



COUNTRY OPERATIONS PLAN

OVERVIEW

**Country: The Former Yugoslav Republic of
Macedonia**

Planning Year: 2006

The Former Yugoslav Republic of Macedonia – 2006 Country Operations Plan

Part I: OVERVIEW

1. Protection and socio-economic operational environment

At the beginning of 2005, there were 2,242 refugees in the former Yugoslav Republic of Macedonia and an unknown number of long-term habitual residents without effective citizenship since the dissolution, in 1991, of the Socialist Federal Republic of Yugoslavia. Nearly all of them belong to Kosovo ethnic minorities and have been in the former Yugoslav Republic of Macedonia since 1999. The overwhelming majority are ethnic Roma, Ashkalija and Egyptian (RAE). The assumptions for the planning of the 2006 programme are: that the international community will have reconciled its desire for Kosovo self-determination with the preservation of the territorial integrity of States in accordance with UN SC Resolution 1244 (1999); the former Yugoslav Republic of Macedonia will have made further progress towards EU integration making it possible to further develop its asylum framework and grant an increased measure of protection and assistance to the residual caseload of asylum seekers, refugees and persons under Humanitarian Protection, as well as to new arrivals; The former Yugoslav Republic of Macedonia will have dealt successfully with the processing of most of the applications for citizenship of its long-term habitual residents under the amended Citizenship Act.

It is also assumed that a generally stable post-conflict political situation will continue to prevail in 2006, amicable to UN agencies, with further implementation of the Ohrid Framework Agreement (constitutional processes, decentralization and local self-government, language and education, culture and community symbols, etc.) and further progress towards Euro/Atlantic integration. It is possible, however, that this stabilization and association process will be affected by economic and trade deficits, an upsurge in organized crime and rule of law problems, heated election campaigns and inter-ethnic incidents, particularly in mixed municipalities, and ethnic polarization with the result that the former Yugoslav Republic of Macedonia will face thorny human rights issues. It seems unlikely however that the security situation could deteriorate to such an extent that it would seriously hamper UNHCR operations. The former Yugoslav Republic of Macedonia is developing bilateral relations with the UNMIK-administered Kosovo and its provisional institutions of self-governance which are conducive to furthering peace and stability in the area, but are still susceptible to a rapid deterioration at any moment (border demarcation, “final status” talks, upsurge of violence and destruction on the pattern of the March 2004 events, etc.). All the above call for strengthening the former Yugoslav Republic of Macedonia’s emergency preparedness and response capacity to meet any internal or new Kosovo exodus of ethnic minorities and IDPs as well as to be prepared for UN staff evacuation from Kosovo as the former Yugoslav Republic of Macedonia is a safe haven country.

Should UNHCR's position on the continued need for protection of minorities from Kosovo remain unchanged and if external events do not provoke major population movements in 2005, refugee numbers will continue to reduce slowly, primarily through facilitated voluntary repatriation and local settlement on the basis of family links with nationals. Resettlement will also be a durable solution for a small number of refugees. Thus, taking other factors into account, including new arrivals, the average planning figure for the 2006 programme is 2,000 asylum seekers and refugees.

Despite improvements that are expected to occur with the assistance of the international community, notably the EU through the SAP and the implementation of the Thessaloniki Agenda, UNHCR will have to continue to contend with the administrative inertia of the Ministry of Labour and Social Policy and will thus continue to take responsibility for the provision of material assistance and services to asylum seekers and refugees in the former Yugoslav Republic of Macedonia. The predominant nationalities assisted will be the residual Kosovo RAE refugees as well as a small number of new asylum seekers from outside the region, who increasingly seek protection in the territory of this EU applicant State situated at the external border of the EU. At the same time, new concerns that expand the scope of protection in the former Yugoslav Republic of Macedonia in the context of broader migration movements, such as, indicatively, asylum and trafficking in human beings and smuggling, identification of protection needs at the border, regional cooperation, readmission and return of rejected asylum seekers, have acquired an urgent dimension and need to be specifically included in the 2006 programme.

In relation to the long-term habitual residents of the country (*de facto* stateless since upon state succession), the assumption is that numbers will reduce substantially by the end of the two-year deadline on 2 March 2006 when applicants should have lodged their citizenship applications in person before the pertinent authorities. However, the citizenship adjudication process in all three instances is expected to continue throughout 2006 necessitating continued extension of UNHCR's technical advice.

