine

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# Executive Summary

In 1996, the United Nations High Commissioner for Refugees (UNHCR) launched a sustained and concerted effort to prevent and reduce statelessness among formerly deported peoples (FDPs) in Crimea, Ukraine. In the Autonomous Republic of Crimea (ARC), the group of formerly deported persons is comprised of Armenians, Bulgarians, Crimean Tatars, Germans, and Greeks who were deported en masse at the close of World War II. Since the death of Stalin, they have been attempting to repatriate and regain their rights.

The UNHCR programme to reduce statelessness drew on lessons learned in the Czech Republic and presented a model for the future. Without citizenship, the formerly deported were excluded from voting and political participation, barred from the privatization process, and limited in their access to housing, jobs, and education. To make repatriation sustainable, UNHCR also implemented a range of subprojects to prevent conflict and facilitate integration, including Income Generation, Shelter for FDPs, and Reconciliation through Arts and Culture.

## **Key findings**

The Crimean operation provides a clear demonstration of UNHCR's potential to fulfill the mandate to reduce and prevent statelessness. Since the program's inception, some 112,000 FDPs who were either stateless or at risk of becoming stateless were able to obtain Ukrainian citizenship.

UNHCR developed a coherent and innovative response that included:

- facilitating a dialogue at the highest diplomatic levels between Ukraine and other states in the Commonwealth of Independent States (CIS).
- passage of bilateral agreements between the states involved on simplification of the procedures for renouncing and acquiring citizenship.
- passage of amendments to the Law of Ukraine "On Citizenship" followed by the passage of the New Law on Citizenship (March 2001).
- capacity building of the passport desks of the Ministry of Interior.
- creation and support of local non-governmental organizations (NGOs) that provided geographically comprehensive legal counseling and education on citizenship to FDPs.
- an intensive and multi-media public information (PI) campaign to promote awareness and understanding.

In spite of the broad range of responses, the short term nature of the subprojects and bilateral agreements have undermined UNHCR's ability to reach its objective. Today,

FDPs face many of the same barriers to citizenship as prior to intervention. In particular, the premature closure due to financial constraints of the Simferopol Field Office in August 2001 and the expiration of the bilateral agreement between Ukraine and Uzbekistan in December 2001 lead to a decline in protection and security.

While the number of *de jure* stateless persons in Crimea has been reduced to 245 according to the Ministry of the Interior (MOI), it is in UNHCR's interest to take a wider view. There are many who have difficulties obtaining Ukrainian citizenship and are therefore at risk of statelessness and further, "secondary" migration.

- an estimated 14,000 are currently unable to obtain Ukrainian citizenship (8,500 FDPs and 5,500 FDP family members or non-FDP migrants). The largest case load is from Uzbekistan, followed by Russian Federation. Somewhat smaller numbers are from Georgia, Tajikistan, Kazakhstan, and Kyrgyzstan.
- 89,000 persons in Ukraine believe themselves to be stateless according to the 2001 all-Ukrainian census.
- 75,000 persons in places of former exile (IOM 1997) experience barriers to renouncing Uzbek and obtaining Ukrainian citizenship that violate the 1992 Bishkek agreement and the 1993 Minsk agreement. The Bishkek agreement establishes in its preamble that the formerly deported have a right to return from places of deportation and to the restoration of their historic rights. In Article 1, the agreement states that the parties will provide equal political, economic, and social rights to citizens and formerly deported. These conditions do not currently obtain. Nor does the Bishkek agreement's recommendation that the sides provide one another with archival documents and data (Article 9) that would facilitate the process of obtaining citizenship.

Any operation to counter statelessness is politically sensitive, posing the risk of creating rather than reducing statelessness. In the CIS, the challenge has been to prevent statelessness at the same time that dual citizenship is avoided. Ukraine's bilateral agreements with Uzbekistan and Georgia on the prevention of dual citizenship (approved by UNHCR) prevented dual citizenship, but also made obtaining Ukrainian citizenship so difficult that Crimean Tatars were arbitrarily deprived of their right to change their nationality.

Specifically, the threats and insults from local authorities, the risk of being fired and socially excluded, the expense (25 times the average monthly salary) of renouncing citizenship, the sheer number of documents to be completed, and the associated difficulties (such as inability to repatriate savings and personal belongings) meant that only the most determined embarked on the process. If Ukraine and Uzbekistan were signatories to the 1954 Convention Relating to the Status of Stateless Persons, these practices would be in violation of key provisions, such as Article 32, which affirms that contracting states will facilitate the assimilation and naturalization of stateless persons, expediting naturalization proceedings and reducing as far as possible the charges and costs associated with the process.

One of the foremost barriers to self-sufficiency and integration is a lack of employment. FDP unemployment is over 40 percent (according to the most conservative estimates) when non-FDP unemployment is estimated to be 17 percent.

The UNHCR Income Generating Programme (IGP) attempted to address this issue. It was made more difficult by the micro credit environment emerging from the Danish Refugee Council's mixed portfolio of grants and loans.

A lack of coherent and timely decision making in Geneva and Kyiv further lowered the impact of the Income Generating Programme (IGP) in Crimea. The proposed handover to UNDP never took place because UNDP lacked both the ability and the interest to take the project. The NGO "Initium" that resumed income generation activities after an eight-month hiatus struggled with this legacy.

IGP in Crimea was also undermined by a hasty choice of implementing partners: the "Initium" Lawyer's League has not demonstrated the skills or commitment needed to implement IGP for UNHCR. Rather than opening 35 new loans in 2001 as initially projected, the organization opened 15 projects (including 14 loans and one grant) for the period January -September 2001 prior to the planned transfer to UNDP. Sustainability and impact are declining, and loan recipients allege mismanagement.

UNHCR activities in the area of shelter provision and rehabilitation are more promising, offering a number of lessons learned for future operations. The Crimea shelter activities showed that the incremental provision of construction materials is a highly sustainable and cost-effective approach that has the added benefit of addressing refugee/FDP self-reliance.

UNHCR activities in the Reconciliation through Arts and Culture Programme met most of their targeted objectives, but the programme was too limited in scope and duration to be of appreciable significance. Future reconciliation activities should take into account the ethical problems and unintended side-effects associated with this work more fully. The conflict potential in Crimea is high and the promotion of tolerance should remain a priority.

While the majority of FDPs have repatriated to Crimea, UNHCR should not consider the repatriation a durable solution until more serious, long-term, and concerted efforts are made on the part of governments, international organizations, and donors to address the continued deficiencies in citizenship and naturalization processes, housing, employment, education, and medical care among the formerly deported.

### **Summary of recommendations**

The High Commissioner, supported by Department of International Protection (DIP) PCS should renew efforts to encourage Ukraine to both accede to and implement the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Given the longstanding difficulties with acquiring citizenship, it is time for Ukraine to adopt this framework.

BO Kyiv should urge Ukrainian MPs to sign the draft law on the denouncement of the bilateral agreement with Uzbekistan on the avoidance of dual citizenship, which excludes FDPs from benefiting from many of the most important provisions of Ukraine's progressive citizenship law. (As the evaluation report was going to press, the Ukrainian Parliament passed the draft law denouncing the bilateral agreement. The denouncement will take place in October 2004. DIP and BO Kyiv should now closely monitor the situation to ensure that this development enables FDPs from

Uzbekistan to benefit from the citizenship laws in place. If FDPs continue to be arbitrarily deprived of their right to change nationality, DIP should repeat the steps taken to facilitate the signing of the August 1998 agreement on simplified affiliation and renunciation procedures.)

In view of the number of FDPs who believe themselves to be stateless, and in view of the complexity of the procedures for obtaining Ukrainian citizenship, BO Kyiv should expand the support offered to the NGO "Assistance" to process citizenship applications and provide legal counsel to the Crimean population.

"Assistance" should also be encouraged to work outside the urban capital, whether that is out of a mobile office or by establishing a temporary field office. BO Kyiv may also take into consideration those non-FDP Ukrainians who believe themselves to be stateless or at risk of statelessness and consider the implementation of another PI campaign.

The Europe Bureau of UNHCR Headquarters and BO Kyiv should take part in a roundtable or workshop devoted to devising a workable strategy to discourage state authorities from attempting to profit from naturalization procedures. This could include involving the European Commission, the High Commissioner for National Minorities (HCNM) UN High Commissioner on Human Rights, the Council of Europe (CoE), and OSCE. (Following debriefing in Kyiv on the results of the mission, the senior and assistant protection officers from BO Kyiv undertook a mission. As a result, OVIR made the desired changes. BO Kyiv should continue to monitor the situation, as they have been doing, to ensure that these changes remain in force.)

UNHCR's Department of Internal Protection (DIP) should provide legal and technical advice on the draft law "On the Status of the Crimean Tatars" and "On the Rehabilitation of the Crimean Tatars" which could serve as a potential basis for increased protection for FDPs.

The Bureau of Central Asia, South West Asia, North Africa and the Middle East (CASWANAME) should commission a detailed analysis of practices with regard to FDPs in Uzbekistan to determine the extent to which they are within the norms of international laws and treaties.

With regard to the reduction and prevention of statelessness, UNHCR should also:

Approach the Ministry of Foreign Affairs of the Russian Federation with requests to:

- expand existing receiving hours to more adequately deal with the high case load that results from the six-month suspension of processing of applications for renunciation of citizenship of the Russian Federation.
- reduce the consular fees on the basis of the 1992 Bishkek agreement and the 1954 Convention Relating to the Status of Stateless Persons, along the lines of Kazakhstan, Kyrgyzstan, and Belarus.

Approach the Ministry of Foreign Affairs of Georgia with requests to:



- cancel the requirement that applicants who wish to renounce Georgian citizenship present a reference attesting to the absence of outstanding utility bills in Georgia.
- alternatively, establish, in cooperation with Georgian authorities, a reliable mechanism for obtaining references with regard to the existence of utility bills in Georgia.

Approach the Ukrainian Ministry of Interior and the Presidential Administration on Citizenship to:

- reduce longstanding difficulties of spouses of formerly deported who encounter a long waiting period and additional expenses before they are eligible to apply for Ukrainian citizenship.
- revise the requirement that FDPs present proof of deportation to be put on lists for the distribution of housing or devise a mechanism whereby those waiting for documentation from Uzbekistan can retain their place in line.

