



# **COUNTRY OPERATIONS PLAN**

**Country: Armenia**

**Planning Year: 2004**

# **ARMENIA**

## **Executive Summary**

### **(a) Context and Beneficiary Population**

#### **Context**

Armenia is at a crossroads in all senses – geographically, historically, politically and socio-economically.

Geographically, to the south lies Iran separated by a 50 km long border, with Iraq just 400 km further south. To the north is Georgia, characterised by secessionist movements and the influx of refugees from the Northern Caucasus. To the west is Turkey with a contiguous border, albeit closed, and tightly guarded by Russian Border Troops. Finally, to the west lies Azerbaijan, with whom no peace settlement has been so far found over Nagorno-Karabakh. Wedged in this volatile region, Armenia is at the crossroads between the Middle East, Asia Minor and Europe. The pace of globalisation has not spared this small nation. People do move from Middle East to Europe through Armenia as well as from Armenia to Europe. Some with legitimate asylum claims have in the past found themselves stranded in Armenia and were subsequently granted refugee status in the country. The smuggling and trafficking of persons through and from Armenia is believed to be widespread. In view of this, there is a clear need for UNHCR to strengthen Armenia's asylum framework bearing in mind the complex nexus between asylum and migration in this geographical context.

Historically, Armenia has often known human displacement. The latest of all the large-scale influxes of refugees occurred in 1988 – 1992 as a result of the conflict over Nagorno-Karabakh. Over 360,000 persons fleeing from Azerbaijan reached Armenia at the initial stage and at the end of 2002, some 245,500 refugees were still officially registered with the Armenian government. The year 2004 will mark the 10<sup>th</sup> anniversary of the last Nagorno-Karabagh cease-fire agreement still holding today. In the course of the decade that has passed, characterised by a stymied political process to solve the conflict, most of the refugees from Azerbaijan have opted to locally integrate in Armenia. After more than 10 years of its presence, however, UNHCR is finding it increasingly difficult to remain a viable humanitarian alternative for the lack of political will to find a durable political solution to the conflict. With or without an overall solution to the root causes of the conflict in sight, activities related to the local integration of refugees will have to be absorbed into the overall development agenda of the country. Thus, 2004 will be the year of redoubled effort by UNHCR to advocate for this inclusion in a responsible manner.

Politically, Armenia has been going through an eventful period. Local elections took place in late 2002 with the participation of the refugee population. In February 2003, Armenian citizens went to polls to elect the country's president. Another series of elections for the deputies of the National Assembly took place in May 2003. This series of elections will define the future course of political development in Armenia, especially on such issues as decentralisation, public administration reform, improvement of the human rights situation and the settlement of the Nagorno-Karabakh conflict.

Socio-economically, Armenia has been experiencing an unprecedented rate of economic growth with a growth of 12.9% in 2002. This positive indicator is offset by other elements characteristic of an economy in transition. There continues to be high levels of unemployment and the Government is still dependent on large loans from the World Bank and IMF to fund its state budget. The payment of pensions, social benefits and government salaries is irregular

and at very low levels of remuneration. Income distribution remains badly skewed and Armenia is facing an immediate challenge to translate its overall economic growth into equitable income distribution, one which should benefit not only ordinary citizens but also refugees in the process of locally integrating. An important goal of UNHCR in 2004 will be to ensure that refugees are included in the national development agenda based on the Poverty Reduction Strategy Programme (PRSP) so that refugees can also enjoy the dividends of the unprecedented economic growth and in order to complete the final stage of their local integration.

### **Protection Issues**

The operational context is defined by geographical, historical, political and socio-economical factors, which also serves to outline the two major protection concerns in the country: asylum development and local integration. The latter is further divided into two concerns, the reduction of statelessness and local integration as a protection-driven durable solution. The geographical location of Armenia has already made the country susceptible to be used as a migration route to Europe. Asylum-seekers do arrive in Armenia from Middle East and Africa, comparably small as the number may be. The first phase of asylum development was accomplished with the introduction of the Governmental Decision detailing a Refugee Status Determination (RSD) procedure to implement the 1999 Law on Refugees. Armenia is today going through a second phase of asylum development in order to further fine tune the legal framework and its implementation.

There are ample grounds to regard refugees from Azerbaijan as *de jure* stateless. Fortunately, supported by the Government's policy towards local integration, the effect of their statelessness is not immediately felt and refugees from Azerbaijan do have access to a wide range of rights available to nationals. UNHCR has been supporting the Government in an information campaign to give refugees an opportunity to acquire Armenian citizenship based on their free and informed choice. Nearly 52,000 refugees have voluntarily naturalised but the majority remains reluctant for psychological and socio-economic reasons. With a level of rights almost equivalent with those of citizens while mired in the day-to-day subsistence problems, refugees from Azerbaijan do not see the real, long-term benefit of acquiring citizenship. As the resource-intensive citizenship acquisition information campaign draws to an end, the focus now is to maintain the existing facilitated procedure and ensure access to it by refugees in the long-run through its codification in national legislation.

