

CHAPTER IV

ASYLUM AND REFUGEE STATUS DETERMINATION

INTRODUCTION

Fair and efficient asylum procedures are essential in the full application of the 1951 Refugee Convention. Generally, the country of asylum is responsible for determining whether an asylum-seeker is a refugee or not. This responsibility is often incorporated in the national legislation and is derived from the 1951 Convention. In some countries, UNHCR cooperates closely with governments in the determination of refugee status. This cooperation can take on a variety of forms, including assistance in drafting asylum laws, registering asylum-seekers, legal training, attending hearings or participating in the decision-making process. In some cases, UNHCR conducts refugee status determination (RSD) under its mandate. This can be the case if a country is not a State party to the 1951 Convention and/or its 1967 Protocol or if it has not enacted refugee legislation. Another reason can be if the State's national refugee status determination procedure is a non-functioning one (including countries that have made geographic reservations related to the 1951 Convention); the State has a national RSD procedure that does not meet minimum standards for fairness and efficiency; and/or for a residual population of asylum-seekers after an RSD hand over to the national authorities. In addition, in a few countries UNHCR also undertakes RSD for the purpose of identifying refugees with resettlement needs.

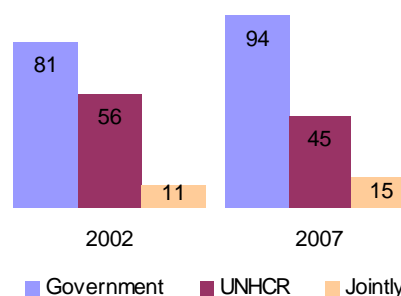
This chapter presents some of the main trends related to asylum applications which have been lodged on an individual basis in 2007. It includes an overview of asylum claims and relevant decisions and makes specific reference to the role of UNHCR in building national capacities. Given the difficulty in recording with accuracy the number of unaccompanied and separated children who seek asylum, a dedicated box seeks to shed light on this phenomenon. This chapter, however, does not include mass refugee inflows, nor people who have been recognized as refugees on a group or *prima facie* basis.

It should be stressed that even though the concepts of asylum and refugee status are sometimes used interchangeably in the Yearbook, territorial asylum can only be accorded by States. UNHCR may grant refugee status under its mandate, but it cannot provide asylum.

RESPONSIBILITY FOR REFUGEE STATUS DETERMINATION

Of the 154 countries for which data is available for 2007, governments carried out refugee status determination in 94 countries (61%). UNHCR was responsible for RSD in 45 countries (29%), whereas a shared responsibility was reported for 15 countries (10%).⁴⁰ The latter include asylum procedures which

Fig IV.1. Responsibility for refugee status determination



⁴⁰ In countries where RSD is conducted either by the government or jointly by the government and UNHCR, the Office may occasionally carry out RSD under its mandate for specific protection and/or durable solution-related reasons (see page 50 for further information).

are either carried out jointly between UNHCR and the Government, or where there are parallel procedures that are conducted independently from each other.

As part of its efforts to strengthen States' capacity to conduct refugee status determination, over the last few years UNHCR has handed over the responsibility for assessing asylum claims to a number of States. For instance, while in 2002 UNHCR was responsible for assessing asylum claims in 56 countries, this number has dropped to 45 by 2007.

GLOBAL TRENDS

APPLICATIONS

During 2007, close to 654,000 individual applications for asylum or refugee status were submitted to governments and UNHCR in 154 countries. This constitutes a 6 per cent increase compared to the previous year (614,300 claims) and the first rise in four years. This can primarily be attributed to the increased number of Iraqis seeking international protection in Europe. An estimated 548,400 were first instance asylum applications whereas the remaining 105,400 claims were submitted on appeal or with courts.⁴¹

UNHCR registered some 79,800 applications out of the total of 654,000 claims in 2007. The Office's share has increased in recent years and peaked in 2006 when UNHCR registered 15 per cent of all asylum applications globally. In 2007, UNHCR's share dropped to 12 per cent, primarily due to the exclusion in UNHCR statistics of Somali asylum-seekers in Kenya who were recognized by UNHCR as refugees on a *prima facie* basis upon registration.

