

**Statement by the Director of the Bureau for Europe, Pascale Moreau
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Thank you, your Excellency **Ambassador Delmi**,

Distinguished delegates, Ladies and Gentlemen,

We have shared with you ahead of this meeting our regional update, which I trust has provided you with a good overview and I will try not to repeat the information shared rather reflect on some of the key developments, challenges and opportunities ahead of us.

The 2015-2016 refugee crisis in Europe has left a profound impact on European systems and societies and we cannot deny that there is a Europe before the crisis and a Europe after the crisis.

Now that the situation has for the moment largely stabilised, time has come to reflect on lessons learned, and look at how we might best consolidate achievements and be prepared for challenges in the future. For this, we need to take a step back and put our recent experiences into perspective. Europe remains a very diverse and complex region, as situations vary greatly from one country to another. And it is also important to remember that 84% of the world's refugees are not hosted in Europe or other industrialised states.

First, I would like to present some of the progress observed during and in the aftermath of the crisis in Europe.

Throughout Europe, populations continue to show great commitment to **engage as host communities on refugee issues.**

New partnerships have emerged with states, municipalities, EU institutions, NGOs, volunteers, private sector actors and academic institutions, bringing a diversity of expertise to the needs of refugees. This has supported a holistic approach to all aspects of refugees' life and the experiences they can contribute to the hosting society.

More focus was also put on **outreach and refugees** making them true actors of their own lives through the establishment of a regional refugee coalition which brings together refugee representatives living in different European countries

and aims at giving them a stronger voice and ensuring that their opinions, needs and capacities are taken into account in decisions and policies impacting their lives. It will also promote concrete actions to strengthen refugee rights and enhance their integration in host countries.

On the operational side, although conditions are not yet up to international and EU standards everywhere, significantly **strengthened reception capacities** in key European countries, who are the first point of entry for many refugees and migrants on the continent, are a major achievement.

Increased efforts have been made in the area of **child protection and prevention and response to sexual and gender-based violence**, although we all agree much remains to be done.

With respect to SGBV this has included enhanced identification of persons at risk and survivors for referral to appropriate services, providing legal information and counselling, and ensuring that standard operating procedures for prevention and response are in place in reception facilities. In relation to child protection, as part of the roadmap to improve the situation of unaccompanied and separated refugee and migrant children developed together with UNICEF and IRC, innovative projects have been put in place.

For instance, in Italy, cultural mediators have been instrumental to providing children with information on the asylum system and available services, while in Serbia, a professional guardianship system has been established to support unaccompanied children.

Switzerland and Sweden are developing systems which integrate best interests' considerations in their asylum procedures. In Greece, UNHCR has supported appropriate alternative care arrangements, piloting foster care and supporting independent living arrangements. A child protection street work project has been implemented in key urban areas along with other innovative programmes with NGO partners in areas such as mentorship, reproductive health and skills training.

Overall, and despite remaining challenges, we now see **strengthened asylum systems** in key countries including Greece and Italy, with major EU, bilateral and national investments made to achieve this.

The efforts made by many States to make **relocation** effective, was a significant demonstration of intra-EU solidarity. Although the relocation

scheme has only partially met what was originally foreseen to be achieved, it has proven to be of vital importance. It has helped ease the humanitarian situation in Greece, relieved some pressure from Italy, and improved the lives of many seeking international protection. It is vital that this important gesture of solidarity continues.

Until the Dublin reform is adopted and a more permanent model put in place, the need for such responsibility-sharing mechanisms remains acute and UNHCR commends the efforts already undertaken by both the European Commission and some States in this regard.

Continued efforts towards extending **resettlement** opportunities and establishing a common European resettlement program, were also positive developments. Consistent with the commitment of all Member States of the United Nations in the New York Declaration, UNHCR welcomes the initiatives of the EU to increase the availability of resettlement places. This includes its most recent call for at least 50,000 places in 2018-2019, as well as efforts to pilot private/community-based sponsorship programmes in EU Member States through EASO.

Building on the initiatives of a number of European States that have engaged in resettlement for the first time, and that have or are implementing humanitarian pathways of admission, UNHCR encourages States to further enhance access to safe and legal pathways for refugees. Aside from being a clear demonstration of solidarity with main host countries, without such measures, refugees may feel compelled to resort to dangerous journeys and the use of smugglers, exposing themselves to considerable protection risks.

