



COUNTRY OPERATIONS PLAN

Executive Committee Summary

**Country: Former Yugoslav Republic of
Macedonia**

Planning Year: 2005

Former Yugoslav Republic of Macedonia 2005 Country Operations Plan

September 2004 revision

Part I: Executive Committee Summary:

(a) Context and Beneficiary Populations

- **Political Context**

The current government coalition has been in Office for a year and during that time has steered a cautious but relatively stable course. The potential for a renewed conflict remains as inter-ethnic tension may easily be fueled by the weak legal order, a weak economy and a high level of unemployment. Full Implementation of the Framework Agreement (FA) is the key for further stabilization of the country and is one of the pre-conditions for integration into EU and NATO. The Government is satisfied with its implementation, some opposition parties continue to express their dissatisfaction with the manner in which it is being implemented, while others considered that the Government made more concessions than foreseen. The tragic death of the President in a plane crash on 26 February 2004 came as a serious blow and slowed the progress achieved so far as the country had to organize presidential elections during which time the implementation of the Framework Agreement was put on hold. By mid year a new Government was in place, however, with little change in the composition of the Government or in the Government's programme of work. The Government is now facing one of its main challenges as there is strong opposition to the adoption of the package of Laws on decentralization, which calls for a decrease in the number of municipalities in Macedonia, redrawing of the state boundaries as well as fiscal decentralization. Consequently a referendum will be held on 7 November in which the citizens will decide whether to accept or reject the proposed package.

Further moves towards accession to the European Union were achieved when Macedonia presented its letter of Accession on 22 March. On 1 April, the Stabilization and Association Agreement (SAA) between the European Union and Macedonia entered in force, moving the country one step closer to full integration with EU structures and on 17 May, Macedonia entered the formal procedure for EU membership after the ministers of foreign affairs of the EU bound the European Commission to consider the accession application.

- **Security Situation**

The European force Concordia, was replaced by a new European police mission "EUPOL Proxima" in December 2003 with an advisory role with the Government. It aims at promoting EU standards of policing including support to the process of police reform, institution building, administrative and judicial reforms and the fight against organized crime and corruption and to uphold the rule of law in the whole territory, particularly in the former crisis area. Proxima is expected to continue its role throughout 2004 and possibly in 2005 in view of the potential for ethnic violence, as demonstrated by the recent events in Kosovo. Throughout 2003, a number acts of violence took place in different parts of the country, which took the form of ethnic Albanians protests against the Macedonian police and army units cracking down on various criminal gangs operating in and around the country. At its peak in summer, with a high number of attacks and counter-attacks, especially the military operations in the northern Skopska Crna Gora areas, an ethnic conflict was clearly foreseen but the international community, especially OSCE and Concordia managed to put a stop to the confrontation. The security situation

stabilized in early 2004, and is expected to remain stable barring renewed conflict in Kosovo, during rest of the year as well as in 2005.

- **Protection Issues**

Continued and coordinated activities on the part of UNHCR, the Government and the various national and international organizations since signing of the FA in August 2001 contributed to the stabilization and reconstruction in the country and the speedy return of most IDPs and refugees from the 2001 conflict. It also promoted the institutional capacity-building process as specified in the FA. With the return of all except 1,956 IDPs by the end of 2003, ECHO and the Red Cross family phased out from assistance to the IDPs and the government is expected to find solutions to the residual group within the year. Currently, some 1,000 Macedonian refugees still remain in Kosovo. Their repatriation to Macedonia in 2004 is steady and was not accelerated by the recent ethnic conflict in Kosovo as initially expected. A number have opted for local integration in Kosovo.

Provision of humanitarian assistance to some 2,278 refugees in Macedonia at 31 August 2004 continues, while durable solutions are also pursued to the extent possible. Cross-border co-operation with UNHCR offices in Kosovo and Serbia was enhanced through the continuous organization of go-and-see and come-and-inform visits and UNHCR facilitated the voluntary repatriation of 194 individuals to Kosovo and Serbia in 2003 and 90 to date in 2004. The UNHCR Office in Skopje is aware of 10 refugees repatriating spontaneously this year as well. All this activity came to a temporary stand-still in March due to the onset of ethnic violence in Kosovo and southern Serbia but has now slowly resumed. UNHCR envisages the situation of refugees in Macedonia to remain unstable in view of the unsettled situation in Kosovo. In 2005 the Office will continue providing humanitarian assistance to the residual group, assisting the government in developing institutional structures aimed at providing humanitarian assistance to the recognized refugees and in facilitating durable solutions. Contingency plans will also be updated to handle any new influx.