Local integration of refugees from Azerbaijan is a multi-faceted endeavour. It has to be considered within the overall national plans for social and economic development. By the same token, the rights of refugees have to be protected within the overall human rights mechanisms and legislation in the country. Of particular concern to UNHCR has been a lack of focus on and protection mechanisms for housing rights of not only refugees but also for citizens of the country. Physical construction of permanent shelter units alone will not solve the housing problem of refugees. There has to be an accompanying legal framework to protect the housing rights of vulnerable individuals. Only when the "hardware" (physical construction of housing units for most vulnerable refugees) and the "software" (legal protection of housing rights) are combined can there be an overall solution to refugee shelter as an important component of local integration.

### **UNHCR's role**

UNHCR's overall role in Armenia can be best characterised as one of quality assurance. In the field of asylum development, UNHCR has been providing its expertise and advice through its analysis of "gaps" between the national legislation and international standards and norms. The ensuing "Gap Analysis" has set out a roadmap for further improvement of the existing asylum framework, encompassing legislation from the Law on Refugees to the Criminal

Code. The scope of such legislative advice has also extended to comments on various forms of draft constitutional amendments as part of the ongoing constitutional reform process. Concurrently with legislative improvement, UNHCR has also been working closely with the Government of Armenia to ensure access to a fair and effective asylum procedure through regular discussions, joint RSD and various capacity-building activities.

With regard to the reduction of statelessness, UNHCR's role was initially aimed at building the capacity of the Government to implement the facilitated procedure for naturalisation of refugees from Azerbaijan. UNHCR's focus since then has shifted to efforts to prevent second generation statelessness by providing its opinion on the interpretation and application of the Law on Citizenship according to international standards and to ensure the durability of the facilitated procedure. The latter primarily involves the provision of technical advice in amending the Law on Citizenship, if deemed necessary, and codifying the existing facilitated procedure. In short, the primarily role of UNHCR in the area of statelessness continues to be the provision of its expertise in the legislative field.

UNHCR also plays an important role in ensuring the quality of the local integration for refugees from Azerbaijan. This can be best assured through the responsible hand-over of assistance activities to the existing and future development frameworks such as within the PRSP process. At the same time, the protection of civil, social and economic rights of locally integrating refugees should be mainstreamed into the existing and future human rights protection mechanisms and legislation. UNHCR expects to intensify its effort to lobby the Governments, donors, development actors and human rights bodies to achieve this goal. In this process, UNHCR will also continue to rely on its partnerships with NGOs, civil society and media to serve as the amplifier of the refugee voice and the advocate for solutions to their problems.

### **Overview of beneficiary populations**

Below is a table providing a breakdown of the registered refugee populations in Armenia as of 28 February 2003:

Name of beneficiary population	Age group	Male	Female	Total	Percent
Refugees from Azerbaijan (Prima Facie)	5-17	8,445	8,588	17,033	7%
	18-59	53,544	60,639	114,183	47%
	60 and >	50,820	63,058	113,878	46%
Refugees from non-CIS countries (recognised by the Government of Armenia)	18-59	10	1	11	
Refugees from non-CIS countries (Mandate)	18-59	1	0	1	
<b>Total</b>		<b>112,820</b>	<b>132,286</b>	<b>245,106</b>	<b>100%</b>

## **Linkages to other countries**

UNHCR strategy in Armenia is clearly linked to the Europe Bureau's Strategic Direction – 2000-2004 paper, particularly as it relates to the Eastern Europe region. UNHCR Armenia has on-going contacts with the other two Branch Offices in the South Caucasus, in Azerbaijan and in Georgia, and co-ordination is undertaken through the regular exchange of information and sub-regional and regional meetings.

## **Capacity and presence of implementing partners**

UNHCR's protection and assistance to asylum-seekers and refugees in Armenia has been mainly provided through national governmental and non-governmental implementing partners. This will continue in 2004. UNHCR will further step up its efforts to pursue a policy of handing over its activities on behalf of refugees to other national and international actors. Several project activities previously undertaken with UMCOR, OXFAM, AAA-NGO-C and CRS have been successfully transferred to them with financial support now coming from non-UNHCR resources. The inclusion of refugees by WFP in its Food for Work, Food for Training and School Feeding programmes and by the Armenian Social Investment Fund's in their activities to improve community infrastructure in villages with mixed refugee and local populations using their own resources has allowed UNHCR to disengage from those activities and further reduced the group of organizations in need of UNHCR funding.