BO Kyiv must maintain up-to-date information on its partners in Crimea. A first step is to more closely monitor their activities, including making sure that monthly and annual reports are received on schedule. Given that the situation has not been sufficiently monitored, BO Kyiv should now devise a detailed, case-by-case strategy with the NGO "Initium" for recovering the loans extended to FDPs since 2000, as elaborated in their contractual agreement.

If IGP is resumed, an approach should be selected that more closely conforms to known best practices in the areas of micro credit, income generation, and refugee livelihoods.

UNHCR Headquarters should undertake a critical reflection on the methods and objectives of tolerance programmes. While they are effective in promoting cultural revitalization of displaced groups, and in some cases facilitating greater interethnic accord, many of the root causes of conflict in former Soviet areas remain unaddressed.

UNHCR and other international organizations should use greater caution in adopting the broad categories reflected in terms like "FDP" which creates unrealistic expectations among some groups while dulling the recognition accorded to others.

BO Kyiv, the Department of International Protection, and the Europe Bureau of UNHCR should work to either eliminate the possibility that proof of deportation is required or establish new and alternative mechanisms for obtaining such documentation in accordance with the intentions of the Bishkek agreement and the 1951 Convention Article 32.

UNDP is active in the development of Crimea, but no formal areas of cooperation with UNHCR exist at this time. UNHCR is not listed as among in UNDP's partners in current materials. Efforts should be made on the part of the Europe Bureau and BO Kyiv to redress this imbalance and reestablish the cooperation that was evident in the 1998 inter-agency consolidated appeal.

In light of the need for more focused cooperation, BO Kyiv and the Europe Bureau should consider initiating another inter-agency coordinated appeal with OSCE, UNDP, IOM, and WFP that could address existing gaps.

## Introduction: aim, methods and scope

1. This report concerns the work of UNHCR in Crimea, Ukraine between 1996 and 2003. The evaluation was commissioned by Branch Office Kyiv in response to a report by the Inspector General in November, 2000. The report suggested there were significant lessons learned in the Crimea programme that could be applied elsewhere. In light of the closure of the Crimean Field Office in August, 2001 BO Kyiv felt it was important to assess the impact of the activities regarding prevention and reduction of statelessness; Income Generation for FDPs; and Reconciliation through Arts and Culture, as well as identifying future activities that UNHCR might undertake to fulfill its mandate. The question in its most succinct form was whether UNHCR should invest more time and resources in resolving problems associated with the naturalization and integration of the formerly deported (FDPs).
2. The evaluator had consultations at UNHCR Headquarters and the Branch Office in Kyiv prior to spending 10 days in Crimea in October 2003. In order to assess the extent to which the UNHCR campaign to prevent statelessness in Crimea was effective, the evaluator interviewed officials from the Department for Citizenship and Registration of the Ministry of Interior, the Deputy Head of the Directorate for Migration of Crimea, representatives of the State Committee for Nationalities and Migration (SCNM), and representatives of other government bodies. The managers and employees of "Assistance" and "Initium", UNHCR's Implementing Partners during the citizenship campaign, were also extensively consulted. To assess the impact on beneficiaries, the evaluator spoke with FDPs who benefited from the programme and visited their homes to discuss passport and naturalization issues.
3. To assess the impact and sustainability of the UNHCR Income Generation Programme, the evaluator interviewed the manager and the financial officer of "Initium." "Initium" acted as an implementing partner between 2000 and 2001 and accepted ownership of a Revolving Fund in April 2002. She also visited the businesses of the five loan beneficiaries of 2003. To further assess the impact of the programme on beneficiaries, an in-depth survey of 30 loan recipients was carried out in early November, 2003.
4. To evaluate whether the "Crimea Reconciliation through Arts and Culture Programme" met UNHCR objectives, the evaluator interviewed key actors and stakeholders in the field of tolerance education in Crimea. She also compared the UNHCR Reconciliation project to the tolerance activities carried out by the United Nations Development Program (UNDP) Crimea Integration and Development Programme (CIDP).

### **Constraints**

5. Following the closure of the UNHCR Field Office in August, 2001, the parties that had come together to implement the citizenship campaign dispersed. Some of the officials who had been active partners of UNHCR in this endeavor were retired (Nikolai Nikolaivich Matveev), demoted to other posts (Klara Fyodorovna

Vasilenko) or transferred (Head of Department for Citizenship and Registration of MOI of Crimea). Others, such as staff of “Assistance”, “Initium”, and UNHCR itself, had moved on to other positions. This created a difficult context for the evaluation, which under normal circumstances should have taken place two years earlier. For this reason, the comprehensive evaluation requested by Branch Office Kyiv was not undertaken, but a more limited and focused evaluation of the components of the Project most relevant for future operations.

### **Terminology**

6. The term formerly deported person (FDP) is used throughout this report in accordance with UNHCR terminology. However, it should be noted that formerly deported persons do not embrace this terminology, preferring to be called by their ethnonyms (Armenian, Bulgarian, Crimean Tatar, etc). According to FDPs interviewed for this study, the term was created in the late 1980s by communists in the Crimean Supreme Council who wished to blunt the political power of the respective parties by incorporating them into a larger aggregate group. The term was adopted by the Danish Refugee Council and then other international, humanitarian, and relief organizations. While the term has considerable heuristic value, it should be recognized that the various groups share only the experience of having been deported at some point in history. Their prospects for repatriation and their possibilities of integration are very different.

### **Acknowledgements**

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## The operational context

8. The right to citizenship is one of the most basic human rights: it provides a basis for having other rights. Civil status is so important to exercising rights and duties in relation to a state that Article 15 of the Universal Human Rights Declaration (1948) states that, “Everyone has the right to a nationality” and “No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.”

9. UNHCR has taken an active role to protect this right by promoting activities to prevent and reduce statelessness. The reality of large numbers of stateless persons following the disintegration of the Soviet Union, Yugoslavia, and Czechoslovakia underscored the importance of citizenship and moved statelessness higher on the humanitarian, political, and security agendas. The 1954 Convention Relating to the Status of Stateless Persons defines a stateless person as an individual, “who is not considered as a national by any State under the operation of its law.”

10. While statelessness has long been part of the organization’s mandate, it became a focus in 1995 when the Executive Committee adopted Conclusion No. 78 on the Prevention and Reduction of Statelessness. The General Assembly then requested UNHCR to more actively protect stateless persons in Resolution 50/152 of December 1996. Specifically, UNHCR was asked to promote state accession to the 1954 and 1961 Conventions; provide technical and advisory services to interested states pertaining to nationality law and practice; provide appropriate training to its staff and to government officials; disseminate relevant information; and enhance cooperation with other interested organizations.

11. It was in this context that UNHCR became active in Crimea, Ukraine, following a request in 1995 by Prime Minister of Ukraine, Eugene Marchiuk to consider assisting formerly deported persons. Representatives of UNHCR went on an assessment mission to Crimea in February 1996 and began an intervention by concentrating on the FDPs who were *de jure* stateless.

### **Statelessness of formerly deported persons**

12. The declarations of independence by the republics of the USSR and the formal dissolution of the Soviet Union in December 1991 created a complex political and legal environment for formerly deported persons (FDPs), many of whom had either repatriated or sought to repatriate to native lands.

13. Newly independent Ukraine acceded to the territory of the Ukrainian Soviet Socialist Republic, which included the Crimean peninsula (see map). This territorial delimitation remains controversial as Crimea was part of the Russian Soviet Socialist Republic until it was ceded to Ukraine in 1954.

14. Ukraine determined its initial body of citizens in its Declaration of State Sovereignty, which used the principle of *permanent residence* as the measure of a genuine and effective link to Ukraine. Article 9 of the declaration stipulates that those

persons who were citizens of the former USSR, and who were permanently residing on Ukrainian territory at the moment of the Declaration of Independence (August 24, 1991) were *ex lege* citizens of Ukraine. One of the first laws passed in Ukraine was the Law of Ukraine “On Citizenship” (November 13, 1991) which confirmed the principle set out in the Declaration of Independence.

15. This legal framework led to a situation in which an individual who immigrated to Ukraine for permanent residence as recently as 1991 was automatically granted citizenship while an individual who was born in and forcibly removed from Ukraine not only lacked citizenship, but was prevented from acquiring it. Anyone not permanently residing on the territory of Ukraine when the law entered into force had to apply through the individual naturalization procedure which required, *inter alia*, five years of residence, a certain level of income, and knowledge of Ukrainian language. These requirements could not be met by the vast majority of the FDPs who were not only more impoverished than the rest of the population due to their history, but lacked knowledge of Ukrainian. The FDPs’ lack of citizenship presents an obstacle to social integration. Without it, formerly deported persons are not eligible to vote, benefit from land distribution, or enter the civil service. A lack of citizenship also poses limitations on residence and travel, and makes the cost of higher education prohibitive.

16. Whereas most of the previously deported Armenians, Bulgarians, Germans, and Greeks had been able to return beginning in the late 1950s, the Crimean Tatars (by far the most numerous of the groups) had been legally and physically prevented from doing so until 1989, when they began mass repatriation. Since the vast majority of deported Armenians, Bulgarians, Germans, and Greeks were naturalized with the 1991 law, this report primarily concerns the Crimean Tatars who began the repatriation process later.

<b>FDPs in Crimea</b>	<b>Population</b>
Armenians	320
Bulgarians	308
Crimean Tatars	241,960
Germans	537
Greeks	1,866
<b>Total</b>	<b>244,991</b>

Source: Directorate for Citizenship of Presidential Administration of Ukraine

### **Historical context**

17. Today, many individuals in the Crimea will say that FDPs’ relative poverty and lack of integration is the “price” they must pay for helping the German regime during their occupation of the Crimea during WWII. The Armenians, Bulgarians, Crimean Tatars, Germans, and Greeks deported from Crimea were charged with treason for allegedly cooperating with the German and Rumanian Forces. However this assessment is erroneous. While they have yet to be fully rehabilitated, scholarship has established that a) all nationalities, including Russians and

Ukrainians were known to collaborate, in some cases on a greater scale, b) the people who were punished were not necessarily the people who collaborated. Most of the individuals who actually collaborated were evacuated with the German army and c) the peoples were deported without jury or trial, no measures being taken to establish guilt or innocence.

