



Central Europe and the Baltic States

Major developments

While asylum claims dropped by 19 per cent in 2004 in the wider European Union, there was little change in the new EU Member States of Central Europe: 43,390 in 2004 compared to 43,370 in 2003. However, the overall figure conceals significant changes at the country level. The Republic of Cyprus saw a 124 per cent increase in asylum applications from 4,410 in 2003 to 9,860 in 2004. In Poland, there were 17 per cent more asylum applications than in 2003 (56 per cent more than in 2002). Slovakia also saw a significant increase. Conversely, the Czech Republic experienced a 52 per cent decline in applications whilst Bulgaria, Hungary, Lithuania, and Romania all experienced falls of more than 20 per cent.

On 1 May 2004, ten new States acceded to the European Union, most of them central European. This event coincided with the completion of the first phase of EU asylum harmonization, which entailed the adoption of legal instruments based on minimum standards. The new Member States have now surmounted the major challenge of fulfilling pre-accession requirements and are adjusting to

Bulgaria
Cyprus
Czech Republic
Estonia
Hungary
Latvia
Lithuania
Poland
Romania
Slovakia
Slovenia
Turkey

their new roles and responsibilities within the Union. These States are endeavouring to enhance their structures and capacities as destination countries for asylum-seekers.

UNHCR's Office in Budapest was selected as a pilot for the process of UNHCR's regionalization in Western and Central Europe. This process is designed to ensure more harmonized and coordinated strategies by grouping countries around common themes, and creating subregional structures managed by designated offices. Regionalization is also intended to facilitate strategy formulation and generate better synergies in developing responses to common challenges in the common asylum space.

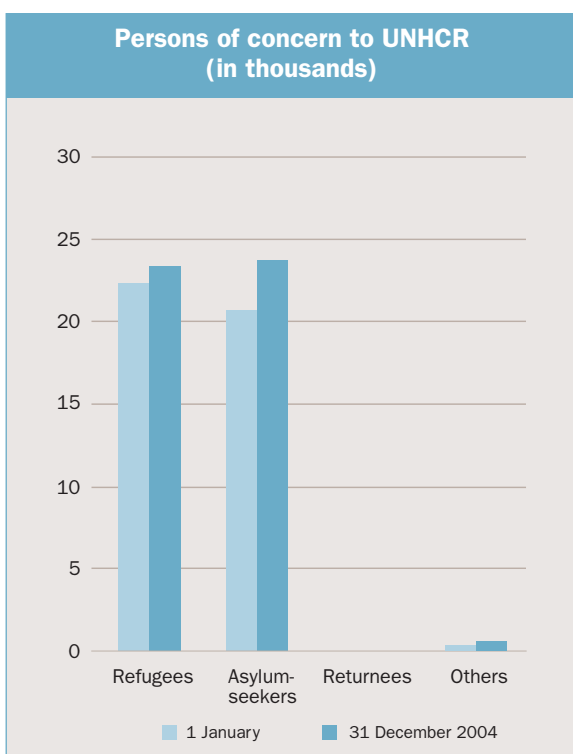
UNHCR's operations in Turkey are described in the next chapter. The following text covers the rest of Central Europe and the Baltic States.



Challenges and concerns

The EU expansion has essentially shifted the burden of managing secondary movements and checking irregular migration on to Member States located along the Union's new eastern border. Unfortunately, their asylum structures may not yet be robust enough for the task. In some countries, the first consequence has been intense political and social debate about the roles and responsibilities of a new EU border country. UNHCR maintains that the pressures on new Member States necessitate increased political support and burden-sharing arrangements involving the entire European Union. Without such support, the new EU Member States will not be adequately equipped to respond to the new challenges.

As UNHCR intensified its border monitoring activities, it was observed that a number of States retained asylum-seekers in detention-like conditions in border areas, thus limiting their access to the RSD procedure and to legal counselling. In a number of detention centres for asylum-seekers, UNHCR observed the absence of clear criteria



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governing the decision to impose detention measures, the lack of permanent interpretation services, and the need to communicate effectively with detainees to give them an understanding of their rights and the obligations incumbent upon them. The multiple transfers of persons from one detention facility to another also hindered their access to the RSD procedure and to legal representation. In other cases, asylum-seekers were simply kept in detention centres pending their deportation under bilateral readmission agreements with other States.

