

ARMENIA

Part I: Executive Summary

(a) Context and Beneficiary Population

Context

The single largest refugee group in Armenia and in the entire southern Caucasus sub-region are the refugees from Azerbaijan who fled to Armenia as a result of the conflict over Nagorno-Karabakh from 1988 to 1992. By the end of 2001, some 263,000 refugees from this group were registered, representing nearly 10% of the country's population. There were renewed hopes in the spring of 2001 that a negotiated peaceful settlement by the OSCE Minsk Group to the Nagorno-Karabakh conflict would be found. Unfortunately, the hopeful signs of spring did not, for many different reasons, including the tragic events of 11 September, lead to any positive results with the stalemate over the conflict continuing as in previous years. Once again in 2002, the year has begun with positive signs that progress towards a peace settlement could be made, whether they will lead to the hoped for result has still to be seen.

Despite the horrors of 11 September and the subsequent global actions taken against terrorism, the operational security environment in Armenia was good. As a result, there were no changes in the UN security phases in Armenia nor any negative security related repercussions for the UN, other international agencies or for diplomatic missions based in the country where work continued as it had previously.

In 2001, the domestic political scene in Armenia remained stable. Although some ministers were changed during the year, the Prime Minister, who has served since May 2000, remained in place, as did the Ministers in such key ministries as Defence, Interior, National Security, and Foreign Affairs, providing much desired continuity to the government. The Constitution adopted in 1995 was reviewed during the year and proposed for extensive amendment. Once a revision has been approved by the National Assembly, it will have to be put to a vote in a national referendum. This referendum is now most likely to be held in the spring of 2003 coinciding with the next Presidential and National Assembly elections.

Notwithstanding this political stability, there are a number of specific governance issues of concern to the government and the international community in Armenia, including effective public administration reform, combating corruption and the related "shadow" economy and the strengthening of civil society. Armenia's entry into the Council of Europe in 2001 has meant that it must also meet several new standards with regard to human rights and the rule of law, including, but not limited to, ratification of the European Convention on Human Rights, adoption of a law on an Ombudsman, abolition of the death penalty, new laws on the media and political parties, reform of the election code, reform of the judiciary and many others. While Armenia's election to the UN Human Rights Commission was seen as a positive confirmation of the progress made in Armenia since independence on human rights issues, there is still considerable scope for further improvement in this realm.

Although in 2001 the national economy in Armenia grew at a rate of more than 9%, the Gross National Product, after a decade of independence, social and political change and economic transition was at some 73% of its 1989 level. Despite the good annual growth rate, there was no decline in the poverty levels in the country during the year, with 55% of the population living below the poverty line and some 23% living in extreme poverty. Both groups include very large numbers of refugees. There continues to be high levels of unemployment and the government is still dependent on large loans from the World Bank and the IMF to fund its state budget. The payment of pensions, social benefits, and government salaries is irregular and at very low levels of remuneration. Moreover, a number of key public services such as water supply and health care are under funded and undependable. The first national census in Armenia since 1989 was conducted in 2001 and the preliminary results indicated that Armenia had lost some 25% of its population to emigration as both citizens and refugees have left to search for employment and economic opportunities outside of Armenia. It is hoped the final formulation of the Poverty Reduction Strategy Programme (PRSP) for Armenia expected by the end of

2002 will provide an effective policy and operational framework for reversing the negative trends and consequences of poverty and provide for an equitable distribution of the benefits of economic growth to all, including locally integrating refugees.

Protection Issues

Prior to its independence in 1991, Armenia had no previous legal or institutional experience with international refugee law and related asylum procedures or mechanisms. Since Armenia acceded to the 1951 Refugee Convention and its 1967 Protocol in 1993, a number of national laws have been passed and governmental decisions taken establishing and regulating the asylum and refugee protection regime in Armenia. The Law on Refugees was passed in 1999 and largely met international standards and norms. In addition, a functioning refugee status determination procedure (RSD) and a government body charged with the responsibility for implementing it, the Department of Migration and Refugees (DMR), was established. Unfortunately, after this very good beginning, recent amendments to the Law on Refugees passed in 2001, other new refugee related legislation as well as some governmental decisions have contributed to reducing the asylum space in Armenia. An analysis of the entire asylum legal framework in Armenia has revealed that there are a number of gaps in it which need to be closed in order for it to be further improved. In addition, other institutions relevant to asylum regime such as the judiciary, the border guards, academics and members of the National Assembly need to develop more skills and knowledge with regard to asylum and refugee protection.