18. The deportations ordered by Stalin have had a significant impact on contemporary demography. The Armenians, Bulgarians, Crimean Tatars, Germans, and Greeks who were deported to Central Asia and the Ural Mountains left without adequate clothing, food, or water. At least one third, and perhaps as high as one half of the population perished during the journey or in the first three years of internment. Back in Crimea, Russians and Ukrainians were moved in to support the economy. They occupied the homes of the deported, inheriting their fields, irrigation system, and livestock. These Soviets destroyed or converted for other uses the burial grounds and cultural monuments that had been left behind. The special settlement system was dismantled in 1956, and some of the Armenians, Bulgarians, Greeks, and Germans returned. However, there have been no measures to attempt effective property restitution. The Crimean Tatars who repatriated in the late 1980s and 1990s and lacked citizenship were largely unable to participate in the privatization process. Hence the issue of citizenship is integrally linked to problems of social, political, and economic integration.

### **Three categories of FDPs**

19. When UNHCR completed the initial assessment mission and took the decision to become involved, the FDPs were identified as belonging to three different categories:

1. FDPs who returned to Ukraine before the legislation entered into force. The returning FDPs who registered their permanent residence by November 13, 1991 when Ukrainian citizenship legislation entered into force (and who did not possess the citizenship of another state), were defined as *ex lege* Ukrainian citizens. Of the 258,000 Crimean Tatars who had returned to Crimea, roughly 150,000 acquired Ukrainian citizenship in this manner.

2. Those who left places of former exile (primarily Uzbekistan) and returned to Ukraine *after* Ukrainian citizenship law entered into force but *before* the citizenship legislation in their respective states took effect were *de jure* stateless. At the time UNHCR became involved in 1996, there were 25,190 individuals who were *de jure* stateless.

3. FDPs who returned (and are still returning) to Ukraine after the Ukrainian citizenship law entered into force, and after the respective citizenship legislation took effect in places of former exile (and still had a residence registration or *propiska*) *de jure* acquired citizenship of those states. At the time that UNHCR became involved, this group comprised approximately 82,810 individuals. These individuals were at risk of statelessness as the legislation of many CIS countries predicted citizenship would be forfeited if citizens lived abroad for extended periods.

20. While the Crimean Tatar leadership recommended a process of group naturalization for the later two categories, this option was unacceptable to Ukrainian authorities. Many observers describe the situation at this time as a critical one, as the requirements and the five-year waiting period effectively barred approximately 108,000 FDPs from participating in civic life prior to presidential and parliamentary elections. UNHCR confronted and resolved a series of difficulties in the process of reaching solutions.

### **The history of UNHCR involvement**

21. In line with the mandate to reduce statelessness, UNHCR initially focused on the second group of FDPs who were *de jure* stateless. UNHCR provided technical support in the form of computer equipment and training to the OVIR (Ministry of Interior) offices that process citizenship applications, as well as working with the State Committee for Nationalities and Migration (SCNM) to rehabilitate some of the communal buildings that housed the most vulnerable FDPs.

22. UNHCR and OSCE High Commissioner for National Minorities Max van der Stoep then initiated a high-level dialogue on the citizenship issue. They spearheaded a series of roundtables and a controversial debate in the Ukrainian Parliament. The outcome was that the Ukrainian Parliament passed the Law of Ukraine "On the Introduction of Amendments and Additions to the Law of Ukraine on Citizenship of Ukraine." This amendment, which entered into force on 20 May 1997, contained a revised Article 2 in line with UNHCR recommendations.

23. The revised Article stipulated that citizens of Ukraine will be, "persons who were born or resided permanently on the territory of Ukraine, as well as their descendants (children, grandchildren), if they resided beyond the borders of Ukraine as of 13 November 1991, do not hold citizenship of other states, and before 31 December 1999 submit an application on determining their affiliation to Ukrainian citizenship in accordance with the procedure established under the present Law."

24. According to the amendment, access to Ukrainian citizenship was accessible through a simplified affiliation procedure without undergoing naturalization procedures and without the need to meet the previous requirements. This amendment allowed the immediate affiliation of the 25,190 FDPs who were *de jure* stateless.

25. The law was subsequently revised at least six more times. Additional amendments allowed for persons who came from Tajikistan and Kyrgyzstan to affiliate without renunciation of previous citizenship on the grounds that these states foresaw immediate loss of citizenship in case of acquisition of another citizenship.

26. However, with time, it was recognized that the third group, primarily FDPs who had returned after Uzbek citizenship law was implemented, were at risk of statelessness and in need of protection. In these efforts, UNHCR adopted an approach that was both practical and creative.



- Roundtables were held with authorities and officials in Geneva and Yalta to discuss the citizenship issue.
- Workers of the local passport desks (OVIR) were trained and provided with office and data processing equipment.
- The NGO “Assistance” was supported in working with the local OVIR officers, as well as delivering information and legal counseling (later two more NGOs were added).
- Four mobile offices were set up in mini-vans with typewriters and photocopiers to naturalize citizens in the rural areas of Crimea. The mobile offices were staffed with OVIR workers, representatives of the NGOs, and notaries who could legalize documents.
- The journal *Citizen* was published to provide accurate information to government workers and journalists.
- Free concerts were held to promote the campaign.

27. There are several elements that warrant emphasis here. Refat Chubarov underlined that it was UNHCR that made the Ukrainian government appreciate the issue of statelessness. It was also UNHCR that served as a vital link between states, and between the government and FDPs. Elvira Zeitullaeva, manager of “Assistance” Foundation, added that prior to UNHCR intervention, no one believed that the workers of the passport desks, who are part of the Ministry of Interior and viewed as part of a “police” structure, would be able to work with representatives of a social organization. Yet that is what happened and a highly effective working partnership was formed. It should also be underscored that the mobile offices are an immense accomplishment as Ukrainian authorities were not previously accustomed to the notion of outreach.

28. In spite of the improvements in legislation, many FDPs did not take advantage of the possibilities for accession to Ukrainian citizenship. One reason is that many Crimean Tatars live in refugee-like conditions and are fully occupied with daily survival. The Soviet legacy also had a role: many had learned to distrust the authorities and preferred to not to legalize their presence. Others were not adequately sensitized to the importance of citizenship, retaining their Soviet orientation to the “*propiska*” system as sufficient for access to goods and services. While these factors certainly influenced the slow response to revised legislation, the primary issue was the sheer difficulty of renouncing Uzbek citizenship.

29. Renouncing Uzbek citizenship posed a significant barrier because it required a presidential decree. This was a lengthy procedure that typically took several years. It involved collecting a series of 9 different signed and notarized documents and paying a 100 to 120 dollar fee. In a place when the average monthly salary is roughly 5 dollars a month, this presented an insurmountable problem, particularly to large families. Those who embarked on the process were prone to losing their jobs and subjected to the verbal threats of consular and state workers along the lines of old Soviet practices. The presidential decree and the policies and practices associated

with it therefore arbitrarily deprived Crimean Tatars of the right to change nationality.

30. UNHCR worked to resolve the difficulty of renouncing Uzbek citizenship with high-level authorities. Mrs. Ogata wrote a personal letter to President Karimov, as did Max van der Stoep, OSCE High Commissioner on National Minorities. UNHCR also facilitated and financed a mission of high-ranking official from the Ukrainian Presidential Administration to Uzbekistan. The negotiations led to an agreement that Uzbekistan would allow a simplified procedure on release from citizenship of the Republic of Uzbekistan. This included waiving the fee on a time-limited basis.

31. Significantly, the agreement also revised the process through which FDPs renounced the citizenship of Uzbekistan and acquired Ukrainian citizenship. FDPs no longer had to travel to Uzbekistan to renounce citizenship. The local OVIR registration services of the Ministry of Interior became responsible for collecting the appropriate forms and forwarding them to Kyiv, where they were processed before being sent to the relevant Uzbek authorities.

32. At this time, UNHCR advocated a procedure that would eliminate the possibility of an individual ending up stateless upon renunciation of their Uzbek citizenship. For that reason, an administrative reference articulating the person's eligibility for Ukrainian citizenship was drafted *at the same time* that the renunciation application was completed and forwarded to Uzbek authorities. In accordance with UNCHR recommendations, the Ukrainian authorities agreed that the date of affiliation to Ukrainian citizenship would coincide with the date of release from Uzbek citizenship.

33. Between October 1998 when the procedure was introduced and 31 December 1999 when the initial agreement expired, some 53,000 FDPs acquired Ukrainian citizenship. This was 86 percent of the total number of FDPs with Uzbek citizenship.

34. In recognition of the large number of FDPs who had not yet taken advantage of the simplified procedure, the agreement was renewed from November 2000 to December 2001, after a hiatus between January and November 2000. The PI campaign introduced in the initial phase was also intensified. Radio clips and TV commercials were aired and posters, pamphlets, videos disseminated. Print media included a brochure for school children to encourage them to urge their parents to acquire citizenship.

35. Following each agreement, there was a period of inertia. For example, after the first agreement was signed, there was little information dissemination in Uzbekistan. By the time the process gathered momentum, the agreement was coming to a close. As a result, it fully functioned for only 3 of the 12 months it was in effect.

36. There were also remaining difficulties with regard to the 21,515 FDPs who returned from other newly independent CIS countries such as Russia, Tajikistan, and Georgia. In 2001, UNHCR focused on this group of FDPs from other CIS countries. Following lobbying efforts, agreements on simplified citizenship procedures were signed with Belarus, Kazakhstan, and Moldova.

