



COUNTRY OPERATIONS PLAN

Executive Committee Summary

Country: Kyrgyzstan

Planning Year: 2005

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Country Operation Plan 2005 : KYRGYZSTAN

(a) Context and Beneficiary Populations/Themes

In 2005, UNHCR Kyrgyzstan will implement a solutions-oriented strategy to:

- Achieve the *durable solution of local integration* by assisting Kyrgyz authorities to complete the naturalisation of a residual population of Tajik refugees;
- Achieve the *durable solution of local integration* by assisting Kyrgyz authorities to open the naturalisation process to a new group, the Afghan refugees; and
- Achieve the *durable solution of voluntary repatriation* by assisting the voluntary return of those Tajik and Afghan refugees and Chechen asylum-seekers who wish to return.

Through these solutions-oriented initiatives, UNHCR Kyrgyzstan targets the reduction of its beneficiary caseload during calendar year 2005 by an additional 50%.

Additional to these beneficiary-targeted endeavours, UNHCR Kyrgyzstan in 2005 will further strengthen the national regime of refugee protection in Kyrgyzstan by:

- Augmenting and diversifying its support to the Government RSD department and to its watchdog, the legal advocacy NGOs, in recognition of their growing sophistication and the positive results of prior UNHCR interventions;
- Designing and implementing innovative and cross-sectoral programme responses--often in co-operation with sister UN agencies--to address protection gaps not wholly within UNHCR's direct mandate, including responses relevant to the *refugee and development nexus* and the *refugee and migration nexus*; and
- Increasing emergency preparedness of national authorities and international organisations, in part through a major training exercise in the displacement-prone Ferghana Valley in mid-2005.

Reflecting these goals, UNHCR Kyrgyzstan's activities in 2005 will differ from its work in 2004. Several new initiatives are proposed herein. Where existing programs are proposed to continue, they will target additional different groups who have not earlier benefited.

Historical Background

Although the Kyrgyz people trace their origins over thousands of years, the Kyrgyz nation-state is a new one. Their history uniquely includes the rise and fall of empires and ideologies, the movements and intermingling of peoples—some forced, some voluntary—and the looming presence of authoritarian neighbours. These societal and political factors continue to influence Kyrgyzstan today.

The successes of UNHCR's programme in Kyrgyzstan also are unique in Central Asia: each year, UNHCR Kyrgyzstan finds durable solutions for significant portions of each of its beneficiary groups. Rather than seek new beneficiary groups to justify new programmes, UNHCR in Kyrgyzstan has historically prioritised the identification and realisation of durable solutions for its current populations of concern.

As one example, UNHCR directly assists the naturalisation of long-staying Tajik refugees, therefore significantly *reducing* its beneficiary group on an annual basis. In 2002, UNHCR assisted 25% of its Tajik (now former) refugee beneficiaries to acquire citizenship and in 2003, 25% of the remainder acquired citizenship. And in 2004, UNHCR expects to directly assist approximately 60% of the remaining Tajik refugees to naturalise, thus leaving an estimated 2200 Tajik refugees as of 1 January 2005

From the start, UNHCR has worked closely with the Kyrgyz Republic to develop a national capacity to manage refugee protection and assistance. In 1996, Kyrgyzstan became a State Party to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol*. Years of effort later culminated in the adoption by Parliament of a *Law on Refugees*, signed by the President in mid 2002. In 2003, implementing *By-Laws* were promulgated, again with UNHCR drafting assistance. Domestic law has thus largely been brought into compliance with international refugee law obligations.

Today, therefore, Kyrgyzstan retains a leadership role in Central Asia as a State Party to the *1951 Convention* possessing national implementing legislation which empowers a Government department to daily undertake refugee status determinations.

Overview of Programming

In 2005, UNHCR Kyrgyzstan will focus on activities falling within UNHCR's core mandate: the achievement of a durable solution--whether local integration, voluntary repatriation, resettlement--for the residual caseload of Tajik and Afghan refugees, and protection of refugees and asylum-seekers of all other nationalities through strengthening the refugee protection framework in Kyrgyzstan.

