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**Overview of UNHCR’s operations in Europe****A. Situational context***Asylum and internal displacement*

By the end of 2014, Turkey had registered more than 1.5 million Syrian refugees in total. In addition, it received some 79,000 non-Syrian asylum-seekers during the course of 2014. In the same period, the Russian Federation registered more than 274,000 applications for refugee status and temporary asylum, primarily from Ukraine (98.7 per cent), with smaller numbers from Afghanistan and the Syrian Arab Republic. The 28 Member States of the European Union (EU) together registered over 500,450 asylum claims between January and November/December 2014,<sup>1</sup> a 28 per cent increase compared to 2013. Five countries received almost 70 per cent of all applications – Germany (156,013), Sweden (73,945), France (53,404), Italy (51,262) and Hungary (27,291).<sup>2</sup> The largest number of asylum applications (109,439) came from nationals of the Syrian Arab Republic, who accounted for 22 per cent of all new applications in the EU. Other top countries of origin included Serbia (39,136), Eritrea (35,364) and Afghanistan (32,182).

New asylum applications from nationals of the Syrian Arab Republic were concentrated in a few European States, with similar trends for other nationalities. Just two countries – Germany and Sweden – received 55 per cent of all applications filed by Syrians in EU Member States plus Iceland, Liechtenstein, Norway and Switzerland (collectively referred to as “EU+”). Seven countries – Germany, Sweden, the Netherlands, Austria, Bulgaria, Denmark and Hungary – received 80 per cent of all new asylum applications made by Syrians in the EU+.

While smaller in absolute terms, the number of asylum applications in South-Eastern Europe also rose: from 10,000 in 2013 to over 20,000 last year. The vast majority of these claims were registered in Serbia.

In Ukraine, some 1,007,917 persons are internally displaced.<sup>3</sup> The humanitarian situation of people living in non-government controlled areas has worsened due to the conflict and a lack of adequate housing, unemployment, and insufficient access to health services and other social assistance. Restrictions upon the movement of people and goods across the “front lines” have also significantly affected civilians.

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<sup>1</sup> Data is provisional. Complete figures for 2014 were not available at the time of writing. Data for the months of November and December 2014 is not available for all countries.

<sup>2</sup> Data is provisional. These figures do not include data for the month of December for France, Germany, and Hungary, nor the months of November and December for Italy.

<sup>3</sup> Internally displaced persons registered by Ukraine’s Ministry of Social Policy, as of 29 February 2015.

Other Ukrainians have crossed an international border in search of safety. Of some 640,000 Ukrainians outside the country as of January 2015, over 264,000 had sought some form of protection in the Russian Federation, 2,657 in Germany, 2,644 in Poland and 2,149 in Italy, while others enjoyed other forms of legal stay.

*The situation at the European Union's borders*

The movement of refugees and migrants across the Mediterranean Sea towards Europe continues to exact a devastating toll on human life. Some 3,500 people have died or were reported missing in the Mediterranean in 2014, compared to 600 in 2013. In 2014, the number of people arriving by sea nearly quadrupled: from 60,000 in 2013 to over 218,000 in 2014. Half of these were from the Syrian Arab Republic and Eritrea. Most of the 170,100 people who disembarked in Italy were rescued at sea by the Italian Navy operation *Mare Nostrum*. UNHCR has repeatedly expressed concern about the recent termination of *Mare Nostrum* absent a similar European search-and-rescue operation to replace it. UNHCR has also recognized the valuable search and rescue efforts carried out by many commercial vessels.

The Office remains concerned about reports of asylum-seekers being forced back and prevented from accessing territory and procedures in some European countries. UNHCR has called for these practices to cease immediately, and for any reported incidents to be fully investigated. It has also called on States of disembarkation to significantly improve the systematic identification of persons rescued at sea as well as reception conditions. The Office has encouraged the comprehensive use of the Dublin Regulation<sup>4</sup> to facilitate the relocation of some asylum-seekers in other EU countries, such as for purposes of family reunification. It has also advocated for a temporary pilot project on relocation for persons found to be in need of international protection.

*The Common European Asylum System*

The Common European Asylum System (CEAS) has the potential to significantly advance the regional and international protection framework. While progress has been made toward its implementation, concrete measures will be required in order to translate the CEAS into a true system of shared responsibility and solidarity, based on trust amongst EU Member States.