The provision of **holistic integration support from the earliest phases is essential** both from a human rights and social cohesion perspective. Effective integration programmes enable refugees and their families to enjoy equal rights and opportunities in the social, economic, and cultural life of the country and to contribute their skills and experiences to their host community. While integration may be a challenging field of work for many States, it presents clear opportunities. The ability for refugees to live and build their future where they are, will reinforce trust in asylum systems, reduce onward movement and be conducive to social conditions benefitting all people.

OECD and UNHCR have developed a joint Action Plan to facilitate refugee employment which will be launched shortly. The Action Plan draws on the

findings and recommendations of four business dialogues which were conducted over the last year and a half with more than 150 employers to review positive examples and obstacles with regard to the employment of refugees.

In the South Caucasus, significant progress was made towards the integration of IDPs and refugees. Georgia has also accepted a refugee family from the Transit centre in Romania, this is one example but an important one, showing a measure of symbolic value of participation and strategic engagement that UNHCR appreciates and that other countries, including in Eastern Europe, we hope will follow. In Armenia, efforts to improve self-reliance of persons displaced due to the conflict in Syria were successful, by promoting small businesses, income-generating development projects, economic reform resulting in more jobs for refugees, and generally enhanced cooperation between all concerned.

In Azerbaijan, the Government has improved living standards of IDPs notably by introducing new housing schemes. UNHCR also appreciates the continued discussion with the Government to enact legislation to provide for a humanitarian status that complements refugee protection, in an effort to capture international protection needs as comprehensively as possible.

With regards to **statelessness**, we welcome Luxembourg's accession to the 1961 Convention on the Reduction of Statelessness as well as the adoption by Montenegro of a new Law on Foreigners that introduces for the first time a Statelessness Determination Procedure and recognises statelessness as a legal status. UNHCR encourages all European countries to continue their efforts to address statelessness, grant protection to stateless people and support UNHCR's #IBelong Campaign.

Notwithstanding, serious **Challenges remain** and UNHCR, states and all partners will need to work hand in hand in the coming years to address these.

The crisis in **Ukraine is still unresolved** with the number of security incidents remaining high, leading to continued human suffering, with nearly 1.6 million people internally displaced and over 480,000 Ukrainians who have sought asylum in other countries. In addition, more than 1.4 million applications for other forms of legal stay were submitted by Ukrainians, mainly in the Russian Federation, as well as in Belarus and Poland. UNHCR advocates for the adoption of a long-term strategy focusing on solutions for IDPs and the

implementation of effective measures to protect the human rights of persons living in the non-government controlled areas. Furthermore, access for humanitarian organizations has to be guaranteed on a regular and predictable basis by all actors.

In the southern Caucasus, conflicts and resulting displacement remain an issue of concern. UNHCR continues to work with concerned governments to protect the rights of IDPs, including the right to return to their places of origin in safety and dignity.

In the **Western Balkans**, starting from 2018, UNHCR has recalibrated its engagement vis-à-vis the people displaced by the conflicts of the 1990s and refocused its activities at a more strategic level. As such, UNHCR will continue to monitor and report on the situation of this population, provide strategic oversight, support free legal aid and monitor ongoing projects including the Regional Housing Programme. In this vein, outstanding issues covered by the Sarajevo Process will remain on UNHCR's agenda including the provision of adequate housing, availability of legal aid and access to rights.

The difficult issue of **access to pensions** remains an outstanding settlement for many persons displaced by conflicts in the Western Balkans and Eastern Europe.

Access to territory and to asylum procedures remains a very serious concern in many parts of Europe. UNHCR understands the challenges in dealing with mixed flows of refugees and migrants. States have the sovereign right to control their borders but also have to meet their international obligations, including in relation to access to territory and asylum procedures. The building of physical barriers at the border and the introduction of restrictive laws and policies have increased the suffering of people who have often fled unbearable conditions in their countries of origin and are in need of international protection. The two objectives of protecting refugees and protecting borders are not incompatible as many States are demonstrating on a daily basis.

