# Western Europe

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Asylum-seekers gather their belongings in France



## OPERATIONAL HIGHLIGHTS

- UNHCR supported asylum authorities and national courts and provided advice to legislative and decision-making bodies. This contributed to improving the protection space in the subregion.
- The Office submitted positions to the European Court of Human Rights (ECHR) and the European Court of Justice (ECJ) in cases related to refugee protection.
- At the European Union (EU) level, UNHCR advocated for improvements in the regulations and directives related to asylum.
- UNHCR established a presence in northern France in order to ensure access to asylum procedures for persons of concern in the region. Projects carried out in other places of arrival of irregular migrants, such as in Italy and Greece, had a similar impact.
- Advocacy for resettlement resulted in a number of new initiatives in the region.
- UNHCR information campaigns helped build more sympathetic attitudes towards refugees among the general public.



#### Working environment

Most asylum applications in the industrialized world were registered in this subregion, with nearly 232,000 claims, a 7 per cent increase over 2008. The number of applications declined in southern Europe, presumably because of strengthened border controls, including sea patrols and interception practices, some of which were of concern to UNHCR. The number of unaccompanied and separated children applying for asylum, particularly from Afghanistan, was significant.

The economic downturn did not spare the subregion and many refugees were directly affected. UNHCR continued to work closely with national counterparts, and its positions were frequently taken into account by governments, courts, civil society and the media. The Office developed strategic partnerships with civil society to support its advocacy and build positive public attitudes towards people of concern.

The management of mixed migration at the borders and restrictive asylum legislation and practice continued to be of concern. The quality of decisions pertaining to the identification of persons in need of international protection, sub-standard reception conditions for asylum-seekers and, in some countries, the increasing use of detention, were also identified as issues needing consistent attention. The limited prospects for integration available to refugees and the non-accession of some States in the region to the 1954 and/or 1961 Statelessness Conventions were other areas of focus.

#### Achievements and impact

#### • Harmonization of European asylum policy

The Office continued to work with EU institutions and provided technical advice on the Common European Asylum System. UNHCR supported the harmonization of asylum policies through interventions and comments on legislation.

# • Enhancing space for asylum in the broader migration context

In 2009, UNHCR engaged with governments and the EU agency FRONTEX to address mixed migration movements, aiming to ensure access to territory and to appropriate procedures for asylum-seekers. The Office reiterated its appeal to States to refrain from transferring asylum applications to Greece under the Dublin II Regulation. It also renewed its commitment to work with the Greek authorities on the reform of the asylum system, and called on the European Union to develop improved mechanisms for burden- and responsibility-sharing.

UNHCR engaged in counselling in northern France and continued its work in Italy to ensure that appropriate information reached newly arrived asylum-seekers.

• Search for durable solutions

UNHCR advocated for an increase in resettlement capacity, notably by supporting the European Commission proposal for an EU Resettlement Programme. Fourteen countries in this subregion resettled nearly 6,900 refugees in 2009.

#### • Supporting UNHCR's work through partnerships

UNHCR reinforced its partnerships with the OSCE and the Council of Europe and made a number of submissions before the ECHR and the ECJ. In addition, the presence in Brussels of part of the Bureau for Europe allowed for close cooperation with EU institutions. Regional offices in Stockholm, Rome and Brussels as well as country offices ensured that UNHCR enjoyed good relations with government counterparts. In particular, the Office sought strategic partnerships to address complex issues such as human trafficking and the rights of Roma populations in the region.

#### Constraints

The economic downturn had a negative impact on some refugee-related activities, and also hardened attitudes toward foreigners in general. A number of governments toughened their stance on immigration and strengthened control measures. The debate in a number of countries on nationality and the participation of migrants in society provided opportunities for UNHCR to underline the protection needs of refugees; however, in some cases, it also led to a more difficult climate for the reception and integration of refugees.

