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Update on UNHCR's operations in Europe

Europe has experienced a significant increase in the arrival and transit of refugees and migrants in 2015. This has challenged the effective functioning of the Common European Asylum System and the political resolve of European Union Member States to act collectively with responsibility and solidarity, in line with their international obligations. While this flow has been characterized by some actors primarily as irregular migration, the great majority of arrivals were refugees, fleeing protracted conflicts in other regions. In parallel, Europe continued to grapple with displacement from the unresolved conflict in Ukraine. UNHCR has endeavoured to scale up its support to countries in Europe affected by these phenomena.

A. Situational analysis including new developments

Asylum and internal displacement

Almost 445,000 asylum applications were lodged in 38 European countries between January and June 2015, representing a 60 per cent increase as compared to the same period in 2014. According to government statistics, the main countries of origin were the Syrian Arab Republic (91,890), Serbia and Kosovo[1] (70,090) and Afghanistan (50,490).[2]

Some 78 per cent of asylum applications in Europe in the first six months of 2015 were lodged in European Union Member States, mainly in Germany (154,100), Hungary (49,050), France (24,450) and Sweden (25,720). The numbers of asylum applications filed in Serbia and Kosovo[3] (37,430) and Turkey (35,220) represented tenfold and eightfold increases respectively compared to the same period in 2014. Withdrawals of asylum applications became more frequent in certain countries, notably in Hungary, as applicants sought to move onwards to other European States.

Turkey became the country hosting the largest number of refugees under UNHCR's mandate worldwide (2.1 million as at end August 2015). This included a significant increase in Syrians, but also Iraqi and Afghan refugees. Irregular onward movements of persons of concern from Turkey to the European Union intensified.

The crisis in Ukraine continued to cause substantial displacement. As of July 2015, 1.4 million had been registered as internally displaced persons (IDPs), according to government statistics. Reportedly, an even higher number had not registered. Some 922,650 Ukrainians also applied for asylum or other forms of legal stay in neighbouring countries and in the Member States of the European Union, including the Russian Federation (765,600), Belarus (81,600) and Germany (4,600). Many more benefited from visa-free regimes in other countries.

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[1] References to Kosovo shall be understood in the context of Security Council Resolution 1244 (1999).

[2] UNHCR notes that the way statistical information is recorded in Europe may include instances of double counting.

[3] References to Kosovo shall be understood in the context of Security Council Resolution 1244 (1999).

Situation at Europe's external borders

Significant numbers continued to cross the Mediterranean Sea. By late August 2015, 322,500 refugees and migrants had arrived by sea in the European Union, originating mainly from the Syrian Arab Republic (49 per cent), Afghanistan (12 per cent), Eritrea (9 per cent), Nigeria (4 per cent) and Somalia (3 per cent).[4] A higher proportion of families, women, and unaccompanied and separated children were among the arrivals compared to previous years. Despite increased search and rescue operations, 2,750 people are known to have died or gone missing in the Mediterranean Sea in the first eight months of 2015.

Of the total number of sea arrivals in the European Union, as of late August 2015 some 204,950 persons had disembarked in Greece, 115,500 in Italy, 1,950 in Spain and 90 in Malta.[5] This indicated a shift from the central to the eastern Mediterranean route, with a more than eightfold increase in arrivals by sea to Greece compared to 2014. The majority of arrivals by sea in Greece were Syrians (68 per cent) and Afghans (18 per cent). The average number of daily arrivals almost doubled, from 1,600 in July to 2,900 in August 2015, and rose to between 3,000 and 4,000 arrivals in the first few days of September 2015. Reception capacity on affected islands and in Athens was insufficient to meet the needs. Discussions were ongoing among the European Union, the European Asylum Support Office (EASO), the European Union border agency FRONTEX, and Greece on the implementation of a "hotspot approach" as part of the European Agenda on Migration (see below, "European Union asylum-related developments"). This would include measures to facilitate identification, access to asylum procedures and relocation of asylum-seekers to other European Union Member States.

Most arrivals in Greece did not apply for asylum there (only some 7,470 persons had applied as of late July 2015), and rather sought to travel onwards to the former Yugoslav Republic of Macedonia, Serbia and then to Hungary, straining reception and registration capacities at every location. Refugees and migrants often lacked access to food, water and medical services. Protection concerns included family separation, kidnappings, violence, and abuse by smugglers and traffickers. More than 3,000 persons were reported to follow this route daily as at late August 2015. Between 19 June and 1 September 2015, approximately 53,570 persons registered their intention to seek asylum in the former Yugoslav Republic of Macedonia. It was estimated that an equal number of persons had transited through the country unregistered. In Serbia, 104,900 persons registered their intention to seek asylum between January and late August 2015. It was estimated that the equivalent of half the registered asylum-seeker population had transited through the country unregistered. The registered asylum-seeker population consisted primarily of Syrians, Afghans and Iraqis.

