UNHCR Regional Representation Budapest

# Conducted September through November 2005

# Listening to the Refugees

Report on the Gender, Age and Diversity Roll-Out in Hungary, Poland, the Slovak Republic and Slovenia

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## Foreword

Planning <u>for</u> refugees first and foremost must be planning <u>with</u> refugees, listening to their needs and concerns and building all protection and assistance activities around them. In theory, this has been one of UNHCR's guiding principles for many years. However, for a wide variety of reasons refugees themselves have not always been given the opportunity to communicate their needs and problems as they should.

Moreover, not all refugees are in the same situation. They are men, women, boys and girls who come from different linguistic and cultural backgrounds, are of different ages, and are in different legal circumstances. All these factors influence the refugees' lives and should be taken into consideration when developing policies and projects to protect and assist refugees.

In addition, asylum-seekers and refugees have skills and capacities to help themselves and should be encouraged to participate in identifying and implementing the solutions required to meet their needs and solve their problems.

This is why it is part of UNHCR's goal to mainstream gender, age and diversity issues into the work of the Refugee Agency and its partners.

It is against this background that the United Nations High Commissioner for Refugees in 2004 launched the Gender, Age and Diversity Mainstreaming roll-out (GAD), using a novel participatory assessment tool that enables UNHCR, host governments and NGOs to place refugees at the centre or all their planning and decision making processes. Hungary, Poland, the Slovak Republic and Slovenia were among the first 40 countries worldwide to join this programme. Over a period of two months the exercise was planned and successfully carried out by multifunctional teams comprised of government, NGO and UNHCR staff.

During the participatory assessment, the four Multi Functional Teams in each country held discussions with several hundred refugees, both during one on one talks and in 112 different focus groups. The data compiled gave us a clear picture of the refugees' needs and views. The sheer number of participants and the structure of groups means that the information in this report is not just a compilation of individual stories, but forms a systematic and relevant overview of the refugee situation in the countries involved. It is intended that the prioritised results will be incorporated into future plans, programmes and projects.

This document contains a condensed and structured summary of the findings. I hope that it will serve as a practical hands-on tool to effectively address the concerns of those to whom our work is committed to: refugees and asylum seekers in Central Europe.

Lloyd Dakin UNHCR Regional Representative for Central Europe

# Regional Summary

The Central European sub-region covered by the Regional Representation in Budapest includes Hungary, Poland, the Slovak Republic and Slovenia. In 2005, 12,190 persons applied for asylum in these countries (first applications). Compared to 2004, when 21,867 persons applied for asylum, this represents a sharp decline of 44.25 %. However, these numbers are somewhat misleading as between 39 and 77 percent of applicants absconded during the first instance procedure for a variety of reasons.

#### Main findings

When conceiving the Gender, Age and Diversity (GAD) assessment, refugee experts assumed that the needs and concerns of refugees will differ considerably depending on gender, age and ethnic background of the interviewees. However, in Central Europe the most decisive factor turned out to be the legal status of the people concerned.

Recognised refugees on the one hand and asylum seekers on the other face two completely different sets of problems, while discrepancies between genders and generations and, to some extent, even between ethnic backgrounds are much smaller. It is the legal status of an individual that determines most aspects of their lives, such as the right to liberty and security, the right to education and employment, chances of finding accommodation, access medical care and so on.

Problems for asylum seekers differ from country to country. In Poland, primary education is the biggest concern. Not only do Polish schools expect their pupils to speak the language before they enrol, many reception centres are placed far from towns and it is physically difficult for the children to get to a school. As a consequence, nearly half of asylum seekers' children of school age do not attend school.

In Slovenia, asylum seekers were unhappy about the overcrowded facilities they live in, and about overworked, sometimes unsympathetic, staff.

Hungarian asylum seekers very often felt that they are not informed properly about their rights and entitlements and that their physical security was not properly protected.

The low refugee recognition rate is one of the main problems in Slovakia. One Afghan man told the Multifunctional Team that he has been waiting for an asylum decision for more than three years. Refugees trapped in such situations can neither start integrating nor making any other plans for their and their family's future lives.

"We're more or less satisfied with accommodation, food, and free time activities, so why discuss this? We've also learned the language, but for what? Maybe we will never be granted asylum here! "

Afghan asylum seeker in Bratislava in perfect Slovak

For all recognised refugees in Central Europe the primary problem is the lack of integration programmes. Once people are recognised as refugees, the governments assume they will

become self sufficient, whilst access to accommodation, to the labour market and to social services and benefits is, in fact, hampered by language barriers, discrimination and legal provisions. With integration, race and colour of skin also have a significant impact. The more "different" the looks, the less easily refugees are accepted by their host societies.

The Multi Functional Teams in all four countries identified the need for national integration policies that would establish horizontal (inter-ministry) and vertical (local government, government, NGO) co-ordination mechanisms. Integration programmes should offer of orientation programs for newly recognised refugees and promote their self-organization. In order to give refugees a voice, an efficient integration strategy should also include regular needs assessments with a gender/age/diversity perspective and encourage refugees to actively participate in policy making.

However, it has to be acknowledged that there is one large obstacle to integration in Central Europe that no integration policy can do away with: the general economic situation bringing about high unemployment rates and fierce completion in the labour market.

Access to information turned out to be a precondition for any form of integration. Not only do refugees themselves want to know more about their rights and obligations, there is also a need to inform potential landlords, employers, educational institutions and health care providers about the rights and entitlements of recognised refugees and persons enjoying subsidiary protection

#### Methodology

In the Central European sub-region the GAD assessment was conducted between September and November 2005 in four steps: preparatory, active, coordination and final phases.

#### **Preparatory Phase**

In the preparatory phase Multi Functional Teams (MFTs) were formed, consisting of eight to ten members, which had been nominated by the host governments, non-governmental refugee organisations and UNHCR.

They reviewed existing data available, including the national refugee statistics, and agreed on the locations to visit and on the focus groups that were to be formed. Practical arrangements for the missions to the camps were made at that stage.