#### Operations

In Austria, UNHCR focused on improving the quality of asylum decisions. With a formal role in the airport procedure, the Office managed to ensure access to international protection for asylum-seekers. The predicament of uprooted people and UNHCR's activities became better understood by the public thanks to highly visible public-information initiatives.

In the **Benelux** countries UNHCR played an important role in providing information on asylum procedures. In **Luxembourg**, UNHCR published a book with the University of Luxembourg on various aspects of asylum. In the **Netherlands**, the Office had an important role in building and enhancing partnerships to improve information sharing on asylum matters. Throughout the region, UNHCR sought to ensure that refugee issues received high visibility. **Belgium** and Luxembourg engaged in ad hoc resettlement of Iraqi nationals, and the Netherlands continued its annual resettlement programme.

UNHCR established a presence in northern **France** to ensure access to protection for people of concern. Through its continued participation in the second instance of the asylum procedure, UNHCR promoted the principles of the 1951 Refugee Convention. The Office also participated in the recently established working group on resettlement in France.

UNHCR in **Germany** continued its close cooperation with the Federal Office for Migration and Refugees, provided training to judges and adjudicators and participated in the debate on the Dublin II Regulation. Special emphasis was placed on improving protection for unaccompanied and separated children. The quality of interviews and the understanding of children's vulnerability were included among issues addressed in Germany's participation in UNHCR's Central European "Asylum Systems Quality Assurance and Evaluation Mechanism" Project. More than 2,000 Iraqi refugees from Jordan and the Syrian Arab Republic were resettled in 2009 in Germany, making it the largest resettlement country in Europe.

In **Greece**, UNHCR advocated for reform of the asylum system. Although serious shortcomings in reception, detention upon arrival (including of children) and the poor quality of asylum decisions remained major concerns, projects at a number of entry points showed the possibilities of protection-sensitive border management.

Building local capacity remained a priority for UNHCR in **Ireland**, where the focus was on adjudicators and border police. Specific emphasis was placed on strengthening consideration of the best interests of the child in the asylum process. In a participatory study, obstacles to timely family reunification and discrimination were identified by refugees as some of the difficulties in achieving integration.

In **Italy**, UNHCR's participation in refugee status determination (RSD) contributed to the quality of decision-making. UNHCR's activities in mixed migration management aimed to ensure the provision of information, identification of persons with special needs, medical assistance, proper reception arrangements and access to the asylum process.

UNHCR's engagement in encouraging rescue at sea helped save many asylum-seekers' lives, while the agreement between Italy and the Libyan Arab Jamahiriya on interception and return contributed to a sharp decrease in arrivals. The Office's active public information activities kept relevant issues and UNHCR's position in the public eye.

In Malta, UNHCR monitored both stages of the RSD procedure, providing technical input where needed. Although systematic detention upon arrival continued, procedures were established to ensure that women were accommodated separately from men, thus reducing the risk of sexual and gender-based violence. UNHCR played a coordinating role in a pilot project for the relocation of a number of protection beneficiaries from Malta to other EU countries, and the Office continued to facilitate resettlement from Malta to the United States.

Despite a limited presence in the Nordic countries (**Denmark, Finland, Iceland, Norway** and **Sweden**), UNHCR made a number of significant contributions to national legislation which reinforced the protection of refugees. Partnerships were strengthened through joint organization of a number of events to build capacity and further the protection discussion in the region.

In **Portuga**, UNHCR continued with its work through partnership with the Portuguese Refugee Council (PRC). Through the PRC, the Office ensured that legal aid and counselling were provided to asylum-seekers. In 2009, Portugal accepted 30 refugees referred by UNHCR for resettlement.

A new asylum law adopted in **Spain** maintained UNHCR's advisory role in the asylum procedure. The establishment by UNHCR of a network of lawyers and NGOs to provide legal advice to asylum-seekers resulted in more active engagement of bar associations in refugee issues. The Office highlighted the need for protection-sensitive migration management. Advocacy for the creation of a protective framework for victims of human trafficking resulted in an increase in identified cases.

