

# Summary of the Strategic Oral Presentation on UNHCR's Operations in Europe

## Standing Committee 18<sup>th</sup> meeting 5 – 7 July 2000

### I. Strengthening asylum in Europe

1. Europe's asylum policies affect not only Europe, but also safeguard and strengthen the institutions of asylum and international protection in the rest of the world. In recent years the integrity and quality of asylum in Western Europe has come under considerable stress, at least in part due to the complexities of the immigration phenomenon. The emphasis has shifted from protection to control due to the large mixed movements of people coming into Europe, of whom asylum-seekers are a small proportion. European asylum policy has a massive "export value", especially where negative examples are concerned, which must not be underestimated.

2. The Bureau for Europe's main priority is to strengthen its partnerships with States and regional and inter-governmental organizations in order to maintain the quality of asylum in a uniting Europe. The Office's efforts in the European Union (EU) Member States will be to assist governments, to the extent possible, and advocate to ensure that the harmonization process preserves high standards and incorporates best practices. In addition, the Bureau will seek to ensure that the continuing development of asylum systems in the candidate countries (chiefly Central Europe) moves in the same direction.

3. UNHCR urges States to ensure that persons in need of international protection continue to have access to the territories of European States. The measures being introduced to control migration should not prevent asylum-seekers in need of protection from reaching Europe to apply for asylum. However, migration should be managed through migration structures and tools, and asylum should be managed through asylum systems and procedures.

4. At the Lisbon Conference on the future common asylum system organized by the Portuguese EU presidency, which was held in mid-June, EU ministers recognized that their harmonization of asylum policies could not be considered in isolation from developments in the rest of the world. They called for an integrated, overarching approach to tackling migration and asylum and reiterated their commitment to the implementation of the conclusions of the Tampere Summit which called for the full and inclusive application of the 1951 Convention.

5. Since the Amsterdam Treaty mentions UNHCR as a partner for consultation, every effort will be made to be reliable and ready partners to governments in offering expertise and advice where appropriate and in a constructive spirit.

6. The Bureau will step up our efforts to professionalize public information and media relations work and to develop, in cooperation with governments where appropriate, public awareness strategies and activities that have a real impact on the public's understanding of refugee problems.

7. While the process of developing asylum systems in States in Central Europe has been exceptionally fast, both the legal and social aspects of "becoming asylum countries" will continue to require sustained efforts on the part of UNHCR. UNHCR offices also play a coordinating role in helping governments ensure that there is no overlap amongst EU programmes and other multilateral and bilateral efforts. Strategies will continue to include capacity-building and partnership in the building of asylum systems. The focus will shift from setting up the legislative base of asylum systems to promoting the sustainability of non-governmental organizations (NGOs) in the field and the challenge of improving integration possibilities in Central Europe.

## **II. European support for refugee issues and UNHCR programmes worldwide**

8. Europe's support for resolving refugee issues in the rest of the world is also of crucial importance, both in terms of financial assistance to UNHCR programmes and refugee programmes implemented by others, and in terms of political and diplomatic abilities to address human rights issues and other causes of displacement. The decline in some countries' contributions and indeed, the continuing imbalance between contributions across Europe and between Europe and other major donors, has been noted with growing alarm. The Bureau has set as one of its priority areas the goal of reversing this trend and increasing European countries' support for UNHCR programmes worldwide.

## **III. Eastern Europe; asylum, migration, statelessness**

9. UNHCR's main priority in the countries of the Commonwealth of Independent States (CIS) is to ensure that asylum systems develop in accordance with international standards. The goals of the Office are for States to adopt coherent processes to manage migration flows humanely, including, where appropriate, the continuing flows of Involuntarily Relocating Persons; for States to adopt asylum laws and policies meeting international standards; and for public opinion to be receptive to the protection needs and supportive of integration efforts of refugees.

10. UNHCR will now shift its focus towards the effective implementation of refugee legislation and refugee status determination procedures and practices in Eastern Europe (rather than only elaboration of legislation, which now exists in most countries, albeit in imperfect forms). Although much has been achieved as a result of UNHCR's capacity-building efforts in the CIS countries, the gap between legislation and its proper implementation is one of the major areas of work still to be addressed by all CIS countries and there remain some serious protection concerns in the region.