37. With regard to Tajikistan, it was arranged with the Ministry of Foreign Affairs for a consul to come and work in Crimea. Over 120 FDPs were released from Tajik

citizenship in the course of 10 days, allowing them to gain Ukrainian citizenship. A similar arrangement was made with Georgia with less success. The consul who came left with FDP personal documents. Only after one year and repeated appeals were a portion of them returned. It should also be noted that during the simplified procedure, the documents of 31 people were lost. According to the Permanent Representative of the President in Crimea, they have now been without documents for over three years.



## The citizenship campaign

38. UNHCR's citizenship campaign for formerly deported persons can be counted as one of the organization's outstanding successes. The New Law on Citizenship of Ukraine passed in March 2001 represents a significant achievement in the history of Ukraine and signals a high degree of responsiveness to the concerns and suggestions of UNHCR.

39. However, most of the officials and formerly deported persons interviewed for this study felt that UNHCR closed its Field Office prematurely. Many of the barriers to citizenship that UNCHR worked so diligently to remove were again raised. Also troubling is the evidence that legal conditions have been deteriorating since the UNHCR departure in August 2001. The evaluation established that there are also subjective barriers that prevent formerly deported and others from enjoying their rights under this law. A limited and focused engagement on the part of UNHCR could help protect FDP rights.

40. The Head of the State Department for Citizenship, Immigration, and Registration, the body in charge of all OVIR offices, understands that the previous difficulties with obtaining Ukrainian citizenship are 99.9 percent resolved. According to the OVIR data, there are 245 stateless persons (of various nationalities) in the ARC. This figure is derived from data submitted by the passport desks.

41. While it is perhaps accurate that there are few *de jure* stateless persons in Crimea, this does not mean that all FDPs have access to Ukrainian citizenship. The difficulties with regard to renouncing citizenship in places of former exile and obtaining Ukrainian citizenship are still far from resolved.

42. This is demonstrated by the fact that in the first nine months of 2003 alone, 935 clients turned to "Assistance" for help in obtaining Ukrainian citizenship. From 150 to 350 persons continue to arrive in Crimea per month and must affiliate to Ukrainian citizenship on an individual basis. This number can be expected to rise if conditions in Uzbekistan change.

43. UNHCR estimates should also be adjusted to account for that portion of the Crimean Tatar population whose repatriation strategy includes seasonal migration. Some FDPs build homes in Crimea while the weather permits and work in Uzbekistan, Russia, Kazakhstan, or other states for income to finance the construction. These individuals avoid registering their presence with the passport desks. They may account for part of the discrepancy between the number counted at the time of the 2001 census (248,000), and Crimean Tatar population estimates (265,000).

44. UNHCR estimates of the potential case load must also consider that there are at least 50,000 and perhaps as many as 100,000 formerly deported Crimean Tatars in Uzbekistan (IOM 1997) who experience state-created barriers to repatriation and naturalization. Since the evaluation took place, the most significant barrier, the bilateral agreement with Uzbekistan on prevention of dual citizenship, has officially

been removed. However remaining policies still prevent them from repatriating savings, moving belongings, and selling homes. This is in violation of the 1992 Bishkek agreement articles 3, 4, and 6 as well as the principle set out in article 32 of the 1954 Convention. It is these FDPs who constitute a population of concern for UNHCR, for they continue to be arbitrarily deprived of their right to change their nationality.

45. The specific legal and administrative difficulties with obtaining Ukrainian citizenship can be summarized as follows:

46. *Ukraine's bilateral agreements with Uzbekistan and Georgia on the avoidance of dual citizenship pose hardships.* From December 2001 to the present, Ukraine has not been accepting applications for citizenship from citizens of these states without proof that they had renounced the previous citizenship. In the case of Uzbekistan, renouncing citizenship is financially impossible for the vast majority.

47. In October 2004, the renunciation procedure should return to the equal access to the law that UNHCR envisioned. FDPs from Uzbekistan, like FDPs from other republics, should be able to benefit from the Law of Ukraine "On Citizenship," which gives citizens the right to submit a declaration of *refusal* of previous foreign citizenship in the event that the individual has applied for renunciation of previous foreign citizenship, but has not obtained the necessary statement for reasons not depending on him. Included in reasons that do not depend on the legal person are: the high cost of renouncing citizenship; the absence of an established procedure for renouncing citizenship; and not being issued the requested documentation.

48. However, some citizens may still be vulnerable to being arbitrarily deprived of their right to change nationality. According to order No. 49/1-/08 of the State Department for Citizenship, Immigration, and Registration of the Ministry of the Interior, the workers of the passport desks are obligated to accept the declaration of refusal of foreign citizenship a) *only* from those persons who have *documented proof* that they applied to the appropriate organs of the government of previous place of living and b) on the condition that from the moment of application, one year has passed.

49. While "Assistance" is in the practice of systematically documenting the application process, lay persons find that not only have they been unable to renounce citizenship, but the same organs are not forthcoming with proof that they applied.

50. If Ukraine were to sign the 1954 Convention Relating to the Status of Stateless Persons, it would establish an appropriate standard for future legislation in Ukraine. Specifically, Article 32 states that, "The Contracting States shall as far as possible facilitate the assimilation and naturalization of stateless persons, they shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings."

51. *Additional requirements have been introduced in Georgia.* Since the agreement on the simplified procedure expired in December 2001, several states have introduced additional requirements into the application process. In the case of Georgia, citizens are required to demonstrate the absence of utility debts at the previous place of residence in Georgia. FDPs report that they do not receive replies to their requests for the reference. Such a reference is impossible for younger FDPs, who did not pay

utility bills. Were Ukraine a signatory, the practices could be brought into accordance with Article 25 of the 1954 Convention Relating to the Status of Stateless Persons, which recommends that when the exercise of a right by a stateless person would require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting State in whose territory he is residing shall arrange that such assistance will be afforded to him.

52. *Government and firms have benefited from the naturalization process in ways that are not provided for by the Ukrainian law "On Citizenship," and that would be in violation of Article 32 of the 1954 Convention, were it in force in Ukraine.* Article 32 states that, "The Contracting States shall as far as possible facilitate the assimilation and naturalization of stateless persons, they shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings." The Ukrainian OVIR required that FDPs provide a costly reference regarding criminal record, obtainable only from a private company. It can be presumed that profits from the arrangement were being shared. Following the debriefing on the evaluation and a subsequent mission by the senior protection officer and protection assistant of BO Kyiv, OVIR stopped this practice.

53. *The citizenship of the spouses of FDPs continues to be difficult to obtain.* This is a sensitive issue for FDPs who argue the separation is artificial: the spouses of FDPs have often gone through the same forms of political repression, and the same kinds of human rights abuses as FDPs. For example, those who attempted to return to the peninsula in the 1960s and 1970s were deported, detained, and interrogated by local authorities. Currently, the spouses of FDPs are required to apply for citizenship as persons without a territorial link to Ukraine. This entails greater expense and in some cases a two-year waiting period. UNHCR should advocate that the legislation be changed to eliminate the risk of spouses of FDPs becoming stateless.

54. *There are difficulties with renouncing citizenship of the Russian Federation.* Citizens of Russia face long delays following a six-month period of non-implementation of the Russian Citizenship Law while it was in the process of revision.

55. Citizens of Russia must also pay a US 36 dollar fee to the consulate. The Russian Federation recently lowered the fee and many allege "price wars" to eliminate the possibility that applicants could claim the fee exceeded the average monthly salary.

56. *Russia has also introduced additional requirements.* The Russian Federation has recently introduced the requirement that citizens wishing to renounce their citizenship submit a reference that they do not owe debts to the tax inspection. In the event that the individual was a dependent in the Russian Federation, he or she does not receive the necessary reference from the Russian tax authorities and his or her statement of renunciation of Russian citizenship can be further delayed.

57. *Children of formerly deported children may experience difficulty.* There is some evidence that the children of former deportees are not sufficiently protected under the law. "Assistance" Foundation has been able to secure Ukrainian citizenship for them, but some applying without "Assistance's" intervention suggested that the New Law on Citizenship permits multiple interpretations, some of which are unfavorable to FDPs.

58. *There are irregularities with Ukrainian passports issued in Uzbekistan.* Individuals who apply for Ukrainian citizenship at the Ukrainian embassy in Uzbekistan are issued an international Ukrainian passport and permission to enter Ukraine. However, they are required to exchange this international passport for an internal Ukrainian passport upon arrival in Ukraine. Some are informed that the passport is not sufficient to receive citizenship, and they lack “proper” documentation, even though there is a statement on the inside of the passport to the effect that the individual should be assisted. According to “Assistance,” this is because the Ukrainian embassy in Uzbekistan does not always issue the required reference that the person is a citizen of Ukraine. “Assistance” has been able to intervene, but there are a number of individuals who fall into the gap created by this official oversight.

59. *There are at least three types of irregularities in the process of renouncing citizenship in Uzbekistan.*

Some individuals repatriate by first applying for an exit permit. When they then try to legalize their presence in Ukraine, they are not allowed to immediately apply for citizenship, but are told they must start with the permanent residence permit (see below), which can be complicated and costly to obtain. Hence, they are penalized by the extra requirements.

Those who apply for Ukrainian citizenship while still living on the territory of Uzbekistan (some 5 or 6 thousand) do not need permission to enter Ukraine. But problems arise on the Uzbek side when they are then treated as “foreigners” on the territory of Uzbekistan, and required to pay hard currency for tickets and luggage, a practice that violates the Conventions as described above.

If, however, a person applies only for permission to enter Ukraine while remaining a citizen of Uzbekistan, the local authorities recognize the permission of Ukraine, but demand immediate withdrawal from Uzbek citizenship, a prohibitively costly procedure that takes over one year to complete.

60. Were Uzbekistan a signatory, these practices would violate the 1954 Convention Relating to the Status of Stateless Persons. CASWANAME should therefore do a detailed analysis of practices in Uzbekistan to determine the extent to which they are within the norms of international laws and treaties.

61. *There are difficulties in establishing permanent residence.* Insofar as the procedure for renouncing citizenship of Uzbekistan takes one year and longer, citizens apply for permanent residence (*vid na zhitelstvo*).

62. *The document establishing permanent residence is a costly one to obtain.* “Assistance” Foundation calculates that it costs approximately UAH 85, roughly one-third the average monthly salary, to obtain. This represents a significant increase from UAH 3.40.