Local integration through naturalisation: UNHCR Kyrgyzstan expects to achieve durable solutions for Tajik refugees by the end of 2004, primarily through local integration in Kyrgyzstan. However, depending on the pace of processing citizenship applications by the appropriate government agencies, which includes adoption of instructions, collection of cases and processing by at least five different instances, the number of Tajik refugees who have not obtained citizenship may remain around 2200 persons at the end of 2004.

Prevention of statelessness: UNHCR Kyrgyzstan further projects that its legal counselling and assistance will also be required by a group of up to 500 individuals (and conceivably many thousands more) of various areas of origin in the former Soviet Union and now resident in Kyrgyzstan, who will be in danger of statelessness upon expiration of their Soviet-era passports in mid-2004. UNHCR Kyrgyzstan will provide direct legal assistance to help them confirm their Kyrgyz citizenship or naturalise as required, thus preventing statelessness.

Voluntary repatriation: UNHCR Kyrgyzstan 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, Chechens and other assorted nationalities. UNHCR will provide logistical assistance to DMS on Tajik voluntary repatriation matters. The estimated figure for 2005 voluntary repatriation is 80 Tajik returnees, 50 Chechen returnees and 20 Afghan returnees, as well as up to five of assorted other nationalities.

Protection and support of refugee women: UNHCR Kyrgyzstan will support a network of refugee women's NGO throughout Kyrgyzstan, which, under administration of Alga refugee women's NGO, will provide female refugees with training programmes on SGBV, reproductive rights, leadership skills, HIV/AIDS awareness and various thematic meeting on gender issues. Health care services to refugee women, as well as men, will be provided through the medical insurance policies, which proved to be an excellent instrument of integration into the national health care system, providing sufficient support to refugees on the equal level with Kyrgyz citizens.

Protection and support of refugee children: Following the successful completion of the accelerated education programme, which provided levelling classes to war-affected Tajik refugee

children, UNHCR, through series of monitoring missions identified a problem of drop out from schools. Graduates of accelerated classes, who successfully join the regular school, in most cases drop out due to financial hardships in the families that are not able to equip their children for school. In 2005 UNHCR Kyrgyzstan will provide assistance to schools in several refugee locations to enable these state-owned and under-funded facilities to accept refugees children at no cost for the latter. UNHCR plans to provide books and other schooling equipment to have schools accommodate children at no additional expense to their families.

Strengthening the national regime of protection: In 2005, UNHCR will place more emphasis, both in financial and human resource terms, on the strengthening of the protection framework in Kyrgyzstan. UNHCR will continue its efforts to provide effective protection of individual refugees and asylum-seekers. The Legal Clinic for refugees will play a key role in providing this protection. Particular attention will be paid to the detention and harassment of refugees and asylum-seekers by authorities, particularly Chechens and Afghans, and the access of all groups to RSD procedures. It is also expected that a small number of Uighurs from China, in addition to asylum-seekers from other countries, will require UNHCR support, particularly in the area of protection. In some cases, resettlement may be required.

Filling the protection gaps by recruiting new partners and new donors: Responsive to the results of a multilateral regional dialogue planned by UNHCR Bishkek and HQ in second half 2004, UNHCR Bishkek will design and implement a variety of new program endeavours in 2005. Legal and institutional shortcomings as well as practical problems related to reception and treatment of asylum-seekers and refugees would be examined. The intent is to generate a gaps analysis and, significantly, an inventory of inputs needed to design comprehensive strategies for intervention, to first strengthen capacity to receive and protect asylum-seekers and refugees but also to address the root causes of secondary movements. Moreover, through this participatory dialogue, strategic planning would be directed at enhancing ownership of the process by national authorities and fostering the development of long-term partnerships. These programme initiatives will work with states, donors, and sister UN agencies to address the protection needs that overlap into sectors not traditionally within UNHCR's core mandate. These are likely to be endeavours designed to stabilise would-be refugee and migrant populations, including the extension of small income generation projects into areas on the Kyrgyz-Tajik border that host—as well as produce—refugees and migrants. Specific protection goals and program endeavours will be identified within the multilateral regional dialogue process. The EU has already expressed early interest in participating in this dialogue and funding its resultant proposals.