- **UNHCR's role**

Persistent lobbying by UNHCR resulted in the adoption in July 2003 of the new Law on Asylum and Temporary Protection (LATP) which was enacted in August. UNHCR, the Ministry of the Interior (MOI) and the implementing partners developed co-ordinated action for its implementation, including joint meetings, information campaigns, training programmes, and drafting of the legal sub-acts and implementing instructions. By end of 2003, 93% of the former THAP group of refugees applied for asylum, a right conferred on them by the Law, and the RSD procedures initiated in December has continued in 2004. The Office was unhappy with a significant number of negative decisions served in the first instance in 2004 and will continue to intervene with MOI on this matter. The RSD procedures are expected to be finalized by end 2004. It is assessed that a sizeable number of the Kosovar refugees will be given Humanitarian Protection, a status that must be reviewed after one year. Only one decision granting recognized refugee status to a family of five has been issued so far and this tendency of parsimonious granting of refugee status is likely to continue in future as a matter of policy. Vigorous follow up with the European Agency for Reconstruction (EAR) on funding under the national Community Assistance for Reconstruction and Development and Stabilization (CARDS) programme, resulted in funding for the Government for the construction of a reception center (to be completed by end 2005) and technical assistance in revising existing legislation and in developing a new National Action Plan for Asylum and Migration. The Office will continue to follow up on the successful implementation of the projects under national CARDS funding in 2004 and also participates in activities under the

regional CARDS programme dealing with similar issues. Persistent efforts by UNHCR to promote the implementation of the National Action Plan, the Stabilization and Association Process SAP, and the Migration and Asylum Initiatives in the European context have resulted in significant progress during the year. Therefore in 2005, the Office will continue to support the authorities in developing the institutional framework necessary for protection and assistance to refugees, including review of the persons granted humanitarian status during the RSD procedures in 2004. Depending on the developments in Kosovo a ban on forcible deportations to Kosovo will be negotiated in line with SC resolution 1244(1999), UNHCR's position on continued protection needs of Kosovo minorities and relevant COE recommendations.

The adoption of amendments to the Citizenship Law in December 2003 and its endorsement by the President in February 2004 was another milestone, effecting legislative reform and providing for a strengthened institutional framework in the country. The Legal Network lawyers initiated procedures in 2003 related to the issuance of documents such as birth registration, alien residence permits and citizenship certificates to over 1,500 long-term habitual residents without effective citizenship, a process which will be accelerated under the newly adopted Law. With the provision of two years time-limit for all habitual residents to regularize their status in the country, UNHCR and the Network are mobilizing all concerned persons to resolve their citizenship related problems by the end of 2005. As regards material assistance, the host government is being encouraged and assisted to assume greater responsibility in 2005 according to the provisions under the new LAMP. Despite this, UNHCR will need to provide significant resources to compliment the Government's very meager resources.

- Overview of Each Beneficiary Population

As of 31 August 2004, a total of 2,253 Kosovar asylum seekers and refugees remain in the country as a result of the 1999 crisis. The Office will continue to facilitate voluntary repatriation of interested individuals to Kosovo or Serbia in 2005 if they request it and if the situation permits and will also promote the local integration of recognised refugees and spouses of Macedonian citizens in collaboration with the Government and international organisations. Some 143 persons who did not apply for asylum were removed from the assistance lists in 2004 as they did not show good reason for not having availed themselves of their right to apply for asylum. Two others who are unaccompanied minors have received Macedonian citizenship following integration in foster families. Due to the prevailing ethnic tensions inside Kosovo, only 51 persons have repatriated to Kosovo or relocated to Serbia since March despite the fact that the spring and summer months are usually the best months for return. Since the beginning of the year, nine persons have been resettled to a third country and two have benefited from family reunion. In the absence any other durable solutions such as local integration or substantial resettlement in 2004, the number of Kosovar refugees in Macedonia will thus remain at very much the same level until early 2005. The Kosovar refugees consist of Roma, Ashkali, Egyptian (RAE), Gorani, and Serb ethnic-minorities, all of whom reside in private accommodation following the closure of the Katlanovo Collective Centre at the end of May, except 14 who are in the Gazi Baba Reception Centre in Skopje.