GAD guidelines recommend that the MFTs meet with different groups broken down by gender, age and background. In Central Europe, we also needed to include legal status which led to the following structure for the focus groups:

Gender/Status	Children 10-13 years	Adolescents 14-17 years	Younger adults 18-39 years	Older Adults 40 + years
Male refugees	Nationality 1	Nationality 1	Nationality 1	Nationality 1
Female refugees	Nationality 1	Nationality 1	Nationality 1	Nationality 1
Male asylum seekers	Nationality 1	Nationality 1	Nationality 1	Nationality 1
Female asylum seekers	Nationality 1	Nationality 1	Nationality 1	Nationality 1

Male refugees	Nationality 2	Nationality 2	Nationality 2	Nationality 2
Female refugees	Nationality 2	Nationality 2	Nationality 2	Nationality 2
Male asylum seekers	Nationality 2	Nationality 2	Nationality 2	Nationality 2
Female asylum seekers	Nationality 2	Nationality 2	Nationality 2	Nationality 2

Those categories were further adapted by the MFTs in a pragmatic way in each country in order to better reflect the conditions on the ground. Since some nationality groups would have been too small so they were convened by region (e.g. Middle East, Africa, etc.) In Poland, a third legal status category of subsidiary protection status was introduced.

#### **Active Phase**

By end September / beginning of October the MFTs visited the selected refugee locations in their respective countries for the participatory assessment. Their data collection was based on three methods:

- Observation and spot checks: Looking at the situation or behaviour of people to uncover structural problems in the accessibility of services
- Semi-structured discussions: Informal talks with individuals, a small number of persons or a family
- Focus group discussions: Formal meetings with groups of refugees that share common characteristics such as age, gender, ethnic background, marital status

According to the MFTs practically all discussions were constructive and refugees of all ages were pleased to be able to express their views and to be listened to.

Being refugee experts, the team members already had ample anecdotal knowledge of refugees' problems prior to the exercise, but the GAD methodology allowed for a much more structured data collection and analysis which usually does not transpire from traditional casework.

#### **Coordination Phase**

All the MFTs met in a three day workshop in Bratislava from 5 to 7 October 2005 to discuss and compare the overwhelming amount of information gathered.

The team members systematised and prioritised the results and worked out recommendations on how to respond to the problems raised.

#### **Final Phase**

Each MFT completed report forms and finalised a country report, once more systemising and condensing the results. The final reports are focused on the most important problems and the underlying legal concerns.

"When I became refugee, I went from having a political problem to having a money problem. At least when I had a political problem, people would listen to me."

Recognized Iranian refugee in Hungary

# **Hungary Country Report**

In 2005, 1,609 persons applied for asylum in Hungary. Compared to 2004, the number of applications remained on approximately the same level (1,600). Applicants from Viet Nam constituted the largest group, totaling 319 claims (20%). Other significant groups of asylum seekers originated from Serbia and Montenegro (243), China (173) Georgia (114), Bangladesh (90), Nigeria (89) and Turkey (65).

The Multi Functional Team in Hungary was established on 15 September 2005 and was composed of eight persons: four UNHCR staff, two officials from the Hungarian Office for Immigration and Nationality (OIN) as well as two NGO staff members representing one legal (Hungarian Helsinki Committee) and one social organisation (Menedék).

In order to cover as many locations as possible, the MFT split in two groups and visited the following locations:

- Bicske Refugee Reception Centre
- Orosháza Border Guard Detention Facilities
- Békéscsaba Refugee Reception Centre
- Békéscsaba NGO Oltalom's Separated Children Home
- Nagykanizsa Red Cross Separated Children Home
- Debrecen Refugee Reception Centre
- Budapest (NGO Menedék office)

The focus groups not only distinguished between gender, age and cultural backgrounds, but were also divided by status into asylum seekers and refugees.

Most asylum seekers brought forward very similar concerns that are therefore presented jointly in this report.

"Why do I waste my time here in Hungary where I cannot support my family and do not get any help to integrate? I have no work and the only money I have is from relatives abroad... Can you (UNHCR) help me to get to another European country?"

Recognised Serbian refugee in Debrecen.

As for recognised refugees and persons with subsidiary protection, problems differed from group to groups and are therefore reported in separate age and gender clusters.

#### 1. Asylum seekers (all sub-groups)

Right violated / Problem reported	Suggested Action
Right to special care and assistance during motherhood and childhood	
Appropriate/adapted food for children is not available Some provisions in the Refugee Reception Centres are not adequate for the needs of mothers and children (medication, food, hygienic products, including sanitary	Adjust food according to special needs; Allow more participation of asylum seekers in designing the composition of food; Asylum seekers themselves should not only wait for the

napkins, blankets).

situation to improve but communicate their needs. The government is encouraged to adjust provisions accordingly and might look for additional funding possibilities with the EU (e.g. ERF).

Right to education:

Children lack Hungarian language skills and therefore have difficulties to be admitted to school. Language and catch-up courses are insufficient.

Offer Hungarian language courses;

Raise awareness of schools regarding their obligation to enrol children;

#### Right to information

children.

Asylum seekers do not feel informed about the asylum procedure and about their rights and entitlements in general. Information is either unavailable or outdated.

Elementary schools often do not admit asylum-seeker

Produce and disseminate up-to-date information in printed form as well audio/video information;

Expand comprehensive free legal counselling systems;

#### Principle of family unity

Due to improper application of the Dublin Regulation by other EU Member States (not Hungary) family members get separated.

All separation cases need to be documented and analysed. So the malfunctioning of the Dublin II Regulation can be highlighted to prevent similar separations;

#### Right to liberty and security

Children reported several cases of physical violence and verbal abuse, especially in small towns.

Women complained that bathroom doors cannot be locked and that there is no separation for women and children during the initial quarantine period.

Men reported that they were exposed to physical violence, verbal abuse and cases of aggressive behaviour of guards.

Awareness raising programme for police and security guards should be introduced.