Table IV.1: New and appeal applications received

	2003	2004	2005	2006	2007
Government*	791,400	615,200	586,500	499,000	548,000
UNHCR	61,800	75,500	89,300	91,500	79,800
Jointly**	4,900	1,800	7,900	23,800	26,000
Total	858,100	692,500	683,700	614,300	653,800
% UNHCR only	7%	11%	13%	15%	12%

* Includes revised estimates.

** Refers to refugee status determination conducted jointly between UNHCR and the Government.

With 339,000 asylum claims registered during the year, Europe remained the primary destination for people applying for asylum on an individual basis, followed by Africa (147,100). The Americas and Asia recorded 100,300 and 60,700 respectively while Oceania received 6,700 asylum-seekers.⁴² These figures include applicants who have been unsuccessful at first instance and subsequently filed an appeal.

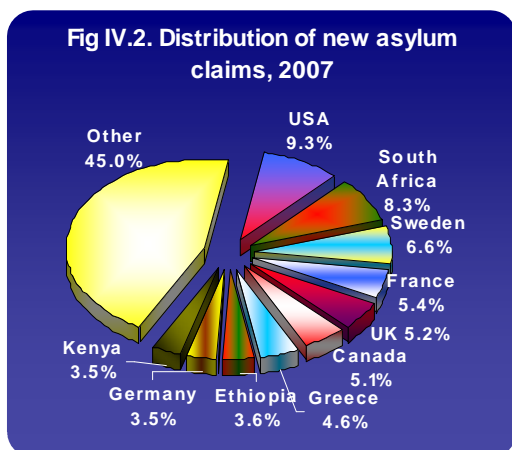
New individual asylum applications received

After having been the second most important destination for new asylum-seekers in 2005 and 2006 (48,900 and 50,800 claims respectively), the United States of America became the main receiving country in 2007. Out of the 548,400 new asylum claims lodged in 2007 worldwide, an estimated 50,700, or about 9 per cent, were submitted in the United States.⁴³ However, rather than reflecting an increase in new

⁴¹ Statistical information on outcomes of asylum appeals and court proceedings is under-reported in UNHCR statistics, particularly in developed countries, because this type of data is often either not collected by States or not published separately.

⁴² For a detailed analysis of asylum trends in industrialized countries, see *Asylum Levels and Trends in Industrialized Countries, 2007*, UNHCR Geneva, March 2008, available at: <http://www.unhcr.org/statistics>.

⁴³ Estimated number of individuals based on the number of new cases (25,700) and multiplied by 1.4 to reflect the average number of individuals per case (Source: Department of Homeland Security); and number of new "defensive" asylum requests lodged with the Executive Office of Immigration Review (14,800, reported by individuals).



asylum-seekers, the United States of America's top position comes as a result of South Africa receiving fewer new asylum-seekers in 2007. South Africa, the top destination in 2006 with 53,400 asylum requests, was in second position in terms of new claims (45,600). With a cumulative total of more than 251,000 individual asylum applications since 2002, this country is one of the largest recipients in the world. Sweden was the third largest recipient during 2007 (36,400 claims), mostly due to the arrival of Iraqi asylum-seekers. The 2007 level was also the third

highest witnessed in the country since 1992 (84,000 claims)⁴⁴ and 1993 (37,600 claims). Other important destination countries for asylum-seekers were France (29,400), the United Kingdom (28,300), Canada (27,900), and Greece (25,100).