11. As the official follow-up to the CIS Conference ends -- the last Steering Group meeting will be held next week -- UNHCR will continue to support all activities implementing the goals of the Conference within the mainstream of its operations. It will also support the final recommendations of the Steering Group for future consultations and cooperation on specific themes, taking the lead where appropriate. One area for particular focus will be the NGO sector, where the significant gains achieved through the Conference process should be consolidated. The thematic consultations will also benefit from an increased expertise from CIS NGOs working in those areas.

12. UNHCR has put considerable effort into citizenship and statelessness issues in the CIS region and will continue to assist where appropriate and necessary. The overall aim is

to decrease statelessness in the region and provide the durable solution of full integration, as a citizen, for those suffering the effects of displacement, including displacement which occurred several years ago, such as with regard to Formerly Deported Peoples.

13. In working on the range of issues that were covered by the CIS Conference, UNHCR has also developed partnerships with the International Organization for Migration (IOM) and with the Organization for Security and Cooperation in Europe (OSCE), in particular its Office of Democratic Institutions and Human Rights (ODIHR) and the High Commissioner on National Minorities. With the changed focus of the follow-up to the Conference after 2000, UNHCR expects that such cooperation will further evolve according to the priorities jointly determined with States. The growing partnership with the Council of Europe has proved extremely beneficial on several fronts.

#### **IV. Conflicts and displacement in Eastern Europe**

14. In addressing the needs of those displaced by conflicts in this region, UNHCR's goals are to ensure that the response to protection and assistance needs of displaced populations is timely and effective, that durable solutions for the displaced are actively sought in the peace-building process and implemented by the parties to the conflict and partners, and that sustainable results are ensured for the longer term such that further displacement is prevented.

15. Unfortunately, long-awaited resolutions of conflicts in the southern Caucasus are still not imminent. The security situation in most of the region has worsened, making the provision of assistance difficult and risky. UNHCR maintains close collaboration with the United Nations and the OSCE, endeavouring to ensure that critical issues such as voluntariness, safety and sustainability of return are addressed within conflict resolution processes. In parallel, UNHCR promotes full citizenship rights of internally displaced persons in places of current residence, without prejudice to their eventual return to their former homes. In all three countries of the southern Caucasus, UNHCR has worked within an inter-agency framework of growing coherence, providing assistance to internally displaced persons and refugees and focussing on the most vulnerable groups. The Office is also working towards their longer term integration and a national development process in which they fully participate.

16. UNHCR is faced with particular challenges in its Chechnya operation. The level of insecurity is high, including an ever present risk of kidnapping. Despite this huge constraint, UNHCR has managed well to provide assistance in Ingushetia (Russian Federation), where the majority of those fled from the recent military conflict. There are still well over 200,000 internally displaced persons in Ingushetia, who do not feel the time is right to return to their homes in Chechnya (Russian Federation). UNHCR will seek to ensure that these people have adequate food, shelter, health and education services such that they do not feel obliged to return to Chechnya, despite the dangers. Longer term local integration either in Ingushetia or elsewhere in the Russian Federation must be supported. There is still the major problem of legal status and lack of documentation, which UNHCR will continue to follow up with the authorities. In Georgia, UNHCR is assisting the Government to provide both protection and assistance to the approximate 7,000 refugees from Chechnya.

17. In Chechnya itself, the situation remains extremely volatile and insecure, and some of the returnees have had to come back across the border to Ingushetia because of renewed fighting in previously quiet areas. The humanitarian needs are great inside Chechnya, both for returnees and for the remaining local population, but the security risks are also enormous. UNHCR's aim is to provide limited relief assistance to those returning to Chechnya, when feasible. On the protection front, UNHCR will advocate for and intervene to ensure the basic rights of those displaced are respected, but will be unable to offer effective protection assistance inside Chechnya, due to lack of presence. Our chief concern will be that people return truly voluntarily, and in safety and dignity.

18. An Inter-Agency appeal covering the needs of the Chechnya operation in the Russian Federation and in Georgia has just been launched, and UNHCR would be most appreciative of the support of Governments to UNHCR's activities there.

## **V. Conclusion**

19. In conclusion, UNHCR is dealing with several important challenges in Europe. The Bureau for Europe continues to refine its strategy and to orient its operations towards areas where UNHCR can really add value and have a positive impact in meeting these challenges.