Furthermore, UNHCR is worried that an increasing number of asylum-seekers are being **denied refugee status based on national security grounds**. It stands ready to work together with national security agencies and asylum authorities in an effort to identify measures to remedy the situation and develop approaches that are in line with international law and standards.

Continued practices of detention of asylum-seekers take place in parts of Europe without due consideration for alternatives, sometimes throughout the entire duration of the asylum procedure. The detention of children with their family members or when they are unaccompanied is particularly worrying due to the negative impact on their well-being and development.

Another area in which we continue to witness increased restrictions is **access to family reunification**. Despite the right to family reunification under the EU Family Reunification Directive as well as national legislation, and the negative impact that family separation has on the psychological well-being of concerned family members, beneficiaries of international protection often face serious obstacles in exercising this right.

Refugees and migrants entering South-Eastern Europe often consider their stay in the region as temporary while planning to move onwards towards countries of intended destination in Western or Northern Europe. These movements can pose significant risks and challenges for individuals and States alike and may reinforce States' perception of themselves as mere transit countries without addressing the drivers behind these onwards movement. Those include diverging standards across the EU despite the existence of common rules, e.g. in terms of procedures, reception conditions, granting of protection, integration and access to family reunification, and the practical difficulties hindering swift family reunion under the Dublin Regulation.

Discussions on a reform of the Common European Asylum System continue, but European States appear to have fundamentally divergent views regarding solidarity and responsibility-sharing for asylum-seekers and refugees. Some States openly express their reluctance to welcome asylum-seekers on their territory, at times based on **discriminatory or xenophobic arguments**. The negative narrative and instrumentalization of migration and refugee topics by some to score political points, can have divisive consequences, and a long term negative effect on refugees and host communities alike. Efforts need to be made to address concerns of the European public as well as existing challenges, while at the same time avoiding the spreading of fear for political gain that undermines core values, important achievements and opportunities for the future.

These observations show the strong need for an effective Common European Asylum System. Its ongoing reform is an opportunity to revitalize and harmonize internal EU rules on asylum. In December 2016, UNHCR released its

recommendations to EU institutions and Member States on the future of EU asylum and migration policies in its paper titled “Better Protecting Refugees”. UNHCR remains ready to support States in implementing these recommendations.

Some EU Member States as well as aspects of the European Commission’s proposals to reform the CEAS focus on modalities aimed at **providing international protection outside of the EU**. This includes the proposed mandatory use of admissibility procedures, including on the basis of the safe third country concept. UNHCR considers admissibility arrangements not to be an efficient tool to adjudicate asylum applications as the vast majority of cases later require a decision on the merits of the claim once it is established that the return to a third country is not feasible. UNHCR instead proposes the use of accelerated and simplified procedures for manifestly unfounded as well as manifestly well-founded claims to ensure rapid access to protection for those who need it and to facilitate the return to their country of origin of those who do not.

Situations where a small number of States bear a disproportionate responsibility can become unsustainable and can have significant negative implications on the availability and quality of protection responses.

In that context, UNHCR believes that the relocation of asylum-seekers within the EU is a key element to ensure effective responsibility-sharing and support EU MS facing pressure. Such mechanism needs to be activated simply, swiftly, and as often as necessary. Full participation in the mechanism needs to be secured.

Last but not least, I would like to point at some **remaining administrative difficulties** that impact on UNHCR’s work whereas big progress has been made in some. UNHCR is operating in certain countries without a host country agreement, despite being present for decades and actively participating in support the required substantial upscale of the Europe crisis.

Despite the challenges I have just described, **I choose to look at the situation in Europe with hope and with a view to further build on the enormous strengths and assets that are available in the region.**

We call for continued efforts to strengthen Europe's leadership on humanitarian issues and contributions to global solidarity. While discriminatory rhetoric in some media and increasingly in some political discourses occur in too many instances, Europe should continue to build on its humanitarian spirit and heritage as is demonstrated by so many ordinary people every day in their actions. This would be a clear commitment to the principles of global solidarity as enshrined in the Global Compact on Refugees. We look forward to your active participation in the consultations in the coming months.

I would like to thank you for all your support and commitment.

Thank you for your attention.