



UNHCR

United Nations High Commissioner for Refugees

Haut Commissariat des Nations Unies pour les réfugiés

Country Operations Plan 2007

**BELARUS, MOLDOVA,
UKRAINE**

REGIONAL OPERATIONS PLAN 2007

BELARUS, MOLDOVA, UKRAINE

Part I – OVERVIEW

1. Protection and socio-economic environment

This regional operation plan covers UNHCR activities in the three countries – the Republic of Belarus, Republic of Moldova and Ukraine – coordinated by the UNHCR Regional Representation in Kyiv. In 2004, UNHCR undertook a review of its presence in Europe which highlighted the growing need for more harmonized regional strategies among countries that share common challenges. Since that time UNHCR has to the extent possible configured its presence in Europe around Regional Representations. In this context, the UNHCR office in Ukraine was upgraded to a Regional Representation, responsible for overseeing UNHCR's interests and coordinating activities in Belarus, Moldova and Ukraine.

UNHCR established its presence in Belarus, Moldova and Ukraine at around the same time in the mid 1990s to support the respective countries to build and develop asylum systems. In **Ukraine**, UNHCR was also engaged in supporting the Government in the integration of Formerly Deported Persons (FDPs), activities which since then have mostly been handed over to development agencies except for limited assistance activities to secure legal aid and assistance to FDPs. **Belarus and Moldova** acceded to the 1951 Convention and its 1967 Protocol in 2001 followed by **Ukraine** in 2002.

In all three countries UNHCR is actively engaged with the Governments and supported by NGOs in building effective asylum systems which are in compliance with international law. At the same time, the Governments and UNHCR work together to bring national legislation in line with international obligations, including the prevention and elimination of statelessness. The three countries face similar challenges with regard to establishing comprehensive migration policies, building asylum systems, as well as finding durable solutions for refugees including local integration. Whilst committed to bringing national law and practice in relation to asylum-seekers, refugees and stateless persons in line with international standards, competing political priorities and meagre state budgets allocated for such tasks result in constraints. Frequent restructuring of Government departments dealing with asylum and migration at times slows down progress.

In 2007, the Regional Representation will continue to promote respect for international protection standards throughout the region, support development of asylum systems and ensure operational consistency and coherent regional responses to challenges faced. In the three countries the priorities are the same, though activities may differ. UNHCR will assist the Governments to ensure that asylum seekers have access to the territory of these States and to a fair, effective and efficient RSD procedure; that asylum seekers and refugees are treated in accordance with international standards; that adequate reception conditions prevail for asylum seekers and durable solutions are identified for refugees, be it through local integration (including naturalization), voluntary repatriation to the country of origin or resettlement to a third country.

The three countries share a similar geo-political location. Belarus and Ukraine are located at the eastern border of enlarged Europe since May 2004, while Moldova will be so after 2007. Each country considers itself as a major transit country for irregular migration, while Moldova and Ukraine are also countries whose citizens seek to migrate in search of better employment opportunities. Hence, the three countries are confronted with the challenge to counteract irregular migration whilst providing asylum to genuine refugees. The mixed movements of persons, which comprise migrants and refugees, are a common feature that needs to be addressed in a comprehensive manner not only within this region, but also beyond, including with countries of the European Union. UNHCR's aim in this regard is to ensure that asylum seekers and refugees are disentangled from the net of complex migration movements and receive the treatment they deserve in line with international conventions. In this regard, UNHCR will take action to maintain and increase the protection space for those who need international protection

and to promote an understanding of the difference between refugees and migrants which takes due account of the specific needs of persons of concern to UNHCR. Irregular and labor migration being the issues that Governments in the region consider more important than asylum (numbers are larger and it also concerns their own nationals), UNHCR is committed to engage in the migration-asylum debate and policy development so that migration management assures access to asylum and a fair, effective and efficient adjudication of asylum-claims.

Whereas the Western borders of the three countries, that used to be the external frontier of the USSR, have been significantly strengthened and equipped, border controls in the East remain insufficient. In Moldova the control over the Eastern border is complicated due the Transdnistria problem. In Belarus it is not among the identified priorities as the Eastern border is an internal one within the single Union with Russia. In Ukraine, border controls in the East are not yet in place to a full extent because of the on-going demarcation and delimitation process as well as due to a lack of resources.

Working environment: political, economic and social situation in the three countries

Belarus

While Belarus is an independent State with its own multilateral external policy, over the last decade the country has significantly strengthened economic and political ties with its closest ally, the Russian Federation, which resulted in the official establishment of the single Union State. The parameters of the Union State are still ambiguous as the Constitution and the single economic space agreements have not been agreed upon. Russia and Belarus have tried, if anything, to step up further economic integration and social exchanges between the two countries. Russian language has the status of the second official language and is dominantly used in official and unofficial communication throughout the country.

The political agenda was dominated in early 2006 by the presidential elections which took place on 19 March 2006, with the incumbent president officially winning re-election to a controversial third term with some 83% of the overall

By the end of 2005, the Government reported achievement of 14 target parameters of socio-economic development, including GDP, industrial and agricultural production growth by 9.2%. The real money income of the population also rose 16.1% and salaries in real terms increased by 21.6% to an average monthly salary reaching \$234. Privatization was slow, and the private sector share of GDP remained relatively small. The Belarusian rouble remained relatively stable but still the introduction of the Russian rouble (which was planned for 1 January 2006), as an element of the monetary union within the Union Treaty, was postponed indefinitely.

In 2005-6, the Belarusian Government reiterated on many occasions the importance it attaches to the cooperation with the UN and expressed their will to continue fruitful cooperation with UNHCR, especially in the context of addressing broader migration issues. UNHCR enjoys good collaboration with various ministries, state committees and regional executive authorities.

In the view of the recent presidential elections results, the operational environment for UNHCR and the government asylum policy in Belarus in 2007 will most likely remain the same.

Moldova

Although some improvement in the economy of Moldova was recorded in 2005, it was still classified by the World Bank as the poorest country in Europe. The reliance on international support remains very strong, especially since in 2005-2006 Russia increased prices for energy resources (natural gas and oil), which Moldova is fully dependent on. Almost one third of the population lives below poverty level, in particular those in rural areas. Due to the high unemployment rate, many Moldovans (estimated up to 20%) are forced to seek employment (mostly irregular) in the EU and Russia. Their remittances are estimated to constitute 27% of the country GDP. Such a situation leaves very limited prospects for effective integration of refugees in Moldova.

The EU has signed an action programme in the framework of the neighborhood policy with Moldova and opened a delegation in Chisinau, coordinated by the Regional Delegation in Kyiv, in 2005.

President Vladimir Voronin, leader of the communist party, who entered his second term in 2005, clearly articulated European aspirations of the country and the EU membership as the ultimate goal. Moldova actively promotes the GUAM forum (consisting of Georgia, Ukraine, Azerbaijan, Moldova). Moldovan is the only official language in the country, where the vast majority of population (close to 98%), at least understands Russian.

Authorities of non-recognized republic of Transdniestria remain controlling 14% of the territory and 18% of the population (mainly of ethnic Russian and Ukrainian origin) of Moldova. Consequences of the 1992 protracted conflict in Transdniestria, followed by the displacement of some 130,000 people, are still unresolved. The negotiations in a format of “five plus two” (Moldova, Transdniestria, Ukraine, Russia and OSCE plus the EU and USA) were in early 2006 threatened with failure due to decision of Transdniestria to pull out. The situation in Transdniestria will require constant monitoring.

Ukraine

In line with 2004 amendments to *the Constitution*, from 1st January 2006 Ukraine became a Parliamentary – Presidential Republic with less powers for the President to form a government and with increased role and responsibility for the Parliament and the Cabinet of Ministers of Ukraine (CoM) which respectively are determining the principles of domestic and foreign policy and ensure its implementation as well as execution of *the Constitution* and the laws of Ukraine, the acts of the President of Ukraine.

After more than a year passed since the inauguration of President Yushchenko, frustration has set in among Ukrainians over the slow-progress in developing good-governance, although both human rights and economic commentators have noted some positive developments. Having inherited Soviet traditions and a post-Soviet government structure, the reform of legislation and institutions in compliance with internationally recognized human rights standards is still a major challenge in Ukraine.

This led to the respective results of the parliamentary, municipal and local council elections conducted on 26 March 2006. The Party of Regions led by Yanukovich got 186 MPs in the Parliament while Yulia Tymoshenko bloc - 129 MPs; the Our Ukraine bloc (pro-Presidential) - 80 MPs; the Socialist Party - 33 MPs and the Communist Party - 21 MPs. The parliament has elected the Socialist Party leader Oleksandr Moroz as parliamentary Speaker on 6 July 2006. In line with Art. 83 of *the Constitution*, the Party of Regions, the Socialist and the Communist parties created an “Anti-crisis Coalition” and submitted the candidature of Mr. Yanukovich for the post of the Prime Minister of Ukraine to the President. After conducting a roundtable with the representatives of all deputy factions and signing *the Universal of the National Unity* (which i.a. reconfirmed the Ukraine’s integration into EU), the President submitted the candidature of Mr. Yanukovich to the parliament which appointed the latter as Prime Minister of Ukraine and assigned his Cabinet on 4 August 2006. In line with *the revised Constitution*, the CoM amended its Temporary Regulations by excluding the Presidential competencies to give instructions to the Cabinet of Ministers on 30 August 2006.

On various occasions the Government reiterated Ukraine’s European aspirations regarding EU membership. Though President Yushchenko asked for a more favorable consideration of Ukraine, there were no indications of potential membership from the side of the EU and only the neighborhood policy was offered. Negotiations on the EU-Ukraine readmission agreement and simplification of the visa regime for Ukrainian nationals are on-going and will likely be completed by 2007. Ukraine enjoys good relations with the EU, political and economic support of the USA. Recently the country was recognized as having the market economy and the Jackson-Vanik amendment was abolished. Membership in WTO and NATO is among the top current priorities. The first and only strong criticism from the US State Department after Yushchenko came to power was a statement related to the

February 2006 *refoulement* of 11 Uzbek asylum seekers from Ukraine. This was also shared by EU institutions, the OSCE, international organizations and human rights NGOs.

