

**Executive Committee of the
High Commissioner's Programme**
Sixty-first session
Geneva, 4-8 October 2010

30 September 2010

Original: English and French

Update on UNHCR's operations in Europe - 2010

This update presents some examples of challenges, progress and developments in the region since the last strategic overview presented to the 47th meeting of the Standing Committee in March 2010. A more comprehensive report will be provided in the forthcoming Global Appeal 2011 Update.

A. Major challenges and new developments

Provisional figures indicate that roughly 120,000 **asylum applications** were lodged in the first half of 2010 in the 38 European countries for which UNHCR compiles statistics, slightly less than in the same period in 2009. The largest numbers came from Afghanistan, Iraq and Somalia.

In spite of the economic crisis, the **institution of asylum** has continued to benefit from strong support in Europe. European asylum systems granted international protection status to at least 25,000 persons during the first half of 2010. However, with anti-foreigner sentiment on the rise in some countries, protection space risks being undermined, making conditions more difficult for persons of concern to UNHCR.

The Office also remained concerned about **restrictions on access** to European territory; instances of *refoulement*; and assessments of conditions in countries of origin which may result in eligibility decisions and involuntary returns at variance with international refugee and human rights law.

In view of the increased **detention** of asylum-seekers, UNHCR has urged States to find alternatives to detention, refrain from detaining children, and ensure that detention conditions meet the minimum standards. Destitution and homelessness among refugees and asylum-seekers remained serious problems in some countries. In others, **reception capacity** was strained by increased numbers of asylum applicants.

Meeting the needs of **unaccompanied children** continued to be a major challenge, in view of the large numbers and complex issues involved. UNHCR promoted a child-sensitive approach to the assessment of asylum applications and appropriate safeguards in the context of eventual returns. The inter-agency Working Group on Unaccompanied Minors, which UNHCR recently set up with IOM and UNICEF offers a framework for coordinated work on these issues.

UNHCR supports efforts to build a Common European Asylum System, and to reduce discrepancies in the practices of EU Member States. Recommendations were issued to the Belgian EU Presidency as well as commentaries on European Commission proposals to recast the asylum Directives and the Dublin II Regulation.

The Office worked to ensure and, where necessary, improve the **quality of asylum procedures**. In early 2010, two important regional projects were completed, supported by the European Refugee Fund (ERF). In March, the report on implementation of the EU Asylum Procedures Directive was published, reflecting 18 months of research in 12 Member States. In February, UNHCR's "Asylum systems quality assurance and evaluation mechanism" project was completed. Under that project, UNHCR worked with eight central

European countries to assess their refugee determination systems, address problems identified, and establish quality assurance mechanisms. In April, UNHCR launched a new ERF-funded project called, "Further Developing Asylum Quality," which focuses on four southern and five central European countries.

Progress was made towards more European engagement in refugee **resettlement** and 21 European countries - the largest number ever - took part in the Annual Tripartite Consultations on Resettlement in July. The Emergency Transit Centre in Romania continued to operate smoothly and several countries started new resettlement programmes, while Germany completed its pilot programme to resettle 2,500 Iraqi refugees. However, Europe's overall contribution to resettlement still remains modest and more needs to be done to support the integration of resettled refugees, in particular in new countries of resettlement.

In the western Balkans, the regional process aimed at finding durable solutions for refugees from the 1992–1995 conflict was reinvigorated. UNHCR participated in the Ministerial Conference convened in March by the Government of Serbia, together with Bosnia and Herzegovina, Croatia and Montenegro, which initiated important activities to help pave the way to closing the displacement chapter in the region. Since the Conference, UNHCR has been working with the concerned countries to consolidate data on refugees and returnees and resolve outstanding issues.

B. Progress on strategic priorities

(i) Safeguarding space for refugee protection

Access to European territory and to asylum procedures was a focus of activity. The situation of persons intercepted at sea or stopped at borders and denied an effective opportunity to seek asylum continued to be of concern. UNHCR encouraged governments and other partners to address refugee protection in the context of mixed migration using the 10-Point Plan of Action as a framework.

Bipartite or multipartite border monitoring agreements were in place by mid-year with numerous countries in Eastern and Central Europe. UNHCR continued to cooperate with Frontex, including on developing a Code of Conduct for personnel in Frontex operations.

In several locations in Europe, UNHCR provided information and counselling to irregular migrants seeking international protection. A protection and border monitoring project in Belarus, the Republic of Moldova and Ukraine, supported by the European Commission, sought to ensure protection-sensitive entry and profiling systems and to establish NGOs as partners in protection monitoring.

UNHCR reviewed and commented on proposed laws relating to migration, asylum and citizenship in many countries across the region. Governments are urged to share draft legislation with UNHCR in a timely manner, to enable substantive comments to be provided.

With respect to intra-EU solidarity, UNHCR continued to play a coordinating role in the EUREMA project. The project seeks solutions in other EU Member States for persons who have been recognized in Malta as needing international protection, in recognition of the fact that Malta has in recent years faced particular pressures regarding the management of mixed migration flows across the Mediterranean Sea. However, arrivals by sea in both Malta and Italy have fallen sharply in 2010.

(ii) Building and maintaining effective asylum systems

With around 80 per cent of all asylum applications in the industrialized world lodged in Europe, the effectiveness of asylum systems is a top priority. UNHCR worked intensively with Greece, a major entry point to Europe, on efforts to reform the asylum system in that country, and engaged in "quality initiatives" in several countries. In response to a rise in asylum applicants in the western Balkans, UNHCR has intensified its technical support to strengthen emerging asylum systems and to build civil society capacity.

