

Yes No Date: *dd.mm.yyyy*
Evaluation Report - Attached
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FINAL PROGRAMME REPORT FORMAT

EXECUTIVE SUMMARY

- In ½ to 1 page, summarise the most important achievements of Programme during the reporting period and key elements from your detailed report below. Highlight in the summary, the elements of the main report that you consider to be the most critical to be included in the MPTF Office Consolidated Annual Report.

I. Purpose

- Provide a brief introduction to the programme/ project (*one paragraph*).
- Provide the main objectives and expected outcomes of the programme in relation to the appropriate **Strategic UN Planning Framework (e.g. UNDAF) and project document (if applicable) or Annual Work Plans (AWPs) over the duration of the project.**

Stateless persons are categorized as one of the most disadvantaged and vulnerable population groups. Most stateless persons are socially, culturally and economically integrated into society and intend to remain in Kyrgyzstan and obtain their citizenship papers. A majority of affected people are children and women. Their unregularized legal status makes them socially and economically vulnerable that may also have a negative impact on the development of their families, communities and society as a whole.

UNHCR aimed to develop a mechanism to identify stateless persons, increase their awareness of their rights, and enable access to citizenship documentation of the Kyrgyz Republic. Objectives of the UNHCR project included preventing and reducing the statelessness through drafting and adopting laws and instructions, identifying citizenship problems, consulting with the government to review citizenship policy (including a National Action Plan to Prevent and Reduce Statelessness) and developing an effective system for processing citizenship applications.

II. Assessment of Programme Results

- This section is the **most important in the Report** and particular attention should be given to reporting on **results / and changes** that have taken place rather than on activities. It has three parts to help capture this information in different ways (i. Narrative section; ii. Indicator based performance assessment; iii. Evaluation & Lessons learned; and iv. A specific story).

UNHCR started the project in 2010 with an estimated figure of 40,000 stateless persons of which around 24,500 were identified through surveys, participatory assessments and governmental partners and the rest of persons were estimated.

Since data on the magnitude of statelessness, gathered during the national population census undertaken in March/April 2009, did not reflect the real situation in the country (only 1634 persons identified themselves as stateless), and as the data collected during 2008-2009 surveys became outdated, UNHCR and UNICEF Kyrgyzstan initiated a joint pilot Survey on the Scale and Situation of Stateless Persons in Chui province and Bishkek city in 2011. Preliminary results of the survey, and active work with the State Registration Service (SRS) on identification of USSR passport holders who had not received any other citizenship, estimated that there were 32,000 stateless persons in the Kyrgyz Republic at the beginning of 2012. In 2012, UNHCR funded an independent country-wide mapping survey to count stateless persons in Kyrgyzstan, which implementation did not yield expected results. Nevertheless, some information from the results of the mapping survey were found useful (e.g. information about reasons of absence of documentation) UNHCR will continue gathering information for identification of actual number of stateless persons in 2014-2015. The exercise will be implemented through cooperation with local government and combined with activities of mobile clinics.

In 2010-2011, UNHCR jointly with its partners assisted the Kyrgyz authorities to develop a proactive mechanism to identify stateless persons, make beneficiaries aware of their rights and duties, and facilitate their access to obtain Kyrgyz Republic citizenship. These improvements to the national legislation and administrative practice were noted as positive developments in 2011. However in 2012, the draft instruction in identification of stateless persons was found to be outdated due to reorganization of functions of the Ministry of Interior and handover of registration and documentation functions to the State Registration Services under the Government of the Kyrgyz Republic. In 2012-2013, the new draft instruction on status determination of stateless persons was developed. Approval of the instruction by the government will be promoted in 2014.

In March 2012, the law “On citizenship of the Kyrgyz Republic” was amended to lift the requirement of paying fees during acquisition of Kyrgyz citizenship to: (a) persons of Kyrgyz ethnicity having foreign citizenship or stateless; (b) former citizens of Kyrgyzstan returning to the country; and (c) female foreign and stateless persons married to Kyrgyz citizens. In addition, according to amended Article 14(2) of the law, access to citizenship is not conditioned by period of residence in the Kyrgyz Republic and preliminary withdrawal from foreign citizenship for aforementioned categories.

In 2012-2013, UNHCR supported an Inter-Agency Working Group (WG) represented by the State Registration Service (SRS), Ministry of Foreign Affairs, Ministry of Justice, Citizenship Commission under the President of the Kyrgyz Republic, Parliamentary Committee on Human Rights, Constitutional legislation and State Structure, Parliamentary Committee on Social Policy, Ombudsman’s institute and NGOs. The WG proposed amendments to by-laws on citizenship issues aimed at improving and facilitating the citizenship procedures for stateless and undocumented persons in the Kyrgyz Republic and submitted them for the approval of state authorities.