A mechanism should be established for asylum seekers to report the problems in a confidential manner.

A mediation system should be introduced in the centre so problems faced by the community can be addressed effectively.

## 2. Refugee children, Separated Children

Right violated / Problem reported	Suggested Action
Right to special care and assistance during childhood Children with special needs have no adequate integration related assistance. Separated Children generally have a fear of ageing-out of the special programmes designed for this group and be forced to leave the homes for separated children. They face the risk of being relocated to normal Refugee Reception Centres in other parts of the country and also to be confronted with various obstacles to integration without sufficient opportunities for self-empowerment.	All stakeholders to jointly review integration related policies and practices in order to introduce more flexibility towards young adults;  The system of caregiving should ensure continuity and allow for a transitional period until they reach sustainable level of self-support in the areas of work, education, housing etc.
Refugee children find it hard to adapt their Hungarian language skills to the levels required for education. Thus they face difficulties to be admitted to schools. They feel that language courses offered to them are insufficient. Schools are often reluctant to enrol refugee children. Therefore such children have to go to school far from their accommodation and parents.	Raise awareness of schools regarding their obligation to enrol children; Establish mandatory Hungarian language courses; Create system to independently assess the level of Hungarian language and education; Project to provide after-school lessons; Offer free local transportation / arrange school bus;
Right to liberty and security of person Incidents of domestic violence are exacerbated by the fact that there is a lack of awareness on the part of authorities and social workers.	Create a system that allows for anonymous reporting of cases of domestic violence and sexual harassment;

Introduce a Code of Conduct for reception centre staff;				
Initiate awareness police and security of	J	programmes,	especially	for

## 3. Refugee women

Right violated / Problem reported	Suggested Action
Right to liberty and security of person	
Refugees reported security issues such as allegations of sexual harassment, blackmailing by security guards.  Young children were allowed to leave the Refugee Reception Centre without the parents' authorization.	Train and sensitize security guards; Establish confidential referral and mediation structures.

## 4. Refugee men

Right violated / Problem reported	Suggested Action
Right to durable solutions (including local integration)	
Access to the Hungarian labour market is generally very difficult for refugees.	All stakeholders should jointly review policies and regulations regarding integration of refugees and persons
Male refugees need specialised counselling and vocational training in order to find employment.	authorized to remain and especially examine the following issues:
Lack of information about refugee rights and entitlements in particular regarding social welfare;	<ul> <li>+ Access to labour market and possibilities to simplify procedures;</li> <li>+ Access to affordable housing, medical services etc.</li> <li>+ Possibilities for more efficient cooperation between Government and NGOs;</li> </ul>
Right to education	
According to current legislation, a recognised refugee is entitled to 360 hours of Hungarian language lessons free of charge. The fact that the courses have to take place within a period of twelve months starting from the date of recognition causes difficulties. Sometimes no appropriate courses are available right away, but the entitlement expires after twelve months regardless.	Introduce more flexibility or adjust regulations accordingly: Extend the one-year period to two years or commence the countdown when language courses have started.

## 5. Handicapped Bosnian beneficiaries of subsidiary protection in Debrecen

Right violated / Problem reported	Suggested Action
Right to durable solution (incl. return)	
Patients from Bosnia and Herzegovina have been in Hungary for over 10 years and want to return.	The individual physical, mental, social and legal situation of each patient be reviewed and recorded individually. Involve all stakeholders in preparation and facilitation of durable solution for all individuals.
Right to freedom of movement	
Patients cannot leave the premises of RRC.	Organise excursions in Debrecen and/or surrounding area.
Right to special care and assistance	
Patients do not have warm clothing and shoes.	Provide proper clothing and shoes;
Patients do not have reading materials.	Provide books, newspapers through embassies etc.
Lack of adequate personal care.	Improve the staffing situation by using ERF funds.

## Poland Country Report

In 2005, 5,436 persons applied for asylum in Poland. Compared to 2004, there was a 31% decrease. Applicants from the Russian Federation constituted the vast majority, totaling 5,015 claims of more than 92 %. They were followed by asylum seekers from Belarus (62), Ukraine (49), Georgia and Pakistan (36 each).

In Poland, the Multi Functional Team was comprised of nine persons, including one person representing the Office for Repatriation and Aliens, one from the Mazovian Voivodship Office, two NGO representatives (one from the Association for Legal Intervention and one from Polish Humanitarian Action) as well as five representatives of UNHCR.

The participatory assessment exercise took place from 28 to 30 September 2005. Out of a total of 16 reception centres spread throughout Poland, the MFTs visited the following five sites situated in the Warsaw area:

- Linin R/C
- Warsaw Siekierki R/C
- Warsaw Bielany R/C
- Warsaw Wola R/C
- Lingua Mundi Foundation Centre for the Teaching Foreign Languages

The Teams conducted interviews with asylum seekers, persons enjoying tolerated stay (subsidiary protection) and with recognised refugees. Focus group participants were divided according to age, gender and nationalities.

As is typical for the Central European sub region, the difficulties faced by the persons interviewed are largely determined by their legal status and much less by age or gender.

#### 1. Asylum Seekers (all sub-groups)

#### Right violated / Problem reported Suggested Action **Educational issues** NGO, ORA and UNHCR have already taken some steps to Access to education remains one of the problems in reception centres. As of the beginning of September 2005, increase the amount of children attending schools, but a lot around 53% of all school-aged children attended schools. remains to be done. In comparison to previous years, the number of children School directors should fulfil their obligation to admit all attending school is rising. children to local schools. Children who are already Polish speaking tend to be The reluctance of some parents to send children to school admitted more easily. and school directors to admit asylum seekers must be Although textbooks are provided, sometimes students have addressed through an adequate campaign. inadequate access to additional educational materials, e.g. NGO's and parents should work together motivating stationery. children to learn Polish and attend schools. To attend secondary school (gymnasium) children have to Schools should be encouraged exercise their right to submit a document proving that they have graduated from request additional educational funds. elementary school, which is difficult for foreign children. Children should take more care of school supplies and Children have difficulties to follow the school curriculum other materials distributed to them. because of language problems, but also because some NGO's should utilize their capacities to collect and distribute asylum seeking minors have experienced long breaks from

school. Learning conditions in some centres are not conducive for students

Incidents of disrespectful treatment by teachers were reported.

used school materials from various sources of donations and contributions.