The Office participated in numerous meetings of the European Union's "Eurasil" network to assess the situation in specific countries of origin. Refugee law courses and seminars were organized or co-organized by UNHCR in many locations.

UNHCR continued its judicial engagement, with many interventions at the level of national and regional courts, including eight third-party interventions at the European Court of Human Rights. Four UNHCR statements have been issued in the context of preliminary references by EU Member States to the EU Court of Justice, most recently in May 2010 on the topic of accelerated procedures.

In Turkey, which maintains a geographic limitation to the 1951 Convention, UNHCR continued to carry out refugee status determination for non-Europeans. The United States Government provided important support to strengthen UNHCR's protection capacity in Turkey. Applications from some 3,900 persons were assessed during the first six months of 2010 and the Office worked closely with government partners on the further development of Turkish law and policy on asylum.

(iii) Promoting durable solutions for refugees

Throughout the Western Balkans, UNHCR programmes are supporting both voluntary return and local integration solutions. In May 2010, agreements on UNHCR assistance for durable solutions (housing and employment) were concluded with 20 municipalities in Serbia. Continued advocacy by UNHCR and partners led to the reduction of fees in Montenegro for permanent residence permits for persons of concern, enhancing prospects for local integration. Durable solutions work continued intensively in Bosnia and Herzegovina, Croatia and the former Yugoslav Republic of Macedonia as well.

In April, UNHCR submitted recommendations to the EU Ministerial Conference on Integration, and a Note on Refugee Integration in Central Europe was issued, setting out key integration standards. The Representation in Central Europe, in association with the Migration Policy Group (MPG), developed an Integration Evaluation Tool (to be piloted in 2011) and published a paper entitled *EU support for integration: What about beneficiaries of international protection?* In Eastern Europe, governments are interested in fostering the integration of refugees but this commitment needs to be translated into legislation, official policies and State budget allocations.

In Georgia, the **integration of refugees** progressed well. Some 200 naturalizations are expected by the end of the year. A Memorandum of Understanding has been concluded with UNDP, which will gradually take over activities related to refugees living in the Pankisi Valley, for whom livelihood and vocational training actions are underway.

Implementation of an EC-funded project supporting the **local integration** of refugees in Belarus, the Republic of Moldova, and Ukraine continued. UNHCR is pursuing the recognition of refugees' foreign credentials, organizing a consultation for employers, and supporting language and vocational training, as well as job placement.

The majority of persons of concern in Europe live in **urban areas**. The Office is working to help them achieve self-reliance and have access to mainstream services. With partners, UNHCR seeks to combat racism and discrimination which often hinder the effective pursuit of asylum claims as well as integration.

Participatory assessments using age, gender and diversity mainstreaming (AGDM) methodology have helped UNHCR understand the situation of persons of concern in many countries. In August, the Regional Representation for Central Europe published its 2009 report entitled *Being a Refugee*, and in March, issued a study on homeless refugees in Hungary. Refugee homelessness in Europe is a relatively new phenomenon, often linked to vulnerability after failed onward movement within Europe. To better understand the causes and possible solutions, a wider investigation of the subject is under consideration.

In the absence of other solutions, some refugees in Europe continued to need resettlement. In the first half of the year, UNHCR presented over 2,600 refugees for resettlement from Turkey. Almost 3,000 refugees departed for resettlement from Turkey during the first half of the year. While efforts to encourage European countries to engage in resettlement from Turkey bore some fruit, most resettlement continued to be to Australia, Canada and the United States of America.

(iv) Addressing the needs of internally displaced persons (IDPs)

Around 10 per cent of the IDPs protected and assisted by UNHCR worldwide are in Europe, in the western Balkans and the north and south Caucasus regions. UNHCR worked closely with the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons to draw attention to the needs in Europe. Programmes were implemented to support housing and livelihoods and to help IDPs obtain personal documentation, enabling access to basic rights and services.

In June, the Parliament of Bosnia and Herzegovina adopted the revised Strategy for Implementation of Annex VII of the Dayton Peace Agreement, signalling the Government's commitment to assume full responsibility for ending displacement in the country. The Strategy provides an overarching framework for durable solutions for the remaining 113,000 IDPs in the country. The translation of the Strategy into sustainable solutions warrants UNHCR's continued engagement.

In Georgia, UNHCR pursued its "shelter plus" activities for returnees, along with advocacy for the full range of durable solutions. Four advice centres were established for survivors of sexual and gender-based violence (SGBV) and vulnerable women and children, and an SGBV network set up with standard procedures agreed with the authorities. In 2011, SGBV prevention and response activities will be handed over to the Ministry of Justice. While the updating of the Government's IDP strategy has strengthened the national framework, UNHCR remains concerned about the eviction of IDPs from collective centres and has worked with the authorities and other partners to address this issue. UNHCR continued to participate in the Geneva international discussions and to co-moderate Working Group II on humanitarian issues.

(v) Preventing and reducing statelessness

The Office has continued to advocate for accession to both the 1961 and 1954 Statelessness Conventions among European countries which are not yet Parties. Studies are planned or already under way in several countries to map the statelessness issue and compliance of national law with the Conventions' provisions.

C. Financial information

The Global Needs Assessment budget for Europe in 2010 is USD 253.8 million. As of end July, this budget was 50 per cent funded.