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, national NGOs that were started with UNHCR advice and guidance 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 been successful in seeking and receiving financial support from other international donor organisations and, thus, are able to work independently of UNHCR financial support. This having been said, capacity building will continue to be included in the majority of activities implemented by UNHCR with its partners to ensure the continuity of the process and the improved performance of national governmental and non-governmental actors.

## **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 participates in it as well as thirteen different Working/Theme Groups which cover a diverse number of subjects and themes such as HIV/AIDS, Food Security, Micro-credit, Gender, Trafficking, Displacement and Human Rights. 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. In addition, the UN Country Team, including UNHCR, worked together very closely in finalising the PRSP, including through two retreats undertaken by the heads of UN agencies. In 2004 UNHCR will work for even closer co-operation and co-ordination among UN agencies and international organizations, especially on issues related to the inclusion of refugees in their development plans and programmes. In particular, the participation of UNHCR in the implementation of the Millennium Development Goals (MDGs) in Armenia and in the Common Country Assessment exercise, including the preparation of the UN Development Assistance Framework, are expected to bring increased interaction and co-operation among the UN agencies in 2004 and lead to more joint project planning.

**(b) Selected Programme Goals and Objectives**

<p><b>Beneficiary Population / Theme</b>  Further improvement of the national asylum system in accordance with international standards and norms, further reduction of statelessness and further implementation of the sustainable social, economic, legal and political local integration of refugees in Armenia</p>	
<p><b>First Goal :</b> Further improvement of the national asylum system in accordance with international standards and norms</p>	
<p><b>Principal Objectives</b></p> <ul style="list-style-type: none"> <li>• Asylum seekers and refugees are admitted safely into Armenia.</li>   <li>• Asylum-seekers and refugees benefit from the national asylum legal framework, including access to a fair, gender-sensitive and effective RSD procedure and treatment in accordance with international standards and norms.</li>   <li>• Persons who do not meet the criteria for refugee status as per the 1951 Refugee Convention but who are still in need of international protection are provided with complementary form of protection.</li>   <li>• Asylum-seekers and refugees have access to enhanced protection by NGOs and other actors in the civil society through the promotion of the respect of rule of law and human rights.</li> </ul>	<p><b>RelatedOutputs</b></p> <ul style="list-style-type: none"> <li>• Border guards, including Russian Border Guards trained.</li> <li>• Referral system at the borders improved.</li> <li>• Gaps in asylum legislation filled.</li> <li>• Research and data collection on the nexus between asylum and migration conducted.</li>   <li>Improved RSD procedure effectively implemented.</li> <li>• Judiciary and officials of governmental bodies involved in the asylum procedure trained.</li>   <li>• A single procedure for provision of complementary forms of protection ensured and implemented.</li>   <li>• Protection networks and partnership with NGOs and international organisations strengthened.</li>   <li>• Legal clinic for provision of free legal counselling and representation improved.</li> </ul>

<b>Second Goal: Further reduction of the statelessness in Armenia</b>	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• Potentially stateless persons are actively identified and their citizenship status is addressed</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Migration and Refugees, passport services (OVIR), other governmental bodies, NGOs, academics and other pertinent actors trained on basic citizenship issues and UNHCR's mandate</li> <li>• The implementation of the 1995 Law on Citizenship ensured in line with international standards including the Statelessness Conventions.</li> </ul>
<ul style="list-style-type: none"> <li>• Refugees have continued access to the facilitated procedure for the acquisition of Armenian citizenship</li> </ul>	<ul style="list-style-type: none"> <li>• The Law on Citizenship amended</li> <li>• The existing facilitated procedure codified</li> <li>• Codified facilitated procedure effectively implemented</li> <li>• Governmental officials and NGO staff trained on the codified facilitated procedure</li> </ul>

**Third Goal :** Further implementation in the sustainable social, economic, legal and political local integration of refugees in Armenia

<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• Local integration of refugees included in the development plans and programmes of the government, international financial institutions, bi-lateral and multi-lateral donors, and the private sector</li>   <li>• Partnerships in support of local integration are further developed and implemented.</li>   <li>• Refugees are aware of and able to exercise their social, economic and civil rights</li> </ul>	<ul style="list-style-type: none"> <li>• Private sector and development agencies lobbied to include refugees in their planning and projects.</li> <li>• Inter-agency co-ordination mechanisms on local integration established</li> <li>• Institutional support and commitment provided so that refugees start to benefit from the PRSP implementation.</li>   <li>• As a result of CCA/UNDAF, agreements with UN agencies on joint project activities for refugees discussed and established</li> <li>• Contents of “Special Agreement” with the Government negotiated</li>   <li>• Information on refugee rights disseminated through media and individual counselling</li> <li>• Public understanding and support towards refugee local integration increased.</li> <li>• Socio-economic and civil rights are protected through the promotion of rule of law and human rights</li> <li>• Refugee rights are included in various human rights capacity building and the the rule of law activities</li> </ul>