Asylum seekers and refugees in Armenia can be divided into four groups: ethnic-Armenian refugees from Azerbaijan, far and away the largest group, ethnic-Armenians from Nagorno-Karabakh, which the government refers to as “displaced”, ethnic-Armenians from other CIS countries and non-ethnic Armenians from other countries. Each group presents different protection challenges. Due to the shared ethnicity and sympathy for the cause of the flight of the refugees from Azerbaijan, it is the policy of the Armenian government to support their local integration, including the acquisition of Armenian citizenship in Armenia. Consequently, the refugees from Azerbaijan enjoy nearly the same legal rights as the citizens of Armenia as well as benefit from a facilitated naturalisation procedure. At the same time, they face numerous legal difficulties related to personal documentation and privatisation of property in Armenia. In the event of a peaceful solution to the Nagorno-Karabakh conflict, it is expected that very few refugees or former refugees from Azerbaijan would opt for voluntary repatriation. Those who have arrived from Abkhazia (Georgia) or Chechnya (Russian Federation) due to the conflicts there also have not had access to RSD, although the government has recently introduced legislation which attempts to provide these groups with complementary protection. With regard to asylum seekers and refugees from “non-CIS” countries, they have been given access to RSD and six persons from three countries (Sudan, Somalia, and Iraq) have been granted refugee status under Armenia’s Law on Refugees since 1999. However, in 2001 there were eleven asylum applications in Armenia and none was granted refugee status by DMR, including four cases of reported refoulement. In order to ensure the admission of asylum-seekers and their access to fair and effective implementation of RSD, UNHCR is required to regularly monitor the entire process and provide advice and guidance to DMR and other asylum-related governmental and non-governmental bodies.

Since Armenia is at the cross-roads of Europe and the Near East, it is increasingly becoming a transit point for irregular migrants as well as asylum seekers trying to reach Europe or beyond and, as such, it is likely that the number of stranded migrants and genuine asylum seekers could increase in the future. It is also a matter of concern to UNHCR that, due to their poverty and limited employment opportunities in Armenia, refugee women and children, especially those from Azerbaijan, are extremely vulnerable to being victimised by traffickers in human beings.

UNHCR’s role

In Armenia, UNHCR’s presence and activities are focused on further improving and strengthening the asylum system in accordance with international standards and norms, searching for durable solutions, with particular emphasis on supporting and advocating for the local legal, social and economic integration of refugees from Azerbaijan, including the acquisition of Armenian citizenship, and strengthening the capacity of governmental and non-governmental institutions to assume increased responsibility in these matters.

In order to further strengthen the asylum system, UNHCR has and will continue to provide technical, legal advice and assistance to DMR and national NGOs while at the same time widening its institutional support to the judiciary, the border guards and other actors who play a key role in the asylum system. This assistance includes training both in-country and outside, co-operation in drafting legislation and governmental decisions, supporting the provision of free legal aid and counselling, maintaining a reception center for and providing material assistance to asylum-seekers, and the dissemination of protection-related information through various Working/Theme Groups, the local media and other fora to increase the awareness and understanding of asylum and refugee protection issues. In support of this, UNHCR in Armenia has established and maintained effective partnerships with other relevant international organisations such as OSCE, the Council of Europe and IOM on issues of mutual interest through which UNHCR is able to both broaden and deepen the culture of asylum in Armenia.

