



**UNHCR**

**United Nations High Commissioner for Refugees**

Haut Commissariat des Nations Unies pour les réfugiés

# **Country Operations Plan 2007**

## **TURKMENISTAN**

## Executive Committee Summary

### Country Operation Plan 2007 : TURKMENISTAN

#### Part I: OVERVIEW

##### 1. Protection and socio-economic operational environment

UNHCR has been present in Turkmenistan since 1995 and the year 2005 saw the celebration of ten years of its operation in the country. The commemoration event, which paid tribute to the fruitful cooperation between UNHCR and the government and the latter's generosity and hospitality in hosting some 25,000 Tajik refugees over the years, was attended by the Minister of Foreign Affairs and given high level publicity both in the print and electronic media.

In the socio-economic area, despite prevalence of huge natural resources in the country, lack of credible information remains a challenge to verify the growth in the country. Shortcomings are noted in the social sector namely health and education. Export of gas was the dominant topic in Turkmenistan's foreign policy throughout 2005.

The security situation in the country has been generally stable with the UN continuing to record a zero security phase. However, the Office ensured all the necessary guidelines on security measurements were adhered to including participating in all joint UN security briefings, exercises and planning.

In the area of its core protection responsibilities, the major breakthrough in UNHCR's work in Turkmenistan came when the President announced in a decree on 4 August 2005 that some 10,000 *prima facie* Tajik refugees of Turkmen origin will be given citizenship. The registration conducted jointly with the State Service for Registration of Foreign Citizens (SSRFC) and its subsequent completion in February 2005, paved the way for the positive consideration by the government to naturalize the Tajik refugees, of Turkmen ethnicity, who have been living in the country since 1992. With this welcomed announcement by the government, which had already been informed to the Office in April 2005 during the Bureau Director's meeting with the Minister of Foreign Affairs, the Office devoted the remaining months in 2005 to ensure the successful and smooth implementation of this presidential directive. As of mid January 2006, indications are that some 50% of the Tajik refugees have received their citizenship certificates and/or passports.

In April 2005, the government decreed a regulation on the 'granting of refugee status in Turkmenistan' which spelled out the procedure for refugee status determination (RSD). Despite the government acceding to the 1951 Convention and 1967 Protocol relating to refugees in 1997 and the adoption of a domestic legislation the same year, RSD continues to be undertaken by UNHCR.

Two hundred and sixty five (265) persons departed for resettlement to Canada and USA in 2005 while 31 cases/95 persons are pending departure to third countries. For the first time, 10 cases/50 persons were submitted to Sweden by the Office, out of which 5 cases/28 persons were accepted. The total number of Mandate cases pending a durable solution at the end of the year was 35 cases/54 persons. The Office assisted 42 persons with the voluntary repatriation to their countries of origin.

Given the absence of an operational government agency to deal with refugees, UNHCR will continue to have to provide advice, guidance and training to build the capacity and the promotion of refugee law, through local and regional initiatives. In addition, UNHCR's presence in the country will complement the assistance and local integration needs to that of the local authorities to ensure the 'new citizens' have achieved a reasonable level of self sufficiency and on par with the local population.

## 2. Operational goals and potential for durable solutions

As noted above, the grant of citizenship to the vast majority of the *prima facie* Tajik caseload was the landmark achievement during 2005. However, naturalisation is not a durable solution in itself and must be part of a local integration process. It is, therefore, important that the refugees reach living standards similar to those of the surrounding local populations and that they are self-sufficient and contribute to the communities where they live. If the refugees are well-integrated with local communities and play an active part in the economy, this can accelerate their eventual multidimensional integration. In this respect and as requested by the government, UNHCR is committed to ensure the smooth and complete integration of the 'new citizens' in the rural areas, where they are mostly settled, while simultaneously, the Office will encourage and cooperate with other UN agencies the integration of development programmes in the refugee settlements within the framework of UNDAF.

