

COUNTRY OPERATIONS PLAN

Country: Georgia

Planning Year: 2002

PART I: Executive Summary

a) Context and Protection Issues

The history, geographic location and ethnic diversity of Georgia have affected the country's political stability. Civil wars of 1991 to 1994 have left two conflict areas, Abkhazia in the north-west and South-Ossetia in the north. These conflicts also caused massive population displacements (initially) over 300,000 refugees and internally displaced persons. Efforts for finding a political solution to the Abkhaz and S.Ossetian problems are on going, led by the UN and the OSCE, respectively.

In addition, there are two groups of persons of direct concern to UNHCR in Georgia: Chechen refugees and those among deported Meskhetians who may wish to return or already returned to Georgia. The situation of these groups, and the Abkhaz, S.Ossetian and IDP problems are briefly described below;

- ***Asylum-seekers/Refugees***

Georgia, in compliance with its commitment to the 1951 Convention has been hosting some, 7,000 Chechen refugees from the Russian Federation, since October 1999. The Ministry of Refugees and Accommodation (MRA) as the governmental agency responsible for the management of matters related to the implementation of the Refugee Law has granted this group *prima facie refugee status*, upon their entry. Majority of them reside in Pankisi Gorge (Valley). They have expressed a strong desire to return to their homes when security permits. The unstable situation in Chechnya however, has not induced a voluntary return on a mass scale, yet. The security situation in the Valley is also volatile with frequent threats of kidnapping and ethnic tension.

Georgia has not been a typical destination country of asylum-seekers, primarily, because of its unfavourable socio-economic problems. Thus the number of individual asylum-seekers approaching UNHCR (except for the Chechen refugees) has been quite insignificant. As Georgia borders are not well regulated, it is easy to transit illegally, but when attempts of further movement into Western countries fail, migrants might get stranded in Georgia.

- ***Statelessness***

Georgia is not party to the Conventions on Statelessness. A significant number of Meskhetians living outside Georgia who are willing to repatriate currently do not hold citizenship. In addition, the Georgian Law on Citizenship does not provide a special or simplified procedure for naturalisation and re-integration of Meskhetian returnees and other stateless persons. Having joined the Council of Europe in 1999, the Government of Georgia has made a commitment to promote the return and reintegration of Formerly Deported Peoples, (FDPs), Meskhetians back into Georgia within 12 years.

- ***The South Ossetian- Georgian Conflict***

The S. Ossetian-Georgian conflict caused complex population displacement along ethnic divisions. Some 60,000 persons from/into South Ossetia and Georgia proper either have been internally displaced or sought asylum in North Ossetia¹. Only some 1,300 families (6,600 persons) have returned to their places of origin, despite, the efforts of the Joint Control Commission established within the framework of the OSCE-led peace process. Conditions favourable to mass return are linked to improvements in the economic and security situation, reduced crime, solutions to property restitution claims and a political settlement to the conflict. The prevailing situation thus limits the pace of return and impacts on the scale of UNHCR's involvement.

- ***The Georgian-Abkhaz Conflict***

The secessionists' strife and armed conflict during 1992-94 over the control of Abkhazia has led to Abkhazia declaring itself autonomous and the displacement of mainly ethnic Georgians. Despite the efforts of the United Nations SRSG, OSCE, "Friends of Georgia" for soliciting a peaceful resolution to the conflict, the stalemate continues and over 220,000 persons remain internally displaced.

The UN Security Council Resolution (896) calls upon all parties to ensure the rights of return home in safety, for all refugees and displaced persons affected by the conflict, without preconditions. Since then, very few IDPs returned to the areas north of Gali. By spring 2001, many (some 41,000 persons) of those who were forced to flee have once again spontaneously returned without security guarantees and political settlement.

- **Security and Safety**

Security is of paramount concern to UNHCR when carrying out its operations in the conflict zones and isolated areas. Frequent hostage taking, threat of abduction of personnel, high crime and corruption, land-mines, political sabotages, etc render operation highly risky, sensitive intervention and protection monitoring and, hamper adequate access to refugees, IDPs and returnees. Therefore, a cautious approach is essential for keeping political neutrality and ensuring safety for staff and persons of concern to UNHCR.

¹ See Overview Beneficiary/Population

a) UNHCR's Role

- ***Protection and Capacity Building***

- i. **Building Asylum Structures**

Georgia acceded to the 1951 Convention and 1967 Protocol on Refugees in May 1999. The authorities lack sufficient resources to provide adequate assistance and protection to asylum-seekers and refugees. A rudimentary national status determination process is in place. In practice, most of asylum-seekers approach UNHCR first. They are then counselled and when necessary referred to the Ministry of Refugees and Accommodation (MRA).