Following UNHCR's call for a temporary halt of transfers to Bulgaria under the Dublin Regulation in 2014, Bulgaria acted to redress certain systemic deficiencies in its reception conditions and asylum procedures, with the support of UNHCR, the European Asylum Support Office (EASO), the European Commission (EC), individual EU Member States, and international and national civil society actors. By April 2014, UNHCR was able to lift the guidance on a general suspension of Dublin transfers of asylum-seekers to Bulgaria, while cautioning that there may be reasons precluding the transfer of certain groups or individuals under Dublin.

UNHCR recently recognized that Greece has made progress in reforming its asylum system but recommended that States continue to refrain from returning asylum seekers to Greece under the Dublin Regulation.<sup>5</sup> The Office continues to work with the Greek authorities to

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<sup>4</sup> Regulation No. 604/2013 of the European Parliament and of the Council of 26 June 2013 (establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person).

<sup>5</sup> UNHCR observations on the current asylum system in Greece, December 2014, available at <http://www.refworld.org/docid/54cb3af34.html>

address the remaining shortcomings and encourages EU Member States and institutions to continue to lend their support.

In a ground-breaking judgement, the Court of Justice of the European Union (CJEU) concluded that (1) the assessment of asylum claims on the sole basis of stereotyped notions associated with homosexuals, (2) the use of a “test” aiming to establish the person’s sexual orientation, and (3) detailed questioning as to an asylum applicant’s sexual practices are contrary to fundamental rights.<sup>6</sup> In another case addressing standards for access to subsidiary protection within the EU, the CJEU held that it is not necessary for a conflict to be characterized as an “armed conflict” within the meaning of international humanitarian law.<sup>7</sup>

## B. Achieving the global strategic priorities

### *Protection at sea, access to territory and asylum procedures, and reception conditions*

In view of the dramatic situation in the Mediterranean Sea, UNHCR has maintained its call for a comprehensive approach to protection at sea. Through the Central Mediterranean Sea Initiative,<sup>8</sup> UNHCR has proposed guidance for joint European action, based on the principles of solidarity, burden-sharing and protection for those fleeing persecution and violence. UNHCR has stressed the need for a joint European search and rescue effort and for the provision of legal alternatives to dangerous irregular movements. Such alternatives may include enhanced resettlement opportunities, humanitarian admissions, private or community sponsorships, access to family reunification, and student and employment visas for refugees.

The Office works closely with the EU border agency, Frontex, both bilaterally and as the Chair of the Frontex Consultative Forum. In this context, UNHCR supported the VEGA Children initiative<sup>9</sup> and organized a follow-up visit to Frontex Operations at the Bulgarian land border with Turkey. Cooperation is also extensive on risk analysis and training.

In South-Eastern Europe, UNHCR continues to promote the development of protection-sensitive asylum and migration systems, including border monitoring mechanisms, with governments and other stakeholders. Thus far there has been limited progress, and significant concerns remain over reports of pushbacks, delays in processing cases, low recognition rates, and a lack of effective local integration mechanisms – all of which are believed to contribute to the high rate of onward movement. In Eastern Europe, UNHCR is concerned about a lack of access to the territory and asylum procedures for some nationalities.

### *Fair and effective asylum and protection systems*

UNHCR is working with national authorities, EU bodies and civil society on the transposition and implementation phase of the CEAS, including through improved practical cooperation with EASO. A follow-up study to the Credibility Assessment in EU Asylum Systems Project (CREDO 2) will be widely disseminated in 2015.

<sup>6</sup> *A(C-148/13), B(C-149/13) and C(C-150/13) v Staatssecretaris van Veiligheid en Justitie*, available at <http://curia.europa.eu/juris/document>

<sup>7</sup> *Aboubacar Diakité vs. Commissaire général aux réfugiés et aux apatrides*, available at <http://curia.europa.eu/juris/document>

<sup>8</sup> *Central Mediterranean Sea Initiative Action Plan*, available at [www.unhcr.org/531990199.pdf](http://www.unhcr.org/531990199.pdf)

<sup>9</sup> Frontex’s “VEGA Children” initiative seeks to enhance the detection and protection of child victims of smuggling and trafficking at EU airports.