### **Prima facie refugee**

As mentioned earlier, some 10,000 Tajik refugees (of Turkmen ethnicity) benefit from naturalization as a result of the presidential decree. Some 2500 Tajik *prima facie* refugees of Uzbek origin and Afghan refugees will be eligible for residence permit. The objective for 2007 will be to ensure the completion of the naturalization procedure in line with **Regional Objective 3 (GSO 3)**. UNHCR will continue to advocate with the government for naturalization of all the remaining *prima facie* refugees who fulfill the criteria for applying for citizenship under its nationality law, and identify the most appropriate durable solutions to the refugees who do not qualify for naturalization.

In line with the **Regional Objective 1 (GSO 1)** "Ensure that international standards of protection are met by the Central Asian governments for all persons of concern to UNHCR taking into account issues of age and gender," UNHCR in Turkmenistan will continue to deliver mandated protection and assistance services for the refugees still in Turkmenistan in 2007 to enhance their security and material welfare, focusing particularly on the policy priorities relating to women and children, refugees with special needs, HIV/AIDS, the environment, and addressing the sectors of education, health care, and community services.

### **Mandate refugee**

While a large proportion of the beneficiaries are from the *prima facie* Tajik and Afghan refugee groups, the Office also has a small number of individuals who are recognized under its mandate and who are found mainly in the urban areas of Ashgabat, Turkmenabat and Turkmenbashi. To date resettlement has been the only solution for the mandate refugees who are mainly from Armenia, Azerbaijan, Iran and a small number from Chechnya. The Office will pursue resettlement strategically for the small group in return for local integration for a larger number of predominately Armenians from Azerbaijan who have been living in Turkmenistan for over ten years. In the context of undertaking RSD and capacity building of the refugee agency, the Office will continue to negotiate for local settlement for this group of refugees who have expressed their desire to remain in Turkmenistan. (**Regional Objective 3 (GSO 3)**)

### **Capacity building**

UNHCR in Turkmenistan will remain committed to build the capacity of the State Service for Registration of Foreign Citizens (SSRFC) and other competent government agencies on asylum and refugee issues. The Office will encourage the government to operationalise the institutional framework for the implementation of the refugee law and continue efforts to enhance the capacity of the SSRFC in line with **Regional Objective 2 (GSO2)**.

### **Contingency Planning**

UNHCR Turkmenistan is an active participant in both the regional and country-level contingency planning as outlined under **Regional Objective 4 (GSO 6)**. The Office will continue to increase the level of awareness and preparedness on the national and regional level and contribute towards the

interactive, web-based and virtual regional contingency plan, while also continuing to work with the relevant government authorities.

Following UNHCR policy of strengthening of its external relations through improved public information, public awareness, media relations and fund raising, the Office will continue to work to increase awareness on a better understanding of UNHCR, as well promoting values of tolerance and respect for asylum seekers, refugees, IDPs and other persons of UNHCR's concern. UNHCR is a member of the newly formed UN Communications Group (UNCG) within the UN system and will continue to be an active participant of the same.

The 2007 and beyond strategy is, therefore, planned on the basis that the capacity-building efforts will continue to be crucial feature of the programme in 2007 and beyond while promotion of durable solutions, particularly naturalisation of locally integrating *prima facie* refugees, and ensuring the smooth transition to full citizenship takes place without interruption.

## **Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP**

### **1. Outcomes of joint planning and management of identified gaps**

With the achievement of a durable solution for the large part of the *prima facie* caseload (some 10,000 Tajik refugees of Turkmen origin), the scale of UNHCR's operation in Turkmenistan will, proportionately reduce – provided there is no unforeseen emergency in the neighbouring countries. Hence, the following needs and partnership are based on the assumption that the core function of the Office for the years to come will be to focus on the capacity building of the SSRFC, in order to prepare them for the takeover of RSD and related asylum issues. The Office will also continue to ensure that both the Tajik refugees of Uzbek origin and Afghan refugees who arrived from Iran in 1994, and who are currently holders of residence permits, will be eventually granted citizenship.