In the past couple of years, UNHCR has been promoting and building the capacity of the national institutions, NGOs, and civil society. In 2002, special emphasis will be placed on assisting the Government to improve its national asylum system in compliance with international standard (efficient and fair RSD, registration, preserving asylum in mixed migration, etc).

UNHCR in Georgia will continue to support and complement international and national efforts for addressing the displacement issues, providing protection and assistance to asylum-seekers and refugees. In addition, UNHCR in its facilitation role extends its capacity building programme for strengthening national asylum structures; in a form of training, lobbying, providing comments on legal drafts, participation in meetings, advocacy for legal reforms, information dissemination, and raising public awareness through media, roundtables and informal contacts.

- i. **Assistance and Protection for Chechen Refugees**

Contingency plans of UNHCR operation in the Valley have been drawn, foreseeing varied scenarios including: return when conducive, influx in case of an increased hostility in Chechnya and protection/care and maintenance while refugees are hosted in Georgia. These plans are regularly reviewed in the context of developments in Chechnya (the Russian Federation).

Since voluntary repatriation is primarily dependent upon an improved security condition in Chechnya, return cannot be promoted at this stage. UNHCR relays at repeated intervals to local authorities as well as refugees its policy on voluntary, safe, and dignified return, so that those interested can make their informed decision on return, and the authorities decide of their involvement.

UNHCR assistance has improved the living conditions of the most vulnerable persons, and in particular, those who live in communal centres, through shelter renovation, psycho-social support, community development and the set-up of child care facilities. In year 2002, the assistance programme will therefore be consolidated and adequate protection be provided to the refugees in Pankisi

Valley. Since 80 % of the refugees are hosted with families, UNHCR will closely monitor refugee-host relations and carefully address signs of fatigue when needed (by alternative shelter, food assistance, communal support, self-reliance etc). These interventions will be made without creating dependency on UNHCR's continued support nor disturbing ethnic balance in the Valley. Given the earlier capacity-building programme, it is anticipated that most of activities for providing material assistance will be carried out by local NGOs and government agencies in the Valley.

In view of the extreme volatile security situation in the Valley and its high risk of personnel abduction, UNHCR will pursue with careful measures to enhance the civilian protection of the refugees as well as its own security arrangements.

i. Promoting Reduction of Statelessness

UNHCR will therefore, in close co-operation with the Ministries of Justice, Foreign Affairs, MRA focus its efforts and lobbying for Georgia's accession to the 1954 and 1961 Conventions on Statelessness and bringing the national citizenship law in par with the international standards.

Many internal factors make the repatriation of the Meskhetian population a very sensitive issue. The region of Meskhetians' former settlement (Mskhetia-Akhalsiltke or as known Javakheti) is now inhabited mainly by ethnic Armenians. Current laws are not compatible to grant the Meskhetian returnees full citizenship in a simplified procedure. There is also the challenge of swaying public opinion to accept the return and re-integration of this group. UNHCR in consultations with CoE, NGOs, Governments, promotes legal reforms and solutions for addressing the principle of the rights of return in a comprehensive approach. Including, pursuing alternative solutions in their current countries of residence, stressing the voluntary character of return to the current host countries, and ensuring adequate preparations for safe return, which will avoid conflict in their former places of residence.

• ***Support to Peace Process***

i. Return to South Ossetia Conflict Zone.

UNHCR continues to maintain its policy on re-integration of returning refugees/IDPs only to their places of former residence to avoid ethnic reconfiguration. Given the prevailing operational environment and slow return, From the beginning of 2002, UNHCR's direct involvement will be reduced and covered from Tbilisi. Assistance provisions will include limited return packages, shelter repairs, counselling and legal representations in court when returnees present their cases on return to places of origin. Protection monitoring and advocacy for the right to return will remain one of its core activities and be promoted through contacts with CoE, OSCE, authorities and communities, within the framework of the JCC-led conflict resolution process.

i. Return to Abkhazia-Georgia Conflict Zone.

The Secretary General called upon UNHCR to provide assistance and protection to IDPs/returnees that had fled the 1992-94 Georgian-Abkhaz conflict. Consequently, the parties in conflict, the Russian Federation and UNHCR signed the Quadripartite Agreement on the Voluntary Return in 1994. UNHCR chairs the Working Group II on refugees and IDPs under the auspicious of the UN-led framework for the conflict resolution and continues to advocate for the right to voluntary return in safety and dignity.