Ukraine to a great extent is dependent on the energy resources like natural gas and oil supplied by Russia, Turkmenistan, Uzbekistan, Kazakhstan and Azerbaijan. The complex political and economic relations with Russia are further complicated by the dispute over the presence of the Russian navy troops and military bases in Crimea. This affects a very fragile peace and agreement with the Crimean Tatars, who returned to the peninsula after being deported by Stalin in 1944, currently constituting about 12% of its total inhabitants, and ethnic Russians, the largest segment of the Crimean population.

For the three countries, overwhelmed by the scope of political, social and economic problems and preoccupied with numerous challenges, asylum issues are not among the top priorities on the agenda. Moreover, the capacity of the Governments to deal with asylum issues is weakened by the on-going restructuring of migration services and entities responsible for refugee issues. Refugee and asylum statistics cannot compete with the number of other vulnerable groups of nationals like orphans, street children, people with disabilities, people living with HIV/AIDS etc. Due to financial constraints the Governments cannot allocate sufficient funds to build up and maintain asylum systems in line with international standards. UNHCR technical and financial assistance remains vital for the Governments to enable them to deal with asylum issues; for NGOs, as very little alternative funding is available for them; and eventually for people of concern to UNHCR, who struggle as much as the country nationals and often much more in order to survive. Cooperation with IOM for the voluntary return home of persons not in need of international protection will remain an important activity.

Over the last few years, and with UNHCR support, Ukraine, Belarus and Moldova have developed legislative frameworks, institutions and structures toward building their asylum systems. Since UNHCR established a presence in the three countries of the region, overall 6,455 asylum seekers were granted refugee status (5,362 in Ukraine, 773 in Belarus and 320 in Moldova). Of those, 3,136 are still registered as residing in the sub-region, the majority in Ukraine (2,346) then in Belarus (706) and Moldova (84). In **Belarus** majority of the recognised refugees originate from Afghanistan. In **Ukraine**, while the majority of recognised refugees come from Afghanistan, they also come from CIS countries, African countries and the Middle East. In **Moldova**, most refugees come from the Russian Federation (Chechnya). In the three countries, refugees live predominantly in urban areas with a large majority in the respective capital cities Kyiv, Minsk and Chisinau. In 2005, the asylum authorities in the three countries processed overall 1,999 new asylum claims (1,740 in Ukraine, 118 in Belarus and 141 in Moldova) and 144 persons were recognised as refugees (49 in Ukraine, 41 in Belarus and 54 in Moldova). While in **Moldova and Ukraine**, the number of asylum applications over the last few years has generally remained stable, the number of new asylum seekers in **Belarus** has further decreased. It is expected that there will be no major changes in **Belarus and Moldova** in 2007. In **Ukraine**, it is estimated that the number of asylum seekers may increase to 3,500 in 2007. On the other hand, while the number of recognised refugees is expected to remain stable in **Moldova**, it is expected to rise in **Belarus** while it should decrease in **Ukraine** mainly due to resettlement, naturalisation and voluntary repatriation. In **Ukraine**, a total of 742 refugees have been naturalised since 2002, including 290 in 2005. Following this trend, it is estimated that 270 refugees may be naturalised in 2007. In accordance with Moldovan law, recognized refugees need to be present on Moldovan territory for a period of eight years before they can apply for Moldovan citizenship. So far no refugees in Moldova have fulfilled this requirement. In Belarus, priority will be given to the simplification of acquisition of Belarusian citizenship for recognised refugees taking into account that in 2004-2006 the first group of recognised refugees will be eligible for receiving Belarusian citizenship. During 2004-2005, a total of 3 refugees received the Belarusian citizenship.

All three countries recently improved their refugee legislation though further amendments are still needed to bring them fully in line with the 1951 Refugee Convention and other international standards and practices. Ukraine and Belarus also lack adequate forms of complementary protection. In **Belarus**, a revised Law on Refugees entered into force in July 2003. Though the problematic areas were greatly improved, UNHCR remains concerned that several provisions contained in the Law on Refugees do

not fully comply with international standards relating to refugee protection, i.e. safe third country definition and right for family reunification. UNHCR also advocates for introduction of full scale subsidiary/humanitarian protection status. The Government was reluctant to introduce substantive changes to the next edition of the Belarusian Law on Refugees in 2004 having limited the amendments only to administrative/structural ones, however a new revision of the law is due in 2006 and UNHCR will be part of a working group developing new amendments. In **Moldova**, following UNHCR intense lobbying, the Law on the Status of Refugees entered into force in January 2003. The government central asylum authority, the Main Directorate for Refugees (MDR) (following a reorganization renamed as of July 2006 – “The Directorate for Refugees” within The Migration and Asylum Bureau under the MOI), increased its administrative and professional capacity and assumed responsibility of RSD procedures in early 2003. The amendments to the Moldovan Refugee Law introduced the complementary (humanitarian) form of protection in May 2005. In **Ukraine**, a new Refugee Law was adopted in June 2001. Although it included significant improvements, it also created new protection gaps. Though the asylum application deadlines were abolished in May 2005, the introduction of the new “admission into RSD” criteria which duplicated the existing (to be non-manifestly unfounded and non-abusive) did not improve the refugee protection regime. UNHCR thus advocates urgent amendments to the Refugee Law, by introduction of a new Law “On Legal Status of Aliens and Stateless Persons”, which would also cover refugee, complementary and temporary status determinations and rights.

Problems of access to international protection are aggravated by yet insufficient reception capacities, resulting in severe problems for asylum-seekers to meet their survival needs, many of them ending up homeless or in overcrowded conditions that have a potential to generate gender-based violence and abuse. In order to increase the reception capacities, UNHCR, within the framework of a regional project funded by EC TACIS to strengthen national asylum systems, started - in 2003 in Moldova and Ukraine and in 2005 in Belarus - to support the construction of temporary accommodation centres for asylum seekers. By 2005, the capacity of **Moldova** and **Ukraine** was increased to 160 and 330 spaces respectively while **Belarus** had a capacity to accommodate 45 persons. UNHCR, with EC funding, will continue to support the Governments in **Belarus**, **Moldova** and **Ukraine** to increase their reception capacities throughout 2006. Still, countries in the sub-region will continue to be made aware and trained on reception and UNHCR standards including to ensure that reception centres have necessary safeguards for women and children. At the same time, it is vital that Governments allocate resources to the management of these facilities and care for the asylum-seekers accommodated. It is therefore incumbent on UNHCR to continue lobbying for such budgetary allocation with the Governments.

Local integration has been pursued, albeit thus far with limited or at least uneven success, as the most practical durable solution for recognised refugees in the sub-region. Generally, however, even if refugees are granted basic social and economic rights, there are still many obstacles for their self-reliance and thereby integration. These include the lack of harmonisation in the legislative framework, the lack of effective access to national services, the lack of comprehensive integration strategies, as well as the overall difficult social and economic environment. Progress in the effective integration of refugees remains linked to the improvement of the general social and economic situation. While UNHCR will continue to lend its support to respective Governments to develop a national and institutional system, as well as a legal environment conducive to local integration, it will have to remain engaged – through NGOs – in activities to facilitate the self-reliance of refugees and in the provision of direct humanitarian and financial assistance to the most vulnerable groups. In **Belarus**, local integration has remained difficult for the majority of the refugees due to the lack of national strategy for integration and state social benefits which are insufficient to meet the minimal needs. Moreover, the restructuring of the State Migration Services during 2003 – 2005 led to a lack of understanding and support at the regional and municipal level to address integration needs of refugees. Against this background, the UNHCR strategy will include activities aimed at improving integration possibilities for recognized refugees. Support will be sought from donor countries for funding integration projects in order to stimulate identification of practical solutions for the settlement of refugees in Belarus. Refugees will be assisted to have access to the national welfare system. In **Moldova**, the poor economic environment has continued to impact on the capacity of refugees to

become self-reliant. Although an improvement in the economy was recorded in 2005, it is still classified as the poorest country in Europe. In this environment, UNHCR will continue to promote the strengthening of an effective NGO structure to complement Government efforts. UNHCR will need to continue to support and assist the poorest refugees. In **Ukraine**, while a plan for the adaptation of refugees into Ukrainian society was approved in 2004, it is not yet fully implemented or comprehensive. While according to the Refugee Law, recognized refugees should have access to national services at the same level as the nationals, there are still many obstacles – including legal – such as the lack of harmonization of branch laws with the Refugee Law and the Convention which affect refugees' access to employment, welfare, social services, health and education. Also, the national welfare system is still inadequate to effectively meet the needs of the most vulnerable groups. Many key social departments and job employment centers remain unaware of the rights of the refugees. Against this background, support from UNHCR and other partners to contribute to develop an effective system to facilitate local integration, while meeting the material needs of the most destitute refugees, is still required. Considering the multitude of obstacles for local integration and the expertise required to develop a comprehensive strategy “**Towards local integration – self-reliance and access to socio-economic rights in Belarus, Moldova and Ukraine**”, UNHCR will seek in 2006 to solicit support to develop the strategy and possible funding for its implementation so that, provided funding is available, implementation can start some time in 2007.

One of the main challenges to refugee protection and integration of refugees in the three countries – combined with a lack of resources from the respective Governments - is a lack of awareness and understanding of asylum issues. This attitude is to a considerable extent rooted in negative perceptions arising from confusion between refugees and economic migrants. The local populations fear that the migrants may pose a threat to the country by bringing infectious diseases, loading an additional burden on the state budget and services, enjoying economic benefits. This fear is often exacerbated by misleading media reports. Hence, a comprehensive and coherent regional UNHCR public information strategy has been developed for 2006/2007.