UNHCR and its NGO partners designed border monitoring tools as part of a pilot project being developed in four countries before it is made available for wider use in the region. The opening up of government RSD files for NGO review amounted to a breakthrough, opening the door to better cooperation between governments and NGOs in the future. A preliminary analysis of monitoring findings suggests a substantial improvement in the quality and scope of Country of Origin Information (COI) used at first instance decision-making in all pilot countries. Other indicators show the growing importance of the UNHCR co-funded country of origin information search engine (ecoi.net) for NGO lawyers involved in second instance appeals. The transparency and consistency of COI used by national RSD actors was enhanced, avoiding unnecessary duplication of research efforts.

Though there were improvements in the processing of asylum claims, the procedure remained lengthy and cumbersome in many countries, thus detracting from progress made in terms of quality of review and in effect slowing down the integration of recognized refugees. As a result of delays, many asylum-seekers abandoned the RSD procedure in the country where they had first lodged their applications and moved on, thus perpetuating the problem of secondary movements. Convention status recognition of refugees remained relatively infrequent, with States continuing instead to show a preference for granting asylum on humanitarian grounds. This points to a need to further improve the quality of adjudication at both first instance and appeal levels. It also reflects the limited extent of asylum-seekers' access to free legal aid.

Despite undertakings to abide by the *Good Practices Guidelines for Separated Children*, some countries have yet to make it mandatory to appoint legal guardians, often relying on inaccurate age assessment

methods, and failing to strictly follow the procedures for determining the best interests of the child when assigning them to foster care. Other major challenges affecting women and children seeking asylum included the absence of interpreting services for rare languages (needed in the RSD procedure), low school enrolment and school attendance of refugee children, and the lack of involvement of refugee women in community development and integration support activities.

Progress towards solutions

Notwithstanding the challenges mentioned earlier, in all the new EU Member States covered in this chapter, considerable progress was recorded in terms of strengthening of asylum procedures and enhancing relevant skills. A number of positive changes were observed in the treatment of asylum-seekers and refugees. For example, in some countries, more asylum-seekers gained access to the refugee status determination (RSD) procedure and there was an improvement in the quality of the judicial reviews. Continued training, coaching and sharing of best practices sharpened the skills and expertise of legal representatives and asylum adjudicators, leading to improved judicial decisions.

Bulgaria, Poland and Romania introduced legislation to enhance integration. However, although these laws are welcome, they have not yet succeeded in eliminating many of the practical obstacles to real integration. Implementation of the new legislation was hampered by the absence of structures and procedures required to accommodate the special integration needs of refugees. In practice, the rights of refugees were limited: they lacked genuine access to the labour market, social services, education and financial assistance, and faced mounting restrictions with respect to family reunification. Due to the lack of resources and expertise in the field, the bulk of integration-related work is carried out by NGOs, which are also limited by funding and other bureaucratic and administrative hurdles.

Operations

As a result of UNHCR's advocacy in 12 countries, NGOs and border guard agencies devised mutually advantageous ways to collaborate, enhancing the protection role of NGOs and their involvement in



In September 2004, High Commissioner Ruud Lubbers opened new office premises in Budapest made available as an in-kind contribution by the Government of Hungary. *UNHCR*

border monitoring. This initiative supported follow-up activities that have continued beyond the reporting period. The lessons learnt from this experience are ready for dissemination and implementation in countries located on both sides of the new EU border. The initiative has already substantially strengthened cross-country co-operation among agencies and relevant NGO border monitoring networks and enhanced the professional capacity of stakeholders

with special emphasis on victims of human trafficking in need of international protection. These efforts are in step with the Bureau for Europe's Strategic Framework for 2005-2010, which emphasizes access to territory, refugee procedures within and outside the EU, and effective border monitoring mechanisms.

Amongst the positive developments in 2004 was the granting of access for refugees to national health insurance, the national employment system, and to education programmes at pre-university and university levels in **Romania**.

UNHCR's NGO implementing partners continued to be challenged by unstable funding which resulted in high staff turnover and in some cases, insufficient coordination. This led to overlaps and duplication of activities in an operational environment characterized by increased competition for funds with experienced NGOs in the enlarged common asylum space.

NGO activities were also constrained by a lack of recognition, and sometimes lack of trust, on the part of governments. This hampered frank discussions, distorted collaboration on asylum issues, and blunted the effect of NGO intervention in areas like integration and border monitoring.

