

WESTERN EUROPE

Austria	Belgium	Denmark	Finland
France	Germany	Greece	Iceland
Ireland	Italy	Liechtenstein	Luxembourg
Malta	Monaco	The Netherlands	Norway
Portugal	San Marino	Spain	Sweden

Recent Developments

In March of this year, the United Kingdom became the largest recipient of asylum applicants in Western Europe, receiving 20 per cent of the total. Germany ranked second, receiving 19 per cent of all applicants, followed by France (11.3 per cent) and the Netherlands (11 per cent). The total number of applications submitted during the first quarter of 2000 (96,050) was slightly lower than quarterly average since January 1998 (97,200). Citizens of the Federal Republic of Yugoslavia accounted for the largest number of asylum-seekers, although their share of total applications declined. Applications lodged by citizens of China and Pakistan accounted for the largest increases.

During the first six months of the year, the asylum debate became increasingly politicised in several European countries. A wave of xenophobia, fanned by local media, targeted asylum-seekers while governments were pressured to respond energetically to combat ever more sophisticated methods of smuggling and trafficking of migrants – including genuine asylum-seekers – into Western Europe. The serious hazards involved in clandestine trips across the Mediterranean or the English Channel were all too tragically illustrated by a series of fatal accidents, which also contributed to the polarisation of public opinion.

The temporary protection afforded by virtually all Western European countries to persons fleeing conflict and persecution in Kosovo in 1999 came to an end during the reporting period. In March 2000, UNHCR advised that the change of circumstances in Kosovo, coupled with better weather conditions, allowed

for the orderly return of the vast majority of Kosovo Albanians still in Western Europe.

However, UNHCR's position regarding the continued need to protect non-Albanian minorities remained unchanged. Those states hosting large numbers of Kosovo Albanians, whilst continuing to encourage voluntary return, started to repatriate involuntarily individuals and families without legal status. According to the United Nations Mission in Kosovo (UNMIK), over 3,000 persons were forcibly returned to Kosovo between February and the end of June. With very few exceptions, those identified by UNHCR as being in continued need of international protection were not returned. However, some states have been deporting ethnic Albanians originating from southern Serbia to Kosovo, over the objections of UNMIK.

Strategic Objectives: Progress and Constraints

In promoting effective implementation of international standards, UNHCR has increasingly had to consider asylum and refugee issues in Western Europe within the wider, complex phenomena of composite flows, irregular migration, trafficking and migrant smuggling, and difficulties with the return of rejected asylum-seekers. While State responses have tended to concentrate on introducing further restrictions on access to their territories and to asylum procedures, there is growing recognition that this will not solve the problem. UNHCR's strategy must be supported by a truly comprehensive approach to migration and asylum. The Action Plans adopted by the EU's High Level Working Group on Asylum and Migration are a step in the right direction.

Against this background, UNHCR's Bureau for Europe engaged in a major strategic planning exercise during the first weeks of 2000, involving all offices in Europe as well as relevant Departments and Divisions at Headquarters. This exercise resulted in the issuance of the public domain document, *Strategic Directions 2000-2005*, which outlines UNHCR's vision, goals and objectives, and discusses the added value of UNHCR's role in a changing regional context. With particular reference to Western Europe, strategic directions are articulated around two main themes or areas of priority concern, namely: quality asylum in a uniting Europe; and support for refugees and UNHCR world-wide.

Cooperation with, and Advice to, Governments

In the first half of the year, Malta adopted its first asylum legislation. UNHCR was actively involved in the various drafting stages. Unfortunately, suggestions put forward by UNHCR

were not fully reflected in the final text and, consequently, the adopted legislation falls short of internationally accepted standards. UNHCR was also invited by several Western European governments to provide advice and comments on their proposals for legislative amendments. Notwithstanding the general receptivity to the Office's observations and concerns, some of the shortcomings in State practice have not been remedied by legislative amendments. Of particular concern to UNHCR is the continuing inappropriate application of the notions of "safe third country", "safe country of origin", "internal flight alternative", and "manifestly unfounded claims". It is also cause for concern that, despite the express commitment made at the EU Tampere Summit by the 15 Heads of Government to ensure the "full and inclusive" application of the 1951 Convention, some countries continue to exclude victims of non-State agents of persecution from the ambit of the convention.

