



# **COUNTRY OPERATIONS PLAN**

**Executive Committee Summary**

**Country: Kazakhstan**

**Planning Year: 2005**

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### **Country Operation Plan 2005 : KAZAKHSTAN**

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

##### ***Political context***

Republic of Kazakhstan puts a political priority on the public concord, social stability and economic development. Current issues high on the agenda of the government include, developing a cohesive national identity, expanding the development of the country's vast energy resources and exporting them to world markets, achieving a sustainable economic growth outside the oil, gas, mining sector and strengthening relations with neighboring states and foreign powers. Priorities of economic development prompt obvious expediency of Kazakhstan's active engagement in activities of the Asian Development Bank, World Bank and the organizations for economic cooperation.

One of the main avenues of the foreign policy in Kazakhstan is developing closer cooperation with international agencies, particularly the United Nations. Kazakhstan has also been actively involved in cooperation with many countries on a bilateral basis. The Republic of Kazakhstan has been recognized by 111 states of the world with 92 of them maintaining diplomatic relations with the Republic.

##### ***Security situation***

The government's security apparatus currently functions effectively and no security concern was so far reported to affect the United Nations activities and its staff. There are no refugee camps in Kazakhstan, but refugees and asylum seekers are mostly living in urban areas, where they share the benefit of this stable security with local population.

##### ***Protection Issues and UNHCR's role***

The institution of asylum remains a fragile concept in Kazakhstan. Kazakhstan signed the 1951 Refugee Convention and the 1967 Protocol in 1999. The issue of the adoption of the draft of the national refugee legislation, which is a serious effort to meet to the Goal 1/ Objective 7 of the Agenda for Protection, has been under discussion with the Government since 1999. Only selective categories of refugees have access to Refugee Status Determination Commission conducted by the Government of Kazakhstan (GoK). All asylum seekers coming from the CIS as well as Chinese Uighurs are not considered as refugees.

As of early 2004, the total number of refugees and asylum seekers in Kazakhstan is estimated at 15,797 persons: 13,684 Chechens, 657 Afghans, 1454 Tajiks, 19 Chinese Uighurs and other nationalities. Apart from that, there are some 18,600 ethnic Kazakh returnees ("oralmen"), who are of concern to the Office in view of their *de jure* or *de facto* statelessness status.

In 2005, UNHCR Kazakhstan will focus on activities falling within UNHCR's core mandate: the achievement of durable solutions – whether local integration, voluntary repatriation, or resettlement as a durable solution as said in the Goal 5 Objective 6 in the Agenda for Protection, and protection of refugees and asylum seekers of all nationalities through strengthening the refugee protection framework in Kazakhstan. UNHCR Kazakhstan will take the Agenda for Protection as the basis for the implementation of its operation.

### ***Field Office Astana***

The presence of UNHCR's Field Office in the capital city Astana ensures on-going cooperation. In 2005 it will further strengthen bilateral relations with the authorities in Astana. The role of the FO Astana is mainly to liaise with the government to assist in finding a protection framework in coordination with the authorities and follow up on its implementation. The office is also tasked to cover the northern part of the country for field monitoring.

### ***Protection and support to Chechen refugees***

The overall protection situation for the Chechen refugees remains delicate. As other CIS citizens, Chechens are excluded from the national RSD procedure and have been temporarily registered by the Migration Police for the period of 3 months with a possibility of further 3-months extensions. Absence of employment opportunities, poverty, and poor health conditions have had serious negative impact on the condition of refugees in Kazakhstan in general and in particular Chechen refugees of whom women and children comprise some 85%.

The Protection Action Plan, developed by the OCM Almaty for the Chechens, currently under discussion with the HQs, will continue to be implemented in 2005. The network of lawyers, trained and deployed in early 2004 and present in almost all regions of Kazakhstan, will continue to provide free legal assistance in 2005 primarily to Chechen refugees and assist them in obtaining complimentary forms of protection, namely temporary registration by Migration Police. The network of lawyers will also be used to conduct a survey on Chechens in 2005.