Priority will be accorded to gender issues which will permeate the entire 2006 programme. The status and implementation of laws relating to violence against women show that there exists, generally, *de jure* but not *de facto* legal protection for refugee women. Effective and adequate remedy for female victims of domestic violence is lacking. In 2004, this protection problem for refugee women was recognized, in part by creating a safe haven for one female refugee who reported domestic violence to UNHCR. Future plans include creating a referral system for SGBV/domestic violence when the regional gender advisor arrives in 2005. The Department for the Promotion of Gender Equality within the Ministry for Labour and Social Policy has no separate funds within the state budget. The head of the department and one assistant comprise the entire staff. The comprehensive National Action Plan for Gender Equality faces similar implementation problems. The lack of personal security for women in the country has a disproportional impact on UNHCR's predominately Roma female refugee caseload.

2. Operational goals and potential for durable solutions

Derived from UNHCR's Global Strategic Objectives 2006-2007 and the regional objectives and priorities of the Bureau for Europe, the following are the overall strategic goals of the 2006 programme:

- *To support the Government and other national actors to provide international protection to refugees and asylum seekers in accordance with international standards (Theme 1).*

Objectives

- Access to efficient and fair asylum procedures which are in conformity with European/international standards and best practice is ensured.
 - The principle of non-refoulement is respected in all cases and adequate standards of treatment are provided for refugees taking into account the particular needs of vulnerable individuals.
 - Border guards are trained and effective arrangements are in place for the referral of asylum claims to the Section for Asylum of the Ministry of the Interior.
 - Increased independence of second and third instance appeal bodies is achieved.
 - Measures to combat irregular migration include appropriate safeguards via legislation.
 - Effective policies and mechanisms are put in place for the return of unsuccessful asylum-seekers to countries/territories of origin.
 - Standards adopted reflect European and international norms and best practice.
 - Appropriate provisions are in place in the asylum system and procedures to respond to the rights and needs of women, children and extremely vulnerable individuals.
 - The quality of protection and the asylum system is enhanced by placing emphasis on training the Eligibility Officers of the Section for Asylum, the branch offices of the Department for Foreigners and border guards, lawyers and judges.
- *To provide care and maintenance while working on appropriate durable solutions for refugees and asylum seekers.*

Objectives

- The reception centre for asylum seekers due to be completed at the end of 2005 becomes operational in January 2006.
- The Ministry of Labour and Social Policy finally takes on responsibility for assistance to asylum seekers and refugees as called for under the LATP.

- All protection and assistance needs of the asylum seeker/refugee caseload are met with focus on the special needs of women, children, the elderly, the handicapped and other vulnerable groups.
 - A model SGBV urban case-load best practices programme researched and designed in 2005 by the regional gender advisor (RGA) is implemented in 2006 and consequently domestic violence and SGBV among the asylum seeker and refugee caseload are reduced.
 - Refugees receive the necessary support to facilitate their integration
 - Voluntary repatriation to Kosovo and relocation to Serbia and Montenegro are facilitated as appropriate and provided sustainability of the return is ensured and secondary displacement avoided.
 - All feasible initiatives for durable solutions including third country resettlement when legitimate and desirable are pursued.
- *To reduce, possibly eliminate and prevent situations of statelessness in line with international standards (Theme 2).*

Objectives

- Priority is to be given to providing all long-term habitual residents who wish to do so, especially women who are the majority, with an option to acquire effective citizenship.
 - The transitory clause of two years providing long term habitual residents the possibility of acquiring citizenship under facilitated procedures is prolonged.
 - Other stateless people are assisted to acquire citizenship and appropriate solutions especially the residual Bosnian caseload
 - The 1954 Convention relating to the Status of Stateless persons is effectively implemented.
 - The former Yugoslav Republic of Macedonia accedes to the 1961 Convention on the Reduction of Statelessness.
- *To strengthen the emergency preparedness and response capacity of UNHCR in the former Yugoslav Republic of Macedonia in coordination with UNHCR offices in the region and to assist the Government of the former Yugoslav Republic of Macedonia in responding to such emergencies (Theme 3).*

Objectives

- Preparedness measures for a timely and effective emergency response to the protection and assistance needs of displaced populations are developed and maintained.
- Emergency preparedness plans include the deployment of a gender advisor at the beginning of any emergency operation.
- Government authorities are persuaded to take a pro-active approach in the development of contingency planning.

- *Foster partnerships and complementarities between UNHCR, the institutions of the Government of the former Yugoslav Republic of Macedonia, NGOs, the UN system agencies and relevant international, regional and EU institutions as the essential platform for attaining the goals and objectives of the 2006 programme. In addition, ensuring that the Government assumes a primary management and delivery role in protecting and assisting asylum seekers and refugees as called for under the Law on Asylum and Temporary Protection (LATP).*

Objectives

- Partnerships are developed to include the needs of refugees and displaced persons in development processes.
- Partnerships to address the problem of statelessness are strengthened.

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