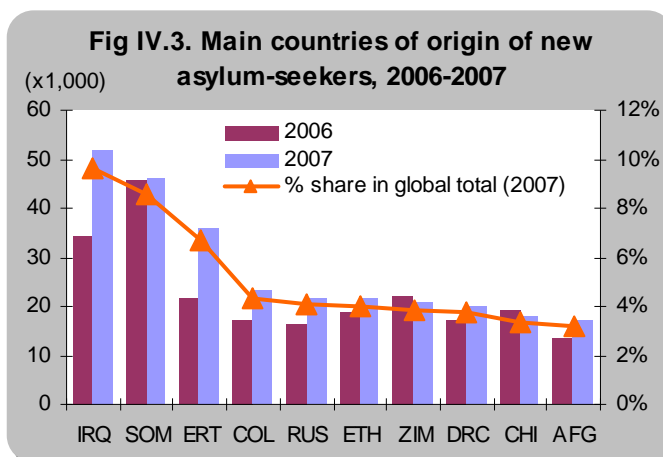
In 2007, UNHCR received 75,100 new applications for refugee status and some 4,600 on appeal or for review. The office in Kenya received by and large the largest number of new requests (19,000). Malaysia was the second most important operation in 2007 (13,800 claims), followed by Turkey (7,600), Somalia (6,500; number of cases), Egypt (3,500), and Yemen (3,000). The top-5 receiving UNHCR offices together registered roughly 7 out of 10 new applications in 2007. Moreover, 90 per cent of UNHCR's refugee status determination work (in terms of applications received and decisions rendered) was concentrated in 12 countries (see also page 50).

Country	Number of claims
Kenya	19,000
Malaysia	13,800
Turkey	7,600
Somalia**	6,500
Egypt	3,500
Yemen	3,000
Cameroon	2,800
India	2,700
Libyan Arab Jam.	2,600
Pakistan	2,200

* Excludes appeal/review claims.
** Number of cases.

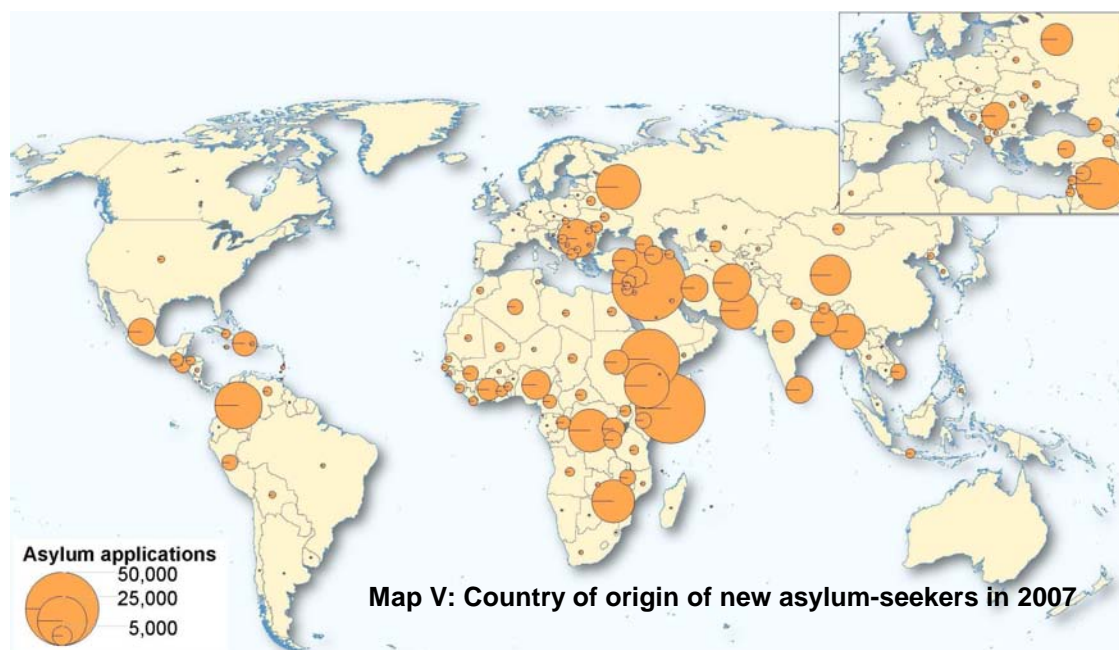
By nationality, the highest number of new asylum claims globally was filed by individuals originating from Iraq (52,000), Somalia (46,200), Eritrea (36,000), Colombia (23,200), the Russian Federation (21,800), Ethiopia (21,600), and Zimbabwe (20,800) (see map V on page 48). Whereas Iraqi citizens claimed asylum in 89 countries worldwide during 2007, almost half of those claims were lodged in Sweden (18,600) and Greece (5,500). Half of all Somali asylum requests were submitted in Kenya (14,200)⁴⁵ and Ethiopia (9,300).