Supporting the local integration of refugees from Azerbaijan in Armenia presents some very specific and unique challenges to UNHCR. While this refugee group enjoys largely the same legal rights as Armenian citizens, including the right to work, the right to housing, the right to education, the right to health care and the right to social benefits, there are numerous constraints to their successful social and economic integration in Armenia. These include the group's demographic profile, some 45% are over 60 years old, their skills and knowledge base, most the refugees were highly educated urban residents with Russian as their first language but in Armenia have been placed in rural areas, and the fact that they arrived just after the devastating earthquake of 1988 and during the total collapse of the Armenian economy in which there were no jobs and no capacity within government structures to look after them. Thus, while nothing is legally denied the refugees from Azerbaijan, the dire socio-economic circumstances in which they have found themselves, including the lack of employment, inadequate housing and under funded and poorly managed government services which simply can not meet their needs, have meant that the refugees have become one of the most disadvantaged and poorest groups in Armenia with extremely limited opportunities to help themselves.

In this operational environment where the durable solution of local integration for the refugees from Azerbaijan is offered but the socio-economic circumstances mitigate against its success, UNHCR has concentrated its material assistance on assisting the most vulnerable among the refugees who have not yet succeeded in helping themselves or who are not yet assisted by national social services and systems. In particular, UNHCR focuses on assisting the most vulnerable refugees, living in multi-story, sub-standard communal centers, especially women, children, the chronically ill and the elderly, through the provision of upgraded, adequate permanent shelter as well as basic health care, counselling, access to micro-credit and individual assistance in cases of acute need. For those refugees living in remote rural areas in communities mixed with the local population, UNHCR supports the rehabilitation of community infrastructure such as schools, water supply systems and irrigation schemes. In addition, all the refugees have access in the regions and sub-districts as well as in Yerevan to a streamlined and facilitated naturalisation mechanism which has been established and maintained with UNHCR support.

However, in view of the fact that the refugees are trying to integrate in extremely difficult socio-economic circumstances with even more problems and constraints than those faced by the local population and given that the solutions to both the circumstances and the constraints faced by the refugees are developmental in nature, UNHCR has been actively advocating for the inclusion of refugees and former refugees into the national development and economic recovery programmes and projects being formulated by the government, other UN agencies, international development and financial institutions and Armenian Diaspora organisations. In particular, UNHCR has been lobbying for the inclusion of refugees as an especially vulnerable group in the PRSP process which, if successful, should lay a sound basis for the successful long-term local integration of the refugees from Azerbaijan in Armenia.

Overview of beneficiary populations

Below is a table providing a breakdown of the registered refugee populations in Armenia:

Name of beneficiary population	Age group	Male	Female	Total	Percent
Refugees from AZE (Prima Facie)	0-4	4,011	3,719	7,730	2%
	5-17	9,632	9,895	19,527	8%
	18-59	54,922	63,124	118,046	45%
	60 and >	51,813	65,698	117,511	45%
Refugees from AZE (Mandate)	5-17	1		4	
	18-59	1	2		
Refugees from non-CIS countries (GoA recognised)	18-59	6	0	6	
Refugees from non-CIS countries (Mandate)	5-17		1	3	
	18-59	1	1		
Total		120,387	142,440	262,827	100%

Linkages to other countries

UNHCR strategy in Armenia is consistent with the overall strategy of the Bureau for Europe as well as for the Eastern Europe region. Issues of mutual concern are addressed in regional representative meetings held during the course of the year. In addition, UNHCR Armenia has regular contacts with the other two Branch Offices in the South Caucasus, in Azerbaijan and in Georgia, and co-ordination is undertaken through regular exchanges of information, missions, and meetings between the staff of the three offices.

Capacity and presence of implementing partners

UNHCR's support and assistance to asylum-seekers and refugees in Armenia is mainly provided through national governmental and non-governmental implementing partners. In previous years, the main governmental implementing partners have been DMR and the Armenian Social Investment Fund (ASIF) while the national NGOs have included, among others, Mission Armenia, YMCA (shelter), AAA-NGO centre, Sakharov Armenian Human Rights Foundation, Armenian Young Lawyers Association, Areg-73 and the Armenian Red Cross. UNHCR also has had implementing arrangements with international organisations such as IOM, WFP and OSCE. All of the previous projects and implementing arrangements with international NGOs such as OXFAM, UMCOR, NRC and CRS have been phased down and handed over to them with continuing financial support now coming from non-UNHCR resources.