As a result of UNHCR advocacy and fruitful cooperation with state authorities and NGO partners, the suggested draft amendments of the WG were accepted and relevant changes were made in to the Regulation “On Procedures of Consideration of Issues of Citizenship of Kyrgyzstan” that became effective in August 2013:

- 1) persons with expired foreign passports who are unable to extend their passports has the right to obtain an official statelessness status and apply for the permanent residence permit. According to the legislation of Kyrgyzstan, a person should have either foreign citizenship or stateless person’s status to apply for the residence permit.
- 2) The new Regulation also provides such due process safeguards as decision making regarding confirmation of citizenship within a reasonable time, informing an applicant on results of the decision, and explaining further procedure to obtain a permanent residence permit.
- 3) The Regulation abolished the provisions on the loss of citizenship as a result of the person’s military or intelligence service in a foreign state and provided additional safeguards against statelessness of children.

These changes in the Regulation were especially effective in helping the UNHCR target group of Uzbek spouses with expired passports who are married to Kyrgyzstan nationals to regularize their legal status in Kyrgyzstan.

- The WG has developed also the following progressive draft amendments to the Regulation “On issuance of residence permits in the Kyrgyz Republic”:

- 1) Time for consideration of materials on permanent residence permit shall be decreased from one year to 9 months from the day of submission of an application.
- 2) Persons recognized as stateless in the Kyrgyz Republic shall not be required to provide the documents proving their means of subsistence,
- 3) Persons recognized as stateless in the Kyrgyz Republic shall not be required to provide the certificate of a clean criminal record.

In the beginning of 2014, the draft amendments were reviewed and supported by the SRS. Promotion of the draft amendments will be continued in 2014.

- The progressive draft amendments to the law “On citizenship” were developed to prevent and reduce the statelessness at birth:

1) “If parents with different citizenship do not reach an agreement on the child's citizenship within three months from the moment of birth of the child, the child born in the Kyrgyz Republic is a citizen of the KR”.

2) "A child born on the territory of the Kyrgyz Republic, the parents of who are stateless persons having residence permit in the Kyrgyz Republic, is a citizen of the Kyrgyz Republic". [Currently, this Article refers only to stateless persons with permanent residence permit and does not cover the parents with temporary residence permit living in Kyrgyzstan. The draft amendment guarantees the right to the citizenship of Kyrgyzstan to children of stateless persons with various types of residence permit].

3) “A child born on the territory of the Kyrgyz Republic, the parents of who are foreign citizens, living in the Kyrgyz Republic, who are unable to transmit their nationality to a child, is a citizen of the Kyrgyz Republic”.

The draft amendments will be forwarded to the relevant Parliamentary Committees and promoted in 2014.

Throughout the reporting period UNHCR continued lobbying for the accession of the Kyrgyz Republic to the statelessness conventions. Consequently, state authorities indicated the need to study the subject closely.

The agenda of the National Action Plan on the Prevention and Reduction of Statelessness in the Kyrgyz Republic adopted in 2009 was subsequently updated in 2011, 2012 and 2013 including practical steps towards accession to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

In 2013, the government was receptive on issues related to the prevention and reduction of statelessness partially in view of Parliamentary elections coming in 2015 and Presidential elections expected in 2016, by which time the state would like to have a comprehensive count of the electorate. Based on previous cooperation within the project, the Kyrgyz government showed steady commitment to solving statelessness problems, providing an excellent opportunity for UNHCR to remain constructively engaged in targeted interventions.

i) Narrative reporting on results:

From January to December 2013, respond to the guiding questions, indicated below to provide a narrative summary of the results achieved. The aim here is to tell the **story of change** that your Programme has achieved over its entire duration. Make reference to the implementation mechanism utilized and key partnerships.