UNHCR's active co-operation with Governments and its involvement, in an advisory ca-



capacity, in the day-to-day work of the institutions tasked with refugee status determination at various levels, has achieved useful results for all concerned, especially asylum-seekers and refugees. In Switzerland, for example, extensive consultations between UNHCR and the Government aimed at broadening the interpretation of “agent of persecution” have resulted in the creation of a working group at the level of the *Office Fédéral des Réfugiés* tasked with the examination of this specific issue. Similarly, the topic of non-State agents of persecution has been widely discussed in Germany not only between UNHCR and the authorities, but also among experts and key opinion leaders. Regarding gender-related persecution, UNHCR has conducted various advocacy initiatives before the Human Rights Committee of the German Parliament, the Federal Interior Ministry and parliamentary groups. As a result, the Federal Commissioner for Asylum withdrew his appeal against positive first-instance decisions involving gender-related cases and the Federal Office for the Recognition of Foreign Refugees has included several gender-related aspects in its forthcoming administrative instructions.

UNHCR also continued to play a role in the admissibility phase of the refugee status determination procedure, through a presence at points of entry, which contributed to improving the quality of the first screening of asylum claims. This was the case, for example, in Greece and Italy, which were confronted with increased composite flows.

UNHCR organised workshops on refugee law for a wide range of participants, including first- and second-instance decision-makers, refugee-assisting NGOs and others with a particular interest in asylum matters. To assist Governments to take informed decisions in refugee status determination procedures, UNHCR continued to compile and disseminate country of origin information. At the request of Governments, UNHCR also organised a number of workshops on country-of-origin information for authorities involved in the determination of refugee status.

In Italy, where the handling of refugee matters is decentralised to the regional level, the tripartite agreement concluded recently between the Association of Italian Municipalities, the Ministry of Interior and UNHCR is an important development. It is hoped that this arrangement will address the current shortcomings in terms of assistance and reception facilities for asylum-seekers.

Promotion and Advocacy

The general trend of tightening borders, and the resulting proliferation of migrant smuggling and trafficking in persons, combined with the growing exploitation of asylum systems by economic migrants determined to circumvent established immigration rules, have contributed to negative perceptions and stigmatised refugees and asylum-seekers. This has resulted in more incidents of racism, xenophobia and intolerance directed against refugees and asylum-seekers, and foreigners in general.

UNHCR’s 50th anniversary provides a good opportunity for governments, UNHCR, civil society and the public at large to counter such incidents, which are perpetrated by a minute segment of society. In Western Europe, as elsewhere throughout the world, the 50th anniversary is an opportunity to celebrate the achievements of refugees over the past five decades. Commemoration activities have already started, often in full partnership and cooperation with Governments, NGOs, educational institutions, the media and many other committed groups and individuals. For example, the creation of a Baltic-Nordic steering/co-ordination group for the 50th anniversary, with the participation of governments and NGOs, has led to the creation of broad-based national co-ordination groups that aim to maximise awareness. It has not only further strengthened existing partnerships, but has also become an important tool to extend partnership to new groups, thereby ensuring stronger support for UNHCR programmes, both nationally and internationally.

In parallel, the second phase of the joint

UNHCR-EU integration campaign has continued to promote understanding of the essential characteristics of refugees who flee persecution or violence, as compared to ordinary migrants, and elicit the support they need to be active and valued members of their new societies. Most UNHCR offices in EU countries took part in the integration campaign. For example, in France some 80 information kits were distributed to the press, and various local and national newspapers published articles dealing with refugee problems. Some 200 press articles relating to refugee integration and other UNHCR activities appeared in the Greek press. In the Nordic countries, a series of conferences were held which offered tools to improve dialogue in a multi-ethnic society.