The Asylum Systems Quality Initiative in Eastern Europe and the Southern Caucasus has enhanced the quality of refugee status determination procedures. The initiative is now being pursued in UNHCR's regular programmes in the sub-region, with coordination provided by the newly established Regional Protection Support Unit for Eastern Europe, based in Tbilisi, Georgia.

#### *Favourable protection environment*

As asylum applications increase, so does the pressure on reception systems in some EU Member States and countries in Eastern and South-Eastern Europe. Many are grappling to provide suitable accommodation for asylum-seekers. In some instances, applicants spend prolonged periods in closed or temporary facilities at the point of arrival, leading many to move on in an irregular manner. These include significant numbers of unaccompanied children.

In the case of *Tarakhel v. Switzerland*,<sup>10</sup> the European Court of Human Rights held that, in the context of a Dublin transfer, the individual circumstances of the applicant must be taken into account in deciding to return an asylum-seeker to another country, even if the country of return is not facing systemic difficulties in its asylum/reception system.

The routine detention of asylum-seekers remains a serious concern in several European countries. Meanwhile, UNHCR welcomes the participation of Hungary, Malta, Lithuania and the United Kingdom as focus countries for the initial implementation of UNHCR's global strategy, *Beyond Detention*.<sup>11</sup>

An EU Justice and Home Affairs Council Conclusion on preventing and combatting all forms of violence against women and girls, adopted in June 2014, reflects increasing awareness of the scope of female genital mutilation (FGM) in the EU. Meanwhile, several EU and Council of Europe Member States ratified the Istanbul Convention,<sup>12</sup> signaling further support to end domestic violence and violence against women.

In 2014, UNHCR and UNICEF launched a new publication, "*Safe and Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe*". The report was presented at events in Finland, Hungary and Ireland, which raised awareness and provided training opportunities. Similar events are planned in 2015.

#### *Facilitating durable solutions*

Eighteen countries in Europe now have regular resettlement programmes, while several – Austria, Belarus, Liechtenstein and Poland – have pledged to resettle and grant humanitarian admissions to Syrians. In partnership with the International Organization for Migration and the International Catholic Migration Commission, UNHCR is coordinating an EU-funded resettlement project that promotes increased and improved resettlement to Europe, including emergency resettlement. In 2015 the project will focus on other forms of admission to complement programmes in existing resettlement countries and offer new opportunities for non-resettlement countries.

Access to adequate housing and family reunification remain fundamental challenges for refugees in Europe. Limited integration prospects, destitution, intolerance, and xenophobia

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<sup>10</sup> Available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-148070#{ "itemid":\["001-148070"\] }](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-148070#{ )

<sup>11</sup> Available at [www.refworld.org/pdfid/536b564d4.pdf](http://www.refworld.org/pdfid/536b564d4.pdf)

<sup>12</sup> The Istanbul Convention requires State parties to ensure that gender-based violence against women is recognized as a form of persecution. FGM is expressly mentioned in the Convention.

are core concerns in a number of countries. UNHCR continues working with national stakeholders on relevant legislation and comprehensive national integration plans.

As part of the Sarajevo Process,<sup>13</sup> implementation of the Regional Housing Programme (RHP)<sup>14</sup> continued in Bosnia and Herzegovina, Croatia, Montenegro and Serbia. In 2015, UNHCR and the Organization for Security and Co-operation in Europe (OSCE) will continue to promote transparent and fair implementation of the RHP, in particular in relation to the identification of beneficiaries. In Bosnia and Herzegovina, implementation of the three-year EU-funded, multi-stakeholder project on the *Revised Strategy for the Implementation of Annex VII of the Dayton Peace Agreement* and supporting solutions for IDPs remain priorities. The Office will also continue to support States in the implementation of its recommendations related to cessation and durable solutions for refugees from Croatia.<sup>15</sup>

UNHCR will continue to assist governments in seeking durable solutions for persons displaced from Kosovo.<sup>16</sup> In Serbia, UNHCR will support the development of a durable solutions strategy for some 90,000 vulnerable displaced persons. UNHCR also continues to support the voluntary return and reintegration of minority groups of displaced persons willing to return from Montenegro, Serbia and The former Yugoslav Republic of Macedonia. In Kosovo,<sup>17</sup> the Joint IDP Profiling Service will conduct a profiling exercise to generate core data and baseline information on the number and location of IDPs, disaggregated by age and gender.