- **Outcomes:** Outcomes are the strategic, higher level of change that your Programme is aiming to contribute towards. Provide a summary of progress made by the Programme in relation to **planned outcomes from the Project Document / AWP**s, with reference to the relevant indicator(s) in these documents. Describe if final targets were achieved, or explain any variance in achieved versus planned results. Explain the overall contribution of the programme to the Strategy Planning Framework or other strategic documents as relevant, e.g.: MDGs, National Priorities, UNDAF outcomes, etc . Explain who the main beneficiaries were. Highlight any institutional and/ or behavioural changes amongst beneficiaries at the outcome level.
- **Outputs:** Outputs are the more immediate results that your Programme is responsible for achieving. Report on the key outputs achieved over the duration of the Programme , in relation to **planned outputs from the Project Document / AWP**s, with reference to the relevant indicator(s) in these documents. Describe if final targets were achieved, or explain any variance in achieved versus planned results. If possible, include the number of beneficiaries. Report on how achieved outputs

have contributed to the achievement of the outcomes and explain any variance in actual versus planned contributions to the outcomes.

- **Qualitative assessment:** Provide a qualitative assessment of the level of overall achievement of the Programme. Highlight key partnerships and explain how such relationships impacted on the achievement of results. Explain cross-cutting issues pertinent to the results being reported on. Has the funding provided by the MPTF/JP to the programme been catalytic in attracting funding or other resources from other donors? If so, please elaborate. For Joint Programmes, highlight how UN coordination has been affected in support of achievement of results.

In 2010-2013, UNHCR jointly with government and non-government counterparts achieved positive results in reduction of statelessness in Kyrgyzstan. Approximately 49,800 stateless persons and persons with undetermined citizenship confirmed or acquired the citizenship of Kyrgyzstan. In addition, 1210 children of persons under UNHCR's statelessness mandate in the country were documented with birth certificates.

The statelessness reduction process has been facilitated through provision of additional technical and financial assistance to the Department of Passport, Visa and Registration Control of the SRS under the Government of the Kyrgyz Republic and the Citizenship Commission under the President, to increase capacity to process citizenship applications. Temporary staff was hired by the Citizenship Commission and the SRS to process cases of stateless persons.

With support of non-governmental partners UNHCR provided stateless persons with free legal advice and assistance to receive Kyrgyz citizenship through a network of local NGOs. As part of capacity building activities round of seminars and trainings were conducted for local authorities.

In 2010, UNHCR organized 15 trainings for 240 staff of the State Registration Service (SRS), local authorities, and NGOs on statelessness issues to increase capacity. In addition, NGO partners, SRS, and UNHCR staff went on several field visits to facilitate unification of administrative practice in Osh, Jalal-Abad and Batken provinces.

In 2011, UNHCR and the Passport Department conducted a series of 36 seminars for the staff of SRS, the Ministry of Labour, Migration and Youth, NGOs and local authorities. The main purpose of the trainings was to unify the implementation of the Citizenship Law and the issuance of passports, residence permits, and *kairylman* status certificates.

In 2012, UNHCR's partners conducted six round-tables and seminars for 77 representatives of the SRS, the Civil Status Registration district units and NGOs. Also a number of round-tables and seminars on statelessness issues were held by UNHCR's partners for 19 district level Civil Registry officers, 18 judges and 33 Centre for Service of Population officers recently established under the SRS. Participants were familiarized with UNHCR's mandate, international statelessness conventions, national citizenship legislation and current challenges and the role of the civil registration units and courts in documentation of children were discussed.

In 2013, 42 representatives of state population service centres of Bishkek city of Chui province were trained on legislation on citizenship and documentation of stateless persons with residence permits. Additionally, 219 representatives of passport units and local self-governance in the south of the country were familiarized on legislative amendments in the Kyrgyz Republic in the field of citizenship and statelessness.

In 2012-2013, UNHCR involved other UN agencies (UNICEF, UN Women, UNFPA) to attend the participatory assessment (PA) meetings to assess the needs of stateless persons and persons at risk of statelessness in Chui, Jalal-Abad, Batken and Osh provinces with participation of 143 women and 125 men. In 2013, UNHCR invited the UN agencies (OHCHR, UN Women, UNICEF, UNFPA) to attend the inter-agency working group meetings to discuss and develop the draft amendments to the legislation on citizenship and statelessness.