Belarus, Moldova and Ukraine have not acceded to the 1954 and 1967 Conventions on Statelessness. Generally little statistical information on potential, *de jure* and *de facto* statelessness is available. In **Belarus**, according to the information received from the Department on Citizenship and Migration of the Ministry of Internal Affairs, there were 9,983 registered stateless persons as of 1st January 2006. The problem of statelessness in Belarus has been the subject of a preliminary assessment by UNHCR. The initial findings confirmed that this problem will need further attention and the development of an appropriate strategy, especially concerning recognized refugees eligible for receiving Belarusian citizenship. This is particularly relevant, as in 2007 more refugees will become eligible for citizenship in Belarus. UNHCR initiated consultations and discussions with relevant governmental bodies on accession to Conventions on Statelessness. In **Moldova**, according to the Government statistics there are 1,523 registered and documented stateless persons with a permanent residence permit. UNHCR will continue to co-operate with the Presidential Commission on Citizenship and Political Asylum, the Department for Informational Development, and the Directorate for Refugees on issues regarding statelessness and citizenship and will provide through NGOs legal counseling to stateless persons. In **Ukraine**, UNHCR has continued to be engaged in facilitating the legal integration of Formerly Deported Persons (FDPs) (mainly Crimean Tatars) to Crimea. Since the process started, around 270,000 returned and legally integrated. It is estimated that 6,500 FDPs still lack Ukrainian citizenship or permanent residence permits as of 31 December 2005. There are also around 3,000 so called “war refugees” from Abkhazia (Georgia) residing in Ukraine under a special resolution approved by the Cabinet of Ministers. In 2004, some legislative gaps emerged, the consequence of which was to increased statelessness threat for war refugees and other long-term foreign residents, who still hold USSR passports. In total, Government surveys estimated that there are around 60,000 persons that may be stateless or threatened with statelessness. UNHCR has continued to advocate and lobby for the accession of Ukraine to the Conventions on Statelessness.

Starting in 2003, UNHCR - in cooperation with the Swedish Migration Board (SMB) and IOM, with EC/TACIS funding - established the Cross Border Cooperation/Soderkoping Process (CBCP)

Secretariat. Based in Kyiv in UNHCR premises, the objective of the Secretariat is to develop a coordinating mechanism to respond effectively to asylum, migration and border management challenges primarily in Belarus, Moldova and Ukraine and in the region at large as including also countries at the enlarged EU Border: Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia. The activities implemented by the Secretariat, including thematic meetings and workshops, researches, newsletters, and sharing of information, aim at increasing the capacity of countries in the region to develop legislation and practices for the establishment of adequate migration management and asylum systems based on international and European standards. During the first quarter of 2006, the EC extended its assistance for the continuation of the Process. The activities of the Secretariat, largely supported by the EC, are to be continued until February 2009. The IOM and SMB will continue to be partners in this project and to manage and supervise the process together with UNHCR and the EC.

UNHCR in the sub-region will continue to develop and strengthen strategic partnerships to include refugees into development plans and strategies; to complement UNHCR and governmental assistance to support and develop effective asylum systems; to benefit from competences and expertise in areas in the interest of refugees as well as to gain support for protection interventions. As a best practice example, in **Ukraine**, refugee and asylum issues are fully mainstreamed in the United Nations Development Assistance Framework (UNDAF). UNHCR will be actively involved in the respective UN Country Teams. Specifically, UNHCR participates in all relevant UN and UN/Government theme groups including on Border Management; Governance; Civil Society; Poverty Reduction; Health; HIV/AIDS, Human Rights; Public Information; Gender and anti-trafficking. In the sub-region, UNHCR leads the response to challenges posed by HIV/AIDS in relation to persons of its concern and in Ukraine acts as the UN co-chair of the UNDAF Theme Group on "Empowering Civil Society". UNHCR cooperates closely with IOM on border management issues and voluntary return of persons not in need of international protection. UNHCR has maintained excellent contact with the EC which provides financial support to strengthen national asylum systems in the sub-region and supports the activities of the Cross Border Cooperation Process Secretariat. UNHCR in Belarus, Moldova and Ukraine will continue to seek EC and other donors' funding to complement or implement vital activities beyond UNHCR resources including in the area of border monitoring, expansion of reception capacities as well as local integration. UNHCR cooperates with other partners to build the capacity of the asylum authorities and NGOs including SMB and ECRE. In Moldova and Ukraine, UNHCR cooperates with the Council of Europe, including through the joint organising of conferences and seminars on asylum law, complementary protection and statelessness. UNHCR offices in Belarus, Moldova and Ukraine will also continue to participate in other regional processes to ensure that asylum and refugees issues and challenges are reflected including through the Budapest Process and the Euro-Asian Programme on Forced Displacement and Migration. More specifically in **Moldova**, UNHCR cooperates with the OSCE and other international missions including the World Bank, SIDA, DIFID and SDC. The established co-operation with the Council of Europe on the application of the European Convention on Human Rights will continue. Moldova's membership to the Stability Pact will remain an important forum particularly regarding activities aimed at preventing trafficking in human beings. The cooperation with IOM on issues related to management of illegal migration will be enhanced and UNHCR will participate where appropriate in an IOM project on migration management. UNHCR will monitor the situation in Transdnistria through contacts with OSCE and human rights organizations as failed political solutions may generate departures of potential asylum seekers to EU countries. In **Belarus**, UNHCR will extend its expertise on refugee protection to a multi-year programme on migration implemented by UNDP and funded by the EC. UNHCR will explore the possibility to involve UNDP in programme activities aiming to facilitate local integration of refugees. Should the submission to the EC for programmes on border management in Belarus be approved (2005 AENEAS call for proposals), UNHCR will closely cooperate with IOM on border management issues. The cooperation with IFRC will be broadened on relevant humanitarian issues. UNHCR will maintain its contacts with the OSCE Advisory and Monitoring Group in Belarus. In **Ukraine**, UNHCR will continue to cooperate with and seek the expertise of WHO, UNAIDS, UNFPA on health and HIV/AIDS issues. It will also cooperate with UNICEF on tolerance activities as well as activities related to the implementation of the Convention on the Rights of the Child. In view of the increasing

interest of agencies and countries in asylum and migration management in Ukraine, UNHCR will strengthen partnership with bilateral and multilateral agencies interested in implementing activities on refugee protection to complement UNHCR interventions and fill unmet needs. A new partnership with the Danish Refugee Council, provided that they can obtain funding, to strengthen RSD and refugee protection-related civil society action will help the attainment of UNHCR's objectives.

2. Operational goals and potential for durable solutions

Derived from the strategic framework developed by the Bureau for Europe for the period 2005-2010, the Agenda for Protection, and the set priorities for Europe for 2007, the UNHCR representations in **Belarus, Moldova and Ukraine** agreed on the following common goals and objectives. However, based on the specific situation in each of the countries, the set goals and objectives will vary in terms of their priority and activities to be conducted in countries covered by this regional operations plan.

Goal 1: *Ensure full and unhindered access to asylum procedures; enhance the quality of Government protection and asylum systems, especially in the first instance*

- Asylum legislation is further aligned with international standards and the level of implementation is improved;
- The referral of asylum applications to the asylum authorities is clearly established and implemented;
- Protection of asylum seekers is increased through registration and documentation without delay, gender sensitive interviews, provision of interpreters, confidentiality, reference to COI, qualified RSD decisions (including appeal);
- Level of awareness of border guards, police and security services concerning the asylum procedure and rights of asylum seekers is improved;
- Asylum systems and practices are increasingly responsive to issues of gender and age.

Goal 2: *Ensure effective border monitoring and capacity building to support Governments, including improving conditions in reception facilities*

- Free and unhindered access of asylum-seekers to the territory of Belarus, Moldova and Ukraine without discrimination through full and timely consultations on the asylum procedure at the entry points, and in detention is improved;
- A monitoring system of Moldova, Ukraine, EU readmission agreements as regards the non return of asylum-seekers and refugees to their respective territory is established and operational (*will apply to Belarus in case readmission agreement signed with any country*);
- A cross border monitoring strategy is developed and implemented;
- UNHCR ability to monitor access of asylum seekers to the territory and *non-refoulement* is increased by providing UNHCR unhindered access to the persons of concern, their files and data;
- Adequate reception facilities, managed according to UNHCR standards are available to cater for increased numbers of asylum-seekers as compared to 2006 and the most basic material, social, medical, psychological and educational needs of asylum-seekers are met;
- Public is aware of the situation of asylum seekers and prejudice against asylum seekers and refugees is addressed.

Goal 3: *Promote accession to the Statelessness Conventions*

- 1954 and 1961 Statelessness Conventions and the European Convention on Nationality are seriously considered for ratification (concrete steps taken in this regard) or ratified;
- Further steps are taken in the reduction of statelessness.

Goal 4: *Promote durable solutions for refugees in the region*

- Refugees have increasing opportunities to integrate through the development of a favorable national and institutional system and legal environment;
- Refugees are supported to exercise their rights and specific needs of the most vulnerable refugees are met;
- Resettlement is prioritized for refugees with urgent protection or special needs while refugees are also informed and assisted in voluntary repatriation;
- Authorities, policy makers, media and public are aware of specific needs of refugees.

Goal 5: *Strengthen focus on partnerships and develop sense of ownership by the Government and NGOs*

- Central asylum authorities' coordination role is enhanced and they are gradually able to take more responsibilities with regard to provision of legal services to asylum seekers and refugees;
- Additional resources to support refugee related programmes are identified by NGOs and Government;
- Specific needs of asylum seekers and refugees are included in variety of projects and activities of all partners (Governmental Organizations, UN agencies, NGOs).

Goal 6: *Strengthen External Relations (including with the European Human Rights Framework, implementation of a communication strategy) and fundraising at country level*

- Media reports fairly reflect on refugees and asylum seekers' issues, avoiding distortions and stereotypes;
- UNHCR mandate and activities are known to and respected by authorities and public;
- Donors, including EC, are well-informed about UNHCR operations and intervene and support UNHR when needed;
- Additional resources are mobilized to enhance the achievement of the 2007 goals, including for local integration of refugees.

Goal 7: *Address the asylum-migration nexus by promoting regional and cross-border initiatives*

- The nexus between migration and asylum is fully considered within the border monitoring exercise and ensured through the CBCP process as well as other cross-regional processes and activities;
- UNHCR participation and involvement in regional and EU asylum activities and meetings is reinforced and ensured.