It has been decided, after consultations with UNHCR Pristina, to put as much effort as possible into supporting repatriation from Kosovo to Macedonia in 2004; (at 31 August some 470 persons had returned with assistance or spontaneously). Thereafter resources (staffing and financial) will no longer be available to support return. In 2005 therefore, there will be no formal and assisted programme of return to Macedonia. The number of de facto stateless population of the country remains unknown but they are believed to comprise about 2.2% of the population in main Roma and Albanian areas, especially the municipality of Suto Orizari

and the northern villages in the Skopska Crna Gora region. The Office will ensure their coverage by the legal Network in resolving their problems related to citizenship under the newly adopted Law on Citizenship.

- **Policy issues**

Refugee women/gender equality

UNHCR will accord special attention to the victims of Sexual and Gender Based Violence (SGBV) as well as those of domestic violence in 2005 and will initiate services to the affected individuals. The office will also ensure coverage of 100% of the refugee woman of reproductive age in the distribution of sanitary napkins through hygiene parcels. Participation of the woman in the Refugee Committees will continue. UNHCR will pay particular attention to equal treatment of women when receiving assistance and ensure that refugee women above 18 years hold refugee cards and bank accounts to receive the cash allowances.

The specific situation of children including adolescents

Births of all refugee children will be registered using the same procedure applicable to nationals. Attendance of primary school children continues to be low due to the general lack of interest on part of the parents and the children, as the teaching in a Macedonian environment does not motivate them adequately. The difficulties with the integration process in the local schools, lack of parental support and under-age marriages for girls constitute additional hurdles in this regard, and UNHCR will continue to address them. UNHCR will provide transport to schools as appropriate. The Office will strive to ensure the costs of secondary education is covered by contributions made by other donors.

People with special needs: the sick, the elderly

The special needs of the disabled and the elderly will be covered through distribution of adult diapers, hearing-aids and eye-glasses as required. Sick people in need of specialised treatment will be referred to the appropriate health care institutions in the country. The Office will also pursue coverage of the venerable groups under the social welfare system of the state, and will also continue its intervention with the embassy of Serbia and Montenegro (SCG) in disbursing pensions to its citizens .

The environment

In 2005 all refugees are expected to live in private accommodation and any new arrivals with protection problems in the reception centre. Thus the refugees are not expected to exert as much pressure on the vegetation or the environment. Personal and domestic hygiene will be promoted through the distribution of washing / cleaning supplies through the hygiene parcels.

Combating HIV/AIDS

UNHCR will not be able to address the issue of HIV/AIDS in a substantive way, but will participate in the UN Theme Group meetings on HIV/AIDS, TBC and Malaria, chaired by UNDP under the National Strategy on HIV/AIDS launched in December 2003.

- **Linkages to other countries within a defined “situation”**

Linkages with UNHCR offices in the region on issues related to the remaining refugee population from the 1999 Kosovo crisis will continue. Linkages will embrace the exchange of country of origin information (COI), go-and-see and come-and-inform visits, documentation issues, statelessness, resettlement and return , as well as standards of treatment of RAE with a

main focus on offices in Kosovo and SCG. The Office will continue to work closely with other international organisations in the region in relation to the management of trans-border mixed flows and the response capacities to address them in the sub-region.

- **Capacity and presence of implementing partners**

UNHCR plans to work with five implementing partners in 2005 including three Governmental partner ministries. The MOI will continue as the main counterpart in asylum and citizenship matters, whereas the Ministry of Labour and Social Policy (MLSP) will be responsible for the overall reception of asylum seekers and refugees, the convening of an inter-ministerial working group to deal with these issues, the construction of the reception Centre in Visbegovo (funded under the CARDS programme in 2004) and the provision of social assistance through its Centres for Social Welfare (CSW). The Sector for European Integration will be supported to ensure the coordination of activities of the relevant Ministries in the perspective of European integration. The legal Network will continue providing free legal advice to the *de facto* stateless persons in accordance with the amended Citizenship Act and Aliens Acts. The City of Skopje Red Cross whose staff have worked with refugees for the past ten years will be hired to cover health and logistical services to the refugees and asylum seekers.