The innovative project *Refugee Online* in the United Kingdom, aimed at training journalists via a web-site, has proved so successful that it may be replicated in other European countries. This gave useful support to UNHCR's nationwide campaign to sensitise the local authorities involved in the Government's dispersal policy to the background of refugee flight and to emphasise the positive contribution of refugees to the cultural development of civil society.

Partnerships and Networking

UNHCR has engaged in wide-ranging advocacy activities to ensure that the EU gives effect to the commitment to the "absolute respect for the right of asylum" and the "full and inclusive" application of the 1951 Convention made at the EU Council's Tampere Summit in October 1999. The Tampere Conclusions established a two-stage approach to the implementation of this commitment. A first stage is the harmonisation of the core asylum provisions set out in Article 63 of the Treaty of Amsterdam, and the second stage is development of a common European asylum system. UNHCR's policy dialogue and practical co-operation with the European Union, as well as its Member States and institutions, focuses on ensuring that harmonisation of policy and practice at the regional level preserves the centrality and integrity of

the Convention-based international protection regime.

The co-operation and partnership between UNHCR and the European Commission in addressing the multifaceted challenges of asylum in a uniting Europe has recently been further strengthened by an exchange of letters in July between the Commissioner for Justice and Home Affairs and the High Commissioner. It has been agreed that such a stronger co-operation would take the form of: establishing regular channels for exchanges of information and documentation on ongoing and planned activities of mutual concern; providing mutual assistance in the implementation of programmes and in the study of refugee and asylum questions; and in holding biannual senior-level consultations to better co-ordinate co-operation, review progress in joint action and identify potential areas for further collaboration.

In the same vein, UNHCR and the Council of Europe have continued to expand their co-operation and joint activities, for example through the organisation of a colloquium in May on "The European Convention on Human Rights and the Protection of Refugees, Asylum-Seekers and Displaced Persons". This was a follow-up to the first colloquium organised by UNHCR and the Council of Europe in October 1995 on the same subject.

Solutions

Increasingly, governments throughout Western Europe are recognising that successful integration must be a central part of their refugee and asylum policy. Corrective measures and action to combat discrimination and xenophobia are being developed and implemented in, for example, all the Nordic countries. UNHCR is often called upon to assist governments in this respect. UNHCR was also involved in monitoring implementation of the Icelandic family support system designed to facilitate the integration of resettled refugees.

FINANCIAL DATA (USD)

	Initial Budget		Revised Budget		Total Funds Available*		Total Funds Obligated	
	AB and TF	SP	AB and TF	SP	AB and TF	SP	AB and TF	SP
Countries								
Austria **	1'864'391	0	1'646'128	0	912'207	0	816'400	0
Belgium	2'258'405	0	2'251'950	0	995'100	0	995'100	0
France	2'254'856	0	2'638'305	0	1'141'400	0	1'141'400	0
Germany	2'265'496	0	2'269'251	0	1'000'000	0	959'700	0
Greece	1'407'645	0	1'516'507	0	600'900	0	600'900	0
Ireland	304'377	0	304'355	0	128'200	0	128'200	0
Italy	2'106'039	0	2'579'614	0	1'027'000	0	1'050'100	0
Malta	200'000	0	200'000	0	103'400	0	103'400	0
The Netherlands	228'331	0	228'087	0	103'200	0	103'200	0
Portugal	133'000	0	133'000	0	58'500	0	58'500	0
Spain	999'853	0	1'666'577	0	719'651	0	716'200	0
Sweden	1'066'414	0	1'059'414	0	498'300	0	498'300	0
Switzerland	803'794	0	828'803	0	435'220	0	334'900	0
United Kingdom	1'345'821	0	1'543'623	0	668'700	0	668'700	0
Sub-total	17'238'422	0	18'865'614	0	8'391'778	0	8'175'000	0
Bureau at Headquarters	899'700	0	936'583	0	385'650	0	385'650	0
TOTAL	18'138'122	0	19'802'197	0	8'777'428	0	8'560'650	0

*Includes income from unrestricted contributions, income from contributions restricted to the region and countries within the region, opening balance and adjustments.

**Austria was included under Central Europe and the Baltic States in the 2000 Global Appeal.