Authorities at Reception Centres should organise additional and better language lessons as necessary.

Schools should promote the integration of asylum seeker children in their local communities.

#### Social conditions

There is limited access to sports and recreational facilities at some reception centres.

In some reception centres privacy for couples is limited as parents and children share one room. Also there is no separation between adults and teenagers.

In addition, some asylum seekers complained about insufficient supplies of seasonal clothing, as authorities concentrate on providing winter clothes and clothes for newborn children.

Asylum seekers should be encouraged to organize activities based on their previous skills and experiences.

NGO's should organise activities which promote child development and social reintegration.

Authorities of reception centres should facilitate contacts between the children of asylum seekers and Polish children.

Authorities of reception centres and NGOs should facilitate recreational and sports activities outside the centres.

Authorities of reception centres should ensure that a portion of government funds is allocated to providing seasonal clothing.

Asylum seekers' should be encouraged to express and their needs so government and NGOs can respond accordingly. In this context NGOs should launch funding and contribution campaigns.

Authorities of reception centres should make adjustments in the centres to address the privacy needs of all family members.

#### **Protection matters**

Fairness and effectiveness of the asylum procedure is endangered by inadequate legal assistance: The fact that legal NGOs are located far from some reception centres causes additional hardships for asylum seekers, especially those with disabilities. Due to financial constraints, only selected reception centres were regularly visited by legal NGOs

Many women have limited knowledge about their rights in the procedure. As a consequence, female asylum seekers very rarely take part in the process actively.

There is no systematic identification of victims of trauma, including victims of violence.

The introduction of the Dublin II regulations has resulted in an increase of the number of asylum seekers in reception centres in spite of an overall decrease in new applications in 2005. This rise has not been accompanied by a corresponding increase in the overall availability of legal services.

The restrictive application of the Dublin II Humanitarian Clause by other EU countries results in low number of successful family reunification cases.

Financial support to legal NGOs from available sources of funding should be increased.

UNHCR should provide more training for legal NGOs and government officials on asylum related matters.

Legal NGOs should visit reception centres on a frequent and regular basis.

Legal assistance should not be limited to the asylum procedure.

Government, NGOs and UNHCR should facilitate family reunification and distribute information on the procedures.

Women should be informed about their rights and encouraged to exercise them.

The number of social workers in reception centres should be increased.

Eligibility and migration officers need to be sensitised on how to identify victims of trauma and the number of psychologists available during the asylum procedure should be increased.

Decision makers and interpreters should be sensitised to gender issues.

#### Medical care

Asylum seekers have limited access to treatment in some difficult and expensive medical cases.

Victims of trauma have limited access to psychological assistance.

Pregnant women in some cases do not have sufficient access to basic diagnostic examinations such as ultra

Although the treatment of serious diseases is available to asylum seekers, the initial basic medical screening of new arrivals does not insure the timely medical interventions. Polish authorities admit this shortcoming and efforts are already under way to improve the screening system.

The government should provide additional funds in order to

sound screening.

ensure adequate medical and psychological assistance.

NGOs should be encouraged to improve medical and psychological assistance for victims of trauma and violence.

#### Security issues

Teenage girls and young women report about harassment by male asylum seekers in the reception centres.

There are conflicts and fights among asylum seekers and a mutual distrust between asylum seekers and the local

Asylum seekers are afraid of ticket controllers in public transport.

Asylum seekers are reluctant to revert to police or reception centre staff for help. This problem is exacerbated by the limited familiarity of the staff with the cultural backgrounds of the asylum seekers.

An additional problem arises from the fact that violence is widely regarded as an acceptable method for resolving conflicts within the asylum seeker community.

Reception centre authorities and local police should organize meetings with asylum seekers in order to get to know each other better.

Authorities should sensitise the Polish population with regard to the situation of asylum seekers and refugees.

Open House Days should be organised to establish contacts with the local population.

Local authorities responsible for public transport should be informed about improper behaviour of ticket controllers.

Government, NGOs, and UNHCR should pay more attention to cases of violence in reception centres.

#### 2. Recognised refugees

#### Right violated / Problem reported

#### **Employment**

Refugees have difficulties finding jobs as their original professional skills of refugees do not meet labour demands in the country.

Previously there were problems with the availability and quality of Polish lessons. Although this situation has recently been resolved, language problems still persist as many recognised refugees do not speak Polish well enough. These problems are likely to continue as many recognised refugees show a reluctance to study Polish.

Because of a generally high unemployment rate in Poland, recognised refugees face problems finding jobs in Poland. Although they have a right to vocational training, this right is underutilized because of language barriers and limited availability of vocational training courses.

#### Social welfare

Refugees complain that the duration of integration assistance is limited to one year. Subsequent social welfare allowances for unemployed do not cover basic integration needs.

Due to the economical and social conditions in Poland. general social support available in the country is limited. Although refugees have the same social rights as Polish citizens, they sometimes encounter practical problems in exercising those rights.

Furthermore, in many cases social workers do not speak foreign languages. This makes it difficult for social workers to explain to refugees their legal and social rights.

#### Living conditions

Refugees find it difficult to find a place to live. There is very limited access to municipally subsidized accommodation.

#### Suggested Action

Government, NGOs, and employers should promote the principle of non-discrimination in the workplace and employers should be encouraged to offer equal employment opportunities to refugees.

The refugee community should encourage and support newly recognised refugees to learn Polish.

A system of recognising and enhancing previous professional skills of refugees should be established.

Vocational training courses meeting labour market needs should be made available to recognised refugees. NGOs should start integration programmes.

The government should adjust the integration assistance according to individual needs of recognised refugees.