Implementation of the programme has been accompanied with public awareness activities such as production and distribution of leaflets, posters, and press releases, production and translation through local media of video and audio spots. In 2013, 3200 posters and 4800 brochures in Kyrgyz and Russian languages on importance of birth registration were produced in conjunction with UNICEF and distributed throughout Kyrgyzstan. In coordination with UNFPA, UNHCR published 400 booklets on family planning and reproductive health in the Kyrgyz and Russian languages to distribute among stateless and undocumented persons. In 2013, one TV program on foreign spouses married to Kyrgyzstan nationals was developed/broadcast on local NTS TV in coordination of UNHCR with State Registration Service under the Government of the KR. In addition, two TV and audio spots on citizenship procedures targeted at foreign spouses were broadcast during April-May on local TV stations KTR, NTS, 7th Channel, Bashat and radio stations Sanjira, Yntimak, Birinchy radio. As part of the PI campaign, four banners on statelessness in three southern provinces and northern Chui province were developed with slogan “Nobody wants to become a stateless person. Today you can change your life. Call to know more” were placed in the districts of Bazar-Korgon, Nookan of Jalal-Abad province, in Osh city, Karasuu district of Osh province Kadamjai and Halmion areas of (Batken province as well as Chui province, including Bishkek city. As a result of the PI campaign, 292 stateless persons approached the UNHCR NGO IP to receive legal assistance on the acquisition of the Kyrgyz citizenship.

Lack of full funding influenced the scope and quality of planned capacity building activities and information campaigns. Some useful activities such as organization of a round table with relevant parliamentary committees on accession to the statelessness conventions and development of more public information materials to raise awareness of stateless persons on their rights, duties and procedures to get documentation in Kyrgyzstan were not undertaken. As a consequence, needs of some categories of stateless persons or those at risk of statelessness remained unaddressed. At the same time reduction of statelessness was not fully implemented due to insufficient technical assistance provided to the State Registration Service, local self-government bodies and local NGO partners whose current human, financial and technical capacity does not allow covering more stateless and undocumented persons in the country. NGO partners lacked sufficient resources to expand areas of their work and provide more stateless persons with individual legal assistance in birth registration, documentation, or acquisition of Kyrgyz citizenship.

ii) Indicator Based Performance Assessment:

Using the **Programme Results Framework from the Project Document / AWP**s - provide details of the achievement of indicators at both the output and outcome level in the table below. Where it has not been possible to collect data on indicators, clear explanation should be given explaining why.

	<u>Achieved</u> Indicator Targets	Reasons for Variance with Planned Target (if any)	Source of Verification
Outcome 1⁹ Prevention and reduction of statelessness in Kyrgyzstan Indicator: Baseline: Planned Target:			
Output 1.1 Prevention of statelessness strengthened Indicator 1.1.1 Instruction on identifying stateless persons adopted and implemented Baseline: 100% Planned Target: Instruction developed, adopted and implemented (100%) Indicator 1.1.3 Implementing comments on Citizenship Law developed Baseline: 100% Planned Target: The comments on Citizenship Law developed and used by relevant authorities (100%) Indicator 1.1.4 Accession of the Kyrgyz Republic to the 1954 and 1961 Statelessness Conventions Baseline: N/A Planned Target: Kyrgyzstan acceded to the Conventions	2010- Draft instructions have been developed (33%) 2011- 80% 2012-82% 2013-85% 2010- Draft of the document developed (50%) 2011- 95% 2012-95% 2013-95% At negotiation level	In 2012, the draft Instruction on identifying stateless persons developed in 2010-2011 was found to be outdated due to reorganization of functions of the Ministry of Interior and hand over of registration and documentation functions to the SRS. In addition, there was lack of will of state partners to develop the draft Instruction. In 2012-2013, the new draft Instruction on statelessness status determination was developed. It is expected that the Instruction will be approved by the state in 2014. In 2012, the draft amendments were developed to the law on citizenship of Kyrgyzstan. It was proposed to develop the Comments on the citizenship law after the adoption of the new draft amendments in 2014. 2011-Positions of Ministries were defined (the law enforcement agencies concluded that, in general, the legislation complies with the conventions; the accession can bring financial	IP Legal Clinic “Adilet” UNHCR UNHCR

⁹ Note: Outcomes, outputs, indicators and targets should be **as outlines in the Project Document** so that you report on your **actual achievements against planned targets**. Add rows as required for Outcome 2, 3 etc.