The Governments of the former Yugoslav Republic of Macedonia and Serbia have requested international support to ensure that protection and humanitarian needs are addressed, in particular concerning reception, asylum and migration management. Against this background, UNHCR declared a level-2 emergency for Greece, the former Yugoslav Republic of Macedonia and Serbia in June 2015 and increased its presence at the borders to provide protection and assistance, and support local capacities to manage and coordinate the situation. Increased support was given to building national registration and reception capacities, and improving the functioning of national asylum systems. Given the increasing pressure facing Hungary, a level-2 emergency was also declared for the situation there in early September 2015.

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[4] Data as of 28 August 2015 for Greece; as of 4 August 2015 for Italy; as of 31 July 2015 for Spain; and as of 31 July 2015 for Malta.

[5] Official government figure as of 31 July 2015 for Spain; official government figure as of 21 July 2015 for Malta; UNHCR figure as of 17 August 2015 for Italy; and UNHCR figure as of 14 August 2015 for Greece.

European Union asylum-related developments

In May 2015, the European Commission issued the European Agenda on Migration, containing a number of proposals to respond to asylum and migration challenges in the European Union. The proposals included: reinforced search and rescue capacities; support for Member States subject to "particular pressures" (including through the relocation from Greece and Italy of 40,000 persons in need of international protection); resettlement of 20,000 refugees from outside of the European Union; and measures to address root causes of displacement. UNHCR welcomed the comprehensive approach offered by the European Agenda on Migration, including recognition of the need for coordinated action across a range of policy areas among relevant European Union stakeholders. As a result of the evolving situation, on 9 September 2015 the European Commission unveiled a new set of proposals, including a mandatory relocation scheme for 120,000 people clearly in need of international protection, in addition to the voluntary scheme for 40,000 persons that had already been agreed upon; a package for the return of people not in need of international protection; proposals to develop a European Union "list of safe countries of origin"; and the creation of legal channels for migration.

B.   Progress and challenges in achieving the global strategic priorities

Safeguard asylum space in the broader migration context: access to territory for persons of concern and acceptable reception conditions

Access to territory was a significant challenge in some countries in Europe. Physical barriers were maintained and new ones erected. UNHCR was deeply concerned about reports of push-backs and interceptions at certain border areas, including along sea routes.

UNHCR continued to advocate alternative legal channels allowing refugees to reach Europe safely, including: enhanced resettlement opportunities; humanitarian admission programmes; private or community-based private sponsorship schemes; increased access to family reunification; humanitarian visas; student scholarship schemes; and "refugee-friendly" labour migration programmes.

Although the Italian navy's search and rescue operation "Mare Nostrum" ended in November 2014, search and rescue capacity in the central Mediterranean has since been strengthened, including through operations by FRONTEX, as well as efforts by private and commercial vessels. UNHCR has welcomed the emerging consensus that robust search and rescue capacities are essential in the Mediterranean Sea. UNHCR continued to work closely with FRONTEX, both bilaterally and as the chair of its consultative forum that brings together civil society organizations to advise the Executive Director of FRONTEX on fundamental rights issues. UNHCR also developed a Special Mediterranean Initiative in June 2015, building on its Central Mediterranean Initiative. In close collaboration with relevant counterparts, UNHCR has established protection monitoring at border areas along the refugee/migratory route and provided support to authorities in ensuring protection-sensitive border management.

Ensuring that adequate reception conditions were available continued to be a key challenge in Europe, in particular for individuals with specific needs. Innovative solutions were required, such as the sharing of reception facilities (as agreed by Austria and Slovakia in a memorandum of understanding signed in July 2015) and vouchers for accommodation, which can benefit local economies and infrastructure.

In some Eastern European countries, access to asylum procedures remained challenging for Syrian and other specific groups of asylum-seekers. UNHCR was particularly concerned by reliance on national security as a ground for rejection of applications. UNHCR was also concerned about pressures placed on non-governmental organizations (NGOs) by new legislative frameworks in certain countries, which restrict NGO activities and funding.

Build and maintain fair and effective asylum and protection systems

UNHCR continued to devote resources to improving and consolidating national asylum procedures, including through quality control measures. UNHCR was engaged with EASO, both bilaterally and as member of EASO's Management Board. "The heart of the matter", a study on assessment of credibility in the context of asylum claims made by children in the European Union, was published in early 2015 and will form the basis of training materials. The first phase (2013-2015) of the "Asylum Systems Quality Initiative" in Eastern Europe and the Southern Caucasus has resulted in an improvement in the quality of first instance decision-making. The second phase (2015-2017) will focus on addressing outstanding gaps in refugee status determination procedures, as well as on improving access to asylum and the quality of judicial review.