Government needs to earmark funds from within the country's social welfare budget to be spent on recognised refugees.

Local authorities should review and increase the number of municipal apartments for refugees.

For private accommodation, landlords tend to charge NGOs and refugee organisations should assist newly

higher prices to foreigners or even refuse to rent to them.

Because of job opportunities and community networks refugees mainly want to live in big cities where prices for accommodation are higher.

recognized refugees, with finding jobs and accommodation.

#### Medical care

Recognized refugees have access to the Polish medical system. However, due to generally poor quality medical services in the country, the access to adequate medical care and quality psychological assistance remains at an unsatisfactory level.

The situation is aggravated by the refugees' limited knowledge of the medical system in the country and the language barrier between themselves and medical staff.

Government and NGOs should inform refugees about how the medical system works.

In cases of special need, NGOs should assist recognised refugees.

#### Legal issues

Persons with the status of tolerated stay are largely uninformed about their legal status and entitlements to assistance.

As there are only a few NGO lawyers, they focus on asylum seekers and not on recognised refugees. Therefore, in many cases, refugees are left without legal assistance that would enable them to exercise their conventional rights.

Refugees should be informed about their rights by government and NGOs, and should be encouraged to exercise them.

Financial support to legal NGOs should be increased.

The government should provide free legal assistance to recognised refugees so they can exercise their rights.

UNHCR should provide training for NGOs and government officials on integration matters.

#### 3. Persons with subsidiary status

Discussion with persons granted 'tolerated stay' status show that in Poland this group is in a particularly vulnerable situation. Those granted this form of protection lose social assistance available to asylum seekers and do not receive integration assistance available to recognized refugees. Unable to legally transit to other countries, nor to return home, many find themselves in critical social condition.

Limited integration possibilities for this group, combined with the inability to leave Poland leads to difficult problems. Some temporary stay holders are permitted to remain in reception centers, because its staff believes it is not humane to expel families which have no other place to go. Some other tolerated stay holders chose to re-apply for asylum, only to remain in the center, receiving basic social assistance and clogging the asylum system.

When it comes to access to medical care, finding jobs or general living conditions, persons with the status of tolerated stay face very similar problems as recognised refugees. Therefore, the list below contains only those problems which are specific for that group and do not repeat concerns mentioned by recognised refugees as well.

Right violated / Problem reported	Suggested Action
Employment	
In addition to high unemployment rates in Poland, persons with the status of tolerated stay are confronted with the fact that they have neither the right to vocational training nor are they eligible for integration programs or language training.	Employers should be encouraged to offer equal employment opportunities to persons granted complementary protection.  Government should change the legislation on social assistance to enable persons with tolerated stay to access integration programmes including vocational training, and advice on how to look for jobs and language courses.

#### Living conditions and social welfare

Despite the fact that persons granted complementary protection have the right to receive the same benefits from the social welfare system as Polish citizens, in practice a lack of familiarity impairs theirs ability to use the system.

The awareness of Polish government officials about the rights of persons with tolerated stay should be increased. And the government should pledge more funds for the social welfare of this group.

Government should extend the right to stay in Reception Centres until persons with tolerated stay – especially vulnerable cases - have secured outside accommodation.

Increase awareness among persons with tolerated stay of how the social welfare system works.

#### Legal issues

Persons with tolerated stay are largely uninformed about their rights and possibilities of getting help. NGO lawyers concentrate on asylum seekers and do not have the capacity to deal with this caseload.

Government and NGOs should inform persons with tolerated about their entitlements while they themselves should be encouraged to exercise their rights.

Financial support to legal NGOs should be increased.

The government should provide free legal assistance to persons granted complementary protection.

# Slovak Republic Country Report

In 2005, 3,549 persons applied for asylum in the Slovak Republic. Compared to 2004, there is a sharp decrease in applications (-69%). Applicants from the Russian Federation constituted the biggest group, totaling 1,037 claims. Other significant groups of asylum seekers were from India (561), the Republic of Moldova (309), China (280), Bangladesh (277), Georgia (258) and Pakistan (196).

The Multi Functional Team in the Slovak Republic had ten members (six UNHCR staff, two governmental officials from the Ministry of Interior and the Ministry of Labour respectively as well as one representative from a legal and from a social NGO each). However, the representative of the Minister of Labour, after attending the first meeting, excused herself due to a mission and was not replaced.

The MFT split up in groups of two to three persons accompanied most of the time by interpreters and conducted interviews from 27 to 29 September 2005 in the following centres for asylum seekers:

- Rohovce (reception centre),
- Adamov (reception centre)
- Gabcikovo (accommodation centre)
- Brezova pod Bradlom (accommodation centre)

The Team has also conducted field visits to Zvolen (Central SR) and Kosice (Eastern SR) to talk to recognised refugees.

Detailed lists of people to be interviewed according to age, gender and nationality were prepared in advance. However, quite frequently it turned out that the persons in question had left the centres in the meantime and had to be replaced *in loco* by new participants. The interviews lasted from one to three hours and involved between one and eight persons.

"We were denied entry at Bratislava Airport in spite of a valid Slovak visa and we could not lodge our asylum claim. They deported us to Prague but the Czech authorities sent us back here. Now we are allowed into the asylum procedure. So somehow Slovak authorities conceded that they made a mistake in the first place."

Group of African asylum seekers

Formal and informal meetings with staff of the Migration Office also took place in the different locations. Some of them expressed their frustration about the continued movement of people trying to reach other EU countries. Others mentioned with warmth that they have received thank you cards form those who moved on.

"For some of them, where the language was not a barrier, we started to care for them like for relatives. We are all human beings with our positive and negative aspects and surely we understand their difficult situation."

A staff member from the Migration Office in Bratislava

## 1. Adult male asylum seekers

Adult males constitute the largest group of asylum seekers. Most of the concerns expressed in this chapter would apply in the same way to most female and minor asylum seekers.