The highest concentration of Eritrean asylum-seekers was in Sudan (14,100 new claims) and Ethiopia (7,800) while Colombians primarily sought asylum in Ecuador (11,600) and Canada (2,600). The majority of new asylum-seekers from the Russian Federation applied for refugee status in Poland (9,200), France (3,300), and Austria (2,700). The highest



⁴⁴ Out of the 84,000 requests submitted in 1992, more than 69,000 were lodged by citizens of the former Yugoslavia.
⁴⁵ This figure includes some 13,000 Somali who were processed and recognized by UNHCR on a *prima facie* basis.

number of Ethiopian asylum-seekers was to be found in Somalia (6,500 new claims) and South Africa (3,400), whereas 96 per cent of all Zimbabwean asylum requests in 2007 were lodged in South Africa (17,700 applications) and the United Kingdom (2,400).



DECISIONS

An estimated 470,800 decisions on individual asylum applications were rendered during 2007, a 6 per cent decrease as compared to the 500,800 decisions taken in 2006 and a 17 per cent decrease compared to 2005 (567,100 decisions). These figures exclude cases which were closed for administrative reasons, without taking a decision on the substance.⁴⁶ In 2007, some 174,600 cases were closed without a substantive decision issued to the applicant. Out of the 470,800 substantive decisions in 2007, UNHCR staff adjudicated close to 52,000, or 11 per cent, the same relative share as in previous years. In five countries, including Ethiopia and Israel, more than 20,000 substantive decisions were taken jointly by UNHCR and the Government concerned.

Table IV.3: Substantive decisions taken

	2003	2004	2005	2006	2007
Government	676,100	579,400	501,900	426,500	399,000
UNHCR	39,900	45,400	60,100	56,400	51,200
Jointly*	2,500	500	5,200	16,800	20,600
% UNHCR only	6%	7%	11%	11%	11%

* Refers to refugee status determination conducted jointly between UNHCR and the Government.

Close to 210,000 asylum-seekers were recognized as refugees or given a complementary form of protection in the course of 2007. This number includes an estimated 29,500 individuals who initially received a negative decision, which was subsequently overturned at the appeal or review stage. Instances where the percentage of decisions overturned at the appeal stage are particularly high may be an indication of deficiencies in the asylum procedure in some countries.

In Europe, more than 44,500 asylum-seekers were granted individual refugee status

⁴⁶ Also labeled as "non-substantive" decisions which might result from, among others, the death of the applicant, no-show for interview, withdrawal of the application, abandonment of the claim, or the determination that another country is responsible for the claim ('Dublin II' procedure).

under the 1951 Convention and another 49,400 a complementary form of protection (including subsidiary protection and humanitarian status). Both figures were significantly higher than in 2006, with the former having increased by 34 per cent and the latter by a striking 45 per cent. One fourth of all positive decisions in Europe in 2007 were issued to Iraqi asylum-seekers. Other nationalities receiving international protection in Europe were asylum-seekers originating from the Russian Federation (9,700 positive decisions), Somalia (7,300), Eritrea (6,100), and Serbia (5,500).

With more than 51,000 positive decisions in 2007, Africa was the second largest region in terms of recognizing asylum-seekers. Here, in particular Eritrean and Somali asylum-seekers were accorded international protection on an individual basis (17,900 and 14,600 positive decisions respectively). In Asia, close to 35,000 asylum-seekers were recognized as refugees or granted a complementary form of protection (including 16,700 asylum-seekers from Myanmar). In the Americas, more than 28,000 individual asylum-seekers were recognized as refugees, mostly in the United States of America (18,000) and Canada (5,900). Here, primarily Colombian (5,800 positive decisions) and Chinese (4,800) asylum-seekers were accorded international protection.

In addition to the 210,000 people who received a positive decision on their asylum application during 2007, more than 261,000 claims were rejected on substantive grounds, 46,500 less than the year before (-15%). This includes negative decisions at the first instance which might be appealed. Asylum-seekers who appealed a negative decision at first instance may have been counted twice in this figure.