Multi-year plans

Though over the last few years some progress in the development of the asylum systems in **Belarus, Moldova and Ukraine** has been achieved, they still need to be improved and they remain far from sustainable without external assistance. Therefore, the UNHCR multi-year strategy for the sub-region aims at redressing this situation gradually and with a time-frame that could stretch easily into the next decade, while maintaining its support both to Governments and asylum-seekers and refugees at levels that allow progressive improvements. Unless UNHCR continues and if possible even strengthens its engagement in the sub-region, there is a danger that the hard-won gains in building asylum-systems will be lost completely. With the eastward enlargement of the EU, the nascent asylum systems in **Belarus, Moldova and Ukraine** are subject to considerable additional demands, requiring sustained mid-term support from UNHCR to prevent their collapse. The three countries also deal with increasing complex migration flows with the challenge to combat irregular migration while providing adequate protection to persons in need of international protection. UNHCR therefore needs to remain engaged in

the region not only to extend its support to develop and improve the asylum systems but also to carry out monitoring functions to preserve the asylum space. Against this background, UNHCR does not foresee a disengagement in the near future. UNHCR actively continues to seek donors' support to complement its assistance, to gain donor attention and their interest in investing into comprehensive migration management in the sub-region, including a functioning asylum system. UNHCR is confident that its strategies of diversifying the external donors' base, its stringent prioritizing of sustainable investments as well as a slow improvement of the overall socio-economic situation of the country is to reduce dependency on UNHCR support in the long term.

PART II – COMPREHENSIVE NEEDS AND PARTNERSHIP

1. Outcomes of joint planning and management of identified gaps

SUB-REGIONAL AND CROSS REGIONAL JOINT PLANNING

UNHCR offices in the sub-region carried out a planning meeting in order to identify common challenges, harmonise approaches, formulate and prioritise objectives for the region and identify activities in order to meet the agreed objectives. (Regional goals, objective and activities matrix refers). In the context of the regionalisation, the three offices also reviewed the organisation of the regional structure and the role of the Regional Representation in Kyiv as well as the duties and responsibilities of the functional units (protection, programme, administration and public information) at the national and regional level.

During the sub-regional meeting, UNHCR Belarus, Moldova and Ukraine offices identified (a) activities and approaches that could gradually be harmonised while taking into account the specific socio-economic context of each country as well as progress in the development of respective asylum systems and (b) common gaps in their respective asylum systems which could be addressed at the regional level in order to optimise the use of UNHCR resources. In particular, areas such as border monitoring, quality RSD initiative, resettlement, gender age and diversity mainstreaming, SGBV, unaccompanied minors, harmonised approach with regard to material and financial assistance provided to the most vulnerable, public information initiatives, as well as collection of statistics were identified as areas of priorities to enhance sub-regional cooperation. The three countries will continue to join forces in order to access alternative sources of funding, particularly from the EC but also other donors at the national level, in order to carry out activities beyond UNHCR resources including in the area of border monitoring and local integration. With regard to local integration, the three countries agreed to seek UNHCR HQ support to review and evaluate the prospects for local integration with focus on self-reliance and access to socio-economic rights as a durable solution in the sub-region with the objective to formulate a coherent strategy to seek alternative sources of funding. Likewise, UNHCR in Belarus, Moldova and Ukraine will continue to establish and strengthen strategic partnerships with organisations involved in refugee protection; advocate for refugees to be included in national plans or international as well as bilateral development strategies; and will continue to seek the expertise of national bodies or international agencies to facilitate the access of refugees to national services. Funded by the EC until end of 2009, the Cross Border Cooperation Process / Soderkoping Secretariat will continue to operate and UNHCR in the three countries will support the process. UNHCR offices will use the Secretariat as a useful tool to improve protection standards in the sub-region including through enhanced cooperation between asylum and border authorities as well NGOs in the sub-region but also through sharing of information, thematic meetings and research activities. The sub-region will continue to cooperate and share information with UNHCR Regional Office in Budapest in particular on border monitoring and readmission agreements, as well as on RSD quality initiatives. The activities related to COI and the establishment and development of legal and social clinics, previously supported by RO Budapest, will continue to be implemented – depending on availability of funds – by the Regional Representation in Ukraine and UNHCR offices in Belarus and Moldova.

BELARUS

A review and planning roundtable which was organized by UNHCR provided a forum for discussion of the main stakeholders of the refugee sphere in Belarus, including the representatives of international organizations (UNDP, IOM), the Government, NGOs and leaders of refugee community based organizations, and contributed to the formulation of a comprehensive needs assessment and partnership strategy. UNHCR also carried out some consultations with persons of concern (see under Participatory Assessment Part III.b.). The gaps and need for intervention to improve the asylum system in Belarus were identified in the following areas:

- Access to the territory of Belarus and a lack of border monitoring procedures;
- Conditions of reception;
- Quality of RSD;
- Work with undocumented asylum seekers and undeveloped identification procedures;
- Registration, documentation and special protection needs (esp. work with separated children);
- Issue of citizenship and reduction of statelessness is addressed;
- Advocacy and training on asylum issues;
- Quality of appeal procedures;
- Durable solutions, including voluntary repatriation and resettlement are used more actively for qualified refugees;
- Local integration as a preferred solution for the majority of the refugees including access to national services, education (primary education, language classes), cultural adaptation and self-reliance (vocational training, income generation);
- Health/Nutrition including required support to national services as well as individual medical assistance;
- Shelter/other infrastructure with a focus on providing shelter for recognized refugees;
- Access to and quality of social services provided to asylum seekers and refugees;
- Community services, including special services for women, children and the elderly;
- Community development activities and ability of the most vulnerable to sustain themselves, individual family support.

Some of the activities, particularly with regard to legal protection, will be implemented directly by UNHCR staff, while UNHCR in Belarus will continue to support a network of local NGOs which will assist UNHCR in monitoring the situation of asylum seekers and refugees (including access to the territory, asylum procedures, RSD and appeal stages), material assistance, access to health, language, community development and integration related activities. The identified priority areas will be reflected in strategic budgetary allocations under the annual programme and facilitate a variety of activities that will be implemented in cooperation with implementing partners or directly by the UNHCR staff.

In order to fill the gaps that will remain uncovered due to limited financial resources, UNHCR Belarus will try to use opportunities for soliciting additional funding from the EC and other potential donors for asylum projects. It is likely that in 2007, an EC/TACIS regional funded programme- which is planned to be submitted and signed during 2006 - will be implemented. The component for Belarus for this regional programme – if approved by the EC – will include activities with the objective to further improve the refugee legislation and its implementation, as well as for the development and expansion of reception infrastructure.

In addition, a project proposal under 2005 AENEAS call for proposals has been finalized during the first quarter of 2006. If selected and funded by the EC, the implementation of the programme will start in 2007. The project will focus on the following areas: (a) establishment of a UNHCR - IOM - NGO border monitoring mechanism in all strategic entry and exit points of the country; (b) strengthening of mechanisms for referral of asylum seekers by the border troops and the police to the migration authorities; (c) provision of training and technical advice to support border monitoring and referral procedures and thereby to facilitate the handover of asylum applications to asylum authorities; (d)

provision of assistance for the voluntary return of migrants; (e) implementation of public information and awareness campaign to ensure increased protection and understanding of the public at large of the relevance of refugee protection and the difference between economic migrants and refugees. It is planned that the project will be managed by UNHCR, with IOM implementing some components which correspond to their mandate and expertise.

As beyond UNHCR financial resources, another potential area of cooperation with the EC may be the strengthening of the national social services network that inter alia provides assistance to refugees and asylum seekers. Work on formulating the concept of the project and identification of possible donors has already started.

An agreement was reached with the Swedish Migration Board (SMB) on continuing support on a bilateral basis to the Belarusian Government mostly in the areas of training of the authorities dealing with refugee related issues through in-country training, events and study visits. A draft project submission has been jointly drafted for submission to the Swedish International Development Agency (SIDA).

Operational challenges, which can not be addressed with core UNHCR activities and funds, but have an impact on the quality of the asylum system were identified in the areas of detention, return of rejected asylum seekers, migration-asylum nexus, combating human trafficking. To address these challenges, UNHCR will participate as an expert/advisor in migration management programmes implemented by other international organizations to ensure that adequate refugee protection and *non-refoulement* safeguards are included.

MOLDOVA

The national asylum system is in a nascent state and will remain fragile and susceptible to reorganizations and rotation of staff. Hence, close monitoring will be required. Important problems are related to the need for further amendments in the Refugee Law and a very slow implementation process with related consequences on socio-economic rights of refugees and their prospects for local integration, identification of other laws to be amended as well as the need to accelerate the enacting of necessary by-laws and regulations and, last but not least, a protracted RSD procedure. Apart from this the capacity of the Government in Moldova to deal with asylum issues is hampered by the on-going reform of the entity responsible for refugee issues. In May 2006, as part of a broad public administration reform plan, the National Bureau for Migration was dissolved. As the result of the reorganization, the Ministry of Economy took over labour migration issues and the Ministry of Interior became responsible for all other migration issues, as well as for asylum and refugees, regulation of foreigners' entry and stay in Moldova, granting of immigrant status etc. To address the many issues related to the reorganization of migration and asylum systems, UNHCR Moldova lobbied for the maintenance of the main structure and trained staff within the MOI. By the end of July 2006 the new structure to replace the dissolved National Bureau for Migration was approved by the Government and is now part of the Ministry of Interior namely "Migration and Asylum Bureau". The Migration and Asylum Bureau will have several Directorates: the Refugee Directorate (a civil structure in charge of all asylum / refugee matters and of the Reception Centre for Asylum Seekers), the Directorate for Combating the Illegal Migration (law enforcement entity) and the Immigration and Repatriation Directorate. Though on the structural level the authorities were reorganized, related changes into the laws regulating migration and asylum are yet to be done. Until the DR is fully competent in RSD procedures, UNHCR will play an important monitoring and advisory function in the RSD procedure and provision of legal assistance to asylum seekers. In 2007, efforts will continue to systematically monitor the DR's performance in this realm.

In view of the poor economy, the need for UNHCR to involve donor countries and international organizations will remain crucial to secure long term sustainability of refugee protection as well as migration control. Particularly important players in the next few years include the EC, the Council of Europe, the Swedish Migration Board, the OSCE and IOM. Cross-border co-operation activities within the framework of the Cross Border Cooperation/Soderkoping Process will be actively pursued.