Right violated / Problem reported	Suggested Action
Access to the territory	
Right to seek asylum	
Nearly all asylum seekers claim that they were unable to obtain legal entry to EU territory and therefore resorted to smugglers.	Organise information sessions on the risks of using smugglers after having asked for asylum in EU, briefing on Dublin II Regulation and the consequences of leaving the
Some also reported that they came to Slovakia first, taking a rest in a reception centre to be smuggled on to the Western EU. Later they were returned in accordance with Dublin II regulations.	procedure;  Create a border monitoring system at the airport involving NGOs and organised training of authorities using the example of best practices in other countries such as.
A group of Africans reported of irregularities when trying come to Slovakia by plane and with valid documents.	Austria;
Right to physical safety and dignity	
There was an incident when one asylum seeker was brutally beaten up near a reception centre.	Create opportunities for encounters between the locals and the asylum seekers;
The inhabitants of the centre are terrified by surprise raids. Once a month police comes to the centre during the night.	Open existing cultural, sports and educational facilities in the centres to the local population;
They enter with dogs searching for illegal residents. Asylum seekers claim to be shocked by those raids as they were similar to the situations they fled from.	Introduce regular meetings between asylum seekers, guards and local police in order to decrease tensions and increase mutual understanding;
Right to a fair procedure	
Asylum seekers complained that in many cases there was no or poor interpretation. There were also instances when interpreters breached confidentiality disclosing the content of	Choose from a wider group of officially certified interpreters and utilise technologies to make up for the lack of interpretation services such as telephone interpretation;
interviews.	Offer ad hoc training for interpreters involved in the asylum procedure;
Right to correct information	
Inability to understand the different phases of the asylum procedure is creating uncertainty and tensions.	Provide comprehensible Information on the asylum procedure in writing and by audio visual means;
Not only do authorities not provide procedural information pro-actively, but the asylum seekers also underestimate the crucial role of the interview and the whole legal procedure.	Encourage refugees to deal with legal issues from the beginning;
Right to fair asylum procedure	
Right to durable /solutions	
Asylum seekers complained about the length of the asylum procedure, low recognition rates and the lack of alternative solutions. Some have been in the procedure for more than two years after repeated applications. They say they are unable to pay smugglers to move further West and expressed fear of persecution if returned to the country of origin.	Establish a joint board where the Migration Office, Aliens and Border Police, the Ministry of Labour, NGOs, UNHCR can discuss durable solutions for long-stayers;
Many asylum seekers felt neglected and depressed and with no real prospects for the future.	
Right to free legal assistance/counselling	
Asylum seekers felt that there were not enough lawyers to meet their needs for legal counselling and assistance;	Recommend that asylum seekers be entitled to free legal counselling by law, as is the case in Hungary and Slovenia;

Make information on reception conditions, legal assistance readily available through printed materials and audio visual means in several languages;

Create a system of legal and social counselling for asylum seekers in agreement and co-ordination with the Migration Office;

Encourage people in need of protection to better cooperate during the procedure in order to speed it up;

#### Right to basic reception condition in dignity and safety

Many complaints were related to the quantity and quality of food provided and the difficulties for Muslims and Hindus to keep dietary rules imposed by their religions.

Provide food that is in accordance with different cultural eating habits or allow asylum seekers to cook their own food;

#### Language training

Asylum seekers repeatedly expressed their wish for better language training. They criticised that current Slovak language courses are inadequate and that they are held irregularly.

Improve Slovak language courses;

Encourage asylum seekers to participate in language courses in their own interest;

Inform them that Slovakia is a country of asylum and bring to their attention the consequences of irregular movement within the EU (Dublin II and EURODAC regulations);

#### Right to work

Asylum seekers are entitled to work after one year. In many cases the claim that the MO did not provide them with the necessary document to prove that they can be legally employed.

Encourage NGOs to monitor the situation and to notify the Migration Office of each case so the document can be issued:

#### 2. Asylum seekers (adult women)

In comparison to their male counterparts, adult female asylum seekers were more concerned about their and their families' physical and psychological well-being.

Female asylum seekers are more concerned about the post –conflict situation they find themselves in. They feel they are in need of physical protection and the alleviation of trauma.

Right violated / Problem reported	Suggested Action
Right to physical security  Lack of safety and security in the rooms and corridors of some facilities, intrusions of male asylum seekers in the rooms;	Notify authorities to ensure a proper protection of vulnerable categories and organise monitoring system by NGOs;
Right to confidentiality and privacy  Some issues discussed with social counsellors were then disseminated among asylum seekers.	Offer staff in the centres training on how to deal with asylum seekers; Introduce Code of Conduct;
Right to information  Women complained that they do not know how to access legal and social assistance nor are they aware of their rights to health and educational services.  They feel uncertain about their future perspectives with regard to asylum procedures and their stay in the centres.	Introduce information meetings where asylum seekers learn about their entitlements;
Right to special care and assistance during motherhood and childhood  Mothers feel that their babies are not provided sufficient amounts of food nor health services, especially those who have children with specific needs.	Improve social services for vulnerable women;

#### Right to dignity

Women complained about the lack sanitary and hygienic items and adequate clothing and shoes.

## 3. Asylum seekers (children, elderly)

Right violated / Problem reported	Suggested Action
Children:	
Right to special care and assistance during childhood	
Both boys and girls said that they often feel lonely and bored. They are forced to remain inactive which makes them tense and depressed.	Organise series of recreational activities (sports, culture, education) to prevent apathy in younger people;
Elderly men:	
Right to work	
The right to work after one year in the procedure is not implemented correctly due because the Migration Office does not issue the necessary papers.	NGOs to notify the Migration Office of each case and stimulate a prompt response. NGOs could also stimulate local communities to involve asylum seekers in different jobs.