### ***Local integration through obtaining residence permits and naturalization***

UNHCR expects to achieve durable solution for some 100 Afghan refugees in 2005, primarily through obtaining residence permits and naturalization in Kazakhstan, which is another key issue as stated in the Goal 5/ Objective 4, in the Agenda for Protection. In the end of 2003 UNHCR Almaty has started negotiations with the GoK of the possibility of granting Afghan refugees, who have lived in Kazakhstan for more than 5 years, with residence permits and those, who have been married to Kazakhstani citizens, with Kazakhstani citizenship.

### ***Voluntary repatriation***

UNHCR Kazakhstan will assist the repatriation of all refugees and asylum seekers who wish to voluntarily return home. Voluntary repatriation funds will be operated under one project for all caseloads, including Tajiks, Afghans and other nationalities. The estimated figure for 2005 voluntary repatriation is 50 Tajiks, 50 Afghans and up to 200 Chechens.

### ***Resettlement***

UNHCR Kazakhstan will use resettlement for those refugees in need of a durable solution (Agenda for Protection Goal5/ Objectives 6). It is planning to look into facilitated group resettlement of Afghan refugees.

### ***Prevention of statelessness***

Since 1999 UNHCR Kazakhstan has been engaged in discussions with the authorities at various levels with a view to seeking ways and means to reduce and prevent statelessness among the Kazakh “returnees”. As the result of the combine efforts of the GoK, IOM and UNHCR, as of the end of 2003, only 18,594 out of some 270,000 returnees remained either *de facto* or *de jure* stateless. In 2005 OCM Almaty will continue to offer technical support to the GoK on this issue.

### ***SGBV***

Addressing issues of Sexual and Gender Based Violence amongst refugees is one of the key issues in the Agenda for Protection (Goal 4/ Objective 4) for UNHCR throughout 2005. This would entail strengthening the capacity of UNHCR and its implementing partners to effectively engage in Community Services activities. Identifying sustainable income-generating projects with a clear objective of encouraging self sustainability will therefore feature strongly in UNHCR’s activities in 2005.

### ***Promotion of Refugee Law***

UNHCR will intensify its efforts to build capacities for relevant governmental institutions and introduce refugee protection principles / refugee law to higher institution of education. Technical training aimed towards strengthening the activities of the Agency for Migration and Demography (National RSD Commissions) as well as other relevant governmental bodies will continue throughout 2005. UNHCR will also seek to lobby key parliamentarians and other relevant governmental actors throughout 2005 to raise interest and awareness in the adoption of a specific National Refugee Law, which should satisfy the requirement of the Agenda for Protection Goal 1/ Objective 7.

### ***Strengthening the national regime of protection***

In 2005, UNHCR will continue to contribute to the development of effective asylum and refugee protection mechanisms in Kazakhstan through provision of technical material assistance to the GoK and relevant NGOs, of which guideline is clearly stated in the Goal 3/ Objective 3; close and frequent communication will be maintained to minimize any perception gap. UNHCR and its partner, Bureau for Human Rights (BHR) through its legal network, will continue to monitor and assess

the situation of refugees and asylum seekers in Kazakhstan by conducting missions and working in the regions.

***Implementing Partners and other Organizations***

In 2005, UNHCR will further consolidate its work with local NGOs, while strengthening its direct relationship with several relevant authorities of GoK.

***Presence, Role and cooperation with other UN agencies and international organizations***

Most UN agencies as well as other international organizations, such as EC, OSCE, IOM, WB, ADB, and EBRD have their presence in Kazakhstan. UNHCR will continue to actively participate in the development of both CCA and UNDAF, therefore contributing to interagency cooperation. UNHCR in 2005 plans to strengthen cooperation with other agencies, namely UNAIDS, UNFPA, and UNIFEM in the area of Community Services and UNDP in the area of human rights. The cooperation with other international agencies, especially with OSCE, in the areas of human rights will continue in 2005.