UNHCR Moldova held informal consultations with the refugee authority, its implementing partners (NGOs) and representatives of the refugee committee. As a result of the consultations a number of priority activities and areas of intervention were identified as follows:

- Alignment of the current legislation with international standards, including readmission agreements and development of branch legislation;
- Capacity building of the Government and NGOs, including training of various actors involved in the asylum procedure and in delivering services to refugees and asylum seekers;
- Full and unhindered access to territory and asylum procedure through establishment of an effective border monitoring mechanism;
- Quality of first instance and appeal RSD decisions, including availability and use of country of origin information;
- Registration, data collection and sharing;
- Conditions in the reception centre;
- Self reliance and durable solutions for refugees;
- Legal, social and other types of assistance delivered to refugees and asylum seekers to enhance the exercise of their rights provided by the law;
- Return of rejected asylum seekers.

While several activities will be directly implemented by UNHCR, in order to address the needs and gaps identified, UNHCR will extend its support to the government partner counterpart the Directorate for Refugees (DR) and NGOs implementing partners of UNHCR: Save the Children, Law Centre of Advocate, Society for Refugees and Charity Centre for Refugees.

To address the existing protection gaps in the asylum system UNHCR and its partners will focus on the following activities:

- Maintaining a degree of monitoring of important border entry points and detention centres in order to ensure the rights of seeking asylum and to prevent *refoulement*;
- Advising, training and, when necessary, assisting DR, Border Guards, Ministry of Interior and courts;
- Advocating with Government and Parliament for legislation (including readmission agreements) to incorporate safeguards regarding access to territory, asylum procedures and *refoulement* prevention, for inclusion of adequate refugee protection and *non-refoulement* safeguards in migration management programs that are developed or implemented by Governments and/or other international organizations (i.e. UN Agencies, EC, IOM);
- Advocating with Government and Parliament for asylum legislation to be brought in line with Convention and other international norms and practices;
- Monitoring the RSD procedure and intervene in precedent-setting cases of particular concern to UNHCR and monitoring the enjoyment of refugees' and asylum seekers' rights as well as the treatment of asylum seekers in reception centers;
- Providing advice and information to officials directly involved in the RSD procedure including COI, funding of legal assistance and interpretation services aiming at addressing the problem of the lack of information and impartial and correct interpretation and translation;
- Providing legal counseling and represent asylum seekers in RSD procedures. Diversify legal assistance provided to refugees (labor law, administrative law (other than illegal stay), etc.);
- Supporting legal publications related to development of asylum system;
- Advocating for Government to provide adequate/increased assistance to asylum seekers and refugees (to allocate more funds to asylum programs, to take over more responsibilities: legal assistance, translation/interpreters' services, partial financial assistance, etc);
- Providing advice on the development of a registration system;
- Providing material/humanitarian/cash assistance to refugees and asylum seekers to meet otherwise unmet needs (basic food, social, medical (including medical insurance) and psychological needs).

Due to limited funds UNHCR Moldova will not be able to fully cover from its annual budgets activities such as: border monitoring, integration of refugees, capacity building of the government asylum institutions, including training, material/humanitarian/cash assistance to refugees and asylum seekers, legal assistance and interpretation services to asylum seekers in RSD procedures and to refugees in labor law, administrative law (other than illegal stay) and development of mechanisms to address the situation of the rejected asylum seekers.

To fill the gaps that will remain uncovered due to limited financial resources, UNHCR Moldova will continue to seek for alternative source of funding and for increase of partners' contributions where possible.

Within the framework of the regional submission to EC TACIS – submitted during 2006 and if approved by the EC - some activities will be implemented in 2007 to complement and strengthen activities planned under the annual programme in the main following areas of (a) establishment of a border monitoring mechanism and training of border guards, (b) expansion of reception capacity, (c) capacity building of Appeal Courts and (d) public information activities to increase awareness in specific protection needs of asylum seekers and refugees.

UNHCR Moldova will continue to cooperate with the Swedish Migration Board (SMB) in training Moldovan asylum authorities and advising them on developments of the European *acquis* on asylum.

UKRAINE

UNHCR Regional Representation (RR) Kyiv carried out a formal consultation with the representatives of the central and key regional asylum authorities as well as NGO implementing partners of UNHCR. UNHCR RR Kyiv associated the main operational partners (carrying out activities for refugee protection with other sources of funding than UNHCR) to this consultation as well as managers of the reception center run by the asylum authorities. Against the strategic goals and main priorities for UNHCR in Europe and the region, UNHCR and its partners identified and prioritized the gaps and needs, and strategies to address those needs. UNHCR also carried out a number of formal consultations with refugees (see under participatory assessment Part III.b.).The prioritized gaps and needs formulated by the partners were the following:

- The national refugee legislation requires further amendment to be in line with international standards. The concept of subsidiary protection is not yet reflected in the legislation;
- The lack of access to the territory, the gaps in asylum seekers' effective access to RSD information and procedures, the lack of comprehensive border monitoring system are problematic. The government policy to combat illegal immigration affects due access of asylum seekers to procedures. The inadequate transfer of applications and persons from law enforcement bodies (State Border Services, MoI) to asylum authorities and insufficient interpretation resources persist. Cases of deportation and *refoulement*, particularly for persons from specific country of origin (i.e. Chechen from Russian Federation), are of major concern. The access to detention centers by UNHCR and NGOs is limited and needs to be urgently improved;
- The backlog in RSD decisions and the lack of timely / quality decision on RSD, linked to inadequate number of staff for asylum authorities, resources (i.e. access to country of origin information, interpretation resources) and competence, has increased. Lobbying and advocacy so that asylum authorities receive increasing resources to adequately function is required. Gender and minor sensitive RSD procedures need to be improved. The problem of access and admission of separated children to RSD procedures continues;
- The timely registration and documentation of asylum seekers by asylum authorities and the lack or gaps in documentation during various levels of RSD procedures (i.e. appeal) leave many asylum seekers undocumented and threatened with harassment, detention and *refoulement* and needs to be addressed urgently;

- The reception capacity of the Government (i.e. 330 spaces) remains limited compared to the needs (more than 1,700 new asylum seekers registered by asylum authorities in 2005). The established and newly constructed accommodation centers are not yet fully operational. There is a need to expand and construct more accommodation centers and meanwhile to ensure that reception centers are properly resourced to function adequately, and that reception center staff are trained on reception standards. There is a need for UNHCR and NGOs to continue to assist vulnerable asylum seekers until Government has adequate reception capacity;
- There is yet a lack of adequate support to facilitate local integration of refugees including access to quality social services, lack of awareness of relevant governmental bodies and employers on specific rights of refugees, lack of free of charge state language courses. There is a need to continue to inform refugees about their rights and to support refugees to improve their access to existing national services. The revision of a series of bi-laws that impede the access of refugees to basic rights and services is required. There is no comprehensive national integration plan. As the implementation of comprehensive integration plan is beyond Government and UNHCR resources, there is a need to explore other source of funding (i.e. EC) to develop and implement comprehensive activities to facilitate integration. Ensure that refugees can have access to / be included into national plans and programmes (e.g. medical insurance when available);
- In the absence of a functioning national system to adequately assist asylum seekers and obstacles for refugees to access national services, material and financial assistance to meet the specific needs of the vulnerable refugees (including by UNHCR) needs to be provided. However, the assistance provided by UNHCR is minimal and yet not sufficient for the poorest refugees to reach minimum survival level;
- Similarly, in the absence of an effective national asylum system, in view of the inefficiency of the asylum procedures and unwillingness of authorities to recognize the majority of the genuine refugees, UNHCR should continue to apply resettlement as a tool of international protection for refugees, where it is determined that other durable solutions, such as local integration or voluntary repatriation are not possible;
- There is a need to increase state support to the legal integration of Abkhaz “war refugees” and Formerly Deported Persons (FDPs), and to make necessary legislative improvement to regularize the status of Abkhaz “war refugees”;
- There is a need to strengthen activities to raise awareness on the specific protection needs of asylum seekers and refugees (border and state officials, general public) in order to increase understanding and tolerance and to decrease / mitigate prejudice and harassment.

In 2007, there will still be a need to continue technical and legal advice and to lobby for the national refugee legislation to be in line with international standards as well as, depending on progress during 2006, to continue to lobby for the introduction of adequate forms of complementary protection. In order to improve the access to the territory and asylum procedures, UNHCR, NGOs and asylum authorities will have to continue to monitor the border entry points and access of UNHCR and NGOs to detention centers at the borders will have to be improved so that persons in need of international protection are identified, informed about asylum procedures and provided necessary assistance to access RSD procedures. State Border Services and MoI will need to be trained and to be made increasingly aware of refugee protection and obligations under the 1951 Refugee Convention. It is expected that in 2007, an EC/TACIS regional funded programme – which is planned to be submitted during 2006 – will be implemented. The objective for Ukraine of this programme – if approved by the EC – is to establish a border monitoring mechanism in order to reduce threat of *refoulement* at the Western border of Ukraine (i.e. where the largest number of migrants, including persons in need of international protection, are apprehended). Due to the complex migration nexus and in particular in Zakarpattya, the partners identified the need to strengthen the capacity of the asylum authorities and NGO in this region as well as the monitoring capacity of UNHCR. To address the latter, UNHCR plans to establish a Field Unit in Zakarpattya so as to have a permanent presence to prevent *refoulement* and work towards treatment of detained asylum-seekers that is compliance with human rights standards. A network of legal NGOs will need to be maintained in targeted regions to monitor the borders and detention facilities. With regard to the monitoring of the Eastern Border of Ukraine bordering Russia,

UNHCR and its partners will have to seek for alternative sources of funding. Asylum authorities, UNHCR and its partners will need to continue to advocate so that SBS / MoI and regional migration services receive increased state resources to have access to quality interpretation services while continuing to join efforts to access external resources to establish a comprehensive country wide interpretation services system.