An asylum-seeker stands amid the crowd gathered outside a South African government office processing applications for asylum. UNHCR/ J. Redden

By the end of the year, close to 740,000 individuals were still awaiting a decision on their asylum claim worldwide. This figure includes people at any level of the asylum procedure. The real magnitude of undecided asylum cases is unknown because a sizeable number of countries were not able to report this type of information. Based on the information available to UNHCR, the number of asylum-seekers awaiting a decision globally has gone down by one third since 2002. While it is not possible to determine conclusively what has caused the decline, several factors, separately or in conjunction, may have contributed to it. It could, for instance, be an indication that asylum procedures have become more efficient, but may very well be explained by a decrease in the number of new asylum applications submitted in the past few years.

At the end of 2007, the largest number of undecided cases at the first instance and on appeal were registered in Africa (273,000), followed by Europe (234,100), the Americas (163,000), and Asia (69,300). The highest number of pending cases was reported by South Africa (171,000). This includes 89,000 undecided cases at the first instance at the end of 2007 and close to 82,000 cases which were pending decision at the end of 2006. A Ministerial Initiative with special measures to clear the backlog was implemented in 2006. However, official figures on the outcome of this Initiative were not available at the time of writing. In the United States of America, the number of pending cases at the end of (its fiscal) year totalled 84,000. Other countries with high numbers of pending cases included Austria (38,400), Canada (37,500), and Germany (34,100).

At the global level, the Refugee Recognition Rate (RRR) amounted to an estimated 32 per cent of all decisions taken during 2007 while the Total Recognition Rate (TRR) was 45 per cent.⁴⁷ Both values were above the corresponding rates in 2006 (28 per cent for RRR and 38 per cent for TRR). It is important to bear in mind that recognition rates at the global level are purely indicative given that some States are not in a position to provide detailed data on asylum appeals and/or reviews (see Box 5 below).

REFUGEE STATUS DETERMINATION UNDER THE UNHCR MANDATE

In 2007, UNHCR was involved in refugee status determination in 68 countries. Most of these operations are located in countries that are not able or not willing to undertake responsibility for RSD, and where UNHCR undertakes individual RSD under its mandate by default. In other countries, UNHCR conducts RSD essentially to pursue resettlement for the most vulnerable among the refugees, as a "burden-sharing" arrangement with the host country. Over 90 per cent of UNHCR's RSD work (in terms of RSD applications received and decisions rendered) was concentrated in 15 countries.⁴⁸

Between 2003 and 2006, the number of applications submitted to UNHCR has increased by 48 per cent while State authorities have received 37 per cent fewer requests. This trend was reversed in 2007 with UNHCR receiving 13 per cent fewer asylum applications (79,800) compared to the year before. State authorities, however, recorded 10 per cent more claims in 2007 (548,000).

In recent years, the number of cases processed by UNHCR (substantive and non-substantive decisions) has increased steadily with the highest value being recorded in 2007 (89,000). This figure constitutes a 22 per cent increase compared to 2004 (73,100). This increase is due to, inter alia the introduction of case management techniques allowing, where feasible, prompt decision-making. This gradual increase in UNHCR's decision-making capacity, combined with the lower number of new

Box 5. One region – but different recognition rates

Significant differences in recognition rates between countries may reflect different standards of treatment for asylum-seekers. The example of Iraqi asylum-seekers below may point into this direction. For instance, the recognition rate for Iraqi asylum-seekers in Greece in 2007 shows zero while in Germany roughly two thirds of Iraqis asylum-seekers were recognized as refugees. In the United Kingdom, on the other hand, only 14 per cent of all substantive decisions related to Iraqi asylum claims resulted in refugee status. In Sweden, out of a total of 9,876 positive decisions on Iraqi claims, 98 per cent were granted a complementary form of protection.