Interventions by UNHCR in national and regional courts on matters of concern to the Office remained a priority (e.g., exclusion clauses; concealment to avoid persecution; age assessment and treatment of unaccompanied children; statelessness; and assessment of claims under Article 1(D) of the 1951 Convention relating to the Status of Refugees). The Court of Justice of the European Union and the European Court of Human Rights delivered key judgments, respectively on the revocation of a refugee's residence permit[6] and transfers under the Dublin II Regulation.[7]

Secure durable solutions for refugees and IDPs

Nineteen European countries now have regular resettlement programmes. Further, collectively, 31 European States (27 European Union Member States plus the associated States) will resettle over 20,000 persons in 2015 and 2016 pursuant to the resettlement proposal contained in the European Agenda on Migration. Twenty-two European countries have also pledged to provide some 63,650 places for resettlement and/or other forms of legal admission in response to UNHCR's call for 130,000 places to be made available for Syrian refugees by the end of 2016. UNHCR welcomes these developments.

In Ukraine, there continued to be challenges in securing protection and durable solutions for IDPs. Freedom of movement and humanitarian access to affected populations were limited. UNHCR worked closely with community-based organizations to support IDPs and those at risk of displacement.

In order to support local integration in some European countries, UNHCR worked with national stakeholders to ensure access to adequate housing and family reunification for displaced persons, including through legislative changes and national integration plans. Destitution, intolerance and xenophobia were concerning trends in several countries. Efforts to galvanize public sympathy and support for asylum-seekers and refugees are accordingly an important component of UNHCR's Special Mediterranean Initiative.

Prevent and resolve situations of statelessness

Significant steps were taken to prevent and resolve statelessness in Europe in 2015. For example, Armenia and Estonia adopted legislative amendments strengthening safeguards to prevent statelessness at birth. The Republic of Moldova finalized its campaign to grant nationality documents to 182,000 former Soviet citizens. Montenegro adopted legislative amendments to facilitate late birth registration, which is necessary for persons at risk of statelessness to be able to obtain nationality documents.

Measures were also taken to ensure that stateless persons were better protected. Kosovo[8] adopted a statelessness determination procedure, while Hungary's Constitutional Court found that the requirement that applicants for stateless status in Hungary be lawfully

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[6] Court of Justice of the European Union, *H.T. v. Land Baden-Württemberg*, C-373/13, June 2015.

[7] European Court of Human Rights, *Tarakhel v. Switzerland*, Application no. 29217/12, November 2014.

[8] References to Kosovo shall be understood in the context of Security Council Resolution 1244 (1999).

staying in the country was contrary to international law. The number of States Parties in Europe to the 1954 Convention relating to the Status of Stateless Persons increased to 38, with Turkey's accession in early 2015.

Strengthen UNHCR's external relations and mobilize support for the work of UNHCR worldwide and for persons of concern

By late June 2015, EUR 102.4 million had been provided by European Union institutions for UNHCR's 2015 programmes, mostly from the European Commission's Directorate-General for Humanitarian Aid and Civil Protection. Of this, EUR 54.4 million stemmed from multi-year contracts signed prior to 2015.

European Union institutions and UNHCR have collaborated in responding to new and longstanding crises, including the Central African Republic, Iraq, Nigeria, Somalia, the Syrian Arab Republic, Ukraine and Yemen. In the first six months of 2015, regular discussions concerning mixed movements were held between European Union institutions and UNHCR.

C. Financial information

During its sixty-fifth session in October 2014, the Executive Committee of the High Commissioner's Programme (ExCom) approved a budget for Europe of US$ 480.5 million for 2015. As at the end of August 2015 the budget was US$ 550.6 million, reflecting an increase of US$ 70.1 million due to supplementary budgets for the Syria and Ukraine situations.

By September 2015, contributions received for Europe amounted to US$ 133.8 million, leaving a US$ 416.8 million gap. This limited UNHCR's ability to deliver emergency assistance and protection to persons of concern, particular those impacted by the Syria and Ukraine crises.

Financial requirements for UNHCR's activities under the Special Mediterranean Initiative were outlined in September 2015, in the "Emergency appeal for the initial response plan for the refugee crisis in Europe" (June 2015-December 2016). A total of US$ 30.5 million was requested from June 2015 to December 2016. This amount may be revised at a later stage, depending on how the situation evolves.