In 2001, based on the recommendations of the Joint Assessment Mission to Gali (November 2000) UNHCR reassumed a measured intervention in assisting spontaneously returned population and protection monitoring without jeopardising the peace process while considering the precarious security situation in Gali. A careful evaluation and balanced intervention for addressing needs in other parts of western Georgia will be pursued. This approach will be cautiously maintained and appraised. Activities will be undertaken in frequent consultations and collaboration with the SRSG, Friends of Georgia and other partners to devise a guarded and coherent approach to return.

i. Self-reliance and Citizens Rights for the Internally Displaced Persons

UNHCR in collaboration with UNDP, World Bank and other organisations has been promoting the full implementation of the Guiding Principles on Internal Displacement as a solution for the majority of IDPs (particularly, those who have been unable to return to their homes beyond Gali). By adopting this approach, it would enable the IDPs to realise their social, economic and political rights as citizens of Georgia, without relinquishing the rights to return to their places of origin, when permissible.

Since 1999, UNHCR has been actively participating in Brooking Process that promotes a collaborative approach amongst UNHCR, UNDP and, WB in Georgia, that aims at bridging and smooth transition from humanitarian aid to more sustainable development for IDPs in a frozen conflict. Consequently, through an innovative collaboration of the above-mentioned UN agencies, the Government and IDP communities with secretariat support from OCHA, the Georgian Self-reliance Fund (GSRF), under the “New Approach to IDPs” was established in 2000. In the planning year, new community-based projects will be implemented based on lessons learned from selection of pilot projects in the past year to enable IDPs individually and collectively develop and implement projects that enhance their self-reliance. UNHCR having been instrumental in this process, will maintain its full support for the “New Approach” as well as the implementation of GSRF-projects by offering technical support, participating in project selection and monitoring, lobbying for additional donations from other sources, while making no further financial contribution. UNHCR would also continue to advocate for the realisation of the rights of IDPs as citizens of Georgia through the New Approach and GSRF.

Based on a thorough appraisal and prioritisation of UNHCR’s assistance programme to IDPs, it is anticipated to operate in 2002 with a lower budget than 2001 and limit assistance to IDPs in Samegrelo District, Western Georgia

(where approximately 48% of exiled IDPs reside). A national NGO will be supported to design and implement participatory projects involving both men and women, while giving special attention to youth and children. These interventions are aimed at supporting community cohesion, promoting stability in the area bordering Gali District and preventing further displacement within and from Gali and Samegrelo Districts. It is anticipated that UNHCR would have managed in 2002 a careful and responsible handover assistance programmes for the IDPs in Zugdidi to other agencies, local NGOs by 2003.

- **Inter-agency co-operation**

In addition to the above-mentioned interagency cooperation and complementary efforts, under the framework of the Geneva Conference (1996 CIS Conf follow up), UNHCR will closely consult and coordinate its activities with its partners, the Government of Azerbaijan, IOM, CoE, OSCE/ODHIR for addressing population displacements

- **Management of Offices**

Given developments in the operational environment, the security situation and UNHCR review of its programmes, UNHCR involvement and activities will be consolidated, and field offices streamlined in support of one protection team for western Georgia and another for Chechen refugee operation. Each mobile team consists of a head, 2-field officers/UNV and in each hub 3-4 local staff. The approach provides for efficient and flexible deployment of international staff from Branch Office (when required) and South Ossetia (as operations have scaled down).

- **Linkages with other country operations**

UNHCR Georgia has defined its strategy and policies in the framework of UNHCR's sub-regional and regional strategies. The Branch Office in Tbilisi will particularly liaise with UNHCR RO Moscow as the operations in Georgia link with those in Stavropol Kari, Vladikavkaz and Nazran (the Russian Federation) with regard to the programme of voluntary repatriation of Georgian refugees from North Ossetia-Alania, and, likewise, the Chechen refugees in Pankisi Valley who may wish to return to the Russian Federation.

- **NGOs, PARinAC, and Capacity-building**

Building of capacity of the national NGOs and developmental of the civil society has been one of the main directions consistently pursued by UNHCR in Georgia. The policy adopted sought for pairing national NGOs with international NGO partners that mentor them for an agreed period. As part of responsible phase-down strategy, it anticipated that international NGOs would exit from implementation of UNHCR funded programmes and taken over by national NGOs who have benefited from the transfer of knowledge, skills and experience (foreseen as the end of 2001). Selective NGOs will be linked with GSRF and, other donor agencies as relevant.

a) Overview Beneficiaries Population²

Population	Jan 2001
Chechen Refugees	7,000
Returnees, IDPs, Refugees (Georgian-Ossetian conflict)	60,000
Returnees and IDPs (Georgian-Abkhaz conflict)	270,000
Total	337,000

Core Groups

1. *Asylum-seekers and Refugees*

The MRA maintains the registration of asylum-seekers and refugees. There are very few asylum-seekers and refugees in Georgia, except for the refugees from Chechnya (Russian Federation) - some 7,000 persons.