In 2004, as a result of the joint efforts of academics, refugee practitioners and UNHCR, 490 students from universities in eight countries studied social work with refugees. The curriculum carefully reflected UNHCR's protection standards and policies. Some 170 practitioners and volunteers in six countries across the region were trained on special protection needs, including torture and trauma victims, SGBV strategies, social work with refugees, guardianship of separated children and the special protection needs of refugee children.

Partnerships, public awareness and advocacy

Showing great resolve in the competitive funding environment of the enlarged EU, many NGOs were able to diversify their donor base, but even larger numbers were clearly still dependent on UNHCR funding, and appealed for more funds, despite their awareness of a diminution in UNHCR's funds for work in the subregion. UNHCR worked on issues such as high turnover among NGO staff, attributable chiefly to low salaries. UNHCR also worked towards helping NGOs to overcome government mistrust and create viable partnerships with authorities, as well as facilitating access to various EU funding mechanisms.

UNHCR intensified its efforts to draw its partners in the region into a tighter-knit web of collaboration, and to widen media coverage of its programmes worldwide, with a greater emphasis on emergency

operations. Major media events were organized around the annual World Refugee Day, which succeeded in increasing public awareness of refugee issues. UNHCR also organized major public events in response to specific situations and issued press reports addressing topical issues.

Funding

UNHCR's operations in Central Europe were once more adversely affected by the impact of the depreciating US Dollar on its dollar-based budgets, which led in some cases to a significant devaluation of project and administrative budgets. Operationally, UNHCR had to reprioritize and cut back on planned activities that were under its direct implementation, while its implementing NGO partners had to make similar adjustments. Among the worst affected UNHCR activities were training and public information, while for implementing partners the shortfalls meant fewer monitoring visits and less financial assistance to particularly needy refugees. In some cases, this form of assistance was simply phased out altogether. NGO partners also experienced difficulties in planning and implementing material assistance in a timely manner, all of which had a profoundly negative impact on the beneficiaries.

However, UNHCR continued nonetheless to lobby governments for increased contributions to UNHCR programmes worldwide, with the result that a number of countries in the region increased their contributions to UNHCR, both for annual and supplementary programmes. States also continued to provide in-kind contributions, particularly in the form of free office premises. In fact, most of the countries covered in this chapter provided rent-free premises to the Office. Worthy of particular mention is the rent-free provision to UNHCR of a fully rehabilitated historical landmark building by the government of **Hungary**. Moreover, nine out of 12 countries in the region pledged for UNHCR's 2005 programme at the pledging conference in December 2004.

Restricted voluntary contributions (USD)		
Earmarking ¹	Donor	Annual programme budget
Central Europe and the Baltic States		
	Japan	200,000
	Sweden	412,088
	United States of America	1,300,000
Sub-total		1,912,088
Czech Republic		
	Czech Republic	21,563
Sub-total		21,563
Turkey		
	European Commission	496,713
	United States of America	80,000
Sub-total		576,713
Total		2,510,364

¹ For more information on earmarking, please refer to the donor profiles.

Budget and expenditure (USD)						
Country	Revised budget			Expenditure		
	Annual programme budget	Supplementary programme budget ¹	Total	Annual programme budget	Supplementary programme budget ¹	Total
Baltic States	92,000	0	92,000	36,000	0	36,000
Bulgaria	924,855	0	924,855	924,855	0	924,855
Cyprus	609,598	0	609,598	598,467	0	598,467
Czech Republic	949,746	0	949,746	949,738	0	949,738
Hungary	2,357,473	0	2,357,473	2,328,487	0	2,328,487
Poland	720,795	0	720,795	720,795	0	720,795
Romania	992,976	0	992,976	992,449	0	992,449
Slovak Republic	739,613	0	739,613	732,674	0	732,674
Slovenia	601,708	0	601,708	601,709	0	601,709
Turkey	6,732,210	1,776,200	8,508,410	6,730,486	607,416	7,337,902
Regional projects ²	128,700		128,700	122,837	0	122,837
Total	14,849,674	1,776,200	16,625,874	14,738,497	607,416	15,345,913

¹ The supplementary programme figures apply to the Supplementary Appeal for the Iraq Operation.
Note: The supplementary programme budget does not include a 7 per cent charge (support costs) that is recovered from contributions to meet indirect costs for UNHCR.

² Includes activities relating to the promotion of refugee law and emergency preparedness.