

## 2010 UNHCR-NGO Consultations

### **“Partnerships for refugee protection: Preserving and expanding asylum space in Europe” Bureau for Europe session, 30 June, 11:15-13:00**

In Europe, one can find the full range of persons of concern to UNHCR: asylum-seekers, refugees, stateless persons, internally displaced people and returnees. The limited time available at the Europe Bureau session will not allow us to discuss all of these groups and the related issues. As there are separate sessions at the NGO consultations devoted to internal displacement, statelessness and fighting xenophobia and intolerance, it is proposed to devote the Bureau for Europe session to partnerships to preserve and expand asylum space.

Humanitarian space, including asylum space, is under strain across Europe in many places and in many ways. Access to Europe for persons seeking international protection is becoming ever more difficult. In the EU, efforts continue to build a Common European Asylum System, but there is still a wide gap between law and practice in some countries and room for improvement in the quality of asylum systems. In some places in Eastern Europe, we see a worrying deterioration of asylum and the non-functioning of asylum institutions, the development of which has been supported for years. In South-Eastern Europe there is still work to do, to develop asylum mechanisms in line with international and European standards. Integration of beneficiaries of international protection lags behind our expectations in many countries. Resettlement has attracted welcome attention lately, but European numbers remain very low.

The session will start with short presentations by UNHCR’s Director for Europe (Judith Kumin) and the Refugee Policy Director of Human Rights Watch (Bill Frelick). The moderator will be Walter Brill, Director of Operations at the International Catholic Migration Commission. Questions proposed for discussion are:

- 1) Access to Europe: At a recent European Border Guards Conference, it was noted that there are over 400,000 border guards active in Europe, at an annual cost of over 900 million Euros. How do we assess our efforts to undertake border-monitoring and to engage in training of border guard personnel to ensure that border control is sensitive to the needs of persons seeking international protection? Are these efforts bearing fruit? What strategies do we have, in the face of the fact that border controls are increasingly moving away from the physical borders of states? Are there ways in which UNHCR and NGOs can work more effectively together to preserve access to asylum?
- 2) Asylum systems: We have jointly invested in asylum system capacity-building, especially in Central, Eastern and South-Eastern Europe. How do we assess the outcome of these efforts? What strategies should we adopt in countries where – despite intensive investment in capacity-building – the systems still do not function effectively?

The UK newspaper ‘The Independent’ recently ran a story about an Afghan who was denied asylum. According to the newspaper, he was a victim of torture whose teenage son had been beheaded. Whether this particular story is true or not, we do have reason to focus efforts on ensuring the best possible quality of asylum decision-making. What modes of co-operation do we think are most effective in this area – including

for the identification of cases which raise important issues of refugee law and are likely to reach High Courts at national level or the ECHR or ECJ?

- 3) Integration: Even where refugee status determination mechanisms are functioning, integration in some cases is lagging seriously behind. As a result, beneficiaries of international protection move – often irregularly – to other European countries. What more can and should we do, to promote self-reliance and genuine integration of protection beneficiaries in countries which have accorded them status? What are the obstacles to this?
- 4) Resettlement: After many years of neglect, resettlement is experiencing a renaissance in Europe, though the numbers of refugees resettled to Europe remain rather low. Some advocates worry that states may see resettlement as an alternative to asylum, rather than as a complementary mechanism. A further concern is that the strategic use of resettlement in an effort to improve asylum space in some countries in Eastern Europe could serve as a “pull factor”. Nonetheless: UNHCR – NGO co-operation in the promotion of resettlement in Europe has been exemplary. How should this continue? Can we use this co-operation as an example for other thematic or geographic areas?

The objective of the session is to emerge with some concrete recommendations in each of these areas.

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