## 4. Recognised Refugees

Right violated / Problem reported	Suggested Action
Adult refugee men and women (families):	
Principle of family unity	
A refugee couple reported about problems with family reunification. Their son and his family still living in country of origin and they have not been able to reunify so far.	NGOs should intervene with central and local authorities in order to facilitate legal process of family reunion (release of visa / entry permits) and discuss future plans for employment education of newly recognised refugees;
	Need to access education opportunities and re-qualification courses;
Adult refugee women:	
Social conditions	
Lack of real possibilities to integrate into the society;	Facilitate the creation of skill development activities for
Dependency on financial support from sources other than social system;	recognised refugees, involving the local offices of the Minister of Labour;
Inability to sustain a decent living condition with the funding provided by the state welfare system;	Encourage NGOs to get involved in integration assistance;
Poverty and undignified life which may trigger sexual and gender based violence;	
Constant deterioration of the psycho-socio-economic condition;	
Great difficulties in finding employment;	
Elderly refugee women	
Medical assistance	
They have complained about expensive drugs and additional payments for medical care;	NGOs should monitor vulnerable cases closely and assist them.

# Slovenia Country Report

In 2005, 1,596 persons applied for asylum in Slovenia. Compared to 2004, there was a sharp increase of applications (+36%). Applicants from Serbia and Montenegro constituted the biggest group, totaling 520 claims. Other large groups of asylum seekers originated from Turkey (230), Bosnia and Herzegovina (220), Bangladesh (159) and Albania (143)

Eight members were selected for the Multi Functional Team in Slovenia: two government officials (Ministry of Interior, Directorate for Internal Affairs), two from non-governmental organisations (Slovene Philanthropy, Centre for Psychosocial Assistance to Refugees) and four UNHCR staff.

In order to have a representative sample of groups present in Slovenia, the MFT decided to split up in pairs and interview three categories: asylum seekers, refugees end vulnerable exrefugees from Bosnia who obtained permanent residency in Slovenia, but continue to live in government provided collective accommodation.

We stick out in this homogenous white society. Police keep checking us, people look at us in funny ways, Many Africans feel isolated and then we end up with this victim attitude, seeing harassment even when there isn't.

African refuges, Ljubljana

A total of 89 persons were interviewed in 22 focus groups in the cities of Ljubljana and Maribor form 27 to 30 September 2005. The selection of focus groups proved difficult due to the small number of cases (400 asylum seekers, 150 refugees and 200 vulnerable ex-refugees). For that reason, in some cases, different age groups and persons originating from different countries of the same region were interviewed in clusters.

As for asylum seekers, the selection of focus groups was further complicated by the rapid changes of the groups and the departure of selected candidates before the interview took place.

In Slovenia, the GAD assessment out had an immediate empowerment effect. In practically all focus group discussions in the Ljubljana Asylum Home participants complained about the hostile attitude and arbitrary services of the warehouse manager and the nurse. As a direct result of the discussions the residents of the centre, a letter of protest was written and sent to the management.

Life in an asylum Home makes you feel miserable anyway. Then when even small things happen like the removal of a coffee vending machine or the breakdown of a washing machine it can really make you desperate.

Female Roma asylum seeker, Ljubljana

#### 1. Asylum seekers (general)

As far as good practices are concerned, the MFT noticed that access to primary education was exemplary. In addition, the NGO projects through which assistance in learning is provided to

asylum seeker children allows for the fast and successful integration of children in the local schools. It is recommended that government funding is provided for such projects.

It was evident that majority of interviewed asylum seekers decided to make use of available free legal aid and hence was able to benefit from legal assistance in refugee status determination.

The MFT noted that no specific topic was brought up by adolescents and women. Women were usually raising family related issues, difficulties with health care and accommodation in the reception centre as indicated above. All children were enrolled in the local schools and did not raise difficulties with regard to local environment or other specific issues. The present asylum seeker caseload does not include elderly persons.

#### Right violated / Problem reported Suggested Action Right to basic reception conditions in dignity and safety Secure additional reception capacities in line with regional Overcrowded reception facility negatively impacts the basic standards: reception standards; Difficulties with respect to family unity (more families Improve the physical separation between different departments in Asylum Home (AH); accommodated in one room): Security issues arising from inadequate separation of Strengthen the existing internal security control; caseloads (female asylum seekers, families, separated Establish a confidential reporting system for security children): Tensions between asylum seekers of different ethnic Further strengthen social services in AH to allow a more backgrounds (Kosovo Albanians and Roma) give rise to intensive follow-up of vulnerable; security concerns; Establish a separate reception facility for separated Lack of support / specialized assistance for destitute and vulnerable asylum seekers; Adjust financial support for destitute asylum seekers with Arbitrary delivery of goods (such as hygienic package, due consideration of individual needs (children in school, cloths, etc.) or services (medical treatment) by staff in single mother, etc.); Asylum Home; Establish a control mechanism to prevent arbitrary delivery of goods: Involve asylum seekers (representative of age and gender) in AH management so that assistance is designed in a more realistic manner; Adopt a Code of Conduct for staff in AH: Sensitise staff to gender and cultural diversity issues; Introduce orientation programs for new arrivals: Right to a standard of living adequate for the health and well being Right to health care, including family planning Inappropriate level of medical care, especially for children Raise the level of medical care available for asylum seekers, especially for children and vulnerable categories and other vulnerable categories; and inform asylum seekers accordingly; Lack of information among asylum seekers on eligibility to Establish regular presence of a doctor in the reception health care opens the door for manipulation by staff; facility; Asylum seekers face discrimination in provision of medical treatment. Inform medical professionals on entitlements of asylum seekers, so they do not deny them access to quality medical treatment; Sensitize train medical professionals on specific medical needs of asylum seekers including trauma relief;

#### Right to information

Asylum seekers repeatedly complained about the lack of information on daily matters in AH, but also on important issues like health care, education. The risk of manipulation (from other asylum seekers and AH staff) was mentioned as a result:

Asylum seekers showed particular interest information on job possibilities. Having an income was seen as an important prerequisite for self-sufficiency.

Provide asylum seekers with reliable and comprehensible information;

Introduce orientation programs for new arrivals and establish an information point in AH;

Strengthen capacity of social workers so they can provide more individual consultations;

More Slovene language courses should be funded for asylum seekers to break the language barrier.