Recognition rate for Iraqi asylum-seekers, 2007*

Country	Conv- ention status	Non- Conv- ention status**	Reje- cted	% Conv ention status ***	RRR	TRR
Austria	215	143	96	60.1%	47.4%	78.9%
Belgium	206	238	241	46.4%	30.1%	64.8%
Germany	1,766	22	996	98.8%	63.4%	64.2%
Greece	0	0	3,948	..	0.0%	0.0%
Netherlands	231	1,263	474	15.5%	11.7%	75.9%
Norway	54	471	387	10.3%	5.9%	57.6%
Sweden	168	9,708	2,380	1.7%	1.4%	80.6%
UK	205	140	1,090	59.4%	14.3%	24.0%

* Figures refer to first instance procedure. Non-substantive decisions are excluded.

** Complementary form of protection, subsidiary protection, humanitarian status etc.

*** Percentage of Convention status granted out of total positive decisions (Convention + non-Convention).

⁴⁷ In the absence of an internationally agreed methodology for calculating recognition rates, UNHCR uses two rates to compute the proportion of refugee claims accepted during the year. The **Refugee Recognition Rate** divides the number of asylum-seekers granted Convention refugee status by the total number of accepted (Convention and, where relevant, complementary protection) and rejected cases. The **Total Recognition Rate** divides the number of asylum-seekers granted Convention refugee status and complementary form of protection by the total number of accepted (Convention and, where relevant, complementary protection) and rejected cases. Non-substantive decisions are, to the extent possible, excluded from both calculations. For the purpose of international comparability, UNHCR only uses these two recognition rates and does not report nationally calculated rates.

⁴⁸ Top-15 mandate RSD operations (in descending order): Kenya, Malaysia, Turkey, Somalia, Egypt, Yemen, Cameroon, Libyan Arab Jamahiriya, India, Pakistan, Syrian Arab Republic, Hong Kong (SAR China), Thailand, Morocco and Algeria.

asylum claims lodged in 2007, has allowed the Office to reduce its total number of pending applications.

PROTECTION STAFFING

Some 140 officers are conducting RSD under UNHCR's mandate on a full-time basis, while another 150 to 160 do so on a part time or ad hoc basis. Nearly half of the 140 full-time RSD officers are not regular UNHCR staff, but are employed under various types of temporary contracts (e.g. national and international United Nations Volunteers (UNV) contracts), despite the fact that UNHCR country operations where they are employed have been involved, for the most part, in mandate RSD for years.

Employing RSD officers on short-term contracts allows UNHCR the necessary flexibility to adjust resources to fluctuating RSD needs. However, the over-reliance on RSD staff employed on temporary contracts leads to a very high staff turnover representing a challenge in maintaining quality, efficiency and integrity in UNHCR RSD procedures. In particular, the impact of in-house RSD training and the capacity of UNHCR RSD operations to avoid the accumulation of backlogs depend to a large extent upon the sustainability of the RSD staffing capacity. Regional UNHCR RSD supervisors play an important role in providing operational and technical support. They have an oversight function aiming at ensuring quality control and consistency of decision making.

In order to support field operations conducting RSD under the mandate, UNHCR maintains an RSD Deployment Scheme, under which experienced RSD consultants and UNVs are deployed to the field to assist with case processing, staff training, as well as development of RSD procedures. In 2007, RSD consultants and UNVs were deployed to 14 operations under this scheme. In addition, strategic partnerships with governments that have extensive experience on RSD is allowing the deployment of experts from the Immigration Refugee Board of Canada (IRB) and the *Office Français de Protection des Réfugiés et Apatrides* (OFPRA) to selected UNHCR operations. In partnership with the International Association of Refugee Law Judges (IARLJ), UNHCR has been able to deploy judges to countries with developing asylum systems, to assist them in further building their asylum system capacity.

In 2007, the overall recognition rate in UNHCR RSD operations stood at around 77 per cent as compared to 38 per cent for States. This difference can be explained by two factors. UNHCR primarily carries out refugee status determination in regions with flows of asylum-seekers originating, to a large extent, from refugee producing countries, that is, countries affected by military conflicts and/or which have a poor human rights record. Furthermore, in some instances, States tend to have a more restrictive RSD approach than UNHCR. For instance, in 2007, the overall recognition rate for Iraqi asylum-seekers was 63 per cent in States procedures (including conferral of complementary forms of protection), as compared to 98 per cent in UNHCR procedures.

