

Effective and sustainable protection of the rights of the refugees in Armenia



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Armenia has been facing refugee issues since late 20th century. As a result of ethnic cleansings and mass killings of ethnic Armenians, the war and military actions in the Republic of Artsakh and neighbouring territories in 1988, the Armenian SSR was compelled to deal with the large migration flows from Sumgait, Kirovabad, Baku and other towns and villages in Azerbaijan SSR. In parallel to the addressing the devastating consequences of the earthquake in Spitak and other towns and villages in the north of the country, and handling the issues of the displaced persons from the disaster zone, the Armenian government had to find solutions for providing at least basic accommodation to the displaced persons from Azerbaijan, who comprised about 1/6 of its own population. Since the number of people having emigrated to Azerbaijan from Armenia was considerably smaller, than the number of those having emigrated or escaped from Azerbaijan to Armenia, the issue of providing sufficient accommodation to the latter was indeed a critical issue, and eventually it compelled some emigrants, refugees and displaced persons to emigrate to socially and economically more developed countries.

Armenia faced the second wave of refugees from Iraq in 2004. The crisis in Syria triggered the third wave. The next flow of refugees to the country was a result of the Four-Day War triggered by Azerbaijan in April, 2016. Not having been able to address all the pertinent issues of the refugees from the previous waves, Armenia was compelled to accept a new flow, which resulted in accumulation of the issues and even more drastic manifestations of these issues.

The current situation

A state has a responsibility to address the issues of the refugees and to create an environment for their proper integration. UNHCR has recognized Armenia's experience in integrating refugees and granting them citizenship as one of the best practices of naturalization in the world. Cooperation among the key duty bearers and institutions with a mandate to protect the rights of the refugees, including international organizations, such as the UN and UNHCR, the Migration Service of the Ministry of Territorial Administration and Infrastructure, the RA National Security Service and its border troops, contributes to identifying a possibly larger scale of issues that refugees face. However, there is still a lot to be done. Even after 30 years refugees remain a vulnerable social group; they are underrepresented and marginalized. There is no comprehensive mapping of their issues. Lack of robust data and information results in an incomplete understanding of the capacities of the refugees. This in its turn leads to solutions that are not systematic and targeted. Currently, the key issues refugees face can be grouped in three categories: social-psychological, legal and political.

One of the key issues that still remains unsolved is the issue of compensation of material and non-material damages. It is indeed concerning that the issue of over 30000 refugees and internally displaced persons (IDP) registered in the Republic of Artsakh is still ignored. The UN and UNHCR refrain from providing humanitarian aid to refugees in conflict zones.

In Armenia refugees can engage in community services. However, getting a job is still a problem. It is difficult for refugees to make their voices heard by the authorities. Volunteers are certainly important in assisting refugees to overcome the language barriers, but there is a need for an institutional approach. There is a need for a dedicated foundation that will fund projects addressing the needs of the refugees, including education, dignified housing, rent payment, employment, provision of necessary medication and health services. It is also important to ensure a comprehensive approach towards implementation of such projects and have the government oversee this effort. Refugees and



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IDPs are vulnerable, as their rights are often violated because of their inadequate knowledge of the language, legislation and culture of the country.

Refugees cannot return to their country of origin because of the risks to their life and dignity, especially given the armenophobic environment in Azerbaijan. Moreover, there are no mechanisms that will allow refugees and IDPs to return to their home country.

There is a need to present the issues of the refugees in a more targeted manner in various international platforms. Thus, MPs involved in parliamentary diplomacy will need to invest more in adequately presenting the issues of the refugees.

It should be reiterated that the whole range of the issues refugees face is still not identified, even after 30 years, and the issues they face are not mapped yet. Though there are institutional systems in place in Armenia, further development of these systems needs to be prioritized. Solutions to the above-mentioned issues have been ad hoc, and refugee issues have been addressed largely through projects implemented by local NGOs and international organisations, and humanitarian aid initiatives. Lack of a systematic approach to addressing these issues has resulted in exacerbation of the issues that have not been systematically addressed for decades.

Recommendations

Considering the complexity and volume of the above-mentioned issues, and in order to shape effective and systematic solutions, it is recommended to establish a new Platform of Armenian Refugees (PAR). It will contribute to shaping a joint effort to address the issues refugees face and to develop functional mechanisms to help them shape better futures.

Lack of reliable data often results in skewed understanding of the real needs of the refugees. Thus, the Platform will enable collection of relevant data, and the analysis of these data will allow decision makers to better map and address the needs of the refugees. As a new instrument, PAR will help prioritise the needs of the refugees, and thus, to use the limited resources in a more effective, systematic and targeted manner, to design more comprehensive interventions, and to develop mechanisms that will actually address the needs and issues of the refugees.

The paper is elaborated based on the opinions passed by the participants of the discussion “Each action matters: Effective and sustainable protection of the rights of the refugees in Armenia”, which took place on June 20, 2008.

The round table was organized in collaboration with UNHCR and the Migration Service of the Ministry of Territorial Administration of the RA.