The central and regional asylum authorities, with the assistance of UNHCR and its partners, have to continue to lobby to have access to increased state funding so that they are adequately staffed and resourced in order to improve the registration of asylum seekers as well as the speed and quality of RSD. A need was identified to continue to provide capacity building support to the asylum authorities including in term of training on RSD (including gender and minor sensitive RSD) and improved access and use of Country of Origin Information. In this area, asylum authorities and UNHCR will continue to join their efforts to complement capacity building and training initiatives through strategic partnership with other organizations including the Swedish Migration Board (SMB) and the Danish Refugee Council (DRC) which, in 2006, submitted proposals to donors in this area. Meanwhile, UNHCR will continue to seek support of resettlement countries in providing international protection of those refugees, for whom resettlement was determined to be a best solution, with specific focus on vulnerable groups of refugees and refugees with urgent protection needs.

As the reception capacities for asylum seekers will remain insufficient, access to external sources of funding may be sought to construct additional facilities. Meanwhile, asylum authorities and UNHCR will need to continue to lobby for sufficient state funding to be provided to the operational reception centers so that they are effectively managed and that asylum seekers receive necessary basic material, psychological and medical support. The staff of reception centers needs to be trained including on reception standards, quality social services as well as specific needs of separated children, asylum seeker women and victims of torture and sexual violence. UNHCR will have to strengthen its monitoring of the reception facilities. It is likely that UNHCR will have to continue to extend its assistance for the running of the reception facilities in Mukachevo (Zakarpattya region) until the management is handed over to the asylum authorities. For those asylum seekers who can not be accommodated in the reception centers, UNHCR and NGOs will need to continue to fill the gaps so that their basic material and other needs are met. In order to maximize the use of limited resources available, assistance will need to be targeted and asylum seekers will have to be prioritized by UNHCR and its partners through legal and vulnerability assessment. Access of asylum seekers to legal services (including assistance in submission of asylum application, appeals, legal representation, and other legal interventions) and social services provided by NGOs will need to be maintained.

In order to increase opportunities for local integration for refugees, asylum authorities, UNHCR and its partners will advocate for the harmonization and - when needed - improvement of the legislative framework so that refugees have better access to national services. There is also a need to continue to inform and train relevant bodies (e.g social protection departments, state employment centers, Regional Migration Services) on the specific rights of the refugees (access to national social services, welfare benefits, employment etc.). Likewise refugees need to be better informed about their rights and administrative procedures to access national services. Substantial training, however, will require alternative source of funds which will have to be sought through joint efforts. It was assessed that the development of a comprehensive strategy for local integration (including provision of integration packages, free of charge language classes etc.) is likely to be beyond state resources in 2007, however UNHCR will support asylum authorities in their endeavor to look for alternative funding for the development and implementation of a comprehensive local integration strategy. Meanwhile, UNHCR will have to fund targeted integration support through NGOs.

In the area of Statelessness, relevant governmental bodies, NGOs and UNHCR, depending on progress throughout 2006, may have to continue to advocate for Ukraine accession to the 1961 Convention and to the 1954 Convention during 2007. Lobbying will be pursued and, when needed, legal advice provided, so that national and bilateral mechanisms to ease the acquisition of citizenship are improved. UNHCR will seek the assistance of the Council of Europe to organize consultations and training on

these issues. Legal aid and information provided by NGOs to Formerly Deported Persons returning to Crimea and other persons threatened with statelessness as well as to “war refugees” from Abkhazia as noted above, will still be required.

In addition, there is a continuous need to work with the media at various levels as well as specialized institutions (asylum authorities, SBS, MoI and other Ministries and bodies) to increase the understanding of the general public on the specific protection needs of asylum seekers and integration needs of refugees as well as through other means like public awareness events, publications, and websites.

2. Contribution by partners

SUB-REGIONAL AND CROSS REGIONAL

In 2007, the activities of the Cross Border Cooperation / Soderkoping Process will continue. The aim of the CBCP Secretariat is to develop a coordinating mechanism to effectively respond to asylum, migration and border management challenges. The process involves countries at the internal and external borders of enlarged European Union with particular emphasis on Belarus, Moldova and Ukraine. UNHCR, the International Organization for Migration (IOM) and the Swedish Migration Board (SMB) are partners in the support of the Secretariat’s activities. The Secretariat activities are funded in the large majority by the EC (2005 AENEAS call for proposal and 2004 TACIS Regional Programme) with matching funds from the project partners. The overall project is managed by UNHCR RR Kyiv. The estimated budget for 2007 will be USD 1,115,646 including USD 65,564 as matching funds contributed by UNHCR. In 2007, the CBCP Secretariat plans to carry out various thematic workshops, publications, research, translations and study visits. Although the EC funded budget for 2007 has not been approved by UNHCR ORB and for easy reference, the planned budget for CBCP activities for 2007 is attached to this ROP in a separate attachment 1.

In addition, UNHCR will benefit from other regional processes funded by other donors including the Budapest Process and the Euro-Asian Programme on Forced Displacement and Migration. UNHCR’s prime interest in participating in the Budapest Process will be to ensure that the standards for combatting of irregular migration agreed upon within that Process include safeguards for asylum-seekers and refugees. The fact that the Budapest Process is gradually shifting its geographical focus towards Eastern Europe, and hence towards the countries targeted by the Soderkoping Process, has created a serious challenge for both processes to ensure they remain complementary and avoid overlapping. Within the framework of its mandate, UNHCR RR Kyiv will work towards ensuring that the two processes, as well as other processes in the region, are focused on refugee issues and through liaison with Governments involved, UNHCR RR Kyiv will seek to maximize the added value of the BP for Belarus, Moldova and Ukraine.

While it is still unclear how the new mechanism of the Euro-Asian Programme on Forced Displacement and Migration will develop in 2006 and what its activities may be undertaken in 2007, UNHCR RR Kyiv will be further involved in the process should it be in existence. At the Concluding Meeting within the framework of the CIS Conference Process, which took place in Geneva on 10 October 2005, it was agreed to explore the possibility of establishing a new arrangement to address remaining gaps and new challenges in the areas of asylum, migration and displacement. In a meeting held in Minsk on 27-28 February, 2006 it was agreed that a Euro-Asian Programme Expert Group will be created by IOM and UNHCR in order to formulate a concept paper defining concrete steps to be taken in order to address the themes identified.

BELARUS

a) Contributions by the host Government, NGOs, refugee and/or local communities

- The regional Executive Authorities will allocate housing that, after repair and refurbishing, can be used for accommodation of recognized refugees. An estimated value of that contribution is around USD 280,000.

- The Government of Belarus will provide the land and a building for the Temporary Accommodation Center in Gomel. Running and maintenance costs of Reception Facilities in Vitebsk, Gomel and in the Minsk-2 International Airport will be covered from the state budget. The value of the State's contribution for those needs is around USD 486,700.
- The budget of BYR 100 million (USD 46,300) is allocated for 2006 for implementation of the Belarusian Law on Refugees. The budget is mainly meant for provision of assistance for asylum seekers and refugees during the reception, RSD and initial integration stages. Tentatively the same amount will be available in 2007.
- The State Employment Service will provide social salaries and materials for carrying out secondary employment activities for refugee female adolescents in the framework of cooperation agreement with the CCA "Evrika".
- With regard to NGO contribution, administrative costs will be partially covered by the Belarusian Red Cross, the CCA "Evrika", the IPA "Evolutio", the IPA Independent Social Support: communication and utilities costs, free-of-charge premises for implementation of the planned activities. The BRC will provide in-kind contributions to the project: second hand foot-wear and clothing, food parcels. The Belarusian State University will provide Internet services free of charge to the IPA "Evolutio".

b) Financial contributions of Partners

Based on the above it is estimated that the budget need to develop an adequate asylum system may be USD 2,635,427. The estimated contributions from the partners are the following:

Needs-based budget for the country operation	Total (all figures in US \$)	2,635,427
of which, estimated	UNHCR	560,000
	Operational partners	813,190
	Implementing partners	65,000
	EC (TACIS)	167,237
	EC (Aeneas)	40,000
	SMB	40,000
	Unmet needs	950,000

The unmet needs relate to the described gaps and concrete proposals for 2007 the establishment of basic border monitoring infrastructure and procedures, referral mechanisms from the border troops and police to the migration services, assistance for the strengthening of the state social system that *inter alia* provides assistance to asylum seekers and refugees, shelter programme for recognized refugees.

MOLDOVA

a) Contributions by the host Government, NGOs, refugee and/or local communities

- Similarly to previous years, the Government of Moldova will contribute with land and buildings of a former kindergarten for the Reception Centre (estimated value – USD 252,000), provision of water, electricity, security and management of the Reception Centre (estimated value – USD 115,000). Core activities (salaries, office space and utilities) of the DR will be financed by the public budget (estimated value – USD 105,000). The total in-kind contribution of the Government of Moldova towards achieving the 2007 objectives is estimated at USD 472,000. The Municipality of Chisinau will continue to provide rent free premises to UNHCR Implementing Partners. This in-kind contribution is valued at USD 73,000 per year.
- UNHCR Moldova will cooperate with the Ministry of Economy to ensure that in compliance with the Host Country Agreement signed in December 1998 by UNHCR and the Government of Moldova as well as the state budget, all four sub-projects (Implementing Partners) are included in the list of technical assistance projects exempted from VAT on procurement of goods and services. This will save some 20% on the procurement component under each sub-project.
- The value of the contribution of NGO partners is estimated at USD 57,000: CCR's in-kind contribution will reach some USD 14,000 (including cost of the equipment for computer training and

cinema presentations, cost of washing powder for laundry services, humanitarian aid (food, clothes, toys, etc.) and didactic materials for Romanian language courses; SC will keep the amount of contribution within the limits of the previous years, which in 2007 is expected to amount to USD 5,000 (in-kind contribution); LCA's contribution will be in the form of office premises used for the implementation of the sub-project (estimated value of *USD 25,000*) and the valuable expertise provided by the Director of the LCA; SR's contribution will be in the form of equipment and materials used for the implementation of PI activities (news bulletin, legal publication, university courses) with estimated value of USD 7,000.

- Implementing Partners will be supported by UNHCR Moldova to submit applications for grants from other international agencies in the country to diversify their source of funding.

b) Financial contributions of Partners

Following the needs assessments conducted by UNHCR Moldova and its partners using the RBM approach, the estimated funding requirements for 2007 amounts to US\$ 1,300,000. This figure includes the above described in-kind contributions and would cover essential needs for the 2007 operation.