UNHCR has made a very significant contribution to building and maintaining the capacity of both its governmental and non-governmental implementing partners in Armenia. In most cases, the national NGOs that were started with UNHCR support are now able to manage their activities and resources effectively and deliver good quality work and services to the refugees. In addition, some of the NGOs have also been successful in seeking and receiving support from other international donor organisations and, thus, are able to work independently of UNHCR financial support. This having been said, the capacity building effort needs to continue as the departure of even one or two staff members from a national NGO or a government department can mean a major loss in skill and expertise which has been built up over the years and which must be replaced.

Co-ordination and co-operation with other UN agencies and international organisations

There is a high level of co-ordination among the UN agencies and other international organisations in Armenia. There is a monthly Donor Co-ordination meeting chaired on a rotating basis by UNDP, USAID and the World Bank (WB). UNHCR also participates in thirteen different Working/Theme Groups which have members from the UN, other international organisations such as WB, IMF, TACIS, OSCE, IOM and the Council of Europe as well as international and national NGOs. These groups cover a diverse number of subjects and themes such as HIV/AIDS, Food Security, Micro-credit, Social Development, Gender and Trafficking, Displacement, Human Rights and the Rule of Law. In addition, the UN Country Team, including UNHCR, are working together very closely in providing inputs and support to the PRSP process which all the agencies see as critical to their future work in Armenia. UNHCR regularly uses these various co-ordination bodies and groups to lobby for the inclusion of refugees and former refugees in the plans and projects of the other UN agencies and development organisations.

(b) Selected Programme Goals and Objectives

Beneficiary Population / Theme	
Development of the asylum system, local integration as a durable solution, and ensuring refugees benefit from their rights and that the needs of the most vulnerable refugees are met	
First Goal : Continued development of asylum system in accordance with international standards and norms	
Objectives	Outputs
<ul style="list-style-type: none"> Asylum seekers are admitted into the territory of Armenia Asylum seekers have access to procedures in which their claims are heard fairly and promptly Legal framework for asylum is further improved 	<ul style="list-style-type: none"> Border guards trained. Established referral system at the borders. Established computerised system to process entries at the airport. RSD effectively monitored by UNHCR and NGOs. Established and functioning legal clinic for free legal counselling and representation. Legal advice and technical assistance provided to eliminate gaps in the Law on Refugees, especially amendments on the right of children to seek asylum. Asylum and refugee protection concerns reflected in the national legal and policy framework to combat trafficking and smuggling through and from Armenia.
Second Goal: Ensure the implementation of the local integration as a durable solution with the increasing involvement of the Government and other partners	
Objectives	Outputs
<ul style="list-style-type: none"> Refugee needs are included in national, multilateral, bilateral and Diaspora agencies development plans, including PRSP related projects and programmes 	<ul style="list-style-type: none"> Local integration of refugees in rural areas facilitated through partnership activities with development agencies. Public and private development agencies lobbied to include refugees in their activities. Expert advice, technical assistance and consultancy support provided in order to include refugees in PRSP. Public and private donors agree to fund projects benefiting refugees done by national government and development agencies.

<ul style="list-style-type: none"> • Increased opportunity for refugees to have adequate permanent housing 	<ul style="list-style-type: none"> • Comprehensive viable shelter strategy formulated by the Government to address shelter needs of the refugees. Permanent upgraded housing provided for needy refugees. Mechanism for privatisation of housing established and functioning . Technically sound shelter sites for reconstruction / remodelling identified.
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<p>Third Goal: Ensure that refugees benefit from their social, economic and civil rights and that the needs of the most vulnerable refugees are met</p>	
<p>Objectives</p>	<p>Outputs</p>
<ul style="list-style-type: none"> • Gaps in assistance needs of vulnerable refugees are increasingly met through projects carried out by national, NGO, bilateral and multilateral organisations • Communities of vulnerable refugees have effective access to national family benefit / pensions system 	<ul style="list-style-type: none"> • Most vulnerable refugees included in governmental, NGO, international and Diaspora organisations' activities. Inter-agency mechanism to meet the unmet needs of the most vulnerable refugees established. • Gaps in the national social protection system addressed. Mechanism for social and legal counselling for refugees in rural and urban areas established and functioning.