The Office in **Switzerland** participated in the publication of a comparative study on Swiss asylum law, EU norms and international law. With Switzerland's entry into the Schengen area and application of the Dublin II Regulation, the Office focused on raising awareness of it and the Common European Asylum System in general.

**Liechtenstein** saw an unexpected increase in asylum applications and the Office engaged in dialogue with the authorities on access to the country and enjoyment of protection for those of concern. Successful advocacy led to the accession by Liechtenstein to both the 1954 and the 1961 Statelessness Conventions.

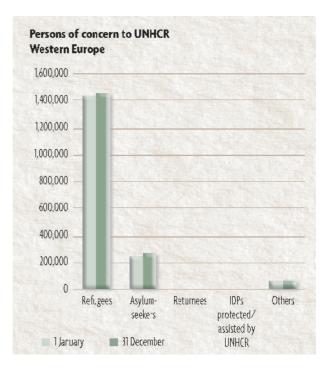
In the **United Kingdom**, the Office continued to influence the development of asylum law and practice through research-based advocacy, judicial engagement and the Quality Initiative supported by the country's Border Agency. UNHCR also continued to support the United Kingdom's resettlement programme.

#### Financial information

The European Commission, European countries and private sector donors in this subregion were among UNHCR's major donors.

The increase in the budget for Western Europe compared to 2008 relates mainly to the allocation of additional

resources in Malta to address protection challenges in the context mixed migration and the strengthening of the Brussels office under the regionalisation process.



Budget and expenditure in Western Europe (USD)				
Country	Annual budget			
	Final budget	Expenditure		
Austria	1,009,436	948,905		
Belgium	6,376,737	5,913,408		
France	3,085,636	2,866,814		
Germany	2,191,686	2,012,629		
Greece	1,281,040	1,225,920		
Ireland	856,002	625,593		
Italy	5,346,181	4,438,454		
Malta	373,037	308,466		
Portugal	91,421	90,313		
Spain	1,595,180	1,309,426		
Sweden	1,685,333	1,515,046		
Switzerland	741,010	679,563		
United Kingdom	1,639,262	1,448,309		
Total	26,271,961	23,382,846		

Note: Excludes indirect support costs that are recovered from contributions against supplementary programmes and the "New or additional activities-mandate-related" (NAM) reserve.

Voluntary contributions to Western Europe (USD)				
Earmarking	Donor	Annual budget	Total	
Western Europe subregion	United States of America	5,200,000	5,200,000	
Western Europe subtotal		5,200,000	5,200,000	
Austria	Austria	65,309	65,309	
	Austria subtotal	65,309	65,309	
Belgium	Belgium	93,539	93,539	
	European Commission	423,631	423,631	
Belgium subtotal		517,169	517,169	
France	France	541,800	541,800	
France subtotal		541,800	541,800	
Germany	Deutsche Stiftung für UNO (Germany)	30,729	30,729	
	Germany	572,246	572,246	
	Germany subtotal	602,975	602,975	
Greece	Greece	112,765	112,765	
	Netherlands	8,254	8,254	
	Greece subtotal	121,019	121,019	
Ireland	Ireland	174,368	174,368	
	Ireland subtotal	174,368	174,368	
Italy	Italy	2,197,086	2,197,086	
	Italy subtotal	2,197,086	2,197,086	
Malta	Malta	66,429	66,429	
Malta subtotal		66,429	66,429	
Spain	Spain	666,240	666,240	
Spain subtotal		666,240	666,240	
Sweden	Sweden	21,366	21,366	
	Sweden subtotal	21,366	21,366	
Switzerland	Switzerland	35,564	35,564	
Switzerland subtotal		35,564	35,564	
United Kingdom	United Kingdom	510,234	510,234	
United Kingdom subtotal		510,234	510,234	
Total		10,719,559	10,719,559	

Note: Contributions listed above exclude indirect support costs that are recovered from contributions against supplementary programmes and the "New or additional activities-mandate-related" (NAM) reserve.