Box 6. Unaccompanied and separated children seeking asylum

Unaccompanied children are children under the age of 18 years who have been separated from both parents and are not being cared for by an adult who, by law or custom, is responsible to do so. Separated children are those separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives.¹ These may, therefore, include children accompanied by other adults, whether family members or not. Both unaccompanied and separated children are equally entitled to protection under international human rights law, international refugee law, international humanitarian law and various regional instruments. Despite the importance of this distinction, most countries continue to collect statistics on unaccompanied children only.

Collecting accurate and reliable statistics on unaccompanied or separated children (UASC) seeking asylum is critical given the special protection and assistance needs of this group. This poses severe challenges. Proper mechanisms to identify UASC who seek international protection are often not in place or don't meet minimum standards. UASC may not be aware or adequately informed about the possibility to seek asylum. Furthermore, not all countries have proper registration systems in place to record UASC separately and systematically. And if they do, they might not record data disaggregated by sex and age. Age definitions, including age of majority, vary from country to country. In Germany, for instance, unaccompanied children are recorded by the authorities until they have reached the age of 16, whereas most other countries use 17 as the upper age limit. If authorities have doubts about the age declared by the asylum-seeking child, then they might initiate age assessments (e.g. x-ray examination of hands, wrists, or collarbones). However, these procedures bear a level of uncertainty and can therefore not be considered as fully conclusive.² If the age assessment establishes that the UASC is over 18, the statistics may not necessarily be adjusted retroactively and the reported number of asylum-seeking UASC in those countries may be over-estimated.

The global number of UASC who annually submit individual asylum claims is unknown. In an effort to fill this evident gap, in 2006, UNHCR started collecting data on UASC who have

sought international protection in a more systematic way. This included the number of asylum claims lodged and decisions rendered, both broken down by sex and age (0-14 and 15-17 years age groups). In 2007, information on the country of origin of UASC was also added. The data are also differentiated by type of procedure, that is, whether UNHCR or the State is responsible for conducting RSD.

The initial outcome of this data collection was promising with about 120 countries providing at least part of the requested statistics. Some important destination countries for asylum-seekers like Canada, Italy, South Africa, and the United States of America, however, are not yet in a position to provide this type of information.

Among those countries reporting data in 2007, 47 per cent (58 countries) registered at least one UASC applicant during the year while 53 per cent (66 countries) reported that none had applied. The same distribution was also observed for 2006, but with five fewer countries reporting. Some 11,300 individual asylum applications were lodged by unaccompanied and separated children in 2007 in those 58 countries. This constitutes about 3 per cent of the total number of asylum claims lodged. Despite registering 9,900 asylum claims by UASC during 2006, the relative share remained fairly stable in both years. Europe registered close to 9,000 or four fifths of all UASC claims during 2007.

¹ *Inter-agency Guiding Principles on Unaccompanied and Separated Children*, ICRC, IRC, Save the Children UK, UNHCR, UNICEF and World Vision International (2004).

² UNHCR promotes that age assessments should only be carried out in cases when a child's age is in doubt, and should be part of a holistic assessment which takes into account both the physical appearance and the psychological maturity of the individual. (ExCom Conclusion No. 107 (LVIII)-2007 on Children at Risk, para. (g)(ix).)

Selected countries	UASC asylum claims		% UASC of total asylum claims		% female UASC claims	
	2006	2007	2006	2007	2006	2007
Austria	410	520	3%	4%	..	..
Belgium	450	590	4%	5%	36%	9%
Denmark	110	90	5%	5%	10%	5%
Egypt*	60	70	1%	2%	47%	56%
Finland	140	100	6%	7%	31%	24%
France	570	460	2%	2%	35%	37%
Germany**	190	180	1%	1%	46%	33%
Hungary	60	70	3%	2%	..	..
Ireland	130	90	3%	2%	..	..
Kenya*	80	430	0.2%	2%	52%	48%
Malaysia*	250	820	3%	6%	23%	39%
Malta	180	330	14%	24%	8%	..
Netherlands	410	430	3%	6%	35%	..
Norway	350	400	7%	6%	21%	19%
Poland	270	320	6%	3%	..	..
Slovakia	170	160	6%	6%	..	..
Sudan	360	310	4%	2%	16%	15%
Sweden	820	1,260	3%	3%	21%	20%
Switzerland	300	260	3%	2%	21%	23%
Turkey*	100	190	2%	2%	26%	26%
United Kingdom	3,450	3,530	12%	12%	..	20%

* RSD under the UNHCR mandate.