#### 2. Refugees

The main difficulties for recognised refugees are the lack possibilities to integrate fully into society. Therefore, they remain dependent on state assistance, live on the poverty line and in poor housing. Refugees have great difficulties to find regular employment. They lack information on their entitlements and are not supported by contacts with the local community.

#### Right violated / Problem reported

## Right to a standard of living adequate for the health and well being

## Right to equality in dignity and rights, without distinction of any kind

Newly recognised refugees are overwhelmed with language training and job search and therefore have difficulties to become self-sufficient and secure housing.

Unlike Slovene citizens, recognised refugees are not entitled to social housing but to rental subsidies for a maximum of three years. This is very problematic for elderly and vulnerable persons who are not able to work even after that period.

Rental subsidies for refugees are too low for market prices; As subsidies are calculated per capita, single refugees have the greatest difficulties.

Inflexible delivery of rental subsidies does not meet the realities of the local housing market: Landlords request rental advances for three to six months, but refugees are not paid their subsidies up front.

Often landlords are not willing to take tenants with refugee status.

## Right to gainful employment and other employment related rights

## Right to equality in dignity and rights, without distinction of any kind

Lack Slovene language skills in the beginning is a major obstacle in obtaining a job;

Refugees lack information and assistance with regard to finding jobs. They rated the services of the National Employment Office as unsatisfactory;

Refugees expressed a need for vocational training and guidance for job applications;

Employers rigidly request written proof of professional qualifications that refugees often cannot submit;

Many employers are not willing to take employees with

#### Suggested Action

Introduce changes into legislation to include refugees in social housing schemes and related assistance in the same way as nationals:

Create integration houses where refugees could live for some time immediately after recognition;

Adapt the level of rental subsidies and payment regulations to market realities;

Establish authority information point, prepare targeted information for land-lords on refugees' situation and provide refugees with letters of support;

Assistance refugees with finding accommodation (e.g. through NGO projects, twinning between locals and refugee families etc.);

Adopt an integration strategy which includes measures to facilitate refugees' access to housing (mortgage for refugees, information point, etc);

Create government and NGO programmes to increase employability of refugees both with regard to presentation skills (CV, job interviews);

Inform refugees about the local labour market;

Create and fund vocational training programs for refugees to obtain required certificates;

Introduce specialised job counsellors for refugees and migrants in the National Employment Office;

Raise awareness among employment officers on refugee specific issues;

refugee status. In addition, they are not aware that refugees are entitled to work under the same conditions as nationals. According to refugees having Slovene citizenship would make a significant difference on the job market:

Include refugees into job creation programs (public works...);

Raise awareness among employers on refugees' right to work;

Encourage employers to support on-the-job language training;

#### Right to health care, including family planning

## Right to equality in dignity and rights, without distinction of any kind

Refugees perceive not having a health card as a major obstacle for accessing health services;

Medical service providers are largely uninformed about refugee entitlements to medical car. This creates unnecessary delays because refugees have to ask special NGO integration to intervene. Such practices also raise concerns about the right to confidentiality;

Refugees are ill informed about their entitlements to various treatments and do not understand how the national medical services work (need to select a family doctor; different types of medical providers, etc.);

Refugees sometimes feel discriminated in the provision of treatment (receiving cheaper and less effective drugs, being denied certain types of services, particularly dental treatment).

## Right to non-discrimination as to race, religion or country of origin

## Right to equality in dignity and rights, without distinction of any kind

Discrimination was identified as one of the key obstacles for accessing medical services, housing and employment;

Include refugees into the national health system or provide health card that would remove undue hardship in accessing medical care. The card contains al the information required by service providers (i.e. info on entitlements to cures, previous treatment, etc.);

Inform refugees in writing about their medical entitlements and related services such as family planning or counselling;

Provide training and written information brochures to medical service providers on rights and entitlements of refugees;

Raise awareness and Combat racism xenophobia among the general public with the active participation of refugees;

Involve civil society in assisting individuals and in the fight against discrimination (monitoring and legal assistance in individual procedures);

Encourage individual citizens to help refugees on the housing and job market to make up for the refugees' lack of family and community support;

#### 3. Elderly refugees and other vulnerable categories

#### Right violated / Problem reported Suggested Action Right to social-welfare provisions as provided to nationals Right to a standard of living adequate for the health and well being Elderly refugees do not have family and community Ensure appropriate systems are in place to deal with network in the asylum country. This is particularly particular rights and needs of groups at risk; problematic for vulnerable individuals who rely only on Entitle destitute elderly refugees without family to weak and unhelpful national social welfare structures. permanent social welfare: refugees complained about unreasonable Create programmes for elderly refugees (also in collective administrative difficulties when accessing even minimal centres) to overcome their social isolation; social welfare. Every three months they have to file a new application in order to renew their financial assistance. There is no state support targeted to refugees who are too old or too vulnerable to work.

Older people without family support raised the issue of housing after once the three-year integration period expires (see also under point 1).

Elderly refugees have more difficulties to learn the language and feel often isolation and passivity. This is particularly the case with former Bosnian refugees living in collective accommodation.

## Right to special protection and assistance for children deprived of their family environment

There is no specialised systemic state support for separated children (no child-friendly accommodation facilities and no parental type of guardianship are provided to children).

Establish a separate housing facility and a "parental" model of care for separated children.

## **Conclusions**

While there are important differences in the situation of asylum seekers and refugees in the four countries in the Central European sub-region, the GAD assessment clearly shows there are many shared problems such as access to legal aid and information, satisfactory conditions in receptions centres and possibilities for integration.

The problems and suggested actions of this report will be followed up and the assessments by the MFTs will continue to be undertaken.

It is expected that by continuing these kinds of assessments of the situation of refugees and asylum seekers the protection and assistance provided to them in the sub-region will improve.

Increased participation of asylum seekers and refugees in decisions will directly affect their lives. They will be more involved in implementing solutions to their problems.

Additionally, GAD assessments also have a positive impact on the partnership among all agencies and individuals working with and for refugees.