In Georgia, UNHCR continues to advocate for improved access to livelihoods and government-run housing solutions for some 90,000 IDPs in need. In Azerbaijan, UNHCR is advocating for the use of a rights-based approach in government housing and assistance projects for IDPs.

The Geneva International Discussions – co-chaired by representatives from the European Union, the United Nations and the OSCE – continue to address security and humanitarian issues resulting from the 2008 conflict in the region. As co-moderator of the working group on humanitarian issues, UNHCR strives to ensure that needs of displaced individuals are considered and that freedom of movement across the administrative boundary lines (ABLs) is respected and enhanced.

#### *Ukraine emergency response*

In 2014, UNHCR worked with the Ukrainian government, local authorities and NGOs to identify and respond to immediate and long-term needs of IDPs in the areas of protection monitoring, shelter and non-food item (NFI) distribution. UNHCR also advocated for the establishment of appropriate legislative frameworks, which resulted in the adoption of an

<sup>13</sup> The Sarajevo Process takes its name from the Sarajevo Declaration, adopted by delegations from Croatia, Bosnia and Herzegovina, Serbia and Montenegro in January 2005 at the Regional Ministerial Conference on Refugee Returns. It was further supported by the Belgrade Declaration, adopted in April 2006 at the Migration, Asylum and Refugees Regional Initiative Regional Forum. The participating States committed to find solutions for those persons still displaced by the 1991-1995 conflicts.

<sup>14</sup> The RHP aims to provide durable and sustainable housing solutions for approximately 27,000 households (74,000 people).

<sup>15</sup> The first progress report, *Implementation of the Durable Solutions Process (Sarajevo Process) for refugees from Croatia displaced by the 91 – 95 conflict, including cessation of refugee status*, November 2014, is available at [www.refworld.org/docid/547c1e524.html](http://www.refworld.org/docid/547c1e524.html).

<sup>16</sup> References to Kosovo shall be understood in the context of Security Council Resolution 1244 (1999).

<sup>17</sup> References to Kosovo shall be understood in the context of Security Council Resolution 1244 (1999).

IDP law and registration procedures. The cluster approach was activated in December 2014, and in January 2015, UNHCR declared Ukraine an internal “level-2 emergency”. In 2015, UNHCR will implement a comprehensive strategy for the protection of and assistance to people affected by the conflict in eastern Ukraine.

#### *Addressing statelessness*

In 2014, Belgium and Georgia acceded to the 1961 *Convention on the Reduction of Statelessness* (1961 Convention), and Turkey finalized the legislative process allowing for its accession to the 1954 *Convention relating to the Status of Stateless Persons* (1954 Convention).

Cooperation with governments throughout South-Eastern Europe has supported access to civil registration documents and nationality. Montenegro, in cooperation with UNHCR, launched a public call to identify stateless persons residing in the country and has begun to address obstacles to regularizing their stay or acquiring nationality. Early in 2015, the Estonian parliament amended its nationality law, facilitating the acquisition of nationality for elderly stateless persons and refugees, and automatically granting nationality to children born stateless in the country.

UNHCR encourages States who have not yet done so to accede to the 1954 Convention and the 1961 Convention and to take additional measures for the protection of stateless people and the prevention of statelessness.

### **C. Financial information**

During its 65th session, the Executive Committee approved a 2015 budget for Europe of US\$ 480.5 million. The budget currently stands at US\$ 536.3million, reflecting an increase of US\$ 55.8 million, primarily due to additional resource requirements in Turkey induced by the crisis in Syria. The budget increase also includes supplementary budgets for the Ukraine situation, which also covers needs in Belarus, the Republic of Moldova and the Russian Federation.

In October 2013, the Executive Committee approved an initial 2014 budget for Europe of US\$ 343.3 million; by year-end, the 2014 budget stood at US\$ 487.3 million. Seventy-seven per cent of the final budget was allocated to Eastern Europe; 14 per cent to Northern/Western/Central/Southern Europe; and 9 per cent to South-Eastern Europe. Turkey continues to account for the overwhelming majority – 65 per cent – of the total budget for Europe.

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