

COUNTRY OPERATIONS PLAN

Country: Estonia, Latvia and Lithuania

Planning Year: 2003

Part I: Executive Committee Summary

Context and Beneficiary Population

The Baltic states, having been occupied by a foreign nation for some 50 years, received a large influx of immigrants from the former USSR now constituting about one third of the population in Latvia and Estonia. Their own national identity and languages were suppressed, democratic institutions did not develop and freedom of the press was curtailed. Government staff have been poorly paid which has been demotivating and made it difficult to train them. Crossing of international borders illegally was generally considered a major offence and carried long prison sentences. There was a lack of understanding of the difference between a refugee and an economic migrant and the cost of receiving refugees was often compared with the economic and social condition of poor nationals, in particular pensioners. The common attitude that the Baltic countries are and will continue to be transit countries is widespread.

As the Baltic countries have integrated their economies and policies with those of Western Europe, however, many of the negative practices inherited from the past have been corrected and younger staff with more liberal attitudes have been employed. As signatories of the 1951 Convention and the 1967 Protocol in 1997, and having adopted national refugee laws the same year, as well as being close to accession to the European Union, the Baltic countries are increasingly committed to providing protection and durable solutions to asylum-seekers and refugees and to maintaining asylum systems that meet international standards.

Between 1998 and 2002, UNHCR was had staff in the three capitals. Initially, the promotion of national refugee legislation, construction of refugee reception facilities and strengthening of NGOs involved in the refugee status determination process, particularly the legal assistance to asylum seekers, were the main objectives. More recently, improvement of the efficiency and fairness of status determination procedures, identification of the gaps in the national refugee laws, their amendment and promotion of integration of refugees have been the main objectives. The active participation by UNHCR in government working groups, initially set up within the framework of the EU-funded Phare Horizontal Program (PHP) with the aim of drafting amendments to the refugee and aliens legislation to attain conformity with international standards, has proved to be useful.

The objectives for a scaled-down UNHCR presence in 2003 include further improvement of the knowledge of government and NGO staff through training activities in co-operation with the Nordic Immigration authorities, improvement of government procedures and regulations, as well as assistance to the governments to implement national integration programmes for recognised refugees and persons who obtained subsidiary status.

UNHCR long-standing co-operation with the Lithuanian Red Cross and CARITAS Vilnius has resulted in substantial funding from the EU and co-operation agreements with the Lithuanian Government will continue in the areas of legal and social assistance, support to the integration programme and public information and awareness activities. In Estonia and Latvia, co-operation with the newly founded NGOs, Estonian Refugee Council and Latvian Foreigners Association, will be developed along the same pattern as in Lithuania.

The co-operation with UNDP Riga and UNDP Vilnius will be maintained as in previous years. Diplomatic and administrative support provided by UNDP has been crucial.

UNHCR's limited financial contribution will continue to be used in a flexible manner to cover gaps and be a catalyst for bilateral assistance or assistance from other international organisations

The Baltic countries' long aspiration to accede to the EU has further progressed in 2001 through accession negotiations aiming at membership in 2004. This has reinforced the understanding of the necessity to change procedures and legislation in the asylum area.

Although the majority of the asylum seekers arrive in Lithuania, there are links amongst migration routes and transitory character. The number of asylum seekers has remained very small (some 300 last year) and is likely to continue so as the Baltic countries are not countries of final destination for most refugee groups due to their undeveloped economies, the low level of social and financial benefits and the absence of an integrated refugee population.

UNHCR's presence in the Baltic countries has contributed to rapid progress in the adoption of refugee legislation and establishing asylum procedures. Although there are still some gaps identified which UNHCR is presently addressing, it was agreed that a limited UNHCR staff could cope with the remaining work. In addition, the strategy of handing over more responsibilities to local NGO's, in particular in Lithuania with the biggest caseload, will compensate for a reduction in UNHCR's presence.

Many achievements have been made during the past years and the most important can be summarised under five headings:

- a) All three countries ratified the **1951 Convention/1967 Protocol** and adopted **national refugee laws** in 1997. The refugee laws have been amended on several occasions following recommendations from UNHCR and other experts.
- b) **Reception facilities** of comparatively high standards have been constructed in all three countries, funded by UNHCR and other donors, with capacities of 550 asylum seekers in Lithuania, 250 in Latvia and 50 in Estonia. All reception facilities have been furnished and equipped through donations from the Swedish and Finnish governments who also have implemented twinning projects concerning training of staff.
- c) Elaborated **asylum systems** have been established in all three countries. UNHCR, bilateral donors and NGOs have allocated resources with the aim to bring these systems up to international standards. COI centres, interpreters exchange systems and legal assistance projects have been implemented.
- d) Extensive **training** and study visits for government and NGO staff have been provided by UNHCR, Nordic countries, EC and NGO's. Staff in Baltic asylum institutions are included in Nordic support networks.
- e) **NGO's** are successfully implementing legal and material assistance to asylum seekers, supplementing national integration programmes for refugees and conducting public information/awareness activities.

Selected Programme Goals and Objectives

The overall objective and rationale for UNHCR's limited presence in the three Baltic countries (Estonia, Latvia and Lithuania) is to ensure, in cooperation with the governments and local NGOs, that the national institutions and organizations are capable of dealing with asylum claims in a fair, efficient and self-sustainable way and to offer durable solutions to recognized refugees in accordance with internationally accepted standards.

The theme *strengthening asylum* summarises the objectives related to UNHCR's operation in the Baltic countries. The goals and the strategy of UNHCR are similar in the three Baltic countries.

Theme: Strengthening Asylum	
<i>Goal II Asylum seekers have access to fair, efficient and effective asylum procedures and are treated in accordance with international protection standards</i>	
Principal Objectives	Related Outputs
Asylum seekers have access to procedures in which their claims are heard fairly and promptly	Asylum seekers have access to a fair and efficient procedure under which eligibility for refugee status and complementary protection is granted.
Asylum relevant institutions develop to become effective and eventually independent of external support	<ul style="list-style-type: none"> • Effective and free legal assistance programmes are established to ensure that asylum-seekers interests are guaranteed in the RSD procedure. • National authorities make professional, motivated and impartial decisions in asylum cases. • Lawyers and judges are fully trained in international standards of protection and judges apply refugee law judiciously. • Appropriate registration systems are implemented.
<i>Goal IV: Public opinion is receptive to the protection and solution needs of refugees</i>	
Principal Objectives	Related Outputs
Xenophobic trends diminish in favour of increased tolerance, and the public at large understands the relevance of refugee protection, and the difference between economic migrants and refugees	A more positive public opinion will lead to better treatment of asylum-seekers and refugees and facilitate local integration and decrease xenophobia.