63. *Some individuals, such as the spouses of FDPs who have not yet acquired citizenship are ineligible for this document.* They are issued temporary permits, and are required to repeatedly leave and reenter the peninsula (at their own expense) to maintain their



legal status. It should be noted that the time frame for obtaining such a document has become protracted, typically lasting at least six months. The cost of a temporary registration has risen from UAH .85 to UAH 17.

64. *There are irregularities in the process of applying for permanent residence.* The law requires an exit stamp at the former place of residence for those Ukrainian citizens who are leaving Uzbekistan for permanent residence. Since changes in the law obviated the need for such a stamp from Uzbekistan, a different requirement has been introduced: the person must be listed in the Consular Department of the Embassy of Uzbekistan. If upon arrival in Ukraine an individual has neither the stamp nor a document to this effect, his or her application for permanent residence is not accepted.

65. *There are continued difficulties in obtaining documentation.* Article 8 of the Law "On Citizenship" stipulates that those wishing to obtain citizenship according to the territorial link are required to present evidence that would establish birth or residence (of the individual or his or her close relative, including grandparents, parents, and full brothers and sisters) on the territory of Ukraine before July 16, 1990. "Assistance" Foundation works with individual applicants to locate appropriate documents. It is extremely difficult, however, for orphans or children of deportees whose parents died in places of exile some time ago to locate the appropriate documentation. Half brothers and half sisters are typically ineligible. Although the law does not stipulate the specific documents required, there continue to be instances in which archival proof of deportation is required. This documentation is not always possible to obtain. UNHCR must work to either eliminate the possibility that this document is required or establish new and alternative mechanisms for obtaining such documentation.

66. *Like the residence permit, registration has become expensive.* "Registration" has replaced the *propiska* system, which is required at the place of residence. OVIR has required a "voluntary contribution" of UAH 25.50 to obtain it. After briefing BO Kyiv on the results of the evaluation mission, the senior protection officer and protection assistant conducted a mission, which resulted in the Crimean OVIR making the requested changes. This response underscores the critical importance of a strong UNHCR presence.

67. *There are many subjective factors that remain.* Many FDPs believe themselves to be stateless when in fact they are citizens of another CIS state. This is in part because the legal framework for acquiring citizenship in Ukraine has changed seven times in eight years. In addition to the Law of Ukraine "On Citizenship," new legislation includes the Law of Ukraine "On Immigration" and "On Foreign Aliens" which, together with the law "On Citizenship," regulate migration. The permanent residence permit and "registration" further complicate the system that confronts repatriating FDPs. It is difficult for the majority of lay persons to protect themselves within this framework. "Assistance" Foundation should therefore be supported to continue and expand the work to educate and counsel the Crimean population.

68. On the whole, the range of policies with regard to travel and migration tend to be unfavorable to the FDPs returning from Uzbekistan. For example, Ukraine's contradictory standards with regard to travel to other CIS countries contribute to the general atmosphere in which FDPs feel their rights are not being observed. Ukraine has concluded bilateral agreements with Russia, Moldova, and Belarus to permit

citizens to travel between these countries without a visa. However, with Uzbekistan, Tajikistan, and Kazakhstan, the countries that FDPs are most likely to visit to see relatives and friends, Ukrainian passports for travel abroad are required. From an FDP perspective, this amounts to a form of discrimination, as they must pay for international passports more often than non-FDPs.

### **Positive developments since the evaluation**

69. The Directorate for Citizenship of the Administration of President of Ukraine recognized that the bilateral treaties on the avoidance of dual citizenship added unnecessary complications to the process of acquiring Ukrainian citizenship. The Directorate for Citizenship initiated discussions to change these agreements. Georgia agreed in principle, but the specific changes were not approved by the Georgian Ministry of Justice. Uzbekistan also agreed to make changes but added points that, from the Ukrainian perspective, were unacceptable.

70. As a result of the disappointing results of discussions, a draft law was submitted to the Verkhovna Rada concerning the denunciation of the bilateral agreement of the prevention of dual citizenship. Although, the prospect of the draft law passing in the Verkhovna Rada was initially perceived as low, it passed on December 10, 2003.

### **“Assistance” Foundation**

71. UNHCR implementing partner “Assistance” plays a vital role in the reduction of statelessness. “Assistance” was active in the UNHCR-financed citizenship campaign from 1997-2001. Since the expiration of the agreement on simplification in December 2001, “Assistance” has filled a crucial legal, technical, and advocacy gap. They help applicants acquire the necessary documentation and translate that documentation into Ukrainian. Perhaps most importantly, the “Assistance” staff takes the documentation and payment to the Uzbek embassy in Kyiv on a regular basis, an unavoidable step in the process of acquiring Ukrainian citizenship. The fact that “Assistance” travels with between 100 and 300 applications for renunciation of Uzbek citizenship means that a corresponding number of FDPs have been relieved of the necessity to travel to Kyiv individually (an eighteen-hour train trip, one way).

72. The value of helping FDPs obtain the necessary documentation should not be underestimated. For example, under UNHCR auspices, “Assistance” established a smooth working relationship with archives in Uzbekistan that will issue them documentation that in practice is not released to the Ukrainian marriage registry or individuals. It should also be noted that “Assistance” has established a positive working relationship with the Uzbek embassy in Kyiv, which accepts them on non-receiving days.

73. “Assistance” also fills a crucial advocacy role. For example, they took a lead role in stressing the Ukrainian requirement of a reference of address and a reference on criminal record was not within the law.

74. UNHCR should expand and develop its support to this organization to intensify efforts outside the capital city. The PI campaign notwithstanding, there is still a need for outreach to the more remote and rural communities in which FDPs

are living. "Assistance" Foundation's salaries have not risen in correspondence with the cost of living or the level of taxation. Another information campaign might also be considered, bearing in mind the survey by Prybytkova that suggested that the most effective sources of information dissemination were TV (81.4 percent reported learning about the simplified procedure in this way) and the passport desks of OVIR (31.5 percent) (Prybytkova 2000).



## Income-generation

75. The high rate of unemployment among FDPs is integrally linked to their citizenship and legal status: upon returning in the early and mid-1990s, many FDPs lacked a *propiska* or residence permit. This prevented them from becoming legally employed. Contributing factors are the need to construct individual dwellings; the remote locations of Crimean Tatar housing in relation to work; reluctance to hire the Crimean Tatars as a result of ethnic prejudice; and the disparity between the skills and qualifications brought from places of former exile and the employment market on the Crimean peninsula.

76. The sheer scale of unemployment and under employment, and the extent to which the informal sector or grey economy is relied upon for subsistence suggests that for the repatriation of FDPs to be durable and sustainable, there must be significant efforts devoted to income generation.

77. UNHCR support has been in the form of an Income Generating Programme and Revolving Fund that was fully handed over to “Initium” in April 2002. The evaluation focused on the *impact* that UNHCR funds had on the FDP target groups in Crimea, and the *sustainability* of the NGO assigned to carry out the work.

78. To evaluate sustainability, the evaluator visited “Initium,” interviewed the staff, reviewed their accounting procedures, and consulted project documentation to gauge the operational and financial performance of the project.

79. To evaluate the impact of UNHCR funding on FDPs in Crimea, a survey of the project beneficiaries was carried out. The survey questionnaire was designed and pretested by the evaluator, who visited the five most recent loan beneficiaries in October 2003. The detailed survey was then carried out by an independent consultant with a background in NGO development and capacity building.

### **Income-generation in Crimea**

80. Income generating activities began with Danish Refugee Council (DRC) implementing a mixed portfolio that included loans and grants. In 1998-1999, they opened 480 new projects (grants and loans) at a cost of USD 151,000. The DRC closed its Crimea office in 1999.

81. In 2000, “Initium”, the Crimean Tatar Lawyer’s League that had previously been active in the citizenship campaign took on income generating activities for UNHCR. At this time, UAH 40,025 or USD 7,412.03 (at average 2000 exchange rate of USD = UAH 5.42) was due for repayment. Many of the projects taken over from the Danish Refugee Council were not functioning, and “Initium” also experienced difficulties issuing new loans.

IGP	DRC	Initium	Initium
Year	1998-1999	2000	2001 (Jan-Aug)
New projects	480	77	15
Cost (USD)	151,000	50,524	42,172

82. In 2000, 77 new projects were assisted by Initium including 70 mixed loans/grants and 7 loans. In 2001, 15 projects were assisted including 1 grant and 14 loans.

83. With the impending closure of the Field Office in August 2001, preparations were made to transfer a Revolving Fund valued at US \$68,336. Representatives of "Initium" visited each of the loan recipients together with UNDP staff to explain the changes. However at this time, the income generation activities of the Crimean Integration and Development Programme (CIDP) were suspended due to transfer of the programme from UNOPS to UNDP. When they resumed their IGP activities six months later, they decided that the UNHCR approach was too humanitarian in orientation. Adding to their reluctance to assume the HCR Revolving Fund was the history of default in the region. UNDP prefers to issue credits through a bank with FDP property as collateral. UNDP was reluctant to enter the environment with the knowledge that when banks see high default rate, they are reluctant to lower the ceiling of their loans to a micro-credit level. They decided to redirect their efforts to development and only become involved in micro credit if there was a sufficiently professional staff.

84. The eight-month hiatus, during which neither "Initium" nor UNDP had the authority to accept payment from beneficiaries, was ruinous for the Fund. When UNHCR decided to return the revolving fund to "Initium" in January (a decision that took effect in April 2002), there was little discipline to repay loans. The lack of timely decision making in Kyiv and at Headquarters had clearly had a negative impact. When "Initium" attempted to reestablish contact, clients told them that they had been informed that the programme was closed. They also alleged that when they went to the UNDP offices to repay their loans, they were told that they should consider the loan "humanitarian aid." "Initium" was unable to establish the specific individuals who disseminated this information.