2. *Refugees/ IDPs from South Ossetia and ethnic Georgians*

During the height of the violent conflict (1990-93) the displacement took several directions mainly as follows:

- Some 35,000 Ossets fled their places of residence in Georgia proper. Of these, 30,000 became refugees in the North Ossetia (the Russian Federation) and 5,000 persons moved as IDPs into South Ossetia.
- In addition, some 10,000 Ossets left S. Ossetia to North Ossetia.
- Some 5,000 Ossets have also moved within South Ossetia villages to Tskhinvalli town.
- Some 10,000 ethnic Georgians have also been displaced from S. Ossetia into Georgia proper.

It is reported that a large number of those who fled to N.Ossetia have acquired citizenship of the Russian Federation. The scale of return is not expected to change significantly, as there are no major improvements in political settlement and economic situation.

3. *Meskhethians*

Meskhethians are predominantly Muslims who were forcibly deported from Georgia by Stalin's regime in 1944. They are the last group of the Formerly Deported Peoples still awaiting solutions. No reliable data and accurate data are available to UNHCR, however, the FDPs and their descendants are thought to number some 300,000- persons. The majority settled in the Feghana valley region of Uzbekistan, some are in the Russian Federation, Turkey and Azerbaijan. Long-term residence or nationality rights have been accorded to them in most of their current locations. In a few areas, Meskhethians have not been able to integrate effectively; such as in parts of Krasnodor- Kari, a region the Russian Federation.

Meshkhetian aspirations for return to their ancestors land in southern Georgia remain. In 1969, some 400 families attempted to repatriate from Azerbaijan but with little success and later were forced to leave. As a result, they resettled in the North Caucasus. In 1977, nine families returned but also with little success. It has been reported that six families eventually left the country, after denial of their registration and repeated harassment. In 1999, a Presidential Decree called for the return of 5,000 Meskhethians. Consequently, less than 300

² All statistical data is provided by the Ministry of Refugees and Accommodation in Georgia and de facto authorities in the conflict zones as of spring 2001. Security situation and political conditions do not permit UNHCR to undertake a general population census and maintain record of movements and demographic changes. UNHCR therefore, cannot validate the accuracy of these figures. It uses them planning purposes.

persons came to Georgia. Of these, 35 acquired Georgian citizenship and 110 remain stateless. Mainly ethnic Armenians now inhabit the region of their former settlement, Meskhetia-Akhalsiltke (Javakheti).

Related non-core group : Internally Displaced from Abkhazia

There have been approximately some 270,000 persons internally displaced as a result of the 1992-94 conflict. The UN Secretary General has mandated UNHCR to ensure that the rights of IDPs as citizens of Georgia are met without discrimination as well as their rights to return to their places of origin voluntary and in safety and dignity. This IDP group consist of ;

a) Returnees to Gali District

Since 1994, the Gali region has been the focus of return. By 1998, some 50,000 persons had spontaneously returned to the Gali region from other areas in Georgia, with the help of UNHCR assistance programme. The actions of the Abkhaz forces and resumed conflict drove some 40,000 of these returnees out of Abkhazia. Due to lack of security for returnees, UNHCR suspended its operation while maintaining an office in Gali town and conducting protection monitoring. By spring 2001, as mentioned earlier, over 41,000 IDPs of those who were forced to flee have once again spontaneously returned without security guarantees nor political settlement. The MRA has not de-registered these figures from its data on IDPs, due to unstable return conditions

b) IDPs

The difference, or 220,000 IDP's, have been displaced beyond Gali District and are unable to return due to political stalemate and insecurity. UNHCR will continue to advocate their rights through New Approach to IDPs as well as the Work Group II.

c) Vulnerable returnees and war-affected population

UNHCR will provide selective and limited assistance to distressed individuals, mainly elderly persons without family support.

