

Excom 2004: Europe

Part A: Major developments

In Europe, asylum levels have dropped sharply and are currently on par with those recorded in 1990. According to UNHCR's Population and Data Unit, European countries are receiving a monthly average of 24,500 claims: the lowest since 1997. A total of 147,340 claims were received by 25 European countries in the first half of 2004, representing a decline of 18 per cent compared to the same period last year.

Within the European Union (EU), it is anticipated that the 10 new member States, the majority of which now find themselves on the border of the EU, will start to bear considerably more of the burden of Europe's immigration and asylum challenge. UNHCR has already started to report record high asylum levels in Cyprus, Slovakia and Poland. Six new member states saw an increase of 26 per cent in asylum claims – a striking contrast to the 20 per cent decline in the “old” EU member states.

On the eve of expansion, the EU adopted the so-called Qualification Directive and reached political agreement on the Directive on Asylum Procedures, signaling an end to the first phase of EU harmonization. UNHCR expressed some concerns about these last two directives, in particular the Asylum Procedures Directive, which has opened up scope for movement towards the lowest common denominator of existing national practice and could lead in practice to breaches of international law.

Significant developments in south-eastern Europe in recent months have directly impacted upon UNHCR's strategic focus for this region, where a process of gradual but responsible phase-out is under way. New measures in Croatia, for example, have created potential for increased returns among Croatian refugees. Meanwhile, the fragile peace process in Kosovo (Serbia and Montenegro) suffered a major setback in March 2004 when riots resulted in widespread destruction of property, triggered new internal displacement and set back prospects for minority return.

The intermittent violence of the last six months in the Caucasus has frustrated efforts to find durable solutions for the region's IDPs. Rebel-orchestrated attacks in Ingushetia in June 2004, followed by the tragic school hostage taking in North Ossetia in September, are a deeply troubling sign that those two Republics neighbouring Chechnya may become embroiled in the Chechen conflict.

Part B: Progress on UNHCR's global objectives and the Agenda for Protection

Strategic Goal 1: Support governments in the creation and maintenance of an international protection regime; Agenda for Protection Goal 1: Strengthen implementation of the 1951 Convention and Protocol.

- As the EU moves into the second phase of building a common European asylum system, Western and Central Europe are faced with a unique opportunity to strengthen collective action. UNHCR hopes that systems are developed to share the refugee burden more

- equitably amongst EU countries and to create a common system for asylum processing to produce both fairer and faster asylum decisions.
- To ensure implementation of harmonized and coherent sub-regional strategies, UNHCR is reconfiguring its presence in Western and Central Europe and plans to regroup countries according to common objectives and themes. This approach will be piloted in Budapest in early 2005, where coverage will include four new EU member states: Hungary, Poland, Slovakia and Slovenia.
- The Balkans now make up part of the EU's external frontier, and while most countries in the region have recently adopted new asylum legislation (with intensive UNHCR participation), much work remains to be done in terms of adopting necessary by-laws and administrative regulations that will allow these laws to be implemented. In this respect, UNHCR is actively involved in capacity-building programmes and partnerships with other actors, particularly the European Commission through its Community Assistance for Reconstruction and Stabilization in the Western Balkans (CARDS) programme.
- A High Level Review Meeting, emerging from the ten-year CIS Conference Process, was held in Minsk from 26 to 28 May 2004 to analyse and identify the achievements and remaining gaps in the region's asylum and migration systems. When the CIS Conference structure is dissolved in 2005, it will be replaced by a framework of cooperation and flexible groupings of States around key thematic issues.

Strategic Goal 5: Seek durable solutions (through voluntary repatriation and sustainable reintegration, local integration and resettlement) to the situation of refugees.

- As set out in an August 2004 position paper, UNHCR advocates a cautious approach to the return of minorities to the province of Kosovo. Further turbulence cannot be discounted, particularly when Kosovo moves towards a final status scenario. UNHCR is therefore continuing to focus on creating conditions conducive to return through, inter alia, enhanced community dialogue.
- At the request of the Government of Georgia, UNHCR is preparing to provide technical support for a verification of the internally displaced persons (IDP) population in Georgia. Depending on the outcome of the political process in Abkhazia, re-registration of IDPs could be the first step in a phased approach to voluntary returns to this autonomous province.
- A multi-agency mission, led by the United Nations Development Programme (UNDP) and comprising the Swiss Development Cooperation (SDC), the Danish Refugee Council (DRC) and UNHCR was fielded from 13 to 24 June 2004 to the North Caucasus. The mission confirmed the usefulness of an integrated approach in trying to find durable solutions for all affected populations in the region. Efforts are now under way to identify the various beneficiary groups and refine the objectives of this proposal in close cooperation with the federal and local authorities.
- Provided the security situation improves in Chechnya – a prerequisite for any favourable return process – UNHCR (in the framework of the Consolidated Appeals Process) aims to channel more assistance to Chechnya to facilitate the reintegration of IDPs voluntarily returning. At the same time, UNHCR will continue to support local integration in Ingushetia

for IDPs opting to remain. In both locations, UNHCR's emphasis will remain on ensuring protection of IDPs and returnees, while retaining a coordinating role in the shelter sector. From June to July 2004, the return of IDPs to Chechnya increased from 1,302 to 3,690 (including spontaneous returns). As many of these returns may have been motivated by fears of a backlash following the June 2004 attacks on Ingush government officials, it remains to be seen whether they are permanent or only temporary in nature. Already in August a dramatic decrease in the number of returnees was noticeable, but again this might be linked with fears related to potential security risks, this time in the context of the 29 August presidential elections.

Strategic Goal 2: Maintain and improve UNHCR's levels of emergency preparedness and response to assist States to respond to refugee influxes.

- The recent military clashes in the Caucasus have prompted UNHCR to update contingency plans in the event of further population displacements. The humanitarian situation in North and South Ossetia, in particular, is being closely monitored by UNHCR, which serves as the United Nation's Humanitarian Coordinator for the Russian Federation.

Implement the High Commissioner's Five Commitments to Refugee Women

- In April 2004, the Bureau for Europe concluded a round of sub-regional capacity-building workshops for UNHCR, government and implementing partner staff on the prevention of and response to Sexual and Gender-Based Violence (SGBV). Since then, the focus has been on developing country-level strategies and action to combat SGBV among persons of concern to UNHCR.