85. The Revolving Fund that was ultimately transferred to "Initium" in April 2002 was valued at UAH 47,192 plus collectibles amounting to UAH 400,621. The total revolving amount was UAH 447,813, equivalent to USD 84,175 according to the March 2002 exchange rate (see table below). The new outstanding loans for 2003 are valued at UAH 66,506 or USD 12,548. The average loan balance is UAH 13,301 or USD 2,509 for 2003. The total amount of old and new outstanding loans is UAH 406,597 or USD 76,716 (according to the October 2003 exchange rate = 5.3). Today, "Initium" has a balance of UAH 18,577 available for new loans or USD 3,505, enough for one or perhaps two new loans.

INCOME-GENERATION

In Ukrainian Hryvna (UAH):

<b>Initium</b>	<b>2000</b>	<b>(Jan-Aug) 2001</b>	<b>(Apr-Dec) 2002</b>	<b>(Jan-Oct) 2003</b>
<b>Revolving Loan Fund</b>	N/A	N/A	47,192	18,578
<b>Expenses (on loans) in UAH</b>	92,216	227,226	51,039	66,506
<b>Collectibles (Amt. due) in UAH</b>	239,656 <sup>1</sup>	419,385	400,621	406,597
<b>New Loans Opened</b>	7	14	3	5
<b>Loan Officers</b>	2	4	2	0
<b>Loans over 30 days</b>	N/A	100%	100%	99%

**“Initium”**

86. “Initium’s” approach has been to charge a one-time, up-front “humanitarian installment” of 15 percent, which is devoted to the Revolving Fund. This approach is well received by beneficiaries, who are averse to traditional bank loans and interest rates as a result of negative experiences in the past. Loans (up to \$3000) are used to purchase equipment, which is held in “Initium’s” name as collateral until it becomes the property of the beneficiary when the loan is fully repaid. Repayment is monthly, although in practice it is at the beneficiary’s convenience. Terms are also flexible.

87. Beneficiaries. “Initium” was unable to provide a verbal or written description of their selection of beneficiaries at the time of the evaluation, although according to their contract, established criteria exist. The survey indicated that one loan was issued and then revoked on the basis that the individual did not have refugee status (although refugee status is not a requirement for receiving a loan). Almost half (thirteen out of thirty) beneficiaries surveyed no longer lived or worked at the address indicated in project documentation. For several, there was no knowledge in the neighborhood of the existence of any project or loan at that address at any time.

88. Potential beneficiaries are asked to draw up a business plan. In the absence of a business or finance background on the part of the staff, however, the analysis of such plans appears to have been somewhat impressionistic. “Initium” has found that their most successful loans are to individuals who already have established businesses and wish to expand. “Initium” has had two follow-on loans and has written off two loans.

89. As the table below shows, debt is rising while the amount available to make new loans is decreasing. In USD:

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<sup>1</sup> In 2000, collectibles are UAH 239,656 as of 31 Dec. 2000, UAH 419,385 as of 31 December 2001, UAH 400,621 as of 1 April 2002 and UAH 406,597 as of 1 January 2003 as reported by Initium

INITIUM REVOLVING LOAN FUND	(Apr-Dec) 2002	(Jan-Oct) 2003
	Funds Available	8,870
Funds Expensed on loans	9,575	12,548
Outstanding (Amt. due)	75,304	76,716
New Loans Opened	3	5
Clients per Loan Officer	15	(no staff)
Loans over 30 days	100%	99%

90. The UNHCR Income Generating Programme was undermined by three miscalculations. First, the mixed grant and loan portfolio offered by DRC and then "Initium" until the end of 2000 (discontinued at the recommendation of UNHCR) is widely recognized to destroy the discipline of beneficiaries, fostering an attitude of dependency. Second, uncertainty surrounding the handover of the Revolving Fund created a vacuum in which no one could act with authority. It was filled only when UNHCR reverted, on short notice, to "Initium." This severely compromised "Initium's" credibility with clients, and led to an estimated 16 percent return rate instead of the anticipated 70 percent rate. Finally, the joint decision in Kyiv and Headquarters to engage "Initium"

91. and transfer the ownership of the Revolving Fund in April 2002 lacked grounding in best practices. Specifically:

92. *UNHCR chose non-specialists*, (a lawyer's league) to handle the Revolving Fund in a micro credit environment that was well-known to be difficult. Of the four loan officers engaged by "Initium," only one had economics in his or her background. The other three specialized in philology, engineering, and law.

93. *"Initium" has not specialized* in income generation. Even at the peak of activities in mid-2001, "Initium" was 50 percent engaged in income generation, reserving the other 50 percent of their activities for legal aid. Today, they are 20 percent engaged in income generation and 80 percent engaged in a variety of other projects, with funding from other international organizations.

94. *"Initium" has not followed the accounting practices required by UNHCR.* They have not submitted the required reports. "Initium" also does not account for the administrative costs of the legal aid and the income generation separately, precluding an assessment of the cost of their product.

95. *Outreach is nonexistent.* One reason is that the amount of the Revolving Fund is so low. The other reason is the image that "Initium" has promoted: with the exception of a small group of beneficiaries, community members are under the impression that "Initium" discontinued IGP activities in 2001 and is now exclusively engaged in legal aid. This is a matter of concern in light of the mandate to specifically provide the most vulnerable FDPs with income generation options.

96. *Technical assistance is low.* The survey of beneficiaries indicated that "Initium" has not provided sufficient technical assistance in the areas of small business start-



up, taxation, and legislation. Forty percent of respondents indicated not receiving any guidance. On the positive side, beneficiaries felt that “Initium” would defend them if legal difficulties arose.

97. *Institutional efficiency is low.* In 2000, three new projects opened, signed by the DRC but implemented by “Initium.” In 2001, (January to September when the proposed hand over was to take place) 15 new projects were opened. If the 15 active loans from DRC are included in the 2001 caseload, each of the four staff had 7.5 loans at the peak of activity. Industry standard is higher.

98. *Portfolio quality is low.* Of the loans opened in 2001, 100 percent are over 30 days. The MFI industry suggests that the portfolio at risk should not exceed 3 percent of the total portfolio. While alternative standards can be used for highly vulnerable populations, many of the recipients are only paying on a sporadic basis. MFI industry suggests the portfolio subject to late payment of one day or more should not exceed 10 percent. On the positive side, two loans were closed in 2003. One had been opened in 2000 and the other in 2001.

99. *Impact is low.* “Initium” opened 5 new loans in 2003 to benefit of a total of 5 families or 24 individuals. The expected output in the Project Description 01/AB/UKR/LS/470 Annex A was initially 35 small projects expected to benefit some 140 individuals.

100. While the established performance indicator in Project Description 01/AB/UKR/LS/470 Annex A was a 70-80% percent loan repayment rate, “Initium” estimates a 16 percent repayment rate.

101. Analysis of the results of the survey suggests that many beneficiaries did not benefit from the loans. In three cases, only a portion of the agreed upon equipment and materials were delivered. For example, expensive sewing machines were delivered and the beneficiary was told there were no funds remaining to buy the material they had agreed upon. The project is non-functioning. Only half of the respondents who could be located reported a positive change in their monthly income. Sixty-two percent of the survey respondents reported no improvement in their ability to meet daily needs. Two respondents reported that their relations with neighbors became more difficult as a result of their relationship with “Initium”.

102. *Sustainability is low.* “Initium” was unable to pay its loan officers in 2002 and 2003, resulting in their gradual departure. Today, having retained only the manager and the accountant on a part-time, voluntary basis, the organization is ill equipped to generate new loan activity.

103. The ultimate outcome of the failed handover to UNDP is a confused beneficiary population, low sustainability, and low impact. To avoid negatively impacting income-generating activities in the future, UNHCR should act more quickly and decisively to resolve contractual ambiguities at all levels.

## **Recommendations**

104. BO Kyiv and “Initium” should develop a detailed strategy for recovering the outstanding loans. Given the evidence that some of the loan beneficiaries may not exist, the strategy must be devised on a case-by-case basis. “Initium” should be

encouraged to take legal action if repayment is not forthcoming. This is action they are competent and qualified to take as a lawyer's league.

105. If UNHCR continues IGP in Crimea with a new implementing partner, greater care should be taken to address the specific needs of the FDPs. One of the reasons for the high unemployment rate among FDPs is the location of the compact settlements in relations to enterprises. IGP should concentrate on developing income-generating options outside the urban areas, unlike "Initium", which has concentrated its recent efforts in Simferopol.

106. The weak sustainability suggests "Initium's" product is too inexpensive, and future IGP activities should consider a higher interest rate. If the loan cost is raised, it will no longer be feasible to collect it at as one time "humanitarian installment," as this would be out of the price range of most of the target population. There is some indication that this may already be the case with "Initium's" installment approach.

107. Businesses surveyed indicated a dire lack of information about the legislative and tax environment in which they were working. Future IGP activities should include a strong technical assistance component. This component has been lacking for "Initium's" current portfolio. Businesses also indicated a difficulty operating legally, and the need to resort to paying for official "protection" in the Crimean government. Future IGP activities should take into account this dimension of the Crimean economy, and counsel loan recipients on strategies. By contrast, "Initium's" approach is that these difficulties are the problem of beneficiaries.

108. A rewarding approach may be to combine income generation with tolerance work in the form of issuing loans to business enterprises that bring together FDPs and non-FDPs. This approach has been successful in the former Yugoslavia, and would take into account the need for concrete activities (as opposed to round tables and discussions) in tolerance and reconciliation work.

109. There is some reason to be optimistic that UNHCR could do significantly better with a new implementing partner. Ukraine as a whole has boasted economic growth beginning in 2000, following eight straight years of economic decline. In the first half of 2003, Ukraine's GDP increased by 7.5 percent. The hyperinflation of the mid-1990s has been tamed and the inflation rate is now 4.6 percent. Most importantly, the FDP target population has a significant proportion of highly educated and very entrepreneurial individuals who are eager for opportunities to become self-sufficient.

110. This is not to argue conditions are ideal: the banking sector remains weak and the economy is still burdened by excessive government regulation. The new cabinet aims to reduce the tax burden, but this has yet to become a reality. While Crimea's business environment is complex and challenging, conditions for micro and small business are better than they were even five years ago. With the right partners and the right strategy, UNHCR could expect success.