Needs-based budget for the country operation	Total (figures in US \$)	1,300,000
of which, estimated	UNHCR	350,000
	Implementing partners	529,000
	Operational partners	73,000
	EC/TACIS	120,000
	Unmet needs	228,000

The anticipated unmet needs in Moldova refer to gaps in the field of integration of refugees (income generation activities) and capacity building of the asylum institutions, i.e. improvement of accommodation facility (Reception Centre) with adjacent infrastructure, creation/contribution to a specialized medical facility for testing/treatment of tropical diseases and the major requirements for extensive training and participation in external events for DR, judiciary, border guards, MOI. The actual needs for achieving a comprehensive PI/PA campaign in Moldova are also included, as these will be only partially met in the current funding situation.

UKRAINE

a) Contributions by the host Government, NGOs, refugees and/or local communities

- The Government of Ukraine will continue to contribute land and buildings for the temporary accommodation centres in Odessa and Yagotyn, provision of water, electricity, security and management of these centres, the costs to cover the basic needs of asylum seekers housed therein as well as funds (yet under funded) for the functioning of the central and regional asylum authorities reinstated in all 27 regions of Ukraine. In 2006, the state budget for the functioning of the above mentioned is UAH 13,519,500 (USD 2,682,440) including for the functioning of the SCNM and its regional migration services UAH 6,814,100 (USD 1,352,003) and the provision of assistance to asylum seekers and refugees i.e. material and medical assistance in temporary accommodation centres, issuance of asylum seekers and refugee certificates as well as construction of centres UAH 6,705,400 (USD 1,330,000). The state budget also includes some provision for activities related to the reintegration of deported Crimean Tatars UAH 71,400,000 (USD 14,166,666). With regard to the budget related to asylum system development (functioning of asylum authorities and assistance in accommodation centre), it is planned that the overall budget maybe increased by 10% in 2007 - though this is yet not sufficient for an adequate functioning of the asylum system - therefore overall USD 2,950,000

- ECRE will continue to implement activities in 2007 in the area of NGO capacity building, training on refugee rights at the border, research and translation
- It is planned that UNHCR RR Kyiv may receive additional funding for the establishment of a border monitoring mechanism in Western Ukraine

- It is planned that SMB and DRC will, subject to availability of funds, contribute to the overall need through the provision of support for capacity building and training of the asylum authorities
- It is anticipated that CARITAS Austria will continue to implement activities related to training, capacity building of Border Guards and NGO in Zakarpattya region
- UNHCR has also requested that IOM continues to provide support for the return of persons not in need of international protection
- With regard to NGOs implementing partners of UNHCR, NGO HIAS (legal aid to asylum seekers and refugees in Kyiv) projected to contribute the equivalent of some \$70,000 programme related costs. This will include direct and indirect contributions in shared overhead and staff costs, shared office rent and administrative and support personnel.

b) Financial contributions of implementing partners

Based on the above it is estimated that the resources needed to develop an adequate asylum system including the capacity building of the asylum authorities, NGOs and relevant bodies as well as adequate assistance to vulnerable asylum seekers and refugees in 2007 (not including the construction of additional reception centres and comprehensive local integration strategy and activities) amount to USD 7,000,000. The estimated contributions from the partners are the following:

Needs-based budget for the country operation	Total (figures in US \$)	7,000,000
of which, estimated	UNHCR	1,695,000
	Implementing partners (including Asylum Authorities)	3,020,000
	Operational partners (subject to availability of funds)	460,000
	Unmet needs	1,825,000

Unmet needs include primarily necessary resources to have adequate staffed and resourced central and regional asylum authorities to deliver adequate protection to asylum seekers and refugees; a comprehensive border monitoring system including at the Eastern Ukraine / Russian Border; access of State Border Services, MoI and central and regional asylum authorities to timely and adequate interpretation services; sufficient support to NGO network to adequately deliver legal and social aid to refugees and to cover the main regions where asylum seekers enter the territory and where asylum seekers and refugees reside; gaps in assistance needs to asylum seekers and vulnerable refugees in order to reach minimum UNHCR standards (shelter, food, medical, psychological, clothing). The increase of reception capacities through the construction of new accommodation center for asylum seekers has not been included in this calculation.

This estimation does – for the three countries - not take into account the funds required for the implementation of the comprehensive strategy “Towards local integration – self-reliance and access to socio-economic rights in Belarus, Moldova and Ukraine”, as the budget will have to be developed as part of the strategy in 2006.

3. Implementation and cooperation

SUB-REGIONAL AND CROSS REGIONAL

UNHCR in Belarus, Moldova and Ukraine will continue to coordinate their activities in order to further harmonise their approaches. The three countries will implement capacity building and assistance activities under separate Letters of Instruction (projects 07/AB/BLR/LS/400, 07/AB/MOL/LS/400, 07/AB/UKR/LS/400 refer) while some activities identified by the three countries will be initiated and regionally budgeted by RR Kyiv (07/AB/CIS/LS/401). The activities implemented by RR Kyiv in close coordination with the offices in the sub-region and as support to the operations in Ukraine, Belarus and Moldova will mainly include training, workshops, translation and Public Information

activities including the maintenance of a regional website, regional bulletin, training of journalists as well as tolerance activities. With the decentralisation of the management of EC/TACIS programmes and budget lines in Kyiv, RR Kyiv will provide support in coordinating the submission of regional activities to the EC and extend its support to BO Minsk and Chisinau for the consolidation of EC submissions / reports for the sub-region. The coordination of activities will be carried out through regular meetings and consultations among the offices in the sub-region. UNHCR RR Kyiv will provide support for the consolidation of regional strategies and reporting and will provide protection, programme and public information advice and support to enhance a harmonised approach.

The Cross Border Cooperation Process Secretariat located in UNHCR RR Kyiv premises will continue to be the venue for sharing of experience, best practices and protection standards. Cross border linkages among the three countries will continue to be developed likewise through establishing linkages between them and the expanded EU. The sub-region will continue to cooperate with the Regional UNHCR Office in Budapest through regular sharing of information including on border monitoring activities, readmission as well as quality RSD initiatives.

BELARUS

UNHCR Minsk will continue to work with the Government of Belarus as its main partner in providing targeted assistance and training in areas where gaps have been identified and which are indispensable parts of the functioning national asylum system. The major Government counterparts will include: the Ministry of Internal Affairs (MIA) which has been appointed by the Council of Ministers as the main ministry/focal point for cooperation with UNHCR, the State Committee of the Border Troops, the Ministry of Justice and the Public Prosecutor's Office. In 2007, practical cooperation will be further strengthened with the regional executive authorities especially in the sphere of integration of recognized refugees. UNHCR will also strengthen its cooperation with the Ministry of Education as well as academic and mass media institutions.

In 2007, UNHCR in Belarus will continue to rely on, and support, its already identified NGO partners that have proved effective as implementing agencies and assisted the Government in refugee-related matters, complementing the role of the Government in such areas as: monitoring of the situation of asylum seekers and refugees, providing legal counseling to asylum seekers, refugees and stateless persons, education for refugee children, public awareness building, provision of social services and legal assistance for the vulnerable and integration. In this respect, UNHCR will further facilitate Government and NGO cooperation and strengthen NGOs in order for them to be accepted as credible partners by the Government in the refugee related sphere. Capacity building activities for NGOs will include provision of access to information (Internet, sub-regional and international events), training (refugee-related issues, work with media, fund-raising, operational management, expertise-related twinning, etc) and will be geared towards improving their regional coordination, management, and identifying alternative sources of funding by drawing the attention of international community and donors towards Belarusian NGOs, and financial support to cover operational and core costs. At the same time, further attention will be paid to capacitating NGOs as representatives of the broader civil society in order to gain support for the refugee protection system from among various layers of Belarusian society to create a sense of co-ownership of it. It should be mentioned that neither the Government nor NGOs have the capacity to manage refugee related issues by themselves. The capacity of NGOs has to a major extent been sustained by UNHCR. The Government does not have sufficient funding for the implementation of refugee legislation.

For many years, UNHCR has been the sole agency engaged in refugee issues and also practically in the migration sphere in Belarus. Taking into account, that in 2003-2008, UNDP Belarus has been given an implementing role for EU migration-related projects and given that it is a multi-annual programme, UNHCR has offered its expertise and will promote its concerns in order to use leverage in the area of migration management. UNHCR will continue to work with other UN agencies and International organisations to ensure that international protection is provided to its persons of concern and they are assisted with finding durable solutions for their plight. In addition, in order to facilitate the integration of recognized refugees, UNHCR will also explore the possibilities for involving UNDP in this area.

UNHCR Belarus will participate actively in the UN Country Team (UNCT) and donors' meetings, as well provide contributions to the UNCT theme groups on Public Information, Gender, Human Rights, UNAIDS and Cross Border cooperation.

Joint programming with IOM may become possible within the planned Aeneas programme. UNHCR Belarus will maintain close contacts with the IOM mainly in the context of the Euro-Asian Consultations in asylum/migration issues and also through Soderkoping oriented events. It will also rely on the logistical assistance of the IOM while arranging voluntary repatriation and resettlement of ICs.

The cooperation will also be broadened with the IFRC on relevant humanitarian issues.

UNHCR will maintain its contacts with the OSCE Advisory and Monitoring Group in Belarus, which is mandated to facilitate political dialogue between the Government and opposition, to monitor the human rights situation in Belarus and provide expert advice to the Government in drafting legislation.

In addition to a multitude of public-relations, advocacy and lobbying activities with all relevant actors carried out by UNHCR, the office will rely on five local non-governmental organisations that will provide social, legal and integration related counselling and assistance to asylum seekers and refugees, as well as implement awareness raising activities in the cities with significant refugee populations. UNHCR will also have governmental partners or state institutions to implement the programmes in the sectors of Education (secondary schools, children's centres, universities); Health (policlinics, hospitals); and Income Generation (state employment services and vocational training institutions). Shelter programme for recognised refugees (integration grants) will be implemented in cooperation with government partners – the regional executive authorities and the BRC. Work on linking a Temporary Accommodation Centre with the Social Centre will be carried out in cooperation with the Government institutions: the Gomel city Executive Committee and the Ministry of Internal Affairs. All the financially heavy components under the technical assistance programmes will be directly financed by UNHCR to avoid problems with VAT refund.