- **Presence and Role of Other UN / International Agencies and efforts to co-ordinate activities on protection and assistance to persons of concern.**

UNHCR will continue to work with other UN agencies within the UN country Team as well as with the various EU representations and other International organisations. In view of the significant increase of asylum-seekers in need of legal assistance throughout the processing of their asylum applications, substantial technical support provided by the NRC-funded Legal Adviser in 2004 will be continued in 2005 to further strengthen the capacity of both the authorities and the legal NGO Network in all fields of activities in an advisory and co-ordinating capacity. The Network Pillar meetings on Asylum and Citizenship will constitute the main coordination fora on these issues. UNHCR will continue its advocacy role and maintain regular contacts with development agencies, financial institutions and the diplomatic missions in the country to secure inclusion of refugees in their development programme and if possible additional complementary contributions for activities not funded by the Office. The resettlement activities will be carried out in co-operation with pertinent Embassies.

(b) Selected programme goals and objectives

Name of the Beneficiary Population /Theme 1: Strengthening Asylum	
Main Goal: To support the Government and other national actors to provide international protection to refugees and asylum seekers in accordance with international standards	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Asylum seekers are admitted at borders and provided access to fair and efficient asylum procedures 	<ul style="list-style-type: none"> • Refugees enjoy effective protection against refoulement by the Government • Adequate mechanisms in place to identify those in need of international protection
<ul style="list-style-type: none"> • Effectively functioning and well resourced asylum system, including sustainable NGOs, with age and gender-sensitive approach to refugee 	<ul style="list-style-type: none"> • Basic rights of asylum seekers are respected and their needs, in particular those of women and children, are responded to in an adequate and timely manner

gender-sensitive approach to refugee protection developed	<ul style="list-style-type: none"> • Independent national protection system in place, that promotes national and regional partnership, i.e. “protection networks”
<ul style="list-style-type: none"> • With due attention to international refugee principles, the field of asylum and return remains high on the agenda for areas of reform in the country’s approximation to the EU 	<ul style="list-style-type: none"> • Capacity of the national protection system boosted through consistent legislation and training, public awareness and advocacy
	<ul style="list-style-type: none"> • Supervisory responsibility of the UNHCR ensured and maintained in practice

Name of the Beneficiary Population / Theme 2: Refugees from Kosovo and new arrivals	
Main Goal : Provision of care and maintenance pending implementation of appropriate durable solutions to refugees and asylum seekers in Macedonia.	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Asylum seekers and refugees in FYR Macedonia receive humanitarian assistance for their livelihood in accordance with UNHCR global, sectoral standards established 	<ul style="list-style-type: none"> • The number of asylum seekers and refugees in FYR Macedonia failing to receive humanitarian assistance according to UNHCR global, sectoral standards established.
<ul style="list-style-type: none"> • Refugees in FYR Macedonia return in safety and dignity and re-integrate in their places of return in a sustainable manner 	<ul style="list-style-type: none"> • Return of Kosovar refugees facilitated, basic returnee assistance provided and limited protection monitoring undertaken in co-operation interlocutors the places of origin
<ul style="list-style-type: none"> • Interested refugees receive concrete offers and assistance from Macedonian authorities to locally integrate 	<ul style="list-style-type: none"> • Legal and institutional integration mechanisms are developed to facilitate local integration of interested refugees
<ul style="list-style-type: none"> • Mandate refugees who cannot avail protection or local integration in FYR Macedonia are resettled 	<ul style="list-style-type: none"> • Mandate refugees fulfilling the criteria are accepted for resettlement and they depart in a safe and a timely manner
<ul style="list-style-type: none"> • Voluntary repatriation of any residual Macedonian refugees in Kosovo takes place in safety to areas of origin where sustainable re-integration takes place 	<ul style="list-style-type: none"> • Voluntary repatriation of any residual individuals cleared by UNHCR Kosovo is organised and facilitated effectively, and basic assistance provided for re-integration

Name of the Beneficiary Population / Theme 3:: Reduction and prevention of statelessness	
Main Goal : To reduce, possibly eliminate and prevent situations of statelessness in line with international standards)	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • A comprehensive legal and administrative framework which facilitates the acquisition of personal documentation and effective citizenship, and prevents and reduces statelessness is fully established and implemented 	<ul style="list-style-type: none"> • Authorities supported to implement the amended legislation and if necessary improve it
	<ul style="list-style-type: none"> • Relevant actors empowered to implement the comprehensive legal and administrative framework

<ul style="list-style-type: none">• Stateless persons enjoy, at a minimum, the status and rights provided in the 1954 Convention on the status of stateless persons	<ul style="list-style-type: none">• Relevant actors lobbied to support accession to the 1961 Convention on the Reduction of Statelessness• 1954 Convention relating to the status of stateless persons transformed into domestic legislation and an eligibility procedure established
---	--