## Shelter for FDPs

111. Over half the Crimean Tatar population lacks adequate housing. Many live in the basement or a single room of an unfinished house, in dormitories, or have only temporary accommodation with relatives and friends. UNHCR invested approximately USD 2.3 million in the rehabilitation and construction of shelter for the most vulnerable FDPs.

112. The programme began under the Danish Refugee Council in 1997. The initial effort was to upgrade existing shelters, and between 1997 and 1998 some US 500,000 dollars were spent on improving the corridors and bathrooms in dormitories housing especially vulnerable FDPs. The Republican Committee for Deported Persons helped select beneficiaries. This programme then expanded and a total of 54 buildings were rehabilitated for a total cost of USD 1,964,000.

113. The difficulty with this programme was that some of the buildings selected were never intended for permanent residence and deteriorated to pre-repair conditions within two years. Beneficiaries also alleged that in a few instances, the “major” repairs ordered between 1999 and 2000 were of a cosmetic nature, a portion of the funds having been diverted. However these allegations remain unsubstantiated, and may be a reflection of an environment in which corruption of this kind is expected.

114. Following the closure of the Danish Refugee Council operation, two of the engineers from the DRC programme created “Help,” an organization that operated for one year. During 2000, 7 large apartment buildings were completed in diverse regions of Crimea, with 191 FDP families or over 500 individuals benefiting. The cost of this programme was USD 450,000. Help’s approach was to select buildings for repair and reconstruction and then negotiate a letter of guarantee from the Crimean authorities stating that after reconstruction, the dwellings would belong to the FDPs.

115. In light of the rapid deterioration of communal dwellings, a different approach was adopted in 2001. The programme shifted to the provision of building materials in the “Shelter for FDPs” programme. Under this programme, qualified engineers purchased and distributed materials to FDPs who were constructing homes.

116. This programme achieved wide acclaim on the part of Crimean authorities and FDPs. Among its successes were high accountability, high sustainability, and cost effectiveness. 192 FDP families benefited (63 in Stroganovka 72 in Bahchisaray, 40 in Belogorsk and 17 in Sevastopol/ Rodnoye village. UNHCR also rehabilitated an 18-apartment building in Alushta so that 18 FDP families could move out of unsuitable premises. The total cost in 2001 was USD 348,604.

### **Lessons learned**

117. The provision of construction materials promoted self-sufficiency and self-reliance among FDPs. Whereas the repair of dormitories fostered a dependent

attitude that was partially reflected in the poor conditions of the dwellings, this programme promoted responsibility and ownership. UNHCR facilitated these developments through the implementation strategy: material was distributed to builders 10 or 20 percent at a time. If they had not used a given allotment, they did not receive another. The engineers also gave valuable step-by-step technical advice. Other positive dimensions include:

118. *Rigorous selection of beneficiaries.* The Republican Committee for Nationalities and Deported People established the initial list of beneficiaries, which was then carefully checked by FO staff to ensure that those selected were vulnerable, and that they were not receiving housing assistance from the contemporaneous state programme that was distributing 1,700 UAH or US 200 dollars.

119. *Careful oversight.* Prior to delivery of construction materials, the engineers from “Shelter for FDPs” circulated to verify progress. After distribution there was monitoring on the part of both UNHCR and the Republican Committee, resulting in comprehensive oversight.

120. *Sustainability.* Whereas under the “Help” programme, US 3,000 to 5,000 dollars was spent per family/dwelling, under the “Shelter for FDPs” approach in 2001, US 1000 dollars was spent per family/dwelling.

121. UNHCR should consider adopting this approach again in the future. In Crimea, there are a number of vulnerable FDPs that would significantly benefit from this focused approach. According to the Deputy Head of the Directorate for FDPs of the State Committee for Nationalities and Migration in Kyiv, 16,000 families are building at their own expenses on their own land. At least 30 percent of them need to finish their house but do not have the means to do so.

## Reconciliation through arts and culture

122. The FDPs who returned to Crimea in the late 1980s and 1990s found a host society comprised primarily of Russians (now 58 percent) and Ukrainians (now 24 percent) that was unprepared to welcome newcomers. The fact that the Crimean Tatars are Muslim and perceived as belonging to the East only made integration more complicated. Even though Crimean Tatars did not attempt to reclaim confiscated property, members of the host population experience the presence of Crimean Tatars as a threat. When the Crimean Tatars were denied residence permits and permission to buy houses and land, they squatted on former state property until they were able to legalize their claims. This practice exacerbated already existing interethnic and interconfessional difficulties.

123. The tensions have remained over the past decade, and intolerance is rarely sanctioned. For example, as recently as August 2003, members of the Russian bloc were able to put up a banner with the slogan "Goats (meaning Crimean Tatars, also a derogatory word) do not wake the (Russian) bear."

124. UNHCR has tried to assist in the reduction of ethnic tension as part of its conflict prevention strategy. In partnership with UNESCO, UNHCR implemented the "Crimea Reconciliation through Arts and Culture Programme" that included a wide range of activities.

125. In 1998-1999, teacher trainings were conducted and books with stories on tolerance were distributed in the schools. There were also roundtables on tolerance issues that brought together representatives of cultural institutions, NGOs, and government bodies.

126. In 2000, these activities expanded to include preparing children for first grade in two settlements. These activities are believed to have been the most successful in bringing FDP and non-FDP populations together. The activities were also highly cost-effective: US 800 dollars were spent in 2000 and US 1,300 dollars were spent in 2001. A multi-ethnic cohort of children from various regions of Crimea was also sent to a summer camp.

127. In 2001, the creative competition, "Crimea is Our Common Home" brought children of different ethnicities and their families together, and support for preschool children was continued. Children from the most vulnerable FDP families were again selected to attend a multi-ethnic summer camp. Secondary school teachers were provided with classes on history, culture, and tolerance. Free multi-ethnic and multi-cultural concerts presented the cultures on equal terms.

128. The evaluator spoke to individuals and stakeholders involved in the programme to try to determine the extent to which UNHCR pursued an effective approach with the "Crimea Reconciliation through Arts and Culture Programme." She also compared the approaches adopted by UNHCR and UNDP in the tolerance field.

129. Tolerance is difficult to evaluate because it is highly intangible, and the results on school children, for example, are impossible to track, manifesting in the future. It is difficult to know conclusively which interventions and experiences contributed to the outcome and which did not. On the positive side, cultural activities may help contradict the stereotype existing among the general population that the Crimean Tatars lack cultural traditions, and are best suited for agricultural work and trading at the bazaar.

130. Another positive dimension of the programme is that it targets schoolteachers and students. This is an appropriate site for intervention in light of recent research suggesting that peers may be as or more influential in the development of ethnic stereotypes than parents. It is also an appropriate site of intervention in Crimea, given complaints that schoolteachers educated in the Soviet system (which referred to the FDP groups as “Nazis” and “traitors”) have been a primary source of racist and prejudicial messages.

131. The preschool education component can be isolated as one of the element that most directly addressed the UNHCR objectives of ameliorating inter-ethnic relations. In one area, two communities, divided by a highway, shared a school. The children (91) represented the various ethnic groups and attended a programme designed to prepare them materially, mentally, and socially for school. The net effect was that neighbors of Slavic and FDP descent who were previously unacquainted and inclined to view one another with suspicion and hostility were given an opportunity to pool their efforts on an issue of mutual concern: school preparedness. The experience led to a more tightly knit and cohesive community. Whereas before the Slavic and Tatar neighbors did not even greet each other, members of these communities now visit each other at home. However, the effort was far too limited in scope and duration to have a significant impact.

132. UNHCR needs to undertake more critical reflection on the methods and objectives of tolerance and reconciliation programmes. Without a more critical appraisal, UNHCR may continue to see conflicting, ambiguous, or non-existent results.

133. One step in this reappraisal is more fully integrating what we know about how conflict occurs into the efforts to prevent it. The theory that tolerance begins at a “grass roots” level is naïve and the theory that and that conflict originates in individuals’ prejudices or failures of communication is simplistic. There is a significant amount of evidence to suggest that in former Soviet areas, the authorities have been instrumental in instigating “ethnic” conflicts. Ample evidence also suggests that the conflicts that do occur have a structural basis in the systematic inequalities created by the Soviet and post-Soviet systems. It is therefore unrealistic to expect the tolerance or reconciliation work to compensate for the lack of a level playing field in Crimea or any other region.

134. Tolerance programmes must also take into account that in Crimea at least, the most robust vectors of conflict and potential violence are between Crimean Tatars and local authorities, not between ethnic constituencies. A more focused appraisal of the sources of conflict suggests UNHCR should consider different methods of promoting tolerance and reconciliation.

135. Another step is to critically reflect on the ethics of a tolerance programme that, in the absence of political representation and economic equality, asks participants to “reconcile” and make peace with one another. This is particularly misguided in Crimea, where the FDPs have not been rehabilitated and historic injustices are not being systematically addressed. FDPs are recruited to round tables where they are counseled to be more tolerant of people who not only live in their houses but have jobs and political representation that FDPs lack. It is unethical to suggest FDPs become more tolerant, polite, and restrained (i.e. accept their inequality) when the Slavic population enjoys employment, housing, retirement, and health benefits that they do not.

136. The current UNDP approach to tolerance is to bring the many NGOs and informal groups already working on tolerance together for more organized activities. They are also promoting dialogue and partnerships between residents and local authorities through self-governance and other programmes. UNDP understands its tolerance work as a kind of “immunization” against conflict that could occur at the instigation of officials, groups, or in response to structural inequality. The soundness of this approach notwithstanding, there is a lack of understanding of UNDP and indeed a very negative atmosphere surrounding its work. This can be attributed to the way in which UNDP conducted round tables, which are widely felt to have been expensive and without concrete results.

### **Recommendations**

137. In a context of radical inequalities, UNHCR should be extremely selective in the amount and kind of reconciliation work it undertakes. In particular, great care should be taken not repeat the UNDP emphasis on round tables. If UNHCR is serious about promoting tolerance and reconciliation, it should combine tolerance activities with more robust efforts to address the poverty, unemployment, and unequal housing opportunities that give ethnic animosities an edge.

