

Summary of the Strategic Oral Presentation on Europe

**Standing Committee
15th Meeting
28 June - 1 July 1999**

1. Strategic regional objectives in Europe in 1999 are as follows:
 - to promote a coherent, principled approach to asylum in Western Europe, where refugee protection is increasingly threatened by immigration control measures;
 - to assist in establishing or strengthening asylum systems and national capacities for refugee protection in Central and Eastern European and Baltic States;
 - to consolidate the institutional framework and implementation mechanisms in the CIS countries, as follow-up to the final stages of the CIS Conference;
 - to promote coordinated legislative and administrative measures to reduce or prevent statelessness in Eastern and Central Europe; and
 - to promote and contribute to comprehensive, durable solutions for the human displacement problems caused by the conflicts in the Caucasus.
2. In his presentation to the Standing Committee, the Director of the Bureau for Europe will elaborate on priority activities in five distinct areas.

I. Developments in Western Europe

Mixed population flows

3. Western European States face continuing difficulties in properly dealing with growing mixed population movements in a way which ensures effective and adequate protection of all who genuinely need it, while managing migration as a legitimate concern. With heavy emphasis on a control and deterrence-driven approach, States' asylum policies have often become a victim of illegal immigration control.

Amsterdam Treaty

4. The entry into force of the Treaty of Amsterdam on 1 May 1999 has ushered in a new phase of harmonization of asylum legislation and policies of the Member States of the European Union. UNHCR hopes that the European Union will seize this opportunity to disentangle asylum, as a human rights and humanitarian challenge, from the broader, highly politicised issue of immigration.

Comprehensive approach

5. The step taken by the European Union towards a more holistic approach to the problem of displacement by creating a High Level Working Group on Asylum and Migration is a welcome development. The Group is developing a comprehensive action plan for a number of main source countries/regions of asylum-seekers and migrants arriving in Europe. UNHCR has been actively involved in the work of the Group.

Public Awareness

6. UNHCR, in partnership with the European Commission, launched in 1998 a concerted public awareness campaign in all 15 Member States of the European Union. The campaign, which is continuing in 1999, seeks to sensitise the European public about the challenges refugees face in achieving a meaningful level of self-sufficiency that would eventually lead to their social and economic integration.

II. Central Europe and the Baltic States

Building asylum systems

7. With the momentum created by the accession process to the European Union, significant progress has been achieved in building asylum systems in the region. However, some countries still have difficulties in developing functioning asylum procedures and in providing appropriate reception facilities for destitute asylum-seekers. Detention of asylum-seekers is an issue of continuing concern. Integration of refugees remains also an acute problem in some countries.

8. UNHCR is cooperating with the European Commission, and particularly its PHARE programme, in a two-year joint programme to strengthen asylum systems in the Associated States. It focuses both on the legislative framework and the capacity-building component needed for the effective implementation of asylum procedures.

Advocacy and refugee law promotion

9. A key instrument of UNHCR's advocacy and promotion strategy in the region has been a series of regional conferences on the promotion of refugee protection standards in Central Europe, the latest of which was held in Bled in September 1998. Apart from addressing gaps in asylum legislation and practice, the Bled Symposium also focused on the evaluation of existing assistance projects in the Associated States.

The problem of rejected cases

10. With asylum procedures in place and functioning in most Central European countries, problems related to rejected cases are gaining prominence. Tackling these problems requires a concerted international and inter-agency effort that goes beyond what UNHCR can effectively do, particularly within its limited financial resources.

III. Eastern Europe and Turkey

Asylum legislation and procedures

11. While four countries in the region have yet to accede to the 1951 Convention and the 1967 Protocol, the overall focus on asylum and compliance with international standards is encouraging. There are, undoubtedly, several serious shortcomings. Access to existing procedures is still problematic and the recognition rate is generally low. The situation at international airports and detention of asylum-seekers remain issues of great concern. There is also a gap between adoption of laws and their implementation. To address these problems, UNHCR is actively promoting accession to international refugee instruments and intensifying its capacity-building efforts in support of effective and functioning asylum systems.

Statelessness and citizenship issues

12. Several initiatives have been taken to address statelessness and citizenship issues in the region, particularly in Ukraine, Armenia and Azerbaijan. UNHCR's programme in this area has several components, including capacity-building, NGO support and an elaborate information campaign. Since UNHCR's involvement in Crimea, some 29,300 stateless persons have acquired Ukrainian citizenship. In Armenia, UNHCR is involved in an information campaign for the acquisition by refugees of Armenian citizenship. In Azerbaijan, UNHCR co-operates closely with the Council of Europe and the OSCE in the implementation of a new Citizenship Law adopted in 1998. Considerable effort has also been made to address statelessness problems faced by "formerly deported people."

Inter-agency programme for post-conflict rehabilitation

13. UNHCR has continued to adjust its activities to a post-emergency phase and to seek inter-agency arrangements paving the way to post-conflict rehabilitation programmes. The UNHCR/World Bank/UNDP project in Azerbaijan illustrates the kind of synergy that an inter-agency framework can yield. It addresses a large scale displacement situation with no immediate political solution in sight, but in respect to which a traditional care and maintenance approach is no longer sustainable.

Integrated approach to conflict resolution

14. UNHCR's activities in Georgia illustrate the importance of an integrated approach to conflict resolution. While mediation efforts have yet to bring results with respect to the conflicts in Abkhazia and South Ossetia, UNHCR plays an important role in the conflict resolution process by ensuring that critically important issues such as voluntariness, safety and sustainability of return of refugees and internally displaced persons are not dealt with in isolation. Likewise, renewed efforts are necessary to move forward the negotiations on the Nagorno-Karabakh conflict.

Developments in Turkey

15. Cooperation between UNHCR and the Government on the dissemination of refugee law represents an important development. Starting in September 1998, a joint programme in support of training of government officials on asylum and refugee issues has been put in place. An equally important development is the recent amendment to the 1994 Asylum Regulation extending the time-limit for filing an asylum application with the authorities from five to ten days.

IV. The CIS Conference

16. The CIS Conference process has enhanced awareness of the various displacement problems in the region and has helped to bring the countries concerned into the mainstream of international norms and practices with regard to refugees and displaced populations. It has achieved strategic partnerships among international organisations, based on complementarity of mandates and commonality of goals.

17. Progress towards a strengthened civil society, an important objective of the CIS Conference, has also gained momentum. The involvement of NGOs in the follow-up to the Conference and their active participation in the Steering Group meetings and in specific working groups to address the different components of the Programme of Action are all seen as dynamic features of the Conference's follow-up process.

V. Refugee Women and Children

18. Considerable progress has been achieved in terms of compliance with, and mainstreaming of, policies on refugee women and refugee children, to the extent that these issues have now become an integral part in the planning and programming at the country level. Throughout the European region, emphasis is currently placed on networking, strengthening the role and capacity of NGO partners and, in the case of Eastern Europe, linking these activities with those of the CIS Conference follow-up.

19. The problems of separated children arriving in Europe, many of them as asylum-seekers, have attracted particular interest for Governments, UNHCR and NGOs. These children often enter European States without any record being made of the fact that they are unaccompanied and, as a consequence, their basic needs are not addressed in a planned manner and family tracing becomes difficult. In an attempt to address the problem, UNHCR and International Save the Children Alliance have recently launched a project known as the "Separated Children in Europe Programme."

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