MOLDOVA

The responsibilities for implementing the 2007 operations in Moldova will be distributed as follows:

- Government of Moldova through its principal asylum authority - the Directorate for Refugees under the Migration Department in co-operation with UNHCR will focus on the strengthening of asylum system.
- The four NGOs IPs (Save the Children, Society for Refugees, Law Centre of Advocates and Charity Centre for Refugees) and UNHCR will continue to support Government's efforts through provision of legal, social, medical, educational and other services under different sectors as well as public awareness activities.
- UNHCR Moldova will provide direct assistance for capacity building activities, support to Government structures and NGOs, promotion of refugee law and public awareness activities. UNHCR staff will contribute with activities that are not quantifiable in the project budget but require staff time and contribute to the achievements of the projects goals (i.e. organizing training events and study-visits, providing legal advice and expertise, etc.).

UNHCR's focus and activities will target the institution primarily concerned with refugee and asylum issues, the Directorate for Refugees (DR). DR will be supported to strengthen its capacity in order to continue and improve the RSD, through UNHCR's contribution to the Government and Reception Centre running costs and provision of supplies, equipment for registration purposes. The DR will thus perform RSD and cooperate with UNHCR for further legislative work (amendments, regulations). DR will take over the distribution of the UNHCR cash allowances to the beneficiary population addressing the needs of the most vulnerable individuals in accordance with the established procedures and criteria with the purpose of gradual phasing out of UNHCR's assistance and assuming the responsibility by the Government.

NGO implementing partners made some progress in consolidating their structures. Optimally, they should decrease their dependency on UNHCR, however, it would be wholly unrealistic to expect in the coming years any subsidies from the state budget. Co-operation agreements between NGOs active in the field of asylum and the DR have been signed, confirming the Governments willingness to incorporate the efforts of civil society into their work. Due to the inherent nature of NGOs and the relatively rapid turnover of their staff training needs are expected to remain high. UNHCR will continue its efforts in building the capacity of the NGO and will cover partially the running costs of the implementing partners related to the implementation of the projects.

Law Centre for Advocates will provide asylum seekers and refugees in Moldova with free-of-charge legal counselling and representation on their rights and duties as per national and international legislation. Save the Children will focus on provision of social, medical and education assistance to asylum-seekers and refugees. Society for Refugees' activities will contribute to the promotion of refugee law through specialized legal publications and will aim to increase the public awareness on refugee and asylum issues through its media component. Charity Centre for Refugees will implement the refugee community development activities, focused on facilitation of the pre-integration of a/s and refugees into the society, will carry out various cultural and social activities through provision of Romanian language courses to adults and children, vocational training for recognized refugees, provide computer /internet classes and other services (laundry, hair cutting), self-development lessons (Moldovan culture, arts, sewing, painting courses) and other extra-curricular activities for children and adults, sports competitions and organize special events (joint celebrations of relevant holidays) at its premises and within the Reception Centre run by the Government.

Meetings of UN agencies chaired by the Resident Representative serve to disseminate information on refugee related issues and to co-ordinate between UNDP, UNHCR, WB, UNAIDS, WHO, UNICEF and IOM programmes, particularly where they contribute to achieving the Millennium Development Goals (MDGs). The UN Day on 24 October will again be commemorated as to raise awareness for the UN's work in Moldova. The quarterly magazine "The UN in Moldova" with contributions from all agencies serves the same purpose.

UNHCR will further aim to improve co-operation with UNAIDS, UNICEF, UNFPA and WHO in Moldova with a view to include persons of concern to UNHCR among beneficiaries of projects funded by other UN agencies in Moldova.

Given the relatively small international presence, monthly donor meetings at the Ambassadors' level and regular consultations on predominant issues such as anti-trafficking and Transdnistria will be important, as will close liaison with the OSCE.

UKRAINE

UNHCR's closest governmental partners will remain the State Committee for Nationalities and Migration (SCNM), the central body in charge of asylum and migration issues, and its Regional Migration Services (RMS). UNHCR will continue to provide legal and technical advice to improve the Refugee Law including for the introduction of complementary forms of protection. Likewise, UNHCR will extend its support to the asylum authorities and relevant Ministries for the harmonization of legislative framework with the 1951 Convention to increase the opportunities of refugees to effectively access national services.

UNHCR plans to continue to cooperate with and to support the established network of NGOs providing legal, social and targeted material aid in regions where the highest number of persons of concern to UNHCR reside. Due to lack of funds and resulting further prioritization of needs, UNHCR may have to further reduce the geographical coverage (from 16 to 15 regions) of UNHCR implementing partners. In the absence of adequate assistance provided to asylum seekers, UNHCR and its partners will remain engaged in the provision of basic material and financial assistance to the most vulnerable asylum seekers and refugees including to secure their access to primary health services.

UNHCR and its partners will continue to focus their activities in assisting refugees to access national services and will maintain minimum assistance programmes to facilitate self-reliance activities. Besides local integration, other durable solutions will be pursued including voluntary repatriation and resettlement. UNHCR will continue to lobby with the resettlement countries to make provision for more resettlement spaces for refugees in need of international protection, especially for refugees with urgent protection needs. UNHCR will continue to extend its support to its NGO partner in Crimea to facilitate the naturalization of Former Displaced Persons – Crimean Tatars. In order to raise awareness of the public on specific protection needs of asylum seekers and refugees, UNHCR RR Kyiv will continue to maintain close and pro-active cooperation with the media and will initiate various public information activities.

UNHCR plans to strengthen its monitoring functions including through increased visits at the borders, in regions where most of the asylum seekers and refugees reside and NGO operate as well as to monitor regularly reception centers. In view of the complexity of the migration nexus in Western Ukraine and more specifically in Zakaraptya region, UNHCR RR Kyiv plans to establish a permanent presence through the establishment of a field unit staffed by one Protection Officer, a Driver and a National UNV.

UNHCR will continue to cooperate with the Ministry of Justice and will also maintain close relations with the National Border Services and key regional Border Services commands as well as MoI including to raise their awareness and knowledge on refugee protection and obligations under the 1951 Convention and to secure the access of UNHCR and its NGO partners to detention centers. Other close partners of the office will include the Presidential Administration, Parliament, the MFA and the MOI – particularly the offices of its Citizenship Immigration and Registration Department, which also implements provisions of the Citizenship and Immigration Laws, related to the reduction and prevention of statelessness. In order to facilitate the local integration of the refugees, UNHCR will maintain its relations with the Ministry of Labor and Social policy, Ministry of Education, state employment centers, educational institutions as well as relevant departments in city and governor offices.

Through lobbying and joint activities, UNHCR will support the efforts of other multilateral development organizations, UN agencies and NGOs to include the needs of the asylum seekers and refugees in their plans and strategies. More specifically, UNHCR will be actively involved in the UN Theme Groups established to follow up the implementation of the UN Development Assistance Framework (UNDAF) around the four theme group Governance, Access to Health, Poverty Reduction and Civil Society. In 2007, UNHCR will continue to assume the chair of the theme group on Civil Society. UNHCR will also continue to be actively involved in the UN theme groups on HIV/AIDS to ensure that asylum seekers and refugees have access to HIV/AIDS related services and treatment without discrimination. UNHCR will continue to seek the expert advice of UNICEF, UNFPA, WHO and ILO on children rights, health and employment. UNHCR plans to strengthen its cooperation and combine efforts with UNDP involved in assistance programme for the reintegration of Formerly Displaced Persons in Crimea.

UNHCR will maintain contacts with the EC Mission in Ukraine. Regular consultations on the asylum and migration related components of the EU Action Plan for Justice and Home Affairs in Ukraine will take place. Information on the progress in the implementation of various AENEAS and EC/TACIS earmarked funded project including the CBCP Secretariat will be regularly shared. UNHCR will identify areas of common interest with the EC and lobby so that migration and refugee issues continue to be included in future strategies of the EC with the Governments of the sub-region.

UNHCR will maintain regular consultations with the diplomatic community in Kyiv to raise awareness on the needs of asylum seekers and refugees and to support protection intervention when needed. UNHCR will maintain linkages with donor organizations to support the diversification of the NGOs donor bases. Those include IRF, ABA CEELI, SDC, Matra KAP and other embassies.

UNHCR will continue to cooperate with the Swedish Migration Board (SMB) and possibly the Danish Refugee Council (DRC) in training Ukrainian asylum authorities and advising them on developments of the EU acquis on asylum (also in the context of the Soderkoping/CBCP sub-regional mechanism). Training co-operation with the Council of Europe as well as with ECRE will be maintained. With the increasing interest of donors and agencies to develop assistance programmes to improve the asylum system in Ukraine, UNHCR will continue to provide information and advice on priority needs as well as unmet needs.

UNHCR, will cooperate closely with IOM on resettlement and (should IOM secure funding for this activity) on the return of persons not in need of international protection. UNHCR will continue to cooperate with IOM within the framework of the EU funded migration management project that includes support of the construction and establishment of detention centers for migrants, to ensure the inclusion of components that should facilitate due access to legal services and asylum procedures for migrants in need of international protection including through the Steering Committee of this project where UNHCR is invited to participate. UNHCR will continue to cooperate with Caritas Austria – depending on the continuation of its activities funded by EC currently to be completed in mid 2006 - for the implementation of a comprehensive project to address the legal and humanitarian needs of detained migrants in Zakarpattya region.

The activities of UNHCR RR Kyiv and its IPs will continue to be closely coordinated with those of several other local non-IP NGOs, who also contribute to addressing the needs of asylum-seekers and refugees like Caritas SPE, Caritas Ukraine, the Podilsk Centre for Human Rights, the Vinnytsya Human Rights Group, the Chernihiv Committee for Human Rights Protection, the Ukrainian Red Cross, the Association of Psychiatrists of Ukraine and other national initiatives like the Women Shelter Project, Shelter project for Homeless Persons and other national NGOs carrying out activities for Women and Children. UNHCR will also continue to cooperate with the ProCredit bank to secure access of refugees to micro-credit to the same level as nationals.