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

<i>Name of Beneficiary Population:</i> Chechen and Chinese Ughurs refugees	
Main Goals: <ul style="list-style-type: none"> <li>- Achievement of minimum standard of protection under Kazakhstani law through increased cooperation with the Kazakhstani authorities and raised awareness of the Kazakhstani authorities on refugee issues</li> <li>- Increased self-sufficiency through vocational training, training in Community Services/SGBV, and income-generating projects</li> <li>- Resettlement of most vulnerable cases</li> <li>- Durable solution through voluntary repatriation through facilitation in the return of refugees</li> </ul>	
Principal Objectives:	Related Outputs:
<ul style="list-style-type: none"> <li>• All asylum-seekers have access to national RSD procedures</li> <li>• Most fundamental rights of refugees are respected</li> <li>• Self-reliance of refugees is increased</li> <li>• Refugees without legal status have access to basic healthcare</li> <li>• Emergency needs of refugees are met</li> <li>• Refugees willing to repatriate are assisted in 2005</li> </ul>	<ul style="list-style-type: none"> <li>• Promotion of equal access to national RSD procedures to all asylum-seekers</li> <li>• Lobbying the authorities to ensure right to seek asylum and principle of refoulement</li> <li>• Lobbying adoption of the draft law on refugees</li> <li>• One time emergency grants</li> <li>• Medical assistance from KRC clinics</li> <li>• Legal assistance, especially in deportation orders</li> <li>• Repatriation is organized for 200 Chechen refugees</li> </ul>

<i>Name of Beneficiary Population:</i> Tajik refugees
Main Goals: <ul style="list-style-type: none"> <li>- Durable solution through voluntary repatriation – assistance for those who fled</li> </ul>

civil war in their return	
- Continued protection and welfare of all refugees until they are voluntary repatriated.	
Principal Objectives:	Related Outputs:
<ul style="list-style-type: none"> <li>• Tajik refugees who wish to repatriate in 2005 are assisted</li> <li>• Refugee emergency needs are met</li> <li>• Rights of refugees are respected</li> </ul>	<ul style="list-style-type: none"> <li>• 50 refugees return in safety and dignity</li> <li>• One-time emergency grants</li> <li>• Medical assistance from KRC clinics</li> <li>• General legal counseling and assistance</li> </ul>

<i>Name of Beneficiary Population:</i> Asylum-seekers with access to national RSD procedures and recognized refugees (primarily Afghans)	
Main Goals:	
<ul style="list-style-type: none"> <li>- Durable solution through local integration for Afghan refugees through assistance in obtaining citizenship for those who are married to Kazakhstani citizens or permanent residence permit for those who have stayed in Kazakhstan for more than 5 years</li> <li>- Durable solution through voluntary repatriation through facilitation in the return of refugees</li> <li>- Continued protection through increased cooperation with AMD in RSD procedure, especially in regions outside Almaty</li> <li>- Increased self-sufficiency through vocational training, training in Community Services/SGBV, and income-generating projects</li> <li>- Apply facilitated group resettlement</li> </ul>	
Principal Objectives:	Related Outputs:
<ul style="list-style-type: none"> <li>• Afghan refugees willing to locally integrate are assisted through naturalization or receipt of permanent residence permit</li> <li>• Refugees willing to voluntarily repatriate in 2005 are assisted</li> <li>• Self-sufficiency of refugees is increased</li> <li>• Rights of refugees are respected</li> <li>• Refugee emergency needs are met</li> </ul>	<ul style="list-style-type: none"> <li>• Naturalization of certain categories of Afghan refugees</li> <li>• Return in safety and dignity for 50 refugees</li> <li>• Participation and monitoring in national RSD procedures and assistance in appeals for rejected cases</li> <li>• Vocational, language, and cultural training, training in Community Services/SGBV, and income-generating projects</li> <li>• General legal counseling and assistance</li> <li>• Medical assistance through KRC clinics</li> <li>• One time emergency grants</li> </ul>