Strengthening emergency preparedness: UNHCR will continue working—independently as well as with relevant partners—on initiatives to improve the emergency preparedness capacity in Southern Kyrgyzstan. These efforts include the maintenance of an emergency stockpile at its warehouse in Osh, participation within the inter-agency framework that has been established at the UN Country Team level and continued attention to review and updating of an emergency response plan for UNHCR in Kyrgyzstan.

Implementing Partners

In 2005, UNHCR will further consolidate and will be working with fewer local and international NGOs, while strengthening its direct relationship to several Government agencies. In 2005, UNHCR will continue its work and financial/technical support to selected Government partners, including DMS, Ministry of Interior, Citizenship Commission, with respect to citizenship acquisition and implementation of the refugee law. The Ministry of Health will also be a key partner in providing medical services to refugees.

With NGOs, UNHCR will continue to work with the strong existing network of implementing partners developed by UNHCR primarily for legal support to Tajik refugees applying for citizenship but also for general protection matters involving other refugees and asylum-seekers. Refugee and legal NGOs will play a key role in the transition of refugees to fully integrated citizens of Kyrgyzstan. In addition, local NGOs with whom UNHCR is co-operating for the development of NGO Support Centres have also matured considerably over the past few years.

Other Organisations

A number of achievements are already in place, including newly diverse UN agency funding for the Legal Clinic Adilet, EU and USAID financing of NGO Support Centres of Counterpart Consortium, USAID's financing of Afghan refugee women initiatives.

(b) Selected Programme Goals and Objectives

<i>Name of Beneficiary Population: Tajik Refugees</i>	
<i>Main Goals:</i>	
<ul style="list-style-type: none"> • <u>Achievement of durable solution of local integration</u>: through acquisition of Kyrgyz citizenship by virtually all long-staying Tajik refugees by end 2005, thus significantly reducing number of persons within UNHCR's concern. • <u>Achievement of durable solution of voluntary repatriation</u>: through assisted voluntary repatriation of those fewer Tajik refugees who so request. • Continued protection and welfare of all refugees until their receipt of citizenship or voluntary repatriation. • <u>Closure of this Programme Segment by end 2005</u>, and incorporation into general programmes (non-specific of country of origin) for all refugees and asylum-seekers. 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Long-staying Tajik refugees obtain citizenship • Refugees/new citizens integrated into national health-care system • Daily care and maintenance assistance is not provided by emergency needs of refugees are met • Rights of refugees/new citizens respected 	<ul style="list-style-type: none"> • Provision of assistance to Ministry of Interior, Citizenship Commission, DMS, Counterpart Consortium, NGO Support Centres, legal assistance NGOs and refugee NGOs to speed up the submission and processing of citizenship applications • State medical insurance policies provided for remaining Tajik refugees • Creation of four Training Centres for Refugee and New Citizen Women • One-time emergency assistance grants • General legal counselling and assistance

<i>Name of Beneficiary Population: Afghan Asylum-Seekers and Recognised Refugees</i>
<i>Main Goals:</i>
<ul style="list-style-type: none"> • <u>Achievement of durable solution of local integration</u>: through naturalisation of recognised Afghan refugees who wish to remain in Kyrgyzstan • <u>Achievement of durable solution of voluntary repatriation</u>: assisted return of those recognised refugees who wish to return to Afghanistan • Increased self-sufficiency through vocational training, whether for local integration or in preparation for return home • Resettlement of most vulnerable cases • Continued legal protection • Daily care and maintenance is not provided but emergency assistance to those in need

Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Afghan refugees who wish to locally integrate are assisted to do so through naturalisation • Afghan refugees who wish to return home in 2005 are assisted to do so • Self-reliance of refugees enhanced • Refugees have access to basic healthcare • Refugee emergency needs met • Rights of refugees respected 	<ul style="list-style-type: none"> • Kyrgyz naturalisation of 25 Afghan refugees • Safe and dignified repatriation transportation for 20 returnees • Creation of Afghan Women's Support Centre • Vocational training and literacy courses • State medical insurance policies • One-time emergency assistance grants • General legal counselling and assistance

Name of Beneficiary Population: **Asylum-Seekers and Refugees of all other nationalities (primarily Chechens and Uighurs)**

Main Goals:

- All asylum-seekers are protected under Kyrgyz law or UNHCR Mandate
- Chechen and Uighur refugees develop self-sufficiency in Kyrgyzstan while they await more durable solutions
- Resettlement of most vulnerable cases
- Continued legal protection and welfare
- Daily care and maintenance is not provided but emergency assistance to those in need

Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • All asylum-seekers have full access to RSD procedures • Self-reliance of refugees enhanced • Asylum-seekers have adequate means of subsistence for their first few months in asylum • Asylum-seekers and refugees have access to basic healthcare • Emergency needs of asylum-seekers and refugees met • Rights of asylum-seekers and refugees respected 	<ul style="list-style-type: none"> • Lobbying of Government to provide refugee status based on the new Refugee Law • Vocational training • One-time assistance package to new Chechen asylum-seekers • State medical insurance policies • One-time emergency assistance grants • General legal assistance

Name of Theme: **Protection Framework**

Main Goal:

- Strengthened protection framework for refugees and asylum-seekers of any nationality

Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Full implementation of national Refugee Law, relevant By-Laws and other Provisions, in a format acceptable to international protection principles • Strengthening of RSD procedures • Improvement of appeal procedure • Provision of daily protection, primarily Government and NGO institutions, to refugees and asylum-seekers • Prevention of statelessness in practical fashion, through legal assistance to persons to confirm citizenship or to naturalise following expiration of Soviet-era passports • Promotion of accession of Kyrgyzstan to the <i>1954 and 1962 Conventions on Statelessness</i> 	<ul style="list-style-type: none"> • Provision of UNHCR legal expertise to development of legislation and implementing instructions • Material and human resources assistance to DMS and Ministry of Justice to strengthen capacity of general protection • Monitoring RSD procedure, intervention if required • Maintenance of database for refugees and asylum-seekers and generation of accurate statistics • Training to Judges and new Ombudsman on RSD, including appeal procedures • Monitoring of appeal procedure, intervention in relevant cases • Monitoring of implementation of DMS/Border Guards interdepartmental protocol on reception of asylum-seekers • Training to Border Guards Services on identification and protection of asylum-seekers • Provision of legal assistance to refugees and asylum-seekers through implementing partner Legal Clinic • Conducting mandate eligibility interviews for Uighur asylum-seekers • Identification and attainment of durable solutions for recognised Uighur mandate refugees, most likely resettlement

Name of Theme: Emergency Preparedness/Conflict Prevention	
Main Goals:	
<ul style="list-style-type: none"> • Reinforce contingency planning measures of national officials and international organisations in Kyrgyzstan • Develop and maintain information sources relevant for monitoring incipient conflicts and resultant displacements 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • UNHCR and Kyrgyz government better prepared for emergency situations involving human movement, including mass influxes • Increased availability of information in Southern Kyrgyzstan on issues related to latent or emerging conflict 	<ul style="list-style-type: none"> • UNHCR, UN contingency plans updated • Major regional emergency training implemented, including emergency protection, for NGOs, government officials, including Ministry of Emergencies and National Border Guard Service • Shared financial support to maintain common UN Field Office in Osh for conflict monitoring.