Policy Priorities: gender equity, at risk persons, children, adolescents, women

In all the phases of UNHCR involvement for addressing the concerns of asylum seekers, refugees and, IDPs, a special attention will paid to individuals and groups with special needs (medical cases, disabled, elderly, women at risk, survivors of torture, unaccompanied minors, etc). During eligibility and need assessment, as well as in implementation stages, the most appropriate solutions to each case will be considered.

d) Selected programme goals and objectives

Name of Beneficiary Population	
Asylum-seekers and Refugees in Georgia, particularly those from the Russian Federation (Chechnya)	
Main Goals:	
<ul style="list-style-type: none"> • The protection and assistance needs of refugees and asylum-seekers are addressed 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Refugees in Georgia enjoy the rights granted under the 1951 Convention and its subsequent protocol • Prevented secondary displacement of Chechen refugees currently hosted in the Pankisi Gorge while awaiting voluntary repatriation in safety and dignity. 	<ul style="list-style-type: none"> • The Government implements the 1951 Convention and 1967 Protocol • Selective number of officials from relevant government institutions and ministries are trained in the proper handling of asylum procedures • Asylum –seekers from Chechnya are given (at least) <i>prima facie refugee status</i> upon arrival to ensure their protection • Refugees in the Pankisi Gorge have access to life sustaining assistance including those offered by UNHCR, government and other agencies (food, shelter, healthcare and other basic needs) • Attempts migration to a third country is reduced as most immediate and crucial needs (protection and assistance) of Chechen refugees are met.

Name of Beneficiary Population: Returnees to the Georgian-Osset conflict zone	
Main Goals:	
<ul style="list-style-type: none"> • Durable solutions for the displaced are actively sought in the peace-building process • Displacement in Eastern Europe is receding 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Secure return and inter-ethnic harmony through UNHCR advocacy and representation in the JCC • Facilitated and supported the voluntary return and reintegration of returnees to their places of former residence in South Ossetia and Georgia proper 	<ul style="list-style-type: none"> • Enhanced normality/durable return through protection-monitoring in co-operation with OSCE • Regular and increased number of returnees to their places of former residence (legal counselling and materials assistance provided include supplies, repair kits, income-generation) • Facilitated property restitution through a localised approach of individual interventions (limited assistance package, shelter repairs, counselling and legal representation) • The Government adopts legal reforms for property restitution in collaboration with UNHCR, OSCE, CoE and other partners • Increased participation of donors and development agencies in South Ossetia

Name of Beneficiary Population/Theme: Statelessness	
Main Goals: <ul style="list-style-type: none"> • Statelessness will decrease and potential for statelessness will be avoided in the sub-region • Stateless people will enjoy, at a minimum, a status consistent with 1954 Convention standards 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • The State accedes to the 1954 and 1961 Conventions. • The state adopts legislation resorting the principle of the rights to return of Meskhetians (FDP) to Georgia 	<ul style="list-style-type: none"> • State adopts the Conventions on Statelessness • Draft law on the right of return of FDP presented to national legislative bodies • The principle of the right to return of FDP is applied in a comprehensive manner and alternative solutions are sought in their current places of residence.

Name of Beneficiary Population: Returnees to the Georgian-Abkhaz conflict zone	
Main Goals: Protection and durable solutions for the displaced are actively sought through the peace-building process	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Durable, secure and dignified return of IDPs and refugees to their places of former residence/origin • Returnees to Gali District have access to basic services including education, health care and the means to support themselves financially in a secure environment 	<ul style="list-style-type: none"> • Peace process guarantees a secure return (UNHCR's advocacy and representation in the UN-led peace process, WG II, contributes to durable and safe return) • Prevented/reduced violations against the rights of returnees (through protection monitoring and co-operation with SGSR/UNOMIG) • Basic living conditions of returnees improved (through UNHCR's carefully considered and measured intervention in assisting spontaneously returned population without impeding the peace process as well as security of returnees and personnel)

Name of Beneficiary Population: Internally displaced persons from the Georgian-Abkhaz conflict	
Main Goals:	
<ul style="list-style-type: none"> • Durable solutions for the displaced are actively sought in the peace-building process and implemented by parties to the conflict and partners (international/local) 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • The civil rights (political, economic and social rights) of IDPs are resorted as par with the citizens of Georgia • Self-reliance amongst IDPs is enhanced while conditions do not allow for their safe return • Vulnerable and at-risk persons are protected and adequately assisted 	<ul style="list-style-type: none"> • Modifications are made to national legislation and practices to ensure the rights of IDPs are granted • Increased awareness on equal legal rights of IDPs amongst IDPs, Government officials and other citizens (through training, information dissemination, community mobilisation, joint projects etc) • The commitment of all parties to the “New Approach to IDPs” and investment in the GSRF is maintained • The GSRF guidelines are modified to encourage the participation of IDP female-headed and community groups that work with IDP women • Increasing number of projects targeting mixed groups of IDPs and other citizens (approved by the steering committee of the Georgian Self Reliance Fund) • Increasing number of IDP children/adolescents, at-risk persons benefited from assistance programme • Other projects for IDPs are undertaken independent of the GSRF by developmental agencies and the Government