138. More specifically, the sub-projects that involved concrete tasks generated widespread approval (i.e. collective and cooperative exhibits). By contrast, those that are discourse-based (i.e. round tables) or lack a strong goal orientation tend to have negligible and even negative effects.

139. Most importantly, tolerance work cannot exist in isolation, but must be “mainstreamed” into activities like shelter provision and IGP. If tolerance becomes an integral component of concrete activities, it may have more tangible and positive results. A good example is a FDP seamstress who received a loan to expand her business and currently provides a salary to 10 employees of multiple ethnic backgrounds. It is important to support and to multiply these “microcosms” of tolerance.





## Repatriation as a durable solution?

140. In view of the protracted nature of the FDP repatriation and the slow progress towards integration, there is reason to be concerned about the durability and sustainability of repatriation.

141. The 1954 Convention addresses this issue directly. In ensuring that basic rights are respected, it provides individuals with the preconditions for stability and quality of life. The state benefits through having members who are better able to contribute to society, enhancing national security. The likelihood of secondary migration and displacement is reduced, strengthening regional stability (UNHCR 2003).

142. Repatriation will not be a durable solution if citizenship is too costly to obtain, if political stability continues to decline, and if FDPs continue to lack adequate political representation in the local government. The needs for infrastructure, housing, and jobs must be more systematically and comprehensively addressed. The international community will ignore these conditions at its peril.

### **Political instabilities**

143. The political stability of the region has been declining since 2001. Many Crimean Tatars claim they are willing to resort to violence as a means to resolve issues with the Crimean government. Whereas the *Mejlis* (Crimean Tatar political body) has traditionally provided a moderating influence, the recently formed "Coordination Council" is interested in using more radical means to obtain results. This group of mobilized activists has gathered 25,000 signatures on a petition in support of the draft law "On the Rehabilitation of the Crimean Tatars," and plans a series of demonstrations.

144. The mood of the Coordination Council resonates with Crimean Tatars who feel legally unprotected. One example of their lack of protection is that the financial transfers from the state budget of Ukraine were diverted. Some UAH 150 million or US 28.3 million dollars went to enterprises that were then privatized without informing the appropriate authorities. In this manner, state budgetary funds allocated for the return of the Crimean Tatars became the property of Russians and Ukrainians.

145. The Permanent Representative of the President in Crimea, Aleksandr Didenko, reviewed the evidence at a working session with the Minister of Finance and other officials. They acknowledge the mismanagement of funds, but have been unable to identify any mechanisms for their return, even though the names of the enterprises and the amounts improperly invested in them have been confirmed.

146. Many other examples could be used to describe a general situation in which:

- Resources and savings are exhausted twelve years into repatriation that Crimean Tatars feel has been largely self-financed as a result of the disintegration of the Soviet Union.
- FDPs have realized that process privatization that began as they were repatriating (and lacked citizenship) is now almost completed and they were largely excluded. By contrast, Article 13 of the 1954 Convention recommends that stateless persons be accorded treatment as favorable as possible with regard to moveable and immovable property.
- Russians and Ukrainians have been able to buy ancestral land denied Crimean Tatars in the south coast area.

147. The later issue, land, is one of the sharpest.

148. In July 2003, over 500 Crimean Tatars occupied five different pieces of real estate, including an architectural monument in protest. They began constructing dwellings with the plan of legalizing their action, but withdrew at the urging of the leadership of the Crimean Tatar *Mejlis*. The Ukrainian Procuracy is now completing an investigation.

149. The evidence suggests that while some 3000 Crimean Tatars are waiting for parcels for construction in the Greater Yalta area, the local authorities used their positions to unlawfully sell and rent land, primarily for recreational purposes. A revolving group of 50 people is now maintaining a presence, waiting for the results.

150. Violations of rights, whether real or perceived, are particularly hard to accept in light of markedly raised expectations: after the communists lost control of the Crimean Verkhovna Rada in 2002, FDPs expected politicians would be more responsive to their needs. Ukrainian officials have been coming to the 18 May observances of the anniversary of deportation, contributing to expectations that Kyiv would be sympathetic. Finally, with two MPs in the Ukrainian Verkhovna Rada, it was expected that their concerns would receive a more favorable hearing at the all-Ukraine level. High expectations combined with low levels of change have increased discontent.

### Infrastructure and health

151. The continuing lack of appropriate infrastructure in FDP settlements adversely affects virtually every aspect of resettlement and integration. As the chart indicates, infrastructure has improved surprisingly little in the compact settlements.

<b>Infrastructure</b>	<b>1998-1999</b>	<b>2002-2003</b>
<b>Electricity</b>	75 %	80 %
<b>Water</b>	30 %	65 %
<b>Gas</b>	4 %	5 %
<b>Sewage</b>	none	none
<b>Tarmac Roads</b>	3.7 %	3.7 %

152. The lack of adequate water and sanitation has a negative impact on FDP health. The lack of roads impairs FDPs' ability to engage in income generating activities, and the lack of electricity has impaired children's abilities to be competitive at school.

153. While it is accurate to say that Crimeans of all nationalities face difficulties in making ends meet, the FDP population is more vulnerable than the population as a whole. Seasonal hunger continues to be a problem. Each year there have been instances of deaths. Medical and dental care also continue to be inadequate. Considering that at least 30 percent of the population is below the poverty level, UNHCR should explore the possibility of involving WFP.

### **Housing and jobs**

154. While political participation and stability are vital to FDP integration, and infrastructure and health conditions must be improved, the two most pressing problems, as a decade ago, are housing and jobs.

155. More than half the FDP population lacks adequate housing, and is un- or underemployed. In order for repatriation to be durable and sustainable, income generation and shelter programmes have to be raised to a more meaningful level.

156. These are areas in which UNHCR has taken a leading role in the past. UNHCR should consider either continuing the efforts begun in the mid-1990s, or finding other international organizations to intervene. BO Kyiv should seek the engagement of other partners in this area to draw up a more comprehensive plan to facilitate the integration of the FDPs with regard to housing and employment.

157. The alternative is clear: if conditions remain the same, conflict with the authorities will become more likely, and even more FDPs will undertake illegal migration to Europe, Moldova, the Russian Federation, or Belarus as their best alternative.

### **Conclusion**

158. The prevention of statelessness contributes to the promotion of human rights and fundamental freedoms. As a result of the UNHCR citizenship campaign, more than 100,000 formerly deported individuals were able to become Ukrainian citizens. That so much has been accomplished without Ukrainian accession to the statelessness conventions is a testament to BO Kyiv, the colleagues at Headquarters, and the dedicated NGO staff who worked so diligently.

159. However, significant difficulties remain. Given UNHCR's mandate as well as their role in creating the present legal environment, the organization bears responsibility to remain involved in preventing and reducing statelessness.



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## Abbreviations

ARC	Autonomous Republic of Crimea
CASWANAME	Central Asia, Southwest Asia, North Africa, and Middle East Bureau
CoE	Council of Europe
CIDP	Crimea Integration and Development Programme (UNDP)
CIS	Commonwealth of Independent States
EPAU	Evaluation and Policy Analysis Unit
HCNM	High Commissioner for National Minorities
FDP	Formerly Deported Persons
IGP	Income Generating Programme
IOM	International Organization for Migration
MOI	Ministry of Interior
NGO	Nongovernmental organization
OSCE	Organization for Security and Cooperation in Europe
PI	Public Information
SCNM	State Committee for Nationalities and Migration
WFP	World Food Programme
USD	US dollars
UAH	Ukrainian Hryvna
UNHCR	United Nations High Commissioner for Refugees
UNDP	United Nations Development Programme





# Appendix A

## List of Interviewees

### *Autonomous Republic of Crimea*

1. Oksana Mikitenko, former UNHCR FO staff
2. Timur Dagdji, Chairman, Integration Corps
3. Elvira Zeytulaeva, Manager, "Assistance"
4. Remzi Khavadzh, Deputy Representative of the President in Crimea
5. Emine Avamileva, Chairwoman, "Initium"
6. Victor Aleksevich Solodov, Head of Department for Nationalities and Migration of Sevastopol City State Administration
7. Abdulamit Vaitovich Izmailov, Advisor to City State Administration for Deported Peoples and National Minorities
8. Jan Harfst, International Programme Coordinator, UNDP CIDP
9. V.D. Deytch Chairman of the Supreme Council of Autonomous Republic of Crimea
10. Izet Khairov, Coordination Council of the Crimean Tatars
11. Remzi Iliasov, Deputy Chairman of *Mejlis* of the Crimean Tatar People
12. Nadir Bekirov, Senior Legal Advisor to Crimean Tatar *Mejlis*
13. Mustafa Dzhemilev, MP Verkhovna Rada of Ukraine, President, *Mejlis* of the Crimean Tatar People, Member of Committee for Human Rights, national Minorities and Interethnic Relation
14. Formanchuk, Aleksandr Andreivich
15. Sergey Babashyn, Head of Department for Citizenship and Registration of Ministry of Interior (MOI) Crimea
16. Vasilenko, Klara Fyodorovna
17. Zoya Grygorenko, Head of Directorate for Migration of Crimea
18. Il'mi Umerov, Deputy Chairman of Verkhovna Rada of Crimea
19. Renart Saranaev, Makhuldyur Association
20. (Anonymous) formerly deported and stateless persons

### *Kyiv*

21. Dmytro Pletchko, UNHCR Protection Assistant, Branch Office Kyiv
22. Oleksandr Oleksandrovych Perov, Head of State Department for Citizenship, Immigration and Registration, Ministry of Interior of Ukraine
23. Sergiy Pertovych Brytchenko, Deputy Head of Directorate for Citizenship of the Administration of the President of Ukraine
24. Petro Dmitrovich Plaksya, State Committee for Nationalities and Migration, (SCNM) Deputy Head of Directorate for Formerly Deported Persons
25. Refat Chubarov, MP Verkhovna Rada of Ukraine, Vice-President of *Mejlis* of the Crimean Tatar People, Member of Committee for Human Rights, National Minorities and Interethnic Relations.