** Refers to UASC claims up to the age of 16 years. Claims of UASC aged 16 or 17 are about three times higher.

Among the countries reporting, the United Kingdom received the highest number of UASC claims in 2007 (3,530), followed by Sweden (1,260), Malaysia (820), Belgium (590), and Austria (520). In relative terms, however, the proportion of UASC claims compared to the total number of applications lodged in the country was highest in Malta (24% of all claims). In the United Kingdom, one in ten applications in 2007 was submitted by an unaccompanied child.

Although on a limited scale available only, the data indicates that it is often unaccompanied or separated boys who claim asylum, in particular in industrialized countries where they constitute, on general, about two thirds of such children. In developing countries, however, the sex distribution tends to be more balanced. Information on the age breakdown of UASC is available for 44 countries. The data for 2007 shows that eight out of ten UASC stated to be 15, 16 or 17 years of age at the time of application. The remainder was below that age. In general, this distribution is to be found uniformly across all regions.

Data on decision-making show that close to 6,000 UASC were recognized under the 1951 Convention (2,600) or granted a complementary form of protection (3,300) in 2007. This compares to 1,300 for the former and 2,500 for the latter the year earlier. With not all countries reporting consistently over the past two years, these figures are, however, not fully comparable. The United Kingdom was the country recognizing the highest number of UASC over this 2-year period (4,300 in total), followed by Malaysia (980), Sudan (650), and Kenya (460).

Recognition rates for UASC vary greatly among those countries where decision data for 2007 is available. In Belgium, France and Germany, the total recognition rate for UASC was 25 per cent or below. In contrast, in Egypt, Finland, Kenya, Malaysia, Norway, Poland, Sudan, Sweden, Turkey and the United Kingdom, three quarters or more of all substantive decisions resulted in refugee status or a complementary form of protection.

Data suggest that some industrialized countries are more likely to grant to UASC refugee status under the 1951 Convention than others. In 2006 and 2007, less than 20 per cent of all positive decisions on claims lodged by UASC in Poland (2007 only), Switzerland, and the United Kingdom amounted to Convention status while in Finland not a single UASC received refugee status. In all of those countries, complementary forms of protection were the predominant form granted. In contrast, in France and Belgium almost all positive decisions during the same time period resulted in refugee status under the 1951 Convention while in Denmark, Hungary, and Norway about two thirds were recognized as refugees.

More than 3,500 asylum claims submitted by UASC were rejected during the period 2006-2007. The evidence points to different practices between States and UNHCR when assessing asylum claims lodged by unaccompanied and separated children. In the case of UNHCR, on average, one out of ten claims led to a substantive rejection, that is, based on the merits. For States, it was three out of ten during 2006 and 2007.

Some 48 countries provided detailed country of origin information on UASC in 2007. Unaccompanied and separated children from Afghanistan submitted more than 1,400 asylum claims in 13 countries, four-fifths of them in the United Kingdom alone. Myanmar was the second most important country of origin with 830 asylum claims, almost all of them lodged in Malaysia where UNHCR conducts refugee status determination. UASC from Somalia lodged 700 asylum claims in 24 out of the 48 countries, more than half of them in the United Kingdom, Kenya and the Netherlands.

Despite of the progress made in recent years in collecting statistics on unaccompanied and separated children who seek international protection, important gaps remain in many countries. More efforts are therefore needed to improve data collection on UASC. The Conclusion on Children at Risk (No. 107/LVIII-2007), adopted by UNHCR's Executive Committee in October 2007, calls for a concerted effort in this respect by recognizing [...] *that the systematic collection and analysis of age- and sex-disaggregated data, and of data on children with specific needs, such as unaccompanied and separated children, can be useful for States, UNHCR and other relevant agencies and partners in identifying children at heightened risk.*