Indicator: Baseline: Planned Target:			
<p>Output 2.1 Greater reduction of statelessness achieved</p> <p>Indicator 2.1.1 # of focus group meeting with stateless persons Baseline: 12 Planned Target: 10 in 2010; 18 in 2011; 6 in 2012 10 in 2013</p> <p>Indicator 2.1.2 # of persons receiving individual legal assistance /# of persons assisted with acquisition / confirmation of nationality Baseline: N/A Planned Target: 13000 1,000 in 2010 6,000 in 2011 3,000 in 2012 3,000 in 2013 Total: 13000</p> <p>Indicator 2.1.3 # of persons receiving information on access to nationality Baseline: N/A Planned Target: 4,000 in 2010 1,950 in 2011 1,200 in 2012 3,000 in 2013 Total: 10,150</p>	<p>8 in 2010 18 in 2011 3 in 2012 10 in 2013</p>		AGDM Reports
	<p>1,236 in 2010 2,600 in 2011 2,914 in 2012 1,544 in 2013 Total: 8,294</p>		IP's reports
	<p>10,000 in 2010 1,742 in 2011 1,607 in 2012 6,636 in 2013 Total: 19,985</p>		IPs reports
<p>Output 2.2 Civil registration and civil status documentation strengthened</p> <p>Indicator 2.2.1 Issuance of civil status documentation by national institutions supported</p>			IPs reports

Baseline: N/A Planned Target: 55%			
80% in 2012 30% in 2013	16% (943/6000) in 2012 6% (267/4490) in 2013		

iii) Evaluation, Best Practices and Lessons Learned

- **Report on any assessments, evaluations or studies undertaken relating to the programme and how they were used during implementation. Has there been a final project evaluation and what are the key findings? Provide reasons if no programme evaluation have been done yet?**

Monitoring of project activities have been undertaken twice a year. In the beginning of 2014, UNHCR CO evaluated the project's activities implemented in 2013. UNHCR provided the IPs with the recommendations to improve their reporting.

- **Explain challenges such as delays in programme implementation, and the nature of the constraints such as management arrangements, human resources etc. What actions were taken to mitigate these challenges? How did such challenges and actions impact on the overall achievement of results? Have any of the risks identified during the project design materialized or were there unidentified risks that came up?**

Unidentified risks: The project activities were delayed due to late receipt of the last tranche of funds that affected the planning process and the organization of the activities (e.g., arrangement of working group meetings).

- **Report key lessons learned and best practices that would facilitate future programme design and implementation, including issues related to management arrangements, human resources, resources, etc. Please also include experiences of failure, which often are the richest source of lessons learned.**

Timely receipt of funds would improve the organization of planned activities. Limited funds hinder effective design and implementation of the activities.

The statelessness mapping survey was not successful.

Lessons learnt:

- Undertaking of mapping survey with small budget that would only cover a small number of respondents is not good for extrapolation;

Mistakes in methodology.

iv) A Specific Story (Optional)

- This could be a success or human story. It does not have to be a success story – often the most interesting and useful lessons learned are from experiences that have not worked. The point is to highlight a concrete example with a story that has been important to your Programme.
- In ¼ to ½ a page, provide details on a specific achievement or lesson learned of the Programme. Attachment of supporting documents, including photos with captions, news items etc, is strongly encouraged. The MPTF Office will select stories and photos to feature in the Consolidated Annual Report, the GATEWAY and the MPTF Office Newsletter.

Problem / Challenge faced: Describe the specific problem or challenge faced by the subject of your story (this could be a problem experienced by an individual, community or government).

In 2013, an old woman with undetermined citizenship, a former USSR citizen was deported from Uzbekistan to Kyrgyzstan. She lost her USSR passport and lived most of her life in Kyrgyzstan in the past. The legislation of Kyrgyzstan was not clear about timeframe to confirm the person's citizenship. Her case was pending a decision for several months.

Programme Interventions: How was the problem or challenged addressed through the Programme interventions?

- 1) During the meeting of the Working group with participation of the SRS, an agency responsible for confirmation of citizenship of Kyrgyzstan, UNHCR raised the concern that the woman could not confirm her citizenship of Kyrgyzstan despite her residence in Kyrgyzstan and proposed to define the timeframe to take a decision regarding the citizenship confirmation of applicants. In addition, the UNHCR IP assisted the woman with accommodation and legal consultancy to confirm her citizenship.
- 2) The state partners attended the UNHCR participatory assessment meetings to identify the needs and problems of stateless persons.

Result (if applicable): Describe the observable *change* that occurred so far as a result of the Programme interventions. For example, how did community lives change or how was the government better able to deal with the initial problem?

Next week after the meeting of the working group, UNHCR was informed that the Kyrgyzstan's citizenship of the woman was confirmed. The state partners who attended the participatory assessment meetings improved their understanding of the statelessness problems and decided to facilitate the citizenship procedure.

Lessons Learned: What did you (and/or other partners) learn from this situation that has helped inform and/or improve Programme (or other) interventions?

It is essential to involve state partners into the elaboration of draft legislative amendments and/or organize meetings of state decision makers with persons of concern to sensitize their awareness on the problem of statelessness.