Through various unilateral meetings, discussions and informal contacts with the stakeholders, including the beneficiaries, UNHCR's partnerships and cooperation will continue to develop the coordination mechanisms in assistance activities until the situation of the refugees who have or will become new citizens is regularized. UNHCR continues to focus, together with the local authorities, on assistance projects facilitating the local integration of Tajik refugees within the existing surrounding communities. These projects include schooling, vocational trainings, and the empowerment of women and girls through the establishment of income-generation schemes, and serve to enhance individual initiatives of resourceful refugees in order to support sustainable local integration. In this regard, UNHCR will continue to strengthen its partnership with other UN agencies, international organization and the government to ensure developmental activities including provision of basic needs and infrastructures are advocated and continued in the refugee settlements.

However, the lack of viable Implementing Partners may impede some activities. The majority of NGO Implementing Partners, which had been assisted by UNHCR through its capacity-building efforts, still require its assistance in terms of advocacy, funding and technical expertise.

In this regard, it is essential that UNHCR not be perceived by the Turkmen Government as disengaging prematurely from its presence in Turkmenistan. The Office has every interest in assuring the government of its continued commitment to the welfare of refugees in this country.

UNHCR continues to be committed to its strategy of promoting, advocating and building the capacity of the government refugee body (SSRFC) to fully take over RSD functions and responsibilities. It is foreseen that UNHCR plays an essential role via local and regional initiatives. Information centres on international/refugee law, human rights and humanitarian law, previously supported by UNHCR, will continue to benefit from technical and material assistance. Coupled with this will be the development and training of focal points on refugee issues within the implementing partners. Within such a

background, when the civil society in general is still in its development phase, it is a pre-requisite that UNHCR does not disengage from its capacity-building efforts, but instead intensify and expand them.

## 2. Comprehensive needs and contributions

### a) Contributions by the host government, refugee and/or local communities

Despite the country's huge natural reserves of gas, export of it has been a major preoccupation of the government during the previous year. Discussions on the various routes of export of its natural resources are continuing. Reports of the President's displeasure at the poor harvest of cotton were widely reported and even resulted in the dismissal of several governors of the provinces. Hence, for the time being, it may be unrealistic to expect any financial contribution from the government towards refugees and for UNHCR activities in Turkmenistan.

However, the government's provision of land in the three provinces for the Tajik and Afghan prima facie refugees – even since the early 1990s – can be considered as a major contribution, not to mention the grant of citizenship. On these plots of land, the refugees have either been able to build their own dwellings or renovate or extend the existing ones. The refugees are encouraged and supported to grow cotton and tend livestock, which provide for their livelihood and self-reliance. Hence, to a large extent, shelter and food for the prima facie refugees have been directly or indirectly provided by the government respectively.

Despite the fact that the government officials to the EXCOM meeting in October 2005 met with the NGO unit in UNHCR Headquarters and had detailed briefings on the role of NGOs in UNHCR's work and reiterated their (the government's) support for the same, the situation of NGOs remains fragile in the country. NGOs depend on external funding and support for their existence. To expect any financial contribution from the implementing partners is unrealistic. However, their contribution in human resources is the most that can be expected.

In planning for UNHCR programme projects for 2007, the Office has worked on the basis that an additional amount of USD 1,202,873 (three years project), submitted under the UN Human Security Trust Fund for improvement of the quality of reproductive health and social services for refugees/ new citizens and host communities, where activities are to be jointly implemented by UNHCR and UNFPA could be expected. Furthermore, EUR 60,000 (eighteen months project) submitted under the TACIS project for implementation of legal project is also anticipated. The Office believes these additional funding will assist to tide over the transition period of the prima facie refugees from 'new citizens' to fully integrated local Turkmen nationals whilst at the same time, allowing time and space for other UN agencies to move into the gap left by UNHCR with development projects.

### b) Financial contributions of partners

|  |                                 |   |
|--|---------------------------------|---|
| Needs-based budget for the country operation | Total<br>(all figures in US \$) | 496,180   |
| of which, estimated                          | UNHCR                           | 175,500   |
|  | WFP (where applicable)          | ---   |
|  | Operational partners            | Approximate value of the in-kind contribution is 25,605 |
|  | Implementing partners           | Approximate value of the in-kind contribution is 7,486  |
|  | Unmet needs                     | 287,589   |